

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

In the Matter of Permit Amendment	)	<b>FINAL ORDER</b>
T-10237, Grant County	)	<b>APPROVING ADDITIONAL POINTS</b>
	)	<b>OF APPROPRIATION</b>

**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**

CITY OF PRAIRIE CITY  
P.O. BOX 370  
PRAIRIE CITY, OREGON 97869

**Findings of Fact**

1. On September 5, 2006, the City of Prairie City, filed an application for additional points of appropriation under Permit G-15077. The Department assigned the application number T-10237.
2. An extension of time for Permit G-15077 was approved on April 3, 2007, extending the date of complete application of water until October 1, 2050.
3. The permit to be amended is as follows:

**Permit:** G-15077, in the name of CITY OF PRAIRIE CITY  
**Use:** MUNICIPAL USE  
**Priority Date:** JULY 26, 2000  
**Quantity:** 2.0 CUBIC FEET PER SECOND  
**Source:** SIX WELLS, in the JOHN DAY RIVER BASIN  
**Date of Complete Application of Water:** October 1, 2050

<p>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.</p>
---

**Authorized Points of Appropriation:**

Township		Range		Meridian	Sec	¼ ¼		Location
13	S	33	E	WM	9	SE	NW	WELL 1 - 1400 FEET SOUTH AND 2450 FEET EAST FROM THE NW CORNER OF SECTION 9.
13	S	33	E	WM	10	SW	NW	WELL 2 - 1360 FEET SOUTH AND 640 FEET EAST FROM THE NW CORNER OF SECTION 10.
13	S	33	E	WM	10	NE	SE	WELL 3 - 1410 FEET NORTH AND 340 FEET WEST FROM THE SE CORNER OF SECTION 10.
12	S	33	E	WM	34	SE	NW	WELL 4 - 1700 FEET SOUTH AND 1920 FEET EAST FROM THE NW CORNER OF SECTION 34.
12	S	33	E	WM	35	NE	SW	WELL 5 - 1550 FEET NORTH AND 1400 FEET EAST FROM THE SW CORNER OF SECTION 2.
13	S	33	E	WM	2	NW	SW	WELL 6 - 25 FEET SOUTH AND 985 FEET EAST FROM THE W1/4 CORNER OF SECTION 2.

4. A scrivener's error was found on permit G-15077 that identified the location of Well 5 incorrectly. The correct location is as follows:

Township		Range		Meridian	Sec	¼ ¼		Location
12	S	33	E	WM	35	NE	SW	WELL 5 - 1550 FEET NORTH AND 1400 FEET EAST FROM THE SW CORNER OF SECTION 35.

**Authorized Place of Use:**

WITHIN THE SERVICE BOUNDARIES OF THE CITY

5. Application T-10237 proposes additional points of appropriation located:

Township		Range		Meridian	Sec	¼ ¼		Location
12	S	33	E	W.M.	34	NW	NW	ADDITIONAL SITE 1 – LAT 44.4867°, LONG -118.7323°
12	S	33	E	W.M.	34	NW	NW	ADDITIONAL SITE 2 – LAT 44.4869°, LONG -118.7335°
12	S	33	E	W.M.	34	NW	NW	ADDITIONAL SITE 3 – LAT 44.4873°, LONG -118.7352°
12	S	33	E	W.M.	34	NW	NE	ADDITIONAL SITE 4 – LAT 44.4896°, LONG -118.7215°

6. Notice of the application for the permit amendment was published in the Department's weekly notice on September 19, 2006, and in the Blue Mountain Eagle Newspaper on April 18 and 25, and May 2, 2007, pursuant to ORS 540.520(5). No comments were filed in response to the notices.
7. The change would not result in injury to other water rights.
8. The change does not enlarge the permit.
9. 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-10237 are consistent with the requirements of ORS 537.211.

### **Now, therefore, it is ORDERED:**

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

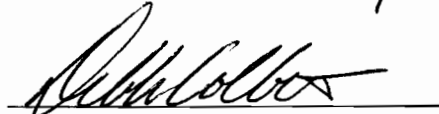
1. The combined quantity of water diverted at the new points of appropriation (wells), together with that diverted at the old points of appropriation, shall not exceed the maximum rate and duty allowed under Permit G-15077.
2. Prior to water use from the proposed additional points of appropriation, the 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.

3. Water shall be acquired from the same aquifer as the original points of appropriation.
4. All other terms and conditions of Permit G-15077 remain the same.

5. Permit G-15077, in the name of City of Prairie City, is amended as described herein.

Dated at Salem, Oregon this 14<sup>th</sup> day of June, 2007.



*pc*  
Phillip C. Ward,  
Director

Mailing Date: JUN 20 2007