

Permit Amendment Review Criteria

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.

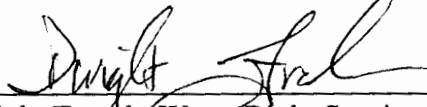
Conclusions of Law

The change in point of diversion proposed by Permit Amendment Application T-12371 is consistent with the requirements of ORS 537.211.

Now, therefore, it is ORDERED:

1. The change in point of diversion proposed by Permit Amendment Application T-12371 is approved.
2. Permit S-55004, in the name of David Van Essen, is issued to replace Permit S-53870 and incorporates the amendments approved by this order and the extension of time. Permit S-53870, in the name of David Van Essen, is no longer of any force or effect.
3. The quantity of water diverted at the new 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 new point of diversion.
 - b. The water user shall maintain the meter or measuring device in good working order.
 - c. The water user 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.
5. The water user shall operate and maintain the 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 in working with the water user to meet ODFW standards, ODFW may request that 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-55004 remain the same.

Dated at Salem, Oregon this 9 day of August, 2016.



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

Mailing Date: AUG 17 2016