

STATE OF OREGON

COUNTY OF WASHINGTON

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

OREGON GARDEN PRODUCTS
3150 SE MINTER BRIDGE RD
HILLSBORO, OREGON 97123

The specific limits for the use are listed below along with conditions of use.

APPLICATION FILE NUMBER: G-12343

SOURCE OF WATER: WELLS NE1, NE2, NE4, NE7, NW3, NW4, NW5, AND NW6 IN THE TUALATIN RIVER BASIN

PURPOSE OR USE: NURSERY OPERATIONS ON 34.1 ACRES

QUANTITY: NOT MORE THAN 1.37 CFS, BEING 0.28 CFS FROM WELL NE1, 0.05 CFS FROM WELL NE2, 0.10 CFS FROM WELL NE4, 0.13 CFS FROM WELL NE7, 0.22 CFS FROM WELL NW3, 0.22 CFS FROM WELL NW4, 0.20 CFS FROM WELL NW5, AND 0.17 CFS FROM WELL NW6.

PERIOD OF ALLOWED USE: YEAR ROUND

DATE OF PRIORITY: December 13, 1990

POINTS OF DIVERSION LOCATION: NE 1/4 SE 1/4, SECTION 7, NE 1/4 SW 1/4, NW 1/4 SW 1/4, SECTION 8, T 1 S, R 2 W, W.M.; WELL NE1 - 1490 FEET NORTH AND 340 FEET EAST, WELL NE2 - 1505 FEET NORTH AND 345 FEET EAST, WELL NE4 - 1375 FEET NORTH AND 1635 FEET EAST, WELL NE7 - 1840 FEET NORTH AND 505 FEET EAST, WELL NW3 - 1870 FEET NORTH AND 360 FEET WEST, WELL NW4 - 2145 FEET NORTH AND 50 FEET WEST, WELL NW5 - 2440 FEET NORTH AND 330 FEET WEST, WELL NW6 - 1675 FEET NORTH AND 50 FEET EAST, ALL FROM THE SW 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 PLACE OF USE IS LOCATED AS FOLLOWS:

NW 1/4 SE 1/4 5.9 ACRES
SECTION 7
NE 1/4 SW 1/4 1.7 ACRES
NW 1/4 SW 1/4 16.9 ACRES
SW 1/4 SW 1/4 7.7 ACRES
SE 1/4 SW 1/4 1.4 ACRES
SECTION 8

TOWNSHIP 1 SOUTH, RANGE 2 WEST, W.M.

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.

STANDARD CONDITIONS

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.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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.

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.

This permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the 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.

Actual construction of the well shall begin within one year from permit issuance, and shall be completed on or before October 1, 1998. Complete application of the water to the use shall be made on or before October 1, 1999.

Issued January 17, 1996



for Water Resources Department
Martha O. Pagel
Director