

Authorized Points of Appropriation:

Township		Range		Meridian	Sec	¼ ¼		Location
16	S	3	W	W.M.	26	SW	SW	Well 738 - North 84°38'19" West 4274.00 feet from the NE Corner of Section 35.
16	S	3	W	W.M.	26	SW	SW	Well 726 - North 77°06'42" West 4023.83 feet from the NE Corner of Section 35.
16	S	3	W	W.M.	26	SE	SW	Well 7686 - North 86°32'47" West 3448.92 feet from the NE Corner of Section 35.
16	S	3	W	W.M.	35	NW	NE	Well 7691 - South 53°43'40" West 3442.29 feet from the NE Corner of Section 35.
16	S	3	W	W.M.	35	SW	NE	Well 2 - South 43°28'12" West 2383.72 feet from the NE Corner of Section 35.
16	S	3	W	W.M.	35	NE	NW	Well 7688 - South 79°56'36" West 3709.64 feet from the NE Corner of Section 35.
16	S	3	W	W.M.	35	NW	NW	Well 7689 - South 73°53'25" West 4244.50 feet from the NE Corner of Section 35.
16	S	3	W	W.M.	35	NW	NW	Well 7676 - South 85°14'56" West 4655.63 feet from the NE Corner of Section 35.
16	S	3	W	W.M.	35	NW	NW	Well 7675 - South 86°52'28" West 4677.38 feet from the NE Corner of Section 35.
16	S	3	W	W.M.	26	SW	SW	Well 1 - North 72°20'00" West 4570 feet from SE Corner of Section 26.
16	S	3	W	W.M.	35	NW	NE	Well 7685 - South 63°29'02" West 2201.21 feet from the NE Corner of Section 35.
16	S	3	W	W.M.	35	SE	NW	Well 7690 - South 65°30'39" West 3651.81 feet from the NE Corner of Section 35.
16	S	3	W	W.M.	35	SE	NW	Well 737 - South 62°37'28" West 3729.33 feet from the NE Corner of Section 35.
16	S	3	W	W.M.	36	SW	NW	Well 739 - South 18°57'44" East 1702.34 feet from the NE Corner of Section 35.
16	S	3	W	W.M.	36	SW	NW	Well 7693 - South 16°02'18" East 1851.71 feet from the NE Corner of Section 35.

Authorized Place of Use:

Township		Range		Meridian	Sec	¼ ¼		Acres
16	S	3	W	W.M.	26	NW	SW	11.7
16	S	3	W	W.M.	26	SW	SW	16.9
16	S	3	W	W.M.	26	SE	SW	4.6
16	S	3	W	W.M.	27	NE	SE	2.9
16	S	3	W	W.M.	27	SE	SE	5.8
16	S	3	W	W.M.	34	NE	NE	1.8
16	S	3	W	W.M.	35	NE	NE	2.5
16	S	3	W	W.M.	35	NW	NE	15.5
16	S	3	W	W.M.	35	SW	NE	5.7
16	S	3	W	W.M.	35	SE	NE	3.0
16	S	3	W	W.M.	35	NE	NW	20.5
16	S	3	W	W.M.	35	NW	NW	25.3
16	S	3	W	W.M.	35	SW	NW	8.0
16	S	3	W	W.M.	35	SE	NW	10.0
16	S	3	W	W.M.	36	SW	NW	3.0

3. Application T-9901 proposes to change the point of appropriation of Well 2 to:

Township		Range		Meridian	Sec	¼ ¼		Location
16	S	3	W	W.M.	27	SE	SE	North 12°00'00" West 800 feet from SE Corner of Section 26.

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. Groundwater Section has found that in order to stay within the same source as the authorized points of appropriation, the proposed point of appropriation shall be constructed so as to be continuously cased and sealed from the surface downward to at least five feet within the marine sediments.
6. The change, as conditioned, would not result in injury to other water rights.
7. The change does not enlarge the permit.
8. The change does not alter all other terms of the permit.
9. A scrivener's error was found in Permit G-14050's quarter-quarter description of the authorized points of appropriation. The permit describes the SW¼ SW¼ of Section 36 as having points of appropriation. The correct quarter-quarter is the SW¼ NW¼ of Section 35, T 16 S, R 3 W, W.M..

Conclusion of Law

The change in point of appropriation of Well 2 proposed by Permit Amendment Application T-9901 is consistent, as conditioned, with the requirements of ORS 537.211.

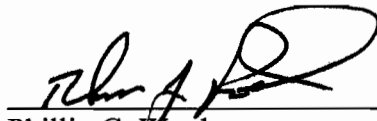
Now, therefore, it is **ORDERED**:

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) shall not exceed the maximum rate and duty allowed under Permit G-14050.
2. A. 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.

B. 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 proposed point of appropriation shall be constructed so as to be continuously cased and sealed from the surface downward to at least five feet within the marine sediments.
5. All other terms and conditions of Permit G-14050 remain the same.
6. Permit G-14050, in the name of Country View Estates Water System, Donald Harkins, is amended as described herein.

Dated at Salem, Oregon this 29th day of September 2005.



F02 Phillip C. Ward,
Director