

STATE OF OREGON

COUNTY OF BENTON

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

VINEYARD MOUNTAIN WATER AND IMPROVEMENT DISTRICT  
6495 CONCORD DR.  
CORVALLIS, OREGON 97330

This superseding permit is issued to describe an amendment for a change in place of use under Permit Amendment Application T-14007 and approved by Special Order Vol. 125, Page 808, entered OCT 05 2022, and Permit Amendment Applications T-12684 approved by Special Order Vol. 105, Page 810 entered September 21, 2017 and T-8868 approved by Special Order Vol. 56, Page 2100, entered November 26, 2002 and to describe an extension of time for complete application of water approved April 23, 2002 and February 14, 2020. This permit supersedes Permit G-18326.

The specific limits for the use are listed below along with conditions of use.

APPLICATION FILE NUMBER: G-12088

SOURCE OF WATER: FOUR WELLS IN THE WILLAMETTE RIVER BASIN

PURPOSE OR USE: GROUP DOMESTIC USES FOR 130 HOMES

RATE OF USE: MAXIMUM RATE NOT TO EXCEED 0.3 CUBIC FOOT PER SECOND (CFS) IN ANY COMBINATION FROM THE WELLS; FURTHER LIMITED TO:

WELL 2 – TOTAL RATE OF UP TO 0.13 CFS

WELL 3 – TOTAL RATE OF UP TO 0.04 CFS

WELL 4 – TOTAL RATE OF UP TO 0.3 CFS

WELL 5 – TOTAL RATE OF UP TO 0.13 CFS

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: APRIL 26, 1990

**WELL LOCATIONS:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
11 S	5 W	WM	11	SW NW	WELL 2 - 420 FEET NORTH AND 1020 FEET EAST FROM THE W1/4 CORNER OF SECTION 11
11 S	5 W	WM	2	SW SW	WELL 3 - 1010 FEET NORTH AND 1360 FEET EAST FROM THE SW CORNER OF SECTION 2
11 S	5 W	WM	11	SW NW	WELL 4 - 375 FEET NORTH AND 500 FEET EAST FROM THE W1/4 CORNER OF SECTION 11
11 S	5 W	WM	11	SWNW	WELL 5 - 380 FEET NORTH AND 860 FEET EAST OF THE W¼ CORNER OF SECTION 11

**THE PLACE OF USE IS LOCATED AS FOLLOWS:**

GROUP DOMESTIC FOR 130 HOMES				
Twp	Rng	Mer	Sec	Q-Q
11 S	5 W	WM	2	SW NE
11 S	5 W	WM	2	SW NW
11 S	5 W	WM	2	NW SW
11 S	5 W	WM	2	SW SW
11 S	5 W	WM	2	NE SW
11 S	5 W	WM	2	SW SE
11 S	5 W	WM	2	NW SE
11 S	5 W	WM	3	SE SE
11 S	5 W	WM	10	NE NE
11 S	5 W	WM	10	NE SE
11 S	5 W	WM	11	NW NE
11 S	5 W	WM	11	NW NW
11 S	5 W	WM	11	SE NW
11 S	5 W	WM	11	NW SW
11 S	5 W	WM	11	NW SE

**Permit Amendment T-14007 Conditions:**

The former place of use shall no receive water under this permit.

**Permit Amendment T-12684 Conditions:**

The quantity of water diverted at the new point of appropriation (Well 5), shall not exceed the quantity of water lawfully available at the original point of appropriation (Well 1).

**Permit Amendment T-8868 Conditions:**

The quantity of water diverted at the new point of appropriation (well), together with that diverted at the authorized points of appropriation (wells), shall not exceed the maximum rate allowed under the water right permit.

The water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans



of the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

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

Extension of Time Conditions:

**Checkpoint Condition**

The permit holder must submit a completed Progress Report Form to the Department by October 1, 2020, 2025, 2030, 2035, 2040, 2045, 2050, 2055, 2060, 2065, 2070, 2075, 2080, 2085, 2090, and 2095.

- 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.

**Last Extension Condition**

This shall be the last extension of time granted for Permit G 18326. Any future extensions of time request will be denied.

**Development Benchmark Condition**

The permit holder is required to submit a Claim of Beneficial Use within one year of the submittal of a Progress Report, as described in Item 1 of this section, which demonstrates that 130 homes have been connected to the District water system, and full beneficial use of the water has been made. Upon determination by the Department, that the Progress Report submitted demonstrates full development of the permit, the Department may order the permit holder to submit a Claim of Beneficial Use within one year.

Original Permit Conditions:

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

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.

#### **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 was to begin within one year from permit issuance (March 15, 1996) and was to be completed on or before October 1, 1998. Complete application of the water was to be made on or before October 1, 1999. By an Extension of Time Final Order dated February 14, 2020, the completion of construction was extended to October 1, 2096, and the completion of the application of the water was extended to on or before October 1, 2096.

**OCT 05 2022**

Issued \_\_\_\_\_

Lisa J. Jaramillo, Transfer and Conservation Section Manager, for  
DOUGLAS E. WOODCOCK, ACTING DIRECTOR  
Oregon Water Resources Department

