

STATE OF OREGON

COUNTY OF POLK

PERMIT TO STORE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

RICKREALL DAIRY, L.L.C.
8845 RICKREALL RD
RICKREALL, OREGON 97371 -9701

(503) 623-8422

The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: R-80536

SOURCE OF WATER: WATERS OF WASTEWATER AND RUNOFF, TRIBUTARIES OF BASKETT SLOUGH, WITHIN THE WILLAMETTE BASIN

STORAGE FACILITY: RESERVOIRS A, B AND C

PURPOSE OR USE OF THE STORED WATER: TO BE APPROPRIATED UNDER APPLICATION S-80537, PERMIT 53034, FOR IRRIGATION AND DAIRY OPERATION

AMOUNT/VOLUME ALLOWED: 205.05 ACRE-FEET (AF) PER YEAR, BEING 157.5 AF IN RESERVOIR A, 1.55 AF IN RESERVOIR B AND 46.0 AF IN RESERVOIR C

PERIOD OF ALLOWED USE: WASTEWATER FROM DAIRY OPERATIONS MAY BE STORED YEAR ROUND; LIVE FLOW (RUNOFF) MAY BE APPROPRIATED FOR STORAGE DURING THE PERIOD NOVEMBER 1 THROUGH JUNE 30

DATE OF PRIORITY: JULY 20, 1995

The area submerged by Reservoir A, when full, will be 13.8 acres and the maximum depth of water will be 14.3 feet. The maximum height of the dam shall not exceed 12.5 feet.

The area submerged by Reservoir B, when full, will be 0.05 acre and the maximum depth of water will be 6.2 feet. The maximum height of the dam shall not exceed 13.0 feet.

The area submerged by Reservoir C, when full, will be 6.0 acres and the maximum depth of water will be 9.57 feet. The reservoir shall be in ground excavated.

DAM LOCATION: SW 1/4 NW 1/4, SECTION 28, NE 1/4 SW 1/4, NW 1/4 SW 1/4 SECTION 29, T7S, R4W, W.M.; RESERVOIR A - 1150 FEET NORTH AND 625 FEET EAST, RESERVOIR B - 1125 FEET NORTH AND 775 FEET EAST, BOTH FROM THE NW CORNER OF SAMUEL BURCH DLC NO. 47; RESERVOIR C - 2400 FEET NORTH AND 300 FEET EAST FROM THE NE CORNER OF SAMUEL BURCH DLC NO. 47

THE AREA TO BE SUBMERGED BY THE RESERVOIRS ARE LOCATED AS FOLLOWS:

SW 1/4 NW 1/4
SECTION 28

Application R-80536 Water Resources Department

PERMIT R-12122

SE 1/4 NE 1/4

NE 1/4 SW 1/4

NW 1/4 SW 1/4

SECTION 29

TOWNSHIP 7 SOUTH, RANGE 4 WEST, 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.

The dam for Reservoir A shall be constructed, operated, and maintained according to the approved plans and specifications dated May 5, 1989, on file with the Water Resources Department.

As per the above mentioned approval, the permittee will provide an overflow pipe being a minimum of 12 inches.

Diversion screening or fish passage facilities shall be designed, installed, and operated to Oregon Department of Fish & Wildlife specifications.

If the riparian area is disturbed in the process of developing a point of diversion, the permittee shall be responsible for restoration and enhancement of such riparian area to the satisfaction of the Oregon Department of Fish & Wildlife.

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

STANDARD CONDITIONS

When determined necessary by the department the water user shall install and maintain an outlet pipe with a minimum diameter of 8 inches and an approved controlling device or shall provide other means to bypass direct flows or to evacuate the stored water.

Application R-80536 Water Resources Department

PERMIT R-12122

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.

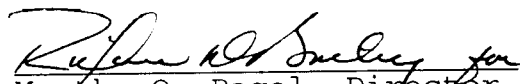
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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 December 18, 1996


Martha O. Pagel, Director
Water Resources Department

Application R-80536 Water Resources Department
Basin 02 Volume 10, Rickreall Creek & Misc.

PERMIT R-12122
District 16