

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

In the Matter of Permit Amendment) FINAL ORDER
T-11976, Lake County) APPROVING A CHANGE IN POINT
) OF APPROPRIATION AND 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

GEORGE E. JASKA
93939 JASKA LANE
LAKEVIEW, OR 97630

Findings of Fact

1. On February 5, 2015, GEORGE JASKA filed an application to change the point of appropriation and to change in place of use under Permit G-16830. The Department assigned the application number T-11976.
2. Notice of the application for the permit amendment was published in the Department's weekly notice on February 17, 2015, pursuant to ORS 540.520(5). No comments were filed in response to the notice.
3. Permit Amendment Application T-11976 proposes to move the authorized point of appropriation approximately 355 feet from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
39 S	19 E	WM	1	NW SW	WELL 1: 2216.82 FEET NORTH AND 1122.48 FEET EAST FROM THE SW CORNER OF SECTION 1

4. Permit Amendment Application T-11976 also proposes to change the place of use of the permit to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
39 S	19 E	WM	1	SE NW	7.04
39 S	19 E	WM	1	NE SW	24.37
Total:					31.41

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.

Permit Amendment Review Criteria

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

Conclusions of Law

The change in point of appropriation and change in place of use proposed by Permit Amendment Application T-11976 is consistent with the requirements of ORS 537.211.

Now, therefore, it is ORDERED:

1. The change in point of appropriation and change in place of use proposed by Permit Amendment Application T-11976 are approved.
2. Permit G-17488, in the name of GEORGE JASKA, is issued to replace Permit G-16830, and incorporates the amendments approved by this order. Permit G-16830, in the name of GEORGE E. JASKA, is no longer of any force or effect.
3. The quantity of water diverted at the new point of appropriation shall not exceed the quantity of water lawfully available at the original point of appropriation.
4. Prior to water use from the proposed point of appropriation, the permittee shall install an instantaneous and totalizing flow 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.

5. Water shall be acquired from the same aquifer as the original point of appropriation.

6. The former place of use shall no longer be irrigated as part of this permit.
7. All other terms and conditions of Permit G-17488 remain the same.

Dated at Salem, Oregon this 2 day of September, 2015.



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

Mailing Date: SEP 10 2015