

STATE OF OREGON  
COUNTY OF CLACKAMAS

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

JAMES C. HART  
353 SE ALDERCREST ROAD  
MILWAUKIE, OREGON 97222

503-645-2670

to use the waters of KELLOGG CREEK, a tributary of WILLAMETTE RIVER, for IRRIGATION OF 1.0 ACRE.

This Permit is issued approving Application 70045. The date of priority is AUGUST 24, 1989. The use is limited to not more than 0.01 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

NW 1/4 NE 1/4, SECTION 1, T 2 S, R 1 E, W.M.; 870 FEET SOUTH AND 1250 FEET EAST FROM N 1/4 CORNER, SECTION 1.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTHIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the proposed place of use under the Permit is as follows:

NW 1/4 NE 1/4 1.0 ACRE  
SECTION 1  
TOWNSHIP 2 SOUTH, RANGE 1 EAST, W.M.

Actual construction work shall begin on or before JANUARY 17, 1991, and shall be completed on or before October 1, 1991. Complete application of the water to the use shall be made on or before October 1, 1992.

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 rights for maintaining instream flows.

Issued this date, JANUARY 17, 1990.

/s/ WILLIAM H. YOUNG

Water Resources Department  
William H. Young  
Director

"CERTIFICATE NO. 67292"

Application 70045 Water Resources Department  
Basin 2 Volume 18B Kellogg Creek  
70045.SB

PERMIT 50838  
District 16