BEFORE THE WATER RESOURCES DEPARTMENT OF THE STATE OF OREGON

In the Matter of Permit Amendment)	FINAL ORDER
T-8265, Tillamook County)	APPROVING A CHANGE IN POINT 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

Kilchis Water District 6105 Hathaway Road Tillamook, Oregon 97141

Findings of Fact

- On May 10, 1999, Kilchis Water District filed an application to change the point of appropriation under Permit G-12264. The Department assigned the application number T-8265.
- 2. On August 14, 2008, the Department issued a final order approving an extension of time for completing construction and applying full beneficial use of water under Permit G-12264. The new date of for complete construction and application of full beneficial use of water is October 1, 2018.
- 3. The permit to be amended is as follows:

Permit: G-12264, in

G-12264, in the name of Kilchis Water District

Use: Quasi-municipal Priority Date: May 9, 1991

Quantity: 0.47 cubic foot per second (cfs)
Source: A well, in the Kilchis River Basin.

Date of Complete Application of Water: October 1, 2018

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:

Town	nship	Ra	nge	Meridian	Sec	1/4 1/4		1/4 1/4		, , , , ,		, , , , ,		, , , , ,				Location
1	s	9	W	W.M.	6	NW	SE	North 59°29′39″ East 4107.4 feet from the SW Corner of Section 6										

Authorized Place of Use:

	QUASI-MUNICIPAL								
Tow	nship	Range		Meridian Sec		1/4 1/4			
1	S	9	W	W.M.	6	SW	NE		
1	S	9	W	W.M.	6	SE	NE		
1	S	9	W	W.M.	6	SW	NW		
1	S	9	W	W.M.	6	SE	NW		
1	S	9	W	W.M.	6	NE	sw		
1	S	9	W	W.M.	6	NW	sw		
1	S	9	W	W.M.	6	SW	SW		
1	S	9	W	W.M.	6	SE	SW		
1	S	9	W	W.M.	6	NW	SE		
1	S	9	W	W.M.	7	NE	NW		
1	S	9	W	W.M.	7	NW	NW		
1	S	9	W	W.M.	7	SW	NW		
1	S	9	W	W.M.	7	SE	NW		
1	S	9	W	W.M.	7	NE	SW		
1	S	9	W	W.M.	7	NW	SW		
1	S	10	W	W.M.	1	NE	NW		
1	S	10	W	W.M.	1	NW	NW		
1	S	10	W	W.M.	1	SW	NW		
1	S	10	W	W.M.	1	SE	NW		
1	S	10	W	W.M.	1	SW	SW		
1	S	10	W	W.M.	1	SE	sw		
1	S	10	W	W.M.	1	NE	SE		
1	S	10	W	W.M.	1	NW	SE		
1	S	10	W	W.M.	1	sw	SE		
1	S	10	W	W.M.	1	SE	SE		
1	S	10	W	W.M.	11	NE	NE		
1	S	10	W	W.M.	11	NW	NE		
1	S	10	W	W.M.	11	SW	NE		
1	S	10	W	W.M.	11	SE	NE		
1	S	10	W	W.M.	12	NE	NE		
1	S	10	W	W.M.	12	NW	NE		

QUASI-MUNICIPAL								
Township		Range		Meridian	Sec	1/4 1/4		
1	S	10	W	W.M.	12	SW	NE	
1	S	10	W	W.M.	12	SE	NE	
1	S	10	W	W.M.	12	NE	SW	
1	S	10	W	W.M.	12	NW	SW	
1	S	10	W	W.M.	12	sw	SW	
1	S	10	W	W.M.	12	SE	sw	
1	S	10	W	W.M.	12	NE	SE	
1	S	10	W	W.M.	12	NW	SE	

4. Permit Amendment Application T-8265 proposes to change the point of appropriation of the permit to:

Town	nship	Ra	nge	Meridian	Sec	1/4 1/4		1/4 1/4		Location
1	s	9	w	W.M.	6	NE	SE	1834 feet North and 4073 feet East from the SW Corner of Section 6.		

- 5. Notice of the application for the permit amendment was published in the Department's weekly notice on May 18, 1999 pursuant to ORS 540.520(5). No comments were filed in response to the notice.
- 6. The change would not result in injury to other water rights.
- 7. The change does not enlarge the permit.
- 8. The change does not alter any other terms of the permit.

Conclusions of Law

The change in point of appropriation proposed by Permit Amendment Application T-8265 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 shall not exceed the quantity of water lawfully available at the original point of appropriation.
- 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.

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.

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.

- 3. Water shall be acquired from the same aquifer as the original point of appropriation.
- 4. All other terms and conditions of Permit G-12264 remain the same.
- 5. Permit G-12264, in the name of Kilchis Water District, is amended as described herein.

Dated at Salem, Oregon this 20th day of August, 2008.

Phillip C. Ward.

Director

Mailing Date: AUG 2 5 2008