

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

In the Matter of Permit Amendment)	FINAL ORDER
T-13446, Crook County)	APPROVING AN ADDITIONAL 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

CITY OF PRINEVILLE
ATTN: ERIC KLANN
387 NE 3RD ST
PRINEVILLE, OR 97754

Findings of Fact

1. On May 26, 2020, CITY OF PRINEVILLE, ATTN: ERIC KLANN filed an application for an additional point of appropriation under Permit G-18304. The Department assigned the application number T-13446.
2. On February 18, 2004, the Department approved an extension of time for complete application of water to October 1, 2009.
3. On April 20, 2010, the Department approved an extension of time for complete application of water to October 1, 2019.
4. On January 5, 2011, Application G-13238 (Permit G-12541) was assigned from Clear Pine Mouldings, Inc. to the City of Prineville.
5. On August 29, 2019, the Department approved Permit Amendment application T-13026 for additional points of appropriation and a change in place of use. The Department subsequently issued superseding Permit G-18274.
6. On November 8, 2019, the Department approved an extension of time for complete application of water to October 1, 2026.

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.

7. On January 8, 2020, the Department issued a correcting order under Permit Amendment application T-13026, which identified a scrivener's error in the place of use. The Department subsequently issued superseding Permit G-18304.
8. Notice of the application for the permit amendment was published in the Department's weekly notice on June 9, 2020, and in the Central Oregonian newspaper on January 26 and February 2, 2021, pursuant to ORS 540.520(5). No comments were filed in response to the notices.
9. On July 7, 2020, the Department contacted the applicant by written correspondence to notify the applicant and the applicant's agent of deficiencies in the application. The application map and Table 1 locations for proposed Lamonta Well 2 did not match, and the Department's Groundwater section determined potential injury to a well authorized under Certificate 94818. The Department requested that the deficiencies be resolved by August 7, 2020.
10. On July 15, 2020, the Department received correspondence from the City of Prineville, indicating that they acknowledge they could potentially injure their own well under Certificate 94818, and that they wish the Department to proceed with T-13446.
11. On July 17, 2020, the applicant submitted a revised Table 1, resolving the deficiencies.
12. Permit Amendment Application T-13446 proposes an additional point of appropriation as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
14 S	16 E	WM	31	NE NW	LAMONTA WELL 2 - 765 FEET SOUTH AND 1240 FEET EAST FROM THE NW CORNER OF SECTION 31

Approximate distance from authorized points of appropriation in miles (mi.)						
WELL #1	WELL #2	WELL #3	YANCEY WELL 2	NEW OCHOCO HEIGHTS WELL	JUNIPER WELL	STRYKER PARK WELL
0.6 mi.	0.4 mi.	0.2 mi.	0.8 mi.	1.0 mi.	1.5 mi.	1.3 mi.

Permit Amendment Review Criteria

13. The change would not result in injury to other water rights.
14. The change does not enlarge the permit.
15. The change does not alter any other terms of the permit.

Conclusions of Law

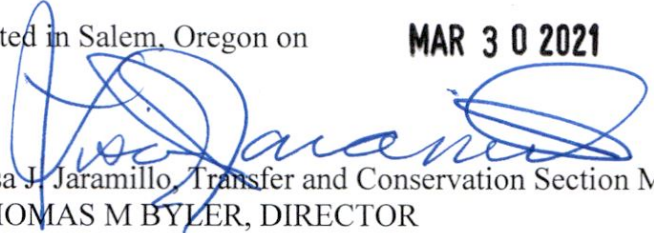
The additional point of appropriation proposed by Permit Amendment Application T-13446 is consistent with the requirements of ORS 537.211.

Now, therefore, it is ORDERED:

1. The additional point of appropriation proposed by Permit Amendment Application T-13446 is approved.
2. Permit G-18482, in the name of CITY OF PRINEVILLE, is issued to replace Permit G-18304, and incorporates the amendments approved by this order, the assignment, and the extensions of time. Permit G-18304, in the name of CITY OF PRINEVILLE, is no longer of any force or effect.
3. The combined quantity of water diverted at the new additional point of appropriation (Lamonta Well 2), together with that diverted at the old points of appropriation (Well #1, Well #2, Well 33, Yancey Well 2, New Ochoco Heights Well, Juniper Well, and Stryker Park Well), shall not exceed the quantity of water lawfully available at the original point(s) of appropriation (Well #1, Well #2, Well 33, Yancey Well 2, New Ochoco Heights Well, Juniper Well, and Stryker Park Well).
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 (new and existing).
 - 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-18482 remain the same.

Dated in Salem, Oregon on

MAR 3 0 2021


Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
THOMAS M BYLER, DIRECTOR
Oregon Water Resources Department

Mailing Date:

MAR 3 1 2021