

STATE OF OREGON

COUNTY OF CLACKAMAS

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

DOUGLAS V. HALL AND ROSEMARY A. MARSHALL
17197 SOUTH HATTAN ROAD
OREGON CITY, OREGON 97045

503-725-5422

to use the waters of TWO UNNAMED SPRINGS AND AN UNNAMED DRAINAGE, tributaries of CLEAR CREEK, for MAINTAINING RESERVOIR CONSTRUCTED UNDER APPLICATION R-73009, PERMIT R-11529 FOR RECREATION, AESTHETICS AND LIVESTOCK WATER.

This permit is issued approving Application 73008. The date of priority is NOVEMBER 20, 1992. The use is limited to not more than 10.0 GALLONS PER MINUTE, or its equivalent in case of rotation, measured at the points of diversion from the source. Water may be appropriated to maintain the reservoir for recreation and aesthetics from live flow from November 1 through May 31 of each year and livestock watering year-round, stored water can be used at any time.

The points of diversion are located as follows:

NW 1/4 NW 1/4, SECTION 31, T 2 S, R 3 E, W.M.; SOUTH 31 DEGREES 35 MINUTES 37 SECONDS EAST 783.5 FEET; SOUTH 04 DEGREES 35 MINUTES EAST 1251.5 FEET; ALL SOUTH 48 DEGREES 43 MINUTES EAST 1809 FEET FROM THE NW CORNER OF SECTION 31.

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 31
TOWNSHIP 2 SOUTH, RANGE 3 EAST, W.M.

Measurement recording and reporting conditions:

- A. The Director may require the permittee to install a meter or other suitable measuring device as approved by the Director. If the Director notifies the permittee to install a meter or other measuring device, the permittee shall install such device within the period stated in the notice. Such installation period shall not be less than 90 days unless special circumstances warrant a shorter installation period. Once installed, the permittee shall maintain the meter or measuring device in good working order and shall allow the watermaster access to the meter or measuring device. The Director may provide an opportunity for the permittee to submit alternative measuring procedures for review and approval.
- B. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

Actual construction work shall begin on or before JANUARY 13, 1996 and shall be completed on or before October 1, 1997. Complete application of water shall be made on or before October 1, 1998.

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.

Under this permit is limited to the reservoir area. This permit does not provide for the appropriation of water for maintaining the water level or maintaining a suitable fresh water condition from June 1 through October 31 of each year.

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, 1995.

A. REED MARBUT

/s/

for

Water Resources Department
Martha O. Pagel
Director