

Name G-16491
By EDWARD BUTTS
Address CITY OF HUBBARD
PO BOX 380
HUBBARD OR 97032-0380

C09

Priority _____
County _____ WM# _____

RELATED FILES

DEVELOPMENT

Date

Completion 12-14-09

Extended to 10/01/2056

Final Proof received _____

Proposed Cert. Mailed _____

Application No. G16491
Permit No. C 16138
Certificate No. _____

Date

DENIED _____
MISFILED _____
WITHDRAWN _____
CANCELLED _____

Volume | Page

FEES PAID

Date	Amount	Receipt No.
7/1/05	\$500.00	75631
11-24-06	\$250.00	85404
01/09/15	\$75.00	114509
8-19-24	\$780.00	143560
	Cert. Fee	

FEES REFUNDED

Date	Amount	Receipt No.

ASSIGNMENTS

Date

To Whom

Address

City of Hubbard
Forwarded last
email to you
getting ext?

City of
Hubbard

REMARKS

MAP LOCATION _____

Mailing List for Extension FO Copies

FO Date: June 20, 2025

**Application G-16491
Permit G-16138**

Copies Mailed	
By: 	(SUPPORT STAFF)
on: 06/20/2025	(DATE)

Original mailed to permit holder:

✓ City of Hubbard
Attn: Melinda Olinger
PO Box 380
Hubbard, OR 97032

Copies sent to:

- ✓ 1. WRD - App. File G-16491/ Permit G-16138
2. Agent &/or CWRE representing the Permit Holder

Fee paid as specified under ORS 536.050 to receive copy:

3. None

Receiving electronic copy via e-mail (10 AM day of signature date)

(DONE BY EXTENSION SPECIALIST)

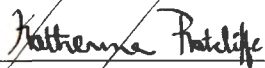
4. WRD - Watermaster District 16, Greg Wacker
5. WRD – Kerri Cope/Tamera Smith, Water Supply and Conservation Team (WMCP)
Done by _____ *Date* _____

CASEWORKER: JDP

ORDER

The extension of time for Application G-16491, Permit G-16138, therefore, is approved subject to conditions contained herein. The deadline for completing construction is extended from December 14, 2007, to October 1, 2056. The deadline for applying water to full beneficial use within the terms and conditions of the permit is extended from October 1, 39430 December 14, 2007, to October 1, 2056.

DATED: June 20, 2025



Katherine Ratcliffe
Water Right Services Division Administrator, for
Ivan Gall, Director
Oregon Water Resources Department

If you have any questions about statements contained in this document, please contact Jeffrey Pierceall at (503) 979-3213.

If you have other questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at (503) 986-0900.

Oregon Water Resources Department
Water Right Services Division

In the Matter of the Application for an Extension of Time)
for Permit G-16138, Water Right Application G-16491,) **FINAL ORDER**
in the name of the City of Hubbard)

Permit Information

Application File G-16491/ Permit G-16138

Basin 2B – Middle Willamette Basin / Watermaster District 16
Date of Priority: July 1, 2005

Authorized Use of Water

Source of Water:	Well 4 (L45374) in Little Bear Creek Basin
Purpose or Use:	Municipal
Maximum Rate:	0.22 Cubic Feet per Second (cfs)

This Extension of Time request is being processed in accordance with Oregon Revised Statute 537.630 and 539.010(5), and Oregon Administrative Rule Chapter 690, Division 315.

Appeal Rights

This final order is subject to judicial review by the Court of Appeals under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482(1). Pursuant to ORS 536.075 and OAR 137-003-0675, you may petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

Application History

Permit G-16138 was issued by the Department on December 14, 2006. The permit called for completion of construction by December 14, 2007. On August 19, 2024, the City of Hubbard submitted an application for an extension of time for Permit G-16138. In accordance with OAR 690-315-0050(2), on April 8, 2025, the Department issued a Proposed Final Order proposing to extend the time to complete construction to October 1, 2056 and to extend the time to fully apply water to beneficial use to October 1, 2056. The protest period closed May 23, 2025, in accordance with OAR 690-315-0060(1). No protest was filed.

FINDINGS OF FACT

The Department adopts and incorporates by reference the findings of fact in the Proposed Final Order dated April 8, 2025.

At time of issuance of the Proposed Final Order the Department concluded that, based on the factors demonstrated by the applicant, the permit may be extended subject to the following condition:

CONDITIONS

1. **Development Limitations**

A maximum appropriation of 0.111 cfs of water is currently allowed under Permit G-16138. Any appropriation of water beyond 0.111 cfs (not to exceed the maximum amount authorized under the permit, being 0.22 cfs) shall only be authorized upon issuance of a final order approving a Water Management and Conservation Plan (WMCP) under OAR Chapter 690, Division 86 that authorizes access to a greater rate of appropriation of water under the permit consistent with OAR 690-086-0130(7). The required WMCP shall be submitted to the Department within 3 years of this Final Order. The amount of water used under Permit G-16138 must be consistent with this and subsequent WMCP's approved under OAR Chapter 690, Division 86 on file with the Department. For review of water management and conservation plans that propose to increase the maximum rate of water diverted under an Extended Permit, after January 1, 2042, that the additional diversion of water will not impair or be detrimental to the public interest.

The Development Limitation established in the above paragraph supersedes any prior limitation of the appropriation of water under Permit G-16138 that has been established under a prior WMCP or Extension final order issued by the Department.

The deadline established in the Extension Final 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 the final order may also meet the WMCP submittal requirements of other Department orders.

CONCLUSION OF LAW

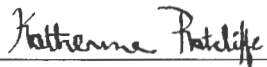
The applicant has demonstrated good cause for the permit extension pursuant to ORS 537.630, 539.010(5) and OAR 690-315-0080(3).

continued on following page

ORDER

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DATED: June 20, 2025



Katherine Ratcliffe
Water Right Services Division Administrator, for
Ivan Gall, Director
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Mailing List for Extension FO Copies

FO Date: June 6, 2025

**Application G-16491
Permit G-16138**

Copies Mailed	
By:	 (SUPPORT STAFF)
on:	<u>06/06/2025</u> (DATE)

Original mailed to permit holder:

- ✓ City of Hubbard
Attn: Melinda Olinger
PO Box 380
Hubbard, OR 97032

Copies sent to:

- ✓1. WRD - App. File G-16491/ Permit G-16138
2. Agent &/or CWRE representing the Permit Holder

Fee paid as specified under ORS 536.050 to receive copy:

3. None

Receiving electronic copy via e-mail (10 AM day of signature date) (DONE BY EXTENSION SPECIALIST)

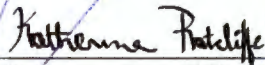
- ✓4. WRD - Watermaster District 16, Greg Wacker
5. WRD – Kerri Cope/Tamera Smith, Water Supply and Conservation Team (WMCP)
Done by _____ Date _____

CASEWORKER: JDP

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Oregon Water Resources Department
Water Right Services Division

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for Permit G-16138, Water Right Application G-16491,) **FINAL ORDER**
in the name of the City of Hubbard)

Permit Information

Application File G-16491/ Permit G-16138

Basin 2B – Middle Willamette Basin / Watermaster District 16
Date of Priority: July 1, 2005

Authorized Use of Water

Source of Water:	Well 4 (L45374) in Little Bear Creek Basin
Purpose or Use:	Municipal
Maximum Rate:	0.22 Cubic Feet per Second (cfs)

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The Development Limitation established in the above paragraph supersedes any prior limitation of the appropriation of water under Permit G-16138 that has been established under a prior WMCP or Extension final order issued by the Department.

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CONCLUSION OF LAW

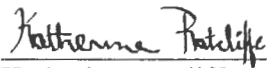
The applicant has demonstrated good cause for the permit extension pursuant to ORS 537.630, 539.010(5) and OAR 690-315-0080(3).

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ORDER

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DATED: June 6, 2025



Katherine Ratcliffe
Water Right Services Division Administrator, for
Ivan Gall, Director
Oregon Water Resources Department

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If you have other questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at (503) 986-0900.

Mailing List for Extension PFO Copies

PFO Date: April 8, 2025

**Application G-16491
Permit G-16138**

Original mailed to Applicant:

City of Hubbard
Attn: Melinda Olinger
PO Box 380
Hubbard, OR 97032

Copies sent to:

1. WRD - App. File G- 16491/ Permit G-16138
2. Agent &/or CWRE representing the applicant

Fee paid as specified under ORS 536.050 to receive copy:

3. None

Receiving electronic copy via e-mail (10 AM Tuesday of signature date)

4. WRD - Watermaster District 16 – Greg Wacker
5. WRD – **If **WMCP** needed* – Kerri Cope and Tamera Smith, Water Supply and Conservation Team (WMCP)
Done by _____ Date _____

CASEWORKER: JDP

Copies Mailed
By: <u>TM</u> (SUPPORT STAFF)
on: <u>4.8.2025</u> (DATE)

Oregon Water Resources Department
Water Right Services Division

Application for Extension of Time

In the Matter of the Application for an Extension of Time	) PROPOSED
for Permit G-16138, Water Right Application G-16491,	) FINAL
in the name of the City of Hubbard	) ORDER

Permit Information

Application File G-16491/ Permit G-16138

Basin 2B – Middle Willamette Basin / Watermaster District 16

Date of Priority: July 1, 2005

Authorized Use of Water

Source of Water:	Well 4 (L45374) in Little Bear Creek Basin
Purpose or Use:	Municipal Uses
Maximum Rate:	0.223 Cubic Foot per Second (cfs)

**This Extension of Time request is being processed in accordance with Oregon
Administrative Rule Chapter 690, Division 315.**

***Please read this Proposed Final Order in its entirety as it contains
additional conditions not included in the original permit.***

This Proposed Final Order applies only to Permit G-16138, water right Application G-16491.

Summary of Proposed Final Order for Extension of Time

The Department proposes to:

- Grant an extension of time to complete construction from December 14, 2007, to October 1, 2056.
- Grant an extension of time to apply water to full beneficial use from December 14, 2007, to October 1, 2056.
- Make the extension of time subject to certain conditions as set forth below.

ACRONYM QUICK REFERENCE

Department – Oregon Department of Water Resources

City – City of Hubbard

ODFW – Oregon Department of Fish and Wildlife

PFO – Proposed Final Order

WMCP – Water Management and Conservation Plan

Units of Measure

cfs – cubic feet per second

gpm – gallons per minute

AUTHORITY

Generally, see ORS 537.630 and OAR Chapter 690 Division 315.

ORS 537.630(3) provides in pertinent part that the Oregon Water Resources Department (Department) may, for good cause shown, order and allow an extension of time, for the completion of the well or other means of developing and securing the ground water or for complete application of water to beneficial use. In determining the extension, the department shall give due weight to the considerations described under ORS 539.010 (5) and to whether other governmental requirements relating to the project have significantly delayed completion of construction or perfection of the right.

ORS 539.010(5) provides in pertinent part that the Water Resources Director, for good cause shown, may extend the time within which the full amount of the water appropriated shall be applied to a beneficial use. This statute instructs the Director to consider: the cost of the appropriation and application of the water to a beneficial purpose; the good faith of the appropriator; the market for water or power to be supplied; the present demands therefore; and the income or use that may be required to provide fair and reasonable returns upon the investment.

OAR 690-315-0080 provides in pertinent part that the Department shall make findings to determine if an extension of time for municipal and/or quasi-municipal water use permit holders may be approved to complete construction and/or apply water to full beneficial use.

OAR 690-315-0090(3) authorizes the Department, under specific circumstances, to condition an extension of time for municipal and/or quasi-municipal water use permit holders to provide that diversion of water beyond the maximum rate diverted under the permit or previous extension(s) shall only be authorized upon issuance of a final order approving a Water Management and Conservation Plan under OAR Chapter 690, Division 86.

FINDINGS OF FACT

1. On December 14, 2006, Permit G-16138 was issued by the Department. The permit authorizes the use of up to 0.223 cfs of water from Well 4 (L45374) in Little Bear Creek Basin, for municipal uses. The permit specified that construction of the water development project was to be completed by December 14, 2007.

2. The permit holder, the City of Hubbard (City), submitted an “Application for Extension of Time” (Application) to the Department on August 19, 2024, requesting the time to complete construction and apply water to full beneficial use under the terms and conditions of Permit G-16138 be extended from December 14, 2007, to October 1, 2056. This is the first extension of time request for Permit G-16138.
3. Notification of the City’s Application for Extension of Time for Permit G-16138 was published in the Department’s Public Notice dated September 10, 2024. No public comments were received regarding the extension application.
4. Effective August 15, 2017, HB 2099 (Chapter 704, 2017 Oregon Laws), modifies the definition of the undeveloped portion of a municipal water right permit for the purpose of determining the amount of water that may be subject to fish persistence conditioning and diversion limitations to specify that the undeveloped portion of a municipal permit is the amount of water that has not been diverted as of the later of June 29, 2005, or the date specified in the permit or last approved extension.

Review Criteria for Municipal Quasi-Municipal Water Use Permits [OAR 690-315-0080(1)]

The time limits to complete construction and/or apply water to full beneficial use may be extended if the Department finds that the permit holder has met the requirements set forth under OAR 690-315-0080. This determination shall consider the applicable requirements of ORS 537.230¹, 537.630² and/or 539.010(5)³

Complete Extension of Time Application [OAR 690-315-0080(1)(a)]

5. On August 19, 2024, the Department received a completed Application for Extension of Time and the fee specified in ORS 536.050 from the permit holder.

Start of Construction [OAR 690-315-0080(1)(b)]

6. According to the well log received by the Department on October 6, 2000, construction of MARI 55251 (Well 4) began July 24, 2000.

Duration of Extension [OAR 690-315-0080(1)(c) and (1)(d)]

Under OAR 690-315-0080(1)(c),(d), in order to approve an extension of time for municipal and quasi-municipal water use permits the Department must find that the time requested is reasonable and the applicant can complete the project within the time requested.

7. The remaining work to be accomplished under Permit G-16138 consists of completing construction and applying water to full beneficial use.
8. As of December 14, 2007, the City had appropriated 0.111 cfs of the 0.223 cfs of water authorized under Permit G-16138 for municipal purposes. There is an undeveloped portion of 0.112 cfs of water under Permit G-16138.

¹ ORS 537.230 applies to surface water permits only.

² ORS 537.630 applies to ground water permits only.

³ ORS 539.010(5) applies to surface water and ground water permits.

9. In addition to the 0.223 cfs of water authorized under Permit G-16138 the City holds the following rights for municipal use:

- Certificate 84092 for 1.56 cfs of water from three wells in the Mill Creek Basin;
- Certificate 84093 for 1.1 cfs of water from three wells in the Pudding River Basin; and
- Certificate 90750 for 0.668 cfs of water from a well in the Mill Creek Basin;

These water rights and permits total 3.551 cfs of ground water..

10. According to the City, their peak water demand within its service area boundaries was 0.84 cfs in 2021.

11. As of 2021, the population within the service boundary of the City of Hubbard was 3,478. The City of Hubbard estimates the population will increase at a growth rate of 0.64 percent per year, reaching an estimated population of 4,354 by the year 2056.

12. According to the City, their peak day demand is projected to be approximately 1.29 cfs of water by the year 2056.

13. Full development of Permit G-16138 is needed to address the present and future water demand of the City, including system redundancy and emergency use.

Based on Findings of Fact 7 through 13, the Department has determined that the City's request for an extension of time until October 1, 2056, to complete construction and to apply water to full beneficial use under the terms and conditions of Permit G-16138 is both reasonable and necessary.

Good Cause [OAR 690-315-0080(1)(e) and (3)(a-g) and (4)]

The Department's determination of good cause shall consider the requirements set forth under OAR 690-315-0080(3) and OAR 690-315-0080(4).

Reasonable Diligence and Good Faith of the Appropriator [OAR 690-315-0080(3)(a), (3)(c) and (4)]

Reasonable diligence and good faith of the appropriator must be demonstrated during the permit period or prior extension period as a part of evaluating good cause in determining whether or not to grant an extension. In determining the reasonable diligence and good faith of a municipal or quasi-municipal water use permit holder, the Department shall consider activities associated with the development of the right including, but not limited to, the items set forth under OAR 690-315-0080(4) and shall evaluate how well the applicant met the conditions of the permit or conditions of a prior extension period.

14. Prior to the issuance of Permit G-16138 on December 14, 2006, the City constructed Well 4, a pump station, and system connections.

15. During the authorized development time provided by the permit, groundwater level monitoring plan was submitted.

16. Since December 14, 2007, the City has submitted a Water Management and Conservation Plan (WMCP).

The Department has determined that work has been accomplished since the beginning of the last authorized extension time period, which provides evidence of good cause and reasonable diligence in developing the permit.

17. As of August 19, 2024, they have invested approximately \$252,450, which is approximately 10 percent of the total projected cost for complete development of this project. The City estimates an additional \$2,721,000 investment is needed for the completion of this project. The Department recognizes that while some of these investment costs are unique to construction and development solely under G-16138, other costs included in this accounting are not partitioned out for G-16138 because (1) they are incurred under the development of a water supply system jointly utilized under other rights held by the City, and/or (2) they are generated from individual activities counted towards reasonable diligence and good faith as listed in OAR 690-315-0080(4) which are not associated with just this permit, but with the development and exercise of all the City's water rights.
18. As of December 14, 2007, 0.111 cfs of the 0.223 cfs allowed has been appropriated from Well 4 for beneficial municipal purposes under the terms of this permit.
19. The Department has considered the City's compliance with conditions and did not identify any concerns.

Financial Investment and Cost to Appropriate and Apply Water to a Beneficial Purpose
[OAR 690-315-0080(3)(b)]

20. As of August 19, 2024, the City has invested approximately \$252,450, which is 10 percent of the total projected cost for complete development of this project. The City estimates an additional \$2,721,000 investment is needed for the completion of this project.

The Market and Present Demands for Water [OAR 690-315-0080(3)(d) and (5)(a-f)]

For municipal or quasi-municipal water use permits issued after November 2, 1998, in making a determination of good cause pursuant to 690-315-0080(3)(d), the Department shall also consider, but is not limited to, the factors in 690-315-0080(5)(a-f).

21. The amount of water available to satisfy other affected water rights and scenic waterway flows; special water use designations established since permit issuance, including but not limited to state scenic waterways, federal wild and scenic rivers, serious water management problem areas or water quality limited sources established under 33 U.S.C. 1313(d); or the habitat needs of sensitive, threatened or endangered species, in consultation with the Oregon Department of Fish and Wildlife [OAR 690-315-0080(5)(a-f)].
 - a. The amount of water available to satisfy other affected water rights and scenic waterway flows was determined at the time of issuance of Permit G-16138; furthermore, water availability for other affected water rights and scenic waterway flows after the permit was issued is determined at such time that such application for a new water right is submitted. The point of appropriation for

Permit G-16138 is not located within a limited or critical ground water area. The point of appropriation for Permit G-16138, located within the in Little Bear Creek Basin, is not located within or above any state or federal scenic waterway. The point of appropriation is within areas ranked high for stream flow restoration needs as determined by the Department in consultation with the Oregon Department of Fish and Wildlife, and is located within a Sensitive, Threatened or Endangered Fish Species Area as identified by the Department in consultation with Oregon Department of Fish and Wildlife. The point of appropriation is not in an area listed by the Department of Environmental Quality as a water quality limited stream.

Economic investment in the project to date [OAR 690-315-0080(5)(d)].

22. As of August 19, 2024, they have invested \$252,450, which is 10 percent of the total projected cost for complete development of this project. The City estimates an additional \$2,721,000 investment is needed for the completion of this project.

Other economic interests dependent on completion of the project [OAR 690-315-0080(5)(e)].

23. None have been identified.

Other factors relevant to the determination of the market and present demand for water and power [OAR 690-315-0080(5)(f)].

24. As described in Findings 8, through 13, the City of Hubbard has indicated, and the Department finds that the City must rely on full development of Permit G- 16138 to meet its present and future water demands.
25. City of Hubbard projects a population increase of 0.64 percent per year over the next 45 years.
26. Given the current water supply situation of the City as well as current and expected demands, there is a market and present demand for the water to be supplied under Permit G-16138.
27. OAR 690-315-0090(3) requires the Department to place a condition on this extension of time to provide that appropriation of water beyond 0.111 (not to exceed the maximum amount authorized under this permit, being 0.223 cfs) under Permit G-16138 shall only be authorized upon issuance of a final order approving a Water Management and Conservation Plan(s) (WMCP) under OAR Chapter 690, Division 86 which grants access to a greater appropriation of water under the permit consistent with OAR 690-086-0130(7). A “Development Limitation” condition” is specified under Item 1 of the “Conditions” section of this PFO to meet this requirement.

CONCLUSIONS OF LAW

1. The City is entitled to apply for an extension of time to complete construction and/or completely apply water to the full beneficial use pursuant to ORS 537.630(2).
2. The City has submitted a complete extension application form and the fee specified under ORS 536.050(1)(k), as required by OAR 690-315-0080(1)(a).
3. As required by OAR 690-315-0080(1)(b), the permit holder was able to demonstrate that actual construction of the project began (commenced) within the time period required by ORS 537.630(2), being no later than December 14, 2007, in order to be within the one year time period as specified in the permit. ORS 537.630(2) provides that the Department may only allow an extension of time to complete construction or to perfect a water right beyond the specified permit under certain conditions. The time to begin construction may not be extended.
4. Pursuant to ORS 540.510(3)(a) and (b), water under Permit G-16138 may be applied to beneficial use on land to which the right is not appurtenant.
5. The time requested to complete construction and apply water to full beneficial use is reasonable, as required by OAR 690-315-0080(1)(c).
6. Completion of construction and full application of water to beneficial use can be completed by October 1, 2056⁴ pursuant to OAR 690-315-0080(1)(d).
7. The Department has considered the reasonable diligence and good faith of the appropriator, the cost to appropriate and apply water to a beneficial purpose, the market and present demands for water to be supplied, the financial investment made and the fair return upon the investment, the requirements of other governmental agencies, and unforeseen events over which the water right permit holder had no control, and the Department has determined that the City has shown good cause for an extension of time to complete construction and to apply the water to full beneficial use pursuant to OAR 690-315-0080(1)(e).
8. As required by OAR 690-315-0090(3) and as described in Finding 18, above, and specified under Item 1 of the "Conditions" section of this PFO, the appropriation of water beyond 0.11 cfs (not to exceed the maximum amount authorized under this permit, being 0.223 cfs) under Permit G-16138 shall only be authorized upon issuance of a final order approving a Water Management and Conservation Plan(s) under OAR Chapter 690, Division 86 that authorizes access to a greater rate of appropriation of water under the permit consistent with OAR 690-086-0130(7).

Proposed Order

Based upon the foregoing Findings of Fact and Conclusions of Law, the Department proposes to issue an order to:

Extend the time to complete construction under Permit G-16138 from December 14, 2007, to October 1, 2056.

Extend the time to apply the water to beneficial use under Permit G-16138 from December 14, 2007, to October 1, 2056.

Subject to the following conditions:

CONDITIONS

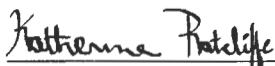
1. Development Limitations

A maximum appropriation of 0.111 cfs of water is currently allowed under Permit G-16138. Any appropriation of water beyond 0.111 cfs (not to exceed the maximum amount authorized under the permit, being 0.223 cfs) shall only be authorized upon issuance of a final order approving a Water Management and Conservation Plan (WMCP) under OAR Chapter 690, Division 86 that authorizes access to a greater rate of appropriation of water under the permit consistent with OAR 690-086-0130(7). The required WMCP shall be submitted to the Department within 3 years of this Final Order. The amount of water used under Permit G-16138 must be consistent with this and subsequent WMCP's approved under OAR Chapter 690, Division 86 on file with the Department. For review of water management and conservation plans that propose to increase the maximum rate of water diverted under an Extended Permit, after January 1, 2042, that the additional diversion of water will not impair or be detrimental to the public interest.

The Development Limitation established in the above paragraph supersedes any prior limitation of the appropriation of water under Permit G-16138 that has been established under a prior WMCP or Extension final order issued by the Department.

The deadline established in the Extension Final 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 the final order may also meet the WMCP submittal requirements of other Department orders.

DATED: April 8, 2025



Katherine Ratcliffe
Water Right Services Division Administrator, for
Ivan Gall, Director
Oregon Water Resources Department

*If you have any questions, please
check the information box on the
last page for the appropriate
names and phone numbers.*

Protests

Pursuant to OAR 690-315-0060(1), the applicant or any other person adversely affected or aggrieved by the proposed final order may submit a written protest to the proposed final order. Protests must be received by the Water Resources Department no later than **May 23, 2025**, at this address: Oregon Water Resources Department, Water Right Services Division, 725 Summer St NE, Suite A, Salem, OR 97301-1266. Protests may not be submitted by electronic mail. OAR 690-002-0025(3).

Protests must be in writing and include all of the following:

- The name, address, and telephone number of the protestant
- A detailed description of the protestant's interest in the proposed final order, and, if the protestant claims to represent the public interest, a precise statement of the public interest represented
- A detailed description of how the action proposed in the proposed final order would impair or be detrimental to the protestant's interest
- A detailed description of how the proposed final order is in error or deficient, and how to correct the alleged error or deficiency
- If the applicant protests, a statement of whether a hearing is requested
- Citation of legal authority supporting the protestant, if known
- Proof of service of the protest on the water right permit holder, if protestant is other than the water right permit holder, and
- If you are the applicant, the protest fee of \$480 required by ORS 536.050; and
- If you are not the applicant, the protest fee of \$950 required by ORS 536.050.

Within 60 days after the close of the period for requesting a contested case hearing, the Director shall either issue a final order on the extension request, or schedule a contested case hearing if a protest has been submitted, and, upon review of the issues, the Director finds there are significant disputes related to the proposed agency action; or, the applicant submits a written request for a contested case hearing within 30 days after the close of the period for submitting protests. The hearing will be conducted as provided in Oregon Revised Statutes (ORS) Chapter 183, and Oregon Administrative Rules (OAR) 137-003-0501 to 137-003-0700.

If the applicant does not request a hearing within 30 days after the close of the protest period, or if the request for a hearing is withdrawn, or the Department or the administrative law judge is notified that the protestant will not appear, or the protestant fails to appear, at a scheduled hearing, the Director may issue a Final Order by default. If the Director issues a Final Order by default, the Department designates the relevant portions of its files on this matter, including all materials submitted relating to this matter, as the record for purpose of proving a *prima facie* case upon default.

A party may be represented by an attorney at the hearing. Legal aid organizations may be able to assist a party with limited financial resources. Generally, partnerships, corporations, associations, governmental subdivisions or public or private organizations are represented by an attorney. However, consistent with OAR 690-002-0020 and OAR 137-003-0555, an agency representative

may represent a partnership, corporation, association, governmental subdivision or public or private organization if the Department determines that appearance of a person by an authorized representative will not hinder the orderly and timely development of the record in this case.

Notice Regarding Servicemembers: Active-duty service members have a right to stay proceedings under the federal Servicemembers Civil Relief Act. For more information contact the Oregon State Bar at 800-452-8260, the Oregon Military Department at 800-452-8260, or the nearest United States Armed Forces Legal Assistance Office through <http://legalassistance.law.af.mil>.

-
- If you have any questions about statements contained in this document, please contact Jeffrey Pierceall at 503-986-0802.
 - If you have questions about how to file a protest or if you have previously filed a protest and you want to know the status, please contact Will Davidson at 503-507-2749.
 - If you have any questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at 503-986-0801.
 - Address any correspondence to: Water Right Services Division
725 Summer St NE, Suite A
 - Fax: 503-986-0901 Salem, OR 97301-1266
-

Check Date: 8/15/2024

Invoice Number	Date	Voucher	Amount	Discounts	Previous Pay	Net Amount
G-16138	8/15/2024	0024533	780.00			780.00
Oregon Water Resources Department		TOTAL	780.00			780.00
Beneficial Checking	2	00275				

Received
AUG 19 2024
OWRD

Application: G-16491

Permit: G-16138

Public Notice Route Slip ... New Application Extension of Time
per Division 315 Rules... (Extensions received on July 1, 2001 or after)

Applicant/Permit
Holder(s)

City of Hubbard
ATTN: Melinda Olinger
PO Box 380
Hubbard, OR 97032

Proposed Completion Date: 10-1-2026

☐ WRIG...Money Received on: 8-19-2024

☐ Extension Specialist ...

☐ Added to tracking spreadsheet

After fee is receipted and app is added to spreadsheet, route to...

☒ Tonya Miller...

☒ Recent Assignment (Check WRIS for Update)

☒ Publish on Public Notice (initial 30-day comment): Date of
notice 9-10-2024

☒ Update WRIS Database

☒ In the "PNotice Date" field... Enter the date the Extension Application
was published on the Public Notice.

☒ In the "Ext Filed" field... Enter the date the Extension Application was
received.

☒ Yes or ☐ No: Return file to Extension Specialist after PN returned 9-10-2024

NOTES:

STATE OF OREGON
WATER RESOURCES DEPARTMENT

725 Summer St. N.E. Ste. A

SALEM, OR 97301-4172

(503) 986-0900 / (503) 986-0904 (fax)

RECEIPT # 143560

INVOICE # _____

RECEIVED FROM: 651 Water Solutions,

BY: INC.

APPLICATION 6-16491

PERMIT

TRANSFER

CASH: ☐

CHECK: #

OTHER: (IDENTIFY) _____

☒ 26987 ☐

TOTAL REC'D \$ 780.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES

\$

OTHER: (IDENTIFY) _____

\$

0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES

\$

0410 RESEARCH FEES

\$

0408 MISC REVENUE: (IDENTIFY) _____

\$

TC162 DEPOSIT LIAB. (IDENTIFY) _____

\$

0240 EXTENSION OF TIME

\$ 780.00

WATER RIGHTS:

0201 SURFACE WATER

EXAM FEE

\$

0202

RECORD FEE

\$

0203 GROUND WATER

\$

0204

\$

0205 TRANSFER

\$

WELL CONSTRUCTION

EXAM FEE

0218 WELL DRILL CONSTRUCTOR

\$

0219

LICENSE FEE

\$

LANDOWNER'S PERMIT

0220

\$

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE

\$

CARD#

0210 MONITORING WELLS

\$

CARD#

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY

LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD)

\$

0231 HYDRO LICENSE FEE (FW/WRD)

\$

HYDRO APPLICATION

\$

TREASURY

OTHER / RDX

RECEIVED

OVER THE COUNTER

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION _____

\$

RECEIPT: 143560

DATED: 8/19/24

BY: [Signature]



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

www.oregon.gov/owrd

September 10, 2024

REFERENCE: Application for Extension of Time

Dear Extension of Time Applicant:

The Water Right Services Division has received your application for an extension of time for **APPLICATION FILE #: G-16491 (Permit G-16138)**. Your application will be reviewed in the future. Following the review, you will receive a Proposed Final Order either approving or rejecting the extension of time request. A 45-day protest period begins upon issuance of the Proposed Final Order. After the protest period closes, a Final Order is issued.

You may continue the use of water under your water right until the Water Resources Department formally takes action on your extension application. If your permit includes conditions, water use reporting, water level measurement reporting, etc., you are required to comply with the conditions.

Any additional development that occurs after the expired completion date, identified on the permit or an extension order, can only be claimed upon an approved extension application.

If you have questions concerning your extension of time application, please contact Jeffrey Pierceall at (503) 979-3213. For general information about the Water Resources Department, you may contact the Water Resources' Customer Service Group at (503) 986-0801 or you may access the Department's website at: www.wrd.state.or.us.



Received by OWRD

AUG 19 2024

Salem, OR

Date Received (Date Stamp Here)

OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: City of Hubbard
P.O. Box 380 Hubbard OR 97032

Transaction Type: Ext

Fees Received: \$ 780⁰⁰

☐ Cash

☒ Check:

Check No. 026987

Name(s) on Check: FSI Water Solutions

Thank you for your submission. Oregon Water Resources Department (Department) staff will review your submittal as soon as possible.

If your submission is determined to be complete, you will receive a receipt for the fees paid and an acknowledgement letter stating your submittal is complete.

If determined to be incomplete, your submission and the accompanying fees will be returned with an explanation of deficiencies that must be addressed in order for the submittal to be accepted.

If you have any questions, please feel free to contact the Department's Customer Service staff at 503-986-0801 or 503-986-0810.

Sincerely,

OWRD Customer Service Staff

Submission received by: Nick Reese
(Name of OWRD staff)

Instructions for OWRD staff:

- Complete this Submission Receipt and make two (2) copies. Place one copy with the check/cash; and place the other copy with the submission (i.e., the application or other document).
- Date-stamp all pages. (NOTE: Do not stamp check.)
- Give this original Submission Receipt to the applicant.
- Record Submission Receipt information on the "RECEIVED OVER THE COUNTER" log sheet.
- Fold and put one copy of the Submission Receipt with check/cash into the Safe slot. Place the other copy of the Submission Receipt with submission (application/other document) in the top drawer of filing cabinet.



Received by OWRD

AUG 19 2024

Salem, OR

Date Received (Date Stamp Here)

OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: City of Hubbard

P.O. Box 380 Hubbard OR 97032

Transaction Type: Ext

Fees Received: \$ 780⁰⁰

☐ Cash ☒ Check: Check No. 026987

Name(s) on Check: FST Water Solutions

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If you have any questions, please feel free to contact the Department's Customer Service staff at 503-986-0801 or 503-986-0810.

Sincerely,

OWRD Customer Service Staff

Submission received by: Nick Reese
(Name of OWRD staff)

Instructions for OWRD staff:

- Complete this Submission Receipt and make two (2) copies. Place one copy with the check/cash; and place the other copy with the submission (i.e., the application or other document).
- Date-stamp all pages. (NOTE: Do not stamp check.)
- Give this original Submission Receipt to the applicant.
- Record Submission Receipt information on the "RECEIVED OVER THE COUNTER" log sheet.
- Fold and put one copy of the Submission Receipt with check/cash into the Safe slot. Place the other copy of the Submission Receipt with submission (application/other document) in the top drawer of filing cabinet.



8/15/24

Jeffrey Pierceall
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301

RE: Application for Extension of Time for Permit G-16138 in the name of City of Hubbard

Dear Jeffrey:

GSI Water Solutions, Inc., on behalf of the City of Hubbard, is submitting the enclosed permit extension application to extend the completion date of Permit G-16138.

Also enclosed is a check in the amount of \$780 to cover the required application fee.

If you have any questions regarding the enclosed information, please call me at 541.753.0933

Sincerely,

A handwritten signature in blue ink that reads "Zach Pike-Urlacher". The signature is fluid and cursive, written on a light-colored background.

Zach Pike-Urlacher
Water Resources Consultant

Enclosures: Application for Extension of Time
Check in the amount of \$780

Received by City of
AUG 19 2024
Salem, OR

Application for
Extension of Time
for Municipal and Quasi-Municipal
Water Use Permits



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.oregon.gov/OWRD

Make use of this form, *Application for Extension of Time for Municipal and Quasi-Municipal Water Use Permits*, only if the permit uses the word "Municipal" or "Quasi-municipal" in the description of the purpose or use to which water is to be applied.

TO THE DIRECTOR OF THE OREGON WATER RESOURCES DEPARTMENT

A separate extension application must be submitted for each permit as per OAR 690-315-0070(2). This page, with an original signature by the permit holder of record, must accompany the extension of time application.

This application and a summary of review criteria and procedures that are generally applicable to this application are available at <http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml>

I, City of Hubbard

NAME OF PERMIT HOLDER [OAR 690-315-0070(1) and (3)(a)]

Melinda Olinger

NAME OF CONTACT

PO Box 380

ADDRESS

Hubbard

CITY

OR

STATE

97032

ZIP

503-982-9429

PHONE

E-MAIL ADDRESS

the permit holder of:

Application Number G-16491

Permit Number G-16138

[OAR 690-315-0070(3)(b)]

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do hereby request that the time in which to:

☒ complete construction (of diversion/appropriation works and/or purchase and installation of the equipment necessary to the use of water), which time now expires on ~~October 1, 12/14/2007~~, be extended to October 1, 2056.¹

and/or the time in which to:

☒ apply water to full beneficial use under the terms and conditions of the permit, which time now expires on ~~October 1, 12/14/2007~~, be extended to October 1, 2056.²

I am the permittee, or have written authorization from the permittee, to apply for an extension of time under this permit. I certify that the information I have provided in this application is true and correct to the best of my knowledge.

Shawn White
Signature

8/14/24
Date

¹ The Application must demonstrate that the water system construction will be complete within the time being requested.

² The Application must demonstrate that full beneficial use can be made within the time requested.

Completing the Extension of Time Application for Quasi-Municipal or Municipal Use Permits

Please provide the information requested by item numbers 1-13. OWRD will use this information to evaluate your Application for Extension of Time.

[OAR 690-315-0070(3)]

1. **Submit the appropriate extension of time fee (\$780), as specified under ORS 536.050.**
If the extension application fee has already been paid, please provide indicate why and when it was paid. **The required fee of \$780 is enclosed.**

[OAR 690-315-0070(3)(c)]

2. **For Quasi-Municipal water use permit holders, provide evidence of the actions taken to begin actual construction on the project if required under the applicable statute.** All Quasi-Municipal permits issued prior to October 23, 1999, are generally required to begin actual construction within one (1) year. N/A

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Begin Date: _____. Construction of _____ began.
(month/year) (details)

[OAR 690-315-0070(3)(d)]

3. **For Municipal water use permits issued on or after June 29, 2005, evidence of the actions taken to begin actual construction on the project.**

Begin Date: 7/24/2000. Construction of Well 4 began. See well log in Attachment F.
(month/year) (details)

[OAR 690-315-0070(3)(e) and OAR 690-315-0070(3)(i)]

4. **Provide a description of financial expenditures and evidence of actions taken to develop the water right permit within the permitted time period and, if applicable, within the time period of the most recent extension granted. Present the list in chronological order in Chart-I.**

CHART-I

INSERT DATES	ALL WORK AND ACTIONS ACCOMPLISHED BEFORE PERMIT WAS ISSUED <i>List work/actions done before the permitted was issued – e.g. Well drilled.</i>	COST
9/20/2000	Construction of Well 4 (MARI 55251) completed and flowmeter installed.	\$150,000
Fall 2000	Pump station and online water system connection to Well 4 completed.	\$100,000
INSERT DATES	ALL WORK AND ACTIONS ACCOMPLISHED DURING PERMITTED TIME PERIOD (after permit was issued and prior to permit "C-date") <i>List work/actions done during the permitted time period.</i>	COST
12/14/2006	Date the permit was signed - find date above signature on last page of permit.	

2/6/2007	Groundwater water level monitoring plan submitted to OWRD.	\$Staff Time
12/14/2007	Date the permit specified "Actual Construction Work" shall begin ("A-Date") - not all permits contain this date.	
12/14/2007	Date the permit specified complete application of water to the use shall be made ("C-Date") - all permits contain this date.	
INSERT DATES	ALL WORK AND ACTIONS ACCOMPLISHED AFTER PERMIT "C-Date" and PRIOR TO THE MOST RECENT EXTENSION OF TIME REQUEST <i>For the 1st Application for Extension of Time: List work/actions done after the permit "C-date" up to the date of this extension request.</i> <i>For Other than the 1st Application for Extension of Time: List any work/actions done after the permit C-Date but prior to the most recent extension.</i>	COST
5/16/2022	WMCP submitted to OWRD.	\$2,450
CHART-I (continued)		
INSERT DATES	ALL WORK AND ACTIONS ACCOMPLISHED DURING THE MOST RECENT EXTENSION OF TIME GRANTED <i>For Other than 1st Application for Extension of Time: List any work/actions done during the time period most recent extension.</i>	COST
N/A	Date of the last "Extended From Date" for complete application of water (used on the most recently approved extension of time).	
N/A	Last "Extended To" date for complete application of water (resulting from the most recently approved extension of time).	
INSERT DATES	ALL WORK AND ACTIONS ACCOMPLISHED AFTER THE MOST RECENT EXTENSION OF TIME GRANTED <i>List work/actions done after the last authorized date for complete application of water has passed.</i>	COST
N/A		
Total Cost to Date		\$252,450

[OAR 690-315-0070(3)(f)]

5. Provide evidence of compliance with conditions contained in the original permit, in any previous extension(s), and/or in any permit amendments (Chart II), or the reason the condition was not satisfied (Chart III).

Conditions requiring a response in the extension of time application include those which:

- Stipulate a specific date by which the permit holder was to accomplish a specific action, such as a condition that requires plans and specifications for a reservoir, a Water Management and Conservation Plan, a ground water monitoring plan or some other document which "...shall be submitted...within two years of permit issuance." If your permit requires submittal of a Water Conservation and Management Plan, please indicate the date the plan was submitted to or approved by OWRD, or whether it is still being drafted, etc.;

and/or

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WRAD

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- Are triggered by the use of water, but do not stipulate a specific date. These conditions represent a milestone in development of the project and use of water, such as the permit holder, "shall install...a water meter or other suitable measuring device approved by the Director...before any use of water begins." Another common condition triggered by the use of water is that; "fish screens are to be installed according to Oregon Department of Fish and Wildlife specifications."

5-A) Describe how each condition has been complied with. Include conditions contained in the original permit (and, if applicable, each condition contained in any order approving a permit amendment and/or a final order approving a prior extension of time). Include the date when the condition was satisfied.

CHART-II

Condition No. **	Date Satisfied	Describe How Permit Condition Has Been Satisfied
A.	9/20/2000/ ongoing	A flowmeter was installed when the well was constructed. The amount of water diverted each month is recorded and annual water use reports are submitted to OWRD (Water Use Reports are provided in Attachment B).
B.	Ongoing	The meter is accessible upon request.
C.	Ongoing	The well produces groundwater from only the alluvial aquifer.
D.	2/6/2007	A groundwater water level monitoring plan was submitted to OWRD on 2/6/2007 and is on file.
E.	5/16/2022	A WMCP was submitted to OWRD on May 16, 2022 (see Attachment A)
F.	Ongoing	Water is only used under this permit when the total of water rights does not exceed 700 gallons per minute.

*** Condition No: Attach a copy of the permit and, if applicable, any prior permit extensions or permit amendments with conditions identified and hand-numbered in a continuous number sequence throughout all such documents. Responses to Items 5-A and 5-B should reference each condition by number to correspond with the hand-written number sequence on the attached documents containing permit conditions.*

5-B) If applicable conditions have NOT complied with all, explain the reasons why and indicate with a date certain (in the near future) when compliance will occur.

CHART-III

Condition No. **	Date Will Comply	Explain Why Each Permit Condition Has NOT Been Satisfied
G.	10/1/2056	The City submitted a Claim of Beneficial Use (COBU) for Permit G-16138 to OWRD in 2015, which OWRD determined to be incomplete. The City is submitting this Permit Extension to provide additional time to develop and document full beneficial use of the Permit.

6. Provide evidence of the maximum rate (or duty, if applicable) of water diverted for beneficial use under this permit. Report water use as of June 29, 2005, or the C-Date of the permit (whichever is later).

6-A) For Surface Water Permit Extensions: N/A

Maximum instantaneous rate (as of June 29, 2005, or C-date (whichever is later)) = _____ cfs, (cubic feet per second) *OR*

Maximum instantaneous rate (as of June 29, 2005, or C-date (whichever is later)) = _____ gpm, (gallons per minute) *OR*

Acre Feet stored as of June 29, 2005, or C-date (whichever is later) = _____ AF

6-B) For Ground Water Permit Extensions:

CHART-IV

Well # as identified on Permit	Water User's Well #	Has this well been drilled?	IF DRILLED						
			Well Log Number E.g. MULT 60493	Well Tag Number E.g. # 40151 or N/A	Is the actual drilled location authorized on this permit or on a permit amendment? (See below)	Maximum instantaneous rate used by June 29, 2005, or C-date (whichever is later) – from this well -- under this permit only (CFS or GPM)	Is this well authorized or utilized under any OTHER water rights?	If yes, provide the rate used from this well under each water right. (Typically the total of all uses from a single well will not exceed the well's pumping capacity.)	
								Permit, Certificate, or Transfer No.	Rate (CFS or GPM)
Well 4	Well 4	Yes ☒ No ☐	MARI 55251	L-45374	Yes ☒ No ☐	0.111 cfs	Yes ☒ No ☐	Certificate 90750	0.668 cfs*
Total instantaneous rate from all wells utilized under this permit used as of June 29, 2005, or C-date (whichever is later)						0.111 cfs			

*The City of Hubbard's Water System Master Plan lists the current well capacity of Well 4 (MARI 55251) as 350 gpm.

- 6-C) If the drilled location of a well is not authorized on this permit, please specify its location below, or provide a map showing its location. Has or will a permit amendment application been/be filed with OWRD? Yes ☐ No ☐ N/A

If a Permit Amendment Application has been filed: Transfer No. T- _____

Well # _____: Actual location: _____

7. Provide an estimate of the current population served under this permit and a description of the methodology(ies) used to make the estimate.

Estimate the current population that is supplied water by the municipality or quasi-municipality and if applicable, current population served under this permit. Describe how that estimate was derived, or cite the source document from which the data was obtained.

Include any calculations, formulas, supporting documentation, including copies of source documents.

Current Population: 3,478 as of Year: 2021

Methodology used to estimate current population served:

The current population was obtained from the City's 2023 WMCP. The WMCP used Portland State University (PSU) Population Research Center's 2021 population estimate for the City of Hubbard.

[OAR 690-315-0070(3)(p)]

- 8. Report the current peak water demand of the current population served, and a description of the methodology(ies) used to make the estimate.**

Identify the total rate, or duty if applicable, of water being used to meet the current peak demand for water from all water rights held by the municipal or quasi-municipal entity. This must be reported in the same units of measurement as specified in the permits, being cfs (cubic feet per second), gpm (gallons per minute), and/or AF (acre-feet – usually only specified on a reservoir right to store water). This total rate should be based on the information provided on "Attachment A" in the column named "*Max Amount of Beneficial Water Used to Date*" [under Item 10-A (a)].

Current Peak Water Demand: 0.84 cfs as of Year: 2021

Methodology used to estimate current peak demand:

The current peak demand was obtained from the City's 2023 WMCP. The peak demand of 0.84 cfs for 2021 is based on the maximum day demand of 0.54 million gallons per day (mgd) measured in 2021, which is the total production from all of the City's wells.

[OAR 690-315-0070(3)(k)]

- 9. Provide a summary of any events that delayed completion of the water development or application of water to full beneficial use, including other governmental requirements (if any), relating to the project that have significantly delayed completion of construction or perfection of the right.**

The City submitted a COBU for Permit G-16138 in 2015, which OWRD reviewed and determined to be incomplete. A copy of an email from Gerry Clark on February 3, 2022 listing deficiencies found in his review of the 2015 Claim is provided in Attachment E. The City is requesting to extend the C-date of the permit to October 1, 2056, to provide time to construct a new well (Well 5), file a permit amendment to add this well to the Permit, and develop the full rate of the Permit.

[OAR 690-315-0070(3)(l)]

- 10-A. Provide an estimated demand projection and a description of the methodology(ies) used for the subject water right permit, considering the other water rights held by the municipal or quasi-municipal water use permit holder, and a date by which the water development is**

7/19/2021
WRAD

Application for Extension of Time

Received by OWRD

AUG 19 2024

Salem, OR

anticipated to be completed and water put to full beneficial use. The Application must demonstrate that the full rate authorized by the permit can be put to beneficial use within the time being requested.

In developing your estimated demand projections for the permit being extended, you should include the following items:

a) Inventory of Water Rights Held

List all water rights held, including this permit, currently held by the permit holder. Use the format shown in "Attachment A" (see last page of this Application for Extension of Time). A link to the Water Rights Information System (WRIS), accessed through OWRD's website at <http://apps.wrd.state.or.us/apps/wr/wrinfo/> may be a helpful source for compiling this information.

Use the "Use Limitations" column to identify and explain why any water right is not currently utilized to meet current peak water demands, or which is used only in a limited capacity.

A water rights table is provided in Attachment C.

b) Water Supply Contracts and/or Agreements

List any water supply contracts or agreements for water that will be supplied by the permit holder to other entities.

The City does not have any contracts or agreements to supply water to other entities.

List any water supply contracts or agreements for water that will be supplied from other entities that the permit holder will depend on to meet its own current or anticipated future water needs.

The City does not have any contracts or agreements to receive water from other entities.

c) Projected Population

Identify the projected population growth rate. The population projection must be extended out, at a minimum, to the year requested for complete application of water. Describe the methodology used to create the population projections such as historical growth rates or any factors affecting growth trends.

Population Growth Rate: 0.64%

Projected Population: 4,354 as of Year: 2056

Methodology used to estimate projected population and population growth rate:

The City estimated the 2056 population by interpolating between population estimates published by the PSU Population Research Center in 2021. The 2021 PSU publication provides population estimates and population growth rates in five-year increments from

2020 through 2065. Interpolation between the years provided was done using the population growth rate associated with each five-year increment and the exponential growth formula. The population growth rate of 0.64% represents the average annual population growth rate from 2021 through 2056 and was also calculated using the exponential growth formula. This methodology is the same as the methodology used in the City's 2023 WMCP.

d) Future Peak Water Demands

Identify the projected peak water. The peak water demand projection must be extended out, at a minimum, to the year requested for complete application of water, and must demonstrate that full beneficial use may be accomplished within the time requested. Describe the methodology used to create the water demand projection, such as historical growth rates or any factors affecting growth trends. Include a summary of how the subject permit, and other water rights and /or supply contracts held by the permit holder are planned or expected to be used to meet anticipated future water needs

Projected Peak Water Demand: 1.29 cfs as of Year: 2056

Methodology used to estimate peak water demand:

Peak demand was estimated using a per capita demand factor applied to the projected population. The per capita demand factor was calculated by dividing the maximum day demand (MDD) observed in 2021, 0.54 mgd (0.84 cfs), by the estimated population in 2021, 3,478, to obtain 155.26 gallons per capita per day (gpcd). The City factored in additional projected demand associated with the Broadacres Ridge development, which is anticipated to be constructed and built-out by 2025. The City added an additional MDD of 0.16 mgd to the demand projection. This number is based on an expected ADD increase of 0.09 MG and a peaking factor of 1.77, both estimates of the City based on the City's understanding of the proposed private development. This methodology is the same as the methodology used in the City's 2023 WMCP.

e) Potential Growth

Describe the potential for growth of the service area (such as the annexation of lands or new industrial and/or commercial ventures locating within the service area) and describe how those projects are expected to affect future water demands.

The City anticipates additional demand due to development within the City's urban growth boundary and development of Broadacres Ridge.

f) Completion Date

Provide the date by which the water development is anticipated to be completed and water put to full beneficial use. October 1, 2056

[OAR 690-315-0070(3)(l)]

- 10-B. Application for Extension of Time requests for greater than 50 years must include documentation that the demand projection is consistent with the amount and types of lands and uses proposed to be served by the permit holder.**

Show that permit holder's potential for future growth and expansion is feasible and consistent with the amounts and types of lands and uses proposed to be served. Information that may be addressed includes, but is not limited to: land use plan(s); current service area(s) in relation to the urban growth boundary; amounts of lands currently un-served and available for future development; and/or low-density vs. high-density areas.

N/A

[OAR 690-315-0070(3)(j) and OAR 690-315-0070(3)(m)]

- 11. Provide an estimate of the costs to complete water development and summary of the future plan and schedule to complete construction and/or perfect the water right.**

Considering the demand projections in Item 10-A, describe major future work and actions that must be accomplished in order to fully develop and perfect the subject permit. Provide a list of the major planning, work and/or actions needed, the approximate time frames, and estimated costs anticipated to complete the water development within the parameters of this permit.

The review of a Capital Improvement Plan (CIP) or other system infrastructure improvement plans may help when formulating a response.

CHART-V

APPROXIMATE DATE RANGE	WORK AND ACTIONS TO BE ACCOMPLISHED	ESTIMATED COST
2024	Submit extension of time application for Permit G-16138.	\$7,000
2025-2030	Submit permit amendment to add new well (Well 5) to Permit G-16138.	\$7,000
2025-2040	Capital improvement planning, construct Well 5, and connect Well 5 to water system.	\$1,700,000
2040-2056	Expand distribution system to accomodate use of Well 5.	\$1,000,000
Year: <u>2056</u>	Date intend to apply water to full beneficial use under the terms and conditions of this permit.	
Estimated Total Cost to Complete Development		\$2,721,000

12. Justify the time requested to complete the project and/or apply the water to full beneficial use.

A justification should integrate information from Items 5-B, 6-A or 6-B, 9, 10-A, and 11 of this application, and should include any other information or evidence to establish that the requested amount of time is reasonable, and that you will be able to complete the project within the amount of time requested.

The City is requesting to extend the completion date of Permit G-16138 to October 1, 2056. The City submitted a COBU for the Permit in 2015, however, this COBU was deficient (see Attachment E). The City is requesting to extend the completion date of the permit to provide additional time to secure funding to develop an additional supply well (Well 5), construct Well 5 and connect it to the water system, submit a permit amendment to add Well 5 to Permit G-16138, develop beneficial use of water under the Permit, and submit a COBU with proper documentation.

The City's 2020 Water System Master Plan (WSMP) recommends constructing Well 5 within the City's 20 year planning horizon. While the combined authorized rate of appropriation of the City's water rights exceeds forecasted demand (see Attachments C and D), the City relies on its full suite of water rights for redundancy and operational flexibility. Part of the rationale for drilling Well 5 is to accommodate the potential for a simultaneous incidence of high instantaneous demand and loss of production capacity from existing supply wells. The City plans to file a permit amendment to add the new Well 5 to Permit G-16138 so that the well can be used in this scenario.

Additional time is needed to file a permit amendment to add Well 5 to Permit G-16138, secure funding for capital improvement planning and well construction, construct Well 5 and connect it to the City's water system, and expand the distribution system to accommodate use of Well 5. Given the level of effort associated with this project and the time needed to complete the work (see Chart V), the requested extension of time to October 1, 2056 is both reasonable and necessary.

13. Provide any other information you wish OWRD to consider while evaluating the Application for Extension of Time

None.

14. For Municipal water use permits issued before November 2, 1998, for the first extension issued after June 29, 2005, provide a copy of any agreements regarding use of the undeveloped portion of the permit between the permit holder and a federal or state agency that include conditions or required actions that maintain the persistence of listed fish species in the portions of the waterways affected by water use under the permit.

N/A

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Attachment A

Permit G-16138 and WMCP Final Order
Application for Extension of Time – City of Hubbard

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

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MAXIMUM RATE: 0.223 CUBIC FOOT PER SECOND

AUG 19 2024

PERIOD OF USE: DECEMBER 1 THROUGH MAY 31

Salem, OR

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.

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Salem, OR

- C. The well shall produce groundwater only from the alluvial groundwater reservoir.
- D. 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.
- E. 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.
- F. 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.

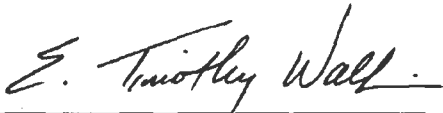
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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.

- G. 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

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**BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON**

In the Matter of the Proposed Water	)	FINAL ORDER APPROVING A WATER
Management and Conservation Plan for	)	MANAGEMENT AND CONSERVATION
the City of Hubbard, Marion County	)	PLAN

Authority

OAR Chapter 690, Division 086, establishes the process and criteria for approving water management and conservation plans required under the conditions of permits, permit extensions and other orders of the Department.

Findings of Fact

1. The City of Hubbard submitted a Water Management and Conservation Plan (plan) to the Water Resources Department (Department) on May 16, 2022. The required statutory fee for review of the plan was received by the Department on the same day. The plan was required by a condition set forth under the City's previously approved plan (Sp. Or. Vol. 89, Pg. 801 issued on June 3, 2013).
2. The Department published notice of receipt of the plan on May 24, 2022, as required under OAR Chapter 690, Division 086. No comments were received.
3. The Department provided written comments on the plan to the City on June 30, 2022. In response, the City submitted a revised plan on September 13, 2022.
4. The Department reviewed the revised plan, and finds that the revised plan is consistent with the relevant requirements under OAR Chapter 690, Division 086.

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This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

Conclusion of Law

The Water Management and Conservation Plan submitted by the City of Hubbard is consistent with the criteria in OAR Chapter 690, Division 086.

Now, therefore, it is ORDERED:

Duration of Plan Approval:

1. The City of Hubbard Water Management and Conservation Plan is approved and shall remain in effect until **May 4, 2033**, unless this approval is rescinded pursuant to OAR 690-086-0920.

Plan Update Schedule:

2. The City of Hubbard shall submit an updated plan meeting the requirements of OAR Chapter 690, Division 086 (effective December 23, 2018) within ten (10) years and no later than **November 4, 2032**.

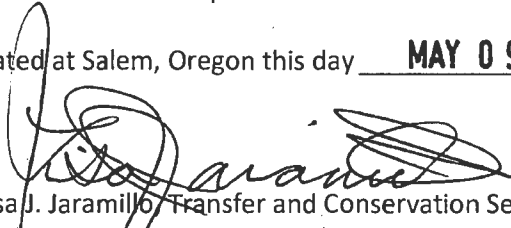
Progress Report Schedule:

3. The City of Hubbard shall submit a progress report containing the information required under OAR 690-086-0120(4) by **May 4, 2038**.

Other Requirements for Plan Submittal:

4. The deadline established herein for the submittal of an updated Water Management and Conservation Plan (consistent with OAR Chapter 690, Division 086) shall not relieve the City of Hubbard from any existing or future requirement(s) for submittal of a Water Management and Conservation Plan at an earlier date as established through other final orders of the Department.

Dated at Salem, Oregon this day **MAY 09 2023**


Lisa J. Jaramillo, Transfer and Conservation Section Manager for
DOUGLAS E. WOODCOCK, ACTING DIRECTOR
Oregon Water Resources

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Mailing date: **MAY 10 2023**

Notice Regarding Service Members: Active-duty service members have a right to stay these proceedings under the federal service members Civil Relief Act. For more information, contact the Oregon State Bar at 800-452-8260, the Oregon Military Department at 503-584-3571 or the nearest United States Armed Forces Legal Assistance Office through <http://legalassistance.law.af.mil>. The Oregon Military Department does not have a toll-free telephone number.

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Attachment B

Water Use Reports

Application for Extension of Time – City of Hubbard

Facility Water Use Report



WELL 4 (MARI 55251/L-45374) Report ID 49721

MARI 55251/L45374:
1540 FEET NORTH AND 1720 FEET WEST FROM SE CORNER, SECTION 33
(4S-1W-33-NW SE)
Permit: G 16138 *
Cert:90750 OR *
CITY OF HUBBARD

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Records per page: 100

Water Year	Method of Measurement	Acre-feet (AF) of Water Used												Total Water Used	Irrigated Acres
		Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep		
2023	FMT	5.06	3.30	5.82	3.56	7.78	4.74	2.02	5.61	5.77	18.01	0.00	1.84	63.53	
2022	FMT	5.52	4.88	5.13	1.43	2.43	0.00	2.48	0.33	0.11	0.00	0.00	0.00	22.31	
2021	FMT	2.01	0.53	5.41	3.27		3.45	5.48	3.58	15.50	15.97	14.46	8.62	78.28	
2020	FMT	2.55	4.65	4.26	1.52	3.95	2.16	4.60	3.42	2.13	4.58	14.59	17.26	65.66	
2019	FMT	5.02	5.23	2.41	3.41	2.02	1.99	3.24	3.11	6.70	8.12	5.16	2.48	48.88	
2018	FMT	3.03	3.06	3.42	3.01	3.45	2.65	2.94	3.03	5.67	3.89	6.11	3.62	43.88	
2017	FMT	3.80	2.23	3.96	2.77	3.38	2.13	2.76	3.63	2.31	7.59	3.46	4.39	42.40	
2016	FMT	0.38	0.26	12.50	7.44	2.07	2.09	2.03	5.45	2.61	5.81	3.93	2.68	47.24	
2015	FMT	3.67	2.64	3.03	6.88	1.77	2.73	4.12	2.39	7.04	3.85	6.36	0.23	44.70	
2014	FMT	2.99	4.89	2.64	6.23	4.78	2.28	3.89	2.53	5.49	3.53	3.07	4.63	46.96	
2013		2.53	3.78	3.38	1.86	4.30	2.30	0.50	2.63	6.88	4.94	5.65	3.53	42.29	
2012		3.86	3.94	4.21	4.21	2.77	2.56	2.26	3.82	2.46	6.23	2.70	5.36	44.39	
2011		1.13	0.37	1.80	3.89	2.15	1.85	3.87	2.11	3.28	3.93	4.49	4.37	33.24	
2010		1.47	3.48	1.69	3.50	3.50	4.20	2.53	2.23	4.09	3.29	5.79	2.42	38.20	
2009		1.84	3.83	2.80	3.90	3.58	2.00	3.84	3.13	3.31	4.97	2.15	3.74	39.10	
2008		2.17	4.32	2.47	2.98	1.79	2.13	3.61	2.89	5.55	3.66	3.33	4.28	39.18	
2007		2.02	1.95	2.03	1.99	2.88	3.11	2.19	0.53	3.35	4.32	3.12	4.73	32.21	
2006		1.76	3.59	3.32	2.45	3.70	2.15	4.20	3.10	4.47	3.55	3.23	5.07	40.61	
2005		4.32	1.86	1.94	2.04	2.34	2.11	2.07	4.79	2.75	7.41	5.16	6.10	42.91	
2004		3.14	2.03	4.11	2.19	2.51	2.38	1.89	2.30	5.05	4.26	5.92	2.27	38.05	
2003		4.77	2.09	2.79	13.57	1.79	2.06	4.18	2.13	6.91	4.33	7.55	3.47	55.64	
2002		7.52	0.00	0.00	0.00	1.99	3.84	1.86	4.17	2.74	5.38	4.72	3.09	35.31	
2001		0.00	0.00	0.00	0.00	0.00	3.74	1.48	6.20	15.80	22.74	16.23	4.35	70.54	

*The water year is named for the calendar year in which it ends. Example: the 2014 water year begins Oct. 1, 2013 and ends Sep. 30, 2014.

Method(s) of Measurement:

FMT Flowmeter (recording monthly readings and then reporting the difference between one month's reading and the next)

- Monthly amounts indicate:
 - For diverted rights, the total amount diverted during the month;
 - For storage rights, the amount generally stored in the reservoir/pond during the month, as represented by the volume of water impounded on approximately the same day each month.

- Water Use amounts have all been converted to "acre-feet" (AF), regardless of the original measurement unit reported. One AF is the volume of water that will cover an acre of ground one foot deep = 325,850 gallons.
- Zeroes indicate that a report was received, stating that no water was used during those months; if a year is not listed, no report of water use was received for that year.

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Attachment C

Water Rights Table

Application for Extension of Time – City of Hubbard

City of Hubbard Water Rights Table – Permit G-16138 Extension Application, July 2024

Application	Permit	Certificate	Transfer	Period of Use	Priority Date	Source(s)	Type of Beneficial Use	Authorized Rate (cfs)	Diversion to Date (cfs)	Completion Date	Limitations to Water Use
G-11998	G-10965	84092	-	Year-round	12/13/1989	Wells 1, 2 & 3	Municipal	1.56	1.56	N/A	See note regarding well capacity below.*
G-6913	G-5809	84093	T-6320	Year-round	4/28/1975	Wells 1, 2 & 3	Municipal	1.1	1.1	N/A	
G-14954	G-13857	90750	-	Year-round	3/29/1999	Well 4	Municipal	0.668	0.668	N/A	
G-16491	G-16138	-	-	December 1 – May 31	7/1/2005	Well 4	Municipal	0.223	0.111	12/14/2007	Use of water under Permit G-16138 is limited by the capacity of Well 4. The City of Hubbard's 2020 Water System Master Plan (WSMP) lists the current capacity of Well 4 as 350 gpm.

*The City of Hubbard's Water System Master Plan (WSMP) recommends that the City construct a new well (Well 5) within their 20 year planning horizon. The WSMP recommends that Well 5 be built to meet long term demand and address the potential for decline in production capacity of the City's existing wells. The City plans to file a permit amendment to add the new Well 5 to Permit G-16138 after extending the completion date of the Permit.

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Attachment D

Population and Demand Projections

Application for Extension of Time – City of Hubbard

Population and Demand Forecast for Permit G-16138 Extension of Time, July 2024

Year	Population Forecast	Average Day Demand Forecast (cfs)	Peak Demand Forecast (cfs)
2021	3,478	0.47	0.84
2022	3,506	0.48	0.84
2023	3,535	0.48	0.85
2024	3,563	0.48	0.86
2025	3,592	0.63	1.11
2026	3,626	0.63	1.12
2027	3,660	0.64	1.13
2028	3,694	0.64	1.13
2029	3,729	0.65	1.14
2030	3,764	0.65	1.15
2031	3,792	0.65	1.16
2032	3,820	0.66	1.17
2033	3,848	0.66	1.17
2034	3,877	0.67	1.18
2035	3,906	0.67	1.19
2036	3,929	0.67	1.19
2037	3,952	0.68	1.20
2038	3,976	0.68	1.20
2039	4,000	0.68	1.21
2040	4,023	0.69	1.21
2041	4,043	0.69	1.22
2042	4,063	0.69	1.22
2043	4,083	0.69	1.23
2044	4,104	0.70	1.23
2045	4,124	0.70	1.24
2046	4,144	0.70	1.24
2047	4,165	0.71	1.25
2048	4,185	0.71	1.25
2049	4,206	0.71	1.26
2050	4,227	0.71	1.26
2051	4,248	0.72	1.27
2052	4,269	0.72	1.27
2053	4,290	0.72	1.28
2054	4,311	0.72	1.28
2055	4,333	0.73	1.29
2056	4,354	0.73	1.29

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Attachment E

OWRD Comments on 2015 COBU

Application for Extension of Time – City of Hubbard

From: CLARK Gerald E * WRD <Gerald.E.CLARK@water.oregon.gov>
Sent: Thursday, February 3, 2022 8:30 AM
To: Tim Henkle
Subject: RE: COBU Status
Attachments: 16491-CBU Report-Butts-20150108.pdf; 16491-CBU Map-Butts-20150108.pdf

Tim,

I should have also mentioned that the Claim does not provide any type of description of the municipal system beyond the pump and the steel storage tank.

I have attached a copy of the Claim for your reference.

Gerry

[Gerry Clark](#)
He/Him/His
Oregon Water Resources Department
Program Analyst, Certificate Section, Water Right Services Division
725 Summer Street NE, Suite A Salem, OR 97301 | Phone 503-979-9103

From: Tim Henkle <thenkle@gsiws.com>
Sent: Thursday, February 3, 2022 8:18 AM
To: CLARK Gerald E * WRD <Gerald.E.CLARK@water.oregon.gov>
Subject: RE: COBU Status

Thanks Gerry. Looks like the COBU was quite incomplete. I'll relay this information to the City.

Tim

From: CLARK Gerald E * WRD [<mailto:Gerald.E.CLARK@water.oregon.gov>]
Sent: Thursday, February 3, 2022 8:03 AM
To: Tim Henkle <thenkle@gsiws.com>
Subject: RE: COBU Status

Received by OWRD
AUG 19 2024
Salem, OR

Tim,

Thanks for your patience. I have pulled the file and am in the process of making a review of the claim. Based on my review, I do not see that the City has made beneficial use of the 0.223 cfs authorized under the permit. Below are a list of my concerns with the Claim in its current state.

Claimed Rate and Identification of Timely Use

The well involved in this permit is the same well authorized for use under certificate 90750. The certificate was issued for 0.668 cfs (approximately 300 gpm). Permit G-16138 was issued for 0.223 cfs (approximately 100 gpm). The claimed rate for permit G-16138 is 0.223 cfs. The Claim does not identify whether the 0.223 cfs claimed is in addition to the 0.668 cfs already perfected under Certificate 90750.

In order to establish the beneficial use under permit G-16138, the City would need to demonstrate a total appropriation to use of the combined total of Certificate 90750 and the permit, that being 0.891 cfs or 400 gpm:

Water Right	Rate in CFS	Rate in GPM
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Total	0.891 cfs	400 gpm

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Additional Timeline Concerns

The Claim does not accurately reflect the date the permit was issued, the date required for the beginning of construction, completion of the construction, or the date to perfect the right (make beneficial use of the water). From the Claim:



Received by OWARD
AUG 19 2024
Salem, OR

Dates based on the permit:

Permit issued = December 14, 2006

Begin Construction = December 14, 2007

Complete Construction = December 14, 2007

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Calculations

The Claim does not provide calculations for the pump at the authorized well (Well 4). The Claim lists the total pump output as 0.223 cfs. When I run the theoretical calculations, I arrive at rate of 0.971 cfs (436 gpm).

Meter Installation

The permit required the installation of a meter or other suitable measuring device. The Claim does not provide a description of the meter or other suitable measurement device or the date the measurement device was installed.

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Note - The permit required the submittal of a plan to monitor the impact of use in the source aquifer within 6 months of permit issuance. The Claim does not indicate that the plan was submitted however, the file does indicate that the plan was submitted on February 6, 2007. This plan was timely submitted.

I hope this helps.

Please let me know if you have any questions.

Gerry

Gerry Clark

He/Him/His

Oregon Water Resources Department

Program Analyst, Certificate Section, Water Right Services Division

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Sent: Friday, January 28, 2022 10:44 AM

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Subject: COBU Status

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My client, the City of Hubbard, submitted a COBU in 2015 for Permit G-16138. I hoping you can tell me if the COBU is still in the queue or if the Department found that it is missing info.

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Tim Henkle

Water Resources Consultant

phone: 971-236 2550

1600 SW Western Boulevard, Suite 240, Corvallis, OR 97333

GSI Water Solutions, Inc. | www.gsiws.com

Received by OWRD

AUG 19 2024

Salem, OR

Received by OWRD

AUG 19 2024

Salem, OR

Attachment F

Well Log – MARI 55251

Application for Extension of Time – City of Hubbard

RECEIVED

MARI 55251

STATE OF OREGON
WATER SUPPLY WELL REPORT
 (as required by ORS 537.765) WATER RESOURCES DEPT.
 Instructions for completion of this report are on the back of this form.

OCT 06 2000

WELL I.D. #1. 43374
 START CARD # 128562

WATER RESOURCES DEPT.
 SALEM, OREGON

NOV 2 1 2000

RECEIVED

(1) OWNER: Well Number _____
 Name CITY OF HUBBARD
 Address 3720 2ND STREET
 City HUBBARD State OR Zip 97032

(2) TYPE OF WORK
☒ New Well ☐ Deepening ☐ Alteration (repair/recondition) ☐ Abandonment

(3) DRILL METHOD:
☐ Rotary Air ☐ Rotary Mud ☒ Cable ☐ Auger
☐ Other _____

(4) PROPOSED USE:
☐ Domestic ☒ Community ☐ Industrial ☐ Irrigation
☐ Thermal ☐ Injection ☐ Livestock ☐ Other _____

(5) BORE HOLE CONSTRUCTION:
 Special Construction approval ☐ Yes ☒ No Depth of Completed Well 304 ft.
 Explosives used ☐ Yes ☒ No Type _____ Amount _____

HOLE SEAL
 Diameter From To Material From To Sacks or pounds
16 0 320 CEMENT 0 210 231 SACKS

How was seal placed: Method ☐ A ☐ B ☒ C ☐ D ☐ E

☐ Other _____
 Backfill placed from 304 ft. to 320 ft. Material CLAY SLOUGH
 Gravel placed from 210 ft. to 304 ft. Size of gravel 8/12 & 6/9

(6) CASING/LINER:

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing: 12	+3	208	250	☒	☐	☒	☐
10	208	228	250	☒	☐	☒	☐
10	271	289	250	☒	☐	☒	☐
10	297	304	250	☒	☐	☒	☐
Liner:				☐	☐	☐	☐

Final location of shoe(s) 301 (16") CUT OFF

(7) PERFORATIONS/SCREENS:
☐ Perforations Method CONTINUOUS V-WIRE
☒ Screens Type _____ Material SS

From	To	Size	Number	Diameter	Tube/pipe	Casing	Liner
228	225	.070		10"	p/s	☐	☐
255	271	.045		10"	p/s	☐	☐
289	297	.070		10"	p/s	☐	☐

(8) WELL TESTS: Minimum testing time is 1 hour

☒ Pump ☐ Bailor ☐ Air ☐ Flowing

Yield gph/min	Drawdown	Drill stem at	Time
100	19		1 hr
450	124		5 hr
350	96		12 hr

Temperature of water 54 Depth Artesian Flow Found _____

Was a water analysis done? ☐ Yes By whom NO

Did any strata contain water not suitable for intended use? ☐ Too little

☐ Salty ☐ Muddy ☐ Odor ☐ Colored ☐ Other _____

Depth of strata: _____

(9) LOCATION OF WELL by legal description:
 County MARION Latitude _____ Longitude _____
 Township 4S N or S Range 1W E. W. WM.
 Section 33 NE 1/4 SE 1/4
 Tax Lot 3001 Lot _____ Block _____ Subdivision _____
 Street Address of Well (or nearest address) _____
2701 PACIFIC HWY 99E, HUBBARD, OR

(10) STATIC WATER LEVEL:
63 ft. below land surface. Date 9-14-00

Artesian pressure _____ lb. per square inch. Date _____

(11) WATER BEARING ZONES:
 Depth at which water was first found 112'

From	To	Estimated Flow Rate	SWL
112	142	N/A	N/A
229	294	450+	63

(12) WELL LOG:
 Ground Elevation _____

Material	From	To	SWL
FILL DIRT & GRAVEL	0	4	
SILTY BRN SOIL	4	22	
SANDY SILT BRN	22	47	
SILTY CLAY GREY SANDY	47	78	
CLAY GREY STICKY	78	84	
CLAY GREY SANDY	84	112	
CLAY & GRAVEL	112	121	
CMTD GRVL GREY	121	142	
CLAY GREY STICKY	142	168	
CLAY GREY & BRN	168	177	
CLAY BLUE GRN STICKY	177	194	
CLAY GREY W/GRAVEL	194	210	
CLAY GREY SILTY	210	217	
CLAY GRN STICKY	217	229	
CEMENTED GRAVEL	229	254	
CLAY GREY	254	259	
CLAY GREY W/STRKS OF SAND	259		
& PUMICE		268	
CLAY GREY BLUE STICKY	268	277	
CONT.			

Date started 7-24-00 Completed 9-20-00

(unbonded) Water Well Constructor Certification:
 I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.

WWC Number _____
 Signed _____ Date _____

(bonded) Water Well Constructor Certification:
 I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.
 WWC Number 688
 Signed Steven M. Stahl Date 9-28-00

ORIGINAL WATER RESOURCES DEPARTMENT FIRST COPY CONSTRUCTOR SECOND COPY CUSTOMER

Received by OWRD

AUG 19 2004

Salem, OR

OCT 06 2000

Instructions for completing this report are on the back of this form.

5525

Salem, OR

HOLMES Codi N * WRD

From: Zach Pike-Urlacher <zpikeurlacher@gsiws.com>
Sent: Thursday, July 18, 2024 11:30 AM
To: HOLMES Codi N * WRD
Cc: Robyn Cook; Kim Grigsby; Mikaela Clarke
Subject: Requesting Additional Time to Complete Extension of Time Application for Permit G-16138

You don't often get email from zpikeurlacher@gsiws.com. [Learn why this is important](#)

Hi Cody,

We are currently working on finalizing the permit extension application for the City of Hubbard's Permit G-16138. We have just about wrapped up this project but need additional time to allow our client to review the application and incorporate any changes they may have prior to submittal. We do not anticipate this being a drawn-out process, however, I will be away next week due to a minor surgery I have scheduled.

Accordingly, we are requesting an additional 30 days (until August 21, 2024) to complete and submit this application.

Please let us know if you have any questions.

Thanks,
Zach

Zach Pike-Urlacher

Water Resources Consultant

direct: 541.753.0933 | mobile: 360.739.2303
650 NE Holladay Street, Suite 900, Portland, OR 97232
GSI Water Solutions, Inc. | www.gsiws.com

From: HOLMES Codi N * WRD <Codi.N.HOLMES@water.oregon.gov>
Sent: Wednesday, May 22, 2024 1:15 PM
To: Robyn Cook <rcook@gsiws.com>; Tim Henkle <thenkle@gsiws.com>
Subject: City of Hubbard:

Tim and Robyn-

This file has been sitting around waiting for attention for quite some time. I'd like to get it moving forward. At this time, you have 60 Days (**July 22, 2024**) to submit the extension of time to the Department OR the Department will issue a Propose Order to Cancel for failure to submit a complete claim and supporting documentation for beneficial use.

If you have questions, please do not hesitate to get in touch.

Thank you,

Codi Holmes
Certificate Specialist

Oregon Water Resources
725 Summer St NE Suite A
Salem OR 97301
503-979-3184 cell



Integrity | Service | Technical Excellence | Teamwork | Forward-Looking

HOLMES Codi N * WRD

From: Robyn Cook <rcook@gsiws.com>
Sent: Wednesday, May 22, 2024 3:12 PM
To: HOLMES Codi N * WRD; Tim Henkle
Subject: RE: City of Hubbard:

Hello Codi,
Thank you for the reminder. We are working with the City to get an extension of time application together.

Thanks,
Robyn

Robyn Cook, RG, LG, CWRE

Supervising Hydrogeologist

direct: 971.200.8505 | mobile: 503.930.3382
650 NE Holladay Street, Suite 900, Portland, OR 97232

GSI Water Solutions, Inc. | www.gsiws.com

pronouns: she, her

Please note: I work a hybrid schedule. I can be reached best through email or mobile phone.

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503-979-3184 cell



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HOLMES Codi N * WRD

From: LEDBETTER Nicole L * WRD
Sent: Friday, March 29, 2024 2:22 PM
To: HOLMES Codi N * WRD
Subject: FW: COBU Status City of Hubbard

From: Robyn Cook <rcook@gsiws.com>
Sent: Friday, January 5, 2024 10:17 AM
To: Tim Henkle <thenkle@gsiws.com>; LEDBETTER Nicole L * WRD <Nicole.L.LEDBETTER@water.oregon.gov>; CLARK Gerald E * WRD <Gerald.E.CLARK@water.oregon.gov>
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Hello Nicole and Gerry,

We went through the information for Hubbard and can update everything except the proof of rate during the necessary window of time. We'll be submitting an application for an extension of time so that we can document the permitted rate.

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Sent: Thursday, January 4, 2024 5:01 PM
To: LEDBETTER Nicole L * WRD <Nicole.L.LEDBETTER@water.oregon.gov>; CLARK Gerald E * WRD <Gerald.E.CLARK@water.oregon.gov>
Cc: Robyn Cook <rcook@gsiws.com>
Subject: RE: COBU Status

Hi Nicole,

Yes, the City recently hired us to assist with the COBU process. I will let my coworker Robyn Cook respond with any additional info..

Thanks,

Tim

Tim Henkle

Water Resources Consultant

phone: 971-236-2550

650 NE Holladay Street, Suite 900, Portland, OR 97232

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From: LEDBETTER Nicole L * WRD <Nicole.L.LEDBETTER@water.oregon.gov>

Sent: Wednesday, January 3, 2024 3:16 PM

To: CLARK Gerald E * WRD <Gerald.E.CLARK@water.oregon.gov>; Tim Henkle <thenkle@gsiws.com>

Subject: RE: COBU Status

Hi Tim,

I have been revisiting my files for the new year and I have this file for the City of Hubbard for review. Have you been able to work on this and have any updates for us in moving forward in 2024?

Thanks,

Nicole

Nicole Ledbetter

COBU Caseworker

Nicole.L.ledbetter@water.oregon.gov

971-718-2222

725 Summer St NE A

Salem, OR 97301

From: CLARK Gerald E * WRD <Gerald.E.CLARK@water.oregon.gov>

Sent: Wednesday, August 30, 2023 8:26 AM

To: Tim Henkle <thenkle@gsiws.com>

Cc: LEDBETTER Nicole L * WRD <Nicole.L.LEDBETTER@water.oregon.gov>

Subject: RE: COBU Status

Tim,

Thanks for the update.

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Gerry

Gerry Clark

He/Him/His

Oregon Water Resources Department

Program Analyst, Certificate Section, Water Right Services Division

725 Summer Street NE, Suite A Salem, OR 97301 | Phone 503-979-9103

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Sent: Tuesday, August 29, 2023 9:24 AM

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Cc: LEDBETTER Nicole L * WRD <Nicole.L.LEDBETTER@water.oregon.gov>

Subject: RE: COBU Status

Hi Gerald,

Thanks for letting us know. We will be working with the City over the next several weeks to respond to your previous emails regarding the COBU.

Tim

From: CLARK Gerald E * WRD <Gerald.E.CLARK@water.oregon.gov>
Sent: Thursday, August 17, 2023 12:27 PM
To: Tim Henkle <thenkle@gsiws.com>
Cc: LEDBETTER Nicole L * WRD <Nicole.L.LEDBETTER@water.oregon.gov>
Subject: RE: COBU Status

Tim,

This file has come up for review. Have you had a chance to look into the information and items that I had previously identified?

Gerry

Gerry Clark
He/Him/His
Oregon Water Resources Department
Program Analyst, Certificate Section, Water Right Services Division
725 Summer Street NE, Suite A Salem, OR 97301 | Phone 503-979-9103

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Sent: Thursday, February 3, 2022 8:30 AM
To: Tim Henkle <thenkle@gsiws.com>
Subject: RE: COBU Status

Tim,

I should have also mentioned that the Claim does not provide any type of description of the municipal system beyond the pump and the steel storage tank.

I have attached a copy of the Claim for your reference.

Gerry

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1. Time Limits:

Permits, transfer final orders, and any extension final orders contain any or all of the following dates: the date when the actual construction work was to begin, the date when the construction was to be completed, and the date when the complete application of water to the proposed use was to be completed. These dates may be referred to as ABC dates. Describe how the water user has complied with each of the development timelines established in the permit, extension or transfer final order:

	DATE FROM PERMIT OR TRANSFER	DATE ACCOMPLISHED*	DESCRIPTION OF ACTIONS TAKEN BY WATER USER TO COMPLY WITH THE TIME LIMITS
ISSUANCE DATE	12/7/2007		
BEGIN CONSTRUCTION (A)		2000	Well drilling started
COMPLETE CONSTRUCTION (B)	12/14/2007	12/14/2007	Pump station completed by required date and online
COMPLETE APPLICATION OF WATER (C)	12/14/2008	12/14/2008	

* MUST BE WITHIN PERIOD BETWEEN PERMIT, TRANSFER FINAL ORDER, OR ANY EXTENSION FINAL ORDER ISSUANCE AND THE DATE TO COMPLETELY APPLY WATER

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He/Him/His
Oregon Water Resources Department
Program Analyst, Certificate Section, Water Right Services Division
725 Summer Street NE, Suite A Salem, OR 97301 | Phone 503-979-9103

From: Tim Henkle <thenkle@gsiws.com>
Sent: Tuesday, August 29, 2023 9:24 AM
To: CLARK Gerald E * WRD <Gerald.E.CLARK@water.oregon.gov>
Cc: LEDBETTER Nicole L * WRD <Nicole.L.LEDBETTER@water.oregon.gov>
Subject: RE: COBU Status

Hi Gerald,

Thanks for letting us know. We will be working with the City over the next several weeks to respond to your previous emails regarding the COBU.

Tim

From: CLARK Gerald E * WRD <Gerald.E.CLARK@water.oregon.gov>
Sent: Thursday, August 17, 2023 12:27 PM

To: Tim Henkle <thenkle@gsiws.com>
Cc: LEDBETTER Nicole L * WRD <Nicole.L.LEDBETTER@water.oregon.gov>
Subject: RE: COBU Status

Tim,

This file has come up for review. Have you had a chance to look into the information and items that I had previously identified?

Gerry

Gerry Clark

He/Him/His

Oregon Water Resources Department

Program Analyst, Certificate Section, Water Right Services Division
725 Summer Street NE, Suite A Salem, OR 97301 | Phone 503-979-9103

From: CLARK Gerald E * WRD
Sent: Thursday, February 3, 2022 8:30 AM
To: Tim Henkle <thenkle@gsiws.com>
Subject: RE: COBU Status

Tim,

I should have also mentioned that the Claim does not provide any type of description of the municipal system beyond the pump and the steel storage tank.

I have attached a copy of the Claim for your reference.

Gerry

Gerry Clark

He/Him/His

Oregon Water Resources Department

Program Analyst, Certificate Section, Water Right Services Division
725 Summer Street NE, Suite A Salem, OR 97301 | Phone 503-979-9103

From: Tim Henkle <thenkle@gsiws.com>
Sent: Thursday, February 3, 2022 8:18 AM
To: CLARK Gerald E * WRD <Gerald.E.CLARK@water.oregon.gov>
Subject: RE: COBU Status

Thanks Gerry. Looks like the COBU was quite incomplete. I'll relay this information to the City.

Tim

From: CLARK Gerald E * WRD [<mailto:Gerald.E.CLARK@water.oregon.gov>]
Sent: Thursday, February 3, 2022 8:03 AM
To: Tim Henkle <thenkle@gsiws.com>
Subject: RE: COBU Status

Tim,

Thanks for your patience. I have pulled the file and am in the process of making a review of the claim. Based on my review, I do not see that the City has made beneficial use of the 0.223 cfs authorized under the permit. Below are a list of my concerns with the Claim in its current state.

Claimed Rate and Identification of Timely Use

The well involved in this permit is the same well authorized for use under certificate 90750. The certificate was issued for 0.668 cfs (approximately 300 gpm). Permit G-16138 was issued for 0.223 cfs (approximately 100 gpm). The claimed rate for permit G-16138 is 0.223 cfs. The Claim does not identify whether the 0.223 cfs claimed is in addition to the 0.668 cfs already perfected under Certificate 90750.

In order to establish the beneficial use under permit G-16138, the City would need to demonstrate a total appropriation to use of the combined total of Certificate 90750 and the permit, that being 0.891 cfs or 400 gpm:

Water Right	Rate in CFS	Rate in GPM
Certificate 90750	0.668 cfs	300 gpm
Permit G-16138	0.223 cfs	100 gpm
Total	0.891 cfs	400 gpm

The Claim does not identify the date that beneficial use under the permit occurred. This permit was issued on December 14, 2006, and had a complete application of water date of December 14, 2007. Because of the season limitation for the use of water (December 1 through May 1) the beneficial use of a total of 0.891 cfs must have occurred between December 14, 2006 through May 1, 2007. The Claim appears to be based on an inspection that took place on December 1, 2014 and provides not documentation of use within the authorized period of use.

The Claim does not identify the date that beneficial use under the permit occurred. The Claim appears to be based on an inspection that took place on December 1, 2014 and provides no documentation of use within the authorized period of use. This permit was issued on December 14, 2006, and had a complete application of water date of December 14, 2007. Because of the period of use limitation (December 1 through May 1) the beneficial use of a total of 0.891 cfs must have occurred between December 14, 2006 through May 1, 2007.

Additional Timeline Concerns

The Claim does not accurately reflect the date the permit was issued, the date required for the beginning of construction, completion of the construction, or the date to perfect the right (make beneficial use of the water). From the Claim:

1. Time Limits:

Permits, transfer final orders, and any extension final orders contain any or all of the following dates: the date when the actual construction work was to begin, the date when the construction was to be completed, and the date when the complete application of water to the proposed use was to be completed. These dates may be referred to as ABC dates. Describe how the water user has complied with each of the development timelines established in the permit, extension or transfer final order:

	DATE FROM PERMIT OR TRANSFER	DATE ACCOMPLISHED*	DESCRIPTION OF ACTIONS TAKEN BY WATER USER TO COMPLY WITH THE TIME LIMITS
ISSUANCE DATE	12/7/2007		
BEGIN CONSTRUCTION (A)		2000	Well drilling started
COMPLETE CONSTRUCTION (B)	12/14/2007	12/14/2007	Pump station completed by required date and online
COMPLETE APPLICATION OF WATER (C)	12/14/2008	12/14/2008	

* MUST BE WITHIN PERIOD BETWEEN PERMIT, TRANSFER FINAL ORDER, OR ANY EXTENSION FINAL ORDER ISSUANCE AND THE DATE TO COMPLETELY APPLY WATER

Dates based on the permit:

Permit issued = December 14, 2006

Begin Construction = December 14, 2007

Complete Construction = December 14, 2007

Complete Application of Water = December 14, 2007

Calculations

The Claim does not provide calculations for the pump at the authorized well (Well 4). The Claim lists the total pump output as 0.223 cfs. When I run the theoretical calculations, I arrive at rate of 0.971 cfs (436 gpm).

Meter Installation

The permit required the installation of a meter or other suitable measuring device. The Claim does not provide a description of the meter or other suitable measurement device or the date the measurement device was installed.

Groundwater Monitoring Plan

Note - The permit required the submittal of a plan to monitor the impact of use in the source aquifer within 6 months of permit issuance. The Claim does not indicate that the plan was submitted however, the file does indicate that the plan was submitted on February 6, 2007. This plan was timely submitted.

I hope this helps.

Please let me know if you have any questions.

Gerry

Gerry Clark

He/Him/His

Oregon Water Resources Department

Program Analyst, Certificate Section, Water Right Services Division

725 Summer Street NE, Suite A Salem, OR 97301 | Phone 503-979-9103

From: Tim Henkle <thenkle@gsiws.com>
Sent: Friday, January 28, 2022 10:44 AM
To: CLARK Gerald E * WRD <Gerald.E.CLARK@water.oregon.gov>
Subject: COBU Status

Hi Gerry,

My client, the City of Hubbard, submitted a COBU in 2015 for Permit G-16138. I hoping you can tell me if the COBU is still in the queue or if the Department found that it is missing info.

Thanks,

Tim

Tim Henkle
Water Resources Consultant
phone: 971-236-2550
1600 SW Western Boulevard, Suite 240, Corvallis, OR 97333
GSI Water Solutions, Inc. | www.gsiws.com

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number G-16491

Final Order

Application History

On July 1, 2005, EDWARD BUTTS submitted an application to the Department for a water use permit on behalf of CITY OF HUBBARD. The Department issued a Proposed Final Order on September 5, 2006. The protest period closed October 20, 2006, and no protest was filed.

The proposed use would not impair or be detrimental to the public interest.

Order

Application G-16491 therefore is approved as proposed by the Proposed Final Order, and Permit G-16138 is issued as limited by the conditions proposed by the Proposed Final Order.

DATED December 14, 2006



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

Appeal Rights

This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080 you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

This statement of judicial review rights does not create a right to judicial review of this order, if judicial review is otherwise precluded by law. Where no changes have been made to a Proposed Final Order on a water right application and no protests have been filed during the protest period, the final order is not subject to judicial review.

This document was prepared by Jeana Eastman. If you have any questions about any of the statements contained in this document I am most likely the best person to answer your questions. You can reach me at 503-986-0859.

If you have previously filed a protest and want to know its status, please contact Mike Reynolds at 503-986-0820.

If you have other questions about the Department or any of its programs please contact our Customer Service Group at 503-986-0801.

Address all other correspondence to: Water Rights Section, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1266, Fax: 503-986-0901.

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 $\frac{1}{4}$ SE $\frac{1}{4}$, 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.

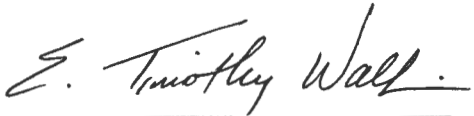
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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

A handwritten signature in cursive script, appearing to read "P. C. Ward".

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

2. Property Owner (current owner information)

APPLICANT/BUSINESS NAME City of Hubbard		PHONE No.	ADDITIONAL CONTACT No.
ADDRESS PO Box 380			
CITY Hubbard	STATE OR	ZIP 97032	E-MAIL

If the current property owner is not the permit or transfer holder of record, it is recommended that an assignment be filed with the Department. ***Each permit or transfer holder of record must sign this form.***

3. Permit or transfer holder of record (this may, or may not, be the current property owner)

PERMIT OR TRANSFER HOLDER OF RECORD City of Hubbard			
ADDRESS PO Box 380			
CITY Hubbard	STATE OR	ZIP 97032	

ADDITIONAL PERMIT OR TRANSFER HOLDER OF RECORD None		
ADDRESS		
CITY	STATE	ZIP

4. Date of Site Inspection: **December 1, 2014**

5. Person(s) interviewed and description of their association with the project:

NAME	DATE	ASSOCIATION WITH THE PROJECT
Jamie Estrada	12/1/14	

6. County: **Marion**

7. If any property described in the place of use of the permit or transfer final order is excluded from this report, identify the owner of record for that property (ORS 537.230(4)):

OWNER OF RECORD		
ADDRESS		
CITY	STATE	ZIP

Add additional tables for owners of record as needed

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JAN 8 2015

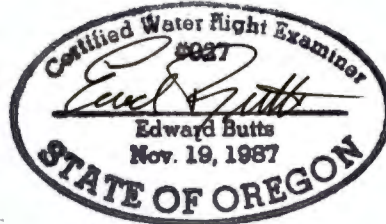
WATER RESOURCES DEPT
SALEM, OREGON

SECTION 2 SIGNATURES

CWRE Statement, Seal and Signature

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge.

Seal and Signature



CWRE NAME Edward Butts		PHONE NO. 503-589-1115	ADDITIONAL CONTACT NO.
ADDRESS 3700 River Road N, Suite 2			
CITY Keizer	STATE OR	ZIP 97303	E-MAIL

Permit or Transfer Holder's of Record Signature or Acknowledgement

Each permit or transfer holder of record must sign this form in the space provided below.

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge. I request that the Department issue a water right certificate.

SIGNATURE	PRINT OR TYPE NAME	TITLE	DATE
	Melinda Olinger	Public Works	12/11/2014

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Oregon Water Resources Department
Water Rights Information Query Results

[Main](#) [Help](#)
[Return](#) [Contact Us](#)

Records/Page: 10

	Contacts	Application	Permit	Certificate	Claim	Decree	Transfers	Status Download
Select	OWNER: CITY OF HUBBARD PO BOX 380 HUBBARD, OR 97032-0380	G16491	G16138	Little Bear Creek 0.223 cfs				NC
Select	OWNER: CITY OF HUBBARD PO BOX 380 HUBBARD, OR 97032-0380	G11998	G10965	84092	mill Creek			NC
Select	APPLICANT: CITY OF HUBBARD PO BOX 380 HUBBARD, OR 97032-0380	G6913	G5809	84093	Pudding River		T6320	NC
Select	OWNER: CITY OF HUBBARD VICKIE NOGLE PO BOX 380 HUBBARD, OR 97032-0380	G14954	G13857	90750	mill Creek Same mill 0.668 cfs			NC

Review
Pull this file

CBCU
 - No colcs
 - No demonstration
 of the 0.223 + 0.668 cfs
 under cut
 90750

12/31/2018

Hi Gerry,

Natalie Jennings (503-225-9010) from Murray Smith called on Monday, 12/31. She noticed in WRIS that the claim wasn't submitted until 2015 on G-16491 for the City of Hubbard, when the C-date was actually 2007.

She's working on something related to their WMCP. Possibly the progress report, I'm not sure. I explained that we have a backlog in processing CBU's, and that could be why there's no Certificate yet.

Her question was whether submitting the CBU so late, as compared to the 2007 c-date, was problematic. I wasn't sure. I offered to pull the file, and check with you.

She was wondering, if perhaps, her client was supposed to file an extension. There are a couple of letters in the file. One signed by Dwight, another by Debbie when she was our Senior Policy Coordinator.

I was hoping you could take a look at the file, and make sure they're okay with their 2015 CBU.

Thanks, and Happy New Year!

Alyssa

**CLAIM OF
BENEFICIAL USE
for Permits claiming more
than 0.1 cfs and All Transfers**



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

**A fee of \$175 must accompany this form for permits
with priority dates after July 8, 1987.**

**A fee of \$175 must accompany this form for any Transfer final orders
including a water right with a priority date of July 9, 1987, or later.**

**Example – A transfer involves 5 rights and one of the rights
has a priority date of July 9, 1987, or later, the fee is required.**

A separate form shall be completed for each permit.

In cases where a permit has been amended through the permit amendment process, a separate claim for the permit amendment is not required. Incorporate the permit amendment into the claim for the permit.

This form is subject to revision. **Begin each new claim** by checking for a new version of this form at:
http://www.oregon.gov/owrd/pages/wr/cwre_info.aspx

The completion of this form is required by OAR 690-014-0100(1) and 690-014-0110(4).

Please type or print in dark ink. If this form is found to contain errors or omissions, it may be returned to you. **Every item must have a response.** If any requested information does not apply to the claim, insert "NA." **Do not delete or alter any section of this form unless directed by the form.** The Department may require the submittal of additional information from any water user or authorized agent.

"Section 8" of this form is intended to aid in the completion of this form and should not be submitted.

If you have questions regarding the completion of this form, please call 503-986-0900 and ask for the Certificate Section.

The Department has a program that allows it to enter into a voluntary agreement with an applicant for expedited services. Under such an agreement, the applicant pays the cost to hire additional staff that would not otherwise be available. This program means a certificate may be issued in about a month. For more information on this program see
http://www.oregon.gov/owrd/pages/mgmt_reimbursement_authority.aspx

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WATER RESOURCES DEPT
SALEM, OREGON

SECTION 1

GENERAL INFORMATION

1. File Information

APPLICATION # (G, R, S or T)	PERMIT # (IF APPLICABLE)	PERMIT AMENDMENT # (IF APPLICABLE)
G-16491	G-16138	

SECTION 3

CLAIM DESCRIPTION

1. Point of diversion/appropriation name or number:

POINT OF DIVERSION/APPROPRIATION (POD/POA) NAME OR NUMBER (CORRESPOND TO MAP)	WELL LOG ID # FOR ALL WORK PERFORMED ON THE WELL (IF APPLICABLE)	WELL TAG # (IF APPLICABLE)
Well #4	MARI 55251	L-45374

Attach each well log available for the well (include the log for the original well and any subsequent alterations, reconstructions, or deepenings)

2. Point of diversion/appropriation source and, if from surface water, the tributary:

POD/POA NAME OR NUMBER	SOURCE	TRIBUTARY

3. Developed use(s), period of use, and rate for each use:

POD/POA NAME OR NUMBER	USES	IF IRRIGATION, LIST CROP TYPE	SEASON OR MONTHS WHEN WATER WAS USED	ACTUAL RATE OR VOLUME USED (CFS, GPM, OR AF)
Well #4	Muni		Winter (Dec-May)	.223 cfs
Total Quantity of Water Used				

4. Provide a general narrative description of the distribution works. This description must trace the water system from each point of diversion or appropriation to the place of use:

Water is delivered via municipal pipeline throughout Hubbard's UGB

Reminder: The map associated with this claim must identify the location of the point(s) of diversion, Donation Land Claims (DLC), Government Lots (GLot), and Quarter-Quarters (QQ).

5. Variations:

Was the use developed differently from what was authorized by the permit,
permit amendment final order, or extension final order? If yes, describe below.

YES

NO

(e.g. "The permit allowed three points of diversion. The water user only developed one of the points." or "The permit allowed 40.0 acres of irrigation. The water user only developed 10.0 acres.")

6. Claim Summary:

POD / POA NAME OR #	MAXIMUM RATE AUTHORIZED	CALCULATED THEORETICAL RATE BASED ON SYSTEM	AMOUNT OF WATER MEASURED	USE	# OF ACRES ALLOWED	# OF ACRES DEVELOPED
Well #4	.223 cfs		.223 cfs	Muni		

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SECTION 4
SYSTEM DESCRIPTION

Are there multiple PODs or POAs?

YES ☐ NO ☒

If "YES" you will need to copy and complete Sections 4B through 4G for each POD/POA.

POD/POA Name or Number this section describes (only needed if there is more than one):

A. Place of Use

1. Is the right for municipal use?

If "YES" the table below may be deleted.

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WATER RESOURCES DEPT
SALEM, OREGON

YES ☒ NO ☐

B. Diversion and Delivery System Information

Provide the following information concerning the diversion and delivery system. Information provided must describe the equipment used to transport and apply the water from the point of diversion/appropriation to the place of use.

1. Is a pump used?

If "NO" items 2 through item 6 may be deleted.

YES ☒ NO ☐

2. Pump Information

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE
Berkley	7730-350	P1000	Submersible	7"	6"

3. Motor Information

MANUFACTURER	HORSEPOWER
Franklin	30

4. Theoretical Pump Capacity

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP *If a well, the water level DURING PUMPING	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
30	30	141.3' PWL	N/A	.223

5. Provide pump calculations:

6. Measured Pump Capacity (using meter if meter was present and system was operating)

INITIAL METER READING	ENDING METER READING	DURATION OF TIME OBSERVED	TOTAL PUMP OUTPUT (IN CFS)
Unknown	Unknown	20 minutes	.223 cfs

Reminder: For pump calculations use the reference information at the end of this document.

7. Is the distribution system piped?

YES NO

If "NO" items 8 through item 11 may be deleted.

8. Mainline Information

MAINLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
Misc. Muni Grid			

9. Lateral or Handline Information

LATERAL OR HANDLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
None			

10. Sprinkler Information

SIZE	OPERATING PSI	SPRINKLER OUTPUT (GPM)	TOTAL NUMBER OF SPRINKLERS	MAXIMUM NUMBER USED	TOTAL SPRINKLER OUTPUT (CFS)
None					

Reminder: For sprinkler output determination use the reference information at the end of this document.

11. Pivot Information

MANUFACTURER	MAXIMUM WETTED RADIUS	OPERATING PSI	TOTAL PIVOT OUTPUT (GPM)	TOTAL PIVOT OUTPUT (CFS)
None				

12. Additional notes or comments related to the system:

--

C. Groundwater Source Information (Well and Sump)

1. Is the appropriation from ground water (well or sump)?

YES NO

If "NO", items 2 through 8 relating to this section may be deleted.

2. Describe the access port (type and location) or other means to measure the water level in the well:

Well probe installed in well with direct readout in pump station

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WATER RESOURCES DEPT
SALEM, OREGON

3. If well logs are not available, provide as much of the following information as possible:

CASING DIAMETER	CASING DEPTH	TOTAL DEPTH	COMPLETION DATE OF ORIGINAL WELL	COMPLETION DATES OF ALTERATIONS	WHO THE WELL WAS DRILLED FOR	WELL DRILLED BY
16"	0'-320'	320'	9/8/2000	None	City of Hubbard	Steve Stadel-Westerberg Drilling

4. In addition to the information requested in item "3" above, provide any other information which may help the Department locate any well logs associated with this appropriation.

5. Is the appropriation from a dug well (sump)?

YES ☒ NO

If "NO", items 6 through 8 relating to this section may be deleted.

D. Storage

1. Does the distribution system include in-system storage (e.g. storage tank, bulge in system / reservoir)

☒ YES ☐ NO

If "NO", item 2 and 3 relating to this section may be deleted.

If "YES" is it a: Storage Tank

YES ☐ NO

Bulge in System / Reservoir

YES ☐ NO

Complete appropriate table(s), unused table may be deleted.

2. Storage Tank:

MATERIAL (CONCRETE, FIBERGLASS, METAL, ETC.)	CAPACITY (IN GALLONS)	ABOVE GROUND OR BURIED
Steel	1,000,000	Above ground

3. Bulge in System / Reservoir:

RESERVOIR NAME OR NUMBER (CORRESPOND TO MAP)	APPROXIMATE DAM HEIGHT	APPROXIMATE CAPACITY (IN ACRE FEET)
N/A		

E. Gravity Flow Pipe

(THE DEPARTMENT TYPICALLY USES THE HAZEN-WILLIAM'S FORMULA FOR A GRAVITY FLOW PIPE SYSTEM)

1. Does the system involve a gravity flow pipe?

YES ☐ NO ☒

If "NO", items 2 through 4 relating to this section may be deleted.

F. Gravity Flow Canal or Ditch

(THE DEPARTMENT TYPICALLY USES MANNING'S FORMULA FOR CANALS AND DITCHES)

1. Is a gravity flow canal or ditch used to convey the water as part of the distribution system?

YES ☐ NO ☒

If "NO", items 2 through 4 relating to this section may be deleted.

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JAN 8 2015

WATER RESOURCES DEPT
SALEM, OREGON

G. Reservoir

1. Does the claim involve a reservoir modified through a transfer?

YES ☒ NO

Reminder: Complete this section if the reservoir right has been modified through the transfer process. If the claim is for a permitted reservoir use the Claim of Beneficial Use form for reservoirs.

If "NO", items 2 through 9 relating to this section may be deleted.

CONDITIONS

All conditions contained in the permit, permit amendment, transfer final order, or any extension final order shall be addressed. Reports that do not address all performance related conditions will be returned.

1. Time Limits:

Permits, transfer final orders, and any extension final orders contain any or all of the following dates: the date when the actual construction work was to begin, the date when the construction was to be completed, and the date when the complete application of water to the proposed use was to be completed. These dates may be referred to as ABC dates. Describe how the water user has complied with each of the development timelines established in the permit, extension or transfer final order:

	DATE FROM PERMIT OR TRANSFER	DATE ACCOMPLISHED*	DESCRIPTION OF ACTIONS TAKEN BY WATER USER TO COMPLY WITH THE TIME LIMITS
ISSUANCE DATE	12/7/2007		
BEGIN CONSTRUCTION (A)		2000	Well drilling started
COMPLETE CONSTRUCTION (B)	12/14/2007	12/14/2007	Pump station completed by required date and online
COMPLETE APPLICATION OF WATER (C)	12/14/2008	12/14/2008	

* MUST BE WITHIN PERIOD BETWEEN PERMIT, TRANSFER FINAL ORDER, OR ANY EXTENSION FINAL ORDER ISSUANCE AND THE DATE TO COMPLETELY APPLY WATER

2. Is there an extension final order(s)?

YES ☒ NO

If "NO", you may delete item 3 in this section.

4. Initial Water Level Measurements:

a. Was the water user required to submit an initial static water level measurement?

YES ☒ NO

If "NO", items 4b through 4d relating to this section may be deleted.

5. Annual Static Water Level Measurements:

a. Was the water user required to submit annual static water level measurements?

YES ☒ NO

If "NO", items 5b through 5e relating to this section may be deleted.

6. Pump Test (Required for most ground water permits prior to issuance of a certificate)

a. Did the permit require the submittal of a pump test?

YES ☒ NO

If "NO", items 6b through 6e relating to this section may be deleted.

RECEIVED

JAN 8 2015

7. Measurement Conditions:

a. Does the permit, permit amendment, transfer final order, or any extension final order require the installation of a meter or approved measuring device?

☒ YES ☐ NO

If "NO", items 7b through 7f relating to this section may be deleted.

Reminder: If a meter or approved measuring device was required, the COBU map must indicate the location of the device in relation to the point of diversion or appropriation.

b. Has a meter been installed?

☒ YES ☐ NO

c. Meter Information

POD/POA NAME OR #	MANUFACTURER	SERIAL #	CONDITION (WORKING OR NOT)	CURRENT METER READING	DATE INSTALLED
Well #4			Working		

If a meter has been installed, items 7d through 7f relating to this section may be deleted.

8. Recording and reporting conditions

a. Is the water user required to report the water use to the Department?

☒ YES ☐ NO

If "NO", item 8b relating to this section may be deleted.

b. Have the reports been submitted?

☐ YES ☐ NO

METHOD OF SUBMITTING REPORT (PAPER OR ELECTRONIC)	WATER USER REPORTING ID

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WATER RESOURCES DEPT
SALEM, OREGON

If the reports have not been submitted, attach a copy of the reports if available.

9. Fish Screening

a. Are any points of diversion required to be screened to prevent fish from entering the point of diversion?

YES ☒ NO

If "NO", items 9b through 9e relating to this section may be deleted.

10. By-pass Devices

a. Are any points of diversion required to have a by-pass device to prevent fish from entering the point of diversion?

YES ☒ NO

If "NO", items 10b and 10c relating to this section may be deleted.

11. Other conditions required by permit, permit amendment final order, extension final order, or transfer final order:

a. Were there special well construction standards?

YES ☒ NO

b. Was submittal of a ground water monitoring plan required?

YES ☒ NO

c. Was the water user required to restore the riparian area if it was disturbed?

YES ☒ NO

d. Was a fishway required?

YES ☒ NO

e. Was submittal of a letter from an engineer required prior to storage of water?

YES ☒ NO

f. Was submittal of a water management and conservation plan required?

☒ YES ☐ NO

g. Other conditions?

YES ☒ NO

SECTION 6

ATTACHMENTS

Provide a list of any additional documents you are attaching to this report:

ATTACHMENT NAME	DESCRIPTION

SECTION 7

CLAIM OF BENEFICIAL USE MAP

The Claim of Beneficial Use Map must be submitted with this claim. Claims submitted without the Claim of Beneficial Use map will be returned. The map shall be submitted on poly film at a scale of 1" = 1320 feet, 1" = 400 feet, or the original full-size scale of the county assessor map for the location.

Provide a general description of the survey method used to prepare the map. Examples of possible methods include, but are not limited to, a traverse survey, GPS, or the use of aerial photos. If the basis of the survey is an aerial photo, provide the source, date, series and the aerial photo identification number.

Map Checklist

Please be sure that the map you submit includes ALL the items listed below.
(Reminder: Incomplete maps and/or claims may be returned.)

- ☐ Map on polyester film
- ☐ Appropriate scale (1" = 400 feet, 1" = 1320 feet, or the original full-size scale of the county assessor map)
- ☐ Township, Range, Section, Donation Land Claims, and Government Lots
- ☐ If irrigation, number of acres irrigated within each projected Donation Land Claims, Government Lots, Quarter-Quarters
- ☐ Locations of fish screens and/or fish by-pass devices in relationship to point of diversion
- ☐ Locations of meters and/or measuring devices in relationship to point of diversion or appropriation
- ☐ Conveyance structures illustrated (pumps, reservoirs, pipelines, ditches, etc.)
- ☐ Point(s) of diversion or appropriation (illustrated and coordinates)
- ☐ Tax lot boundaries and numbers
- ☐ Source illustrated if surface water
- ☐ Disclaimer ("This map is not intended to provide legal dimensions or locations of property ownership lines")
- ☐ Application and permit number or transfer number

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JAN 8 2015

WATER RESOURCES DEPT
SALEM, OREGON



North arrow



Legend



CWRE stamp and signature

RECEIVED

JAN 8 2015

WATER RESOURCES DEPT
SALEM, OREGON

TOWNSHIP 4 SOUTH & 5 SOUTH
RANGE 1 WEST, W.M.



28

27

SW

SE

SW

UGB (SERVICE AREA)

WELL #2

WELL #3

NW

NE

NW

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JAN 8 2015

WATER RESOURCES DEPT
SALEM, OREGON

33

34

SW

SE

SW

WELL #4

WELL #1

1540'

720'

1 MG RESERVOIR

NW

NE

NW

4

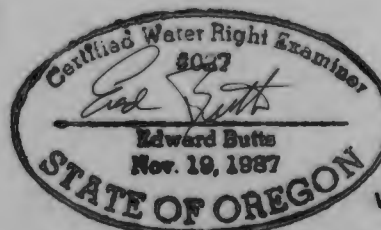
3

0 660 1320
SCALE: 1" = 1320' 0"

NOTE: MAP IS FOR SOLE PURPOSE
OF IDENTIFYING LOCATION OF WATER
RIGHT AND HAS NO INTENT TO DIMENSION
OR LOCATE ANY PROPERTY OWNERSHIP LINES

APPLICATION G-16491

PERMIT NO. G-16136



WATER USE AREA-

CITY OF HUBBARD
WELL #4

WATER RIGHTS FINAL PROOF MAP
DECEMBER 2, 2014

WELL #4 IS 1,540' NORTH AND 1,720' WEST FROM THE SE CORNER
OF SECTION 33.



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266
503-986-0900
FAX 503-986-0904

January 10, 2007

JAIME ESTRADA
SUPERINTENDANT
CITY OF HUBBARD
PO BOX 380
HUBBARD OR 97032

GW

The Department has reviewed and accepted the pump test results for the following permitted well(s):

Application	Permit	Certificate	POD	Test Status	Exemption	Test Date	Logid	Owner's Well Name
G	14954	G	13857	1 Approved	None	06/29/2005	MARI 55251	WELL 4
G	16491	G	16138	1 Approved	None	06/29/2005	MARI 55251	WELL 4

Please contact me if you have any questions.

Sincerely,

Karl Wozniak
Ground Water/Hydrology Section

Checklist for Claims of Beneficial Use Received At Customer Service Counter

Date Received

1/8/15

CWRE

E. BUTTS

File Marked _____

By

Scott - CSK

Claim Logged _____

Application # _____

\$175.00 Fee

Transfer # _____

\$175.00 Fee if priority date is after July 9, 1987.

Map Review:

- ☒ Map on polyester film (OAR 690-014-0170(1) & 310-0050(1)(b))
- ☒ Application & permit #; or transfer # (OAR 690-014-0100(1))
- ☒ Disclaimer (OAR 690-014-0170(5))
- ☒ North arrow (OAR 690-310-0050(2)(c))
- ☒ CWRE stamp and signature (OAR 690-014 & 310-0050)
- ☒ Appropriate scale (1" = 1320', 1" = 400', or the original full-size scale of the county assessor map) (014 & 310)
- ☒ Township, range, section, and tax lot numbers (OAR 690-310-0050(4))

Report Review:

- ☒ On form or format provided by the Department (OAR 690-014-0100(1))
- ☒ Application & permit #; or transfer # (OAR 690-014)
- ☒ Ownership information (OAR 690-014)
- ☒ Date of survey (OAR 690-014)
- ☒ Person interviewed (OAR 690-014)
- ☒ County (OAR 690-014)
- ☒ CWRE stamp and signature (OAR 690-014-0100)
- ☒ Signature(s) of permittee or transfer holder (OAR 690-014-0100)

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172

(503) 986-0900 / (503) 986-0904 (fax)

RECEIPT # **114509**

INVOICE # _____

RECEIVED FROM: 4B Engineering & Consulting LLC
BY: _____

APPLICATION	<u>G-16491</u>
PERMIT	
TRANSFER	

CASH: ☐ CHECK # ✓ 6217 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 175.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES \$ _____
OTHER: (IDENTIFY) \$ _____

0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS 46111
0407 COPY & TAPE FEES \$ _____
0410 RESEARCH FEES \$ _____
0408 MISC REVENUE: (IDENTIFY) _____ \$ _____
TC162 DEPOSIT LIAB. (IDENTIFY) _____ \$ _____
0240 EXTENSION OF TIME \$ _____

WATER RIGHTS:
0201 SURFACE WATER \$ _____ 0202 \$ _____
0203 GROUND WATER \$ _____ 0204 \$ _____
0205 TRANSFER \$ _____

WELL CONSTRUCTION
0218 WELL DRILL CONSTRUCTOR \$ _____ 0219 \$ _____
LANDOWNER'S PERMIT 0220 \$ _____

0200 OTHER (IDENTIFY) Claim of Beneficial Use \$175.00

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$ _____ CARD # _____
0210 MONITORING WELLS \$ _____ CARD # _____
OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD) \$ _____
0231 HYDRO LICENSE FEE (FW/WRD) \$ _____
HYDRO APPLICATION \$ _____

**RECEIVED
OVER THE COUNTER**

TREASURY OTHER / RDX

FUND _____ TITLE _____
OBJ. CODE _____ VENDOR # _____
DESCRIPTION \$ _____

RECEIPT: **114509**

DATED: 1/8/14 BY: [Signature]

Oregon Water Resources

1/7/2015

City of Hubbard Claim for Beneficial Use

175.00

RECEIVED

JAN 08 2015

OWRD

1020-Cash in checkin

175.00



Oregon

John A. Kitzhaber, MD, Governor

6-16491

Water Resources Department

North Mall Office Building

725 Summer St. NE, Suite A

Salem, OR 97301

Phone: 503-986-0900

FAX: 503-986-0904

www.oregon.gov/owrd

June 7, 2013

City of Hubbard
Attn: Jaime Estrada
PO Box 380
Hubbard, OR 97032

Subject: Water Management and Conservation Plan

Dear Mr. Estrada:

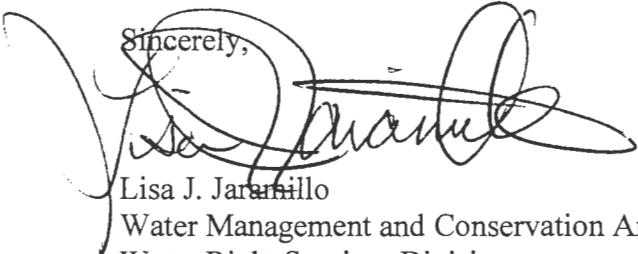
Enclosed, please find the final order approving the City of Hubbard's (City) Water Management and Conservation Plan (plan). The Department appreciates the City's commitment to water conservation.

The attached final order specifies that the City's plan shall remain in effect until **June 3, 2023**. Additionally, the City is required to submit a progress report to the Department by **June 3, 2018**, detailing progress made toward the implementation of conservation benchmarks scheduled in the plan. Finally, the City must submit an updated Water Management and Conservation Plan to the Department by **June 3, 2022**.

***NOTE:** The deadline established in the attached final order for submittal of an updated water management and conservation plan (consistent with OAR Chapter 690, Division 086) shall not relieve the City of Hubbard from any existing or future requirement(s) for submittal of a water management and conservation plan at an earlier date as established through other final orders of the Department.*

We appreciate your cooperation in this effort. Please do not hesitate to contact me if I can provide any guidance or information as you update your plan. You may contact me by telephone at 503-986-0880 or by e-mail at Lisa.J.Jaramillo@wrds.state.or.us.

Sincerely,


Lisa J. Jaramillo
Water Management and Conservation Analyst
Water Right Services Division

Enclosure

cc: WMCP File
Application G-14954 (Permit G-13857)
Application G-16491 (Permit G-16138) GW
Mike McCord, District #16 Watermaster
4B Engineering & Consulting; Attn: Brooke Saltarello, 3700 River Road North, Suite #2, Keizer, OR 97303



**BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON**

In the Matter of the Proposed Water	)	FINAL ORDER APPROVING A
Management and Conservation Plan for the	)	WATER MANAGEMENT AND
City of Hubbard , Marion County	)	CONSERVATION PLAN

Authority

OAR Chapter 690, Division 086, establishes the process and criteria for approving water management and conservation plans required under the conditions of permits, permit extensions and other orders of the Department.

Findings of Fact

1. The City of Hubbard submitted a Water Management and Conservation Plan (plan) to the Department on September 19, 2005. The associated fee for review of the plan was submitted on November 22, 2005. Submittal of the plan was required by conditions set forth in Permits G-13857 and G-16138.
2. The Department published notice of receipt of the plan on November 29, 2005, as required under OAR Chapter 690, Division 086. No comments were received.
3. The Department provided written comments on the plan to the City on March 7, 2006. In response, the City submitted a revised plan on April 25, 2007.
4. Upon review of the revised plan, the Department notified the City on July 29, 2011, that several items outlined in the Department's March 7, 2006 written comments were not addressed. In response, on June 3, 2013, the Department received the City's May 2013 Addendum to the revised plan.
5. The Department reviewed the revised plan, along with the May 2013 Addendum, and finds that it is generally consistent with the relevant requirements under OAR Chapter 690, Division 086.

Conclusion of Law

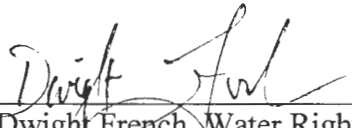
The Water Management and Conservation Plan with the May 2013 Addendum submitted by the City of Hubbard is consistent with the criteria in OAR Chapter 690, Division 086.

This final order is subject to judicial review by the Court of Appeals under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482(1). Pursuant to ORS 536.075 and OAR 137-003-0675, you may petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

Now, therefore, it is ORDERED:

1. The City of Hubbard Water Management and Conservation Plan is approved and shall remain in effect until **June 3, 2023**, unless this approval is rescinded pursuant to OAR 690-086-0920.
2. The City of Hubbard shall submit an updated Water Management and Conservation Plan meeting the requirements of OAR Chapter 690, Division 086 within 10 years and no later than **June 3, 2022**.
3. The City of Hubbard shall submit a progress report containing the information required under OAR 690-086-0120(4) by **June 3, 2018**.

Dated at Salem, Oregon this 3 day of June, 2013.


Dwight French, Water Right Services Administrator for
PHILLIP C. WARD, DIRECTOR

Mailing date: JUNE 7 2013



Oregon

John A. Kitzhaber, MD, Governor

Water Resources Department

North Mall Office Building
725 Summer St NE, Suite A
Salem, OR 97301
Phone (503) 986-0900
Fax (503) 986-0904
www.wrd.state.or.us

October 13, 2014

CITY OF HUBBARD
PO BOX 380
HUBBARD OR 97032

Reference: Application G-16491, Permit G-16138

Dear Permit Holder:

This letter is in regard to your water use permit referenced above. The Department would like to help you succeed in completing the development of your water use permit. Your permit required you to complete the development of your water use by 12/7/2007.

If you have not yet finished the development of your water use permit (water system construction and beneficial water use) you need to file an application for an extension of time. The Department's approval of an extension of time request provides more time to complete permit development. The current fee for filing an extension of time is \$575.00. Please see the enclosed 'Resource Sheet' to access the extension of time form.

If you have completed development of the water use permit, *within the development timelines in the permit or previous extension of time*, you may be ready to seek a water right certificate. A certificate is the final stage in the water right development process and provides the highest level of certainty and protection for your water rights. To obtain a water right certificate you are required to hire a certified water rights examiner (CWRE) to prepare and submit a claim of beneficial use that includes a final proof survey map of the water right development. The fee for submitting a claim of beneficial use is \$175.00. Please see the enclosed 'Resource Sheet' for our current database of CWRE's.

If you no longer want the water use permit you may voluntarily cancel it, which will help the Department maintain accurate records. Please see the enclosed 'Resource Sheet' to access the cancellation form, if you are interested in this option.

I encourage you to either: (1) file for an extension of time; (2) work with a CWRE to develop and submit a claim of beneficial use; (3) voluntarily cancel the permit; or (4) contact our office in the next 90 days to discuss your plans and a schedule for progress. If you decide to take none of these four actions within 90 days of this letter, the Department may begin the process of cancelling the permit for you in accordance with the provisions of ORS 537.260 and ORS 174.160.

I have included contact information for my staff on the back of this letter so we may assist you efficiently. Should you have any questions, you may contact me directly at the address above or by telephone at 503.986.0810.

Sincerely,

Dwight French
Water Right Services Division Administrator
Oregon Water Resources Department

Enclosures (1)

cc: File G-16491
OWRD Watermaster 16

Josh - Pls. add to file
if you have it; otherwise
contact Steve Barnett.

Letter Sent

LOST file?
GW 2007



Contact information for WRD staff

Claims of Beneficial Use

Gerry Clark: 503-986-0811

Permit Extensions

Municipal: Ann Reece 503-986-0834

Quasi-Municipal: Steven Parrett 503-986-0825

Permit Cancellations

Jerry Sauter: 503-986-0817

***NOTE: For water rights information and useful forms, please see our web site at
www.oregon.gov/OWRD***



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266
503-986-0900
FAX 503-986-0904

December 4, 2006

Brooke Blakemore
4B Engineering & Consulting
3000 Market St Suite 527
Salem, OR 97301

RE: Request For Extension of time for update

Dear Ms Blakemore:

On October 25, 2006, we received your request to extend the time allowed to complete the City of Hubbard Water Management and Conservation Plan (WMCP). Under OAR 690 Div 86 Section 910, the request is granted. The new deadline for submittal of the plan is April 25, 2007.

To decrease cost and time for the City we suggest that the City of Hubbard include in its plan, consideration of application G 16491, which is currently pending before the Department. This way the WMCP will concurrently cover the permit conditions for G 16491. This way the City will not need to write a second plan over and above the plan in progress.

Please do not hesitate to contact Bill Fujii of the Department staff if we can be of further assistance. Bill's phone number is 503-986-0887 and his e-mail address is william.h.fujii@ wrd.state.or.us.

Sincerely,

Debbie Colbert, Senior Policy Coordinator

cc: wmcpl file

City of Hubbard

Jeana Eastman

This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-080 and OAR 690-01-005 you may either petition for judicial review or petition the Director for reconsideration of this order.

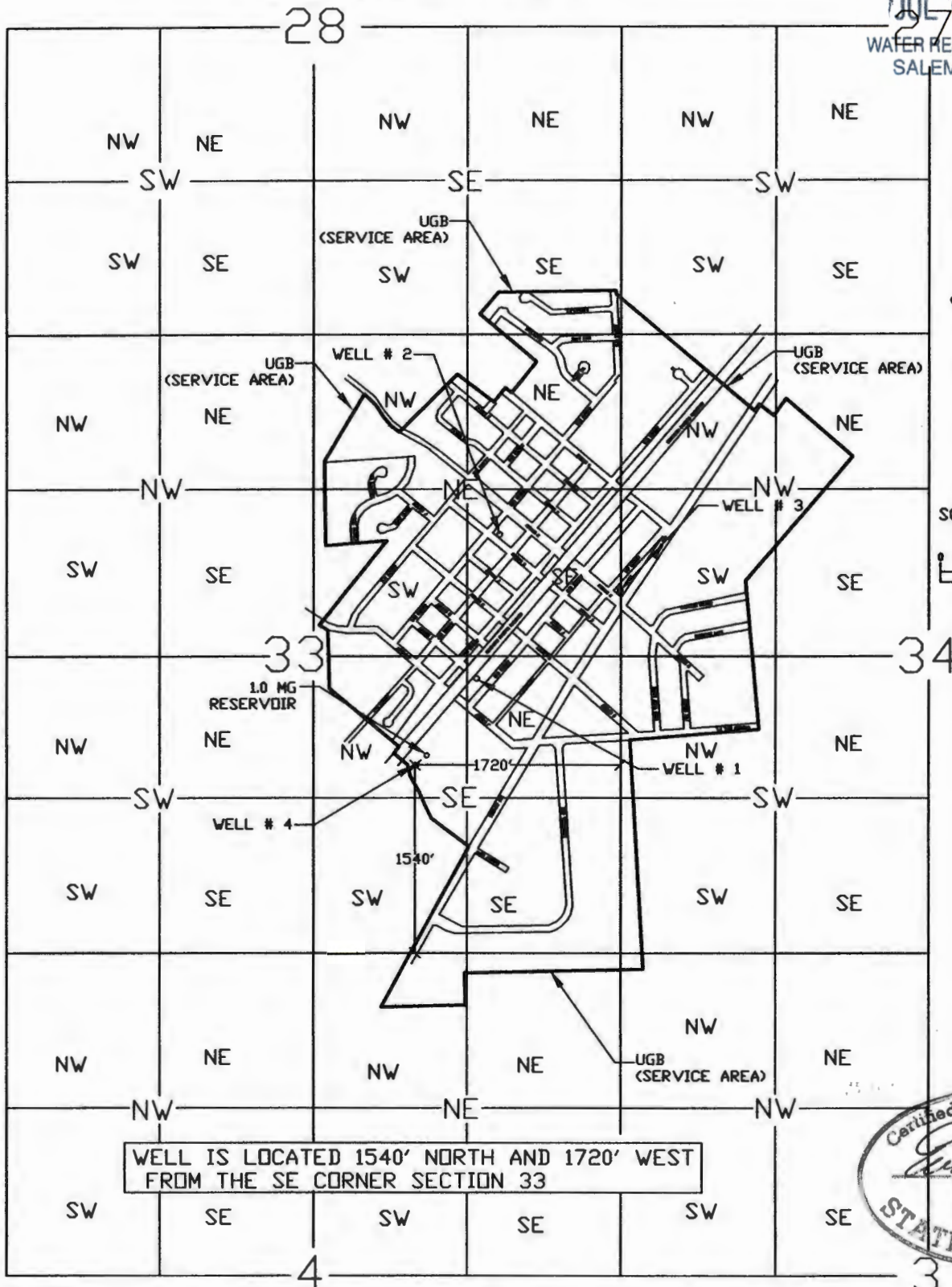


T4S R1W W.M.
T5S R1W W.M.

RECEIVED

JUL 01 2005

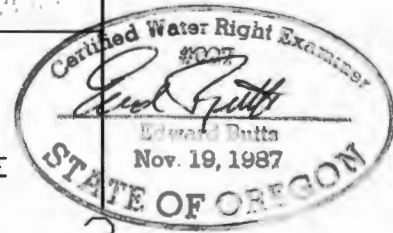
WATER RESOURCES DEPT
SALEM, OREGON



THIS MAP WAS PREPARED FOR THE PURPOSE OF IDENTIFYING THE LOCATION OF A WATER RIGHT ONLY AND IS NOT INTENDED TO PROVIDE LEGAL DIMENSIONS OR LOCATION OF PROPERTY OWNERSHIP LINES.

APPLICATION MAP FOR
CITY OF HUBBARD
JULY 1, 2005

APPLICATION G-16491 PERMIT NO. G-16138



Mailing List for FO Copies

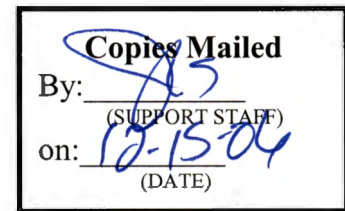
Application #G-16491

Original mailed to applicant with claim of beneficial use form:

EDWARD BUTTS
CITY OF HUBBARD
PO BOX 380
HUBBARD OR 97032-0380

Copies sent to:

1. WRD - File # G-16491
2. WRD - Ken Stahr



FO and Map Copies sent to (remember to reduce copy margins):

3. WRD - Watermaster District #: 16
4. WRD - Regional Manager: NWR

Copies sent to Other Interested Persons (CWRE, Agent, Commenter, etc.)

5. Ed Butts, CWRE #27

"\$10 LETTER" sent to Interested Persons who have not protested or paid for copies

CASEWORKER : Jeana Eastman

FO CHECKLIST

Application g-116491

- ☒ Name and/or address has **changed or been assigned** ☐ Yes ☒ No
- ☒ Respond to **significant comments, issues, or disputes** related to the proposed use of water.
- ☒ Affected landowner(s) have been notified ☒ N/A ☐ Yes ☐ No, send a letter to landowners before FO issuance.
- ☒ Verify names/addresses of affected landowners, and those who commented and/or paid \$10 fee.
- ☒ Include fish screen form if ODFW requested **screening condition and rate ≥ 0.5 CFS** ☒ N/A ☐ Yes ☐ No
- ☒ PFO conclusions **require modification** due to typos, errors or omission of conditions ☐ Yes ☒ No

If so: _____

- ☒ Within North Umpqua settlement reach and issuing permit, **spreadsheet has been updated** ☒ N/A ☐ Yes

☒ Fees

Base Fee

\$100 / \$150
\$250 / \$300

Water Amount (Q)

1st CFS/AF

200

_____ Addl @ _____ + _____

_____ Addl @ _____ + _____

300 +
(base)

200 = 500
(Q) (total exam fee)

EXAM FEE REQUIRED 500

RECORDING FEE REQUIRED \$175 / \$250

EXAM FEE PAID - 500

RECORDING FEE PAID - 250

STILL OWED 0

STILL OWED 0

___ FO to deny

☒ FO w/ permit # g-116138

___ FO w/ draft permit; still needed:

- ___ fees
- ___ easement
- ___ st water contract
- ___ approved dam plans & specs

Name: Jeana Eastman

Date: 12/4/06

Peer Reviewer: anita

The purpose of this checklist is to be used as a working document by Department staff to aid in the production of the related Initial Review, Proposed Final Order, or Final Order. It is not intended to be a complete record of all factors which were considered to produce the document, nor is it intended to serve any purpose other than that stated above. The related Initial Review, Proposed Final Order, or Final Order is intended to stand alone as the record of factors considered in its production.

PFO CHECKLIST

Application 9-16491 Name _____ PFO week _____

✓ Shortcomings preventing PFO? Y / ☒ Should process continue? ☒ / N

✓ IR Date 10/14/05 Public Notice Date 10/18/05 Comments received? Y / ☒

✓ Was additional information requested in the IR? ☒ / N If so, do we now have enough info to do the PFO? ☒ / N

✓ Was the application filed after 10/23/99? ☒ / N (If not, add A date requirement)

✓ B.O.R. or Doug Co. project Y / ☒ Contract in file? N contract # _____

✓ IR identifies as DEQ 303d? Y / ☒ / NA Comments received from DEQ? Y / N _____

✓ Is second gw review necessary? Y / ☒ / NA Complete? Y / N

✓ Water Availability ☒ / REDONE / NA _____

✓ Have conflicts been addressed? Y / N / ☒ _____

✓ Changes from IR determinations _____

✓ Copy to _____

Fees	Base Fee	Water Amount (Q)
	\$100 / \$150	1 st CFS/AF <u>200</u>
	\$250 / \$300	
		_____ Addl @ _____ + _____
	<u>300</u> (base) +	<u>200</u> (Q) = <u>500</u> (total exam fee)

EXAM FEE REQUIRED	<u>500</u>	RECORDING FEE REQUIRED	\$175 / \$250
EXAM FEE PAID	<u>-500</u>	RECORDING FEE PAID	<u>-0</u>
STILL OWED	<u>0</u>	STILL OWED	<u>250</u>

Name: _____ Date: 5/29/06 Peer Reviewer: Kenny

The purpose of this checklist is to be used as a working document by Department staff to aid in the production of the related Initial Review, Proposed Final Order, or Final Order. It is not intended to be a complete record of all factors which were considered to produce the document, nor is it intended to serve any purpose other than that stated above. The related Initial Review, Proposed Final Order, or Final Order is intended to stand alone as the record of factors considered in its production.

Jeana Eastman

From: Dwight French [Dwight.W.FRENCH@wrd.state.or.us]
Sent: Tuesday, May 16, 2006 8:42 AM
To: Anita.M.HUFFMAN@wrd.state.or.us; Kerry.A.LEFEVER@wrd.state.or.us; 'Cory Engel'; Jeana.M.EASTMAN@wrd.state.or.us
Cc: 'Tim Wallin'
Subject: MUNI ABC dates
Attachments: muni abc date language.wpd

Good morning Caseworkers,

I looked through the sample files that you gave me. I've prepared ABC dates paragraph's for each file. See attached. I'll talk to Jeana and/or Tim about how we standardize this and how we modify the M form (and maybe the other application forms) to get what we need on a consistent basis.

Thanks.

Thanks,
Dwight

08/29/2006

FILE G16378 - City of Lostine (Kerry)

They said they would begin in 2006 and finish no later than mid 2007. One year from now is not quite mid-2007 so I propose two years.

"The permit holder shall commence and complete the construction of any proposed works within two years 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 two years from the date of permit issuance."

FILE G16491 - City of Hubbard (Jeana)

The well and pump are in place and ready to be used immediately. I feel like one year ought to be our minimum.

"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 years from the date of permit issuance."

FILE S86399 - City of Monmouth (Jeana)

They've requested 20 years to commence and complete construction.

"The permit hold shall commence and complete the construction of any proposed works within 20 years 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 20 years from the date of permit issuance."

FILE S86398 - City of Independence (Kerry)

Note: This is the same location and Q as 86399 for Jeana.

They've requested 20 years to commence and complete construction.

"The permit hold shall commence and complete the construction of any proposed works within 20 years 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 20 years from the date of permit issuance."

FILE S85745 - Neskowin

"The permit hold shall commence and complete the construction of any proposed works within 20 years 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 20 years from the date of permit issuance."

FILE S85733 - Ashland (Cory)

"The permit hold shall commence and complete the construction of any proposed works within 15 years 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 15 years from the date of permit issuance."

FILE S84440 - ODFW (Kerry)

This file is on hold until Oct 2006.

FILE G16489 - City of Gearheart (Kerry)

They said two years from permit issuance.

"The permit hold shall commence and complete the construction of any proposed works within two years 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 two years from the date of permit issuance."

FILE G15840 - Rainbow Water District (Cory)

They've requested 20 years to complete construction.

"The permit hold shall commence and complete the construction of any proposed works within 20 years 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 20 years from the date of permit issuance."

FILE G15242 - SUB (Cory)

They've requested 20 years to complete construction.

"The permit hold shall commence and complete the construction of any proposed works within 20 years 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 20 years from the date of permit issuance."

FILE G14908 - Redmond (Anita)

They don't know how much water they really need or how to shape it. Anita and Tim and I should strategize a plan to get them to tell us what they want so we can continue to process. Please see me.

ODFW PUBLIC INTEREST REVIEW SHEET

Page 2

Application #: G-16491 Applicant's Name: EDWARD BUTTS CITY OF HUBBARD

- 1) Will the proposed use occur in an area that may affect the habitat of fish or wildlife species?

NO (Sign form and return) / YES Species: native cutthroat trout +
Other: wildlife

What stage or value is at risk (circle all that apply): Spawning, Incubation, Rearing, Passage, Habitat Value

- 2) Will the proposed use result in a loss of habitat? NO / YES

- 3) Can conditions be applied to mitigate the impact to the loss of habitat? NO / YES

Which conditions are recommended?

Limit Use to when surface water is available.
Impacts to surface flow can negatively affect
cutthroat spawning, rearing + migration. Mill Creek
has a moderate ranking for streamflow
restoration.

(Try to select conditions from the Menu of Conditions)

- 4) If conditions cannot be identified to offset impacts to the habitat, would the proposed use harm the species?

NO / YES

If YES, please explain: _____

- 5) If WRD determines that it is in the public's interest to approve a permit even if the impact cannot be mitigated what fish screening, bypass or other conditions should be included in the permit?

N/A

ODFW Representative signature: Danette L. Lewis Date: 11-14-05

WRD Contact: Caseworker: Jeana Eastman, Water Rights Division
503-986-0859/ Fax: 503-986-0901 / e-mail: Jeana.M.EASTMAN@wrdd.state.or.us

Current as of 8/31/05

WATERMASTER DIVISION 33 APPLICATION WORK SHEET

Recommendations for Water Right Applications that may affect the Habitat of Sensitive, Threatened or Endangered Fish Species,
OAR 690-33-310 through 340.

Date: 10/07/2005 Please return to WRD before November 10, 2005. Application #: G-16491

Applicant's Name: EDWARD BUTTS CITY OF HUBBARD

SOURCE OF WATER: ☒ GROUNDWATER ☐ SURFACE WATER ☐ STORAGE

DESCRIPTION OF THE SOURCE: WELL
(A spring, well, sump, exempt pond, unnamed stream, etc.)

1) If from surface water, does the water at the proposed diversion location flow above ground in a defined channel into another water body?

☐ YES ☐ NO ☐ SOMETIMES

If sometimes, describe the time period, Between: _____ and _____.

2) Does the source ever go dry in the area of the proposed diversion?

☐ YES ☐ NO ☒ UNKNOWN

3) To your knowledge, has the requested source of water been regulated because of insufficient flow to satisfy existing water rights including instream water rights?

☐ YES ☒ NO TO THE BEST OF MY KNOWLEDGE

If YES, please explain: _____

4) Do you agree with the water availability recommended period of use?

☒ YES ☐ NO ☐ I DON'T KNOW

If NO, why do you disagree with the recommended period of use and what period do you recommend? _____

5) Did you meet with staff from another agency to discuss this application?

☐ YES ☒ NO

Who: _____ Agency: _____ Date: _____

6) Is mitigation an option?

☒ YES ☐ NO

If YES, please explain: CITY WATER; DIFF LOCATION FOR WELL

Comments: _____

Watermaster Signature: Ku W. J. J. Date: 11/3/05

WRD Contact: **Caseworker:** Jeana Eastman, Water Rights Division
503-986-0859/ Fax: 503-986-0901 / e-mail: Jeana.M.EASTMAN@wrdd.state.or.us

MENU OF CONDITIONS FOR WRD, ODFW, DEQ AND AG
(Developed 6/27/97 - Current as of 8/31/05)

standard language for all surface and reservoir applications unless instructed otherwise by ODFW:

The permittee shall not construct, operate or maintain any dam or artificial obstruction to fish passage in the channel of the subject stream without providing a fishway to ensure adequate upstream and downstream passage for fish, unless the permittee has requested and been granted a fish passage waiver by the Oregon Fish and Wildlife commission. The permittee is hereby directed to contact an Oregon Department of Fish and Wildlife Fish Passage Coordinator, before beginning construction of any in-channel obstruction. (formerly b54c and od fwdam)

fishself The permittee shall install, maintain, and operate fish screening and by-pass devices consistent with current Oregon Department of Fish and Wildlife (ODFW) standards. Fish screening is to prevent fish from entering the proposed diversion while by-pass devices provide adequate upstream and downstream passage for fish. The required screen and by-pass devices are to be in place and functional prior to diversion of any water. Permittee shall obtain written approval from ODFW that the installation of the required screen and by-pass devices meets the state's criteria or the permittee shall submit documentation that ODFW has determined screens and/or by-pass devices are not necessary. (formerly fish)

fishapprove The permittee shall install, maintain, and operate fish screening and by-pass devices consistent with current Oregon Department of Fish and Wildlife (ODFW) standards. Fish screening is to prevent fish from entering the proposed diversion while by-pass devices provide adequate upstream and downstream passage for fish. The required screen and by-pass devices are to be in place and functional, and approved in writing by ODFW prior to diversion of any water. The permittee may submit evidence in writing that ODFW has determined screens and/or by-pass devices are not necessary. (formerly od fw and b54b)

fishdiv33 If the riparian area is disturbed in the process of developing a point of diversion, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR Chapter 635, Division 415, Section 030 adopted November 13, 1991 shall be followed. **[same as riparian]**
(formerly pispce)

The use may be restricted if the quality of the source stream or downstream waters decrease to the point that those waters no longer meet existing state or federal water quality standards due to reduced flows. **[same as wq]**

The permittee shall install, maintain, and operate fish screening and by-pass devices consistent with current Oregon Department of Fish and Wildlife (ODFW) standards. Fish screening is to prevent fish from entering the proposed diversion while by-pass devices provide adequate upstream and downstream passage for fish. The required screen and by-pass devices are to be in place and functional, and approved in writing by ODFW prior to diversion of any water. The permittee may submit evidence in writing that ODFW has determined screens and/or by-pass devices are not necessary. **[same as fishapprove]**

fishmay Notwithstanding that ODFW has made a determination that fish screens and/or by-pass devices are not necessary at the time of permit issuance, the permittee may be required in the future to install, maintain, and operate fish screening and by-pass devices to prevent fish from entering the proposed diversion and to provide adequate upstream and downstream passage for fish. (formerly od fwmay)

b52 Water may be diverted only when Department of Environmental Quality sediment standards are being met.

b5 The water user shall install and maintain adequate treatment facilities meeting current DEQ requirements to remove sediment before returning the water to the stream.

b51a The period of use has been limited to _____ through _____.

b57 Before water use may begin under this permit, a totalizing flow meter must be installed at each diversion point. The totalizing flow meter must be installed and maintained as identified in OAR 690-507-645.

b58 Before water use may begin under this permit, a staff gage that measures the entire range and stage between full reservoir level dead pool storage must be installed in the reservoir. The staff gage shall be United States Geological Survey style porcelain enamel iron staff gage style A, C, E or I. Additionally, before water use may begin under this permit, if the reservoir is located in channel then weirs or other suitable measuring devices must be installed upstream and downstream of the reservoir, and, a gated valve outlet must be installed. A written waiver may be obtained from the local Watermaster if in his judgement the installation of the weir(s) will provide no public benefit.

futile call The use of water allowed herein may be made only at times when waters from the (NAME OF SURFACE WATER) would not otherwise flow into a tributary of the _____ River or sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

riparian If the riparian area is disturbed in the process of developing a point of diversion, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR Chapter 635, Division 415, Section 030 adopted November 13, 1991 shall be followed.

wq The use may be restricted if the quality of the source stream or downstream waters decrease to the point that those waters no longer meet existing state or federal water quality standards due to reduced flows.

fence The stream and its adjacent riparian area shall be fenced to exclude livestock.

blv Water must be diverted to a trough or tank through an enclosed water delivery system. The delivery system must be equipped with an automatic shutoff or limiting flow control mechanism or include a means for returning water to the stream source through an enclosed delivery system. The use of water shall not exceed 0.10 cubic feet per second per 1000 head of livestock.

IR CHECKLIST

App 9-16491 Name _____

Use(s) _____ Priority Date(s) _____
(If quasi/muni, reviewed by Bill Fujii?) - sent copies 10/3/05 - fuj review 10/4/05

☒ Is the application complete? Y / ☒ N

☒ Prohibited by ORS 538? Y / ☒ N If so, do not do an IR; return app & fees to applicant.

☒ GW Review ☐ surface water classification triggered ☒ PSI with stream name van str 2 mill or 8 mill or

- ☐ will not ☐ will likely be available ...without injury... and/or within the capacity of the resource
☒ will, if properly conditioned, avoid injury to existing ground water rights or to the ground water resource
☐ well located in GWLA or CGWA or T1N R3E Sec 20, 21, 28, 29; if so, include basin map noting POD

☒ WM Dist (NWR) 1 2 ☒ 18 20) (NCR - 3 4 5 21) (ER - 6 8 9 10) (SCR - 11 12 17) (SWR - 13 14 15 19)
swr cc: dave jarrett

☒ DIVISION 33 ☒ / N / NA
(If Y, attach basin map w/ pod) ☐ Above Bonn ☐ If above, not allowed April 15 - September 30?
☒ Below Bonn
☐ Statewide

☒ SW Availability NA ☒ 80% live ☐ 50% storage del - may WID: 2-30200901
☐ wab in Drews Res (tribs to), Snake R, Columbia R, or Lost R, Chehalem Cr, Champoege Cr, Mission Cr, or Case Cr;
if so, use 12-6-04 memo from DWF

☒ Is there a conflict? Y / N / ☒ NA
☐ if conflict, rights are from a different source
☐ if supplemental, check for primary right on same land
☐ this right will be making up a deficiency in rate

☒ Allowed under Basin Program ☒ / N Limitations? Y / ☒ N 490.502.0160(2)

☒ 303D Y / ☒ / NA IN GEOGRAPHIC UMATILLA Y / ☒ BOTTLED WATER Y / ☒
(cc: DEQ Regional Manager) (cc: CTUIR) (cc: DOA Food Safety Division)

☒ Rate _____ Rate Max _____ Req 100 gpm = 0.223 cfs
Duty _____ Season Allowed _____ Req yr

☒ Land use approval ☒ OK needs approval county notified NA

☒ ☐ B.O.R. ☐ Doug Co. project Y / ☒ N contract # _____

☒ Does the applicant intend to begin use within 5 years? ☒ Y / N
(If not, bring to supervisor's attention.)

☒ Statement allowing someone to act as authorized agent? Y / ☒ N / NA

☒ Conditions: 7b, give only alluvial, special per review & e-mail (B3) (attached)

Small ≤ 0.1 CFS, ≤ 9.2 AF, Medium > 0.1 or < 1.5 CFS, > 9.2 or < 100 AF, ☒ Large ≥ 1.5 CFS, ≥ 100 AF
use at least Medium for: human consumption (SWW), siltcoos lake, livestock SWW, Galesville/BOR
uses that require Large: GW condition 7I, temp control (NU), gov. entity and tenmile lake
uses that require Large and totalizing flow meter: South Salem hills if source is groundwater and use is irrigation

App _____ Name _____

Is the stream withdrawn? Y / N / NA season allowed _____

Basin Maps have been checked Y / N / NA River Mile _____

SWW ABOVE WITHIN NO (if so, CC: state parks & record in book if applicable) Name _____

Is the use located within Oregon Streamflow Restoration Area? Y / NA / NA

Letter format Good Limited Bad Bad w/ HC Opportunity

If Initial Review is negative, did you notify the applicant? Y / N / NA

CWRE, representative, etc. to notify? Y / N ed butts #27

Addn'l info req'd? Y / N leged? notify landowners - 25+
(If Y, send certified)

Attachments included? Y / N / NA _____

Fees

Base Fee

\$100 / \$150
\$250 / \$300

Water Amount (Q)

1st CFS/AF

200

_____ Addn'l CFS/AF @ _____ + _____

300 +
(base)

200 = 500
(Q) (total exam fee)

60 wmcg w/in 3 yrs,
suggest cap of all wr be no
more than 700 gpm unless approved
by wmcg

EXAM FEE REQUIRED	<u>500</u>
EXAM FEE PAID	<u>500</u>
STILL OWED	<u>0</u>

Name: Jeana Eastman Date: _____ Peer Reviewer: _____

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Sections

TOWNSHIP	TWP_CHAR	RANGE	RNG_CHAR	SECTION	LINK1
4	S	1	W	33	Well Log Images

Records Found: 1**County**

COUNTY	FIPS
Marion	41047

Records Found: 1**Basins**

BASIN_NUM	BASIN_NAME
2	Willamette

Records Found: 1**WaterMaster Districts**

WATERDIST	REGION	WMASTER	ADDRESS	CITY	ZIP	PHONE	EXT	FAX
16	NW	Bill Ferber	725 Summer St. NE, Suite A	Salem	97301-1271	503-986-0893		503-986-0903

Records Found: 1**WAB**

GAGE	BASIN	LINK1	LINK2
30200901	2	Water Availability: 50% 80%	Peak Flow Analysis

Records Found: 1**Groundwater Restricted Records Found: 0****Divison 33 Area**

DIV33
In a Div33 area

Records Found: 1**Rule 4D**

RULE4D
In a Rule4D Area

Records Found: 1**Place of Use (Willamette)**

APPLICATION	CERTIFICAT	PERMIT	PRIORITY	CERT_PERM	USE	PERMIT_CHA	CATEGORY	P_A_S_STATUS	CERT_NUM	PERMIT_NUM
G 3957	38364	G 3352	19670606	38364 G 3352	IR	G	3	P V	38364	3352

Records Found: 1

G-16491

WATER RESOURCES DEPARTMENT

DIVISION 502

WILLAMETTE BASIN PROGRAM

690-502-0160 Groundwater Classifications and Conditions

(2) Groundwater Classification: The groundwater resources of the Willamette Basin are classified for domestic, livestock, irrigation, **municipal**, industrial, agricultural, commercial, power, mining, recreation, fish life, wildlife, pollution abatement, wetland enhancement and statutorily exempt groundwater uses except as described in OAR 690-502-0170 to 690-502-0210.

WATER AVAILABILITY TABLE

Water Availability as of 10/ 3/2005 for

MILL CR > PUDDING R - AT MOUTH

Watershed ID #: 30200901

Basin: WILLAMETTE

Exceedance Level: 80

Time: 15:03

Date: 10/03/2005

Select an Item Number for More Details

Item #	Watershed ID #	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Sto
1	181	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES
2	69796	YES	YES	YES	YES	YES	NO	NO	NO	NO	NO	YES	YES	YES
3	69998	YES	YES	YES	YES	YES	NO	NO	NO	NO	NO	YES	YES	YES
4	30200901	YES	YES	YES	YES	YES	NO	NO	NO	NO	NO	NO	YES	YES

STREAM NAMES

Water Availability as of 10/ 3/2005 for

MILL CR > PUDDING R - AT MOUTH

Watershed ID #: 30200901

Basin: WILLAMETTE

Exceedance Level: 80

Time: 15:03

Date: 10/03/2005

Item Watershed ID Stream Name

1	181	WILLAMETTE R > COLUMBIA R - AT MOUTH
2	69796	MOLALLA R > WILLAMETTE R - AT MOUTH
3	69998	PUDDING R > MOLALLA R - AT MOUTH
4	30200901	MILL CR > PUDDING R - AT MOUTH

LIMITING WATERSHEDS

Water Availability as of 10/ 3/2005 for

MILL CR > PUDDING R - AT MOUTH

Watershed ID #: 30200901

Basin: WILLAMETTE

Exceedance Level: 80

Time: 15:03

Date: 10/03/2005

Mnth	Limiting Watershed	Stream Name	Water Avail?	Net Water Available
1	30200901	MILL CR > PUDDING R - AT MOUTH	YES	30.5
2	30200901	MILL CR > PUDDING R - AT MOUTH	YES	45.0
3	30200901	MILL CR > PUDDING R - AT MOUTH	YES	30.0
4	30200901	MILL CR > PUDDING R - AT MOUTH	YES	21.6
5	30200901	MILL CR > PUDDING R - AT MOUTH	YES	9.2
6	69796	MOLALLA R > WILLAMETTE R - AT MOUTH	NO	-176.0
7	69796	MOLALLA R > WILLAMETTE R - AT MOUTH	NO	-169.0
8	69796	MOLALLA R > WILLAMETTE R - AT MOUTH	NO	-104.0
9	69796	MOLALLA R > WILLAMETTE R - AT MOUTH	NO	-86.6
10	69796	MOLALLA R > WILLAMETTE R - AT MOUTH	NO	-287.0
11	30200901	MILL CR > PUDDING R - AT MOUTH	NO	-1.7
12	30200901	MILL CR > PUDDING R - AT MOUTH	YES	17.4
Stor	30200901	MILL CR > PUDDING R - AT MOUTH	YES	25600.0

DETAILED REPORT ON THE WATER AVAILABILITY CALCULATION

Water Availability as of 10/ 3/2005 for

WILLAMETTE R > COLUMBIA R - AT MOUTH

Watershed ID #: 181 Basin: WILLAMETTE Exceedance Level: 80
Time: 15:03 Date: 10/03/2005

Month	Natural Stream Flow	CU + Stor Prior to 1/1/93	CU + Stor After 1/1/93	Expected Stream Flow	Reserved Stream Flow	Instream Water Rights	Net Water Available
1	27500.00	1960.00	409.00	25100.00	0.00	1500.00	23600.00
2	30000.00	7250.00	404.00	22300.00	0.00	1500.00	20800.00
3	28500.00	6880.00	393.00	21200.00	0.00	1500.00	19700.00
4	25400.00	6590.00	376.00	18400.00	0.00	1500.00	16900.00
5	20700.00	3940.00	333.00	16400.00	0.00	1500.00	14900.00
6	11000.00	1690.00	578.00	8730.00	0.00	1500.00	7230.00
7	6280.00	1660.00	540.00	4080.00	0.00	1500.00	2580.00
8	4890.00	1460.00	507.00	2930.00	0.00	1500.00	1430.00
9	4930.00	1090.00	495.00	3350.00	0.00	1500.00	1850.00
10	5990.00	355.00	266.00	5370.00	0.00	1500.00	3870.00
11	12700.00	502.00	338.00	11900.00	0.00	1500.00	10400.00
12	24800.00	640.00	408.00	23800.00	0.00	1500.00	22300.00
Stor	19700000	2030000	305000	17400000	0	1090000	16300000

DETAILED REPORT OF CONSUMPTIVE USES AND STORAGES

Water Availability as of 10/ 3/2005 for

WILLAMETTE R > COLUMBIA R - AT MOUTH

Watershed ID #: 181 Basin: WILLAMETTE Exceedance Level: 80
Time: 15:03 Date: 10/03/2005

Mo	Storage	Irrig	Munic	Ind/Man	Commer	Domest	Agricul	Other	Total
1	1710.00	0.00	365.00	100.00	9.55	23.80	123.00	38.90	2370.00
2	6990.00	0.00	365.00	100.00	9.55	23.80	123.00	38.90	7650.00
3	6600.00	6.49	365.00	100.00	9.54	23.80	126.00	41.90	7270.00
4	6270.00	43.20	365.00	100.00	9.54	23.80	120.00	41.90	6970.00
5	3380.00	296.00	361.00	100.00	9.39	23.80	89.50	21.30	4280.00
6	441.00	592.00	1000.00	100.00	9.17	23.80	80.20	21.30	2270.00
7	14.00	1000.00	976.00	95.10	9.17	23.80	54.60	21.00	2190.00
8	2.05	786.00	976.00	95.10	9.17	22.40	52.70	20.90	1960.00
9	0.76	388.00	975.00	100.00	9.17	22.40	66.20	21.20	1580.00
10	0.49	27.90	356.00	100.00	9.17	22.40	69.50	35.10	621.00
11	197.00	0.00	365.00	100.00	9.47	23.80	106.00	38.00	839.00
12	386.00	0.00	365.00	100.00	9.55	23.80	124.00	38.90	1050.00

DETAILED REPORT OF RESERVATIONS FOR CONSUMPTIVE USE

Water Availability as of 10/ 3/2005 for
WILLAMETTE R > COLUMBIA R - AT MOUTH

Watershed ID #: 181 Basin: WILLAMETTE Exceedance Level: 80
Time: 15:03 Date: 10/03/2005

-----Reservations-----								
APP #	0	0	0	0	0	0	0	TOTAL
Status								
Use								
1	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
2	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
3	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
4	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
5	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
6	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
7	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
8	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
9	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
10	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
11	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
12	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

DETAILED REPORT OF INSTREAM REQUIREMENTS

Water Availability as of 10/ 3/2005 for
WILLAMETTE R > COLUMBIA R - AT MOUTH

Watershed ID #: 181 Basin: WILLAMETTE Exceedance Level: 80
Time: 15:03 Date: 10/03/2005

-----ISWRs-----								
APP #	MF 181	0	0	0	0	0	0	MAXIMUM
Status	Cert.							
1	1500.00	0.00	0.00	0.00	0.00	0.00	0.00	1500.00
2	1500.00	0.00	0.00	0.00	0.00	0.00	0.00	1500.00
3	1500.00	0.00	0.00	0.00	0.00	0.00	0.00	1500.00
4	1500.00	0.00	0.00	0.00	0.00	0.00	0.00	1500.00
5	1500.00	0.00	0.00	0.00	0.00	0.00	0.00	1500.00
6	1500.00	0.00	0.00	0.00	0.00	0.00	0.00	1500.00
7	1500.00	0.00	0.00	0.00	0.00	0.00	0.00	1500.00
8	1500.00	0.00	0.00	0.00	0.00	0.00	0.00	1500.00
9	1500.00	0.00	0.00	0.00	0.00	0.00	0.00	1500.00
10	1500.00	0.00	0.00	0.00	0.00	0.00	0.00	1500.00
11	1500.00	0.00	0.00	0.00	0.00	0.00	0.00	1500.00
12	1500.00	0.00	0.00	0.00	0.00	0.00	0.00	1500.00

DETAILED REPORT ON THE WATER AVAILABILITY CALCULATION

Water Availability as of 10/ 3/2005 for

MOLALLA R > WILLAMETTE R - AT MOUTH

Watershed ID #: 69796

Basin: WILLAMETTE

Exceedance Level: 80

Time: 15:03

Date: 10/03/2005

Month	Natural Stream Flow	CU + Stor Prior to 1/1/93	CU + Stor After 1/1/93	Expected Stream Flow	Reserved Stream Flow	Instream Water Rights	Net Water Available
1	1870.00	22.20	59.20	1790.00	0.00	500.00	1290.00
2	2010.00	21.10	58.00	1930.00	0.00	500.00	1430.00
3	1830.00	8.36	54.60	1770.00	0.00	500.00	1270.00
4	1530.00	11.30	45.30	1470.00	0.00	500.00	973.00
5	927.00	46.80	34.90	845.00	0.00	500.00	345.00
6	431.00	79.30	27.70	324.00	0.00	500.00	-176.00
7	204.00	136.00	37.00	31.00	0.00	200.00	-169.00
8	139.00	111.00	32.00	-4.41	0.00	100.00	-104.00
9	134.00	48.40	22.20	63.40	0.00	150.00	-86.60
10	188.00	11.20	13.50	163.00	0.00	450.00	-287.00
11	637.00	14.00	38.30	585.00	0.00	500.00	84.60
12	1700.00	22.40	59.50	1620.00	0.00	500.00	1120.00
Stor	1320000	32300	29100	1260000	0	295000	987000

DETAILED REPORT OF CONSUMPTIVE USES AND STORAGES

Water Availability as of 10/ 3/2005 for

MOLALLA R > WILLAMETTE R - AT MOUTH

Watershed ID #: 69796

Basin: WILLAMETTE

Exceedance Level: 80

Time: 15:03

Date: 10/03/2005

Mo	Storage	Irrig	Munic	Ind/Man	Commer	Domest	Agricul	Other	Total
1	47.80	0.00	4.55	1.80	0.49	0.95	20.40	5.40	81.40
2	45.20	0.00	4.55	1.80	0.49	0.95	20.70	5.40	79.10
3	24.80	1.27	4.55	1.80	0.48	0.95	20.70	8.40	63.00
4	17.00	5.31	4.55	1.80	0.48	0.95	18.20	8.40	56.70
5	8.56	46.70	4.55	1.80	0.33	0.95	14.80	4.00	81.70
6	0.27	77.30	13.70	1.80	0.18	0.95	8.85	4.00	107.00
7	0.00	144.00	13.70	1.80	0.18	0.95	8.29	4.00	173.00
8	0.00	115.00	13.70	1.80	0.18	0.95	8.23	4.00	144.00
9	0.00	41.80	13.70	1.80	0.18	0.95	8.23	4.00	70.70
10	0.00	4.59	4.55	1.80	0.18	0.95	8.68	4.00	24.80
11	19.80	0.00	4.55	1.80	0.48	0.95	19.40	5.40	52.40
12	47.30	0.00	4.55	1.80	0.49	0.95	21.40	5.40	81.90

DETAILED REPORT OF RESERVATIONS FOR CONSUMPTIVE USE

Water Availability as of 10/ 3/2005 for

MOLALLA R > WILLAMETTE R - AT MOUTH

Watershed ID #: 69796

Basin: WILLAMETTE

Exceedance Level: 80

Time: 15:03

Date: 10/03/2005

-----Reservations-----								
APP #	0	0	0	0	0	0	0	TOTAL
Status Use								
1	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
2	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
3	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
4	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
5	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
6	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
7	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
8	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
9	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
10	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
11	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
12	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

DETAILED REPORT OF INSTREAM REQUIREMENTS

Water Availability as of 10/ 3/2005 for

MOLALLA R > WILLAMETTE R - AT MOUTH

Watershed ID #: 69796

Basin: WILLAMETTE

Exceedance Level: 80

Time: 15:03

Date: 10/03/2005

-----ISWRs-----								
APP #	IS 69796	0	0	0	0	0	0	MAXIMUM
Status	Cert.							
1	500.00	0.00	0.00	0.00	0.00	0.00	0.00	500.00
2	500.00	0.00	0.00	0.00	0.00	0.00	0.00	500.00
3	500.00	0.00	0.00	0.00	0.00	0.00	0.00	500.00
4	500.00	0.00	0.00	0.00	0.00	0.00	0.00	500.00
5	500.00	0.00	0.00	0.00	0.00	0.00	0.00	500.00
6	500.00	0.00	0.00	0.00	0.00	0.00	0.00	500.00
7	200.00	0.00	0.00	0.00	0.00	0.00	0.00	200.00
8	100.00	0.00	0.00	0.00	0.00	0.00	0.00	100.00
9	150.00	0.00	0.00	0.00	0.00	0.00	0.00	150.00
10	450.00	0.00	0.00	0.00	0.00	0.00	0.00	450.00
11	500.00	0.00	0.00	0.00	0.00	0.00	0.00	500.00
12	500.00	0.00	0.00	0.00	0.00	0.00	0.00	500.00

DETAILED REPORT ON THE WATER AVAILABILITY CALCULATION

Water Availability as of 10/ 3/2005 for

PUDDING R > MOLALLA R - AT MOUTH

Watershed ID #: 69998

Basin: WILLAMETTE

Exceedance Level: 80

Time: 15:03

Date: 10/03/2005

Month	Natural Stream Flow	CU + Stor Prior to 1/1/93	CU + Stor After 1/1/93	Expected Stream Flow	Reserved Stream Flow	Instream Water Rights	Net Water Available
1	1120.00	17.70	55.70	1050.00	0.00	80.00	967.00
2	1260.00	17.10	54.60	1190.00	0.00	80.00	1110.00
3	1080.00	3.55	51.30	1030.00	0.00	80.00	945.00
4	834.00	6.38	42.00	786.00	0.00	80.00	706.00
5	448.00	28.00	31.30	389.00	0.00	80.00	309.00
6	231.00	58.10	24.40	148.00	0.00	60.00	88.40
7	111.00	96.00	33.40	-18.30	0.00	50.00	-68.30
8	71.60	77.70	28.60	-34.70	0.00	40.00	-74.70
9	67.90	41.80	19.30	6.81	0.00	40.00	-33.20
10	91.50	5.46	10.90	75.20	0.00	60.00	15.20
11	364.00	8.81	35.20	320.00	0.00	80.00	240.00
12	1010.00	17.00	56.00	937.00	0.00	80.00	857.00
Stor	748000	22900	26700	700000	0	48900	656000

DETAILED REPORT OF CONSUMPTIVE USES AND STORAGES

Water Availability as of 10/ 3/2005 for

PUDDING R > MOLALLA R - AT MOUTH

Watershed ID #: 69998

Basin: WILLAMETTE

Exceedance Level: 80

Time: 15:03

Date: 10/03/2005

Mo	Storage	Irrig	Munic	Ind/Man	Commer	Domest	Agricul	Other	Total
1	47.30	0.00	2.45	0.33	1.34	0.31	16.40	5.40	73.50
2	45.10	0.00	2.45	0.33	1.34	0.31	16.80	5.40	71.70
3	24.60	0.74	2.45	0.33	1.33	0.31	16.70	8.40	54.90
4	16.70	4.61	2.45	0.33	1.33	0.31	14.20	8.40	48.30
5	8.46	31.90	2.45	0.33	1.18	0.31	10.70	4.00	59.30
6	0.26	64.20	7.36	0.33	1.03	0.31	5.12	4.00	82.60
7	0.00	112.00	7.36	0.33	1.03	0.31	4.62	4.00	130.00
8	0.00	88.70	7.36	0.33	1.03	0.31	4.61	4.00	106.00
9	0.00	43.40	7.36	0.33	1.03	0.31	4.61	4.00	61.00
10	0.00	3.10	2.45	0.33	1.03	0.31	5.09	4.00	16.30
11	18.70	0.00	2.45	0.33	1.33	0.31	15.40	5.40	43.90
12	45.70	0.00	2.45	0.33	1.34	0.31	17.40	5.40	72.90

DETAILED REPORT OF RESERVATIONS FOR CONSUMPTIVE USE

Water Availability as of 10/ 3/2005 for

PUDDING R > MOLALLA R - AT MOUTH

Watershed ID #: 69998

Basin: WILLAMETTE

Exceedance Level: 80

Time: 15:03

Date: 10/03/2005

-----Reservations-----								
APP #	0	0	0	0	0	0	0	TOTAL
Status								
Use								
1	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
2	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
3	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
4	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
5	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
6	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
7	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
8	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
9	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
10	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
11	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
12	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

DETAILED REPORT OF INSTREAM REQUIREMENTS

Water Availability as of 10/ 3/2005 for

PUDDING R > MOLALLA R - AT MOUTH

Watershed ID #: 69998

Basin: WILLAMETTE

Exceedance Level: 80

Time: 15:03

Date: 10/03/2005

-----ISWRs-----								
APP #	IS 69998	IS 73532	0	0	0	0	0	MAXIMUM
Status	Cert.	Cert.						
1	80.00	36.00	0.00	0.00	0.00	0.00	0.00	80.00
2	80.00	36.00	0.00	0.00	0.00	0.00	0.00	80.00
3	80.00	36.00	0.00	0.00	0.00	0.00	0.00	80.00
4	80.00	36.00	0.00	0.00	0.00	0.00	0.00	80.00
5	80.00	36.00	0.00	0.00	0.00	0.00	0.00	80.00
6	60.00	36.00	0.00	0.00	0.00	0.00	0.00	60.00
7	50.00	36.00	0.00	0.00	0.00	0.00	0.00	50.00
8	40.00	36.00	0.00	0.00	0.00	0.00	0.00	40.00
9	40.00	36.00	0.00	0.00	0.00	0.00	0.00	40.00
10	60.00	36.00	0.00	0.00	0.00	0.00	0.00	60.00
11	80.00	36.00	0.00	0.00	0.00	0.00	0.00	80.00
12	80.00	36.00	0.00	0.00	0.00	0.00	0.00	80.00

DETAILED REPORT ON THE WATER AVAILABILITY CALCULATION

Water Availability as of 10/ 3/2005 for

MILL CR > PUDDING R - AT MOUTH

Watershed ID #: 30200901

Basin: WILLAMETTE

Exceedance Level: 80

Time: 15:03

Date: 10/03/2005

Month	Natural Stream Flow	CU + Stor Prior to 1/1/93	CU + Stor After 1/1/93	Expected Stream Flow	Reserved Stream Flow	Instream Water Rights	Net Water Available
1	39.20	0.22	8.49	30.50	0.00	0.00	30.50
2	53.90	0.23	8.64	45.00	0.00	0.00	45.00
3	38.40	0.06	8.35	30.00	0.00	0.00	30.00
4	27.60	0.20	5.77	21.60	0.00	0.00	21.60
5	13.70	1.28	3.18	9.24	0.00	0.00	9.24
6	8.72	2.56	4.77	1.40	0.00	0.00	1.40
7	3.79	4.45	6.36	-7.01	0.00	0.00	-7.01
8	2.09	3.54	5.33	-6.77	0.00	0.00	-6.77
9	1.88	1.74	3.32	-3.18	0.00	0.00	-3.18
10	2.39	0.15	1.61	0.63	0.00	0.00	0.63
11	6.05	0.06	7.72	-1.73	0.00	0.00	-1.73
12	25.90	0.19	8.33	17.40	0.00	0.00	17.40
Stor	30000	892	4330	25600	0	0	25600

DETAILED REPORT OF CONSUMPTIVE USES AND STORAGES

Water Availability as of 10/ 3/2005 for

MILL CR > PUDDING R - AT MOUTH

Watershed ID #: 30200901

Basin: WILLAMETTE

Exceedance Level: 80

Time: 15:03

Date: 10/03/2005

Mo	Storage	Irrig	Munic	Ind/Man	Commer	Domest	Agricul	Other	Total
1	0.92	0.00	0.20	0.00	0.30	0.03	3.87	3.40	8.72
2	1.00	0.00	0.20	0.00	0.30	0.03	3.94	3.40	8.87
3	0.56	0.05	0.20	0.00	0.30	0.03	3.86	3.40	8.41
4	0.26	0.36	0.20	0.00	0.30	0.03	1.43	3.40	5.98
5	0.07	2.65	0.20	0.00	0.15	0.03	1.36	0.00	4.46
6	0.02	5.36	0.60	0.00	0.00	0.03	1.31	0.00	7.32
7	0.00	9.37	0.60	0.00	0.00	0.03	0.80	0.00	10.80
8	0.00	7.44	0.60	0.00	0.00	0.03	0.79	0.00	8.87
9	0.00	3.63	0.60	0.00	0.00	0.03	0.79	0.00	5.06
10	0.00	0.26	0.20	0.00	0.00	0.03	1.28	0.00	1.77
11	0.15	0.00	0.20	0.00	0.30	0.03	3.70	3.40	7.79
12	0.79	0.00	0.20	0.00	0.30	0.03	3.80	3.40	8.52

DETAILED REPORT OF RESERVATIONS FOR CONSUMPTIVE USE

Water Availability as of 10/ 3/2005 for

MILL CR > PUDDING R - AT MOUTH

Watershed ID #: 30200901

Basin: WILLAMETTE

Exceedance Level: 80

Time: 15:03

Date: 10/03/2005

-----Reservations-----								
APP #	0	0	0	0	0	0	0	TOTAL
Status								
Use								
1	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
2	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
3	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
4	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
5	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
6	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
7	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
8	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
9	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
10	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
11	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
12	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

DETAILED REPORT OF INSTREAM REQUIREMENTS

Water Availability as of 10/ 3/2005 for

MILL CR > PUDDING R - AT MOUTH

Watershed ID #: 30200901

Basin: WILLAMETTE

Exceedance Level: 80

Time: 15:03

Date: 10/03/2005

-----ISWRs-----								
APP #	0	0	0	0	0	0	0	MAXIMUM
Status								
1	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
2	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
3	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
4	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
5	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
6	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
7	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
8	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
9	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
10	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
11	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
12	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

STATE OF OREGON

COUNTY OF MARION

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

CITY OF HUBBARD
VICKIE NOGLE
PO BOX 380
HUBBARD, OREGON 97032

(503) 981-9633

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

APPLICATION FILE NUMBER: G-14954

SOURCE OF WATER: A WELL IN MILL CREEK BASIN

PURPOSE OR USE: MUNICIPAL USE

MAXIMUM RATE: 0.668 CUBIC FOOT PER SECOND

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: MARCH 29, 1999

POINT OF DIVERSION LOCATION: NW 1/4 SE 1/4, SECTION 33, T4S, R1W,
W.M.; 1540 FEET NORTH AND 1720 FEET WEST FROM THE 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

Application G-14954 Water Resources Department

PERMIT G-13857

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.

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.

Within 3 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 timeline to complete the required Water Management Conservation Plan.

The well shall be continuously cased and continuously sealed to a minimum depth of 210 feet below land surface.

STANDARD CONDITIONS

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.

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

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 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.

Application G-14954 Water Resources Department

PERMIT G-13857

Actual construction of the well shall begin by August 15, 2001. Complete application of the water to the use shall be made on or before October 1, 2004. 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 November 9, 2000


Paul R. Cleary, Director
Water Resources Department

NOTE: Pursuant to ORS 537.330, in any transaction for the conveyance of real estate that includes any portion of the lands described in this permit, the seller of the real estate shall, upon accepting an offer to purchase that real estate, also inform the purchaser in writing whether any permit, transfer approval order, or certificate evidencing the water right is available and that the seller will deliver any permit, transfer approval order or certificate to the purchaser at closing, if the permit, transfer approval order or certificate is available.

Application G-14954
Basin 2
AMH

Water Resources Department
Volume 13 PUDDING R MISC
MGMT.CODES 7AG 7AR 7BG 7BR

PERMIT G-13857
District 16



Date: October 4, 2005

To: Jeana Eastman

From: Bill Fujii, Field Services Division

Subject: Division 86/rate Review - Municipal and Quasi-Municipal applications

File G-16491

Field Services Division has reviewed the above referenced application for the following:

1) Shall a Water Management and Conservation Plan be required under Division 86?

☐ No

☒ WMCP should be required within 3 years.

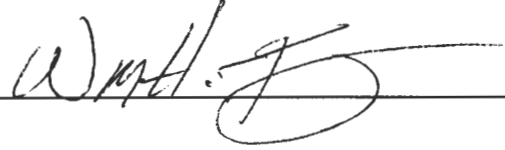
Remarks/basis of determination. Population trigger, ground water declines, monitoring plan needs improvement.

2) Is the proposed quantity of water reasonable based on information provided in Form M?

☒ Yes

☐ No. However, a reduced quantity of _____ cfs, will be reasonable based on information presented in Form M.

Remarks/basis of determination: Suggest that a total cap of all rights combined be no more than 700 gpm unless approved by WMCP.

Signature:  **Date:** 10/3/05

Div86 rate review

Updated September 22, 2005

INTEROFFICE MEMORANDUM

Water Rights Section

TO: Bill Fuji

October 3, 2005

FROM: Jeana Eastman

RE: Review of municipal file G-16491, City of Hubbard

I just received this file from groundwater and it appears the contents were never copied and routed to you for review. Attached are copies of the file. Once complete, please forward your review to me.

Thanks,
jeana

S:\groups\wr\memos\G16491_fuji review muni.wpd

Jeana Eastman

From: Karl Wozniak [Karl.C.WOZNIAK@wrd.state.or.us]
Sent: Tuesday, September 27, 2005 4:55 PM
To: Jeana.M.EASTMAN@wrd.state.or.us
Subject: File G-16491, City of Hubbard

Jeana,

You should be getting this file in the next day or two. I have specified a special condition under item B1 d iii on page 2 that is a variant of our condition 7A. I've attached a Word document with the condition so that you can paste it into the IR. Let me know if you have any questions.

Karl

Karl C. Wozniak, Hydrogeologist	Voice: 503-986-0843
Oregon Water Resources Dept	Fax: 503-986-0902
725 Summer St NE, Suite A	Karl.C.WOZNIAK@wrd.state.or.us
Salem, OR 97301-1271	www.wrd.state.or.us

09/28/2005

Special condition per B1 d iii for City of Hubbard, File G-16491

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 should 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-feet 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.

Water Right Conditions Tracking Slip

Groundwater/Hydrology Section

FILE ## 6-16491

ROUTED TO: Jana Eastman -
Water Rights

TOWNSHIP/

RANGE-SECTION: 4S/1W-33

CONDITIONS ATTACHED? ☒ yes ☐ no

REMARKS OR FURTHER INSTRUCTIONS:

Reviewer: Karl C. Wozniak

Water Resources Department

MEMO

Sept. 23, 2005

TO: Application G- 16491

FROM GW: Karl Wozniak
(Reviewer's Name)

SUBJECT **Scenic Waterway Interference Evaluation**

☐ Yes

The source of appropriation is within or above a Scenic Waterway

☒ No☐ Yes

Use the Scenic Waterway condition (Condition 7J).

☒ No

PREPONDERANCE OF EVIDENCE FINDING: (Check box only if statement is true)

☒

At this time the Department is unable to find that there is a preponderance of evidence that the proposed use of ground water will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife.

FLOW REDUCTION: (To be filled out only if Preponderance of Evidence box is not checked)

Exercise of this permit is calculated to reduce monthly flows in _____ Scenic Waterway by the following amounts expressed as a proportion of the consumptive use by which surface water flow is reduced.

[illegible]

PUBLIC INTEREST REVIEW FOR GROUND WATER APPLICATIONS

TO: Water Rights Section Date September 27, 2005

FROM: Ground Water/Hydrology Section Karl C. Wozniak
Reviewer's Name

SUBJECT: Application G- 16491 Supersedes review of _____
Date of Review(s) _____

PUBLIC INTEREST PRESUMPTION; GROUNDWATER

OAR 690-310-130 (1) *The Department shall presume that a proposed groundwater use will ensure the preservation of the public welfare, safety and health as described in ORS 537.525. Department staff review ground water applications under OAR 690-310-140 to determine whether the presumption is established. OAR 690-310-140 allows the proposed use be modified or conditioned to meet the presumption criteria. This review is based upon available information and agency policies in place at the time of evaluation.*

A. GENERAL INFORMATION: Applicant's Name: City of Hubbard County: Marion

A1. Applicant(s) seek(s) 0.223 cfs from 1 well(s) in the Willamette Basin,
Mill Creek subbasin Quad Map: Woodburn

A2. Proposed use: Municipal Seasonality: Year Round

A3. Well and aquifer data (attach and number logs for existing wells; mark proposed wells as such under logid):

Well	Logid	Applicant's Well #	Proposed Aquifer*	Proposed Rate(cfs)	Location (T/R-S QQ-Q)	Location, metes and bounds, e.g. 2250' N, 1200' E fr NW cor S 36
1	MARI 55215	4	Alluvium	0.223	04S/01W-33 NW/SE	1540' S, 1720' W fr se cor S 33
2	55251 K. Wozniak					
3						
4						
5						

* Alluvium, CRB, Bedrock

Well	Well Elev ft msl	First Water ft bls	SWL ft bls	SWL Date	Well Depth (ft)	Seal Interval (ft)	Casing Intervals (ft)	Liner Intervals (ft)	Perforations Or Screens (ft)	Well Yield (gpm)	Draw Down (ft)	Test Type
1	178	112	63	09/14/2000	320	0-210	0-304		229-271	450	124	P
1									289-297			

Use data from application for proposed wells.

A4. **Comments:** Location from tax lot map & orthophoto quad indicates well is about 1725 ft N & 1840 ft W fr SE cor S 33. The well is gravel packed from 210-304 feet and plugged with clay slough from 304-320. The effective completion interval is 229-294.

A5. ☒ **Provisions of the** Willamette Basin rules relative to the development, classification and/or management of ground water hydraulically connected to surface water ☐ are, or ☒ are not, activated by this application. (Not all basin rules contain such provisions.)

Comments: The well produces from a confined aquifer so the pertinent basin rules do not apply.

A6. ☐ **Well(s) #** _____, _____, _____, _____, _____, tap(s) an aquifer limited by an administrative restriction.
Name of administrative area: _____
Comments: _____

B. GROUND WATER AVAILABILITY CONSIDERATIONS, OAR 690-310-130, 400-010, 410-0070

B1. Based upon available data, I have determined that ground water* for the proposed use:

- a. ☐ is over appropriated, ☒ is not over appropriated, or ☐ cannot be determined to be over appropriated during any period of the proposed use. * This finding is limited to the ground water portion of the over-appropriation determination as prescribed in OAR 690-310-130;
- b. ☐ will not or ☐ will likely be available in the amounts requested without injury to prior water rights. * This finding is limited to the ground water portion of the injury determination as prescribed in OAR 690-310-130;
- c. ☐ will not or ☐ will likely to be available within the capacity of the ground water resource; or
- d. ☐ will, if properly conditioned, avoid injury to existing ground water rights or to the ground water resource:
 - i. ☒ The permit should contain condition #(s) 7B;
 - ii. ☐ The permit should be conditioned as indicated in item 2 below.
 - iii. ☒ The permit should contain special condition(s) as indicated in item 3 below;

- B2.
- a. ☐ Condition to allow ground water production from no deeper than _____ ft. below land surface;
 - b. ☐ Condition to allow ground water production from no shallower than _____ ft. below land surface;
 - c. ☒ Condition to allow ground water production only from the alluvial ground water reservoir;
 - d. ☐ Well reconstruction is necessary to accomplish one or more of the above conditions. The problems that are likely to occur with this use and without reconstructing are cited below. Without reconstruction, I recommend withholding issuance of the permit until evidence of well reconstruction is filed with the Department and approved by the Ground Water Section.

Describe injury –as related to water availability– that is likely to occur without well reconstruction (interference w/ senior water rights, not within the capacity of the resource, etc): _____

- B3. **Ground water availability remarks:** Special condition per B1 d iii above: 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 should 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.

About 20-40 feet of shallow sands (included in the Willamette aquifer of Woodward and Gannett, 1998) occur beneath about 100 feet of Willamette Silt at the proposed well site. The shallow sands are separated from deeper sand and gravel beds by multiple intervening layers of clay and silt of varying thickness (the sediments beneath the shallow sands are included in the Willamette confining unit of Woodward and Gannett, 1998). The deeper alluvial sediments probably extend to a depth of about 1600 feet below land surface but sands and gravels are probably rare beneath a depth of 500 feet. The subject well is cased and sealed into the deeper sands and gravels with an effective production interval between 229-294 feet. Seasonal water-level fluctuations in the alluvial sediments are estimated to be 30-50 feet per year based on hydrographs for nearby observation wells MARI 905 and MARI 2218 (attached). These wells show a progressive increase in seasonal fluctuations over the last 45 years which correlates to increased ground water pumpage in the area. Since the seasonal high water table occurs within the Willamette Silt at less than 25 feet below land surface, there should be sufficient additional head available in the summer months to accommodate the proposed use. However, as ground water use increases in the area, seasonal fluctuations will also increase leading to more interference between wells. The hydrographs for MARI 905 and MARI 2218 indicate water-level declines of 5 to 10 feet over the last 30 years with some indication that declines may have accelerated over the past 10 years. Additional monitoring is necessary to determine the long-term stability of ground-water levels in the area as the aquifer responds to additional ground water pumpage.

C. GROUND WATER/SURFACE WATER CONSIDERATIONS, OAR 690-09-040**C1. 690-09-040 (1): Evaluation of aquifer confinement:**

Well	Aquifer or Proposed Aquifer	Confined	Unconfined
1	Alluvium	☒	☐
		☐	☐
		☐	☐
		☐	☐
		☐	☐

Basis for aquifer confinement evaluation: The basin-fill aquifer is confined by about 80 feet of saturated, overlying, fine-grained Willamette Silt in the area of the proposed well (Gannett and Caldwell, 1998). Aquifer test data indicate storativity values of about 0.0001, consistent with confined conditions.

C2. 690-09-040 (2) (3): Evaluation of distance to, and hydraulic connection with, surface water sources. All wells located a horizontal distance less than ¼ mile from a surface water source that produce water from an unconfined aquifer shall be assumed to be hydraulically connected to the surface water source. Include in this table any streams located beyond one mile that are evaluated for PSI.

Well	SW #	Surface Water Name	GW Elev ft msl	SW Elev ft msl	Distance (ft)	Hydraulically Connected?			Potential for Subst. Interfer. Assumed?	
						YES	NO	ASSUMED	YES	NO
1	1	Unnamed tributary to Mill Creek	150	135-165	900	☒	☐	☐	☐	☒
1	2	Mill Creek	150	132-142	1750	☒	☐	☐	☐	☒
						☐	☐	☐	☐	☐
						☐	☐	☐	☐	☐
						☐	☐	☐	☐	☐
						☐	☐	☐	☐	☐
						☐	☐	☐	☐	☐
						☐	☐	☐	☐	☐
						☐	☐	☐	☐	☐

Basis for aquifer hydraulic connection evaluation: Water-level maps indicate that ground water discharges from the alluvial aquifer to streams in the area (Woodward and other, 1998, Plate 1). However, streams such as Mill Creek and its tributaries do not fully penetrate the Willamette Silt so the connection between these streams and the underlying aquifer will be very inefficient due to the resistance to downward flow caused by the intervening, low permeability silt beds. The deep casing and seal in the well will further decrease the efficiency of the connection between the producing water-bearing zones at depth and nearby streams.

Water Availability Basin the well(s) are located within: MILL CR > PUDDING R – AT MOUTH

C3a. 690-09-040 (4): Evaluation of stream impacts for each well that has been determined or assumed to be **hydraulically connected and less than 1 mile** from a surface water source. Limit evaluation to instream rights and minimum stream flows that are pertinent to that surface water source, and not lower SW sources to which the stream under evaluation is tributary. Compare the requested rate against the 1% of 80% *natural* flow for the pertinent Water Availability Basin (WAB). If Q is not distributed by well, use full rate for each well. Any checked ☒ box indicates the well is assumed to have the potential to cause PSI.

Well	SW #	Well < ¼ mile?	Qw > 5 cfs?	Instream Water Right ID	Instream Water Right Q (cfs)	Qw > 1% ISWR?	80% Natural Flow (cfs)	Qw > 1% of 80% Natural Flow?	Interference @ 30 days (%)	Potential for Subst. Interfer. Assumed?
1	1	☒	☐	NA	NA	☐	1.88	☒	<25%	☒
	2	☐	☐	NA	NA	☐	1.88	☒	<25%	☒
		☐	☐			☐		☐		☐
		☐	☐			☐		☐		☐
		☐	☐			☐		☐		☐
		☐	☐			☐		☐		☐
		☐	☐			☐		☐		☐
		☐	☐			☐		☐		☐

C3b. **690-09-040 (4):** Evaluation of stream impacts by total appropriation for all wells determined or assumed to be **hydraulically connected and less than 1 mile** from a surface water source. **Complete only if Q is distributed among wells.** Otherwise same evaluation and limitations apply as in C3a above.

	SW #		Qw > 5 cfs?	Instream Water Right ID	Instream Water Right Q (cfs)	Qw > 1% ISWR?	80% Natural Flow (cfs)	Qw > 1% of 80% Natural Flow?	Interference @ 30 days (%)	Potential for Subst. Interfer. Assumed?
			☐			☐		☐		☐
			☐			☐		☐		☐
			☐			☐		☐		☐
			☐			☐		☐		☐

Comments: Interference between the subject well and local streams was not modeled but general modeling results in similar scenarios using the Hunt model (2003) indicate that impacts on these streams will be far less than 25% after 30 days of pumping.

C4a. **690-09-040 (5):** Estimated impacts on **hydraulically connected surface water sources greater than one mile** as a percentage of the proposed pumping rate. Limit evaluation to the effects that will occur up to one year after pumping begins. This table encompasses the considerations required by 09-040 (5)(a), (b), (c) and (d), which are not included on this form. Use additional sheets if calculated flows from more than one WAB are required.

Non-Distributed Wells													
Well	SW#	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
		%	%	%	%	%	%	%	%	%	%	%	%
Well Q as CFS													
Interference CFS													
Distributed Wells													
Well	SW#	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
		%	%	%	%	%	%	%	%	%	%	%	%
Well Q as CFS													
Interference CFS													
		%	%	%	%	%	%	%	%	%	%	%	%
Well Q as CFS													
Interference CFS													
		%	%	%	%	%	%	%	%	%	%	%	%
Well Q as CFS													
Interference CFS													
		%	%	%	%	%	%	%	%	%	%	%	%
Well Q as CFS													
Interference CFS													
		%	%	%	%	%	%	%	%	%	%	%	%
Well Q as CFS													
Interference CFS													
(A) = Total Interf.													
(B) = 80 % Nat. Q													
(C) = 1 % Nat. Q													
(D) = (A) > (C)													
(E) = (A / B) x 100		%	%	%	%	%	%	%	%	%	%	%	%

(A) = total interference as CFS; (B) = WAB calculated natural flow at 80% exceed. as CFS; (C) = 1% of calculated natural flow at 80% exceed. as CFS; (D) = highlight the checkmark for each month where (A) is greater than (C); (E) = total interference divided by 80% flow as percentage.

Basis for impact evaluation: Impacts on streams at greater distances than one mile were not evaluated since general modeling results in similar scenarios indicate that they are likely to be quite small.

[illegible]

C5. ☐ **If properly conditioned**, the surface water source(s) can be adequately protected from interference, and/or ground water use under this permit can be regulated if it is found to substantially interfere with surface water:

- i. ☐ The permit should contain condition #(s) _____;
- ii. ☐ The permit should contain special condition(s) as indicated in "Remarks" below;

C6. SW / GW Remarks and Conditions: _____

[illegible]

Gannett, M. W. and Caldwell, R.R., 1998, Geologic framework of the Willamette lowland aquifer system, Oregon and Washington: U.S. Geological Survey Professional Paper 1424-A, 32p.

Hunt, B., 2003, Unsteady stream depletion when pumping from semiconfined aquifer: *Journal of Hydrologic Engineering*, January/February, 2003.

Woodward, D.G., Gannett, M.W., and Vaccaro, J.J., 1998, Hydrogeologic framework of the Willamette Lowland Aquifer system, Oregon and Washington: U.S. Geological Survey Professional Paper 1424-B, 82p.

D. WELL CONSTRUCTION, OAR 690-200D1. Well #: 1 Logid: MARI 55251D2. **THE WELL does not meet current well construction standards based upon:**

- a. ☐ review of the well log;
b. ☐ field inspection by _____;
c. ☐ report of CWRE _____;
d. ☐ other: (specify) _____

D3. **THE WELL construction deficiency:**

- a. ☐ constitutes a health threat under Division 200 rules;
b. ☐ commingles water from more than one ground water reservoir;
c. ☐ permits the loss of artesian head;
d. ☐ permits the de-watering of one or more ground water reservoirs;
e. ☐ other: (specify) _____

D4. **THE WELL construction deficiency is described as follows:** _____

_____D5. **THE WELL** a. ☒ **was, or** ☐ **was not** constructed according to the standards in effect at the time of original construction or most recent modification.b. ☐ I don't know if it met standards at the time of construction.D6. ☐ **Route to the Enforcement Section.** I recommend withholding issuance of the permit until evidence of well reconstruction is filed with the Department and approved by the Enforcement Section and the Ground Water Section.**THIS SECTION TO BE COMPLETED BY ENFORCEMENT PERSONNEL**D7. ☐ Well construction deficiency has been corrected by the following actions: _____

(Enforcement Section Signature)

_____, 200____.

D8. ☐ **Route to Water Rights Section (attach well reconstruction logs to this page).**

Hydrographs of Nearby Observation Wells

Well Location

4.00S1.00W32ADB

Oregon Water Resources Department Well Log ID

HARI 985

Oregon Water Resources Department State Observation Well Number

686

Well depth, in feet below land surface

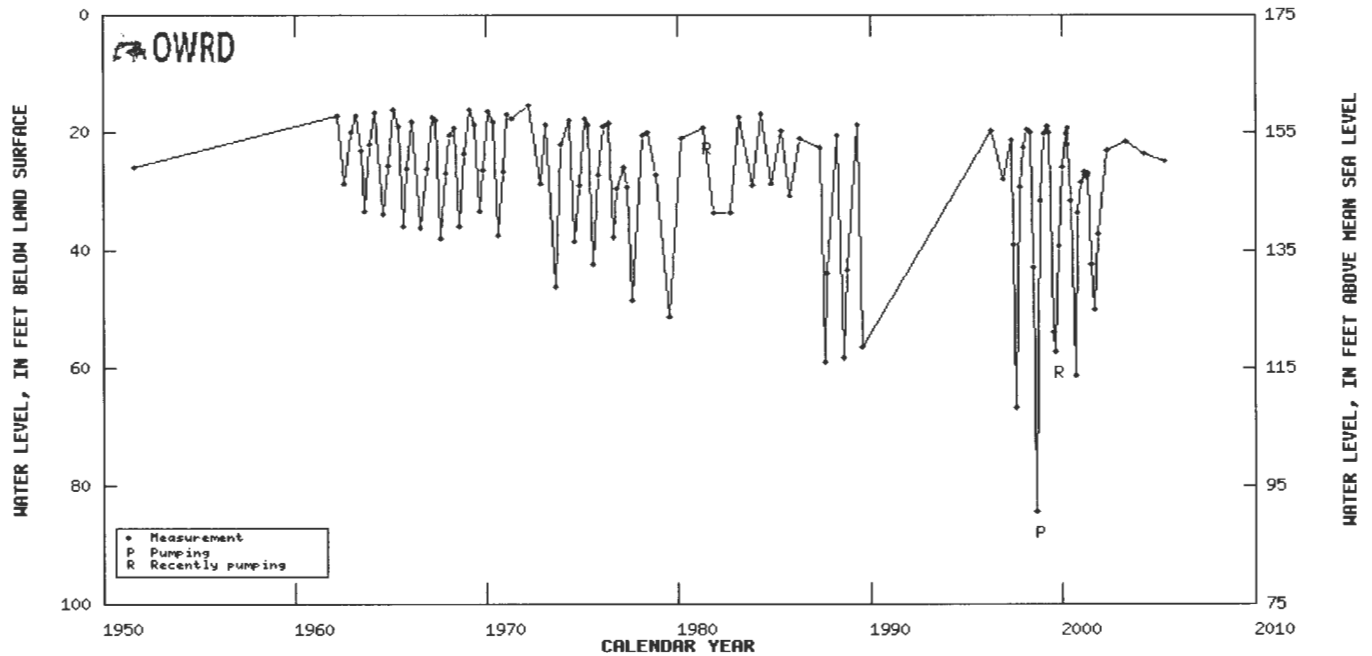
128

Land surface elevation, in feet above mean sea level

175

Primary use of well

IRRIGATION



Well Location

5.00S2.00W10DA

Oregon Water Resources Department Well Log ID

HARI 2218

Oregon Water Resources Department State Observation Well Number

689

Well depth, in feet below land surface

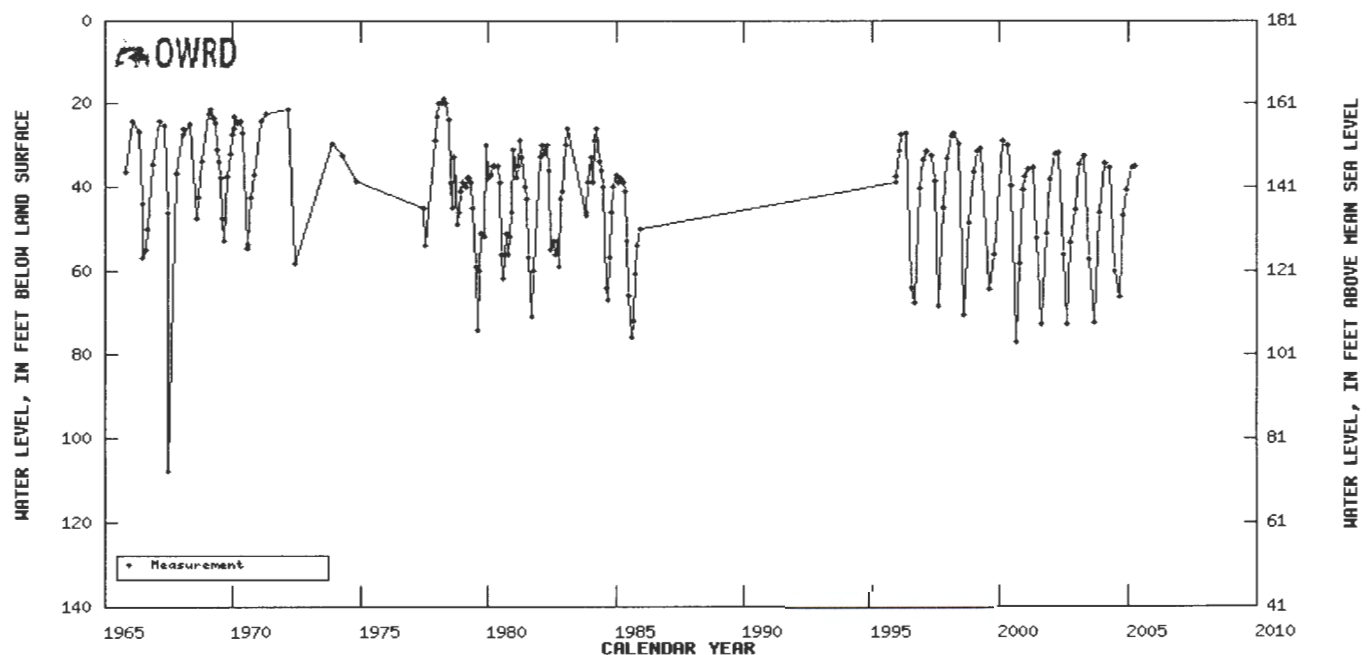
200

Land surface elevation, in feet above mean sea level

181.59

Primary use of well

UNUSED



Water Availability Tables

DETAILED REPORT ON THE WATER AVAILABILITY CALCULATION

Water Availability as of 9/23/2005 for

MILL CR > PUDDING R - AT MOUTH

Watershed ID #: 30200901

Basin: WILLAMETTE

Exceedance Level: 80

Time: 10:34

Date: 09/23/2005

Month	Natural Stream Flow	CU + Stor Prior to 1/1/93	CU + Stor After 1/1/93	Expected Stream Flow	Reserved Stream Flow	Instream Water Rights	Net Water Available
1	39.20	0.22	8.49	30.50	0.00	0.00	30.50
2	53.90	0.23	8.64	45.00	0.00	0.00	45.00
3	38.40	0.06	8.35	30.00	0.00	0.00	30.00
4	27.60	0.20	5.77	21.60	0.00	0.00	21.60
5	13.70	1.28	3.18	9.24	0.00	0.00	9.24
6	8.72	2.56	4.77	1.40	0.00	0.00	1.40
7	3.79	4.45	6.36	-7.01	0.00	0.00	-7.01
8	2.09	3.54	5.33	-6.77	0.00	0.00	-6.77
9	1.88	1.74	3.32	-3.18	0.00	0.00	-3.18
10	2.39	0.15	1.61	0.63	0.00	0.00	0.63
11	6.05	0.06	7.72	-1.73	0.00	0.00	-1.73
12	25.90	0.19	8.33	17.40	0.00	0.00	17.40
Stor	30000	892	4330	25600	0	0	25600

DETAILED REPORT OF INSTREAM REQUIREMENTS

Water Availability as of 9/23/2005 for

MILL CR > PUDDING R - AT MOUTH

Watershed ID #: 30200901

Basin: WILLAMETTE

Exceedance Level: 80

Time: 10:34

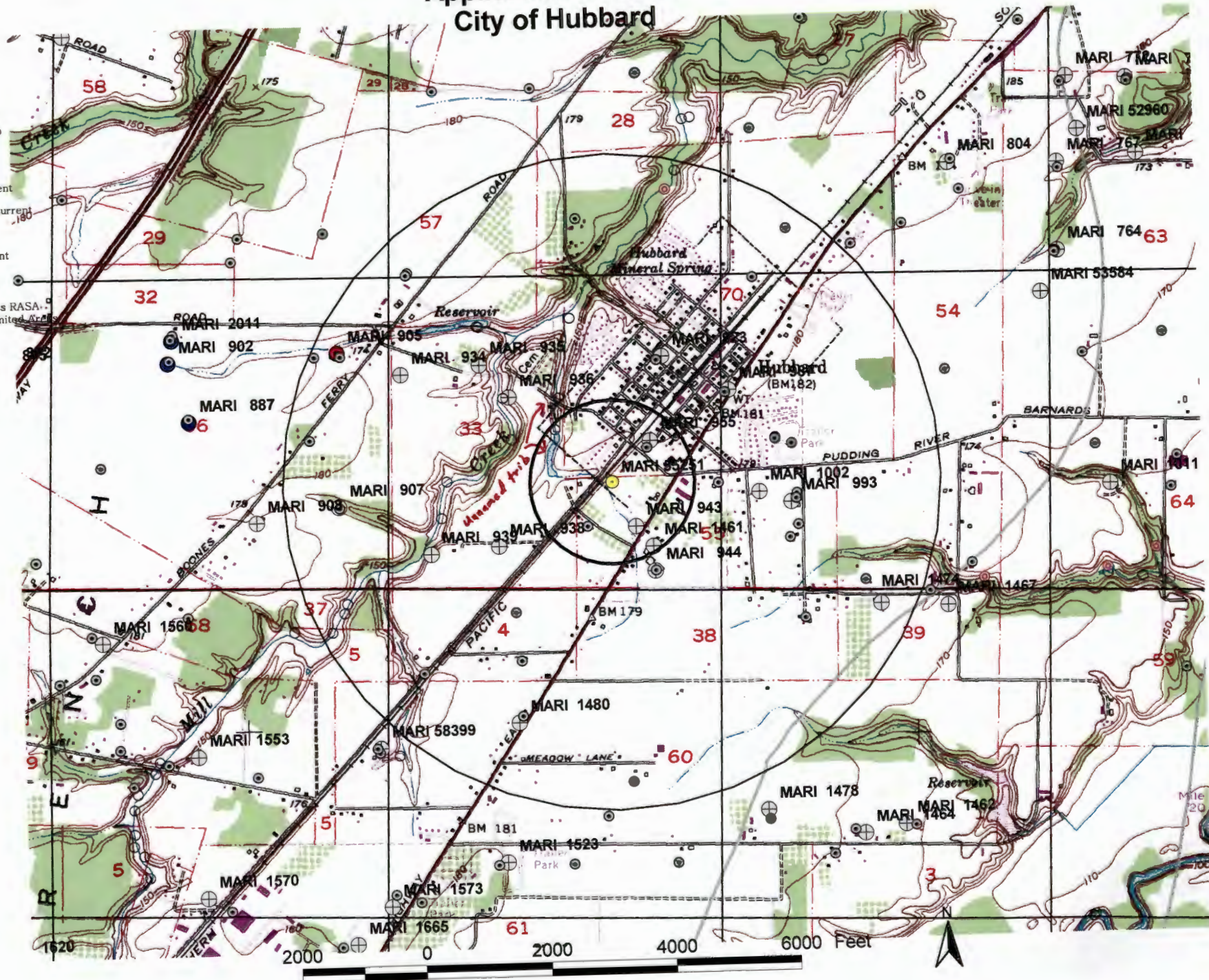
Date: 09/23/2005

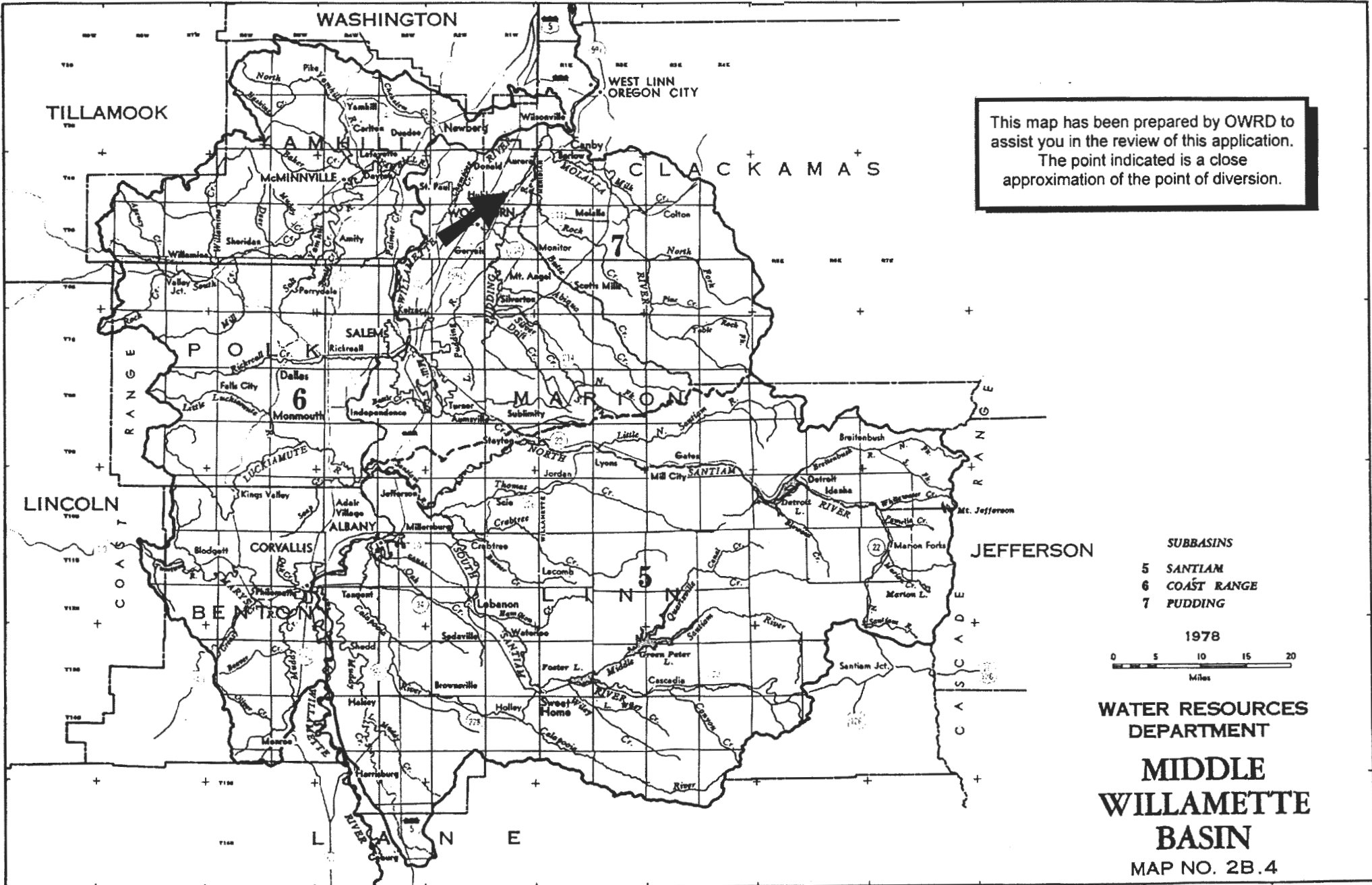
-----ISWRs-----									
APP #	0	0	0	0	0	0	0	0	MAXIMUM
Status									
1	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
2	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
3	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
4	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
5	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
6	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
7	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
8	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
9	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
10	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
11	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
12	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Application G-16491 City of Hubbard

Water Right PODS

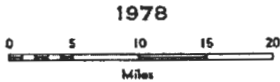
- Stream
- Well
- Sump
- Spring
- Reservoir
- ⊕ Other
- Kcw_dig_wells.shp
- Recorder Wells
- Located Wells
- Obs Wells - Current
- Obs Wells - Noncurrent
- Sows - Current
- Sows - Noncurrent
- ⊕ Other Wells
- Sections
- Will Silt Thickness RASA
- Ground Water Limited Area





This map has been prepared by OWRD to assist you in the review of this application. The point indicated is a close approximation of the point of diversion.

- SUBBASINS
- 5 SANTIAM
 - 6 COAST RANGE
 - 7 PUDDING



WATER RESOURCES
DEPARTMENT

**MIDDLE
WILLAMETTE
BASIN**

MAP NO. 2B.4

NEW APPLICATIONS (GROUND WATER, RESERVOIR, & SURFACE) ROUTE SLIP

RECEIPTING

☒

POST CARD SENT

☒

DATA CENTER

☒

7-7-05 MW

GROUND WATER YES ☐

NO ☐

ENFORCEMENT

YES ☐

☐

NO

☐

WATER RIGHTS SUPPORT ☐

ANITA HUFFMAN 503-986-0815

☐

CORY ENGEL 503-986-0813

☐

JERRY GAINES 503-986-0812

☐

KERRY LEFEVER 503-986-0816

☐

JEANA EASTMAN 503-986-0859

☒

A "Standard Reservoir" storing 9.2 acre-feet or more of
Water & has a dam height of 10.0 feet or greater needs to
have a copy of the application & supplemental forms routed to "JOHN FALK"



GW
Files

**ATTN: WATER RIGHTS
SUPPORT....>>>>> Mark contents of Application File;
Update Powerbuilder with caseworker, etc.;
Route to filing cabinet.**



S & R
Files

Standard Application "Completeness" Checklist

Minimum Requirements (OAR 690-310-040)

Application G-16491

County: _____

Priority Date: _____

Township: _____

Use(s): _____

Range: _____

Section: _____

POD $\frac{1}{4}$ $\frac{1}{4}$: _____

Rate: _____

POU $\frac{1}{4}$ $\frac{1}{4}$: _____

☒ Applicant/Organization Name, Mailing Address and Telephone Number. If applicant is other than a private landowner, Organizations section must be completed.

☒ Source listed

☒ N/A - Municipal Property ownership indicated? If applicant does not own all the land, is the affected landowner's name and mailing address listed? (Including: Lands, not owned by applicant, upon which the source is locatedor..... any Lands, not owned by applicant, which are crossed by the diversion works.) **NOTE: An easement or agreement DOES NOT need to be submitted at this time, however a statement declaring the existence of written authorization or an easement permitting access to land crossed by the proposed ditch canal or other work is required at this time. Easement or agreement will be required before a permit will be issued.**

☒ If a groundwater application...is the groundwater development section completed, including copies of well logs?

☒ Proposed Use of the water.... Is each proposed use identified?

☒ Has the appropriate "Supplemental Form" for each proposed use been completed, if applicable?

☐ Form I (Irrigation)

☒ Form M (Municipal or Quasi-Municipal)

☐ Form R (Mining)

☐ Form Q (Commercial or Industrial)

☐ Spring Description Sheet (if source is a Spring)

☒ Amount of water from each source listed in GPM, CFS or AF?

☒ N/A Acreage being proposed, if applicable.

☒ Season being requested by applicant.

☒ Water management section has been completed? If system has not been designed, the applicant may estimate this information.

☒ Resource protection system completed on Surface Water application?

☒ Are the dates of construction indicated? Proposed dates for the Beginning of construction, completion of construction, and complete application of water to the proposed use(s) If system already completed, applicant should indicate existing. Applicant may indicate in other than dates, these timelines.

☒ Is the application signed in ink by the applicant? If the application is in the name of an organization or corporation, the authorized agent with title or authority, must sign the application. If more than one applicant named, both/all must sign or application is incomplete.

☒ Legal description included? A copy of the deed, land sales contract or title insurance policy can provide this information. We cannot accept a copy of the tax bill.

☒ A completed Land-Use Form or receipt signed by the appropriate planning department officials enclosed? Does the use on land-use form match the proposed use on the application? Date should be within 6 months.

☒ Does the map meet map requirements of OAR 690-310-050?

☒ Town, Range, Sec, $\frac{1}{4}$ $\frac{1}{4}$ and Tax Lot #

☒ Scale of the Map, not less than 4" = 1 mile

☒ Reference corner on map

☒ North Directional Symbol (not fatal if omitted)

☒ $\frac{1}{4}$'s clearly identified

☒ Location of each diversion point, well or dam

☒ POU clearly identified
location of place of use where water
is to be used. ie: domestic, industrial
stock, irr, etc.

☒ Location Coordinates for each POD
by reference to a recognized public land survey
corner

☒ Number of acres per $\frac{1}{4}$ $\frac{1}{4}$, if Irrigation

☐ Other

fees enclosed?

Base Fee \$ 500

Total Paid \$ 500

plus \$ 0

plus \$ 0

Total Amount of
Water Requested: 100 GPM

Total Exam Fee \$ 500

Total Exam Fee \$ 500

Recording Fee \$ 250⁰⁰

Completeness Check by: [Signature]

Date: 7/6/2008

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # **85404**

725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

INVOICE # _____

RECEIVED FROM: City of Hubbard

BY: _____

APPLICATION	\$16491
PERMIT	
TRANSFER	

CASH: ☐ CHECK:# 14513 OTHER: (IDENTIFY) ☐ _____

TOTAL REC'D \$250.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES	\$
OTHER: (IDENTIFY) _____	\$

0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS

PCA-46111

0407 COPY & TAPE FEES	\$
0410 RESEARCH FEES	\$
0408 MISC REVENUE: (IDENTIFY) _____	\$
TC162 DEPOSIT LIAB. (IDENTIFY) _____	\$
0240 EXTENSION OF TIME	\$

WATER RIGHTS:

0201 SURFACE WATER	\$	0202	\$
0203 GROUND WATER	\$	0204	\$
0205 TRANSFER	\$		\$

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR	\$	0219	\$
LANDOWNER'S PERMIT		0220	\$

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE	\$	CARD #	
0210 MONITORING WELLS	\$	CARD #	
OTHER (IDENTIFY) _____			

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD)		\$
0231 HYDRO LICENSE FEE (FW/WRD)		\$
HYDRO APPLICATION		\$

TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION _____ \$ _____

RECEIPT: **85404**

DATED: 11-24-06 BY: [Signature]

**Oregon Water Resources Department
Water Rights Division**

Water Rights Application
Number **G-16491**

Prior to the issuance of a permit, the Department must receive permit recording fees in the amount of \$250.00. Please include your application number on your check made out to the Oregon Water Resources Department. If this fee is not paid prior to **October 20, 2006**, issuance of a permit may be delayed.

Proposed Final Order

Summary of Recommendation: The Department recommends that the attached draft permit be issued with conditions.

Application History

On July 1, 2005, EDWARD BUTTS submitted an application to the Department on behalf of CITY OF HUBBARD for the following water use permit:

- Amount of Water: 0.223 CUBIC FOOT PER SECOND (CFS)
- Use of Water: MUNICIPAL USES
- Source of Water: WELL 4 (L45374) IN LITTLE BEAR CREEK BASIN
- Area of Proposed Use: Marion County WITHIN THE SERVICE BOUNDARIES OF THE CITY

On October 14, 2005, the Department mailed the applicant notice of its Initial Review, determining that "*The use of 0.223 cubic foot per second of water from WELL 4 in Little Bear Creek Basin for municipal uses may be allowed from December 1 through May 31 of each year.*" The applicant did not notify the Department to stop processing the application within 14 days of that date.

On October 18, 2005, the Department gave public notice of the application in its weekly notice. The public notice included a request for comments, and information for interested persons about both obtaining future notices and a copy of the proposed final order.

No written comments were received within 30 days.

In reviewing applications, the Department may consider any relevant sources of information, including the following:

- recommendations by other state agencies
- any applicable basin program
- any applicable comprehensive plan or zoning ordinance

- the amount of water available
- the rate and duty for the proposed use
- pending senior applications and existing water rights of record
- designations of any critical groundwater areas
- the Scenic Waterway requirements of ORS 390.835
- applicable statutes, administrative rules, and case law
- any general basin-wide standard for flow rate and duty of water allowed
- the need for a flow rate and duty higher than the general standard
- any comments received

Findings of Fact

The Willamette Basin Program allows MUNICIPAL USES.

Senior water rights exist on WELL 4 (L45374) IN LITTLE BEAR CREEK BASIN, or on downstream waters.

WELL 4 (L45374) IN LITTLE BEAR CREEK BASIN is not within or above a State Scenic Waterway.

The Groundwater Section finds, per ORS 390.835(9), there is not a preponderance of evidence that the proposed use of groundwater will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife.

Groundwater Findings Under OAR 690-09

The Department determined, consistent with OAR 690-09-0040(4), that the proposed ground water use will have the potential for substantial interference with nearby surface water sources, being an unnamed tributary to Mill Creek and Mill Creek.

In making this determination, the Department considered whether:

- (a) There is a hydraulic connection from the proposed well(s) to any surface water sources.
- (b) The point of appropriation is a horizontal distance less than one-fourth mile from the surface water source;
- (c) The rate of appropriation is greater than five cubic feet per second, if the point of appropriation is a horizontal distance less than one mile from the surface water source;
- (d) The rate of appropriation is greater than one percent of the pertinent adopted minimum perennial streamflow or instream water right with a senior priority date, if one is applicable, or of the discharge that is equaled or exceeded 80 percent of time, as determined or estimated by the Department, and if the point of appropriation is a horizontal distance less than one mile from the surface water source;

- (e) The ground water appropriation, if continued for a period of 30 days, would result in stream depletion greater than 25 percent of the rate of appropriation, if the point of appropriation is a horizontal distance less than one mile from the surface water source.

For this application, the Department determined that there is the potential for substantial interference because of the following items described above: (a), (b), (d)

In accordance with OAR 690-33-330, an interagency team reviewed this proposed use for potential adverse impacts on sensitive, threatened and endangered fish populations. This team consisted of representatives from the Oregon Departments of Water Resources (WRD), Environmental Quality, Fish and Wildlife (DFW), and Agriculture. WRD and DFW representatives included both technical and field staff. The interagency team did not recommend that any additional conditions of use be imposed on this application.

An assessment of groundwater availability has been completed by the Department's Groundwater/Hydrology section. A copy of this assessment is in the file. The proposed use of groundwater will, if properly conditioned, avoid injury to existing rights and the resource.

Because the proposed ground water use will have the potential for substantial interference with surface water, in accordance with Oregon Administrative Rules 690-410-0070(1) and 690-400-0010(11)(a)(A), surface water availability has also been considered. This assessment compared a calculation of natural streamflow minus the consumption portion of all relevant rights of record. A copy of this assessment is in the file. This assessment determined that water is available for further appropriation (at an 80 percent exceedance probability) from December 1 through May 31 of each year.

The Department finds that the amount of water requested, 0.223 CFS, is an acceptable amount.

The proposed well is not within a designated critical ground water area.

Conclusions of Law

Under the provisions of ORS 537.621, the Department must presume that a proposed use will ensure the preservation of the public welfare, safety and health if the proposed use is allowed in the applicable basin program established pursuant to ORS 536.300 and 536.340 or given a preference under ORS 536.310(12), if water is available, if the proposed use will not injure other water rights and if the proposed use complies with rules of the Water Resources Commission.

The proposed use requested in this application is allowed in the Willamette Basin Plan, or a preference for this use is granted under the provisions of ORS 536.310(12).

Water is available for the proposed use from December 1 through May 31.

The proposed use will not injure other water rights.

The proposed use complies with other rules of the Water Resources Commission not otherwise described above.

The proposed use complies with the State Agency Agreement for land use.

No proposed flow rate and duty of water higher than the general basin-wide standard is needed.

For these reasons, the required presumption has been established.

Under the provisions of ORS 537.621, once the presumption has been established, it may be overcome by a preponderance of evidence that either:

- (a) One or more of the criteria for establishing the presumption are not satisfied; or
- (b) The proposed use would not ensure the preservation of the public welfare, safety and health as demonstrated in comments, in a protest . . . or in a finding of the department that shows:
 - (A) The specific aspect of the public welfare, safety and health under ORS 537.525 that would be impaired or detrimentally affected; and
 - (B) Specifically how the identified aspect of the public welfare, safety and health under ORS 537.525 would be impaired or be adversely affected.

In this application, all criteria for establishing the presumption have been satisfied, as noted above. The presumption has not been overcome by a preponderance of evidence that the proposed use would impair or be detrimental to the public interest.

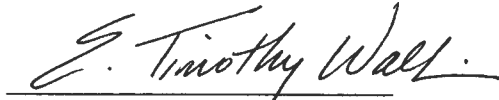
The Department therefore concludes that water is available in the amount necessary for the proposed use; the proposed use will not result in injury to existing water rights; and the proposed use would ensure the preservation of the public welfare, safety and health as described in ORS 537.525.

When issuing permits, ORS 537.628(1) authorizes the Department to include limitations and conditions which have been determined necessary to protect the public welfare, safety, and health. The attached draft permit is conditioned accordingly.

Recommendation

The Department recommends that the attached draft permit be issued with conditions.

DATED September 5, 2006



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

*If you have any questions,
please check the information
box on the last page for the
appropriate names and
phone numbers.*

Protests

Under the provisions of ORS 537.153(7) (for surface water) or ORS 537.621(8) (for ground water), you can protest this proposed final order. Protests must be received in the Water Resources Department no later than **October 20, 2006**. Protests must be in writing, and must include the following:

- Your name, address, and telephone number;
- A description of your interest in the proposed final order, and, if you claim to represent the public interest, a precise statement of the public interest represented;
- A detailed description of how the action proposed in this proposed final order would impair or be detrimental to your interest;
- A detailed description of how the proposed final order is in error or deficient, and how to correct the alleged error or deficiency;
- Any citation of legal authority to support your protest, if known; and
- If you are not the applicant, the protest fee of \$250 required by ORS 536.050 and proof of service of the protest upon the applicant.

- If you are the applicant, a statement of whether or not you are requesting a contested case hearing. If you do not request a hearing, the Department will presume that you do not wish to contest the findings of the proposed final order.
- *If you do not protest this Proposed Final Order and if no substantive changes are made in the final order, you will not have an opportunity for judicial review, protest or appeal of the final order when it is issued.*

Requests for Standing

Under the provisions of ORS 537.153(7) (for surface water) or ORS 537.621(8) (for ground water), persons other than the applicant who support a proposed final order can request standing for purposes of participating in any contested case proceeding on the proposed final order or for judicial review of a final order.

Requests for standing must be received in the Water Resources Department no later than **October 20, 2006**. Requests for standing must be in writing, and must include the following:

- The requester's name, mailing address and telephone number;
- If the requester is representing a group, association or other organization, the name, address and telephone number of the represented group;
- A statement that the requester supports the proposed final order as issued;
- A detailed statement of how the requester would be harmed if the proposed final order is modified; and
- A standing fee of \$50.00. If a hearing is scheduled, an additional fee of \$200.00 must be submitted along with a request for intervention.

After the protest period has ended, the Director will either issue a final order or schedule a contested case hearing. The contested case hearing will be scheduled only if a protest has been submitted and either:

- upon review of the issues, the director finds that there are significant disputes related to the proposed use of water, or
- the applicant requests a contested case hearing within 30 days after the close of the protest period.

DRAFT

This is not a permit.
STATE OF OREGON

DRAFT

COUNTY OF MARION

DRAFT PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS DRAFT 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 $\frac{1}{4}$ SE $\frac{1}{4}$, 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.

This document was prepared by Jeana Eastman. If you have any questions about any of the statements contained in this document I am most likely the best person to answer your questions. You can reach me at 503-986-0859.

If you have questions about how to file a protest or a request for standing, please refer to the respective sections in this Proposed Final Order entitled "Protests" and "Requests for Standing". If you have previously filed a protest and want to know its status, please contact Mike Reynolds at 503-986-0820.

If you have other questions about the Department or any of its programs please contact our Customer Service Group at 503-986-0801. Address all other correspondence to:

Water Rights Section, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1266, Fax: 503-986-0901.

- 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 years 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 _____, 2006

DRAFT - THIS IS NOT A PERMIT

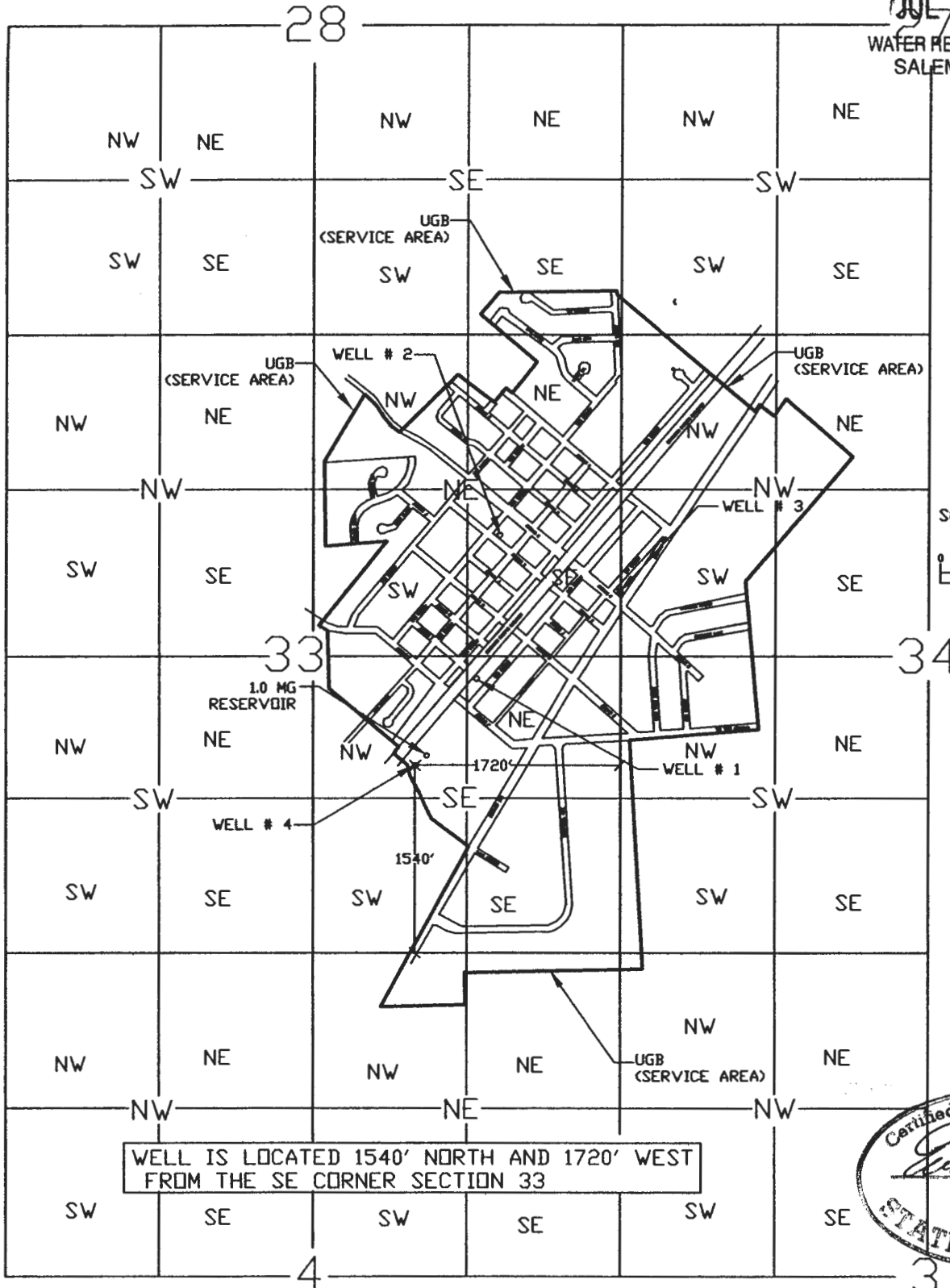
Phillip C. Ward, Director
Water Resources Department

T4S R1W W.M.
T5S R1W W.M.

RECEIVED

JUL 01 2005

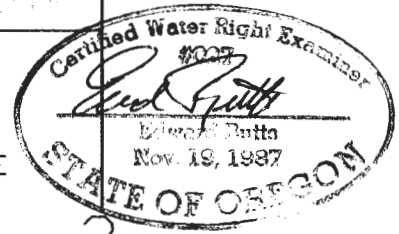
WATER RESOURCES DEPT
SALEM, OREGON



THIS MAP WAS PREPARED FOR THE PURPOSE OF IDENTIFYING THE LOCATION OF A WATER RIGHT ONLY AND IS NOT INTENDED TO PROVIDE LEGAL DIMENSIONS OR LOCATION OF PROPERTY OWNERSHIP LINES.

APPLICATION MAP FOR
CITY OF HUBBARD
JULY 1, 2005

APPLICATION G-16491 PERMIT NO. _____



Mailing List for PFO Copies

Application #G-16491

PFO Date September 5, 2006

Original mailed to applicant:

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

Copies sent to:

1. WRD - File # G-16491
2. Water Availability: Ken Stahr
3. Regional Well Inspector: NWR

Copies Mailed
By: <u>JS</u>
(SUPPORT STAFF)
on: <u>9/1/06</u>
(DATE)

PFO and Map Copies sent to:

Copies sent to Other Interested Persons (CWRE, Agent, Well Driller, Commenter, etc.)

1. Edward Butts, CWRE #27

"\$10 LETTER" sent to Interested Persons who have not protested or paid for copies

Affected Landowners (include "Notice of Proposed Final Order--Affected Landowner"):

- 1.

CASEWORKER SEND COPY VIA EMAIL:

WRD - Watermaster # 16

Regional Manager: NWR

CASEWORKER : jme

4B ENGINEERING & CONSULTING, LLC

3000 Market Street
Suite 527
Salem, Oregon 97301
Phone: 503-589-1115
Fax: 503-589-1118

Jeana Eastman
Water Right Application Caseworker
Oregon Water Resources Department
North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-0900

December 27, 2005

RE: City of Hubbard-Application G-16491

Dear Ms. Eastman,

Pursuant to your letter of October 31, 2005, and acting on behalf of the City of Hubbard, I wish to comply with your request to provide the estimated number of years that will be required to commence construction from the date of permit issuance.

The water requested in this application is supplementary to the initial permit # G-13857, with a priority date of March 29, 1999. The additional rate of flow requested in Application # G-16491 is being requested due to the higher rate of well capacity realized after the well was constructed and the initial water right application filed. The additional rate of flow, combined with the original volume under Permit # G-13857, is currently available from the existing well pump system and therefore does not require any further construction. Based on the above facts, I feel that there is no need for a construction window for this application and that the use of supplemental water from this well will be immediately available at the date of issuance of the permit.

Thank you for your consideration in this matter and please let me know if I can be of additional service.

Respectfully,



Edward Butts, PE, DEE, CWRE

Cc: City of Hubbard

RECEIVED
DEC 28 2005
WATER RESOURCES DEPT
SALEM, OREGON

9-16491

REEL
1503

PAGE
660

WARRANTY DEED

Grantor Westside Drywall, Inc., an Oregon corporation, conveys and warrants to *Grantee City of Hubbard*, a municipal corporation and political subdivision of Marion County, Oregon, the hereinafter described real property, free of encumbrances except as specifically set forth herein, situated in **Marion County, Oregon**.

Consideration: The true and actual consideration for this transfer is \$65,000.

Tax Statements: Until a change is requested, all tax statements shall be sent to the following address: **No Change**.

Person authorized to receive the instrument after recording: Robert L. Engle, 610 Glatt Circle, Woodburn, OR 97071.

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DEC 27 2005

[LEGAL DESCRIPTION]

A portion of the following described real property:

WATER RESOURCES DEPT
SALEM, OREGON

Beginning at an iron rod in the North line of the Ewing Purvine Donation land Claim No. 55, in Township 4 South, Range 1 West of the Willamette Meridian, Marion County, Oregon, 7.005 chains Easterly from the Northwest corner thereof; thence along said North line, North 89° 15' East a distance of 4 chains to an iron bar; thence South 58° 34' East a distance of 10.96 chains; thence South 31° 26' West along the center of the State Highway 3.906 chains; thence North 58° 34' West a distance of 8.19 chains to an iron rod; thence South 41° 15' West 2.93 chains to an iron rod in the center of a ditch; thence following the center line of said ditch North 24° 18' West a distance of 2.10 chains to an iron rod; thence North 29° 12' West a distance of 2.21 chains to an iron rod; thence North 11° 30' West a distance of 1.296 chains to an iron bar and North 50° 46' West a distance of 1.20 chains to an iron rod; thence leaving said ditch and running North 41° 15' East along the Southern Pacific Railroad right of way 1.147 chains to the place of beginning.

SAVE AND EXCEPT That certain tract conveyed to the State of Oregon as shown by deed recorded in volume 216, Page 628, Deed Records, Marion County, Oregon.

ALSO SAVE AND EXCEPT: Beginning at a point which is 10.98 chains North 84° 27' East and 7.505 chains South 60° 15' East from the Northwest corner of the Ewing Purvine Donation Land Claim No. 55, in Section 33, Township 4, South, Range 1 West of the Willamette Meridian, Marion County, Oregon, said point being on the Northeasterly boundary of a tract of land conveyed to Paul Grimm by deed recorded in volume 180, Page 174, Deed Records, Marion County, Oregon; thence South 60° 15' East along the Northeasterly line of said Grimm Tract, 191.1 feet to an iron bar; thence South 29° 39' 30" West a distance of 77.73 feet to an iron pipe;

18-68596

thence North 60° 16' West a distance of 191.27 feet to an iron pipe; thence North 29° 45' East a distance of 77.73 feet to the place of beginning.

ALSO SAVE AND EXCEPT: Beginning at the most Northerly corner of said tract of land conveyed to Thomas G. Baldwin by deed recorded February 20, 1957, in Volume 497, Page 341, Deed Records, which point is also on the Northeasterly line of a tract of land conveyed to Paul Grimm, by deed recorded in Volume 180, Page 174, Deed Records; thence South 29° 45' West 77.73 feet to the most Westerly corner of said Baldwin Tract; thence North 60° 15' West 25.0 feet; thence North 29° 45' East 77.73 feet to the Northeasterly line of said Grimm Tract, thence South 60° 15' East 25.0 feet to the place of beginning.

SAID PORTION BEING MORE PARTICULARLY DESCRIBED AS
FOLLOWS:

Beginning at the most Westerly point on the boundary of said property, said point being the intersection of the Southwest line of said property with the Easterly line of the railroad right-of-way; thence along said boundary South 50°46'00" East, 59.19 feet; thence continuing along said boundary South 11°30'00" East, 85.54 feet; thence continuing along said boundary South 29° 12'00" East, 30.00 feet; thence leaving said boundary North 50°05'26" East, 205.61 feet; thence North 31°26'00" East, 120.00 feet to an angle point on the Northeasterly boundary of said property; thence along said boundary South 86°15'00" West, 235.72 feet, thence continuing along said boundary South 41°15'00" West, 95.00 feet to the point of beginning.

Also, a permanent non-exclusive easement for ingress and egress to the aforesaid portion from public roads and streets, over and across the non-public roadways, driveways and parking lot lanes now existing or hereafter established upon the real property owned by Grantor described in the first four paragraphs of the legal description contained in this deed.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

THE PROPERTY DESCRIBED IN THIS INSTRUMENT MAY NOT BE WITHIN A FIRE PROTECTION DISTRICT PROTECTING STRUCTURES. THE PROPERTY IS SUBJECT TO LAND USE LAWS AND REGULATIONS, WHICH, IN FARM OR FOREST ZONES, MAY NOT AUTHORIZE CONSTRUCTION OR SITING OF A RESIDENCE AND WHICH LIMIT LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 IN ALL ZONES. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND EXISTENCE OF FIRE PROTECTION FOR STRUCTURES.

RECEIVED

DEC 27 2005

WATER RESOURCES DEPT
SALEM, OREGON

RECEIVED

DEC 27 2005

WATER RESOURCES DEPT
SALEM, OREGON

DATED this 9 day of July, 1998.

WESTSIDE DRYWALL, INC.

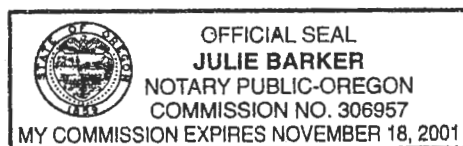
BY

CITY OF HUBBARD

By

STATE OF OREGON)
) ss.
County of Marion)

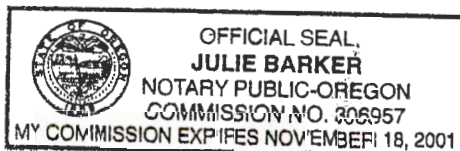
The foregoing instrument was acknowledged before me this 9 day of July, 1998, by Albert V. Ellis of WESTSIDE DRYWALL, INC.



Julie Barker
Notary Public for Oregon
My Commission Expires: 11-18-01

STATE OF OREGON)
) ss.
County of Marion)

The foregoing instrument was acknowledged before me this 9 day of July, 1998, by Paulette E. David of CITY OF HUBBARD.



Julie Barker
Notary Public for Oregon
My Commission Expires: 11-18-01

This conveyance was duly accepted by the Hubbard City Council at a ^{SPECIAL} regular meeting held on July 7th, 1998, duly noticed with forum present.

Paulette E. David
City Recorder

REEL:1503

PAGE: 660

July 09, 1998 , 03:56P

CONTROL #: 1503660

State of Oregon
County of Marion

I hereby certify that the attached
instrument was received and duly
recorded by me in Marion County
records:

FEE: \$45.00

ALAN H DAVIDSON
COUNTY CLERK

CITY OF HUBBARD
SPECIAL CITY COUNCIL MEETING
City Council Chambers, Hubbard City Hall
July 7, 1998
7:00 A.M.

RECEIVED

DEC 27 2005

WATER RESOURCES DEPT
SALEM, OREGON

MINUTES

Call to Order and Pledge of Allegiance

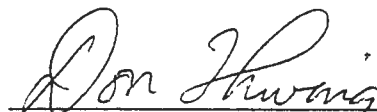
The special meeting of the Hubbard City Council was called to order at 7:00 a.m., in the City Hall Council Chambers, on July 7, 1998, by Mayor Don Thwing. Council Present: Clara Karsten, Hildred Huyssoon, and Jerry Huddleston. One Council position is vacant. City Recorder Paulette David and Public Works Superintendent Jaime Estrada were present.

Council Business

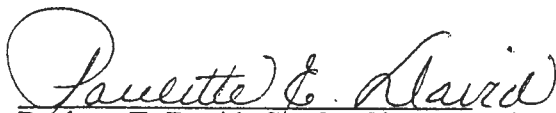
Motion was made and seconded to authorize staff to purchase a part of the property at 2735 Hwy. 99E, from Westside Drywall, Inc., for the water project, in the amount of \$65,000. Motion passed with all in favor.

Mr. Estrada updated the Council on the two bids received, for the "D" Street Storm Drain project, at the bid opening on July 6, 1998. He indicated that he was not satisfied with the bids and the advertisement. After some discussion, a motion was made to reject both bids, and re-advertise omitting the requirement "... shall attend the pre-bid conference which will be held on June 29, 1998, at 9:00 a.m. at City of Hubbard City Hall, 3720 2nd Street, Hubbard OR." Motion carried with all in favor.

The meeting was adjourned at 7:09 a.m.


Don Thwing - Mayor

ATTEST:


Paulette E. David, CMC - City Recorder

Affidavit of Publication

**NOTICE OF
WATER USE REQUEST
Regarding: Application
#G-16491**

The Oregon Water Resources Department is evaluating the request by City of Hubbard to use 0.223 cubic foot per second from a well for municipal use. The proposed use is located within Marion County in Township 4 South, Range 1 West, W.M., and Township 5 South, Range 1 West, W.M. This process is to determine if the request is in compliance with state water laws and regulations. Public participation and comment is encouraged.

ORS 537.130 (3) requires notice to all affected landowners. ORS 537.130 (4) allows this notice to be made through publication for three consecutive weeks in a local newspaper if there are more than 25 landowners involved.

For further information contact Water Resources Department Water Rights Information Group at 503-986-0801. Written information requests may be addressed to the Oregon Water Resources Department at 725 Summer Street NE, Suite A, Salem, Oregon 97301-1271.

Published: October 26, November 2, and November 9, 2005.

STATE OF OREGON,

SS.

County of Marion

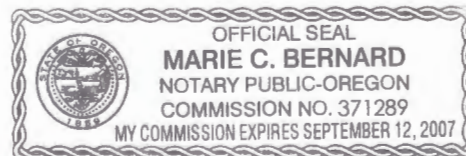
I, Les Reitan, being first duly sworn, depose and say I am Publisher Woodburn Independent, a newspaper of general circulation as defined by ORS 193.010, and 193.020 printed and published at Woodburn in the aforesaid county and state, that the Notice of Water Use Request, a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for the following issues: October 26, November 2, and November 9, 2005.

Les Reitan

Subscribed and sworn to before me this 9th
day of October, 2005

Marie C. Bernard

Notary Public for Oregon
(My Commission Expires 9/12/07)



RECEIVED
NOV 15 2005
WATER RESOURCES DEPT
SALEM, OREGON



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1271
503-986-0900
FAX 503-986-0904

October 31, 2005

CITY OF HUBBARD
ATTN: EDWARD BUTTS
PO BOX 380
HUBBARD OR 97032-0380

Reference: Application **G-16491**

Dear Mr. Butts:

The Department is currently in the process of reviewing your application for a permit to use water for municipal use. House Bill 3038 (HB3038), which became effective on June 29, 2005, amended ORS 537.230 and ORS 537.630 to provide the applicant of a permit for a municipal water use a maximum of 20 years to commence and complete construction of proposed works. In order to comply with HB3038, please submit the following:

- a statement providing the number of years (not to exceed 20 years) you need to commence and complete construction from the date of permit issuance.

Please submit this information no later than December 30, 2005.

If you request more than 20 years to complete construction, the Department will likely recommend denial of your application.

Should you have any questions regarding your application, please call me at (503) 986-0859.

Sincerely,

Jeana Eastman
Water Right Application Caseworker

cc: File
Watermaster District #16

WARRANTY DEED

Grantor Westside Drywall, Inc., an Oregon corporation, conveys and warrants to Grantee City of Hubbard, a municipal corporation and political subdivision of Marion County, Oregon, the hereinafter described real property, free of encumbrances except as specifically set forth herein, situated in Marion County, Oregon.

Consideration: The true and actual consideration for this transfer is \$65,000.

Tax Statements: Until a change is requested, all tax statements shall be sent to the following address: **No Change.**

Person authorized to receive the instrument after recording: Robert L. Engle, 610 Glatt Circle, Woodburn, OR 97071.

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OCT 20 2005

WATER RESOURCES DEPT
SALEM, OREGON

18-68596



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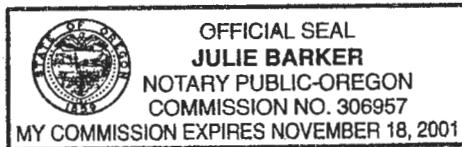
DATED this 9 day of July, 1998.

WESTSIDE DRYWALL, INC.
BY *Albert V. Ellis*

CITY OF HUBBARD
By *Paulette E. David*

STATE OF OREGON)
) ss.
County of Marion)

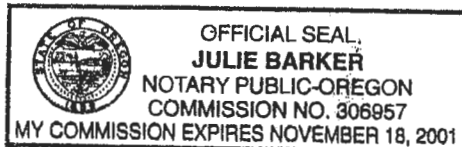
The foregoing instrument was acknowledged before me this 9 day of July, 1998, by *Albert V. Ellis* of WESTSIDE DRYWALL, INC.



Julie Barker
Notary Public for Oregon
My Commission Expires: 11-18-01

STATE OF OREGON)
) ss.
County of Marion)

The foregoing instrument was acknowledged before me this 9 day of July, 1998, by *Paulette E. David* of CITY OF HUBBARD.



Julie Barker
Notary Public for Oregon
My Commission Expires: 11-18-01

This conveyance was duly accepted by the Hubbard City Council at a ^{SPECIAL} ~~regular~~ meeting held on July 7th, 1998, duly noticed with forum present.

Paulette E. David
City Recorder

REEL:1503

PAGE: 660

July 09, 1998 , 03:56P

CONTROL #: 1503660

State of Oregon
County of Marion

I hereby certify that the attached
instrument was received and duly
recorded by me in Marion County
records:

FEE: \$45.00

ALAN H DAVIDSON
COUNTY CLERK

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**CITY OF HUBBARD
SPECIAL CITY COUNCIL MEETING
City Council Chambers, Hubbard City Hall
July 7, 1998
7:00 A.M.**

MINUTES

Call to Order and Pledge of Allegiance

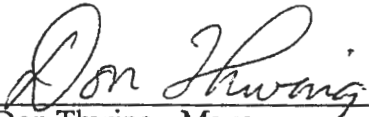
The special meeting of the Hubbard City Council was called to order at 7:00 a.m., in the City Hall Council Chambers, on July 7, 1998, by Mayor Don Thwing. Council Present: Clara Karsten, Hildred Huyssoon, and Jerry Huddleston. One Council position is vacant. City Recorder Paulette David and Public Works Superintendent Jaime Estrada were present.

Council Business

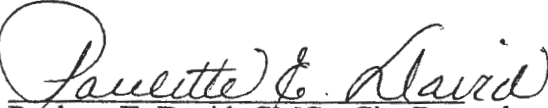
Motion was made and seconded to authorize staff to purchase a part of the property at 2735 Hwy. 99E, from Westside Drywall, Inc., for the water project, in the amount of \$65,000. Motion passed with all in favor.

Mr. Estrada updated the Council on the two bids received, for the "D" Street Storm Drain project, at the bid opening on July 6, 1998. He indicated that he was not satisfied with the bids and the advertisement. After some discussion, a motion was made to reject both bids, and re-advertise omitting the requirement "... shall attend the pre-bid conference which will be held on June 29, 1998, at 9:00 a.m. at City of Hubbard City Hall, 3720 2nd Street, Hubbard OR." Motion carried with all in favor.

The meeting was adjourned at 7:09 a.m.


Don Thwing - Mayor

ATTEST:


Paulette E. David, CMC - City Recorder

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

G-16491

EDWARD BUTTS
CITY OF HUBBARD
PO BOX 380
HUBBARD OR 97032-0380

2. Article Number

(Transfer from service label)

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☒ Agent

☐ Addressee

B. Received by (Printed Name)

Melinda Olinger

C. Date of Delivery

10/10/05

D. Is delivery address different from item 1? ☐ Yes

If YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail

☐ Express Mail

☐ Registered

☐ Return Receipt for Merchandise

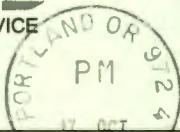
☐ Insured Mail

☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

UNITED STATES POSTAL SERVICE



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

- Sender: Please print your name, address, and ZIP+4 in this box •

RECEIVED

OCT 18 2005

WATER RESOURCES DEPT
SALEM, OREGON

WATER RESOURCES DEPARTMENT
725 SUMMER STREET NE SUITE A
SALEM OR 97301-1271



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1271
503-986-0900
FAX 503-986-0904

CERTIFIED MAIL Return Receipt Requested

October 14, 2005

CITY OF HUBBARD
ATTN: EDWARD BUTTS
PO BOX 380
HUBBARD, OR 97032-0380

503-981-9633

Reference: File G-16491

Dear Mr. Butts:

THIS IS NOT A PERMIT AND IS SUBJECT TO CHANGE AT THE NEXT PHASE OF PROCESSING.

This letter is to inform you of the preliminary analysis of your water use permit application and to describe your options. In determining whether a water use permit application may be approved, the Department must consider the factors listed below, all of which must be favorable to the proposed use if it is to be allowed. Based on the information you have supplied, the Water Resources Department has made the following preliminary determinations:

Initial Review Determinations:

1. The proposed use is not prohibited by law or rule except where otherwise noted below.
2. The use of water from Well 4 in Little Bear Creek Basin for municipal uses **is classified** under OAR 690-502-0160(2), the Willamette Basin Program.
3. The Department has determined, based upon OAR 690-09, that the proposed groundwater use will have the potential for substantial interference with an unnamed tributary to Mill Creek and Mill Creek. Therefore, in accordance with OAR 690-410-0070(1) and 690-400-0010(11)(a)(A), surface water availability must also be considered.
4. Surface water in the amount of 0.223 cubic foot per second for **is not available** during the period June 1 through November 30.

5. The Department has determined there are deficiencies with the application. Please refer to the **Additional Information Required** section below for specific information.

Summary of Allowable Water Use

The use of 0.223 cubic foot per second of water from Well 4 in Little Bear Creek Basin for municipal uses may be allowed from December 1 through May 31 of each year.

Because of the Department's determination, your application can be moved to the next phase of the water rights application review process. However, due to #4 above your application will likely be limited accordingly.

Please reference the application number when sending any correspondence regarding the conclusions of this initial review. Comments received within the comment period will be evaluated at the next phase of the process.

At this time, you must decide whether to proceed or to withdraw your application as described below.

Withdrawal Refunds:

If you choose not to proceed, you may withdraw your application and receive a refund (minus a \$50 processing charge per application.) To accomplish this you must notify the Department in writing by **Friday, October 28, 2005**. For your convenience you may use the enclosed "STOP PROCESSING" form.

To Proceed With Your Application:

If you choose to proceed with your application, you do not have to notify the Department. Your application will automatically be placed on the Department's Public Notice to allow others the opportunity to comment. After the comment period the Department will complete a public interest review and issue a proposed final order.

Additional Information Required:

Additional information is required to process your application. Please provide the following items:

- A copy of the legal description of the property where Well 4 is located as depicted on the map, as required by OAR 690-310-0040(1)(a)(I). A legal description is a description of a specific parcel of real estate which often uses one of the following methods; government survey metes and bounds, aliquot parts, subdivision block and lot numbers, or a combination of these. It is often found on a deed, land sales contract, or title insurance policy.

- You indicated on the application form that you do not own all the land where you propose to divert, transport, and use water. Please provide the names and addresses of the owners of land affected by the application, to include owners of public rights-of-way or public easements where the distribution system is typically located, as noted in the application form.
- OAR 690-310-0020(1) requires the Department to provide notice to all affected landowners prior to issuing a permit. OAR 690-310-0020(2) specifies that if there are more than 25 landowners involved in the proposed use, the notice may be satisfied by publishing a notice of the application for three consecutive weeks in a publication which meets the statutory definition of "newspaper" under ORS 193 for the purpose of public notice. The cost of the publication is to be paid by the applicant. The Department requests that you have the required notice published. The language to be used in the notice is attached ("NOTICE OF WATER USE REQUEST"). A copy of the affidavit of publication must be submitted to the Department following completion of the notice period. If the three weekly notices have not been published within 45 days from the date of this Initial Review, please submit a receipt demonstrating that this process has been initiated.

Please submit this information no later than Thursday, November 17, 2005. If you are unable to submit the information listed above, you may request an administrative hold for up to an additional 180 days. You must submit the request in writing, stating how much more time you will need and why you need additional time. If an administrative hold is granted, your application will not be processed further until the requested information is received or the extended deadline has passed.

If we do not receive the items requested above or a request for an administrative hold by this date, the Department will likely proceed with a Proposed Final Order recommending denial of the application.

If A Permit Is Issued It Will Likely Include The Following Conditions:

1. 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.
2. Ground water production shall only be from the alluvial ground water reservoir.
3. 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.
4. 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.

5. Water may be used under this permit only when the combined total of all rights do not exceed 700 gallons per minute, or when an approved Water Management and Conservation Plan authorizes a higher rate.
6. The tentative priority date for this application is July 1, 2005.

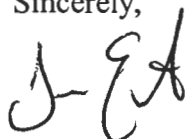
WARNING: This initial review does not attempt to address various public interest issues such as sensitive, threatened, or endangered fish species. These issues will be addressed as the Department reviews public comments and prepares a proposed final order. You should be aware that, if significant public interest issues are found to exist, such a finding could have an impact on the eventual outcome of your application.

The water source identified in your application may be affected by an Agricultural Water Quality Management Area Plan. These plans are developed by the Oregon Department of Agriculture (ODA) with the cooperation of local landowners and other interested stakeholders, and help to ensure that current and new appropriations of water are done in a way that does not adversely harm the environment. You are encouraged to explore ODA's Water Quality Program web site at http://www.oda.state.or.us/nrd/water_quality/index.html to learn more about the plans and how they may affect your proposed water use.

If you have any questions:

Questions about the status of your application, processing time lines, or your upcoming Proposed Final Order should be directed to our customer service staff at 503-986-0801. Feel free to call me at 503-986-0859 if you have any questions regarding the contents of this letter. Please have your application number available if you call. Address all other correspondence to: Water Rights Section, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1271, Fax: 503-986-0901.

Sincerely,



Jeana Eastman

Water Right Application Caseworker

enclosures: Application Process Description and Stop Processing Request Form
NOTICE OF WATER USE REQUEST

G-16491
wab 2-30200901
pou 50% = 2-30200901; 50% = 2-151
gw A

APPLICATION FACT SHEET

Mail to: Applicant, Watermaster, District Biologist (ODFW)
If necessary, also mail to : Regional Water quality manager (DEQ), and DOA

Application File Number: G-16491

Applicant: EDWARD BUTTS for CITY OF HUBBARD

County: Marion

Watermaster: 16

Priority Date: July 1, 2005

Source: WELL 4 IN LITTLE BEAR CREEK BASIN

Use: MUNICIPAL USES

Quantity: 0.223 CUBIC FOOT PER SECOND

Basin Name & Number: Willamette, #2

Stream Index Reference: Volume 15A MILL CR MISC

Well Location: NWSE, SECTION 33, T4S, R1W, W.M.; 1540 FEET NORTH & 1720 FEET
WEST FROM SE CORNER, SECTION 33

Place of Use: WITHIN THE SERVICE BOUNDARIES OF THE CITY

14 DAY STOP PROCESSING DEADLINE DATE: Friday, October 28, 2005

PUBLIC NOTICE DATE: Tuesday, October 18, 2005

30 DAY COMMENT DEADLINE DATE: Thursday, November 17, 2005

APPLICATION G-16491 PERMIT NO. _____

Mailing List for IR Copies

Application #G-16491

IR Date: October 14, 2005

Original mailed to applicant:

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

Copies sent to:

- 1. WRD - File # G-16491
- 2. WRD - Water Availability: Ken Stahr

IR, Map, and Fact Sheet Copies sent to:

- 3. WRD - Watermaster # 16 + **DIV 33 Form**
- 4. WRD - Regional Manager NWR
- 5. ODFW District Biologist: Danette Ehlers + **DIV 33 Form**
- 6. DEQ: W Region - John Blanchard + **DIV 33 Form**
- 7. DOA: Jim Johnson

Copies sent to Other Interested Persons (CWRE, Agent, Well Driller, Commenter, etc.)

- 8. Edward Butts, CWRE #27
- 9.

Copies Mailed
By: <u>ECB</u>
(SUPPORT STAFF)
on: <u>10/14/05</u>
(DATE)



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem Oregon 97301-1271
(503) 986-0900
www.wrd.state.or.us

RECEIVED

Last updated: Jan 9, 2004

JUL 01 2005

WATER RESOURCES DEPT
SALEM, OREGON

Application for a Permit to Use Ground Water

Please type or print in dark ink. If your application is found to be incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "n/a." Please read and refer to the instructions when completing your application. A summary of review criteria and procedures that are generally applicable to these applications is available at www.wrd.state.or.us/publication/reports/index.shtml.

1. APPLICANT INFORMATION

A. Individuals

Applicant: _____
Mailing address: _____
Phone: _____
*Fax: _____ *E-Mail address: _____

B. Organizations

(Corporations, associations, firms, partnerships, joint stock companies, cooperatives, public and municipal corporations)

Name of organization: City of Hubbard Oregon
Name and title of person applying: Edward Butts, CWRE
Mailing address of organization: P.O. Box 380
Hubbard OR 97032
Phone: 503-981-9633 N/A
*Fax: 503-981-8743 *E-Mail address: jestrada@cityofhubbard.org

* Optional information

For Department Use		
App. No. <u>G-16491</u>	Permit No. _____	Date _____

2. PROPERTY OWNERSHIP

Do you own all the land where you propose to divert, transport, and use water?

☐ Yes (Skip to section 3 "Ground water Development.")

☒ No (Please check the appropriate box below.)

☐ I have a recorded easement or written authorization permitting access.

☒ I do not currently have written authorization or easement permitting access.

☐ Written authorization or an easement is not necessary, because the only affected lands I do not own are state-owned submersible lands, and this application is for irrigated and/or domestic use only (ORS 274.040).

List the names and mailing addresses of all affected landowners.

N/A - For municipal use

3. GROUND WATER DEVELOPMENT

A. Well Information

Number of well(s): 1

Name of nearest surface water body: man-made water holding pond

Distance from well(s) to nearest stream or lake: 1) man-made pond: 1000 ft. ±

2) Mill Creek: 1700 ft. 3) _____ 4) _____

If distance from surface water is less than one mile, indicate elevation difference between nearest surface water and well head. 1) 30 ft. below well head

2) 40 ft. below well head 3) _____ 4) _____

B. Well Characteristics

Wells must be constructed according to standards set by the Department for the construction and maintenance of water wells. If the well is already constructed, please enclose a copy of the well constructor's log and the well ID number, if available, for each well with this application. Identify each well with a number corresponding to the wells designated on the map and proceed to question F in this section of the form. If the well has not been constructed, or if you do not have a well log, please complete the following:

Well(s) ^{was} ~~will be~~ constructed by: Steve Stadel - Stadel & Sons - WWC #688

Address: 4385 Stadel Ln. NE
Silverton, OR 97381

Completion date: Sept. 20, 2000

Ground Water/2

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SALEM, OREGON

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Please provide a description of your well development. (Attach additional sheets if needed.)

Well No.	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
4	12" & 10"	12" steel 10" steel	12"-208' 10"-56'	228'-205' 255'-271' (screen)	240'	63'	229'	Access port in process	304'
(See Attached Well Log)									

Note: Well numbers in this listing must correspond to well locations(s) shown on accompanying map.

C. Artesian Flows

If your water well is flowing artesian, describe your water control and conservation works:

N/A

4. WATER USE

Please read the instruction booklet for more details on "type of use" definitions, how to express how much water you need and how to identify the water source you propose to use. You must fill out a supplemental form for some uses as they require specific information for that type of use.

A. Type(s) of Use(s)

See list of beneficial uses provided in the instructions.

- If your proposed use is **domestic**, indicate the number of households to be supplied with water: N/A
- If your proposed use is **irrigation**, please attach **Form I**
- If your proposed use is **mining**, attach **Form R**
- If your proposed use is **municipal or quasi-municipal**, attach **Form M**
- If your proposed use is **commercial/industrial**, attach **Form Q**

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SALEM, OREGON

B. Amount of Water

Provide the production rate in gallons per minute (gpm) and the total annual amount of water you need from each well, from each source or aquifer, for each use. You do not need to provide source information if you are submitting a well log with your application.

Well No.	Source or aquifer	Type of use	Total rate of water requested (in gpm)	Total annual quantity (in gallons)	Production rate of well (in gpm)
4	Groundwater	Municipal	100	50,000,000	400
	(See Attached Well Log)				

C. Maximum Rate of Use Requested

What is the maximum, instantaneous rate of water that will be used? 100 GPM (.223 CFS)
(The fees for your application will be based on this amount.) (supplement to current permit)

D. Period of Use

Indicate the time of year you propose to use the water: Year Round
(For seasonal uses like irrigation give dates when water use would begin and end, e.g. March 1–October 31.)

E. Acreage

If you will be applying water to land, please give the total number of acres where water will be applied or used: N/A
(This number should be consistent with your application map.)

5. WATER MANAGEMENT

A. Diversion

What equipment will you use to pump water from your well(s)?

- ☒ Pump (give horsepower and pump type): 30 HP Submersible (Berkeley TT30-350)
☐ Other means (describe): _____

B. Transport

How will you transport water to your place of use?

- ☐ Ditch or canal (give average width and depth):
Width _____ Depth _____
Is the ditch or canal to be lined? ☐ Yes ☐ No
☒ Pipe (give diameter and total length):
Diameter 8" Length 1000'± To Reservoir
☐ Other (describe): _____

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C. Application/Distribution Method

What equipment will you use to apply water to your place of use? Existing water storage reservoir and distribution system JUL 01 2005 WATER RESOURCES DEPT SALEM, OREGON

Irrigation or land application method (check all that apply):

- ☐ Flood ☐ High-pressure sprinkler ☐ Low pressure sprinkler
☐ Drip ☐ Water cannons ☐ Center pivot system
☐ Hand lines ☐ Wheel lines
☐ Siphon tubes or gated pipe with furrows
☐ Other, describe _____

Distribution method

- ☒ Direct pipe from source ☒ In-line storage (tank or pond) ☐ Open canal

D. Conservation

What methods will you use to conserve water? Why did you choose this distribution or application method? For example, if you are using sprinkler irrigation rather than drip irrigation, explain. If you need additional space, attach a separate sheet.

See Water Conservation and Management Plan

6. PROJECT SCHEDULE

Indicate the anticipated dates that the following construction tasks should begin. If construction has already begun, or is completed, please indicate that date.

Proposed date construction will begin: July 24, 2000 (Beg. date of well construction)
 Proposed date construction will be completed: April 1, 2001 (Date facility was placed into service)
 Proposed date beneficial water use will begin: October 1, 2004

7. REMARKS

If you would like to clarify any information you have provided in the application, please do so here and reference the specific application question you are addressing.

This application is for supplemental water (100 GPM - .223 CFS) for the current Permit G-13857, Application G-14454 for 300 GPM - .668 CFS. Total requested flow from this well (Well #4) is 400 GPM = .89 CFS

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WATER RESOURCES DEPT
SALEM, OREGON

8. MAP REQUIREMENTS

The Department cannot process your application without accurate information showing the source of water and location of water use. You must include a map with this application form that clearly indicates the township, range, section, and quarter/quarter section of the proposed well location and place of use. The map must provide tax lot numbers. See the map guidelines sheet for detailed map specifications.

9. SIGNATURE

By my signature below I confirm that I understand:

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application packet.
- I cannot legally use water until the Water Resources Department issues a permit to me.
- If I get a permit, I must not waste water.
- If development of the water use is not according to the terms of the permit, the permit can be canceled.
- The water use must be compatible with local comprehensive land use plans.
- Even if the Department issues a permit to me, I may have to stop using water to allow senior water right holders to get water they are entitled to, and

I swear that all information provided in this application is true and correct to the best of my knowledge:



Signature of Applicant (If more than one applicant, all must sign.)

6/29/05

Date

Before you submit your application be sure you have:

- Answered each question completely.
- Attached a legible map which includes township, range, section, quarter/quarter and tax lot number.
- Included a Land Use Information Form or receipt stub signed by a local official.
- Included the legal description of all the property involved with this application. You may supply a copy of the deed, land sales contract, or title insurance policy, to meet this requirement.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount. The Department's fee schedule can be found at www.wrd.state.or.us or call (503) 986-0900.



Oregon Water Resources Department

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WATER RESOURCES DEPT
SALEM, OREGON

FORM M

FOR MUNICIPAL AND QUASI MUNICIPAL WATER SUPPLIES

Unless otherwise noted, water use information should be in acre-feet per year (AFY).

1 acre-foot is equal to 325,851 gallons.

Background Information

Name of water supplier: City of Hubbard Oregon
Name and size of area to be served: Service boundary of the city: .60 mile²
(in square miles)
Present population of service area: 2,750 (July 2004 Est. - PSU)
(Contact county planning staff, if needed.) (Source: 1996 Master Plan)
Projected population in 20 years: 5,000 (3% per year rate of growth)
(Cite source and year. For example: "20,595 Based upon 1995 Portland State University projections.")

List present water rights and permits held:

Date of Issuance:	Natural Source of Water:	Amount Permitted:	Utilization:
Well #1 - Jan. 30, 1990	Groundwater	1.56 CFS ⁽¹⁾	Municipal
Well #2 - " " "	"	1.56 CFS ⁽¹⁾	"
Well #3 - " " "	"	1.56 CFS ⁽¹⁾	"
Well #4 - Nov. 9, 2000	"	.668 CFS	"

(1) Well 1-3 Rate is the total for all 3 wells - subject to rotation

Water Use

Average yearly demand: 252.36 AFY Year: 2004

Per-capita daily consumption (in gallons): 81.93 GPCD
(Divide average annual water sales by population to arrive at consumption, then divide by 365 to get daily values.)

Peak season (by month/day): 6-1 to 9-30 Total peak season demand: 131.3 Acre-feet

Peak season per-capita daily consumption: 127.5 GPCD
(Divide total peak season demand by population and the number of days during the peak.)

Annual amount of water:
produced: 96,802,596 gallons (297.08 Ac Ft.) - 2004 = 96.4 GPCD
(diverted or pumped)
delivered: 82,232,400 gallons (252.36 Ac Ft.) - 2004 = 82.6 GPCD

Is your system fully metered? ☒ Yes ☐ No

Describe your rate structure: Increasing Rate/Metered Volume Tier
(e.g. flat rate, increasing or decreasing block rate or combination of different systems)

Request for Water

JUL 01 2005

WATER RESOURCES DEPT
SALEM, OREGON

A. Discuss the reason(s) for your request for additional water

(e.g. loss of current supply, peak demand, growth, or other): This additional volume is requested for several reasons: 1) To compensate for loss of flow from City Wells 1-3, 2) To provide for projected 20-30 year growth, 3) To supplement current Well 4 permit

B. How long is the amount of water requested in this application expected to meet future needs?

(e.g. until the year 2040) Until approximately the Year 2025

C. Briefly discuss operation of water system and the most constraining component of the system:

The Hubbard water system derives water from 4- deep groundwater wells. Wells 1-3 are older wells that have been exhibiting declines in production over the past 5-10 years. Maintaining source capacity is the most constraining component.

D. Percentage of water use by type:

Residential: 73% Commercial: Approx. 8%
Public Authority: 0.8% (Parks, etc.) Agricultural: NA
Unaccounted for use: Approx. 10% Industrial: Approx. 3%
Other (specify use): Fire Dept. training & flushing of water lines & filters = 5%
(Total volume of water used for filter backwashing in 2004 = 3.8 MG $\approx$ 4% of total)

E. List cost to implement proposed request.

Compare cost and benefits with other water supply, or combination of supply options. This should include water efficiency measures such as replacing current showerheads with low-flow types. (Attach documentation, as available.)

As the existing well and pumping equipment are presently capable of providing the requested flow, there is no direct cost to implement. The city is pursuing and implementing a water conservation program, however, the current average use is already at the low end of normal.

F. How and by how much will your proposed water use efficiency programs increase efficiency? (Express as a percentage of per-capita consumption.)

Goal: Lower per capita produced value by 5-6% to 90 GPCD.

Due to the fact that per capita usage is already at a reasonable value of 82 GPCD, future water conservation will be directed towards elimination of water loss through system leakage towards a goal of $\leq 10\%$ water loss.

In addition, the city's current water rate structure encourages conservation by use of a sliding rate structure in which the unit cost of metered water increases as the monthly metered volume increases.

Last revision: April 9, 1996



Oregon Water Resources Department Land Use Information Form

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JUL 01 2005

WATER RESOURCES DEPT
SALEM, OREGON

This information is needed to determine compatibility with local comprehensive plans as required by ORS 197.180. The Water Resources Department will use this and other information to evaluate the water use application. DO NOT fill out this form if water is to be diverted, conveyed, or used only on federal lands.

To Be Completed By Applicant

The following section includes information about proposed water use. This section must be completed by the individual or group that is filing an application for a water right with the Water Resources Department.

A. ApplicantName: City of HubbardAddress: P.O. Box 380City: Hubbard State: OR Zip: 97032 Day Phone: 503-981-9633**B. Land and Location**

Please provide information as requested below for all tax lots on or through which water will be diverted, conveyed, or used. Check "diverted" if water is diverted (taken) from its source on tax lot, "conveyed" if water is conveyed (transported) on tax lot, and "used" if water will be put to beneficial use on tax lot. More than one box may be checked. (Attach extra sheets as necessary.) Applicants for municipal use, or irrigation uses within irrigation districts, may substitute existing and proposed service area boundaries for the tax lot information requested below.

Tax Lot I.D.	Plan Designation (e.g. Rural Residential/RR-5)	Water to be: (check all that apply)		
3001	Public Use (PU)	☒ Diverted	☐ Conveyed	☐ Used
		☐ Diverted	☐ Conveyed	☐ Used
		☐ Diverted	☐ Conveyed	☐ Used

List counties and cities where water is proposed to be diverted, conveyed, or used. Marion

C. Description of Water Use

Indicate what the water will be used for. Include the beneficial use (found in the instruction booklet for your water right application) and use the space below to describe the key characteristics of the project.

Beneficial Use(s): Municipal Use

Briefly describe: This application is for supplemental water (100 GPM - .223 CFS) for the City Well #4. Currently, Well #4 is permitted (Permit G-13857) for .668 CFS

D. Source

Indicate the source for the proposed water use:

☐ Reservoir/Pond ☒ Ground Water ☐ Surface Water _____ (source)

E. Quantity

Indicate the estimated quantity of water the use will require:

6-16491 100 ☐ CFS ☒ GPM ☐ Acre-Feet

For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless your project will be located entirely within the city limits. In this case, only the city planning agency must complete this form. Please request additional forms as needed or feel free to copy.

A. Allowed Use

Check the appropriate box below and provide requested information.

- ☐ Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s); _____. Go to section B "Approval" below
- ☒ Land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below.

Type of Land Use Approval Needed (e.g. plan amendments, rezones, conditional use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Check the item that applies: Land Use Approval:	
Site Development Review	3.105	☒ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued

Note: Please attach documentation of applicable local land use approvals which have already been obtained. (Record of Action plus accompanying findings is sufficient.)

B. Approval

Please provide printed name and written signature.

Name: Vickie Noble Date: 6/30/05

Title: City Recorder Phone: 503-981-9033

Signature: Vickie A Noble

C. Additional Comments

Local governments are invited to express special land use concerns or make recommendations to the Department regarding this proposed use of water below, or on a separate sheet.

Note: If this form cannot be completed while the applicant waits, sign and detach the receipt stub as instructed below. You will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD will presume the land use associated with the proposed water right is compatible with local comprehensive plans. (See attached letter.)

cc: J. Estrada
J. Thomas

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JUN 22 1999

CITY OF HUBBARD

NOTICE OF PLANNING COMMISSION ACTION

Site development review for development of a new water reservoir/well site and an expansion of the existing water treatment plant. A variance request to allow: (1) the height of the water tower to vary from the maximum height of 35 feet to a height of 45 feet and (2) the front yard setback of the new water treatment plant building to vary from the required 20 feet setback to approximately 3 feet.

DR 99-04 / VAR 99-03

June 21, 1999

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JUL 01 2005

WATER RESOURCES DEPT
SALEM, OREGON

**OWNER/
APPLICANT:**

City of Hubbard

REQUEST:

Site development review for development of a new water reservoir/well site and an expansion of the existing water treatment plant. A variance request to allow: (1) the height of the water tower to vary from the maximum height of 35 feet to a height of 45 feet and (2) the front yard setback of the new water treatment plant building to vary from the required 20 feet setback to approximately 3 feet.

**ASSESSOR'S
MAP/TAX LOT:**

4 1W 33DA/4700, 4800, 4900 (Treatment plant site) & 41W 33DB 3001 (Reservoir/well site)

LOCATION:

Treatment plant site - West side of 2nd Street between "G" Street and "J" Street located adjacent to the existing water treatment plant site.

Reservoir/well site - Along the easterly right-of-way of the Southern Pacific Railroad, approximately 650 feet south of the centerline of "J" Street.

ZONE:

Public Use (PU)

**STANDARDS/
CRITERIA:**

Hubbard Development Code, Sections 2.109, 2.200 through 2.207, 3.104 and 3.105

The Planning Commission made a decision on the application on June 15, 1999. Their decision was based upon the Findings of Fact as stated in the staff reports dated June 8, 1999 and June 15, 1999.

13-110491

The City of Hubbard Planning Commission approved the development of a new water reservoir/well site and an expansion of the existing water treatment plant and the variance request to allow: (1) the height of the water tower to vary from the maximum height of 35 feet to a height of 45 feet and (2) the front yard setback of the new water treatment plant building to vary from the required 20 feet setback to approximately 3 feet.

The conditions of approval are as follows.

1. Prior to issuance of a building permit, the applicant shall submit a storm drain and erosion control plan prepared by a registered engineer for the Public Works Department and City Engineer review and approval.
2. Prior to occupancy, the applicant shall provide a minimum of two vehicle parking spaces at the reservoir/well site.
3. Prior to issuance of a building permit, the applicant shall submit a more detailed landscape plan, including irrigation methods, for City review and approval prepared in compliance with the Development Code, Section 2.207.
4. Prior to occupancy, the applicant shall install landscaping according to the City approved landscape plan.
5. Any survey of the subject property in conjunction with this request shall use the City's established benchmarks.
6. Please note. According to the Development Code, subsection 3.105.07, site development review approval shall be effective for a period of one year from the date of approval. If the substantial construction of the approved plan has not begun within the one year period, the approval shall expire.

This action is official in ten (10) days. The decision may be appealed to the City of Hubbard City Council as provided in the Development Code, Section 3.205. A written notice of intent to appeal must be filed with the City within ten (10) days of the Planning Commission's written decision.

If you have questions or comments regarding this project, please contact City Hall for information on how to proceed.

Sincerely:



Vickie Nogle, City Recorder

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WATER RESOURCES DEPT
SALEM, OREGON

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MAR 1 5 25

JUL 01 2005

STATE OF OREGON
WATER SUPPLY WELL REPORT
 (as required by ORS 537.765)

Instructions for completing this report are on the last page of this form.

WATER RESOURCES DEPT
 WELL I.D. # SALEM, OREGON
 START CARD # 128562

(1) OWNER: Well Number _____
 Name CITY OF HUBBARD
 Address 3720 2ND STREET
 City HUBBARD State OR Zip 97032

(2) TYPE OF WORK

☒ New Well ☐ Deepening ☐ Alteration (repair/recondition) ☐ Abandonment

(3) DRILL METHOD:

☐ Rotary Air ☐ Rotary Mud ☒ Cable ☐ Auger
☐ Other _____

(4) PROPOSED USE:

☐ Domestic ☒ Community ☐ Industrial ☐ Irrigation
☐ Thermal ☐ Injection ☐ Livestock ☐ Other _____

(5) BORE HOLE CONSTRUCTION:

Special Construction approval ☐ Yes ☒ No Depth of Completed Well 304 ft.

Explosives used ☐ Yes ☒ No Type _____ Amount _____

HOLE				SEAL			
Diameter	From	To	Material	From	To	Sacks or pounds	
16	0	320	CEMENT	0	210	231 SACKS	

How was seal placed: Method ☐ A ☐ B ☒ C ☐ D ☐ E

☐ Other _____

Backfill placed from 304 ft. to 320 ft. Material CLAY SLOUGH

Gravel placed from 210 ft. to 304 ft. Size of gravel 8/2 & 6/9

(6) CASING/LINER:

	Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing:	12	+3	208	250	☒	☐	☒	☐
	10	208	228	250	☒	☐	☒	☐
	10	271	289	250	☒	☐	☒	☐
	10	297	304	250	☒	☐	☒	☐
Liner:					☐	☐	☐	☐
					☐	☐	☐	☐

Final location of shoe(s) 301 (16") CUT OFF

(7) PERFORATIONS/SCREENS:

		Method		Type		Material	
☐ Perforations		<u>CONTINUOUS V-WIRE</u>				<u>SS</u>	
☒ Screens							
From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
228 1/2	225 1/2	.070		10"	p/s	☐	☐
255 1/2	271	.045		10"	p/s	☐	☐
289 1/2	297	.070		10"	p/s	☐	☐
						☐	☐
						☐	☐

(8) WELL TESTS: Minimum testing time is 1 hour

☒ Pump		☐ Bailor		☐ Air		Flowing	
Yield gal/min	Drawdown	Drill stem at	Time			☐ Artesian	
100	19		1 hr				
450	124		5 hr				
350	96		12 hr				

Temperature of water _____ Depth Artesian Flow Found _____

Was a water analysis done? ☐ Yes By whom NO

Did any strata contain water not suitable for intended use? ☐ Too little

☐ Salty ☐ Muddy ☐ Odor ☐ Colored ☐ Other _____

Depth of strata: _____

(9) LOCATION OF WELL by legal description:

County MARION Latitude _____ Longitude _____
 Township 4S N or S Range 1W E or W. WM.
 Section 33 NE 1/4 SE 1/4
 Tax Lot 3001 Lot _____ Block _____ Subdivision _____
 Street Address of Well (or nearest address) 2701 PACIFIC HWY 99E, HUBBARD, OR

(10) STATIC WATER LEVEL:

63 ft. below land surface. Date 9-14-00
 Artesian pressure _____ lb. per square inch. Date _____

(11) WATER BEARING ZONES:

Depth at which water was first found 112'

From	To	Estimated Flow Rate	SWL
112	142	N/A	N/A
229	294	450+	63

(12) WELL LOG:

Material	From	To	SWL
FILL DIRT & GRAVEL	0	4	
SILTY BRN SOIL	4	22	
SANDY SILT BRN	22	47	
SILTY CLAY GREY SANDY	47	78	
CLAY GREY STICKY	78	84	
CLAY GREY SANDY	84	112	
CLAY & GRAVEL	112	121	
CMTD GRVL GREY	121	142	
CLAY GREY STICKY	142	168	
CLAY GREY & BRN	168	177	
CLAY BLUE GRN STICKY	177	194	
CLAY GREY W/GRAVEL	194	210	
CLAY GREY SILTY	210	217	
CLAY GRN STICKY	217	229	
CEMENTED GRAVEL	229	254	
CLAY GREY	254	259	
CLAY GREY W/STRKS OF SAND	259		
& PUMICE		268	
CLAY GREY BLUE STICKY	268	277	
CONT.			

Date started 7-24-00 Completed 9-20-00

(Unbonded) Water Well Constructor Certification:

I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.

WWC Number _____

Signed _____ Date _____

(Bonded) Water Well Constructor Certification:

I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.

WWC Number 688

Signed Steven M. Stabile Date 9-28-00

WATER RESOURCES DEPT
SALEM, OREGON

(as required by ORS 537.765)

START CARD # 128562

(1). OWNER: Well Number _____
 Name CITY OF HUBBARD
 Address 3720 2ND STREET
 City HUBBARD State OR Zip 97032

☒ New Well ☐ Deepening ☐ Alteration (repair/recondition) ☐ Abandonment

☐ Rotary Air ☐ Rotary Mud ☒ Cable ☐ Auger
☐ Other

☐ Domestic ☒ Community ☐ Industrial ☐ Irrigation
☐ Thermal ☐ Injection ☐ Livestock ☐ Other

Special Construction approval ☐ Yes ☐ No Depth of Completed Well _____ ft.
Explosives used ☐ Yes ☐ No Type _____ Amount _____

SEAL

Diameter	From	To	Material	From	To	Sacks or pounds

How was seal placed: Method ☐ A ☐ B ☐ C ☐ D ☐ E
☐ Other _____

Backfill placed from	ft. to	ft.	Material
----------------------	--------	-----	----------

Gravel placed from	ft. to	ft.	Size of gravel
--------------------	--------	-----	----------------

	Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing:					☐	☐	☐	☐
					☐	☐	☐	☐
					☐	☐	☐	☐
					☐	☐	☐	☐
					☐	☐	☐	☐
Liner:					☐	☐	☐	☐
					☐	☐	☐	☐

Final location of shoe(s)

☐ Perforations Method _____
☐ Screens Type _____ Material _____

From	To	Shot size	Number	Diameter	Tels./pipe size	Casing	Line
						☐	☐
						☐	☐
						☐	☐
						☐	☐
						☐	☐

☐ Pump Yield gal/min	☐ Bailor Drawdown	☐ Air Drill stem at	☐ Flowing Artesian Time
			1 hr.

Temperature of water	Depth Artesian Flow Found
----------------------	---------------------------

Was a water analysis done? ☐ Yes By whom

Did any strata contain water not suitable for intended use? ☐ Too little

☐ Salty ☐ Muddy ☐ Odor ☐ Colored ☐ Other

Depth of strata: _____

County MARION Latitude _____ Longitude _____
Township 4S N or S Range 1W E or W. WM.
Section 33 NE 1/4 SE 1/4
Tax Lot 3001 Lot _____ Block _____ Subdivision _____
Street Address of Well (or nearest address) _____
2701 PACIFIC HWY 99E

_____ ft. below land surface. Date _____
Artesian pressure _____ lb. per square inch. Date _____

Depth at which water was first found _____

From	To	Estimated Flow Rate	SWI

Ground Elevation _____

[illegible]

Date started 7-24-00 Completed 9-20-00

(unbonded) Water Well Constructor Certification:

I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.

WWC Number _____
Date _____

(bonded) Water Well Constructor Certification:

I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.

Signed: Steven N. Stork WWC Number 688 Date 9-28-00

G-16491

Attn: Jamey

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JUL 01 2005

WATER RESOURCES DEPT
SALEM, OREGON

WESTERBERG DRILLING INC.

PUMP INSTALLATION RECORD

TOWN: HUBBARD
STREET/ROAD: 2701 PACIFIC HWY 99E
DATE INSTALLED: 11-10-00 INSTALLED FOR: CITY OF HUBBARD
PHONE: 981-9633 WELL DEPTH: 304' DIAMETER: 12"
STATIC LEVEL: 63' PUMP: BERKELEY H.P.: 30 FRANKLIN ELEC.
SERIAL NO.: P1000 MODEL NO.: 7T30-350
GALLONS PER MINUTE: 350 LENGTH OF DROP PIPE: 210'
DIAMETER OF DROP PIPE: 6' GALV. WIRE SIZE/TYPE: #6-4 FLAT JACKETED
PRESSURE TANK/BRAND: N/A SIZE: N/A TYPE: N/A
WELL SEAL TYPE: MIDWEST MAAS MODEL MB PITLESS UNIT W/6" SPOOL
OTHER INFORMATION: BOLTED & VENTED WELL CAP (2) 1 1/2" SCH. 80 PVC PIPES FOR
STILLING WELLS ARE INSTALLED & ATTACHED TO THE 6" PUMP COLUMN. THE STILLING
WELL PROBES TERMINATE AT 198' BELOW THE BOTTOM OF THE PITLESS UNIT.

INSTALLED BY: ANDREW/STEVE

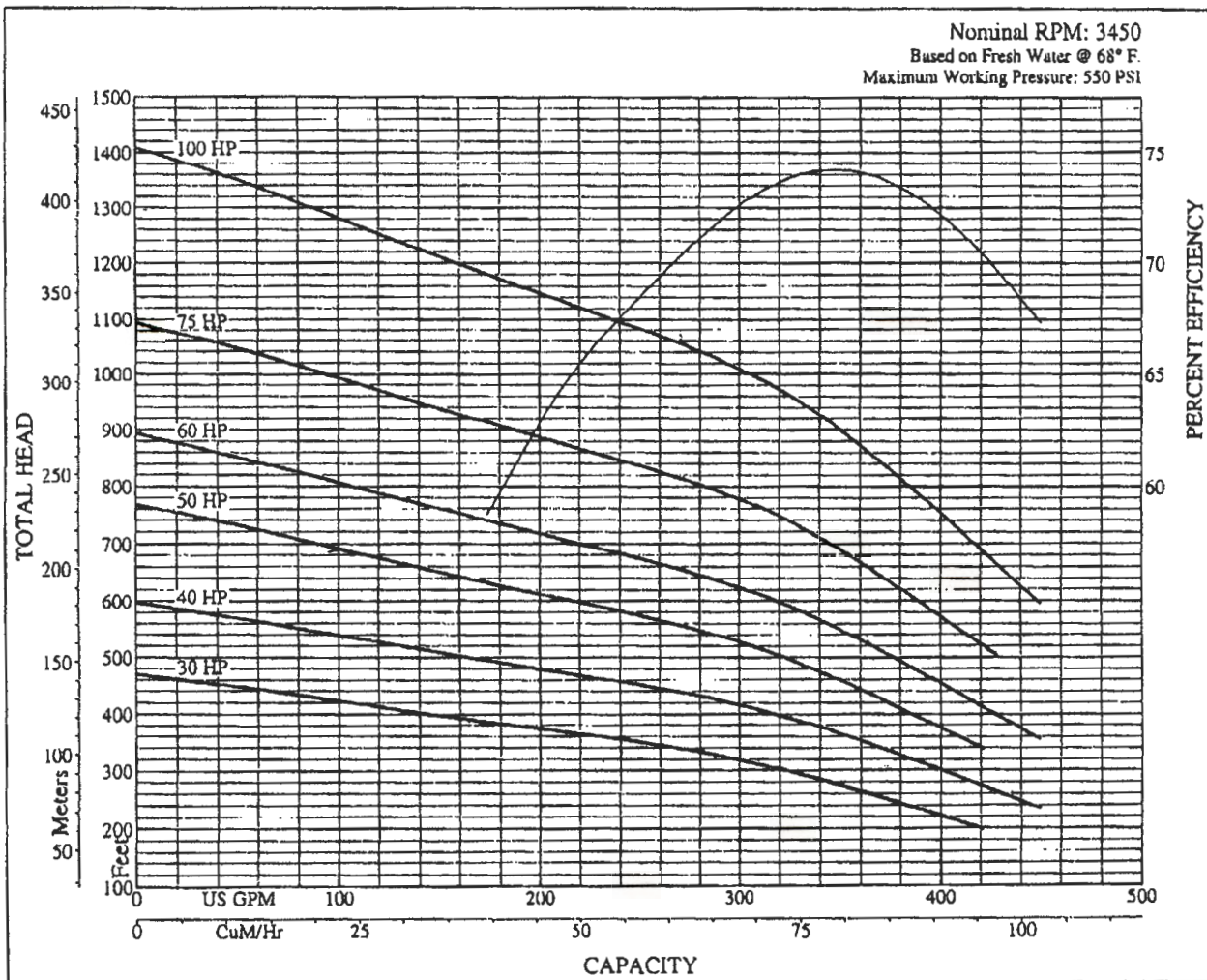
UPDATED INFORMATION: _____

G-16491



City of Hubbard-Well 4 SUBMERSIBLE TURBINE

7T-350



OUTLINE DIMENSIONS / WEIGHTS

HP	stages	Motor size	P length	M* length	MD* dia.	Mtr. wt.	Pump wt.
30	5	6"	45.94	35.69	5.38	162	158
40	6	6"	52.44	40.81	5.38	195	183
50	8	6"	65.44	57.83	5.38	310	232
60	9	6"	71.94	63.83	5.38	340	257
75	11	8"	86.44	46.79	7.58	450	359
100	14	8"	105.94	54.29	7.58	520	434

Note: dimensions = inches; weight = U.S. lbs.

M* Maximum length (Franklin Electric Motor)

MD* Motor diameter (Franklin Electric Motor)

SPECIFICATIONS

Minimum Well I.D.	8.0 Inches
Minimum Submergence @ BEP (above inlet)	10.0 Feet
Capacity Range	147 - 450 GPM
Discharge	5" F x 6" M NPT
See manufacturer's data for motor cooling requirements	

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WATER RESOURCES DEPT
SALEM, OREGON

SUPERSEDES

All Previous

Date 04/15/96

Section **ST**

Page 19.03

Oregon Water Resources Department
PUMP TEST FORM COVER SHEET

Well Owner:

Name: City of Hubbard
Address: PO Box 380
County: Marion
City: Hubbard State: OR Zip: 97302-0000
Original owner (from well log): City of Hubbard

Well Location:

Township: 4 S Range: 1 W
Section: 33 $\frac{1}{4}$: SE $\frac{1}{16}$: NW $\frac{1}{64}$: SE
Well depth: 304.0 Date drilled: 9-20-2000

Owners well no. (if any): Well #4
POD ID: 49721 MARI 55251

Water Right Information:

Application: G-14954 Permit: G-13857 Certificate: NA
Is this well listed on more than one water right? ☐ Yes If yes, list additional water rights below:
Application: Permit: Certificate:
Application: Permit: Certificate:

Pump Test:

Test Conducted by: Edward Butts, PE, CWRE Well Owner? ☐ Yes
Company: 4B Engineering & Consulting LLC
Address: 3000 Market St. NE, Suite 528 Date of Test: 06/29/2005
City: Salem State: OR Zip: 97301-1882
Daytime phone: 503-589-1115

Method of discharge measurement (see our brochure for more information): Flow meter
Method of water-level measurement (pick one or enter other method used): Pressure transducer
Length of air line (if used):

Pump type (pick one or enter other method used): Submersible
Was the pump test conducted during normal use of the well? ☒ Yes Note: Pumped to Reservoir

Are you aware of any wells, other than domestic or stock wells, pumping within 1000 feet of the tested well during the test or within 24 hours prior to the test? ☒ Yes Note: City Well #1
If yes, give approximate distances to each and approximate pumping rate of each. If possible, indicate if they were turned on or off during the test: Approximate distance = 950' +/- Well #1 was operating upon arrival at approx. 400 GPM, but was shutdown just before starting Well 4 test

Is there a lake, stream or other surface water body within $\frac{1}{4}$ mile of the tested well? ☐ Yes If yes, give approximate distance from the well and approximate elevation difference between the surface water and the well head. Approx. distance: ft Approx. elevation difference: ft

Well elevation is surface water body.

Description of measuring point (e.g. top port of 1 inch port pipe, west side) Measurements were taken using electronic well sounder-verified with Powers well sounder before starting test-<.5' diff.
Measuring point distance at land surface feet.

Static water level measurements: (A minimum of three measurements are required in the hour before pumping begins at no less than 20 minutes apart):

Time	Depth to water below meas. point	Depth to water below land surface
<u>9:50 am</u>	<u>61.20</u>	<u>61.20</u>
<u>10:15 am</u>	<u>59.50</u>	<u>59.50</u>
<u>10:45 am</u>	<u>59.10</u>	<u>59.10</u>

Discharge measurements: (A discharge measurement is required at the start of pumping and at least once an hour during the test; additional measurements should be noted on the Pump Test Data Sheet):

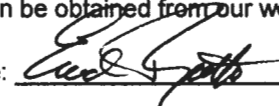
Time	Discharge Rate	Discharge Units (e.g. gpm, cfs, etc)
<u>10:45 am</u>	<u>414.00</u>	<u>gpm (gallons per minute)</u>
<u>11:45 am</u>	<u>390.00</u>	<u>gpm (gallons per minute)</u>
<u>12:45 pm</u>	<u>390.00</u>	<u>gpm (gallons per minute)</u>
<u>1:45 pm</u>	<u>385.00</u>	<u>gpm (gallons per minute)</u>
<u>2:45 pm</u>	<u>385.00</u>	<u>gpm (gallons per minute)</u>

Time pump turned on: Date 06/29/2005 Time 10:45 am
Time pump turned off: Date 06/29/2005 Time 2:45 pm
Total pumping time: 4 hours 0 minutes

Note: Well must be idle for at least 16 hours prior to the test.

Additional forms can be obtained from our web site at: <http://www.wrd.state.or.us>

OWRD 2/9/2000

Required Signature: 

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WATER RESOURCES DEPT
SALEM, OREGON

G-16491

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

725 Summer St. N.E. Ste. A

SALEM, OR 97301-4172

(503) 986-0900 / (503) 986-0904 (fax)

RECEIPT # **85404**

INVOICE # _____

RECEIVED FROM: City of Hubbard

BY: _____

APPLICATION	<u>516491</u>
PERMIT	
TRANSFER	

CASH: ☐ CHECK: # X 14513 OTHER: (IDENTIFY) ☐ _____

TOTAL REC'D \$ 250.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES \$ _____
OTHER: (IDENTIFY) \$ _____

0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES \$ _____
0410 RESEARCH FEES \$ _____
0408 MISC REVENUE: (IDENTIFY) \$ _____
TC-162 DEPOSIT LIAB. (IDENTIFY) \$ _____
0240 EXTENSION OF TIME \$ _____

WATER RIGHTS:

0201 SURFACE WATER \$ _____ 0202
0203 GROUND WATER \$ _____ 0204
0205 TRANSFER \$ _____

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR \$ _____ 0219
LANDOWNER'S PERMIT \$ _____ 0220

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$ _____ CARD # _____
0210 MONITORING WELLS \$ _____ CARD # _____
OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD) \$ _____
0231 HYDRO LICENSE FEE (FW/WRD) \$ _____
HYDRO APPLICATION \$ _____

TREASURY OTHER / RDX

FUND _____ TITLE _____
OBJ. CODE _____ VENDOR # _____
DESCRIPTION _____ \$ _____

RECEIPT: **85404**

DATED: 11-24-06 BY: [Signature]

DETACH THIS STUB BEFORE DEPOSITING

THE ATTACHED CHECK IS IN PAYMENT OF BELOW ITEMS

DATE	INVOICE	NET INVOICE AMOUNT	
------	---------	--------------------	--

11/20/06 G-16491

250.00 Well No. 4



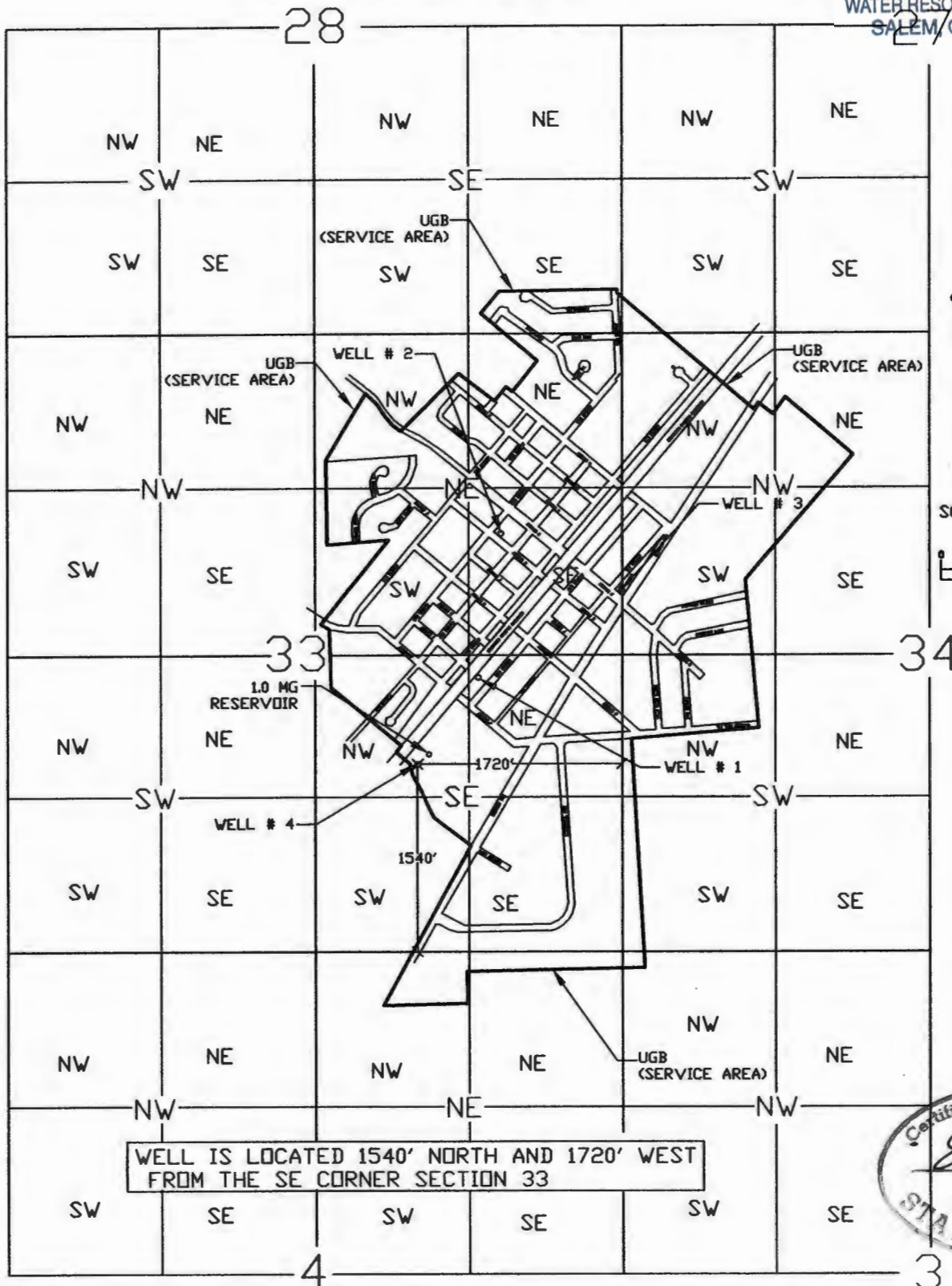
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NOV 24 2006
WATER RESOURCES DEPT
SALEM, OREGON

T4S R1W W.M.
T5S R1W W.M.

RECEIVED

JUL 01 2005

WATER RESOURCES DEPT
SALEM, OREGON



THIS MAP WAS PREPARED FOR THE PURPOSE OF IDENTIFYING THE LOCATION OF A WATER RIGHT ONLY AND IS NOT INTENDED TO PROVIDE LEGAL DIMENSIONS OR LOCATION OF PROPERTY OWNERSHIP LINES.

APPLICATION MAP FOR
CITY OF HUBBARD
JULY 1, 2005

APPLICATION G-16491 PERMIT NO. _____

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172

(503) 986-0900 / (503) 986-0904 (fax)

RECEIPT # **75631**

INVOICE # _____

RECEIVED FROM: HB Engineering & Consulting LLC

BY: _____

CASH: ☐

CHECK: #

OTHER: (IDENTIFY) _____

☐

☒ 1416

☐

APPLICATION	<u>G16491</u>
PERMIT	
TRANSFER	

TOTAL REC'D \$500.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES

OTHER: _____

(IDENTIFY) _____

**RECEIVED
OVER THE COUNTER**

\$
\$

0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES

0410 RESEARCH FEES

0408 MISC REVENUE: (IDENTIFY) _____

TC162 DEPOSIT LIAB. (IDENTIFY) _____

0240 EXTENSION OF TIME

WATER RIGHTS:

0201 SURFACE WATER

0203 GROUND WATER

0205 TRANSFER

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR

LANDOWNER'S PERMIT

OTHER (IDENTIFY) _____

EXAM FEE

\$
\$ <u>500.00</u>
\$

0202

0204

RECORD FEE

\$
\$

EXAM FEE

\$

0219

0220

LICENSE FEE

\$
\$

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE

0210 MONITORING WELLS

OTHER (IDENTIFY) _____

\$
\$

CARD #	
CARD #	

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD)

0231 HYDRO LICENSE FEE (FW/WRD)

HYDRO APPLICATION

\$
\$
\$

TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION _____

\$

RECEIPT: **75631**

DATED: 7/1/05

BY: X. Alkin