

STATE OF OREGON

COUNTY OF DESCHUTES

ORDER APPROVING A CHANGE IN POINT 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-8841 submitted by

SUNRIVER LP, TERRY PENHOLLOW
P.O. BOX 3699
SUNRIVER, OREGON 97707.

The permit to be modified is Permit G-13326 with a date of priority of MAY 23, 1997. The permit allows the use of THREE WELLS, in the DESCHUTES RIVER BASIN, for IRRIGATION OF 134.1 ACRES FROM ALL THREE WELLS AND RECREATION (STREAM FLOW ENHANCEMENT) FROM WELLS GC8 AND GC9 ONLY. The amount of water to which this permit is entitled is limited to an amount actually beneficially used and shall not exceed 6.14 CUBIC FEET PER SECOND(CFS), BEING 0.81 CFS FROM EACH OF WELLS GC8 AND GC9 AND 0.09 CFS FROM WELL GC10 FOR IRRIGATION, NOT TO EXCEED A MAXIMUM CUMULATIVE TOTAL OF 1.68 CFS, 2.23 CFS FOR RECREATION FROM EACH OF WELLS GC8 AND GC9, if available at the original wells; SE¼ SW¼, SECTION 32, T 19 S, R 11 E, W.M.; NW¼ NW¼, SECTION 5, NE¼ SE¼, SECTION 6, T 20 S, R 11 E, W.M.; WELL GC10 - 1070 FEET NORTH AND 2010 FEET EAST; WELL GC8 - 320 FEET SOUTH AND 400 FEET EAST; BOTH FROM THE NE CORNER OF SECTION 6; WELL GC9 - 2060 FEET NORTH AND 230 FEET WEST FROM THE SE CORNER OF SECTION 6, or its equivalent in case of rotation, measured at the well.

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.

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 $\frac{1}{4}$ 0.3 ACRE
SW $\frac{1}{4}$ SW $\frac{1}{4}$ 5.2 ACRES
SE $\frac{1}{4}$ SW $\frac{1}{4}$ 12.0 ACRES
NW $\frac{1}{4}$ SE $\frac{1}{4}$ 3.7 ACRES
SW $\frac{1}{4}$ SE $\frac{1}{4}$ 1.8 ACRES
SECTION 32

TOWNSHIP 19 SOUTH, RANGE 11 EAST, W.M.

NE $\frac{1}{4}$ NW $\frac{1}{4}$ 7.2 ACRES
NW $\frac{1}{4}$ NW $\frac{1}{4}$ 15.0 ACRES
SE $\frac{1}{4}$ NW $\frac{1}{4}$ 1.1 ACRES
NW $\frac{1}{4}$ SW $\frac{1}{4}$ 6.1 ACRES
SW $\frac{1}{4}$ SW $\frac{1}{4}$ 0.6 ACRE
SECTION 5

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 15.3 ACRES
SW $\frac{1}{4}$ NE $\frac{1}{4}$ 0.6 ACRE
SE $\frac{1}{4}$ NE $\frac{1}{4}$ 29.0 ACRES
NE $\frac{1}{4}$ SE $\frac{1}{4}$ 19.6 ACRES
NW $\frac{1}{4}$ SE $\frac{1}{4}$ 10.0 ACRES
SW $\frac{1}{4}$ SE $\frac{1}{4}$ 6.5 ACRES
SE $\frac{1}{4}$ SE $\frac{1}{4}$ 0.1 ACRE
SECTION 6

TOWNSHIP 20 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 point of appropriation of GC10 to:

WELL GC17 (FORMERLY WELL GC8) - NW¼ NW¼, SECTION 5, T 20 S, R 11 E, W.M.; 320 FEET SOUTH AND 400 FEET EAST FROM THE NE CORNER OF SECTION 6.

WELL GC9 - NE¼ SE¼, SECTION 6, T 20 S, R 11 E, W.M.; 2060 FEET NORTH AND 230 FEET WEST FROM THE SE CORNER OF SECTION 6.


The applicant proposes to divide the authorized quantity of water allowed for Well GC10, 0.09 cubic foot per second(cfs), evenly between Wells GC17 and GC9, so that each well would be authorized 0.045 cfs from Well GC10.

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 point of appropriation and shall be further limited to 0.045 cubic foot per second from each of the proposed wells.
2. 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. All other terms and conditions of the permit remain the same.

Permit G-13326, in the name of SUNRIVER LP, TERRY PENHOLLOW is amended as described herein.

WITNESS the signature of the Water Resources
Director, affixed JAN 14 2002.



Paul R. Cleary, Director