

STATE OF OREGON

COUNTY OF UMATILLA

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

CITY OF ATHENA
P.O. BOX 686
ATHENA, OREGON 97813

503-566-3862

to use the waters of ROGERS WELL NO. 3 in the WILDHORSE CREEK BASIN for MUNICIPAL USE.

This permit is issued approving Application G-12788. The date of priority is FEBRUARY 24, 1992. The use is limited to not more than 600 GALLONS PER MINUTE, or its equivalent in case of rotation, measured at the well.

The well is located as follows:

NE 1/4 SE 1/4, SECTION 24, T 4 N, R 34 E, W.M.; 2561 FEET SOUTH AND 99 FEET WEST FROM THE NW CORNER, SW 1/4 NW 1/4, SECTION 19, T 4 N, R 35 E, W.M.

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:

CITY OF ATHENA SERVICE AREA

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.

Before use may begin under this permit, the CITY shall install a FLOWMETER or other suitable measuring device as approved by the Department. The CITY shall maintain the measuring device, shall keep a complete record of the amount of water diverted and shall submit a report which includes the recorded water use measurements to the Department annually or as may be required by the Director.

The CITY shall develop a plan to monitor and report the impact of water use under this permit on water levels within the aquifer that provides water to the permitted well(s). The plan shall be submitted to the Department within one year of the date the permit is issued and shall be subject to the approval of the Department. At a minimum, the plan shall include a program to periodically measure static water levels within the permitted well(s) or an adequate substitute such as water levels in nearby wells. The plan shall also stipulate a reference water level against which any water-level declines will be compared. If a well listed on this permit displays a total static water-level decline of 25 or more feet over any period of years, as compared to the reference level, then the CITY shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s). Such action shall be taken until the water level recovers to above the 25-foot decline level or until the Department determines, based on the CITY'S or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The CITY shall in no instance allow excessive decline to occur within the aquifer as a result of use under this permit.

Within one year from the date the Water Resources Commission adopts rules describing the schedules, standards and procedures for water conservation management plans by water suppliers, the city shall submit a plan which is consistent with said rules.

Within one year of permit issuance, the city shall prepare a plan/timetable for the Water Resources Commission which shall indicate the steps which the City intends to pursue to obtain a long-term water supply.

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.

Actual construction work shall begin on or before October 15, 1994 and shall be completed on or before October 1, 1995. Complete application of the water shall be made on or before October 1, 1996.

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 of the Water Resources Department has found that the proposed use of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

Issued this date, October 15, 1993.

/s/ **A. REED MARBUT**

Water Resources Department
for Martha O. Pagel
Director