

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

In the Matter of Permit Amendment                     )  
T-9876, Crook County, Oregon                         )  
   )

**FINAL ORDER**

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**

John Giorgi  
P. O. Box 116  
Gazelle, California 96034

**Findings of Fact**

1. John Giorgi, filed an application to amend the point of appropriation under Permit G-15811. The Department assigned the application number T-9876.

2. The permit to be amended is as follows:

- |   |  |
|---|--|
| <b>Permit:</b>                                | G-15811, in the name of John Giorgi;   |
| <b>Use:</b>                                   | Irrigation   |
| <b>Priority Date:</b>                         | March 22, 2004   |
| <b>Quantity:</b>                              | 3.25 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, is limited to ONE-EIGHTIETH of one cubic foot per second per acre or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet for each acre irrigated during the irrigation season of each year. |
| <b>Acres:</b>                                 | 260 acres  |
| <b>Source:</b>                                | Well 1, in the Alkali Creek Basin.   |
| <b>Date Of Complete Application of Water:</b> | October 1, 2009  |

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:**

Township		Range		Meridian	Sec	¼ ¼		Location
17	S	23	E	W.M.	11	NE	NW	1080 feet South and 1330 feet East from the NW Corner of Section 11.

**Authorized Place of Use:**

Township		Range		Meridian	Sec	¼ ¼		Acres
17	S	23	E	W.M.	10	NE	NE	4.1
17	S	23	E	W.M.	10	NW	NE	3.6
17	S	23	E	W.M.	10	SW	NE	37.6
17	S	23	E	W.M.	10	SE	NE	38.7
17	S	23	E	W.M.	10	NE	SE	23.2
17	S	23	E	W.M.	10	NW	SE	22.7
17	S	23	E	W.M.	11	NW	NE	2.2
17	S	23	E	W.M.	11	SW	NE	8.6
17	S	23	E	W.M.	11	NE	NW	27.8
17	S	23	E	W.M.	11	NW	NW	13.9
17	S	23	E	W.M.	11	SW	NW	27.4
17	S	23	E	W.M.	11	SE	NW	40.6
17	S	23	E	W.M.	11	NE	SW	7.8
17	S	23	E	W.M.	11	NW	SW	1.8

3. Application T-9876 proposes to change the point of appropriation of the permit to:

Township		Range		Meridian	Sec	¼ ¼		Location
17	S	23	E	W.M.	11	NW	NW	600 feet South and 610 feet East from the NW Corner of Section 11.

4. Notice of the application for permit amendment was published pursuant to ORS 540.520(5). No comments were filed in response to the notice.
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 all other terms of the permit.

**Conclusions of Law**

The change in point of appropriation proposed by Permit Amendment Application T-9876 is consistent with the requirements of ORS 537.211.

**Now, therefore, it is ORDERED:**

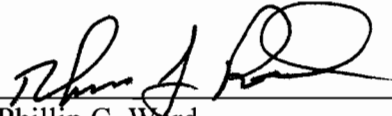
The change and subsequent use of water shall be subject to the following conditions:

1. The quantity of water diverted at the new point of appropriation (well) shall not exceed the maximum rate and duty allowed under Permit G-15811.
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 point of appropriation.
4. All other terms and conditions of Permit G-15811 remain the same.
5. Permit G-15811, in the name of John Giorgi, is amended as described herein.

Dated at Salem, Oregon this 26<sup>th</sup> day of May, 2005.

  
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16- Phillip C. Ward,  
Director