

STATE OF OREGON
COUNTY OF WASHINGTON
PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

VINCENT RIGERT
19335 SW SOUTHVIEW STREET
ALOHA, OREGON 97007

503-649-8024

to use the waters of AN UNNAMED STREAM AND RESERVOIR, to be constructed under Application R-69748, Permit R-11201, tributaries of TUALATIN RIVER, for NURSERY OPERATIONS ON 9.28 ACRES.

This Permit is issued approving Application 69749. The date of priority is NOVEMBER 7, 1988. The use is limited to not more than 0.1 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:

SE 1/4 NW 1/4, SECTION 23, T 1 S, R 2 W, W.M.; 1425 FEET SOUTH AND 2295 FEET EAST FROM NW CORNER, SECTION 23.

The amount of water used for Nursery Operations (OAR 690-11-010(14)) is limited to a diversion of 0.15 cubic foot per second per acre. For the irrigation of **containerized nursery plants**, the amount of water diverted is limited to ONE-FORTIETH of one cubic foot per second (or its equivalent) and 5.0 acre feet per acre per year. For the irrigation of **in-ground nursery plants** the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre per year. The use of water for NURSERY OPERATIONS may be at any time of the year that the use is beneficial. For the irrigation of **any other crop**, the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre during the irrigation season of each year.

This permit is further conditioned that water shall not be appropriated from natural flows of the unnamed stream during the period from June 30 through September 15 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:

NE 1/4 NW 1/4 4.60 ACRES
SE 1/4 NW 1/4 4.68 ACRES
SECTION 23
TOWNSHIP 1 SOUTH, RANGE 2 WEST, W.M.

Actual construction work shall begin on or before MARCH 23, 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, MARCH 23, 1990.

/s/ WILLIAM H. YOUNG

Water Resources Department
William H. Young
Director