

STATE OF OREGON

COUNTY OF MARION

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

CITY OF HUBBARD
PO BOX 380
HUBBARD, OR 97032-0380

The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-16491

SOURCE OF WATER: WELL 4 (L45374) IN LITTLE BEAR CREEK BASIN

PURPOSE OR USE: MUNICIPAL USES

MAXIMUM RATE: 0.223 CUBIC FOOT PER SECOND

PERIOD OF USE: DECEMBER 1 THROUGH MAY 31

DATE OF PRIORITY: JULY 1, 2005

WELL LOCATION: NW ¼ SE ¼, SECTION 33, T4S, R1W, W.M.; 1540 FEET NORTH & 1720 FEET WEST FROM SE CORNER, SECTION 33

THE PLACE OF USE IS LOCATED AS FOLLOWS:

WITHIN THE SERVICE BOUNDARIES OF THE CITY

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, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.
- 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.

The well shall produce groundwater only from the alluvial groundwater reservoir.

The water user shall develop a plan to monitor and report the impact of water use under this permit on water levels within the source aquifer. The plan shall be submitted to the Department within 6 months 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 measure monthly static water levels in the permitted well. An analysis should be included which shows the operating conditions that are necessary to ensure a reasonable approach to static conditions (the length of time the pump needs to be off, for example). Each measurement shall be documented with the measurement date and time, depth to water below the measuring point, height of the measuring point above land surface, the measurement method, a note showing the number of hours the pump was off prior to measurement, and pertinent notes regarding the status (pumping or off) of other city wells at the time of the measurement. Measurements shall be reported to at least the nearest 0.1 foot and shall be made with an instrument that is accurate to 0.1 feet. Measurements shall not be made using an airline. As an alternative to monthly measurements of the permitted well, the plan may stipulate monthly or more frequent measurements in a nearby unused well that is completed in the equivalent interval provided it is demonstrated that the observation well responds to the pumping of the permitted well. The plan shall also include a program to document pumping intervals (date and time on/off), rates, and volumes for the permitted well. A data format (paper or electronic) that is acceptable to the Department should also be proposed. The plan shall also stipulate a reference water level against which any water-level declines will be compared. If the permitted well or any approved observation well 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 water user 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 water user's and/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 water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit.

Within three years of permit issuance, the permittee shall submit a Water Management and Conservation Plan consistent with OAR Chapter 690, Division 86. The Director may approve an extension of this time line to complete the required Water Management and Conservation Plan.

Water may be used under this permit only when the combined total of all the permittee's water rights do not exceed 700 gallons per minute, or when an approved Water Management and Conservation Plan authorizes a higher rate.

STANDARD CONDITIONS

If the number, location, source, or construction of any well deviates from that proposed in the permit application or required by permit conditions, this permit may not be valid, unless the Department authorizes the change in writing.

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.

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.

Where two or more water users agree among themselves as to the manner of rotation in the use of water and such agreement is placed in writing and filed by such water users with the watermaster, and such rotation system does not infringe upon such prior rights of any water user not a party to such rotation plan, the watermaster shall distribute the water according to such agreement.

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 permit holder shall commence and complete the construction of any proposed works within one year from the date of permit issuance. The Department may order and allow an extension of time to complete construction or to perfect a water right beyond one year from the date of permit issuance.

Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

Issued December 14, 2006



Phillip C. Ward, Director *for*
Water Resources Department