

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Permit Amendment)
T-10883, Lane County)
)
)
)
)

FINAL ORDER
APPROVING A CHANGE IN POINT OF
APPROPRIATION, AN ADDITIONAL
POINT OF APPROPRIATION, AND A
CHANGE IN PLACE OF USE

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

EUGENE CHRISTIAN FELLOWSHIP
89780 N GAME FARM RD
EUGENE OR 97408

Findings of Fact

Background

- On May 29, 2009, EUGENE CHRISTIAN FELLOWSHIP filed an application to change the point of appropriation and for an additional point of appropriation and to change a place of use under Permit G-12814. The Department assigned the application number T-10883.
- The permit to be amended is as follows:

Permit: G-12814 in the name of EUGENE CHRISTIAN FELLOWSHIP
Use: IRRIGATION of 2 ACRES
Priority Date: AUGUST 25, 1995
Quantity: 0.025 CUBIC FOOT PER SECOND
Rate/Duty: The amount of water used for irrigation under this right, 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 (or its equivalent) and 2.5 acre-feet for each acre irrigated during the irrigation season of each year.
Period of Use: MARCH 1 THROUGH OCTOBER 31
Source: A WELL within the MCKENZIE 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 Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
17 S	3 W	WM	9	SE SW	WELL 1 - 500 FEET NORTH AND 2500 FEET EAST FROM SW CORNER OF SECTION 9

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
17 S	3 W	WM	9	SE SW	2.0

3. Permit Amendment Application T-10883 proposes an additional point of appropriation (Well 2) approximately 115 feet from the authorized point of appropriation *and* to change the location of the authorized point of appropriation (Well 1) approximately 80 feet from the location described in the permit to:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
17 S	3 W	WM	9	SE SW	WELL 1 – 428 FEET NORTH AND 1 FOOT EAST FROM S ¼ CORNER OF SECTION 9
17 S	3 W	WM	9	SW SE	WELL 2 – 970 FEET NORTH AND 157 FEET EAST FROM S ¼ OF SECTION 9.

4. Permit Amendment Application T-10883 also proposes to change the place of use of the permit to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
17 S	3 W	WM	9	NE SW	2.0

5. Notice of the application for the permit amendment was published in the Department’s weekly notice on June 16, 2009. No comments were filed in response to the notice.

Permit Amendment Review Criteria

6. The changes would not result in injury to other water rights.
7. The proposed place of use is owned and/or controlled by the permit holder.
8. The changes do not enlarge the permit.
9. The changes do not alter any other terms of the permit.
10. The proposed place of use is contiguous to the authorized place of use.

Conclusions of Law


The change in point of appropriation, additional point of appropriation and change in place of use proposed by Permit Amendment Application T-10883 is consistent with the requirements of ORS 537.211.

Now, therefore, it is ORDERED:

The changes 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, shall not exceed the quantity of water lawfully available at the original point of appropriation.
2. Before water use may begin under this permit, 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.
3. 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.
4. 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.
5. Water shall be acquired from the same aquifer as the original point of appropriation.
6. The former place of use shall no longer be irrigated as part of this permit.
7. All other terms and conditions of Permit G-12814 remain the same.
8. Permit G-12814, in the name of EUGENE CHRISTIAN FELLOWSHIP, is amended as described herein.

Dated at Salem, Oregon this 13th day of October, 2009.


Phillip C. Ward, Director *pcw*

Mailing Date: OCT 14 2009