

Application No. G 9118
 Permit No. G G 8502
 Certificate No. _____
 Stream Index, Page No. 5-52

Assigned
 Name Brooks Resources Corporation
 By _____
 Address 416 NE Greenwood
Bend, OR 97701
 Date filed February 2, 1979
 Priority February 2, 1979
 Action suspended until 10-1-24 EXT. dib
 Return to applicant _____
 Date of approval APR 24 1979

FEES PAID		
Date	Amount	Receipt No.
<u>2/2/79</u>	<u>35.00</u>	<u>8932</u>
<u>9/2/92</u>	<u>100-</u>	<u>91939</u>
<u>3-25-98</u>	<u>\$100</u>	<u>19917</u>
	Cert. Fee	
FEES REFUNDED		
Date	Amount	Check No.

ASSIGNMENTS				
Date	To Whom	Address	Volume	Page
<u>4-5-82</u>	<u>Ponderosa Pine Water Co.</u>	<u>53299</u> <u>53275 Ponderosa Way, La Pine, Or</u>	<u>6</u>	<u>1004</u>

CONSTRUCTION
 Date for beginning APR 24 1980
 Date for completion OCT 1 1980
 Extended to 10-1-83, 10-1-87, 10-1-92
10-1-97
 Date for application of water OCT 1 1981
 Extended to 10-1-83, 10-1-87, 10-1-92
10-1-97, 10-1-24

REMARKS
CARD FOR B OCT 22 1980
Card for BC OCT 1 2 1983
CARD FOR BC OCT 12 1987
Ext. for BC 10-1-97 on 12-29-92 order, V46 P534
C Rem. sent 11/24/97 (file lost until today)

PROSECUTION OF WORK
 Form "A" filed Started
 Form "B" filed _____
 Form "C" filed _____

FINAL PROOF
 Blank mailed _____
 Proof received _____
 Date certificate issued _____



Oregon

Kate Brown, Governor

G-9118

Water Resources Department

North Mall Office Building

725 Summer St NE, Ste A

Salem, OR 97301

Phone: 503-986-0900

Fax: 503-986-0904

www.Oregon.gov/OWRD

January 2, 2020

PONDEROSA PINES WATER COMPANY
53275 PONDEROSA WAY
LA PINE, OR 97739

REFERENCE: Permit Amendment Application T-13234

Enclosed is a copy of the order approving your Permit Amendment application.

Also enclosed is a superseding permit that incorporates the amendments approved by the final order contained herein. Please read this document and abide by the requirements.

If you have any questions related to the approval of this permit amendment, you may contact your caseworker, Tamera Smith, by telephone at (503) 986-0864 or by e-mail at Tamera.L.Smith@oregon.gov.

Sincerely,

Stacy H. Phillips
Water Rights Services Support
Transfers and Conservation Section

cc: Jeremy T. Giffin, Watermaster Dist. # 11 (via email)
Tye Engineering & Surveying Inc, Agent
Deschutes County

Enclosure



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

In the Matter of Permit Amendment) FINAL ORDER
T-13234, Deschutes County) APPROVING A CHANGE IN POINTS
) 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

PONDEROSA PINES WATER COMPANY
53275 PONDEROSA WAY
LA PINE, OR 97739

Findings of Fact

1. On July 31, 2019, PONDEROSA PINES WATER COMPANY filed an application to change the points of appropriation under Permit G-18214, G-18215, and G-18216. The Department assigned the application number T-13234.
2. Notice of the application for the permit amendment was published in the Department's weekly notice on August 13, 2019, and in the Burns Herald-Times newspaper on November 20 and November 27, 2019, pursuant to ORS 540.520(5). No comments were filed in response to the notices.
3. On April 5, 1982, the Department accepted an assignment of Permit G-9118 from Brooks Resources Corporation to Ponderosa Pines Water Company, as recorded in Miscellaneous Records, Volume 6, Page 1004.
4. On September 1, 2004, the Department approved an extension of time for complete application of water to October 1, 2024 for Permit G-18215.
5. On September 29, 2004, the Department approved an extension of time for complete application of water to October 1, 2024 for Permit G-18216.
6. On November 20, 2008, the Department approved an extension of time for complete application of water to October 1, 2027 for Permit G-18214.

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 September 6, 2019, the Department sent a request in writing to the applicant, listing deficiencies in the application.
8. On September 12, 2019, the Department received revisions to the application in writing from the applicant's agent. Two of the deficiencies were revised. The Land Use still needed further revision.
9. On September 23, 2019, the Department sent a request in writing detailing the requirements for the Land Use form. The agent replied on the same day asking for more specifics regarding the Land Use form.
10. On September 24, 2019, the Department answered the agent in writing. On September 25, 2019, the agent sent a copy of a revised Land Use form to the Department.
11. On October 18, 2019, the Department received the original copy of the signed, approved Land Use form.
12. Permit Amendment Application T-13234 proposes changes in the points of appropriation under permit G-18214 as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
22 S	10 E	WM	7	SE NW	WELL 2 - 2106 FEET SOUTH AND 1121 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

6. Approximate distances of proposed points of appropriation from authorized points of appropriation, in feet (ft.):

Proposed Well	Authorized Well #2	Authorized Well #3
WELL #2	98 ft.	44 ft.
WELL #3	92 ft.	42 ft.

7. Permit Amendment Application T-13234 proposes changes in the points of appropriation under permit G-18215 as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
22 S	10 E	WM	7	SE NW	WELL 2 - 2106 FEET SOUTH AND 1121 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

8. Approximate distances of proposed points of appropriation from authorized points of appropriation, in feet (ft.):

Proposed Well	Authorized Well #1	Authorized Well #2	Authorized Well #3
WELL #2	3168 ft.	95 ft.	42 ft.
WELL #3	3168 ft.	89 ft.	36 ft.

9. Permit Amendment Application T-13234 proposes changes in the points of appropriation under permit G-18216 as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
22 S	10 E	WM	7	SE NW	WELL 2 - 2106 FEET SOUTH AND 1121 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

10. Approximate distances of proposed points of appropriation from authorized points of appropriation, in feet (ft.):

Proposed Well	Authorized Well #1	Authorized Well #2	Authorized Well #3
WELL #2	3168 ft.	95 ft.	42 ft.
WELL #3	3168 ft.	89 ft.	36 ft.

Permit Amendment Review Criteria

- 11. The changes would not result in injury to other water rights.
- 12. The changes do not enlarge the permits.
- 13. The changes do not alter any other terms of the permits.

Conclusions of Law

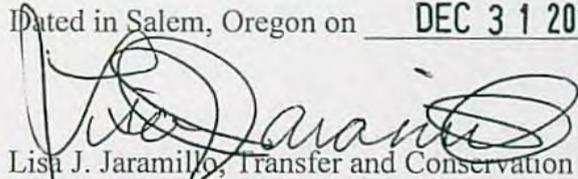
The change in points of appropriation proposed by Permit Amendment Application T-13234 is consistent with the requirements of ORS 537.211.

Now, therefore, it is ORDERED:

- 1. The change in points of appropriation proposed by Permit Amendment Application T-13234 are approved.
- 2. Permit G-18308, in the name of Ponderosa Pines Water Company, is issued to replace Permit G-18214, and incorporates the amendments approved by this order, and the extension of time. Permit G-18214 in the name of Ponderosa Pines Water Co., is no longer of any force or effect.
- 3. Permit G-18309, in the name of Ponderosa Pines Water Company, is issued to replace Permit G-18215, and incorporates the amendments approved by this order, the extension of time, and the assignment. Permit G-18215 in the name of Ponderosa Pines Water Co., is no longer of any force or effect.
- 4. Permit G-18310, in the name of Ponderosa Pines Water Company, is issued to replace Permit G-18216, and incorporates the amendments approved by this order, the extension of time, and the assignment. Permit G-18216 in the name of Ponderosa Pines Water Co., is no longer of any force or effect.

5. 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).
6. 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.
7. Water shall be acquired from the same aquifer as the original points of appropriation.
8. All other terms and conditions of Permits G-18308, G-18309, and G-18310 remain the same.

Dated in Salem, Oregon on DEC 31 2019



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

Mailing Date: JAN 03 2020

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 1619, 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 November 20, 2008, and an assignment approved April 5, 1982. This permit supersedes Permit G-18214.

The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-9116

SOURCE OF WATER: TWO WELLS

PURPOSE OR USE: GROUP DOMESTIC FOR 493 FAMILIES

MAXIMUM RATE: 0.87 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	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 FOR 493 FAMILIES				
Twp	Rng	Mer	Sec	Q-Q
22 S	9 E	WM	1	E1/4
22 S	9 E	WM	1	NW NE
22 S	9 E	WM	12	E1/2 NE
22 S	9 E	WM	12	NE SE
22 S	10 E	WM	6	NW1/4
22 S	10 E	WM	6	W1/2 SW
22 S	10 E	WM	6	SE SW
22 S	10 E	WM	6	SW SE
22 S	10 E	WM	7	N 1/2
22 S	10 E	WM	7	N 1/2 S 1/2

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 #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 point of appropriation (Well 3), together with that diverted at the old point of appropriation (Well 2), shall not exceed the quantity of water lawfully available at the original point of appropriation (Well 2).

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

- 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.

**Extension of Time Conditions:
Checkpoint Condition**

The permit holder must submit a completed Progress Report Form to the Department by October 1, 2012, 2017, and 2022.

- a) At each checkpoint, the permit holder shall submit and the Department shall review evidence of the permit holder's diligence towards completion of the project and compliance with terms and conditions of the permit and extension. If, after this review, the Department determines the permit holder has not been diligent in developing and perfecting the water use permit, or complied with all terms and conditions, the Department shall modify or further condition the permit or extension to ensure future compliance, or begin cancellation proceedings on the undeveloped portion of the permit pursuant to ORS 537.260 or 537.410, or require submission of a final proof survey pursuant to ORS 537.250;
- b) The Department shall provide notice of the receipt of progress reports in its weekly notice and shall allow a 30-day comment period for each report. The Department shall provide notice of its determination to anyone who submitted comments.

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

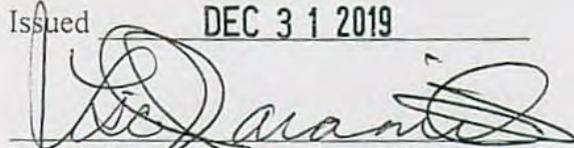
The permittee shall install and maintain a weir, meter, or other suitable measuring device, and shall keep a complete record of the amount of ground water withdrawn.

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 November 20, 2008, the deadline for completing construction and for complete application of water to use was extended to October 1, 2027.

If the water is not completely applied before this date, and the permittee wishes to continue development under the permit, the permittee must submit an application for extension of time, which may be approved based upon the merit of the application.

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

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 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-18215.

The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-9118

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	7	SE NW	WELL 2 - 2106 FEET SOUTH AND 1180 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 FOR 305 FAMILIES				
Twp	Rng	Mer	Sec	Q-Q
22 S	9 E	WM	1	SE SE
22 S	9 E	WM	12	E1/2 NE
22 S	9 E	WM	12	NE SE
22 S	10 E	WM	6	S1/2 SW
22 S	10 E	WM	6	SW SE
22 S	10 E	WM	7	N 1/2
22 S	10 E	WM	7	N 1/2 S 1/2

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 new 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 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.

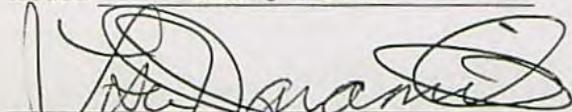
The permittee shall install and maintain a weir, meter, or other suitable measuring device, and shall keep a complete record of the amount of groundwater withdrawn.

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.

If the water is not completely applied before this date, and the permittee wishes to continue development under the permit, the permittee must submit an application for extension of time, which may be approved based upon the merit of the application.

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

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.

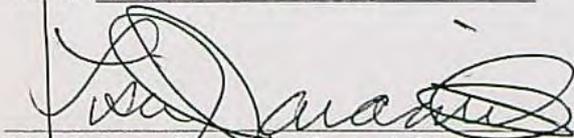
The works constructed shall include an air line and pressure gauge or an access port for measuring line, adequate to determine water level elevation in the well at all times.

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



Oregon

Kate Brown, Governor

G-9118

Water Resources Department
North Mall Office Building
725 Summer St NE, Ste A
Salem, OR 97301
Phone: 503-986-0900
Fax: 503-986-0904
www.Oregon.gov/OWRD

April 30, 2019

PONDEROSA PINES WATER CO.
53299 PONDEROSA WAY
LA PINE, OR 97739

Reference: Correcting Final Order

Enclosed is a correcting final order recorded in NEW, issued to correct a scrivener's error in the order recorded in OLD. The enclosed final order has been amended to reflect the scrivener's error. Please keep this document with the final order in OLD as additional information.

If you have any questions please contact your caseworker, Kelly Starnes, by telephone at (503) 986-0886 or by e-mail at Patrick.K.Starnes@oregon.gov.

Sincerely,

Elsa M. Canuto
Water Right Support
Transfers and Conservation Section

cc: Watermaster Dist. #11 (*via email*)
William R Tye, Agent (*via email*)
Deschutes County Community Development

Enclosures



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

In the Matter of Special Order Volume) CORRECTING ORDER
112, Pages 985-988 approving T-12763,)
Deschutes County)

Applicant

PONDEROSA PINES WATER CO.
53299 PONDEROSA WAY
LA PINE, OR 97739

Findings of Fact

1. On April 19, 2019, the Department issued a Final Order and Superseding Permits G-18182, G-18183, and G-18184 for additional points of appropriation proposed under Permit Amendment Application T-12763 and approved by Special Order Volume 112, Page 985.

2. The order contains a scrivener's error in the location description of the proposed wells in Finding Nos. 9 and 10. Permit G-8500, Permit Amendment T-12763 application form and final order approving T-12763, incorrectly describe the authorized and proposed points of appropriation as being within the SW¼ NW¼ of Section 7, Township 22 South, Range 10 East, WM. Examination of the Public Land Survey plat map for Section 7, Township 22 South, Range 10 East, WM. and the measured distance descriptions from the above mention documents locate the wells within the SE¼ NW¼ of Section 7, Township 22 South, Range 10 East, WM.. The order erroneously describes the location of Wells 2 and 3 as:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
22 S	10 E	WM	7	SW NW	WELL 2 - 2200 FEET SOUTH AND 1180 FEET EAST FROM THE NW CORNER OF SECTION 7

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
22 S	10 E	WM	7	SW NW	WELL 3 - 2150 FEET SOUTH AND 1180 FEET EAST FROM THE NW CORNER OF SECTION 7

3. The correct location of Wells 2 and 3 are follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
22 S	10 E	WM	7	SE NW	WELL 2 - 2200 FEET SOUTH AND 1180 FEET EAST FROM THE NW CORNER OF SECTION 7

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
22 S	10 E	WM	7	SE NW	WELL 3 - 2150 FEET SOUTH AND 1180 FEET EAST FROM THE NW CORNER OF SECTION 7

4. Superseding Permits G-18182, G-18183, and G-18184 contain the same scrivener's error as described in Finding No. 2 above and should be corrected as described in Finding No. 3.

- Superseding Permit G-18182 also contains a scrivener's error in the priority date. Permit G-18182 lists the priority date as being June 25, 1975. The correct priority date is February 2, 1979.

Now, therefore, it is ORDERED:

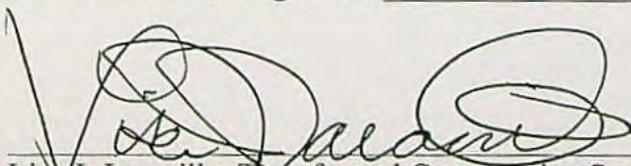
- The order approving T-12763, as recorded in Special Order Volume 112, Pages 985-988 is corrected to describe the location of Wells 2 and 3 as being:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
22 S	10 E	WM	7	SE NW	WELL 2 - 2200 FEET SOUTH AND 1180 FEET EAST FROM THE NW CORNER OF SECTION 7

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
22 S	10 E	WM	7	SE NW	WELL 3 - 2150 FEET SOUTH AND 1180 FEET EAST FROM THE NW CORNER OF SECTION 7

- All other provisions of Special Order Volume 112, Pages 985-988 remain in effect.
- Permit G-18214, in the name of Ponderosa Pines Water Company, is issued to replace Permit G-18182, and incorporates the correction in location description of Wells 2 and 3 and priority date approved by this order. Permit G-18182, in the name of Ponderosa Pines Water Company, is no longer of any force or effect.
- Permit G-18215, in the name of Ponderosa Pines Water Company, is issued to replace Permit G-18183, and incorporates the correction in location description of Wells 2 and 3 approved by this order. Permit G-18183, in the name of Ponderosa Pines Water Company, is no longer of any force or effect.
- Permit G-18216, in the name of Ponderosa Pines Water Company, is issued to replace Permit G-18184, and incorporates the correction in description of Wells 2 and 3 approved by this order. Permit G-18184, in the name of Ponderosa Pines Water Company, is no longer of any force or effect.
- All other provisions of Special Order Volume 105, Pages 820-822 remain in effect.

Dated at Salem, Oregon this APR 30 2019,



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

Mailing Date: MAY 01 2019

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 and to correct the priority date 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, 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 1, 2004, and an assignment approved April 5, 1982. This permit supersedes Permit G-18182.

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-9116

SOURCE OF WATER: TWO WELLS

PURPOSE OR USE: GROUP DOMESTIC FOR 493 FAMILIES

MAXIMUM RATE: 0.87 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	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 493 FAMILIES				
Twp	Rng	Mer	Sec	Q-Q
22 S	9 E	WM	1	E¼
22 S	9 E	WM	1	NW NE
22 S	9 E	WM	12	E½ NE
22 S	9 E	WM	12	NE SE
22 S	10 E	WM	6	NW¼
22 S	10 E	WM	6	W½ SW
22 S	10 E	WM	6	SE 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 point of appropriation (Well 3), together with that diverted at the old point of appropriation (Well 2), shall not exceed the quantity of water lawfully available at the original point of appropriation (Well 2).

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:**Checkpoint Condition**

The permit holder must submit a completed Progress Report Form to the Department by October 1, 2012, 2017, and 2022.

- a) At each checkpoint, the permit holder shall submit and the Department shall review evidence of the permit holder's diligence towards completion of the project and compliance with terms and conditions of the permit and extension. If, after this review, the Department determines the permit holder has not been diligent in developing and

perfecting the water use permit, or complied with all terms and conditions, the Department shall modify or further condition the permit or extension to ensure future compliance, or begin cancellation proceedings on the undeveloped portion of the permit pursuant to ORS 537.260 or 537.410, or require submission of a final proof survey pursuant to ORS 537.250;

- b) The Department shall provide notice of the receipt of progress reports in its weekly notice and shall allow a 30-day comment period for each report. The Department shall provide notice of its determination to anyone who submitted comments.

ORIGINAL CONDITIONS

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

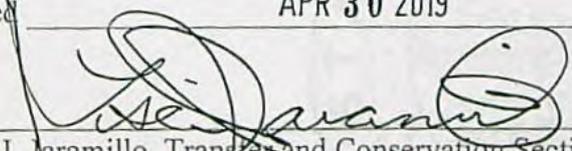
The works constructed shall include an air line and pressure gauge or an access port for measuring line, adequate to determine water level elevation in the well at all times.

The permittee shall install and maintain a weir, meter, or other suitable measuring device, and shall keep a complete record of the amount of ground water 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 November 20, 2008, the deadline for completing construction and for complete application of water to use was extended to October 1, 2027.

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

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

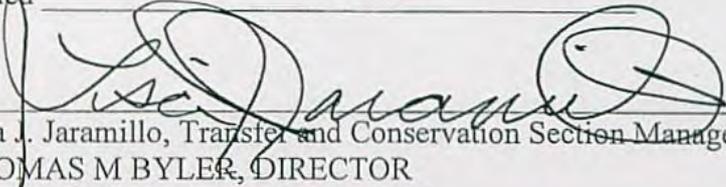
The well shall be constructed in accordance with the general standards for the construction and maintenance of water wells in Oregon.

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

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 extensions of time for complete application of water approved August 27, 1981, May 1, 1984, July 8, 1988, December 29, 1992 and September 1, 2004, and an assignment approved April 5, 1982. This permit supersedes Permit G-18184.

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

APPLICATION FILE NUMBER: G-7020

SOURCE OF WATER: THREE 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	6	NW NW	PONDEROSA PINES WELL NO.1 (Original) - NORTH 2°53' WEST 686 FEET TO 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					
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-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.

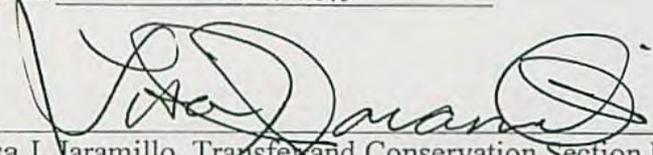
The works constructed shall include an air line and pressure gauge or an access port for measuring line, adequate to determine water level elevation in the well at all times.

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 APR 30 2019



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



Oregon

Kate Brown, Governor

G-9118

Water Resources Department

North Mall Office Building

725 Summer St NE, Ste A

Salem, OR 97301

Phone: 503-986-0900

Fax: 503-986-0904

www.Oregon.gov/OWRD

April 19, 2019

PONDEROSA PINES WATER CO.
53299 PONDEROSA WAY
LA PINE, OR 97739

REFERENCE: Permit Amendment Application T-12763

Enclosed is a copy of the order approving your Permit Amendment application.

Also enclosed is a superseding permit that incorporates the amendments approved by the final order contained herein. Please read this document and abide by the requirements.

If you have any questions related to the approval of this permit amendment, you may contact your caseworker, Kelly Starnes, by telephone at (503) 986-0886 or by e-mail at Patrick.K.Starnes@oregon.gov.

Sincerely,

Elsa M. Canuto
Water Rights Services Support
Transfers and Conservation Section

cc: Jeremy T. Giffin, Watermaster Dist. # 11 (via email)
Deschutes County Community Development
William R Tye, Agent

Enclosure



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

In the Matter of Permit Amendment)	FINAL ORDER
T-12763, Deschutes 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

PONDEROSA PINES WATER CO.
53299 PONDEROSA WAY
LA PINE, OR 97739

Findings of Fact

1. On October 16, 2017, Ponderosa Pines Water Company filed an application for an additional point of appropriation under Permits G-6799, G-8502, and G-8500. The Department assigned the application number T-12763.
2. On April 5, 1982, the Department approved an assignment of the permit G-6799 to Ponderosa Pines Water Company.
3. On April 5, 1982, the Department approved an assignment of the permit G-8502 to Ponderosa Pines Water Company.
4. On April 5, 1982, the Department approved an assignment of the permit G-8500 to Ponderosa Pines Water Company.
5. On August 27, 1981, May 1, 1984, July 8, 1988, December 29, 1992 and on September 1, 2004, the Department approved extensions of time for complete application of water for Permit G-8502.
6. On August 27, 1981, May 1, 1984, July 8, 1988, December 29, 1992 and on September 29, 2004, the Department approved extensions of time for complete application of water for Permit G-6799.

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 August 27, 1981, May 1, 1984, July 8, 1988, December 29, 1992, and on November 20, 2008, the Department approved extensions of time for complete application of water for Permit G-8500.
8. Notice of the application for the permit amendment was published in the Department's weekly notice on October 24, 2017, and in the Bend Bulletin newspaper on March 5, and 12, 2019, pursuant to ORS 540.520(5). No comments were filed in response to the notice.
9. Permit Amendment Application T-12763 proposes an additional point of appropriation (Well 2) under permits G-6799 and G-8502 as described below:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
22 S	10 E	WM	7	SW NW	WELL 2 - 2200 FEET SOUTH AND 1180 FEET EAST FROM THE NW CORNER OF SECTION 7

10. Permit Amendment Application T-12763 proposes an additional point of appropriation (Well 3) under Permits G-6799, G-8500, and G-8502 as described below:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
22 S	10 E	WM	7	SW NW	WELL 3 - 2150 FEET SOUTH AND 1180 FEET EAST FROM THE NW CORNER OF SECTION 7

11. Permit Amendment Application T-12763 proposes an additional point of appropriation approximately between 0.2 and 1.3 miles from the existing points of appropriation.

Permit Amendment Review Criteria

12. The change would not result in injury to other water rights.
13. The change, as conditioned, does not enlarge the permits.
14. The change does not alter any other terms of the permits.

Conclusions of Law

The additional point of appropriation proposed by Permit Amendment Application T-12763 is consistent with the requirements of ORS 537.211.

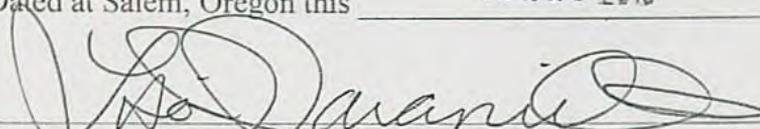
Now, therefore, it is ORDERED:

1. The additional point of appropriation proposed by Permit Amendment Application T-12763 is approved.
2. Permit G-18184, in the name of Ponderosa Pines Water Company, is issued to replace Permit G-6799, and incorporates the amendments approved by this order, the extensions of time and the assignment. Permit G-6799, in the name of Ponderosa Pines Water Co., is no longer of any force or effect.

3. Permit G-18183, in the name of Ponderosa Pines Water Company, is issued to replace Permit G-8502, and incorporates the amendments approved by this order, the extensions of time and the assignment. Permit G-8502, in the name of Ponderosa Pines Water Co., is no longer of any force or effect.
4. Permit G-18182, in the name of Ponderosa Pines Water Company, is issued to replace Permit G-8500, and incorporates the amendments approved by this order, the extension of time and the assignment. Permit G-8500, in the name of Ponderosa Pines Water Co., is no longer of any force or effect.
5. 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) under Permit G-6799
6. The combined quantity of water diverted at the additional point of appropriation (Well 3), together with that diverted at the old point of appropriation (Well 2), shall not exceed the quantity of water lawfully available at the original point of appropriation (Well 2) under permit G-8500.
7. 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) under Permit G-8502.
8. 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.
9. Wells 2 and 3 shall be continuously cased and continuously sealed to meet with current water well construction standards.
10. Water shall be acquired from the same aquifer as the original point of appropriation.

11. All other terms and conditions of the Permits G-18182, G-18183, and G-18184 remain the same.

Dated at Salem, Oregon this APR 19 2019



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

Mailing Date: APR 22 2019

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 additional points of appropriation proposed under Permit Amendment Application T-12763 and approved by Special Order Vol. 112, Page 985, entered April 19, 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 1, 2004, and an assignment approved April 5, 1982. This permit supersedes Permit G-8500.

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-9116

SOURCE OF WATER: TWO WELLS

PURPOSE OR USE: GROUP DOMESTIC FOR 493 FAMILIES

MAXIMUM RATE: 0.87 CUBIC FEET 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	SW NW	WELL 2 - 2200 FEET SOUTH AND 1180 FEET EAST FROM THE NW CORNER OF SECTION 7
22 S	10 E	WM	7	SW NW	WELL 3 - 2150 FEET SOUTH AND 1180 FEET EAST FROM THE NW CORNER OF SECTION 7

AUTHORIZED PLACE OF USE:

GROUP DOMESTIC FOR 493 FAMILIES				
Twp	Rng	Mer	Sec	Q-Q
22 S	9 E	WM	1	E¼
22 S	9 E	WM	1	NW NE
22 S	9 E	WM	12	E½ NE
22 S	9 E	WM	12	NE SE
22 S	10 E	WM	6	NW¼
22 S	10 E	WM	6	W½ SW
22 S	10 E	WM	6	SE 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 point of appropriation (Well 3), together with that diverted at the old point of appropriation (Well 2), shall not exceed the quantity of water lawfully available at the original point of appropriation (Well 2).

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:**Checkpoint Condition**

The permit holder must submit a completed Progress Report Form to the Department by October 1, 2012, 2017, and 2022.

- a) At each checkpoint, the permit holder shall submit and the Department shall review evidence of the permit holder's diligence towards completion of the project and compliance with terms and conditions of the permit and extension. If, after this review, the Department determines the permit holder has not been diligent in developing and perfecting the water use permit, or complied with all terms and conditions, the Department shall modify or further condition the permit or extension to ensure future

compliance, or begin cancellation proceedings on the undeveloped portion of the permit pursuant to ORS 537.260 or 537.410, or require submission of a final proof survey pursuant to ORS 537.250;

- b) The Department shall provide notice of the receipt of progress reports in its weekly notice and shall allow a 30-day comment period for each report. The Department shall provide notice of its determination to anyone who submitted comments.

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

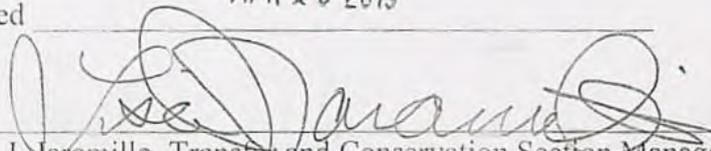
The permittee shall install and maintain a weir, meter, or other suitable measuring device, and shall keep a complete record of the amount of ground water withdrawn.

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 November 20, 2008, the deadline for completing construction and for complete application of water to use was extended to October 1, 2027.

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 19 2019



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

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 additional points of appropriation proposed under Permit Amendment Application T-12763 and approved by Special Order Vol. 112, Page 985, entered April 9, 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-8502.

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 FEET 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	SW NW	WELL 2 – 2200 FEET SOUTH AND 1180 FEET EAST FROM THE NW CORNER OF SECTION 7
22 S	10 E	WM	7	SW 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.

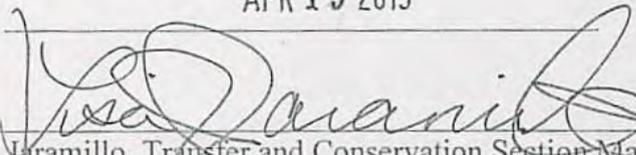
The works constructed shall include an airline and pressure gauge or an access port or a measuring line, adequate to determine water level elevation in the well at all times.

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 19 2019



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

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 additional points of appropriation proposed under Permit Amendment Application T-12763 and approved by Special Order Vol. 112, Page 985, entered April 19, 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 1, 2004, and an assignment approved April 5, 1982. This permit supersedes Permit G-6799.

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

APPLICATION FILE NUMBER: G-7020

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

PURPOSE OR USE: GROUP DOMESTIC

MAXIMUM RATE: 0.33 CUBIC FEET 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	6	NW NW	PONDEROSA PINES WELL NO.1 (Original) - NORTH 2°53' WEST 686 FEET TO THE NW CORNER OF SECTION 6
22 S	10 E	WM	7	SW NW	WELL 2 - 2200 FEET SOUTH AND 1180 FEET EAST FROM THE NW CORNER OF SECTION 7
22 S	10 E	WM	7	SW NW	WELL 3 - 2150 FEET SOUTH AND 1180 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-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.

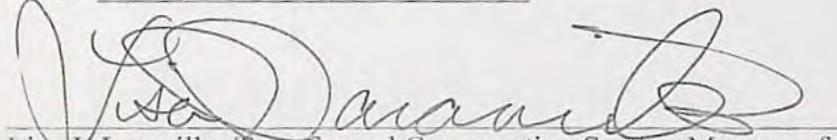
The works constructed shall include an air line and pressure gauge or an access port for measuring line, adequate to determine water level elevation in the well at all times.

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 APR 19 2019



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

Route Slip.....Extension of Time Progress Report

1. Extension Specialist: Progress Report Review

WRIS) Date Report was Due: 10/1/2017 (= "Deadline Date" for the corresponding ECP work flow record in

Date Report Received: 9/20/2017

Report Complete: YES

NO – Send letter requesting missing information.

letter mailed on: _____

2. Support Staff: Publish on the Department's Public Notice

315 320 OAR Division under which Progress Report was required

Publish on Public Notice Date: 9-26-17

Update workflow in WRIS

(Fill in Extension Checkpoint 'Completed Date' in appropriate "ECP" work flow record and

add record for Checkpoint Public Notice ("EPR" or "EP2")

Return file to Jeffrey D. Pierceall.

3. Extension Specialist: Prepare Progress Report Confirmation Letter

See progress report procedures.doc

(date / mail out after 30 day comment period)

Date Confirmation Letter Needed: 10/27/2017

Update Progress Report Worksheet.xls

Send to permit holder + anyone who made comments after 30 day public notice
CC: Watermaster _____

File file missing

PUBLIC NOTICE INFORMATION

Permit Holder's Name: Ponderosa Pines Water Co. Attn: Bill Peachey

Application: G-9116

Permit: G-8500

County: Deschutes

Source: A well

Use: Group Domestic



Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem Oregon 97301-1266
 (503) 986-0900
 www.wrd.state.or.us

**Extension of Time
 Progress Reporting Form
 For Checkpoints**

TO THE DIRECTOR OF THE OREGON WATER RESOURCES DEPARTMENT

Permit Holder: Ponderosa Pines Water Co. Application G-9116 Permit G-8500

Progress Report Form for 2017

Report Due no later than October 1, 2017
 DO NOT SUBMIT PRIOR TO 30 DAYS BEFORE DUE DATE

As authorized in ORS 690-315-0050(6), this progress report is required in order to ensure diligence is exercised in the development and perfection of Permit G-8500. FAILURE TO SUBMIT THIS REPORT WILL MOST LIKELY RESULT IN ANY FUTURE EXTENSION BEING DENIED.

DATES	LIST ALL WORK ACCOMPLISHED and FINANCIAL INVESTMENTS For the period of time between October 1, 2012 and October 1, 2017	FINANCIAL INVESTMENT
2013	meter Service Installed	800.00
2014	meter Service Installed	800.00
2015	2 meter Services Installed	1324.00
2016	Discharge meter Bst station	2600.00
2017	6 meter Services Installed	3300.00

2. Describe actions taken to comply with terms/conditions of the permit and/or previous extension.

MP

RECEIVED BY OWRD

SEP 20 2017

SALEM, OR

3. Provide the maximum rate, or duty if applicable, of water diverted for beneficial use under this permit, if any, made to date.

Maximum rate used to date= .87 cfs (cubic feet per second)

Report the rate in the same units of measurement as specified in the permit, being cfs (cubic feet per second), gpm (gallons per minute) or AF (acre-feet). Do not provide daily, monthly or annual water volume totals.

INCOMPLETE REPORTS WILL BE RETURNED. AN ANSWER IS REQUIRED IN EACH ITEM.

Signature *Bill Peasley* Date 9/15/17

Printed Name/Title Bill Peasley water manager

For OWRD use only

Diligence Shown Yes No

Date Public Noticed: 9-26-17

Reviewed by: *[Signature]*

Date: 9-25-17

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number G-9118

Final Order
Extension of Time for Permit Number G-8502

Appeal Rights

This is a final order other than contested case. Pursuant to ORS 536.075 and OAR 137-004-080 and OAR 690-01-005 you may either petition the Director for reconsideration of this order or petition for judicial review of this order. As provided in ORS 536.075, this order is subject to judicial review under ORS 183.484. Any petition for judicial review of the order must be filed within the 60 day time period specified by ORS 183.484(2).

Application History

On March 25, 1998, Ponderosa Pines Water Company submitted an application to the Department for an extension of time for permit number G-8502. The Department issued permit number G-8502 on April 24, 1979. The permit called for complete construction of the water development project by October 1, 1980, and complete application of water to beneficial use by October 1, 1981. In accordance with OAR 690-320-0010(8), on June 22, 2004, the Department issued a Proposed Final Order proposing to extend the time to complete construction of the water development project and the time to complete application of the water to beneficial use to October 1, 2024. The protest period closed August 6, 2004. No protest was filed.

The applicant has demonstrated good cause for the permit extension pursuant to ORS 537.230, 537.248, 537.630 and/or 539.010(5).

At time of issuance of the Proposed Final Order the Department concluded that, based on the factors demonstrated by the applicant, the permit may be extended subject to the following conditions:

CONDITIONS

1. **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.

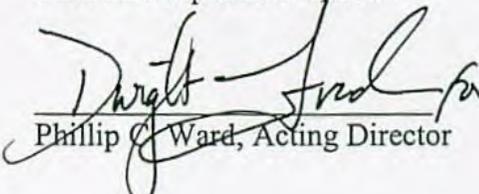
In determining whether the permittee has been diligent, the Department will consider any information submitted to the Department by the permittee and any information submitted during the 30-day public comment period following public notice of submittal of the progress report.

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.

Order

The extension of time for Application Number G-9118, Permit Number G-8502, therefore, is approved. The deadline to complete construction is extended to October 1, 2024. The deadline to complete application of the water to beneficial use is extended to October 1, 2024.

DATED: September 1, 2004


Phillip C. Ward, Acting Director

If you have any questions about statements contained in this document, please contact Lisa Juul at (503) 986-0808.

If you have other questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at (503) 986-0900.

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number G-9118

Final Order
Extension of Time for Permit Number G-8502

Appeal Rights

This is a final order other than contested case. Pursuant to ORS 536.075 and OAR 137-004-080 and OAR 690-01-005 you may either petition the Director for reconsideration of this order or petition for judicial review of this order. As provided in ORS 536.075, this order is subject to judicial review under ORS 183.484. Any petition for judicial review of the order must be filed within the 60 day time period specified by ORS 183.484(2).

Application History

On March 25, 1998, Ponderosa Pines Water Company submitted an application to the Department for an extension of time for permit number G-8502. The Department issued permit number G-8502 on April 24, 1979. The permit called for complete construction of the water development project by October 1, 1980, and complete application of water to beneficial use by October 1, 1981. In accordance with OAR 690-320-0010(8), on June 22, 2004, the Department issued a Proposed Final Order proposing to extend the time to complete construction of the water development project and the time to complete application of the water to beneficial use to October 1, 2024. The protest period closed August 6, 2004. No protest was filed.

The applicant has demonstrated good cause for the permit extension pursuant to ORS 537.230, 537.248, 537.630 and/or 539.010(5).

At time of issuance of the Proposed Final Order the Department concluded that, based on the factors demonstrated by the applicant, the permit may be extended subject to the following conditions:

CONDITIONS

1. **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.

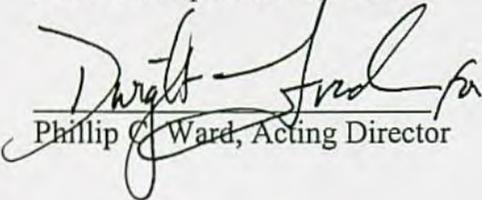
In determining whether the permittee has been diligent, the Department will consider any information submitted to the Department by the permittee and any information submitted during the 30-day public comment period following public notice of submittal of the progress report.

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.

Order

The extension of time for Application Number G-9118, Permit Number G-8502, therefore, is approved. The deadline to complete construction is extended to October 1, 2024. The deadline to complete application of the water to beneficial use is extended to October 1, 2024.

DATED: September 1, 2004


Phillip C. Ward, Acting Director

If you have any questions about statements contained in this document, please contact Lisa Juul at (503) 986-0808.

If you have other questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at (503) 986-0900.



Oregon

John A. Kitzhaber, MD, Governor

Water Resources Department
North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1271
503-986-0900
FAX 503-986-0904

11-10-14

PONDEROSA PINES WATER CO.
53299 PONDROSA WAY
LA PINE, OR 97739

REFERENCE: Application **G-9118** / Permit G-8502

Dear Permit Holder:

On 9/1/2004, the Department issued a Final Order approving an Extension of Time for Permit G-8502. This Final Order included a condition that required the permit holder to submit a written progress report to the Department by October 1, 2014 as well as a future progress report(s) due by October 1, 2019.

This letter is being sent to you because the Department has not yet received the progress report that was due on October 1, 2014.

For your convenience, I have enclosed a **Progress Report Form** for you to fill out and submit. In order to maintain the ability to continue developing water under this permit, you should submit your overdue progress report immediately.

As per your most recent extension, the date by which water must be applied to full beneficial use within the terms and conditions of your permit is October 1, 2024. *Failure to submit the written progress report will most likely result in any future extensions being denied.*

If you have any questions concerning this matter, you may contact me by telephone at (503) 986-0802.

Sincerely,

Mabelle A Bamberger
Extensions
Water Rights Services Division

Enclosure

cc: Application G-9118
Watermaster District 11 - Jeremy Giffin



Oregon

John A. Kitzhaber, MD, Governor

Water Resources Department
North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1271
503-986-0900
FAX 503-986-0904

January 15, 2015

PONDEROSA PINES WATER CO.
53299 PONDROSA WAY
LA PINE, OR 97739

REFERENCE: Application G-9118 / Permit G-8502

Dear Permit Holder:

The Water Right Services Division received your written progress report for Permit G-8502. Receipt of the progress report was published on the Department's weekly Public Notice, dated December 9, 2014. The Department did not receive any public comment on the progress report.

After reviewing your Progress Report, the Department determined that diligence toward completion of the project and compliance with the terms and conditions of the permit and extension has been demonstrated.

Your next written progress report for Permit G-8502 is due no later than **October 1, 2019**. The report must be received by the Department no sooner than 30 days prior to the due date.

For your convenience, I have enclosed your next *Progress Report Form*. Please calendar this October 1, 2019 due date, as no further reminders will be sent.

As per your most recent extension, the date by which water must be applied to full beneficial use within the terms and conditions of your permit is October 1, 2024. *Failure to submit a written progress report will most likely result in any future extensions being denied.*

If you have any questions, please feel free to contact me by telephone at (503) 986-0802.

Sincerely,

Machelle A Bamberger
Extensions
Water Right Services Division

Enclosure

cc: Application G-9118
Watermaster District 11 - Jeremy Giffin

Route Slip.....Extension of Time Progress Report

1. Extension Specialist: Progress Report Review

Date Report was Due: 10/1/2014 (= "Deadline Date" for the corresponding ECP work flow record in WRIS)

Date Report Received: 11/28/2014

Report Complete: YES

NO – Send letter requesting missing information.
 letter mailed on: _____

2. Support Staff: Publish on the Department's Public Notice

315 320 OAR Division under which Progress Report was required

Publish on Public Notice Date: 12/9/14

Update workflow in WRIS

- (Fill in Extension Checkpoint 'Completed Date' in appropriate "ECP" work flow record and
- add record for Checkpoint Public Notice ("EPR" or "EP2")

Return file to Machelle Bamberger.

3. Extension Specialist: Prepare Progress Report Confirmation Letter

See progress report procedures.doc (date / mail out after 30 day comment period)

Date Confirmation Letter Needed: 1/15/2015

Update Progress Report Worksheet.xls

Send to permit holder + anyone who made comments after 30 day public notice
CC: Watermaster _____

File _____

PUBLIC NOTICE INFORMATION

Permit Holder's Name: Ponderosa Pines Water Company Attn:

Application: G-9118

Permit: G-8502

County: Deschutes

Source: One well

Use: Group Domestic-305 lots

2019
M (8) 2024



Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem Oregon 97301-1266
 (503) 986-0900
 www.wrd.state.or.us

Extension of Time Progress Report Form For Checkpoints

TO THE DIRECTOR OF THE OREGON WATER RESOURCES DEPARTMENT

Permit Holder: PONDEROSA PINES WATER CO.

Application G-9118
 Permit G-8502

Report Due no later than October 1, 2014

DO NOT SUBMIT PRIOR TO 30 DAYS BEFORE DUE DATE

Progress Report Form for 2014

As authorized in ORS 690-315-0050(6), this progress report is required in order to ensure diligence is exercised in the development and perfection of Permit G-8502. FAILURE TO SUBMIT THIS REPORT WILL MOST LIKELY RESULT IN ANY FUTURE EXTENSION BEING DENIED.

INSERT DATES	LIST ALL WORK ACCOMPLISHED and FINANCIAL INVESTMENTS For the period of time between October 1, 2009 and October 1, 2014	FINANCIAL INVESTMENT
2009	Installed 3 new meter services	\$2400.00
2010	Installed 2 new meter services	5600.00
2011	Installed 1 new meter service	800.00
2012	none installed	—
2013	Installed 1 new meter service	800.00
2014	Installed 1 New meter service	8000

2. Compliance with terms and conditions of the permit and/or previous extension.

N/A

RECEIVED BY OWRD

NOV 28 2014

SALEM, OR

3. Total number of ^{homes} acres irrigated to date = 434 N/A (if applicable)

4. Provide the maximum rate, or duty if applicable, of water diverted for beneficial use under this permit, if any, made to date.

Maximum rate used to date = 33 cfs (cubic feet per second)

Maximum rate used to date = _____ gpm (gallons per minute)

Acre-feet stored to date = _____ AF

Report the rate in the same units of measurement as specified in the permit, being cfs (cubic feet per second), gpm (gallons per minute) or AF (acre-feet). Do not provide daily, monthly or annual water volume totals.

INCOMPLETE REPORTS WILL BE RETURNED. AN ANSWER IS REQUIRED IN EACH ITEM. USE N/A FOR ITEM 3 IF THE USE IS NOT IRRIGATION.

Signature Bill Sealey

Date 11/21/2014

For OWRD use only

Diligence Shown Yes No

Date Public Noticed: _____

Reviewed by: MA JB

Date: 12-4-14



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department
North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266
503-986-0900
FAX 503-986-0904

March 4, 2010

PONDEROSA PINES WATER COMPANY
ATTN: LARRY TAYLOR
52399 PONDEROSA WAY
LA PINE, OR 97739

REFERENCE: Application G-9118 / Permit G-8502

Dear Permit Holder:

The Water Rights and Adjudications Division received your written progress report for Permit G-8502 on October 1, 2009. Receipt of the progress report was published on the Department's weekly Public Notice, dated January 26, 2010. The Department did not receive any public comment on the progress report.

After reviewing your Progress Report, the Department determined that diligence toward completion of the project and compliance with the terms and conditions of the permit and extension has been demonstrated. Enclosed, please find your Progress report form for 2014.

If you have any questions, please feel free to contact me by telephone at (503) 986-0813.

Sincerely,

A handwritten signature in black ink, appearing to be "S. Kudlemyer", with a long horizontal flourish extending to the right.

Scott Kudlemyer
Extensions
Water Rights and Adjudications Division

Enclosure

cc: **Application G-9118 / Permit G-8502**
Watermaster District 11 / Jeremy Giffin

Route Slip.....Extension of Time Progress Report

1. Extension Specialist: Progress Report Review

Date Report Received: 10/1/2009

Report Complete: YES

NO – Send letter requesting missing information.
 letter mailed on: _____

2. Jonnine: Publish on the Department's Public Notice

315 320 OAR Division under which Progress Report was required

Publish on Public Notice Date: 1/26/10 *MS*

Update workflow in WRIS (Fill in Extension Checkpoint 'Completed Date' in appropriate work flow record)

Return to Extension Specialist

3. Extension Specialist: Prepare Progress Report Confirmation Letter

See ..\Procedures_progress reports

(date / mail out after 30 day comment period)

Date Letter Needed: 3/4/2010

Update Progress Report Worksheet.xls

Send to permit holder + anyone who made comments after 30 day public notice

CC: Watermaster # 11

File G-9118

3/4/10 *MS*

4. Return file to cabinet

PUBLIC NOTICE INFORMATION

Permit Holder's Name: Ponderosa Pines Water Company Attn: _____

Permit Holder's Mailing Address: 53299 Ponderosa Way
La Pine, OR 97739

Application: G-9118 Permit: G-8502

County: Deschutes

Quantity of Water: 0.33 cfs

Source: One well in the Little Deschutes River Basin

Use: Group Domestic

Current Authorized Extension Date: 10/1/2024



Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem Oregon 97301-1266
 (503) 986-0900
 www.wrd.state.or.us

Extension of Time Progress Report Form For Checkpoints

TO THE DIRECTOR OF THE OREGON WATER RESOURCES DEPARTMENT

Permit Holder: **PONDEROSA PINES WATER COMPANY**

Application **G-9118**
 Permit **G-8502**

Report Due no later than October 1, 2009

Progress Report Form for 2009

As authorized in ORS 690-315-0050(6), this progress report is required in order to ensure diligence is exercised in the development and perfections of Permit G-8502

INSERT DATES	WORK ACCOMPLISHED and FINANCIAL INVESTEMENT SINCE OCTOBER 1, 2004 AND OCTOBER 1, 2009 <i>List all work done after the last authorized date for complete application of water up to the date of this e Progress Report Form</i>	FINANCIAL INVESTEMENT

2. Compliance with terms and conditions of the permit and/or previous extension.

Please see Attachment "A"

3. Total number of acres irrigated to date= NA (if applicable)

4. Provide the maximum rate, or duty if applicable, of water diverted for beneficial use under this permit, if any, made to date.

Maximum rate used to date = _____ cfs (cubic feet per second)

Maximum rate used to date = 90 gpm (gallons per minute)

Acre-feet stored to date = _____ AF

Report the rate in the same units of measurement as specified in the permit, being cfs (cubic feet per second), gpm (gallons per minute) or AF (acre-feet). Do not provide daily, monthly or annual water volume totals.

Signature: Larry Taylor Date 10-1-09

For OWRD use only

Diligence Shown Yes No

Date Public Noticed: 1/26/10

Reviewed by: [Signature]

Date: 1/14/10



Attachment "A"

PONDEROSA PINES WATER COMPANY
53299 PONDEROSA WAY
LA PINE, OR. 97739
541-536-9125

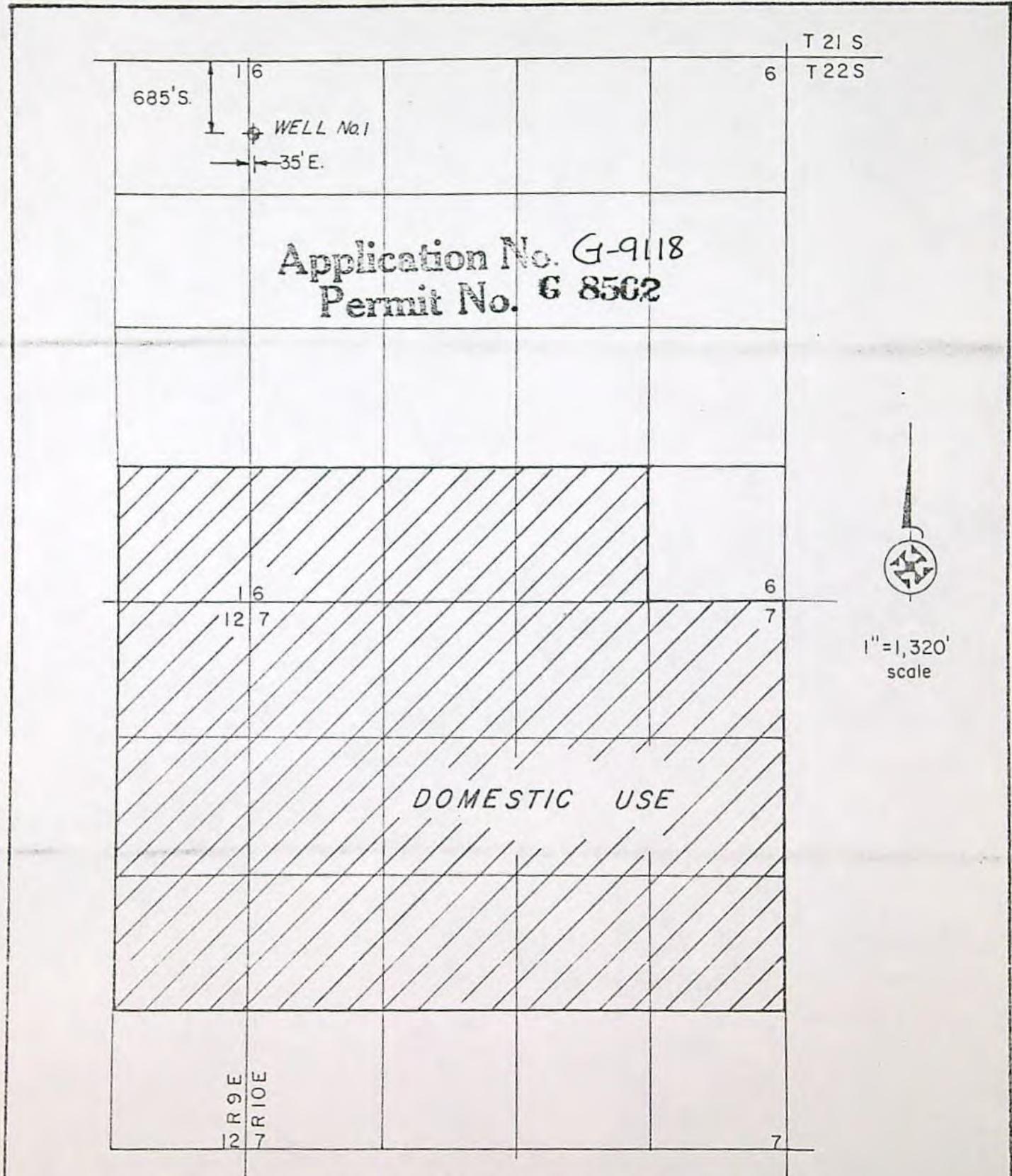
Progress report: Application G-7020 , Permit G-6799
 Application G-9118 , Permit G-8502

Ponderosa Pines Water Co. serves the Ponderosa Pines subdivision only. This subdivision has 492 building lots that have and could have houses built upon them. As of October 1, 2009 these 492 lots 390 have houses and 40 that are used for seasonal recreation only. The Ponderosa Pines Water Co. serves these 430 properties at this time. The remaining 62 lots are not developed and not connected to the distribution system at this time.

The total infrastructure of this water system has been in place from 1976 to present. The only financial investment has been in the form of maintenance, repair and replacement needed to continue to provide quality water to the subdivision.

At present, the Ground water Well that the above Permits serve is only occasionally. This Well serves to augment our main Well which is permitted separately. This Well is used as an emergency backup and to help maintain flow into the distribution system during high demand events during summer months.

In the future as development places additional demand on our system then this well will be used continually. At that time we may need to construct an additional storage tank only.



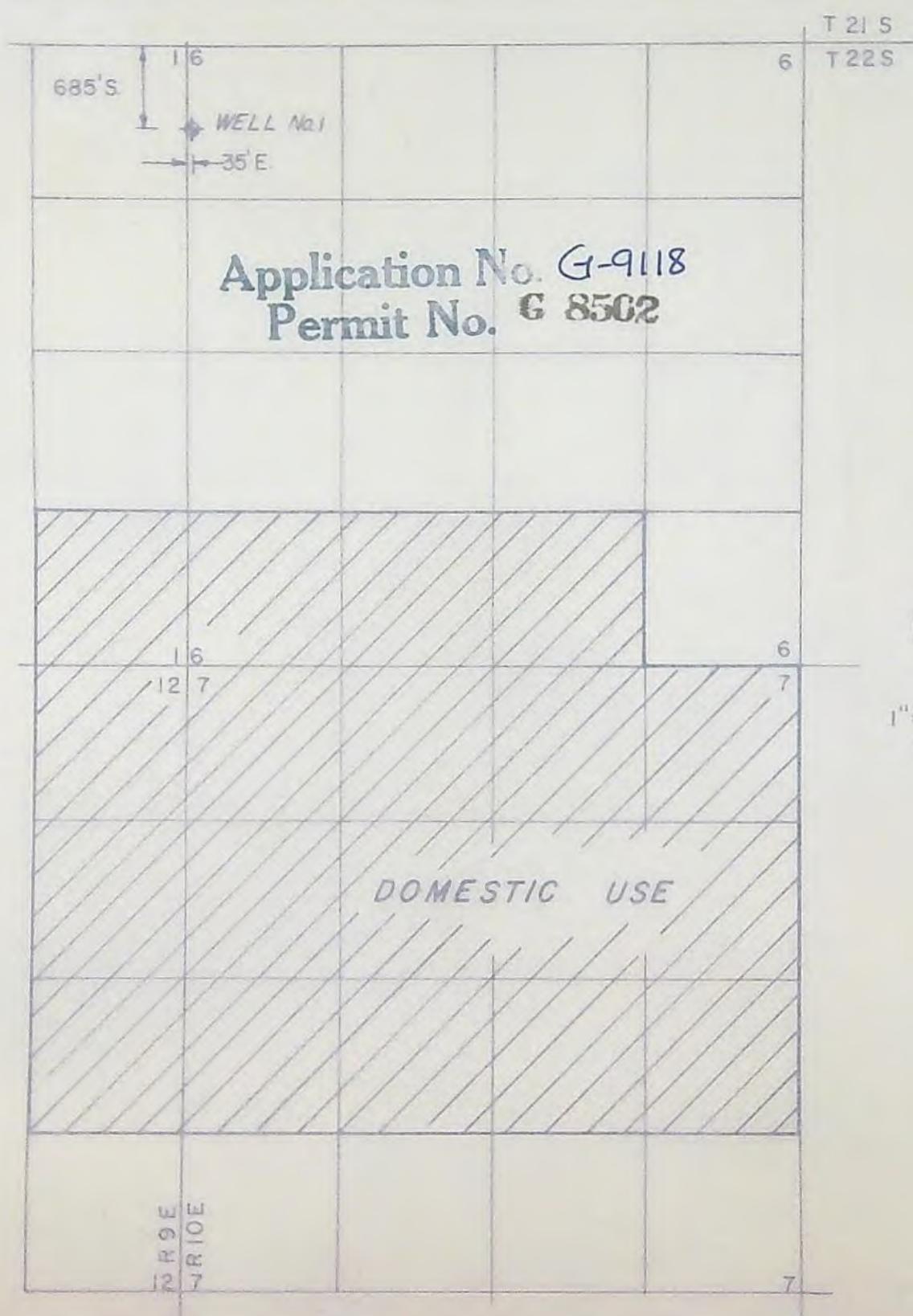
PONDEROSA PINES WELL No. 1 WATER RIGHTS MAP

BROOKS RESOURCES CORPORATION

Design By	Drawn By S.L.P.	Checked By G.H.	Approv By	Survey By	Date 1-30-79	Scale NOTED	Drawing No 0001 685 C9
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CENTURY WEST ENGINEERING CORPORATION





1" = 1,320'
scale

PONDEROSA PINES WELL No. 1 WATER RIGHTS MAP

BROOKS RESOURCES CORPORATION

Design By	Order By	Checked By	Survey By	Date	Scale	Drawing No.
	SLP	GH.		1-30-79	NOTED	0001 685 09

CENTURY WEST ENGINEERING CORPORATION



NOTE: Include a copy of the "Important Notice" document along with the original copy of the Final Order being sent to the permit holder.

Mailing List for Extension FO Copies

Application #G-9118
Permit #G-8502

FO Date: September 1, 2004

Original mailed to:

Applicant: Ponderosa Pines Water Company
53275 Ponderosa Way
LaPine OR 97739 ✓

Copies Mailed

By: [Signature]
(SUPPORT STAFF)
on: 9-2-04
(DATE)

For Extension FO's - Copies sent to:

2. WRD - Appl. File #G-9118 / Permit #G-8502 ✓
3. WRD - Watermaster District: #11 - Jeremy Giffen, Bend ✓
4. ODFW District #7, Steve Marx, Bend ✓
5. WRD - Support Staff, Salem...Permit record update ✓

Other interested parties:

NONE

CASEWORKER: LJJ/JD

g 9118

Extension "Final Order" Checklist

Application # G-9118
Permit # G-8502

Permit Holder's Name Ponderosa Pines Water Company

This Final Order is processed under: Div. 320 _____ Rules

1. Date Extension Request submitted: 3/25/98, amended 11/1/98, 2/1/99 and 6/7/04

2. Date permit was issued: 4/24/79

3. Original "B" Date from permit: 10/1/80
(Date for completion of construction)

4. Original "C" Date from permit: 10/1/81
(Date for complete application of water)

5. Extension PFO Date: 6/29/04

6. WRD recommends extending "B" Date to: 10/1/2024
and extending the "C" Date to: 10/1/2024

7. Any conditions from PFO: 5 yr PROGRESS REPORTING

8. Protest Deadline Date from PFO: August 13, 2004

9. Any written Protests or written Comments received within the Protest period? Yes / No

Reviewer's Name: LLJ/jd

Date: 8/16/04 - 8/25/04

Application No. G-9118

Permit No. G 8502

Permit to Appropriate the Public Waters of the State of Oregon

This is to certify that I have examined the foregoing application and do hereby grant the same, SUBJECT TO EXISTING RIGHTS INCLUDING THE EXISTING MINIMUM FLOW POLICIES ESTABLISHED BY THE WATER POLICY REVIEW BOARD and the following limitations and conditions:

The right herein granted is limited to the amount of water which can be applied to beneficial use and shall not exceed 0.33 cubic feet per second measured at the point of diversion from the well or source of appropriation, or its equivalent in case of rotation with other water users, from a well.

The use to which this water is to be applied is group domestic for 305 families.

If for irrigation, this appropriation shall be limited to of one cubic foot per second or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed acre feet per acre for each acre irrigated during the irrigation season of each year;

and shall be subject to such reasonable rotation system as may be ordered by the proper state officer.
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 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 ground water withdrawn.

The priority date of this permit is February 2, 1979

Actual construction work shall begin on or before April 24, 1980 and shall

thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1980

Extended to Oct. 1, 1983 Extended to October 1987 extended to October 1, 1992, 10-1-97

Complete application of the water to the proposed use shall be made on or before October 1, 1981

Extended to Oct. 1, 1983 Extended to October 1987 extended to October 1, 1992, 10-1-97

WITNESS my hand this 24th day of April, 1979

James E. Seay
Water Resources Director

25X E

Application No. G-9118

Permit No. G 8502

STATE OF OREGON WATER RESOURCES DEPARTMENT
Application for a Permit to Appropriate Ground Water
RECEIVED FEB 2 1979
WATER RESOURCES DEPT.
SALEM, OREGON

I, BROOKS RESOURCES CORPORATION
(Name of Applicant)

of 416 NE Greenwood Bend
(Mailing Address) (City)

State of Oregon 97701 Phone No. 382-1662 do hereby
(Zip Code)

make application for a permit to appropriate the following described ground waters of the State of Oregon:

1. The development will consist of One Well
(Give number of wells, tile lines, infiltration galleries, etc.)

having a diameter of 6 in. and an estimated depth of 232 feet.

2. The well or other source is to be located 685 ft. S and 35 ft. E
(N. or S.) (E. or W.)

from the NW corner of Section 6, Township 22 South, Range 10 East
(Public Land Survey Corner)

Willamette Meridian
(If there is more than one well, each must be described)

being within the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of

Sec. 6 Tp. 22 South R. 10 East, W. M., in the county of Deschutes.

3. Location of area to be irrigated, or place of use if use other than irrigation.

Township	Range	Section	List $\frac{1}{4}$ of Section	List use and/or number of acres to be irrigated
22S	9E	1	SE 1/4, SE 1/4	
		12	E 1/2, NE 1/4 NE 1/4, SE 1/4	
22S	10E	6	S 1/2, SW 1/4 SW 1/4, SE 1/4	
			7	N 1/2 N 1/2, S 1/2

4. It is estimated that 229 feet of the well will require 0.250 ga. casing.
(Kind)

5. Depth to water table is estimated 90 Well drilled by Reed's Well Drilling
(Feet)

6. The amount of water which the applicant intends to apply to beneficial use is cubic feet per second or 150 gallons per minute.

7. The use to which the water is to be applied is group domestic

8. If the flow to be utilized is artesian, the works to be used for the control and conservation of the supply when not in use must be described.

N/A

9. If the location of the well, or other development work is less than one-fourth mile from a natural stream channel, give the distance to the channel and the difference in elevation between the stream bed and the ground surface at the source of development.

N/A

10. DESCRIPTION OF WORKS

Include length and dimensions of supply ditch or pipeline, size and type of pump and motor, type of irrigation system to adequately describe the proposed distribution system.

Pump: 25 HP Vertical Turbine

1500 gal. pressure tank

Mainlines throughout system

Projected total of 305 lots at project completion

did

11. Construction work ~~will~~ begin on or before June 30, 1970

12. Construction work will be completed on or before October 1, 2000

13. The water will be completely applied to the proposed use on or before October 1, 2000

14. If the ground water supply is supplemental to an existing supply, identify the supply and existing water right N/A

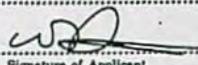
2000 OCT 01
MAYOR WERNER'S OFFICE
CITY OF SEASIDE

Application No. G-9118

Permit No. G 8502 RECEIVED

Remarks:.....

.....
.....
.....
.....
.....
.....
.....
.....


Signature of Applicant

This is to certify that I have examined the foregoing application, together with the accompanying maps and data, and return the same for.....

In order to retain its priority, this application must be returned to the Water Resources Director with corrections on or before....., 19.....

WITNESS my hand this day of....., 19.....

..... Water Resources Director

By 

This instrument was first received in the office of the Water Resources Director at Salem, Oregon, on the 2nd day of February, 1979, at 8:00 o'clock A.M.

Application No. G-9118

Permit No. G 8502

G 9118'S

Mailing List for Extension PFO Copies

Application #G-9118
Permit #G-8502

PFO Date: June 29, 2004

Original mailed to:

Applicant: Ponderosa Pines Water Company
53299 Ponderosa Way
La Pine OR 97739

Copies Mailed	
By:	<u>JWY²</u> (SUPPORT STAFF)
on:	<u>6/29/04</u> (DATE)

For Extension PFO's - Copies sent to:

1. WRD - Appl. File #G-9118 / Permit #G-8502
2. WRD - Watermaster District: #11 - Jeremy Giffen, Bend
3. DEQ - Eastern Region - Dick Nichols
4. ODFW - District #7 - Steve Marx, Bend

Other interested parties:

NONE

CASEWORKER: LJJ/jd

S:\groups\wr\extensions\P F O\Work_320 rules\g9118.wpd

**Oregon Water Resources Department
Water Rights Division**

Application for Extension of Time

In the Matter of the Application)	
for an Extension of Time for)	
Permit #G-8502, Water Right)	PROPOSED FINAL ORDER
Application #G-9118)	
(Ponderosa Pines Water Company))	

Permit Information	
Application File #G-9118 / Permit #G-8502	
Basin: #05 - Deschutes Basin / Watermaster District: #11	
Date of Priority: February 2, 1979	
Authorized Use of Water	
Source of Water:	One Well in the Deschutes Basin
Purpose or Use:	Group Domestic for 305 units in the Ponderosa Pines Subdivision
Maximum Rate:	0.33 cubic foot per second (cfs)

This Extension of Time request is being processed in accordance
with Oregon Administrative Rule Chapter 690, Division 320.

*Please read this Proposed Final Order in its entirety as it contains
additional conditions not included in the original permit.*

This Proposed Final Order applies only to Permit #G-8502, water right Application #G-9118. A copy of Permit #G-8502 is enclosed as Attachment 1.

Summary of Proposed Final Order for Extension of Time

The Department proposes to:

- grant the extension for complete construction of the water system from October 1, 1997, to October 1, 2024;
- grant the extension for complete application of water from October 1, 1997 to October 1, 2024; and
- make the extension subject to certain conditions set forth below.

AUTHORITY

ORS 537.230 and ORS 537.630(1) provide in pertinent part that the Water Resources Department shall, for good cause shown, order an extension of time within which: irrigation or other works shall be completed; the well or other means of developing and securing ground water shall be completed; or the right perfected. In determining the extension, the Department shall give due weight to the considerations described under ORS 539.010(5).

ORS 539.010(5) provides in pertinent part that the Water Resources Director, for good cause shown, may extend the time within which the full amount of the water appropriated shall be applied to a beneficial use. This statute instructs the Director to consider: the cost of the appropriation and application of the water to a beneficial purpose; the good faith of the appropriator; the market for water or power to be supplied; the present demands therefore; and the income or use that may be required to provide fair and reasonable returns upon the investment.

OAR 690-320-0010(6) provides in pertinent part that the Water Resources Department may extend the time limits to complete construction or to apply the water to a beneficial use upon showing of good cause for the untimely completion.

OAR 690-320-0010(10) allows the Department, for extensions exceeding five years, to establish checkpoints to determine if diligence is being exercised in the development and perfection of the water use permit. Intervals between checkpoints will not exceed five year periods.

FINDINGS OF FACT

Background

1. Permit #G-8502 was granted by the Water Resources Department on April 24, 1979. The permit authorizes the appropriation of up to 0.33 cfs of water from Ponderosa Pines Well #1, within the Deschutes Basin, for group domestic use for 305 households in the Ponderosa Pines Subdivision. It specified that construction of the water development project was to be completed by October 1, 1980, and that complete application of water was to be made on or before October 1, 1981.
2. Four prior extensions have been granted for Permit #G-8502. The most recent extension request resulted in the construction and completion dates being extended to October 1, 1997.
3. The permit holder submitted an "Application for Extension of Time" to the Department on March 25, 1998, requesting the time in which to complete construction of the water system and the time in which to accomplish beneficial use of water to the full extent under the terms of Permit #G-8502 be extended from October 1, 1997, to October 1, 2002.
4. On November 19, 1998, February 1, 1999, and April 1, 1999, the permit holder provided information to supplement the original extension application.
5. On June 7, 2004, the permit holder revised the time requested to complete construction and apply water to full beneficial use under Permit #G-8502 to October 1, 2024.

Review Criteria [OAR 690-320-0010(6)]

As set forth under OAR 690-320-0010(6), the time limits to complete construction or to apply the water to a beneficial use may be extended upon showing of good cause for the untimely completion. The good cause determination shall consider the requirements of ORS 537.230, 537.248¹, 537.630 and 539.010(5).

Other Governmental Requirements [ORS 537.230(2)]

6. Delay in the development of this project was not caused by any other governmental requirements.

¹ ORS 537.248 applies to reservoir permits only.

Start of Construction *ORS 537.6301*

7. The applicant demonstrated that construction of the well and water system began within the time specified in the permit, being April 24, 1980.

Financial Investment *ORS 539.010(5)*

8. As of March 25, 1998, development under Permit #G-8502 consisted of construction of Ponderosa Pines Well #1, installation of a calibrated water flow measuring device to facilitate measurement of ground water use, and establishing water service connections to 279 lots. A total of \$500,000 has been invested in the project. An additional \$300,000 investment is anticipated for the completion of the project (these estimates include the costs under Permits #G-6799 and #G-9116.)

Reasonable Diligence and Good Faith of the Appropriator *ORS 537.230(1) and 539.010(5)*

Reasonable diligence during the permit period constitutes a continuing test of whether and under what conditions to grant an extension [ORS 537.260, OAR 690-320-010(9)].

9. On or prior to October 1, 1997, the following had occurred: construction of Ponderosa Pines Well #1; and installation of a calibrated water flow measuring device to facilitate measurement of ground water use.
10. Since the issuance of Permit #G-8502 on April 24, 1979, water has been appropriated from Ponderosa Pines Well #1 and used for group domestic purposes to serve 279 of the 305 lots under the permit.
11. Delay of full beneficial use of water was due to the length of time necessary to sell and/or complete development of the remaining lots in the Ponderosa Pines Subdivision and establish water service connections.

The Market and Present Demands for Water *ORS 539.010(5)*

12. The Ponderosa Pines Water Association holds three permits to meet current and future water demands for a total of 493 permitted lots. Permit #G-6799 allows the use of water from Well #1 to supply 188 lots, while Permit #G-8502 is to supply the other 305 lots from Well #1. In addition to these permits, the Association also holds Permit #G-8500 which allows water from a second well to supply all 493 lots in the Ponderosa Pines Subdivision. This configuration allows the Association to maintain redundancy in their system and an adequate water supply in the event of an emergency situation.

13. Since 1976, Ponderosa Pines Water Association has established service connections to 357 of the 493 total subdivision lots authorized under Permits #G-6799, #G-8502 and #G-8500, with 136 lots yet to be developed. Based upon the Association's growth rate in recent years, the permit holder anticipates development of approximately 10 lots per year. The remaining 136 undeveloped lots to complete the entire subdivision, therefore, could be served within the next 14 years. However, because many of the lots are currently held for investment purposes, it may take longer for some of the properties to be sold and developed. The Association, therefore, has requested an extension of 20 years for Permit #G-9502 to allow for any development delays related to the investment lots.
14. Service to 305 subdivision lots is authorized under Permit #G-8502, of which 279 have been developed since the permit was issued on April 24, 1979. An extension of time is necessary to allow full build-out of the subdivision and complete development of the project under Permit #G-8502.
15. The water allowed under Permits #G-8502, #G-6799, and #G-8500 is needed to meet current and future demands within the Ponderosa Pines Subdivision.
16. Permit #G-8502 was issued on April 24, 1979, and is not subject to regulation or mitigation for scenic waterway flows in the Deschutes Basin [ORS 390.835(9)].
17. Permit #G-8502 has a priority date of February 2, 1979, which predates instream water rights located on the Little Deschutes and Deschutes Rivers.

Fair Return Upon Investment [ORS 539.010(5)]

18. Use and income from the permitted water development already results in reasonable returns upon the investment made to date.

Duration of Extension [OAR 690-320-0010(7), ORS 539.010(5)]

As set forth under OAR 690-320-0010(7), time extensions granted shall be for the reasonable time period necessary to complete construction and application of water to beneficial use.

19. As of March 25, 1998, the remaining work to be completed consists of completion of construction and complete application of water to beneficial use.

20. The scope and nature of the project extended the length of time needed to fully develop and perfect Permit #G-8502, caused mainly by the need to sell and/or complete development on all the permitted lots and establish water service connections.
21. Since 1976, Ponderosa Pines Water Association has established service connections to 357 of the 493 total subdivision lots authorized under Permits #G-8502, #G-6799, and #G-8500, with 136 lots yet to be developed. Based upon the Association's growth rate in recent years, the permit holder anticipates development of approximately 10 lots per year. The remaining 136 undeveloped lots to complete the entire subdivision, therefore, could be served within the next 14 years. However, because many of the lots are currently held for investment purposes, it may take longer for some of the properties to be sold and developed. The Association, therefore, has requested an extension of 20 years for Permit #G-8502 to allow for any development delays related to the investment lots.
21. Service to 305 subdivision lots is authorized under Permit #G-8502, of which 279 have been developed since the permit was issued April 24, 1979. An extension of time is necessary to allow full build-out of the subdivision and complete development of the project under Permit #G-8502.

CONCLUSIONS OF LAW

1. The applicant is entitled to apply for an extension of time to complete construction and/or completely apply water to the full beneficial use pursuant to ORS 537.230 and ORS 537.630.
2. The applicant has submitted an extension application form and the fee required by ORS 536.050(1)(k).
3. The applicant has pursued perfection of the right in good faith and prosecuted construction with reasonable diligence.
4. Permit #G-8502 is not subject to regulation or mitigation for scenic waterway flows.
5. Permit #G-8502 is senior to instream water rights located on the Little Deschutes and Deschutes Rivers.
6. Given the permit holder's current water supply situation and the anticipated

demands for water, there is presently a demand and market for the use of water under Permit #G-8502.

7. The Department has considered the requirements of other governmental agencies, the financial investment made, the reasonable diligence and good faith of the appropriator, the market and present demands for water and the fair return upon the investment, and has determined that the applicant has shown good cause for the untimely completion of the water development project and complete application of water to full beneficial use pursuant to ORS 537.230(2) and ORS 537.630(1).
8. Given the permit holder's current water supply situation and the amount of development left to occur, the Department has determined that the permittee's request to have until October 1, 2024², to complete construction of the water system and to complete the application of water to beneficial use under the terms of Permit #G-8502 is both reasonable and necessary.
9. **In order to ensure future diligence is exercised in the development and perfection of Permit #G-8502, the Department shall establish progress checkpoints in accordance with OAR 690-320-0010(10). (See Item #1 of the "Conditions" section contained in this Proposed Final Order for an Extension of Time.)**

² For permits applied for or received on or before July 9, 1987, upon complete development of the permit, you must notify the Department that the work has been completed and either: (1) Hire a water right examiner certified under ORS 537.798 to conduct a survey, the original to be submitted as required by the Water Resources Department, for issuance of a water right certificate; or (2) Continue to appropriate water under the water right permit until the Water Resources Department conducts a survey and issues a water right certificate under ORS 537.250 or 537.625.

Proposed Order

Based upon the foregoing findings of fact and conclusions of law, the Department proposes to issue an order to:

Extend the time for complete construction of the water system under Permit #G-8502 from October 1, 1997, to October 1, 2024; and

Extend the time for complete application of water to beneficial use under Permit #G-8502 from October 1, 1997, to October 1, 2024; and

Subject to the following:

CONDITIONS

1. 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.

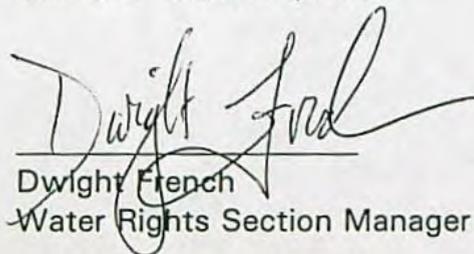
If the Department finds that diligence is questionable, the Department may:

- 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.

DATED: June 29, 2004


Dwight French
Water Rights Section Manager

*If you have any questions,
please check the information
box on the last page for the
appropriate names and
phone numbers.*

Protest Rights and Comments

1. Under the provisions of OAR 690-320-0010(8), you have the right to protest this proposed final order. Your protest must be in writing and must include the following:
 - a. Your name, mailing address and telephone number;
 - b. Your interest in this proposed final order, and if you claim to represent the public interest, a precise statement of the public interest represented;
 - c. A detailed description of how the action in the proposed final order

- would impair or be detrimental to your interest;
- d. A detailed description of how the proposed final order is in error or deficient and how to correct the alleged error or deficiency;
 - e. Any citation of legal authority supporting your protest, if known; and
 - f. The \$250 protest fee required under ORS 536.050(1).
2. Each person submitting a protest shall raise all reasonably ascertainable issues and all reasonably available arguments supporting the person's position by the close of the comment period.
 3. The Water Resources Department must receive written protests or written comments no later than *Friday, August 13, 2004*, being 45 days from the date of publication of the proposed final order in the Department's weekly public notice.
 4. After the close of the comment and protest period, the Director will either issue a final order, or schedule a contested case hearing if the Director finds there are significant disputes related to the use of water.

If you have other questions about the Department, or any of its programs, please contact our Water Rights Information Group at (503) 986-0801. Address all other correspondence to:

Water Rights Section
Oregon Water Resources Department
725 NE Summer Street, Suite A
Salem, OR 97301-1271
Fax #: (503) 986-0901

If you have any questions about statements contained in this document, please contact Lisa Juul at (503)986-0808.

If you have questions about how to file a protest or if you have previously filed a protest and want to know the status, please contact Renee Moulun. Her telephone number is (503)986-0824.

If you have other questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at (503)986-0900.

EXTENSION REVIEW CHECKLIST for PFO... per Div. 320 Rules

Application #: G - 9118 / Permit #: G - 8502

Permittee's Name: Ponderosa Pines Water Co.

Permittee's Mailing Address: 53275 Ponderosa Way, La Pine OR 97739.

POD Location: Township 22S Range 10E Section 6 $\frac{1}{4}$ $\frac{1}{4}$ NW NW

Drainage Basin: Deschutes 05 County: Deschutes Watermaster District #: 11

Also, this well is under Appl. G-7020

1. Has the applicant submitted the appropriate fees? Yes / No
***If "No"..... STOP. (Extension of Time cannot be processed if insufficient fees submitted.)
***(NOTE: Any missing Extension information that is needed before an Extension PFO can be completed???)
2. Has the applicant completely filled out the Extension Application form? Yes / No
***If "No".... List the shortcomings below and send a letter requesting the additional/missing information that is needed before the Extension of Time can be processed.
3. Date Permit was issued: 4-24-79. Priority Date: ~~4/24/~~ 2/2/1979.
4. Source: well # 1
5. Use: Group domestic for 305 families
6. "Q": 0.33 cfs.
7. Orig "A" Date: 4/24/1980 Orig "B" Date: 10/1/1980 Orig "C" Date: 10/1/1981
3. Conditions of Permit: _____
per letter of 6/5/04, calibrated measuring device is installed on the well.
 - shall: install pressure gauge or access for measuring line;
 - meter or measuring device & keep a complete record of amount of groundwater withdrawn (reporting to WRD not required)
8. Extension request received: 3/25/98 and Request Number (...1st 2nd, 3rd): 5th
amended 11/19/98, 2/1/99 and 4/1/99. On 6/7/04, C date revision requested
9. Last Authorized "B" Date: 10/1/97 Last Authorized "C" Date: 10/1/97
1. Proposed "B" Date: 10/1/2024 Proposed C Date: 10/1/2024

12. Amount Invested to date: \$500,000 Estimated Total Cost: \$800,000

(***)Estimated Remaining Cost: \$300,000

(This includes costs under other 2 permits for the subdivision)

13. The water project development made to date has been accomplished in accordance with the terms and conditions contained in the permit. Yes/No ***If "No"..... What permit terms and/or conditions have not been met?

- A date met
- 6/5/2004 letter confirms water measuring device.
- no CAs stated, water

14. Work on the water development project completed to date includes:

- construction of well.
- installation of water measuring.
- water service connections to 136 lots (72%) includes other permits for subdivision = 493 lots
Permit G-8502 -> 297 of 305 permitted = 97% of lots

15. The work remaining to be completed consists of:

- complete build-out of system
- apply water to beneficial use.

16. Progress in perfecting the permit is being held up by:

- time needed to sell lots / complete development.

17. Has the applicant pursued perfection of the right in good faith and with reasonable diligence? Yes/No

18. Determination of the market and the present demand for water or power to be supplied:

Permit holder anticipates average of 10 lots to be sold each year.

19. Based on the written record, can the Department make a finding of "Good Cause" to approve the extension request?

Yes... "Good Cause" can be found. -> Approval of Extension Request

No ... "Good Cause" cannot be found. -> Denial of Extension Request

20. Conditions to be included in the Extension of Time PFO (if applicable)? Yes / No
(NOTE: Check the file record for documentation to add a condition(s) at the extension stage.)

- 5-Year Progress report Checkpoints 2009, 2014 and 2019
 Other: _____

21. Footnote regarding Claim of Beneficial Use. Choose the appropriate language below and insert as a footnote in the PFO:

- COBU Requirement - Surface/Ground Water - on or prior to July 9, 1987**
"For permits applied for or received on or before July 9, 1987, upon complete development of the permit, you must notify the Department that the work has been completed and either: (1) Hire a water right examiner certified under ORS 537.798 to conduct a survey, the original to be submitted as required by the Water Resources Department, for issuance of a water right certificate; or (2) Continue to appropriate water under the water right permit until the Water Resources Department conducts a survey and issues a water right certificate under ORS 537.250 or 537.625."
- COBU Requirement - Surface Water - post July 9, 1987**
"Pursuant to ORS 537.230(3), upon the completion of beneficial use of water allowed under the permit, the permittee shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permittee shall submit a map of the survey and the claim of beneficial use."
- COBU Requirement - Ground Water - post July 9, 1987**
"Pursuant to ORS 537.630(3), upon the completion of beneficial use of water allowed under the permit, the permittee shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permittee shall submit a map of the survey and the claim of beneficial use."

NOTES:

- App. File # G-9118
 PFO peer review by ju / LJ
 final PFO preparation
 move file to "done" and print out
N/A set up e-mail notification, if NW region
 prepare FO checklist
 prepare FO draft
 update workingcopy.xls
 update personal tracking db

Extension "PFO" Dates

Checklist Last Revised: 3/11/2004

Drafting / Issuance Date: 6/29/04 WRD Project Manager: LJ/nd
Closest Deadline Date: 8/13/04 Date: 6/23/04

20. Conditions to be included in the Extension of Time PFO (if applicable)? Yes / No
(NOTE: Check the file record for documentation to add a condition(s) at the extension stage.)

- 5-Year Progress report Checkpoints 2009, 2014 and 2019
 Other: _____

21. Footnote regarding Claim of Beneficial Use. Choose the appropriate language below and insert as a footnote in the PFO:

- COBU Requirement - Surface/Ground Water - on or prior to July 9, 1987
"For permits applied for or received on or before July 9, 1987, upon complete development of the permit, you must notify the Department that the work has been completed and either: (1) Hire a water right examiner certified under ORS 537.798 to conduct a survey, the original to be submitted as required by the Water Resources Department, for issuance of a water right certificate; or (2) Continue to appropriate water under the water right permit until the Water Resources Department conducts a survey and issues a water right certificate under ORS 537.250 or 537.625."
- COBU Requirement - Surface Water - post July 9, 1987
"Pursuant to ORS 537.230(3), upon the completion of beneficial use of water allowed under the permit, the permittee shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permittee shall submit a map of the survey and the claim of beneficial use."
- COBU Requirement - Ground Water - post July 9, 1987
"Pursuant to ORS 537.630(3), upon the completion of beneficial use of water allowed under the permit, the permittee shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permittee shall submit a map of the survey and the claim of beneficial use."

NOTES:

Extension "PFO" Dates

Checklist Last Revised: 3/11/2004

Issuance Date: 6/29/04 WRD Project Manager: LJ/nd
Closest Deadline Date: 8/13/04 Date: 6/23/04

Permit G 8500
(App'l G 9116)

One Well
(2nd well drilled)
in
Sec. 7,
T. 22E
R. 10E

0.87 cfs
for
493 families

Permit G-6799
(App'l G 7020)

One Well
(Ponderosa Pines)
(Well No. 1)
in
Sec 6-NWNW
T. 22E
R. 10E

0.33 cfs
for
188 families

Permit G 8502
(App'l G 9118)

One Well
(Ponderosa Pines)
(Well No. 1)
in
Sec 6-NWNW
T. 22E
R. 10E

0.33 cfs
for
305 families

Permit G 8500
Extended to:
10-1-2007

Permits
G 6799
&
G 8502

188 families
+ 305 families

Total: 493 families

Total: 0.66 cfs
from Ponderosa
Pines Well No. 1

see reverse

6-10-04

356 lots = homes built & using water

59 lots = sold & using water w/ RV's, etc

77 lots = Not Sold & No Water Use

492 lots total

permit G8502 = serve 279 lots ^{Per Ext Appl}

permit G6799 = serve 136 lots - approx based ^{Ext Appl}

415

77

492

305

188

493

for permit G-8502

& figures provided by 6-5-04 letter



PONDEROSA PINES WATER COMPANY
53299 PONDEROSA WAY
LaPINE, OR. 97739
Bus. 541- 536- 9125
Fax 541- 536- 5005

June 5, 2004

Water Resources Department
Att: Lisa Juul, Water Rights Specialist
725 Summer Street NE, St. A
Salem, OR. 97301

REFERENCE: Application # G-7020 (Permit #G-6799) and
Application # G-9118 (Permit #G-8502) and
Permit #G-8500 (*App. G-9118*)

Lisa:

As of this date Ponderosa Pines subdivision has 492 building lots that have and could have houses built upon them. Of these 492 lots 356 have houses and 59 are used for seasonal recreation only. Ponderosa Pines Water Co serves these 419 properties at present. The remaining 77 lots are not developed and not connected to the distribution system at this time. All properties provided water have DCVA's and Water Meters at the property line. All new connections are provided with same. Both of our wells are provided with calibrated water flow measuring devices.

Ponderosa Pines Water Company was incorporated to supply water to the Ponderosa Pines subdivision only. The rate of growth in this area has been slow but consistent. In the 27 years this subdivision has existed the rate of growth has averaged thirteen (13) new constructions a year. During the last four (4) years that rate has slowed to ten (10) a year.

As I have mentioned, this subdivision has 136 lots that do not have livable structures on them. Eventually, I believe, they all will. At the present rate of growth I do not expect that our wells can be proved for at least 14 years. The reality of it is that it may take as long as 20 years as some properties are being held as investments.

Because of the above stated reasons I request that all of our well permits, G-6799, G-8502 and G-8500, be extended for a Twenty (20) year period. If our wells can be proved before then that course of action would then be taken.

Sincerely,

Larry Taylor
Water Company Manager

RECEIVED

JUN 07 2004

WATER RESOURCES DEPT.
SALEM, OREGON

59 + 77 = 136



Oregon

Theodore R. Kulongoski, Governor

File # G-9118

Water Resources Department
North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1271
503-986-0900
FAX 503-986-0904

May 26, 2004

Ponderosa Pines Water Company
Attn: Larry Taylor
53299 Ponderosa Way
LaPine, OR 97739

REFERENCE: Application #G-7020 (Permit #G-6799) and
Application #G-9118 (Permit #G-8502)

Dear Mr. Taylor:

The Department is currently in the process of evaluating your requests for extension on the above referenced permits. However, based upon continued review, the Department has determined that additional information is necessary in order to evaluate your extension requests. The following information must be received:

Application #G-7020 (Permit #G-6799)

1. Your pending extension of time application requests an extension to complete construction of the water system and to complete full beneficial use of water under Permit #G-6799 to October 1, 2001. **Was this a sufficient amount of time in which to complete the development of Permit #G-6799? If not, you may amend your extension of time application to request an appropriate period of time.**
2. Permit #G-6799 required the permit holder to install a meter, or other suitable measuring device, and to keep a complete record of the amount of ground water withdrawn. **Was this permit condition satisfied within the last authorized time limits under Permit #G-6799, being October 1, 1997?**
3. Permit #G-6799 was issued to allow the use of 0.33 cubic foot per second of water from Well #1 for Group Domestic purposes. The map describing the place of use identifies 188 lots to be served under this permit. **Out of the 188 lots allowed under Permit #G-6799, to how many of those lots did Ponderosa Pines Water Company serve water by October 1, 1997.**

Application #G-9118 (Permit #G-8502)

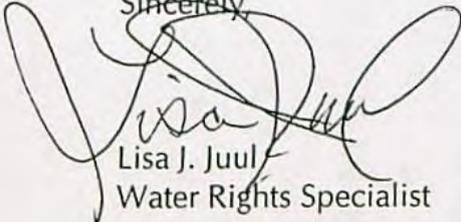
4. Your pending extension of time application requests an extension to complete construction of the water system and to complete full beneficial use of water under Permit #G-8502 to October 1, 2007. **Was this a sufficient amount of time in which to complete the development of Permit #G-8502? If not, you may amend your extension of time application to request an appropriate period of time.**
5. Permit #G-8502 required the permit holder to install a meter, or other suitable measuring device, and to keep a complete record of the amount of ground water withdrawn. **Was this permit condition satisfied within the last authorized time limits under Permit #G-8502, being October 1, 1997?**

Please submit this information by **Friday, June 25, 2004**. Failure to submit the requested information by this deadline may result in the proposed rejection of your extension request.

If you need to request additional time to submit the information requested above, a written request must be received in the Salem office of the Department by the deadline above. The Department will evaluate timely requests and determine whether or not the request may be granted.

If you should have any questions concerning your extension request or the required materials listed above, you may contact me at (503) 986-0808.

Sincerely,



Lisa J. Juul
Water Rights Specialist

cc: Appl #G-7020 (Permit #G-6799)
Appl #G-9118 (Permit #G-8502)
Jeremy Giffin, Watermaster District #11



PONDEROSA PINES WATER CO.

53299 PONDEROSA WAY
LAPINE, OREGON 97739

Phone: (541) 536-8966; Fax: (541) 536-8966

RECEIVED
MAR 29 1999
WATER RESOURCES DEPT.
SALEM, OREGON

March 25, 1999

Water Resources Dept.:

X
In reference to file G 9118, for an extension of time for permit G 8502, for the completion of 279 homes to date of permit application, leaving a balance of 26 homes to serve. By past growth of 7-10 new homes per year. Also, more improvements to the water distribution system, including backflow devices and water meters are needed to complete all 305 homes on this permit.

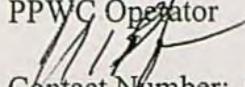
In reference to file G 7020, for extension of time for permit G 6799, the number of homes have exceeded 188, to 279 homes.

As to the amount of water used of .33 CFS it is estimated that the maximum peak use time will be during summer months of this year. Modifications to the Well and Distribution System have been completed to insure maximum use of the Well.

The approximate cost for the completion, including new water services, backflow devices, and water meters, to every service connection, is estimated at \$300,000.00.

Sincerely,

John Blomquist
PPWC Operator


Contact Number: (541) 536-8525



Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97310-0210
(503) 378-3739
FAX (503) 378-8130

March 11, 1999

PONDEROSA PINES WATER CO.
JOHN BLOMQUIST
53299 PONDEROSA WAY
LA PINE, OR 97739

REFERENCE: File G 9118

Dear Mr. Blomquist:

Before we can process your request for an extension of time for permit G 8502, we need more information. Please answer the following questions, and return to us.

Of the 305 houses this permit allows, how many have been served ?

Why do you need an extension ? Why has the permit not been fully developed yet ?

Also, even though the customers pay for the water system. We need an estimate of how much the water system cost and how much it will cost to complete.

If you have questions please contact me at the address below or phone (503)378-3739 ext. 272.

Sincerely,

Dallas Miller
Water Rights Specialist

cc: Watermaster, District 11

Per Phone Call

John Blomquist 4/1/99

G 9118 & G 7020

Both same well

500,000 spent on systems

Peak use on A, G 7020 was 0.19 cfs

Will be able to reach 0.33 cfs

within a year or 2 so can

Reduce extension Request to 10/1/2001

for G 7020.

DSM

4/7/99

Per John Blomquist B-C
date permit G 8502 should be
2007

DSM

FEB 01 1999

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WATER RESOURCES DEPT.
SALEM, OREGON

NOV 19 1998

WATER RESOURCES DEPT.
SALEM, OREGON

APPLICATION FOR EXTENSION OF TIME

TO THE WATER RESOURCES DIRECTOR OF OREGON

I, Ponderosa Pine Water Co
53299 Ponderosa Way La Pine Or 97739
NAME ADDRESS CITY STATE ZIP PHONE

record owner of application No. G-9118 permit No. G-8502, do hereby request that the time in which to:

[] complete the construction of works and/or purchase and installation of the equipment necessary to the use of water, which time now expires on October 1, 1997, be extended to October 1, 2017, and/or the time in which to

[] accomplish beneficial use of water to the full extent under the terms of the permit, which time, now expires on October 1, 1997, be extended to October 1, 2007 as Projected Based on Past Rate of Growth

The extension of time requested should be long enough to finish the project. Should this request be approved, it will be the Department's expectation that you will complete your project within the new time period allowed. Future extensions may not be granted.

1-Did water system construction/well drilling begin within the time specified in the permit [yes/no]? yes

2-Have you put any water to use under this permit [yes/no]? Yes
If yes, has that use been made consistent with the terms and conditions of the permit [yes/no]? Yes If no, please explain.
Which terms and/or conditions have not been completely fulfilled at this time. Continue To Add New Water Services
As New Homes Are Sold

3-I have accomplished the following described works, purchases and installation of equipment necessary to the use of water under said permit.

(a) within past year A 450,000 Gal Steel Res AT Well 2

(b) prior to this past year New Water Services

and have accomplished beneficial use of water to the extent of (amount of water used or acres irrigated) A Max of 150 Gal/Per/Minute

When All Lots are Sold With New Homes Finished

4-Cost of project to date Homeowners Pay For New Service. Projected cost for completion of project _____.

5-Have there been any unforeseen events which delayed development of water system? No

6-Have there been any significant government requirements that have delayed the completion of construction or application of water? [please explain] No

7-What reasons was the project not completed within permit time limits? No

8-Has there been any change in the demand for water or power since permit was issued? (please explain) 15 New Water Services Added

9-Has there been any change in the market for water or power since the permit was issued? (please explain) No

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RECEIVED

FEB 01 1999

NOV 19 1998

WATER RESOURCES DEPT.
SALEM, OREGON

WATER RESOURCES DEPT.
SALEM, OREGON

10-Will the income or use from this project provide reasonable returns against the investment in this project? (please explain)

Yes

11-If the extension request is denied, is the current level of water use economically feasible? (please explain)

No More Pumping Volume May Be Needed

12-Is there an alternative source of water available [yes no] please explain]?

The Water Co owns 2 wells as the only source of water

13-Has the use of water under the permit caused an adverse impact on the surface/groundwater resource in the area ? (please explain)

No

All items must be completed or the application will be returned. Please feel free to provide the Department with any additional information you might have that would aid us in making our decision. Please use an additional sheet of paper, if needed.

I am the permittee or have authorization from the permittee to apply for an extension of time under this permit. I understand that false or misleading statements in this extension application are grounds for the Department to suspend processing of the request and/or reason to deny the extension.

Signature John L Blomquist 11-16-98

MAIL COMPLETED APPLICATION TO:
WATER RIGHT PERMIT EXTENSIONS
WATER RESOURCES
158 12TH ST NE
SALEM, OREGON 97310

Lisa J Juul, 01:44 PM 5/24/04, WRIS address update

X-Sender: juullj@mailhub.wrd.state.or.us
X-Mailer: QUALCOMM Windows Eudora Version 6.0.3.0
Date: Mon, 24 May 2004 13:44:34 -0700
To: Susan.M.DOOUTHIT@ wrd.state.or.us
From: Lisa J Juul <Lisa.J.JUUL@ wrd.state.or.us>
Subject: WRIS address update
Cc: Lisa.J.JUUL@ wrd.state.or.us
X-Security: MIME headers sanitized on kettle.wrd.state.or.us
See <http://www.impsec.org/email-tools/sanitizer-intro.html>
for details. \$Revision: 1.139 \$Date: 2003-09-07 10:14:23-07

Hi Susan,

I have a mailing address that needs to be updated for the following two permits held by Ponderosa Pines Water Company:

Appl #G-7020 (Permit #G-6799) and
Appl #G-9118 (Permit #G-8502)

Old Address: 53275 Ponderosa Way, LaPine, OR 97739

NEW ADDRESS: 53299 Ponderosa Way, LaPine, OR 97739

I have made the necessary changes to the permit files.

Thanks,
Lisa

Lisa J. Juul
Water Rights Specialist
Water Rights & Adjudications Division
Oregon Water Resources Department
725 NE Summer Street, Suite A
Salem, Oregon 97301-1271

Phone # (503) 986-0808
FAX # (503) 986-0901
E-Mail Address: Lisa.J.JUUL@ wrd.state.or.us
Homepage/Website Address: <http://www.wrd.state.or.us>

MEMORANDUM

Date: May 24, 2004

To: Appl #G-9118 (Permit #G-8502) and
Appl #G-7020 (Permit #G-6799)

From: Lisa Juul, Permit Extension

Subject: New contact information

Today, I contacted Mr. John Blomquist in order to clarify some information regarding the Ponderosa Pines Water Company's (PPWC) pending extension of time requests for the above referenced permits.

Unfortunately, Mr. Blomquist has retired. He is no longer the operator of the PPWC. He gave me the following contact information for the person now in charge of operating PPWC:

Larry Taylor (current PPWC Operator)
Home #541-536-5811

Ponderosa Pines Water Co.
Office #541-536-9125
Cell #541-420-9873

(NOTE: old office #541-536-8966 is disconnected as of 5-24-04)

Fax # 541-536-5005

*Lisa Juul
5-24-04*

*New address for Ponderosa Pines Water Co:
53299 Ponderosa Way
LaPine, OR 97739*



PONDEROSA PINES WATER CO.

53299 PONDEROSA WAY
LAPINE, OREGON 97739

Phone: (541) 536-8966; Fax: (541) 536-8966

RECEIVED

MAR 29 1999
WATER RESOURCES DEPT.
SALEM, OREGON

March 25, 1999

Water Resources Dept.:

x
In reference to file G 9118, for an extension of time for permit G 8502, for the completion of 279 homes to date of permit application, leaving a balance of 26 homes to serve. By past growth of 7-10 new homes per year. Also, more improvements to the water distribution system, including backflow devices and water meters are needed to complete all 305 homes on this permit.

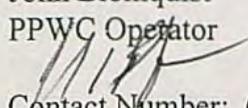
In reference to file G 7020, for extension of time for permit G 6799, the number of homes have exceeded 188, to 279 homes.

As to the amount of water used of .33 CFS it is estimated that the maximum peak use time will be during summer months of this year. Modifications to the Well and Distribution System have been completed to insure maximum use of the Well.

The approximate cost for the completion, including new water services, backflow devices, and water meters, to every service connection, is estimated at \$300,000.00.

Sincerely,

John Blomquist
PPWC Operator


Contact Number: (541) 536-8525



Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97310-0210
(503) 378-3739
FAX (503) 378-8130

March 11, 1999

PONDEROSA PINES WATER CO.
JOHN BLOMQUIST
53299 PONDEROSA WAY
LA PINE, OR 97739

REFERENCE: File G 9118

Dear Mr. Blomquist:

Before we can process your request for an extension of time for permit G 8502, we need more information. Please answer the following questions, and return to us.

Of the 305 houses this permit allows, how many have been served ?

Why do you need an extension ? Why has the permit not been fully developed yet ?

Also, even though the customers pay for the water system. We need an estimate of how much the water system cost and how much it will cost to complete.

If you have questions please contact me at the address below or phone (503)378-3739 ext. 272.

Sincerely,

Dallas Miller
Water Rights Specialist

cc: Watermaster, District 11

PRELIMINARY EXTENSION REVIEW ANALYSIS
February 19, 1999

The C date for this file was October 1, 1997.

It appears that this permit should receive an extension.

The preliminary (quick review) analysis shows the permittee has answered Yes three times on questions numbered one and two.

The permittee has shown the following diligence:

*Connections to new homes as they are built and occupied.
Constructed a 450,000 gallon steel reservoir at well #2 within
the last year.*

An analysis of whether the amount of time needed to complete development and application of water has not been done. There may or may not be a need for additional conditions.

*It would be nice to know the number of connections to be made
still. The permit allows connections for 305 families.*

*Pattee
2-19-99*



Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97310-0210
(503) 378-3739
FAX (503) 378-8130

January 19, 1999

Ponderosa Pine Water Company
53299 Ponderosa Way
La Pine, OR 97739

File Number: G-9118
Permit Number G-8502

Dear Ponderosa Pine Water Company:

The Department has received your request for extension of time on the above referenced permit. In reviewing your application, we have found that the form was missing some necessary information.

The following information was missing:

- ▶ The date by which you expect to accomplish beneficial use of water to the full extent under the terms of the permit.
- ▶ Question 3C asks for the amount of water currently being used (in terms of gallons/minute, cubic feet/ second or number of acres irrigated). Please provide us with a quantified estimate of the extent to which your permit is being used.

I have enclosed a copy of your application and highlighted the area where required information is lacking.

The Department cannot process your extension request without the above mentioned information. Please mail this information to the Department to my attention. Failure to respond to this letter may lead to rejection of the request for an extension of time.

If you have any questions, please give me a call at (503) 378-8455 extension 269 or toll free within Oregon at 1 (800) 624-3199, extension 269.

Sincerely,

Matthew Gerbrandt
Permit Extension Technician

Enclosure: Copy of your application with subject matter highlighted

FEB 01 1999

RECEIVED

NOV 19 1998

WATER RESOURCES DEPT.
SALEM, OREGON

WATER RESOURCES DEPT.
SALEM, OREGON

APPLICATION FOR EXTENSION OF TIME

TO THE WATER RESOURCES DIRECTOR OF OREGON

I. Ponderosa Pine Water Co
53299 Ponderosa Way La Pine Or 97739
ADDRESS CITY STATE ZIP PHONE

record owner of application No. G-9118 permit No. G-8502, do hereby request that the time in which to:

[] complete the construction of works and/or purchase and installation of the equipment necessary to the use of water, which time now expires on October 1, 1997, be extended to October 1, 2017, and/or the time in which to

[] accomplish beneficial use of water to the full extent under the terms of the permit, which time, now expires on October 1, 1997, be extended to October 1, 2007 *Est Projected Based on Past Rate of Growth*

The extension of time requested should be long enough to finish the project. Should this request be approved, it will be the Department's expectation that you will complete your project within the new time period allowed. Future extensions may not be granted.

1-Did water system construction/well drilling begin within the time specified in the permit [yes/no]? yes

2-Have you put any water to use under this permit [yes/no]? Yes
If yes, has that use been made consistent with the terms and conditions of the permit [yes/no]? Yes If no, please explain.
Which terms and/or conditions have not been completely fulfilled at this time. Continue To Add New Water Services
As New Homes Are Sold

3-I have accomplished the following described works, purchases and installation of equipment necessary to the use of water under said permit.

(a) within past year A 450,000 Gal Steel Res AT Well 2

(b) prior to this past year New Water Services

© and have accomplished beneficial use of water to the extent of (amount of water used or acres irrigated) A Max of 150 Gal/Per/Minute

When All Lots are Sold with New Homes Finished

4-Cost of project to date Homeowners Pay For New Service. Projected cost for completion of project _____.

5-Have there been any unforeseen events which delayed development of water system? _____

No

6-Have there been any significant government requirements that have delayed the completion of construction or application of water? [please explain] _____

No

7-What reasons was the project not completed within permit time limits? _____

No

8-Has there been any change in the demand for water or power since permit was issued? (please explain) _____

15 New Water Services Added

9-Has there been any change in the market for water or power since the permit was issued? (please explain) _____

No

Per Phone Call

John Blomquist 4/1/99

G 9118 & G 7020

Both same well

500,000 spent on systems

Peak use on A, G 7020 was 0.19 cfs

Will be able to reach 0.33 cfs

within a year or 2 so can

reduce extension Request to 10/1/2001

for G 7020.

DSM

4/7/99

Per John Blomquist B-C
date permit G 8502 should be
2007

DSM

RECEIVED

FEB 01 1999

WATER RESOURCES DEPT.
SALEM, OREGON

RECEIVED

NOV 19 1998

WATER RESOURCES DEPT.
SALEM, OREGON

10-Will the income or use from this project provide reasonable returns against the investment in this project? (please explain)

Yes

11-If the extension request is denied, is the current level of water use economically feasible? (please explain)

No More Pumping Volume May Be Needed

12-Is there an alternative source of water available [yes no] please explain]?

The Water Co owns 2 wells as the only source of water

13-Has the use of water under the permit caused an adverse impact on the surface/groundwater resource in the area ? (please explain)

No

All items must be completed or the application will be returned. Please feel free to provide the Department with any additional information you might have that would aid us in making our decision. Please use an additional sheet of paper, if needed.

I am the permittee or have authorization from the permittee to apply for an extension of time under this permit. I understand that false or misleading statements in this extension application are grounds for the Department to suspend processing of the request and/or reason to deny the extension.

Signature John L Blomquist 11-16-98

MAIL COMPLETED APPLICATION TO:
WATER RIGHT PERMIT EXTENSIONS
WATER RESOURCES
158 12TH ST NE
SALEM, OREGON 97310

RECEIVED

NOV 19 1998

WATER RESOURCES DEPT.
SALEM, OREGON

APPLICATION FOR EXTENSION OF TIME

TO THE WATER RESOURCES DIRECTOR OF OREGON

I, Ponderosa Pine Water Co
53299 Ponderosa Way La Pine Or 97739
ADDRESS CITY STATE ZIP PHONE

record owner of application No. G-9118 permit No. G-8502, do hereby request that the time in which to:

complete the construction of works and/or purchase and installation of the equipment necessary to the use of water, which time now expires on October 1, 1997, be extended to October 1, 2017, and/or the time in which to

accomplish beneficial use of water to the full extent under the terms of the permit, which time, now expires on October 1, 19 , be extended to October 1, .

The extension of time requested should be long enough to finish the project. Should this request be approved, it will be the Department's expectation that you will complete your project within the new time period allowed. Future extensions may not be granted.

1-Did water system construction/well drilling begin within the time specified in the permit [yes/no]? yes

2-Have you put any water to use under this permit [yes/no]? Yes
If yes, has that use been made consistent with the terms and conditions of the permit [yes/no]? yes If no, please explain.
Which terms and/or conditions have not been completely fulfilled at this time. Continue To Add New Water Services

As New Homes Are Sold

3-I have accomplished the following described works, purchases and installation of equipment necessary to the use of water under said permit.

(a) within past year A 450,000 Gal Steel Res AT Well 2

(b) prior to this past year New Water Services

© and have accomplished beneficial use of water to the extent of (amount of water used or acres irrigated) _____

When All Lots are Sold with New Homes Finished

4-Cost of project to date Homeowners Pay For New Service. Projected cost for completion of project _____.

5-Have there been any unforeseen events which delayed development of water system? _____

No

6-Have there been any significant government requirements that have delayed the completion of construction or application of water? [please explain] _____

No

7-What reasons was the project not completed within permit time limits? _____

No

8-Has there been any change in the demand for water or power since permit was issued? (please explain) _____

15 New Water Services Added

9-Has there been any change in the market for water or power since the permit was issued? (please explain) _____

No

RECEIVED

NOV 19 1998

WATER RESOURCES DEPT.
SALEM, OREGON

10-Will the income or use from this project provide reasonable returns against the investment in this project? (please explain)

Yes

11-If the extension request is denied, is the current level of water use economically feasible? (please explain)

No More Pumping Volume May Be Needed

12-Is there an alternative source of water available [yes no] please explain]?

The Water Co owns 2 wells as the only source of water

13-Has the use of water under the permit caused an adverse impact on the surface/groundwater resource in the area ? (please explain)

No

All items must be completed or the application will be returned. Please feel free to provide the Department with any additional information you might have that would aid us in making our decision. Please use an additional sheet of paper, if needed.

I am the permittee or have authorization from the permittee to apply for an extension of time under this permit. I understand that false or misleading statements in this extension application are grounds for the Department to suspend processing of the request and/or reason to deny the extension.

Signature John L Blomquist 11-16-98

MAIL COMPLETED APPLICATION TO:
WATER RIGHT PERMIT EXTENSIONS
WATER RESOURCES
158 12TH ST NE
SALEM, OREGON 97310



Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97310-0210
(503) 378-3739
FAX (503) 378-8130

October 29, 1998

FILE#: G 9118
PONDEROSA PINES WATER CO.
53275 PONDROSA WAY
LA PINE, OR 97739

Dear Water Right Permit Extension Applicant:

The Water Resources Commission has adopted new administrative rules that govern the processing of permit extension requests. New rules were necessary to make the permit extension process consistent with advice received from the Attorney General's office last summer. Many permit holders held their extension requests until the new rules are in place. Because of the Attorney General's advice, extensions will no longer be limited to one year in length for most permits and five years for municipalities and irrigation districts. You should request to extend your permit for the amount of time necessary to fully complete your project and put the water to beneficial use. Should the permit extension be approved, it is the Department's expectation that it will be the last extension granted.

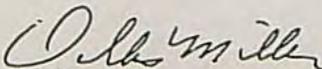
In order to help staff to complete the processing of your extension application, we will need you to fill out the enclosed form. The new rules require that the Department consider this information when determining whether or not to approve an extension request. It is important for you to complete a response to all items on the form. If additional space is needed for your responses, please use a separate sheet of paper.

Please send the completed form at your earliest convenience to the following address:

Dallas Miller
Water Right Permit Extensions
Water Resources Department
158 12th Street NE
Salem, Oregon 97310

I would be happy to send you a copy of the new permit extension rules, upon request. If you have any questions, please contact me at 1-800-624-3199 extension 272. If I am not available, you may contact either Pat Lee (ext. 276) or Dwight French (ext 268).

Sincerely,


Dallas Miller
Water Rights Specialist

6-10-04 - Not relevant info
- Do not use as reference
per [signature]

**Oregon Water Resources Department
Water Rights Division**

Water Right Permit Extension Application
for Permit Number G 8502

Water Right Application Number G 9118

Proposed Final Order

This Proposed Final Order applies only to permit number G 8502.

Summary of Recommendation

The Department proposes to:

grant the extension for complete construction of the water system from October 1, 1997 to October 1, 2007, and

grant the extension for complete application of water from October 1, 1997 to October 1, 2007.

Application History

Permit no. G 8502 was granted by the Water Resources Department on April 24, 1979. The permit authorizes use of 0.33 cfs of water from a well for Group Domestic use for 305 families in the Deschutes River basin. It specified that construction must be completed by October 1, 1980, and water applied to full beneficial use by October 1, 1981. A copy of permit no. G 8502 is attached.

On September 30, 1998, the Department received an application from Ponderosa Pines Water Co. for an extension of time to complete construction and to apply water to full beneficial use. The applicant has requested until October 1, 2007 to complete construction of the water system and until October 1, 2007 to apply water to full beneficial use. This is the fifth permit extension request.

Findings of Fact

ORS 537.230(2) and 537.630 (1) allows the Department to grant an extension of time to perfect a water right for good cause. In evaluating good cause, the Department has considered the written record in the permit application file in relation to the requirements of ORS 537.230(2), ORS 537.630 (1) and ORS 539.010(5) and makes the following findings.

1. The applicant is legally entitled to apply for an extension on this permit.
2. The applicant has submitted a completed permit extension form and the required fee.
3. The water project development made to date has been accomplished in accordance with the terms and conditions contained in the permit.
4. Progress in perfecting the permit has been steady and it is taking a considerable amount of time to build houses on all 305 lots. The development is now serving 279 families. The applicant predicts it will take until October 1, 2007 to serve the remaining 26 lots and finish constructing the water system.
5. The applicant has pursued perfection of the right in good faith and with reasonable diligence.
 - a) Work on the water development project completed to date includes construction of well, pump, holding tanks and pipelines. Water has been applied to 279 of the 305 houses allowed in the permit.
 - b) The applicant has invested approximately \$500,000 of an estimated water system project cost of \$800,000.
 - c) The work remaining to be completed consists of the remaining construction of the water delivery system and complete application of water.
6. Based on the written record, the Department finds there is good cause to approve the extension request. The applicant has pursued perfection of the right in good faith and with reasonable diligence.
7. Due to the reasons outlined above in item 4 and the water development progress to date, the Department finds that the length of time requested for completion of construction should be extended to October 1, 2007 and the length of time requested for completion of the application of water should be extended to October 1, 2007 as requested by the applicant.

Conclusions of Law

1. The applicant is entitled to apply for an extension of time to complete construction and/or completely apply water to the full beneficial use pursuant to ORS 537.230, and ORS 537.630.
2. The applicant has submitted an extension application form and the fee required by ORS 536.050(1)(L).
3. The applicant has pursued perfection of the right in good faith and prosecuted construction with reasonable diligence.
4. The applicant has shown good cause for the untimely completion of the water development project and complete application of water to full beneficial use pursuant to ORS 537.230(2), and ORS 537.630 (1).
5. The permit extension should be approved until October 1, 2007 to complete construction and until October 1, 2008 to complete the application of water.

Conditions

The permittee must submit a written progress report to the Department by October 1, 2002. The report must be received by the Department not sooner than 90 days prior to the due date. The permittee's report must describe in detail the work done each year since the last extension was granted or the last progress report 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 will result in cancellation of the undeveloped portion of the permit by the Department pursuant to ORS 537.260 or 537.410 to 537.450. Within one year after cancellation, the permittee must submit a final proof survey pursuant to ORS 537.230 and 537.250.

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

- a) request the permittee to submit additional information with which to evaluate diligence;
- 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 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.

Recommendation

The Department proposes to issue an order to:
extend the permit time to complete construction from October 1, 1997 to October 1, 2007
and
extend the permit time to complete application of water from October 1, 1997 to October 1, 2007.

DATED: April 13, 1999

Dwight French
Water Rights Section Manager

*If you have any questions,
please check the information
box on the last page for the
appropriate names and
phone numbers.*

DRG

Protest Rights and Comments

1. Under the provisions of OAR 690-320-0010(8) you have the right to protest this proposed final order. Your protest must be in writing and must include the following:
 - a) Your name, address and telephone number;
 - b) Your interest in this proposed final order, and if you claim to represent the public interest, a precise statement of the public interest represented;
 - c) A detailed description of how the action in the proposed final order would impair or be detrimental to your interest;
 - d) A detailed description of how the proposed final order is in error or deficient and how to correct the alleged error or deficiency;
 - e) Any citation of legal authority supporting your protest, if known; and
 - f) If you are not the applicant, the \$25 protest fee required under ORS 536.050 (1)(j).
2. Each person submitting a protest shall raise all reasonably ascertainable issues and all reasonably available arguments supporting the person's position by the close of the comment period.
3. The Water Resources Department must receive written protests or written comments no later than **May 28, 1999**.
4. After the close of the comment and protest period, the Director will either issue a final order, or schedule a contested case hearing if the Director finds there are significant disputes related to the use of water.

This document was prepared by Dallas Miller. If you have any questions about any of the statements contained in this document I am most likely the best person to answer your questions. You can reach me toll free within Oregon at 1-800-624-3199 extension 272. Outside of Oregon you can dial 1-503-378-8455.

If you have questions about how to file a protest or if you have previously filed a protest and want to know the status, please contact Adam Sussman. His extension number is 262.

If you have other questions about the Department or any of its programs please contact our Water Rights Information Group at extension 499.

Application No. G-9118

Permit No. G 8502

Permit to Appropriate the Public Waters of the State of Oregon

This is to certify that I have examined the foregoing application and do hereby grant the same, SUBJECT TO EXISTING RIGHTS INCLUDING THE EXISTING MINIMUM FLOW POLICIES ESTABLISHED BY THE WATER POLICY REVIEW BOARD and the following limitations and conditions:

The right herein granted is limited to the amount of water which can be applied to beneficial use and shall not exceed 0.33 cubic feet per second measured at the point of diversion from the well or source of appropriation, or its equivalent in case of rotation with other water users, from a well.

The use to which this water is to be applied is group domestic for 305 families.

If for irrigation, this appropriation shall be limited to of one cubic foot per second or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed acre feet per acre for each acre irrigated during the irrigation season of each year;

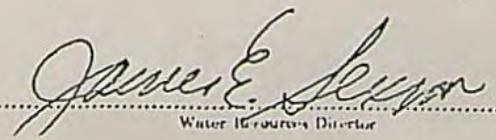
and shall be subject to such reasonable rotation system as may be ordered by the proper state officer.
The well shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon.
The works constructed shall include an air line and pressure gauge 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 ground water withdrawn.

The priority date of this permit is February 2, 1979

Actual construction work shall begin on or before April 24, 1980 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1980

Complete application of the water to the proposed use shall be made on or before October 1, 1981 ¹⁹⁸⁷ _{1738-P-225}

WITNESS my hand this 24th day of April, 1979


Water Resources Director

Application No. G-9118

Permit No. G 8502

STATE OF OREGON WATER RESOURCES DEPARTMENT

RECEIVED

Application for a Permit to appropriate Ground Water

FEB 2 1979

WATER RESOURCES DEPT.
SALEM, OREGON

I, BROOKS RESOURCES CORPORATION

(Name of Applicant)

of 416 NE Greenwood

(Mailing Address)

State of Oregon 97701

(Zip Code)

Phone No. 382-1662

Bend

(City)

do hereby

make application for a permit to appropriate the following described ground waters of the State of Oregon:

1. The development will consist of One Well

(Give number of wells, tile lines, infiltration galleries, etc.)

having a diameter of 6 in. and an estimated depth of 232 feet.

2. The well or other source is to be located 685 ft. S and 35 ft. E

(N. or S.)

(E. or W.)

from the NW corner of Section 6, Township 22 South, Range 10 East,

(Public Land Survey Corner)

Willamette Meridian

(If there is more than one well, each must be described)

being within the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of

Sec. 6 Tp. 22 South R. 10 East, W. M., in the county of Deschutes

3. Location of area to be irrigated, or place of use if use other than irrigation.

Township	Range	Section	List $\frac{1}{4}$ $\frac{1}{4}$ of Section	List use and/or number of acres to be irrigated
22S	9E	1	SE 1/4, SE 1/4	
		12	E 1/2, NE 1/4	
			NE 1/4, SE 1/4	
22S	10E	6	S 1/2, SW 1/4	
			SW 1/4, SE 1/4	
		7	N 1/2	
			N 1/2, S 1/2	

5 Little Deschutes H. Well
Vol. 117
Basin

4. It is estimated that 229 feet of the well will require 0.250 ga. casing.

(Kind)

5. Depth to water table is estimated 90 Well drilled by Reed's Well Drilling

(Feet)

Mailing List for PFO Extension Copies

Application #

G 9118

PFO Date

4/13/99

Original mailed to:

Applicant:

Ponderosa Pines Water Co.

Mailed
(support staff)

on:

(date)

Copies sent

Regional Manager

S.C.

Watermaster

//

ODFW

Ted Wise, Bend

DEQ

Tom Rosetta, Portland

Copies sent to Other Interested Persons (CWRE, Agent, Well Driller, Commenter, etc.)

"\$10 LETTER" sent to Interested Persons who have not protested or paid for copies

EXT. dk sm

February 2, 1979

Assigned

Application No. G 9118
Permit No. G 8502

Name Brooks Resources Corporation

Address 416 N.E. Greenwood, Bend, OR 97701

Assigned Ponderosa Pine Water Co.

Address ~~53275~~ Ponderosa Way, LA Pine, Or. 97739

Beginning construction

APR 24 1980

Completion of construction

OCT 1 1980

Extended to 10-1-83, 10-1-87, 10-1-92, 10-1-97

Complete application of water

OCT 1 1981

Extended to 10-1-83, 10-1-87, 10-1-92, 10-1-97

VID 26598
502 wa

Application No. G-9118

Permit No. G 8502

Permit to Appropriate the Public Waters of the State of Oregon

This is to certify that I have examined the foregoing application and do hereby grant the same, **SUBJECT TO EXISTING RIGHTS INCLUDING THE EXISTING MINIMUM FLOW POLICIES ESTABLISHED BY THE WATER POLICY REVIEW BOARD** and the following limitations and conditions:

The right herein granted is limited to the amount of water which can be applied to beneficial use and shall not exceed 0.33 cubic feet per second measured at the point of diversion from the well or source of appropriation, or its equivalent in case of rotation with other water users, from a well.

The use to which this water is to be applied is group domestic for 305 families.

If for irrigation, this appropriation shall be limited to of one cubic foot per second or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed acre feet per acre for each acre irrigated during the irrigation season of each year;

and shall be subject to such reasonable rotation system as may be ordered by the proper state officer.
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 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 ground water withdrawn.

The priority date of this permit is February 2, 1979

Actual construction work shall begin on or before April 24, 1980 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1980

Complete application of the water to the proposed use shall be made on or before October 1, 1981 ¹⁹⁸⁷ _{1738-P-225}

WITNESS my hand this 24th day of April, 1979

James E. Lewis
Water Resources Director

Application No. G-9118

Permit No. G 8502

STATE OF OREGON WATER RESOURCES DEPARTMENT

RECEIVED

Application for a Permit to appropriate Ground Water

FEB 2 1979

WATER RESOURCES DEPT. SALEM, OREGON

I, BROOKS RESOURCES CORPORATION
416 NE Greenwood
Oregon 97701 Phone No. 382-1662

*Approved to
Brooks Resources Corporation
11/14/82*

do hereby make application for a permit to appropriate the following described ground waters of the State of Oregon:

1. The development will consist of One Well
having a diameter of 6 in. and an estimated depth of 232 feet.

2. The well or other source is to be located 685 ft. S and 35 ft. E
from the NW corner of Section 6, Township 22 South, Range 10 East,

Willamette Meridian
(If there is more than one well, each must be described)

being within the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of
Sec. 6 Tp. 22 South R. 10 East, W. M., in the county of Deschutes.

3. Location of area to be irrigated, or place of use if use other than irrigation.

Township	Range	Section	List $\frac{1}{4}$ $\frac{1}{4}$ of Section	List use and/or number of acres to be irrigated
22S	9E	1	SE 1/4, SE 1/4	
		12	E 1/2, NE 1/4	
			NE 1/4, SE 1/4	
22S	10E	6	S 1/2, SW 1/4	
			SW 1/4, SE 1/4	
		7	N 1/2	
			N 1/2, S 1/2	

5
Basin, Vol. 1A
Little Deschutes F.H. Well

4. It is estimated that 229 feet of the well will require 0.250 ga. casing.
5. Depth to water table is estimated 90 feet. Well drilled by Reed's Well Drilling



Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97310-0210
(503) 378-3739
FAX (503) 378-8130

April 3, 1998

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

Reference: Files G 7020, G 9116, G 9018 Permits G 6799, G 8500, G 8502

Dear Extension Applicant:

We have received your request for extension of time limits under your permit.

Because of action taken by the Oregon Attorney Generals Office the Water Resources Department is working on new administrative rules affecting the extension process. Anticipating this change in the rules, we will hold your application until the new rules are in effect. We estimate that the rules will be adopted by the summer of 1998.

If it is necessary that you have an extension of time before that, it may be possible if you can make the statement that water can be fully used within five years.

Your patience is appreciated and we will process your request as soon as possible. Enclosed is receipt 19917 for the \$300 recording fee submitted.

If you have questions please contact me at the address below or phone 1-800-624-3199 ext. 272.

Sincerely,

Dallas Miller

Natural Resource Specialist 2

cc: Watermaster Dist 11

APPLICATION FOR EXTENSION OF TIME

TO THE WATER RESOURCES DIRECTOR OF OREGON

I, PONDEROSA PINES WATER CO.
name

53299 PONDEROSA WAY LA PINE OR 97739
address city state zip phone

record owner of permit No. G-8502, do hereby request that the time in which to:

[] complete the construction of works and/or purchase and installation of the equipment necessary to the use of water, which time now expires on October 1, 1997, be extended to October 1, 2002, and/or the time in which to

[] accomplish beneficial use of water to the full extent under the terms of the permit, which time, now expires on October 1, 19 , be extended to October 1, 19 .

I have accomplished the following described works and/or purchase and installation of equipment necessary to use of water under said permit.

(1) within past year COMPLETED A 450,000 GAL STEEL RESERVOIR AT WELL #2.

(2) prior to this past year CONTINUE TO ADD NEW SERVICES AS NEW HOMES ARE BUILT.

(3) and have accomplished beneficial use of water to the extent of (if for irrigation, state how many acres have been irrigated)
SERVICE TO 400 LOTS.

(4) unable to complete construction and/or application of water within the permit time limits because 90 VACANT LOTS

REMAIN TO BE SOLD & THEN ADDED TO SERV

[Signature] 3-19-97
signature date

MAIL APPLICATION AND STATUTORY FEE OF \$100 FOR EACH PERMIT TO:
WATER RESOURCES DEPARTMENT
158 12TH ST NE
SALEM, OREGON 97310



Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97310-0210
(503) 378-3739
FAX (503) 378-8130

February 12, 1998

PONDEROSA PINE WATER CO
53299 PONDEROSA WAY
LAPINE OR 97739

REFERENCE: File G-7020, G-9116, & G-9118

According to the terms of your Permit G-6799, G-8500, and G-8502 complete application of water was to have been made by October 1, 1997.

Complete application of water means use of the water for the beneficial purpose described in the permit to the full extent intended. (In the case of irrigation, it means beneficial irrigation of the lands the permittee intends to cover.) This may be a smaller amount than the permit allowed. If the water has been used, you should promptly submit notice describing the extent of completion as set forth in the letter accompanying your permit.

ORS 537.260 provides that: "Whenever the time within which any appropriation under a permit should have been perfected has expired and the owner of the permit fails or refuses within three months thereafter to submit to the Water Resources Director proof of completion of the appropriation as required by ORS 537.230 and 537.250, the Water Resources Director may, after 60 days notice by registered mail, order the cancellation of the permit."

You are hereby notified that, unless proof of beneficial use is received by **April 15, 1998** (within 60 days from the date of this letter) the permit may be canceled without further notice.

If you are no longer interested in the project described by the permit, we would appreciate being advised. If the property involved has been sold and any part of the project was completed, you should assign the permit to the new owner. An assignment form will be furnished upon request.

If additional information is needed, please contact me at extension 272 at 378-3739 or toll-free 1-800-624-3199.

Sincerely,

Dallas Miller
Natural Resource Specialist 2

DM:jh

cc: Kyle Gorman, Watermaster

CERTIFIED - RETURN RECEIPT REQUESTED

G-9116, G-9118

Oregon

WATER
RESOURCES
DEPARTMENT

April 27, 1993

Ms. Lisa N. Bertalan
Karnopp, Petersen, Noteboom, Hubel, Hansen & Arnett
Attorneys at Law
Riverpointe One
1201 Northwest Wall Street, Suite 300
Bend, Oregon 97701-1936

Re: Permits G-8500 and G-8502

Dear Ms. Bertalan:

Thank you for your letter of December 7, 1992, written on behalf of your client, Ponderosa Pine Water Company (Ponderosa Pine). Please accept my apology for the delay in responding.

You have raised the issue of whether the terms of the permits issued for *group domestic use* include the watering of lawns and gardens. We have previously discussed this issue by phone. It is my assessment that the terms of these permits can feasibly accommodate some watering of lawns and gardens.

Group domestic use means the delivery and use of water through a delivery system supplying water for domestic purposes to more than one residence or dwelling unit. (OAR 690-11-010(16).) Domestic purposes alone do not now, nor did they in 1979, include the watering of a lawn or non-commercial garden. Although the rules codifying these definitions were not in place at the time the applicable permits were issued, the department policy governing *domestic use* at that time did not contemplate inclusion of lawn and garden irrigation unless such irrigation was an integral part of the domestic system and was specifically stated in the application(s).

Staff have examined the applications and although there is nothing to indicate that the original applicant, Brooks Resource Corporation (Brooks), specifically applied for lawn and garden use, the 1979 operating agreement which you described between Ponderosa Pine and Brooks does specifically refer to retaining irrigation facilities. Thus, it may be argued that such irrigation was an integral part of the domestic water system, even though the lawn and garden wording was not included in the application.



3850 Portland Rd NE
Salem, OR 97310
(503) 378-3739
FAX (503) 378-8130

Lisa Bertalan
April 27, 1993
p. 2

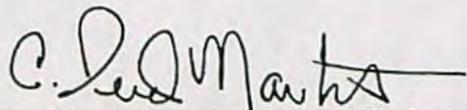
Although the ORS does provide that the watering of no more than one-half acre of lawn or non-commercial garden is an exempt groundwater use not requiring an application for a permit or a permit (ORS 537.545(1)(b)), that provision has been interpreted to mean no more than one one-half acre exemption per well.

I want to reassure you that the Water Resources Department has no plans to order your client to discontinue using water for the modest watering of lawns and gardens as long as the total quantity of water used for domestic, lawn and garden purposes does not exceed that which is allowed under the terms of the Ponderosa Pine permits.

Since the quantities of water permitted under G-8500 and G-8502 may be insufficient, according to department standards, to accommodate both domestic household uses and any more extensive lawn and garden uses for the number of dwellings covered under those permits, you may want to recommend that Ponderosa Pine file a new application for irrigation for an additional amount necessary to ensure those uses are adequately covered.

Our Water Rights staff will be happy to work with you and your client regarding a new application and to explore any other possible options which might be available to the company. If you have further questions on this issue please contact me at 378-3739.

Sincerely,



A. Reed Marbut, Administrator
Water Rights/Adjudications Division

LBE/ARM/lbe

cc: Bob Main, South Central Region Manager

Application No. G-9118

Permit No. G 8502

STATE OF OREGON WATER RESOURCES DEPARTMENT

RECEIVED

Application for a Permit to Appropriate Ground Water

FEB 2 1979

WATER RESOURCES DEPT. SALEM, OREGON

Assigned
BROOKS RESOURCES CORPORATION

Ponderosa Pine Water Co.

I, 53275 Ponderosa
of Way

416 NE Greenwood

(Name of Applicant)

Bend La Pine

(City)

State of Oregon 97701

(Zip Code)

Phone No. 382-1662

do hereby

make application for a permit to appropriate the following described ground waters of the State of Oregon:

1. The development will consist of One Well

(Give number of wells, tile lines, infiltration galleries, etc.)

having a diameter of 6 in. and an estimated depth of 232 feet.

2. The well or other source is to be located 685 ft. S and 35 ft. E

(N. or S.)

(E. or W.)

from the NW corner of Section 6, Township 22 South, Range 10 East,

(Public Land Survey Corner)

Willamette Meridian

(If there is more than one well, each must be described)

being within the NW 1/4 of the NW 1/4 of

Sec. 6 Tp. 22 South R. 10 East, W. M., in the county of Deschutes.

3. Location of area to be irrigated, or place of use if use other than irrigation.

Township	Range	Section	List 1/4 1/4 of Section	List use and/or number of acres to be irrigated
22S	9E	1	SE 1/4, SE 1/4	
		12	E 1/2, NE 1/4	
			NE 1/4, SE 1/4	
22S	10E	6	S 1/2, SW 1/4	
			SW 1/4, SE 1/4	
		7	N 1/2	
			N 1/2, S 1/2	

4. It is estimated that 229 feet of the well will require 0.250 ga. casing.

(Kind)

5. Depth to water table is estimated 90 Well drilled by Reed's Well Drilling

(Feet)

Application No. G-9118

Permit No. G 8502

Permit to Appropriate the Public Waters of the State of Oregon

This is to certify that I have examined the foregoing application and do hereby grant the same, **SUBJECT TO EXISTING RIGHTS INCLUDING THE EXISTING MINIMUM FLOW POLICIES ESTABLISHED BY THE WATER POLICY REVIEW BOARD** and the following limitations and conditions:

The right herein granted is limited to the amount of water which can be applied to beneficial use and shall not exceed 0.33 cubic feet per second measured at the point of diversion from the well or source of appropriation, or its equivalent in case of rotation with other water users, from a well.

The use to which this water is to be applied is group domestic for 305 families.

If for irrigation, this appropriation shall be limited to of one cubic foot per second or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed acre feet per acre for each acre irrigated during the irrigation season of each year;

and shall be subject to such reasonable rotation system as may be ordered by the proper state officer.
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 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 ground water withdrawn.

The priority date of this permit is February 2, 1979

Actual construction work shall begin on or before April 24, 1980 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1980

Complete application of the water to the proposed use shall be made on or before October 1, 1981

WITNESS my hand this 24th day of April, 1979

B+C ext 10-1-97


Water Resources Director

nd lk B

September 9, 1992

Ponderosa Pines Water Company
53299 Ponderosa Way
LaPine OR 97739

REFERENCE: Files G-7020, G-9118, and G-9116

We received your applications for extension of the time limits to complete construction and make complete application of water under Permits G-6799, G-8502, and G-8500. We also have your check for \$300 for which our receipts number 91393, 91394, and 91388 are enclosed.

The applications indicate reasonable diligence toward completion of the proposed project. Therefore, the time limits to complete construction and make complete application of water are extended to October 1, 1997.

If you have any questions, please contact the Water Rights Section at 378-3739.

TES:jh

Enclosure



3850 Portland Rd NE
Salem, OR 97310
(503) 378-3739
FAX (503) 378-8130

RECEIVED

SEP - 2 1992

WATER RESOURCES DEPT.
SALEM, OREGON

Application for Extension of Time

TO THE WATER RESOURCES DIRECTOR OF OREGON

I, PONDEROSA PINES WATER CO.
Name

53299 PONDEROSA WAY
Mailing Address

LA PINE, OR 97739
City State Zip

record owner of water permit No. G-8502, do hereby request that the time in which to:

- complete the construction of works and/or purchase and installation of the equipment necessary to the use of water, which time now expires on October 1, 1992, be extended to October 1, 1997; and/or the time in which to
- accomplish beneficial use of water to the full extent now intended under the terms of said permit, which time now expires on October 1, 19 , be extended to October 1, 19 .

I have accomplished the following described works and/or purchase and installation of equipment necessary to the use of water under said permit:

(1) within the past year 1992 7 NEW SERVICES

(2) prior to this past year 1991 17 NEW SERVICES - 1990 18 NEW SERVICES - 1989 14 NEW SERVICES.

(3) and have accomplished beneficial use of water to the extent of (IF FOR IRRIGATION, STATE HOW MANY ACRES HAVE BEEN IRRIGATED)

(If additional space is required, attach separate sheet)

Rodney M. Gray Chairman
(If signing for a corporation please identify your title)

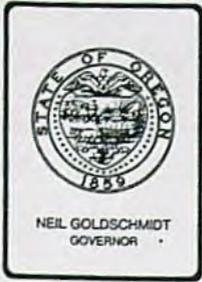
Dated 8-14-92 Gray MGR.

91394
9/2/92
100

MAIL COMPLETED APPLICATION AND STATUTORY FEE OF \$100.00 FOR EACH PERMIT TO: 536-9065

Water Resources Department
3850 Portland Road N.E.
Salem, Oregon 97310

OK
66-10-1-97
JES



Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE 378-3066

January 15, 1988

Ponderosa Pine Water Co.
53299 Ponderosa Way
La Pine, OR 97739

REFERENCE: Files G-7020, G-9118 and G-9116

Your applications for extension of the time limits to complete construction and make complete application of water under the terms of your Permits G-6799, G-8502 and G-8500 were received. We also have your check for \$300.

The applications indicates reasonable diligence toward completion of the proposed project; therefore, the time limits to complete construction and make complete application of water are extended to October 1, 1992.

Sincerely,

STEVEN P. APPLGATE
Water Right Specialist

SPA:wpc

receipt enclosed

2792E
2794E

RECEIVED

Application for Extension of Time

NOV 23 1987

TO THE WATER RESOURCES DIRECTOR OF OREGON

WATER RESOURCES DEPT.
SALEM, OREGON

I, PONDEROSA PINE WATER CO

Name

53299 ~~5327~~ PONDEROSA WAY

Mailing Address

La Pine, OR 97739

City

State

Zip

record owner of water permit No. G-8502, do hereby request that the time in which to:

- complete the construction of works and/or purchase and installation of the equipment necessary to the use of water, which time now expires on October 1, 1987, be extended to October 1, 1992 and/or the time in which to
- accomplish beneficial use of water to the full extent now intended under the terms of said permit, which time now expires on October 1, 1987, be extended to October 1, 1992

I have accomplished the following described works and/or purchase and installation of equipment necessary to the use of water under said permit:

- (1) within the past year we installed 7 new services in 1987
- (2) prior to this past year we have installed 236 services to residences
- (3) and have accomplished beneficial use of water to the extent of (IF FOR IRRIGATION, STATE HOW MANY ACRES HAVE BEEN IRRIGATED)

(If additional space is required, attach separate sheet)

Lawrence G Chapman - President

(If signing for a corporation, please identify your title)

Dated Nov. 20 / 1987

MAIL COMPLETED APPLICATION AND STATUTORY FEE OF \$100.00 FOR EACH PERMIT TO:

Water Resources Department
3850 Portland Road N.E.
Salem, Oregon 97310

11-23-87
\$ 10000
53827

*OK B&C
to 10-1-92
12/30/87*



Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE 378-3739

November 13, 1987

Ponderosa Pine Water Company
Attn: Don Bell
53275 Ponderosa Way
Lapine, OR 97739

REFERENCE: File's G-7020, G-9116, G-9118

Enclosed is an application for requesting an extension of the time limits imposed on Permit's G-6799, G-8500, G-8502.

The Water Resources Director is permitted by law to extend the time for completion of a project only upon a showing of reasonable diligence by the permittee. Therefore, please complete this application in detail describing what has been accomplished.

The application must be received in this office with the statutory filing fee of \$100 for each permit.

Sincerely,

Steven P. Applegate
Field Crews Supervisor

SPA:cle

Enclosure



Water Resources Department

MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-8508

January 27, 1984

Ponderosa Pines Water Company
53299 Ponderosa Way
La Pine, OR 97739

REFERENCE: Files G-7020, G-9116 and G-9118

Your applications for an extension of the time limits in which to complete construction and make complete application of water under the terms of your Permits G-6799, G-8500, and G-8502 was received. We also have your checks in the amount of \$300.00. *1/27/84*

The applications indicate reasonable diligence has been exercised toward completion of the proposed project; therefore, the time limits to complete construction and make complete application of water are being extended to October 1, 1987.

Sincerely,

Bruce A. Estes, Supervisor
Survey/Certificate Section

BAE:jvm

Enclosures

Application for Extension of Time

RECEIVED

NOV 9 1983

TO THE WATER RESOURCES DIRECTOR OF OREGON

**WATER RESOURCES DEPT.
SALEM, OREGON**

I, Ponderosa Pines Water Company
Name

53299 Ponderosa Way
Mailing Address

La Pine City, Oregon State, 97739 Zip

record owner of water right permit No. G-8502, do hereby request that the time in which to:

complete the construction of works and/or purchase and installation of the equipment necessary to the use of water, which time now expires on October 1, 1983, be extended to October 1, 1987; and/or the time in which to

accomplish beneficial use of water to the full extent now intended under the terms of said permit, which time now expires on October 1, 1983, be extended to October 1, 1987.

I have accomplished the following described works and/or purchase and installation of equipment necessary to the use of water under said permit:

within the past year (s) 33 water users connected to the system.

prior to this past year 80 water users connected.

and have accomplished beneficial use of water to the extent of (IF FOR IRRIGATION, STATE HOW MANY ACRES HAVE BEEN IRRIGATED) 113 domestic services of a projected 305.

(If additional space is required, attach separate sheet)

Sandy V. Corey, Bookkeeper
(If signing for a corporation please identify your title)

Dated 11/7/83

MAIL COMPLETED APPLICATION AND STATUTORY FEE OF ~~20.00~~ FOR EACH PERMIT TO:

7100.00

Water Resources Department
Mill Creek Office Park
555 13th Street, N.E.
Salem, Oregon 97310

B-C
10-1-87
BAE

11-9-83
\$ 100.00

The completed assignment must be submitted to the Water Resources Director, 555
13th Street, NE, Salem, Oregon 97310, together with a recording fee of \$3.00

4-5-82
\$ 3.00
30232

4351A

RECEIVED

APR 5 1982

WATER RESOURCES DEPT
SALEM, OREGON

8:15 AM



Water Resources Department
MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-8508
or
1-800-452-7613
(message line)

April 14, 1982

Ponderosa Pines Water Company
an Oregon non-profit corporation
53275 Ponderosa Way
LaPine, OR 97739

REFERENCE: Files G-9116, G-7020 and G-9118

The assignment of Permits G-8500, G-6799 and G-8502 from Brooks Resources Corporation to you has been recorded in the records of the Water Resources Department.

Our records have been changed accordingly and the originals are enclosed along with our Receipt 30232 covering the recording fees of \$9 you submitted.

Under the terms of the permits, the water system is to be completed to include plumbing of each dwelling and water used to the fullest extent intended on or before October 1, 1983. Forms for reporting are enclosed.

Sincerely,

Thomas E. Shook
THOMAS E. SHOOK
Senior Water Rights Examiner

TESwpc
enclosures
cc: Robert F. Main, Jr., Watermaster
Brooks Resources Corporation
2450A
02548

COPY

Brooks Resources Corporation

416 N.E. Greenwood
Post Office Box 6119
Bend, Oregon 97708
Phone: (503) 382-1662

RECEIVED

APR 5 1982

WATER RESOURCES DEPT
SALEM, OREGON

April 1, 1982

Water Resources Director
555 13th Street, N.E.
Salem, Oregon 97310

RE: Assignment Permit Numbers G-6799, 8500 and 8502

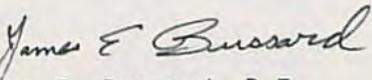
Gentlemen:

Enclosed are the Assignment Forms for Permits G-8502, G-6799 and G-8500,
along with our recording fee of \$9.00.

We appreciate your office making the necessary assignments.

Very truly yours,

BROOKS RESOURCES CORPORATION


James E. Bussard, P.E.
Vice President - Development

JEB/k1

enclosures

cc: Gary Hall
Don Bell

Application for Extension of Time

TO THE WATER RESOURCES DIRECTOR OF OREGON

RECEIVED
NOV 10 1980
WATER RESOURCES DEPT
SALEM, OREGON

I, Brooks Resources Corporation
Name
416 NE Greenwood
Mailing Address
Bend Oregon 97701
City State Zip

record owner of water right permit No. G-8502, do hereby request that the time in which to:
 complete the construction of works and/or purchase and installation of the equipment necessary to the use of water, which time now expires on October 1, 1980, be extended to October 1, 1985; and/or the time in which to
 accomplish beneficial use of water to the full extent now intended under the terms of said permit, which time now expires on October 1, 1981, be extended to October 1, 1985.

I have accomplished the following described works and/or purchase and installation of equipment necessary to the use of water under said permit:
within the past year connected 80 water users to the system; constructed entire mainline system

prior to this past year N/A

and have accomplished beneficial use of water to the extent of (IF FOR IRRIGATION, STATE HOW MANY ACRES HAVE BEEN IRRIGATED) 80 domestic services of a projected 305 at project completion.

(If additional space is required, attach separate sheet)

William Z. [Signature]
(If signing for a corporation please identify your title)

Dated November 3, 1980

MAIL COMPLETED APPLICATION AND STATUTORY FEE OF \$10.00 TO:

Water Resources Department
Mill Creek Office Park
555 13th Street, N.E.
Salem, Oregon 97310

11-10-80
\$10.00
#21433

6-9118 & P. Pines #1
B-C
10-1-83
Ball
cc Gary Hall



VICTOR ATIYEH
GOVERNOR

Water Resources Department

MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-8508

January 21, 1981

Brooks Resources Corporation
416 NE Greenwood
Bend, OR 97701

Gentlemen:

REFERENCE: Files Numbered G-9118 (P. Pines No. 1), G-7020
(P. Pines No. 1), and G-9116 (P. Pines No. 2)

Your application for extensions of the time limits in which to make complete construction and make complete application of water under the terms of your permits numbered G-8500, G-6799, and G-8502 have been received.

The applications indicate reasonable diligence has been exercised toward completion of the proposed projects; therefore, the time limits to complete construction and make complete application of water are being extended to October 1, 1983.

Sincerely,

Bruce A. Estes, Supervisor
Survey-Certificate Section

BAE:lrs
Enclosures

cc: Gary Hall



Water Resources Department

MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-3066

File Numbers G-9116,
G-9118, G-9119 & 58296

February 21, 1980

Century West Engineering
P.O. Box 1174
Bend, Oregon 97701

Attn: Gary Hall

Enclosed find copies of the back pages of permits number G-8500, G-8502, G-8503, and 44005 in the name of Brooks Resources Corp. as you requested. I have also sent the same copies to Brooks Resources Corp. to the attention of Chloe Henderson.

The copying fee for the eight copies is \$2.75. This leaves a balance of \$22.00 in your copying account.

Sincerely,

Donald R. Buell
Water Rights Engineer

DRB:jmt

Enclosures



Water Resources Department

MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-3066

File Numbers G-9116,
G-9118, G-9119, & 58296

February 21, 1980

Brooks Resources Corp
416 NE Greenwood
Bend, Oregon 97701

Attn: Chloe Henderson

Enclosed find copies of the back pages of water right permits number G-8500, G-8502, G-8503, and 44005 which I am sending by request of Gary Hall of Century West Engineering.

If you have any questions you should contact Gary.

Sincerely,

Donald R. Buell
Water Rights Engineer

DRB:jmt

Enclosures



April 26, 1970

BROOKS RESOURCES CORPORATION
416 NE Greenwood
Bend, Oregon 97701

G-9116
G-9117
G-9118
G-9119

G-8500, G-8501, G-8502, G-8503



Water Resources Department

MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-3066

April 3, 1979

Files No. 58296, G-9116, G-9117
G-9118, and G-9119.

Century West Engineering
P. O. Box 1174
Bend, OR 97701

ATTENTION: GARY HALL

Dear Mr. Hall:

We have received five (5) applications for permits in the name of Brooks Resources Corporation. The first application, filed as number G-9116, is for the appropriation of 1.0 cubic foot of water per second from a well for group domestic for 493 families.

The second application, filed as number G-9117, is for the appropriation of 800 gallons per minute from Well No. 1 and 1300 gallons per minute from Well No. 2 for group domestic for 155 families.

The third application filed as number G-9118, is for the appropriation of 150 gallons per minute from a well for group domestic for 305 families.

The fourth application, filed as number G-9119, is for the appropriation of 0.95 cubic foot of water per second for the primary irrigation of 34.52 acres, supplemental irrigation of 41.34 acres; 0.07 cubic foot of water per second for fish culture in an existing pond; and 1.65 cubic foot of water per second for group domestic.

The fifth application, filed as number 58296, is for the appropriation of 0.83 cubic foot of water per second of water from waste effluent for the irrigation of 55.9 acres.

Also received were your maps and fees in the amount of \$225.19.

The applications are satisfactory and will be considered for issuance of permits within 30 to 60 days.

Sincerely,

VESTAL R. GARNER,
Water Rights Engineer.

Smooth Feed Sheets™

G-9118

PONDEROSA PINES WATER CO.
53299 PONDEROSA WAY
LA PINE, OR 97739

G-9118

PONDEROSA PINES WATER CO.
53299 PONDEROSA WAY
LA PINE, OR 97739

G-9118

PONDEROSA PINES WATER CO.
53299 PONDEROSA WAY
LA PINE, OR 97739