

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

In the Matter of Permit Amendment) FINAL ORDER
T-12600, Marion County) APPROVING A CHANGE IN POINT
) OF DIVERSION

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 diversion and/or place of use authorized under an existing water right permit.

Applicant

GOSCHIE FARMS, INC.
7365 MERIDIAN RD NE
SILVERTON, OR 97381

Findings of Fact

1. On March 2, 2017, GOSCHIE FARMS, INC. filed an application to change the point of diversion under Permit S-54015. The Department assigned the application number T-12600.
2. On March 3, 2017, the Department approved an extension of time for complete application of water to October 1, 2020.
3. Notice of the application for the permit amendment was published in the Department's weekly notice on March 14, 2017, and in the Silverton Appeal Tribune newspaper on June 27, 2018, and July 4, 2018, pursuant to ORS 540.520(5). No comments were filed in response to the notices.

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.

- Permit Amendment Application T-12600 proposes to move the authorized point of diversion approximately 0.4-0.6 miles upstream from the existing point of diversion to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate distance from original point of diversion location measured in miles (mi.)
6 S	1 W	WM	19	SW SW	POD 1 - 4790 FEET SOUTH AND 720 FEET EAST FROM NW CORNER, SECTION 19	0.4 mi.
6 S	1 E	WM	19	SE SW	POD 2 - 5090 FEET SOUTH AND 1580 FEET EAST FROM THE NW CORNER OF SECTION 19	0.6 mi.

- On May 15, 2018, the Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screening is necessary at the new point of diversion to prevent fish from entering the diversion and that the diversion is not currently equipped with an appropriate fish screen. This diversion may be eligible for screening cost share funds.

Permit Amendment Review Criteria

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

Conclusions of Law

The change in point of diversion proposed by Permit Amendment Application T-12600 is consistent with the requirements of ORS 537.211.

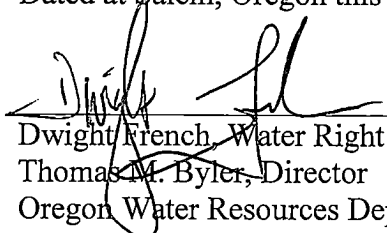
Now, therefore, it is ORDERED:

- The change in point of diversion proposed by Permit Amendment Application T-12600 is approved.
- Permit S-55164, in the name of Goschie Farms, Inc., is issued to replace Permit S-54015, and incorporates the amendments approved by this order and the extension of time. Permit S-54015, in the name of GOSCHIE FARMS INC., is no longer of any force or effect.
- The quantity of water diverted at the new points of diversion, shall not exceed the quantity of water lawfully available at the original point of diversion.
- Prior to diverting water, the water user shall install an approved fish screen at the new point of diversion and shall provide to the OWRD a written statement from Oregon Department of Fish and Wildlife (ODFW) that the installed screen meets the state’s criteria, or that ODFW has determined a screen is not necessary.

The water user shall operate and maintain the fish screen at the new point of diversion consistent with ODFW's operational and maintenance standards. If ODFW determines the screen is not functioning properly, and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly.

5. Water shall be acquired from the same surface water source as the original point of diversion.
6. All other terms and conditions of Permit S-55164 remain the same.

Dated at Salem, Oregon this AUG 24 2018 .



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

Mailing Date: AUG 27 2018