

Rate/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for 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 for each acre irrigated during the irrigation season of each year;

Acres: 112.7 acres;

Source: Two wells, in the Deschutes River Basin;

Date Of Complete Application of Water:

October 1, 2004.

Authorized Points of Appropriation:

John Bryan

Township		Range		Meridian	Sec	¼ ¼	Lot	DLC	Location
14	S	11	E	W.M.	11	SW NW			Well 1 – 1350 feet South and 440 feet East from the NW Corner of Section 11.

Stephan Sparks Revocable Trust

Township		Range		Meridian	Sec	¼ ¼	Lot	DLC	Location
14	S	11	E	W.M.	11	NE SE			Well 2A – 630 feet South and 1000 feet West from the E¼ Corner of Section 11.

Authorized Place of Use:

John Bryan

Township		Range		Meridian	Sec	¼ ¼	Lot	DLC	Acres
14	S	11	E	W.M.	11	SW NW			24.5
14	S	11	E	W.M.	11	SE NW			1.1

Stephan Sparks Revocable Trust

Township	Range		Meridian	Sec	¼ ¼	Lot	DLC	Acres
14	S	11	E	W.M.	11	NE NE		19.3
14	S	11	E	W.M.	11	NW NE		16.0
14	S	11	E	W.M.	11	SW NE		10.6
14	S	11	E	W.M.	11	SE NE		22.0
14	S	11	E	W.M.	11	NE NW		2.4
14	S	11	E	W.M.	11	NE SE		3.8
14	S	11	E	W.M.	11	NW SE		0.8
14	S	11	E	W.M.	12	NW NW		12.2

3. Application T-9509 proposes to add additional points of appropriation located:

John Bryan

Township	Range		Meridian	Sec	¼ ¼	Lot	DLC	Location
14	S	11	E	W.M.	11	SW NW		Well 4 – 2570 feet South and 45 feet East from the NW Corner of Section 11.

Stephan Sparks Revocable Trust

Township	Range		Meridian	Sec	¼ ¼	Lot	DLC	Location
14	S	11	E	W.M.	11	NE NE		Well 3 – 1280 feet South and 1180 feet West from the NE Corner of Section 11.

4. Notice of the application for permit amendment was published pursuant to ORS 540.520(5). No comments were filed in response to the notice.
5. The change would not result in injury to other water rights.
6. The change does not enlarge the permit.
7. The change does not alter all other terms of the permit.

Conclusion of Law


The additional points of appropriation proposed by Permit Amendment Application T-9509 is 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 new 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-12711.
2. All terms and conditions of Permit G-12711 shall be applied to the proposed additional points of appropriation (Wells 3 and 4).
3. Water shall be acquired from the same aquifer as the original points of appropriation.
4. All other terms and conditions of Permit G-12711 remain the same.
5. Permit G-12711, in the names of John Byran and Stephen M. Sparks Revocable Trust, is amended as described herein.

Dated at Salem, Oregon this 24th day of MAY, 2004.



For Paul R. Cleary
Director