

**To Columbia County Board Of Commissioners
From Frank Hall And The Concerned People
On Tide creek Road**

pg. 1

On January 24th Gene and I are scheduled to speak before you for some 25 homeowners to appeal the decision of the planning commission, to allow a subdivision consisting of 8 four bedroom homes all on wells and septic systems on Tide Creek Rd. owned by Agnes Petersen. The subdivisions wells are downhill and a few hundred feet from our wells that we collectively have spent hundreds of thousands on our wells, storage tanks, redrills, etc. trying to keep up with our dwindling water supply, also there are health and safety issues that have been ignored.

The Petersen's have had about four years to put together their application using the county rules and using and ignoring 37/49 rules.

We on the other hand are given three minutes to object to this subdivision. The planning committee as stated they must vote for the applicant regardless of our objections, as long as the applicant has satisfied the county requirements, which she has.

Does this mandatory vote also include the county commissioners? If it does, there is no point in us taking up your time and ours to present our case before you.

Our main concern is the diminishing water in the aquifer that feeds the homes in this area. The well logs, taken on the drill date, have proved totally worthless to gauge future water. Nearly all the homes here that started with drill logs that were over 10 gpm to 35 gpm are now struggling to survive due to low water, many have been redrilled or reworked and are still struggling, some cannot redrill and most are on storage tanks due to low water. My water volume is .4 gpm. Many of the trees in our area are dying due to our declining water table. See photos.

The 37/49 rule on contiguous property has been continually ignored. This rule went into effect on 11/30/2006, the day the Petersen's signed their 37/49 claim. Both lot 401 and lot 400 were in their names as of 10/2/2006 when lot 401 was deeded back from Jane Thompson. Even though lot 401 is a FA80 property and was divided up in 2020 this does not change the fact that Petersen's owned lot 401 with an occupied dwelling contiguous to lot 400, limiting the homes on lot 400 to two homes not 8. Deeds included.

The DLCD stated they relied on information from Columbia County and the applicant, "no contiguous property was noted so no contiguous property was stated". Even so the applicant must abide by the 37/49 rules as stated in their application, DLCD rules "Home Site Authorization", pg. 5 of 8: #4. "Lots are reduced regardless of whether evidence of their existence has been provided to our department". Being that the home sites on lot 400 have been reduced from 3 to 2, clustering should not be permitted.

We do know our well rights, being that it is very probable that the diminishing aquifer that feeds our homes will also feed the eight 4 bedroom homes on the subdivision and if this additional water draw adversity affects our wells the state would require the junior, or newer wells, would have to be shut off. With all the water information available and also given this would be a terrible (but too late) situation. Somebody would be held responsible and no doubt a huge lawsuit would be the result.

The deed that the Petersen's used to show ownership of lot 400 in their application is the deed used to sell lot 401 to Jane Thompson from the Petersen's. WHY??

Tide Creek Rd. is a disaster in progress, then add the thousands of extra trips per year, (approximately 12 - 18,000 per year for eight four bedroom homes), and even before that, there is the construction for the road, then for the lots, drainage preps, the lots, drain fields, wells, homes, ect., ect.

Page 18 of 22 states they are complying to road standards serving no more than six lots, the plot map shows 8 homes, there is a statement that two homes will have separate access to Tide Creek Rd., this is not shown on the plot map, though they do show both drain fields are partly under the road.

With about 80 feet of fall from Tide Creek Rd. to the turn around, with this amount of slope to the lots we see this as a wash out in waiting. The location of the last two homes on the west and the one at the end, this area turns into a swamp in most winters, how well does a septic system work under water? There is a 150 foot of fall to the fish stream, there are 2 wells there and how many more wells between here and the Columbia river, 2 miles away where it comes out that could be in danger of contamination.

We also have a concern on the height of these homes, unlike nearly all the homes on Tide Creek Rd. which have a viewable frontage setback, and the close proximity to adjoining properties these homes should not exceed 24" in height, even this would be a view blocker from three sides.

Since this property is not within the service district of an existing community water system, the authorized dwellings on all Lots will be served by private wells. This was stated in the previous application, this seems to be omitted in this application to lessen the expense of the builder. Shared wells are always a huge problem and a constant headache for the new owners forever, both water quantity and quality should be a guarantee before any purchase.

The USGS has stated that our area has a very low rating for available water from aquifers, and due to the immense size of aquifers that our water and the proposed subdivision water is very likely in the same aquifer.

We own the property adjacent to the Petersen proposed subdivision and we also had the McMullens drill a well a short distance from one of the wells they drilled for the Petersen's. The well was not operational until recently due to the 16K to get power to the pump house. We have now invested over 41K to get the well ready, with a 740 foot ditch 40" deep, pipe and pull line and over 200 hours of our labor. The well is 300 feet deep and was rated at only 4 GPM, but it runs about 5 min. then goes empty, and the water has a strong sulfur content and odor making the water unusable.

When the Petersens drilled the well by the barn, that most likely supplies water for 2 or 3 homes and cattle has had a direct impact on the wells water levels of Shirley's, lot #1003, Mary's lot #1007 and, Gene's lot #1001. When Shirley drilled a new 405 foot well this also directly affected Gene's well to the extent of a major \$4,000 rework ending with only 26 feet of water with only 45 minutes of water use then no water, with no redrill option. This certainly demonstrates that a well on Petersens side has direct consequences on our side. Because no water levels were taken or logged before Petersens well was drilled and put into service due to our lack of knowledge, tied the hands of the State Water Master. We are prepared if this subdivision is approved.

The present application for these homes doesn't require a well for each lot. Nobody buying a new home should have to endure a shared well, they are always an everyday concern and a forever problem. Each home should have a well certified with at least 10 GPM and the water tested for quality. This should not be a buyer beware investment.

Another note about our road: it has always been a problem and is getting worse every year. Our driveway and several others exit at the end of a down hill bend in the road and there will be three more driveways there if the Petersens subdivision is permitted, we feel this is a large safety concern since there have been 6 wrecks at this bend that I know of, and we have had several close calls even with a 2 foot mirror, due to dark cars on dark roads, and blinding sun, etc.

In our research at the courthouse we came across the estate of Agnes Jane Thompson, Aggies mother, we were surprised to learn this 97 year old, single woman owned about 10 properties, a number of which previously belonged to John and Agnes, and 4 bank accounts with a combined value of 4 dollars shy of one million 500 thousand dollars, but at least the real market value was reduced to a little under 216K.

Lot 400 has always been a profit making property and still is due to past logging, cattle, and now hay.

There is still a question about contiguous rental property on lot 401 that has been contiguous since before the 37/49 claim, on the last application and on this one, also the deed used sells this property. Another safety concern is fencing that is still lacking to protect the home owners from animals such as mountain lions, bears, deer, elk, bobcats, coyotes, raccoons, many of these are seen on a regular basis.

Thank You all for Your Time and consideration on this matter

Sincerely, Frank Hall

It was brought up a couple of times at the Sept. 11th meeting that it was the Planning Departments job to require that the applicant prove a viable water source for its development. It was not their job to explore any interference the new wells would have on nearby wells. This is page 2 of the applicants application. The opposition without a doubt clearly falls into the category of the below underlined ruling. It may not be in your wheelhouse of normality but we are definitely in a wheelhouse with the underlined rule. Not normal for us either. So please bare with us. We are doing our very best to express to the Committee that the severity of the impact that this could have on our lives is immense .

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49 Claim Properties (the “sending” properties). The County is expressly prohibited from interpreting its development standards to prohibit Applicant’s request, absent a standard that is reasonably necessary to avoid or abate a nuisance, to protect the public health or safety or carry out federal law. No such issue is implicated by Applicant’s request.