BEFORE THE WATER RESOURCES DEPARTMENT OF THE STATE OF OREGON

In the Matter of Permit Amendment)	FINAL ORDER
T-10412, Marion County)	APPROVING A CHANGE IN PLACE
)	OF USE

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

Jacksons Inc. Janice Cox 9721 Howell Prairie Road Salem, Oregon 97305

Findings of Fact

- 1. On June 22, 2007, Janice Cox for Jacksons, Inc., filed an application to change a portion of the place of use under Permit G-15990. The Department assigned the application number T-10412.
- 2. The permit to be amended is as follows:

Permit:

G-15990, in the name of Jacksons, Inc.;

Use:

Irrigation and supplemental irrigation

Priority Date: February 21, 2002

Quantity:

2.2 cubic feet per second (cfs); being 1.1 cfs from each well

Rate/Duty:

The amount of water used for irrigation, together with the amount secured

under any other right existing for the same lands, is limited to ONE-

EIGHTIETH of one cubic foot per second per acre or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2.5 acre-feet for each acre irrigated during the irrigation season of each year.

Acres:

Irrigation of 122.5 acres and supplemental irrigation of 225.7 acres

Source:

Two wells, in the Little Pudding River Basin.

Date of complete application of water:

October 1, 2010

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 Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates	
6 S	2 W	WM	13	NE NW Well 1 - 210 feet South and 2980 feet We the NE Corner of Section 13		
6 S	2 W	WM	12	SE NE	Well 2 - 800 feet South and 1690 feet West from the SW Corner of William Parker DLC 49	

Authorized Place of Use:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Acres		
6 S	1 W	WM	7	NE NW	2.2		
6 S	1 W	WM	7	SW NW	23.9		
6 S	1 W	WM	7	SE NW	17.3		
6 S	1 W	WM	7	NE SW	2.5		
6 S	1 W	WM	7	NW SW	3.5		
6 S	1 W	WM	7	SW SW	20.2		
6 S	2 W	WM	12	SE NE	6.9		
6 S	2 W	WM	12	SE SW	12.4		
6 S	2 W	WM	12	NE SE	3.3		
6 S	2 W	WM	12	NW SE	4.7		
6 S	2 W	WM	12	SW SE	3.1		
6 S	2 W	WM	12	SE SE	0.8		
6 S	2 W	WM	13	NE NW	8.2		
6 S	2 W	WM	13	NW NW	12.4		
6 S	2 W	WM	13	SW NW	1.1		
				Total	122.5		

SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Acres		
6 S	1 W	WM	7	SW NW	13.6		
6 S	1 W	WM	7	NE SW	4.0		
6 S	1 W	WM	7	NW SW	36.8		
6 S	1 W	WM	7	SW SW	4.8		
6 S	2 W	WM	12	SE NE	3.6		
6 S	2 W	WM	12	SE SW	7.2		
6 S	2 W	WM	12	NE SE	36.4		
6 S	2 W	WM	12	NW SE	10.8		
6 S	2 W	WM	12	SW SE	38.8		
6 S	2 W	WM	12	SE SE	37.2		
6 S	2 W	WM	13	NE NE	0.7		
6 S	2 W	WM	13	NW NE	27.0		
6 S	2 W	WM	13	NE NW	4.8		
	225.7						

3. Application T-10412 proposes to change the place of use of the permit to:

	IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Acres	Net acre change from authorized acres		
6 S	1 W	WM	7	NE NW	2.2			
6 S	1 W	WM	7	SWNW	23.9			
6 S	1 W	WM	7	SE NW	17.3			
6 S	1 W	WM	7	NE SW	2.5			
6 S	1 W	WM	7	NW SW	3.5			
6 S	1 W	WM	7	SW SW	20.2			
6 S	2 W	WM	12	SE NE	5.8	-		
6 S	2 W	WM	12	SE SW	2.6	-		
6 S	2 W	WM	12	NE SE	1.4	-		
6 S	2 W	WM	12	NW SE	1.3	-		
6 S	2 W	WM	12	SW SE	1.7	-		
6 S	2 W	WM	12	SE SE	0.8			
6 S	2 W	WM	13	NW NE	2.5	-		
6 S	2 W	WM	13	NE NW	32.4	+		
6 S	2 W	WM	13	NW NW	3.7	+		
6 S	2 W	WM	13	SW NW	0.7	+		
			122.5					

SUPPLEMENTAL IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres			
6 S	1 W	WM	7	SW NW	13.6			
6 S	1 W	WM	7	NE SW	4.0			
6 S	1 W	WM	7	NW SW	36.8			
6 S	1 W	WM	7	SW SW	4.8			
6 S	2 W	WM	12	SE NE	3.6			
6 S	2 W	WM	12	SE SW	7.2			
6 S	2 W	WM	12	NE SE	36.4			
6 S	2 W	WM	12	NW SE	10.8			
6 S	2 W	WM	12	SW SE	38.8			
6 S	2 W	WM	12	SE SE	37.2			
6 S	2 W	WM	13	NE NE	0.7			
6 S	2 W	WM	13	NW NE	27.0			
6 S	2 W	WM	13	NE NW	4.8			
				Total	225.7			

Changed place of use in bold type.

- 4. Notice of the application for the permit amendment was published in the Department's weekly notice on July 3, 2007 pursuant to ORS 540.520(5). No comments were filed in response to the notice.
- 5. The change would not result in injury to other water rights.
- 6. The proposed place of use is owned by the permit holder.

- 7. The change does not enlarge the permit.
- 8. The change does 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 place of use proposed by Permit Amendment Application T-10412 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 former place of use shall no longer be irrigated as part of this permit.
- 2. All other terms and conditions of Permit G-15990 remain the same.
- 3. Permit G-15990, in the name of Jacksons Inc., is amended as described herein.

Dated at Salem, Oregon this 151 day of hugus, 2007.

Phillip C. Ward, 🌇

Director

Mailing Date: AUG 0 7 2007