

STATE OF OREGON

COUNTY OF CLATSOP

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

BIOPRODUCTS, INC.  
1935 N.W. WARRENTON DRIVE  
WARRENTON, OREGON 97146

503-861-2256

to use the waters of the COLUMBIA RIVER, a tributary of the PACIFIC OCEAN, for INDUSTRIAL USE.

This permit is issued approving Application 73238. The date of priority is FEBRUARY 5, 1993. The use is limited to not more than 750 GALLONS PER MINUTE, 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 NW 1/4, SECTION 9, T 8 N, R 10 W, W.M.; 771 FEET SOUTH 89 DEGREES, 21 MINUTES, 13 SECONDS EAST FROM THE SW CORNER OF LOT 20, BLOCK 28, NEW ASTORIA ADDITION.

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 this permit is as follows:

NW 1/4 NW 1/4  
SECTION 9  
TOWNSHIP 8 NORTH, RANGE 10 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 permittee shall install, maintain, and operate fish screening and by-pass devices as required by the Oregon Department of Fish and Wildlife to prevent fish from entering the proposed diversion. Screen openings must not exceed 0.25 inches at the widest point. Approach velocities immediately in front of the screen shall not exceed 1.0 foot per second. The required screens and by-pass devices are to be in place, functional and approved by an ODFW representative prior to diversion of any water.

Actual construction work shall begin on or before January 13, 1995 and shall be completed on or before October 1, 1995. Complete application of water shall be made on or before October 1, 1996.

Application 73238

Water Resources Department

PERMIT 51508

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 of the Water Resources Department has found that the proposed use of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

Issued this date, January 13, 1994.

/s/ MARTHA O. PAGEL

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Water Resources Department  
Martha O. Pagel  
Director

~~Canceled by [Signature]~~