

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

In the Matter of Permit Amendment) **FINAL ORDER**
T-10850, Baker County) APPROVING ADDITIONAL POINTS
) OF APPROPRIATION

Authority

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

INMAN RANCH LLC - JOHN INMAN
51 SAN PEDRO STREET
SALINAS, CALIFORNIA 93901

Findings of Fact

Background

1. On April 20, 2009, John Inman filed an application for additional points of appropriation under Permit G-16358. The Department assigned the application number T-10850.
2. The permit to be amended is as follows:
 - Permit:** G-16358 in the name of INMAN RANCH LLC
 - Use:** SUPPLEMENTAL IRRIGATION OF 394.7 ACRES
 - Priority Date:** SEPTEMBER 27, 2007
 - Quantity:** 4.93 CUBIC FEET 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 a diversion of ONE-EIGHTIETH of one cubic foot per second and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.
 - Period of Use:** APRIL 1 THROUGH SEPTEMBER 30
 - Source:** WELLS 1 AND 2 within the POWDER RIVER BASIN

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 Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
7 S	39 E	WM	10	NW SW	WELL 1 - 130 FEET SOUTH AND 980 FEET EAST FROM THE W¼ CORNER OF SECTION 10
7 S	39 E	WM	10	NW SE	WELL 2 - 80 FEET SOUTH AND 2540 FEET WEST FROM THE E¼ CORNER OF SECTION 10

Authorized Place of Use:

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
7 S	39 E	WM	10	NE SW	37.5
7 S	39 E	WM	10	NW SW	37.6
7 S	39 E	WM	10	SW SW	36.6
7 S	39 E	WM	10	SE SW	40.0
7 S	39 E	WM	10	NE SE	2.0
7 S	39 E	WM	10	NW SE	30.6
7 S	39 E	WM	10	SW SE	39.1
7 S	39 E	WM	10	SE SE	22.5
7 S	39 E	WM	15	NE NE	4.3
7 S	39 E	WM	15	NW NE	32.6
7 S	39 E	WM	15	NE NW	39.8
7 S	39 E	WM	15	NW NW	40.0
7 S	39 E	WM	16	NE NE	32.1

3. Permit Amendment Application T-10850 proposes two additional points of appropriation located:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
7 S	39 E	WM	10	NW SE	WELL 3 - 1155 FEET SOUTH AND 1860 FEET WEST FROM THE E¼ OF SECTION 10
7 S	39 E	WM	11	NW SW	WELL 4 - 504 FEET SOUTH AND 135 FEET EAST FROM THE W¼ CORNER OF SECTION 11

4. Notice of the application for the permit amendment was published in the Department’s weekly notice on April 28, 2009, and in the Baker City Herald newspaper on September 11, 18, and 25, 2009, pursuant to ORS 540.520(5). No comments were filed in response to the notices.

Permit Amendment Review Criteria

- 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 points of appropriation proposed by Permit Amendment Application T-10850 are consistent with the requirements of ORS 537.211.

Now, therefore, it is ORDERED:

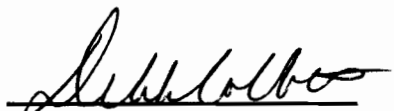
The change and subsequent use of water shall be subject to the following conditions:

1. The combined quantity of water diverted at the new points of appropriation, together with that diverted at the old points of appropriation, shall not exceed the quantity of water lawfully available at the original points 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 points of appropriation.
4. All other terms and conditions of Permit G-16358 remain the same.
5. Permit G-16358, in the name of INMAN RANCH LLC, is amended as described herein.

Dated at Salem, Oregon this 9th day of October, 2009.



Phillip C. Ward, Director

Mailing Date: OCT 12 2009