

STATE OF OREGON

COUNTY OF MULTNOMAH

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

ROSS ISLAND SAND AND GRAVEL CO.
P.O. BOX 82249
PORTLAND, OREGON 97282-0249

PHONE: (503) 239-5504

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

APPLICATION FILE NUMBER: S-81616

SOURCE OF WATER: WILLAMETTE RIVER, A TRIBUTARY OF THE COLUMBIA RIVER

PURPOSE OR USE: INDUSTRIAL USE (AGGREGATE WASHING OPERATIONS)

MAXIMUM RATE/VOLUME ALLOWED: 1.31 CUBIC FEET PER SECOND (CFS), BEING
0.11 CFS FROM POD #1, 1.07 CFS FROM POD #2, AND 0.13 CFS FROM POD #3

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: OCTOBER 18, 1996

POINT OF DIVERSION LOCATION: NW 1/4 NW 1/4, SECTION 14, T1S, R1E, W.M.;
POD #1 - 620 FEET SOUTH & 1900 FEET WEST, POD #2 - 1010 FEET SOUTH &
1990 FEET WEST, POD #3 - 1010 FEET SOUTH & 1990 FEET WEST ALL FROM N1/4
CORNER, SECTION 14

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NW 1/4 NW 1/4
SECTION 14
TOWNSHIP 1 SOUTH, RANGE 1 EAST, 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.

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.

The use may be restricted if the quality of the source stream or downstream water decrease to the point that those waters no longer meet state or federal water quality standards due to reduced flows.

The water user shall install and maintain adequate treatment facilities meeting current DEQ requirements to remove sediment before returning the water to the stream.

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.

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.

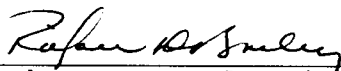
The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

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.

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Actual construction work shall begin within one year from permit issuance. Complete application of water to the use shall be made on or before October 1, 2002.

Issued January 30, 1998



Martha O. Pagel, Director
Water Resources Department