

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

In the Matter of Permit Amendment)	RECONSIDERATION OF A FINAL
T-12631, Lake County)	ORDER RECORDED IN SPECIAL
)	ORDER VOLUME 112, PAGES 1100-
)	1102, WITHDRAWING A FINAL
)	ORDER AND ISSUING A
)	SUPERSEDING FINAL ORDER
)	APPROVING ADDITIONAL POINTS
)	OF APPROPRIATION

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

JRS PROPERTIES III LP
PO BOX 27
BOISE, ID 83707

Findings of Fact

1. On April 5, 2017, JRS Properties III L.P. filed an application for additional points of appropriation under Permit G-15548. The Department assigned the application number T-12631.
2. On August 14, 2015, the Department approved an extension of time for complete application of water to October 1, 2018.
3. Notice of the application for the permit amendment was published in the Department's weekly notice on April 11, 2017, and in the Lake County Examiner newspaper on August 28, and September 4, 2019, pursuant to ORS 540.520(5). No comments were filed in response to the notices.
4. On March 1, 2019, the Department approved an extension of time for complete application of water to October 1, 2023.
5. On April 29, 2019, the Department issued a Final Order Denying Additional Points of Appropriation (Special Order Volume 112, Page 1100). The Department determined that proposed Well #1 will result in significant increase in interference with the Chewaucan River, resulting in an interference with other surface water rights.

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. On June 26, 2019, the applicant submitted a Request for Reconsideration in accordance with OAR 137-004-0080.
7. On July 3, 2019, the applicant's agent submitted revisions to the application, removing proposed Well #1 from the application.
8. This order is issued to supersede the previous order recorded at Special Order Volume 112, Pages 1100 to 1102, and to remove Well #1 from the application for failure to meet the requirements under ORS 537.211(4)(c).
9. Permit Amendment Application T-12631 proposes additional points of appropriation as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate distance from authorized point of appropriation in miles (mi.)
33 S	19 E	WM	7	NE SE	WELL #2 - 1690 FEET NORTH AND 770 FEET WEST FROM THE SE CORNER OF SECTION 7	1.4 mi.
33 S	19 E	WM	8	SE NE	WELL #3 - 2048 FEET SOUTH AND 563 FEET WEST FROM THE NE CORNER OF SECTION 8	0.5 mi.
33 S	19 E	WM	8	NW NW	WELL #4 - 325 FEET SOUTH AND 4704 FEET WEST FROM THE NE CORNER OF SECTION 8	1.3 mi.

Permit Amendment Review Criteria

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

Conclusions of Law

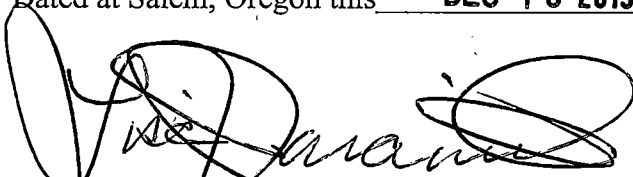
The additional points of appropriation proposed by Permit Amendment Application T-12631 are consistent with the requirements of ORS 537.211.

Now, therefore, it is ORDERED:

1. The order recorded at Special Order Volume 112, Pages 1100 to 1102 is withdrawn, is of no further force or effect, and is superseded by this order.
2. The additional points of appropriation proposed by Permit Amendment Application T-12631 are approved.
3. Permit G-18231, in the name of JRS Properties III L.P., is issued to replace Permit G-15548, and incorporates the amendments approved by this order, and the extension of time. Permit G-15548, in the name of J R Simplot Self Declaration of Revocable Trust, is no longer of any force or effect.

4. The combined quantity of water diverted at the new points of appropriation (Wells 2, 3, and 4), together with that diverted at the old point of appropriation (Red House Well), shall not exceed the quantity of water lawfully available at the original point of appropriation (Red House Well).
5. 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.
 - 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.
6. Water shall be acquired from the same aquifer as the original point of appropriation.
7. All other terms and conditions of Permit G-18231 remain the same.

Dated at Salem, Oregon this DEC 18 2019.



Lisa J. Jaramillo, Transfer and Conservation Section Manager for
THOMAS M. BYLER, DIRECTOR
Oregon Water Resources Department

Mailing Date: DEC 20 2019