

STATE OF OREGON

COUNTY OF MARION

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

CITY OF WOODBURN  
 ERIC LILJEQUIST, PUBLIC WORKS DIRECTOR  
 270 MONTGOMERY STREET  
 WOODBURN, OREGON 97071

**This superseding permit is issued to describe an amendment for additional points of appropriation proposed under Permit Amendment Application T-13255 and approved by Special Order Vol. 117, Page 122, entered OCT 15 2020, 2020, and to describe an extension of time for complete application of water approved August 12, 2011, and a Water Management and Conservation Plan approved on August 2, 2019. This permit supersedes Permit G-17730.**

to use the waters of WELLS 7, 8, 9, 10, 11, 12, 13, 14, AND NEW WELL SITE OPTIONS A, B, AND C in the MILL CREEK BASIN for MUNICIPAL USE.

The date of priority is SEPTEMBER 30, 1993. The use is limited to not more than 3.12 CUBIC FEET PER SECOND, or its equivalent in case of rotation, measured at the well.

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
5 S	1 W	WM	5	SE SE	PATRICK WELL 14: 1117 FEET NORTH AND 35 FEET WEST FROM THE SE CORNER OF SECTION 5
5 S	1 W	WM	7	NE NW	DONNER WELL 9: 1200 FEET SOUTH AND 1980 FEET EAST FROM THE NW CORNER OF SECTION 7
5 S	1 W	WM	7	SW NW	ASTOR WAY WELL 11: 1840 FEET SOUTH AND 920 FEET EAST FROM THE NW CORNER OF SECTION 7
5 S	1 W	WM	8	SW NE	CENTENNIAL WELL 10: 1200 FEET NORTH AND 1720 FEET WEST FROM THE E1/4 CORNER OF SECTION 8
5 S	1 W	WM	8	NE SW	LEGION PARK WELL 8: 2250 FEET NORTH AND 1590 FEET EAST FROM THE SW CORNER OF SECTION 8
5 S	1 W	WM	18	SW NW	SETTLEMIER WELL 13: 1415 FEET SOUTH AND 1155 FEET EAST FROM THE NW CORNER OF SECTION 18
5 S	2 W	WM	12	SW NW	NAZARENE WELL 7: 2000 FEET SOUTH AND 540 FEET EAST FROM THE NW CORNER OF SECTION 12
5 S	2 W	WM	13	NW SW	NEW WELL SITE OPTION C - 2715 FEET SOUTH AND 850 FEET EAST FROM THE NW CORNER OF SECTION 13
5 S	2 W	WM	13	NW SE	PARR ROAD WELL 12: 2466 FEET NORTH AND 1635 FEET WEST FROM THE SE CORNER OF SECTION 13

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
5 S	2 W	WM	13	SW SE	NEW WELL SITE OPTION A - 942 FEET NORTH AND 1692 FEET WEST FROM THE SE CORNER OF SECTION 13
5 S	2 W	WM	14	NE NE	NEW WELL SITE OPTION B - 900 FEET SOUTH AND 260 FEET WEST FROM THE NE CORNER OF SECTION 14

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:

WITHIN THE CITY OF WOODBURN'S URBAN GROWTH BOUNDARIES

**Permit Amendment T-13255 Conditions:**

1. The combined quantity of water diverted at the new additional points of appropriation (New Well Site Option A, B, and C), together with that diverted at the old points of appropriation (Wells 7, 8, 9, 10, 11, 12, 13, and 14), shall not exceed the quantity of water lawfully available at the original points of appropriation (Wells 7, 8, 9, 10, 11, 12, 13, and 14).
2. Water shall be acquired from the same aquifer as the original points of appropriation.

**Extension Conditions:**

**Development Limitations**

Diversion of any water beyond 0.7 cfs under Permit G-11921, modified by Permit Amendment T-7655 shall only be authorized upon issuance of a final order approving a Water Management and Conservation Plan (WMCP) under OAR Chapter 690, Division 86. The required WMCP was to have been submitted to the Department by August 12, 2014. Use of water under Permit G-11921, modified by Permit Amendment T-7655 must be consistent with the August 12, 2011 Extension of Time Final Order and subsequent WMCP's approved under OAR Chapter 690, Division 86 on file with the Department.

The deadline established in the Extension Order for submittal of a WMCP shall not relieve a permit holder of any existing or future requirement for submittal of a WMCP at an earlier date as established through other orders of the Department. A WMCP submitted to meet the requirements of this order may also meet the WMCP submittal requirements of other Department orders.

**Water Management and Conservation Plan**

**Development Limitations:**

1. The limitation of the diversion of water under **Permit G-17730** (*being 0.7 cfs*) established by the extension of time approved on August 12, 2011 is modified, and the

City of Woodburn is authorized to divert up to **2.67 cfs** (*out of the total permitted 3.12 cfs*) of water under Permit G-17730, subject to other limitations or conditions of the permit.

2. The City of Woodburn shall submit an updated plan meeting the requirements of OAR Chapter 690, Division 086 no later than **February 1, 2029**.
3. The City of Woodburn shall submit a progress report containing the information required under OAR 690-086-0120(4) by **August 1, 2024**.

### **Existing Conditions:**

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.

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 was to have been submitted to the Department by December 12, 1995, and is 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 until the Department determines, based on the city 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.

### **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.
- 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.
- C. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

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.

The permit was originally issued on December 12, 1994. Actual construction work was to have begun on or before October 12, 1995, and completed on or before October 12, 1996, with full application of the water to the use to be made on or before October 1, 1997. By Extension of Time Final Order dated January 20, 2009, the completion of construction and application of the water to the use shall be made on or before October 1, 2040.

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 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, OCT 15 2020.

Lisa J. Jaramillo, Transfer and Conservation Section Manager, for  
THOMAS M BYLER, DIRECTOR  
Oregon Water Resources Department

Mailing Date: OCT 16 2020