

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

In the Matter of Permit Amendment )  
T-9730, Deschutes County, Oregon )  
)

**FINAL ORDER**

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  
P.O. Box 3699  
Sunriver, Oregon 97707

**Findings of Fact**

1. Sunriver Water LLC, filed an application to change the point of appropriation of Well 12 and add an additional point of appropriation to Well 12 under Permit G-13249. The Department assigned the application number T-9730.
2. The permit to be amended is as follows:

<b>Permit:</b>	G-13249, in the name of Sunriver Water LLC;
<b>Use:</b>	Quasi-municipal water use including irrigation of 749.9 acres
<b>Priority Date:</b>	November 12, 1987 for 3200 gallons per minute (gpm) and December 8, 1992 for 500 gpm.
<b>Quantity:</b>	3700 gpm, being 1700 gpm from Well 9 and 2000 gpm from Well 12, further described as being 2450 for quasi-municipal use and 1250 gpm for irrigation use.
<b>Rate/Duty:</b>	The amount of water used for irrigation, together with the amount secured under any other right existing for 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 for each acre irrigated during the irrigation season of each year. This right is limited to any deficiency in the available supply of any prior right existing for the same land.
<b>Acres:</b>	Irrigation of 749.9 acres
<b>Source:</b>	Wells 9 and 12, in the Deschutes River Basin.

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 137-004-080 and OAR 690-01-005 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.

**Date Of  
Complete  
Application of  
Water:**            October 1, 2034

**Authorized Points of Appropriation:**

Township		Range		Meridian	Sec	¼ ¼		Lot	DLC	Location
19	S	11	E	W.M.	29	NE	NE			Well 9 – 1200 feet South and 70 feet West from the NE Corner of Section 29.
20	S	11	E	W.M.	8	NW	NW			Well 12 – 420 feet South and 200 feet West from the NE Corner of Section 8.

**Authorized Place of Use:**

**QUASI-MUNICIPAL**

Township		Range		Meridian	Sec	¼ ¼	
19	S	11	E	W.M.	20	NE	SW
19	S	11	E	W.M.	20	NW	SW
19	S	11	E	W.M.	20	SW	SW
19	S	11	E	W.M.	20	SE	SW
19	S	11	E	W.M.	20	NE	SE
19	S	11	E	W.M.	20	NW	SE
19	S	11	E	W.M.	20	SW	SE
19	S	11	E	W.M.	20	SE	SE
19	S	11	E	W.M.	28	SW	NE
19	S	11	E	W.M.	28	SW	NW
19	S	11	E	W.M.	28	SE	NW
19	S	11	E	W.M.	28	NE	SW
19	S	11	E	W.M.	28	NW	SW
19	S	11	E	W.M.	28	SW	SW
19	S	11	E	W.M.	28	SE	SW
19	S	11	E	W.M.	28	NW	SE
19	S	11	E	W.M.	28	SW	SE
19	S	11	E	W.M.	29	NE	NE
19	S	11	E	W.M.	29	NW	NE
19	S	11	E	W.M.	29	SW	NE
19	S	11	E	W.M.	29	SE	NE
19	S	11	E	W.M.	29	NE	NW

Township		Range		Meridian	Sec	¼ ¼	
19	S	11	E	W.M.	29	SW	NW
19	S	11	E	W.M.	29	SE	NW
19	S	11	E	W.M.	29	NE	SW
19	S	11	E	W.M.	29	NW	SW
19	S	11	E	W.M.	29	SW	SW
19	S	11	E	W.M.	29	SE	SW
19	S	11	E	W.M.	29	NE	SE
19	S	11	E	W.M.	29	NW	SE
19	S	11	E	W.M.	29	SW	SE
19	S	11	E	W.M.	29	SE	SE
19	S	11	E	W.M.	30	NE	SE
19	S	11	E	W.M.	30	SE	SE
19	S	11	E	W.M.	31	SW	NE
19	S	11	E	W.M.	31	SE	NW
19	S	11	E	W.M.	31	NE	SW
19	S	11	E	W.M.	31	SE	SW
19	S	11	E	W.M.	31	NE	SE
19	S	11	E	W.M.	31	NW	SE
19	S	11	E	W.M.	31	SW	SE
19	S	11	E	W.M.	31	SE	SE
19	S	11	E	W.M.	32	NE	NE
19	S	11	E	W.M.	32	NW	NE
19	S	11	E	W.M.	32	SW	NE
19	S	11	E	W.M.	32	SE	NE
19	S	11	E	W.M.	32	NE	NW
19	S	11	E	W.M.	32	NW	NW
19	S	11	E	W.M.	32	SW	NW
19	S	11	E	W.M.	32	SE	NW
19	S	11	E	W.M.	32	NE	SW
19	S	11	E	W.M.	32	NW	SW
19	S	11	E	W.M.	32	SW	SW
19	S	11	E	W.M.	32	SE	SW
19	S	11	E	W.M.	32	NE	SE
19	S	11	E	W.M.	32	NW	SE
19	S	11	E	W.M.	32	SW	SE
19	S	11	E	W.M.	32	SE	SE
19	S	11	E	W.M.	33	NE	NW
19	S	11	E	W.M.	33	NW	NW

Township		Range		Meridian	Sec	¼ ¼	
19	S	11	E	W.M.	33	SW	NW
19	S	11	E	W.M.	33	SE	NW
19	S	11	E	W.M.	33	NW	SW
20	S	11	E	W.M.	5	NE	NE
20	S	11	E	W.M.	5	NW	NE
20	S	11	E	W.M.	5	SW	NE
20	S	11	E	W.M.	5	SE	NE
20	S	11	E	W.M.	5	NE	NW
20	S	11	E	W.M.	5	NW	NW
20	S	11	E	W.M.	5	SW	NW
20	S	11	E	W.M.	5	SE	NW
20	S	11	E	W.M.	5	NE	SW
20	S	11	E	W.M.	5	NW	SW
20	S	11	E	W.M.	5	SW	SW
20	S	11	E	W.M.	5	SE	SW
20	S	11	E	W.M.	5	NW	SE
20	S	11	E	W.M.	5	SW	SE
20	S	11	E	W.M.	6	NE	NE
20	S	11	E	W.M.	6	NW	NE
20	S	11	E	W.M.	6	SW	NE
20	S	11	E	W.M.	6	SE	NE
20	S	11	E	W.M.	6	NE	SE
20	S	11	E	W.M.	6	NW	SE
20	S	11	E	W.M.	6	SW	SE
20	S	11	E	W.M.	6	SE	SE
20	S	11	E	W.M.	6	NE	NW
20	S	11	E	W.M.	6	SE	NW
20	S	11	E	W.M.	6	NE	SW
20	S	11	E	W.M.	6	SE	SW
20	S	11	E	W.M.	7	NE	NE
20	S	11	E	W.M.	7	NW	NE
20	S	11	E	W.M.	7	SW	NE
20	S	11	E	W.M.	7	SE	NE
20	S	11	E	W.M.	7	NE	SE
20	S	11	E	W.M.	7	NW	SE
20	S	11	E	W.M.	7	SW	SE
20	S	11	E	W.M.	7	SE	SE
20	S	11	E	W.M.	8	NW	NW

Township		Range		Meridian	Sec	¼ ¼	
20	S	11	E	W.M.	8	SW	NW
20	S	11	E	W.M.	8	NW	SW
20	S	11	E	W.M.	8	SW	SW
20	S	11	E	W.M.	17	NW	NW
20	S	11	E	W.M.	17	SW	NW
20	S	11	E	W.M.	18	NE	NE
20	S	11	E	W.M.	18	SE	NE
20	S	11	E	W.M.	18	NE	SE
20	S	11	E	W.M.	18	SE	SE

### IRRIGATION

Township		Range		Meridian	Sec	¼ ¼		Acres
19	S	11	E	W.M.	28	NW	SW	3.1
19	S	11	E	W.M.	31	SW	NE	13.3
19	S	11	E	W.M.	31	SE	NW	5.7
19	S	11	E	W.M.	31	NE	SW	6.3
19	S	11	E	W.M.	31	NW	SE	7.7
19	S	11	E	W.M.	32	NE	NE	4.0
19	S	11	E	W.M.	32	NE	SW	0.5
19	S	11	E	W.M.	32	SW	SW	3.2
19	S	11	E	W.M.	32	SE	SW	5.0
19	S	11	E	W.M.	32	NW	SE	3.7
19	S	11	E	W.M.	32	SW	SE	1.6
20	S	11	E	W.M.	5	NE	NW	6.1
20	S	11	E	W.M.	5	NW	NW	7.3
20	S	11	E	W.M.	5	SE	NW	0.9
20	S	11	E	W.M.	5	NW	SW	5.3
20	S	11	E	W.M.	5	SW	SW	0.3
20	S	11	E	W.M.	6	NE	NE	4.7
20	S	11	E	W.M.	6	NW	NE	3.3
20	S	11	E	W.M.	6	SW	NE	6.9
20	S	11	E	W.M.	6	SE	NE	7.5
20	S	11	E	W.M.	6	NE	NW	0.9
20	S	11	E	W.M.	6	SE	NW	7.7
20	S	11	E	W.M.	6	NE	SW	9.8
20	S	11	E	W.M.	6	NE	SE	12.0
20	S	11	E	W.M.	6	NW	SE	8.8
20	S	11	E	W.M.	6	SW	SE	4.2

Township		Range		Meridian	Sec	¼ ¼		Acres
20	S	11	E	W.M.	6	SE	SE	0.1
20	S	11	E	W.M.	7	NE	NE	40.0
20	S	11	E	W.M.	7	NW	NE	37.0
20	S	11	E	W.M.	7	SW	NE	39.0
20	S	11	E	W.M.	7	SE	NE	40.0
20	S	11	E	W.M.	7	NE	SE	37.0
20	S	11	E	W.M.	7	NW	SE	36.0
20	S	11	E	W.M.	7	SW	SE	40.0
20	S	11	E	W.M.	7	SE	SE	40.0
20	S	11	E	W.M.	8	NW	NW	37.0
20	S	11	E	W.M.	8	SW	NW	38.0
20	S	11	E	W.M.	8	NW	SW	37.0
20	S	11	E	W.M.	8	SW	SW	37.0
20	S	11	E	W.M.	17	NW	NW	36.0
20	S	11	E	W.M.	17	SW	NW	36.0
20	S	11	E	W.M.	18	NE	NE	40.0
20	S	11	E	W.M.	18	SE	NE	40.0

3. Application T-9730 proposes to change the point of appropriation of Well 12 under the permit to its actual location:

Township		Range		Meridian	Sec	¼ ¼		Lot	DLC	Location
20	S	11	E	W.M.	8	NW	NW			215 feet South and 830 feet East from the NW Corner of Section 8.

4. Application T-9730 proposes to add an additional point of appropriation to Well 12 under the permit located:

Township		Range		Meridian	Sec	¼ ¼		Lot	DLC	Location
20	S	11	E	W.M.	5	NE	NE			875 feet South and 340 feet West from the NE Corner of Section 5.

5. Notice of the application for permit amendment was published pursuant to ORS 540.520(5). No comments were filed in response to the notice.
6. The change would not result in injury to other water rights.
7. The change does not enlarge the permit.
8. The change does not alter all other terms of the permit.

## Conclusion of Law


The change in point of appropriation for Well 12 and additional point of appropriation for Well 12 proposed by Permit Amendment Application T-9730 is consistent with the requirements of ORS 537.211.

### Now, therefore, it is ORDERED:

The change and subsequent use of water shall be subject to the following conditions:

1. The combined quantity of water diverted at the new point of appropriation (well), together with that diverted at the old point of appropriation, shall not exceed the maximum rate and duty allowed under Permit G-13249.
2. Prior to water use from the proposed points of appropriation the water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device 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 point of appropriation.
4. The former place of use shall no longer be irrigated as part of this permit.
5. All other terms and conditions of Permit G-13249 remain the same.
6. Permit G-13249, in the name of Sunriver Water LLC, is amended as described herein.

Dated at Salem, Oregon this 12<sup>th</sup> day of July, 2005.

  
Phillip C. Ward,  
Director