

STATE OF OREGON

COUNTY OF COLUMBIA

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

COLUMBIA HILLS HOMEOWNERS ASSOCIATION
50606 CRYSTAL RIDGE ROAD
SCAPPOOSE, OREGON 97056

This superseding permit is issued to describe an amendment for a change in point of appropriation and additional points of appropriation proposed under Permit Amendment Application T-12980 and approved by Special Order Vol. 116, Page 314, entered MAR 24 2020, and to describe an extension of time for complete application of water approved September 22, 2017. This permit supersedes Permit G-15275.

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

APPLICATION FILE NUMBER: G-15665

SOURCE OF WATER: SEVEN WELLS IN RAYMOND CREEK BASIN

PURPOSE OR USE: DOMESTIC EXPANDED USE FOR 130 HOUSEHOLDS

MAXIMUM RATE: 0.27 CUBIC FOOT PER SECOND

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: DECEMBER 11, 2001

WELL LOCATIONS:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	2 W	WM	22	SE NE	WELL #1 - 1350 FEET SOUTH AND 260 FEET WEST FROM THE NE CORNER OF SECTION 22
3 N	2 W	WM	22	SE NE	WELL #2 - 1700 FEET SOUTH AND 1050 FEET WEST FROM THE NE CORNER OF SECTION 22
3 N	2 W	WM	23	NW NW	WELL #4 - 750 FEET SOUTH AND 1050 FEET EAST FROM THE NE CORNER OF SECTION 22
3 N	2 W	WM	22	NE SW	WELL #6 - 2320 FEET NORTH AND 2320 FEET EAST FROM THE SW CORNER OF SECTION 22
3 N	2 W	WM	22	NE NE	WELL #7 - 1190 FEET SOUTH AND 530 FEET WEST FROM THE NE CORNER OF SECTION 22
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
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
3 N	2 W	WM	22	NE SW	WELL #10 - 1570 FEET NORTH AND 2735 FEET WEST FROM THE SE CORNER OF SECTION 22
3 N	2 W	WM	22	NE SW	WELL #11 - 1380 FEET NORTH AND 2920 FEET WEST FROM THE SE CORNER OF SECTION 22

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	2 W	WM	22	NW SE	WELL #12 – 2670 FEET NORTH AND 2060 FEET WEST FROM THE SE CORNER OF SECTION 22
3 N	2 W	WM	22	NE SE	WELL #13 – 2200 FEET NORTH AND 1090 FEET WEST FROM THE SE CORNER OF SECTION 22
3 N	2 W	WM	22	NE SE	WELL #14 – 1900 FEET NORTH AND 1070 FEET WEST FROM THE SE CORNER OF SECTION 22
3 N	2 W	WM	22	NE SE	WELL #15 – 1510 FEET NORTH AND 1020 FEET WEST FROM THE SE CORNER OF SECTION 22
3 N	2 W	WM	22	NE SE	WELL #16 – 2040 FEET NORTH AND 760 FEET WEST FROM THE SE CORNER OF SECTION 22
3 N	2 W	WM	22	NE SE	WELL #17 – 1470 FEET NORTH AND 615 FEET WEST FROM THE SE CORNER OF SECTION 22
3 N	2 W	WM	22	NE SE	WELL #18 – 2390 FEET NORTH AND 300 FEET WEST FROM THE SE CORNER OF SECTION 22
3 N	2 W	WM	22	NE SE	WELL #19 – 1510 FEET NORTH AND 210 FEET WEST FROM THE SE CORNER OF SECTION 22
3 N	2 W	WM	22	NW SE	WELL #20 – 2980 FEET NORTH AND 1535 FEET WEST FROM THE SE CORNER OF SECTION 22
3 N	2 W	WM	22	NW SE	WELL #21 – 2715 FEET NORTH AND 2360 FEET WEST FROM THE SE CORNER OF SECTION 22

THE PLACE OF USE IS LOCATED AS FOLLOWS:

Twp	Rng	Mer	Sec	Q-Q
3 N	2 W	WM	22	NE NE
3 N	2 W	WM	22	NW NE
3 N	2 W	WM	22	SW NE
3 N	2 W	WM	22	SE NE
3 N	2 W	WM	22	SE NW
3 N	2 W	WM	22	NE SW
3 N	2 W	WM	22	SE SW
3 N	2 W	WM	22	NE SE
3 N	2 W	WM	22	NW SE
3 N	2 W	WM	23	NW NW
3 N	2 W	WM	23	SW NW

Permit Amendment T-12980 Conditions:

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).

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).

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.

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.

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

Extension of Time Conditions:

Checkpoint Condition

The permit holder must submit a completed Progress Report Form to the Department by October 1, 2022, 2027, 2032, 2037, 2042, 2047, and 2050.

- (a) At each checkpoint, the permit holder shall submit and the Department shall review evidence of the permit holder's diligence towards completion of the project and compliance with terms and conditions of the permit and extension. If, after this review, the Department determines the permit holder has not been diligent in developing and perfecting the water use permit, or complied with all terms and conditions, the Department shall modify or further condition the permit or extension to ensure future compliance, or begin cancellation proceedings on the undeveloped portion of the permit pursuant to ORS 537.260 or 537.410, or require submission of a final proof survey pursuant to ORS 537.250;
- (b) The Department shall provide notice of receipt of progress reports in its weekly notice and shall allow a 30 day comment period for each report. The Department shall provide notice of its determination to anyone who submitted comments.

Original 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.
- 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.
- C. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

Within 3 years of permit issuance, the permittee shall submit a Water Management and Conservation Plan consistent with OAR Chapter 690, Division 86. The Director may approve an extension of this timeline to complete the required Water Management and Conservation Plan.

The water user shall develop a plan to monitor and report the impact of water use under this permit on water levels within the aquifer that provides water to the permitted well(s). The plan shall be submitted to the Department within one year of the date the permit is issued and shall be subject to the approval of the Department. At a minimum, the plan shall include a program to periodically measure static water levels within the permitted well(s) or an adequate substitute such as water levels in nearby wells. The plan shall also stipulate a reference water level against which any water-level declines will be compared. If a well listed on this permit (or replacement well) displays a total static water-level decline of 25 or more feet over any period of years, as compared to the reference level, then the water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s). Such action shall be taken until the water level recovers to above the 25-foot decline level or until the Department determines, based on the water user's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit.

If the number, location, or construction of any well deviates from that proposed in the permit application or permit conditions, the conclusions of the Proposed Final Order and Final Order under which this permit was granted may be revised, conditions may be appropriately revised, or this permit may not be valid.

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 or before October 1, 2006. By Extension of Time Final Order dated September 22, 2017, the completion of the application of water was extended to on or before October 1, 2051. If the water is not completely applied before this date, and the permittee wishes to continue development under the permit, the permittee must submit an application for extension of time, which may be approved based upon the merit of the application.

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).

MAR 24 2020

Issued _____

Lisa J. Jaramillo, Transfer and Conservation Section Manager, 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.