

STATE OF OREGON

COUNTY OF MARION

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

CHARLES AND RITA MUELLER
10570 SUNNYVIEW ROAD NE
SALEM, OREGON 97317

This permit is issued to describe a Split a Permit, approved by Special Order Volume 104, Page 6, entered on MAR 01 2017; to describe an extension of time for complete application of water approved July 15, 2016, and an assignment of a portion of Permit G-11197 approved September 4, 2007. This permit, together with Permit G-17694, supersedes Permit G-11197.

To use the waters of ONE WELL in the PUDDING RIVER BASIN for IRRIGATION OF 100.6 ACRES.

This permit is issued approving Application G-12085. The date of priority is APRIL 24, 1990. The use is limited to not more than 1.26 CUBIC FEET PER SECOND, or its equivalent in case of rotation, measured at the well.

The well is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
7 S	1 W	WM	20	SW SW	550 FEET NORTH AND 580 FEET EAST FROM THE SW CORNER OF SECTION 20

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigation and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

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 the permit is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
7 S	1 W	WM	19	SE SE	3.3
7 S	1 W	WM	20	SW SW	29.0
7 S	1 W	WM	20	SE SW	12.1
7 S	1 W	WM	29	NE NW	13.7
7 S	1 W	WM	29	NW NW	30.8
7 S	1 W	WM	30	NE NE	11.7

Extension of Time Conditions:Checkpoint Condition

The permit holder must submit a completed Progress Report Form to the Department by **October 1, 2020**.

- a) At each checkpoint, the permit holder shall submit and the Department shall review evidence of the permit holder's diligence towards completion of the project and compliance with terms and conditions of the permit and extension. If, after this review, the Department determines the permit holder has not been diligent in developing and perfecting the water use permit, or complied with all terms and conditions, the Department shall modify or further condition the permit or extension to ensure future compliance, or begin cancellation proceedings on the undeveloped portion of the permit pursuant to ORS 537.260 or 537.410, or require submission of a final proof survey pursuant to ORS 537.250;
- b) The Department shall provide notice of receipt of progress reports in its weekly notice and shall allow a 30 day comment period for each report. The Department shall provide notice of its determination to anyone who submitted comments.

Existing Permit Conditions:

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. When required by the department, the permittee shall install and maintain a weir, meter, or other suitable measuring device, and shall keep a complete record of the amount of ground water withdrawn.

The water user shall report a March static water level in the wells to the Groundwater/Hydrology Section of the Water Resources Department by April 15 of each year. The measurement shall be made and calculations detailed by a certified water rights examiner, registered professional geologist, certified engineering geologist, or professional engineer.

Use of water from the well shall not be allowed under this permit if the well displays an (A) average water level decline of 3 or more feet per year for 5 consecutive years, or (B) a water level decline of 15 or more feet in fewer than 5 consecutive years, or (C) a water level decline of 25 or more feet, or (D) a hydraulic interference of 25 or more feet in any neighboring well with senior priority which provides water for an authorized use.

The Water Resources Department has determined that the initial water level in the wells are those of the initial March report. That is the level from which the cited declines in (A), (B) and (C) above will be referenced.

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 granted herein may be made only at times when sufficient water is available to satisfy all prior rights.

The original permit was issued February 25, 1991. Actual construction work was to begin on or before February 25, 1992, and be completed on or before October 1, 1992. Complete application of the water to the use was to be made on or before October 1, 1993. By an Extension of Time issued July 15, 2016, the deadline for completing construction and application of water to beneficial use was extended to October 1, 2021.

Issued MAR 01 2017



Dwight French, Water Right Services Division Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department