

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

In the Matter of Permit Amendment) FINAL ORDER
T-12099, Yamhill County) 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

CREEKSIDE VALEY FARMS LLC
PAUL KUEHNE
PO BOX 99
LAFAYETTE, OR 97127

Findings of Fact

1. On July 8, 2015, CREEKSIDE VALLEY FARMS, LLC, PAUL KUEHNE, filed an application to change in place of use under Permit G-17338. The Department assigned the application number T-12099.
2. Notice of the application for the permit amendment was published in the Department's weekly notice on July 14, 2015, pursuant to ORS 540.520(5). No comments were filed in response to the notice.
3. Permit Amendment Application T-12099 proposes to change the place of use of the permit to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
5 S	4 W	WM	7	NW NE	10.7
5 S	4 W	WM	7	SW NE	7.0
5 S	4 W	WM	7	SE NW	7.1
5 S	4 W	WM	7	NE SW	4.2
Total:					29.0

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

4. The change would not result in injury to other water rights.
5. The proposed place of use is owned and/or controlled by the permit holder.
6. The change does not enlarge the permit.
7. The change does not alter any other terms of the permit.
8. 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-12099 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-12099 is approved.
2. Permit G-17491, in the name of HANS HENDGREN, is issued to replace Permit G-17338, and incorporates the amendments approved by this order. Permit G-17338, in the name of HANS HENDGEN, is no longer of any force or effect.
3. The former place of use shall no longer be irrigated as part of this permit.
4. All other terms and conditions of Permit G-17491 remain the same.

Dated at Salem, Oregon this 19 day of October, 2015.



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

Mailing Date: OCT 20 2015