

STATE OF OREGON

COUNTY OF WASHINGTON

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

CITY OF SHERWOOD  
90 NW PARK ST  
SHERWOOD, OREGON 97140

(503) 625-5522

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

APPLICATION FILE NUMBER: G-12155

SOURCE OF WATER: ONE WELL IN THE CEDAR CREEK BASIN

PURPOSE OR USE: MUNICIPAL USE

MAXIMUM RATE: 550 GALLONS PER MINUTE

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: June 27, 1990

POINT OF DIVERSION LOCATION: SE 1/4 NE 1/4, SECTION 32, T2S, R1W, W.M.;  
100 FEET NORTH & 150 FEET WEST FROM E 1/4 CORNER, SECTION 32

THE PLACE OF USE IS LOCATED AS FOLLOWS:

WITHIN THE CITY OF SHERWOOD SERVICE AREA

**SPECIAL CONDITIONS**

1. The period of appropriation and use under this permit is year-round.
2. The amount of use allowed is 550 gpm.
3. Construction of the well shall begin within one year of permit issuance. Construction shall be complete by October 1, 1998. Water shall have been completely applied to the beneficial use herein allowed by October 1, 1999.
4. The well shall be constructed in accordance with the General Standards for 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.

## 5. Measurement, recording and reporting:

A) Before water use may begin under this permit, the permittee shall install a totalizing meter at the point of diversion and shall require a meter to be installed at each residence served by water from this diversion, using meters approved by the Director. The permittee shall maintain the point of diversion meter in good working order, shall keep a complete record of the amount, nature and place of water used each month and shall submit a report which includes the recorded water use measurements to the Department on a quarterly basis or more frequently as may be required by the Director.

B) The permittee shall allow the Watermaster access to the meter; provided, however, where the meter or measuring device is located within a private structure, the Watermaster shall request access upon reasonable notice.

6. Prior to receiving a permit and again before receiving a certificate of water right, the permittee shall submit to the Department the results of a pump test meeting the Department's standards. The Director may require water level or pump test results every two years thereafter.

7. The permittee understands and accepts that sole long-term reliance on groundwater obtained under this permit is not acceptable and that within two years of permit issuance, the City shall submit a water management plan which complies with Oregon Administrative Rules (OAR) Division 86, and which includes, at a minimum, an analysis of the means of creating efficiency in existing City water use, the measures which the City will implement to ensure that inefficiency does not occur in the city's future uses, a cost and availability analysis pursuant to OAR 690-86-140(4)(c), and a plan for obtaining a long-term water supply that does not rely on ground water as its sole source.

8. The well shall be constructed, included proper casing and sealing, to allow groundwater production from no shallower than 300 feet below land surface at the proposed location of the well.

9. The permittee shall obtain and submit to the Department a static water level measurement before any use of water may commence at the well.

10. The permittee shall obtain a static water level measurement for the well during March of each year and report the measurement to the Department within 30 days. The measurement shall be made by a certified water rights examiner, registered geologist, licensed land surveyor, pump installer licensed by the Construction Contractors Board, or by the permittee/appropriator. Water levels shall be reported as depth-to-water below ground level and shall be accompanied by supporting calculations. Reports and calculations shall be provided to the Department on forms provided by the Department and shall be certified as to their accuracy by the individual making the measurements.

11. Use of water from the well shall be controlled or shut off if the well displays:

A) A total static water level decline of 15 or more feet in any five consecutive years, as compared to the reference level;

B) A total static water level decline of 25 or more feet over any period of years, as compared to the reference level; or

C) A hydraulic interference decline of 25 or more feet in any neighboring well with senior priority which provides water for any authorized use.

If the well displays any one or more of the conditions above, the permittee shall reduce the rate or volume of withdrawal or shall discontinue use from the well as determined by the Watermaster or Director. Such action shall be taken until the water level recovers to above the observed decline level or until such time as the Department may determine, based on the data and analysis available and in the possession of the Department, that no further action is necessary because the aquifer in question can sustain the reduced observed declines without adversely affecting the resource or senior water rights.

For purposes of implementing this condition, between the date the well is drilled and the following March, the measurement taken pursuant to condition 9 shall be considered the reference level. Thereafter, the first March static water level measurement taken shall be considered the reference level for water level declines. The permittee shall in no instance allow excessive decline to occur within the aquifer as a result of use under this permit.

12. The permittee agrees that it shall submit, within five years of permit issuance, an update of the water management plan specified in Condition 7.

13. If the Watermaster and/or Department finds that municipal use under this permit has resulted in demonstrable interference with any senior ground or surface water right(s) or permit(s), the City shall make a reasonable and prudent effort to connect such senior right/permit holder(s) to the municipal water system for the uses of water stated in the senior right(s) or permit(s), subject to the following:

A) Approval by the appropriate Boundary Commission and/or such other governmental agencies having jurisdiction;

B) The water right(s) or permit(s) holder shall obtain all appropriate land use approvals for installation of such connection(s).

C) The water right(s) or permit(s) holder shall pay any reasonable system development charge or cost for making the connection(s) to the City's system and all applicable user fees.

Alternatively, if connection of the senior user has not been achieved, then the City shall make all reasonable and prudent efforts to restore the flow and/or aquifer to a condition that meets the needs of such senior user(s). The Director shall determine what constitutes a reasonable and prudent effort.

14. The City shall not sell or supply water outside of the Urban Growth Boundary except:-----

- A) To supply water to property owned by a governmental agency, district or political subdivision and used for governmental purposes;
- B) Pursuant to condition #13 or
- C) Pursuant to ORS 222.840 *et seq* or ORS 431.705 *et seq*.

15. This permit is for the beneficial use of water without waste. The permittee is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

16. Use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

17. Failure to comply with any of the provisions of the permit may result in action including, but not limited to, restrictions on the use, penalties, or cancellation of the permit.

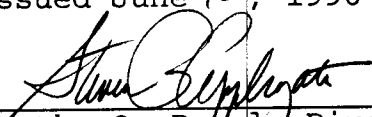
**SPECIAL CONDITIONS**

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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 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.

Issued June 12, 1996

*for*   
Martha O. Pagel Director  
Water Resources Department