

STATE OF OREGON

COUNTY OF LANE

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO:

SPRINGFIELD UTILITY BOARD
202 S 18TH ST
SPRINGFIELD, OREGON 97477

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

APPLICATION FILE NUMBER: G-15243

SOURCE OF WATER: FOUR WELLS IN CEDAR CREEK BASIN

PURPOSE OR USE: MUNICIPAL USE

MAXIMUM RATE: 4.91 CUBIC FEET PER SECOND (CFS), BEING 1.34 CFS FROM EACH OF THREE WELLS (5, 6, AND 10) AND 0.89 CFS FROM WELL 7

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: DECEMBER 11, 2000

WELL LOCATIONS:

WELL #5: 154 FEET SOUTH & 239 FEET EAST
WELL #6: 241 FEET SOUTH & 240 FEET EAST
WELL #7: 333 FEET SOUTH & 707 FEET EAST
WELL #10: 518 FEET SOUTH & 21 FEET EAST

ALL FROM THE WEST 1/4 CORNER OF SECTION 26, WITHIN THE NW 1/4 SW 1/4,
OF SECTION 26, T17S, R2W, W.M.

THE PLACE OF USE IS THE SERVICE AREA OF CITY OF SPRINGFIELD.

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 water user 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 (or replacement 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.

Willamette Basin basalt ground water condition:

(1) Use of water from either well, as allowed herein, shall be controlled or shut off if the well displays:

- (a) An average water level decline of three or more feet per year for five consecutive years; or
- (b) A total water level decline of fifteen or more feet; or
- (c) A hydraulic interference decline of fifteen or more feet in any neighboring well providing water for senior exempt uses or wells covered by prior rights.

(2) The water user shall install a meter or other measuring device suitable to the Director, and shall submit an annual report of water used to the Department by December 1 of each year.

(3) The permittee/appropriator shall be responsible for complying with each of the following requirements for measuring water levels in the wells.

(a) Use of water from a new well shall not begin until an initial static water level in the well has been measured and submitted to the Department.

(b) In addition to the measurement required in subsection (a). of this section, a

water level measurement shall be made each month between the 1st and 5th day of the month.

(c) All water level measurements shall be made by a qualified individual. Qualified individuals are certified water rights examiners, registered geologists, registered professional engineers, licensed land surveyors, licensed water well constructors, licensed pump installers, or the permittee / appropriator.

(d) Any qualified individual measuring a well shall use standard methods of procedure and equipment designed for the purpose of well measurement. The equipment used shall be well suited to the conditions of construction at the well. A list of standard methods of procedure and suitable equipment shall be available from the Department.

(e) The permittee/appropriator shall submit a record of the measurements to the Department on a form available from the Department. The record of measurements shall include both measurements and calculations, shall include a certification as to their accuracy signed by the individual making the measurements. The permittee/appropriator shall submit to the Department one year of monthly measurements (December through November) by December 1. The Department shall determine when any of the declines cited in section (1) are evidenced by the well measurement required in section (3).

The use allowed herein may be made only at times when 1.28 cubic feet per second of water is diverted from the McKenzie River into Cedar Creek under permit [approving application S-85336], or under another permit or legal authorization held by the same permittee/appropriator (currently Springfield Utility Board) for diversion of water into Cedar Creek for fish and wildlife purposes or other non-consumptive instream purposes, at or above the uppermost extent of the zone of impact, as determined by the Department on the attached map, of the wells appropriating water under permits or certificates resulting from water right applications G-15241, G-15243, and G-15244. This water may not be used to provide mitigation for permit [approving application G-15241] or permit [approving application G-15244].

The use may be restricted if the quality of the McKenzie River, Cedar Creek, or downstream waters decrease to the point that those waters no longer meet existing state or federal water quality standards as a result of the use.

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.

Completion of construction and complete application of the water to the use shall be made within 20 years of the date of this permit. If the water is not completely applied within 20 years, and the permittee wishes to continue development under the permit, the permittee must submit an application for extension of time, which may be approved based upon the merit of the application.

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 January 2, 2007



Dwight French, Administrator
Water Rights and Adjudications Division,

for

Phillip C. Ward, Director
Oregon Water Resources Department

