

STATE OF OREGON

COUNTY OF DESCHUTES

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

PONDEROSA PINES WATER COMPANY
53299 PONDEROSA WAY
LA PINE, OR 97739

This superseding permit is issued to correct scrivener's errors in the description of the location of Wells 2 and 3 approved by a Correcting Order, recorded at Special Order Volume 112, Page 1104, entered APR 30 2019, and to describe an amendment for additional points of appropriation proposed under Permit Amendment Application T-12763 and approved by Special Order Vol. 112, Page 985, entered April 22, 2019, and to describe an extension of time for complete application of water approved September 1, 2004, and an assignment approved April 5, 1982. This permit supersedes Permit G-18183.

The specific limits and conditions of the use, subject to existing rights including the existing minimum flow policies established by the Water Policy Review Board, are listed below.

APPLICATION FILE NUMBER: G-9118

SOURCE OF WATER: THREE WELLS

PURPOSE OR USE: GROUP DOMESTIC FOR 305 FAMILIES

MAXIMUM RATE: 0.33 CUBIC FOOT PER SECOND

DATE OF PRIORITY: FEBRUARY 2, 1979

AUTHORIZED POINTS OF APPROPRIATION:

| Twp | Rng | Mer | Sec | Q-Q | Measured Distances |
|------|------|-----|-----|-------|--|
| 22 S | 10 E | WM | 6 | NW NW | PONDEROSA PINES WELL NO.1 (Original) – 685 FEET SOUTH AND 35 FEET EAST FROM THE NW CORNER OF SECTION 6 |
| 22 S | 10 E | WM | 7 | SE NW | WELL 2 – 2200 FEET SOUTH AND 1180 FEET EAST FROM THE NW CORNER OF SECTION 7 |
| 22 S | 10 E | WM | 7 | SE NW | WELL 3 – 2150 FEET SOUTH AND 1180 FEET EAST FROM THE NW CORNER OF SECTION 7 |

AUTHORIZED PLACE OF USE:

| GROUP DOMESTIC FOR 305 FAMILIES | | | | |
|---------------------------------|------|-----|-----|-------|
| Twp | Rng | Mer | Sec | Q-Q |
| 22 S | 9 E | WM | 1 | SE SE |
| 22 S | 9 E | WM | 12 | E½ NE |
| 22 S | 9 E | WM | 12 | NE SE |
| 22 S | 10 E | WM | 6 | S½ SW |
| 22 S | 10 E | WM | 6 | SW SE |
| 22 S | 10 E | WM | 7 | N½ |
| 22 S | 10 E | WM | 7 | N½ S½ |

Permit Amendment T-12763 Conditions:

The combined quantity of water diverted at the additional points of appropriation (Wells 2 and 3), together with that diverted at the old point of appropriation (Ponderosa Pines Well 1), shall not exceed the quantity of water lawfully available at the original point of appropriation (Ponderosa Pines Well 1).

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 diversion (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.

Wells 2 and 3 shall be continuously cased and continuously sealed to meet with the current water well construction standards.

Extension of Time Conditions:

In accordance with OAR 690-320-0010(10), the permittee must submit a written progress report to the Department by October 1, of the years 2009, 2014, and 2019.

Each report must be received by the Department not sooner than 90 days prior to the due date. The permittee's reports must describe in detail the work done each year since the last extension was granted or the last progress report was submitted. The report shall include:

- a) The amount of construction completed;
- b) The amount of beneficial use of water being made, including the total volume of water used, water used relative to the specific authorizations (types of use, acres irrigated, etc.) contained in the permit, and the percent of the total allowable water use that this represents;
- c) A review of the permittee's compliance with terms and conditions of the permit and/or previous extension; and
- d) Financial investments made toward developing the beneficial water use.

The Department will review the progress report to determine whether the permittee is exercising diligence towards completion of the project and complying with the terms and conditions of the permit and extension.

Failure to submit a progress report by the due date above may jeopardize continued development under the permit.

The Department will take into consideration annual reports submitted under OAR Chapter 690, Division 86 or ORS 537.099, and any other report that demonstrates diligence.

Other reports, however, are not a substitute for the progress reports and anything submitted must clearly show that diligence towards perfecting the water right permit is being attempted.

If the Department finds that diligence is questionable, the Department may:

- a) request the permittee to submit additional information with which to evaluate diligence; or
- b) apply additional conditions and performance criteria for perfection of the right; or
- c) cancel the undeveloped portion of the permit pursuant to ORS 537.260 or 537.410 to 537.450. The Department will grant the permittee a hearing on the cancellation, if one is requested.

In determining whether the permittee has been diligent, the Department will consider any information submitted to the Department by the permittee and any information submitted during the 30-day public comment period following public notice of submittal of the progress report.

If information is received through the public notice process indicating that the applicant has not been diligent toward completing the project, and if the director determines there are significant disputes related to the use of water, the Department will conduct a hearing.

ORIGINAL CONDITIONS

The well shall be constructed in accordance with the general standards for the construction and maintenance of water wells in Oregon.

The works constructed shall include an airline and pressure gauge or an access port or a measuring line, adequate to determine water level elevation in the well at all times.

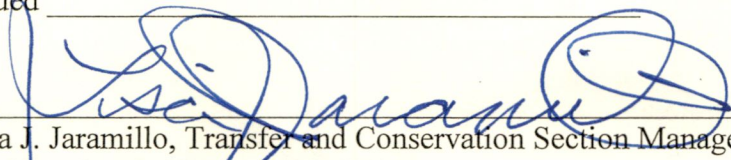
The permittee shall install and maintain a weir, meter, or other suitable measuring device, and shall keep a complete record of the amount of groundwater withdrawn.

The original permit was issued April 24, 1979. Actual construction work was to begin on or before April 24, 1980. By extension of time final order dated September 1, 2004, the deadline for completing construction and for complete application of water to use was extended to October 1, 2024.

Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Right Examiner (CWRE).

Issued

APR 30 2019



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