

STATE OF OREGON

COUNTY OF MULTNOMAH

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

MOUSE LAKE FARMS INC.
2331 SW SCHOLLS FERRY RD
PORTLAND, OREGON 97221

to use the waters of AN UNNAMED DRAINAGE DITCH AND GILBERT RIVER, a tributaries of MULTNOMAH CHANNEL, for IRRIGATION OF 265.0 ACRES AND WILDLIFE USE.

This permit is issued approving Application 72228. The date of priority is FEBRUARY 20, 1992. The use is limited to not more than 2.89 CUBIC FOOT PER SECOND (CFS), BEING 2.0 CFS FOR IRRIGATION AND 0.89 CFS FOR WILDLIFE USE, or its equivalent in case of rotation, measured at the point of diversion from the source.

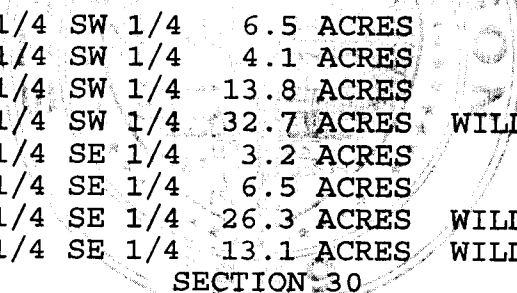
The points of diversion are located as follows:

NE 1/4 NE 1/4, NW 1/4 NE 1/4, SECTION 31, NE 1/4 NW 1/4, NW 1/4 NW 1/4, SECTION 32, T 3 N, R 1 W, W.M.; POD #1 - 743 FEET SOUTH AND 1738 FEET EAST; POD #2 - 950 FEET SOUTH AND 695 FEET EAST; POD #3 - 598 FEET SOUTH AND 1148 FEET WEST; POD #4 - 566 FEET SOUTH AND 1918 FEET WEST; POD #5 - 885 FEET SOUTH AND 2313 FEET WEST; ALL FROM THE NW CORNER OF SECTION 32.

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre-feet for each acre irrigated during the irrigation season of each year. The period of allowed use for irrigation is March 1 through October 31 and year round for maintenance of the lake for wildlife purposes.

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:



NE 1/4 SW 1/4	6.5 ACRES	
NW 1/4 SW 1/4	4.1 ACRES	
SW 1/4 SW 1/4	13.8 ACRES	
SE 1/4 SW 1/4	32.7 ACRES	WILDLIFE
NE 1/4 SE 1/4	3.2 ACRES	
NW 1/4 SE 1/4	6.5 ACRES	
SW 1/4 SE 1/4	26.3 ACRES	WILDLIFE
SE 1/4 SE 1/4	13.1 ACRES	WILDLIFE

SECTION 30

NE 1/4 NE 1/4	37.8 ACRES	WILDLIFE
NW 1/4 NE 1/4	34.6 ACRES	WILDLIFE
NE 1/4 NW 1/4	30.4 ACRES	WILDLIFE
NW 1/4 NW 1/4	13.0 ACRES	

SECTION 31

NW 1/4 NE 1/4	3.0 ACRES	
NE 1/4 NW 1/4	20.0 ACRES	WILDLIFE
NW 1/4 NW 1/4	20.0 ACRES	WILDLIFE

SECTION 32

TOWNSHIP 3 NORTH, RANGE 1 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. 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 June 30, 1996, and shall be completed on or before October 1, 1997. Complete application of the water to the use 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.

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.

Issued this date June 30, 1995.

for 
 Water Resources Department
 Martha O. Pagel
 Director

