



STATE OF OREGON

MARION COUNTY

"CERTIFICATE NO. 56069"

PERMIT TO APPROPRIATE THE PUBLIC WATERS

This is to certify that I have examined APPLICATION G-10077 and do hereby grant the same SUBJECT TO EXISTING RIGHTS and the following limitations and conditions:

This permit is issued to Klupenger's Nursery and Greenhouse, Inc., of 24075 Klupenger Road, NE, Aurora, Oregon 97002, phone 682-2717 or 678-5519, for the use of the waters of two wells, for the PURPOSE of supplemental irrigation, related nursery uses, containerized nursery operation and greenhouse nursery operation, being 293.0 gallons per minute for supplemental irrigation, 1,000.0 gpm for related nursery uses, 1,000.0 gpm for containerized nursery operation, and 1,000.0 gpm for greenhouse nursery operation provided the total quantity of water diverted for all uses shall not exceed 1,000.0 gpm; that the PRIORITY OF THE RIGHT dates from December 31, 1980, and is limited to the amount of water which can be applied to beneficial use and shall not exceed 1,000.0 gpm measured at the point of diversion from the well, or its equivalent in case of rotation with other water users.

The wells are to be LOCATED: Well 1 - 255 feet North and 27 feet West from the E 1/4 Corner of Section 33, and Well 2 - 200 feet North and 150 feet West from the E 1/4 Corner of Section 33, both within the SE 1/4 NE 1/4 of Section 33, Township 3 South, Range 1 West, WM, in the County of Marion.

A description of the PLACE OF USE under the permit, and to which such right is appurtenant, is as follows:

Township 3 South	Range 1 West, WM	Section 33	<u>Irrigation</u>			
			SE 1/4	NE 1/4	2.69 acres	
			SW 1/4	NE 1/4	31.73 acres	
			SE 1/4	NW 1/4	8.12 acres	
			Section 34	NW 1/4	SW 1/4	9.63 acres
		Section 33	<u>Containerized Nursery Operation</u>			
			SE 1/4	NE 1/4		
			SW 1/4	NE 1/4		
			SE 1/4	NW 1/4		
		Section 33	<u>Greenhouse Nursery Operation</u>			
			SE 1/4	NE 1/4		
			SW 1/4	NE 1/4		

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, provided further that in the event of a request for a change in point of appropriation, an additional point of appropriation or repair of this well, the quantity of water allowed herein together with any other right from this point of appropriation shall not exceed the capacity of this well at the time of perfection of this right, and shall be further limited to a diversion of not to exceed 1.0 acre-foot per acre for each acre irrigated during the period from October 1 to March 31, provided further that the right allowed herein, together with the amount secured under any other right existing for the same land, shall not exceed 2.5 acre-feet for each acre irrigated in any one year. The use of water during the period from October 1 to March 31 as authorized herein shall not establish priority of right as against future appropriations of ground water for 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.

10-10

The use allowed for supplemental irrigation may be made any time between October 1 and March 31 when water can be put to beneficial use by irrigation for immediate crop growth.

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

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 September 29, 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 29th day of September, 1982.

/s/ JAMES E. SEXSON

WATER RESOURCES DIRECTOR

APPLICATION G-10077

PERMIT G 9846