

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

In the Matter of Permit Amendment) FINAL ORDER
T-11515, Yamhill County) APPROVING ADDITIONAL POINTS
) 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

BOB TERRY
9650 SW HARDEBECK RD
GASTON, OR 97119

Findings of Fact

1. On December 28, 2012, BOB TERRY filed an application for additional points of appropriation under Permit G-15650. The Department assigned the application number T-11515.
2. On November 21, 2011, the Department approved an assignment of the permit to Bob Terry.
3. On August 31, 2012, the Department approved an extension of time for complete application of water to October 1, 2013.
4. Notice of the application for the permit amendment was published in the Department's weekly notice on January 8, 2013, and in the McMinnville News-Register newspaper on June 4 and 11, 2013, pursuant to ORS 540.520(5). No comments were filed in response to the notices.

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.

5. Permit Amendment Application T-11515 proposes additional points of appropriation between approximately 1700 and 1930 feet from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
4 S	3 W	WM	19	SE NE	WELL 3 (YAMH 52469) - 2410 FEET SOUTH AND 840 FEET WEST FROM THE NE CORNER OF SECTION 19
4 S	3 W	WM	19	NW SE	WELL 4 (YAMH 5447) - 3170 FEET SOUTH AND 1820 FEET WEST FROM THE NE CORNER OF SECTION 19

Permit Amendment Review Criteria

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

Conclusions of Law

The additional points of appropriation proposed by Permit Amendment Application T-11515 are consistent with the requirements of ORS 537.211.

Now, therefore, it is ORDERED:

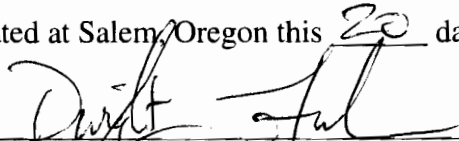
1. The additional points of appropriation proposed by Permit Amendment Application T-11515 are approved.
2. Permit G-17039, in the name of BOB TERRY, is issued to replace Permit G-15650, and incorporates the amendment approved by this order, the extension of time, and assignment. Permit G-15650, in the name of BOB TERRY, is no longer of any force or effect.
3. 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.
4. Prior to water use from the proposed points of appropriation, 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, 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.

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

6. All other terms and conditions of Permit G-17039 remain the same.

Dated at Salem, Oregon this 20 day of June, 2013.



Dwight French, Water Right Services Administrator, for

PHILLIP C. WARD, DIRECTOR

Mailing Date: JUL 02 2013