

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
16 S	22 E	WM	25	SE SE	WELL 5 - 970 FEET NORTH AND 580 FEET WEST FROM THE SE CORNER OF SECTION 25

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
16 S	22 E	WM	25	SW NE	8.5
16 S	22 E	WM	25	SE NE	0.3
16 S	22 E	WM	25	NE NW	0.5
16 S	22 E	WM	25	NW NW	11.6
16 S	22 E	WM	25	SW NW	32.0
16 S	22 E	WM	25	SE NW	31.9
16 S	22 E	WM	25	NE SW	37.9
16 S	22 E	WM	25	NW SW	14.2
16 S	22 E	WM	25	SE SW	9.4
16 S	22 E	WM	25	NE SE	19.2
16 S	22 E	WM	25	NW SE	40.0
16 S	22 E	WM	25	SW SE	34.6
16 S	22 E	WM	25	SE SE	11.4

4. The applicant has provided information that better describes the location of the authorized Well 5 as being:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
16 S	22 E	WM	25	SE SE	WELL 5 - 330 FEET NORTH AND 20 FEET WEST FROM THE SE CORNER OF SECTION 25

5. Permit Amendment Application T-11055 proposes an additional point of appropriation approximately 5200 feet from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
16 S	22 E	WM	25	NW SW	WELL 8 - 300 FEET SOUTH AND 425 FEET EAST FROM THE W¼ CORNER OF SECTION 25

6. Permit Amendment Application T-11055 also proposes to change the place of use of the permit to:

WELL 5					
IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
16 S	22 E	WM	25	SW NE	7.1
16 S	22 E	WM	25	SE NW	5.5
16 S	22 E	WM	25	NE SW	38.2
16 S	22 E	WM	25	NW SW	3.7
16 S	22 E	WM	25	SE SW	32.3
16 S	22 E	WM	25	NE SE	8.0
16 S	22 E	WM	25	NW SE	39.8
16 S	22 E	WM	25	SW SE	39.4
16 S	22 E	WM	25	SE SE	6.8
16 S	22 E	WM	36	NW NE	2.3
16 S	22 E	WM	36	NE NW	3.2

WELL 8					
IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
16 S	22 E	WM	25	NE NW	0.4
16 S	22 E	WM	25	NW NW	11.5
16 S	22 E	WM	25	SW NW	29.5
16 S	22 E	WM	25	SE NW	23.8

7. Notice of the application for the permit amendment was published in the Department's weekly notice on April 13, 2010, and in the Central Oregonian newspaper, pursuant to ORS 540.520(5). No comments were filed in response to the notices.

Permit Amendment Review Criteria

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

Conclusions of Law

The additional point of appropriation and change in place of use proposed by Permit Amendment Application T-11055 is consistent with the requirements of ORS 537.211.

Now, therefore, it is ORDERED:

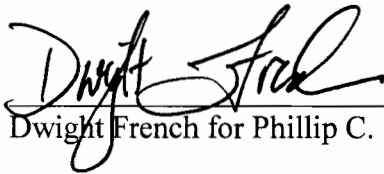
The changes and subsequent use of water shall be subject to the following conditions:

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. 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. The former place of use shall no longer be irrigated as part of this permit.
5. All other terms and conditions of Permit G-15598 remain the same.
6. PermitG-15598, in the name of GUTIERREZ CATTLE CO., is amended as described herein.

Dated at Salem, Oregon this 27 day of September, 2010.



Dwight French for Phillip C. Ward, Director

Mailing Date: SEP 27 2010