

STATE OF OREGON

COUNTY OF CLACKAMAS

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

LOWELL FARMER
10235 SOUTH HIGHWAY 211
CANBY, OREGON 97013

503-651-2141

to use the waters of WELLS 1, 2, and 3 in the BEAR CREEK BASIN for IRRIGATION OF 62.7 ACRES AND AGRICULTURAL USE ON 29.3 ACRES.

This permit is issued approving Application G-13079. The date of priority is AUGUST 17, 1992. The use is limited to not more than 1.52 CUBIC FEET PER SECOND (CFS), BEING 0.784 CFS FOR IRRIGATION AND 0.733 CFS FOR AGRICULTURAL USE, or its equivalent in case of rotation, measured at the wells.

The wells are located as follows:

SW 1/4 NW 1/4, SE 1/4 NW 1/4, SECTION 11, T 5 S, R 1 E, W.M.; WELL 1 - 362 FEET NORTH AND 1291 FEET WEST; WELL 2 - 1170 FEET NORTH AND 200 FEET WEST; WELL 3 - 350 FEET NORTH AND 2540 FEET WEST; ALL FROM THE C 1/4 CORNER OF SECTION 11.

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 use of water for irrigation is limited to the period of 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>IRRIGATION</u>	<u>NURSERY</u>
SW 1/4 NW 1/4	13.3 ACRES	25.2 ACRES
SE 1/4 NW 1/4	37.6 ACRES	1.8 ACRES
NE 1/4 SW 1/4	11.8 ACRES	0.3 ACRES
NW 1/4 SW 1/4		2.0 ACRES

SECTION 11
TOWNSHIP 5 SOUTH, RANGE 1 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. 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.

The groundwater production will be no shallower than 150 feet below land surface at the wells.

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 of the well shall begin on or before September 29, 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.

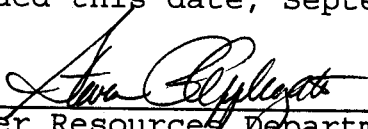
This permit is for beneficial use of water without waste. The water user is advised that new regulations may require use of best practical technologies or conservation practices to achieve this end.

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 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, September 29, 1995.


for Water Resources Department
Martha O. Pagel
Director