

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 describe an amendment for change in points of appropriation proposed under Permit Amendment Application T-13234 and approved by Special Order Vol. 114, Page 619, entered DEC 31 2019, and to describe a Correcting Order, recorded at Special Order Volume 112, Page 1104, entered April 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 extensions of time for complete application of water approved August 27, 1981, May 1, 1984, July 8, 1988, December 29, 1992 and September 29, 2004, and an assignment approved April 5, 1982. This permit supersedes Permit G-18216.

The specific limits and conditions of the use, subject to existing rights, are listed below.

APPLICATION FILE NUMBER: G-7020

SOURCE OF WATER: TWO WELLS IN THE LITTLE DESCHUTES RIVER BASIN

PURPOSE OR USE: GROUP DOMESTIC

MAXIMUM RATE: 0.33 CUBIC FOOT PER SECOND

DATE OF PRIORITY: JUNE 25, 1975

AUTHORIZED POINTS OF APPROPRIATION:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
22 S	10 E	WM	7	SE NW	WELL 2 - 2106 FEET SOUTH AND 1211 FEET EAST FROM THE NW CORNER OF SECTION 7
22 S	10 E	WM	7	SE NW	WELL 3 - 2108 FEET SOUTH AND 1161 FEET EAST FROM THE NW CORNER OF SECTION 7

AUTHORIZED PLACE OF USE:

GROUP DOMESTIC					
Twp	Rng	Mer	Sec	Q-Q	Acres
22 S	9 E	WM	1	NW NE	40.3
22 S	9 E	WM	1	NE NE	40.1
22 S	9 E	WM	1	SE NE	39.9
22 S	9 E	WM	1	NE SE	40.0
22 S	10 E	WM	6	NW NW	27.5
22 S	10 E	WM	6	NE NW	33.5
22 S	10 E	WM	6	SW NW	27.8
22 S	10 E	WM	6	SE NW	34.9
22 S	10 E	WM	6	NW SW	28.1
Total:					312.1

Permit Amendment T-13234 Conditions:

The combined quantity of water diverted at the new points of appropriation, (Proposed Well #2 and Well #3), shall not exceed the quantity of water lawfully available at the original points of appropriation (Authorized Well #1, Well #2, and Well #3).

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.

Water shall be acquired from the same aquifer as the original points of appropriation.

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 (Well 1), shall not exceed the quantity of water lawfully available at the original point of appropriation (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 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 cased as necessary in accordance with good practice and if the flow is artesian the works shall include proper capping and control valve to prevent the waste of ground water.

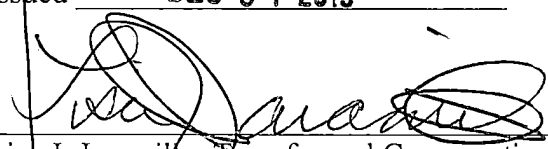
The works constructed shall include an air line and pressure gauge or an access port for measuring line, adequate to determine water level elevation in the well at all times.

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 August 5, 1976. Actual construction work was to begin on or before October 1, 1977. By extension of time final order dated September 29, 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 DEC 31 2019


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