

STATE OF OREGON

COUNTY OF CLACKAMAS

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

J. FRANK SCHMIDT AND SON COMPANY  
P.O. BOX 189  
BORING, OREGON 97009

503-663-4128

to use the waters of WELLS 1 AND 2 in the MOLALLA RIVER BASIN for IRRIGATION OF 60.8 ACRES, SUPPLEMENTAL IRRIGATION OF 20.2 ACRES, AND AGRICULTURAL USE.

This permit is issued approving Application G-13195. The date of priority is NOVEMBER 24, 1992. The use is limited to not more than 1.0125 CUBIC FEET PER SECOND, or its equivalent in case of rotation, measured at the wells.

The wells are located as follows:

SE 1/4 SE 1/4, SECTION 8, T 4 S, R 1 E, W.M.; WELL 1 - 1225 FEET NORTH AND 660 FEET WEST, WELL 2 - 525 FEET NORTH AND 1310 FEET WEST, BOTH FROM THE SE CORNER OF SECTION 8.

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.

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:

	<u>PRIMARY</u>	<u>SECONDARY</u>
SE 1/4 NE 1/4	2.6 ACRES	5.2 ACRES
NE 1/4 SE 1/4	19.0 ACRES	15.0 ACRES
SE 1/4 SE 1/4	39.2 ACRES	

SECTION 8

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

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.

- 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.

The production of groundwater shall be from no shallower than 75 feet below land surface.

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 June 30, 1996, and shall be completed on or before October 1, 1997. Complete application of the water shall be made on or before October 1, 1998.

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 finds that the proposed use(s) of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

Issued this date, June 30, 1995.

  
 for Water Resources Department  
 Martha O. Pagel  
 Director

Application G-13195 Water Resources Department  
 Basin 2 Volume 16 Molalla River & Misc.  
 DLB MGMT.CODES 4IG, 4IR

PERMIT G-12095  
 District 16