

STATE OF OREGON
COUNTY OF WASHINGTON

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

ORCHARD VIEW NURSERY
ROUTE 4, BOX 150
CORNELIUS, OREGON 97113

503-357-5547

to use the waters of ONE WELL in the TUALATIN RIVER BASIN for NURSERY OPERATIONS ON 6.0 ACRES.

This Permit is issued approving Application G-11816. The date of priority is MAY 26, 1988. The use is limited to not more than 0.2 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the well.

The well is located as follows:

NE 1/4 NW 1/4, SECTION 16, T 1 S, R 3 W, W.M.; 1095 FEET SOUTH AND 1620 FEET EAST FROM NW CORNER, SECTION 16.

The amount of water used for Nursery Operations (OAR 690-11-010(14)) 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 at any time 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.

This permit is subject to the following conditions:

1. Use of water from the well, as allowed herein, shall be regulated if such well displays:
 - A. an average water level decline of three (3) or more feet per year for five (5) consecutive years; or
 - B. a water level decline of fifteen (15) or more feet in fewer than five (5) consecutive years; or
 - C. a water level decline of twenty-five (25) feet or more; or
 - D. an hydraulic interference decline of twenty-five (25) or more feet in any neighboring well providing water for uses exempt from permit requirements or a well covered by prior rights.
2. Use of water from the well, as allowed herein, shall not commence until the initial water level is determined. The permittee shall notify the department when it is necessary to make the initial measurement.
3. The Water Resources Department shall determine the initial and subsequent water levels from which the previously cited declines are referenced. As much as possible, those levels shall reflect annual high levels which are usually found in the spring of each year.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

"CERTIFICATE NO. 68713"

A description of the proposed place of use under the permit is as follows:

NE 1/4 NW 1/4 6.0 ACRES
SECTION 16
TOWNSHIP 1 SOUTH, RANGE 3 WEST, W.M.

The well shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevations in the well at all times. When required by the department, the permittee shall install and maintain a weir, meter, or other suitable measuring device, and shall keep a complete record of the amount of ground water withdrawn.

Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the department's standards, to the Water Resources Department. The Director may require water level or pump test results every ten years thereafter.

Actual construction work shall begin on or before MARCH 12, 1991, and shall be completed on or before October 1, 1991. Complete application of the water shall be made on or before October 1, 1992.

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 beneficial use of water without waste. The water user is advised that new regulations may require 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 shall be limited when it interferes with any prior surface or ground water rights.

Issued this date, MARCH 12, 1990.

 /s/ WILLIAM H. YOUNG
Water Resources Department
William H. Young
Director

