

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

In the Matter of Permit Amendment)
T-12431, Yamhill County)
)
) **FINAL ORDER**
) **APPROVING AN ADDITIONAL POINT**
) **OF APPROPRIATION AND A**
) **CHANGE IN PLACE OF USE**

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

PINE RIDGE WINERY
DBA ARCHERY SUMMIT WINERY
PO BOX 85
DUNDEE, OR 97115

Findings of Fact

1. On July 15, 2016, PINE RIDGE WINERY, DBA ARCHERY SUMMIT WINERY filed an application for an additional point of appropriation and to change the place of use under Permit G-16333. The Department assigned the application number T-12431.
2. On May 6, 2016, the Department approved an extension of time for complete application of water to October 1, 2020.
3. Notice of the application for the permit amendment was published in the Department's weekly notice on July 19, 2016, pursuant to ORS 540.520(5). No comments were filed in response to the notice.
4. Permit Amendment Application T-12431 proposes an additional point of appropriation approximately 0.2 mile from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
4 S	3 W	WM	3	NE NW	WELL 1 - 770 FEET SOUTH AND 1200 FEET WEST FROM THE N¼ CORNER OF SECTION 3

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.

- Permit Amendment Application T-12431 also proposes to change the place of use of the permit to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
4 S	3 W	WM	3	NW NE	2.5
4 S	3 W	WM	3	NE NW	2.0
Total					4.5

Permit Amendment Review Criteria

- The changes would not result in injury to other water rights.
- The proposed place of use is owned and/or controlled by the permit holder.
- The changes do not enlarge the permit.
- The changes do not alter any other terms of the permit.
- The proposed place of use is contiguous to the authorized place of use.

Conclusions of Law

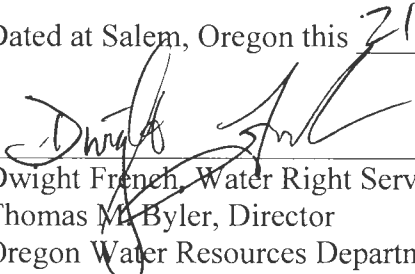
The additional point of appropriation and change in place of use proposed by Permit Amendment Application T-12431 is consistent with the requirements of ORS 537.211.

Now, therefore, it is ORDERED:

- The additional point of appropriation and change in place of use proposed by Permit Amendment Application T-12431 is approved.
- Permit G-17811, in the name of PINE RIDGE WINERY, DBA ARCHERY SUMMIT WINERY, is issued to replace Permit G-16333, and incorporates the amendments approved by this order and the extension of time. Permit G-16333, in the name of ARCHERY SUMMIT WINERY, is no longer of any force or effect.
- The combined quantity of water diverted at the new additional point of appropriation, together with that diverted at the old point of appropriation, shall not exceed the quantity of water lawfully available at the original point of appropriation.
- Measurement, recording and reporting conditions:
 - Before water use may begin under this permit, the permittee shall install a totalizing flow meter at each point of appropriation. The permittee shall maintain the meter(s) in good working order. The permittee shall keep a complete record of the amount of water used each month, and shall submit an annual report which includes the recorded water use measurements to the Department by December 1 of each year. Further, the Director may require the permittee to report general water-use information, including the place and nature of use of water under the permit.

- B. The permittee shall allow the watermaster access to the meter (s); provided however, where any meter is located within a private structure, the watermaster shall request access upon reasonable notice.
5. Water shall be acquired from the same aquifer as the original point of appropriation.
 6. The former place of use shall no longer be irrigated as part of this permit.
 7. All other terms and conditions of Permit G-17811 remain the same.

Dated at Salem, Oregon this 21 day of September, 2017.



Dwight French, Water Right Services Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department

Mailing Date: SEP 26 2017