

STATE OF OREGON

COUNTY OF CLACKAMAS

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

THRIVE GROWERS LLC
9720 SE 362nd AVE
BORING, OR 97009

This superseding permit is issued to describe an amendment for an additional point of appropriation proposed under Permit Amendment Application T-12741 and approved by Special Order Vol. 113, Page 1116, entered September 10, 2017, and to describe an extension of time for complete application of water approved October 9, 2015, and a partial assignment to a new permittee approved September 11, 2017. This permit supersedes Permit G-11978.

to use the waters of A WELL in the JOHNSON CREEK BASIN for AGRICULTURAL USE AND IRRIGATION ON 29.17 ACRES.

This permit is issued approving Application G-13065. The date of priority is AUGUST 5, 1992. The use is limited to not more than 0.365 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the well.

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1 S	4 E	WM	27	NE SE	690 FEET SOUTH AND 1350 FEET EAST FROM THE C1/4 CORNER OF SECTION 27
1 S	4 E	WM	27	NE SE	930 FEET SOUTH AND 2095 FEET EAST FROM THE C1/4 CORNER OF SECTION 27

The amount of water used for AGRICULTURAL USE 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 AGRICULTURAL USE may be made at any time 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 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:

AGRICULTURAL USE AND IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
1 S	4 E	WM	27	NE SE	29.17

Permit Amendment T-12741 conditions:

The combined quantity of water diverted at the new point of appropriation, together with that diverted at the old point of appropriation, shall not exceed the quantity of water lawfully available at the original point of appropriation.

Water use measurement conditions:

- a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device at each point of appropriation (new and existing).
- b. The water user shall maintain the meters or measuring devices in good working order.
- c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.

Water shall be acquired from the same aquifer as the original point of appropriation.

Original 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.

The well is to be constructed to allow groundwater production from no shallower than 150 feet below land surface. Water from the shallow Troutdale aquifer is not to be developed.

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.

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.

The original permit was issued March 14, 1995. Actual construction work was to begin on or before March 14, 1996. By extension of time final order dated October 9, 2015, the deadline for completing construction and for complete application of water to the use was extended to October 1, 2020

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.

The Director finds that the proposed use(s) of water described by this permit, as conditioned, would not impair or be detrimental to the public interest.

Issued SEP 10 2019



Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
Thomas M. Byler, Director
Oregon Water Resources Department

