

STATE OF OREGON

COUNTY OF MARION

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

A & R SPADA FARMS
7251 ST. PAUL HIGHWAY NE
ST. PAUL, OREGON 97137

503-633-2941

to use the waters of THREE WELLS in the CHAMPOEG CREEK BASIN for AGRICULTURAL USE, IRRIGATION OF 58.5 ACRES, AND SUPPLEMENTAL IRRIGATION OF 96.1 ACRES.

This permit is issued approving Application G-12714. The date of priority is NOVEMBER 25, 1991. The use is limited to not more than 6.0 CUBIC FEET PER SECOND (CFS), BEING 1.0 CFS FROM WELL A, 1.0 CFS FROM WELL B AND 4.0 CFS FROM WELL C, AND BEING FURTHER LIMITED TO NOT MORE THAN 1.9 CFS FOR IRRIGATION or its equivalent in case of rotation, measured at the well.

The wells are located as follows:

NW 1/4 NE 1/4, SE 1/4 NE 1/4, SECTION 22, T 4 S, R 2 W, W.M.; WELL A - 1050 FEET SOUTH AND 1660 FEET WEST FROM THE NE CORNER OF SECTION 22, WELL B - 180 FEET NORTH AND 2230 FEET EAST, WELL C - 400 FEET SOUTH AND 1860 FEET EAST, BOTH FROM THE SE CORNER OF DLC 92.

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 period of allowed use for irrigation is March 1 through October 31.

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

	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>	<u>NURSERY USE</u>
SW 1\4 SE 1\4	5.0 ACRES		IN GROUND
SW 1\4 SE 1\4		2.1 ACRES	CONTAINER
SE 1\4 SE 1\4		2.5 ACRES	CONTAINER
As projected within McKay D.L.C. 83			
SE 1\4 SE 1\4		3.3 ACRES	CONTAINER
As projected within Chamberlain D.L.C. 84 Section 15			
NE 1\4 NE 1\4		1.8 ACRES	IN GROUND
NE 1\4 NE 1\4		15.0 ACRES	CONTAINER
NW 1\4 NE 1\4	13.8 ACRES	8.1 ACRES	IN GROUND
NW 1\4 NE 1\4		15.9 ACRES	CONTAINER
SW 1\4 NE 1\4	1.1 ACRES	27.0 ACRES	IN GROUND
SE 1\4 NE 1\4		5.0 ACRES	IN GROUND
SE 1\4 NE 1\4		2.4 ACRES	CONTAINER

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	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>	<u>NURSERY USE</u>
NE 1\4 NW 1\4	6.0 ACRES		IN GROUND
NW 1\4 NW 1\4	3.1 ACRES		IN GROUND
SW 1\4 NW 1\4	8.6 ACRES		IN GROUND
SE 1\4 NW 1\4	20.9 ACRES	12.0 ACRES	IN GROUND
	As projected with McKay D.L.C. 83		
NE 1\4 NE 1\4		1.0 ACRES	CONTAINER
	As projected within Chamberlain D.L.C. 84		
	Section 22		
	Township 4 South, Range 2 West, Willamette Meridian		

The wells 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.

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

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 March 28, 1995 and shall be completed on or before October 1, 1995. Complete application of water shall be made on or before October 1, 1996.

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.

The Director of the Water Resources Department has found that the proposed use of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

Issued this date, March 28, 1994.

/s/ A. REED MARBUT for

Water Resources Department
Martha O. Pagel
Director