

STATE OF OREGON

COUNTY OF CLACKAMAS

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

Roy E. Montgomery & Marcella A. Montgomery
8530 SW Wilson Lane
Wilsonville, Oregon 97070

503-682-3121
503-280-7179

to use the waters of ONE WELL in the MOLALLA RIVER BASIN for IRRIGATION OF 4.0 ACRES.

This permit is issued approving APPLICATION G-13538. The date of priority is OCTOBER 27, 1993. The use is limited to not more than 0.05 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the well.

The wells are located as follows:

SW 1/4 SW 1/4, SECTION 18, T 4 S, R 2 E, WM; 165 FEET NORTH AND 605 FEET EAST OF THE SW CORNER OF SECTION 18.

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 of water for irrigation is limited to the period of March 1 through October 31 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 this permit is as follows:

SW 1/4 SW 1/4	2.3 ACRES
SECTION 18	
NW 1/4 NW 1/4	1.7 ACRES
SECTION 19	
TOWNSHIP 4 SOUTH, RANGE 2 EAST, 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.

Measurement recording and reporting conditions:

- A. The Director may require the permittee to install a meter or other suitable measuring device as approved by the Director. If the Director notifies the permittee to install a meter or other measuring device, the permittee shall install such device within the period stated in the notice. Such installation period shall not be less than 90 days unless special circumstances warrant a shorter installation period. Once installed, the permittee shall maintain the meter or measuring device in good working order and shall allow the watermaster access to the meter or measuring device. The Director may provide an opportunity for the permittee to submit alternative measuring procedures for review and approval.
- B. 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.

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.

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 water user shall report a static water-level in the well(s) by April 15 of each year. The measurements shall be sent to the Director, Attention: Groundwater/ Hydrology Section. The initial measurement shall be made during the first March after the priority date of the water right or during the first March after the well has been constructed, whichever is later. The measurement shall be made by a certified water rights examiner, registered professional geologist, or professional engineer. Water levels shall be measured and reported to the nearest tenth of a foot as depth-to-water below ground surface and shall be accompanied by supporting calculations. Each measurement and set of calculations shall clearly indicate the well with which they are associated.

The second annual measurement taken after water use begins under the terms of this permit shall be the reference level. The measurement shall be made annually for seven consecutive years after water use begins. When required by the Director, the permittee shall obtain and report, as outlined above, additional March static water level measurements beyond the initial seven. 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, the permittee shall reduce the withdrawal rate from the well or discontinue use of the well. Such action shall be undertaken until the water level recovers to above the 25-foot decline level or until the Department determines that such action is not necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. Such determination could be based on the permittee's data or the Department's data and analysis. The Director may provide an opportunity for the permittee to submit alternative measurement and reporting procedures for review and approval.

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 NOVEMBER 18, 1995 and shall be completed on or before October 1, 1996. Complete application of the 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, November 18, 1994.

BY MARTHA O. PAGEL

Water Resources Department
Martha O. Pagel
Director