

STATE OF OREGON

COUNTY OF CLACKAMAS

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

ROBERT H. McCALL
1808 S.W. LAUREL STREET
PORTLAND, OREGON 97201

503-228-2600

to use the waters of AN UNNAMED STREAM, a tributary of WILLAMETTE RIVER, for maintainance of an UNNAMED RESERVOIR constructed under Application R-72632, PERMIT R-11575 for WILDLIFE USE.

This permit is issued approving Application 72633. The date of priority is AUGUST 26, 1992. The use is limited to not more than 0.034 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source. The period of allowed use is September 1 through June 30.

The point of diversion is located as follows:

SW 1/4 NW 1/4, SECTION 32, T 3 S, R 1 W, W.M.; 6547 FEET SOUTH AND 1122 FEET EAST FROM THE NE CORNER OF SECTION 30.

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:

SW 1/4 NW 1/4
SECTION 32
TOWNSHIP 3 SOUTH, RANGE 1 WEST, W.M.

Measurement recording and reporting conditions:

- A. The Director may require the permittee to install meters 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.

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 screen is to be in place and functional prior to diversion of any water.

The reservoir shall bypass at least 50% of live flow during the period November 1 through June 30 to assure that the stream below the dam is not dewatered completely. No water shall be impounded during the period July 1 through October 31.

Actual construction work shall begin on or before August 29, 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.

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, August 29, 1995.

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for Water Resources Department
Martha O. Pagel
Director