

STATE OF OREGON

COUNTY OF WASHINGTON

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

THIS PERMIT IS HEREBY ISSUED TO:

THE GHIGLIERI CORPORATION
PO BOX 656
WILSONVILLE, OREGON 97070

503-224-4123

to construct RESERVOIRS 1, 2, 3, AND 4 and to store the waters of SURFACE RUNOFF, tributary to DEER CREEK, for AESTHETICS, RECREATION, and FISH USE.

This permit is issued approving Reservoir Application R-73431. The date of priority is JUNE 4, 1993. The amount of water entitled to be stored each year is not more than 13.15 ACRE-FEET BEING 8.5 ACRE-FEET IN RESERVOIR 1, 0.771 ACRE-FEET IN RESERVOIR 2, 0.408 ACRE-FEET IN RESERVOIR 3, AND 3.41 ACRE-FEET IN RESERVOIR 4. Water may be appropriated for storage during the period November 1 through June 30.

The dams will be located as follows:

SE 1/4 SW 1/4, SW 1/4 SE 1/4, SECTION 10, T 4 S, R 1 W; W.M.

The total area proposed to be submerged by Reservoir 1, when full, is 1.22 acres; the proposed maximum depth of water is 14.0 feet. The maximum height of the dam shall not exceed 15.0 feet.

The total area proposed to be submerged by Reservoir 2, when full, is 0.218 acre; the proposed maximum depth of water is 14.0 feet. The maximum height of the dam shall not exceed 15.0 feet.

The total area proposed to be submerged by Reservoir 3, when full, is 0.115 acre; the proposed maximum depth of water is 14.0 feet. The maximum height of the dam shall not exceed 15.0 feet.

The total area proposed to be submerged by Reservoir 4, when full, is 2.10 acres; the proposed maximum depth of water is 14.0 feet. The maximum height of the dam shall not exceed 15.0 feet.

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

SE 1/4 SW 1/4
SW 1/4 SE 1/4
SECTION 10
TOWNSHIP 4 SOUTH, RANGE 1 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.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order.
- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

*CERTIFICATE NO. 76304

Application R-73431

Water Resources Department

PERMIT R-11570

C. 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.

Use under this permit is limited to the reservoir area. This permit does not provide for the appropriation of water for maintaining the water level or maintaining a suitable fresh water condition.

Actual construction work shall begin on or before AUGUST 14, 1996 and shall be completed on or before October 1, 1997. The reservoir shall be filled and complete application of the stored water to the use shall be made on or before October 1, 1998.

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 AUGUST 14, 1995.

Martha O. Pagel
for _____
Water Resources Department
Martha O. Pagel
Director