

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

In the Matter of Permit Amendment	)	FINAL ORDER
T-13074, Marion County	)	APPROVING AN ADDITIONAL
	)	POINT 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**

RICHARD KRAFT  
8644 WARNER DR SE  
SALEM OR 97317

**Findings of Fact**

1. On December 13, 2018, Richard Kraft filed an application for an additional point of appropriation under Permit G-17889. The Department assigned the application number T-13074.
2. Notice of the application for the permit amendment was published in the Department's weekly notice on December 18, 2018, and in the Statesman Journal newspaper on August 1 and August 8, 2019, pursuant to ORS 540.520(5). No comments were filed in response to the notices.
3. Permit Amendment Application T-13074 proposes an additional point of appropriation with approximate distance from the existing points of appropriation as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances	Distance from Authorized Wells
7 S	2 W	WM	26	SE SE	65	WELL 3 - 450 FEET NORTH AND 580 FEET WEST FROM THE SE CORNER OF SECTION 26	Well 1 - 0.1 mile Well 2 - 0.7 mile

4. The Department has determined that the proposed well shall be continuously cased and sealed into hard dense basalt at a minimum of approximately 300 feet below land surface in order to produce from the same basalt aquifer as the existing point of appropriation and to prevent commingling of aquifers.

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

5. The change, as conditioned, would not result in injury to other water rights.
6. The change, as conditioned, does not enlarge the permit.
7. The change does not alter any other terms of the permit.

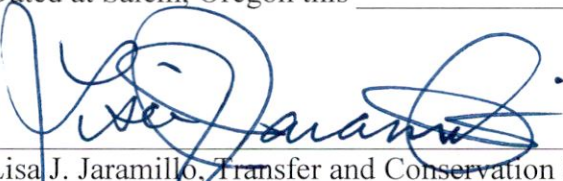
### Conclusions of Law

The additional point of appropriation proposed by Permit Amendment Application T-13074, as conditioned, is consistent with the requirements of ORS 537.211.

### Now, therefore, it is ORDERED:

1. The additional point of appropriation proposed by Permit Amendment Application T-13074 is approved.
2. Permit G-18269, in the name of Richard Kraft, is issued to replace Permit G-17889. Permit G-17889, in the name of Richard Kraft, is no longer of any force or effect.
3. The combined quantity of water diverted at the new additional point of appropriation (Well 3), together with that diverted at the old points of appropriation (Well 1 and Well 2), shall not exceed the quantity of water lawfully available at the original points of appropriation (Well 1 and Well 2).
4. The proposed additional point of appropriation (Well 3) shall be continuously cased and sealed into hard dense basalt at a minimum of approximately 300 feet below land surface.
5. Water shall be acquired from the same aquifer as the original points of appropriation.
6. All other terms and conditions of Permit G-18269 remain the same.

Dated at Salem, Oregon this AUG 15 2019



Lisa J. Jaramillo, Transfer and Conservation Section Manager, for  
Thomas M. Byler, Director  
Oregon Water Resources Department

Mailing Date: AUG 16 2019