

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

In the Matter of Permit Amendment	)	<b>FINAL ORDER</b>
T-11125, Marion 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**

MIKE THOMPSON  
8095 DELPHINIUM PLACE NE  
SALEM, OR 97305

**Findings of Fact**

**Background**

1. On August 31, 2010, MIKE THOMPSON filed an application for additional points of appropriation under Permit G-11014. The Department assigned the application number T-11125.

2. The permit to be amended is as follows:

<b>Permit:</b>	G-11014 in the name of MIKE THOMPSON
<b>Use:</b>	IRRIGATION of 240.1 ACRES
<b>Priority Date:</b>	DECEMBER 20, 1989
<b>Quantity:</b>	3.0 CUBIC FEET PER SECOND
<b>Rate/Duty:</b>	The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.
<b>Sources:</b>	TWO WELLS within the PUDDING RIVER BASIN

<p>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.</p>
-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

**Authorized Points of Appropriation:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
7 S	2 W	WM	23	SW NE	WELL 1 - 70 FEET NORTH AND 560 FEET EAST FROM THE C <sup>1</sup> / <sub>4</sub> CORNER OF SECTION 23
7 S	2 W	WM	23	NE SE	WELL 2 - 320 FEET SOUTH AND 1730 FEET EAST FROM THE C <sup>1</sup> / <sub>4</sub> CORNER OF SECTION 23

**Authorized Place of Use:**

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
7 S	2 W	WM	13	SW SW	0.2
7 S	2 W	WM	14	SW SE	25.2
7 S	2 W	WM	14	SE SE	37.5
7 S	2 W	WM	23	SW NE	37.3
7 S	2 W	WM	23	SE NE	10.5
7 S	2 W	WM	23	SE NW	28.8
7 S	2 W	WM	23	NE SW	17.1
7 S	2 W	WM	23	NE SE	11.9
7 S	2 W	WM	23	NW SE	31.8
7 S	2 W	WM	23	SW SE	0.2
7 S	2 W	WM	23	SE SE	14.2
7 S	2 W	WM	26	NE NE	19.2
7 S	2 W	WM	26	NW NE	6.2
TOTAL					240.1

- On June 16, 2011, Permit G-11014 was partially assigned from Cecil Roth to Mike Thompson.
- Permit Amendment Application T-11125 proposes two additional points of appropriation approximately 1200 feet north from Well 1 to Well 3; 2700 feet southeast from Well 1 to Well 4; 2150 feet northwest from Well 2 to Well 3; and 1650 feet southeast from Well 2 to Well 4 located as:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
7 S	2 W	WM	23	NW NE	WELL 3 - 50 FEET NORTH AND 1780 FEET WEST FROM THE SE CORNER OF DLC 62
7 S	2 W	WM	23	SE SE	WELL 4 - 780 FEET NORTH AND 150 FEET WEST FROM THE SE CORNER OF SECTION 23

- Notice of the application for the permit amendment was published in the Department's weekly notice on September 7, 2010, and in the Silverton Appeal-Tribune newspaper on June 22 and 29, and July 6, 2011, pursuant to ORS 540.520(5). No comments were filed in response to the notices.

***Permit Amendment Review Criteria***

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

8. The change does not alter any other terms of the permit.

### **Conclusions of Law**

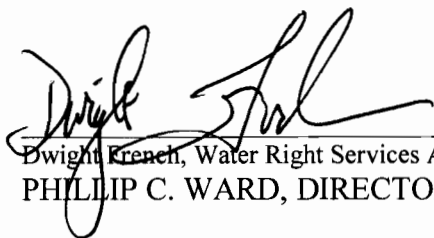
The additional points of appropriation proposed by Permit Amendment Application T-11125 are consistent with the requirements of ORS 537.211.

### **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. Water use measurement conditions:
  - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of appropriation.
  - b. The water user shall maintain the meters or measuring devices in good working order.
  - c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are 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-11014 remain the same.
5. Permit G-11014, in the name of MIKE THOMPSON, is amended as described herein.

Dated at Salem, Oregon this 8 day of August 2011.



Dwight French, Water Right Services Administrator, for  
PHILLIP C. WARD, DIRECTOR

Mailing Date: AUG 09 2011