

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

In the Matter of Permit Amendment) **FINAL ORDER**
 T-10182, Deschutes County) **APPROVING ADDITIONAL POINTS**
) **OF APPROPRIATION**

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

River Meadows Improvement District
 c/o Charles Arnest
 3955 Deepwood Lane
 Salem, Oregon 97304

Findings of Fact

1. On May 30, 2006, River Meadows Improvement District filed an application for additional points of appropriation under Permits G-11265 and G-13239. The Department assigned the application number T-10182.

2. The first permit to be amended is as follows:

Permit: G-11265, in the name of River Meadows Improvement District;
Use: Domestic supplies for 235 families including up to ½ acre irrigation of lawn and non-commercial garden for each
Priority Date: November 26, 1990
Quantity: 270 gallons per minute
Source: A well, in the Deschutes River Basin.
Date of Complete Application of Water: October 1, 2009

Authorized Point of Appropriation:

| Township | | Range | | Meridian | Sec | ¼ ¼ | | Location |
|----------|---|-------|---|----------|-----|-----|----|---|
| 20 | S | 10 | E | W.M. | 23 | SW | SE | 550 feet North and 1400 feet West from the SE Corner of Section 23. |

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.

Authorized Place of Use:

| Township | | Range | | Meridian | Sec | ¼ ¼ | |
|----------|---|-------|---|----------|-----|-----|----|
| 20 | S | 10 | E | W.M. | 23 | NE | SE |
| 20 | S | 10 | E | W.M. | 23 | SW | SE |
| 20 | S | 10 | E | W.M. | 23 | SE | SE |
| 20 | S | 10 | E | W.M. | 24 | NW | SW |
| 20 | S | 10 | E | W.M. | 24 | SW | SW |

3. Application T-10182 proposes an additional point of appropriation located:

| Township | | Range | | Meridian | Sec | ¼ ¼ | | Location |
|----------|---|-------|---|----------|-----|-----|----|---|
| 20 | S | 10 | E | W.M. | 23 | SW | SE | 513 feet North and 1538 feet West from the SE Corner of Section 23. |

4. The second permit to be amended is as follows:

Permit: G-13239, in the name of River Meadows Improvement District;
Use: Quasi-municipal
Priority Date: March 11, 1996
Quantity: 0.535 cubic foot per second (This quantity is not in addition to the use allowed under Permit G-11265)
Source: A well, in the Deschutes River Basin.
Date of Complete Application of Water: October 1, 2015

Authorized Point of Appropriation:

| Township | | Range | | Meridian | Sec | ¼ ¼ | | Location |
|----------|---|-------|---|----------|-----|-----|----|---|
| 20 | S | 10 | E | W.M. | 23 | SW | SE | 513 feet North and 1538 feet West from the SE Corner of Section 23. |

Authorized Place of Use:

| Township | | Range | | Meridian | Sec | ¼ ¼ | |
|----------|---|-------|---|----------|-----|-----|----|
| 20 | S | 10 | E | W.M. | 23 | NE | SE |
| 20 | S | 10 | E | W.M. | 23 | SW | SE |
| 20 | S | 10 | E | W.M. | 23 | SE | SE |
| 20 | S | 10 | E | W.M. | 24 | NW | SW |
| 20 | S | 10 | E | W.M. | 24 | SW | SW |

5. Application T-10182 proposes an additional point of appropriation located:

| Township | | Range | | Meridian | Sec | ¼ ¼ | | Location |
|----------|---|-------|---|----------|-----|-----|----|---|
| 20 | S | 10 | E | W.M. | 23 | SW | SE | 550 feet North and 1400 feet West from the SE Corner of Section 23. |

6. Notice of the application for the permit amendment was published in the Department's weekly notice on June 27, 2006. No comments were filed in response to the notice.
7. The change would not result in injury to other water rights.
8. The change does not enlarge the permits.
9. The change does not alter any other terms of the permits.

Conclusions of Law

The additional points of appropriation proposed by Permit Amendment Application T-10182 are 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 proposed additional 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-11265.
2. The combined quantity of water diverted at the proposed additional 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-13239.
3. Prior to water use from the proposed additional points of appropriation, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order.

The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

4. Water shall be acquired from the same aquifer as the original points of appropriation.
5. All other terms and conditions of Permits G-11265 and G-13239 remain the same.
6. Permits G-11265 and G-13239, both in the name of River Meadows Improvement District, are amended as described herein.

Dated at Salem, Oregon this 26th day of January, 2007.



Phillip C. Ward, *PCW*
Director

Mailing Date: JAN 31 2007