



## STATE OF OREGON

MARION COUNTY

"CERTIFICATE NO. 55130"

### PERMIT TO APPROPRIATE THE PUBLIC WATERS

This is to certify that I have examined APPLICATION G-8365 and do hereby grant the same SUBJECT TO EXISTING RIGHTS and the following limitations and conditions:

This permit is issued to Wesley and Helen J. Malby of 9430 54th Avenue, NE, Salem, Oregon 97305, phone 393-1298, for the use of the waters of a well, for the PURPOSE of irrigation, supplemental irrigation and containerized nursery use, being 0.03 cubic foot of water per second for irrigation; 0.03 cfs for supplemental irrigation; and 0.07 cfs for nursery stock use, provided that the total quantity of water diverted shall not exceed 0.07 cfs. The use allowed herein for supplemental irrigation may be made any time between October 1 and March 31 that water that can be put to beneficial use by irrigation, either for immediate crop growth or for forest requirements, to raise the soil moisture to field capacity in the soil profile to be utilized by plant growth in the subsequent growing season; that the PRIORITIES OF THE RIGHT date from August 11, 1977 for 0.04 cfs and April 8, 1982 for 0.03 cfs, and is limited to the amount of water which can be applied to beneficial use and shall not exceed 0.07 cfs measured at the point of diversion from the well, or its equivalent in case of rotation with other water users.

The well is to be LOCATED: 195 feet South and 240 feet West from the Northeast Corner of Section 17, being within the NE 1/4 NE 1/4 of Section 17, Township 6 South, Range 2 West, WM, in the County of Marion.

A description of the PLACE OF USE under the permit, and to which such right ~~is~~ <sup>is</sup> ~~appertains~~, is as follows:

Township 6 South	Range 2 West, WM	Section 16	NW 1/4	NW 1/4	0.7 acre irrigation
		Section 17	NE 1/4	NE 1/4	1.5 acres irrigation,
					containerized stock
					use and 1.0 acre
					holding houses

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 1/80 of one cubic foot per second per acre, 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, and shall be further limited not to exceed 1.0 acre-foot per acre irrigated during the period from October 1 to March 31, provided further that the right allowed herein shall not exceed 2.5 acre-feet for each acre irrigated in any one year. The use of water authorized herein shall not establish priority of right as against future appropriations of surface water for beneficial uses or for storage for such beneficial uses, other than similar rights for irrigation from October 1 to March 31, and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

The well shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon.

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The works constructed shall include an air line and pressure gauge or an access port for measuring line, adequate to determine water level elevation in the well at all times.

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.

Actual construction work shall begin on or before May 4, 1983 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1983.

Complete application of the water to the proposed use shall be made on or before October 1, 1984.

WITNESS my hand this 4th day of May, 1982.

/s/ JAMES E. SEXSON

WATER RESOURCES DIRECTOR

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