

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

In the Matter of Permit Amendment                            )     **FINAL ORDER**  
T-11019, Clackamas County                                    )     APPROVING 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**

MT. HOOD ROCK PRODUCTS  
ATTN: DAVID TURIN  
PO BOX 175  
WELCHES, OR 97067

**Findings of Fact**

**Background**

1. On February 18, 2010, MT. HOOD ROCK PRODUCTS filed an application for an additional point of appropriation under Permit G-13465. The Department assigned the application number T-11019.
2. The permit to be amended is as follows:

**Permit:**            G-13465 in the name of JIM TURIN AND SONS INC., DBA MT HOOD  
                          ROCK PRODUCTS, JAMES C. TURIN, PRESIDENT  
**Use:**                MINING AND INDUSTRIAL USE  
**Priority Date:**    AUGUST 8, 1997  
**Quantity:**         0.056 CUBIC FOOT PER SECOND  
**Period of Use:**    YEAR ROUND  
**Source:**           TWO WELLS within the NORTH FORK BOULDER CREEK BASIN

**Authorized Points of Appropriation:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2 S	6 E	WM	24	SW NE	NORTH 57° 30' WEST 1598 FEET FROM THE E¼ CORNER OF SECTION 24
2 S	6 E	WM	24	SE NE	NORTH 45° 23' WEST 810 FEET FROM THE E¼ CORNER OF SECTION 24

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:**

MINING AND INDUSTRIAL USE				
Twp	Rng	Mer	Sec	Q-Q
2 S	6 E	WM	24	NE NE
2 S	6 E	WM	24	NW NE
2 S	6 E	WM	24	SW NE
2 S	6 E	WM	24	SE NE
2 S	6 E	WM	24	NW SE

3. Permit Amendment Application T-11019 proposes an additional point of appropriation currently located approximately 350 to 1225 feet northwest from the existing points of appropriation to:

Twp	Rng	Mer	Sec	Q	Measured Distances
2 S	6 E	WM	24	NE	PORTABLE PUMPING FROM A SUMP WITHIN THE NE QUARTER

4. Notice of the application for the permit amendment was published in the Department’s weekly notice on February 23, 2010, and in the Sandy Post newspaper on September 1, 18, and 15, 2010, pursuant to ORS 540.520(5). No comments were filed in response to the notices.

***Permit Amendment Review Criteria***

5. The change would not result in injury to other water rights.
6. The change does not enlarge the permit.
7. The change does not alter any other terms of the permit.

**Conclusions of Law**

The additional point of appropriation proposed by Permit Amendment Application T-11019 is consistent with the requirements of ORS 537.211.

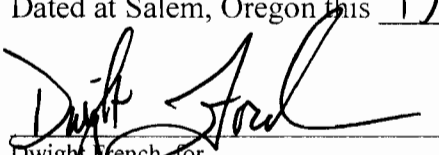
**Now, therefore, it is ORDERED:**

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

1. The combined quantity of water diverted at the new point of appropriation, together with that diverted at the old points of appropriation, shall not exceed the quantity of water lawfully available at the original points of appropriation.
2. Measurement, recording and reporting 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 proposed point of appropriation.

- b. The water user shall maintain the meters or measuring devices in good working order.
  - c. The water user 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.
3. Water shall be acquired from the same aquifer as the original points of appropriation.
  4. All other terms and conditions of Permit G-13465 remain the same.
  5. Permit G-13465, in the name of JIM TURIN AND SONS INC., DBA MT HOOD ROCK PRODUCTS, JAMES C. TURIN, PRESIDENT, is amended as described herein.

Dated at Salem, Oregon this 15 day of October, 2010.

  
Dwight French, for  
PHILLIP C. WARD, DIRECTOR

Mailing Date: OCT 18 2010