



December 9, 2021

Ed Hodges, PE

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Curran-McLeod, Inc.

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Portland, OR 97232

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[www.healthoregon.org/DWP](http://www.healthoregon.org/DWP)

Re: **Falcon Cove Beach Water District (PWS #00045) – New Well L132105  
Curran-McLeod Project # 1530  
Final Approval (PR #77-2019). SRF SD# 19-242**

Dear Mr. Hodges:

Thank you for your submittal to the Oregon Health Authority's Drinking Water Services (DWS) of plan review information for the new well on behalf of the Falcon Cove Beach Water District.

The information received via e-mail on October 1, 2021 included water rights documentation (GW Permit #[G-18524](#) for 0.11 CFS from the well (L132105, CLAT55068) with a Priority date of January 24, 2020. The information submitted in the e-mail also included well test results and a response to the conditions in my Conditional Approval letter dated January 9, 2020. **The well is granted Final Approval and may be placed into use. This concludes the plan review process.**

The well is designated SRC-CA Well #1 (L132105) on its own entry point "C" (EP-C). Please ensure raw water sampling results indicate the sample location as "SRC-CA Well #1". Please ensure any treated water sampling representative of water entering the distribution system from this well is marked as having been taken at "EP-C Well #1".

Monitoring for this new well is described as follows and summarized in Table 1:

- 1) **Quarterly radionuclide sampling in 2022.** Due to the detection of gross alpha at 3.88 pCi/l in sampling completed 12/11/19 from the well, quarterly radionuclide (gross alpha, radium 226/228, and uranium) sampling will be required in 2022. Future sampling requirements will depend upon the results of these four quarterly samples. For reference the Maximum Contaminant Level (MCL) for gross alpha is 15 pCi/l, therefore, this was not an exceedance of the MCL.

- 2) **Two 6-month rounds of lead and copper tap sampling at 10 taps in 2022.** Due to the low pH of 6.6 from well water sampling completed 3/6/19 and the addition of a new source on a separate entry point, 2 rounds of lead and copper sampling will need to demonstrate that there is not adverse impact to lead and copper levels in the distribution system. The first round of this sampling is to be completed at 10 sites between January 1, 2022 and June 30<sup>th</sup>, 2022. A second round of 10 tap samples will need to be collected between July 1, 2022 and December 31, 2022. Future monitoring may be reduced to either annual or once every 3 years, depending upon the results of these two demonstration rounds.
- 3) **Table 1** outlines initial entry point (EP-C) monitoring from this well for the next 3 years and reflects the initial source sampling (SRC-CA) as being completed.

<b>Table 1 – Initial monitoring for Well #1</b>					Year 2 (2023)	Year 3 (2024)	
Source Monitoring Completed in 2019 (Sampling completed prior to Final Approval)	Year 1 (2022)						
		1 <sup>st</sup> Quarter Jan 1 – March 31	2nd Quarter April 1 – June 30	3rd Quarter July 1 – Sept 30	4 <sup>th</sup> Quarter Oct 1 – Dec 31		
Sample at the Source (SRC-CA)	Sample at the Entry Point (EP-C) to the distribution system served by the new source						
<ul style="list-style-type: none"> <li>• Coliform</li> <li>• Nitrate, Nitrite</li> <li>• IOC, VOC, SOC</li> <li>• Arsenic</li> <li>• Radiological including uranium, gross alpha, and radium 226/228</li> </ul>	Radiological	Radiological	Radiological	Radiological (future sampling depends upon these 4 quarterly results)	Annual: <ul style="list-style-type: none"> <li>• Nitrate</li> <li>• VOC</li> <li>• SOC</li> <li>• Raw water coliform (pre-treatment)</li> </ul>		
	<ul style="list-style-type: none"> <li>• Nitrate</li> <li>• VOC</li> <li>• SOC</li> <li>• Raw water coliform (pre-treatment)</li> </ul>						
	Tap Sampling in the Distribution System (to assess impact of the new well on distribution system corrosion).						
	Round 1 Lead and Copper Sample at 10 Tier 1 sites (January 1 <sup>st</sup> – June 30 <sup>th</sup> )		Round 2 Lead and Copper Sample at 10 Tier 1 sites (July 1st – Dec 31st)		Reduction to 5 tap samples every 1 or 3 years is possible depending upon the results of the two rounds in 2022		

Detections from the initial sampling in 2019 are summarized as follows:

**IOC (including nitrate and arsenic) and VOC** Test results from sampling completed 3/6/19 showed the following detections:

- Barium = 0.0341 mg/l (MCL = 2 mg/l)
- Iron = 0.066 mg/l (secondary standard = 0.3 mg/l)
- Magnesium = 14.3 mg/l
- Sodium = 32.1 mg/l (secondary standard = 20 mg/l)
- Fluoride = 0.11 mg/l (MCL = 10 mg/l)
- pH = 6.6 (secondary standard = 8.5. pH less than 7.0 is corrosive)

**Radionuclide** (Gross Alpha, Uranium, Radium 226/228) test results from sampling completed 12/11/19 showed the following detection:

- Gross Alpha = 3.88 pCi/L (MCL = 15 pCi/L)

**SOC** – sampled 12/11/19 – no detects

**Coliform** testing results:

- 3/6/19 (special) - Total Coliform + / E.coli –
- 11/17/21 (source assessment) – Total Coliform - / E. coli –

I have cc'd several people on this letter for the following reasons:

1. Charles Dice - operator for the Falcon Cove Beach Water District;
2. Bo Ensign with OPRD Oswald West State Park since the well is located on park property as allowed under a written lease agreement with OPRD;
3. Gail Hendrickson with Clatsop County since the well is located in Clatsop County and serves a service area largely located within Clatsop County;
4. Nikki Hendricks with Oregon Water Resources Department who is the Watermaster in District 1 responsible for water rights in Tillamook County;
5. Becky Bryant with Business Oregon as she is the regional project manager for SRF loan-funded projects in Tillamook County (It is my understanding that SRF funds under SD# 19-242 were used for the wellhouse, yard piping, residual disinfection system, and related appurtenances for which a Categorical Exclusion from further environmental review was granted on January 7, 2020.)
6. Debra Lambeth with OHA – Drinking Water Services who is the Environmental Review Coordinator who granted the Categorical Exclusion.
7. Adam DeSemple with OHA – Drinking Water Services who is the SRF Loan Fund Coordinator.

Thank you for your patience and cooperation in this plan review process and if you have any questions, please feel free to contact me at 971-200-0288 or via email at [evan.e.hofeld@dhsaha.state.or.us](mailto:evan.e.hofeld@dhsaha.state.or.us) .

Sincerely,



Evan Hofeld, PE  
Oregon Health Authority – Drinking Water Services

CC: Charles Dice, Falcon Cove Beach Water District  
[cadice@hotmail.com](mailto:cadice@hotmail.com)  
Jaime Craig, Tillamook County Environmental Health  
[jcraig@co.tillamook.or.us](mailto:jcraig@co.tillamook.or.us)  
Becky Bryant – Regional Project Manager – Business Oregon  
[becky.a.bryant@oregon.gov](mailto:becky.a.bryant@oregon.gov)  
Debra Lambeth – OHA – DWS - SRF Environmental Review Coordinator  
[debra.g.lambeth@dhsaha.state.or.us](mailto:debra.g.lambeth@dhsaha.state.or.us)  
Adam DeSemple – OHA – DWS – SRF Loan Fund Coordinator  
[adam.desemple@dhsaha.state.or.us](mailto:adam.desemple@dhsaha.state.or.us)  
Gail Henrikson, Clatsop County Community Development  
[ghenrikson@co.clatsop.or.us](mailto:ghenrikson@co.clatsop.or.us)  
Nikki Hendricks, Oregon Water Resources Department  
[Nikki.M.Hendricks@oregon.gov](mailto:Nikki.M.Hendricks@oregon.gov)  
Bo Ensign, OPRD Oswald West State Park  
[Bo.Ensign@oregon.gov](mailto:Bo.Ensign@oregon.gov)

### ***Project Description***

On May 6, 2019, our office (OHA-DWS) received a site map showing the location of a new well located on property within OPRD Oswald West State Park and a preliminary water well construction diagram. A plan review fee of \$825 and Land Use Compatibility Statement (LUCS) was received on May 6, 2019.

On January 7<sup>th</sup> - 8<sup>th</sup>, 2020 DWS received the plans showing how the well is to be connected to the system, revised lease agreement with OPRD indicating hazards will be prohibited within 100-ft of the well, approved waiver of the Geologic Hazard Overlay provisions issued by Clatsop County, and LUCS approved by Clatsop County. IOC and VOC results were also submitted.

On January 9, 2020 a Conditional Approval Letter was issued by OHA-DWS.

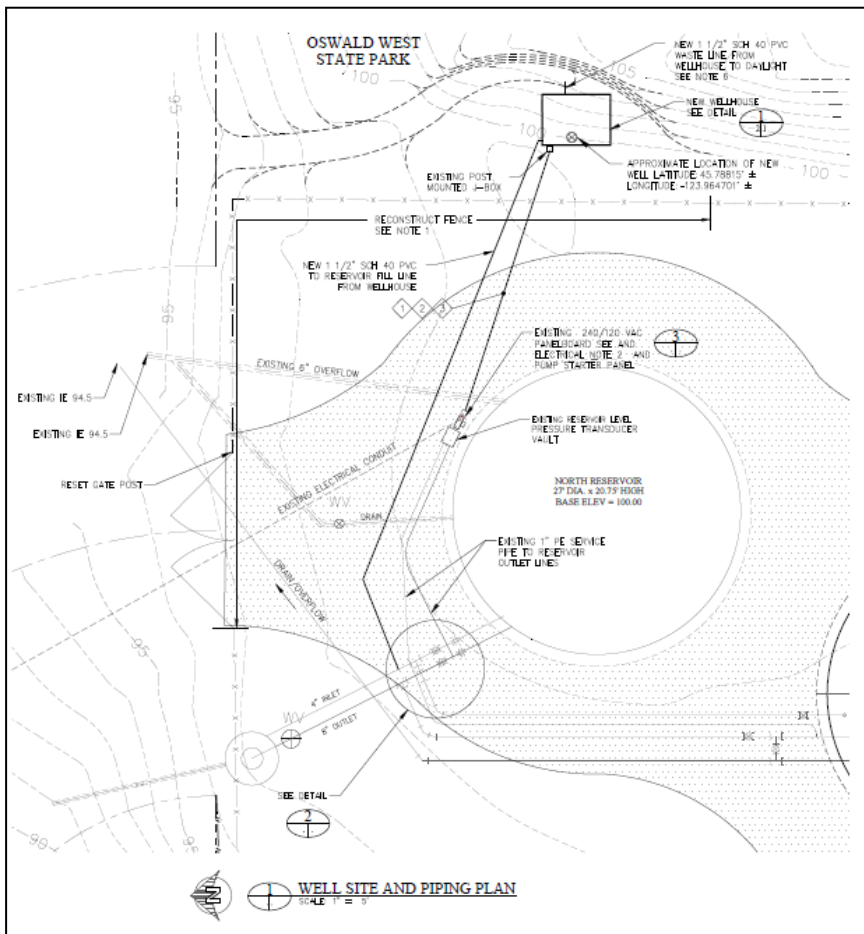
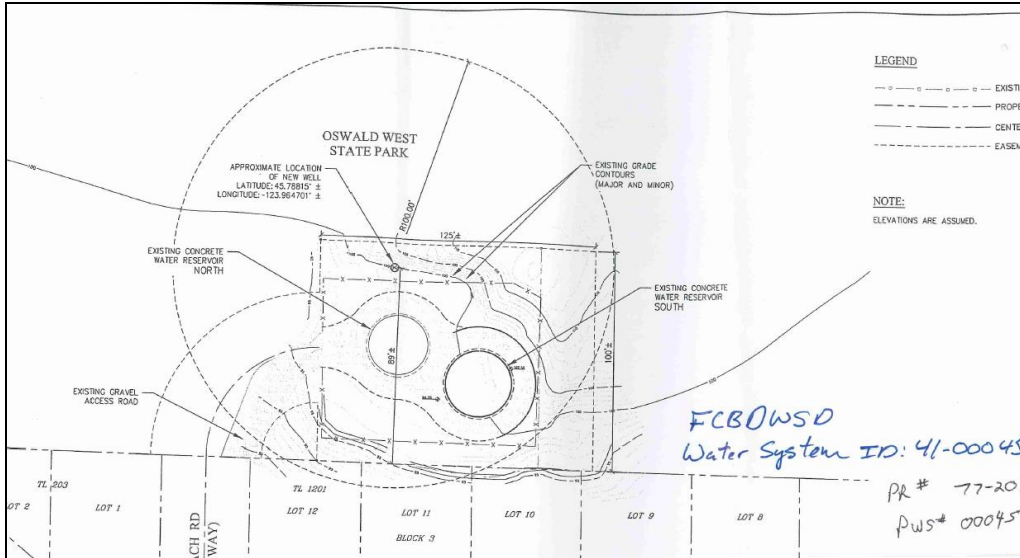
On February 13<sup>th</sup>, 2020 DWS received SOC and bacteriological test results (along with the previously submitted IOC and VOC results).

On October 1, 2021 DWS received water rights information (GW Permit #G-18524 for 0.11 CFS from the well L132105, CLAT55068 with a Priority date of January 24, 2020). The information submitted in the e-mail also included well test results and a response to the conditions in my Conditional Approval letter dated January 9, 2020.

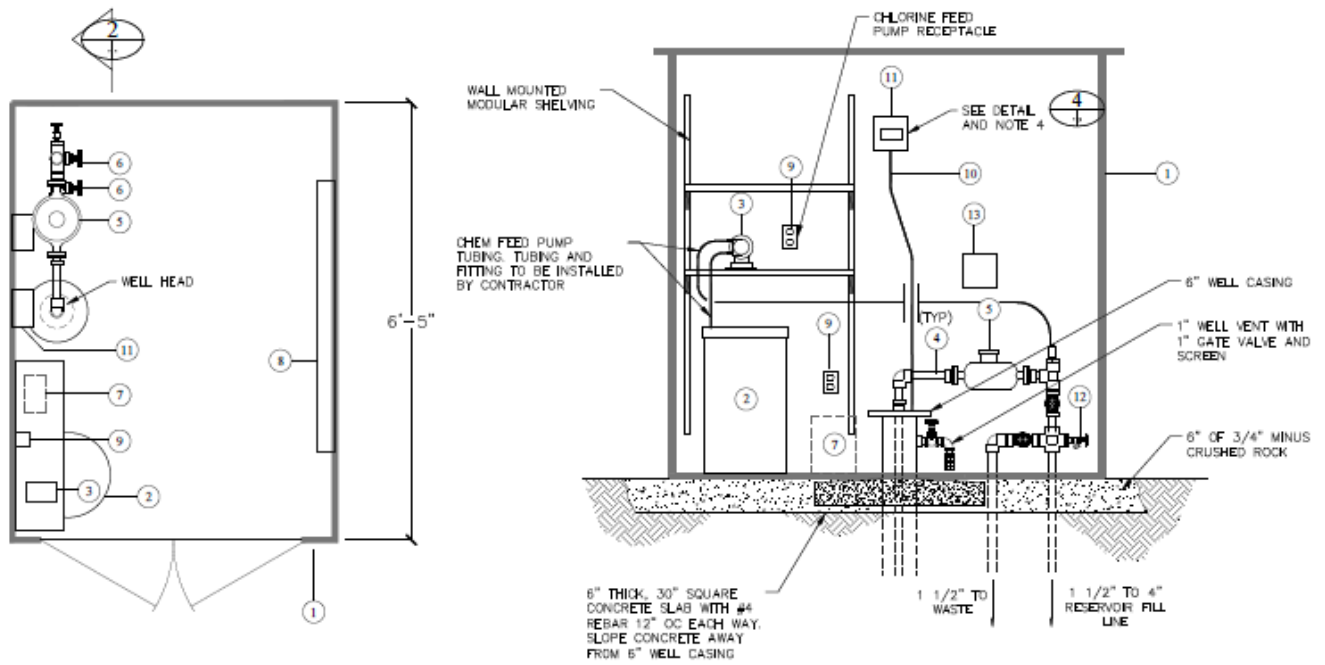
SRF funds under SD# 19-242 were used for the wellhouse, yard piping, residual disinfection system, and related appurtenances for which a Categorical Exclusion from further environmental review was granted on January 7, 2020.

The well has been designated SRC-CA Well #1 (L132105) on its own entry point “C” (EP-C). Raw water sampling results should indicate the sample location as “SRC-CA Well #1”. Treated water sampling representative of water entering the distribution system from this well after treatment should be marked as having been taken at “EP-C Well #1”.

The project included drilling a new well to serve the District as shown below.



APPROXIMATE LOCATION OF NEW WELL  
LATITUDE: 45.78815' ±  
LONGITUDE: -123.964701' ±



**1 WELLHOUSE PLAN VIEW**  
SCALE: 1" = 1'-0"

**2 WELLHOUSE ELEVATION VIEW**  
SCALE: 1" = 1'-0"

**MATERIALS**

- ① SHED: RUBBERMAID MODEL 1967672 57"W X 77.2"L X 76.8H
- ② HYPOCHLORITE CHEMICAL TANK
- ③ HYPOCHLORITE PUMP
- ④ WATER LINES: 1 1/2" SCH 40 PVC PIPE AND FITTINGS
- ⑤ 1 1/2" WATER METER
- ⑥ VALVES: 1 1/2" BRASS GATE VALVES
- ⑦ PORTABLE HEATER (BY OWNER)
- ⑧ 4-TUBE FLUORESCENT LIGHT FIXTURE
- ⑨ 120 VAC RECEPTACLES (WIRING BY OWNER)
- ⑩ SUBMERSIBLE WELL LEVEL TRANSDUCER
- ⑪ WELL LEVEL INDICATOR
- ⑫ HOSE BIBB
- ⑬ NEMA 4X PLASTIC TELEMETRY J-BOX

**MATERIAL SPECIFICATION**

HYPOCHLORITE CHEMICAL FEED PUMP	0.2 – 3.0 GPD, 100 PSI (MAX), 5–100% FLOW RATE ADJUSTMENT, 25 FT SUCTION LIFT, 120 VAC, 60 HZ, POLYCARBONATE HOUSING, SANTOPRENE TUBING, WITH SUCTION AND DISCHARGE TUBING, CONNECTION NUTS, SUCTION STRAINER, AND INJECTION CHECK VALVE. STENNER PUMPS MODEL 45MHP2, OR EQUAL.
CHEMICAL DRUM	15 GALLON CROSS LINKED WHITE POLYETHYLENE CHEMICAL TANK WITH REMOVABLE FLAT LID. SUITABLE FOR 12% SODIUM HYPOCHLORITE SOLUTION STORAGE. NOMINAL DIMENSIONS: 14.5" DIA X 24" HIGH. NSF-61 LISTED
FLOW METER	1 1/2" THREADED CONNECTION WITH ADAPTERS AS NEEDED. FLOW RANGE 2–100 GPM, MAX CONTINUOUS FLOW 50 GPM, GPM MEASUREMENT UNITS, PULSE OUTPUT CONTACTOR 10 GALLONS PER PULSE, THERMOPLASTIC HOUSING, NSF-61 CERTIFICATION. NEPTUNE TECHNOLOGY GROUP T-10 FLOW METER WITH PULSE OUTPUT.

WELL LEVEL DISPLAY	1/8" DIN PANEL METER, 3.5 DIGIT DISPLAY, 120 VAC POWER, 4–20 MA EXCITATION INPUT, 2 ALARM RELAY OUTPUTS. DISPLAY TO BE INSTALLED IN MINIMUM 6" X 6" NEMA 4 POLYCARBONATE BOX SUITABLE FOR WALL MOUNTING. OMEGA DP20-A1-A2, OR EQUAL
WELL PRESSURE TRANSDUCER	RANGE 0 – 250 FEET, +/- 0.25 % ACCURACY, 316SS WETTED PART, 8–29 VDC EXCITATION, OUTPUT 4–20 MA, 2–WIRE, POLYURETHANE CABLE JACKET, WITH ANTI-SNAG CONE AND CABLE HANGER. MEAS KPSI 320 OR EQUAL.
WELL PUMP (EXISTING)	5 HP, 230 VOLT, 1-PHASE, 50 GPM



**Geologist Evaluation of the Well Report (adequately constructed into confined aquifer)**

The well log (CLAT 55068, Well ID# L132105) shows that the well had been drilled on January 2, 2019. Plans show the well has a 5 HP, 50-gpm submersible pump. The well house is equipped with equipment needed for sodium hypochlorite residual disinfectant treatment and related controls, meters, and valves.

The proposed site plan was sent to our geologist, Tom Pattee, on 5/9/19. Mr. Pattee evaluated the constructed well and provided the following comments on 5/21/19:

**CLAT 55068**

STATE OF OREGON  
WATER SUPPLY WELL REPORT  
(as required by ORS 527.765 & OAR 696-205-0210)

WELL I.D. LABEL# L132105  
START CARD # 1041604  
ORIGINAL LOG #

1) LAND OWNER: Owner Well I.D. NW  
First Name: Last Name:  
Company: Falcon Cove Beach Water District  
Address: 31911 Claspog Lane  
City: Arch Cape State: OR Zip: 97102

2) TYPE OF WORK:  New Well  Deepening  Conversion  
 Alteration (complete 2a & 10)  Abandonment (complete 5a)

(2a) PRE-ALTERATION  
Casing: Dia. From To Gauge SI. Plat. WM Thrd  
Material: From To Amt. sacks/lbs

(3) DRILL METHOD  
 Rotary Air  Rotary Mud  Cable  Auger  Cable Mud  
 Reverse Rotary  Other

(4) PROPOSED USE:  Domestic  Irrigation  Community  
 Industrial/Commercial  Livestock  Dewatering  
 Thermal  Injection  Other

(5) BORE HOLE CONSTRUCTION: Special Standard  (Attach copy)  
Depth of Completed Well: 173 ft.  
BORE HOLE  
Dia. From To Material From To Amt. lbs  
10 0 115 Seal 0 115 58 S  
8 115 166  
5.5 166 173 Calculated 47.9

How was seal placed: Method  A  B  C  D  E  
 Other poured dry

Backfill placed from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Material \_\_\_\_\_  
Filter pack from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Material silica Size 6/9  
Explosives used:  Yes Type \_\_\_\_\_ Amount \_\_\_\_\_

(5a) ABANDONMENT USING UNHYDRATED BENTONITE  
Prepacked Amount \_\_\_\_\_ Pounds Actual Amount \_\_\_\_\_ Pounds

(6) CASING/LINER  
Casing Liner Dia. From To Gauge SI. Plat. WM Thrd  
1 1 166 250  
4 1 113 sch40  
Shoe  Inside  Outside  Other Location of shoe(s) 166  
Temp casing  Yes Dia. \_\_\_\_\_ From \_\_\_\_\_ To \_\_\_\_\_

(7) PERFORATIONS/SCREENS  
Perforations Method: mechanical  
Screens Type \_\_\_\_\_ Material \_\_\_\_\_  
Perf. Casing/Screen Dia. From To Width length slots # of Teler/ pipe size  
Perf. Casing 6 151 162 125 6 81  
Screen Liner 4 113 173 .052

(8) WELL TESTS: Minimum testing time is 1 hour  
 Pump  Bailor  Air  Flowing Artesian  
Yield gal/min Drawdown Drill stem Pump depth Duration (hr)  
21 160 4  
Temperature 51 °F Lab analysis  Yes By \_\_\_\_\_  
Water quality concerns?  Yes (describe below) TDS amount 210 ppm  
From To Description Amount Units

(9) LOCATION OF WELL (legal description)  
County CLATSOP Twp 4 N Range 10 W E/W WM  
Sec 31 NW 1/4 of the SE 1/4 Tax Lot NW 100  
Tax Map Number \_\_\_\_\_ Lot \_\_\_\_\_ DMS or DD  
Long \_\_\_\_\_ or \_\_\_\_\_ DMS or DD  
Street address of well \_\_\_\_\_ Nearest address \_\_\_\_\_  
Cove Beach Road by reservoir (encroachment on Oswald State Park)

(10) STATIC WATER LEVEL  
Existing Well / Pre-Alteration Date SWL(ft) + SWL(B)  
Completed Well 01-02-2019 141  
Flowing Artesian?  Dry Hole?   
WATER BEARING ZONES: Depth water was first found 90  
SWL Date From To Est Flow SWL(ft) + SWL(B)  
01-02-2019 90 94 7  
151 162 21  
141

(11) WELL LOG  
Ground Elevation \_\_\_\_\_  
Material From To  
clay, brown w/voiders 0 2  
clay, orange/brown 2 5  
clay, brown w/void 5 6  
clay, orange/brown 6 12  
clay, grey, sticky 12 18  
sandstone, grey, med, soft 18 34  
sandstone, brown, med 34 50  
sandstone, grey, soft 50 53  
sandstone, brown, med 53 63  
sandstone, grey, med 63 76  
sandstone, brown/orange 76 78  
sandstone, grey, med 78 91  
rock, black w/dark brown sandstone 91 94  
sandstone, grey, med 94 151  
rock, black/brown, broken w/grey sandstone seams 151 162  
clay, grey 162 173

Discernson Well Drilling, Inc.  
(503)623-2664  
Date Started 12-27-2018 Completed 01-02-2019  
(nonbonded) Water Well Constructor Certification  
I certify that the work I performed on the construction, deepening, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.  
Signed \_\_\_\_\_ Date 01-30-2019  
License Number 1574  
(bonded) Water Well Constructor Certification  
I accept responsibility for the construction, deepening, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.  
License Number 1571 Date 01-30-2019  
Signed *William A. Olson*  
Contact info (optional)

ORIGINAL - WATER RESOURCES DEPARTMENT  
FORWARDED TO THE WATER RESOURCES DEPARTMENT WITHIN 30 DAYS OF COMPLETION OF WORK. Form Version: 0.95

Comments: This well was drilled to a depth of 173 ft. The casing extends to a depth of 166 ft and the casing seal to a depth of 115 ft. The casing seal is completed 21 ft into a 57 ft thick sandstone layer that appears to be of low permeability and is assumed to act as confining layer. Sensitivity Analysis results suggest that the well construction is not sensitive to nearby land use practices.

**Nature of Aquifer Evaluation:**

Aquifer Nature:  Confined aquifer  Semi-confined aquifer  Unconfined aquifer  
Comments: This well draws water from what is interpreted as a thin basalt layer within the surrounding sandstone. The water-bearing zone is directly overlain by 57 ft of sandstone that is assumed to be of low permeability and acts as a confining layer. The static water-level rose from where first encountered in the basalt at 151 ft below ground level to 141 ft below ground level. Sensitivity Analysis result suggest that the aquifer is not highly sensitive to local land use practices.



STATE OF OREGON  
COUNTY OF CLATSOP  
PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO  
FALCON COVE BEACH DOMESTIC WATER SUPPLY DISTRICT  
79387 RAY BROWN RD  
ARCH CAPE OR 97102

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

APPLICATION FILE NUMBER: G-18905

SOURCE OF WATER: WELL 1 (CLAT 55068/L132105) IN MASON CREEK BASIN

PURPOSE OR USE: MUNICIPAL USE

MAXIMUM RATE: 0.11 CUBIC FOOT PER SECOND, FURTHER LIMITED TO 20.0 ACRE-FEET ANNUALLY

PERIOD OF USE: JANUARY 1 THROUGH DECEMBER 31

DATE OF PRIORITY: JANUARY 24, 2020

AUTHORIZED POINT OF APPROPRIATION:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
4 N	10 W	WM	31	NW SW	1847 FEET NORTH AND 800 FEET EAST FROM SW CORNER, SECTION 31

AUTHORIZED PLACE OF USE:

Twp	Rng	Mer	Sec	Q-Q
4 N	10 W	WM	31	NE NW
4 N	10 W	WM	31	NW NW
4 N	10 W	WM	31	SW NW
4 N	10 W	WM	31	SE NW
4 N	10 W	WM	31	NE SW
4 N	10 W	WM	31	NW SW
4 N	10 W	WM	31	SW SW
4 N	11 W	WM	36	NE NE
4 N	11 W	WM	36	SE NE
4 N	11 W	WM	36	NE SE
4 N	11 W	WM	36	SE SE

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**1. Water Use Measurement, Recording, and Reporting Condition:**

A. Before water use may begin under this permit, the permittee shall install a totalizing flow meter at each point of appropriation. The permittee shall maintain the device in good working order.

B. The permittee shall allow the watermaster access to the device; provided however, where any device is located within a private structure, the watermaster shall request access upon reasonable notice.

C. The permittee shall keep a complete record of the volume of water used each month, and shall submit an annual 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.

D. The Director may provide an opportunity for the permittee to submit alternative measuring and reporting procedures for review and approval.

**2. Static Water Level Condition:**

The Department requires the water user to obtain, from a qualified individual (see below), and report annual static water levels for each well on the permit. The static water level shall be measured in the month of March. Reports shall be submitted to the Department within 30 days of measurement.

The permittee shall report an initial March static water-level measurement once well construction is complete and annual measurements thereafter. Annual measurements are required whether or not the well is used. The first annual measurement will establish a reference level against which future measurements will be compared. However, the Director may establish the reference level based on an analysis of other water-level data. The Director may require the user to obtain and report additional water levels each year if more data are needed to evaluate the aquifer system.

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board. Measurements shall be submitted on forms provided by, or specified by, the Department. Measurements shall be made with equipment that is accurate to at least the standards specified in OAR 690-217-0045. The Department requires the individual performing the measurement to:

A. Associate each measurement with an owner's well name or number and a Department well log ID; and

B. Report water levels to at least the nearest tenth of a foot as depth-to-water below ground surface; and

C. Specify the method of measurement; and

D. Certify the accuracy of all measurements and calculations reported to the Department.

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The water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s) if any of the following events occur:

A. Annual water-level measurements reveal an average water-level decline of three or more feet per year for five consecutive years; or

B. Annual water-level measurements reveal a water-level decline of 15 or more feet in fewer than five consecutive years; or

C. Annual water-level measurements reveal a water-level decline of 25 or more feet; or

D. Hydraulic interference leads to a decline of 25 or more feet in any neighboring well with senior priority.

The period of restricted use shall continue until the water level rises above the decline level which triggered the action or the Department determines, based on the permittee'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 causing substantial interference with senior water rights. The water user shall not allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

**3. Well Identification Tag Condition:**

Prior to using water from any well listed on this permit, the permittee shall ensure that the well has been assigned an OWRD Well Identification Number (Well ID tag), which shall be permanently attached to the well. The Well ID shall be used as a reference in any correspondence regarding the well, including any reports of water use, water level, or pump test data.

**4. Water Management and Conservation Plan Condition:**

Within three years of permit issuance, the permittee shall submit a Water Management and Conservation Plan, addressing use under this permit, consistent with OAR 690-086. The timeline for submittal of a plan under this permit does not alter the timelines for submittal of a plan under any other order of the Department. No water may be diverted if a Water Management and Conservation Plan is not submitted within three years of permit issuance.

**STANDARD CONDITIONS**

1. 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.

2. If the number, location, source, or construction of any well deviates from that proposed in the permit application or required by permit conditions, this permit may be subject to cancellation, unless the Department authorizes the change in writing.

3. If substantial interference with surface water or 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

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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.

4. The well(s) shall be constructed and maintained in accordance with the General Standards for the Construction and Maintenance of Water Supply Wells in Oregon. The works shall be equipped with a usable access port adequate to determine water-level elevation in the well at all times.

5. Where two or more water users agree among themselves as to the manner of rotation in the use of water and such agreement is placed in writing and filed by such water users with the watermaster, and such rotation system does not infringe upon such prior rights of any water user not a party to such rotation plan, the watermaster shall distribute the water according to such agreement.

6. Prior to receiving a certificate of water right, the permit holder shall submit to the Water Resources Department the results of a pump test meeting the Department's standards for each point of appropriation (well), unless an exemption has been obtained in writing under OAR 690-217. The Director may require water-level or pump-test data every ten years thereafter.

7. 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.

8. 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.

9. Construction of the well shall begin within twenty years of the date of permit issuance. The deadline to begin construction may not be extended. This permit is subject to cancellation proceedings if the construction deadline to begin is missed.

10. Complete application of the water shall be made within twenty years of the date of permit issuance. If beneficial use of permitted water has not been made before this date, the permittee may submit an application for extension of time, which may be approved based upon the merit of the application.

11. 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.

Issued DEC 11 2021

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

Application G-18905      Water Resources Department      Permit G-18524  
Basin #1      Page 4 of 4      Water District # 1

PR # 77-2019  
PWS # 00045

**1<sup>st</sup> AMENDMENT TO THE LEASE AGREEMENT**

THIS 1<sup>st</sup> AMENDMENT TO THE LEASE AGREEMENT, dated as of the latter of the signature dates below, is by and between the State of Oregon, by and through the Oregon Parks and Recreation Department, having a mailing address of 725 Summer St. NE, Suite C, Salem, OR 97301 (OPRD) and the Falcon Cove Beach Domestic Water Supply District (FCBDWSD), having a mailing address of 79387 Ray Brown Road, Arch Cape, Oregon 97102.

WHEREAS, OPRD and FCBDWSD entered into a lease dated December 4, 2009 whereby OPRD leased to FCBDWSD the Premises, therein described, located within Oswald West State Park (Lease Agreement); and

WHEREAS, OPRD and FCBDWSD desire to amend the Lease Agreement to allow FCBDWSD to construct, operate and maintain a water well system on said Premises; and

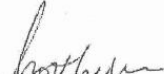
WHEREAS, OPRD and FCBDWSD, in their mutual interest, wish to amend the Lease Agreement as set forth below accordingly,

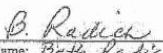
NOW THEREFORE, in consideration of the foregoing and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, OPRD and FCBDWSD agree as follows:

- 1. Right to Construct Water Well.** FCBDWSD, its contractors, employees, agents and subcontractors shall have the right to go upon the Premises for the purpose of constructing a well water system, to include pump house and utilities necessary for the continued use, operation and maintenance of said well water system.
- 2. Other Terms and Conditions Remain.** In the event of any inconsistencies between the Lease Agreement and this 1<sup>st</sup> Amendment, the terms of this 1<sup>st</sup> Amendment shall control. Except as expressly set forth in this 1<sup>st</sup> Amendment, the Lease Agreement otherwise is unmodified and remains in full force and effect. Each reference in the Lease Agreement to itself shall be deemed also to refer to this 1<sup>st</sup> Amendment.
- 3. Capitalized Terms.** All capitalized terms used but not defined herein shall have the same meanings as defined in the Lease Agreement.

IN WITNESS WHEREOF, the parties have caused this 1<sup>st</sup> Amendment to be effective as of the last date written below.

OPRD: FCBDWSD:

By:   
 Print Name: Scott Nebeker  
 Its: Park Development Administrator  
 Date: 3-19-19

By:   
 Print Name: Beth Radich  
 Its: Board Chair  
 Date: MARCH 16, 2019

**2<sup>nd</sup> AMENDMENT TO THE LEASE AGREEMENT**

THIS 2<sup>nd</sup> AMENDMENT TO THE LEASE AGREEMENT, dated as of the latter of the signature dates below, is by and between the State of Oregon, by and through the Oregon Parks and Recreation Department (OPRD), having a mailing address of 725 Summer St. NE, Suite C, Salem, OR 97301 and the Falcon Cove Beach Domestic Water Supply District (FCBDWSD), having a mailing address of 79387 Ray Brown Road, Arch Cape, Oregon 97102.

WHEREAS, OPRD and FCBDWSD entered into a LEASE AGREEMENT dated December 4, 2009 and a 1<sup>ST</sup> AMENDMENT TO THE LEASE AGREEMENT dated March 19, 2019, whereby OPRD leased to FCBDWSD the Premises, therein described, located within Oswald West State Park; and

WHEREAS, OPRD and FCBDWSD desire to amend the LEASE AGREEMENT and 1<sup>ST</sup> AMENDMENT TO THE LEASE AGREEMENT to allow FCBDWSD to construct, operate and maintain a water well system on said Premises; and

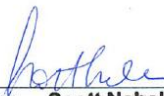
WHEREAS, OPRD and FCBDWSD, in their mutual interest, wish to amend the LEASE AGREEMENT and 1<sup>ST</sup> AMENDMENT TO THE LEASE AGREEMENT as set forth below accordingly.

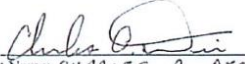
NOW THEREFORE, in consideration of the foregoing and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, OPRD and FCBDWSD agree as follows:

- 1. Oregon Administrative Rules, Chapter 333, Division 61, Construction Standards (0050).** The FCBDWSD well is located on OPRD property by lease and FCBDWSD does not control the surrounding land. OPRD states, per OAR 333-061-0050(2)(a)(C), that no existing or potential health hazard shall be permitted on OPRD property within a minimum of 100 feet of the well site. OPRD recognizes and acknowledges all hazards outlined in OAR 333-061-0050(2)(a)(E).

IN WITNESS WHEREOF, the parties have caused this 2<sup>nd</sup> AMENDMENT TO THE LEASE AGREEMENT to be effective as of the last date written below.

OPRD: FCBDWSD:

By:   
 Print Name: Scott Nebeker  
 Its: Park Development Administrator  
 Date: July 23, 2019

By:   
 Print Name: CHARLES A. DECE  
 Its:   
 Date: 21 JULY 2019