

STATE OF OREGON

COUNTY OF WASHINGTON

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

JAMES D THOMPSON & SCOTT D. WALTERS  
29525 NW CHALMERS LANE  
CORNELIUS, OREGON 97113

(503) 357-4666

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

APPLICATION FILE NUMBER: S-80130

SOURCE OF WATER: AN UNNAMED STREAM AND AN UNNAMED RESERVOIR, CONSTRUCTED UNDER CERTIFICATE 39003, TRIBUTARIES OF WEST FORK DAIRY CREEK

PURPOSE OR USE: NURSERY USE (IRRIGATION AND AGRICULTURE USE) ON 25.0 ACRES

RATE OF USE: 0.22 CFS FROM LIVE FLOW AND 5.5 ACRE-FEET STORED WATER ONLY

WATER FROM THE UNNAMED STREAM MAY BE APPROPRIATED FOR AGRICULTURAL USE FROM DECEMBER 1 THROUGH APRIL 30 OF EACH YEAR AND FOR IRRIGATION FROM MARCH 1 THROUGH APRIL 30. WATER LEGALLY STORED MAY BE USED AT ANY TIME.

DATE OF PRIORITY: MARCH 16, 1995

POINTS OF DIVERSION LOCATIONS: SE 1/4 SE 1/4, SECTION 3, T1N, R4<sup>w</sup>, W.M.; STREAM - 340 FEET NORTH AND 17 FEET WEST; RESERVOIR - 350 FEET NORTH AND 20 FEET WEST, BOTH FROM THE SE CORNER OF SECTION 3

The amount of water used for NURSERY OPERATIONS is limited to a diversion of 0.15 cubic foot per second per acre. For the irrigation of **containerized nursery plants**, the amount of water diverted is limited to ONE-FORTIETH of one cubic foot per second (or its equivalent) and 5.0 acre feet per acre per year. For the irrigation of **in ground nursery plants** the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre per year. The use of water for NURSERY OPERATIONS may be made at anytime of the year that the use is beneficial. For the irrigation of **any other crop**, the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SE 1/4 SE 1/4 25.0 ACRES  
SECTION 3  
TOWNSHIP 1 NORTH, RANGE 4 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.

Diversion screening or fish passage facilities shall be designed, installed, and operated to Oregon Department of Fish & Wildlife specifications.

Use of stored water for agriculture use is contingent upon successful completion of a transfer application for a change in the character of use of the stored 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(s) of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

Actual construction work shall begin on or before April 3, 1997 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.

This permit is issued to correctly describe the period of use allowed herein. Permit 52024 is superseded by this instrument and is of no further force or effect.

Issued this date, May 14, 1996

  
Water Resources Department  
for Martha O. Pagel  
Director