

STATE OF OREGON

COUNTY OF CLACKAMAS

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

RICHARD AND SHIRLEY V. GINGERICH
10765 SOUTH BARNARDS ROAD
CANBY, OREGON 97013

503-651-2440

to use the waters of ONE WELL in the WHEELER CREEK BASIN for IRRIGATION OF 186.3 ACRES.

This Permit is issued approving Application G-11939. The date of priority is JUNE 23, 1989. The use is limited to not more than 1.0 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the well.

The well is located as follows:

SE 1/4 SE 1/4, SECTION 35, T 4 S, R 1 E, W.M.; 675 FEET NORTH AND 1310 FEET WEST FROM SE CORNER, SECTION 35.

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 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 NE 1/4	4.2 ACRES
SE 1/4 NE 1/4	4.6 ACRES
SE 1/4 NW 1/4	17.5 ACRES
NE 1/4 SW 1/4	16.0 ACRES
NE 1/4 SE 1/4	39.4 ACRES
NW 1/4 SE 1/4	38.0 ACRES
SW 1/4 SE 1/4	31.6 ACRES
SE 1/4 SE 1/4	35.0 ACRES

SECTION 35

TOWNSHIP 4 SOUTH, RANGE 1 EAST, W.M.

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this permit, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences.

The permittee shall develop a plan to monitor and report the impact of water use under this permit on water levels within the aquifer that provides water to the permitted well(s). The plan shall be submitted to the Department within one year of the date the permit is issued and shall be subject to the approval of the Department. At a minimum, the plan shall include a program to periodically measure static water levels within the permitted well(s) or an adequate substitute such as water levels in nearby wells. The plan shall also stipulate a reference water level against which any water-level declines will be compared. If a well listed on this permit displays a total static water-level decline of 25 or more feet over any period of years, as compared to the reference level, then the permittee shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s). Such action shall be taken until the water level recovers to above the 25-foot decline level or until the Department determines, based on the permittee or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The permittee shall in no instance allow excessive decline to occur within the aquifer as a result of use under this permit.

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 9, 1993, and shall be completed on or before October 1, 1994. Complete application of the water to the use shall be made on or before October 1, 1995.

This permit is for the beneficial use of water without waste. By law, the land use associated with this water 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, MARCH 9, 1992.

/s/ WILLIAM H. YOUNG

Water Resources Department
William H. Young
Director