BEFORE THE WATER RESOURCES DEPARTMENT OF THE STATE OF OREGON

In the Matter of Permit Amendment)	FINAL ORDER APPROVING
T-11586, Umatilla County)	AN ADDITIONAL POINT OF
)	APPROPRIATION

Authority

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

RUPP RANCHES 176 KRANICHWOOD ST RICHLAND, WA 99352

Findings of Fact

- 1. On April 25, 2013, Rupp Ranches filed an application for an additional point of appropriation under Permit G-16671. The Department assigned the application number T-11586.
- 2. Notice of the application for the permit amendment was published in the Department's weekly notice on May 7, 2013, and in the Hermiston Herald newspaper on December 27, 2014 and January 3, 2015, pursuant to ORS 540.520(5). No comments were filed in response to the notices.
- 3. Transfer Application T-11586 proposes an additional point of appropriation as described in the table below, with approximate distances from the existing points of appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate Distance from Authorized Well
5 N	31 E	WM	7	SW NW	1125 FEET EAST FROM THE NW	WELL #1- 2.9 Miles WELL #2- 2.0 Miles
					CORNER OF SECTION 7	WELL #3- 1.3 Miles

Permit Amendment Review Criteria

- 4. The change would not result in injury to other water rights.
- 5. The change does not enlarge the permit.
- 6. The change does not alter any other terms of the permit.

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 137-004-080 and OAR 690-01-005 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.

Conclusions of Law

The additional point of appropriation proposed by Permit Amendment Application T-11586 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-11586 is approved.
- 2. Permit G-17272 in the name of RUPP RANCHES, is issued to replace Permit G-16671, and incorporates the amendments approved by this order. Permit G-16671, in the name of RUPP RANCHES, is no longer of any force or effect.
- 3. 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.
- 4. Measurement, recording and reporting conditions:
 - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device at each point of appropriation at each new point of appropriation.
 - b. The water user shall maintain the meter or measuring device in good working order.
 - c. The water user 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.
- 5. Water shall be acquired from the same aquifer as the original points of appropriation.
- 6. All other terms and conditions of Permit G-16671 remain the same.

Dated at Salem, Oregon this 18 day of February 2015.

Dwight French Water Right Services Administrator, for

Thomas (M. Byler, Director

Oregon Water Resources Department

Mailing Date: FEB 20 2015