

STATE OF OREGON

COUNTY OF CLACKAMAS

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

HARLEY HIGGINS AND SUN LANDSCAPE NURSERY
HARLEY F AND LYNN M HIGGINS
24051 AIRPORT RD NE
AURORA, OREGON 97002

(503) 678-5260

The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-14286

SOURCE OF WATER: A WELL WITHIN THE WILLAMETTE RIVER BASIN

PURPOSE OR USE: AGRICULTURAL USE AND IRRIGATION OF 3.5 ACRES

MAXIMUM RATE: 0.06 CUBIC FOOT PER SECOND (CFS) TOTAL, BEING A MAXIMUM OF 0.04 CFS FOR IRRIGATION AND NOT MORE THAN 0.06 CFS FOR AGRICULTURAL USE, AS NEEDED

PERIOD OF USE: WATER MAY BE APPROPRIATED FOR IRRIGATION FROM MARCH 1 THROUGH OCTOBER 31 OF EACH YEAR, AND YEAR-ROUND FOR AGRICULTURAL USE

DATE OF PRIORITY: APRIL 1, 1996

POINT OF DIVERSION LOCATION: SE 1/4 NE 1/4, SECTION 35, T 3 S, R 1 W, W.M.; 180 FEET NORTH AND 300 FEET WEST FROM THE SE CORNER OF TAX LOT 402 SECTION 35, T 3 S, R 1 W, W.M.

The amount of water used for NURSERY OPERATIONS 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 NURSERY OPERATIONS 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:

SE 1/4 NE 1/4 3.5 ACRES
SECTION 35
TOWNSHIP 3 SOUTH, RANGE 1 WEST, W.M.

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PERMIT G-13081

Measurement, recording and reporting conditions:

- A. The Director may require the permittee to install a meter or other suitable measuring device as approved by the Director. If the Director notifies the permittee to install a meter or other measuring device, the permittee shall install such device within the period stated in the notice. Such installation period shall not be less than 90 days unless special circumstances warrant a shorter installation period. Once installed, the permittee shall maintain the meter or measuring device in good working order and shall allow the watermaster access to the meter or measuring device. The Director may provide an opportunity for the permittee to submit alternative measuring procedures for review and approval.
- B. 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.

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.

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PERMIT G-13081

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 work shall begin within one year from permit issuance and shall be completed on or before October 1, 1999. The reservoirs shall be filled and complete application of water shall be made on or before October 1, 2000.

Issued January 15, 1997


Martha O. Pagel, Director
Water Resources Department

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Basin 02 Vol.25, Willamette River N½ (Also Misc. N½) District 16
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