

**BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON**

In the Matter of Permit Amendment)
T-12189, Klamath County) FINAL ORDER
) APPROVING A 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

BK RANCH, LLC
WILLIAM V. HILL JR.
PO BOX 644
CONDON, OR 97873

Findings of Fact

1. On October 26, 2015, WILLIAM V. HILL JR., BK RANCH, LLC filed an application to change in place of use under Permit G-12619. The Department assigned the application number T-12189.
2. On October 21, 2008, the Department approved an assignment of the permit to Lillian M. Hill from William V. Hill.
3. On October 27, 2015, the Department approved an assignment of the permit to William V. Hill Jr., BK Ranch, LLC from Lillian M. Hill.
4. On May 29, 2015, the Department approved an extension of time for complete application of water to October 30, 2016.
5. Notice of the application for the permit amendment was published in the Department’s weekly notice on November 3, 2015, pursuant to ORS 540.520(5). No comments were filed in response to the notice.

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-12189 proposes to change the place of use of the permit to:

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
36 S	14 E	WM	22	NE SE	14.1
36 S	14 E	WM	23	NE SW	32.7
36 S	14 E	WM	23	NW SW	39.0
36 S	14 E	WM	23	SW SW	15.0
36 S	14 E	WM	23	SE SW	23.4
36 S	14 E	WM	23	NW SE	28.1
36 S	14 E	WM	23	SW SE	1.8
Total					154.1

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

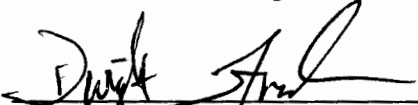
The change in place of use proposed by Permit Amendment Application T-12189 is consistent with the requirements of ORS 537.211.

Now, therefore, it is ORDERED:

1. The change in place of use proposed by Permit Amendment Application T-12189 is approved.
2. Permit G-17527, in the name of BK Ranch, LLC, William V. Hill Jr., is issued to replace Permit G-12619, and incorporates the amendments approved by this order, the extension of time, and the assignments. Permit G-12619, in the name of WILLIAM V. HILL, 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 the existing point of appropriation.
 - b. The water user shall maintain the meter or measuring device in good working order.

- c. The water user shall allow the Watermaster access to the meter or measuring device; provided however, where the meter or measuring device is 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 conditions of Permit G-17527 remain the same.

Dated at Salem, Oregon this 3 day of December, 2015.



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

Mailing Date: DEC 04 2015