

The 1993 Legislative Assembly enacted House Bill 3234. (1993 Oregon Laws, Chapter 591.) SECTION 2(6) of Chapter 591 states:

If an application proposed a quasi-municipal use of water, but was amended after July 17, 1992, to propose other uses for which a permit was issued before the effective date of this 1993 Act, at the request of the permit holder, the department shall reissue the permit to specify quasi-municipal use if:

- "(a) The quantity of use, point of diversion and place of use are not changed; and
- (b) The permit holder and use qualify as quasi-municipal, as defined by the commission.

On October 1, 1993, the Commission amended its administrative rules governing application processing. As a part of this amendment, the Commission adopted the following definition of quasi-municipal water use:

"Quasi-municipal water use" means the delivery and use of water through the water service system of a corporation other than a public corporation created for the purpose of operating a water supply system, for those uses usual and ordinary to municipal water use. A quasi-municipal water right shall not be granted the statutory preferences given to a municipality under ORS 537.190(2), 537.230(1), 537.352, 537.410(2), 540.510(3), 540.610(2), 540.610(3), or those preferences over minimum streamflows designated in a basin program.

On November 22, 1993, Sunriver Utilities Company submitted a request to the Department to reissue Permit 11598 so as to specify quasi-municipal use for the entire quantity allowed under the permit. The request affirmed that Sunriver Utilities Company is a corporation created to provide water and sanitary sewer services for the residents of Sunriver and the uses to be served under the permit are usual and ordinary to a municipal water supply.

NOW, THEREFORE, it is hereby ORDERED that Permit G-11598 IS AMENDED AS FOLLOWS:

PERMIT G-11598 is issued to SUNRIVER UTILITIES COMPANY to use the waters of WELL #9 AND WELL #12 in the DESCHUTES RIVER BASIN for QUASI-MUNICIPAL WATER USE.

Dated at Salem, Oregon, this 7 day of April, 1994.


A. REED MARBUT

sh/ Martha O. Pagel, Director