

STATE OF OREGON

COUNTY OF MULTNOMAH

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

HAPPY ROCK COLLECTIVE

CURT CURTIS

23548 NW ST. HELENS RD., N1
PORTLAND, OREGON 97231

PHONE: (503) 543-7464

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

APPLICATION FILE NUMBER: S-84122

SOURCE OF WATER: MULTNOMAH CHANNEL, A TRIBUTARY OF THE COLUMBIA RIVER

PURPOSE OR USE: GROUP DOMESTIC USE FOR 27 HOUSEHOLDS

MAXIMUM RATE/VOLUME ALLOWED: 0.135 CUBIC FOOT PER SECOND (CFS), BEING
NO MORE THAN 0.005 CFS FOR EACH HOUSEHOLD

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: APRIL 22, 1999

POINT OF DIVERSION LOCATION: SW 1/4 SW 1/4, SECTION 31, T3N, R2W,
W.M.; POD 1 - 53 FEET NORTH & 89 FEET WEST, POD 2 - 59 FEET NORTH &
171 FEET WEST, POD 3 - 75 FEET NORTH & 124 FEET WEST, POD 4 - 99 FEET
NORTH & 122 FEET WEST, POD 5 - 110 FEET NORTH & 170 FEET WEST, POD 6 -
127 FEET NORTH & 118 FEET WEST, POD 7 - 137 FEET NORTH & 180 FEET
WEST, POD 8 - 152 FEET NORTH & 122 FEET WEST, POD 9 - 174 FEET NORTH &
148 FEET WEST, POD 10 - 209 FEET NORTH & 172 FEET WEST, POD 11 - 238
FEET NORTH & 177 FEET WEST, POD 12 - 266 FEET NORTH & 188 FEET WEST,
POD 13 - 297 FEET NORTH & 186 FEET WEST, POD 14 - 331 FEET NORTH & 175
FEET WEST, POD 15 - 341 FEET NORTH & 176 FEET WEST, POD 16 - 391 FEET
NORTH & 151 FEET WEST, POD 17 - 399 FEET NORTH & 174 FEET WEST, POD 18
- 463 FEET NORTH & 175 FEET WEST, POD 19 - 484 FEET NORTH & 134 FEET
WEST, POD 20 - 570 FEET NORTH & 115 FEET WEST, POD 21 - 617 FEET NORTH
& 119 FEET WEST, POD 22 - 626 FEET NORTH & 162 FEET WEST, POD 23 - 664
FEET NORTH & 105 FEET WEST, POD 24 - 658 FEET NORTH & 178 FEET WEST,
POD 25 - 697 FEET NORTH & 180 FEET WEST, POD 26 - 682 FEET NORTH & 192
FEET WEST, AND POD 27 - 709 FEET NORTH & 106 FEET WEST ALL FROM THE SE
CORNER, SECTION 36

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SW 1/4 SW 1/4
SECTION 31
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.
- 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.

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 screen is to be in place and functional 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.

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.

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 by April 28, 2001. Complete application of the water to the use shall be made on or before October 1, 2004. Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

Issued July 28, 2000


Paul R. Cleary, Director
Water Resources Department

NOTE: Pursuant to ORS 537.330, in any transaction for the conveyance of real estate that includes any portion of the lands described in this permit, the seller of the real estate shall, upon accepting an offer to purchase that real estate, also inform the purchaser in writing whether any permit, transfer approval order, or certificate

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evidencing the water right is available and that the seller will deliver any permit, transfer approval order or certificate to the purchaser at closing, if the permit, transfer approval order or certificate is available.