

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

In the Matter of Permit Amendment)	FINAL ORDER
T-12980, Columbia County)	APPROVING CHANGES IN POINTS
)	OF APPROPRIATION AND
)	ADDITIONAL POINTS 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

COLUMBIA HILLS HOMESOWNERS ASSOCIATION
ATTN: MIKE STONE AND RICHARD RECHT
50606 CRYSTAL RIDGE RD
SCAPPOOSE, OR 97056

Findings of Fact

1. On July 19, 2018, COLUMBIA HILLS HOMESOWNERS ASSOCIATION, ATTN: MIKE STONE AND RICHARD RECHT, filed an application to change points of appropriation and to add additional points of appropriation under Permit G-15275. The Department assigned the application number T-12980.
2. On September 22, 2017, the Department approved an extension of time for complete application of water to October 1, 2051.
3. Notice of the application for the permit amendment was published in the Department's weekly notice on July 31, 2018, and in the St. Helen's Chronicle newspaper on February 12, and 19, 2020, pursuant to ORS 540.520(5). No comments were filed in response to the notice.
4. On June 26, 2019 the Department contacted the applicant regarding deficiencies in Permit Amendment Application T-12980.
5. On July 8 and 29 2019, the agent for the applicant provided the Department with amended application pages and maps satisfying the deficiencies.

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-12980 proposes to move the authorized points of appropriation, specifically WELL #6, WELL #F1(WELL #8) and (WELL #F2 (WELL #9) with approximate distances from the existing points of appropriation as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Distance from Existing Authorized Wells
3 N	2 W	WM	22	NE SW	WELL #6 – 2320 FEET NORTH AND 2320 FEET EAST FROM THE SW CORNER OF SECTION 22	WELL #1- 0.6 mile WELL #2- 0.4 mile WELL #4- 0.9 mile WELL #6- 221 feet WELL #7- 0.6 mile WELL #F1- 0.2 mile WELL #F2- 0.1 mile
3 N	2 W	WM	22	NE SW	WELL #F1 (WELL #8) – 2120 FEET NORTH AND 3505 FEET WEST FROM THE SW CORNER OF SECTION 22	WELL #1- 0.7 mile WELL #2- 0.6 mile WELL #4- 1.0 mile WELL #6- 0.1 mile WELL #7- 0.7 mile WELL #F1- 248 feet WELL #F2- 305 feet
3 N	2 W	WM	22	NE SW	WELL # F2 (WELL #9) – 2090 FEET NORTH AND 2735 FEET EAST FROM THE SE CORNER OF SECTION 22	WELL #1- 0.6 mile WELL #2- 0.5 mile WELL #4- 0.9 mile WELL #6- 0.1 mile WELL #7- 0.6 mile WELL #F1- 0.2 mile WELL #F2- 0.1 mile

7. Permit Amendment Application T-12980 proposes to add additional points of appropriation with approximate distances from the existing points of appropriation as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Distance from Existing Authorized Wells
3 N	2 W	WM	22	NE SW	WELL #10 – 1570 FEET NORTH AND 2735 FEET WEST FROM THE SE CORNER OF SECTION 22	WELL #1- 0.7 mile WELL #2- 0.5 mile WELL #4- 0.9 mile WELL #6- 0.2 mile WELL #7- 0.7 mile WELL #F1- 0.2 mile WELL #F2- 0.2 mile
3 N	2 W	WM	22	NE SW	WELL #11 – 1380 FEET NORTH AND 2920 FEET WEST FROM THE SE CORNER OF SECTION 22	WELL #1- 0.7 mile WELL #2- 0.6 mile WELL #4- 1.0 mile WELL #6- 0.2 mile WELL #7- 0.7 mile WELL #F1- 0.2 mile WELL #F2- 0.2 mile
3 N	2 W	WM	22	NW SE	WELL #12 – 2670 FEET NORTH AND 2060 FEET WEST FROM THE SE CORNER OF SECTION 22	WELL #1- 0.4 mile WELL #2- 0.3 mile WELL #4- 0.7 mile WELL #6- 0.2 mile WELL #7- 0.4 mile WELL #F1- 0.3 mile WELL #F2- 0.2 mile
3 N	2 W	WM	22	NE SE	WELL #13 – 2200 FEET NORTH AND 1090 FEET WEST FROM THE SE CORNER OF SECTION 22	WELL #1- 0.4 mile WELL #2- 0.3 mile WELL #4- 0.6 mile WELL #6- 0.4 mile

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Distance from Existing Authorized Wells
						WELL #7- 0.4 mile WELL #F1- 0.5 mile WELL #F2- 0.4 mile
3 N	2 W	WM	22	NE SE	WELL #14 – 1900 FEET NORTH AND 1070 FEET WEST FROM THE SE CORNER OF SECTION 22	WELL #1- 0.4 mile WELL #2- 0.3 mile WELL #4- 0.7 mile WELL #6- 0.4 mile WELL #7- 0.4 mile WELL #F1- 0.5 mile WELL #F2- 0.4 mile
3 N	2 W	WM	22	NE SE	WELL #15 – 1510 FEET NORTH AND 1020 FEET WEST FROM THE SE CORNER OF SECTION 22	WELL #1- 0.5 mile WELL #2- 0.4 mile WELL #4- 0.5 mile WELL #6- 0.4 mile WELL #7- 0.7 mile WELL #F1- 0.5 mile WELL #F2- 0.5 mile
3 N	2 W	WM	22	NE SE	WELL #16 – 2040 FEET NORTH AND 760 FEET WEST FROM THE SE CORNER OF SECTION 22	WELL #1- 0.4 mile WELL #2- 0.3 mile WELL #4- 0.6 mile WELL #6- 0.4 mile WELL #7- 0.4 mile WELL #F1- 0.6 mile WELL #F2- 0.5 mile
3 N	2 W	WM	22	NE SE	WELL #17 – 1470 FEET NORTH AND 615 FEET WEST FROM THE SE CORNER OF SECTION 22	WELL #1- 0.5 mile WELL #2- 0.4 mile WELL #4- 0.7 mile WELL #6- 0.5 mile WELL #7- 0.5 mile WELL #F1- 0.6 mile WELL #F2- 0.5 mile
3 N	2 W	WM	22	NE SE	WELL #18 – 2390 FEET NORTH AND 300 FEET WEST FROM THE SE CORNER OF SECTION 22	WELL #1- 0.3 mile WELL #2- 0.2 mile WELL #4- 0.5 mile WELL #6- 0.5 mile WELL #7- 0.3 mile WELL #F1- 0.7 mile WELL #F2- 0.6 mile
3 N	2 W	WM	22	NE SE	WELL #19 – 1510 FEET NORTH AND 210 FEET WEST FROM THE SE CORNER OF SECTION 22	WELL #1- 0.5 mile WELL #2- 0.4 mile WELL #4- 0.6 mile WELL #6- 0.5 mile WELL #7- 0.5 mile WELL #F1- 0.7 mile WELL #F2- 0.6 mile
3 N	2 W	WM	22	NW SE	WELL #20 – 2980 FEET NORTH AND 1535 FEET WEST FROM THE SE CORNER OF SECTION 22	WELL #1- 0.3 mile WELL #2- 0.2 mile WELL #4- 0.6 mile WELL #6- 0.3 mile WELL #7- 0.3 mile WELL #F1- 0.5 mile WELL #F2- 0.4 mile
3 N	2 W	WM	22	NW SE	WELL #21 – 2715 FEET NORTH AND 2360 FEET WEST FROM THE SE CORNER OF SECTION 22	WELL #1- 0.5 mile WELL #2- 0.3 mile WELL #4- 0.8 mile

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Distance from Existing Authorized Wells
						WELL #6- 0.1 mile WELL #7- 0.5 mile WELL #F1- 0.3 mile WELL #F2- 0.2 mile

Permit Amendment Review Criteria

8. The changes as conditioned would not result in injury to other water rights.
9. The changes do not enlarge the permit.
10. The changes do not alter any other terms of the permit.
11. Annual groundwater level measurements submitted in accordance with a permit G-15275 requirement indicate that the 25-ft overall decline condition has been exceeded at least several times in four of the seven authorized POAs. These declining groundwater trends also emphasize the low-yield nature of the local aquifer system. Permit G-15275 includes provisional "measurement, recording and reporting conditions." To date, the permit holder has not submitted water usage measurements. To protect against enlargement or injury to other groundwater users or surface water bodies, activation of this permit provision is recommended. Specifically:
 - a. The water user shall install a totalizing flow meter or other suitable measuring device at each point of appropriation (new and existing).
 - b. The permittee is to keep and maintain a record of the amount (volume) of water used from each well, and is to report monthly water use totals to the Department on an annual basis.

Conclusions of Law

The change in points of appropriation and additional points of appropriation proposed by Permit Amendment Application T-12980 are consistent with the requirements of ORS 537.211.

Now, therefore, it is ORDERED:

1. The change in points of appropriation and additional points of appropriation proposed by Permit Amendment Application T-12980 are approved.
2. Permit G-18359, in the name of COLUMBIA HILLS HOMEOWNERS ASSOCIATION, is issued to replace Permit G-15275, and incorporates the amendments approved by this order, the extension of time, and the Water Management and Conservation Plan. Permit G-15275, in the name of COLUMBIA HILLS HOMEOWNERS DEVELOPMENT, ATTN: TERRY LAHT, is no longer of any force or effect.
3. The quantity of water diverted at the new points of appropriation (WELL #6, WELL #F1(WELL #8) and (WELL #F2 (WELL #9)) , shall not exceed the quantity of water lawfully available at the original points of appropriation (WELL #6, WELL #F1, and WELL #F2).

4. The combined quantity of water diverted at the new points of appropriation (WELL #10, WELL #11, WELL # 12, WELL #13, WELL #14, WELL #15, WELL #16, WELL #17, WELL #18, WELL #19, WELL #20, WELL #21), together with that diverted at the old points of appropriation (WELL #1, WELL #2, WELL #4, WELL #6, WELL #7, WELL #F1, AND WELL #F2), shall not exceed the quantity of water lawfully available at the original points of appropriation (WELL #1, WELL #2, WELL #4, WELL #6, WELL #7, WELL #F1, AND WELL #F2).
5. 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 (new and existing).
 - 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.
6. A record of the amount (volume) of water used from each well shall be kept and maintained, and a monthly report of water use totals shall be submitted to the Department on an annual basis.
7. Water shall be acquired from the same aquifer as the original points of appropriation.
8. All other terms and conditions of Permit G-18359 remain the same.

Dated in Salem, Oregon on MAR 24 2020



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

MAR 25 2020

Mailing Date: _____