

STATE OF OREGON

COUNTY OF WASHINGTON

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

RALPH M. DUYCK
9530 NW ROY ROAD
FOREST GROVE, OREGON 97116

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

APPLICATION FILE NUMBER: S-69790

SOURCE OF WATER: EAST FORK DAIRY CREEK, A TRIBUTARY OF DAIRY CREEK

PURPOSE OR USE: IRRIGATION OF 24.40 ACRES

MAXIMUM RATE: 0.302 CUBIC FEET PER SECOND AND AS FURTHER LIMITED BELOW

PERIOD OF USE: MAY 1 THROUGH JULY 31

DATE OF PRIORITY: DECEMBER 27, 1988

POINT OF DIVERSION LOCATION: NE 1/4 NW 1/4, SECTION 9, T 1N, R3W, W.M.; 1300 FEET SOUTH & 925 FEET WEST FROM NORTH 1/4 CORNER, SECTION 9

The irrigation of lands under this permit is limited to a maximum rate of 0.302 cfs. The maximum rate for this permit combined with that authorized under under certificates 61989 and 68520 shall not exceed a maximum cumulative total diversion rate of 1.13 cfs or a lesser amount if the above named certificates are superseded by certificates issued for a combined total of less than 1.13 cfs.

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 7.53 ACRES
SE 1/4 NE 1/4 9.64 ACRES
SECTION 8

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NE 1/4 NW 1/4 7.23 ACRES
SECTION 9
TOWNSHIP 1 NORTH, RANGE 3 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.

In the event of a request for a change in point of appropriation, an additional point of appropriation or alteration of the appropriation facility associated with this authorized diversion, the quantity of water allowed herein, together with certificates 61989 and 68520 shall not exceed 1.13 cfs.

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.

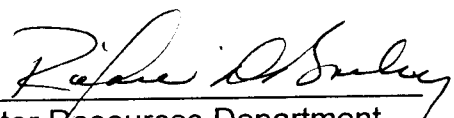
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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. Complete application of the water to the use shall be made on or before October 1, 2001.

Issued June 18, 1997



Water Resources Department

for Martha O. Pagel
Director

Basin 02

Volume 20A East Fk Dairy Creek

District 18

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