

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

In the Matter of Permit Amendment) FINAL ORDER
T-12747, Clackamas 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

SPRINGWATER ESTATES HOMEOWNERS ASSOCIATION, INC.
PO BOX 854
ESTACADA, OR 97023

Findings of Fact

1. On September 11, 2017, SPRINGWATER ESTATES HOMEOWNERS ASSOCIATION, INC. filed an application for an additional point of appropriation under Permit G-13630. The Department assigned the application number T-12747.
2. On November 11, 2016, the Department approved an extension of time for complete application of water to October 1, 2021.
3. Notice of the application for the permit amendment was published in the Department's weekly notice on September 19, 2017, and in the Estacada News newspaper on January 17, and 24, 2019, pursuant to ORS 540.520(5). No comments were filed in response to the notices.
4. On October 19, 2018, the Department contacted the applicant by written correspondence to notify the applicant and the applicant's agent of a deficiency in the application. The Department requested that the deficiency be resolved by November 19, 2018.
5. On October 29, 2018, the applicant's agent submitted a revised Table 1, resolving the deficiency.

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.

6. Permit Amendment Application T-12747 proposes an additional point of appropriation to:

Twsp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate distance from the authorized points of appropriation in feet (ft.)	
3 S	3 E	WM	24	NW SE	2100 FEET NORTH AND 1200 FEET WEST FROM THE SE CORNER OF SECTION 24	WELL 1	WELL 2
						1417.9 ft. SE	799.2 ft. SE

Permit Amendment Review Criteria

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

Conclusions of Law

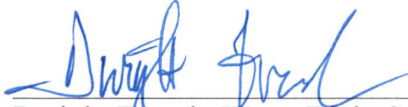
The additional point of appropriation proposed by Permit Amendment Application T-12747 is consistent with the requirements of ORS 537.211.

Now, therefore, it is ORDERED:

1. The additional point of appropriation proposed by Permit Amendment Application T-12747 is approved.
2. Permit G-18186, in the name of Springwater Estates Homeowners Association, Inc. is issued to replace Permit G-13630, and incorporates the amendments approved by this order, and the extension of time. Permit G-13630, in the name of SPRINGWATER ESTATES HOMEOWNERS ASSOCIATION, INC. is no longer of any force or effect.
3. The combined quantity of water diverted at the new point of appropriation, together with that diverted at the old points of appropriation, shall not exceed the quantity of water lawfully available at the original points of appropriation.
4. Water use measurement conditions:
 - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of appropriation.
 - b. The water user shall maintain the meters or measuring devices in good working order.
 - c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.
5. Water shall be acquired from the same aquifer as the original points of appropriation.

6. All other terms and conditions of Permit G-18186 remain the same.

Dated at Salem, Oregon this MAR 11 2019.



Dwight French, Water Right Services Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department

Mailing Date: MAR 12 2019