BEFORE THE WATER RESOURCES DEPARTMENT OF THE STATE OF OREGON

In the Matter of Permit Amendment)	FINAL ORDER APPROVING A
T-13426, Clackamas County)	CHANGE IN PLACE OF USE

Authority

Oregon Revised Statute (ORS) 537.211 establishes the process in which a water right permit holder may submit a request to change the point of appropriation and/or place of use authorized under an existing water right permit.

Applicant

STEPHEN A. KOCH 27815 S ELISHA RD CANBY, OR 97013

Findings of Fact

- 1. On April 20, 2020, STEPHEN A. KOCH filed an application to change in place of use under Permit G-15950. The Department assigned the application number T-13426.
- 2. On September 7, 2012, the Department approved an extension of time for complete application of water to October 1, 2018.
- 3. On October 26, 2018, the Department approved an extension of time for complete application of water to October 1, 2023
- 4. Notice of the application for the permit amendment was published in the Department's weekly notice on May 12, 2020, pursuant to ORS 540.520(5). No comments were filed in response to the notice.
- 5. The Department received information from the applicant that better describes the location of Well 1 and Well 2 for Permit G-15950 as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
4 S	1 E	WM	24	SE SW	WELL 1 - 1250 FEET NORTH AND 1950 FEET EAST FROM THE SW CORNER OF SECTION 24
4 S	1 E	WM	24	SW SE	WELL 2 - 1210 FEET SOUTH AND 200 FEET WEST FROM THE SW CORNER OF DLC 46

This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080 and OAR 690-01-0005 you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

6. Permit Amendment Application T-13426 proposes to change the place of use of the permit to:

IRRIGATION							
Twp_	Rng	Mer	Sec	Q-Q	Acres		
4 S	1 E	WM	23	NE NE	9.3		
4 S	1 E	WM	23	_ SE NE	30.0		
4 S	ΙE	WM	23	SE SE	7.3		
4 S	1 E ·	WM	24	NW NW	11.3		
4 S	1 E	WM	24	SWNW	6.4		
4 S	1 E	WM	24	NW SW	29.4		
				Total	93.7		

Permit Amendment Review Criteria

- 7. The change would not result in injury to other water rights.
- 8. The proposed place of use is owned and/or controlled by the permit holder.
- 9. The change does not enlarge the permit.
- 10. The change does not alter any other terms of the permit.
- 11. The proposed place of use is contiguous to the authorized place of use.

Conclusions of Law

The change in place of use proposed by Permit Amendment Application T-13426 is consistent with the requirements of ORS 537.211.

Now, therefore, it is ORDERED:

- 1. The change in place of use proposed by Permit Amendment Application T-13426 is approved.
- 2. 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.
 - 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.
- 3. Permit G-18472, in the name of STEVE KOCH, is issued to replace Permit G-15950, and incorporates the amendments approved by this order. Permit G-15950, in the name of STEVE KOCH, is no longer of any force or effect.
- 4. The former place of use shall no longer be irrigated as part of this permit.

5. All other terms and conditions of Permit G-15950 remain the same.

Dated in Salem, Oregon on

AUG 1 1 2020

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

THOMAS M BYLER, DIRECTOR Oregon Water Resources Department

Mailing Date:

AUG 1 2 2020