G-6

19

Application No. G 8926

Permit No. G G 8579

Certificate No.

Marion Co.

Stream Index, Page No. 2-166

Name City of Monmouth

By

Address 151 West Main St.

Monmouth, OR. 97361

C/2025

Date filed August 14, 1978

Priority August 14, 1978

Action suspended until BC2000

10/1/2025

Return to applicant

Date of approval JUN 20 1979

CONSTRUCTION

Date for beginning JUN 20 1980

OCT 1 1980

Date for completion

Extended to 10-1-85 10-1-90, 10-1-95, 10-1-2000

Date for application of water OCT 1 1981

Extended to 10-1-85 10-1-90, 10-1-95 10-1-2000

PROSECUTION OF WORK

Form "A" filed Started

Form "B" filed

Form "C" filed

FINAL PROOF

Blank mailed

Proof received

Date certificate issued

FEES PAID

Date	Amount	Receipt No.
8-14-78	43.00	5459
1-10-91	100.00	70224
Ext. 3-8-96	100.00	000356
3-19-09	350.00	95950
	Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

ASSIGNMENTS

Date	To Whom	Address	Volume	Page

REMARKS

5.0 cfs from 2 wells for municipal

Card for BC OCT 17 1985

FORM 100 OCT. 22 1986

CARD FOR C OCT 25 1990

C Rem 10/24/95

(BC 10-1-2000 V50, P158)

Well 1, MARI 13286 drilled near proposed location just south of Bridge - per Marc Norton, GW Sec. Well 2 MARI 60250 drilled 1/4 mi south of bridge. Proposed location was just north of bridge. Drilled location not verified by any maps or field visit appears to be slightly less than 1/4 mile from the Willamette River so any findings regarding GW/SW connection on the original GW review should remain unchanged. K. Warziak (Groundwater Section) 12-5-2014.

T-14277 ΔPOD, ΔPOA V135 P606

Form C

IMPORTANT—This form is a notice to the State Engineer that permittee is ready to make **final proof** to the extent to which the water has actually been applied to the intended use under the terms of the permit. Permittee is cautioned that Certificate of Water Right will be issued based on the extent of the quantity and use as determined by the **final proof** inspection and survey which will be made in response to the filing of this Form C.

NOTE: In the case of an irrigation permit, this Form C should not be mailed to the State Engineer until all of the land described in the permit, which it is intended to irrigate under this permit at any time, has actually been irrigated.
Fill out, detach and mail to the State Engineer, Salem, Oregon 97310, when all of the water has been applied.

RECEIVED DEC 17 1990 WATER RESOURCES DEPT SALEM, OREGON

Application No. G-8926

NOTICE OF COMPLETE APPLICATION OF WATER TO A BENEFICIAL USE

I, The City of Monmouth, the holder of Permit No. G-8579

to appropriate the public waters of the state of Oregon, completely applied the waters to a beneficial use in accordance with the terms of said permit, on the 6th day of December, 19 90

Remarks: Complete application of water to a beneficial use was completed prior to October 1, 1990.

IN WITNESS WHEREOF, I have hereunto set my hand this 6th day of December, 19 90

Stanley Monroe, City Manager
(Signature of Applicant)

151 W. Main St., Monmouth, OR 97361
(Address)

Form B (690—9-77)

Application No. G 8926

NOTICE OF COMPLETE CONSTRUCTION

We X, the City of Monmouth, holder of Permit No. G 8579

to appropriate the public waters of the state of Oregon, have completed the construction of the works described therein on the 1st day of September, 1985

Remarks:
If the works have less capacity than described in the permit, or you have definitely abandoned part of the proposed development, you should so state in order that our records may not be unnccessarily encumbered.

RECEIVED OCT 30 1985 WATER RESOURCES DEPT SALEM, OREGON

IN WITNESS WHEREOF, I have hereunto set my hand this 21st day of October, 1985

Lynne M. Saxe
(Signature of Applicant)

151 W. Main Monmouth, OR 97361
(Address)

Fill out, detach and mail to the Water Resources Department, Salem, OR 97310, when construction work is completed.

Well in hydraulic connection with river.
Should be distributed as surface water

RBA 8/25/78

Interference with surface water in Williams Ac
River is anticipated. GGL. 8/28/83

App: G-8926

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Permit Amendment T-14277, Polk County	)))	FINAL ORDER APPROVING A CHANGE IN PLACE OF USE AND POINT OF APPROPRIATION

Authority

Oregon Revised Statute (ORS) 537.211 establishes the process in which a water right permit holder may submit a request to change the point of appropriation and/or place of use authorized under an existing water right permit.

Applicant

CITY OF MONMOUTH
151 WEST MAIN ST
MONMOUTH, OR 97361

Findings of Fact

1. On July 13, 2023, City of Monmouth, filed an application to change the points of appropriation under Permit G-8579. The Department assigned the application number T-14277.

2. On August 27, 1981, the Department approved an extension of time for complete construction and for application of water to October 1, 1985.

3. On March 25, 1987, the Department approved an extension of time for complete construction and for application of water to October 1, 1990.

4. On May 31, 1991, the Department approved an extension of time for complete construction and for application of water to October 1, 1995.

5. On March 26, 1996, the Department approved an extension of time for complete construction and for application of water to October 1, 2000.

6. On August 18, 2011, the Department approved an extension of time for complete construction and for application of water to October 1, 2025.

7. Notice of the application for the permit amendment was published in the Department's weekly notice on July 18, 2023, pursuant to ORS 540.520(5).

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.

8. The Department contacted the applicant's agent via email on January 24, June 27, July 9, August 7, October 17, and December 4, 2024, and January 29, June 26, and August 5, 2025, to resolve deficiencies in the application and application maps, as the Department is not able to complete review of Permit Amendment T-14277, specifically incorrect location description information provided for the existing authorized points of appropriation.

9. The Department received amended application pages and amended application maps on June 27, August 5, October 17, and October 24, 2024. None of the amended application materials or maps satisfied the deficiencies allowing Permit Amendment T-14277 to be approved.

10. On December 9, 2024, the Department contacted the City of Monmouth (City) to discuss the deficiencies in the application and if the City would like to change the Place of Use to "within the Urban Growth Boundary".

11. On December 14, 2024, the City provided the Department with an amended application and an amended map allowing the Department to complete review of Permit Amendment T-14277. The applicant requested a change to the Place of Use not originally requested under Permit Amendment Application T-14277.

12. On February 25, 2025, the Department approved a Water Management and Conservation Plan (WMCP). The approved WMCP contained the following Development Limitation:

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

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

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

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

13. The permit to be amended is as follows:

Permit: G-8579 in the name of CITY OF MONMOUTH
Use: MUNICIPAL
Priority Date: AUGUST 14, 1978
Quantity: 5.0 CUBIC FEET PER SECOND
Source: 2 WELLS (MC 1 and MC 2)

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
8 S	4 W	WM	28	NE SE	MC 1 (MARI 13286) - 3260 FEET SOUTH AND 360 FEET WEST FROM THE NW CORNER OF SECTION 27
8 S	4 W	WM	28	NE SE	MC 2 - 3030 FEET SOUTH AND 400 FEET EAST FROM THE NW CORNER OF SECTION 27

Authorized Place of Use:

MUNICIPAL				
Twp	Rng	Mer	Sec	Q-Q
8 S	4 W	WM	19	NW SW
8 S	4 W	WM	19	SW SW
8 S	4 W	WM	19	SE SW
8 S	4 W	WM	19	NW SE
8 S	4 W	WM	19	SW SE
8 S	4 W	WM	19	SE SE
8 S	4 W	WM	30	NE NE
8 S	4 W	WM	30	NW NE
8 S	4 W	WM	30	SW NE
8 S	4 W	WM	30	SE NE
8 S	4 W	WM	30	NE NW
8 S	4 W	WM	30	NW NW
8 S	4 W	WM	30	SW NW
8 S	4 W	WM	30	SE NW
8 S	4 W	WM	30	NE SW
8 S	4 W	WM	30	NW SW
8 S	4 W	WM	30	SW SW
8 S	4 W	WM	30	SE SW
8 S	4 W	WM	30	NE SE
8 S	4 W	WM	30	NW SE
8 S	4 W	WM	30	SW SE
8 S	4 W	WM	30	SE SE
8 S	5 W	WM	24	SE SW
8 S	5 W	WM	24	NE SE
8 S	5 W	WM	24	NW SE
8 S	5 W	WM	24	SW SE
8 S	5 W	WM	24	SE SE
8 S	5 W	WM	25	NE NE
8 S	5 W	WM	25	NW NE
8 S	5 W	WM	25	SW NE
8 S	5 W	WM	25	SE NE
8 S	5 W	WM	25	NE NW
8 S	5 W	WM	25	SE NW
8 S	5 W	WM	25	NE SW

MUNICIPAL				
Twp	Rng	Mer	Sec	Q-Q
8 S	5 W	WM	25	SE SW
8 S	5 W	WM	25	NE SE
8 S	5 W	WM	25	NW SE
8 S	5 W	WM	25	SW SE
8 S	5 W	WM	25	SE SE

14. The authorized well identified above in Finding of Fact No.13, as MC 2 was drilled in a different location than was originally permitted. The change in point of appropriation proposed in Permit Amendment T-14277 is meant to transfer the original MC 2 point of appropriation to two new points of appropriation being MC 1A (MARI 70798), and MC 2 (MARI 60250). The original location of the point of appropriation identified as MC 1 (MARI 13286) remains unchanged.

15. Permit Amendment Application T-14277 proposes to move the authorized point (MC 2) of appropriation (POA) as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate Distance from Authorized POAs
8 S	4 W	WM	28	NE SE	MC 1A (MARI 70798) - 2254 FEET NORTH AND 503 FEET WEST FROM THE SE CORNER OF SECTION 28	MC 2 – 1120.0 FEET S
8 S	4 W	WM	28	SE SE	MC 2 (MARI 60250) - 1138 FEET NORTH AND 462 FEET WEST FROM THE SE CORNER OF SECTION 28	MC 2 – 1120.0 FEET S

16. Permit Amendment Application T-14277 also proposes to change the place of use of the permit to:

MUNICIPAL
WITHIN THE URBAN GROWTH BOUNDARY OF THE CITY OF MONMOUTH

Permit Amendment Review Criteria

17. The change would not result in injury to other water rights.

18. The proposed place of use is owned and/or controlled by the permit holder.

19. The changes do not enlarge the permit.

20. The changes do not alter any other terms of the permit.

21. The proposed place of use is contiguous to the authorized place of use.

Conclusions of Law

The change in points of appropriation and change in place of use proposed by Permit Amendment Application T-14277 is consistent with the requirements of ORS 537.211.

Now, therefore, it is ORDERED:

1. The change in points of appropriation and change in place of use proposed by Permit Amendment Application T-14277 are approved.

2. Approval of this permit amendment application does not constitute nor grant legal access onto or through another person's property for purposes of accessing the new points of appropriation or the new place of use.

3. Permit G-18977, in the name of City of Monmouth, is issued to replace Permit G-8579, and incorporates the amendments approved by this order, the extensions of time, and the Water Management and Conservation Plan. Permit G-8579, in the name of City of Monmouth, is no longer of any force or effect.

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

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

6. All other terms and conditions of Permit G-18977 remain the same.

Dated in Salem, Oregon on SEP 11 2025

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

Mailing Date: SEP 12 2025

STATE OF OREGON

COUNTY OF POLK

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

CITY OF MONMOUTH
151 WEST MAIN ST
MONMOUTH, OREGON 97361

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

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

APPLICATION FILE NUMBER: G-8926

SOURCE OF WATER: 3 WELLS

PURPOSE OR USE: MUNICIPAL

MAXIMUM RATE: 5.0 CUBIC FEET PER SECOND

DATE OF PRIORITY: AUGUST 14, 1978

WELL LOCATIONS:

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

Authorized Place of Use:

MUNICIPAL
WITHIN THE URBAN GROWTH BOUNDARY OF THE CITY OF MONMOUTH

Permit Amendment T-14277 Conditions:

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

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

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

1. **Development Limitations**

   Diversion of any water beyond 3.34 cfs under Permit G-8579 shall only be authorized upon issuance of a final order approving a Water Management and Conservation Plan (WMCP) under OAR Chapter 690, Division 86. The required WMCP shall be submitted to the Department within 3 years of an approved extension of time application. Use of water under Permit G-8579 must be consistent with this and subsequent WMCP's approved under OAR Chapter 690, Division 86 that is on file with the Department.

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

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

   A. Minimum Fish Flow Needs

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

Table 1

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

   B. Determining Water Use Reductions - Generally

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

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

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

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

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

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

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

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

C. Consumptive Use Percentages

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

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

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

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

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

c. Consumptive Use Percentages Updates

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

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

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

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

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

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

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

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

f. Approval Periods for Utilization of Consumptive Use Percentages

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

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

D. Examples

Example 1: Target flow met.

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

Example 2: Target flow missed.

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

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

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

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

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

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

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

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

1.31 – ((1.31 x 8.6%) / 100) = 1.20

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

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

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

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

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

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

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

$$1.31 - 1.20 = 0.11$$

The water user shall develop a plan to monitor and report the impact of water user under this permit on water levels within the aquifer that provides water to the permitted wells. The plan shall be submitted to the Department within one year of the date the Extension Order is issued and shall be subject to the approval of the Department. At a minimum, the plan shall include a program to periodically measure static water levels within the permitted wells or/and adequate substitute such as water levels in nearby wells.

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

Development Limitation:

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

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

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

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

Original Permit Conditions:

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

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

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

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

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

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

Dated in Salem, Oregon on SEP 11 2025.

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

Oregon
John A. Kitzhaber, MD, 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

February 1, 2011

Mr. Tim Hardin
Instream Flow specialist
Department of Fish and Wildlife
3406 Cherry Ave NE
Salem, OR 97303

REFERENCE: 60 Day Extension of Review Period for Pending Extension:
Water Right Application #G-8926 (Permit #G-8579)

Dear Mr. Hardin,

The Department received your notification that ODFW has requested an additional 60 days to compete the fish persistence review and evaluation of the municipal water right extension application for Application G-8926 / Permit G-8579 for the City of Monmouth, as allowed under OAR 690-316-0080(2)(d). According to our records, the first 60 day review period expired on January 11, 2011; therefore, the second 60 day review period will expire on March 14, 2011.

The rule, 690-315-0080(2)(d), provides that the review period is not to exceed 120 days total unless the applicant (City of Monmouth) consents to more time.

Sincerely,

Ann L. Reece
Extension Specialist

cc: Application File G-8926
Craig Johns, City of Monmouth
Brook Salterello, 4B Engineering

Oregon
John A Kitzhaber, MD., Governor

Department of Fish and Wildlife
Fish Division
3406 Cherry Avenue NE
Salem, OR 97303
(503) 947-6201
FAX (503) 947-6202
www.dfw.state.or.us/

January 27, 2011

Mr. Phil Ward
Water Resources Department
North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1271

RECEIVED
JAN 31 2011
WATER RESOURCES DEPT
SALEM, OREGON

Dear Director Ward:

With this letter the Oregon Department of Fish and Wildlife is notifying the Water Resources Department, as allowed under OAR 690-315-0080 (2) (d), that ODFW will require additional time to complete the review and evaluation of Municipal Water Right Extension G-8926/8579 for the City of Monmouth. The additional time will not exceed 60 days or a total of 120 days for review unless the applicant consents to more time.

Sincerely,

Tim Hardin
Instream Flow Specialist

Cc: Craig Johns, City of Monmouth
Brooke Saltarello, 4B Engineering

USER-ID 1173

Oregon Water Resources Department
October 1996 through September 1997
Annual Water Use - Monthly Quantities Form

1996 997

Facility ☞ / POD-ID ✏	MC #1 (G 8579) 30217	Well #4 (G 4818) 11794	Well #5 (G 4818) 11795		
October - 1996	3,452,540 CF	0 CF	0 CF		
November - 1996	3,464,037 CF	0 CF	0 CF		
December - 1996	2,657,420 CF	0 CF	0 CF		
January - 1997	3,183,182 CF	0 CF	0 CF		
February - 1997	2,880,922 CF	0 CF	0 CF		
March - 1997	2,892,701 CF	0 CF	0 CF		
April - 1997	3,025,709 CF	0 CF	0 CF		
May - 1997	3,988,556 CF	0 CF	0 CF		
June - 1997	4,017,219 CF	2,005 CF	0 CF		
July - 1997	5,088,650 CF	854,813 CF	275,949 CF		
August - 1997	5,103,570 CF	794,652 CF	414,786 CF		
September - 1997	3,601,043 CF	0 CF	0 CF		
TOTAL *	43,355,549 CF	1,651,470 CF	690,735 CF		

* Describe the units of measure as G (gallons), KG (thousand gallons), MG (million gallons), CF (cubic feet), MCF (million cubic feet), or AF (acre-feet)

Describe method of measuring the water used: Flow Meter. If use is irrigation, total number acres irrigated ____

I certify this information is true and accurate to the best of my knowledge.

Gary A. Wilson — Signature
Public Works Director — Title
City of Monmouth — Reporting Entity
1/6/98 — Date

Please complete and mail to: Water Resources Department; Water Use Reporting Program; 158 12th Street NE; Salem, OR 97310-0210

WATER RESOURCES DEPT.
SALEM, OREGON
JAN - 8 1998

USER-ID 1173

Oregon Water Resources Department
October 1997 through September 1998
Annual Water Use - Monthly Quantities Form

1997 1998

PERMIT G 8579 G 4818 G 4818

Facility ☞ POD-ID ✏	MC #1 30217	Well #4 11794	Well #5 11795		
October - 1997	24,104,600 G				
November - 1997	22,492,700 G				
December - 1997	21,298,700 G				
January - 1998	22,837,400 G				
February - 1998	22,788,500 G				
March - 1998	22,264,600 G				
April - 1998	23,192,300 G				
May - 1998	27,782,900 G				
June - 1998	29,903,400 G				
July - 1998	48,330,900 G	2,675,000 G	1,422,100 G		
August - 1998	49,765,900 G	1,287,000 G	683,000 G		
September - 1998	40,072,600 G				
TOTAL *	353,834,500 G	3,962,000 G	2,105,100 G		

* Describe the units of measure as G (gallons), KG (thousand gallons), MG (million gallons), CF (cubic feet), MCF (million cubic feet), or AF (acre-feet)

Describe method of measuring the water used: Flow Meter. If use is irrigation, total number acres irrigated -0-

I certify this information is true and accurate to the best of my knowledge.

George White — Signature

Public Works Supervisor — Title

City of Monmouth — Reporting Entity

January 11, 1999 — Date

George White
Name - Please Print

Please complete and mail to: Water Resources Department; Water Use Reporting Program;
158 12th Street NE; Salem, OR 97310-0210

USER-ID 1173

Oregon Water Resources Department
October 1998 through September 1999
Annual Water Use - Monthly Quantities Form

1998 1999

G 8579

Facility ☞ POD-ID ✏	MC#1 30217	No Other Facility or POD-IO used in this Reporting Period.			
October - 1998	3,613,717 CF				
November - 1998	3,365,495 CF				
December - 1998	3,092,861 CF				
January - 1999	3,331,257 CF				
February - 1999	3,232,914 CF				
March - 1999	3,323,409 CF				
April - 1999	3,509,385 CF				
May - 1999	3,805,160 CF				
June - 1999	4,315,508 CF				
July - 1999	6,110,027 CF				
August - 1999	5,770,428 CF				
September - 1999	5,390,535 CF				
TOTAL *	48,860,696 CF				

RECEIVED
OCT 19 1999
WATER RESOURCES DEPT
SALEM, OREGON

* Describe the units of measure as G (gallons), KG (thousand gallons), MG (million gallons) (CF (cubic feet)) MCF (million cubic feet), or AF (acre-feet)

Describe method of measuring the water used: Flow Meter. If use is irrigation, total number acres irrigated 0

I certify this information is true and accurate to the best of my knowledge.

Gary A. Wilson
Signature

Public Works Director
Title

City of Monmouth
Reporting Entity

10/18/99
Date

Gary A. Wilson
Name - Please Print

Please complete and mail to: Water Resources Department; Water Use Reporting Program;
158 12th Street NE; Salem, OR 97310-0210

Oregon Water Resources Department
Water Right Services Division

Water Rights Application
Number G-8926

Final Order
Extension of Time for Permit Number G-8579
Permit Holder: City of Monmouth

Permit Information

Application File G-8926/ Permit G-8579
Basin 2 – Willamette Basin / Watermaster District 16
Date of Priority: August 14, 1978

Authorized Use of Water

Source of Water:	2 Wells within the Willamette River Basin
Purpose or Use:	Municipal
Maximum Rate:	5.0 cfs Cubic Feet per Second (CFS)

Appeal Rights

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. A request 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 file 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-8579 was issued by the Department on June 20, 1979. The permit called for completion of construction by October 1, 1980, and complete application of water to beneficial use by October 1, 1981. On March 19, 2009, the City of Monmouth submitted an application to the Department for an extension of time for Permit G-8579. In accordance with OAR 690-315-0050(2), on June 21, 2011, the Department issued a Proposed Final Order proposing to extend the time to complete construction to October 1, 2025 and to extend the time to fully apply water to beneficial use to October 1, 2025. The protest period closed August 5, 2011, in accordance with OAR 690-315-0060(1). No protest was filed.

The Department adopts and incorporates by reference the Proposed Final Order dated June 21, 2011. 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 conditions:

CONDITIONS

1. **Development Limitations**

Diversion of any water beyond 3.34 cfs under Permit G-8579 shall only be authorized upon issuance of a final order approving a Water Management and Conservation Plan (WMCP) under OAR Chapter 690, Division 86. The required WMCP shall be submitted to the Department within 3 years of an approved extension of time application. Use of water under Permit G-8579 must be consistent with this and subsequent WMCP's approved under OAR Chapter 690, Division 86 that is on file with the Department.

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

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

A. Minimum Fish Flow Needs

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

Table 1

MINIMUM FISH FLOW NEEDS IN THE WILLAMETTE RIVER MEASURED AT USGS GAGE 14191000 SALEM, OREGON	
Month	Cubic Feet per Second
July 1– October 31	5,630
November 1 – March 31	6,000
April 1 – April 15	15,000
April 16 –April 30	17,000
May 1 – May 31	15,000
June 1 – 15	12,600
June 16 – 30	8,500

B. Determining Water Use Reductions - Generally

The undeveloped portion of Permit G-8579 having PSI with the Willamette River is 1.31 cfs. The maximum amount of the undeveloped portion of Permit G-8579 having PSI with the Willamette River that can be appropriated as a result of this fish persistence condition is determined in proportion to the amount by which the flows shown in Table 1 are missed based on a seven day rolling average of mean daily flows measured in the Willamette River at Salem (USGS Gage Number 14191000, or its equivalent). The percent of missed target flows is defined as:

$$(1 - (Q_A / Q_T)) \times 100\%,$$

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

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

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

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

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

C. Consumptive Use Percentages

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

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

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

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

c. Consumptive Use Percentages Updates

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

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

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

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

If such changes to either wastewater technology or the practices at the City's waster water treatment facility occur resulting in 25% reductions, further

utilization of Consumptive Use Percentages is contingent upon the City submitting Consumptive Use Percentages Updates as per 2.C.c., above, and receiving the Water Resources Director's concurrence with the updated Consumptive Use Percentages.

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

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

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

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

D. Examples

Example 1: Target flow met.
On July 15, the last seven mean daily flows were 7000, 6500, 6000, 5500, 5250, 5000 and 4750 cfs. The seven day rolling average (Q_A) is 5714 cfs. The amount of the undeveloped portion of the permit having PSI with the Willamette River that can be appropriated would not be reduced because the 7 day average of mean daily flows is greater than the 5,630 cfs target flows (Q_T) for July 15.

Example 2: Target flow missed.

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

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

Step 2: Assuming the Consumptive Use Percentage is 78.7%[1] during the month of July and the utilization of this percentage is authorized, and the target flow is missed by 11% (from Step 1), then the amount of the undeveloped portion of the permit having PSI with the Willamette River that could be appropriated would be reduced by 8.6%.

$$(78.7\% \times 11\%) / 100 = 8.6\%$$

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

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

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

$$1.31 - ((1.31 \times 8.6\%) / 100) = 1.20$$

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

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

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[1] Currently, the City of Monmouth may not utilize Consumptive Use Percentages for the purpose of calculating the amount of the undeveloped portion of Permit G-8579 that can be appropriated as a result of this fish persistence condition. The utilization of the Consumptive Use Percentage 78.7% is only for illustrative purposes in this example.

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

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

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

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

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

$$1.31 - 1.20 = 0.11$$

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

Order

The extension of time for Application G-8926, Permit G-8579, therefore, is approved subject to conditions contained herein. The deadline for completing construction is extended from October 1, 2000 to October 1, 2025. The deadline for applying water to full beneficial use under the terms and conditions of the permit is extended from October 1, 2000 to October 1, 2025.

DATED: August 18, 2011

Dwight French, Water Rights Services Division Administrator *for*
PHILLIP C. WARD, DIRECTOR

If you have any questions about statements contained in this document, please contact Ann Reece at (503) 986-0827.

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 FO Copies

Note: Include a copy of the "Important Notice" document along with the original copy of the Final Order being sent to the permit holder.

FO Date: August 18, 2011

Application G-8926
Permit G-8579

Copies Mailed
By: Connie Vance
(SUPPORT STAFF)
on: 8/18/2011
(DATE)

Original mailed to permit holder:

City of Monmouth ✓
Attn: Craig Johns
151 West Main Street
Monmouth, OR 97361

Copies sent to:

1. WRD - App. File G-8926/ Permit G-8579
2. WRD – NW Regional Manager, Bill Ferber
   NOTE: Do not send FO's to South Central Region (Kyle Gorman)
   Do not send FO's to Northwest Region (Bill Ferber)
3. BROOKE SALTARELLO, 4B ENGINEERING & CONSULTING, 3700 RIVER RD N, SUITE 2, KEIZER, OR 97303

Fee paid as specified under ORS 536.050 to receive copy:

4. None

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

5. WRD – Bill Fujii/Lisa Jaramillo – Notify of WMCP needed

   Done by ahr *Date* 8-18-2011

6. WRD – Water Master District 16 – Mike McCord, Salem

   Done by ahr *Date* 8-18-2011

CASEWORKER: ALR

Municipal or Quasi-Municipal

Extension PFO Checklist for Water Use Permits

issued on or prior to November 2, 1998

(OAR 690-315-0010 through OAR 690-315-0060)

Application: G- 8926 Permit: G- 8579 Permit Amendment? No ☒ Yes ☐ T- ____ ☐ pending ☐ approved

Permit Holder's Name: City of Monmouth Attn: Craig Johns

Permit Holder's Mailing Address: 151 West Main Street, Monmouth OR 97361 email ____

Phone Number: 503-838-2173

POD Location: Township 8 SOUTH Range 4 WEST Section 27 ¼¼ NESE

Drainage Basin: 2 County: Polk Watermaster District: 16 Watermaster: Mike McCord

Date Permit was issued: 6/20/1979 **Priority Date:** 8/14/1978 **Date of PN:** 3/31/2009

Source: 2 wells in the Willamette River Basin

Use: ☒ Municipal ☐ Quasi Municipal ____

"Q": 5.0 cfs

Orig "A" Date: 6/20/1980 **Orig "B" Date:** 10/1/1980 **Orig "C" Date:** 10/1/1981

Extension request rec'd: 3/25/2009 **Last Authorized "B" Date:** 10/1/2000 **Last Authorized "C" Date:** 10/1/2000

Request Number (1, 2, 3...): 5 **Proposed "B" Date:** 10/1/2025 **Proposed C Date:** 10/1/2025

Conditions of Permit:

Condition Met?	Condition Not Met?	Permit Condition
☒	☐	Install Measuring Device
☒	☐	General Standards for Well Construction
☒	☐	Install Pressure Gauges
☐	☐	
☐	☐	

Factors to consider in determining "Reasonable Diligence" [OAR 690-315-0040(3)]:

Yes No

☒ ☐ Work was accomplished within the time allowed in the permit or previous extension

☒ ☐ Water right permit holder conformed with the permit or previous extension conditions

☒ ☐ Beneficial use made of the water during the permit or previous extension time limits

- Permit holder has beneficially used **3.34** ☒cfs☐gpm☐af Undeveloped portion **1.66** ☒cfs☐gpm☐af

☒ ☐ Financial investments were made toward developing the beneficial water use.

- Amount Invested to date: $**225,000** Estimated Remaining Cost: $**0**

Has the applicant pursued perfection of the right in good faith and with reasonable diligence? Yes ☒ No ☐

Population 9,335 **As of (Year)** 2007 ☐**Growth** 2% ☐**Population** 14,352 **Projected by (Year)** 2025 **Calculated? Yes ☒**

Peak Demand 12.9 **cfs As of (Year)** 2007 ☐**Peak Demand** 16.7 **cfs Projected by (Year)** 2025 **Calculated? Yes ☒**

12.5 see 11(B)

Application: -_____ Permit: -_____ Township _____ Range _____ Section _____

For MUNICIPAL permits ONLY.

Yes No

☒ ☐ Is this a Municipal use Permit (If **YES**, proceed. If **NO**, skip to "Good Cause")

☐ ☒ Has full "Q" been beneficially used? (If YES, skip to "Good Cause")

☒ ☐ Is this the first extension issued since 6/29/05? (If NO, skip to "Good Cause")

☒ ☐ If GW permit, does it have PSI? (If NO, skip to "Good Cause")

☐ ☒ Does the permit holder have any existing fish protection agreements with a state or federal agency?

Date sent to ODFW for review 11-22-2010 PN 11-30-2010

Date returned from ODFW 2-8-2011

Based on the written record, can the Department make a finding of "Good Cause" to approve the extension request?

Yes... "Good Cause" can be found. ☒ Approval of Extension Request

No ... "Good Cause" *cannot* be found. ☐ Denial of Extension Request

Conditions to be included in Extension PFO (if applicable)? Yes ☒ No ☐

***(NOTE:** Check the file record for documentation to add a condition(s) at the extension stage.)*

☒ Max "Q" Development Limitations and Div. 86 Water Management and Conservation Plan

☒ Other: Fish Persistence

Footnote regarding Claim of Beneficial Use. Choose the appropriate language below and insert as a footnote in the PFO:

☒ **COBU Requirement - Surface/Ground Water - on or prior to July 9, 1987**

"For permits applied for or received on or before July 9, 1987, upon complete development of the permit, you must notify the Department that the work has been completed and either: (1) Hire a water right examiner certified under ORS 537.798 to conduct a survey, the original to be submitted as required by the Water Resources Department, for issuance of a water right certificate; or (2) Continue to appropriate water under the water right permit until the Water Resources Department conducts a survey and issues a water right certificate under ORS 537.250 or 537.625."

☐ **COBU Requirement - Surface Water - post July 9, 1987**

"Pursuant to ORS 537.230(4), upon the completion of beneficial use of water allowed under the permit, the permit holder shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permit holder shall submit a map of the survey and the claim of beneficial use."

☐ **COBU Requirement - Ground Water - post July 9, 1987**

"Pursuant to ORS 537.630(4), upon the completion of beneficial use of water allowed under the permit, the permit holder shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permit holder shall submit a map of the survey and the claim of beneficial use."

NOTES:

Copy ~~Broke~~ Brooke Blakemore, 4B Engineering & Consulting

Brooke Saltarello
4B Engineering & Consulting LLC
3700 River Road N, Suite 2
Keizer, Oregon 97303
Phone: 503-589-1115 Fax: 503-589-1118
Cell: 503-881-6198

Extension "PFO" Dates

Mailing / Issuance Date: _____ **Protest Deadline Date:** _____

Reviewer's Name: _____ **Date:** _____

Application # G-8926 Permit # G-8579

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

- WRIG...
  Money Receipted on: 3-19-2009
- Extension Specialist...
  - [X] Added to tracking spreadsheet -

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

- Jonnine Skaug...
  - [X] Publish on Public Notice (initial 30-day comment): Date of notice 3-31-2009
  - [X] Update WRIS Database
  - [X] In the "PNotice Date" field... Enter the date the Extension Application was published on the Public Notice.
  - [X] In the "Ext Filed" field... Enter the date the Extension Application was received.

Yes or No: Return file to Extension Specialist after PN

STATE OF OREGON

WATER RESOURCES DEPARTMENT

RECEIPT # 95950

725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

INVOICE # _____

RECEIVED FROM: 4B Engineering + Consulting LLC

BY: _____

APPLICATION	G-9926
PERMIT	
TRANSFER	T-10827
TOTAL REC'D	$ 750.00

CASH: ☐ CHECK:# ☒ 3376 OTHER: (IDENTIFY) ☐ _____

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

4/01/11 / 4/6/11

RECEIVED OVER THE COUNTER

MISCELLANEOUS

0407	COPY & TAPE FEES	$
0410	RESEARCH FEES	$
0408	MISC REVENUE: (IDENTIFY) _____	$
TC162	DEPOSIT LIAB. (IDENTIFY)	$
0240	EXTENSION OF TIME	$ 350.00

WATER RIGHTS:

		EXAM FEE		RECORD FEE
0201	SURFACE WATER	$	0202	$
0203	GROUND WATER	$	0204	$
0205	TRANSFER	$ 400.00		

WELL CONSTRUCTION

		EXAM FEE		LICENSE FEE
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: 95950 DATED: 3/17/09 BY: _____

Fiscal

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

March 27, 2009

REFERENCE: Application for Extension of Time

Dear Extension of Time Applicant:

The Water Rights Section has received your application for an extension of time for **APPLICATION FILE#: G-8926 (PERMIT#: G-8579).** Your application will be reviewed in the near 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.

If you have questions concerning your extension of time application, please contact Scott Kudlemyer at (503) 986-0813. 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 Internet home page at: "**www.wrd.state.or.us**".

Permit Extension Ground Water Review

Date: Apr. 12, 2009

To: Doug Woodcock, Ground Water Section Manager

From: Scott Kudlemyer, Permit Extension Review

Subject: Ground Water Review for File G-8926 / Permit G-8579

(Date permit issued: 6/20/79)

The above referenced permit is currently being reviewed for an extension of time. Before I can determine whether or not an extension of time should be granted, a Ground Water review for this file is necessary. Special designations affecting this permit are as follows:

NOTE: *Original Division 9 review completed by:* Didn't see one in f.e

☐ Located within a Ground Water Administrative Area (Critical, Limited, etc.) _____

☐ 5-Year Limited Permit

☐ Other:

For Ground Water / Hydrology Staff Use:

Please review as per checked boxes:

☒ Does the ground water source under this permit have the potential for substantial interference with surface water? Yes or No (please circle one)
*[**NOTE:** Applies **ONLY** to **Municipal permits issued before November 2, 1998** - see OAR 690-315-0080(1) & (2)]*

- If the ground water source is determined to have potential for substantial, please estimate the impacts that would result from use of the undeveloped portion of the ground water permit.
- The undeveloped portion of this permit = 1.66 cfs

☐ Are there any ground water special use designations established since permit issuance relevant to this extension of time that the Department should consider? *[see OAR 690-315-0040(4)(b) or (OAR 690-315-0080(5)(b)]* NO

*[**NOTE:** Does **NOT** apply to **Quasi- Municipal** or **Municipal permits issued before November 2, 1998** - see OAR 690-315-0080(5)]*

☒ Should any additional conditions be added to this permit to mitigate the effects of the subsequent development on competing demands on the resource? For example: Should the Department establish a reference level for water level declines? *[see OAR 690-315-0050(5)(b)]*
NO

OREGON WATER RESOURCES DEPARTMENT
GROUND WATER REVIEW: MUNICIPAL PERMIT EXTENSION OF TIME

Date: January 11, 2009

To: Water Rights Section

From: Marc Norton, Staff Hydrogeologist

Extension Review for File # G- 8926 / Permit # G- 8579

****

The undeveloped portion of this permit has been evaluated under the Department's 690-09 rules and was X / was not ___ found to have the Potential for Substantial Interference with surface water. The evaluation was conducted pursuant to OAR 690-315. Forward files found to have the potential for substantial interference to Oregon Department of Fish and Wildlife.

Undeveloped Portion of Permit in CFS: **1.6 cfs**

Estimate of impact and location of evaluation (River mile or PLS)

Stream: **Willamette River** Location: River Mile = 96

Days of Pumping

30	60	90	120	150	180	210	240	270	200	330	360
0.731	0.919	1.022	1.090	1.140	1.179	1.210	1.235	1.257	1.275	1.291	1.306

Interference in CFS

File G-8926 continued Date January 11, 2010

Municipal/Quasi-Municipal Extension of Time Review

TO: Water Rights Section Date **January 11, 2010**

FROM: Ground Water/Hydrology Section **Marc Norton** (Reviewer's Name)

SUBJECT: File G- **8926** Supersedes review of _____ (Date of Review(s))

Criteria for Department Review of Extension Applications for Municipal and Quasi-Municipal Water Use Permits (Ground Water)

OAR 690-315-0080 (2)(c): *For ground water permits submitted to ODFW under this rule* (permits determined to have the potential for substantial interference), *the Department shall provide to ODFW and the applicant the Department's estimate of surface water impacts that would result from the use of the undeveloped portion of the ground water permit.* **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 Monmouth** County: **Polk**

Applicant(s) seek(s) **1.6** cfs from **2** well(s) in the **Willamette River** Basin, _____ subbasin Quad Map: **Monmouth**

Proposed use: **Municipal** Seasonality: **Year-round**

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	**MARI13826**	**1**	**Alluvium**	**1.6**	**08S/04W-28 NW SE**	**3260' S, 360' W fr NW cor S 27**
2	**MARI60250**	**2**	**Alluvium**	**1.6**	**08S/04W-28 SE SE**	
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	**150**	**25**	**23**	**10/13/78**	**46**	**0 – 21**	**0 – 43**		**32.5 – 43**	**100**	**------**	**Air**
2	**150**	**17**	**12.34**	**2/27/07**	**46**	**0 – 25**	**0 – 46**		**31 – 41**	**600**	**7.42**	**Pump**

Use data from application for proposed wells.

Comments: **Both wells are completed in shallow alluvial materials near the Willamette River. The original application is for 5.0 cfs; the portion of the discharge rate that is part of the extension of time review is 1.6 cfs.**

☐ **Well(s) #** _____, _____, _____, _____, _____, tap(s) an aquifer limited by an administrative restriction.
Name of administrative area: **None**
Comments: _____

File G-8926_____continued Date_____January 11, 2010

GROUND WATER/SURFACE WATER CONSIDERATIONS, OAR 690-09-040

690-09-040 (1): Evaluation of aquifer confinement:

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

Basis for aquifer confinement evaluation: **Ground water levels in both wells are very near where encountered during construction.**

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? YES	NO	ASSUMED	Potential for Subst. Interfer. Assumed? YES	NO
1	1	**Willamette River**	**130**	**130**	**1000**	☒	☐	☐	☒	☐
2	1	**Willamette River**	**130**	**130**	**1200**	☒	☐	☐	☐	☐
						☐	☐	☐	☐	☐
						☐	☐	☐	☐	☐
						☐	☐	☐	☐	☐
						☐	☐	☐	☐	☐
						☐	☐	☐	☐	☐
						☐	☐	☐	☐	☐
						☐	☐	☐	☐	☐

Basis for aquifer hydraulic connection evaluation: **Both wells develop water from an unconfined aquifer with ¼ mile of the Willamette River.**

Water Availability Basin the well(s) are located within: WILLAMETTE R > COLUMBIA R - AB MILL CR

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	☒	☐			☐		☐	**>25%**	☒
2	1	☒	☐			☐		☐	**>25%**	☒
		☐	☐			☐		☐		☐
		☐	☐			☐		☐		☐
		☐	☐			☐		☐		☐
		☐	☐			☐		☐		☐
		☐	☐			☐		☐		☐
		☐	☐			☐		☐		☐

File G-8926_____continued Date January 11, 2010

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?
	1	☒	☐			☐		☐	>25%	☒
			☐			☐		☐		☐
			☐			☐		☐		☐
			☐			☐		☐		☐

Comments: _____

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												
	%	%	%	%	%	%	%	%	%	%	%	%
Well Q as CFS												
Interference CFS												
Total Interf. CFS												

Comments: _____

File G-8926 continued Date January 11, 2010

Extension Review Remarks / Conditions:

References Used:

Water Availability Analysis
Detailed Reports

WILLAMETTE R > COLUMBIA R - AB MILL CR AT GAGE 14191000
WILLAMETTE BASIN

Water Availability as of 1/11/2010

Watershed ID #: 183

Exceedance Level: 80%

Date: 1/11/2010

Time: 11:40 AM

Water Availability Calculation | Consumptive Uses and Storages | Instream Flow Requirements | Reservations | Water Rights | Watershed Characteristics

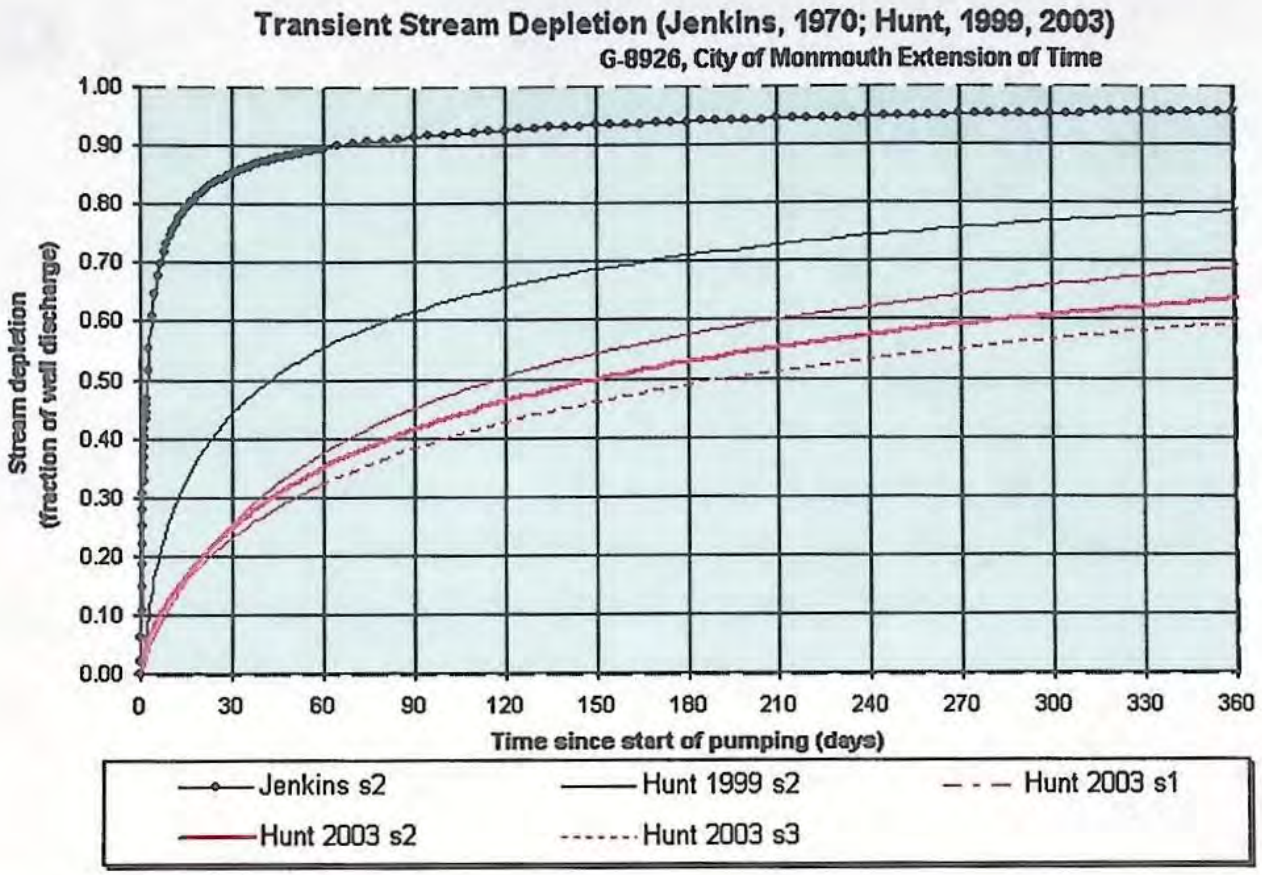
Water Availability Calculation

Monthly Streamflows in Cubic Feet per Second
Storage at 50% Exceedance in Acre-Feet

Month	Natural Stream Flow	Consumptive Uses and Storages	Expected Stream Flow	Reserved Stream Flow	Instream Flow Requirement	Net Water Available
JAN	18,400.00	2,190.00	16,200.00	0.00	1,300.00	14,900.00
FEB	20,100.00	7,380.00	12,700.00	0.00	1,300.00	11,400.00
MAR	19,600.00	7,170.00	12,400.00	0.00	1,300.00	11,100.00
APR	18,000.00	6,820.00	11,200.00	0.00	1,300.00	9,880.00
MAY	15,500.00	4,110.00	11,400.00	0.00	1,300.00	10,100.00
JUN	8,310.00	1,630.00	6,680.00	0.00	1,300.00	5,380.00
JUL	4,710.00	1,380.00	3,330.00	0.00	1,300.00	2,030.00
AUG	3,620.00	1,270.00	2,350.00	0.00	1,300.00	1,050.00
SEP	3,680.00	1,100.00	2,580.00	0.00	1,300.00	1,280.00
OCT	4,650.00	701.00	3,950.00	0.00	1,300.00	2,650.00
NOV	9,400.00	809.00	8,590.00	0.00	1,300.00	7,290.00
DEC	16,700.00	862.00	15,800.00	0.00	1,300.00	14,500.00

Detailed Report of Instream Flow Requirements
Instream Flow Requirements in Cubic Feet per Second

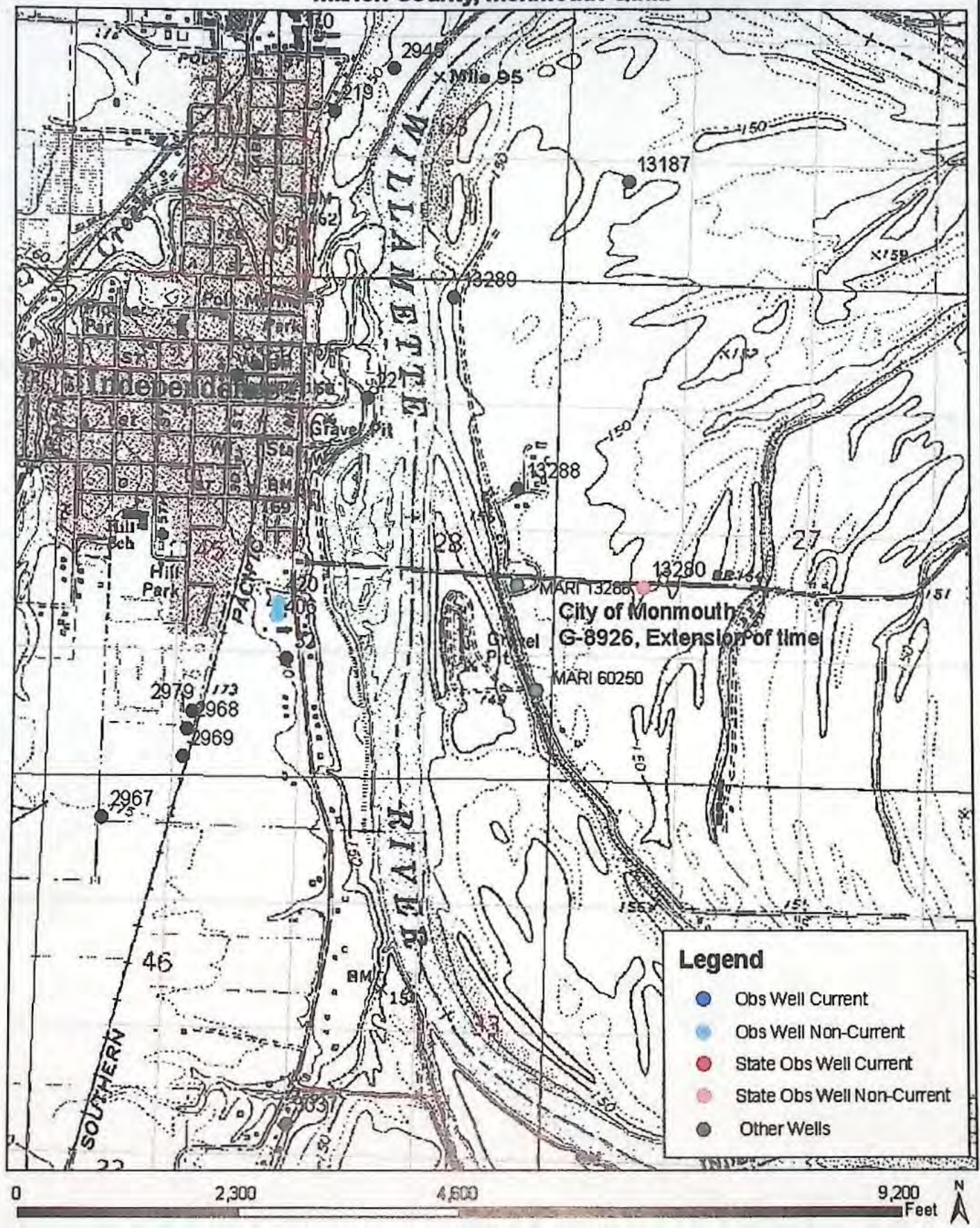
Application #	Status	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
MF183A	APPLICATION	1,300.00	1,300.00	1,300.00	1,300.00	1,300.00	1,300.00	1,300.00	1,300.00	1,300.00	1,300.00	1,300.00	1,300.00
Maximum		1,300.00	1,300.00	1,300.00	1,300.00	1,300.00	1,300.00	1,300.00	1,300.00	1,300.00			



Output for Stream Depletion, Scenerio 2 (s2):						Time pump on (pumping duration) = 365 days						
Days	30	60	90	120	150	180	210	240	270	300	330	360
J SD	85.1%	89.5%	91.4%	92.5%	93.3%	93.9%	94.4%	94.7%	95.0%	95.3%	95.5%	95.7%
H SD 1999	44.1%	55.4%	61.6%	65.7%	68.7%	71.0%	72.9%	74.4%	75.7%	76.8%	77.8%	78.7%
H SD 2003	24.7%	35.0%	41.5%	46.3%	49.9%	52.9%	55.3%	57.4%	59.2%	60.8%	62.2%	63.5%
Qw, cfs	1.660	1.660	1.660	1.660	1.660	1.660	1.660	1.660	1.660	1.660	1.660	1.660
H SD 99, cfs	0.731	0.919	1.022	1.090	1.140	1.179	1.210	1.235	1.257	1.275	1.291	1.306
H SD 03, cfs	0.411	0.581	0.689	0.768	0.829	0.878	0.918	0.953	0.983	1.010	1.033	1.054

Parameters:		Scenario 1	Scenario 2	Scenario 3	Units
Net steady pumping rate of well	Qw	1.66	1.66	1.66	cfs
Time pump on (pumping duration)	tpon	365	365	365	days
Perpendicular from well to stream	a	1100	1100	1100	ft
Well depth	d	46	46	46	ft
Aquifer hydraulic conductivity	K	2000	5000	8000	ft/day
Aquifer saturated thickness	b	23	23	23	ft
Aquifer transmissivity	T	46000	115000	184000	ft*ft/day
Aquifer storativity or specific yield	S	0.2	0.2	0.2	
Aquitard vertical hydraulic conductivity	Kva	0.1	0.1	0.1	ft/day
Aquitard saturated thickness	ba	1	1	1	ft
Aquitard thickness below stream	babs	1	1	1	ft
Aquitard porosity	n	0.5	0.5	0.5	
Stream width	ws	500	500	500	ft
Streambed conductance (lambda)	sbc	50.000000	50.000000	50.000000	ft/day
Stream depletion factor	sdf	5.260870	2.104348	1.315217	days

Ground Water Application G-8926 - Extension of Time
Marion County, Monmouth Quad



Marion Well # 1

NOTICE TO WATER WELL CONTRACTOR
The original and first copy of this report are to be filed with the State Water Resources Department, Salem, Oregon 97310 within 30 days from the date of well completion.

RECEIVED NOV 6 1978 WATER RESOURCES DEPT. SALEM, OREGON

WATER WELL REPORT
STATE OF OREGON
(Please type or print)
(Do not write above this line)

M.A.R..... 13284
RECEIVED NOV 16 1978 WATER RESOURCES DEPT. SALEM, OREGON
State Well No. 8S/4W-28
State Permit No.

City of

(1) OWNER:
Name Monmouth
Address 151 West Main St.
Monmouth Oregon 97361

(2) TYPE OF WORK (check):
New Well ☒ Deepening ☐ Reconditioning ☐ Abandon ☐
If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:
Rotary ☒ Driven ☐
Cable ☐ Jetted ☐
Dug ☐ Bored ☐

(4) PROPOSED USE (check):
Domestic ☐ Industrial ☐ Municipal ☒
Irrigation ☐ Test Well ☐ Other ☐

(5) CASING INSTALLED:
Threaded ☐ Welded ☒
8" Diam. from +2 ft. to 32-6 ft. Gage 250
" Diam. from ft. to ft. Gage
" Diam. from ft. to ft. Gage

(6) PERFORATIONS:
Perforated? ☐ Yes ☒ No
Type of perforator used
Size of perforations in. by in.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.

(7) SCREENS:
Well screen installed? ☒ Yes ☐ No
Manufacturer's Name Johnson
Type Stainless Steel Model No.
Diam. 11" Slot size 150 Set from 32-6 ft. to 43 ft.
Diam. Slot size Set from ft. to ft.

(8) WELL TESTS:
Drawdown is amount water level is lowered below static level
Was a pump test made? ☒ Yes ☒ No If yes, by whom?
Yield: 725 gal./min. with 2 ft. drawdown after 24 hrs.
" " "
" " "
~~Bailer~~ Air test 100 gal./min. with ft. drawdown after 2 hrs.
Artesian flow g.p.m.
Temperature of water Depth artesian flow encountered ft.

(9) CONSTRUCTION:
Well seal—Material used Cement 0-14' Bentonite 14-21'
Well sealed from land surface to 21' ft.
Diameter of well bore to bottom of seal 16 in.
Diameter of well bore below seal 12 in.
Number of sacks of cement used in well seal 19 sacks
How was cement grout placed? Grout was mixed & pumped to bottom of 16" Annulus through 1" tremie pipe
Was a drive shoe used? ☒ Yes ☐ No Plugs Size: location ft.
Did any strata contain unusable water? ☐ Yes ☒ No
Type of water? depth of strata
Method of sealing strata off
Was well gravel packed? ☐ Yes ☒ No Size of gravel:
Gravel placed from ft. to ft.

(10) LOCATION OF WELL:
County Marion Driller's well number
¼ ¼ Section 28 T. 8S R. 4W W.M.
Bearing and distance from section or subdivision corner

(11) WATER LEVEL: Completed well.
Depth at which water was first found 25 ft.
Static level 23 ft. below land surface. Date 10-13-78
Artesian pressure lbs. per square inch. Date

(12) WELL LOG:
Diameter of well below casing 11"
Depth drilled 46 ft. Depth of completed well 43-0 ft.

Formation: Describe color, texture, grain size and structure of materials; and show thickness and nature of each stratum and aquifer penetrated, with at least one entry for each change of formation. Report each change in position of Static Water Level and indicate principal water-bearing strata.

MATERIAL	From	To	SWL
BROWN SILT	0	11	
" Silt with GRAVEL	11	23	
PACKED SAND & GRAVEL	23	30	
COARSE SAND & GRAVEL	30	43	
BROWN CLAY	43	44	
GRAY CLAY	44	46	

Work started 10-12 1978 Completed 10-13 1978
Date well drilling machine moved off of well 10-13 1978

Drilling Machine Operator's Certification:
This well was constructed under my direct supervision. Materials used and information reported above are true to my best knowledge and belief.
[Signed] Dewey J. Todd (Drilling Machine Operator) Date 10-14, 1978
Drilling Machine Operator's License No. 1152

Water Well Contractor's Certification:
This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.
Name Aqua-Tech Well Construction Inc. (Person, firm or corporation) (Type or print)
Address 868 Delta Dr. N.E. Salem
[Signed] David Beach (Water Well Contractor)
Contractor's License No. 696 Date Oct 27, 1978

(USE ADDITIONAL SHEETS IF NECESSARY)

SP*45656-119

MARI 60250 Marion Well #2

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.

WELL I.D. # L 68858
START CARD # 63054

(1) LAND OWNER Well Number
Name CITY OF MONMOUTH
Address 151 W. Main ST.
City MONMOUTH State OR Zip 97361

(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 Municipal

(5) BORE HOLE CONSTRUCTION:
Special Construction approval ☐ Yes ☑ No Depth of Completed Well 46 ft.
Explosives used ☐ Yes ☑ No Type ____ Amount ____

HOLE Diameter	From	To	SEAL Material	From	To	Sacks or pounds
12"	0'	46	CEMENT	0'	25	26 sacks

How was seal placed: Method ☐ A ☐ B ☑ C ☐ D ☐ E
☐ Other
Backfill placed from 28 ft. to 25 ft. Material 1/4 minus-crush
Gravel placed from 46 ft. to 28 ft. Size of gravel 3/8 round

(6) CASING/LINER:

	Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing:	8"	+3'	31'	.250"	☑	☐	☐	☐
	8"	41'	46'	.250"	☑	☐	☑	☐
					☐	☐	☐	☐
					☐	☐	☐	☐
Liner:					☐	☐	☐	☐
					☐	☐	☐	☐

Drive Shoe used ☐ Inside ☐ Outside ☑ None
Final location of shoe(s)

(7) PERFORATIONS/SCREENS:
☐ Perforations Method
☑ Screens Type V-slot Material 304SS

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
31'	41'	125		8"	PS	☐	☐
						☐	☐
						☐	☐
						☐	☐

(8) WELL TESTS: Minimum testing time is 1 hour
☑ Pump ☐ Bailer ☐ Air ☐ Flowing Artesian

Yield gal/min	Drawdown	Drill stem at	Time
600+ GPM	7.42'		48 hrs.

Temperature of water 53° 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:

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(9) LOCATION OF WELL by legal description:
County Marion Latitude ____ Longitude ____
Township 8S N or S Range 4W E or W. WM.
Section 28 SE 1/4 SE 1/4
Tax Lot Gov. Lot #5 Block ____ Subdivision ____
Street Address of Well (or nearest address) 6985 Riverside Rd.

(10) STATIC WATER LEVEL:
12.34 ft. below land surface. Date 02-27-07
Artesian pressure ____ lb. per square inch Date ____

(11) WATER BEARING ZONES:
Depth at which water was first found 17'

From	To	Estimated Flow Rate	SWL
31'	41'	600+	12.34

(12) WELL LOG:
Ground Elevation

Material	From	To	SWL
Brown silty clay	0'	6'	
Clay - sandy w/ small gravel	6'	13'	
Gravel, brown sand; Gravel small - large	13'	29'	12.34
Gravel; small - med w/ sand; gravels rusty colored	29'	41'	12.34
Blue clay	41'	46'	

Date started 02-01-07 Completed 03-01-07

(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

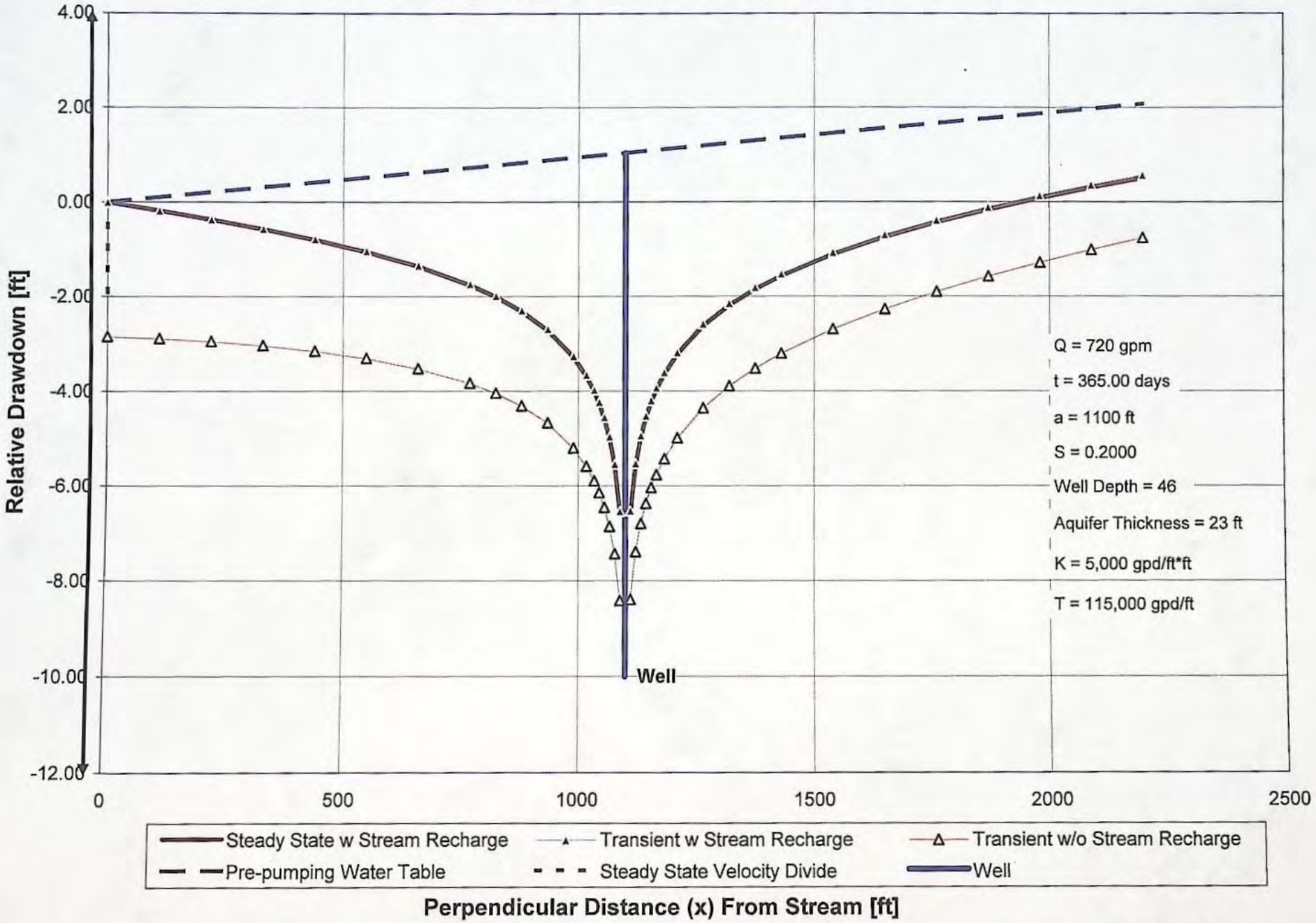
(bonded) Water Well Constructor Certification:
I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.
WWC Number 633
Signed Michael Waldrop Date 03-04-07

ORIGINAL – WATER RESOURCES DEPARTMENT FIRST COPY – CONSTRUCTOR SECOND COPY – CUSTOMER

Fully-
Penetrating
Stream

G-8926

Head Distribution Along X-Section Perpendicular to Stream & 0 ft From Pumping Well



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

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

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 any application for extension of time.

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 Monmouth (NAME OF PERMIT HOLDER *[OAR 690-315-0070(1) and (3)(a)]*) Craig Johns (NAME OF CONTACT)

151 West Main Street (ADDRESS) Monmouth (CITY) OR (STATE) 97361 (ZIP)

503-838-2173 (PHONE) _____ (E-MAIL ADDRESS)

the permit holder of: Application Number G - 8926

Permit Number G - 8579 *[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, _____ be extended to October 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, ~~2009~~ be extended to October 1, 2025

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.

Signature _____ Date 11/19/08

Extension of Time Application Questions

4) Provide evidence of actions taken to develop the water right permit within the permitted time period and/or the time period of the previous extension.

Dates	**All Work and actions accomplished before permit was issued**	**Cost**
10/14/1978	Well Construction completed	$25,000.00
Dates	**All Work and actions accomplished during permitted time period**	**Cost**
6/20/1979	Permit was signed	
7/1/1979	Actual construction work shall begin date	
12/1979	Pump Station construction completed	$100,000.00
10/1/2000	Permit completed date ("C-Date")	
Dates	**All Work and actions accomplished after permitted time period**	**Cost**
2008	Construct new waterline to connect existing Marion County Well #1 and new Marion County Well #2 wells together; Marion County Well #1 interior piping modifications	$100,000.00
	Total Cost to Date	**$225,000.00**

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

Conditions were as stated:

A) The well shall be constructed in accordance with General Standards for the Construction and Maintenance of Water Wells in Oregon. **The well was constructed in accordance with all standards in Oregon.**

B) The works constructed shall include an air line and pressure gauge or an access port for measuring line, adequate to determine water level elevation in the well at all times. **The pump station has pressure gauges installed on piping.**

C) The permittee shall install and maintain a weir, meter, or other suitable measuring device, and shall keep a complete record of the amount of ground water withdrawn. **The City of Monmouth keeps records of water production and has installed a flowmeter.**

6) Maximum instantaneous rate used to date = 1,500 gpm. 3.34 cfs

7) The 2007 population for the City of Monmouth was 9,335. (PSU website)

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Scott Kudlemyer

From: brooke@4bengineering.com
Sent: Wednesday, March 25, 2009 2:35 PM
To: Scott Kudlemyer
Subject: RE: Independence and Monmouth Apps

Attachments: Extension of Time Application Questions MARCH 25.doc



Extension of Time Application ...

This should be what you are looking for.

> ----- Original Message -----
> From: "Scott Kudlemyer" <kudlemsb@wrd.state.or.us>
> To: "brooke@4bengineering.com" <brooke@4bengineering.com>
> Subject: RE: Independence and Monmouth Apps
> Date: Wed, 25 Mar 2009 20:06:49 +0000
>
>
> Hi Brooke
>
> Thanks, everything looks good on the Independence app.
>
> I still need the "Projected Peak (Water) Demand" numbers for the
> Monmouth app, the style of table you put together for the Independence
> app would work great.
>
> Thanks
>
> Scott
>
> -----Original Message-----
> From: brooke@4bengineering.com [mailto:brooke@4bengineering.com]
> Sent: Wednesday, March 25, 2009 11:25 AM
> To: Scott Kudlemyer
> Subject: Re: Independence and Monmouth Apps
>
> Scott,
> Alright these should be what you are looking for. If not let me know.
> Thanks,
>
>
> Brooke Blakemore
> Engineer Technician
> 4B Engineering & Consulting, LLC
> 3000 Market Street
> Suite 527
> Salem, Oregon 97301
> Phone: 503-589-1115
> Fax: 503-589-1118
> Cell: 503-881-6198

>

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SALEM, OREGON

Extension of Time Application Questions

4) Provide evidence of actions taken to develop the water right permit within the permitted time period and/or the time period of the previous extension.

Dates	**All Work and actions accomplished before permit was issued**	**Cost**
10/14/1978	Well Construction completed	$25,000.00
Dates	**All Work and actions accomplished during permitted time period**	**Cost**
6/20/1979	Permit was signed	
7/1/1979	Actual construction work shall begin date	
12/1979	Pump Station construction completed	$100,000.00
10/1/2000	Permit completed date ("C-Date")	
Dates	**All Work and actions accomplished after permitted time period**	**Cost**
2008	Construct new waterline to connect existing Marion County Well #1 and new Marion County Well #2 wells together; Marion County Well #1 interior piping modifications	$100,000.00
	Total Cost to Date	**$225,000.00**

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

Conditions were as stated:

A) The well shall be constructed in accordance with General Standards for the Construction and Maintenance of Water Wells in Oregon. **The well was constructed in accordance with all standards in Oregon.**

B) The works constructed shall include an air line and pressure gauge or an access port for measuring line, adequate to determine water level elevation in the well at all times. **The pump station has pressure gauges installed on piping.**

C) The permittee shall install and maintain a weir, meter, or other suitable measuring device, and shall keep a complete record of the amount of ground water withdrawn. **The City of Monmouth keeps records of water production and has installed a flowmeter.**

6) Maximum instantaneous rate used to date = 5 CFS

7) The 2007 population for the City of Monmouth was 9,335. (PSU website)

8) As shown in #4 the total cost of work completed to this date is

Dates	All Work and actions accomplished	Cost
10/14/1978	Well Construction completed	$25,000.00
12/1979	Pump Station construction completed	$100,000.00
2008	Construct new waterline to connect existing Marion County Well #1 and new Marion County Well #2 wells together; Marion County Well #1 interior piping modifications	$100,000.00
	Total Cost to Date	**$225,000.00**

9) The estimate for work to be completed is:

Dates	All Work and actions accomplished	Cost
	NONE	$0.00
	Total Cost to Date	**$0.00**

10) The Marion County Well #1 well was unable to be put to full beneficial use due to the growth of the city and the required development of other wells and reservoir projects.

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11) A) Inventory of Water Rights

Ground Water

Application/ Permit Number	*Certificate Number*	*Source*	*Use*	*Priority Date*	*Authorized Amount of Water*	*Max Amount of Beneficial Water Use*	*Use Limitations*
G-4332 G-4087	*39278*	*Well #1, 2,3-Inactive*	*MU*	*April 17, 1968*	*1.27 CFS*	*NA*	*NA-Not active at this time*
G-5106 G-4818	*62436*	*Well #4, 5*	*MU*	*Feb 17, 1970*	*.88 CFS*	*.88 CFS*	*Aquifer*
G-8926 G-8579	*NA*	*Marion County #1*	*MU*	*Aug 14, 1978*	*5.0 CFS*	*5.0 CFS*	*Aquifer*
G-13521 G-12976	*NA*	*Buena Vista Wells*	*MU*	*Oct 1, 1993*	*6.0 CFS*	*NA*	*NA-Not active at this time*

Surface Water

Application/ Permit Number	*Certificate Number*	*Source*	*Use*	*Priority Date*	*Authorized Amount of Water*	*Max Amount of Beneficial Water Use*	*Use Limitations*
S-6716 S-4305	*49729*	*Teal Creek*	*MU*	*Oct 13, 1924*	*0.45 CFS*	*NA*	*NA-Not active at this time*
S-9883 S-6521	*45801*	*Teal Creek*	*MU*	*Aug 19, 1919*	*0.13 CFS*	*NA*	*NA-Not active at this time*
S-16134 S-11941	*11656*	*Teal Creek*	*MU*	*Nov 7, 1935*	*0.3 CFS*	*NA*	*NA-Not active at this time*
S-16248 S-12058	*11662*	*Teal Creek*	*MU*	*Feb 13, 1936*	*1.0 CFS*	*NA*	*NA-Not active at this time*
S-16832 S-12602	*15055*	*Teal Creek*	*MU*	*April 2, 1937*	*.25 CFS*	*NA*	*NA-Not active at this time*

Application/ Permit Number	Certificate Number	Source	Use	Priority Date	Authorized Amount of Water	Max Amount of Beneficial Water Use	Use Limitations
S-22133 S-18321	16992	Teal Creek	MU	Dec 11, 1946	1.0 CFS	NA	NA-Not active at this time
S-41310 S-30886	36021	Teal Creek	MU	Aug 31, 1965	.61 CFS	NA	NA-Not active at this time
S-86399 S-54332	NA	Willamette River	MU	Aug 10 , 2005	4.46 CFS	NA	NA-Construction not completed

Cert 39278 Teal MU 0.25

Pending Applications

Application/ Permit Number	Certificate Number	Source	Use	Priority Date	Authorized Amount of Water	Max Amount of Beneficial Water Use	Use Limitations
NONE							

B) The City of Monmouth does not have any contracts or agreements.

C) The peak demand in 2007 was 5,601 GPM.
12.5 cfs

D) Projected Population:

Year	Estimated Population	Estimated Peak Water Demand
2007	9,335-Actual	5,800 gpm 12.9 cfs
2008	9,475	6,000 gpm
2009	9,615	6,200 gpm
2010	9,775	6,450 gpm
2015	11,331	6,900 gpm
2020	13,135	7,300 gpm
2025	14,352	7,500 gpm 16.7 cfs

E) The City of Monmouth is projected to grow with new residential subdivisions being added and land being annexed.

F) The development is expected to be completed by 2025.

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12) Future work that is needed to perfect the water right.

Dates	All Work and actions accomplished	Cost
1/2009	Transfer of a portion of water from Marion County Well #1 to Marion County Well #2	$0.00
	Total Cost to Date	**$0.00**

13) The City of Monmouth has recently added an additional well South of the existing Marion County Well #1. A new waterline has been constructed that will run between the two wells and this will allow the City of Monmouth to fully utilize the water right. After an extension is granted a portion of the water will be moved the new well, Marion County Well #2.

future work APOA

8) As shown in #4 the total cost of work completed to this date is

Dates	All Work and actions accomplished	Cost
10/14/1978	Well Construction completed	$25,000.00
12/1979	Pump Station construction completed	$100,000.00
2008	Construct new waterline to connect existing Marion County Well #1 and new Marion County Well #2 wells together; Marion County Well #1 interior piping modifications	$100,000.00
	Total Cost to Date	**$225,000.00**

9) The estimate for work to be completed is:

Dates	All Work and actions accomplished	Cost
	NONE	$0.00
	Total Cost to Date	**$0.00**

10) The Marion County Well #1 well was unable to be put to full beneficial use due to the growth of the city and the required development of other wells and reservoir projects.

~~11) A)~~ Inventory of Water Rights

This table is superceeded by 3-25-2009 update. ab

Well(s) Associated With	*Application No.*	*Permit No.*	*Certificate No.*	*Original Flow*	*Permitted Flow*
N/A-Inactive	S-6716	S-4305	49729	8.0 CFS	0.45 CFS
NA-Inactive	S-9883	S-6521	45801	0.13 CFS	0.13 CFS
N/A-Inactive	S-16134	S-11941	11656	1.0 CFS	0.3 CFS
N/A-Inactive	S-16248	S-12058	11662	1.0 CFS	1.0 CFS
N/A-Inactive	S-16832	S-12602	15055	0.25 CFS	0.25 CFS
N/A-Inactive	S-22133	S-18321	16992	1.0 CFS	1.0 CFS
N/A-Inactive	S-41310	S-30886	36021	1.0 CFS	0.61 CFS
N/A-Inactive	S-86399	S-54332	None	4.46 CFS	N/A
Well #1, 2, 3-Inactive	G-4332	G-4087	39278	2.0 CFS	1.27 CFS
~~**Well #4, 5**~~	~~G-5106~~	~~G-4818~~	~~62436~~	~~2.0 CFS~~	~~0.88 CFS~~
Marion County #1	G-8926	G-8579	None	5.0 CFS	N/A
Buena Vista Wells	G-13521	G-12976	None	6.0 CFS	N/A

Ben

B) The City of Monmouth does not have any contracts or agreements.

C) The peak demand in 2007 was 5,601 GPM. 12.5 cfs

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D) Projected Population:

Superceded by 3-25-2010 update

Year	Estimated Population
2007	9,335-Actual
2008	9,475
2009	9,615
2010	9,775
2015	11,331
2020	13,135
2025	14,352

E) The City of Monmouth is projected to grow with new residential subdivisions being added and land being annexed.

F) The development is expected to be completed by 2025.

12) Future work that is needed to perfect the water right.

Dates	All Work and actions accomplished	Cost
1/2009	Transfer of a portion of water from Marion County Well #1 to Marion County Well #2	$0.00
	Total Cost to Date	**$0.00**

13) The City of Monmouth has recently added an additional well South of the existing Marion County Well #1. A new waterline has been constructed that will run between the two wells and this will allow the City of Monmouth to fully utilize the water right. After an extension is granted a portion of the water will be moved the new well, Marion County Well #2.

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SALEM, OREGON

NOTICE TO WATER WELL CONTRACTOR
The original and first copy of this report are to be filed with the WATER RESOURCES DEPARTMENT, SALEM, OREGON 97310 within 30 days from the date of well completion.

RECEIVED NOV 6 1978 WATER RESOURCES DEPT. SALEM, OREGON

RECEIVED NOV 16 1978 WATER RESOURCES DEPT. SALEM, OREGON

M.A.R. 13284

WATER WELL REPORT
STATE OF OREGON
(Please type or print)
(Do not write above this line)

State Well No. 8S/4W-28

State Permit No.

Marion Well #1

City of

(1) OWNER:
Name Monmouth
Address 151 West Main St.
Monmouth Oregon 97361

(2) TYPE OF WORK (check):
New Well ☒ Deepening ☐ Reconditioning ☐ Abandon ☐
If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:
Rotary ☒ Driven ☐
Cable ☐ Jetted ☐
Dug ☐ Bored ☐

(4) PROPOSED USE (check):
Domestic ☐ Industrial ☐ Municipal ☒
Irrigation ☐ Test Well ☐ Other ☐

(5) CASING INSTALLED:
Threaded ☐ Welded ☒
12" Diam. from +2 ft. to 32-6 ft. Gage 250
" Diam. from ft. to ft. Gage
" Diam. from ft. to ft. Gage

(6) PERFORATIONS:
Perforated? ☐ Yes ☒ No
Type of perforator used
Size of perforations in. by in.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.

(7) SCREENS:
Well screen installed? ☒ Yes ☐ No
Manufacturer's Name Johnson
Type Stainless Steel Model No.
Diam. 11" Slot size 150 Set from 32-6 ft. to 43 ft.
Diam. Slot size Set from ft. to ft.

(8) WELL TESTS:
Drawdown is amount water level is lowered below static level
Was a pump test made? ☒ Yes ☒ No If yes, by whom?
Yield: 725 gal./min. with 2 ft. drawdown after 24 hrs.
" " "
" " "
Air test 100 gal./min. with ft. drawdown after 2 hrs.
Artesian flow g.p.m.
Temperature of water Depth artesian flow encountered ft.

(9) CONSTRUCTION:
Well seal—Material used Cement 0-14' Bentonite 14'-21'
Well sealed from land surface to 21' ft.
Diameter of well bore to bottom of seal 16 in.
Diameter of well bore below seal 12 in.
Number of sacks of cement used in well seal 19 sacks
How was cement grout placed? Grout was mixed & pumped to bottom of 16" Annulus through 1" tremie pipe
Was a drive shoe used? ☒ Yes ☐ No Plugs Size: location ft.
Did any strata contain unusable water? ☐ Yes ☒ No
Type of water? depth of strata
Method of sealing strata off
Was well gravel packed? ☐ Yes ☒ No Size of gravel:
Gravel placed from ft. to ft.

(10) LOCATION OF WELL:
County Marion Driller's well number
¼ ¼ Section 28 T. 8S R. 4W W.M.
Bearing and distance from section or subdivision corner

(11) WATER LEVEL: Completed well.
Depth at which water was first found 25 ft.
Static level 23 ft. below land surface. Date 10-13-78
Artesian pressure lbs. per square inch. Date

(12) WELL LOG:
Diameter of well below casing 11"
Depth drilled 46 ft. Depth of completed well 43-0 ft.

Formation: Describe color, texture, grain size and structure of materials; and show thickness and nature of each stratum and aquifer penetrated, with at least one entry for each change of formation. Report each change in position of Static Water Level and indicate principal water-bearing strata.

MATERIAL	From	To	SWL
BROWN SILT	0	11	
" Silt with GRAVEL	11	23	
PACKED SAND & GRAVEL	23	30	
COARSE SAND & GRAVEL	30	43	
BROWN CLAY	43	44	
GRAY CLAY	44	46	

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Work started 10-12 1978 Completed 10-13 1978
Date well drilling machine moved off of well 10-13 1978

Drilling Machine Operator's Certification:
This well was constructed under my direct supervision. Materials used and information reported above are true to my best knowledge and belief.
[Signed] Dustin J. Todd (Drilling Machine Operator) Date 10-14 1978
Drilling Machine Operator's License No. 1152

Water Well Contractor's Certification:
This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.
Name Aqua-Tech Well Construction Inc. (Person, firm or corporation) (Type or print)
Address 868 Delta Dr. N.E. Salem
[Signed] David Beach (Water Well Contractor)
Contractor's License No. 696 Date Oct 27, 1978

(USE ADDITIONAL SHEETS IF NECESSARY)

SP*45656-119

Application No. G-8926 Permit No. G 8579

STATE OF OREGON WATER RESOURCES DEPARTMENT

Application for a Permit to Appropriate Ground Water

RECEIVED
AUG 14 1978
WATER RESOURCES DEPT.
SALEM, OREGON

I, CITY OF MONMOUTH (Name of Applicant)

of 151 West Main St. (Mailing Address), Monmouth, (City)

State of Oregon, 97361 (Zip Code) Phone No. 838-0722 do hereby

make application for a permit to appropriate the following described ground waters of the State of Oregon:

1. The development will consist of 2 Wells (Give number of wells, tile lines, infiltration galleries, etc.)

having a diameter of 12" and an estimated depth of 90 feet.

2. The well or other source is to be located M-1 ~~2720~~ 3260 ft. S (N. or S.) and ~~300~~ 360 ft. W (E. or W.)
M-2 ~~2720~~ 3030 ~~300~~ 400 E

from the NW corner of Section 27 (Public Land Survey Corner)

(If there is more than one well, each must be described)

M-1 NE SE
being within the ~~NW~~ ¼ of the ~~SW~~ ¼ of
M-2

Sec. ~~27~~ 28 Tp. 8-S R. 4-W W. M., in the county of Marion.

CHANGED MADE 6-14-79 FSP

3. Location of area to be irrigated, or place of use if use other than irrigation.

Township	Range	Section	List ¼ ¼ of Section	List use and/or number of acres to be irrigated
8-S	4-W	19	NW¼ SW¼	Municipal
			S½ SW¼	Municipal
			NW¼ SE¼	Municipal
			S½ SE¼	Municipal
		30	All	Municipal
	5-W	24	SE¼ SW¼	Municipal
			SE¼	Municipal
		25	E3/4	Municipal

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SALEM, OREGON

4. It is estimated that 90 feet of the well will require Steel (Kind) casing.

5. Depth to water table is estimated 25 (Feet) Well drilled by Aqua Tech

Form 690-3-0-1-77

6. The amount of water which the applicant intends to apply to beneficial use is 5.0 (see remarks) cubic feet per second or ..... gallons per minute.

7. The use to which the water is to be applied is Municipal

8. If the flow to be utilized is artesian, the works to be used for the control and conservation of the supply when not in use must be described.

9. If the location of the well, or other development work is less than one-fourth mile from a natural stream channel, give the distance to the channel and the difference in elevation between the stream bed and the ground surface at the source of development.

1000 Ft from Willamette River 30 Ft. Higher

10. DESCRIPTION OF WORKS

Include length and dimensions of supply ditch or pipeline, size and type of pump and motor, type of irrigation system to adequately describe the proposed distribution system.

25 To 75 hp motors & pumps to be determined when wells are completed

8" or 12" main pipeline to existing city system

11. Construction work will begin on or before July 1st 1979

12. Construction work will be completed on or before Oct. 1 1980

13. The water will be completely applied to the proposed use on or before Oct 1, 2000

14. If the ground water supply is supplemental to an existing supply, identify the supply and existing water right. Teal Creek and other city wells

Application No. G-8926 Permit No. G 8579

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WATER RESOURCES DEPT
SALEM, OREGON

Application No. G-8926 Permit No. G 8579

Permit to Appropriate the Public Waters of the State of Oregon

This is to certify that I have examined the foregoing application and do hereby grant the same, SUBJECT TO EXISTING RIGHTS INCLUDING THE EXISTING MINIMUM FLOW POLICIES ESTABLISHED BY THE WATER POLICY REVIEW BOARD and the following limitations and conditions:

The right herein granted is limited to the amount of water which can be applied to beneficial use and shall not exceed 5.0 *cubic feet per second measured at the point of diversion from the well or source of appropriation, or its equivalent in case of rotation with other water users, from* two wells.

The use to which this water is to be applied is municipal.

If for irrigation, this appropriation shall be limited to ..... of one cubic foot per second or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed ..... acre feet per acre for each acre irrigated during the irrigation season of each year;

and shall be subject to such reasonable rotation system as may be ordered by the proper state officer.

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

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

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

The priority date of this permit is August 14, 1978

Actual construction work shall begin on or before June 20, 1980 *and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 19*80

Extended to Oct. 1985 Extended to October 1, 1990, 10-1-95, 10-1-2000

*Complete application of the water to the proposed use shall be made on or before October 1, 19*81

Extended to Oct. 1985 Extended to October 1, 1990, 10-1-95, 10-1-2000

WITNESS my hand this 20th *day of* June, *19*79

Deputy Water Resources Director

Remarks: One well will be drilled, however, if ample water is not obtained - A second well will be constructed to make up any deficiency in available supply from the first well

Ronald S. Peterson
Signature of Applicant

City Of Monmouth

This is to certify that I have examined the foregoing application, together with the accompanying maps and data, and return the same for

In order to retain its priority, this application must be returned to the Water Resources Director with corrections on or before , 19

WITNESS my hand this day of , 19

Water Resources Director

By

RECEIVED
MAR 19 2009
WATER RESOURCES DEPT
SALEM, OREGON

This instrument was first received in the office of the Water Resources Director at Salem, Oregon, on the 14th day of August, 1978, at 8:00 o'clock A.M.

Application No. G-8926 *Permit No.* G 8579

G 8579

Water Right Information Query Results

Contact Information

Current contact information

OWNER:
CITY OF MONMOUTH
151 WEST MAIN ST
MONMOUTH, OR 97361

Water Right Information

Status: Non-Cancelled
County: Polk
File Folder Location: Salem
Watermaster District: 16

Documents

View all scanned documents

Application: G 8926 digital map

- Received: 8/14/1978

Permit: G 8579 document, digital map, paper map

- Signature: 6/20/1979

Permit Workflow			
Action	Date	Result	Completed By
Permit Issued	6/20/1979		
Completion Date [C Date]	10/1/2000		

Order(s)

Volume-Page	Signature	Description
35-142	8/27/1981	EXTENDS TIME LIMITS FOR MULTIPLE PERMITS
41-144	3/25/1987	EXTENDS 212 PERMITS
45-301	5/31/1991	ORDER EXTENDING TIME LIMITS ON PERMITS
50-158	3/26/1996	EXTENDS TIME LIMITS ON CERTAIN PERMITS

View right with New Web Mapping (beta)

Point(s) of Diversion

- **POD 1 - WELL #1 > WILLAMETTE RIVER**
- **POD 2 - WELL #2 > WILLAMETTE RIVER**

Place(s) of Use

Add TRS grouping

- **Use - MUNICIPAL USES (Primary); Priority Date: 8/14/1978**

Water Right Genealogy

—No genealogy records available for this water right, try the family link below instead.

View Water Rights in same Family

Help understanding and working with the Water Rights Information System

Report Errors with Water Right Data

Return to WRIS Query

RECEIVED
MAR 19 2009
WATER RESOURCES DEPT
SALEM, OREGON

RECEIVED
MAR 19 2009
WATER RESOURCES DEPT
SALEM, OREGON

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

May 24, 2011

CITY OF MONMOUTH
ATTENTION: CRAIG JOHNS
151 WEST MAIN ST
MONMOUTH, OR 97361

REFERENCE: Pending Application for Extension of Time
Water Right Application G-8926 (Permit G-8579)
Water Right Application G-13521 (Permit G-12976)

Dear Municipal Water Right Holder:

The purpose of this letter is to provide you with notification as per OAR 690-315-0080(2)(f) of fishery resource protection conditions that may be proposed in the proposed final order under OAR 690-315-0050; the conditions are enclosed for your review.

This letter will also act to provide you notice of your opportunity to request the Department place any of the above referenced municipal permit extension applications on administrative hold.

If you should have any questions concerning your extension request you may contact me at (503) 986-0827.

Sincerely,

Ann L. Reece
Water Rights Specialist

Enclosures

cc: Application File G-8926
Application File G-13521
Mike McCord, Watermaster District 16
Brooke Saltarello, 4B Engineering & Consulting LLC, 3700 River Rd N., Suite 2, Keizer, OR 97303

Ann Reece G-8926

From: Tim S Hardin [tim.s.hardin@state.or.us]
Sent: Monday, May 23, 2011 10:40 AM
To: Ann Reece
Subject: RE: Proposed Fish Persistence Conditions -Appl #s: G-13521; G-8926 --Monmouth

#8926 follows the same steps and calculations as #13521, so I concur with it as well.

Tim Hardin
Instream Flow Specialist
Oregon Department of Fish and Wildlife
3406 Cherry Avenue NE
Salem, OR 97303
ph. 503-947-6093
fax 503-947-6070
email: Tim.S.Hardin@state.or.us

From: Ann Reece [mailto:reeceal@wrd.state.or.us]
Sent: Thursday, April 14, 2011 2:12 PM
To: HARDIN Tim S
Subject: Proposed Fish Persistence Conditions -Appl #s: G-13521; G-8926 --Monmouth

Tim Harden
ODFW
Salem, OR

RE: Appl G-13521 / Permit G-12976
Appl G-8926 / Permit G-8579

Tim:

Based on ODFW's advice for the above 2 referenced permits, OWRD has drafted the proposed fish persistence conditions for each extension. Please let me know if ODFW concurs that these proposed conditions are consistent with the fish persistence advice provided to OWRD on February 1, 2011. The proposed conditions are attached to this e-mail.

Best Regards,
Ann Reece

Water Rights Services Division
Oregon Water Resources Department
725 Summer St. NE Suite A
Salem, OR 97301
503-986-0827
reeceal@wrd.state.or.us

Willamette River – Proposed Fish Persistence Conditions
for Extension of Time Proposed Final Order (PFO)
for Application G-8926 (Permit G-8579)
City of Monmouth

FINDINGS

1. Summary and Excerpts of Advice from ODFW:

Use of water under the portion of this permit that is undeveloped as of the date of the extension final order and is found to have the Potential for Substantial Interference (PSI) with the Willamette River should be conditioned to maintain, in the portions of waterways affected by water use under the permit, the persistence of listed fish species. ODFW has determined that the Willamette River will be affected by water use under this permit. ODFW's advice is based on the best available information and existing data.

ODFW recognizes that long term climatic variations will affect the amount of water the USACE will be able to release in any given year. In favorable water years, fish populations tend to increase and in unfavorable water years, fish populations contract. Climate change is likely to cause a long-term reduction in the frequency of favorable water years. The long term objective for a listed species is to have the population increase to a sustainable level over time and to be able to maintain itself through natural fluctuations in the environment.

The streamflows, in Table 1, below, are ODFW's recommended flows measured at Salem, Oregon, for maintaining the persistence of listed fish species in the Willamette River. ODFW advises the Water Resources Department to develop conditions that allow municipalities to meet their water needs while maintaining the persistence of listed fish species. Such conditions would apply if the USACE is not able to maintain the recommended fish flows.

The severity of the measures to be taken by the permit holder should reflect the degree to which the recommended streamflows are being missed and the percentage of water that is withdrawn by the municipality as compared to the overall streamflow level, and be adjusted by the ratio of water withdrawn to water being returned directly to the Willamette River through effluent discharges.

Table 1

ODFW'S RECOMMENDED MINIMUM FISH FLOW NEEDS IN THE WILLAMETTE RIVER MEASURED AT SALEM, OREGON	
Month	Cubic Feet per Second
July 1 – October 31	5,630
November 1 – March 31	6,000
April 1 – April 15	15,000 – 19,200
April 16 – April 30	17,000
May 1 – May 31	15,000

ODFW'S RECOMMENDED MINIMUM FISH FLOW NEEDS IN THE WILLAMETTE RIVER MEASURED AT SALEM, OREGON	
June 1 – 15	12,600
June 16 – 30	8,500

Streamflow Measurement Point

After analysis of flow records and how the USACE stores and releases water from its facilities to meet mainstem Willamette target flows, ODFW has determined that measuring flows at the Salem gage is sufficient for ensuring flows to maintain the persistence of listed fish are met throughout the mainstem Willamette River. Therefore, ODFW advises the Department to establish the Salem gage as the point for determining whether fish flows are being met for this municipal permit extension.

2. Department's Findings Based on Review of ODFW's Advice:

The Department is proposing conditions in this extension of time consistent with ODFW's advice (*See* Item 1 of the "Conditions" section of this PFO). There is an undeveloped portion of 1.66 cfs of water under Permit G-8579 as per OAR 690-315-0010(6)(g). Authorization to incrementally expand use of water under this permit beyond 3.34 cfs up to the permitted quantity of 5.0 cfs can only be granted through the Department's review and approval of the municipal permit holder's future WMCPs (OAR 690-086). When ODFW's recommended target flows are missed, the Department's proposed conditions may result in a reduction in the amount of the undeveloped portion of water under Permit G-8579 having PSI with the Willamette River that can be appropriated. The proposed conditions in this extension of time are based on the following findings:

a. As determined by the Department on April 2, 2009, use of the undeveloped portion of this permit, being 1.66 cfs, will result in 1.31 cfs of surface water interference with the Willamette River after 360 days of pumping. For the purpose of conditioning this permit to maintain the persistence of fish, the Department finds that the amount of the undeveloped portion of water under G-8579 having PSI with the Willamette River is 1.31 cfs.

b. The streamflows needed to maintain the persistence of fish must be measured at Salem, Oregon, USGS GAGE No.14191000, or its equivalent.

c. From April 1 through April 15, the target flow is expressed as a range. Because these flows are the "Recommended Fish flow Minimums" the lesser number in the range (15,000 cfs) is used in developing conditions to maintain the persistence of fish species.

d. When target flows are not met, use of the undeveloped portion of the permit that

impacts Willamette River surface water must be reduced in proportion to the degree to which the recommended streamflows are being missed. ODFW's formula for determining the percent shortfall, or missed target flows in the Willamette River is defined as:

$$1 - (Q / Q_T),$$

where Q is the flow at the point of interest, and Q_T is the target flow (from Table 2).

e. For the period of April through June, ODFW's advice recognized that the main influence on river flow levels is federal management of the dams and release of surplus storage water to meet listed fish flow needs. The advice also noted that withdrawal of water in the spring months will have minimal overall impact on streamflows. The full use of the undeveloped portion of Permit G-8579 represents a very small fraction of the April-June recommended streamflows in the Willamette River at Salem.

For the period of July through October, ODFW's advice recognized that the main influence on river flow levels continues to be the federal management of the dams. While the advice noted that withdrawal of water in these summer-fall months will have a proportionally greater effect on flows, it represents an only slightly higher impact compared to the April-June impact; the full use of the undeveloped portion of Permit G-8579 represents a higher, but still small fraction of the July-October recommended streamflows in the Willamette River at Salem.

In most years, late fall and winter flows are much higher than the recommended flows during this time period.

Therefore, consistent with ODFW's advice that the main influence of river flow levels is the federal management of the dams and that the severity of the measures to be taken by the permit holder should reflect the percentage of water that is withdrawn by the municipality as compared to the overall streamflow level, the Department proposes to limit any overall reduction to the undeveloped portion having PSI with the Willamette River to no more than 20 percent of the undeveloped portion having PSI with the Willamette River.

f. ODFW's advice recognizes that municipalities may return a certain amount of flow to a river or stream through their effluent discharge. If the withdrawal points and effluent discharges are within reasonable proximity to each other, such that fish habitat between the two points is not impacted significantly, then ODFW recommends that any reduction to use of the amount of the undeveloped portion of Permit G-8579 that impacts Willamette River surface water should be adjusted by the monthly estimated percentage of the difference between the total water withdrawals and their return flows. Therefore, consistent with ODFW's advice, when appropriate, the Department proposes to adjust any reduction by a "Consumptive Use Percentage," as generally determined by (1- [total municipal wide returned flows/ total municipal wide appropriated flows]).

1. Conditions to Maintain the Persistence of Listed Fish

A. Minimum Fish Flow Needs

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

Table 1

MINIMUM FISH FLOW NEEDS IN THE WILLAMETTE RIVER MEASURED AT USGS GAGE 14191000 SALEM, OREGON	
Month	Cubic Feet per Second
July 1– October 31	5,630
November 1 – March 31	6,000
April 1 – April 15	15,000
April 16 –April 30	17,000
May 1 – May 31	15,000
June 1 – 15	12,600
June 16 – 30	8,500

B. Determining Water Use Reductions - Generally

The undeveloped portion of Permit G-8579 having PSI with the Willamette River is 1.31 cfs. The maximum amount of the undeveloped portion of Permit G-8579 having PSI with the Willamette River that can be appropriated as a result of this fish persistence condition is determined in proportion to the amount by which the flows shown in Table 1 are missed based on a seven day rolling average of mean daily flows measured in the Willamette River at Salem (USGS Gage Number 14191000, or its equivalent). The percent of missed target flows is defined as:

$$(1 - (Q_A / Q_T)) \times 100\%,$$

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

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

E_{PSI} - (E_{PSI} x % missed target flows),

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

The maximum amount of water that can be appropriated as a result of this persistence condition may be adjusted by a Consumptive Use Percentage, when applicable, as per Item 1.C., below. The overall reduction to the amount of the undeveloped portion having PSI with the Willamette River of the permit will not exceed 20%.

C. Consumptive Use Percentages

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

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

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

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

c. Consumptive Use Percentages Updates
Continuing the utilization of Consumptive Use Percentages for the purpose of calculating the maximum amount of the undeveloped portion of Permit G-8579 that can be appropriated as a result of this fish persistence condition beyond an approval period (as described in 1.C.f., below) is contingent upon

the City submitting updated Consumptive Use Percentages and receiving the Water Resources Director's concurrence with the Consumptive Use Percentages Updates. Utilization of Consumptive Use Percentages Updates is subject to an approval period described in 1.C.f., below.

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

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

If there are changes to either wastewater technology or the practices at the City's waster water treatment facility resulting in 25% or more reductions in average monthly return flows to the Willamette River, then the Consumptive Use Percentages in effect at that time may no longer be utilized for the purposes of calculating the maximum amount of the undeveloped portion of Permit G-8579 that can be appropriated as a result of this fish persistence condition. The 25% reduction is based on a 10-year rolling average of monthly wastewater return flows to the Willamette River as compared to the average monthly wastewater return flows from the 10 year period just prior to date of the first approval period described in 1.C.f., below.

If such changes to either wastewater technology or the practices at the City's waster water treatment facility occur resulting in 25% reductions, further utilization of Consumptive Use Percentages is contingent upon the City submitting Consumptive Use Percentages Updates as per 1.C.c., above, and receiving the Water Resources Director's concurrence with the updated Consumptive Use Percentages.

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

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

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

f. Approval Periods for Utilization of Consumptive Use Percentages

The utilization of Consumptive Use Percentages for the purpose of calculating the maximum amount of the undeveloped portion of Permit G-8579 that can be appropriated as a result of this fish persistence condition may continue for a 10 year approval period that begins 10 years from the Water Resources Director's most recent date of concurrence with Consumptive Use Percentages Updates as evidenced by the record, unless sections 1.C.d., or 1.C.e. (above) are applicable.

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

D. Examples

Example 1: Target flow met.
On July 15, the last seven mean daily flows were 7000, 6500, 6000, 5500, 5250, 5000 and 4750 cfs. The seven day rolling average (Q_A) is 5714 cfs. The amount of the undeveloped portion of the permit having PSI with the Willamette River that can be appropriated would not be reduced because the 7 day average of mean daily flows is greater than the 5,630 cfs target flows (Q_T) for July 15.

Example 2: Target flow missed.

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

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

Step 2: Assuming the Consumptive Use Percentage is 78.7%[1] during the month of July and the utilization of this percentage is authorized, and the target flow is missed by 11% (from Step 1), then the amount of the undeveloped portion of the permit having PSI with the Willamette River that could be appropriated would be reduced by 8.6%.

$$(78.7\% \times 11\%) / 100 = 8.6\%$$

(If adjustments are not to be made by a Consumptive Use Percentage, then the undeveloped portion of the permit having PSI with the

[1] Currently, the City of Monmouth may not utilize Consumptive Use Percentages for the purpose of calculating the amount of the undeveloped portion of Permit G-8579 that can be appropriated as a result of this fish persistence condition. The utilization of the Consumptive Use Percentage 78.7% is only for illustrative purposes in this example.

Willamette River would only be reduced by the % by which the target flow is missed – 11% in this example).

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

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

$$1.31 - ((1.31 \times 8.6\%) / 100) = 1.20$$

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

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

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

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

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

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

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

$$1.31 - 1.20 = 0.11$$

Oregon
John A. Kitzhaber, MD, Governor

Department of Fish and Wildlife
Office of the Director
3406 Cherry Ave NE
Salem, OR 97303-4924
503.947.6044
Fax 503.647.6042
www.dfw.state.or.us

February 1, 2011

RECEIVED
FEB 08 2011
WATER RESOURCES DEPT
SALEM, OREGON

Mr. Phil Ward, Director
Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301

Re: ODFW's Division 315 Evaluation of Fish Persistence for Municipal Extension
City of Monmouth Application # G-8926

Dear Director Ward:

The City of Monmouth has requested an extension of time to develop the municipal water right referenced above. The undeveloped portion of their permit is 1.66 cfs from two wells, and a WRD analysis determined that this groundwater was hydraulically connected to the Willamette River (M. Norton 2009). ORS 537.230(2)(c) and 537.630(2)(c) directs the Water Resource Department (WRD) to find that the undeveloped portion of the permit is conditioned to maintain, in the portions of waterways affected by water use under the permit, the persistence of fish species listed as sensitive, threatened or endangered under state or federal law. WRD is to base their findings on existing data and advice from the Oregon Department of Fish and Wildlife (ODFW). This letter is the advice provided to WRD by ODFW.

Summary

The Water Resource Commission has recognized the need to maintain flows in the Willamette Basin for aquatic life and to minimize pollution through the adoption of Minimum Perennial Streamflows from natural flow, plus additional storage releases, in the Willamette Basin Program. The Willamette Basin Program established a minimum perennial stream flow (MPSF) from natural flow for fish of 1,500 cfs at Wilsonville (OAR 690-502-0050). The MPSF at Salem, the location of USGS Gage #14191000, is 1,300 cfs. Additionally several other flows have been identified as necessary to maintain the persistence of listed fish species.

- An additional amount up to 4,700 cfs from storage was recommended by WRD's Willamette Basin Program to address instream flow needs;

- Higher spring flows were identified by ODFW as necessary to facilitate migration of listed Winter Steelhead through the Willamette River in April, May and June;

- Congressionally authorized minimum flows were set for July – September;

- DEQ has developed Total Maximum Daily Loads (TMDL's) for a number of constituents within the basin. Loads are based on concentrations that protect the most sensitive species at a 7Q10 base flow. The water temperature standard is of special importance, as it is set to maintain the health of salmonids, which are two of the listed fish species in this basin;

- Finally, a Biological Opinion for the Willamette River Basin Flood Control Project (BiOp) was recently completed by NOAA Fisheries. This BiOp addresses the recovery of Threatened Winter Steelhead and Spring Chinook, and includes flow targets for these listed species from the beginning of April to the end of October.

There are 13 United States Army Corps of Engineers (USACE) storage projects in the basin, which store about 1.6 million acre feet of water. The Willamette Basin Program and the USACE have identified a number of beneficial uses for this stored water, including fish and wildlife needs; however, the Bureau of Reclamation, through the state water right system, originally applied for all the storage water to be designated for irrigation. This designation means that no other water use may apply for a stored water right; therefore, all other uses (including flows for fish and municipal use) must rely on natural flow or releases of uncontracted surplus stored water. Although listed fish species rely on the release of stored water to maintain viability, there is currently no means to acquire a corresponding instream flow water right or contract from stored water. The Willamette BiOp directs the USACE to meet specific flow targets to maintain flows for listed fish while balancing fish flows and water quality needs with other demands for the surplus stored water within the basin.

Evaluation

Listed Species

Fall Chinook – (Federal - Threatened, State Sensitive)
Spring Chinook – (Federal - Threatened)
Coastal Cutthroat – (State Sensitive, below Willamette Falls)
Coho – (Federal - Threatened, State - Endangered)
Pacific Lamprey – (State Sensitive, Federal – petitioned for listing)
Winter Steelhead – (Federal - Threatened, State Sensitive)
Oregon Chub – (Federal - Threatened, State Sensitive).

Findings and Justification

Fish Flow Analysis: (Water Availability and Fish Flow Needs).

According to WRD's Water Availability Tables, water is still available for all months of the year; the lowest flow months are typically August and September. Regarding fish needs, only the live flow (non-storage) portion of the water needed for fish (1,300 cfs) is

included in the water availability calculations. The Willamette Basin Program (OAR 690-502-0500 with Tables) identifies the Minimum Perennial Streamflows for the Willamette River Sub-basin. The identified flows were split into two components: a "Minimum Perennial Streamflow" value and an additional amount to be supplied through storage releases. These combined flows are needed for fish persistence and are one measure of fish flow needs.

In the past, the Corps of Engineers (USACE et al. 1997) augmented flows in the Willamette River through the release of water from its 13 projects to meet annually established operational target flows in the Willamette River at Albany and Salem and the basin's tributaries. These augmented flows address fish flow needs and maintain adequate water quality while balancing recreation, flood control and other needs. Flows were not guaranteed because most of the water in storage is designated for irrigation use and could be contracted for irrigation use, although at the current time, less than 5% has been contracted for irrigation.

The USACE consulted with NOAA Fisheries, who developed a Biological Opinion (July 2008) for Winter Steelhead and Spring Chinook in the Willamette basin. The Biological Opinion included flow targets for April 1 – October 31. April-June flows were based on the ODFW analysis for steelhead migration (see above); June-September flows are the congressionally authorized flows, established in the 1950's as part of the authorization for the development of the Willamette Basin projects. The flows represent those needed to maintain navigation in the Willamette during the summer and fall and are not specifically set as flows to sustain listed fish populations (October designated flows are an extension of the authorized flows). Table 1 summarizes the monthly flows based on all the above-mentioned references, and includes an overall ODFW minimum flow recommendation for each month.

Spring flows: A study by ODFW identified the need for minimum and target flows in the Willamette and its tributaries to maintain the persistence of Winter Steelhead (Summary of Flow and Temperature Analysis for Willamette River Wild Winter Steelhead, November 24, 2003 Draft, Tom Friesen and Mary Buckman). The report focused on flows needed from April through June for spring migration of Winter Steelhead smolts out of the system (out-migration).

Two flow levels were identified for Winter Steelhead out-migration: a minimum flow (to avoid declining population growth) and a target flow (to provide positive population growth and recruitment). This advice letter, while recognizing the importance of higher target flows, is confined to minimum recommended flows.

The bulk of steelhead out-migration occurs in May with part occurring in April when flows are naturally higher, and ending in June when flows begin to decline. This range of flows is important in maintaining the genetic diversity of the species, because different portions of the population probably key in on different flow ranges. April and May flows should mimic the higher flows that would occur naturally, and June flows should mimic

the declining flows; a range of flows allows the system to maintain the natural diversity of the species and its relationship to flows. The April-June flows (Table 1, Column 4) are

the ODFW-estimated minimum flows to maintain the persistence of winter steelhead populations. The Willamette BiOp suggests slightly higher flows than what ODFW has suggested for this period.

Summer-Fall flows: Flows in the summer and fall (July-October) were established by USACE in consultation with DEQ (and other state and federal agencies) to address water quality concerns and to meet water quality standards (many of the standards are set to protect fish and aquatic life). DEQ has calculated acceptable loads (TMDL's) for maintenance of water quality standards based on a 7Q10 flow (the regulated streamflow at its lowest consecutive seven day level in an average 10 year period). These 7Q10 flows need to be met to maintain water quality at a level that would continue to protect the health of listed salmonids. Therefore, these flows are one measure of the minimum needed July-October to maintain the persistence of listed fish species. The Willamette BiOp has designated the congressionally authorized flows for the USACE projects as the flows needing to be met during this period. These flows would provide adequate protection for the listed species as they are above the TMDL flows.

Late Fall and Winter flows: ODFW is recommending that the instream flows applied for by ODFW be maintained to provide habitat for listed fish rearing in the Willamette and its tributaries. These flows are the combination of the minimum perennial streamflows and the instream storage flows which would both be needed to maintain the appropriate level of habitat. In most years, flows are much higher than the recommended flows during this time period.

ODFW is recommending the use of the state's flow recommendations rather than the Willamette Biological Opinion flows. The differences between the state and federal flow recommendations are based on the objectives each law is attempting to implement. In the case of the federal Willamette Basin Biological Opinion, the objective is to set flows to allow for the recovery of federally listed fish species. Current litigation on Columbia River management of the hydroelectric system is establishing what kinds of actions are required to achieve "recovery" under the federal ESA. The state's case, on the other hand, is instructed through state law to condition the permit "to maintain, in the portions of waterways affected by water use under the permit, the persistence of fish species listed as sensitive, threatened or endangered under state or federal law". The standard of maintaining the persistence of the listed fish is a question of state, not federal law. Under this direction, the state will be identifying the minimum flows necessary to maintain the persistence of listed fish species. ODFW is required by state law to address situations that put listed fish populations at risk of decline and extirpation. If current flows are putting a listed species at risk, then ODFW is required to restrict further depletions of flow caused by the development of currently undeveloped municipal water rights.

Table 1 – Identified fish flow needed at Salem for listed fish species.

Month	Minimum perennial streamflow (cfs)	Instream Storage Flows Not Included in Water Availability (cfs)	ODFW Minimum Recommendation for winter steelhead (cfs)	DEQ TMDL 7Q10 Flow (cfs)	Willamette BiOp Flows (cfs)	**ODFW Recommended Minimum Fish Flows** (cfs)
Oct	1,300	4,700		5,630	7,000 [2] / 5,000[3]	**5,630**
Nov	1,300	4,700				**6,000**
Dec	1,300	4,700				**6,000**
Jan	1,300	4,700				**6,000**
Feb	1,300	4,700				**6,000**
Mar	1,300	4,700				**6,000**
Apr1-15	1,300	4,700	15,000 to 19,200		17,800 / 15,000[3]	**15,000 to 19,200**
Apr16-30	1,300	4,700	17,000		17,800 / 15,000[3]	**17,000**
May	1,300	4,700	15,000		15,000 / 15,000[3]	**15,000**
Jun1-15	1,300	4,700	12,600		13,000 / 11,000[3]	**12,600**
Jun16-30	1,300	4,700	8,500		8,700 / 5,500[3]	**8,500**
Jul	1,300	4,700		5,630	6,000 [1] / 5,000[3]	**5,630**
Aug1-15	1,300	4,700		5,630	6,000 [1] / 5,000[3]	**5,630**
Aug16-31	1,300	4,700		5,630	6,500 [1] / 5,000[3]	**5,630**
Sept	1,300	4,700		5,630	7,000 [1] / 5,000[3]	**5,630**

Explanation of Table Columns

- Minimum perennial streamflow: amount of flow provided by the Willamette Basin Program (OAR 690-502) from natural flow.
- Instream Storage Flows : an additional amount of flow that can be provided from storage to address instream flow needs.
- ODFW Recommendation for Winter Steelhead: Minimum Flows to Avoid Decline in the Population (Friesen and Buckman 2003. DRAFT).
- DEQ's TMDL: 7Q10 Flows at Salem used to establish TMDL loadings to maintain water quality standards.
- Willamette BiOp: NMFS Willamette Project Biological Opinion (July 2008).
- "ODFW Recommended Fish Flow Minimums" ODFW flow recommendations taking all columns into account.
- [1]- Congressionally authorized minimum flow at Salem
- [2]-Extension of Congressionally-authorized flow to October
- [3]-Dry year flows the USACE will be targeting (not a persistence flow)

Table 2. Monthly flows with the 2008 Biological Opinion and ODFW flows, and percentage of time those flows were not met based on 1970-2007 gage records at Salem.

		% Time Not met			% Time Not met	
Time	BiOp flow	1970-2007	2000-2007	ODFW flow	1970-2007	2000-2007
October	7,000	1.8%	9.7%	5,630	0.0%	0.0%
November	6,000	0.0%	0.0%	6,000	0.0%	0.0%
December	6,000	0.0%	0.0%	6,000	0.0%	0.0%
January	6,000	0.6%	0.0%	6,000	0.6%	0.0%
February	6,000	2.1%	0.0%	6,000	2.1%	0.0%
March	6,000	0.0%	0.0%	6,000	0.0%	0.0%
April1-15	17,800	68.9%	16.7%	19,200	87.9%	37.5%
April16-30	17,800	77.8%	30.0%	17,000	67.8%	22.5%
May	15,000	33.7%	15.7%	15,000	33.7%	15.7%
June1-15	13,000	45.8%	35.8%	12,600	42.5%	29.2%
June16-30	8,700	34.6%	42.5%	8,500	33.2%	38.3%
July	6,000	13.8%	12.9%	5,630	2.9%	8.5%
August1-15	6,000	15.6%	21.7%	5,630	2.6%	12.5%
August16-31	6,500	14.8%	34.4%	5,630	0.8%	3.9%
September	7,000	11.8%	30.4%	5,630	0.0%	0.0%

*** During this period (2000-2007) the USACE operated the 13-dam complex to provide for fish flows and water quality needs as well as other beneficial uses.**

Analysis of Risk to Fish Persistence (Stock Status and Flow Restoration)

Winter Steelhead – Winter steelhead upstream of Willamette Falls make up the Upper Willamette River DPS (Distinct Population Segment). Populations

in the four subbasins of this DPS are considered to be at low risk of extinction; the desired status is "very low risk" in three of these. Migration and rearing occur in the mainstem and tributaries up- and downstream of the POD. ODFW data indicate low flows are a constraining factor for this species, especially in the spring.

Spring Chinook – Spring Chinook upstream of Willamette Falls make up the Upper Willamette River ESU (Evolutionarily Significant Unit). Populations in five of the seven subbasins of this ESU are considered to be at very high risk of extinction; the desired status is moderate to low risk in most subbasins. The mainstem Willamette is used for rearing and as a migration corridor. Adequate flows are one of the constraining factors for this ESU.

Pacific Lamprey – Species occurs throughout the basin, the stock status criteria for this species are not being met, populations are declining and there is little information about flow requirement needs.

Fall Chinook – Some of the stock status criteria are not being met for this species in downstream tributaries (Clackamas River). The species uses the mainstem Willamette for rearing and as a migration corridor, where flow can be a constraining factor.

Coho – The species is native downstream of Willamette Falls. It occurs in numerous tributaries downstream of the POD and has met all the stock status criteria in those tributaries. The mainstem Willamette is used for rearing and as a migration corridor, where flows are not considered a constraining factor.

Coastal Cutthroat – Species occurs throughout the basin and meets all the stock status criteria.

Oregon Chub – Presence/absence is unconfirmed in the vicinity of the POD. Populations exist in several Willamette tributaries, but not in the mainstem.

Chum – Extinct in tributaries downstream of the POD and in the mainstem Willamette.

Flow Restoration Priorities

Based on the Oregon Plan Flow Restoration 2001 priorities developed by ODFW and OWRD, the Willamette River downstream of the POD shows a low need for flow restoration if USACE target flows are maintained.

Existing Fish Protection Agreement

None noted

ODFW's Advice to WRD on Maintaining the Persistence of Listed Fish Species as the City of Monmouth Develops the Undeveloped Portions of its Water Right Permit for the Mainstem Willamette River

General Considerations
As directed by ORS 537.230 (2)(c) and ORS 537.630 (2)(c), ODFW provides the following advice to WRD to maintain, in the portions of waterways affected by water use under the permit, the persistence of fish species listed as sensitive, threatened or endangered under state or federal law. ODFW's advice is based on existing data. ODFW recommends the following flows and advises WRD to develop conditions which allow The City of Monmouth to meet its water needs while maintaining the persistence of listed fish species.

- The main influence on river flow levels is the federal management of the dams and release of surplus storage water to meet out-migration flow needs for listed Winter Steelhead. This species has evolved and adapted under flow conditions that vary seasonally and year to year. Winter Steelhead are adapted to the natural flow variation in the system, with flows typically high in April and slowly declining over the spring months. ODFW, in consultation with the USACE and other state and federal agencies, in the past, have attempted to mimic this variation through surplus water storage releases in the spring and maintaining minimum flows for water quality in the summer. These flows have been recognized in the Willamette BiOp with recommended flows being generally higher than ODFW recommended flows.

- ODFW recognizes that long term climatic variations will affect the amount of water the USACE will be able to release in any given year. In favorable water years, fish populations tend to increase and in unfavorable water years, fish populations contract. Climate change is likely to cause a long term reduction in the frequency of favorable water years. The long term objective for a listed species is to have the population increase to a sustainable level over time and be able to maintain itself through natural fluctuations in the environment.

- ODFW also recognizes that municipalities return a certain amount of flow to a river or stream through their effluent discharge. If the withdrawal point(s) and effluent discharge(s) are within reasonable proximity to each other, such that fish habitat between the two points is not impacted significantly, then ODFW recommends that curtailment of the water right extension be based on the monthly estimated ratio of the difference between the total water withdrawals and their return flows.

- Based on WRD's ground water review (M. Norton 2009), the wells are connected to the Willamette River. WRD may take the percentage connection into consideration when setting conditions on the extension.

Specific Advice by Season of Use

April, May, June

- The Willamette BiOp recommended flows are slightly higher than the state recommendations for moderate and abundant water years. If the USACE meets the Willamette BiOp- prescribed flows, then ODFW's recommended flows will also be met during these years. During the low water years, the Willamette BiOp-prescribed flows are below those recommended by ODFW to maintain the persistence of listed fish species. In these years, municipalities should curtail their use of water as much as is feasible to provide additional flow for fish

- Long term flow measurements at the Salem streamflow gage indicate that during this period the 7 day running averages of flow failed to meet the ODFW recommended fish flows in Table 1 about 34-88% of the time over the 1970-2007 period of record (Table 2). Since 2000 when the USACE has been managing the reservoir system to meet flows for fish and water quality, recommended flows were missed 16-38% of the time. USACE flow modeling for future operating conditions, based on the BiOp target flows, indicates that the recommended flows would be missed less than 5% of the time in "moderate" to "abundant" water years. In low water years (which, over the past 64-year period occurred 25% of the time), the USACE attempts to balance spring and summer flows with storage, recreation, irrigation contracts and other needs, and adjusts flow targets downward. The BiOp flows may be reduced below those flows which ODFW has determined are necessary to maintain the persistence of listed fish species; therefore, in low water years when the USACE is using lower flow targets, the municipality should curtail their use to minimize impacts to listed fish species.

- Use of the presently-undeveloped portion of the City of Monmouth's groundwater right would represent a very small fraction of the April-June streamflow in the Willamette at Salem. The City of Monmouth water use will typically be appreciably lower than its full right during this time of the year since the largest consumptive uses have not yet begun and the majority of the flow will return to the river at some point through sewerage discharges. Therefore, withdrawal of water in the spring will have minimal overall impact on streamflows.

ODFW Advice: Use of water under the portion of this permit that was undeveloped as of the date of the extension final order should be conditioned to maintain persistence of listed fish species consistent with the ODFW recommended flows in Table 1. If the USACE is not able to maintain the recommended fish flows, the City of Monmouth should have the amount of water that can be diverted through this extension reduced, through conditioning the permit. The severity of the measures taken should reflect the degree to which the recommended flows are being missed, the percentage of water that is

withdrawn by the municipality vs. the overall streamflow level and an adjustment to the amount to be curtailed by the ratio of water withdrawn to water being returned directly to the same stream through effluent discharges.

July, August, Sept, October

- The main influence on river flow levels continues to be the federal management of the dams. The USACE will be attempting to balance other water uses with the release of water to meet the Willamette BiOp flows and water quality needs. The main objectives for fish persistence review during this period are to maintain rearing habitat and good water quality for fish health.

- The TMDL 7Q10 flows represent the minimum necessary flow to maintain water quality. The 7Q10 flow level for the Willamette at Salem is currently 5,630 cfs, but could be modified in the future based on what flow levels the USACE is able to maintain over time, therefore, the 7Q10 flow levels for the TMDL could change over time based on what flows the USACE is able to consistently maintain. ODFW is recommending that the TMDL flows be met to maintain the listed fish populations during this period.

- The flows recommended in the Willamette BiOp during this period are the congressionally authorized flows, which are higher than the TMDL 7Q10 flows. Since the USACE will be attempting to meet the BiOp target flows in most years, the TMDL flows should be met. In low water years, the Willamette BiOp-prescribed flows are below those recommended by ODFW to maintain the persistence of listed fish species. In these low-flow years, municipalities should curtail their use of water as much as is feasible to provide additional flow for fish.

- During this time period the City of Monmouth municipal water right is a higher, but still small, fraction of the flows recommended by ODFW. The consumptive portion of the City's use is expected to be appreciably higher than in the spring and winter, thus reducing the proportion that the municipality will return to the river with sewerage return flows. Willamette River flows are lower during this time period and therefore water withdrawals have a proportionally greater effect on flows. The recommended flows were missed from 0 to 3 % of the time based on the last 38 years of Salem gaging records (Table 2). USACE flow modeling for future operations, based on the BiOp flow targets, indicates that the recommended flows would be missed less than 5% of the time in "abundant" water years, and from 5-20% of the time in "moderate" water years.

ODFW Advice: Use of water under the portion of this permit that was undeveloped as of the date of the extension final order should be conditioned to maintain persistence of listed fish species consistent with the recommended flows in Table 1. If the USACE is not able to maintain the recommended fish flows, the City of Monmouth should have the water that can be diverted through this extension reduced through conditioning the

permit. The severity of the measures taken should reflect the degree to which the recommended flows are being missed, the percentage of water that is withdrawn by the municipality vs. the overall streamflow level and an adjustment to the amount to be curtailed by the ratio of water withdrawn to water being returned directly to the same stream through effluent discharges.

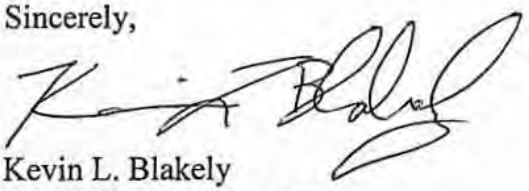
November – March

- Municipal use is typically low during this time of the year due to the discontinuation of the more substantial consumptive uses in the municipal system. Willamette River flows are dependent on storage schedules for filling USACE reservoirs. Typically, flows exceed minimum perennial streamflows and corresponding flows from storage for instream needs. Based on the past 38 years, the recommended flows were missed, during this period, from 0 to 2% of the time.

ODFW Advice: Use of water under the portion of this permit that was undeveloped as of the date of the extension final order should be conditioned to maintain persistence of listed fish species in the Willamette basin consistent with the recommended flows in Table 1. If the USACE is not able to maintain the recommended fish flows, the City of Monmouth should have the water that can be diverted through this extension reduced through conditioning the permit. The severity of the measures taken should reflect the degree to which the recommended flows are being missed, the percentage of water that is withdrawn by the municipality vs. the overall streamflow level, the estimated percent connection of the groundwater to the Willamette River, and an adjustment to the amount to be curtailed by the ratio of water withdrawn to water being returned directly to the same stream through effluent discharges.

This concludes ODFW's advice to WRD on City of Monmouth's Municipal Extension Application # G-13015. If you have questions about our advice or need further clarification, please contact Rick Kepler, the manager of our Water Quality/Quantity Section, at 503-947-6084.

Sincerely,



Kevin L. Blakely
Acting Deputy Director

Cc: Rick Kepler, Oregon Department of Fish & Wildlife
Steve Marx, Oregon Department of Fish & Wildlife
Steve Mamoyac, Oregon Department of Fish & Wildlife
Craig Johns, City of Monmouth, Public Works
Scott McClure, City Manager, City of Monmouth
Brooke Saltarello, 4B Engineering and Consulting

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

November 23, 2010

City of Monmouth
Attention: Craig Johns
151 West Main St
Monmouth, OR 97361

REFERENCE: Pending Application for Extension of Time
Water Right Application #G-8926 (Permit #G-8579)

Dear Municipal Water Right Holder:

The purpose of this letter is to provide you with notification as per OAR 690-315-0080(2)(b) and (c) that the above referenced municipal permit extension application, *and* the Department's Permit Extension Ground Water Review was delivered to ODFW on November 22, 2010 for review under OAR 690-315-0080. This ground water review includes an estimate of surface water impacts that would result from use of the undeveloped portion of the ground water permit.

Enclosed is your copy of the Department's Permit Extension Ground Water Review.

If you should have any questions concerning your extension request you may contact me at (503) 986-0827.

Sincerely,

Ann L. Reece
Water Rights Specialist

Enclosure: Copy of Permit Extension Ground Water Review

cc: Appl # G 8926
Mike McCord, Watermaster District # 16

Memo

Oregon Water Resources Department
Water Rights & Adjudication Division

To: Rick Kepler, ODFW Date: November 22, 2010

From: Dwight French, Administrator
Water Rights & Adjudication Division

RE: Recommendation on maintaining the persistence of listed fish species
ODFW's review under OAR 690-315-0080

Attached to this cover memo please find the extension of time application for the **City of Monmouth** water right file **Appl G-8926 / Permit G8579.** Also attached is any supplemental information we have received from the extension applicant including a copy of any agreements they might have that may address the issue of "persistence." To assist your review, we have also attached water availability information (80% and 50% tables) for the diversion point. If this is a ground water file, the Department has found that there is the potential for substantial interference with surface water and the information we have developed to support this finding is attached.

The source of water for this permit is: **Two Wells within the Willamette River Basin**

The undeveloped portion of this permit is: **1.66 cfs**

Please send us a Division 315 Fish Persistence Evaluation or check one of the following four statements and sign, date and return this form to Dwight French, Administrator at OWRD.

___ Use of the undeveloped portion of this permit will maintain the persistence of listed fish species.

___ Use of the undeveloped portion of this permit will not maintain the persistence of listed fish species.

___ Use of (and as a result of) the undeveloped portion of this permit will maintain the persistence of listed fish species only if the attached fishery resource conditions are made a part of the permit for the undeveloped portion of this permit.

___ An agreement exists regarding use of the undeveloped portion of the permit between the permit holder and a federal or state agency that includes conditions or required actions that maintain the persistence of listed fish species in the portions of waterways affected by water use under the permit.

_____ _____

ODFW Staff Date

Controlling Rules for easy reference
OAR 690-315-0080(2)
(d) ODFW shall provide its written advice to the Department on the extension application within 60 days of the Department's notice in subsection (2)(a) of this rule or notify the Department that additional time, not to exceed 120 days unless the applicant consents to more time, will be needed to complete is evaluation.

(e) ODFW may recommend to the Department fishery resource protection for inclusion in the proposed final order under OAR 690-315-0050 that would provide protection to maintain the persistence of listed fish species if it's written advice to the Department indications that:

(A) Use of the undeveloped portion of the permit would not maintain persistence in the portions of the waterways affected by the water use under the permit; and

(B) As a result of the use of the undeveloped portion of the permit, streamflow would be a limiting factor for the listed fish species.

OWRD Department Checklist for All Required Attachments

Copy of the Extension of Time with any supplemental information X

Copy of Water Right Permit X

Any agreement between the applicant and a state and federal fish Agency that need to be reviewed by ODFW for potential compliance with OAR 690-315-0080(1)(f)(A). N/A

80% and 50% Water Availability Printouts X

If G file, documentation regarding the PSI X

File # G-8926

RECEIVED
MAR 2 0 2003
WATER RESOURCES DEPT
SALEM, OREGON

Oregon Water Resources Department

Quasi-Municipal/Municipal Water Use Permit Development Questionnaire

Permit Holder: CITY OF MONMOUTH
Permit #G8579 Application File #G8926

Please indicate which of the following applies to the above referenced Quasi-Municipal or Municipal water use permit by checking the appropriate box:

1. The Permit is Ready for Final Proof and…

☐ a Claim of Beneficial Use and Final Proof Survey map will be prepared and submitted by a Certified Water Rights Examiner;

- OR -

☐ the Water Resources Department (WRD) has been notified that development of the permit is complete, and the permit holder is waiting for WRD to conduct the final proof survey.

2. Development of the Permit is Not Complete and…

☒ the permit holder will submit a permit extension of time application to **WRD no later than 90 days from the date of this letter (March 20, 2003).**

3. The Permit is Not Needed and Wish to Authorize Cancellation…

☐ the permit holder has determined that this permit is no longer needed and/or has chosen not to pursue development of the permit, and wishes to authorize its cancellation.

Gary A. Wilson, Public Works Director 3/19/03
Signature of Authorized Personnel Date

Please return completed form by March 20, 2003 to:
Water Resources Department
Attention: Lisa Juul
158 – 12th Street NE
Salem OR 97301-4172

Oregon Water Resources Department
Water Right Services Division

Application for Extension of Time

In the Matter of the Application for an Extension of Time for Permit G-8579, Water Right Application G-8926, in the name of the City of Monmouth	)))	PROPOSED FINAL ORDER

Permit Information

Application File G-8926/ Permit G-8579
Basin 2 – Willamette Basin / Watermaster District 16
Date of Priority: August 14, 1978

Authorized Use of Water

Source of Water:	2 Wells within the Willamette River Basin
Purpose or Use:	Municipal
Maximum Rate:	5.0 cfs Cubic Feet 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-8579, water right Application G-8926. A copy of Permit G-8579 is enclosed as Attachment 1.

Summary of Proposed Final Order for Extension of Time

The Department proposes to:

- Grant an extension of time to complete construction of the water system from October 1, 2000 to October 1, 2025.
- Grant an extension of time to apply water to full beneficial use from October 1, 2000 to October 1, 2025.
- 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 Monmouth
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

AUTHORITY

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

ORS 537.630(2) provides in pertinent part that the Oregon Water Resources Department (Department) may, for good cause shown, shall 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. Under specific circumstances, the Department may condition extensions of time for municipal water use permit holders to provide that use of the undeveloped portion of the permit maintains the persistence of listed fish species in the portions of the waterways affected by water use under the permit.

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

Background

1. Permit G-8579 was granted by the Department on June 20, 1979. The permit authorizes the use of up to 5.0 cfs cfs of water from two wells within the Willamette River Basin, for municipal use. It specified that construction of the water development project was to be completed by October 1, 1980, and that complete application of water was to be made on or before October 1, 1981.

2. Four prior permit extensions have been granted for Permit G-8579. The most recent extension request resulted in the completion dates for construction and full application of water being extended to October 1, 2000.

3. Due to an ongoing permit extension rulemaking, the Department placed all pending Applications for Extension of Time for municipal and quasi-municipal permits on hold and did not require municipal and quasi-municipal water use permit holders to submit Applications for Extension of Time until the new rules were adopted.

4. Municipal and quasi-municipal water use permit extension rules OAR 690-315-0070 through 690-315-0100 were adopted on November 1, 2002, amended, filed with the Secretary of State, and became effective on November 22, 2005.

5. The permit holder, the City of Monmouth (City), submitted an "Application for Extension of Time" to the Department on March 19, 2009, requesting the time to complete construction of the water system and apply water to full beneficial use under the terms and conditions of Permit G-8579 be extended from October 1, 2000 to October 1, 2025.

6. Notification of the City's Application for Extension of Time for Permit G-8579 was published in the Department's Public Notice dated March 31, 2009. No public comments were received regarding the extension application.

7. On March 25, 2009, the City submitted additional information to supplement their Application for Extension of Time.

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 537.230[1], 537.248[2],

[1] ORS 537.230 applies to surface water permits only.

[2] ORS 537.248 applies to reservoir permits only.

537.630[3] and/or 539.010(5)[4]

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

8. On March 19, 2009, 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)]*

9. Permit G-8579 was issued prior to June 29, 2005; therefore, the applicant is not required to provide evidence of actions taken to begin actual construction of the project.[5]

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.

10. The remaining work to be accomplished under Permit G-8579 consists of applying for and receiving Department approval for a Permit Amendment to add an additional point of appropriation (Marion County Well #2 – Well ID# MARI 60250), and completing construction of the water system and applying water to full beneficial use.

11. As of March 19, 2009, the permit holder had diverted 3.34 cfs of the 5.0 cfs of water authorized under Permit G-8579 for municipal purposes. There is an undeveloped portion of 1.66 cfs of water from the well under G-8579 as per OAR 690-315-0010(6)(g).

12. In addition to the 5.0 cfs cfs of water from the two wells authorized under Permit G-8579, the City holds the following rights:

- Permit G-12976 for 6.0 cfs of water from two wells (Buena Vista Wells) within the Duck Slough Basin;
- Certificate 39278 for 1.27 cfs of water, being 0.56 cfs from Well 1, 0.33 cfs from Well 2, and 0.38 cfs from Well 3, all within the Willamette River Basin;
- Certificate 62436 for 0.88 cfs of water, being 0.55 cfs from Well 4, 0.33 cfs from Well 5, all within the Willamette River Basin;
- Permit S-54332 for 4.46 cfs of water from the Willamette River, tributary to the Columbia River;
- Certificate 11656 for 0.3 cfs of water from overflow from Falls City Reservoir, tributary to Teal Creek;
- Certificate 11662 for 1.0 cfs of water from unnamed springs, tributary to Teal Creek;
- Certificate 11550 for 0.25 cfs of water from an unnamed spring, tributary to Teal Creek;

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[3] ORS 537.630 applies to ground water permits only.

[4] ORS 537.010(5) applies to surface water and ground water permits.

[5] Section 5, Chapter 410, Oregon Laws 2005 and OAR 690-315-0070(1)(d).

Creek;

- Certificate 16992 for 1.0 cfs of water from two unnamed streams, tributaries of Teal Creek;
- Certificate 36021 for 0.61 cfs of water from Teal Creek, a tributary of the Little Luckiamute River;
- Certificate 49729 for 0.45 cfs of water from Teal Creek, a tributary of the Little Luckiamute River;
- Certificate 39278 for 0.25 cfs of water from an unnamed spring, tributary to Teal Creek; and
- Certificate 45801 for 0.13 cfs of water from Teal Springs, tributary to Teal Creek;

The City's water right certificates and permits total 21.6 cfs of water, being 13.15 cfs of ground water, and 8.45 cfs of live flow (surface) water. The City of Monmouth has not yet made beneficial use of 12.12 cfs of water, being 1.66 under Permit G-8579, 6.0 cfs of water under Permit G-12976, and 4.46 cfs of water under Permit S-54332. According to the City, they are not currently exercising any of their surface water rights, or using wells authorized under Permit G-4087 or G-12976.

13. According to the City, their peak water demand within its service area boundaries was 12.5 cfs in 2007.

14. According to the City, in 2007, the population within the service boundary of the City of Monmouth was 9335. The City of Monmouth anticipates reaching an estimated population of 14,352 by the year 2025, which calculates to a growth rate of 2.2 percent per year.

15. According to the City, their peak day demand is projected to be approximately 16.7 cfs of water by the year 2025.

16. Full development of Permit G-8579 is needed to address the present and future water demand of the City, including system redundancy and emergency use.

17. The City's request for an extension of time until October 1, 2025 to complete construction of the water system and to apply water to full beneficial use under the terms and conditions of Permit G-8579 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.

18. Prior to the issuance of Permit G-8579 on June 20, 1979, the City constructed Marion County Well #1 (Well ID# MARI 13286).

19. A pump station was constructed and a flow meter was installed during the original development time frame under Permit G-8579.

20. Since the October 1, 2000, the City modified the interior piping of Marion County Well #1, and constructed a new waterline to connect Marion County Well #1 to Marion County Well #2.

21. According to the City, as of March 19, 2009, they have invested approximately $225,000, which is the total projected cost for complete development of this project. The City does not anticipate any additional 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-8579, other costs included in this accounting are not partitioned out for G-8579 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 ORS 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.

22. Since the issuance of Permit G-8579 on June 20, 1979, approximately 3.34 cfs of the 5.0 cfs allowed has been appropriated from for beneficial municipal purposes under the terms of this permit.

23. The Department has considered the City's compliance with conditions, and did not identify any concerns.

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

24. According to the City, as of March 19, 2009, they have invested approximately $225,000, which the total projected cost for complete development of this project. The City does not anticipate any additional investment is needed for the completion of this project.

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

25. As described in Findings 11 through 16 above, the City has indicated, and the Department finds that the City must rely on full development of their Permit G-8579.

26. The City projects a population increase, on average, of 2.2 percent per year over a ninteen year period, being the years 2007 to 2025.

27. Given the current water supply situation of the City, including current and expected demands, the need for system redundancy, and emergency water supply, there is a market and present demand for the water to be supplied under G-8579.

28. OAR 690-315-0090(3) requires the Department to place a condition on this extension of time to provide that diversion of water beyond 3.34 cfs under Permit G-8579 shall only

be authorized upon issuance of a final order approving a Water Management and Conservation Plan (WMCP) under OAR Chapter 690, Division 86. A "Development Limitation" condition" is specified under Item 1 of the "Conditions" section of this PFO to meet this requirement.

Fair Return Upon Investment *[OAR 690-315-0080(3)(e)]*

29. Use and income from the permitted water development project would result in reasonable returns upon the investment made in the project to date.

Other Governmental Requirements *[OAR 690-315-0080(3)(f)]*

30. Delays caused by any other governmental requirements in the development of this project have not been identified.

Events which Delayed Development under the Permit *[OAR 690-315-0080(3)(g)]*

31. Delay of development under Permit G-8579 was due, in part, to the size and scope of the municipal water system, which was designed to be phased in over a period of years.

Maintaining the Persistence of Listed Fish Species *[OAR 690-315-0080(1)(f) and (2)]*
The Department's determination regarding maintaining the persistence of listed fish species shall be based on existing data and advice of the Oregon Department of Fish and Wildlife (ODFW). The determination shall be limited to impacts related to stream flow as a result of use of the undeveloped portion of the permit and further limited to where, as a result of use of the undeveloped portion of the permit, ODFW indicates that stream flow would be a limiting factor for the subject listed fish species.

32. On January 11, 2010 the Water Resources Department determined under OAR Chapter 690 Division 9, that use of water under this ground water Permit G-8579 has the potential for substantial interference with surface water.

33. The pending municipal Application for Extension of Time for Permit G-8579 was delivered to ODFW on November 22, 2010, for ODFW's review under OAR-690-315-0080.

34. Notification that the pending municipal Application for Extension of Time for Permit G-8579 was delivered to ODFW for review was sent to the City on November 23, 2010.

35. Notification that the pending municipal Application for Extension of Time for Permit G-8579 was delivered to ODFW for review was published in the Department's Public Notice dated November 30, 2010. No public comments were received regarding this notice.

36. On February 8, 2011 the Department received ODFW's Division 315 Fish Persistence Evaluation for Permit G-8579.

37. Summary and Excerpts of Advice from ODFW:

Use of water under the portion of this permit that is undeveloped as of the date of the extension final order and is found to have the Potential for Substantial Interference (PSI) with the Willamette River should be conditioned to maintain, in the portions of waterways affected by water use under the permit, the persistence of listed fish species. ODFW has determined that the Willamette River will be affected by water use under this permit. ODFW's advice is based on the best available information and existing data.

ODFW recognizes that long term climatic variations will affect the amount of water the USACE will be able to release in any given year. In favorable water years, fish populations tend to increase and in unfavorable water years, fish populations contract. Climate change is likely to cause a long-term reduction in the frequency of favorable water years. The long term objective for a listed species is to have the population increase to a sustainable level over time and to be able to maintain itself through natural fluctuations in the environment.

The streamflows, in Table 1, below, are ODFW's recommended flows measured at Salem, Oregon, for maintaining the persistence of listed fish species in the Willamette River. ODFW advises the Water Resources Department to develop conditions that allow municipalities to meet their water needs while maintaining the persistence of listed fish species. Such conditions would apply if the USACE is not able to maintain the recommended fish flows.

The severity of the measures to be taken by the permit holder should reflect the degree to which the recommended streamflows are being missed and the percentage of water that is withdrawn by the municipality as compared to the overall streamflow level, and be adjusted by the ratio of water withdrawn to water being returned directly to the Willamette River through effluent discharges.

Table 1

ODFW'S RECOMMENDED MINIMUM FISH FLOW NEEDS IN THE WILLAMETTE RIVER MEASURED AT SALEM, OREGON	
Month	Cubic Feet per Second
July 1 – October 31	5,630
November 1 – March 31	6,000
April 1 – April 15	15,000 – 19,200
April 16 – April 30	17,000
May 1 – May 31	15,000
June 1 – 15	12,600
June 16 – 30	8,500

Streamflow Measurement Point

After analysis of flow records and how the USACE stores and releases water from its facilities to meet mainstem Willamette target flows, ODFW has determined that measuring flows at the Salem gage is sufficient for ensuring flows to maintain the persistence of listed fish are met throughout the mainstem Willamette River. Therefore, ODFW advises the Department to establish the Salem gage as the point for determining whether fish flows are being met for this municipal permit extension.

38. Department's Findings Based on Review of ODFW's Advice:

The Department is proposing conditions in this extension of time consistent with ODFW's advice (*See* Item 1 of the "Conditions" section of this PFO). There is an undeveloped portion of 1.66 cfs of water under Permit G-8579 as per OAR 690-315-0010(6)(g). Authorization to incrementally expand use of water under this permit beyond 3.34 cfs up to the permitted quantity of 5.0 cfs can only be granted through the Department's review and approval of the municipal permit holder's future WMCPs (OAR 690-086). When ODFW's recommended target flows are missed, the Department's proposed conditions may result in a reduction in the amount of the undeveloped portion of water under Permit G-8579 having PSI with the Willamette River that can be appropriated. The proposed conditions in this extension of time are based on the following findings:

a. As determined by the Department on April 2, 2009, use of the undeveloped portion of this permit, being 1.66 cfs, will result in 1.31 cfs of surface water interference with the Willamette River after 360 days of pumping. For the purpose of conditioning this permit to maintain the persistence of fish, the Department finds that the amount of the undeveloped portion of water under G-8579 having PSI with the Willamette River is 1.31 cfs.

b. The streamflows needed to maintain the persistence of fish must be measured at Salem, Oregon, USGS GAGE No.14191000, or its equivalent.

c. From April 1 through April 15, the target flow is expressed as a range. Because these flows are the "Recommended Fish flow Minimums" the lesser number in the range (15,000 cfs) is used in developing conditions to maintain the persistence of fish species.

d. When target flows are not met, use of the undeveloped portion of the permit that impacts Willamette River surface water must be reduced in proportion to the degree to which the recommended streamflows are being missed. ODFW's formula for determining the percent shortfall, or missed target flows in the Willamette River is defined as:

$$1 - (Q / Q_T),$$

where Q is the flow at the point of interest, and Q_T is the target flow (from Table 1).

e. For the period of April through June, ODFW's advice recognized that the main influence on river flow levels is federal management of the dams and release of surplus storage water to meet listed fish flow needs. The advice also noted that withdrawal of water in the spring months will have minimal overall impact on streamflows. The full use of the undeveloped portion of Permit G-8579 represents a very small fraction of the April-June recommended streamflows in the Willamette River at Salem.

For the period of July through October, ODFW's advice recognized that the main influence on river flow levels continues to be the federal management of the dams. While the advice noted that withdrawal of water in these summer-fall months will have a proportionally greater effect on flows, it represents an only slightly higher impact compared to the April-June impact; the full use of the undeveloped portion of Permit G-8579 represents a higher, but still small fraction of the July-October recommended streamflows in the Willamette River at Salem.

In most years, late fall and winter flows are much higher than the recommended flows during this time period.

Therefore, consistent with ODFW's advice that the main influence of river flow levels is the federal management of the dams and that the severity of the measures to be taken by the permit holder should reflect the percentage of water that is withdrawn by the municipality as compared to the overall streamflow level, the Department proposes to limit any overall reduction to the undeveloped portion having PSI with the Willamette River to no more than 20 percent of the undeveloped portion having PSI with the Willamette River.

f. ODFW's advice recognizes that municipalities may return a certain amount of flow to a river or stream through their effluent discharge. If the withdrawal points and effluent discharges are within reasonable proximity to each other, such that fish habitat between the two points is not impacted significantly, then ODFW recommends that any reduction to use of the amount of the undeveloped portion of Permit G-8579 that impacts Willamette River surface water should be adjusted by the monthly estimated percentage of the difference between the total water withdrawals and their return flows. Therefore, consistent with ODFW's advice, when appropriate, the Department proposes to adjust any reduction by a "Consumptive Use Percentage," as generally determined by (1- [total municipal wide returned flows/ total municipal wide appropriated flows]).

39. The Department finds, based on ODFW's advice, that in the absence of conditions, the use of the undeveloped portion of Permit G-8579 that impacts Willamette River surface water will not maintain the persistence of listed fish species in the portions of the waterways affected by water use under the permit, and as a result of the use of the undeveloped portion of the permit with surface water impacts, streamflow would be a limiting factor for the listed fish species.

40. Based on ODFW's advice, the Department proposes to require conditions to maintain, in

the portions of the waterways affected by water use under Permit G-8579, the persistence of fish species listed as sensitive, threatened or endangered under state or federal law. (See Item 2 of the "Conditions" section of this PFO.)[6]

41. On May 23, 2011, ODFW notified the Department that the proposed "Conditions to Maintain the Persistence of Listed Fish" for Permit 8579 are consistent with their advice.

42. On May 24, 2011, the Department notified the City as per OAR 690-315-0080(2)(f) of ODFW's written advice and the "Conditions to Maintain the Persistence of Listed Fish" proposed in this PFO for the pending municipal Application for Extension of Time for Permit G-8579.

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. Pursuant to Section 5, Chapter 410, Oregon Laws 2005, the permit holder is not required to demonstrate that actual construction of the project began within one year of the date of issuance of the permit, as otherwise required by OAR 690-315-0080(1)(b).

4. The time requested to complete construction and apply water to full beneficial use is reasonable, as required by OAR 690-315-0080(1)(c).

5. Completion of construction and full application of water to beneficial use can be completed by October 1, 2025[7] pursuant to OAR 690-315-0080(1)(d).

6. 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 of the water system and to apply the water to full beneficial use

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[6] The Department, based on advice from the ODFW, has determined that the conditions contained in this PFO are appropriate for this extension. In other municipal extensions that require conditions to maintain the persistence of listed species, different conditions may be warranted depending on the advice received from ODFW and communications with the particular extension applicant.

[7] For permits applied for or received on or before July 9, 1987, upon complete development of the permit, you must notify the Department that the work has been completed and either: (1) hire a water right examiner certified under ORS 537.798 to conduct a survey, the original to be submitted as required by the Department, for issuance of a water right certificate; or (2) continue to appropriate water under the water right permit until the Department conducts a survey and issues a water right certificate under ORS 537.625.

pursuant to OAR 690-315-0080(1)(e).

7. As required by OAR 690-315-0090(3) and as described in Finding 28 above and specified under Item 1 of the "Conditions" section of this PFO, the diversion of water beyond 3.34 cfs under Permit G-8579 shall only be authorized upon issuance of a final order approving a Water Management and Conservation Plan under OAR Chapter 690, Division 86.

8. In accordance with OAR 690-315-0080(1)(f), and as described in Findings 32 through 42 above, the persistence of listed fish species will not be maintained in the portions of the waterways affected by water use under this municipal use permit of the undeveloped portion with surface water impacts, in the absence of special conditions. Therefore, the diversion of water beyond 3.69 cfs under Permit G-8579 will be subject to the conditions specified under Item 2 of the "Conditions" section of this PFO.

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 of the water system under Permit G-8579 from October 1, 2000 to October 1, 2025.

extend the time to apply the water to beneficial use under Permit G-8579 from October 1, 2000 to October 1, 2025.

Subject to the following conditions:

CONDITIONS

1. **Development Limitations**

Diversion of any water beyond 3.34 cfs under Permit G-8579 shall only be authorized upon issuance of a final order approving a Water Management and Conservation Plan (WMCP) under OAR Chapter 690, Division 86. The required WMCP shall be submitted to the Department within 3 years of an approved extension of time application. Use of water under Permit G-8579 must be consistent with this and subsequent WMCP's approved under OAR Chapter 690, Division 86 that is on file with the Department.

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

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

A. Minimum Fish Flow Needs

Minimum fish flow needs in the Willamette River as recommended by ODFW are in Table 2, below; flows are to be measured in the Willamette River at Salem, Oregon (USGS Gage Number 14191000, or its equivalent).

Table 2

MINIMUM FISH FLOW NEEDS IN THE WILLAMETTE RIVER MEASURED AT USGS GAGE 14191000 SALEM, OREGON	
Month	Cubic Feet per Second
July 1– October 31	5,630
November 1 – March 31	6,000
April 1 – April 15	15,000
April 16 –April 30	17,000
May 1 – May 31	15,000
June 1 – 15	12,600
June 16 – 30	8,500

B. Determining Water Use Reductions - Generally

The undeveloped portion of Permit G-8579 having PSI with the Willamette River is 1.31 cfs. The maximum amount of the undeveloped portion of Permit G-8579 having PSI with the Willamette River that can be appropriated as a result of this fish persistence condition is determined in proportion to the amount by which the flows shown in Table 2 are missed based on a seven day rolling average of mean daily flows measured in the Willamette River at Salem (USGS Gage Number 14191000, or its equivalent). The percent of missed target flows is defined as:

$$(1 - (Q_A / Q_T)) \times 100\%,$$

where Q_A is the actual flow measured at the designated gage based on the seven day rolling average, and Q_T is the target flow (from Table 2).

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

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

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

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

C. Consumptive Use Percentages

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

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

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

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

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

Water Resources Director's concurrence with the Consumptive Use Percentages Updates. Utilization of Consumptive Use Percentages Updates is subject to an approval period described in 2.C.f., below.

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

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

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

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

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

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

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

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

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

D. Examples

Example 1: Target flow met.
On July 15, the last seven mean daily flows were 7000, 6500, 6000, 5500, 5250, 5000 and 4750 cfs. The seven day rolling average (Q_A) is 5714 cfs. The amount of the undeveloped portion of the permit having PSI with the Willamette River that can be appropriated would not be reduced because the 7 day average of mean daily flows is greater than the 5,630 cfs target flows (Q_T) for July 15.

Example 2: Target flow missed.

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

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

Step 2: Assuming the Consumptive Use Percentage is 78.7%[8] during the month of July and the utilization of this percentage is authorized, and the target flow is missed by 11% (from Step 1), then the amount of the undeveloped portion of the permit having PSI with the Willamette River that could be appropriated would be reduced by 8.6%.

$$(78.7\% \times 11\%) / 100 = 8.6\%$$

[8] Currently, the City of Monmouth may not utilize Consumptive Use Percentages for the purpose of calculating the amount of the undeveloped portion of Permit G-8579 that can be appropriated as a result of this fish persistence condition. The utilization of the Consumptive Use Percentage 78.7% is only for illustrative purposes in this example.

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

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

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

$$1.31 - ((1.31 \times 8.6\%) / 100) = 1.20$$

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

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

Note: (5.0 – 1.66) equals the developed portion of the permit
(1.66 – 1.31) equals the undeveloped portion of the permit not having PSI

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

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

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

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

the Willamette River) appropriated would need to be reduced by 0.11 cfs.

$$1.31 - 1.20 = 0.11$$

DATED: June 21, 2011

Dwight French
Water Rights Services Division Administrator

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

Proposed Final Order Hearing Rights

1. Under the provisions of OAR 690-315-0100(1) and 690-315-0060, 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. The written protest must be received by the Water Resources Department no later than **August 5, 2011,** being 45 days from the date of publication of the proposed final order in the Department's weekly notice.

2. A written protest shall include:
   a. The name, address and telephone number of the petitioner;
   b. A description of the petitioner'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;
   c. A detailed description of how the action proposed in the proposed final order would adversely affect or aggrieve the petitioner's interest;
   d. A detailed description of how the proposed final order is in error or deficient and how to correct the alleged error or deficiency;
   e. Any citation of legal authority supporting the petitioner, if known;
   f. Proof of service of the protest upon the water right permit holder, if petitioner is other than the water right permit holder; and
   g. The applicant or non-applicant protest fee required under ORS 536.050.

3. Within 60 days after the close of the period for requesting a contested case hearing, the Director shall:
   a. Issue a final order on the extension request; or
   b. Schedule a contested case hearing if a protest has been submitted, and:
      1) Upon review of the issues, the Director finds there are significant disputes related to the proposed agency action; or
      2) The applicant submits a written request for a contested case hearing within 30 days after the close of the period for submitting protests.

- If you have any questions about statements contained in this document, please contact Ann Reece at 503-986-0827.
- 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 Patricia McCarty at 503-986-0820.
- 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

Mailing List for Extension PFO Copies

PFO Date: June 21, 2011

Application G-8926
Permit G-8579

Original mailed to Applicant:

✓ City of Monmouth
Attn: Craig Johns
151 West Main Street
Monmouth, OR 97361

Copies Mailed
By: LA
(SUPPORT STAFF)
on: 6/21/11
(DATE)

Copies sent to:

✓ 1. WRD - App. File G- 8926/ Permit G-8579

✓ 2. BROOKE SALTARELLO, 4B ENGINEERING & CONSULTING, 3700 RIVER RD N, SUITE 2, KEIZER, OR 97303

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 – Bill Fujii/Lisa Jaramillo – Notify of WMCP needed
Done by alr *Date* 6/22/11

5. PFO: WRD – Watermaster District 16 – Mike McCord, Salem
Done by alr *Date* 6/22/11

CASEWORKER: ALR

Application No. G-8926 Permit No. G-8579

STATE OF OREGON WATER RESOURCES DEPARTMENT

Application for a Permit to Appropriate Ground Water

RECEIVED
AUG 14 1978
WATER RESOURCES DEPT.
SALEM, OREGON

I, CITY OF MONMOUTH (Name of Applicant)

of 151 West Main St. (Mailing Address), Monmouth, (City)

State of Oregon, 97361 (Zip Code) Phone No. 838-0722 do hereby

make application for a permit to appropriate the following described ground waters of the State of Oregon:

1. The development will consist of 2 Wells (Give number of wells, tile lines, infiltration galleries, etc.)

having a diameter of 12" and an estimated depth of 90 feet.

2. The well or other source is to be located M-1 3260 ~~2720~~ 3030 ft. S (N. or S.) and ~~300~~ 360 ft. W (E. or W.)
M-2 ~~1260~~ 400 ft. E

from the NW corner of Section 27 (Public Land Survey Corner)

CHANGES MADE 6-14-79 RSP

(If there is more than one well, each must be described)

~~M-1~~ NE ~~M-2~~ ~~NW~~ ¼ of the SE ~~SW~~ ¼ of

Sec. ~~28~~ ~~27~~ 28 Tp. 8-S R. 4-W, W.M., in the county of Marion

3. Location of area to be irrigated, or place of use if use other than irrigation.

Township	Range	Section	List ¼ ¼ of Section	List use and/or number of acres to be irrigated
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Form 690-3-0-1-77

BJC 10-1-2000

Application No. G-8926 Permit No. G 8579

Permit to Appropriate the Public Waters of the State of Oregon

This is to certify that I have examined the foregoing application and do hereby grant the same, SUBJECT TO EXISTING RIGHTS INCLUDING THE EXISTING MINIMUM FLOW POLICIES ESTABLISHED BY THE WATER POLICY REVIEW BOARD and the following limitations and conditions:

The right herein granted is limited to the amount of water which can be applied to beneficial use and shall not exceed 5.0 *cubic feet per second measured at the point of diversion from the well or source of appropriation, or its equivalent in case of rotation with other water users, from* two wells.

The use to which this water is to be applied is municipal.

If for irrigation, this appropriation shall be limited to ..... of one cubic foot per second or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed ..... acre feet per acre for each acre irrigated during the irrigation season of each year;

and shall be subject to such reasonable rotation system as may be ordered by the proper state officer.

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

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

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

The priority date of this permit is August 14, 1978

Actual construction work shall begin on or before June 20, 1980 *and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 19*80

*Complete application of the water to the proposed use shall be made on or before October 1, 19*81

WITNESS my hand this 20th *day of* June, *19*79

Deputy Water Resources Director

Out

Application No. G-8926 Permit No. G 8579

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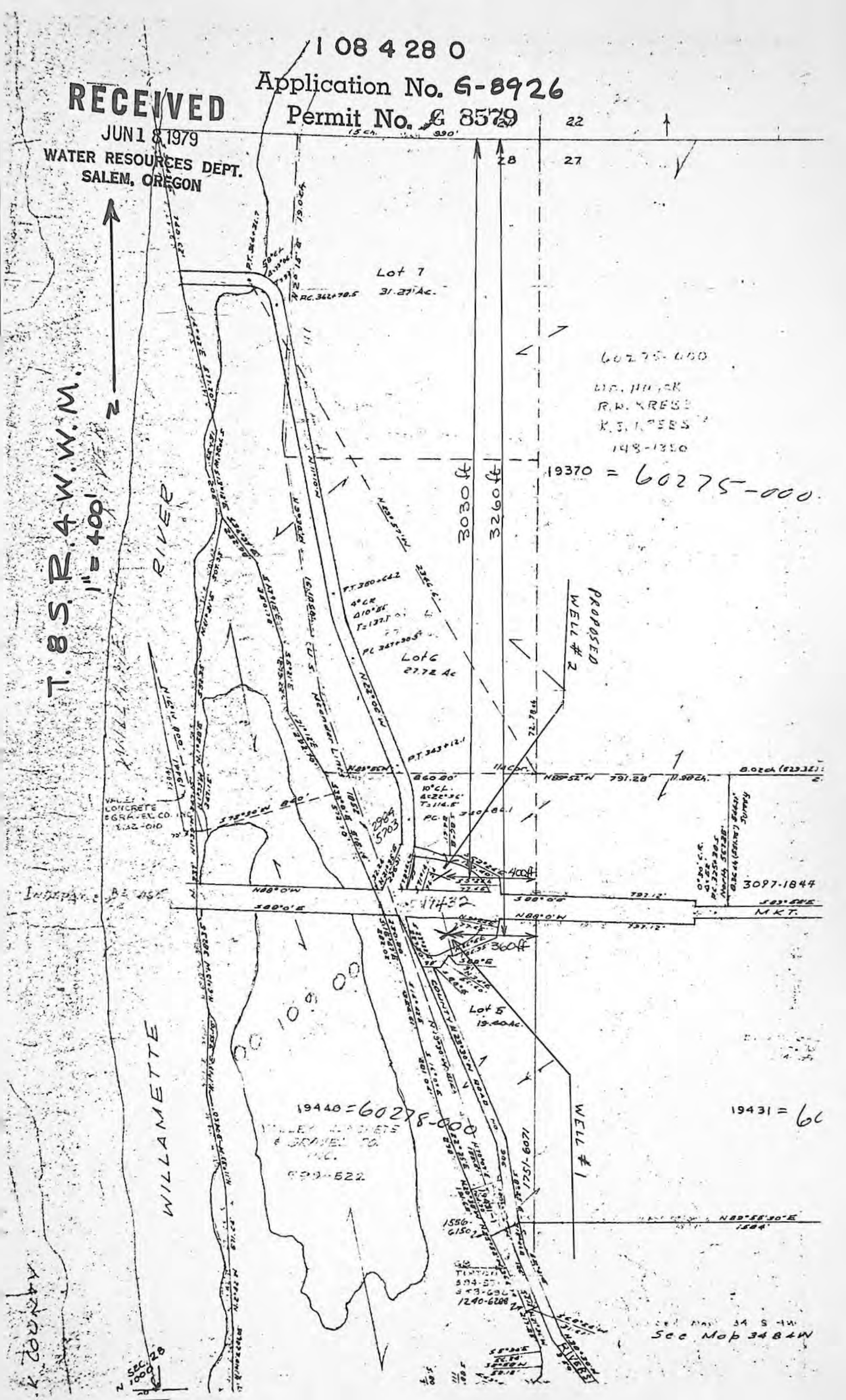
108428 0
Application No. G-8926
Permit No. G 8579
RECEIVED
JUN 18 1979
WATER RESOURCES DEPT.
SALEM, OREGON
T. 8 S. R. 4 W. W.M.
1" = 400'
N
RIVER
WILLAMETTE
Lot 7
31.27 Ac.
Lot 6
27.72 Ac
Lot 5
19.40 Ac.
PROPOSED WELL #2
WELL #1
3030 ft
3260 ft
400 ft
360 ft
19370 = 60275-000
19440 = 6027
19431 = 6
60275-000
R.W. KRESS
K.J. REES
148-1350
VALLEY CONCRETE & GRAVEL CO.
3097-1844
MKT.
1251-6071
1556-6150
1240-6288
See Map 34 S 4W
See Map 34 S 4W

Application No. G-8926
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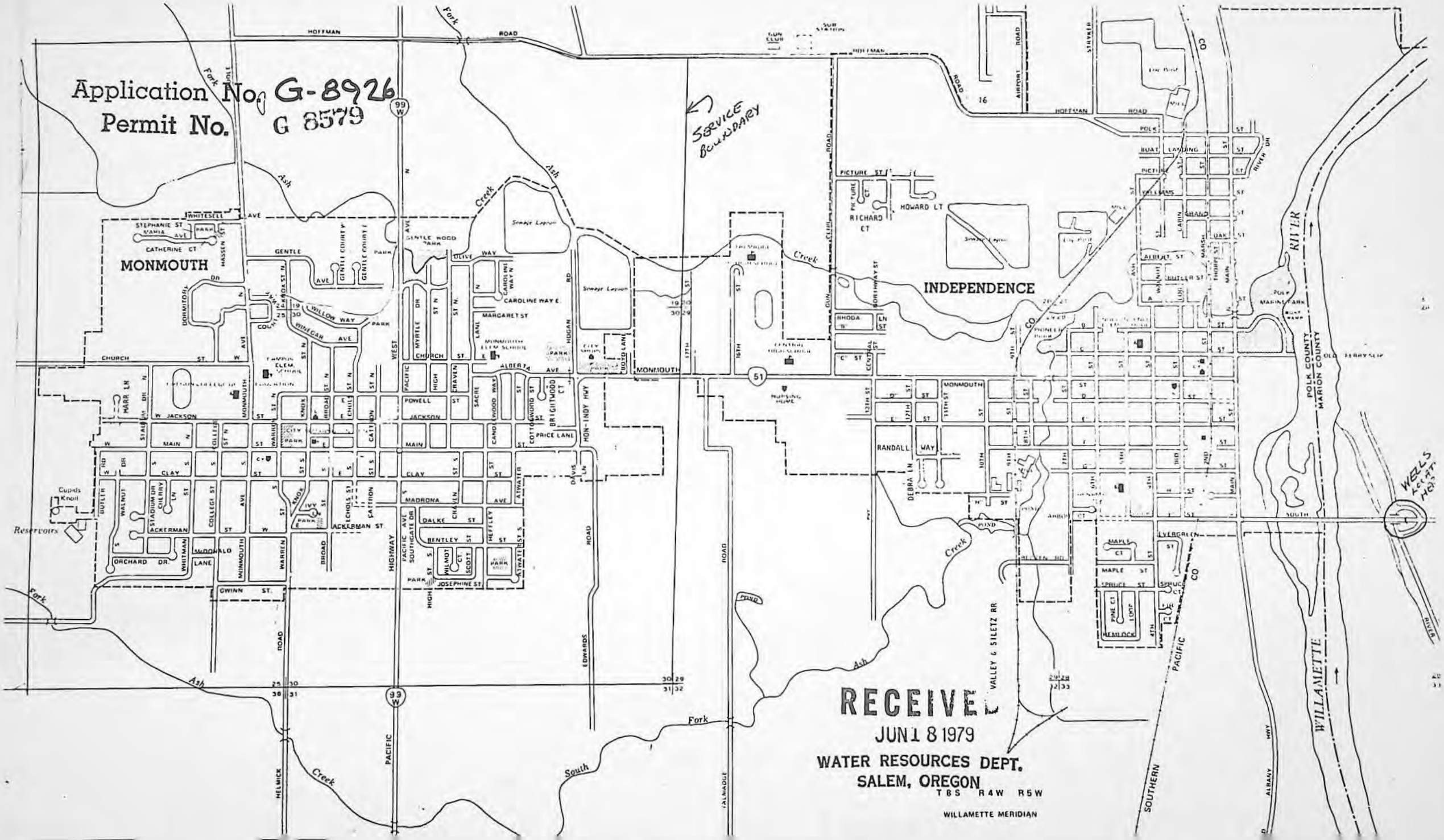

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WATER RESOURCES DEPT.
SALEM, OREGON

T 6S R 4W R 5W
WILLAMETTE MERIDIAN

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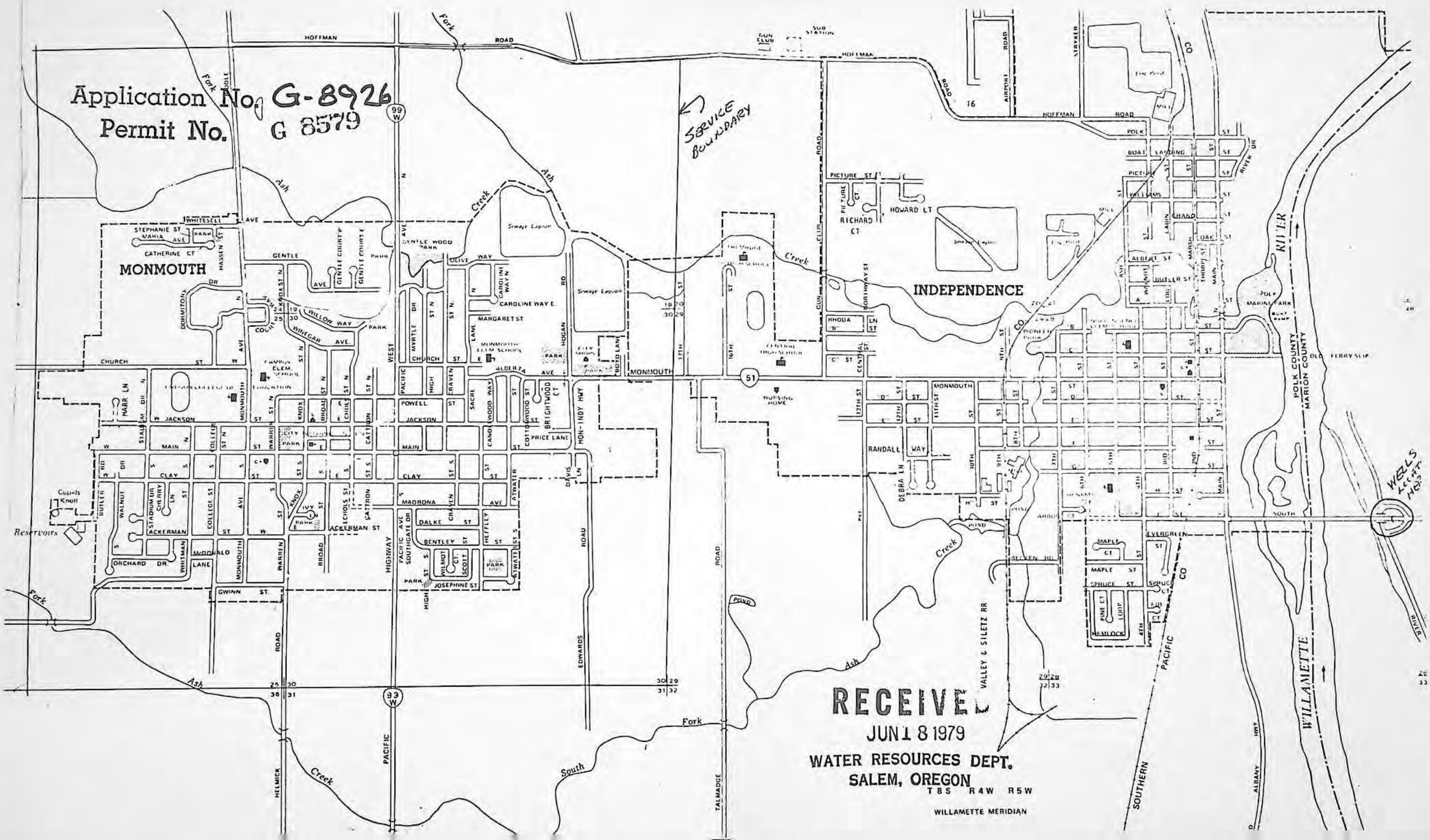

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CHANGES MADE 6-14-79 PSP

(If there is more than one well, each must be described)

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Form 690-3-0-1-77

B & C 10-1-2000

Application No. G-8926 *Permit No.* G 8579

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Chris L. Wheeler

Deputy Water Resources Director

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Application No. G-8926 Permit No. G 8579

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Deputy Water Resources Director

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Application No. G-8926 Permit No. G 8579

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Chris L. Wheeler

Deputy Water Resources Director

Oregon
John A. Kitzhaber, M.D., Governor

Water Resources Department
Commerce Building
158 12th Street NE
Salem, OR 97301-4172
(503) 378-3739
FAX (503) 378-8130
www.wrd.state.or.us

December 20, 2002

CITY OF MONMOUTH
151 WEST MAIN ST
MONMOUTH OR 97361

REFERENCE: Permit #G8579 (App File #G8926) and the Adoption of New Administrative Rules for Municipal and Quasi-Municipal Water Use Permit Extensions

Dear Municipal and/or Quasi-Municipal Water Use Permit Holder:

The Water Resources Commission has adopted new administrative rules that govern the processing of Municipal and Quasi-Municipal permit extension requests. The new rules are contained in the Oregon Administrative Rules Chapter 690, Division 315 (OAR 690-315-0070 through 690-315-0100). If you wish to view a copy of the new Chapter 690, Division 315 Extension Rules, you may access the document from the Department's web page at:

http://www.wrd.state.or.us/cgi-bin/notices.pl?new _oars

The new rules implement many changes to the extension process for municipal and quasi-municipal permit holders. One of the most significant changes is that an extension is linked to the requirement to develop a Water Management and Conservation Plan under OAR Chapter 690, Division 86.

In preparation for implementing the new extension rules, the Department has reviewed its records and determined that the authorized date for completion of development for your water use permit has passed and that neither a permit extension of time application, nor a claim of beneficial use and final proof survey map, have been received.

As a result of this review, your water use permit falls into one of the three following categories:

1. Development is Not Complete

If development of your water use permit is not finished, you must submit an application for extension of time to complete construction of the water system and/or complete beneficial use of water to the full extent of the permit. You may access the "Application for Extension of Time for Quasi-Municipal and Municipal Water Use Permits" on the Department's website at:

http://www.wrd.state.or.us/publication/forms/index.shtml

2. Development is Complete and Final Proof Must be Submitted
If your water use permit was issued *after* July 9, 1987, and development of the permit is complete, you are required by law (ORS 537.230 and/or 537.630) to hire a certified water rights examiner to prepare and submit a claim of beneficial use and final proof survey map.

3. Development is Complete and Waiting for WRD to Conduct Final Proof Survey
If you applied for or received a permit ***on or before July 9, 1987***, and development of the permit is complete, you must notify the Department that the work has been completed and choose to either: **(a)** hire a water right examiner certified under ORS 537.798 to conduct a survey, the original to be submitted as required by the Water Resources Department, for issuance of a water right certificate; ***or*** **(b)** continue to appropriate water under the water right permit until the Water Resources Department conducts a survey and the commission issues a water right certificate under ORS 537.250 or 537.625.

4. Permit is Not Needed and Wish to Authorize Cancellation
If you have determined that this permit is no longer needed and/or you have chosen not to pursue development of the permit, you may choose to authorize its cancellation. If you are interested in this option, please contact Jerry Sauter of our Department at extension 274 for the appropriate cancellation form.

Once you have determined which development category applies to your water use permit, please complete the enclosed "Quasi-Municipal/Municipal Water Use Permit Development Questionnaire" form and return it to my attention at the Water Resources Department by March 20, 2003.

If you would like the new rules or extension application forms sent to you by mail, or if have any questions, please feel free to contact me by telephone at 503-378-8455, extension 272.

Sincerely,

Lisa J. Juul
Water Rights Specialist
Water Rights Section

enclosure

cc: App File #G8926 (Permit #G8579)

Oregon Water Resources Department

Quasi-Municipal/Municipal Water Use Permit Development Questionnaire

Permit Holder: CITY OF MONMOUTH
Permit #G8579 Application File #G8926

Please indicate which of the following applies to the above referenced Quasi-Municipal or Municipal water use permit by checking the appropriate box:

1. The Permit is Ready for Final Proof and…

❑ a Claim of Beneficial Use and Final Proof Survey map will be prepared and submitted by a Certified Water Rights Examiner;

- OR -

❑ the Water Resources Department (WRD) has been notified that development of the permit is complete, and the permit holder is waiting for WRD to conduct the final proof survey.

2. Development of the Permit is Not Complete and…

❑ the permit holder will submit a permit extension of time application to **WRD no later than 90 days from the date of this letter (March 20, 2003).**

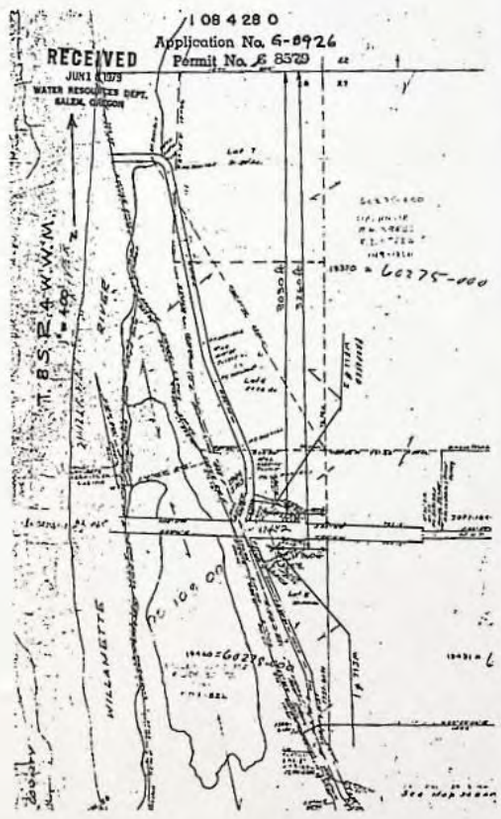
3. The Permit is Not Needed and Wish to Authorize Cancellation…

❑ the permit holder has determined that this permit is no longer needed and/or has chosen not to pursue development of the permit, and wishes to authorize its cancellation.

_____ _____
Signature of Authorized Personnel Date

Please return completed form by March 20, 2003 to:
Water Resources Department
Attention: Lisa Juul
158 – 12th Street NE
Salem OR 97301-4172

Copy


1 08 4 28 0
Application No. G-8926
Permit No. G 8529
RECEIVED
JUN 1 1973
WATER RESOURCES DEPT.
SALEM, OREGON
T. 8 S. R. 4 W.W.M.
Scale 1" = 400'

690-10-116 File No. G-8926

Application for Extension of Time

RECEIVED
JAN 10 1991
WATER RESOURCES DEPT.
SALEM, OREGON

TO THE WATER RESOURCES DIRECTOR OF OREGON

I, The City of Monmouth
Name

151 W. Main Street
Mailing Address

Monmouth, OR 97361
City, State, Zip

record owner of water permit No. G-8579, do hereby request that the time in which to:

☒ complete the construction of works and/or purchase and installation of the equipment necessary to the use of water, which time now expires on October 1, 19 90, be extended to October 1, 19 95, and/or the time in which to

☐ accomplish beneficial use of water to the full extent now intended under the terms of said permit, which time now expires on October 1, 19___, be extended to October 1, 19___.

I have accomplished the following described works and/or purchase and installation of equipment necessary to the use of water under said permit:

(1) within the past year the combination of the present well and storage meets the present water consumption demands. Future City development will require additional water source development.;

(2) prior to this past year under the terms of this permit the City drilled a 750 GPM well in 1979 and increased its capacity to 1500 GPM in 1983.;

(3) and have accomplished beneficial use of water to the extent of (IF FOR IRRIGATION, STATE HOW MANY ACRES HAVE BEEN IRRIGATED) The City of Monmouth has accomplished partial development of the water source for domestic consumption (1,500 GPM). Further development will occur as demand increases.

(If additional space is required, attach separate sheet)

Gary A. Wilson Director of Public Works
(If signing for a corporation please identify your title)

Dated 1-7-91

1-10-91
100
70224

MAIL COMPLETED APPLICATION AND STATUTORY FEE OF $100.00 FOR EACH PERMIT TO:

Water Resources Department
3850 Portland Road N.E.
Salem, Oregon 97310

BC
10-1-95
LAN

Wells listed on Groundwater Rights in OWRD WRIS pt.of.div database

Current as of 10/07/1998.

TRSQQ	County	Log #	Total Depth		application		permit	cert_num	pod_ num	status	city
8.00S 4.00W28SESW	POLK	2978	72	G	4332	G	4087	39278	1	V	CITY OF MONMOUTH
8.00S 4.00W28SESW	POLK	2979	72	G	4332	G	4087	39278	2	V	CITY OF MONMOUTH
8.00S 4.00W28SESW	POLK	2968	62	G	4332	G	4087	39278	3	V	CITY OF MONMOUTH
8.00S 4.00W28SESW	POLK	2969	62	G	5106	G	4818	62436	1	V	CITY OF MONMOUTH
8.00S 4.00W33NWNW	POLK	2967	60	G	5106	G	4818	62436	2	V	CITY OF MONMOUTH
8.00S 4.00W28NESE	MARI	13286	46	G	8926	G	8579	0	1	V	CITY OF MONMOUTH
8.00S 4.00W28NESE		*	0	G	8926	G	8579	0	2	V	CITY OF MONMOUTH
9.00S 4.00W 3SWSE	POLK	50392	57	G	13521	G	12976	0	1	V	CITY OF MONMOUTH
9.00S 4.00W10NWNE			0	G	13521	G	12976	0	2	V	CITY OF MONMOUTH

* No plans to drill. KCW

Oregon

WATER
RESOURCES
DEPARTMENT

April 3, 1996

CITY OF MONMOUTH
151 W MAIN ST
MONMOUTH OR 97361

REFERENCE: File G-8926

Your application for extension of time to complete work under Permit Number G-8579 along with your check in the amount of $100 has been received. Our Receipt Number 000356 is enclosed.

Your request is approved by Special Order Volume 50, Page 158. The time limit for complete application of water is extended to October 1, 2000.

Certain water right holders that serve as water suppliers may be required to submit water management and conservation plans at some point in the future. You should be advised that the Water Resources Commission may adopt administrative rules that will require you to prepare and submit such plans in the future.

If you are interested in receiving periodic information concerning the conservation program or the development and adoption of management and conservation rules, please contact the Water Conservation staff at the Salem office of the Water Resources Department.

If you have questions concerning this extension or other water right matters, please call the Water Rights/Adjudication Division. All Divisions of the Department may be reached at the folloiwng telephone numbers:

1-800-624-3199 (toll-free) or 1-503-378-3739

Sincerely,

Dallas S. Miller
Water Rights Specialist

DSM:jh

enclosure

Commerce Building
158 12th Street NE
Salem, OR 97310-0210
(503) 378-3739
FAX (503) 378-8130

STATE OF OREGON
WATER RESOURCES DEPARTMENT

158 12TH ST. N.E.
SALEM, OR 97310-0210
378-8455 / 378-8130 (FAX)

RECEIPT #

INVOICE # 000356

RECEIVED FROM: City of Monmouth

BY:

APPLICATION	G 8926
PERMIT	G 8579
TRANSFER	

CASH: ☐ CHECK: ☒ # 24-22 OTHER: (IDENTIFY) ☐

TOTAL REC'D $ 100.00

0417 WRD MISC CASH ACCT

	ADJUDICATIONS	$
	PUBLICATIONS / MAPS	$
_____	OTHER: (IDENTIFY) _____	$
_____	OTHER: (IDENTIFY) _____	$

REDUCTION OF EXPENSE

CASH ACCT. _____ $

PCA AND OBJECT CLASS _____ VOUCHER # _____

0427 WRD OPERATING ACCT

	MISCELLANEOUS		
0407	COPY FEES	RA66111	$
0410	RESEARCH FEES		$
0408	MISC REVENUE: (IDENTIFY)	Extension	$ 100.00
TC165	DEPOSIT LIAB. (IDENTIFY)		$

		EXAM FEE		RECORD FEE
	WATER RIGHTS:			
0201	SURFACE WATER	$	0202	$
0203	GROUND WATER	$	0204	$
0205	TRANSFER	$	0206	$
	WELL CONSTRUCTION	**EXAM FEE**		**LICENSE FEE**
0218	WELL DRILL CONSTRUCTOR	$	0219	$
	LANDOWNER'S PERMIT		0220	$

_____ OTHER (IDENTIFY) _____

0437 WELL CONST. START FEE

0211	WELL CONST START FEE	$	CARD #	
0210	MONITORING WELLS	$	CARD #	

_____ OTHER (IDENTIFY) _____

0539 LOTTERY PROCEEDS

1302	LOTTERY PROCEEDS	$

0467 HYDRO ACTIVITY

		LIC NUMBER	
0233	POWER LICENSE FEE (FW/WRD)		$
0231	HYDRO LICENSE FEE (FW/WRD)		$
_____	HRDRO APPLICATION	_____	$

RECEIPT # 000356 DATED: 3/8/96 BY: [signature]

Distribution-White Copy-Customer, Yellow Copy-Fiscal, Blue Copy-File, Buff Copy-Fiscal

G 8926 Monmouth

1- 2 wells Muni 5.0 cfs

2- System IN, Growing slowly

3- No spcl cond.

4 Muni

5 2-7 cfs = 54%

6 None

7 NO

8 SLOWLY GROWING DEMAND

9 NO info

10 NO info

11 NO

12 NO

13 No cond. Last Extension

pk 10-1-2000 B-C DSM

EXTENSION CHECKLIST

FILE DOCUMENT - FOR OFFICE USE ONLY

APPLICATION NO: G 8926 PERMIT NO: G 8579

DATE: 3 12 96

1. What service area or base was anticipated by the applicant at the time the permit was granted?

2. What water right development steps has the permittee completed to date?

3. Is the permittee currently meeting all conditions of the permit?

4. What is the current use of water under the permit?

5. What percent of the total allowable use under the permit does the current use represent?

6. Have there been any unforseen events (over which the permittee has no control) which could reasonably have delayed development under the permit?

7. Has there been any change in the market for either water or power since the permit was granted which could have affected the development program under the permit?

8. Has there been any change in demand for water or power since the permit was granted?

9. If the extension request is denied, is the current level of water use under the permit economically feasible?

10. Is there an alternate source of water available at this time?

11. Has use of water under the permit caused an adverse impact on the surface/ground water resource in the area?

12. Have there been claims of injury to other water right holders or water users in the area?

REMARKS:

13. DOES LAST EXTENSION HAVE SPECIAL CONDITIONS?

EXT-CL 82593

RECEIVED
MAR - 8 1996
WATER RESOURCES DEPT
SALEM, OREGON

File No. G-8926

APPLICATION FOR EXTENSION OF TIME

TO THE WATER RESOURCES DIRECTOR OF OREGON

I, City of Monmouth
name

151 W. Main St, Monmouth OR 97361 838-2173
address city state zip phone

record owner of permit No. G 8579, do hereby request that the time in which to:

[] complete the construction of works and/or purchase and installation of the equipment necessary to the use of water, which time now expires on October 1, 19___, be extended to October 1, 19___, and/or the time in which to

[X] accomplish beneficial use of water to the full extent under the terms of the permit, which time, now expires on October 1, 1995, be extended to October 1, ~~XXX~~ 2,000.

I have accomplished the following described works and/or purchase and installation of equipment necessary to use of water under said permit.

(1) within past year

(2) prior to this past year Partial development of source to satisfy current needs of municipal water users - Additional capacity will be developed once needs increase. Current pumping capacity is 2.7cfs.

(3) and have accomplished beneficial use of water to the extent of
(if for irrigation, state how many acres have been irrigated)

Municipal use only

(4) unable to complete construction and/or application of water within the permit time limits because Present Municipal needs do not yet warrant expansion of pumping capacity.

Harry A. Ullom, Public Works Director — 2/29/96
signature — date

MAIL APPLICATION AND STATUTORY FEE OF $100 FOR EACH PERMIT TO:

WATER RESOURCES DEPARTMENT
158 12TH ST NE
SALEM, OREGON 97310

MUNI
OR B-C 10-1-2000
DSM

151 West Main Street
Monmouth, Oregon 97361-2199
(503) 838-0722
FAX (503) 838-0725

CITY OF MONMOUTH

RECEIVED
MAR - 8 1996
WATER RESOURCES DEPT.
SALEM, OREGON

Promoting pride, progress, and friendly hometown values.

February 29, 1996

Dallas Miller, Water Rights Specialist
Water Resources Department
Commerce Building
158 12th Street NE
Salem, Oregon 97310-0210

SUBJECT: EXTENSION TO COMPLETE DEVELOPMENT OF WATER RIGHT
FILE G-8926

Enclosed is an application for a five year extension for permit G-8579. This permit is for the development of a 5.00 cfs municipal water source.

To date we have developed this source to 2.70 cfs and we intend to develop additional capacity as our municipal demand increases.

This source is an essential element in our domestic water system. Current growth rates will make expansion necessary in the near future.

If you have any questions or comments please don't hesitate to give me a call at (503) 838-2173.

SINCERELY,

Gary A. Wilson

Gary A. Wilson, P.E.
Public Works Director/Engineer

cc: Stan Kenyon, City Manager

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

CITY OF MONMOUTH
151 W MAIN ST
MONMOUTH OR 97361

G-8926

4a. Article Number P 56390

4b. Service Type
☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail ☐ Return Receipt for Merchandise

7. Date of Delivery 1/11/96 SF

5. Signature (Addressee)

6. Signature (Agent) [signature]

8. Addressee's Address (Only if requested and fee is paid)

PS Form **3811**, December 1991 ☆U.S. GPO: 1993—352-714 **DOMESTIC RETURN RECEIPT**

Thank you for using Return Receipt Service.

UNITED STATES POSTAL SERVICE

Official Business





Print your name, address and ZIP Code here

WATER RESOURCES DEPARTMENT
158 12th ST NE
SALEM OR 97310

SALEM DE 97301 1643 01/11/96

Oregon

WATER
RESOURCES
DEPARTMENT

January 8, 1996

CITY OF MONMOUTH
151 WEST MAIN ST
MONMOUTH OR 97361

REFERENCE: File G-8926

According to the terms of your Permit G-8579 complete application of water was to have been made by October 1, 1995.

Complete application of water means use of the water for the beneficial purpose described in the permit to the full extent intended. (In the case of irrigation, it means beneficial irrigation of the lands the permittee intends to cover.) This may be a smaller amount than the permit allowed. If the water has been used, you should promptly submit notice describing the extent of completion as set forth in the letter accompanying your permit and also in our postal card of December 5, 1995.

ORS 537.260 provides that: "Whenever the time within which any appropriation under a permit should have been perfected has expired and the owner of the permit fails or refuses within three months thereafter to submit to the Water Resources Director proof of completion of the appropriation as required by ORS 537.230 and 537.250, the Water Resources Director may, after 60 days notice by registered mail, order the cancellation of the permit."

You are hereby notified that, unless proof of beneficial use is received by March 9, 1996 (within 60 days from the date of this letter) the permit may be canceled without further notice.

If you are no longer interested in the project described by the permit, we would appreciate being advised. If the property involved has been sold and any part of the project was completed, you should assign the permit to the new owner. An assignment form will be furnished upon request.

If additional information is needed, please contact the Water Rights Section at 378-3739 or toll-free 1-800-624-3199.

Sincerely,

Dallas Miller
Water Rights Specialist

DM:jh

CERTIFIED - RETURN RECEIPT REQUESTED

Commerce Building
158 12th Street NE
Salem, OR 97310-0210
(503) 378-3739
FAX (503) 378-8130

G 8924

Oregon

WATER
RESOURCES
DEPARTMENT

June 20, 1994

«DATA MacintoshHD: MiscData:Conservation:ExtNames»
«name»«IF street»
«street»«ENDIF»
«city», «st» «zip»

You recently received an extension of time to complete work under Permit «permno». In our letter notifying you of the extension, we indicated that you were required to prepare conservation and long-term water supply plans. We have since re-evaluated our requirements for extensions and have decided not to require the preparation of the plans at this time.

This change does not relieve municipal water suppliers from compliance with a similar condition which was included in many recently issued water use permits. The Water Resources Commission has recently authorized hearings on rules which will provide standards and criteria for the plans required under the permit conditions. A copy of the hearing notice is enclosed. You should be aware that, at some point in the future, the Commission may consider the adoption of rules extending the requirement for preparation of plans to other municipal water suppliers.

While we are not requiring water management and conservation plans as a condition of time extensions, we still encourage you to consider preparing a plan. Because of current demands, there is little water available for new appropriations from many streams in the state. As a result, many communities will have to rely on alternate sources of water such as conservation, storage or acquisition and transfer of existing water rights to support continued growth. The planning approach which is reflected in the rules is already providing many cities with an effective framework within which to identify future needs for water and to evaluate alternatives for meeting those needs.

We welcome the opportunity to work with local water suppliers in evaluating their future water supply options. Please contact Jack Donahue at 378-8455 extension 283 if you have any questions or would like our advice and guidance in preparing a water management and conservation plan.

Sincerely,

Douglas M. Parrow
Conservation/Basin Planning Manager

Enclosure

Commerce Building
158 12th Street NE
Salem, OR 97310-0210
(503) 378-3739
FAX (503) 378-8130

City of MONMOUTH

Home of
Western Oregon State College

151 West Main Street Monmouth, Oregon 97361 (503) 838-0722

RECEIVED
JAN 10 1991
WATER RESOURCES DEPT.
SALEM, OREGON

January 7, 1991

Water Resources Department
3850 Portland Road N.E.
Salem, Oregon 97310

SUBJECT: APPLICATION FOR EXTENSION OF TIME
WATER PERMIT NO. G-8579

Enclosed is an application for a time extension and $100 check for the statutory fee for permit number G-8579.

In 1979, when this permit was applied for, the City of Monmouth requested 2,500 GPM of water. This being a sufficient quantity to satisfy immediate needs as well as provide water for reasonable growth.

Under the terms of this permit application the City developed a production well capable of pumping 750 GPM in 1979. Pumping capacity was increased to its present capacity of 1,500 GPM in 1983. This pumping capacity is sufficient to satisfy the City's present needs.

As future development occurs the City will increase its water supply by either improving its present well or by developing additional wells to utilize the total 2,500 GPM sought under the terms of this permit. The timing of the increase will be determined by the rate of development and future system demands.

We will keep the Water Resources Department advised as target dates are developed for further expansion of the City's water supply.

Sincerely,

Gary A. Wilson

Gary A. Wilson, P.E.
Public Works Director/Engineer

cc: Stan Kenyon, City Manager

MAYOR Wes Hedlund CITY MANAGER Stan Kenyon RECORDER-TREASURER Joan Howard
COUNCIL MEMBERS: Carol Cable, Beverly Davis, Paul Evans, Jim Herzog, John Sparks, Dale Tonagel

NEIL GOLDSCHMIDT
GOVERNOR

Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310 PHONE 378-3739

December 19, 1990

City of Monmouth
151 W. Main St.
Monmouth, OR 97361

Attention: Gary Wilson, Public Works Director

Reference File: G-8926

Enclosed is an application for requesting an extension of the time limits imposed on Permit G-8579.

The Water Resources Director is permitted by law to extend the time for completion of a project only upon a showing of reasonable diligence by the permittee. Therefore, please complete this application in detail describing what has been accomplished.

The application must be received in this office with the statutory filing fee of $100 for each permit.

If you have any questions, please contact the Water Rights Section.

Enclosure

LHN:jh

WATER RESOURCES DEPARTMENT

INTEROFFICE MEMORANDUM

MEMORANDUM OF PERSONAL OR TELEPHONE CONTACT

TO: File G-8926 DATE: 12/17/90

FROM: L. Nunn

SUBJECT: NAME: Gary Wilson Public Work Director City of Monmouth

The city is only using about 1500 gpm. They really didn't want to send in the C form. They need an extension of time.

378-8508

January 20, 1987

City of Monmouth
151 W. Main
Monmouth, OR 97361

Attention: Russell W. Faust, Director of Public Works

REFERENCE: File G-8926

Your application for an extension of the time limits in which to complete construction and make complete application of water under the terms of your Permit G-8579 was received. We also have your check in the amount of $100.

The application indicates reasonable diligence has been exercised toward completion of the proposed project; therefore, the time limits to complete construction and make complete application of water are being extended to October 1, 1990.

Sincerely,

BRUCE A. ESTES
Survey/Certificate Section

BAE:jw

Enclosures

5520D

VICTOR ATIYEH
GOVERNOR

Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310 PHONE 378-8508

OCT 2 2 1986

City of Monmouth
151 West Main Street
Monmouth, OR 97361

REFERENCE: File G-8926

According to the terms of your Permit G-8579 complete application of water was to have been made by October 1, 1985. This permit is for the appropriation of 5.0 cubic feet per second of water from two wells for the purpose of municipal.

Complete application of water means the application of water to a beneficial use under the permit to the full extent intended. In the case of irrigation, it means beneficial irrigation of all the lands the permittee intends to cover under the terms of the permit. If the water has been used, you should promptly submit notice describing the extent of completion as set forth in the letter accompanying your permit and also in our postal card of October 17, 1985.

ORS 537.260 provides that: "Whenever the time within which any appropriation under a permit should have been perfected has expired and the owner of the permit fails or refuses within three months thereafter to submit to the Water Resources Director proof of completion of the appropriation as required by ORS 537.230 and 537.250, the Water Resources Director may, after 60 days notice by registered mail, order the cancellation of the permit . ."

In accordance with the provisions of ORS 537.260, you are hereby notified that unless proof of beneficial use is received within 60 days from the date of this letter, the permit(s) may be canceled without further notice.

If, for any reason, you are no longer interested in the project described by the permit, we would appreciate it if you would so advise. If the property involved has changed hands and any part of the project has been completed, you should immediately assign the permit to the new owner and advise us of his name and address. An assignment form will be furnished upon request.

Sincerely,

BRUCE A. ESTES, Supervisor
Survey/Certificate Section

BAE:wpc
6720D
CERTIFIED - RETURN RECEIPT REQUESTED

630-10-116

File No. G-8926

RECEIVED
OCT 28 1986
WATER RESOURCES DEPT.
SALEM, OREGON

Application for Extension of Time

TO THE WATER RESOURCES DIRECTOR OF OREGON

I, Russell W. Faust
Name

151 W. Main
Mailing Address

Monmouth, Oregon 97361
City, State, Zip

record owner of water permit No. G-8579, do hereby request that the time in which to:

☐ complete the construction of works and/or purchase and installation of the equipment necessary to the use of water, which time now expires on October 1, 19___, be extended to October 1, 19___; and/or the time in which to

☒ accomplish beneficial use of water to the full extent now intended under the terms of said permit, which time now expires on October 1, 1985, be extended to October 1, 1990.

I have accomplished the following described works and/or purchase and installation of equipment necessary to the use of water under said permit:

(1) within the past year None;

(2) prior to this past year Installation of 150 hp pump and motor at Marion County Well No. 1;

(3) and have accomplished beneficial use of water to the extent of (IF FOR IRRIGATION, STATE HOW MANY ACRES HAVE BEEN IRRIGATED) 1500 gpm (3.34 cfs) for Municipal use within the City of Monmouth; approximately 1013 acres

(If additional space is required, attach separate sheet)

Russell W. Faust
(If signing for a corporation please identify your title)
Russell W. Faust, Dir. of Public Works, Monmouth, OR

Dated October 27, 1986

MAIL COMPLETED APPLICATION AND STATUTORY FEE OF $100.00 FOR EACH PERMIT TO:

Water Resources Department
3850 Portland Road N.E.
Salem, Oregon 97310

10-28-86
$100.00
50667

B-C
10-1-90
BAE

Oregon

WATER
RESOURCES
DEPARTMENT

April 30, 1991

City of Monmouth
151 W Main St
Monmouth OR 97361

REFERENCE: File G-8926

We received your application for extension of the time to complete work under Permit G-8579. We also have your check for $100. Our receipt number 70224 is enclosed.

Your request is approved. The time limits under this permit are extended to October 1, 1995.

Oregon Administrative Rules (OAR) 690-410-060, (enclosed), requires water suppliers, such as you, to prepare water conservation management plans. The schedules, standards and procedures for the development of management plans will be adopted in rule form in the near future. These rules also require you to notify the Commission of your plans to assure a long-term water supply.

Accordingly, before future extension requests will be approved, there are two requirements:

1. You will need to submit a plan describing the schedules, standards, and procedures for your water conservation management plans. This will need to be done within your time extension period following the date the Water Resources Commission adopts these rules.

2. You will need to prepare a plan/timetable for the Water Resources Commission which shall indicate the steps you intend to pursue to obtain a long-term water supply. This will need to be done by October 1, 1995.

If you have any questions, please call the Department's Water Rights Section at 378-3739.

Enclosures

3850 Portland Rd NE
Salem, OR 97310
(503) 378-3739
FAX 378-8130

378-8508
or
1-800-452-7813
(message line)

March 14, 1983

Russell W. Faust, PE
Director of Public Works
City of Monmouth
151 West Main Street
Monmouth, OR 97361

Dear Mr. Faust:

REFERENCE: File G-8926

We have received your letter of February 24, 1983, regarding the City's intent to increase the amount of water from Well 1 from 1.62 to 3.34 cubic feet per second of water. Permit G-8579 granted the use of water from two wells for the total capacity of 5.0 cfs. The permit did not define the amount of water for each well site.

Our ground water section has reviewed this and they are of the opinion that the wells involved in this location should be distributed with surface water since an interference with the Willamette River is anticipated. In view of this, they have no concern whether you take the additional quantity from Well 1 or split it equally between the two wells. This presently means that you could still drill Well 2 and get the additional allowance of the permit from it up to the limits of the 5.0 cfs for the two sites.

Thank you very much for the information. If I can be of further assistance, please let me know.

Sincerely,

BRUCE A. ESTES, Supervisor
Survey/Certificate Section

BAE:wpc
5461B

City of MONMOUTH
151 West Main Street Monmouth, Oregon 97361 (503) 838-0722

RECEIVED
FEB 25 1983
WATER RESOURCES DEPT.
SALEM, OREGON

February 24, 1983

State of Oregon
Water Resources Department
555 13th Street, N.E.
Salem, OR 97310

Attention: Mr. Ralph Jackson

Subject: Water Right Permit No. G 8579 - Well No. 1

Gentlemen:

The City of Monmouth is planning to make certain changes in the construction and operation of its existing Well No. 1. At present this well is designed to deliver 725 gallons per minute (1.62 cfs). Tests conducted last year indicate that we can increase the capacity of this well to 1500 gpm (3.34 cfs). We propose to do this by the installation of a new pump within the existing well casing and a new 150 hp motor.

The City's original application No. G 8926 envisioned the construction of two wells, closely spaced, drawing a maximum of 5 cfs from this aquifer. It now appears that the second well will never be built. Rather, we desire to increase the capacity of the existing well to 1500 gpm as described above. We would appreciate your review of this proposal and advice as to what amendment, if any, may be necessary to our permit.

Yours truly,

Russell W. Faust, P.E.
Director of Public Works

RWF:js
cc: CH2M-Hill
Public Works Leadman

MAYOR Bill Horner CITY MANAGER Stan Kenyon RECORDER-TREASURER Joan Howard
COUNCIL MEMBERS: Dee Bridges, Carol Cable, Wes Hedlund, Royal Johnson, Jim Herzog, Jim Thompson

Water Resources Department

MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310 PHONE 378-8508

December 1, 1980

City of Monmouth
141 West Main Street
Monmouth, OR 97361

Dear Sirs:

REFERENCE: File Number G-8926

Your application for an extension of the time limits in which to complete construction and make complete application of water under the terms of your permit numbered G-8579 has been received. We also have your check in the amount of $10.

The application indicates reasonable diligence has been exercised toward completion of the proposed project; therefore, the time limits to complete construction and make complete application of water are being extended to October 1, 1985.

Sincerely,

Bruce A. Estes

Bruce A. Estes, Supervisor
Survey-Certificate Section

BAE:lrs
Enclosure: Receipt Number 21351

File No. G-8926

Application for Extension of Time

TO THE WATER RESOURCES DIRECTOR OF OREGON

RECEIVED
OCT 29 1980
WATER RESOURCES DEPT
SALEM, OREGON

I, Ronald S. Peterson, City Manager
Name

City Hall, 151 W. Main Street
Mailing Address

Monmouth, Oregon 97361,
City State Zip

record owner of water right permit No. G 8579, do hereby request that the time in which to:

☒ complete the construction of works and/or purchase and installation of the equipment necessary to the use of water, which time now expires on October 1, 1980 be extended to October 1, 1985; and/or the time in which to

☒ accomplish beneficial use of water to the full extent now intended under the terms of said permit, which time now expires on October 1, 1980, be extended to October 1, 1985

I have accomplished the following described works and/or purchase and installation of equipment necessary to the use of water under said permit:

within the past year Conducted a study for an additional well site through Aqua-Tech entitled "Availability of Gound Water" for the Marion County area. This study will allow us to select most appropriate site.;

prior to this past year Installed first well, bridge crossing and pipe line which provides a maximum of 750 gallons per minute to our municipal water utility system.;

and have accomplished beneficial use of water to the extent of (IF FOR IRRIGATION, STATE HOW MANY ACRES HAVE BEEN IRRIGATED)

(If additional space is required, attach separate sheet)

Ronald S. Peterson City Manager
(If signing for a corporation please identify your title)

Dated October 29, 1980

11-3-80
$10.00
21351

MAIL COMPLETED APPLICATION AND STATUTORY FEE OF $10.00 FOR EACH PERMIT TO:

Water Resources Department
Mill Creek Office Park
555 13th Street, N.E.
Salem, Oregon 97310

R-C 10-1-85 11/92

SP*35675-690

PHONE 378-8508

October 27, 1980

City of Monmouth
151 West Main Street
Monmouth, OR 97361

File No. G-8926

I am enclosing a form for use in making application for an extension of time limits under permit number G-8579.

The Water Resources Director is permitted by law to extend the time for completion of a project only upon a showing of reasonable diligence by the permittee. Therefore, you should fill out this application carefully and completely describing what has been accomplished.

The application must be ~~executed before a notary public and~~ submitted to this office with the statutory filing fee in the amount of $10.00 for each permit.

Sincerely,

Bruce A. Estes

Bruce A. Estes, Supervisor
Certificate-Survey Section

Form 115

lrs

G-8926

City of MONMOUTH
151 West Main Street Monmouth, Oregon 97361 (503) 838-0722

RECEIVED
OCT 24 1980
WATER RESOURCES DEPT
SALEM, OREGON

October 23, 1980

Water Resources Director
Water Resources Department
Mill Creek Office Park
555 13th St. N.E.
Salem, Oregon 97301

RE: Permit # G-8579

Dear Sir;

The City is presently utilizing a portion of the water rights set forth in Permit # G-8579 via our well at the end of the Independence bridge in Marion County.

We propose to construct another well in the same locale which should expend the remainder of the rights requested under # G-8579. We have recently had Aqua-Tech complete a study entitled "Availability of Ground Water" for that Marion County area. This will allow us to select an appropriate parcel to install another well.

Due to our small staff working on over $1,000,000 in water system improvements during the current period we have not been able to follow through on land acquisition and well installation. We therefore ask for an extension on our permit for an additional year.

Sincerely,

Ron Peterson

Ron Peterson
City Manager

MAYOR Bill Horner CITY MANAGER Ronald S. Peterson RECORDER-TREASURER Joan E. Howard
COUNCILMEMBERS: Dee Bridges, Wes Hedlund, James H. Herzog, Gail C. Meyer, Richard T. Scott, Jim Thompson

Water Resources Department

MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310 PHONE

June 22, 1979

City of Monmouth
151 West Main Street
Monmouth, OR 97361

G-8926

G-8579

Water Resources Department

MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310 PHONE 378-3066

G-3926

June 11, 1979

City of Monmouth
151 West Main Street
Monmouth, OR 97361

ATTENTION: Ron Peterson, City Manager

Dear Mr. Peterson:

On August 14, 1978, an application was received in the name of the City of Monmouth proposing the use of 5.0 cubic feet per second of water for Municipal purposes.

A letter was received from you on August 24, 1978, indicating that the City was considering the construction of a third well. A reply was sent you from Vestal Garner of this office, which indicated that we would withhold action on your application pending the location of a site for the third well, at which time the application could be amended accordingly and a permit issued.

To date there has been no additional correspondence from you relating to this application or the development of the third well.

Would you please bring us up to date on your present plans?

Very truly yours,

Ralph H. Jackson, Supervisor
Applications/Permits Section

RHJ:slm

COPY

ROBERT W. STRAUB
GOVERNOR

Water Resources Department
MILL CREEK OFFICE PARK
555 13th STREET N.E., SALEM, OREGON 97310 PHONE 378-3066

G-8926

August 31, 1978

Ron Peterson, City Manager
City of Monmouth
151 W. Main St.
Monmouth, OR. 97361

Dear Mr. Peterson:

We have received the City of Monmouth's application for a permit to use 5.0 cubic feet of water per second from two wells for municipal use within the City of Monmouth. This application has been filed and for reference is numbered G-8926. We have also received examination and recording fees of $43.00.

The City's application was received on August 14, 1978 and on August 25, 1978, I received your letter indicating that a third well was to be constructed in Marion County.

Since your letter indicates that the site of the third well is not yet known, we will withhold examination of your application for a reasonable length of time for the site to be chosen. When the third site is known, please advise this office so that your application may be returned to be amended to include the third well.

If the third well derives its water from the same gravel aquifer as wells #1 and #2 and the total appropriation from all three wells does not exceed 5.0 cubic feet per second, the tentative priority date of August 14, 1978 will be effective for all three well sites.

When we are advised of the third well site, the City's application will be returned so that the third site can be identified. Additionally, a map of the well sites and proposed place of use with reference to the Government Survey is required.

Should you have questions regarding your application, please do not hesitate to give me a call.

Sincerely,

VESTAL GARNER
Water Rights Engineer

VG:tld
enc: Receip No. 5459

rd D. Emken

OUNCIL MEMBERS
Brice Caldwell
Daniel G. Cannon
Wesley N. Hedlund
Patricia A. Jaffer
Gail C. Meyer
Judith L. Miller

CITY MANAGER
Ronald S. Peterson

CITY RECORDER
Joan E. Howard

City of Monmouth

151 West Main Street
Monmouth, Oregon 97361

August 24, 1978

RECEIVED
AUG 25 1978
WATER RESOURCES DEPT.
SALEM, OREGON

G-8926

Dept. of Water Resources
555 13th NE
Salem, Oregon 97303

Attn: Ves Garner

Dear Sir:

The City of Monmouth is looking for a location to drill a proposed 3rd well in Marion County near the site of the existing 1 and 2 wells.

At this time the site is unknown.

Sincerely,

Ron Peterson

Ronald S. Peterson
City Manager

NUMBER 10328

Check 100% Mo_____ Cash_____

____ Surface Application

____ Reservoir Application

____ Ground Water Application

____ Transfer Application

____ PFO Request

____ Research

____ Hydroelectric Fees

____ Copying

____ Assignment

__✓__ Extension of Time

____ Protest

____ Other

Dallas

DESCRIPTION	VENDOR'S NUMBER	PURCHASE ORDER NO.	INVOICE NUMBER	AMOUNT
WATER RIGHT EXTENSION FEE -- MARION COUNTY WELL #1			12-10-2-0765-00	$100.00**

RECEIVED
MAR - 8 1996
WATER RESOURCES DEPT.
SALEM, OREGON

BL 2000

August 14, 1978

Application No. G 8926
Permit No. G 8579

Name City of Monmouth
Address 151 W. Main St. Monmouth, OR. 97361
Assigned Address
Beginning construction JUN 20 1980
Completion of construction OCT 1 1980
Extended to 10-1-85 10-1-90, 10-1-95, 10-1-2000
Complete application of water OCT 1 1981
Extended to 10-1-85 10-1-90, 10-1-95, 10-1-2000

Form 111

DESCRIPTION	VENDOR'S NUMBER	PURCHASE ORDER NO.	INVOICE NUMBER	AMOUNT
1/07/91 EXTENSION	3068		PPERM #G-857	100.00

RECEIVED
JAN 10 1991
WATER RESOURCES DEPT.
SALEM, OREGON

CHECK #:	29962	01/08/91	100.00

A FORM OF SAFETY
BUCKLE UP.
willamette business forms, inc.
(503) 588-2030
870210

CITY OF MONMOUTH
151 West Main Street
Monmouth, Oregon 97361-2199

Water Resources Department
Attn: Lisa Juul
158 – 12th Street NE
Salem OR 97301-4172