BEFORE THE WATER RESOURCES DEPARTMENT OF THE STATE OF OREGON

In the Matter of Permit Amendment	·)	FINAL ORDER APPROVING
T-13638, Linn County)	ADDITIONAL POINTS OF
)	APPROPRIATION

Authority

Oregon Revised Statute (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

BENJAMIN VERHOEVEN KATHRYN E. WEEKS 32277 PEORIA RD SW ALBANY OR 97321

Findings of Fact

- On March 2, 2021, BENJAMIN VERHOEVEN and KATHRYN E. WEEKS filed an application for additional points of appropriation under Permit G-18372. The Department assigned the application number T-13638.
- Notice of the application for the permit amendment was published in the Department's weekly notice on March 23, 2021. No comments were filed in response to the notice.
- Permit Amendment Application T-13638 proposes additional points of appropriation with approximate distances from the authorized points of appropriation as described below:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances Distance from Original Well in F		
12 S		WM	-	SW SW	WELL 5 - 150 FEET NORTH	WELL 1	WELL 3
	4 W		17		AND 460 FEET EAST FROM THE SW CORNER OR SECTION 17	400 ft.	900 ft
12 S	4 W	WM	20	NE NW	WELL 6 - 230 FEET SOUTH AND 1560 FEET EAST FROM THE NW CORNER OF SECTION 20	1300 ft.	600 ft.

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 137-004-0080 and OAR 690-01-0005 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.

Permit Amendment Review Criteria

- 4. The change would not result in injury to other water rights.
- 5. The proposed place of use is owned and/or controlled by the permit holder.
- 6. The change does not enlarge the permit.
- 7. The change does not alter any other terms of the permit.

Conclusions of Law

The additional points of appropriation proposed by Permit Amendment Application T-13638 is consistent with the requirements of ORS 537.211.

Now, therefore, it is ORDERED:

- 1. The additional points of appropriation proposed by Permit Amendment Application T-13638 are approved.
- 2. Permit G-18715 in the name of Benjamin Verhoeven and Kathryn E. Weeks, is issued to replace Permit G-18372, and incorporates the amendments approved by this order. Permit G-18372, in the name of Benjamin Verhoeven and Kathryn E. Weeks, is no longer of any force or effect.
- 3. The combined quantity of water diverted at the additional points of appropriation, (Well 5 and Well 6) together with that diverted at the original points of appropriation (Peoria Gardens Well 1 (LINN 10758) and Well 3), shall not exceed the quantity of water lawfully available at the original points of appropriation (Peoria Gardens Well 1 (LINN 10758) and Well 3).
- 4. Water Use Measurement, Recording, and Reporting Condition
 - A. Before water use may begin under this permit, the permittee shall install a totalizing flow meter at each point of appropriation. The permittee shall maintain the device in good working order.
 - B. The permittee shall allow the watermaster access to the device; provided however, where any device is located within a private structure, the watermaster shall request access upon reasonable notice.
 - C. The permittee shall keep a complete record of the volume of water used each month, and shall submit an annual 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.
 - D. The Director may provide an opportunity for the permittee to submit alternative measuring and reporting procedures for review and approval.

- 5. Water shall be acquired from the same aquifer as the original points of appropriation.
- 6. All other terms and conditions of Permit G-18715 remain the same.

Dated in Salem, Oregon on

SEP 2 8 2021

Lisa J. Jaramillo Transfer and Conservation Section Manager, for

THOMAS M BYLER, DIRECTOR Oregon Water Resources Department

Mailing Date:

SEP 2 9 2021