

STATE OF OREGON

COUNTY OF LINN

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

BURNEL HARNISCH  
31845 DEVER CONNER DRIVE NE      **AND**  
ALBANY, OREGON 97321

MARCEIL HOWELLS  
11870 SE 154TH AVE  
PORTLAND, OREGON 97236

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

APPLICATION FILE NUMBER: G-12312

SOURCE OF WATER: FOUR WELLS IN THE WILLAMETTE RIVER BASIN

PURPOSE OR USE: IRRIGATION OF 190.3 ACRES

AMOUNT/VOLUME ALLOWED: 2.38 CUBIC FEET PER SECOND

PERIOD OF ALLOWED USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: APRIL 8, 1991

POINT OF DIVERSION LOCATION: SE 1/4 SW 1/4, NW 1/4 SE 1/4, SECTION 1, SE 1/4 NW 1/4, SECTION 12, T10S, R4W, W.M.; WELL 3 - 640 FEET NORTH AND 250 FEET WEST FROM THE C OF SECTION 12, WELL 4 - 550 FEET SOUTH AND 600 FEET EAST FROM THE C OF SECTION 1, WELL 5 - 850 FEET NORTH AND 330 FEET WEST, WELL 6 - 150 FEET NORTH AND 330 FEET WEST, BOTH FROM THE S 1/4 CORNER OF SECTION 1

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 PLACE OF USE IS LOCATED AS FOLLOWS:

NE 1/4 SW 1/4	34.0 ACRES
NW 1/4 SW 1/4	12.0 ACRES
SW 1/4 SW 1/4	11.0 ACRES
SE 1/4 SW 1/4	33.0 ACRES
NW 1/4 SE 1/4	15.0 ACRES
SW 1/4 SE 1/4	27.0 ACRES
SECTION 1	

NW 1/4	NE 1/4	15.0 ACRES
SW 1/4	NE 1/4	8.3 ACRES
NE 1/4	NW 1/4	21.0 ACRES
NW 1/4	NW 1/4	2.0 ACRES
SE 1/4	NW 1/4	12.0 ACRES

## SECTION 12

TOWNSHIP 10 SOUTH, RANGE 4 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, 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.

**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.

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.

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 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 wells 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 May 20, 1996

  
for Martha O. Pagel, Director  
Water Resources Department