

STATE OF OREGON
COUNTY OF YAMHILL

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

BENJAMIN A. AND REBECCA L. FLUGSTAD
2700 SW REDMOND HILL ROAD
McMINNVILLE, OREGON 97128

503-472-2674

to use the waters of THREE WELLS in the COZINE CREEK BASIN for SUPPLEMENTAL IRRIGATION OF 35.9 ACRES AND HEATING.

This Permit is issued approving Application G-12043. The date of priority is MARCH 8, 1990. The use is limited to not more than 0.223 CUBIC FOOT PER SECOND, BEING 0.093 CFS FROM WELL 1, 0.100 CFS FROM WELL 2 AND 0.030 CFS FROM WELL 3 FOR SUPPLEMENTAL IRRIGATION AND 0.030 CFS FROM WELL 3 FOR HEATING, or its equivalent in case of rotation, measured at the wells.

The wells are located as follows:

SW 1/4 SE 1/4, SE 1/4 SE 1/4, SECTION 24, T 4 S, R 5 W, W.M.; WELL 1 - 575 FEET NORTH AND 1400 FEET WEST; WELL 2 - 470 FEET NORTH AND 930 FEET WEST; WELL 3 - 880 FEET NORTH AND 590 FEET WEST, ALL FROM SE CORNER, SECTION 24.

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. This right shall be limited to any deficiency in the available supply of any prior right existing for the same land.

The use of water for operation of the heat pump is junior in priority to all subsequent rights for beneficial consumptive uses and/or rights using standard low-temperature geothermal effluent disposal systems. This condition shall not apply if a standard disposal system is installed and operated as part of this project.

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:

NE 1/4 SE 1/4 5.8 ACRES
NW 1/4 SE 1/4 4.8 ACRES
SW 1/4 SE 1/4 11.6 ACRES
SE 1/4 SE 1/4 13.7 ACRES AND HEAT PUMP
SECTION 24
TOWNSHIP 4 SOUTH, RANGE 5 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 AUGUST 6, 1991, and shall be completed on or before October 1, 1992. Complete application of the water shall be made on or before October 1, 1993.

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 granted herein may be made only at times when sufficient water is available to satisfy all prior rights.

Issued this date, AUGUST 6, 1990.

/s/ WILLIAM H. YOUNG

Water Resources Department
William H. Young
Director

