

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

In the Matter of Permit Amendment) FINAL ORDER
T-13430, Marion County) APPROVING AN ADDITIONAL 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 ST. PAUL
ATTN: MIKE DOLAN
20239 MAIN STREET NE
ST. PAUL, OR 97137

Findings of Fact

1. On April 30, 2020, CITY OF ST. PAUL, ATTN: MIKE DOLAN filed an application for an additional point of appropriation under Permit G-17743. The Department assigned the application number T-13430.
2. On October 2, 2015, the Department approved an extension of time for Permit G-15273, for complete application of water to October 1, 2059.
3. On February 5, 2017, the Department issued a Final Order (Special Order Volume 103, Page 939), approving an additional point of appropriation. The Department subsequently issued superseding Permit G-17728, describing the changes.
4. On March 14, 2017, the Department issued a Correcting Final Order (Special Order Volume 104, Page 146), and subsequently issued superseding Permit G-17743.
5. On August 2, 2019, the Department approved a Final Order (Special Order Volume 113, Page 799), approving a Water Management and Conservation Plan (WMCP), authorizing the City of St. Paul to divert 0.67 cubic foot per second (cfs) of water out of the total permitted 1.25 cfs under Permit G-17743.
6. Notice of the application for the permit amendment was published in the Department's weekly notice on May 12, 2020, pursuant to ORS 540.520(5). No comments were filed in response to the notice.

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 and OAR 690-01-0005 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.

7. Permit Amendment Application T-13430 proposes an additional point of appropriation approximately 0.2 mile from the existing points of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
4 S	2 W	WM	19	NW SE	RODEO WELL - 2620 FEET NORTH AND 1900 FEET WEST FROM THE SE CORNER OF SECTION 19

Permit Amendment Review Criteria

8. The change would not result in injury to other water rights.
9. The change does not enlarge the permit.
10. The change does not alter any other terms of the permit.

Conclusions of Law

The additional point of appropriation proposed by Permit Amendment Application T-13430 is consistent with the requirements of ORS 537.211.

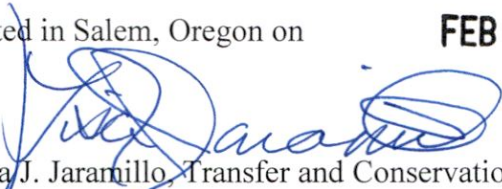
Now, therefore, it is ORDERED:

1. The additional point of appropriation proposed by Permit Amendment Application T-13430 is approved.
2. Permit G-18504, in the name of CITY OF ST. PAUL, is issued to replace Permit G-17743, and incorporates the amendments approved by this order, the extension of time, and the Water Management and Conservation Plan. Permit G-17743, in the name of CITY OF SAINT PAUL, is no longer of any force or effect.
3. The combined quantity of water diverted at the new additional point of appropriation (Rodeo Well), together with that diverted at the old points of appropriation (Well 2 and New Well), shall not exceed the quantity of water lawfully available at the original points of appropriation (Well 2 and New Well).
4. Water shall be acquired from the same aquifer as the original points of appropriation.
5. The City of St. Paul Water Management and Conservation Plan is approved and shall remain in effect until **August 1, 2029**, unless this approval is rescinded pursuant to OAR 690-086-0920.
6. The limitation of the diversion of water under **Permit G-17743** established in the Final Order approving an Extension of Time for Permit G-17743 (*issued on October 2, 2015*) remains unchanged. Subject to other limitations or conditions of the permit, therefore, the City of St. Paul remains authorized to divert only up to **0.67 cfs (out of the total permitted 1.25 cfs)** of water under Permit **G-17743**.
7. The City of St. Paul shall submit an updated plan meeting the requirements of OAR Chapter 690, Division 086 within **10 years** and no later than **February 1, 2029**.

8. The City of St. Paul shall submit a progress report containing the information required under OAR 690-086-0120(4) by **August 1, 2024**.
9. The deadline established herein for the submittal of an updated Water Management and Conservation Plan (consistent with OAR Chapter 690, Division 086) shall not relieve the City of St. Paul from any existing or future requirement(s) for submittal of a Water Management and Conservation Plan at an earlier date as established through other final orders of the Department.
10. All other terms and conditions of Permit G-18504 remain the same.

Dated in Salem, Oregon on

FEB 18 2021



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

Mailing Date:

FEB 19 2021