

STATE OF OREGON

COUNTY OF DESCHUTES

ORDER APPROVING CHANGES IN POINTS OF APPROPRIATION

Pursuant to ORS 537.211, after notice was given and finding that no injury to existing water rights would result, this order approves, as conditioned or limited herein, PERMIT AMENDMENT T-8523 submitted by

REED BROTHERS INC.
P.O. BOX 219
SISTERS, OREGON 97759.

The permit to be modified is Permit G-12705 with a date of priority of AUGUST 31, 1992. The permit allows the use of SEVEN WELLS, in the DESCHUTES RIVER BASIN, for IRRIGATION OF 508.1 ACRES. The amount of water to which this permit is entitled is limited to an amount actually beneficially used and shall not exceed 6.12 cubic feet per second, if available at the original wells; NW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 4; NW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 9; NW $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 10, T 16 S, R 11 E, W.M.; WELL 1 - 1950 FEET NORTH AND 800 FEET EAST; WELL 2 - 1150 FEET NORTH AND 1500 FEET EAST; WELL 3 - 350 FEET NORTH AND 2250 FEET EAST, ALL FROM THE SW CORNER OF SECTION 4; WELL 4 - 750 FEET SOUTH AND 1900 FEET WEST FROM THE NE CORNER OF SECTION 9; WELL 5

This is an order in other than a 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.

- 350 FEET NORTH AND 750 FEET WEST FROM THE SE CORNER OF SECTION 4; WELL 6 - 2300 FEET SOUTH AND 650 FEET WEST FROM THE NE CORNER OF SECTION 9; WELL 7 - 3500 FEET SOUTH AND 600 FEET EAST FROM THE NW CORNER OF SECTION 10, or its equivalent in case of rotation, measured at the well.

The amount of water used for irrigation, together with the amount secured under any other right existing on the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

The use shall conform to any reasonable rotation system ordered by the proper state officer.

The authorized place of use is as follows:

NE $\frac{1}{4}$ SW $\frac{1}{4}$ 38.2 ACRES
NW $\frac{1}{4}$ SW $\frac{1}{4}$ 22.9 ACRES
SW $\frac{1}{4}$ SW $\frac{1}{4}$ 1.9 ACRES
SE $\frac{1}{4}$ SW $\frac{1}{4}$ 32.3 ACRES
NE $\frac{1}{4}$ SE $\frac{1}{4}$ 38.6 ACRES
NW $\frac{1}{4}$ SE $\frac{1}{4}$ 38.1 ACRES
SW $\frac{1}{4}$ SE $\frac{1}{4}$ 40.0 ACRES
SE $\frac{1}{4}$ SE $\frac{1}{4}$ 38.2 ACRES
SECTION 4

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 39.8 ACRES
NW $\frac{1}{4}$ NE $\frac{1}{4}$ 34.4 ACRES
SE $\frac{1}{4}$ NE $\frac{1}{4}$ 37.4 ACRES
NE $\frac{1}{4}$ NW $\frac{1}{4}$ 3.7 ACRES
NE $\frac{1}{4}$ SE $\frac{1}{4}$ 9.3 ACRES
SECTION 9

NW¼ NW¼ 40.0 ACRES
SW¼ NW¼ 40.0 ACRES
NW¼ SW¼ 38.8 ACRES
SW¼ SW¼ 14.5 ACRES

SECTION 10

TOWNSHIP 16 SOUTH, RANGE 11 EAST, W.M.

The right to use water for the above purpose is restricted to beneficial use on the lands or place of use described.

The applicant proposes to change the points of appropriation to:

WELL 1 - SW¼ SW¼, SECTION 4, T 16 S, R 11 E, W.M.; 1339 FEET SOUTH AND 958 FEET EAST FROM THE W¼ CORNER OF SECTION 4.

WELL 2 - SW¼ SW¼, SECTION 4, T 16 S, R 11 E, W.M.; 1362 FEET SOUTH AND 978 FEET EAST FROM THE W¼ CORNER OF SECTION 4.

WELL 3 - NW¼ NE¼, SECTION 9, T 16 S, R 11 E, W.M.; 59 FEET SOUTH AND 2384 FEET WEST FROM THE NE CORNER OF SECTION 9.

WELL 4 - NW¼ NE¼, SECTION 9, T 16 S, R 11 E, W.M.; 81 FEET SOUTH AND 2328 FEET WEST FROM THE NE CORNER OF SECTION 9.

WELL 5 - SE¼ SE¼, SECTION 4, T 16 S, R 11 E, W.M.; 21 FEET NORTH AND 1044 FEET WEST FROM THE SE CORNER OF SECTION 4.

WELL 6 - NE¼ NE¼, SECTION 9, T 16 S, R 11 E, W.M.; 115 FEET SOUTH AND 1131 FEET WEST FROM THE NE CORNER OF SECTION 9.

WELL 7 - SW¼ SW¼, SECTION 10, T 16 S, R 11 E, W.M.; 4122 FEET SOUTH AND 398 FEET EAST FROM THE NW CORNER OF SECTION 10.

THIS CHANGE TO AN EXISTING WATER PERMIT MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

1. The quantity of water diverted at the new points of appropriation (wells) shall not exceed the quantity of water lawfully available at the original points of appropriation.
2. The water user shall install and maintain headgates, in-line flow meters, weirs, or other suitable devices for measuring and recording the quantity of water diverted. The type and plans of the headgates and measuring devices must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.
3. Water shall be acquired from the same aquifer as the original points of appropriation.
4. All other terms and conditions of the permit remain the same.

Permit G-12705, in the name of REED BROTHERS, INC. is amended as described herein.

WITNESS the signature of the Water Resources

Director, affixed **FEB 08 2001** .



For Paul R. Cleary, Director