

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

In the Matter of Permit Amendment)	FINAL ORDER
T-11941, Clackamas County)	APPROVING A CHANGE IN POINT
)	OF APPROPRIATION AND 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

BIG VALLEY WOODS WATER CORPORATION
PATTY FARKAS
32700 SE LEEWOOD LANE
BORING, OR 97009

Findings of Fact

1. On December 15, 2014, BIG VALLEY WOODS WATER CORPORATION filed an application to change the point of appropriation and change the place of use under Permit G-15886. The Department assigned the application number T-11941.
2. On November 14, 2014, the Department approved an extension of time for complete application of water to October 1, 2025.
3. Notice of the application for the permit amendment was published in the Department's weekly notice on December 23, 2014, pursuant to ORS 540.520(5). No comments were filed in response to the notice.
4. On May 18, 2015, the Department contacted John McGee by telephone and by written correspondence to notify the applicant's agent of the deficiencies in the application. The applicant's agent submitted amended application pages and application map resolving the deficiencies on May 18, 2015.
5. Permit Amendment Application T-11941 proposes to move the authorized point of appropriation (Well B) approximately 433.3 feet from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2 S	4 E	WM	20	NW SE	NEW PROPOSED WELL B: 2516 FEET NORTH AND 2212 FEET WEST FROM THE SE 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 137-004-0080 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.

6. Permit Amendment Application T-11941 also proposes to change the place of use of the permit to:

QUASI-MUNICIPAL USES				
Twp	Rng	Mer	Sec	Q-Q
2 S	4 E	WM	20	NE SW
2 S	4 E	WM	20	SE SW
2 S	4 E	WM	20	NE SE
2 S	4 E	WM	20	NW SE
2 S	4 E	WM	20	SW SE
2 S	4 E	WM	20	SE SE
2 S	4 E	WM	20	SW NE
2 S	4 E	WM	21	SW SW
2 S	4 E	WM	21	SE SW

Permit Amendment Review Criteria

7. The changes would not result in injury to other water rights.
8. The proposed place of use is owned and/or controlled by the permit holder.
9. The changes do not enlarge the permit.
10. The changes do not alter any other terms of the permit.
11. The proposed place of use is contiguous to the authorized place of use.

Conclusions of Law

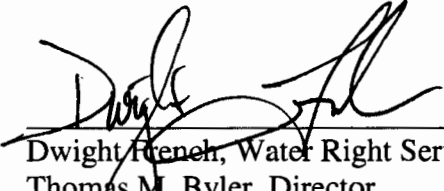
The change in point of appropriation and change in place of use proposed by Permit Amendment Application T-11941 is consistent with the requirements of ORS 537.211.

Now, therefore, it is ORDERED:

1. The change in point of appropriation and change in place of use proposed by Permit Amendment Application T-11941 is approved.
2. Permit G-17435, in the name of Big Valley Woods Water Corporation, is issued to replace Permit G-15886, and incorporates the amendments approved by this order and the extension of time. Permit G-15886, in the name of BIG VALLEY WOODS WATER CORP., is no longer of any force or effect.
3. The combined quantity of water diverted at the new point of appropriation, together with that diverted at the old points of appropriation, shall not exceed the quantity of water lawfully available at the original points of appropriation.
4. Water use measurement conditions:
 - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device at each point of appropriation (new and existing).

- b. The water user shall maintain the meters or measuring devices in good working order.
 - c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.
5. The well shall be open to a single aquifer of the Columbia River Basalt Group and shall meet the applicable well construction standards (OAR 690-200 and OAR 690-210). In addition, the open interval in the well shall be no greater than 100 feet. An open interval of greater than 100 feet may be allowed if substantial evidence of a single aquifer completion can be demonstrated to the satisfaction of the Department's Groundwater Section using information from a video log, downhole flowmeter, water chemistry and temperature, or other downhole geophysical methods. These methods shall characterize the nature of the basalt rock and assess whether water is moving in the borehole. Any discernable movement of water within the well bore when the well is not being pumped shall be assumed as evidence of the presence of multiple aquifers in the open interval.
 6. A dedicated water-level measuring tube shall be installed in the well. The measuring tube shall meet the standards described in OAR 690-215-0060. When requested, access to the wells shall be provided to Department staff in order to make water-level measurements.
 7. The applicant shall coordinate with the driller to ensure that drill cuttings shall be collected at 10 feet intervals and at changes in formation in each well. A split of each sampled interval shall be provided to the Department.
 8. Copies of all geologic and hydrogeologic reports completed for the permittee during the development of the well, including geophysical well logs and borehole video logs, shall be provided to the Department. Except for borehole video logs, two paper copies, or a single electronic copy, shall be provided of each report. Digital tables of any data shall be provided upon request.
 9. Water shall be acquired from the same aquifer as the original point of appropriation.
 10. The former place of use shall no longer be irrigated as part of this permit.
 11. All other terms and conditions of Permit G-15886 remain the same.

Dated at Salem, Oregon this 1 day of June, 2015.


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

Mailing Date: JUN 05 2015