

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

|                                   |   |                       |
|-----------------------------------|---|-----------------------|
| In the Matter of Permit Amendment | ) | FINAL ORDER APPROVING |
| T-9913, Lane County               | ) | 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**

PREMIER RV PARK  
33022 VAN DYNE ROAD  
EUGENE, OR 97408

**Findings of Fact**

***Background***

1. The Department issued Permit G-12606 on July 16, 1996, in the name of Bandac Ltd; Coburg Hills RV Resort. On April 17, 2001, the permit was assigned to Paul D. Williams, LLC.
2. On April 25, 2005, Premier RV Park (a subsidiary of Paul D. Williams, LLC) filed an application to add a point of appropriation under Permit G-12606 and submitted the associated application fee. The Department assigned the application number T-9913.
3. The applicant submitted additional land use approval information to the Department on October 9, 2008, in order to complete the application.
4. On December 1, 2008, the Department received an amended map to better represent the authorized location of existing Well #1 allowed under Permit G-12606 and proposed Well #3.
5. The permit to be amended is as follows:  
**Permit:** G-12606 (Application G-13975), in the name of Bandac Ltd.; Coburg Hills RV Resort (*assigned to Paul D. Williams, LLC*)  
**Use:** COMMERCIAL USE FOR 214 SPACES IN RV PARK AND SUPPLEMENTAL IRRIGATION OF 4.8 ACRES  
**Priority Date:** FEBRUARY 6, 1995

This is a final order in other than a 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, you may 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.

**Quantity:** 0.129 CUBIC FOOT PER SECOND (CFS), BEING 0.082 CFS FOR COMMERCIAL USE AND 0.046 CFS FOR SUPPLEMENTAL IRRIGATION

**Period of Use:** COMMERCIAL USE – SEPTEMBER 1 THROUGH JUNE 30 AND FOR THE PERIOD JULY 1 THROUGH AUGUST 31 FURTHER LIMITED TO COMMERCIAL USE FOR CUSTOMARILY DOMESTIC PURPOSES NOT TO EXCEED 0.01 CFS; AND SUPPLEMENTAL IRRIGATION – MARCH 1 THROUGH JUNE 30 AND SEPTEMBER 1 THROUGH OCTOBER 31

**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, within the Willamette Basin

**Date of Complete Application of Water:** OCTOBER 1, 2023

**Authorized Point of Appropriation:**

| Twp  | Rng | Mer | Sec | ¼ ¼   | Location   |
|------|-----|-----|-----|-------|--|
| 16 S | 3 W | WM  | 33  | NE SE | 1377 feet North and 536 feet West from the SE corner of DLC 60 |

**Authorized Place of Use:**

| COMMERCIAL USE |     |     |     |       |
|----------------|-----|-----|-----|-------|
| Twp            | Rng | Mer | Sec | ¼ ¼   |
| 16 S           | 3 W | WM  | 33  | NE SE |

| SUPPLEMENTAL IRRIGATION |     |     |     |       |       |
|-------------------------|-----|-----|-----|-------|-------|
| Twp                     | Rng | Mer | Sec | ¼ ¼   | Acres |
| 16 S                    | 3 W | WM  | 33  | NE SE | 4.8   |

6. Permit Amendment Application T-9913 proposes an additional point of appropriation, located approximately 3600 feet Southeast from the original well, as follows:

| Twp  | Rng | Mer | Sec | ¼ ¼   | Location  |
|------|-----|-----|-----|-------|---|
| 17 S | 3 W | WM  | 3   | NW NW | Well No. 3 – 4870 feet South and 200 feet East from the NW corner of DLC 37 |

7. Notice of the application for the permit amendment was published in the Department's weekly notice on May 17, 2005, and in the *Register-Guard* newspaper on December 15, 22 and 29, 2008, pursuant to ORS 540.520(5). No comments were filed in response to the notices.
8. The change would not result in injury to other water rights.

9. The change, as conditioned, does not enlarge the permit.
10. 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-9913 is consistent with the requirements of ORS 537.211.

### Now, therefore, it is ORDERED:

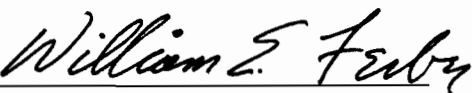
The change and subsequent use of water shall be subject to the following conditions:

1. The combined quantity of water diverted at the new point of appropriation, together with that diverted at the original point of appropriation, shall not exceed the quantity of water lawfully available at the original point of appropriation.
2. The Director may require the permittee to install a meter or other suitable measuring device as approved by the Director. If the Director notifies the permittee to install a meter or other measuring device, the permittee shall install such device within the period stated in the notice. Such installation period shall not be less than 90 days unless special circumstances warrant a shorter installation period. Once installed, the permittee shall maintain the meter or measuring device in good working order and shall allow the watermaster access to the meter or measuring device. The Director may provide an opportunity for the permittee to submit alternative measuring procedures for review and approval.

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 ground water source as the original point of appropriation.
4. All other terms and conditions of Permit G-12606 remain the same.
5. Permit G-12606, in the name of Paul D. Williams, LLC, is amended as described herein.

Dated at Salem, Oregon this 30<sup>th</sup> day of January, 2009.

  
for Phillip C. Ward, Director

Mailing Date: FEB 05 2009