

to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

Period of Use: MARCH 1 THROUGH OCTOBER 31

Source: A WELL within the SPRAGUE RIVER BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
36 S	12 E	WM	28	NE NE	(KLAM 10447) - SOUTH 1° 27' 40" WEST 784 FEET FROM THE NE CORNER OF SECTION 28

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
36 S	12 E	WM	22	NW SW	9.59
36 S	12 E	WM	22	SW SW	19.21
36 S	12 E	WM	27	NW NW	19.59
36 S	12 E	WM	27	SW NW	19.57
36 S	12 E	WM	28	NE NE	40.22
36 S	12 E	WM	28	SW NE	40.06
36 S	12 E	WM	28	SE NE	40.53
36 S	12 E	WM	28	NE SE	39.97
36 S	12 E	WM	28	NW SE	40.46
36 S	12 E	WM	28	SE SE	40.04

4. Permit Amendment Application T-10970 proposes to change the point of appropriation approximately 1.3 miles from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
36 S	12 E	WM	22	NE NW	KLAM 2081 - 930 FEET SOUTH AND 2430 FEET EAST FROM THE NW CORNER OF SECTION 22

5. Permit Amendment Application T-11029 proposes an additional point of appropriation approximately 0.75 mile from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
36 S	12 E	WM	22	NE SW	KLAM 2078 - 50 FEET SOUTH AND 2750 FEET WEST FROM THE E¼ OF SECTION 22

6. Permit Amendment Applications T-10970 and T-11029 also propose to change the place of use of the permit to:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Original Well (KLAM 10447)	T-10970 Proposed Sees Well (KLAM 2081)	T-11029 Proposed Kruegar Well (KLAM 2078)
36 S	12 E	WM	22	NE NW		1.3	
36 S	12 E	WM	22	SW NW		6.5	
36 S	12 E	WM	22	SE NW		35.41	
36 S	12 E	WM	22	NW SW	9.59		20.00
36 S	12 E	WM	22	SW SW	19.21		20.00
36 S	12 E	WM	27	NW NW	19.59		
36 S	12 E	WM	27	SW NW	19.57		
36 S	12 E	WM	28	NE NE	40.22		
36 S	12 E	WM	28	SW NE	40.06		
36 S	12 E	WM	28	SE NE	40.53		
36 S	12 E	WM	28	NE SE	36.8		
36 S	12 E	WM	28	NW SE	0.46		

The changed place of use is in bold type.

7. Notice of the application for the permit amendment T-10970 was published in the Department's weekly notice on October 27, 2009, and in the Klamath Falls Herald and News newspaper on October 22, 29, and November 5, 2010, pursuant to ORS 540.520(5). No comments were filed in response to the notices.
8. Notice of the application for the permit amendment T-11029 was published in the Department's weekly notice on March 16, 2010, and in the Klamath Falls Herald and News newspaper on October 22, 29, and November 5, 2010, pursuant to ORS 540.520(5). No comments were filed in response to the notices.

Permit Amendment Review Criteria

9. The changes would not result in injury to other water rights.
10. The proposed places of use are owned by the permit holders.
11. The changes do not enlarge the permit.
12. The changes do not alter any other terms of the permit.
13. The proposed places of use are contiguous to the authorized place of use.

Conclusions of Law

The change in points of appropriation, additional point of appropriation, and change in place of use proposed by Permit Amendment Applications T-10970 and T-11029 are consistent with the requirements of ORS 537.211.

Now, therefore, it is ORDERED:

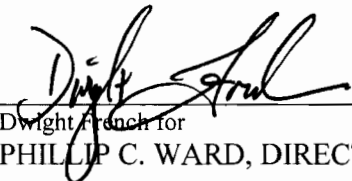
The changes and subsequent use of water shall be subject to the following conditions:

1. The combined quantity of water diverted at the new points of appropriation, together with that diverted at the old point of appropriation, shall not exceed the quantity of water lawfully available at the original point of appropriation.
2. Prior to water use from the proposed points of appropriation, the permittee shall install meters or other suitable measuring devices as approved by the Director. The permittee shall maintain the meter or measuring device in good working order, and shall keep a complete record of the amount of water used each month and shall submit a 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.

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.

3. Water shall be acquired from the same aquifer as the original point of appropriation.
4. The former places of use shall no longer be irrigated as part of this permit.
5. All other terms and conditions of Permit G-12527 remain the same.
6. Permit G-12527, in the names of JOAN A. AND LARRY J. SEES AND DAVID M. KRUEGAR is amended as described herein.

Dated at Salem, Oregon this 18 day of November, 2010.



Dwight French for
PHILIP C. WARD, DIRECTOR

Mailing Date: NOV 19 2010