

STATE OF OREGON
COUNTY OF MULTNOMAH

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

WILLIAM & KAY O'MEARA
21881 NW ST HELENS RD
PORTLAND, OREGON 97231

(503) 621-3402

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

APPLICATION FILE NUMBER: S-71832

SOURCE OF WATER: MULTNOMAH CHANNEL, A TRIBUTARY OF THE COLUMBIA RIVER

PURPOSE OR USE: IRRIGATION OF 91.06 ACRES AND MAINTENANCE OF FOUR UNNAMED PONDS CONSTRUCTED UNDER APPLICATION R-74418, FOR AESTHETIC USE.

RATE OF USE: 472.0 GPM

PERIOD OF ALLOWED USE: MARCH 1 THROUGH OCTOBER 31.

DATE OF PRIORITY: JUNE 3, 1991 FOR 1.00 CFS (450.0 GPM) AND JULY 3, 1995 FOR 0.05 CFS (22.0 GPM)

POINT OF DIVERSION LOCATION: NE 1/4 NE 1/4, SECTION 12, T2N, R2W, W.M.; 720 FEET SOUTH AND 2250 FEET EAST FROM THE N 1/4 CORNER OF SECTION 12

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 SW 1/4	2.36 ACRES
SE 1/4 SW 1/4	29.90 ACRES
SW 1/4 SE 1/4	17.50 ACRES
SECTION 1	
NW 1/4 NE 1/4	9.76 ACRES
NE 1/4 NW 1/4	30.60 ACRES
NW 1/4 NW 1/4	0.32 ACRE
SE 1/4 NW 1/4	0.52 ACRE
SW 1/4 NE 1/4	0.10 ACRE

SECTION 12

TOWNSHIP 2 NORTH, RANGE 2 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.
- 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.
- C. 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. Screen openings shall not exceed 0.25 inches in any direction and approach velocities immediately in front of the screen shall not exceed 1.0 feet per second.

The permittee shall not construct, operate or maintain any dam or artificial obstruction to fish passage in the channel.

No water may be appropriated under the terms of this permit until the permittee has obtained written authorization, or easement or ownership of any lands involved in the proposed use and provided the Department with a copy of the written authorization, easement or evidence of ownership.

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(s) 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, 1998. Complete application of the water to the use shall be made on or before October 1, 1999.

Issued February 15, 1996



for Water Resources Department
Martha O. Pagel
Director

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