

STATE OF OREGON

COUNTY OF MARION

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

MARION COUNTY SOLID WASTE
388 STATE STREET SUITE 735
SALEM, OREGON 97301

503-588-5169

to use the waters of TWO WELLS in the SENEAL CREEK BASIN for IRRIGATION OF 32.5 ACRES, SUPPLEMENTAL IRRIGATION OF 45.0 ACRES AND AGRICULTURAL USE ON 40.5 ACRES.

This permit is issued approving Application G-13166. The date of priority is OCTOBER 30, 1992. The use is limited to not more than 1.98 CUBIC FEET PER SECOND (CFS), BEING 0.81 CFS FROM WELL 1 AND 1.17 CFS FROM WELL 2, AND FURTHER LIMITED TO 0.97 CFS FOR IRRIGATION AND 1.01 CFS FOR AGRICULTURAL USE, or its equivalent in case of rotation, measured at the well.

The wells are located as follows:

WELL 1 - SE 1/4 SW 1/4, SECTION 31, 4 S, R 1 W, W.M.; 620 FEET NORTH AND 2350 FEET EAST FROM THE SW CORNER OF SECTION 31.

WELL 2 - SE 1/4 NE 1/4, SECTION 36, T 4 S, R 2 W, W.M.; 230 FEET NORTH AND 1280 FEET WEST FROM THE W 1/4 CORNER OF SECTION 31

The amount of water used for AGRICULTURAL USE 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 AGRICULTURAL USE 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. Water may be used year round for agricultural use.

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 this permit is as follows:

WELL 1

	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
SW 1/4 SW 1/4	15.7 ACRES	6.3 ACRES
SE 1/4 SW 1/4	2.0 ACRES	8.5 ACRES
SECTION 31		
TOWNSHIP 4 SOUTH, RANGE 1 WEST, W.M.		
NE 1/4 NW 1/4		4.0 ACRES
NW 1/4 NW 1/4	2.3 ACRES	26.2 ACRES
SECTION 6		
TOWNSHIP 5 SOUTH, RANGE 1 WEST, W.M.		

WELL 2

	<u>SUPPLEMENTAL</u>	<u>AGRICULTURAL USE</u>
SW 1/4 NE 1/4	8.4 ACRES	6.4 ACRES
SE 1/4 NE 1/4		1.4 ACRES
SE 1/4 NW 1/4	0.1 ACRE	
NE 1/4 SW 1/4	1.0 ACRE	
NE 1/4 SE 1/4		20.0 ACRES
NW 1/4 SE 1/4	3.0 ACRES	12.7 ACRES

SECTION 36

TOWNSHIP 4 SOUTH, RANGE 2 WEST

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.

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, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.
- 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.

This right is limited to any deficiency in the available supply of any prior right existing for the same land.

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.

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 May²⁴, 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

Water Resources Department
Martha O. Pagel
Director

for