

STATE OF OREGON

COUNTY OF BENTON

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

HORNING ENTERPRISES INC. \*  
27775 HORNING LANE  
CORVALLIS, OREGON 97333

PHONE: (541) 753-3004

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

APPLICATION FILE NUMBER: G-12475

SOURCE OF WATER: A WELL IN THE WILLAMETTE RIVER BASIN

PURPOSE OR USE: SUPPLEMENTAL IRRIGATION OF 22.4 ACRES

RATE OF USE: 0.28 CUBIC FOOT PER SECOND

PERIOD OF ALLOWED USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: APRIL 5, 1991

POINT OF DIVERSION LOCATION: SE 1/4 NW 1/4, SECTION 24, T14S, R5W, W.M.; 2363 FEET SOUTH & 2155 FEET EAST FROM NW CORNER, SECTION 24

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:

SE 1/4 NW 1/4 13.7 ACRES  
SW 1/4 NW 1/4 5.9 ACRES  
NW 1/4 SW 1/4 2.8 ACRES  
SECTION 24

TOWNSHIP 14 SOUTH, RANGE 5 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.

Application G-12475 Water Resources Department

PERMIT G-13071

- 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.

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.

This right is limited to any deficiency in the available supply of any prior right existing for the same land.

#### 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.

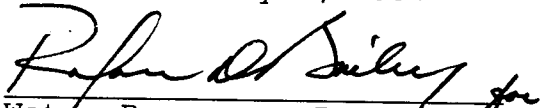
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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 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 3, 1997



Water Resources Department  
Martha O. Pagel  
Director

Application G-12475  
Basin 02

Water Resources Department  
Volume 24 Willamette River  
MGMT.CODE 7BG, 7BR

PERMIT G-13071  
District 02