

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

In the Matter of Permit Amendment) PROPOSED FINAL ORDER ON
T-14083, Morrow County) RECONSIDERATION

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. *The Department provides the opportunity for a contested case hearing on the proposed final order under ORS 183.310(2)(a)(D).*

Applicant

THREEMILE CANYON FARMS INC.
GREG HARRIS, MANAGER
75906 THREEMILE RD
BOARDMAN, OR 97818

Findings of Fact

1. On September 2, 2022, Threemile Canyon Farms Inc., Manager Greg Harris, filed an application to change the points of appropriation (POAs) under Permit G-18414. The Department assigned the application number T-14083.
2. On September 22, 2020, the Department approved Permit Amendment Application T-13325, recorded at Special Order Volume 117, Page 556, resulting in Superseding Permit G-18414.
3. On April 21, 2022, the Department approved an assignment of the permit from Threemile Canyon Farms, LLC, and Wells Fargo Bank, National Association to Threemile Canyon Farms, LLC.
4. On May 13, 2022, the Department approved an extension of time for complete application of water to October 1, 2025.
5. Notice of the application for the permit amendment was published in the Department's weekly notice on September 13, 2022, pursuant to ORS 540.520(5).
6. The POAs associated with permit G-18414, being Wells 1A through 9A, were not drilled in their permitted locations. Permit Amendment Application T-14083 proposes to change the POAs to the five recently proposed and approved additional wells from Permit Amendment T-13325 for the lands previously not involved in Permit Amendment T-13325.

Under ORS 183.310(2)(a)(D), by this order, the Department provides the opportunity for the applicant to request a hearing substantially of the character required by ORS 183.415, 183.417, 183.425, 183.450, 183.460, and 183.470 on the matters asserted in this Proposed Final Order. Please refer to the end of this document for further information about how to request a hearing.

7. On May 20, 2025, the Department denied Permit Amendment T-14083. The Final Order is recorded in Special Order Volume 134, Page 698. On July 16, 2025, pursuant to OAR 137-004-0080(4), the Department issued a Notice of Reconsideration of the Final Order.

8. The decline trigger conditions described in Permit G-18414 are as follows:

If any of the wells listed on this permit (or replacement wells) display a total static water-level decline of 25 or more feet over any period of years, as compared to the reference level measurement, then the Department shall consider whether any additional conditions or restrictions on the use of water are necessary. If any of the wells listed on this permit (or replacement wells) display a total static water-level decline of 50 or more feet over any period of years, as compared to the reference level measurement, then the water user shall discontinue use of that well(s) until the annual water level rises above the decline level which triggered the action or until the Department determines, based on the permittee's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit.

9. Groundwater level declines have occurred in all six of the proposed POAs. Additionally, all the proposed POAs have triggered water level decline conditions stipulated in Permit G-18414. As of March 2023, static water levels in the proposed POAs have declined by 56.40 to 75.16 feet below their reference levels. See table below:

	Reference Level			Recent Water Level				Permit Condition Triggers
POA	Reference Level Date	Reference Level (feet blsd)	Reference Level (feet amsl)	Most Recent Measurement Date	Most Recent Measurement (feet blsd)	Most Recent Measurement (feet amsl)	Water level Change (feet) ((-) for decline)	Total Decline > 50 Feet
MORR 52037	3/10/2015	230.08	374.92	3/15/2023	305.24	299.76	-75.16	-75.16
MORR 52045	3/10/2015	237.58	384.42	3/15/2023	293.98	328.02	-56.40	-56.40
MORR 52130	3/10/2015	241.47	375.53	3/15/2023	311.38	305.62	-69.91	-69.91
MORR 52131	3/10/2015	227.04	382.96	3/15/2023	298.57	311.43	-71.53	-71.53
MORR 52132	3/10/2015	227.12	372.88	3/15/2023	299.46	300.54	-72.34	-72.34
MORR 52279	3/10/2015	205.67	379.33	2/13/2023	278.48	306.52	-72.81	-72.81

Acronym blsd stands for "below land surface datum". Acronym amsl stands for "above mean sea level".

10. The Department completed a groundwater review of the proposed permit amendment. The groundwater review included an analysis of groundwater trends of both the permitted wells and other wells in the vicinity. Based on this analysis, the Department concludes that overall groundwater levels have been consistently declining in this area for at least the past 25 years. Thus, it is unlikely that static water levels in the permitted wells will recover to or above levels that would not trigger permit decline conditions.

11. When the evidence demonstrates that a permit holder will not be able to use water at the original points of appropriation due to the triggering of a permit decline condition, a change to new points of appropriation constitutes enlargement of the right and is not

allowed. This represents a change to the Department's policy. Previously, the Department would approve permit amendments with static water level decline conditions specific to the new or additional points of appropriation that were based on the static water level decline conditions in the underlying permits or certificates. The Department has determined that the previous policy is inconsistent with the requirement that the applicant demonstrate that the amendment does not result in enlargement. Under Oregon's prior appropriation system, permits are assigned a priority date and limited to specific terms and conditions on the use of water that can be made based on that priority date. Water users may not enlarge their use beyond these terms and conditions without applying for and receiving a new water use authorization with a new, junior priority date. Nor may the Department allow the enlargement of use beyond the terms and conditions of a permit through a permit amendment. Where the static water level decline conditions in a permit have been triggered and the evidence demonstrates that the static water levels will not recover sufficiently to allow future use of the permit, the approval of new points of appropriation under a permit amendment causes enlargement of the original permit.

12. The permit to be amended is as follows:

Permit: G-18414 in the name of THREEMILE CANYON FARMS, LLC
Use: IRRIGATION ON 2129.5 ACRES AND SUPPLEMENTAL IRRIGATION OF 670.5 ACRES
Priority Date: AUGUST 27, 1998
Quantity: 35.0 CUBIC FEET PER SECOND
Rate/Duty: The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 4.0 acre feet per acre provided that the maximum duty of water for all lands under the permit for all sources not exceed an average duty of 3.0 acre feet per acre for each acre irrigated during the irrigation season of each year.
Period of Use: MARCH 1 THROUGH OCTOBER 31
Source: INLAND WELL 1 (MORR 52037), INLAND WELL 2 (MORR 52045), INLAND WELL 3 (MORR 52132), INLAND WELL 4 (MORR 52131), INLAND WELL 5 (MORR 52130) AND UP TO NINE WELLS IN THE COLUMBIA RIVER BASIN

Authorized Points of Appropriation:

POA	Twp	Rng	Mer	Sec	Q-Q	Measured Distances
WELL 4A	3 N	24 E	WM	1	SW NW	140 FEET NORTH AND 1810 FEET WEST FROM CENTER ¼ CORNER, SECTION 1
INLAND WELL 2 (MORR 52045)	3 N	24 E	WM	1	SE SW	509 FEET NORTH AND 2180 FEET EAST FROM SW CORNER, SECTION 1
INLAND OBSERVATION WELL (MORR 52279)	3 N	24 E	WM	2	SW NW	2489 FEET SOUTH AND 770 FEET EAST FROM NW CORNER, SECTION 2
INLAND WELL 1 (MORR 52037)	3 N	24 E	WM	2	NE SE	1777 FEET NORTH AND 626 FEET WEST FROM SE CORNER, SECTION 2
WELL 8A	3 N	24 E	WM	9	SE SE	55 FEET NORTH AND 150 FEET WEST FROM SE CORNER, SECTION 9

POA	Twp	Rng	Mer	Sec	Q-Q	Measured Distances
WELL 9A	3 N	24 E	WM	9	NW NW	80 FEET SOUTH AND 1200 FEET EAST FROM NW CORNER, SECTION 9
WELL 6A	3 N	24 E	WM	10	SE SE	1070 FEET NORTH AND 720 FEET WEST FROM SE CORNER, SECTION 10
INLAND WELL 5 (MORR 52130)	3 N	24 E	WM	11	SE NW	2237 FEET SOUTH AND 1954 FEET EAST FROM NW CORNER, SECTION 11
INLAND WELL 3 (MORR 52132)	3 N	24 E	WM	13	NE NW	868 FEET SOUTH AND 1526 FEET EAST FROM NW CORNER, SECTION 13
INLAND WELL 4 (MORR 52131)	3 N	24 E	WM	14	NW SE	1953 FEET NORTH AND 1628 FEET WEST FROM SE CORNER, SECTION 14
WELL 1A	4 N	24 E	WM	27	NE NE	90 FEET SOUTH AND 110 FEET WEST FROM NE CORNER, SECTION 27
WELL 5A	4 N	24 E	WM	29	NE NE	1200 FEET WEST FROM NE CORNER, SECTION 29
WELL 2A	4 N	24 E	WM	32	NW SE	590 FEET EAST FROM CENTER OF THE ¼ CORNER, SECTION 32
WELL 7A	4 N	24 E	WM	33	SW SE	1020 FEET NORTH AND 1860 FEET WEST FROM SE CORNER, SECTION 33
WELL 3A	4 N	24 E	WM	35	SW NW	130 FEET NORTH AND 2400 FEET WEST FROM CENTER ¼ CORNER, SECTION 35

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	Wells
3 N	24 E	WM	1	NE SW	10.0	Inland Wells 1 - 5
3 N	24 E	WM	1	NW SW	31.1	Inland Wells 1 - 5
3 N	24 E	WM	1	SW SW	40.2	Inland Wells 1 - 5
3 N	24 E	WM	1	SE SW	13.7	Inland Wells 1 - 5
3 N	24 E	WM	2	SW SW	0.2	Inland Wells 1 - 5
3 N	24 E	WM	2	SW SW	0.6	Wells 1A - 9A
3 N	24 E	WM	2	SE SW	1.9	Inland Wells 1 - 5
3 N	24 E	WM	2	SE SW	7.6	Wells 1A - 9A
3 N	24 E	WM	2	NE SE	7.3	Inland Wells 1 - 5
3 N	24 E	WM	2	SW SE	0.4	Inland Wells 1 - 5
3 N	24 E	WM	2	SW SE	0.2	Wells 1A - 9A
3 N	24 E	WM	2	SE SE	16.2	Inland Wells 1 - 5
3 N	24 E	WM	2	SE SE	1.0	Wells 1A - 9A
3 N	24 E	WM	10	NE NE	5.1	Inland Wells 1 - 5
3 N	24 E	WM	10	NE NE	14.6	Wells 1A - 9A
3 N	24 E	WM	10	NW NE	1.3	Inland Wells 1 - 5
3 N	24 E	WM	10	SW NE	12.2	Inland Wells 1 - 5
3 N	24 E	WM	10	SW NE	25.3	Wells 1A - 9A
3 N	24 E	WM	10	SE NE	8.5	Inland Wells 1 - 5
3 N	24 E	WM	10	SE NE	21.2	Wells 1A - 9A
N	24 E	WM	10	NE NW	11.8	Inland Wells 1 - 5
3 N	24 E	WM	10	SE NW	11.7	Inland Wells 1 - 5
3 N	24 E	WM	10	SE NW	6.8	Wells 1A - 9A
3 N	24 E	WM	10	NE SW	0.5	Inland Wells 1 - 5
3 N	24 E	WM	10	NE SW	17.9	Wells 1A - 9A
3 N	24 E	WM	10	NE SE	4.5	Inland Wells 1 - 5
3 N	24 E	WM	10	NE SE	27.6	Wells 1A - 9A
3 N	24 E	WM	10	NW SE	40.3	Wells 1A - 9A
3 N	24 E	WM	10	SW SE	8.0	Wells 1A - 9A

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	Wells
3 N	24 E	WM	11	NE NE	26.5	Inland Wells 1 - 5
3 N	24 E	WM	11	NE NE	13.5	Wells 1A - 9A
3 N	24 E	WM	11	NW NE	4.7	Inland Wells 1 - 5
3 N	24 E	WM	11	NW NE	30.6	Wells 1A - 9A
3 N	24 E	WM	11	SW NE	28.9	Inland Wells 1 - 5
3 N	24 E	WM	11	SW NE	4.6	Wells 1A - 9A
3 N	24 E	WM	11	SE NE	35.1	Inland Wells 1 - 5
3 N	24 E	WM	11	NE NW	40.7	Wells 1A - 9A
3 N	24 E	WM	11	NW NW	10.8	Inland Wells 1 - 5
3 N	24 E	WM	11	NW NW	23.2	Wells 1A - 9A
3 N	24 E	WM	11	SW NW	2.7	Inland Wells 1 - 5
3 N	24 E	WM	11	SW NW	25.7	Wells 1A - 9A
3 N	24 E	WM	11	SE NW	5.5	Inland Wells 1 - 5
3 N	24 E	WM	11	SE NW	29.0	Wells 1A - 9A
3 N	24 E	WM	11	NE SW	17.6	Inland Wells 1 - 5
3 N	24 E	WM	11	NE SW	17.2	Wells 1A - 9A
3 N	24 E	WM	11	NW SW	40.2	Wells 1A - 9A
3 N	24 E	WM	11	SW SW	8.5	Wells 1A - 9A
3 N	24 E	WM	11	SE SW	1.1	Inland Wells 1 - 5
3 N	24 E	WM	11	NE SE	35.1	Inland Wells 1 - 5
3 N	24 E	WM	11	NW SE	40.1	Inland Wells 1 - 5
3 N	24 E	WM	11	SW SE	7.5	Inland Wells 1 - 5
3 N	24 E	WM	11	SE SE	4.9	Inland Wells 1 - 5
3 N	24 E	WM	12	NW NE	12.3	Inland Wells 1 - 5
3 N	24 E	WM	12	SW NE	23.4	Inland Wells 1 - 5
3 N	24 E	WM	12	SE NE	1.9	Inland Wells 1 - 5
3 N	24 E	WM	12	NE NW	36.6	Inland Wells 1 - 5
3 N	24 E	WM	12	NW NW	26.3	Inland Wells 1 - 5
3 N	24 E	WM	12	SW NW	34.2	Inland Wells 1 - 5
3 N	24 E	WM	12	SE NW	40.6	Inland Wells 1 - 5
3 N	24 E	WM	12	NE SW	29.2	Inland Wells 1 - 5
3 N	24 E	WM	12	NW SW	38.5	Inland Wells 1 - 5
3 N	24 E	WM	12	SW SW	31.4	Inland Wells 1 - 5
3 N	24 E	WM	12	SE SW	33.6	Inland Wells 1 - 5
3 N	24 E	WM	12	NE SE	33.8	Inland Wells 1 - 5
3 N	24 E	WM	12	NW SE	39.3	Inland Wells 1 - 5
3 N	24 E	WM	12	SW SE	37.8	Inland Wells 1 - 5
3 N	24 E	WM	12	SE SE	29.5	Inland Wells 1 - 5
3 N	24 E	WM	13	NE NE	5.6	Inland Wells 1 - 5
3 N	24 E	WM	13	NW NE	38.8	Inland Wells 1 - 5
3 N	24 E	WM	13	SW NE	36.2	Inland Wells 1 - 5
3 N	24 E	WM	13	SE NE	4.5	Inland Wells 1 - 5
3 N	24 E	WM	13	NE NW	30.8	Inland Wells 1 - 5
3 N	24 E	WM	13	NW NW	31.2	Inland Wells 1 - 5
3 N	24 E	WM	13	SW NW	37.8	Inland Wells 1 - 5
3 N	24 E	WM	13	SE NW	34.9	Inland Wells 1 - 5
3 N	24 E	WM	13	NE SW	39.9	Inland Wells 1 - 5
3 N	24 E	WM	13	NW SW	31.4	Inland Wells 1 - 5
3 N	24 E	WM	13	SW SW	15.3	Inland Wells 1 - 5
3 N	24 E	WM	13	SE SW	10.0	Inland Wells 1 - 5
3 N	24 E	WM	13	NW SE	1.7	Inland Wells 1 - 5

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	Wells
3 N	24 E	WM	14	NE NE	4.6	Inland Wells 1 - 5
3 N	24 E	WM	14	NW NE	5.4	Inland Wells 1 - 5
3 N	24 E	WM	14	NE NW	2.1	Wells 1A – 9A
3 N	24 E	WM	14	NW NW	5.3	Wells 1A – 9A
3 N	24 E	WM	14	SW NE	37.9	Inland Wells 1 - 5
3 N	24 E	WM	14	SW NW	13.7	Wells 1A – 9A
3 N	24 E	WM	14	SE NW	1.4	Wells 1A – 9A
3 N	24 E	WM	14	SE NE	30.5	Inland Wells 1 - 5
3 N	24 E	WM	14	NE NW	2.5	Inland Wells 1 - 5
3 N	24 E	WM	14	SW NW	25.2	Inland Wells 1 - 5
3 N	24 E	WM	14	SE NW	36.0	Inland Wells 1 - 5
3 N	24 E	WM	14	NE SW	34.0	Inland Wells 1 - 5
3 N	24 E	WM	14	NW SW	37.6	Inland Wells 1 - 5
3 N	24 E	WM	14	SW SW	24.9	Inland Wells 1 - 5
3 N	24 E	WM	14	SE SW	24.2	Inland Wells 1 - 5
3 N	24 E	WM	14	NE SE	35.7	Inland Wells 1 - 5
3 N	24 E	WM	14	NW SE	33.5	Inland Wells 1 - 5
3 N	24 E	WM	14	SW SE	23.3	Inland Wells 1 - 5
3 N	24 E	WM	14	SE SE	30.3	Inland Wells 1 - 5
3 N	24 E	WM	15	NE NE	2.5	Inland Wells 1 - 5
3 N	24 E	WM	15	NE NE	6.0	Wells 1A – 9A
3 N	24 E	WM	15	NW NE	8.9	Wells 1A – 9A
3 N	24 E	WM	15	SW NE	22.1	Inland Wells 1 - 5
3 N	24 E	WM	15	SW NE	11.6	Wells 1A – 9A
3 N	24 E	WM	15	SE NE	32.8	Inland Wells 1 - 5
3 N	24 E	WM	15	SE NE	3.2	Wells 1A – 9A
3 N	24 E	WM	15	NE NW	0.5	Wells 1A – 9A
3 N	24 E	WM	15	SE NW	9.1	Inland Wells 1 - 5
3 N	24 E	WM	15	SE NW	0.8	Wells 1A – 9A
3 N	24 E	WM	15	NE SE	33.2	Inland Wells 1 - 5
3 N	24 E	WM	15	NW SE	17.0	Inland Wells 1 - 5
3 N	24 E	WM	15	SE SE	5.8	Inland Wells 1 - 5
TOTAL					2129.5	
Total Acres Proposed for Change in POAs (bolded above) under T-14083					457.8	

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	Wells
3 N	24 E	WM	1	NE NE	26.0	Wells 1A – 9A
3 N	24 E	WM	1	NW NE	10.9	Wells 1A – 9A
3 N	24 E	WM	1	SW NE	5.7	Wells 1A – 9A
3 N	24 E	WM	1	SE NE	15.9	Wells 1A – 9A
3 N	24 E	WM	4	SW NE	9.0	Wells 1A – 9A
3 N	24 E	WM	4	SE NE	15.0	Wells 1A – 9A
3 N	24 E	WM	4	NE SE	36.9	Wells 1A – 9A
3 N	24 E	WM	4	NW SE	24.9	Wells 1A – 9A
3 N	24 E	WM	4	SW SE	1.4	Wells 1A – 9A
3 N	24 E	WM	4	SE SE	3.4	Wells 1A – 9A
3 N	24 E	WM	9	SW SE	21.6	Wells 1A – 9A
3 N	24 E	WM	9	SE SE	19.6	Wells 1A – 9A
3 N	24 E	WM	12	NE NE	15.2	Wells 1A – 9A
3 N	24 E	WM	12	NW NE	3.6	Wells 1A – 9A

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	Wells
3 N	24 E	WM	12	SW NE	8.9	Wells 1A – 9A
3 N	24 E	WM	12	SE NE	30.3	Wells 1A – 9A
3 N	24 E	WM	16	NE NE	21.6	Wells 1A – 9A
3 N	24 E	WM	16	NW NE	24.5	Wells 1A – 9A
4 N	24 E	WM	27	NE SW	37.0	Wells 1A – 9A
4 N	24 E	WM	27	NW SW	16.7	Wells 1A – 9A
4 N	24 E	WM	27	SW SW	18.6	Wells 1A – 9A
4 N	24 E	WM	27	SE SW	38.5	Wells 1A – 9A
4 N	24 E	WM	27	NW SE	6.9	Wells 1A – 9A
4 N	24 E	WM	27	SW SE	7.0	Wells 1A – 9A
4 N	24 E	WM	28	NW NE	27.7	Wells 1A – 9A
4 N	24 E	WM	28	SW NE	29.5	Wells 1A – 9A
4 N	24 E	WM	28	NE NW	31.7	Wells 1A – 9A
4 N	24 E	WM	28	NW NW	0.2	Wells 1A – 9A
4 N	24 E	WM	28	SW NW	0.5	Wells 1A – 9A
4 N	24 E	WM	28	SE NW	35.6	Wells 1A – 9A
4 N	24 E	WM	28	NE SW	0.3	Wells 1A – 9A
4 N	24 E	WM	29	SE NW	0.3	Wells 1A – 9A
4 N	24 E	WM	29	NE SW	35.9	Wells 1A – 9A
4 N	24 E	WM	29	NW SW	4.3	Wells 1A – 9A
4 N	24 E	WM	29	SW SW	3.1	Wells 1A – 9A
4 N	24 E	WM	29	SE SW	34.0	Wells 1A – 9A
4 N	24 E	WM	29	NW SE	24.3	Wells 1A – 9A
4 N	24 E	WM	29	SW SE	24.0	Wells 1A – 9A
Total Acres Proposed for Change in POAs (bolded above) under T-14083					670.5	

13. Permit Amendment Application T-14083 proposes to move the authorized points of appropriation for a total of 457.8 acres of Primary Irrigation and 670.5 acres of Supplemental Irrigation (appearing in bold in the above Place of Use tables) as follows:

	Twp	Rng	Mer	Sec	Q-Q	Measured Distances
INLAND WELL 2 - (MORR 52045)	3 N	24 E	WM	1	SE SW	509 FEET NORTH AND 2180 FEET EAST FROM SW CORNER, SECTION 1
INLAND OBSERVATION WELL (MORR 52279)	3 N	24 E	WM	2	SW NW	2489 FEET SOUTH AND 770 FEET EAST FROM NW CORNER, SECTION 2
INLAND WELL 1 (MORR 52037)	3 N	24 E	WM	2	NE SE	1777 FEET NORTH AND 626 FEET WEST FROM SE CORNER, SECTION 2
INLAND WELL 5 (MORR 52130)	3 N	24 E	WM	11	SE NW	2237 FEET SOUTH AND 1954 FEET EAST FROM NW CORNER, SECTION 11
INLAND WELL 3 (MORR 52132)	3 N	24 E	WM	13	NE NW	868 FEET SOUTH AND 1526 FEET EAST FROM NW CORNER, SECTION 13
INLAND WELL 4 (MORR 52131)	3 N	24 E	WM	14	NW SE	1953 FEET NORTH AND 1628 FEET WEST FROM SE CORNER, SECTION 14

14. The approximate distances for the proposed points of appropriation from the authorized points of appropriation are as follows, in miles (mi.):

Proposed Well	Well 1A	Well 2A	Well 3A	Well 4A	Well 5A	Well 6A	Well 7A	Well 8A	Well 9A
INLAND WELL 1 – (MORR 52037)	2.8 mi.	3.5 mi.	1.5 mi.	0.3 mi.	4.2 mi.	1.5 mi.	2.4 mi.	2.3 mi.	2.7 mi.

Proposed Well	Well 1A	Well 2A	Well 3A	Well 4A	Well 5A	Well 6A	Well 7A	Well 8A	Well 9A
INLAND WELL 2 – (MORR 52045)	3.3 mi.	4.1 mi.	2.0 mi.	0.5 mi.	4.7 mi.	1.8 mi.	3.0 mi.	2.7 mi.	3.2 mi.
INLAND WELL 3 – (MORR 52132)	4.4 mi.	4.6 mi.	3.0 mi.	1.7 mi.	5.5 mi.	1.5 mi.	3.6 mi.	2.3 mi.	3.3 mi.
INLAND WELL 4 – (MORR 52131)	4.7 mi.	4.4 mi.	3.2 mi.	2.2 mi.	5.5 mi.	1.2 mi.	3.5 mi.	1.8 mi.	3.0 mi.
INLAND WELL 5 – (MORR 52130)	4.7 mi.	4.4 mi.	3.2 mi.	2.2 mi.	5.5 mi.	1.2 mi.	3.5 mi.	1.8 mi.	3.0 mi.
INLAND OBSERVATION WELL (MORR 52279)	2.5 mi.	2.7 mi.	1.0 mi.	1.0 mi.	3.5 mi.	1.4 mi.	1.6 mi.	1.9 mi.	2.0 mi.

Permit Amendment Review Criteria

15. The proposed change would not result in injury to other water rights.
16. As outlined in Findings of Fact No. 8, 9, 10, and 11, the proposed change would enlarge the permit.
17. The proposed change does not alter any other terms of the permit.

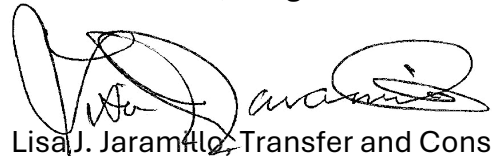
Conclusions of Law

The change in points of appropriation proposed by Permit Amendment Application T-14083 is **NOT** consistent with the requirements of ORS 537.211.

Now, therefore, it is ORDERED:

1. The change in points of appropriation proposed by Permit Amendment Application T-14083 is denied.

Dated in Salem, Oregon on 9/29/2026



Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
IVAN GALL, DIRECTOR
Oregon Water Resources Department

Notice of Opportunity to Receive a Contested Case Hearing and Description of Procedure and Time for Requesting Hearing

Under ORS 183.310(2)(a)(D), by this order, the Department provides the opportunity for the applicant to request a hearing substantially of the character required by ORS 183.415, 183.417, 183.425, 183.450, 183.460, and 183.470 on the matters asserted in this Proposed Final Order. If the applicant does not agree with the matters asserted in this Proposed Final Order, the applicant may file a request for hearing with the Department setting forth the reasons why Transfer Application T-14083 should not be denied as proposed herein. The provisions of ORS 536.076 and 536.077, and rules adopted thereunder, apply to any contested case proceeding

on this Proposed Final Order. **Pursuant to ORS 536.077(4) and (5), if no hearing request is received by 11/29/2026, and the Department does not withdraw this Proposed Final Order on or before 12/31/2026, this Proposed Final Order is a final order without any further action by the Department on 12/31/2026.** To request a hearing, the applicant must file a written request for hearing with Department within 60 days from the date of mailing of this Proposed Final Order. Hearing requests may be mailed or hand delivered to the Oregon Water Resources Department, Attn: Will Davidson, at 725 Summer Street NE, Suite A, Salem, OR 97301. Hearing requests may be emailed to will.d.davidson@water.oregon.gov, but payment of protest fees cannot be accepted electronically and must be received by the Department by mail or hand delivery prior to the deadline. Hearing requests and protest fees must be received on or before 11/29/2026. If the Department does not receive a hearing request and protest fee by the specified deadline, the applicant will have waived the opportunity for a contested case hearing, and this Proposed Final Order will become a final order 33 days after the deadline for filing a hearing request, unless the Department withdraws this Proposed Final Order.

Hearing requests must meet the following requirements:

- Be in writing
- Include the protestant's name, address, telephone number, and email address, if the protestant has an email address;
- Include the name, address, telephone number, and email address of the protestant's attorney, if the protestant is represented by an attorney;
- Include a description of the protestant's interest in the Proposed Final Order, and, if the protestant claims to represent the public interest, a precise statement of the public interest represented;
- Include a detailed description of how the action proposed in the Proposed Final Order would impair or be detrimental to the protestant's interest and/or the claimed public interest;
- Identify which of the Proposed Final Order's recommended findings of fact, conclusions of law or conditions of approval the protestant objects to;
- Raise all reasonably ascertainable issues and include all reasonably available arguments that support the protestant's position;
- Include any citation of legal authority to support the protest, if known;
- Explain how the issues raised in the protest are within the Department's jurisdiction;
- If the protestant is the applicant, include a protest fee of \$720 required by ORS 536.050; and
- If the protestant is not the applicant, include a protest fee of \$1,425 required by ORS 536.050.

Notice of the circumstances under which this Proposed Final Order will become a final order: If no request for hearing concerning this Proposed Final Order is timely received and the Department does not withdraw this Proposed Final Order for reconsideration within 33 days after the close of the period for submitting a hearing request, this Proposed Final Order will become a final order on the date that is 33 days after the close of the period for submitting a hearing request, with no further action required by the Department. If a hearing request is timely received, but later: (1) all hearing requests are withdrawn and the withdrawals are not

based on a settlement agreement requiring changes to this Proposed Final Order; (2) all parties that requested a hearing fail to appear at a scheduled hearing; or (3) all parties that requested a hearing notify the Department or the administrative law judge that the parties will not appear at a scheduled hearing, the parties that requested a hearing will have waived any right to a hearing, and the Department or the administrative law judge will issue an order dismissing the hearing requests and notifying the parties that this Proposed Final Order has become a final order. OAR 690-002-0235; OAR 137-003-0672. The Department designates the relevant portions of its file on this matter, including all materials that you have submitted relating to this matter, as the record for the purpose of proving a prima facie case upon default. OAR 137-003-0672.

Notice of right to be represented by an attorney: You may be represented by an attorney at any contested case hearing on this Proposed Final Order. Legal aid organizations may be able to assist a party with limited financial resources. Generally, partnerships, corporations, associations, governmental subdivisions or public or private organizations are represented by an attorney. However, consistent with OAR 690-002-0020 and OAR 137-003-0555, an “authorized representative” as defined at OAR 137-003-0555(1)(b) may represent a partnership, corporation, association, governmental subdivision or public or private organization if the Department determines that appearance of a person by an authorized representative will not hinder the orderly and timely development of the record in this case.

Notice to active duty servicemembers: Active-duty service members have a right to stay proceedings under the federal Service Members Civil Relief Act. 50 U.S.C. App. §§501-597b. For more information contact the Oregon State Bar at 800-452-8260, the Oregon Military Department at 971-355-4127, or the nearest United States Armed Forces Legal Assistance Office through <http://legalassistance.law.af.mil>.



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building
725 Summer St NE, Suite A
Salem, OR 97301
Phone 503 986-0900
Fax 503 986-0904

September 29, 2026

PROPOSED FINAL ORDER ON RECONSIDERATION

Reference: T-14083

Enclosed is a Proposed Final Order on Reconsideration indicating that, based on the information available, the Department intends to deny Permit Amendment Application T-14083. This document is an intermediate step in the denial process; water may not be used legally as proposed in the Permit Amendment Application until a Final Order approving the Permit Amendment has been issued by the Department. Please read this entire letter carefully to determine your responsibility for additional action.

This document provides the opportunity for the applicant to request a hearing if the applicant does not agree with the matters asserted in this Proposed Final Order.

If the Department does not receive a hearing request and protest fee by the specified deadline, the applicant will have waived the opportunity for a contested case hearing, and this Proposed Final Order will become a final order 33 days after the deadline for filing a hearing request, without any further action by the Department.

If you have any questions related to this Order on Reconsideration, you may contact your caseworker, Arla L. Davis, by telephone at (503) 979-3129 or by e-mail at arla.l.davis@water.oregon.gov.

Sincerely,

David V. Jones Jr
Water Right Support
Transfers and Conservation Section

cc: Watermaster Dist. #5 (via email)
Agent: Geo Engineers, Inc