

STATE OF OREGON
COUNTY OF MARION

PERMIT TO STORE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

PAUL KNOPP/NORTHWEST FLORICULTURE, INC.
23085 BENTS RD NE
AURORA, OREGON 97002

(503) 678-1805

The specific limits for the use are listed below along with conditions of use.

APPLICATION FILE NUMBER: R-80521

SOURCE OF WATER: DEER CREEK, A TRIBUTARY OF MILL CREEK

STORAGE FACILITY: AN UNNAMED RESERVOIR

PURPOSE OR USE OF THE STORED WATER: WILDLIFE ENHANCEMENT

MAXIMUM VOLUME OF ALLOWED STORAGE: 0.7 ACRE-FEET EACH YEAR

THE PERIOD OF ALLOWED USE TO APPROPRIATE WATER FOR STORAGE IS NOVEMBER 1 THROUGH APRIL 30

DATE OF PRIORITY: JULY 3, 1995

The area submerged by the reservoir, when full, will be 0.3 acre and the maximum depth of water will be 6.0 feet.

DAM LOCATION: SW 1/4 NE 1/4, SECTION 4, T4S, R1W, W.M.; 150 FEET SOUTH AND 150 FEET EAST FROM THE SW CORNER OF J. ILER LAND CLAIM

THE AREA TO BE SUBMERGED BY THE RESERVOIR IS LOCATED AS FOLLOWS:

SW 1/4 NE 1/4
SECTION 4
TOWNSHIP 4 SOUTH, RANGE 1 WEST, W.M.

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.

The permittee shall install, maintain, and operate upstream fish ways, fish screening and by-pass devices as required by the Oregon Department of Fish and Wildlife to prevent fish from entering the proposed diversion. The required upstream fish ways, screens and by-pass devices are to be in place, functional and approved by an ODFW representative prior to diversion of any water.

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 between July 1 through October.

The use may be restricted if the quality of the source stream decreases to the point that it no longer meets state and federal water quality standards due to reduced flows.

Any disturbance of the riparian area resulting from development of this permit may be required to be rehabilitated or enhanced to be consistent with the appropriate recovery plan, fish and Wildlife program or regional restoration program.

STANDARD CONDITIONS

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

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.

This 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.

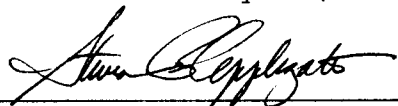
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use 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 finds that the proposed use(s) of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

Actual construction work shall begin within one year from permit issuance and shall be completed on or before October 1, 1998. The reservoir shall be filled and complete application of the water to the use shall be made on or before October 1, 1999.

Issued February 15, 1996



for Water Resources Department
Martha O. Pagel
Director