BEFORE THE WATER RESOURCES DEPARTMENT OF THE STATE OF OREGON

In the Matter of Permit Amendment)	FINAL ORDER
T-10139, Morrow County, Oregon)	APPROVING AN ADDITIONAL POINT
)	OF APPROPRIATION

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.

Applicants

James P. and Leslie L. Suter 74777 Toms Camp Road Boardman, Oregon 97818

Findings of Fact

- 1. James P. and Leslie L. Suter, filed an application for an additional point of appropriation under Permit G-15835. The Department assigned the application number T 10139.
- 2. The permit to be amended is as follows:

Permit: G-15835, in the names of James P. and Leslie L. Suter;

Use: Irrigation

Priority Date: August 25, 2004

Quantity: 0.44 cubic foot per second

Rate/Duty: The amount of water used for irrigation, together with the amount secured

under any other right existing for the same lands, is limited to ONE-

EIGHTIETH of one cubic foot per second per acre or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

Acres: 35.0

Source: Well 3, in the Columbia River Basin.

Date Of Complete Application of

Water: October 1, 2009

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 Point of Appropriation:

Town	nship	Range		Meridian	Sec	1/4 1/4		Location
4	N	24	Е	W.M.	24	NW	SW	Well 3 – 1260 feet South and 311 feet East from W ¹ / ₄ Corner of Section 24.

Authorized Place of Use:

Township		Range		Meridian	Sec	1/4 1/4		Acres
4	N	24	Е	W.M.	24	sw	NW	20.0
4	N	24	Е	W.M.	24	NW	SW	15.0

3. Application T-10139 proposes an additional point of appropriation located:

Town	ownship Range		nge	Meridian	Sec	1/4 1/4		Location	
4	N	24	Е	W.M.	24	sw	NW	Well 1a – 28 feet North and 172 feet East from the W 1/4 Corner of Section 24.	

- 4. Notice of the application for permit amendment was published pursuant to ORS 540.520(5). No comments were filed in response to the notice.
- 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 - 10139 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 (well), together with that diverted at the old point of appropriation, shall not exceed the maximum rate and duty allowed under Permit G-15835.
- 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.

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.

The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

- Water shall be acquired from the same aquifer as the original point of appropriation.
- 4. All other terms and conditions of Permit G-15835 remain the same.
- 5. Permit G-15835, in the name of James P. and Leslie L. Suter, is amended as described herein.

Dated at Salem, Oregon	thise day of	lly 2006.
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Phillip C. Ward,

Director

Mailing Date:___AUG 0 2 2006