

STATE OF OREGON

COUNTY OF MULTNOMAH

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

MARQUAM FARMS CORP.  
P.O. BOX 61952  
VANCOUVER, WASHINGTON 98666

(503) 285-7067

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

APPLICATION FILE NUMBER: S-80644

SOURCE OF WATER: MULTNOMAH CHANNEL DRAINAGE WATERS, TRIBUTARY OF THE COLUMBIA RIVER

PURPOSE OR USE: PRIMARY IRRIGATION OF 56.0 ACRES, SUPPLEMENTAL IRRIGATION OF 174.0 ACRES AND WILDLIFE

MAXIMUM FLOW ALLOWED: 2.875 CUBIC FEET PER SECOND (CFS), BEING 0.7 CFS FOR PRIMARY IRRIGATION AND 2.175 CFS FOR SUPPLEMENTAL IRRIGATION AND 2.875 CFS FOR WILDLIFE

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31 FOR BOTH PRIMARY AND SUPPLEMENTAL IRRIGATION AND OCTOBER 1 THROUGH JANUARY 1 FOR WILDLIFE

DATE OF PRIORITY: OCTOBER 9, 1995

POINT OF DIVERSION LOCATION: NE 1/4 NW 1/4, SW 1/4 NW 1/4, SE 1/4 NW 1/4, NW 1/4 NE 1/4, SECTION 3, T2N, R1W, W.M.; INTAKE A - 1375 FEET SOUTH AND 650 FEET EAST; INTAKE B - 1375 FEET SOUTH AND 2500 FEET EAST; INTAKE C - 200 FEET SOUTH AND 2500 FEET EAST; INTAKE D - 300 FEET SOUTH AND 3750 FEET EAST; INTAKE E - 275 FEET SOUTH AND 3900 FEET EAST; ALL FROM THE NW CORNER OF SECTION 3

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:

	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
NE 1/4 NE 1/4		33.0 ACRES
NW 1/4 NE 1/4		33.0 ACRES
SW 1/4 NE 1/4	1.0 ACRE	
NE 1/4 NW 1/4	29.0 ACRES	4.0 ACRES
NW 1/4 NW 1/4	24.0 ACRES	

	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
SW 1/4 NW 1/4	1.0 ACRE	
SE 1/4 NW 1/4	1.0 ACRE	
SECTION 3		
TOWNSHIP 2 NORTH, RANGE 1 WEST, W.M.		
SW 1/4 SW 1/4		4.0 ACRES
SE 1/4 SW 1/4		18.0 ACRES
NE 1/4 SE 1/4		2.0 ACRES
NW 1/4 SE 1/4		4.0 ACRES
SW 1/4 SE 1/4		33.0 ACRES
SE 1/4 SE 1/4		33.0 ACRES
SECTION 34		
SW 1/4 SW 1/4		10.0 ACRES
SECTION 35		
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.

If the riparian area is disturbed in the process of developing a point of diversion, the permittee shall be responsible for restoration and enhancement of such riparian area to the satisfaction of the Oregon Department of Fish & Wildlife.

The use may be restricted if the quality of the source stream, namely the Columbia River, decreases to the point that it no longer meets state and federal water quality standards due to reduced flows.

## 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.

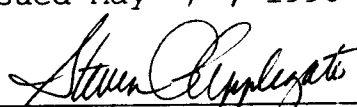
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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 May 9, 1996

  
for Martha O. Pagel, Director  
Water Resources Department