

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

MARION COUNTY

IN THE MATTER OF THE APPENDING)
CONDITIONS OF PERMITS G-10530) ORDER
AND G-10957 IN THE NAME OF EAGLE)
CREST MASTERS ASSOCIATION AND)
PERMIT G-11313 IN THE NAME OF)
EAGLE RIDGE DEVELOPMENT CORPORATION)

STATEMENT OF FACTS

Application G-12905 for permit proposing to appropriate 3.0 cubic feet per second of water from three wells, for quasi-municipal use, in the name of Eagle Ridge Development Corporation was reviewed by the Water Resources Commission (Commission) on April 20, 1994.

The Commission allowed the proposed groundwater use as described in Application G-12905 to be modified by addition of the conditions set below if the applicant agreed:

- 1) that the draw-down mentioned in Condition 6 be changed from 25 feet of draw-down to 10 feet of draw-down and that the base line for where the draw-down begins to be based upon a March 1995 or March 1996 measurement which ever is higher; and
- 3) that these conditions would also be applied to all existing water rights applicable to the Eagle Crest Development.

Condition 6 as modified by direction of the Commission reads:

The PERMIT HOLDER shall obtain a static water-level measurement for each well during MARCH of each year and report the measurement to the Department within thirty days. The measurement shall be made by a certified water-rights examiner, registered professional geologist, or professional engineer. Water levels shall be reported as depth-to-water below ground level and shall be accompanied by supporting calculations. If a well listed on this permit displays a total static water-level decline of 10 or more feet over any period of years, when compared to the reference level, then the PERMIT HOLDER shall discontinue use of, or reduce the rate or volume of withdrawal, from the well(s). Such action shall

be taken until the water level recovers to above the 10-foot decline level or until the Department determines, based on the PERMIT HOLDER'S or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The reference level for water-level declines shall be the first (March 1995) or second annual (March 1996), whichever is higher, measurement taken after water use begins under the terms of this permit. The PERMIT HOLDER shall in no instance allow excessive decline to occur within the aquifer as a result of use under this permit.

The following permits for the use of groundwater are of record with the Water Resources Department appurtenant to the Eagle Crest Development:

- 1) Permit G-10530, in the name of Eagle Crest Masters Association, to appropriate 765 gallons per minute of water from two wells, for quasi-municipal use, approved on the 1st day of November 1985;
- 2) Permit G-10957, in the name of Eagle Crest Masters Association, to appropriate 2.45 cubic feet per second of water from one well, for quasi-municipal use, approved on the 17th day of January 1990; and
- 3) Permit G-11313, in the name of Eagle Ridge Development Corporation, to appropriate 4.28 cubic feet per second of water from three wells, for irrigation of 317.22 acres and commercial use, approved on the 12th day of August 1991.

On May 17, 1994, the Department received a Resolution of the Board of Directors of Eagle Crest Master Association consenting to amending water right permits G-10530 and G-10957 for Eagle Crest I wells in order to conform the terms and conditions to those proposed for the Eagle Crest II wells.

The Eagle Ridge Development Corporation agreed to the placing of Condition 6 on permit G-11313.

FINDINGS OF FACT

The Commission has found that the proposed groundwater use as described in Application G-12905, as modified by addition of the conditions set out above, will not impair or be detrimental to the public interest.

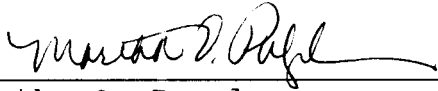
The Commission authorized the Director to append Condition 6, if requested by the permittee, to the existing groundwater permits for the Eagle Crest Development and issue the permit in approval of the Application G-12905.

Groundwater permits G-10530, G-10957 and G-11313 are appurtenant to the Eagle Crest Development. Eagle Crest Master Association authorized the modification of permits G-10530 and G-10957. In addition, Eagle Ridge Development Corporation agreed to the modification of permit G-11313.

ORDER

It is ordered that groundwater permits G-10530, G-10957 and G-11313 are hereby appended to include Condition 6 as described above.

Dated at Salem, Oregon this 31st day of May, 1994.



Martha O. Pagel
Director
Water Resources Department