DEFORE THE WATER RESOURCES DEPARTMENT OF THE STATE OF OREGON

In the Matter of Permit Amendment)	FINAL ORDER	
T-13306, Klamath County)	APPROVING AN ADDITIONA	L POINT
)	OF APPROPRIATION	

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

SHANDA ASSET MANAGEMENT, LLC 5688 VENTURE LANE, STE. 203N SUNRIVER, OR 97707

Findings of Fact

- 1. On December 10, 2019, Shanda Asset Management, LLC, filed an application for an additional point of appropriation under Permit G-17477. The Department assigned the application number T-13306.
- 2. On December 16, 2019, the Department recorded an assignment of the permit to Shanda Asset Management, LLC.
- 3. Notice of the application for the permit amendment was published in the Department's weekly notice on December 17, 2019, and in the Bend Bulletin on May 9, 2020 and May 16, 2020, pursuant to ORS 540.520(5). No comments were filed in response to the notices.
- 4. On December 30, 2019, the Department requested a corrected Land Use form, listing the correct ¼ ¼ for location of the additional point of appropriation in Permit Amendment Application T-13306. Further clarification in Table 2 of the permit amendment application T-13306 was also requested.
- 5. On January 3, 2020, the applicant's agent sent a revised Table 2, clarifying the intent of the applicant. The applicant also requested a new Land Use form be filled out by the County Planner, which the Department received on January 9, 2020.

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.

6. Permit Amendment Application T-13306 proposes an additional point of appropriation under Permit G-17477 located:

. [Twp	Rng	Mer	Sec	Q-Q	Measured Distances
Ξ	24 S	8 E	WM	26	SE NE	WELL 11 - 2400 FEET SOUTH AND 1030 FEET WEST FROM THE NE CORNER OF SECTION 26

Permit Amendment Review Criteria

- 7. The change would not result in injury to other water rights.
- 8. The change does not enlarge the permit.
- 9. The change does not alter any other terms of the permit.

Conclusions of Law

The additional point of appropriation proposed by Permit Amendment Application T-13306 is consistent with the requirements of ORS 537.211.

Now, therefore, it is ORDERED:

- 1. The additional point of appropriation proposed by Permit Amendment Application T-13306 is approved.
- 2. Permit G-18357, in the name of Shanda Asset Management, LLC, is issued to replace Permit G-17477, and incorporates the amendments approved by this order, and the assignment. Permit G-17477, in the name of Shanda Asset Management, LLC, is no longer of any force or effect.
- 3. The quantity of water diverted at the new well, (Well 11), together with that diverted at the authorized wells (Well 1, Well 2, Well 3, Well 4, Well 5, Well 6, Well 7, Well 8, Well 9, and Well 10), shall not exceed the quantity of water lawfully available at the original wells (Well 1, Well 2, Well 3, Well 4, Well 5, Well 6, Well 7, Well 8, Well 9, and Well 10).
- 4. Water use measurement conditions:
 - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of appropriation.
 - b. The water user shall maintain the meters or measuring devices in good working order.
 - c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are 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 points of appropriation.

6. All other terms and conditions of Permit G-1835 / remain the same.
O JUN 1 0 2020
Dated in Salem, Oregon on
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Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
THOMAS M BYLER, DIRECTOR
Oregon Water Resources Department
Mailing Date: JUN 11 2020