

STATE OF OREGON

COUNTY OF Washington

PERMIT TO STORE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

GLENN WALTERS NURSERY, INC.
PO BOX 280
BANKS, OREGON 97106

(503) 693-1125

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

APPLICATION FILE NUMBER: R-80211

SOURCE OF WATER: TWO UNNAMED DRAINAGE WAYS AND TILE DRAINS, TRIBUTARIES TO DAIRY CREEK

STORAGE FACILITY: TWO UNNAMED RESERVOIRS

PURPOSE OR USE OF THE STORED WATER: TO BE APPROPRIATED UNDER APPLICATION S-80212, PERMIT #52052 FOR AGRICULTURAL USE (NURSERY OPERATIONS).

VOLUME OF USE: 13.0 ACRE-FEET EACH YEAR

WATER MAY BE APPROPRIATED FOR STORAGE DURING THE PERIOD: NOVEMBER 1 THROUGH APRIL 30 OF EACH YEAR

DATE OF PRIORITY: APRIL 21, 1995

THE AREA SUBMERGED BY RESERVOIR #2, WHEN FULL, WILL BE 0.63 ACRE AND THE MAXIMUM DEPTH OF WATER WILL BE 9.0 FEET. THE MAXIMUM HEIGHT OF THE DAM SHALL NOT EXCEED 0.0 FOOT.

THE AREA SUBMERGED BY RESERVOIR #3, WHEN FULL, WILL BE 0.66 ACRE AND THE MAXIMUM DEPTH OF WATER WILL BE 9.0 FEET. THE MAXIMUM HEIGHT OF THE DAM SHALL NOT EXCEED 0.0 FOOT.

DAM LOCATION: SW 1/4 SW 1/4, SE 1/4 SW 1/4, SECTION 15, T1N, R3W, W.M.; RESERVOIR #2 - 100 FEET NORTH & 1000 FEET EAST; RESERVOIR #3 - 130 FEET NORTH & 1500 FEET EAST; BOTH FROM THE SW CORNER OF SECTION 15

THE AREA TO BE SUBMERGED BY THE RESERVOIR IS LOCATED WITHIN THE SW 1/4 SW 1/4 AND SE 1/4 SW 1/4, SECTION 15, TOWNSHIP 1 NORTH, RANGE 3 WEST, W.M.

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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.
- 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.

The permittee will be required to comply with state and federal water quality standards.

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.

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 stored water to the use shall be made on or before October 1, 1999.

Issued April 26, 1996


for Martha O. Pagel, Director
Water Resources Department