

7. On June 9, 2016, the applicant's agent provided updated application pages and maps.
8. On January 9, 2018, the Department contacted the applicant's agent with regard to some lands that appear to not be contiguous to the original place of use.
9. On January 15, 2018, the Agent for the applicant provided the Department with amended tables and maps correcting the non-contiguous lands.
10. For clarity purposes some of the wells have been re-numbered and the descriptions now include the Department issued Well Identification numbers as described in findings of facts No. 9, No. 10, No. 12, and No. 14.
11. Permit Amendment Application T-12257 proposes for Permit G-17348 for additional points of appropriation from approximately 2.7 to 0.5 mile(s) from the existing points of Appropriation to:

Status	New POA#	Twp	Rng	Mer	Sec	Q-Q	Measured Distances
New	#1	25 S	30 E	WM	33	SE NW	HARN 1094 - 1317 FEET SOUTH AND 1355 FEET EAST FROM NW CORNER OF SECTION 33
New	#5	25 S	30 E	WM	33	SW NE	HARN 51146 - 4195 FEET SOUTH AND 2672 FEET WEST FROM THE NE CORNER OF SECTION 33
New	#7	25 S	30 E	WM	34	SE SW	HARN 51272 - 4725 FEET SOUTH AND 1877 FEET EAST FROM THE NW CORNER OF SECTION 34
Authorized	#9	25 S	30 E	WM	33	SE SW	HARN 51448 - 4423 FEET SOUTH AND 2750 FEET WEST FROM THE NE CORNER OF SECTION 33
Authorized	#10	26 S	30 E	WM	3	NW NW	HARN 51765 - 985 FEET SOUTH AND 455 FEET EAST FROM THE NW CORNER OF SECTION 3
Authorized	#11	26 S	30 E	WM	3	NW NW	HARN 51760 - 1005 FEET SOUTH AND 375 FEET EAST FROM THE NW CORNER OF SECTION 3
Authorized	#12	25 S	30 E	WM	33	SE NW	HARN 51817 - 2605 FEET SOUTH AND 2450 FEET EAST FROM THE NW CORNER OF SECTION 33
Authorized	#13	26 S	30 E	WM	4	NE NW	HARN 51445 - 1090 FEET SOUTH AND 2705 FEET WEST FROM THE NE CORNER OF SECTION 4
Authorized	#14	25 S	30 E	WM	33	SE SE	HARN 51871 - 1000 FEET NORTH AND 10 FEET WEST FROM THE SE CORNER OF SECTION 33
Authorized	#15	25 S	30 E	WM	33	SE SE	HARN 51970 - 1000 FEET NORTH AND 30 FEET WEST FROM THE SE CORNER OF SECTION 33
New	#16	25 S	30 E	WM	29	SE SE	HARN 52121 - 1200 FEET NORTH AND 900 FEET WEST FROM THE S 1/16 CORNER OF SECTIONS 28 AND 29
New	#17	25 S	30 E	WM	3	NW NW	HARN 52154 - 6300 FEET SOUTH AND 440 FEET EAST FROM THE NW CORNER OF SECTION 34
New	#18	25 S	30 E	WM	29	SE SE	HARN 52170 - 1200 FEET NORTH AND 850 FEET WEST FROM THE S 1/16 CORNER OF SECTIONS 28 AND 29

12. Permit Amendment Application T-12257 proposes for Permit G-16461 additional points of diversion as described in the table below:

Status	New POA#	Twp	Rng	Mer	Sec	Q-Q	Measured Distances
New	#1	25 S	30 E	WM	33	SE NW	HARN 1094 - 1317 FEET SOUTH AND 1355 FEET EAST FROM NW CORNER OF SECTION 33
New	#5	25 S	30 E	WM	33	SW NE	HARN 51146 - 4195 FEET SOUTH AND 2672 FEET WEST FROM THE NE CORNER OF SECTION 33
Authorized	#7	25 S	30 E	WM	34	SE SW	HARN 51272 - 4725 FEET SOUTH AND 1877 FEET EAST FROM THE NW CORNER OF SECTION 34
Authorized	#9	25 S	30 E	WM	33	SE SW	HARN 51448 - 4423 FEET SOUTH AND 2750 FEET WEST FROM THE NE CORNER OF SECTION 33
New	#10	26 S	30 E	WM	3	NW NW	HARN 51765 - 985 FEET SOUTH AND 455 FEET EAST FROM THE NW CORNER OF SECTION 3
Authorized	#11	26 S	30 E	WM	3	NW NW	HARN 51760 - 1005 FEET SOUTH AND 375 FEET EAST FROM THE NW CORNER OF SECTION 3
Authorized	#12	25 S	30 E	WM	33	SE NW	HARN 51817 - 2605 FEET SOUTH AND 2450 FEET EAST FROM THE NW CORNER OF SECTION 33
Authorized	#13	26 S	30 E	WM	4	NE NW	HARN 51445 - 1090 FEET SOUTH AND 2705 FEET WEST FROM THE NE CORNER OF SECTION 4
Authorized	#14	25 S	30 E	WM	33	SE SE	HARN 51871 - 1000 FEET NORTH AND 10 FEET WEST FROM THE SE CORNER OF SECTION 33

13. Permit Amendment Application T-12257 also proposes to change the place of use of permit G-16461 to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
25 S	30 E	WM	32	NE SE		36.5
25 S	30 E	WM	32	NW SE		14.5
25 S	30 E	WM	32	SW SE		8.7
25 S	30 E	WM	32	SE SE		24.3
25 S	30 E	WM	33	NE SW		30.2
25 S	30 E	WM	33	NW SW		31.2
25 S	30 E	WM	33	SW SW		26.7
25 S	30 E	WM	33	SE SW		27.0
26 S	30 E	WM	4	NE NW	3	35.9
26 S	30 E	WM	4	NW NW	4	25.7
26 S	30 E	WM	4	SW NW		16.1
26 S	30 E	WM	4	SE NW		13.6
26 S	30 E	WM	4	NW SW		20.1
26 S	30 E	WM	4	SW SW		5.5
26 S	30 E	WM	5	NE NE	1	5.5
26 S	30 E	WM	5	SE NE		15.1
26 S	30 E	WM	5	NE SE		24.3
26 S	30 E	WM	5	SE SE		38.1
26 S	30 E	WM	8	NE NE		1.0
Total:						400.0

14. Permit Amendment Application T-12257 proposes for Permit G-16829 additional points of diversion as described in the table below:

Status	New POA#	Twp	Rng	Mer	Sec	Q-Q	Measured Distances
New	#1	25 S	30 E	WM	33	SE NW	HARN 1094 - 1317 FEET SOUTH AND 1355 FEET EAST FROM NW CORNER OF SECTION 33
New	#5	25 S	30 E	WM	33	SW NE	HARN 51146 - 4195 FEET SOUTH AND 2672 FEET WEST FROM THE NE CORNER OF SECTION 33
New	#7	25 S	30 E	WM	34	SE SW	HARN 51272 - 4725 FEET SOUTH AND 1877 FEET EAST FROM THE NW CORNER OF SECTION 34
Authorized	#9	25 S	30 E	WM	33	SE SW	HARN 51448 - 4423 FEET SOUTH AND 2750 FEET WEST FROM THE NE CORNER OF SECTION 33
New	#10	26 S	30 E	WM	3	NW NW	HARN 51765 - 985 FEET SOUTH AND 455 FEET EAST FROM THE NW CORNER OF SECTION 3
New	#11	26 S	30 E	WM	3	NW NW	HARN 51760 - 1005 FEET SOUTH AND 375 FEET EAST FROM THE NW CORNER OF SECTION 3
New	#12	25 S	30 E	WM	33	SE NW	HARN 51817 - 2605 FEET SOUTH AND 2450 FEET EAST FROM THE NW CORNER OF SECTION 33
New	#13	26 S	30 E	WM	4	NE NW	HARN 51445 - 1090 FEET SOUTH AND 2705 FEET WEST FROM THE NE CORNER OF SECTION 4
New	#14	25 S	30 E	WM	33	SE SE	HARN 51871 - 1000 FEET NORTH AND 10 FEET WEST FROM THE SE CORNER OF SECTION 33
New	#15	25 S	30 E	WM	33	SE SE	HARN 51970 - 1000 FEET NORTH AND 30 FEET WEST FROM THE SE CORNER OF SECTION 33
New	#16	25 S	30 E	WM	29	SE SE	HARN 52121 - 1200 FEET NORTH AND 900 FEET WEST FROM THE S 1/16 CORNER OF SECTIONS 28 AND 29
New	#17	25 S	30 E	WM	3	NW NW	HARN 52154 - 6300 FEET SOUTH AND 440 FEET EAST FROM THE NW CORNER OF SECTION 34
New	#18	25 S	30 E	WM	29	SE SE	HARN 52170 - 1200 FEET NORTH AND 850 FEET WEST FROM THE S 1/16 CORNER OF SECTIONS 28 AND 29

15. Permit Amendment Application T-12257 also proposes to change the place of use of permit G-16829 to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
25 S	30 E	WM	34	SW NW	0.2
25 S	30 E	WM	34	SE NW	8.2
25 S	30 E	WM	34	NE SW	26.2
25 S	30 E	WM	34	NW SW	3.0
Total:					37.6

16. Permit Amendment Application T-12257 proposes for Permit G-17127 additional points of diversion as described in the table below:

Status	New POA#	Twp	Rng	Mer	Sec	Q-Q	Measured Distances
New	#1	25 S	30 E	WM	33	SE NW	HARN 1094- 1317 FEET SOUTH AND 1355 FEET EAST FROM NW CORNER OF SECTION 33
New	#5	25 S	30 E	WM	33	SW NE	HARN 51146 - 4195 FEET SOUTH AND 2672 FEET WEST FROM THE NE CORNER OF SECTION 33
New	#7	25 S	30 E	WM	34	SE SW	HARN 51272 - 4725 FEET SOUTH AND 1877 FEET EAST FROM THE NW CORNER OF SECTION 34
Authorized	#9	25 S	30 E	WM	33	SE SW	HARN 51448 - 4423 FEET SOUTH AND 2750 FEET WEST FROM THE NE CORNER OF SECTION 33
Authorized	#10	26 S	30 E	WM	3	NW NW	HARN 51765 - 985 FEET SOUTH AND 455 FEET EAST FROM THE NW CORNER OF SECTION 3
Authorized	#11	26 S	30 E	WM	3	NW NW	HARN 51760 - 1005 FEET SOUTH AND 375 FEET EAST FROM THE NW CORNER OF SECTION 3
New	#12	25 S	30 E	WM	33	SE NW	HARN 51817 - 2605 FEET SOUTH AND 2450 FEET EAST FROM THE NW CORNER OF SECTION 33
Authorized	#13	26 S	30 E	WM	4	NE NW	HARN 51445 - 1090 FEET SOUTH AND 2705 FEET WEST FROM THE NE CORNER OF SECTION 4
New	#14	25 S	30 E	WM	33	SE SE	HARN 51871 - 1000 FEET NORTH AND 10 FEET WEST FROM THE SE CORNER OF SECTION 33
New	#15	25 S	30 E	WM	33	SE SE	HARN 51970 - 1000 FEET NORTH AND 30 FEET WEST FROM THE SE CORNER OF SECTION 33
New	#16	25 S	30 E	WM	29	SE SE	HARN 52121 - 1200 FEET NORTH AND 900 FEET WEST FROM THE S 1/16 CORNER OF SECTIONS 28 AND 29
New	#17	25 S	30 E	WM	3	NW NW	HARN 52154 - 6300 FEET SOUTH AND 440 FEET EAST FROM THE NW CORNER OF SECTION 34
New	#18	25 S	30 E	WM	29	SE SE	HARN 52170 - 1200 FEET NORTH AND 850 FEET WEST FROM THE S 1/16 CORNER OF SECTIONS 28 AND 29

17. Permit Amendment Application T-12257 also proposes to change the place of use of permit G-17127 to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	G-lot	Acres
25 S	30 E	WM	34	SE SW		0.17
25 S	30 E	WM	34	SW SE		1.08
26 S	30 E	WM	3	NW NE	3	30.31
26 S	30 E	WM	3	SW NE	3	34.66
26 S	30 E	WM	3	SE NE	3	0.69
26 S	30 E	WM	3	NE NW	3	21.0
26 S	30 E	WM	3	NW NW	4	9.04
26 S	30 E	WM	3	SW NW		40.06
26 S	30 E	WM	3	SE NW		38.41
26 S	30 E	WM	3	NE SW		23.05
26 S	30 E	WM	3	NW SW		11.23

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	G-lot	Acres
26 S	30 E	WM	3	SW SW		26.30
26 S	30 E	WM	3	NW SW		24.65
26 S	30 E	WM	3	NW SE		30.31
26 S	30 E	WM	3	SW SE		11.60
26 S	30 E	WM	4	SE NE		0.93
26 S	30 E	WM	4	SW SE		32.77
26 S	30 E	WM	4	SE SE		28.39
26 E	30 E	WM	9	NE NE		31.80
26 S	30 E	WM	9	NW NE		33.65
26 S	30 E	WM	9	SW NE		0.35
26 S	30 E	WM	9	SE NE		0.31
26 S	30 E	WM	10	NE NW		0.65
26 S	30 E	WM	10	NW NW		3.21
Total:						434.62

Permit Amendment Review Criteria

- 18. The changes as conditioned would not result in injury to other water rights.
- 19. The proposed place of use is owned and/or controlled by the permit holder.
- 20. The changes as conditioned do not enlarge the permit.
- 21. The changes do not alter any other terms of the permit.
- 22. The proposed place of use is contiguous to the authorized place of use.

Conclusions of Law

The change in points of appropriation, additional points of appropriation and change in place of use proposed by Permit Amendment Application T-12257 is consistent with the requirements of ORS 537.211.

Now, therefore, it is ORDERED:

- 1. The additional points of appropriation, and change in place of use proposed by Permit Amendment Application T-12257 are approved.
- 2. Permit G-17991, in the name of Rattlesnake Creek Land and Cattle, LLC. is issued to replace Permit G-16829, and incorporates the amendments approved by this order, the extension of time. Permit G-16829, in the name of Rattlesnake Creek Land and Cattle LLC. is no longer of any force or effect.
- 3. Permit G-17989, in the name of Rattlesnake Creek Land and Cattle, LLC. is issued to replace Permit G-16461, and incorporates the amendments approved by this order, the extension of time. Permit G-16461, in the name of Andy Root, is no longer of any force or effect.

4. Permit G-17990, in the name of Andy Root, is issued to replace Permit G-17348, and incorporates the amendments approved by this order. Permit G-17348, in the name of Andy Root, is no longer of any force or effect.
5. Permit G-17992, in the name of Rattlesnake Ranch Land and Cattle, LLC. is issued to replace Permit G-17127, and incorporates the amendments approved by this order. Permit 17127, in the name of Andy Root, is no longer of any force or effect.
6. 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.
7. Prior to water use from the proposed point of appropriation,
 - a) The permittee shall install a totalizing flow meter on each well. The totalizing flow meter must be installed and maintained in good working order consistent with those standards identified in OAR 690-507-645 (1) through (3). The permittee 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 meters; provided however, where the meter is located within a private structure, the Watermaster shall request access upon reasonable notice.
8. Water shall be acquired from the same aquifer as the original points of appropriation.
9. The former place of use shall no longer be irrigated as part of this permit.
10. All other terms and conditions of Permits G-16461, G-17990, G-17991, and G-17992 remain the same.

Dated at Salem, Oregon this OCT 08 2018



Dwight French, Water Right Services Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department

Mailing Date: OCT 09 2018