

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

In the Matter of Permit Amendment                    )  
T-11817, Lake County                                    )  
  )  
  )  
  )  
  )

FINAL ORDER  
APPROVING A CHANGE IN POINT  
OF APPROPRIATION AND AN  
ADDITIONAL POINT OF  
APPROPRIATION

**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**

JACK SPARROWK  
SPARROWK LIVESTOCK  
PO BOX 657  
CLEMENTS, CA 95227

**Findings of Fact**

1. On May 19, 2014, JACK SPARROWK, SPARROWK LIVESTOCK, filed an application to change the point of appropriation and add an additional point of appropriation under Permit G-11880. The Department assigned the application number T-11817.
2. On July 5, 2002, the Department approved a partial assignment of the permit to lienholder, South Valley Bank and Trust.
3. On May 9, 2014, the Department approved an extension of time for complete application of water to October 1, 2018.
4. Notice of the application for the permit amendment was published in the Department’s weekly notice on May 27, 2014, and in the Lake County Examiner newspaper on September 3 and 10, 2014, pursuant to ORS 540.520(5). No comments were filed in response to the notices.
5. On August 4, 2014, the Department contacted the applicant and applicant’s agent, Dennis Glender, by written correspondence that an Affidavit of Consent is needed from the South Valley Bank and Trust. On August 5, 2014, the Department received the Affidavit of Consent needed to resolve the deficiency.

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. On August 12, 2014, the Department approved a partial assignment of the permit to Jack Sparrowk from the lienholder, South Valley Bank and Trust.
7. Permit Amendment Application T-11817 proposes to move the authorized point of appropriation Well 2 approximately 1.59 miles from the existing point of appropriation and add an additional point of appropriation Well 5 approximately 1.46 miles from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
38 S	17 E	WM	17	SE SE	WELL 2: 480 FEET NORTH AND 45 FEET WEST FROM THE SE CORNER OF SECTION 17
38 S	17 E	WM	16	SW SW	WELL 5: 260 FEET NORTH AND 1170 FEET EAST FROM THE SW CORNER OF SECTION 16

***Permit Amendment Review Criteria***

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

**Conclusions of Law**

The change in point of appropriation and additional point of appropriation proposed by Permit Amendment Application T-11817 is consistent with the requirements of ORS 537.211.

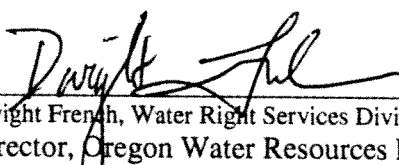
**Now, therefore, it is ORDERED:**

1. The change in point of appropriation and additional point of appropriation proposed by Permit Amendment Application T-11817 are approved.
2. Permit G-17289, in the name of JACK SPARROWK, is issued to replace Permit G-11880, and incorporates the amendments approved by this order and the extension of time. Permit G-11880, in the name of JACK SPARROWK, is no longer of any force or effect.
3. The combined quantity of water diverted at the new points of appropriation, together with that diverted at the old point of appropriation, shall not exceed the quantity of water lawfully available at the original points of appropriation.
4. Measurement, recording and reporting conditions:
  - a. Before water use may begin under this permit, the permittee shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device

at each point of appropriation (new and existing). The permittee shall maintain the meters or measuring devices in good working order, shall keep a complete record of the amount of water used each month and shall submit a 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.

- b. The permittee 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.
5. Prior to using water from any well listed on this permit, the permittee shall ensure that the wells have been assigned an OWRD Well Identification Number (Well ID tag), which shall be permanently attached to the wells. The Well ID shall be used as a reference in any correspondence regarding the wells, including any reports of water use, water level, or pump test data.
6. Dedicated Measuring Tube: Wells with pumps shall be equipped with a minimum 3/4-inch diameter, unobstructed, dedicated measuring tube pursuant to figure 200-5 in OAR 690-200. If a pump has been installed prior to the issuance of this permit, and if static water levels and pumping levels can be measured using an electrical tape, then the installation of the measuring tube can be delayed until such time that water levels cannot be measured or the pump is repaired or replaced.
7. Proposed point of appropriation Well #2 shall be reconstructed to have at minimum continuous casing and continuous seal from land surface to 137 feet depth to obtain groundwater solely from the predominantly volcanic/basalt unit.
8. Proposed point of appropriation Well #3 shall be constructed with at minimum continuous casing and continuous seal from land surface through the entire valley-fill sediment into the predominantly volcanic/basalt unit to obtain groundwater solely from the predominantly volcanic/basalt unit.
9. Water shall be acquired from the same aquifer as the original points of appropriation.
10. All other terms and conditions of Permit G-17289 remain the same.

Dated at Salem, Oregon this 17 day of September, 2014.

  
Dwight French, Water Right Services Division Administrator, for  
Director, Oregon Water Resources Department

Mailing Date: SEP 22 2014

