

STATE OF OREGON
COUNTY OF CLACKAMAS

PERMIT TO STORE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

JOEL NEUSCHWANDER
6097 S WHISKEY HILL RD
HUBBARD, OREGON 97032

(503) 651-3253

THE SPECIFIC LIMITS FOR THE USE ARE LISTED BELOW ALONG WITH CONDITIONS OF USE.

APPLICATION FILE NUMBER: R-80804

SOURCE OF WATER: SURFACE RUNOFF, TRIBUTARY OF ROCK CREEK WITHIN THE WILLAMETTE BASIN

STORAGE FACILITY: ONE UNNAMED RESERVOIR

PURPOSE OR USE OF THE STORED WATER: NURSERY OPERATIONS TO BE APPROPRIATED UNDER APPLICATION S-80803, PERMIT 52693

MAXIMUM VOLUME ALLOWED: 165.75 ACRE-FEET EACH YEAR

PERIOD OF USE: WATER MAY BE APPROPRIATED FOR STORAGE NOVEMBER 1 THROUGH APRIL 30

DATE OF PRIORITY: JANUARY 3, 1996

The area submerged by the reservoir, when full, will be 17.45 acre and the maximum depth of water will be 9.5 feet. The maximum height of the dam shall not exceed 9.5 feet.

DAM LOCATION: NE $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 31, T 4 S, R 1 E, W.M.

THE AREA TO BE SUBMERGED BY THE RESERVOIR IS LOCATED AS FOLLOWS:
SW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 31, T 4 S, R 1 E, W.M.

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, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.

- 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.

STANDARD CONDITIONS

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.

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.

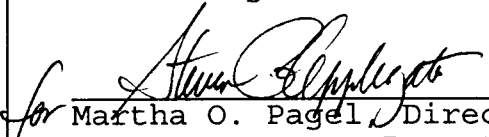
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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 August 21, 1996


for Martha O. Pagel, Director
Water Resources Department