STATE OF OREGON

COUNTY OF POLK

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

CITY OF MONMOUTH
151 WEST MAIN ST
MONMOUTH, OREGON 97361

This superseding permit is issued to describe an amendment for change in point of appropriation and place of use proposed under Permit Amendment Application T-14277 and approved by Special Order Vol. 135, Page 606, entered SEP 11 2025, and to describe Extensions of Time for complete application of water approved August 27, 1981, March 25, 1987, May 31, 1991, March 26, 1996, and August 18, 2011 and a Water Management and Conservation Plan approved February 25, 2025. This permit supersedes Permit G-8579.

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

APPLICATION FILE NUMBER: G-8926

SOURCE OF WATER: 3 WELLS

PURPOSE OR USE: MUNICIPAL

MAXIMUM RATE: 5.0 CUBIC FEET PER SECOND

DATE OF PRIORITY: AUGUST 14, 1978

WELL LOCATIONS:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
8 S	4 W	WM	28	NE SE	MC 1 (MARI 13286) - 3260 FEET SOUTH AND 360 FEET WEST FROM THE NW CORNER OF SECTION 27
8 S	4 W	WM	28	NE SE	MC 1A (MARI 70798)- 2254 FEET NORTH AND 503 FEET WEST FROM THE SE CORNER OF SECTION 28
8 S	4 W	WM	28	SE SE	MC 2 (MARI 60250) - 1138 FEET NORTH AND 462 FEET WEST FROM THE SE CORNER OF SECTION 28

Authorized Place of Use:

MUNICIPAL
WITHIN THE URBAN GROWTH BOUNDARY OF THE CITY OF MONMOUTH

Permit Amendment T-14277 Conditions:

The quantity of water diverted at the new points of appropriation (MC 1A (MARI 70798) and MC 2 (MARI 60250)) shall not exceed the quantity of water lawfully available at the original points of appropriation (MC 2).

Water shall be acquired from the same aquifer as the original points of appropriation.

Extension of Time Conditions (approved August 18, 2011):

1. **Development Limitations**

   Diversion of any water beyond 3.34 cfs under Permit G-8579 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 shall be submitted to the Department within 3 years of an approved extension of time application. Use of water under Permit G-8579 must be consistent with this and subsequent WMCP's approved under OAR Chapter 690, Division 86 that is on file with the Department.

   The deadline established in this PFO 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.

2. **Conditions to Maintain the Persistence of Listed Fish**

   A. Minimum Fish Flow Needs

   Minimum fish flow needs in the Willamette River as recommended by ODFW are in Table 1, below; flows are to be measured in the Willamette River at Salem, Oregon (USGS Gage Number 14191000, or its equivalent).

Table 1

Minimum Fish flow Needs in the Willamette River Measured at USGS GAGE 14191000 Salem, Oregon	
Month	**Cubic Feet per Second**
July 1– October 31	5,630
November 1 – March 31	6,000
April 1 – April 15	15,000
April 16 –April 30	17,000
May 1 – May 31	15,000
June 1 – 15	12,600
June 16 – 30	8,500

   B. Determining Water Use Reductions - Generally

   The undeveloped portion of Permit G-8579 having PSI with the Willamette River is 1.31 cfs. The maximum amount of the undeveloped portion of Permit G-8579 having PSI with the Willamette River that can be appropriated as a result of this fish

persistence condition is determined in proportion to the amount by which the flows shown in Table 1 are missed based on a seven day rolling average of mean daily flows measured in the Willamette River at Salem (USGS Gage Number 14191000, or its equivalent). The percent of missed target flows is defined as:

$$(1 - (QA / QT)) \times 100\%,$$

where QA is the actual flow measured at the designated gage based on the seven day rolling average, and QT is the target flow (from Table 1).

The percent missed target flows applied to the undeveloped portion of this permit having PSI with the Willamette River provides the maximum amount of water that could be appropriated under this permit as a result of this fish persistence condition, and is defined as:

$$E_{PSI} - (E_{PSI} \times \% \text{ missed target flows}),$$

where E_{PSI} is undeveloped portion of the permit as of this extension having PSI with the Willamette River, being 1.31 cfs.

The maximum amount of water that can be appropriated as a result of this persistence condition may be adjusted by a Consumptive Use Percentage, when applicable, as per Item 2.C., below. The overall reduction to the amount of the undeveloped portion having PSI with the Willamette River of the permit will not exceed 20%.

C. Consumptive Use Percentages

a. Initial Consumptive Use Percentages
The City of Monmouth has not identified any Consumptive Use Percentages based on the return of flows to the Willamette River through effluent discharge. Thus, at this time the City may not utilize Consumptive Use Percentages for the purpose of calculating the maximum amount of the undeveloped portion of Permit G-8579 that can be appropriated as a result of this fish persistence condition.

b. First Time Utilization of Consumptive Use Percentages
Utilization of Consumptive Use Percentages for the purpose of calculating the maximum amount of the undeveloped portion of Permit G-8579 that can be appropriated as a result of this fish persistence condition may begin after the issuance of the Final Order for this extension of time.

First time utilization of Consumptive Use Percentages is contingent upon the City (1) providing evidence in writing that ODFW has determined that withdrawal points and effluent discharges are within reasonable proximity to each other, such that fish habitat between the two points is not impacted significantly, and (2) submitting monthly Consumptive Use Percentages and receiving the Water Resources Director's concurrence with the proposed Consumptive Use Percentages. Utilization of Consumptive Use Percentages is subject to an approval

period described in 2.C.f., below.

Consumptive Use Percentages submitted to the Department for review must (1) be specified as a percentage (may be to the nearest 1/10 percent) for each month of the year and (2) include a description and justification of the methods utilized to determine the percentages. The proposed Consumptive Use Percentages should be submitted on the *Consumptive Use Percentages Update Form* provided with the Final Order for this extension of time.

c. Consumptive Use Percentages Updates

Continuing the utilization of Consumptive Use Percentages for the purpose of calculating the maximum amount of the undeveloped portion of Permit G-8579 that can be appropriated as a result of this fish persistence condition beyond an approval period (as described in 2.C.f., below) is contingent upon the City submitting updated Consumptive Use Percentages and receiving the Water Resources Director's concurrence with the Consumptive Use Percentages Updates. Utilization of Consumptive Use Percentages Updates is subject to an approval period described in 2.C.f., below.

The updates to the Consumptive Use Percentages must (1) be specified as a percentage (may be to the nearest 1/10 percent) for each month of the year and (2) include a description and justification of the methods utilized to determine the percentages. The updates should be submitted on the *Consumptive Use Percentages Update Form* provided with the Final Order for this extension of time.

d. Changes to Wastewater Technology and/or Wastewater Treatment Plant Practices

If there are changes to either wastewater technology or the practices at the City's waste water treatment facility resulting in 25% or more reductions in average monthly return flows to the Willamette River, then the Consumptive Use Percentages in effect at that time may no longer be utilized for the purposes of calculating the maximum amount of the undeveloped portion of Permit G-8579 that can be appropriated as a result of this fish persistence condition. The 25% reduction is based on a 10-year rolling average of monthly wastewater return flows to the Willamette River as compared to the average monthly wastewater return flows from the 10 year period just prior to date of the first approval period described in 2.C.f., below.

If such changes to either wastewater technology or the practices at the City's waster water treatment facility occur resulting in 25% reductions, further utilization of Consumptive Use Percentages is contingent upon the City submitting Consumptive Use Percentages Updates as per 2.C.c., above, and receiving the Water Resources Director's concurrence with the updated Consumptive Use Percentages.

e. Relocation of the Point(s) of Diversion(s) and/or Return Flows

If the point(s) of diversion(s) and/or return flows are relocated, Consumptive Use Percentages in effect at that time may no longer be utilized for the purposes of calculating the maximum amount of the undeveloped portion of Permit G-8579 that can be appropriated as a result of this fish persistence condition.

After relocation of the point(s) of diversion(s) and/or return flows, further utilization of Consumptive Use Percentages is contingent upon the City (1) providing evidence in writing that ODFW has determined that any relocated withdrawal points and effluent discharge points are within reasonable proximity to each other, such that fish habitat between the two points is not impacted significantly, and (2) submitting Consumptive Use Percentages Updates as per 2.C.c., above, and receiving the Water Resources Director's concurrence with the updated Consumptive Use Percentages.

f. Approval Periods for Utilization of Consumptive Use Percentages

The utilization of Consumptive Use Percentages for the purpose of calculating the maximum amount of the undeveloped portion of Permit G-8579 that can be appropriated as a result of this fish persistence condition may continue for a 10 year approval period that begins 10 years from the Water Resources Director's most recent date of concurrence with Consumptive Use Percentages Updates as evidenced by the record, unless sections 2.C.d., or 2.C.e. (above) are applicable.

Consumptive Use Percentages (first time utilization or updates) which are submitted and receive the Director's concurrence will begin a new 10 year approval period. The approval period begins on the date of the Water Resources Director's concurrence with Consumptive Use Percentages Updates, as evidenced by the record. The City at its discretion may submit updates prior to the end of an approval period.

D. Examples

Example 1: Target flow met.

On July 15, the last seven mean daily flows were 7000, 6500, 6000, 5500, 5250, 5000 and 4750 cfs. The seven day rolling average (QA) is 5714 cfs. The amount of the undeveloped portion of the permit having PSI with the Willamette River that can be appropriated would not be reduced because the 7 day average of mean daily flows is greater than the 5,630 cfs target flows (QT) for July 15.

Example 2: Target flow missed.

Step 1: If on July 15, the average of the last seven mean daily flows was 5011 cfs, and the target flow is 5630 cfs, then the target flow would be missed by 11%.

$$(1 - (5011 / 5630)) \times 100\% = 11\%$$

Step 2: Assuming the Consumptive Use Percentage is 78.7% during the month of July

and the utilization of this percentage is authorized, and the target flow is missed by 11% (from Step 1), then the amount of the undeveloped portion of the permit having PSI with the Willamette River that could be appropriated would be reduced by 8.6%.

(78.7% x 11%) / 100 = 8.6%

(If adjustments are not to be made by a Consumptive Use Percentage, then the undeveloped portion of the permit having PSI with the Willamette River would only be reduced by the % by which the target flow is missed – 11% in this example).

Step 3: The overall reduction of 8.6% of the amount of the undeveloped portion of the permit having PSI with the Willamette River does not exceed 20%.

Step 4: The undeveloped portion of this permit having PSI with the Willamette River (E_{PSI}) is 1.31 cfs. Therefore, in this example, the maximum amount of the undeveloped portion of Permit G-8579 having PSI with the Willamette River that can be appropriated as a result of this fish persistence condition is 1.20 cfs.

1.31 – ((1.31 x 8.6%) / 100) = 1.20

Step 5: Given that the permitted quantity under this right is 5.0 cfs, the entire undeveloped portion is 1.66 cfs, and the undeveloped portion having PSI with the Willamette River is 1.31 cfs: If the amount of water legally authorized for appropriation at a given point in time (for example, authorization provided through a WMCP) is 3.8 cfs, then only 0.11 cfs of undeveloped water having PSI with the Willamette River would be used to satisfy the 3.8 cfs.

3.8 – ((5.0 - 1.66) + (1.66 - 1.31)) = 0.11

[Note: (5.0 - 1.66) equals the developed portion of the permit
(1.66 -1.31) equals the undeveloped portion of the permit not having PSI;]

In this example, the 0.11 cfs of undeveloped water having PSI with the Willamette River is less than the 1.20 cfs maximum undeveloped portion of the permit having PSI with the Willamette River (from Step 4) that can be appropriated as a result of this fish persistence condition. Therefore, there would be no required reduction in water use of the undeveloped portion under the permit.

Step 6: If the amount of water legally authorized for appropriation at a given point in time is 5.0 cfs, then 1.31 cfs of undeveloped water having PSI with the Willamette River would be used to satisfy the 5.0 cfs.

5.0 – ((5.0 - 1.66) + (1.66 - 1.31)) = 1.31

In this example, the 1.31 cfs of undeveloped water is greater than the 1.20 cfs maximum undeveloped portion having PSI with the Willamette (from Step 4) that can be appropriated as a result of this fish persistence condition. Therefore, the amount of undeveloped water (having PSI with the Willamette River) appropriated would need to be reduced by 0.11 cfs.

$$1.31 - 1.20 = 0.11$$

The water user shall develop a plan to monitor and report the impact of water user under this permit on water levels within the aquifer that provides water to the permitted wells. The plan shall be submitted to the Department within one year of the date the Extension Order 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 wells or/and adequate substitute such as water levels in nearby wells.

Water Management and Conservation Conditions (approved February 25, 2025):

Development Limitation:

The limitation of the diversion of water under Permit G-8579 established by the extension of time approved on August 18, 2011, is modified and, subject to other limitations or conditions of the permit, the City of Monmouth is authorized to divert up to 5.0 cfs (out of the total permitted 5.0 cfs) under Permit G-8579."

The limitation of the diversion of water under Permit G-8579 established by the extension of time approved on August 18, 2011, is modified and, subject to other limitations or conditions of the permit, the City of Monmouth is authorized to divert up to 5.0 cfs (out of the total permitted 5.0 cfs) under Permit G-8579.

Failure to meet the conservation benchmarks listed below may result in the reduction of the quantity of water authorized for diversion under Permit G-8579 during review of the City's next plan update and progress report.

a. Meter Replacement Program (Finding of Fact #12)
b. Technical and Financial Assistance (Finding of Fact #(13)(a))
c. Supplier Financed Retrofitting or Replacement of Inefficient Fixtures (Finding of Fact #(13)(b))

Original Permit Conditions:

The well shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon.

The works constructed shall include an airline and pressure gauge or an access port for measuring line, adequate to determine water level elevation in the well at all times.

The permittee shall install and maintain a weir, meter, or other suitable measuring device, and shall keep a complete record of the amount of ground water withdrawn.

The original permit, issued on June 20, 1979, specified:

- Actual construction work shall begin on or before June 20, 1980, and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1980.
- Complete application of the water to the proposed use shall be made on or before October 1, 1981.

By Extension of Time Final order dated August 18, 2011, the deadline for completing construction and for complete application of water to use was extended to October 1, 2025.

Dated in Salem, Oregon on SEP 11 2025.

Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
IVAN GALL, DIRECTOR
Oregon Water Resources Department