

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

In the Matter of Permit Amendment)	FINAL ORDER
T-10388, Clackamas County)	APPROVING A CHANGE IN 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

Big Valley Woods Water Corp.
414 Walnut Avenue
Huntington Beach, California 92648-5158

Findings of Fact

1. On May 16, 2007, Big Valley Woods Water Corp., filed an application to amend the point of appropriation of Proposed Well E under Permit G-15886. The Department assigned the application number T-10388.

2. The permit to be amended is as follows:

Permit: G-15886, in the name of Big Valley Woods Water Corp.;

Use: Quasi-municipal

Priority Date: October 21, 2004

Quantity: 3.0 cubic feet per second, limited to 220.85 acre feet per year

Sources: Existing Wells 1 through 4, Proposed Wells A through F, in Deep Creek Basin.

Date of Complete Application of Water: October 1, 2009

<p>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.</p>

Authorized Points of Appropriation:

Township		Range		Meridian	Sec	¼ ¼		Location
2	S	4	E	W.M.	21	SW	SW	Well 1 (CLAC 6011) – 1147.1 feet North and 489.4 feet East from the SW Corner of Section 21.
2	S	4	E	W.M.	20	NE	SE	Well 2 (CLAC 18739) – 1725 feet North and 327.6 feet West from the SE Corner of Section 20.
2	S	4	E	W.M.	20	SW	SE	Well 3 (CLAC 6366) – 119.9 feet North and 2538.9 feet West from the SE Corner of Section 20.
2	S	4	E	W.M.	20	NE	SW	Well 4 (CLAC 18741) – 2394.2 feet North and 2913.5 feet West from the SE Corner of Section 20.
2	S	4	E	W.M.	20	SE	SE	Proposed Well A – 254.1 feet North and 552.9 feet West from the SE Corner of Section 20.
2	S	4	E	W.M.	20	NW	SE	Proposed Well B – 2083.6 feet North and 2269.3 feet West from the SE Corner of Section 20.
2	S	4	E	W.M.	20	SW	SE	Proposed Well C – 63.6 feet North and 2544.4 feet West from the SE Corner of Section 20.
2	S	4	E	W.M.	20	NE	SE	Proposed Well D – 1789.1 feet North and 325.1 feet West from the SE Corner of Section 20.
2	S	4	E	W.M.	21	SW	SE	Proposed Well E – 1021.4 feet North and 581.6 feet East from the SW Corner of Section 21.
2	S	4	E	W.M.	21	SE	SW	Proposed Well F – 584.1 feet North and 1420.9 feet East from the SW Corner of Section 21.

Authorized Place of Use:

QUASI-MUNICIPAL							
Township		Range		Meridian	Sec	¼ ¼	
2	S	4	E	W.M.	20	NE	SW
2	S	4	E	W.M.	20	SE	SW
2	S	4	E	W.M.	20	NE	SE
2	S	4	E	W.M.	20	NW	SE
2	S	4	E	W.M.	20	SW	SE
2	S	4	E	W.M.	20	SE	SE
2	S	4	E	W.M.	21	SW	SW
2	S	4	E	W.M.	21	SE	SW

3. Application T-10388 proposes to change the point of appropriation of Proposed Well E under the permit to:

Township		Range		Meridian	Sec	¼ ¼		Location
2	S	4	E	W.M.	21	SE	SW	Orion Well No. 5 (CLAC 62533) – 1051.6 feet North and 1018.2 feet East from the SW Corner of Section 21.

4. Notice of the application for the permit amendment was published in the Department's weekly notice on May 22, 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 change does not enlarge the permit.
7. The change does not alter any other terms of the permit.
8. The holder of the permit must provide notice to the department at least 60 days before making any changes to the lands, point of diversion or appropriation described in the permit.

Conclusions of Law

The change in point of appropriation of Proposed Well E proposed by Permit Amendment Application T-10388 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:

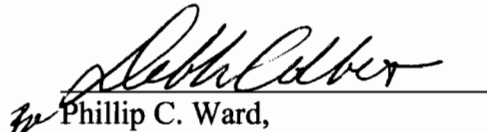
1. The combined quantity of water diverted at the new point of appropriation (well) shall not exceed the maximum rate and duty allowed under Permit G-15886.
2. Prior to water use from the proposed point of appropriation, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order, and shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.

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.

3. Water shall be acquired from the same aquifer as the original point of appropriation.
4. Use of water from the proposed point of appropriation shall not be made until July 16, 2007.

5. All other terms and conditions of Permit G-15886 remain the same.
6. Permit G-15886, in the name of Big Valley Woods Water Corp., is amended as described herein.

Dated at Salem, Oregon this 14th day of June 2007.


Phillip C. Ward,
Director

JUN 20 2007

Mailing Date: _____