

STATE OF OREGON

COUNTY OF LINN

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

GREG MOORE
PIONEER VILLA TRUCK PLAZA INC.
33180 HWY 228
HALSEY, OREGON 97348

PHONE: (541) 369-2801

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

APPLICATION FILE NUMBER: G-14627

SOURCE OF WATER: NEW WELL #2 AND EXISTING WELL #1 (FOR EMERGENCY BACKUP USE ONLY) IN THE COURTNEY CREEK BASIN

PURPOSE OR USE: COMMERCIAL USE, WELL #1 LIMITED TO EMERGENCY BACKUP USE ONLY

MAXIMUM RATE: 0.056 CUBIC FOOT PER SECOND (CFS); FURTHER LIMITED FROM EXISTING WELL #1 TO 0.01 CFS IF WELL MUST BE USED DURING JULY THROUGH JULY 31 AND OCTOBER 1 THROUGH OCTOBER 31 FOR EMERGENCY BACKUP

PERIOD OF USE: NEW WELL #2 - YEAR ROUND FOR COMMERCIAL USE; EXISTING WELL #1 - WHEN NECESSARY FOR EMERGENCY BACKUP NOVEMBER 1 THROUGH JUNE 30 FOR COMMERCIAL USE AND JULY 1 THROUGH JULY 31 AND OCTOBER 1 THROUGH OCTOBER 31 FOR COMMERCIAL USE FOR CUSTOMARILY DOMESTIC PURPOSES

DATE OF PRIORITY: OCTOBER 27, 1997

POINT OF DIVERSION LOCATION: NW 1/4 NE 1/4, NE 1/4 NW 1/4, SECTION 4, T14S, R3W, W.M.; EXISTING WELL #1 - 1808 FEET NORTH AND 2553, NEW WELL #2 - 1504 FEET NORTH AND 3253 FEET WEST BOTH FROM THE EAST 1/4 CORNER, SECTION 4

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NW 1/4 NE 1/4
NE 1/4 NW 1/4
SECTION 4
TOWNSHIP 14 SOUTH, RANGE 3 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

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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.

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.

The use of water from Existing Well #1 may be restricted if the quality of Courtney Creek or downstream waters decrease to the point that those waters no longer meet state or federal water quality standards due to reduced flows.

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 by September 24, 1999. Complete application of water to the use shall be made on or before October 1, 2002. Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

Issued September 24, 1998


Martha O. Pagel, Director
Water Resources Department

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Basin 2
RWK

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District 2