

stored or legally released from storage shall be made or granted by any state agency or public corporation of the state for the following waters and as shown in **Table 1**.

(3) The Tualatin River or its tributaries above USGS-State Engineer Gage 14207500 (SW 1/4 Section 34, Township 2 South, Range 1 East) at West Linn, Oregon, in the amounts specified in **Table 1**.

[ED. NOTE: Table 1 referenced in this rule is not printed in the OAR Compilation. Copies may be obtained from the Water Resources Department.]

Stat. Auth.: ORS 536.220, 536.300, 536.310, 536.340, 536.410, 537.170, 537.356 & 537.358
Hist.: WRD 4-1992, f. & cert. ef. 3-13-92; WRD 12-1992, f. & cert. ef. 9-9-92

690-502-0140

Clackamas River Subbasin

The Clackamas Subbasin includes the drainage area of the Clackamas River upstream from the confluence with the Willamette River near Gladstone. Surface water classification:

(1) The following streams and tributaries are withdrawn, by order of the State Engineer, from further appropriation, unless otherwise specified:

(a) Memaloose Creek and South Fork Clackamas River for the exclusive use of the cities of Oregon City and West Linn, by order dated January 16, 1931. Limited licenses shall not be issued for the use of the waters of the South Fork Clackamas River or tributaries;

(b) Wade Creek, tributary to the Clackamas River near River Mill Dam, by order dated May 19, 1952. Limited licenses shall not be issued for the use of water from Wade Creek or tributaries;

(c) Currin Creek, tributary to Eagle Creek by order dated September 22, 1950. Limited licenses shall not be issued for the use of water from Currin Creek or tributaries.

(2) The Clackamas River from the boundary of the Olallie Lake Scenic Area at about river mile 82 downstream to the North Fork Reservoir and from River Mill Dam downstream to Carver Bridge, the North Fork Clackamas River from its headwaters downstream to North Fork Reservoir, and the South Fork Clackamas River from its confluence with an unnamed tributary near the western boundary of Section 7, Township 5 South, Range 5 East, downstream to its mouth, are designated state scenic waterways. The Clackamas River and tributaries from the headwaters to North Fork Dam near river mile 30 are classified only for domestic, commercial use for customarily domestic purposes not to exceed 0.01 cfs, livestock and public instream uses.

(3) The Clackamas River main stem from North Fork Dam near river mile 30 downstream to the mouth is classified for domestic, livestock, municipal, irrigation, industrial, agricultural, commercial, power, fish life, wildlife, recreation, pollution abatement, wetland enhancement and public instream uses from November 1 through June 30, and only for domestic, commercial use for customarily domestic purposes not to exceed 0.01 cfs, municipal, livestock and public instream uses from July 1 through October 30.

(4) Except as provided in sections (1), (2) and (5) of this rule, the tributaries of the Clackamas River are classified for domestic, livestock, irrigation, municipal, power, fish life, wildlife, recreation, industrial, agricultural, commercial, pollution abatement, wetland enhancement and public instream uses from November 1 through May 31, and only for domestic, commercial use for customarily domestic purposes not to exceed 0.01 cfs, livestock and public instream uses from June 1 through October 31.

(5) The following streams and tributaries are classified year round for domestic, commercial use for customarily domestic purposes not to exceed 0.01 cfs, livestock and public instream uses:

- (a) Fish Creek tributary to Clackamas River;
- (b) Foster Creek tributary to Clackamas River;
- (c) Wash Creek tributary to Fish Creek;
- (d) Eagle Creek tributary to Clackamas River;
- (e) Clear Creek tributary to Clackamas River;
- (f) Richardson Creek tributary to Clackamas River;
- (g) Rock Creek tributary to Clackamas River;
- (h) Deep Creek tributary to Clackamas River.

(6) The waters of natural lakes with surface elevations above 3,000 feet mean sea level are classified only for domestic, excluding irrigation of lawn and noncommercial garden, livestock and public instream uses. No storage shall be allowed on these lakes.

Stat. Auth.: ORS 536.220, 536.300, 536.310, 536.340, 536.410, 537.170, 537.356 & 537.358

Hist.: WRD 4-1992, f. & cert. ef. 3-13-92; WRD 12-1992, f. & cert. ef. 9-9-92

690-502-0150

Columbia Subbasin

The Columbia Subbasin includes the Willamette River main stem below Willamette Falls near river mile 27 and its tributaries, and all other stream systems in the Willamette Basin except for the Tualatin River and Clackamas River Subbasins. It includes the Multnomah Channel and Columbia Slough but does not include the main stem Columbia River. Surface water classification:

(1) The following streams and tributaries are withdrawn from further appropriation except storage:

(a) Johnson Creek and tributaries, except Crystal Springs Creek and tributaries for flows in excess of ten cubic feet per second measured at the mouth, are withdrawn, by act of the Legislature, from further appropriation except for protection of fish life therein and power development not to exceed 25 theoretical horsepower. Appropriation and storage are allowed on Johnson Creek tributaries, but not the main stem, from December 1 through June 1 of each year, ORS 538.170;

(b) Scappoose Creek is withdrawn, by act of the Legislature, from further appropriation, except for protecting fish life therein, domestic, livestock, municipal, fish culture, esthetic, recreation and public park purposes, ORS 538.251(5) and 538.260;

(c) McNulty Creek, tributary to Scappoose Bay, is withdrawn, by act of the Legislature, from further appropriation except for storage during the period November 1 through March 31 each year, ORS 538.280;

(d) Milton Creek is withdrawn by act of the Legislature from further appropriation except for domestic use year round and storage during the period November 1 through April 30 each year, ORS 538.300;

(e) Little Creek and tributaries, being tributaries to Scappoose Creek, are withdrawn from further appropriation except for storage, by order of the State Engineer dated August 13, 1951;

(f) An unnamed stream, a tributary to the Columbia River flowing through Section 25, Township 1 North, Range 2 East, Willamette Meridian and Sections 19 and 20, Township 1 North, Range 3 East, Willamette Meridian is withdrawn from further appropriation by order of the State Engineer dated September 22, 1950.

(2) The Willamette River main stem below Willamette Falls is classified for domestic, livestock, municipal, industrial, commercial, agricultural, mining, power, fish life, wildlife, recreation, pollution abatement, wetland enhancement and public instream uses.

(3) Multnomah Channel and drainage waters originating within drainage districts are classified for domestic, livestock, municipal, industrial, irrigation, commercial, agricultural, mining, power, fish life, wildlife, recreation, pollution abatement, wetland enhancement and public instream uses.

(4) Except as specified in subsections (1)(a), (b) and (c) of this rule, all stream systems in the Columbia Subbasin and Columbia Slough are classified year round only for domestic, commercial use for customarily domestic purposes not to exceed 0.01 cfs, livestock and public instream uses.

Stat. Auth.: ORS 536.300 & 536.340

Hist.: WRD 4-1992, f. & cert. ef. 3-13-92

690-502-0160

Groundwater Classifications and Conditions

(1) Use of groundwater from the basalt aquifer within the Cooper-Bull Mountain Critical Groundwater Area shall be as described in the State Engineer's order designating the Cooper-Bull Mountain Critical Groundwater Area dated May 17, 1974. ✓

(2) Groundwater Classification: The groundwater resources of the Willamette Basin are classified for domestic, livestock, irrigation, municipal, industrial, agricultural, commercial, power, mining, recreation, fish life, wildlife, pollution abatement, wetland enhancement and statutorily exempt groundwater uses except as described in OAR 690-502-0170 to 690-502-0210.

Stat. Auth.: ORS 536 & ORS 537

Hist.: WRD 11-2003, f. & cert. ef. 12-04-03

690-502-0170

Sandy-Boring Ground Water Limited Area

Groundwater from the shallow Troutdale aquifer and the specially designated portion of the deep Troutdale aquifer in the Sandy-Boring area is classified for exempt uses only. The Sandy-Boring Groundwater Limited Area is as described and shown in Exhibit 1. Groundwater applications pending on October 4, 1991 shall be processed according to the classifications in effect on the date the application was filed and shall

contain the Special Permit Conditions specified in OAR 690-502-0260. Applications may be rejected if the aquifer displays any of the adverse impacts defined in OAR Chapter 690, Division 008. Applications submitted after October 4, 1991 shall be processed according to the requirements of these rules and classifications.

Stat. Auth.: ORS 536 & ORS 537

Hist.: WRD 11-2003, f. & cert. ef. 12-04-03

690-502-0180

Damascus, Gladtidings, Kingston, Mt. Angel, Parrett Mountain, and Stayton-Sublimity Ground Water Limited Areas

(1) Groundwater from the basalt aquifers in the Damascus, Gladtidings, Kingston, Mt. Angel, Parrett Mountain, and Stayton-Sublimity areas, and the Troutdale aquifer in the Damascus area is classified for exempt uses only.

(2) The Damascus Groundwater Limited Area is as described and shown in Exhibit 2. The Gladtidings Groundwater Limited Area is as described and shown in Exhibit 3. The Kingston Groundwater Limited Area is as described and shown in Exhibit 4. The Mt. Angel Groundwater Limited Area is as described and shown in Exhibit 5. The Parrett Mountain Groundwater Limited Area is as described and shown in Exhibit 9. The Stayton-Sublimity Groundwater Limited Area is as described and shown in Exhibit 7.

(3) Groundwater applications pending on October 4, 1991 shall be processed according to the classifications in effect on the date the application was filed. Permits may be issued for a period not to exceed five years and shall contain the Special Permit Conditions specified in OAR 690-502-0250. Permits may be extended for additional five-year periods if the Director finds that the groundwater resource can probably support the extended use. Applications may be rejected or permit or certificate extensions may be denied if the aquifer displays any of the adverse impacts defined in OAR Chapter 690, Division 008. Applications submitted after October 4, 1991 shall be processed according to the requirements of these rules and classifications. Within two years of permit issuance, the applicant shall prepare a plan for the Water Resources Commission which shall indicate the steps for obtaining an alternate long-term water supply.

Stat. Auth.: ORS 536 & ORS 537

Hist.: WRD 11-2003, f. & cert. ef. 12-04-03

690-502-0190

Sherwood-Dammasch-Wilsonville Ground Water Limited Area

Groundwater from the basalt aquifers in the Sherwood-Dammasch-Wilsonville Groundwater Limited Area as described and shown in Exhibit 6 is classified for exempt uses only.

Stat. Auth.: ORS 536 & ORS 537

Hist.: WRD 11-2003, f. & cert. ef. 12-04-03

Chehalem Mountain, Eola Hills and South Salem Hills Ground Water Limited Areas

(1) Groundwater in the basalt aquifers in the Chehalem Mountain, Eola Hills and South Salem Hills Groundwater Limited Areas is classified for exempt uses, irrigation and rural residential fire protection systems only. Permits may be issued, for a period not to exceed five years, for fire protection and for drip or equally efficient irrigation provided the Director finds the proposed use and amount do not pose a threat to the groundwater resource or existing permit holders. The amount of water used for irrigation shall be further limited to one acre-foot per acre per year. Permits may be extended for additional five-year periods if the Director finds that the groundwater resource can probably support the extended use. Applications may be rejected or permit or certificate extensions may be denied if the aquifer displays any of the adverse impacts defined in OAR Chapter 690, Division 008.

(2) The Chehalem Mountain Groundwater Limited Area is as described and shown in Exhibit 8. The Eola Hills Groundwater Limited Area is as described and shown in Exhibit 10. The South Salem Hills Groundwater Limited Area is as described and shown in Exhibit 11.

(3) Groundwater applications pending on October 4, 1991 shall be processed according to the classifications in effect on the date the application was filed. Permits may be issued for a period not to exceed five years and shall contain the Special Permit Conditions specified in OAR 690-502-0250. Permits may be extended for additional five-year periods if the Director finds that the groundwater resource can probably support the extended use. Applications submitted after October 4, 1991 shall be processed according to the requirements of these rules and classifications. Within two years of permit issuance, the applicant shall prepare a plan for the Water Resources Commission which shall indicate the steps for obtaining an alternate long-term water supply.

Stat. Auth.: ORS 536 & ORS 537

Hist.: WRD 11-2003, f. & cert. ef. 12-04-03

690-502-0210**Amity Hills/Walnut Hill Ground Water Limited Area**

(1) Ground water in the Columbia River Basalt Group aquifers in the Amity Hills/Walnut Hill Ground Water Limited Area is classified for exempt uses and irrigation only. Irrigation use shall be limited to use under a limited license pursuant to ORS 537.143 and for the sole purpose of providing water necessary to establish a crop for which no further irrigation will be required after the crop is established. Irrigation use under this rule shall be further limited to drip or equally efficient irrigation and an annual duty of one acre-foot per acre per year.

(2) The Amity Hills/Walnut Hill Ground Water Limited Area is as described and shown in Exhibit 12.

Stat. Auth.: ORS 536 & ORS 537

Hist.: WRD 11-2003, f. & cert. ef. 12-04-03

690-502-0240

Groundwater - Surface water hydraulic connection.

These rules are in addition to the requirements of OAR Chapter 690, Division 009. Groundwater in unconfined alluvium within 1/4 mile of the banks of a stream or surface water source is presumed to be in hydraulic connection with the surface water source, unless the applicant or appropriator provides satisfactory information or demonstration to the contrary. This hydraulically connected groundwater shall be classified the same as the surface source. This section shall not apply to those groundwater uses exempted by ORS 537.545. Notwithstanding such classification, permits may be issued for the use of water from a well in an unconfined aquifer that is hydraulically connected to groundwater, within a quarter mile of a stream, provided that surface water impacts are mitigated through storage releases.

Stat. Auth.: ORS 536 & ORS 537

Hist.: WRD 11-2003, f. & cert. ef. 12-04-03

690-502-0250

Special Columbia River Basalt Group Aquifer Permit Conditions.

New permits issued to appropriate groundwater from Columbia River Basalt Group aquifers shall be specially conditioned. The conditions shall specify:

- (1) A static water level measurement be made and submitted before any use of water may commence at the well;
- (2) The permittee/appropriator install a meter or other suitable measuring device approved by the Director and submit an annual report of water used to the Department;
- (3) Limits on acceptable amounts of depletion and interference with other users;
- (4) Use of water from the well be controlled or shut off if limits specified in the permit to protect the resource from depletion, and prior appropriators from interference, are exceeded;
- (5) The Department shall determine, from measurements submitted by the permittee/appropriator, or other data on file in the department, the initial and subsequent water levels from which the previously cited declines are referenced;
- (6) Following the issuance of a permit, the permittee/appropriator shall measure the water levels in the permitted well each year between March 1 and March 31 (spring high-water level) and submit the data to the Department within 90 days of measurement. Water level measurements shall be made by a certified water rights examiner, licensed water well driller, licensed pump installer, registered geologist, licensed land surveyor, registered professional engineer or the permittee/appropriator;
- (7) Any other conditions derived from OAR Chapter 690, Division 008 as deemed necessary to protect the groundwater resource.

Stat. Auth.: ORS 536 & ORS 537

Hist.: WRD 11-2003, f. & cert. ef. 12-04-03

Special Permit Conditions. New permits issued to appropriate groundwater from aquifers within the Sandy-Boring Groundwater Limited Area and the Troutdale aquifer in the Damascus Groundwater Limited Area shall be specially conditioned. The conditions shall specify:

- (1) A static water level measurement be made and submitted before any use of water may commence at the well;
- (2) Limits on acceptable amounts of depletion and interference with other users;
- (3) Use of water from the well be controlled or shut off if limits specified in the permit to protect the resource from depletion, and prior appropriators from interference, are exceeded;
- (4) The Department shall determine, from measurements submitted by the permittee/appropriator, or other data on file in the department, the initial and subsequent water levels from which the previously cited declines are referenced;
- (5) Following the issuance of a permit, the permittee/appropriator shall measure the water levels in the permitted well each year between March 1 and March 31 (spring high-water level) and submit the data to the Department within 90 days of measurement. Water level measurements shall be made by a certified water rights examiner, licensed water well driller, licensed pump installer, registered geologist, licensed land surveyor, registered professional engineer or the permittee/appropriator;
- (6) Any other conditions as specified in OAR Chapter 690, Division 008 as deemed necessary to protect the groundwater resource.

Stat. Auth.: ORS 536 & ORS 537

Hist.: WRD 11-2003, f. & cert. ef. 12-04-03

EXHIBIT 1

Sandy - Boring Groundwater Limited Area: The aquifer of concern is within the Troutdale Formation.

The boundary of the overall area is as follows:

Beginning at the north quarter corner of Section 25, T1S, R3E, WM, said point being on the Clackamas - Multnomah County line, thence east along the county line to a point at an elevation of 600 feet mean sea level, near the intersection of the county line and Dodge Park Boulevard, thence southerly along the 600 foot elevation contour to Tickle Creek, near the east quarter corner of Section 14, T2S, R4E, WM, thence westerly along Tickle Creek and Deep Creek to the mouth of North Fork Deep Creek, thence northeasterly along North Fork Deep Creek to the north - south center line of Section 1, T2S, R3E, WM, thence north to the point of beginning.

The boundary of the Special Deep Troutdale Aquifer Area is as follows:

Beginning at the north quarter corner of Section 1, T2S, R3E, WM, thence east along the section line to the north quarter corner of Section 3, T2S, R4E, WM, thence south to the south quarter corner of said Section 3, thence west along the section line to the southwest corner of said Section 3, thence south along the section line to a tributary of Tickle Creek near the west quarter corner of Section 10, T2S, R4E, WM, thence westerly along the channels of the tributary and Tickle Creek to the south line of Section 7, T2S, R4E, WM, thence northwesterly to the south quarter corner of Section 1, T2S, R3E, WM, thence north to the point of beginning.

Sandy-Boring Ground Water Limited Area



- Basin Boundary
- ▨ GW Limited Area
- ▤ Deep Aquifer

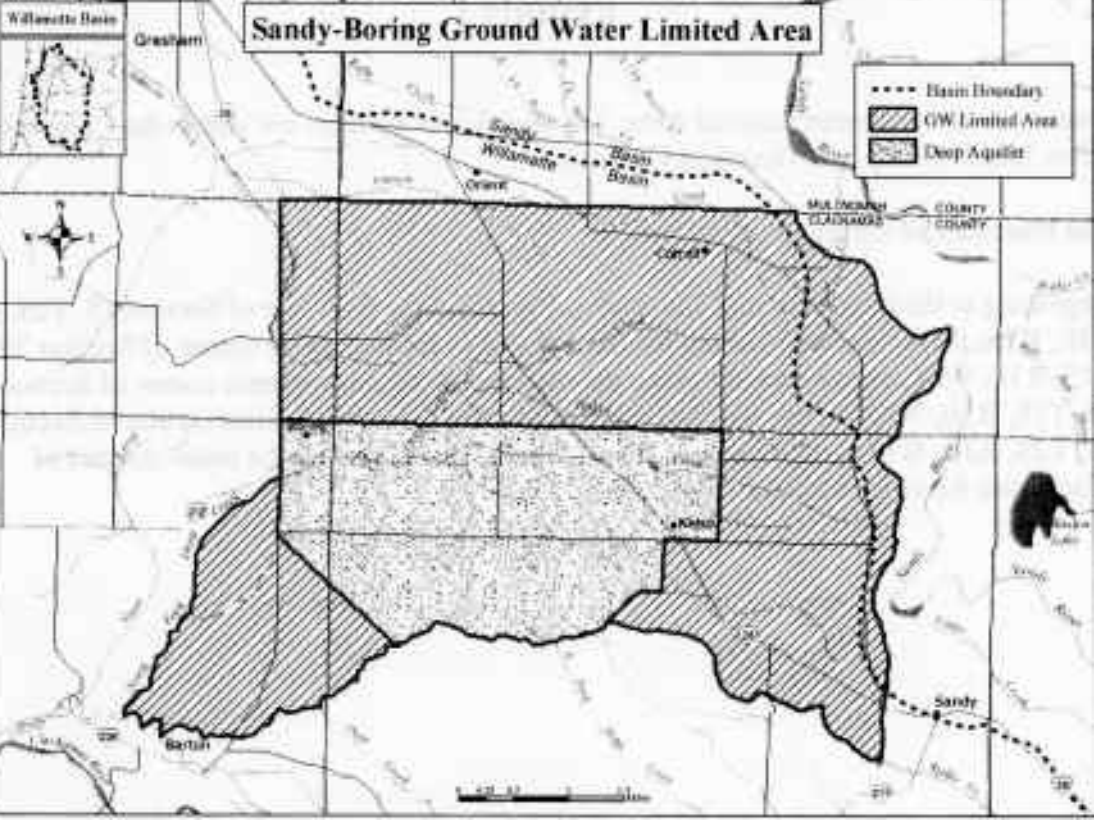


EXHIBIT 2

Damascus Groundwater Limited Area: The aquifers of concern are within the Columbia River Basalt Group and Troutdale Formation.

The boundary of the area is as follows:

Beginning at the intersection of Clackamas River and the west line of Section 18, T2S, R3E, WM, thence northerly along the section line to the northwest corner of Section 30, T1S, R3E, WM, thence easterly along the section line to the northeast corner of Section 27, T1S, R3E, WM, thence southerly along the section line to the intersection of Section 15, T2S, R3E, WM and Clackamas River, thence westerly along the main channel of Clackamas River to the point of beginning.

Damascus Ground Water Limited Area

Willamette Basin



Gresham

MULTNOMAH COUNTY
CLATSOP COUNTY

Damascus

Barton



T18

T18

T25

T25

04/01/01

04/01/01

EXHIBIT 3

Gladtidings Groundwater Limited Area: The aquifer of concern is within the Columbia River Basalt Group.

The boundary of the area is as follows:

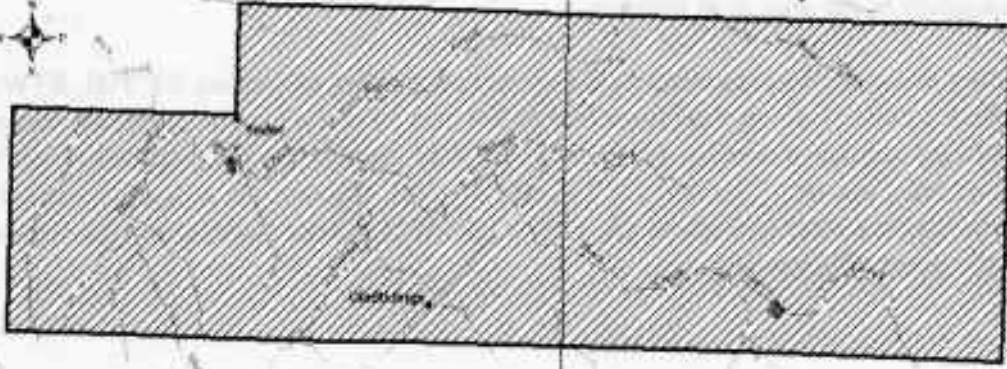
Beginning at the northwest corner of Section 15, T5S, R1E, WM, thence east along the section line to the northeast corner of Section 15, T5S, R2E, WM, thence south along the section line to the southeast corner of Section 27, T5S, R2E, WM, thence west along the section line to the southwest corner of Section 29, T5S, R1E, WM, thence north along the section line to the northwest corner of Section 20, T5S, R1E, WM, thence east along the section line to the northwest corner of Section 22, T5S, R1E, WM, thence north along the section line to the point of beginning.

Gladdings Ground Water Limited Area



Needy

Molalla



Willamette River
Columbia River

Needy



EXHIBIT 4

Kingston Groundwater Limited Area: The aquifer of concern is within the Columbia River Basalt Group.

The boundary of the area is as follows:

Beginning at the northwest corner of the southwest quarter of Section 14, T9S, R1W, WM, thence easterly along the center line of Section 14 and 13 to the northeast corner of the southeast quarter of Section 13, T9S, R1W, WM, thence south along the section line to the southeast corner of Section 25, T9S, R1W, WM, thence west along the section line to the southwest corner of Section 26, T9S, R1W, WM, thence north along the section line to the point of beginning.

R1W

R1E

Willamette Basin

*Sublimity

Kingston Ground Water Limited Area



Stayton

Kingston

T9S

T9S

T10S

T10S

R1W

R1E



MARION COUNTY
CLATSOP COUNTY

MARION COUNTY
CLATSOP COUNTY

