

STATE OF OREGON

COUNTY OF MARION

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

EARL J VAN VOLKINBURG
3675 VITAE SPRINGS ROAD
SALEM, OREGON 97306

To use the waters of three wells in the CROISAN CREEK BASIN for IRRIGATION OF 30.0 ACRES.

This permit is issued approving renewal of Application G-12961. The date of priority is JUNE 4, 1992. The use is limited to not more than 0.11 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the well. This permit is amended by permit amendment T-8182 effective July 3, 2001. Additional points of appropriation and place of use modifications are reflected in this permit renewal. No additional quantity of water is authorized.

The wells are located as follows:

Well 1 - SE 1/4 SW 1/4, Section 18, T 8 S, R 3 W, W.M.; 525 Feet North and 820 Feet West, **Well 2** - NE 1/4 SW 1/4, Section 18 T 8 S, R 3 W, W.M.; 1450 Feet North and 175 Feet West, **Well 3** - SW 1/4 SE 1/4, Section 18, T 8 S, R 3 W, W.M.; 650 Feet North and 600 Feet East, all from S 1/4 CORNER, Section 18.

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 1.0 acre-feet for each acre irrigated during the irrigation season of each year. The period of allowed use is March 1 through October 31.

Appeal Rights

This is a Final Order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080 you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the proposed place of use under this permit is as follows:

NE 1/4 SW 1/4	2.0 ACRES
SE 1/4 SW 1/4	18.0 ACRES
NW 1/4 SE 1/4	1.0 ACRES
SW 1/4 SE 1/4	9.0 ACRES

SECTION 18

TOWNSHIP 8 SOUTH, RANGE 3 WEST, W.M.

The use of water under this permit will expire on October 31, 2019. The permit may be renewed for additional periods of time, not to exceed five years each, if the director finds that the groundwater resource can probably support the continued use. This permit is extended, you have until November 1, 2015 to submit a Claim of Beneficial Use and Final Proof Survey map prepared by a Certified Water Rights Examiner the Department may cancel the permit.

The well 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.

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.
- 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.

The PERMITTEE shall obtain a static water-level measurement for each well during **March** of each year and report the measurement to the Department within **thirty** days. The measurement shall be made by a certified water-rights examiner, registered professional geologist, certified engineering geologist, professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board, licensed land surveyor, or the permittee/appropriator. Water levels shall be reported as depth-to-water below ground level and shall be accompanied by supporting calculations.

Reports and calculations shall be provided to the Department on forms provided by the Department and shall be certified as to their accuracy by the individual making the measurements. If a well listed on this permit displays a total static water-level decline of 25 or more feet over any period of years, as compared to the reference level, then the PERMITTEE shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s). Such action shall be taken until the water-level recovers to above the 25-foot decline level or until the Department determines, based on the PERMITTEE'S or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The reference level for water-level declines shall be the second annual measurement taken after water use begins under the terms of this permit. The PERMITTEE shall in no instance allow excessive decline to occur within the aquifer as a result of use under this permit.

For the purpose of considering subsequent renewals of this permit, the Department will be using 62.66 feet below land surface for well 1, 84.0 feet below land surface for well 2, and 24.0 feet below land surface for well 3, as the reference static water levels.

Within two years of permit issuance, the permittee shall prepare a plan for the Director which shall indicate the steps for obtaining a long term water supply.

A static water level measurement shall be made and submitted before any use of water may commence from the well.

Failure to provide March static water level measurements may result in suspension of water use from the well(s) authorized under this permit, or cancellation of the permit.

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 beneficial use of water without waste. The water user is advised that new regulations may require 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.

Issued this date, August 28 , 2015

E. Timothy Waller for

Thomas M. Byler, Director
Water Resources Department

Application G-12961 Water Resources Department
Basin 2 Volume 10A Croisan Creek & Misc.
g12961-x2019.wpd
KHC

PERMIT G-17487
District 16