

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

|                                   |   |                             |
|-----------------------------------|---|-----------------------------|
| In the Matter of Permit Amendment | ) | FINAL ORDER                 |
| T-12575, Deschutes County         | ) | APPROVING ADDITIONAL POINTS |
|                                   | ) | OF APPROPRIATION, AND A     |
|                                   | ) | CHANGE IN PLACE OF USE      |

**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**

SUNRIVER WATER LLC  
PO BOX 3699  
SUNRIVER, OR 97707

**Findings of Fact**

1. On January 24, 2017, SUNRIVER WATER LLC filed an application for additional points of appropriation and to change the place of use under Permit G-17460. The Department assigned the application number T-12575.
2. Notice of the application for the permit amendment was published in the Department's weekly notice on January 31, 2017, and in the Bend Bulletin newspaper on March 3, and March 10, 2018, pursuant to ORS 540.520(5). No comments were filed in response to the notices.
3. On September 1, 2017 the Department contacted the agent for the applicant by phone and email regarding a deficiency.
4. On September 6, 2017 the agent for the applicant emailed the documentation to the Department to satisfy the deficiency.

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.

5. Permit Amendment Application T-12575 proposes additional points of appropriation with approximate distances from the existing point of appropriation as follows:

| Twp  | Rng  | Mer | Sec | Q-Q   | Measured Distances                                                            | Distance from Authorized Well |
|------|------|-----|-----|-------|-------------------------------------------------------------------------------|-------------------------------|
| 19 S | 11 E | WM  | 29  | NE NE | WELL 9 - 1200 FEET SOUTH AND 70 FEET WEST FROM THE NE CORNER OF SECTION 29    | 1.95 miles                    |
| 19 S | 11 E | WM  | 32  | SW SW | WELL 2 - 1070 FEET NORTH AND 1300 FEET EAST FROM THE SW CORNER OF SECTION 32  | 0.79 miles                    |
| 19 S | 11 W | WM  | 33  | NE NE | WELL 16 - 465 FEET SOUTH AND 4457 FEET EAST FROM THE NW CORNER OF SECTION 33  | 1.1 miles                     |
| 20 S | 11 E | WM  | 5   | NE NE | NORTH WELL - 875 FEET SOUTH AND 340 FEET WEST FROM THE NE CORNER OF SECTION 5 | 115 feet                      |
| 20 S | 11 E | WM  | 8   | NW NW | WELL 12 - 215 FEET SOUTH AND 830 FEET EAST FROM THE NW CORNER OF SECTION 8    | 1.14 miles                    |

6. Permit Amendment Application T-12575 also proposes to change the place of use of the permit to:

| QUASI - MUNICIPAL |      |     |     |       |                    |
|-------------------|------|-----|-----|-------|--------------------|
| Twp               | Rng  | Mer | Sec | Q-Q   | POA                |
| 19 S              | 11 E | WM  | 20  | NE SW | Well 16            |
| 19 S              | 11 E | WM  | 20  | NW SW | Well 16            |
| 19 S              | 11 E | WM  | 20  | SW SW | Well 16            |
| 19 S              | 11 E | WM  | 20  | SE SW | Well 16            |
| 19 S              | 11 E | WM  | 20  | NE SE | Well 16            |
| 19 S              | 11 E | WM  | 20  | NW SE | Well 16            |
| 19 S              | 11 E | WM  | 20  | SW SE | Well 16            |
| 19 S              | 11 E | WM  | 20  | SE SE | Well 16            |
| 19 S              | 11 E | WM  | 28  | SW NE | Well 16            |
| 19 S              | 11 E | WM  | 28  | SW NW | Well 16            |
| 19 S              | 11 E | WM  | 28  | SE NW | Well 16            |
| 19 S              | 11 E | WM  | 28  | NE SW | Well 16            |
| 19 S              | 11 E | WM  | 28  | NW SW | Well 16            |
| 19 S              | 11 E | WM  | 28  | SW SW | Well 16            |
| 19 S              | 11 E | WM  | 28  | SE SW | Well 16            |
| 19 S              | 11 E | WM  | 28  | NW SE | Well 16            |
| 19 S              | 11 E | WM  | 28  | SW SE | Well 16            |
| 19 S              | 11 E | WM  | 29  | NE NE | Well 9 and Well 16 |
| 19 S              | 11 E | WM  | 29  | NW NE | Well 16            |
| 19 S              | 11 E | WM  | 29  | SW NE | Well 16            |
| 19 S              | 11 E | WM  | 29  | SE NE | Well 16            |
| 19 S              | 11 E | WM  | 29  | NE NW | Well 16            |
| 19 S              | 11 E | WM  | 29  | NW NW | Well 16            |
| 19 S              | 11 E | WM  | 29  | SW NW | Well 16            |
| 19 S              | 11 E | WM  | 29  | SE NW | Well 16            |
| 19 S              | 11 E | WM  | 29  | NE SW | Well 16            |
| 19 S              | 11 E | WM  | 29  | NW SW | Well 16            |
| 19 S              | 11 E | WM  | 29  | SW SW | Well 16            |
| 19 S              | 11 E | WM  | 29  | SE SW | Well 16            |
| 19 S              | 11 E | WM  | 29  | NE SE | Well 16            |
| 19 S              | 11 E | WM  | 29  | NW SE | Well 16            |
| 19 S              | 11 E | WM  | 29  | SW SE | Well 16            |
| 19 S              | 11 E | WM  | 29  | SE SE | Well 16            |

| QUASI - MUNICIPAL |      |     |     |       |                    |
|-------------------|------|-----|-----|-------|--------------------|
| Twp               | Rng  | Mer | Sec | Q-Q   | POA                |
| 19 S              | 11 E | WM  | 30  | SE NE | Well 16            |
| 19 S              | 11 E | WM  | 30  | NE SE | Well 16            |
| 19 S              | 11 E | WM  | 30  | NW SE | Well 16            |
| 19 S              | 11 E | WM  | 30  | SW SE | Well 16            |
| 19 S              | 11 E | WM  | 30  | SE SE | Well 16            |
| 19 S              | 11 E | WM  | 31  | NE NE | Well 16            |
| 19 S              | 11 E | WM  | 31  | NW NE | Well 16            |
| 19 S              | 11 E | WM  | 31  | SW NE | Well 16            |
| 19 S              | 11 E | WM  | 31  | SE NE | Well 16            |
| 19 S              | 11 E | WM  | 31  | SW NW | Well 16            |
| 19 S              | 11 E | WM  | 31  | SE NW | Well 16            |
| 19 S              | 11 E | WM  | 31  | NE SW | Well 16            |
| 19 S              | 11 E | WM  | 31  | NW SW | Well 16            |
| 19 S              | 11 E | WM  | 31  | SE SW | Well 16            |
| 19 S              | 11 E | WM  | 31  | NE SE | Well 16            |
| 19 S              | 11 E | WM  | 31  | NW SE | Well 16            |
| 19 S              | 11 E | WM  | 31  | SW SE | Well 16            |
| 19 S              | 11 E | WM  | 31  | SE SE | Well 16            |
| 19 S              | 11 E | WM  | 32  | NE NE | Well 16            |
| 19 S              | 11 E | WM  | 32  | NW NE | Well 16            |
| 19 S              | 11 E | WM  | 32  | SW NE | Well 16            |
| 19 S              | 11 E | WM  | 32  | SE NE | Well 16            |
| 19 S              | 11 E | WM  | 32  | NE NW | Well 16            |
| 19 S              | 11 E | WM  | 32  | NW NW | Well 16            |
| 19 S              | 11 E | WM  | 32  | SW NW | Well 16            |
| 19 S              | 11 E | WM  | 32  | SE NW | Well 16            |
| 19 S              | 11 E | WM  | 32  | NE SW | Well 16            |
| 19 S              | 11 E | WM  | 32  | NW SW | Well 16            |
| 19 S              | 11 E | WM  | 32  | SW SW | Well 2 and Well 16 |
| 19 S              | 11 E | WM  | 32  | SE SW | Well 16            |
| 19 S              | 11 E | WM  | 32  | NE SE | Well 16            |
| 19 S              | 11 E | WM  | 32  | NW SE | Well 16            |
| 19 S              | 11 E | WM  | 32  | SW SE | Well 16            |

| QUASI - MUNICIPAL |      |     |     |       |                        |
|-------------------|------|-----|-----|-------|------------------------|
| Twp               | Rng  | Mer | Sec | Q-Q   | POA                    |
| 19 S              | 11 E | WM  | 32  | SE SE | Well 16                |
| 19 S              | 11 E | WM  | 33  | NE NE | North Well and Well 16 |
| 19 S              | 11 E | WM  | 33  | NW NE | Well 16                |
| 19 S              | 11 E | WM  | 33  | SW NE | Well 16                |
| 19 S              | 11 E | WM  | 33  | NE NW | Well 16                |
| 19 S              | 11 E | WM  | 33  | NW NW | Well 16                |
| 19 S              | 11 E | WM  | 33  | SW NW | Well 16                |
| 19 S              | 11 E | WM  | 33  | SE NW | Well 16                |
| 19 S              | 11 E | WM  | 33  | NE SW | Well 16                |
| 19 S              | 11 E | WM  | 33  | NW SW | Well 16                |
| 19 S              | 11 E | WM  | 33  | SW SW | Well 16                |
| 19 S              | 11 E | WM  | 33  | SE SW | Well 16                |
| 19 S              | 11 E | WM  | 33  | NW SE | Well 16                |
| 19 S              | 11 E | WM  | 33  | SW SE | Well 16                |
| 20 S              | 11 E | WM  | 5   | NE NE | Well 14 and Well 16    |
| 20 S              | 11 E | WM  | 5   | NW NE | Well 16                |
| 20 S              | 11 E | WM  | 5   | SW NE | Well 16                |
| 20 S              | 11 E | WM  | 5   | SE NE | Well 16                |
| 20 S              | 11 E | WM  | 5   | NE NW | Well 16                |
| 20 S              | 11 E | WM  | 5   | NW NW | Well 16                |
| 20 S              | 11 E | WM  | 5   | SW NW | Well 16                |
| 20 S              | 11 E | WM  | 5   | SE NW | Well 16                |
| 20 S              | 11 E | WM  | 5   | NE SW | Well 16                |
| 20 S              | 11 E | WM  | 5   | NW SW | Well 16                |
| 20 S              | 11 E | WM  | 5   | SW SW | Well 16                |
| 20 S              | 11 E | WM  | 5   | SE SW | Well 16                |
| 20 S              | 11 E | WM  | 5   | NE SE | Well 16                |
| 20 S              | 11 E | WM  | 5   | NW SE | Well 16                |
| 20 S              | 11 E | WM  | 5   | SW SE | Well 16                |
| 20 S              | 11 E | WM  | 5   | SE SE | Well 16                |
| 20 S              | 11 E | WM  | 6   | NE NE | Well 16                |
| 20 S              | 11 E | WM  | 6   | NW NE | Well 16                |
| 20 S              | 11 E | WM  | 6   | SW NE | Well 16                |
| 20 S              | 11 E | WM  | 6   | SE NE | Well 16                |
| 20 S              | 11 E | WM  | 6   | NE NW | Well 16                |
| 20 S              | 11 E | WM  | 6   | SW NW | Well 16                |
| 20 S              | 11 E | WM  | 6   | SE NW | Well 16                |
| 20 S              | 11 E | WM  | 6   | NE SW | Well 16                |
| 20 S              | 11 E | WM  | 6   | NW SW | Well 16                |
| 20 S              | 11 E | WM  | 6   | SW SW | Well 16                |
| 20 S              | 11 E | WM  | 6   | SE SW | Well 16                |
| 20 S              | 11 E | WM  | 6   | NE SE | Well 16                |
| 20 S              | 11 E | WM  | 6   | NW SE | Well 16                |
| 20 S              | 11 E | WM  | 6   | SW SE | Well 16                |
| 20 S              | 11 E | WM  | 6   | SE SE | Well 16                |
| 20 S              | 11 E | WM  | 7   | NE NE | Well 16                |
| 20 S              | 11 E | WM  | 7   | NW NE | Well 16                |
| 20 S              | 11 E | WM  | 7   | SW NE | Well 16                |

| QUASI - MUNICIPAL |      |     |     |       |                     |
|-------------------|------|-----|-----|-------|---------------------|
| Twp               | Rng  | Mer | Sec | Q-Q   | POA                 |
| 20 S              | 11 E | WM  | 7   | SE NE | Well 16             |
| 20 S              | 11 E | WM  | 7   | NE NW | Well 16             |
| 20 S              | 11 E | WM  | 7   | SE NW | Well 16             |
| 20 S              | 11 E | WM  | 7   | NE SE | Well 16             |
| 20 S              | 11 E | WM  | 7   | NW SE | Well 16             |
| 20 S              | 11 E | WM  | 7   | SW SE | All Wells           |
| 20 S              | 11 E | WM  | 7   | SE SE | Well 16             |
| 20 S              | 11 E | WM  | 8   | NE NE | All Wells           |
| 20 S              | 11 E | WM  | 8   | NW NE | Well 16             |
| 20 S              | 11 E | WM  | 8   | SW NE | Well 16             |
| 20 S              | 11 E | WM  | 8   | SE NE | All Wells           |
| 20 S              | 11 E | WM  | 8   | NE NW | Well 16             |
| 20 S              | 11 E | WM  | 8   | NW NW | Well 12 and Well 16 |
| 20 S              | 11 E | WM  | 8   | SW NW | Well 16             |
| 20 S              | 11 E | WM  | 8   | SE NW | Well 16             |
| 20 S              | 11 E | WM  | 8   | NE SW | Well 16             |
| 20 S              | 11 E | WM  | 8   | NW SW | Well 16             |
| 20 S              | 11 E | WM  | 8   | SW SW | Well 16             |
| 20 S              | 11 E | WM  | 8   | SE SW | Well 16             |
| 20 S              | 11 E | WM  | 8   | NE SE | All Wells           |
| 20 S              | 11 E | WM  | 8   | NW SE | Well 16             |
| 20 S              | 11 E | WM  | 8   | SW SE | Well 16             |
| 20 S              | 11 E | WM  | 8   | SE SE | All Wells           |
| 20 S              | 11 E | WM  | 9   | SW NW | All Wells           |
| 20 S              | 11 E | WM  | 9   | NW SW | All Wells           |
| 20 S              | 11 E | WM  | 9   | SW SW | All Wells           |
| 20 S              | 11 E | WM  | 16  | NW NW | All Wells           |
| 20 S              | 11 E | WM  | 16  | SW NW | All Wells           |
| 20 S              | 11 E | WM  | 16  | NW SW | All Wells           |
| 20 S              | 11 E | WM  | 16  | SW SW | All Wells           |
| 20 S              | 11 E | WM  | 17  | NE NE | All Wells           |
| 20 S              | 11 E | WM  | 17  | NW NE | Well 16             |
| 20 S              | 11 E | WM  | 17  | SW NE | All Wells           |
| 20 S              | 11 E | WM  | 17  | SE NE | All Wells           |
| 20 S              | 11 E | WM  | 17  | NE NW | Well 16             |
| 20 S              | 11 E | WM  | 17  | NW NW | Well 16             |
| 20 S              | 11 E | WM  | 17  | SW NW | Well 16             |
| 20 S              | 11 E | WM  | 17  | SE NW | Well 16             |
| 20 S              | 11 E | WM  | 17  | NE SW | All Wells           |
| 20 S              | 11 E | WM  | 17  | SE SW | All Wells           |
| 20 S              | 11 E | WM  | 17  | NE SE | All Wells           |
| 20 S              | 11 E | WM  | 17  | NW SE | All Wells           |
| 20 S              | 11 E | WM  | 17  | SW SE | All Wells           |
| 20 S              | 11 E | WM  | 17  | SE SE | All Wells           |
| 20 S              | 11 E | WM  | 18  | NE NE | Well 16             |
| 20 S              | 11 E | WM  | 18  | SE NE | Well 16             |
| 20 S              | 11 E | WM  | 18  | NE SE | All Wells           |
| 20 S              | 11 E | WM  | 18  | SE SE | All Wells           |

**Permit Amendment Review Criteria**

6. The changes would not result in injury to other water rights.
7. The proposed place of use is owned and/or controlled by the permit holder.
8. The changes do not enlarge the permit.
9. The changes do not alter any other terms of the permit.
10. The proposed place of use is contiguous to the authorized place of use.

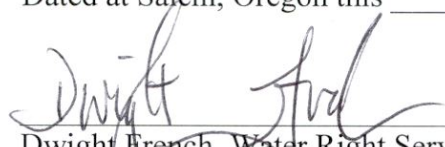
**Conclusions of Law**

The additional points of appropriation and change in place of use proposed by Permit Amendment Application T-12575 are consistent with the requirements of ORS 537.211.

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

1. The additional points of appropriation and change in place of use proposed by Permit Amendment Application T-12575 are approved.
2. Permit G-17882, in the name of SUNRIVER WATER, LLC, is issued to replace Permit G-17460, and incorporates the amendments approved by this order. Permit G-17460, in the name of SUNRIVER WATER, LLC, 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. Water use measurement 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 (new and existing)
  - b) The water user shall maintain the meters or measuring devices in good working order.
  - c) The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are 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-17882 remain the same.

Dated at Salem, Oregon this APR 05 2018

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

Mailing Date: APR 09 2018