

STATE OF OREGON

COUNTY OF BENTON

PERMIT TO CONSTRUCT A RESERVOIR AND TO
STORE FOR BENEFICIAL USE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO:

STEPHEN J LAWTON
4902 SW NASH
CORVALLIS, OREGON 97333

503-752-8358

to construct NASH TREE FARM RESERVOIR and to store SURFACE RUN-OFF,
tributary to MARYS RIVER, for WILDLIFE HABITAT.

This permit is issued approving Reservoir Application R-73465. The date
of priority is JUNE 1, 1993. The amount of water entitled to be stored
each year is not more than 2.6 ACRE-FEET. Water may be appropriated
for storage during the period November 1 through June 30 of each year.

The dam will be located as follows:

SE 1/4 SW 1/4, SECTION 9, T 12 S, R 5 W, W.M.; 801 FEET SOUTH AND
299 FEET EAST FROM THE SW 1/16 CORNER OF SECTION 9.

The total area proposed to be submerged by the reservoir, when full, is
0.7 acre; the proposed maximum depth of water is 8.0 feet. The maximum
height of the dam shall not exceed 6.0 feet.

The area to be submerged by the reservoir is located within:

SE 1/4 SW 1/4
SECTION 9
TOWNSHIP 12 SOUTH, RANGE 5 WEST, W.M.

The storage of water allowed herein is subject to the installation and
maintenance of a fully functional conduit/gate assembly having a minimum
diameter of 8 inches. The conduit/gate assembly is to be cycled
annually.

Measurement recording and reporting conditions:

- A. The Director may require the permittee to install a meter
or other suitable measuring device as approved by the
Director. If the Director notifies the permittee to
install a meter or other measuring device, the permittee
shall install such device within the period stated in the
notice. Such installation period shall not be less than
90 days unless special circumstances warrant a shorter
installation period. Once installed, the permittee shall
maintain the meter or measuring device in good working
order and shall allow the watermaster access to the meter
or measuring device. The Director may provide an
opportunity for the permittee to submit alternative
measuring procedures for review and approval.
- B. The Director may require the permittee to keep and
maintain a record of the amount (volume) of water used
and may require the permittee to report water use on a
periodic schedule as established by the Director. In
addition, the Director may require the permittee to
report general water use information, the periods of
water use and the place and nature of use of water under
the permit. The Director may provide an opportunity for
the permittee to submit alternative reporting procedures
for review and approval.

Actual construction work shall begin on or before May 10, 1995 and shall be completed on or before October 1, 1996. The reservoir shall be filled and complete application of the stored water to the use shall be made on or before October 1, 1997.

Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit.

The permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The storage of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

The Director of the Water Resources Department has found that the proposed use of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

Issued this date, May 10, 1994.

/s/ A. REED MARBUT

Water Resources Department
Martha O. Pagel
Director