

STATE OF OREGON

COUNTY OF WASHINGTON

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

WEST OREGON NURSERY, INC.
3550 NW SALTZMAN RD
PORTLAND, OREGON 97229

(503)645-1065

The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: S-74450

SOURCE OF WATER: RESERVOIRS #1 & #2, TO BE PROCESSED UNDER HB 2153 APPLICATION R-74449, AND UNNAMED INTERMITTENT STREAMS, TRIBUTARIES OF ROCK CREEK

PURPOSE OR USE: AGRICULTURAL USE AND IRRIGATION OF 36.9 ACRES

MAXIMUM RATE/VOLUME ALLOWED: 0.46 CUBIC FOOT PER SECOND (CFS) TOTAL, NOT TO EXCEED 0.46 CFS FROM EITHER STREAMS 1 AND 2; 22.0 ACRE-FEET PER YEAR FROM STORED WATER IN RESERVOIR #1, AND 3.7 ACRE-FEET PER YEAR FROM STORED WATER IN RESERVOIR #2

PERIOD OF USE: IRRIGATION - MARCH 1 THROUGH APRIL 30 FROM LIVE FLOW AND MARCH 1 THROUGH OCTOBER 31 FROM STORED WATER ONLY; AGRICULTURAL USE - NOVEMBER 1 THROUGH APRIL 30 FROM LIVE FLOW AND YEAR ROUND FROM STORED WATER ONLY

DATE OF PRIORITY: AUGUST 29, 1994

POINT OF DIVERSION LOCATION: SW 1/4 NE 1/4, NE 1/4 SE 1/4, SECTION 17, T1N, R1W, W.M.; RESERVOIR #1: 275 FEET SOUTH AND 1160 FEET WEST; RESERVOIR #2: 575 FEET NORTH AND 1725 FEET WEST, BOTH FROM THE E 1/4 CORNER OF SECTION 17

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:

	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
SE 1/4 NE 1/4		16.1 ACRES
SW 1/4 NE 1/4	4.55 ACRES	5.4 ACRES
NE 1/4 SE 1/4		7.7 ACRES
NW 1/4 SE 1/4	0.45 ACRE	2.7 ACRES
SECTION 17		
TOWNSHIP 1 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.
- 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.

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.

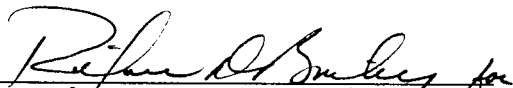
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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 December 11, 1996


Martha O. Pagel, Director
Water Resources Department