

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

In the Matter of Permit Amendment)	FINAL ORDER
T-12471, 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

CITY OF SAINT PAUL
PO BOX 7
ST PAUL, OR 97137

Findings of Fact

1. On September 6, 2016, the City of Saint Paul filed an application for an additional point of appropriation under Permit G-15273. The Department assigned the application number T-12471.
2. On October 2, 2015, the Department approved an extension of time for complete application of water to October 1, 2059.
3. Notice of the application for the permit amendment was published in the Department’s weekly notice on September 20, 2016, pursuant to ORS 540.520(5). No comments were filed in response to the notice.
4. Permit Amendment Application T-12471 proposes an additional point of appropriation approximately 100 feet from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
4 S	2 W	WM	19	NW SE	NEW WELL - 2400 FEET SOUTH AND 4085 FEET EAST FROM THE NW CORNER OF SECTION 19

Permit Amendment Review Criteria

5. The change would not result in injury to other water rights.
6. The change does not enlarge 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 137-004-0080 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.

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-12471 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-12471 is approved.

2. Permit G-17728, in the name of City of St. Paul, is issued to replace Permit G-15273, and incorporates the amendments approved by this order and the extension of time. Permit G-15273 in the name of City of St. Paul, is no longer of any force or effect.

3. The quantity of water diverted at the new point 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.

4. Water use measuring conditions:

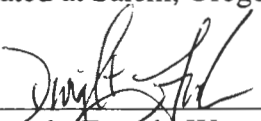
a. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and 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.

b. 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.

5. Water shall be acquired from the same aquifer as the original point of appropriation.

6. All other terms and conditions of Permit G-17728 remain the same.

Dated at Salem, Oregon this 15 day of February, 2017.



Dwight French, Water Right Services Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department

Mailing Date: FEB 17 2017