

STATE OF OREGON

COUNTY OF MARION

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

GERALD E. ROTH
4196 81ST AVENUE NE
SALEM, OREGON 97305

503-362-2356

to use the waters of WELLS 1, 1A, 1B, 2 AND 2A in the PUDDING RIVER BASIN for IRRIGATION OF 14.0 ACRES.

This permit is issued approving Application G-12305. The date of priority is NOVEMBER 26, 1990. The use is limited to not more than 0.175 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the wells.

The wells are located as follows:

NW 1/4 SE 1/4, SW 1/4 SE 1/4, SECTION 2, NE 1/4 NE 1/4, SECTION 11, NW 1/4 NW 1/4, SECTION 12, T 7 S, R 2 W, W.M.; WELL 1A - 40 FEET SOUTH AND 1345 FEET EAST, WELL 1 - 1540 FEET SOUTH AND 1230 FEET EAST, WELL 1B - 2785 FEET SOUTH AND 1980 FEET EAST, ALL FROM THE NW CORNER OF GREENWOOD DLC 57; WELL 2A - 1350 FEET NORTH AND 2810 FEET WEST, WELL 2 - 2110 FEET NORTH AND 1480 FEET WEST, BOTH FROM THE SE CORNER OF GREENWOOD DLC 57.

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 period of allowed use is March 1 through October 31.

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 SW 1/4	3.1 ACRES
NW 1/4 SE 1/4	2.4 ACRES
SECTION 2	
NE 1/4 NE 1/4	0.5 ACRE
NW 1/4 NE 1/4	3.5 ACRES
SE 1/4 NE 1/4	1.5 ACRES
NE 1/4 NW 1/4	1.3 ACRES
SECTION 11	
SW 1/4 NW 1/4	1.7 ACRES
SECTION 12	
TOWNSHIP 7 SOUTH, RANGE 2 WEST, W.M.	

By October 1, 1995, 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.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order.

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- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
- C. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

In the event of a request for a change in point of appropriation, an additional point of appropriation or alteration of the appropriation facility associated with this authorized diversion, the quantity of water allowed herein, together with any other right, shall not exceed the capacity of the facility at the time of perfection of this right.

A static water level measurement is to be made and submitted before any use of water may commence at the wells.

The permittee shall install a meter or other suitable measuring device approved by the Director and submit an annual report of water used to the Department.

Use of water from the wells will be controlled or shut off if limits specified in the permit to protect the resource from depletion, and prior appropriators from interference, are exceeded.

The Department shall determine, from measurements submitted by the permittee, or other data on file in the department, the initial and subsequent water levels from which the previously cited declines are referenced.

Following the issuance of the permit, the permittee shall measure the water levels in the permitted wells each year between March 1 and March 31 (spring high-water level) and submit the data to the Department within 90 days of measurement. Water level measurements shall be made by a certified water rights examiner, licensed water well driller, licensed pump installer, registered geologist, licensed land surveyor, registered professional engineer or the permittee.

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 May 24, 1995 and shall be completed on or before October 1, 1996. Complete application of water shall be made on or before October 1, 1997.

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, May 24, 1994.

/s/ A. REED MARBUT

for Water Resources Department
Martha O. Pagel
Director