

STATE OF OREGON  
COUNTY OF COLUMBIA

DRAFT PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

CITY OF SCAPPOOSE  
33568 E COLUMBIA AVE  
SCAPPOOSE, OREGON 97056

**This superseding permit is issued to describe an amendment for additional points of appropriation proposed under Permit Amendment Application T-12284 and approved by Special Order Vol. 103, Page 816, entered JAN 25 2017, and to describe an extension of time for complete application of water approved August 29, 2014 and a Water Management and Conservation Plan approved on November 21, 2012. This permit supersedes Permit G-15491.**

The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-15792

SOURCE OF WATER: SEVEN WELLS IN JACKSON CREEK BASIN

PURPOSE OR USE: MUNICIPAL USE

MAXIMUM RATE: 2.90 CUBIC FEET PER SECOND

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: JULY 5, 2002

WELL LOCATION:

| Twp | Rng | Mer | Sec | Q-Q   | Measured Distances   |
|-----|-----|-----|-----|-------|--|
| 3 N | 1 W | WM  | 7   | SE NW | MR-1 - 380 FEET NORTH AND 3700 FEET WEST FROM THE E1/4 CORNER OF SECTION 7 |
| 3 N | 1 W | WM  | 7   | SE NW | MR-2 - 370 FEET NORTH AND 3490 FEET WEST FROM THE E1/4 CORNER OF SECTION 7 |
| 3 N | 1 W | WM  | 7   | SE NW | MR-3 - 2475 FEET SOUTH AND 1795 FEET EAST FROM THE NW CORNER OF SECTION 7  |
| 3 N | 1 W | WM  | 7   | NE SW | MP-1 - 2330 FEET NORTH AND 1345 FEET EAST FROM THE SW CORNER OF SECTION 7  |
| 3 N | 1 W | WM  | 7   | SW NW | CZ-1 - 1590 FEET SOUTH AND 680 FEET EAST FROM THE NW CORNER OF SECTION 7   |
| 3 N | 1 W | WM  | 7   | NW NW | CZ-2 - 900 FEET SOUTH AND 1120 FEET EAST FROM THE NW CORNER OF SECTION 7   |

| Twp | Rng | Mer | Sec | Q-Q   | Measured Distances  |
|-----|-----|-----|-----|-------|---|
| 3 N | 1 W | WM  | 7   | SE NW | CZ-3 - 1410 FEET SOUTH AND 1855 FEET EAST FROM THE NW CORNER OF SECTION 7 |

THE PLACE OF USE IS LOCATED AS FOLLOWS:

WITHIN THE SERVICE BOUNDARIES OF THE CITY OF SCAPPOOSE

**Permit Amendment T-12284 Conditions**

The combined quantity of water diverted at the new points of appropriation, together with that diverted at the old point of appropriation, shall not exceed the quantity of water lawfully available at the original point of appropriation.

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) or at each new 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.

**Extension of Time Conditions**

**Development Limitations**

Appropriation of any water beyond 1.34 cfs, being 0.76 cfs from Miller Road Well 1 (COLU 52428), and 0.58 cfs from Miller Road Well 2 (COLU 51685), under Permit G-15491 shall only be authorized upon issuance of a final order approving a Water Management and Conservation Plan (WMCP) under OAR Chapter 690, Division 86 that authorizes access to a greater rate of appropriation of water under the permit consistent with OAR 690-086-0130(7). The required WMCP shall be submitted to the Department BY August 29, 2017. The amount of water used under Permit G-15491 must be consistent with this and subsequent WMCP's approved under OAR Chapter 690, Division 86 on file with the Department.

The deadline established in the Extension Final Order for submittal of a WMCP shall not relieve a permit holder of any existing or future requirement for submittal of a WMCP at an earlier date as established through other orders of the Department. A WMCP submitted to meet the requirements of the final order may also meet the WMCP submittal requirements of other Department orders.

## Water Management and Conservation Plan

### Duration of Plan Approval:

The City of Scappoose Water Management and Conservation Plan is approved and shall remain in effect until **November 21, 2022**, unless this approval is rescinded pursuant to OAR 690-086-0920.

### Progress Report Schedule:

The City of Scappoose shall submit a progress report containing the information required under OAR 690-086-0120(4) by **November 21, 2017**.

### Other Requirements for Plan Submittal:

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 Scappoose 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.

### Existing Permit Conditions

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.
- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

The well(s) shall produce groundwater from the Troutdale gravel groundwater reservoir between approximately 160 and 195 below land surface.

The use may be restricted if the quality of the source stream or downstream waters decrease to the point that those waters no longer meet existing state or federal water quality standards due to reduced flows.

## **STANDARD CONDITIONS**

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this permit, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or

implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences.

The wells shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the well at all times.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the department's standards, to the Water Resources Department. The Director may require water level or pump test results every ten years thereafter.

Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit.

This permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

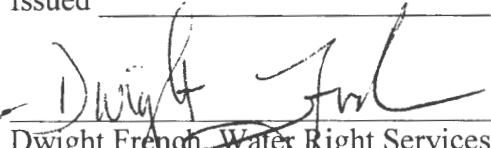
The use of water shall be limited when it interferes with any prior surface or ground water rights.

The Director finds that the proposed use(s) of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

Complete application of the water to the use was to be made on or before October 1, 2007, when the permit was originally issued on September 15, 2003. By Extension of Time Final Order dated August 29, 2014, the completion of the application of water was extended to on or before October 1, 2050.

Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

Issued JAN 25 2017, 2017

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

**REAL ESTATE TRANSACTIONS:** Pursuant to ORS 537.330, in any transaction for the conveyance of real estate that includes any portion of the lands described in this permit, the seller of the real estate shall, upon accepting an offer to purchase that real estate, also inform the purchaser in writing whether any permit, transfer approval order, or certificate evidencing the water right is available and that the seller will deliver any permit, transfer approval order or certificate to the purchaser at closing, if the permit, transfer approval order or certificate is available.

**CULTURAL RESOURCES PROTECTION LAWS:** Permittees involved in ground-disturbing activities should be aware of federal and state cultural resources protection laws. ORS 358.920 prohibits the excavation, injury, destruction or alteration of an archeological site or object, or removal of archeological objects from public and private lands without an archeological permit issued by the State Historic Preservation Office. 16 USC 470, Section 106, National Historic Preservation Act of 1966 requires a federal agency, prior to any undertaking to take into account the effect of the undertaking that is included on or eligible for inclusion in the National Register. For further information, contact the State Historic Preservation Office at 503-378-4168, extension 232.

