

STATE OF OREGON

COUNTY OF MARION

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

ROBERT STADELI  
12498 PIKE LANE  
SILVERTON, OR 97381

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

APPLICATION FILE NUMBER: G-16864

SOURCE OF WATER: A WELL (MARI 59906) IN BRUSH CREEK BASIN

PURPOSE OR USE: IRRIGATION USE ON 19.5 ACRES

MAXIMUM RATE: 0.24 CUBIC FOOT PER SECOND

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: MAY 31, 2007

WELL (MARI 59906) LOCATION: SW  $\frac{1}{4}$  SW  $\frac{1}{4}$ , SECTION 10, T7S, R1W,  
W.M.; 1250 FEET NORTH AND 520 FEET EAST FROM SW CORNER, SECTION  
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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 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  $\frac{1}{4}$  SE  $\frac{1}{4}$  2.29 ACRES  
SECTION 9

NW  $\frac{1}{4}$  SW  $\frac{1}{4}$  8.42 ACRES  
SW  $\frac{1}{4}$  SW  $\frac{1}{4}$  8.79 ACRES  
SECTION 10

TOWNSHIP 7 SOUTH, RANGE 1 WEST, W.M.

Application G-16864      Water Resources Department      PERMIT G-16430

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a totalizing flow meter at each point of appropriation. The permittee shall maintain the meter(s) in good working order. The permittee shall keep a complete record of the amount of water used each month, and shall submit an annual report which includes the recorded water use measurements to the Department by December 1 of each year. 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(s); provided however, where any meter is located within a private structure, the watermaster shall request access upon reasonable notice.

The well (MARI 59906) shall produce ground water only from the Columbia River Basalt Group between 288 feet and 385 feet below the land surface.

The well (MARI 59906) shall not be deepened or altered such that water is produced from other aquifers in the Columbia River Basalt Group.

**STANDARD CONDITIONS**

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.

If the number, location, source, or construction of any well deviates from that proposed in the permit application or required by permit conditions, this permit may not be valid, unless the Department authorizes the change in writing.

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 well(s) 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.

If the riparian area is disturbed in the process of developing a point of diversion, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR Chapter 635, Division 415, Section 030 adopted November 13, 1991 shall be followed.

The use may be restricted if the quality of the source stream or downstream waters decreases to the point that those waters no longer meet existing state or federal water quality standards due to reduced flows.

Where two or more water users agree among themselves as to the manner of rotation in the use of water and such agreement is placed in writing and filed by such water users with the watermaster, and such rotation system does not infringe upon such prior rights of any water user not a party to such rotation plan, the watermaster shall distribute the water according to such agreement.

Prior to receiving a certificate of water right, the permit holder shall submit to the Water Resources Department the results of a pump test meeting the Department's standards for each point of appropriation (well), unless an exemption has been obtained in writing under OAR 690-217. The Director may require water-level or pump-test data every ten years thereafter.

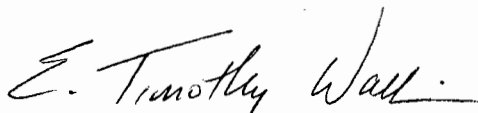
This permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

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.

Completion of construction and complete application of the water to the use shall be made on or before October 1, 2013. If the water is not completely applied before this date, and the permittee wishes to continue development under the permit, the permittee must submit an application for extension of time, which may be approved based upon the merit of the application.

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 JANUARY 15, 2009



for Phillip C. Ward, Director  
Water Resources Department