

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

In the Matter of Permit Amendment) FINAL ORDER
T-12147, Yamhill County) APPROVING A CHANGE IN POINTS OF
) APPROPRIATION AND
) RE-DESCRIPTION OF A WATER RIGHT

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

PINE RIDGE WINERY, DBA
ARCHERY SUMMIT WINERY
C/O TIM SCOTT
PO BOX 85
DUNDEE, OR 97115

Findings of Fact

1. On August 31, 2015, PINE RIDGE WINERY, DBA ARCHERY SUMMIT WINERY C/O TIM SCOTT, filed an application to change the points of appropriation under Permit G-13429. The Department assigned the application number T-12147.
2. On August 28, 2015, the Department approved an extension of time for complete application of water to October 1, 2020.
3. Notice of the application for the permit amendment was published in the Department's weekly notice on September 1, 2015, pursuant to ORS 540.520(5). No comments were filed in response to the notice.
4. On February 23, 2016, the Department contacted the applicant's agent by email to resolve a couple of issues with the application. Location information regarding the points of appropriation was inconsistent between the application and the map and verification of the authority of the signer of the application was requested.
5. On February 23, 2016, the agent submitted an amended application page and on February 24, 2016, the applicant submitted documentation resolving the issues.

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.

6. Permit Amendment Application T-12147 proposes to move the authorized points of appropriation approximately 95 feet and 920 feet respectively, from the existing points of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
3 S	3 W	WM	27	SE SW	56	WELL 1: 800 FEET NORTH AND 2405 FEET EAST FROM THE SW CORNER OF SECTION 27
3 S	3 W	WM	27	SE SW	56	WELL 2: 25 FEET NORTH AND 2310 FEET EAST FROM THE SW CORNER OF SECTION 27

7. Current and historic Google Earth images show the irrigated lands as described in the re-description and on the transfer application map. The re-description also agrees with tax lot boundaries.
8. Based on historic images, information provided by the Certified Water Right Examiner (CWRE), improved mapping technology, and tax lot boundaries, the place of use for Permit G-13429 has always been located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
3 S	3 W	WM	27	SW SW	56	4.30
3 S	3 W	WM	27	SE SW	56	33.89
3 S	3 W	WM	27	SW SE	56	7.40
3 S	3 W	WM	34	NE NW	56	5.90
Total:						51.49

9. The following table lists the place of use as described in existing Permit G-13429 and a proposed re-description based on the above finding:

Twp	Rng	Mer	Sec	Original Description of Place of Use		Proposed Re-Description of Place of Use		
				Q-Q	Acres	Q-Q	DLC	Acres
3 S	3 W	WM	27	SW SW	2.33	SW SW	56	4.30
3 S	3 W	WM	27	SE SW	26.22	SE SW	56	33.89
3 S	3 W	WM	27	SW SE	13.09	SW SE	56	7.40
3 S	3 W	WM	34	NW NE	4.59	--	--	--
3 S	3 W	WM	34	NE NW	5.26	NE NW	56	5.90
Total:					51.49	Total:		51.49

Permit Amendment Review Criteria

10. The change would not result in injury to other water rights.
11. The change does not enlarge the permit.
12. The change does not alter any other terms of the permit.

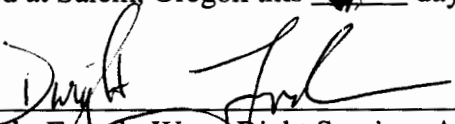
Conclusions of Law

The change in points of appropriation proposed by Permit Amendment Application T-12147 is 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-12147 is approved.
2. Permit G-17584, in the name of PINE RIDGE WINERY, DBA ARCHERY SUMMIT WINERY C/O TIM SCOTT, is issued to replace Permit G-13429, and incorporates the amendments approved by this order and the extension of time. Permit G-13429, in the name of PINE RIDGE WINERY, DBA ARCHERY SUMMIT WINERY BY ANDY HUMPHREY, is no longer of any force or effect.
3. The combined quantity of water diverted at the new points of appropriation, shall not exceed the quantity of water lawfully available at the original points of appropriation.
4. Water shall be acquired from the same aquifer as the original points of appropriation.
5. All other terms and conditions of Permit G-17584 remain the same.

Dated at Salem, Oregon this 31 day of March, 2016.



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

Mailing Date: APR 08 2016