

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

In the Matter of Permit Amendment) FINAL ORDER
T-12828, Umatilla County) APPROVING A CHANGE IN POINT
) OF APPROPRIATION

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

JODY AND DEBRA CARPENTER
11 S GOOSEGAP ROAD
BENTON CITY, WA 99320

Findings of Fact

1. On January 22, 2018, JODY AND DEBRA CARPENTER filed an application to change the point of appropriation under Permit G-15197. The Department assigned the application number T-12828.
2. On October 19, 2008, the Department approved an assignment of the permit from Robert J. Hodnefield to Ruby N. Lathrop.
3. On August 25, 2008, the Department approved an assignment of the permit from Ruby N. Lathrop to Jody and Debra Carpenter.
4. On April 21, 2009, the Department approved an extension of time for complete application of water to October 1, 2020.
5. Notice of the application for the permit amendment was published in the Department's weekly notice on January 30, 2018, pursuant to ORS 540.520(5). No comments were filed in response to the notice.
6. On October 30, 2018, the Department contacted the applicant by written correspondence to notify the applicant and the applicant's agent of a deficiency in the application. The Department requested that the deficiency be resolved by November 28, 2018.
7. On November 8, 2018, the applicant's agent submitted a Supplemental Form D, resolving the deficiency.

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.

8. Permit Amendment Application T-12828 proposes to move the authorized point of appropriation approximately 631 feet from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
6 N	35 E	WM	30	SW SW	WELL 2 - 1325 FEET NORTH AND 426 FEET EAST FROM THE SW CORNER OF SECTION 30

Permit Amendment Review Criteria

9. The change would not result in injury to other water rights.
10. The change does not enlarge the permit.
11. The change does not alter any other terms of the permit.

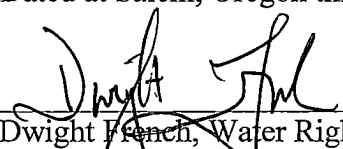
Conclusions of Law

The change in point of appropriation proposed by Permit Amendment Application T-12828 is consistent with the requirements of ORS 537.211.

Now, therefore, it is ORDERED:

1. The change in point of appropriation proposed by Permit Amendment Application T-12828 is approved.
2. Permit G-18147, in the name of Jody and Debra Carpenter, is issued to replace Permit G-15197, and incorporates the amendments approved by this order, the extension of time, and the assignment. Permit G-15197, in the name of JODY AND DEBRA CARPENTER, is no longer of any force or effect.
3. The quantity of water diverted at the new point of appropriation (Well 2), shall not exceed the quantity of water lawfully available at the original point of appropriation (Well 1).
4. Water shall be acquired from the same aquifer as the original point of appropriation.
5. All other terms and conditions of Permit G-18147 remain the same.

Dated at Salem, Oregon this DEC 03 2018.



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

Mailing Date: DEC 04 2018