

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

In the Matter of Permit Amendment)	FINAL ORDER APPROVING AN
T-11685, Crook County)	ADDITIONAL POINT OF
)	APPROPRIATION AND A CHANGE IN
)	POINT OF APPROPRIATION AN

Authority

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

CITY OF PRINEVILLE
C/O ERIC KLANN
387 NE THIRD ST
PRINEVILLE, OR 97754

Findings of Fact

1. On November 18, 2013, City of Prineville, c/o Eric Klann, filed an application for an additional point of appropriation and to change a point of appropriation under Permit G-16879. The Department assigned the application number T-11685.
2. Notice of the application for the permit amendment was published in the Department's weekly notice on November 26, 2013, and in the Central Oregonian newspaper on July 15 and 22, 2014, pursuant to ORS 540.520(5). No comments were filed in response to the notices.
3. Permit Amendment Application T-11685 proposes to change the authorized point of appropriation identified as Well 3 and add an additional point of appropriation identified as Well 4 described as follows with the approximate distances from the existing points of appropriation identified as follows:

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.

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate Distance from Well Listed
15 S	15 E	WM	11	SW SE	CITY AIRPORT WELL 3: 55 FEET NORTH AND 3000 FEET EAST FROM THE SW CORNER OF SECTION 11	WELL 3: 768 FEET
15 S	15 E	WM	11	SE SW	CITY AIRPORT WELL 4: 1070 FEET NORTH AND 1710 FEET EAST FROM THE SW CORNER OF SECTION 11	WELL 1: 263 FEET WELL 2: 279 FEET WELL 3: 1619 FEET

4. Permit G-16879 identifies the points of appropriation, however information is available from the applicant and permit amendment application indicating that the points of appropriation should be renumbered as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Previous Well #
15 S	14 E	WM	26	NW NE	WELL 5: 319 FEET SOUTH AND 2408 FEET WEST FROM THE NE CORNER OF SECTION 26	4
15 S	14 E	WM	26	NW NE	WELL 6: 835 FEET SOUTH AND 2477 FEET WEST FROM THE NE CORNER OF SECTION 26	5
15 S	15 E	WM	6	NE SW	WELL 7: 2000 FEET NORTH AND 2340 FEET EAST FROM THE SW CORNER OF SECTION 6	6
15 S	13 E	WM	23	NE NW	WELL 8: 110 FEET SOUTH AND 1870 FEET EAST FROM THE NW CORNER OF SECTION 23	7
15 S	13 E	WM	23	NE NW	WELL 9: 100 FEET SOUTH AND 2470 FEET EAST FROM THE NW CORNER OF SECTION 23	8

Permit Amendment Review Criteria

5. The changes would not result in injury to other water rights.
6. The changes do not enlarge the permit.
7. The changes do not alter any other terms of the permit.

Conclusions of Law


The additional point of appropriation and change in point of appropriation proposed by Permit Amendment Application T-11685 is consistent with the requirements of ORS 537.211.

Now, therefore, it is ORDERED:

1. The additional point of appropriation and change in point of appropriation proposed by Permit Amendment Application T-11685 is approved.

2. Permit G-17236, in the name of City of Prineville, is issued to replace Permit G-16879, and incorporates the amendments approved by this order. Permit G-16879, in the name of City of Prineville, is no longer of any force or effect.
3. The quantity of water diverted at the new point of appropriation, (Well 3), shall not exceed the quantity of water lawfully available at the original point of appropriation.
4. The combined quantity of water diverted at the proposed additional point of appropriation, (Well 4), together with that diverted at the old points of appropriation (Wells 1, 2, and 3), shall not exceed the quantity of water lawfully available at the original points of appropriation (2.23 cfs).
5. Water shall be acquired from the same aquifer as the original points of appropriation.
6. All other terms and conditions of Permit G-17236 remain the same.

Dated at Salem, Oregon this 5 day of August, 2014.



Dwight French, Water Right Services Division Administrator, for
Director, Oregon Water Resources Department

Mailing Date: AUG 13 2014