

7. On November 20, 1972, the Department approved an extension of time for complete application of water to October 1, 1977.
8. On May 24, 1978, the Department approved an extension of time for complete application of water to October 1, 1982.
9. On May 10, 1983, the Department approved an extension of time for complete application of water to October 1, 1987.
10. On March 8, 1989, the Department approved an extension of time for complete application of water to October 1, 1992.
11. On December 2, 1993, the Department approved an extension of time for complete application of water to October 1, 1997.
12. On July 28, 2004, the Department approved an extension of time for complete application of water to October 1, 2050.
13. Notice of the application for the permit amendment was published in the Department's weekly notice on October 9, 2012, and in the News Register newspaper on September 27 and October 4, 2013, pursuant to ORS 540.520(5). No comments were filed in response to the notices.

14. Permit Amendment Application T-11479 proposes an additional point of diversion approximately 3800 feet upstream from the existing point of diversion to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 S	6 W	WM	13	NW NE	POD 2 - 330 FEET SOUTH AND 2325 FEET WEST FROM THE NE CORNER OF SECTION 13

15. The applicant has submitted information that better describes the location of the existing authorized point of diversion as:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 S	5 W	WM	18	SW NW	POD 1 - 2540 FEET SOUTH AND 1050 FEET EAST FROM THE NW CORNER OF SECTION 18

16. The Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screen is necessary at the new point of diversion to prevent fish from entering the diversion and that the diversion is currently equipped with an appropriate fish screen.

Permit Amendment Review Criteria

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

Conclusions of Law

The additional point of diversion proposed by Permit Amendment Application T-11479 is consistent with the requirements of ORS 537.211.

Now, therefore, it is ORDERED:

1. The additional point of diversion proposed by Permit Amendment Application T-11479 is approved.
2. Permit S-54829, in the name of CITY OF McMinnville BY AND THROUGH ITS WATER AND LIGHT COMMISSION, is issued to replace Permit S-14837, and incorporates the amendments approved by this order, the extensions of time. Permit S-14837, in the name of CITY OF McMinnville BY AND THROUGH ITS WATER AND LIGHT COMMISSION, is no longer of any force or effect.
3. The combined quantity of water diverted at the new point of diversion, together with that diverted at the old point of diversion, shall not exceed the quantity of water lawfully available at the original point of diversion.
4. 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 diversion.
 - 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.
5. The water user shall operate and maintain an approved fish screen at the new point of diversion. If Oregon Department of Fish and Wildlife (ODFW) determines the screen is not functioning properly, and is unsuccessful with working with the water user to meet ODFW standards, ODFW may request that Oregon Water Resources Department (OWRD) regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly.
6. Water shall be acquired from the same surface water source as the original point of diversion.

7. All other terms and conditions of Permit S-54829 remain the same.

Dated at Salem, Oregon this 11 day of October, 2013.



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

Mailing Date: OCT 21 2013