# BEFORE THE WATER RESOURCES DEPARTMENT OF THE STATE OF OREGON

In the Matter of Permit Amendment	)	FINAL ORDER
T-11625, Benton County	)	APPROVING A CHANGE IN PLACE
	)	OF USE

## **Authority**

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**

PINOT GRIS WATER CO. 4635 NE ELLIOTT CIRCLE CORVALLIS, OR 97330

### **Findings of Fact**

- 1. On June 28, 2013, PINOT GRIS WATER CO. filed an application to change the place of use under Permit G-15312. The Department assigned the application number T-11625.
- 2. On January 7, 2011, the Department approved an assignment of the permit to Pinot Gris Estates.
- 3. On June 21, 2013, the Department approved an extension of time for complete application of water to October 1, 2014.
- 4. Notice of the application for the permit amendment was published in the Department's weekly notice on July 2, 2013 pursuant to ORS 540.520(5). No comments were filed in response to the notice.
- 5. Permit Amendment Application T-11625 proposes to change the place of use of the permit to:

GROUP DOMESTIC EXPANDED FOR 14 HOUSEHOLDS							
Twp	Rng	Mer	Sec	Q-Q	Lot #		
11 S	5 W	WM	13	NE NE	11, 12, 13, 14, 15		
11 S	5 W	WM	13	NW NE	1, 2, 3, 4, 5, 6, 7, 8, 9, 11, and 12		

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 137-004-080 and OAR 690-01-005 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. The applicant has submitted information that better describes the authorized point of appropriation as being:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
11 S	4 W	WM	18	SW NW	WELL 1 - 106 FEET NORTH AND 404 FEET EAST FROM THE SE CORNER OF WILLIAM H ELLIOTT DLC 40

#### Permit Amendment Review Criteria

- 7. The change would not result in injury to other water rights.
- 8. The proposed place of use is 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-11625 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-11625 is approved.
- 2. Permit G-17087, in the name of PINOT GRIS WATER COMPANY, is issued to replace Permit G-15312, and incorporates the amendments approved by this order, the extension of time, and assignment. Permit G-15312, in the name of PINOT GRIS WATER COMPANY, is no longer of any force or effect.
- 3. 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 meter(s) or measuring device(s) in good working order.
  - c. The water user shall allow the Watermaster access to the meter(s) or measuring device(s); provided however, where the meter(s) or measuring device(s) is/are located within a private structure, the Watermaster shall request access upon reasonable notice.
- 4. The former place of use shall no longer be irrigated as part of this permit.

5.	All other terms and condi	tions o	of Permit G-17087 remain the same.	
Da	ted at Salem, Oregon this	18	_ day of September, 2013.	

Dwight French, Water Right Services Administrator, for PHILIUP C. WARD, DIRECTOR

OCT 0 1 2013 Mailing Date:\_