

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

In the Matter of Permit Amendment)	FINAL ORDER
T-13378, Morrow County)	APPROVING CHANGE IN POINTS OF
)	APPROPRIATION AND A CHANGE IN
)	PLACE OF USE

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

THREEMILE CANYON FARMS, INC.
GREG HARRIS
75906 THREEMILE RD
BOARDMAN, OR 97818

Findings of Fact

1. On February 28, 2020, THREEMILE CANYON FARMS, INC. (GREG HARRIS, MANAGER), filed an application for a change points of appropriation and a change in place of use under Permit G-17520. The Department assigned the application number T-13378.
2. On December 8, 2015, the Department approved an assignment of the permit to Threemile Canyon Farms LLC and Wells Fargo Bank, National Association as Administrative Agent.
3. Notice of the application for the permit amendment was published in the Department's weekly notice on March 10, 2020, and in the East Oregonian newspaper on August 20 and August 27, 2020, pursuant to ORS 540.520(5). No comments were filed in response to the notices.

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.

4. WELL LOCATIONS:

Twp	Rng	Mer	Sec	Q-Q	G Lot	Measured Distances
3 N	23 E	WM	3	NW NW	4	WELL H-1 – 1160 FEET SOUTH AND 1180 FEET EAST FROM THE NW CORNER OF SECTION 3
3 N	23 E	WM	3	NW SW		WELL H-2 -2538 FEET NORTH AND 746 FEET EAST FROM THE SW CORNER OF SECTION 3 LAT. 45.770017 N, LONG. -119.933932

5. THE PLACE OF USE IS AS FOLLOWS:

AGRICULTURE USE					
Twp	Rng	Mer	Sec	Q-Q	G Lot
3 N	23 E	WM	3	NE NE	1
3 N	23 E	WM	3	NW NE	2
3 N	23 E	WM	3	SW NE	
3 N	23 E	WM	3	SE NE	
3 N	23 E	WM	3	NE NW	3
3 N	23 E	WM	3	NW NW	4
3 N	23 E	WM	3	SW NW	
3 N	23 E	WM	3	SE NW	
3 N	23 E	WM	3	NE SW	
3 N	23 E	WM	3	NW SW	
3 N	23 E	WM	3	NE SE	
3 N	23 E	WM	3	NW SE	

Permit Amendment Review Criteria

6. The changes would not result in injury to other water rights.
7. The proposed place of use is owned and/or controlled by the permit holder.
8. The changes do not enlarge the permit.
9. The changes do not alter any other terms of the permit.
10. The proposed place of use is not contiguous to the authorized place of use in furtherance of mitigation or conservation efforts undertaken for the purposes of benefiting a species listed as sensitive, threatened, or endangered under ORS 496.171 to 496.192 or the Federal Endangered Species Act of 1973 (16 U.S.C. 1531 to 1544), as determined by the listing agency.

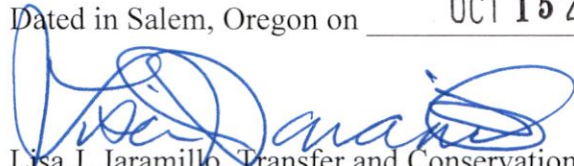
Conclusions of Law

The change in points of appropriation and change in place of use proposed by Permit Amendment Application T-13378 is consistent with the requirements of ORS 537.211.

Now, therefore, it is ORDERED:

1. The change in points of appropriation and change in place of use proposed by Permit Amendment Application T-13378 are approved.
2. Permit G-18411, in the name of Threemile Canyon Farms, Inc. (Greg Harris, Manager), is issued to replace Permit G-17520, incorporates the amendments approved by this order and the assignment. Permit G-17520, in the name of Threemile Canyon Farms LLC and Wells Fargo Bank, National Association, is no longer of any force or effect.
3. The quantity of water diverted at the new points of appropriation (Well H1 and Well H2), shall not exceed the quantity of water lawfully available at the original points of appropriation (Well 1 and Well 2).
4. Water shall be acquired from the same aquifer as the original point of appropriation.
5. All other terms and conditions of Permit G-18411 remain the same.

Dated in Salem, Oregon on OCT 15 2020



Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
THOMAS M BYLER, DIRECTOR
Oregon Water Resources Department

 OCT 16 2020
Mailing Date: _____