

STATE OF OREGON

COUNTY OF WASHINGTON

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

KLAAS ELLERBROOK, JR.  
5665 SW MINTER BRIDGE ROAD  
HILLSBORO, OREGON 97123

503-640-2409

to use the waters of FOUR WELLS in the TUALATIN RIVER BASIN for NURSERY OPERATIONS ON 8.7 ACRES.

This Permit is issued approving Application G-11985. The date of priority is NOVEMBER 13, 1989. The use is limited to not more than 0.32 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the well.

The wells are located as follows:

SW 1/4 SW 1/4, SECTION 18, T 1 S, R 2 W, W.M.; WELL 1 - 1083 FEET SOUTH AND 169 FEET WEST; WELL 2 - 1024 FEET SOUTH AND 300 FEET WEST; WELL 3 - 909 FEET SOUTH AND 416 FEET WEST; WELL 4 - 788 FEET SOUTH AND 190 FEET WEST, ALL FROM NNE CORNER, DLC 63.

The amount of water used for NURSERY OPERATIONS 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 made at anytime 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. 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:

SW 1/4 SW 1/4 8.7 ACRES  
SECTION 18  
TOWNSHIP 1 SOUTH, RANGE 2 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 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a weir, meter, or other suitable measuring device, and shall keep a complete record of the amount of ground water withdrawn.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 July 29, 1992, and shall be completed on or before October 1, 1993. Complete application of the water to the use shall be made on or before October 1, 1994.

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 shall be limited when it interferes with any prior surface or ground water rights.

Issued this date, JULY 29, 1991.

/s/ WILLIAM H. YOUNG

Water Resources Department  
William H. Young, Director

