

STATE OF OREGON

COUNTY OF MARION

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

EDWARD LEAVY
22675 BUTTEVILLE ROAD N.E.
AURORA, OREGON 97002

503-678-5302

to use the waters of TWO WELLS in the RYAN CREEK BASIN for IRRIGATION OF 157.6 ACRES.

This permit is issued approving Application G-12520. The date of priority is MAY 7, 1991. The use is limited to not more than 1.97 CUBIC FEET PER SECOND(CFS), BEING 0.76 CFS FROM WELL 2 AND 1.21 CFS FROM WELL 3 or its equivalent in case of rotation, measured at the well.

The wells are located as follows:

SW 1/4 SW 1/4, SECTION 5, NE 1/4 NE 1/4, SECTION 8, T 4 S, R 1 W, W.M.; WELL 2 - 550 FEET NORTH AND 1750 FEET EAST FROM SW CORNER, DLC 39, WELL 3 - 1910 FEET SOUTH AND 300 FEET EAST FROM NE CORNER, DLC 42.

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre-feet for each acre irrigated 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.

There shall be no groundwater production within 100 feet below land surface.

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

SW 1/4 NW 1/4	25.6 ACRES
NE 1/4 SW 1/4	1.2 ACRES
NW 1/4 SW 1/4	31.1 ACRES
SW 1/4 SW 1/4	7.3 ACRES
SE 1/4 SW 1/4	19.6 ACRES

SECTION 5

NW 1/4 NE 1/4	24.0 ACRES
NE 1/4 NW 1/4	26.9 ACRES
NW 1/4 NW 1/4	21.8 ACRES

SECTION 8

TOWNSHIP 4 SOUTH, RANGE 1 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 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a weir, meter, or other suitable measuring device, and shall keep a complete record of the amount of ground water withdrawn.

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 February 18, 1993, and shall be completed on or before October 1, 1994. Complete application of the water shall be made on or before October 1, 1995.

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, FEBRUARY 18, 1992.

/s/ WILLIAM H. YOUNG

Water Resources Department
William H. Young
Director