

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

In the Matter of Permit Amendment) **FINAL ORDER**
T-10638, Clackamas County) APPROVING A CHANGE IN POINTS
) 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

Stepping Stones Land LLC
P.O. Box 961
Canby, Oregon 97013

Findings of Fact

1. On May 27, 2008, Stepping Stones Land LLC filed an application to change the point of appropriation under Permit G-11923. The Department assigned the application number T-10638.

2. The permit to be amended is as follows:

Permit: G-11923, in the name of Stepping Stones Land LLC
Use: Irrigation of 14.1 acres
Priority Date: January 22, 1993
Quantity: 0.18 cubic foot per second (cfs)
Rate/Duty: The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre-feet for each acre irrigated during the irrigation season of each year.

Source: A well, in the Gribble Creek Basin.

Date of Complete Application of Water: October 1, 2010

Authorized Point of Appropriation:

Township		Range		Meridian	Sec	¼ ¼		Location
4	S	1	E	W.M.	22	SW	SW	1100 feet North and 650 feet East from the SW Corner of Section 22.

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.

Authorized Place of Use:

IRRIGATION								
Township		Range		Meridian	Sec	¼ ¼		Acres
4	S	1	E	W.M.	21	NE	SE	4.8
4	S	1	E	W.M.	21	SE	SE	2.2
4	S	1	E	W.M.	22	NW	SW	4.9
4	S	1	E	W.M.	22	SW	SW	2.2

3. The applicant has submitted information that more correctly describes the authorized point of appropriation as being:

Township		Range		Meridian	Sec	¼ ¼		DLC	Location
4	S	1	E	W.M.	22	NW	SW	41	Well 2 (CLAC 17693) – 1345 feet North and 630 feet East from the SW Corner of Section 22.

4. Application T-10638 proposes to change the point of appropriation of the permit to:

Township		Range		Meridian	Sec	¼ ¼		DLC	Location
4	S	1	E	W.M.	22	SW	SW	41	Well 2 (CLAC 63505) – 1295 feet North and 630 feet East from the SW Corner of Section 22.
4	S	1	E	W.M.	27	SW	NW	41	Well 3 – 1630 feet South and 620 feet East from the NW Corner of Section 27.
4	S	1	E	W.M.	27	NW	NW	41	Well 4 – 870 feet South and 620 feet East from the NW Corner of Section 27.
4	S	1	E	W.M.	28	SE	NE	41	Well 5 – 1620 feet South and 130 feet West from the NE Corner of Section 28.

5. Notice of the application for the permit amendment was published in the Department's weekly notice on June 3, 2008, and in the Canby Herald newspaper on September 10, 17, and 24, 2008, pursuant to ORS 540.520(5). No comments were filed in response to the notices.
6. The change would not result in injury to other water rights.
7. The change does not enlarge the permit.
8. The change does not alter any other terms of the permit.

Conclusions of Law

The change in point of appropriation proposed by Permit Amendment Application T-10638 is consistent with the requirements of ORS 537.211.

Now, therefore, it is ORDERED:

The change and subsequent use of water shall be subject to the following conditions:

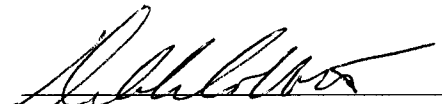
1. The quantity of water diverted at the new points of appropriation shall not exceed the quantity of water lawfully available at the original point of appropriation.
2. Prior to water use from the proposed points of appropriation, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order.

The permittee 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.

The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

3. Water shall be acquired from the same aquifer as the original point of appropriation.
4. All other terms and conditions of Permit G-11923 remain the same.
5. Permit G-11923, in the name of Stepping Stones Land LLC, is amended as described herein.

Dated at Salem, Oregon this 15th day of October, 2008.


Phillip C. Ward,
Director

Mailing Date: OCT 20 2008