

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

In the Matter of Permit Amendment	)	FINAL ORDER APPROVING ADDITIONAL
T-13274, Multnomah County	)	POINTS OF APPROPRIATION AND A
	)	CHANGE IN 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**

ROCKWOOD WATER PEOPLES  
UTILITY DISTRICT  
ATTN BRIAN STAHL  
19601 NE HALSEY BLVD  
PORTLAND, OR 97230

**Co-Applciant**

CITY OF GRESHAM  
ATTN MIKE WHITELEY  
1333 NW EASTMAN PARKWAY  
GRESHAM, OR 97030

**Findings of Fact**

1. On October 21, 2019, ROCKWOOD WATER PEOPLES UTILITY DISTRICT and CITY OF GRESHAM filed an application for additional points of appropriation and to change a point of appropriation under Permit G-16917. The Department assigned the application number T-13274.
2. On June 1, 2012, the Department approved a partial assignment of the permit to Rockwood Water Peoples Utility District and the City of Gresham.
3. Notice of the application for the permit amendment was published in the Department's weekly notice on October 29, 2019, and in the Gresham Outlook newspaper on August 16 and 23, 2023, pursuant to ORS 540.520(5).
4. Permit Amendment Application T-13274 proposes to move the authorized point of appropriation of Well 4 approximately 535 feet from the authorized Well 4. The proposed location is as follows:

This is a final order in other than a 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 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.

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1 N	3 E	WM	32	NW SE	WELL 4 - 2220 FEET NORTH AND 1780 FEET WEST FROM THE SE CORNER OF SECTION 32

5. Permit Amendment Application T-13274 proposes additional points of appropriation with approximate distances between 0.3 miles and 3.2 miles from the authorized points of appropriation as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1 N	3 E	WM	33	SW NW	CASCADE 7 - 3340 FEET NORTH AND 215 FEET EAST FROM THE SW CORNER OF SECTION 33
1 N	3 E	WM	32	NW NW	WELL 9 - 1085 FEET SOUTH AND 1170 FEET EAST FROM THE NW CORNER OF SECTION 32
1 S	3 E	WM	8	NE SW	WELL 10 - 3565 FEET SOUTH AND 2275 FEET EAST FROM THE NW CORNER OF SECTION 8

#### ***Permit Amendment Review Criteria***

6. The changes would not result in injury to other water rights.
7. The changes do not enlarge the permit.
8. The changes do not alter any other terms of the permit.

#### **Conclusions of Law**

The additional points of appropriation and change in point of appropriation proposed by Permit Amendment Application T-13274 is consistent with the requirements of ORS 537.211.

#### **Now, therefore, it is ORDERED:**

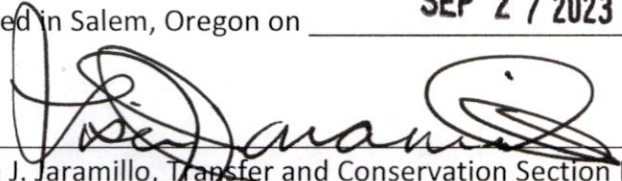
1. The additional points of appropriation and change in point of appropriation proposed by Permit Amendment Application T-13274 are approved.
2. Permit G-18850, in the name of ROCKWOOD WATER PEOPLES UTILITY DISTRICT and CITY OF GRESHAM, is issued to replace Permit G-16917, and incorporates the amendments approved by this order and the assignment. Permit G-16917, in the name of ROCKWOOD WATER PEOPLES UTILITY DISTRICT, is no longer of any force or effect.
3. The quantity of water diverted at the new point of appropriation (Well 4) shall not exceed the quantity of water lawfully available at the original point of appropriation (Well 4).
4. The combined quantity of water diverted at the new additional points of appropriation (Cascade 7, Cascade 9, and Well 10), together with that diverted at the original points of appropriation (Well 1 (Cascade 5), Wells 2, 3, 4, and 5, Well 6 (Cascade 3), Wells 7 and 8, and Cascade 4), shall not exceed the quantity of water lawfully available at the original points of appropriation.

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

6. All other terms and conditions of Permit G-18850 remain the same.

Dated in Salem, Oregon on SEP 27 2023.

  
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Lisa J. Jaramillo, Transfer and Conservation Section Manager, for  
DOUGLAS E. WOODCOCK, ACTING DIRECTOR  
Oregon Water Resources Department

Mailing Date: SEP 28 2023