

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

In the Matter of Permit Amendment)	FINAL ORDER
T-11160, 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

RIVERGROVE WATER DISTRICT
ATTN DJ EZELL, DISTRICT MANAGER
17661 PILKINGTON RD
LAKE OSWEGO, OR 97035-5360

Findings of Fact

Background

1. On November 30, 2010, RIVERGROVE WATER DISTRICT filed an application for an additional point of appropriation under Permit G-6023. The Department assigned the application number T-11160.

2. The permit to be amended is as follows:

Permit: G-6023 in the name of RIVERGROVE WATER DISTRICT (previously amended by T-7490, Special Order Volume 51, Page 30)

Use: MUNICIPAL USE

Priority Date: JANUARY 29, 1974

Quantity: 1.00 CUBIC FOOT PER SECOND

Source: WELL 1 within the TUALATIN RIVER BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2 S	1 E	WM	20	NW NW	WELL 1 - 690 FEET SOUTH AND 1105 FEET EAST FROM THE NW CORNER OF SECTION 20

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:

MUNICIPAL USES				
Twp	Rng	Mer	Sec	Q-Q
2 S	1 E	WM	17	SW SW
2 S	1 E	WM	17	SE SW
2 S	1 E	WM	18	SW NE
2 S	1 E	WM	18	SE NE
2 S	1 E	WM	18	SW NW
2 S	1 E	WM	18	NE SW
2 S	1 E	WM	18	NW SW
2 S	1 E	WM	18	SW SW
2 S	1 E	WM	18	SE SW
2 S	1 E	WM	18	NW SE
2 S	1 E	WM	18	SW SE
2 S	1 E	WM	19	NE NE
2 S	1 E	WM	19	NW NE
2 S	1 E	WM	19	SW NE
2 S	1 E	WM	19	SE NE
2 S	1 E	WM	19	NE NW
2 S	1 E	WM	19	NW NW
2 S	1 E	WM	19	SW NW
2 S	1 E	WM	19	SE NW
2 S	1 E	WM	19	NE SE
2 S	1 E	WM	19	NW SE
2 S	1 E	WM	19	SW SE
2 S	1 E	WM	19	SE SE
2 S	1 E	WM	20	NE NE
2 S	1 E	WM	20	NW NE
2 S	1 E	WM	20	SW NE
2 S	1 E	WM	20	SE NE
2 S	1 E	WM	20	NE NW
2 S	1 E	WM	20	NW NW
2 S	1 E	WM	20	SW NW
2 S	1 E	WM	20	SE NW
2 S	1 E	WM	20	NE SW
2 S	1 E	WM	20	NW SW
2 S	1 E	WM	20	SW SW
2 S	1 E	WM	20	SE SW
2 S	1 E	WM	20	NE SE
2 S	1 E	WM	20	NW SE
2 S	1 E	WM	20	SW SE
2 S	1 E	WM	20	SE SE
2 S	1 W	WM	13	SE NE
2 S	1 W	WM	24	NE NE
2 S	1 W	WM	24	NW NE
2 S	1 W	WM	24	SE NE

3. Permit Amendment Application T-11160 proposes an additional point of appropriation approximately 1460 feet from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2 S	1 E	WM	20	NE NW	OLSON WELL - 510 FEET SOUTH AND 2530 FEET EAST FROM THE NW CORNER OF SECTION 20

4. Notice of the application for the permit amendment was published in the Department's weekly notice on December 7, 2010, and in the Oregonian newspaper on March 11, 18, and 25, 2011, 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-11160 is consistent with the requirements of ORS 537.211.

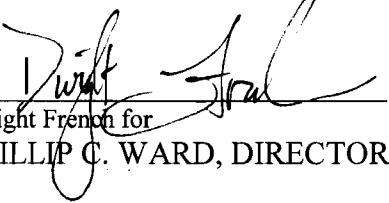
Now, therefore, it is ORDERED:

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 point of appropriation, shall not exceed the quantity of water lawfully available at the original point of appropriation.
2. The permittee shall install and maintain a weir, meter, or other suitable measuring device, and shall keep a complete record of the amount of ground water withdrawn.
3. Water shall be acquired from the same aquifer as the original point of appropriation.
4. All other terms and conditions of Permit G-6023 remain the same.

5. Permit G-6023, in the name of RIVERGROVE WATER DISTRICT, is amended as described herein.

Dated at Salem, Oregon this 31 day of May, 2011.


Dwight French for
PHILLIP C. WARD, DIRECTOR

Mailing Date: JUN 03 2011