



**Authorized Points of Appropriation:**

Twp	Rng	Mer	Sec	¼ ¼	DLC	Location
3 S	3 E	WM	12	NE NE	40	Well #2 – 1775 FEET SOUTH AND 625 FEET WEST FROM THE NORTHEAST CORNER OF JOSEPH YOUNG DLC 40
3 S	4 E	WM	7	SW NW	43	Well #3 – 2700 FEET SOUTH AND 150 FEET EAST FROM THE NORTHWEST CORNER OF JOSEPH YOUNG DLC 43

**Authorized Place of Use:**

NURSERY USE						
Twp	Rng	Mer	Sec	DLC	¼ ¼	Acres
3 S	3 E	WM	12	40	NE NE	5.25
3 S	3 E	WM	12	40	SE NE	4.45
3 S	4 E	WM	7	43	NE NW	3.6
3 S	4 E	WM	7	43	NW NW	21.4
3 S	4 E	WM	7	43	SW NW	21.1
3 S	4 E	WM	7	43	SE NW	5.4
<b>TOTAL:</b>						<b>61.2</b>

3. Application T-10187 proposes to add a point of appropriation located approximately 1500 feet Northeast of Well #2 and 1650 feet Northeast of Well #3, described as follows:

Twp	Rng	Mer	Sec	¼ ¼	Location
3 S	4 E	WM	7	NW NW	New Well #1 – 1215 FEET SOUTH AND 850 FEET EAST FROM THE NORTHWEST CORNER OF JOSEPH YOUNG DLC 43

4. Notice of the application for the permit amendment was published in the Department’s weekly notice on June 27, 2006, and in the *Estacada News* newspaper on August 20 and 27 and September 3, 2008, pursuant to ORS 540.520(5). No comments were filed in response to the notices.
5. On July 30, 2008, the Department mailed a copy of the *draft* Final Order proposing to approve Permit Amendment Application T-10187 to the applicants.
6. The applicants responded to the *draft* Final Order on August 13, 2008, and indicated that the proposed additional well should be referred to as Well #4, rather than New Well #1. The proposed well under T-10187 remains in the same physical location; only the name of the well is changed.
7. Based upon the applicants’ comment to the *draft* Final Order described in Finding #6, the description of the proposed additional point of appropriation is revised as follows:

Twp	Rng	Mer	Sec	¼ ¼	Location
3 S	4 E	WM	7	NW NW	Well #4 – 1215 FEET SOUTH AND 850 FEET EAST FROM THE NORTHWEST CORNER OF JOSEPH YOUNG DLC 43

8. The change would not result in injury to other water rights.
9. The change, as conditioned, does not enlarge the permit.
10. The change does not alter any other terms of the permit.

**Conclusions of Law**


The additional point of appropriation proposed by Permit Amendment Application T-10187 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 combined quantity of water diverted at the new point of appropriation, together with that diverted at the old points of appropriation, shall not exceed the quantity of water lawfully available at the original points of appropriation.
2. Water shall be acquired from the same ground water source (aquifer) as the original points of appropriation.
3. Prior to diverting water, the water user shall install an in-line flow meter or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department. The water user shall maintain and operate the measuring device as required by the Department.
4. All other terms and conditions of Permit G-15885 remain the same.
5. Permit G-15885, in the name of Edward and Corine Gosse, is amended as described herein.

Dated at Salem, Oregon this 16<sup>th</sup> day of September, 2008.

  
Phillip C. Ward, Director

Mailing Date: SEP 18 2008