

STATE OF OREGON
COUNTY OF CLACKAMAS

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

STAEHELY BROTHERS DAIRY
C/O ROY AND ARTHUR STAEHELY
21303 S CENTRAL POINT RD
OREGON CITY, OREGON 97045

The specific limits for the use are listed below along with conditions of use.

APPLICATION FILE NUMBER: S-70621

SOURCE OF WATER: BEAVER CREEK, AN UNNAMED RESERVOIR CONSTRUCTED UNDER APPLICATION R-70622, PERMIT R-11550, AND TWO CELL RESERVOIR CONSTRUCTED UNDER APPLICATION R-70623, PERMIT R-11558, TRIBUTARIES OF WILLAMETTE RIVER

PURPOSE OR USE: IRRIGATION OF 192.42 ACRES

RATE OF USE: 2.405 CFS, being 1.685 CFS from diversion "A" and 0.72 CFS from "B" and stored water

PERIOD OF ALLOWED USE: March 1 through October 31

DATE OF PRIORITY: September 5, 1990

POINT OF DIVERSION LOCATION: NW 1/4 SE 1/4, SW 1/4 SE 1/4, SECTION 13, T3S, R1E, W.M.; POD A - 984 FEET NORTH & 17 FEET EAST, POD B - 1419 FEET NORTH & 1249 FEET EAST BOTH FROM THE S 1/4 CORNER, SECTION 13, TWO CELL RESERVOIR - SE 1/4 NW 1/4, SECTION 24, T3S, R1E, W.M.

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 PLACE OF USE IS LOCATED AS FOLLOWS:

SW 1/4 NE 1/4	1.22 ACRES
SE 1/4 NE 1/4	3.62 ACRES
NW 1/4 SW 1/4	4.10 ACRES
SW 1/4 SW 1/4	4.60 ACRES
NE 1/4 SE 1/4	35.62 ACRES
NW 1/4 SE 1/4	14.09 ACRES
SE 1/4 SE 1/4	3.05 ACRES
SECTION 13	

NW 1/4 NE 1/4	20.19 ACRES
SW 1/4 NE 1/4	1.52 ACRES
NE 1/4 NW 1/4	24.61 ACRES
NW 1/4 NW 1/4	15.25 ACRES
SW 1/4 NW 1/4	37.50 ACRES
SE 1/4 NW 1/4	27.05 ACRES

SECTION 24

TOWNSHIP 3 SOUTH, RANGE 1 EAST

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.

STANDARD CONDITIONS

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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.

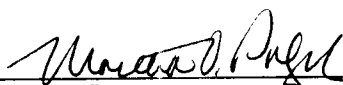
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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 of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

Actual construction work shall begin within one year from permit issuance 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.

Issued this date, December 14, 1995



Water Resources Department
Martha O. Pagel
Director