



**Authorized Points of Appropriation:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
5 N	28 E	WM	27	SE NE	WELL 1 - 900 FEET NORTH AND 900 FEET WEST FROM THE E¼ CORNER OF SECTION 27
5 N	28 E	WM	27	SE NE	WELL 2 - 340 FEET NORTH AND 690 FEET WEST FROM THE E¼ CORNER OF SECTION 27
5 N	28 E	WM	27	SE NE	WELL 3 - 1060 FEET NORTH AND 545 FEET WEST FROM THE E¼ CORNER OF SECTION 27

**Authorized Place of Use:**

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
5 N	28 E	WM	27	SE NE	7.67

3. Permit Amendment Application T-10871 proposes to change the authorized point of appropriation of 7.67 acres to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
5 N	28 E	WM	27	SE NE	50 FEET NORTH AND 636 FEET WEST FROM THE E¼ OF SECTION 27

4. Notice of the application for the permit amendment was published in the Department’s weekly notice on May 26, 2009, pursuant to ORS 540.520(5). No comments were filed in response to the notice.
5. ORS 537.211(4)(e) states that a permit holder may change the point of appropriation if: “The holder of the permit provides written notice to the department at least 60 days before making any changes to the lands, point of diversion or point of appropriation described in the permit.” The applicant provided the required notice to the department on May 8, 2009.

***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 appropriation proposed by Permit Amendment Application T-10871 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. Pursuant to ORS 537.211(4)(e), the use of water under the permit from the proposed point of appropriation shall not occur until after July 7, 2009.

2. The quantity of water diverted at the new point of appropriation shall not exceed the quantity of water lawfully available at the original points of appropriation.
3. 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.

4. Water shall be acquired from the same aquifer as the original points of appropriation.
5. All other terms and conditions of Permit G-13843 remain the same.
6. The portion of Permit G-13843, in the name of HOOT ROYER, is amended as described herein.

Dated at Salem, Oregon this 8<sup>th</sup> day of June, 2009.

  
Phillip C. Ward, Director *per*

Mailing Date: JUN 12 2009