

STATE OF OREGON

COUNTY OF CLACKAMAS

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

YULE TREE FARMS  
12704 EHLEN ROAD NE  
AURORA, OREGON 97002

503-678-2101

to use the waters of TWO WELLS in the WHEELER CREEK BASIN for the purpose of IRRIGATION OF 103.8 ACRES.

This Permit is issued approving Application G-11946. The date of priority is JULY 17, 1989 for use of 0.035 CFS and March 15, 1990 for use of 0.405 CFS. The use is limited to not more than 0.44 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the wells.

The wells are located as follows:

NE 1/4 SE 1/4; SE 1/4 SE 1/4, SECTION 28, T 4 S, R 1 E, W.M.; NEW WELL - 1887 FEET SOUTH AND 1924 FEET WEST FROM NE CORNER, WHEALDON DLC; OLD WELL - 22 FEET NORTH AND 77 FEET WEST FROM SE CORNER, SECTION 28.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

The use of water shall be limited when it interferes with any prior surface or ground water rights. The waters of Rock Creek and tributaries were withdrawn from appropriation by order of the State Engineer entered August 13, 1952. This use shall be limited if it results in any depletion of the flows in Rock Creek or any of its tributaries.

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

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

NW 1/4 SW 1/4 2.9 ACRES  
SE 1/4 SW 1/4 14.8 ACRES  
SECTION 27

NE 1/4 SE 1/4 6.4 ACRES  
SE 1/4 SE 1/4 22.4 ACRES  
SECTION 28

NE 1/4 NE 1/4 27.0 ACRES  
SE 1/4 NE 1/4 10.8 ACRES  
SECTION 33

NW 1/4 NW 1/4 13.8 ACRES  
SW 1/4 NW 1/4 5.7 ACRES  
SECTION 34

TOWNSHIP 4 SOUTH, RANGE 1 EAST, 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 constructed shall include an air line and pressure gauge or an access port for a measuring line, adequate to determine water level elevation 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.

Actual construction work shall begin on or before MARCH 23, 1991, and shall be completed on or before October 1, 1991. Complete application of the water to the use 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 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.

Issued this date, MARCH 23, 1990.

/s/ WILLIAM H. YOUNG

Water Resources Department  
William H. Young  
Director

