

Name Avion Water Co. Inc.  
 By \_\_\_\_\_  
 Address 67813 Parrell Rl.  
Send, OR 97721 97702

Application No. G 610349  
 Permit No. G G 9972  
 Certificate No. \_\_\_\_\_  
 Stream Index, Page No. 5-56

FEES PAID		
Date	Amount	Receipt No.
5-29-81	35.00	24314
<del>EXB</del> 11-16-94	100. <sup>00</sup>	118913
10-1-99	100.00	33506
3-16-10	500. <sup>00</sup>	99407
	Cert. Fee	

Date filed May 29, 1981  
 Priority May 29, 1981  
 Action suspended until C24  
 Return to applicant \_\_\_\_\_  
 Date of approval MAR 18 1983

FEES REFUNDED		
Date	Amount	Check No.

**CONSTRUCTION**  
 Date for beginning MAR 18 1984  
 Date for completion OCT 1 1984  
 Extended to 10-1-89 10-1-94, 10-1-99  
10-1-2024  
 Date for application of water OCT 1 1985  
 Extended to 10-1-89 10-1-94, 10-1-99  
10-1-09, 10-1-2024

**ASSIGNMENTS**

Date	To Whom	Address	Volume	Page

**REMARKS**

Card for BC OCT 18 1989  
C Card 10-18-94  
Ext. Ord. 2/22/95 V49P66 BC 99

**PROSECUTION OF WORK**

Form "A" filed \_\_\_\_\_  
 Form "B" filed COMPLETED  
 Form "C" filed \_\_\_\_\_

**FINAL PROOF**

Blank mailed \_\_\_\_\_  
 Proof received \_\_\_\_\_  
 Date certificate issued \_\_\_\_\_

The wells do not flow, as in most aquifers conditions would be similar.  
Both direct and indirect outflow into the river are expected. F62.11/19/82

This app should be approved because the interference with  
the river can not be measured. 12-27-82 juf



# Oregon

Kate Brown, Governor

## Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone (503) 986-0900

Fax (503) 986-0904

[www.wrd.state.or.us](http://www.wrd.state.or.us)

February 21, 2020

Avion Water Company Inc  
Trevor Grandy  
147 SW Shevlin Hixon Dr, Suite 201  
Bend, OR 97702

REFERENCE: Application G-10349 / Permit G-9972

Dear Permit Holder:

The Water Right Services Division received your written October 1, 2019 progress report for Permit G-9972 on December 23, 2019. Receipt of the progress report was published on the Department's weekly Public Notice, dated December 24, 2019. 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.

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.

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

Sincerely,

Jeffrey D. Pierceall

Extensions

Water Right Services Division

Enclosure

cc: Application G-10349  
Watermaster District 11 – Jeremy Giffin



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

### 1. Extension Specialist: Progress Report Review

Date Report was Due: October 1, 2019 (= "Deadline Date" for the corresponding ECP work flow record in WRIS)

Date Report Received: December 23, 2019

Report Complete:  YES

NO – Send letter requesting missing information.

letter mailed on: January 31, 2020

### 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: 12/24/2019

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 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: January 31, 2020

Update Progress Report Worksheet.xls

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

CC: Watermaster \_\_\_\_\_

File \_\_\_\_\_

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### PUBLIC NOTICE INFORMATION

Permit Holder's Name: Avion Water Company Inc Attn: Trevor Grandy

Application: G-10349

Permit: G-9972

County: Deschutes

Source: two wells

Use: group domestic use for 188 families, including irrigation not to exceed 1/2 acre per family



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: Avion Water Company Inc.

Application G-10349  
 Permit G-9972 (Wild River)

Report Due no later than October 1, 2019

RECEIVED

DEC 23 2019

OWRD

**Progress Report Form for 2019**

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-9972

INSERT DATES	LIST ALL WORK ACCOMPLISHED and FINANCIAL INVESTMENTS For the period of time between October 1, 2014 and October 1, 2019	FINANCIAL INVESTMENT
2014-2019	9 new domestic line hook-ups	\$9,000
2019	Sample station development	\$1,500

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

**Conditions of Permit G-9972**

The well shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon

*IN COMPLIANCE – The wells are constructed according to the General Standards.*

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.

*IN COMPLIANCE – An access port with airline is installed to measure water levels.*

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.

*IN COMPLIANCE – All wells include a flow measuring device and Avion Water Co. (Avion) maintains a complete record of the amount of groundwater withdrawn. Avion submits Total Water Use reports to OWRD annually.*

**Conditions of Extension Final order issued March 25, 2011**

The permittee must submit a written progress report to the Department by October 1, 2014 and October 1, 2019.

*IN COMPLIANCE – Avion submitted a Progress Report Form in October 2014. This is the second Progress Report Form Avion has submitted.*

The deadline for completing construction is extended from October 1, 2009 to October 1, 2024. The deadline for applying water to full beneficial use within the terms and conditions of the permit is extended from October 1, 2009 to October 1, 2024.

*NOT YET COMPLETE – Avion has completed construction of the wells and elements of the water system. However, there are still lots within the development that have not been built out and Avion is waiting for these to be developed prior to fully developing the permit.*

3. Total number of acres irrigated to date= 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 = 0.57 cfs (cubic feet per second), or

Maximum rate used to date = \_\_\_\_\_ gpm (gallons per minute), or

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  Date 12/18/19

RECEIVED  
DEC 23 2019  
OWRD

*For OWRD use only*

Diligence Shown  Yes  No

Date Public Noticed: \_\_\_\_\_

Reviewed by:  Lost

Date: \_\_\_\_\_

RECEIVED

DEC 23 2019

OWRD



December 19, 2019

Jeffrey Pierceall  
Oregon Water Resources Department  
725 Summer Street NE, Suite A  
Salem, OR 97301

RE: Extension Progress Reports for Permits G-9971, G-9772, G-11972 and G-18151  
Avion Water Company, Inc.

Dear Mr. Pierceall:

Please find enclosed 4 progress report forms for the 5-year checkpoints for the extensions of time granted to the following permits and the corresponding Extension Final Order issue dates:

Permit G-9971  
Permit G-9972  
Permit G-11972  
Permit G-18151

The progress report forms document action taken to develop water use under Permit G-9971, Permit G-9772, Permit G-11972 and Permit G-18151. Please add this letter to the file for these permits.

If you have any questions, please contact me by email at [tgrandy@gsiws.com](mailto:tgrandy@gsiws.com), or by phone at (971) 200-8545.

Sincerely,

Trevor Grandy  
GSI Water Solutions

Enclosures: 4 Extension of Time Progress Reports

CC: Adam Jackson, Avion Water Company, Inc.  
Jason Wick, Avion Water Company, Inc.

## 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: 2/6/2015

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: 2/24/2015

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 Corey A Courchane.**

### 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: 3/24/15

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: Avion Water Company, Inc. Attn:

Application: G-10349

Permit: G-9972

County: Deschutes

Source: Two wells

Use: Group domestic use



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: **AVION WATER CO. INC.** Application **G-10349** Permit **G-9972 (Wild River)**

**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 perfections of Permit G-9972. **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
2008-09	Installed water treatment system to improve system water quality	~ \$ 8,500
2013	Fires system upgrades	~ \$ 5,000
2010	Remote meter reading to improve water use tracking – pilot study	~ \$ 5,000

RECEIVED BY OWRD

FEB 06 2015

SALEM, OR

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

Permit Condition

- An hour meter was installed on the well pump and combined with regular flow test Avion maintains a record of water use.
- The well was constructed in accordance with General Standards for Construction and Maintenance of Water Wells in Oregon.
- An access port with airline is installed to measure water levels.

Extension Condition

- Submit a Progress Report in 2014 and 2019 – this is the 2014 Progress Report

3. Total number of acres irrigated to date = 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 = 0.57 cfs (cubic feet per second)

Maximum rate used to date = N/A gpm (gallons per minute)

Acre-feet stored to date = N/A 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 [Signature] Date 2/13/15

<i>For OWRD use only</i>	
Diligence Shown <input type="checkbox"/> Yes <input type="checkbox"/> No	Date Public Noticed: _____
Reviewed by: _____	Date: _____

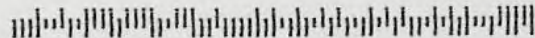
AVION WATER COMPANY, INC.  
60813 PARRELL ROAD  
BEND, OREGON 97702

PORTLAND  
OR 970  
04 FEB '15  
PM 1 L



Oregon Water Resources Department  
725 Summer Street NE, Suite A  
Salem, OR 97301-1266

97301126673





**OREGON WATER RESOURCES DEPARTMENT  
EXTENSION REIMBURSEMENT AUTHORITY  
APPLICANT'S AGREEMENT**  
Contract Number: **R11726-11**



This Agreement is between the **Oregon Water Resources Department**, hereafter OWRD, and **Avion Water Company, Inc.** hereafter Applicants, hereafter known together as the parties.

<b>OWRD Information</b>	<b>Applicant's Information</b>	<b>Applicant's Representative</b>
Project Contact: R. Craig Kohanek Reimbursement Authority Oregon Water Resources Department	Name: Jason Wick Title: Vice-President Company: Avion Water Company, Inc.	Name: Adam Sussman Title: Company: GSI Water Solutions, Inc.
725 Summer Street, NE Salem, OR 97301-1271 Phone: 503-986-0823 Email: <a href="mailto:Ron.c.kohanek@wrds.state.or.us">Ron.c.kohanek@wrds.state.or.us</a>	Address: 60813 Parrell Road Bend, OR 97702 Phone: 541-382-5342 Email: <a href="mailto:Jason@avionwater.com">Jason@avionwater.com</a>	Address: 1600 Western Blvd., Suite 240 Corvallis, OR 97333-4108 Phone: 541-753-0745 Email: <a href="mailto:asussman@gsiws.com">asussman@gsiws.com</a>

- Purpose.** The purpose of this Agreement is to expedite the processing of the **Water Right Extension Application. (Application Number: G-10349)**
- Authority.** ORS 536.055 authorizes the OWRD to enter into a voluntary agreement with any applicant, permittee or regulated entity (collectively Applicant) for expediting or enhancing a regulatory process. In making this agreement, OWRD shall require the applicant to pay the full cost of expedited process.
- Restrictions.** Avion Water Company, Inc. and OWRD agree that this Agreement shall not be construed to restrict in any way the decisions and actions by OWRD. OWRD shall be free to exercise independent judgment consistent with existing laws and regulations.
- Effective Date and Duration.** Unless otherwise terminated by non-deposit of funds by the Applicant, this Agreement shall become effective on the date on which both parties have signed the Agreement and the full deposit of the estimated cost of the proposed service has been received by OWRD.
- Consideration.** Avion Water Company, Inc. shall pay OWRD in advance for actual costs incurred by OWRD. Avion Water Company, Inc. agrees to pay the full amount of **\$930** to OWRD prior to commencement of any work stated in this Agreement. This payment will be placed in an account administered by OWRD and drawn upon as costs are actually incurred. If the actual cost of performing the work is less than payments received, OWRD will refund the unspent balance. If the actual cost of processing exceeds the estimate, the Applicant can either elect to terminate this Agreement or amend the Agreement to reflect the increase in cost. The costs stated in this Agreement do not include the statutory application processing and filing fees.
- Confidentiality.** Avion Water Company, Inc. agrees that any information provided to or acquired by OWRD under this Agreement will be subject to the Oregon Public Records Law and shall be considered public records.
- Indemnity.** Applicant shall defend, save, hold harmless, and indemnify the State of Oregon, OWRD, and their officers, employees, and agents from and against all claims, suits, actions, losses, damages, liabilities, costs and expenses of any nature resulting from or arising out of, or relating to the activities of Applicant or its representatives, officers, employees, contractors, or agents under this Agreement or with respect to the expedited service. The Applicant acknowledges that the Oregon Water Resources Department cannot and does not guarantee a favorable review under the subject regulatory process.

8. **Termination.** Applicant may request to terminate this agreement only in writing at anytime during the process. The Applicant agrees to pay for the work done by the Reimbursement Authority personnel up until the time of the written termination request. OWRD, upon receiving such written termination request from the Applicant, will refund any unspent balance after paying the Reimbursement Authority personnel for the work done.
9. **Funds Authorized and Available.** By its execution of this Agreement, Applicants certifies that sufficient funds are authorized and available to cover the expenditures contemplated by this Agreement.
10. **Duration of Estimate.** The Estimate of Time to complete the work (including the required public notice and protest periods) is no later than one-hundred (100) days once this Agreement has been fully executed and payment of the estimated cost deposited. However, this estimate is contingent on the Applicant's expeditious resolution of any deficiency and may be affected by the Department's work load. This Estimate of Time may become null and void after thirty (30) days from the date the Applicant's Agreement is mailed. If the Applicant's Agreement is not received by the Department within thirty (30) days of mailing the Agreement, the Applicant may need to re-apply for a new estimate.
11. **Completion Date.** OWRD, by the execution of this Agreement does not guarantee the completion date indicated in this Agreement. Completion date is only an estimate and may be affected by the Department's workload, issues arising from the processing of the requested services and Applicant's timely response to requests for additional information.
12. **Captions.** The captions or headings in this Agreement are for the convenience only and in no way define limit or describe the scope or intent of any provision of this Agreement.
13. **Amendment and Merger.** The terms of this Agreement shall not be waived, altered, modified, supplemented or amended in any manner whatsoever, except by written instrument signed by both parties. Such waiver, consent, modification or change, if made, shall be effective only in the specific instance and for the specific purpose given. There are no understandings, agreements or representations, oral or written, not specified herein regarding this Agreement.
14. **Signatures.** All parties, by the authorized representative's signature below, hereby acknowledge that they have read this Agreement, understand it and agree to be bound by its terms and conditions.

Applicant: \_\_\_\_\_  
 Name: Jason Wick  
 Title: Vice-President  
 Company: Avion Water Company, Inc.  
 Date: \_\_\_\_\_

For OWRD: \_\_\_\_\_  
 Name: R. Craig Kohanek  
 Water Rights and Adjudication Division  
 Date: \_\_\_\_\_

Mail signed Agreement to:

**R. Craig Kohanek**  
**Oregon Water Resources Department**  
**725 Summer Street NE, Suite A**  
**Salem, OR 97301-1271**

Transfer #

Application # G-10349 Permit # G-9972

RA#

Name of RA Applicant: R11726-11

## Reimbursement Authority Process

### Itemized Estimate Sheet

for

### Extensions

	Est. Time (hr)	Individual	Est. Cost	Date	Act. Time (hr)
1. Review Extension Application	1.00	Ann/Jerry G	\$78		
2. Complete Checklist	0.50	Ann/Jerry G	\$39		
3. Preparation of deficiency letter		Ann/Jerry G	\$0		
4. Data Entry	0.30	Jonnine	\$17		
5. Proposed final order	7.00	Ann/Jerry G	\$543		
5a. Peer review	0.50	Gerry	\$43		
5b. Final Order	0.50	Ann/Jerry G	\$39		
5c. Peer review	0.10	Dwight	\$11		
7. Project Management	1.50	Craig	\$135		
7a. Water right data record update	0.50	Jonnine	\$28		
7b. Water right data record update		Data Tech	\$0		
8. Pump test (if applicable)		Mike Z	\$0		
<b>Total</b>	<b>11.90</b>		<b>\$930</b>		

\$930

Notes:



Extension OREGON WATER RESOURCES DEPARTMENT  
**CERTIFICATE REIMBURSEMENT AUTHORITY**  
**ESTIMATE APPLICATION**



ORS 536.055 authorizes the Oregon Water Resources Department to expedite or enhance regulatory processes voluntarily requested under the agreement.

The purpose of this application is to obtain estimates of the cost and time required to process <sup>an Extension</sup> ~~a Certificate~~ Request. There is a non-refundable application fee of \$125.00 per request.

REQUEST	TYPE	FILE NUMBER
<input checked="" type="checkbox"/>	Extension Certificate Request	Application Number <u>G-10349</u> Permit Number <u>G-9972</u> Transfer Number (if applicable) _____

	Applicant Information	Applicant's Representative/Contact
Name:	Avion Water Company, Inc.	GSI Water Solutions, Inc.
Title (optional):	Jason Wick, Vice President	Adam Sussman
Address:	60813 Parrell Rd Bend, OR 97702	1600 Western Blvd., Suite 240 Corvallis, OR 97333
Phone:	541-382-5342	541-753-0745
E-Mail Address:	jason@avionwater.com	asussman@gsiws.com

I certify that I (check one): N/A

- have previously filed a Claim of Beneficial Use.  
 am attaching the Claim of Beneficial Use with this request and have included the appropriate claim fee.

I understand the following:

- That upon receipt of my non-refundable application fee in the amount of \$ 125.00, OWRD will, within fourteen (14) days, notify me in writing of the estimates of cost and time frame for the expedited service.
- That this fee covers the reimbursement authority staff to evaluate and provide the estimate for processing of the request.
- That upon receiving the estimate I may agree or decline to enter into a formal contract to pay the estimated cost in advance to initiate the expedited service.
- An incomplete or inaccurate Claim of Beneficial Use may delay the process and increase the cost to process my request.
- Expedited processing does not guarantee a favorable review of my request.

You may request a one-hour conference with OWRD staff. The conference would only occur after you have signed the contract and paid the estimated cost of processing your application. Please indicate your preference (check one):

- I do not want to schedule a one-hour conference with OWRD staff.  
 I want to schedule a one-hour conference with OWRD staff to discuss my project. I understand that I will be billed for this time, and that it may affect my total costs.

Send completed Application and payment to:  
**Oregon Water Resources Department**  
~~Certificate Reimbursement Authority Program~~  
 725 Summer St. NE, Suite A  
 Salem, OR 97301-1271

I certify that I am the (check one):

- Applicant  Applicant's Representative  Other (Please specify) \_\_\_\_\_

Name: Adam Sussman, GSI Water Solutions, Inc.

Signature: [Signature] 12/2/2010

**OWRD USE ONLY: Reimbursement Authority Number: R11 726 11**

**STATE OF OREGON  
WATER RESOURCES DEPARTMENT**

725 Summer St. N.E. Ste. A  
SALEM, OR 97301-4172

(503) 986-0900 / (503) 986-0904 (fax)

RECEIPT # **101760**

INVOICE # \_\_\_\_\_

RECEIVED FROM: Avion Water CO., Inc.  
BY: \_\_\_\_\_

APPLICATION	<u>See Below</u>
PERMIT	
TRANSFER	

CASH:  CHECK: # 11723 OTHER: (IDENTIFY)

TOTAL REC'D \$ 625.00

**1083 TREASURY 4170 WRD MISC CASH ACCT**

0407 COPIES	<u>47126 (5) Reimbursement</u>	\$
<u>0408</u> OTHER:	(IDENTIFY) <u>Authority Extension</u>	\$ <u>625.00</u>
0243 I/S Lease	0244 Muni Water Mgmt. Plan	0245 Cons. Water

**4270 WRD OPERATING ACCT**

0407	MISCELLANEOUS	<u>R1172211 X 615851</u>	\$
0407	COPY & TAPE FEES	<u>R1172311 X 616000</u>	\$
0410	RESEARCH FEES	<u>R-1172411 for 613446</u>	\$
0408	MISC REVENUE: (IDENTIFY)	<u>R1172511 for 610208</u>	\$
TC162	DEPOSIT LIAB. (IDENTIFY)	<u>R1172611 for 610344</u>	\$
0240	EXTENSION OF TIME	<u>@ \$125.00 each</u>	\$
<b>WATER RIGHTS:</b>		<b>EXAM FEE</b>	<b>RECORD FEE</b>
0201	SURFACE WATER	\$	0202 \$
0203	GROUND WATER	\$	0204 \$
0205	TRANSFER	\$	
<b>WELL CONSTRUCTION</b>		<b>EXAM FEE</b>	<b>LICENSE FEE</b>
0218	WELL DRILL CONSTRUCTOR	\$	0219 \$
	LANDOWNER'S PERMIT		0220 \$
OTHER	(IDENTIFY)		

**0536 TREASURY 0437 WELL CONST. START FEE**

0211	WELL CONST START FEE	\$	CARD #
0210	MONITORING WELLS	\$	CARD #
OTHER	(IDENTIFY)		

**0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER**

0233	POWER LICENSE FEE (FW/WRD)	\$
0231	HYDRO LICENSE FEE (FW/WRD)	\$
	HYDRO APPLICATION	\$

**TREASURY OTHER / RDX**

FUND	TITLE	
OBJ. CODE	VENDOR #	
DESCRIPTION		\$

RECEIPT: **101760** DATED: 12-3-10 BY: [Signature]

AVION WATER CO., INC.

41723

11/30/10

Check #:

Vendor ID:OWRD

Vendor Name: Oregon Water Resources Dept.

Invoice No.	Date	Invoice Amount	Amount Paid	Discounts Taken	Credits Taken	Net Amount
G-9824	11/30/10	125.00	125.00	0.00	0.00	125.00
G-9972	11/30/10	125.00	125.00	0.00	0.00	125.00
G-12192	11/30/10	125.00	125.00	0.00	0.00	125.00
G-16025	11/30/10	125.00	125.00	0.00	0.00	125.00
G-16026	11/30/10	125.00	125.00	0.00	0.00	125.00

Net Check Amt

625.00

RECEIVED

DEC 03 2010

WATER RESOURCES DEPT  
SALEM, OREGON



RECEIVED

DEC 03 2010

WATER RESOURCES DEPT  
SALEM, OREGON

December 2, 2010

Craig Kohanek  
Oregon Water Resources Department  
725 Summer St. NE, Suite A  
Salem, OR 97301

RE: Avion Water Company, Inc. Extension Reimbursement Authority Estimate Applications for Permits G-9284, G-9972, G-12192, G-16025, and G-16026

Dear Craig:

On behalf of Avion Water Company, Inc., I am submitting these five Extension Reimbursement Authority Estimate Applications for Permits G-9284, G-9972, G-12192, G-16025, and G-16026. The Certificate Reimbursement Authority Estimate Applications have been modified to reflect that the applications are for an Application for Extension of Time instead of for a certificate. A check for \$625.00 is enclosed to cover the required application fee of \$125.00 per application.

If you have any questions or need any additional information, please contact me at 541-753-0742, ext. 201, or [asussman@gsiws.com](mailto:asussman@gsiws.com).

Sincerely,

A handwritten signature in black ink, appearing to read "Adam Sussman", is written over a horizontal line.

Adam Sussman  
Senior Water Resources Consultant  
GSI Water Solutions, Inc.

Enclosures

**Craig Kohanek**

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**From:** Sandra Todd  
**Sent:** Friday, December 03, 2010 4:54 PM  
**To:** Lorraine Ramsey  
**Cc:** Salem Opeifa; Craig Kohanek  
**Subject:** RE: EXTENSION REQUEST  
R11726 11 PCA 47126  
Thank you.

---

**From:** Lorraine Ramsey  
**Sent:** Friday, December 03, 2010 2:25 PM  
**To:** Sandra Todd  
**Cc:** Salem Opeifa; Craig Kohanek  
**Subject:** EXTENSION REQUEST

Hello,

Applicant: Avion Water Company, Inc.

Related to Application # G- 10349

Receipt # 101760

Thanks,  
Lorraine  
#5

Oregon Water Resources Department  
Water Rights Division

Water Rights Application  
Number G-10349

**Final Order**  
**Extension of Time for Permit Number G-9972**

**Appeal Rights**

**This is a final order in other than a contested case.** This order is subject to judicial review under ORS 183.484. A request 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 you may either file 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.

**Application History**

Permit G-9972 was issued by the Department on March 18, 1993. The permit called for completion of construction by October 1, 1984, and complete application of water to beneficial use by October 1, 1985. On March 16, 2010, Avion Water Co. Inc. submitted to the Department an Application for Extension of Time for Permit G-9972. In accordance with OAR 690-315-0050(2), on January 25, 2011, the Department issued a Proposed Final Order proposing to extend the time to complete construction to October 1, 2024 and the time to fully apply water to beneficial use to October 1, 2024. The protest period closed March 11, 2011, in accordance with OAR 690-315-0060(1). No protest was filed.

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. **Checkpoint Condition**  
The permit holder must submit a completed Progress Report Form to the Department by **October 1, 2014 and October 1, 2019. A form will be enclosed with your Final Order.**

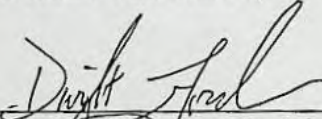
- (a) At each checkpoint, the permit holder shall submit and the Department shall review evidence of the permit holder's diligence towards completion of the project and compliance with terms and conditions of the permit and extension. If, after this review, the Department determines the permit holder 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 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.

The applicant has demonstrated good cause for the permit extension pursuant to ORS 537.630, 539.010(5) and OAR 690-315-0040(2).

Order

The extension of time for Application G-10349, Permit G-9972, therefore, is approved subject to conditions contained herein. The deadline for completing construction is extended to October 1, 2024. The deadline for applying water to full beneficial use is extended to October 1, 2024.

DATED: March 25, 2011

  
Dwight French, Administrator of  
Water Rights and Adjudications  
for  
Phillip C. Ward, Director

- 
- If you have any questions about statements contained in this document, please contact Jerry Gainey at (503) 986-0812.
  - 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
-

## Mailing List for Extension FO Copies

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

---

**FO Date: March 25, 2011**

**Copies Mailed**

**Application G-10349  
Permit G-9972**

By: JS  
On: 3/25/11

**Original mailed to permit holder**

Avion Water Co. Inc.  
60813 Parrell Road  
Bend OR 97702

**Copies sent to:**

1. WRD - App. File G-10349/ Permit G-9972
2. WRD - Watermaster District 11, Jeremy Giffin
3. WRD - SCR Regional Manager, Kyle Gorman  
*NOTE: Do not send FO's to South Central Region (Kyle Gorman)  
Bill Ferber-NWR gets email (see below)*
4. Bruce Brody-Heine, GSI Water Solutions, 990 NW Brooks St, Ste 2, Bend OR 97701
5. Adam Sussman, GSI Water Solutions

**Fee paid as specified under ORS 536.050 to receive copy:**

6. None

Receiving via e-mail (10 AM day of signature date)

7. None

**If Progress Reports are included:**

Add record to Progress Report tracking sheet.xls Done: by alr Date 3-14-2011

CASEWORKER: JWG

# Extension PFO Checklist for Other than Muni or Quasi-Municipal

Water Use Permits  
(OAR 690-315-0010 through OAR 690-315-0060)

Application: G- 10349 Permit: G- 9972 Permit Amendment? No  Yes  T- \_\_\_\_\_  pending  approved

Permit Holder's Name: Avion Water Co, Inc. (attn: Jason Wick)

Permit Holder's Mailing Address: 60813 Parrell Road, Bend, OR 97702 email Jason@avionwater.com

Phone Number: 541-382-5342

POD Location: Township 21 S Range 9 E Section 23 1/4 SWNE

Drainage Basin: 5 County: Deschutes Watermaster District: 11 Watermaster: Jeremy Giffin

Date Permit was issued: 3/18/1983 Priority Date: 5/29/1981 Date of PN: 7/7/2009 3/30/2010 7WJ

Source: Two wells, being 0.15 cfs from Well 1 and 0.42 cfs from Well 2

Use: Group Domestic use for 188 families including irrigation of lawns and gardens not to exceed 1/2 acre in area per family (Wildriver)

"Q": not to exceed 0.57 cfs

Orig "A" Date: 7/30/2000 <sup>3/18/1984</sup> Orig "B" Date: 10/1/1984 Orig "C" Date: 10/1/2003 <sup>1985</sup> 7WJ

Extension request rec'd: 3/10/2010 <sup>16</sup> Last Authorized "B" Date: 10/1/ Last Authorized "C" Date: 10/1/2009 7WJ

Request Number (1, 2, 3...): 4 Proposed "B" Date: 10/1/ Proposed C Date: 10/1/2024

**Conditions of Permit:**

Condition Met?	Condition Not Met?	Permit Condition
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Wells constructed within General Standards with airlines
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Install measuring device
<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	

**Factors to consider in determining "Reasonable Diligence" [OAR 690-315-0040(3)]:**

Yes No

- Work was accomplished within the time allowed in the permit or previous extension
- Water right permit holder conformed with the permit or previous extension conditions
- Financial investments were made toward developing the beneficial water use.
  - Amount Invested to date: \$575,000 Estimated Remaining Cost: \$75,000
- Beneficial use made of the water during the permit or previous extension time limits
  - Permit holder has beneficially used 0.22  cfs  gpm  af of the total permitted quantity of water on n/a acres

*No GW review needed.  
DWP*

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

Application: - Permit: - Township Range Section

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

Identify the closest surface water or localized water basin.
Ground Water Permits: Is the POA located...
Surface Water Permits: Is the POD located...

- Yes No
[X] [ ] above a state scenic waterway? Name Deschutes Scenic Waterway Source: OWRD "Areas Above State Scenic Waterways" Map
[X] [ ] within a stream segment designated as a federal wild and scenic river? Source: www.rivers.gov/wildriverslist.html
[X] [ ] within a sensitive, threatened or endangered species area Source: "/gisdata/dev/projects/salmon/div33map.aml"
[ ] [X] within a critical or limited Ground Water Area? Name of area
[ ] [X] within a Withdrawn Area? Name of area
[X] [ ] in a waterbody listed on the DEQ Section 303(d) List of Water Quality Limited Areas? Date added to list
[X] [ ] within an area ranking [ ]low / [ ]moderate / [X]high / [ ]highest for stream flow restoration needs Source: OWRD "Streamflow Restoration Needs" Maps (by region)

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. [X] Approval of Extension Request
No ... "Good Cause" cannot be found. [ ] Denial of Extension Request

Conditions to be included in Extension PFO (if applicable)? Yes [X] No [ ]

(NOTE: Check the file record for documentation to add a condition(s) at the extension stage.)

- [X] 5-year Progress Report Checkpoints (Years: 2014, 2019, 2024)
[ ] Other: \_\_\_\_\_

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

- [X] 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(4), upon the completion of beneficial use of water allowed under the permit, the permit holder 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 permit holder 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(4), upon the completion of beneficial use of water allowed under the permit, the permit holder 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 permit holder shall submit a map of the survey and the claim of beneficial use."

NOTES:

cc: Bruce Brody-Heine, GSI Water Solutions, 990 NW Brooks St, Suite 2, Bend, OR 97701

Extension "PFO" Dates

Mailing / Issuance Date: Protest Deadline Date:

Reviewer's Name: Date:



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: Avion Water Co. Inc.

Application G-10349  
 Permit G-9972

Report Due no later than October 1, 2014

### 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 perfections of Permit G-9972

INSERT DATES	LIST ALL WORK ACCOMPLISHED and FINANCIAL INVESTMENTS For the period of time between October 1, 2009 and October 1, 2014	FINANCIAL INVESTMENT

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

3. **Total number of acres irrigated to date= \_\_\_\_\_ (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), or

Maximum rate used to date = \_\_\_\_\_ gpm (gallons per minute), or

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 \_\_\_\_\_ Date \_\_\_\_\_

*For OWRD use only*

Diligence Shown     Yes    No

Date Public Noticed: \_\_\_\_\_

Reviewed by: \_\_\_\_\_

Date: \_\_\_\_\_



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: Avion Water Co. Inc.

Application G-10349  
 Permit G-9972

Report Due no later than October 1, 2019

**Progress Report Form for 2019**

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-9972

INSERT DATES	LIST ALL WORK ACCOMPLISHED and FINANCIAL INVESTMENTS For the period of time between October 1, 2014 and October 1, 2019	FINANCIAL INVESTMENT

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

3. **Total number of acres irrigated to date=\_\_\_\_\_ (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), or

Maximum rate used to date = \_\_\_\_\_ gpm (gallons per minute), or

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 \_\_\_\_\_ Date \_\_\_\_\_

*For OWRD use only*

Diligence Shown  Yes  No

Date Public Noticed: \_\_\_\_\_

Reviewed by: \_\_\_\_\_

Date: \_\_\_\_\_

**Applications for Extensions of Time  
to Perfect Water Right Permits filed pursuant to OAR 690-315**

Consistent with OAR 690-315-0050, the Department will accept public comment on the following extension applications until April 29, 2010. Following the comment period, the Department will prepare and issue a proposed final order. Individuals who would like a copy of the proposed final order may request copies by sending a request and \$20 (the charge required by law). Please indicate the file number. Copies of the proposed final order may be viewed at the Department and/or self copied. Individuals wishing to obtain a copy of the extension application should contact the Department by phone or in person.

Extension file information is included in the following format:

- (a) Application Number;
- (b) Permit number;
- (c) Applicant name and address;
- (d) County of application;
- (e) Common name of water source(s) listed in the permit;
- (f) Amount of water use permitted in gallons per minute (gpm), cubic feet per second (cfs) or acre feet (af) of storage;
- (g) Use allowed in the permit;
- (h) Proposed extended date of completion as requested by the extension applicant;

Application Number: G-10349  
Permit Number: G-9972  
AVION WATER CO. INC.  
WICK, JASON  
60813 PARRELL RD  
BEND OR 97702  
Deschutes County  
TWO WELLS > DESCHUTES RIVER  
0.57 CFS, BEING 0.15 CFS FROM WELL 1 AND 0.42 CFS FROM WELL 2  
GROUP DOMESTIC USE FOR 188 FAMILIES INCLUDING IRRIGATION OF LAWNS AND GARDENS  
NOT TO EXCEED ½ ACRE IN AREA PER FAMILY  
October 1, 2024



March 8, 2010

Water Resources Department  
Attn: Water Right Permit Extensions  
725 Summer Street, NE, Suite A  
Salem, OR 97301-1266

RE: Extension of Time Application for Water Right  
Application G-10349, Permit G-9972

Dear Water Resources Department,

On behalf of Avion Water Company, Inc., I am submitting the attached Application for Extension of Time for a Water Right Permit and the required application fee of \$500.

If you have any questions or need any additional information, please contact me at 541-678-5117, extension 2, or send an e-mail to [bbheine@gsiwatersolutions.com](mailto:bbheine@gsiwatersolutions.com).

Sincerely,

A handwritten signature in cursive script that reads "Bruce Brody-Heine".

Bruce Brody-Heine  
Senior Hydrogeologist  
GSI Water Solutions, Inc.

Enclosures

**RECEIVED**

MAR 16 2010

WATER RESOURCES DEPT  
SALEM, OREGON



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

# Application for Extension of Time for a Water Right Permit (Non-Municipal / Non-Quasi-municipal Water Use)

TO THE DIRECTOR OF THE OREGON WATER RESOURCES DEPARTMENT

*A separate extension application must be submitted for each permit as per  
 OAR 690-315-0020(2).*

*This application and a summary of review criteria and procedures that are generally applicable to this  
 application are available at <http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml>.*

I, Jason Wick of Avion Water Company, Inc.

NAME OF PERMIT HOLDER [OAR 690-315-0020(1) and (3)(a)]

60813 Parrell Road  
 ADDRESS

Bend  
 CITY

OR  
 STATE

97702  
 ZIP

(541) 382-5342  
 PHONE

Jason@avionwater.com  
 E-MAIL ADDRESS

the permit holder of:                      Application Number G-10349

Permit Number G-9972  
 [OAR 690-315-0020(3)(b)]

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WATER RESOURCES DEPT  
 SALEM, OREGON

do hereby request that the time in which to:

complete construction (of diversion/appropriation works and/or purchase and installation of the equipment necessary to the use of water), which time now expires on October 1, 2009, be extended to October 1, 2024,

N/A (Check this box if the permit does not specify a date by when construction must be completed.)

and/or the time in which to:

apply water to full beneficial use under the terms and conditions of the permit, which time now expires on October 1, 2009, be extended to October 1, 2024.

**Before submitting your Application for Extension of Time, make sure the following items are included:**

- This completed Application for Extension of Time.
- Statutory fee of \$500.
- Signature page (last page of this Application for Extension of Time).
- All supporting documentation and/or evidence referenced in the Application for Extension of Time.

## MAIL COMPLETED APPLICATION

along with the

**\$500 STATUTORY FEE TO:**

**Water Resources Department  
Attn: Water Right Permit Extensions  
725 Summer Street NE, Suite A  
Salem, Oregon 97301**

**RECEIVED**

**MAR 16 2010**

**WATER RESOURCES DEPT  
SALEM, OREGON**



### GENERAL TIPS:

- Permit holders of municipal or quasi-municipal water use permits **DO NOT** use this form. The correct form is *Application for Extension of Time for Municipal and Quasi-Municipal Water Use Permits*, available at the following link:  
<http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml#other>
- Request the reasonable amount of time necessary to fully complete the water construction project and/or to fully use the permitted quantity of water under the terms and conditions of your permit. Should this request be approved, it will be OWRD's expectation that you will complete your project within the new time period allowed. Future extensions may not be granted.
- A separate Application for Extension of Time must be submitted for each permit. OAR 690-315-0020(2).
- An instruction sheet (Instructions for Filling Out Extension of Time Application for Permits) provides details that will help you answer each question on the application. Permit extensions are evaluated under OAR Chapter 690, Division 315. These rules may be viewed at:  
<http://www.wrd.state.or.us/OWRD/LAW/index.shtml>.

- You may provide OWRD with any additional information or evidence that will aid us in making our decision. Please note that OWRD may require other information that is necessary to evaluate the application. OAR 315-0020(3)(n).
- After careful review of the Application for Extension of Time, you may contact OWRD at (503) 986-0900, to ask questions and request assistance from a Permit Extensions Specialist in the Water Rights and Adjudications Division.
- Once an Application for Extension of Time is received by OWRD, it will be reviewed for completeness. OWRD will return any incomplete or deficient applications to the applicant. OAR 690-315-0040(1)(a).

**Reference Materials Needed to Complete this Application:**

- The water right permit. If needed, a copy of the water right permit can be downloaded from the Department's Website at <http://www.wrd.state.or.us> (find the link to the Water Rights Information System (WRIS)). Or, a copy of the permit (or other documents) may be requested by water right application number from the Water Rights Division at 503-986-0900 (copy fees will apply).
- Documentation which demonstrates compliance with permit conditions (for example, well construction logs; static water level measurement reports; annual water use reports; ODFW fish screen certification;, a plan to monitor the effect of water use on ground water aquifers utilized under the permit; etc.).

**Answer the Following Questions to Complete this Application for Extension of Time**

[OAR 690-315-0020(3)(d)]

1. Did the actual construction of the water system/well drilling begin within the time specified in the permit?  Yes  No



**TIP:** *Not all permits specify a date by which construction was to begin.*

**Date construction began is:** Prior to March 18, 1984.

**Details of construction:** The two wells were drilled in 1972 and 1973. The distribution system for the development and several service connections were installed prior to March 1984.

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MAR 16 2010

WATER RESOURCES DEPT  
SALEM, OREGON

2. Permits typically contain standard or special conditions that must be satisfied to lawfully develop and use permitted water. In the development of this water right, have you satisfied the conditions contained in your permit?  Yes  No

2-A) Describe how you have complied with each condition contained in the original permit [and, if applicable, each condition contained in any order approving a permit amendment and/or a final order approving a prior extension of time]. Include the date when the condition was satisfied.



**TIP:** The instruction sheet for the Application for Extension of Time provides an explanation of the typical conditions that must be addressed in this question.

### CHART-A

Condition No.**	Date Satisfied	Describe How Permit Condition Has Been Satisfied
1	by 3/18/83	The wells were constructed in accordance with General Standard for Water Wells in Oregon by a licensed water well driller
2	by 3/18/83	Airlines for water level measurements are installed at each well.
3		Suitable Measuring Device: Avion tracks well production and water use in their distribution system through the use of calibrated flow measurements combined with tracking the pump's operating hours using a time clock. Monthly water use records are maintained for the distribution system.

\*\* Condition No: Hand-number each condition on a copy of your permit (and, if applicable, permit amendment and prior extension).

2-B) If you have NOT complied with all applicable conditions, explain the reasons why and indicate with a date certain (in the near future) when compliance will occur.

### CHART-B

Condition No.**	Date Will Comply	Explain Why Each Permit Condition Has NOT Been Satisfied
		- Not Applicable -

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\*\* Condition No: Hand-number each condition on a copy of your permit (and, if applicable, permit amendment and prior extension).

MAR 16 2010  
WATER RESOURCES DEPT  
SALEM, OREGON

3. Provide evidence of physical progress made toward completion of the water system, and of progress made toward making beneficial use of water within the permitted time period (CHART-C); and if applicable, within the time period of the most recent extension granted (CHART-D).

3-A) CHART-C (below) must be completed for all Application for Extension of Time requests. Use chronological order.

## CHART-C

DATE	WORK ACCOMPLISHED BEFORE PERMIT WAS ISSUED <i>List any work done before the permit was issued – eg. well drilled.</i>	COST*
1972 & 1973	Two wells drilled; DESC 6503 and DESC 6504	~\$49,000
Prior to 1983	Began constructing distribution mainlines and service connections.	~\$400,000

DATE	WORK ACCOMPLISHED AFTER PERMIT WAS ISSUED <i>and PRIOR TO DATE SPECIFIED IN PERMIT FOR COMPLETE APPLICATION OF WATER</i> <i>List work/actions done during the permitted time period.</i>	COST*
3/18/1983	Date the permit was signed - find date above signature on last page of permit.	
	Delivered water to existing customers, tracked water use volumes.	\$ 0
3/18/1984	Date the permit specified "Actual Construction Work" shall begin ("A-Date") -not all permits contain this date.	
~ Summer/Fall 1984	Installed 2 additional service connections for a total of 37	\$ 1,000
10/1/1985	Date the permit specified complete application of water to the use shall be made ("C-Date") - all permits contain this date.	

## CHART-C (continued)

DATE	WORK ACCOMPLISHED AFTER "C-DATE" <i>COMPLETE ONLY IF THIS IS YOUR 1st APPLICATION FOR EXTENSION OF TIME: List work done after the date specified in the permit for complete application of water up to the date of this Application for Extension of Time.</i>	COST*
	- Not Applicable -	
<b>Total Cost for Chart-C</b>		<b>\$450,000</b>

\* If exact cost is not known, you must provide your best estimate.

3-B) If this is not your 1st Application for Extension of Time request, fill out CHART-D below (in addition to CHART-C above). Use chronological order.

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## CHART-D

MAR 16 2010

DATE	WORK ACCOMPLISHED DURING THE LAST EXTENSION PERIOD <i>List all work done during the last authorized extension period.</i>	COST*
10/1/1999	"Extended From" date for complete application of water used in the 1 <sup>st</sup> (or the most recent) Application for Extension of Time.	
10/99 to 10/09	Installed 102 additional service connections for a total of 185. Upgraded service connections Upgraded distribution line projects Upgrade of well controls and valving	\$ 125,000
10/1/2009	"Extended To" date for complete application of water resulting from the 1 <sup>st</sup> (or the most recent) Application for Extension of Time.	

### CHART-D (Continued)

DATE	<b>WORK ACCOMPLISHED AFTER THE LAST EXTENSION PERIOD EXPIRED</b> <i>List all work done after the last authorized date for complete application of water up to the date of this Application for Extension of Time.</i>	COST*
	- None-	
<b>Total Cost of Chart-D</b>		<b>\$ 125,000</b>

\* If exact cost is not known, you must provide your best estimate.

[OAR 690-315-0020(3)(f)]

4. **Cost of project to date:** \$ 450,000 (estimated through 1999)  
   \$ 125,000 (estimated 1999 – 2009)  
   \$ 575,000 Total  
*(The total combined cost from CHART-C and CHART-D)*

[OAR 690-315-0020(3)(e)(B)]

5. **Provide evidence of the maximum rate (or duty, if applicable) of water diverted for beneficial use under this permit and/or prior extensions of time (if any) made to date.**

**5-A) For Surface Water Permit Extensions (e.g. S-XXXX or R-XXXX):**

Maximum rate used to date = \_\_\_\_\_ cfs (cubic feet per second) *or,*

Maximum rate used to date = \_\_\_\_\_ gpm (gallons per minute) *or,*

Acre-feet stored to date = \_\_\_\_\_

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MAR 16 2010

**5-B) For Ground Water Permit Extensions (e.g. G-XXXX):**

WATER RESOURCES DEPT  
SALEM, OREGON

### CHART-E

Well # as identified on Permit	Water User's Well #	Has this well been drilled?	IF DRILLED					If yes, provide the Permit, Certificate, or Transfer No.
			Well Log Number e.g. MORR 50473	Well Tag Number e.g. # 27566 or N/A	Is the actual drilled location authorized on this permit or on a permit amendment? (See 5-C below)	Maximum instantaneous rate used from this well - - under <u>this permit only</u> (CFS or GPM)	Is this well authorized or utilized under additional water rights?	
1	Wild River #1	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	DESC 6503	N/A	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	60 gpm	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
2	Wild River #2	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	DESC 6504	N/A	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	40 gpm	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
<b>Total instantaneous rate from all wells utilized under this permit</b>						<b>100 gpm</b>		

5-C) If the drilled location of a well is not authorized on this permit, please specify its location below, or provide a map showing its location. Has or will a permit amendment application been/be filed? Yes  No

- NOT APPLICABLE -

If a Permit Amendment Application has been filed: Transfer No. T- \_\_\_\_\_

Well # \_\_\_\_\_: Actual location: \_\_\_\_\_

Well # \_\_\_\_\_: Actual location: \_\_\_\_\_

[OAR 690-315-0020(3)(e)(C)]

6. Provide the total number of acres irrigated to date under this permit (if applicable).

- NOT APPLICABLE -

*Group Domestic including Irrigation Use*

Total acres irrigated to date:

Ground Water Permits: Please specify which wells are being utilized for this irrigation.

Well # \_\_\_\_\_ Acres \_\_\_\_\_

Well # \_\_\_\_\_ Acres \_\_\_\_\_

Well # \_\_\_\_\_ Acres \_\_\_\_\_

Well # \_\_\_\_\_ Acres \_\_\_\_\_

[OAR 690-315-0020(3)(j)]

7. Provide a summary of your future plans and schedule to complete the construction of the water system, and/or apply water to full beneficial use under the terms and conditions of the permit.

### CHART-F

APPROXIMATE DATE RANGE (projected)	WORK OR ACTION TO BE ACCOMPLISHED (projected)	ESTIMATED COST (projected)
2009 to 2024	Connecting remaining lots	Included in costs below
2009 to 2024	Pump system and distribution piping upgrades necessary to meet growing water use demand and make full beneficial use of the water under this permit..	\$ 75,000
Year: 2024	Date intend to apply water to full beneficial use under the terms and conditions of this permit.	
<b>Total Cost</b>		<b>\$ 75,000</b>

[OAR 690-315-0020(3)(g)]

8. Estimated remaining cost to complete the project: \$ 75,000

(The total cost from CHART-F)

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[OAR 690-315-0020(3)(h)]

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SALEM, OREGON

9. List the reasons why the project was not constructed, and/or water was not beneficially used within permit time limits. Provide supporting information for the reason(s) that best fits your circumstances (A, B, C or D).

9-A) The project is of a size and scope that was originally planned to be phased in over a time frame longer than the one allowed in the permit.

Permit G-9972 is the sole source of water to meet the current and future water demands in the Wild River subdivision. The subdivision lot sales and home construction are occurring incrementally. The historic build-out rate of the subdivision includes:

Prior to 1984: Installed the water system and completed 37 service hookups for a total of 37 out of 188

1984 to 1989: Installed 2 service connections for a total of 39 out of 188

1989 to 1994: Installed 11 service connections for a total of 50 out of 188

1994 to 1999: Installed 33 service connections for a total of 83 out of 188

1999 to 2009: Installed 102 service connections for a total of 185 out of 188

The Deschutes County Coordinated Population Forecast (August 25, 2004) projects a 2.2% growth rate in unincorporated areas of Deschutes Country through 2025. However the current significant economic recession will likely reduce the actual growth rate for the region.

Additional time is needed to complete sales of the remaining lots. In addition, since the last extension application the Central Oregon region has experience a change in demographics with more people making the area their permanent residence. This change is slowly occurring within the Wild River subdivision as housing use changes from vacation homes to primary residents. The water needs will increase as this transition occurs and because this is the sole water source for the subdivision a permit extension is needed to make full beneficial use of the water under this permit.

9-B) The financial resources needed to develop the project precluded completion of the project within authorized time frames.

- NA -

9-C) Good faith attempts to comply with permit conditions and/or acquire permits from other agencies, or otherwise comply with government regulations, delayed completion of the project.

- NA -

9-D) Acts of God or other unforeseen events delayed full development of the water system and use of water within the authorized time frames.

- NA -

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[OAR 690-315-0020(3)(k)]

10. Justify the time requested to complete the project and/or apply the water to full beneficial use. Your justification should combine information from your answers from Questions 2-B, 7, 8, and 9 of this Application for Extension of Time, and should also include any other

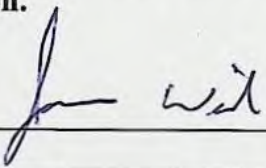
information or evidence to establish that the requested amount of time is sufficient and that you will be able to complete the project within the amount of time requested.

Avion continues to meet all the listed permit conditions and has continually made physical progress toward completion of the water system and toward making full beneficial use of the water.

Avion requests an extension of 15 years to allow for the completion of the sale of the remaining lots in the subdivision, and for the completion of the transition that is occurring throughout the Central Oregon region as permanent residency begins to replace the vacation home demographics. Sale of the remaining lots in the subdivision and the completion of the demographic transition in the region rely on multiple interdependent economic and regional development factors that are beyond Avion's control.

11. Provide any other information you wish OWRD to consider while evaluating your Extension of Time Application.

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

  
Signature \_\_\_\_\_

3/10/10  
Date \_\_\_\_\_

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# **Attachment A**

## **Permit G-9972**

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STATE OF OREGON

WATER RESOURCES DEPT  
SALEM, OREGON

County of DESCHUTES

PERMIT TO APPROPRIATE THE PUBLIC WATERS

This is to certify that I have examined APPLICATION G-10349 and do hereby grant the same SUBJECT TO EXISTING RIGHTS and the following limitations and conditions:

This permit is issued to Avion Water Co., Inc., 60813 Farrell Road, Bend, Oregon 97702, phone 382-5342 for use of the waters of 2 wells, being 0.15 cubic foot per second from well 1 and 0.42 from well 2

for the PURPOSE of group domestic use for 188 families including irrigation of lawns and gardens not to exceed one-half acre in area per family (Wildriver)

that the PRIORITY OF THE RIGHT dates from May 29, 1981

and is limited to the amount of water which can be applied to beneficial use and shall not exceed 0.57 cfs

measured at the point of diversion from the wells, or its equivalent in case of rotation with other water users.

The well is to be LOCATED: Well 1 - 900 feet North and 1,258 feet East from the Center Quarter Corner of Section 23, being within the SW 1/4 NE 1/4 of Section 23; Well 2 - 940 feet South and 490 feet East from the N 1/4 Corner of Section 23, being within the NW 1/4 NE 1/4 of Section 23, both in Township 21 South, Range 9 East, WM, in the County of Deschutes.

A description of the PLACE OF USE under the permit, and to which such right is appurtenant, is as follows:

Township 21 South, Range 9 East, WM	Section 23	Group Domestic
		NW 1/4 NE 1/4
		SW 1/4 NE 1/4
		NE 1/4 NE 1/4
		SE 1/4 NE 1/4

C09

Use of water under this permit shall be limited to the appropriation of water only to the extent that such appropriation does not interfere with or deplete the flow of the Deschutes River. Any depletion will require the wells to be shut down, since the Deschutes River has been closed to further appropriation.

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.

CONDITION #  
[ 1  
2  
3

Actual construction work shall begin on or before March 18, 1984, and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1984. Extended to October 1, 1989, extended to 10-1-94, 10-1-99

Complete application of the water to the proposed use shall be made on or before October 1, 1985. Extended to October 1, 1989, extended to 10-1-94, 10-1-99

Witness my hand this 18th day of March, 1983.

WATER RESOURCES DIRECTOR

This permit is for the beneficial use of water. By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan. It is possible that the land use you propose may not be allowed if it is not in keeping with the goals and the acknowledged plan. Your city or county planning agency can advise you about the land-use plan in your area.

# **Attachment B**

## **Permit G-9972 Extensions**

**1985**

**1990**

**1995**

**2004**

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PERMITS TO USE SURFACE WATER:

City of Cottage Grove	55338	42117	2	10-1-99	10-1-99
City of Bend	67983	49823	5	10-1-99	10-1-99
City of Richland	69032	50156	9	10-1-99	10-1-99
Willamette Water D.G. Company	70107	50877	2	10-1-99	10-1-99
Scott & Christine Crowe	71659	51429	16	10-1-95	

Dated at Salem, Oregon this 22<sup>ND</sup> day of February, 1995.

  
for Martha O. Pagel  
DIRECTOR

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City of Portland Water Bureau	G-10566 G-9772	3	10-1-99	10-1-99
City of Seneca	G-11478 G-10634	12	10-1-98	10-1-98
Domaine Drouhin Oregon	G-11933 G-11362	2	10-1-94	
SMGA Partnership	G-12025 G-11086	5	10-1-99	10-1-99
Nina Wells	G-12063 G-11373	2		10-1-95
James Thompson & Scott Walters	G-12106 G-11121	2		10-1-94
Edward Aasen	G-12316 G-11356	17		10-1-95
Oregon Flowers, Inc.	G-12334 G-11247	2		10-1-95
Eagle Ridge Development Corporation	G-12429 G-11313	5	10-1-94	
Eagle Ridge Development Corporation	G-12429 G-11313	5	10-1-95	10-1-95
Thomas & Virginia Forgatsch	G-12693 G-11552	17	10-1-95	

PERMITS TO CONSTRUCT RESERVOIRS AND USE SURFACE WATER:

John Koehnke	R-69995 R-11222	2	10-1-95	10-1-95
John Koehnke	69996 50964	2	10-1-95	10-1-95
Cascade Phillips, Inc.	R-70382 R-11235	2		10-1-94
Cascade Phillips, Inc.	70383 51028	2		10-1-94
Robert Nelson	R-70423 R-11364	17	10-1-94	
Robert Nelson	70424 51208	17	10-1-94	
Robert Nelson	R-70423 R-11364	17	10-1-95	10-1-95
Robert Nelson	70424 51208	17	10-1-95	10-1-95
Walter A. Cram	R-70671 R-11348	17	10-1-95	10-1-95
Walter A. Cram	70672 51166	17	10-1-95	10-1-95

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WATER RESOURCES DEPT  
SALEM, OREGON

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

MARION COUNTY

IN THE MATTER OF APPLICATION FOR )  
 EXTENSION OF TIME IN WHICH TO )  
 COMPLETE CONSTRUCTION WORK AND ) ORDER  
 MAKE COMPLETE APPLICATION OF WATER )  
 UNDER CERTAIN PERMITS )

The owners of the following water permits issued by the Water Resources Director have submitted applications for extensions of time limits within which to complete the construction work and/or make complete application of water to beneficial use under their respective permits.

The Water Resources Director is authorized under the provisions of ORS 537.230 to grant extensions of time for good cause shown, within which to complete work to perfect a water right under a permit;

The statements in the applications for extensions filed regarding completion of the projects indicate that each has shown such reasonable diligence as entitles them to an extension of time; and

No protest or objections to the granting of an extension under any of the following permits have been filed by any subsequent permit holders;

NOW, THEREFORE, it is hereby is ORDERED that extensions of time are granted as follows:

<u>PERMITTEE</u>	<u>APPL. NUMBER</u>	<u>PERMIT NUMBER</u>	<u>BASIN NUMBER</u>	<u>NEW TIME LIMITS TO:</u>	
				<u>COMPLETE CONST.</u>	<u>APPLY WATER</u>
<u>PERMITS TO USE GROUNDWATER:</u>					
Willamette Water D.G. Company	G-2761	G-2643	2	10-1-99	10-1-99
City of Stanfield	G-8459	G-7623	7	10-1-99	10-1-99
City of Umatilla	G-8592	G-8042	7	10-1-99	10-1-99
Avion Water Company, Inc.	G-10184	G-9946	5	10-1-99	10-1-99
Avion Water Company, Inc.	G-10348	G-9971	5	10-1-99	10-1-99
Avion Water Company, Inc.	G-10349	G-9972	5	10-1-99	10-1-99
Avion Water Company, Inc.	G-10421	G-9948	5	10-1-99	10-1-99
Avion Water Company, Inc.	G-10466	G-10019	5	10-1-99	10-1-99

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Virgil Byxbe	68687	49664	17/Coos		10-1-90
Harold Schlicting	68692	49690	1/Tilla- mook	10-1-90	10-1-90
Delbert Hupp	68714	49669	2/Marion	10-1-91	10-1-91
City of Westfir	68715	49765	2/Lane	10-1-90	10-1-90
Andrea Brinkman-Giordano	R-68852	R-10816	15/Jose- phine	10-1-89	
Andrea Brinkman-Giordano	68853	49910	15/Jose- phine	10-1-89	
Wm. & Sunny Kudo	68937	49896	17/Coos	10-1-90	10-1-90
City of Richland	69032	50156	9/Baker	10-1-94	10-1-94
Elvin & Linda Rhoads	69095	50038	2/Yamhill	10-1-90	
Rick Rolie	69106	50011	2/Marion	10-1-90	
Walter J. Brownlee	69122	50041	16/Doug- las	10-1-90	
Ruby Cook	69203	50116	16/Doug- las	10-1-90	
Mark Lyman & Mary Giddens	69242	50174	16/Doug- las	10-1-91	10-1-91
James A. Bartels	69255	50196	16/Doug- las	10-1-90	

Dated at Salem, Oregon this 16th day of February, 1990.

*William H. Young*  
WILLIAM H. YOUNG  
Director

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SALEM, OREGON

Iseli Nursery, Inc.	65054	47675	2/Clacka- mas		10-1-89
Wm. & W.R. Reed	65516	47945	5/Des- chutes		10-1-90
George O. Mobley	66599	48506	13/Lake	10-1-89	10-1-89
Elmer Stoller	67770	48216	2/Polk		10-1-88
City of Bend	67983	49823	5/Des- chutes	10-1-94	10-1-94
Diamond Lake Imp.Co.	68001	49425	16/Doug- las	10-1-91	10-1-91
Iseli Nursery, Inc.	68024	48577	2/Clacka- mas		10-1-89
Calif. Energy Co.	68036	48464	14/Klamath		10-1-90
Calif. Energy Co.	68037	48465	14/Klamath		10-1-90
Calif. Energy Co.	68038	48466	14/Klamath		10-1-90
Calif. Energy Co.	68039	48467	14/Klamath		10-1-90
Ore.Dept. Fish & Wildlife	68043	49870	2/Lane	10-1-91	10-1-91
City of Shaniko	68210	48998	6/Wasco	10-1-92	10-1-92
Randolph Hager	R-68429	R-10511	3/Mult- nomah	10-1-88	
Randolph Hager	68430	49440	3/Mult- nomah	10-1-88	
Floyd Barber	68634	49596	5/Wasco		10-1-89
City of Siletz	68639	49649	18/Lin- coln	10-1-94	10-1-94

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SALEM, OREGON

City of Amity	50474	39599	2/Yamhill	10-1-93	10-1-93
TriCity Wtr. District	51339	40699	16/Douglas	10-1-92	10-1-92
City of Hillsboro	51643	46423	2/Washington	10-1-94	10-1-94
City of Forest Grove	54203	40615	2/Washington	10-1-93	10-1-93
Guyer Wtr. Co.	59355	44592	1/Tillamook	10-1-92	10-1-92
A.E. Skaley Mfg.Co.	59543	45370	7/Umatilla	10-1-89	10-1-89
Robert & Shirley Mai	R-59784	R-8001	1/Tillamook	10-1-89	10-1-89
Robert & Shirley Mai	59785	44719	1/Tillamook	10-1-89	10-1-89
City of Yoncalla	61041	46114	16/Douglas	10-1-94	10-1-94
Middle Fork Irr.Dist.	61188	49344	4/Hood River	10-1-88	
City of Rockaway	61833	46245	1/Tillamook	10-1-93	10-1-93
Don J. Brown	62173	48968	7/Umatilla	12-31-89	12-31-89
John Logston &/or Jerald Himes	62920	46607	15/Jackson	10-1-90	10-1-90
Forrest & Helen Drake	63182	46663	15/Jackson		10-1-90
Ralph H. Jacobs	63711	48143	9/Baker	10-1-90	10-1-90
Walter McEwen	64734	47505	11/Malheur	10-1-89	10-1-90

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Volume 44, Page 58

MAR 16 2010

WATER RESOURCES DEPT  
SALEM, OREGON

City of Brookings	41805	31293	15/Curry	10-1-94	10-1-94
Tumalo Irr. District	37239	27840	5/Deschutes	10-1-93	10-1-93
Tumalo Irr. District	37241	27841	5/Deschutes	10-1-93	10-1-93
Crystal Sprgs.Wtr. District	39422	29377	4/Hood River	10-1-93	10-1-93
City of Seaside	40261	30117	1/Clatsop	10-1-92	10-1-92
Lacomb Irr. District	40873	41359	2/Linn	10-1-91	10-1-91
Neahkahnie Wtr. Dist.	45629	34032	1/Tillamook	10-1-93	10-1-93
Crystal Spg. Wtr. Dist.	45826	34196	4/Hood River	10-1-93	10-1-93
Lakeside Wtr. Dist.	46056	34393	17/Coos	10-1-94	10-1-94
City of Carlton	46505	34661	2/Yamhill	10-1-93	10-1-93
So. Umpqua Wtr. Assoc.	46924	35103	16/Douglas	10-1-93	10-1-93
Archie McVay & Frank Akin	47421	35534	15/Curry	10-1-91	10-1-91
SW Lincoln Cty. Wtr. Dist.	48301	36270	18/Lincoln	10-1-94	10-1-94
Wm. E. Miller Central OR Pumice Co.	48390	42781	5/Deschutes	10-1-93	10-1-93
Wm. E. Miller Central OR Pumice Co.	R-50044	R-6892	5/Deschutes	10-1-93	10-1-93
Wm. L. Myers	49922	49917	1/Tillamook	10-1-91	10-1-91

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WATER RESOURCES DEPT  
SALEM, OREGON

City of Echo	G-11350	G-10538	7/Uma- tilla	10-1-92	10-1-92
Delbert Hupp	G-11509	G-10602	2/Marion	10-1-91	10-1-91
Richard E. Harper	G-11532	G-10744	6/Gilliam	10-1-91	10-1-91
Jaquelyn Johnson & Steven J. Hicks	G-11575	G-10688	15/Jack- son	10-1-90	10-1-90
Bill T. Small dba Rogue Lea Estates North & South	G-11593	G-10698	15/Jose- phine	10-1-90	
Dan Pritchard	G-11605	G-10717	13/Lake	10-1-90	
Quartermoon Cattle Co.	G-11619	G-10760	13/Lake	10-1-90	
Don & Carol Edmunds	G-11659	G-10729	13/Lake	10-1-91	10-1-91
Ray Washington	G-11692	G-10776	2/Yamhill	10-1-90	
City of Reedsport	2270	1149	16\Doug- las	10-1-93	10-1-93
City of Hood River	19447	15312	4/Hood River	10-1-93	10-1-93
US Ntl. Parks	19574	15156	14/Klam- ath	10-1-94	10-1-94
US Ntl. Parks	19576	15158	14/Klam- ath	10-1-94	10-1-94
So. Fork Water Comm.	28676	22581	2/Clack- amas	10-1-94	10-1-94
City of Molalla	29401	23158	1/Clack- amas	10-1-95	10-1-95
City of Brookings	37091	27610	15/Curry	10-1-94	10-1-94

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Volume 44, Page 56

MAR 16 2010

WATER RESOURCES DEPT  
SALEM, OREGON

Avion Water Co. Inc.	G-10421 G-9948	5/Deschutes	10-1-94	10-1-94
Avion Water Co. Inc.	G-10440 G-10000	5/Deschutes	10-1-94	10-1-94
Avion Water Co. Inc.	G-10466 G-10019	5/Deschutes	10-1-94	10-1-94
Avion Water Co. Inc.	G-10599 G-9981	5/Deschutes	10-1-92	10-1-92
City of Oakridge	G-10152 G-9520	2/Lane	10-1-94	10-1-94
Tillamook Water Comm.	G-10574 G-9829	1/Tillamook	10-1-94	10-1-94
City of Scotts Mills	G-10630 G-9708	2/Marion	10-1-94	10-1-94
City of Aurora	G-10722 G-9890	2/Marion	10-1-94	10-1-94
Leonard A. Lorenzen, Lorenzen Ranches Inc.	G-10908 G-10087	7/Umatilla	10-1-89	10-1-89
David Cheney	G-10914 G-10135	7/Morrow	10-1-90	10-1-90
Pine Hollow Developmnt Corp.	G-11127 G-10507	5/Wasco	10-1-92	10-1-92
Robert A. Young	G-11135 G-10334	15/Jackson	10-1-89	10-1-89
Richard C. Smith	G-11201 G-10703	13/Lake	10-1-90	
Hide-Out Ranch	G-11281 G-10706	13/Lake	10-1-90	
Frank & Iris Tankersley	G-11320 G-10465	2/Washington	10-1-89	10-1-89
City of Wilsonville	G-11344 G-10515	2/Clackamas	10-1-92	10-1-92

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SALEM, OREGON

Sun Country Water, Inc.	G-6710	G-6350	5/Desch- utes	10-1-92	10-1-92
Black Butte Ranch Property Mgmt. Corp.	G-7017	G-6796	5/Desch- utes	10-1-92	10-1-92
Black Butte Ranch Property Mgmt. Corp.	G-7018	G-6797	5/Desch- utes	10-1-92	10-1-92
Rockwood Water District	G-7217	G-6639	3/Mult- nomah	10-1-91	10-1-91
Zig Zag Village Hmewnr's Assn	G-7373	G-6899	3/Clack- amas	10-1-91	10-1-91
City of Fairview	G-7563	G-7029	3/Mult- nomah	10-1-94	10-1-94
City of Umatilla	G-8592	G-8042	7/Uma- tilla	10-1-94	10-1-94
Circle C Improvement District	G-8594	G-7872	5/Desch- utes	10-1-91	10-1-91
City of Salem	G-8606	G-7942	2/Marion	10-1-94	10-1-94
Black Butte Ranch Property Mgmt. Corp.	G-9117	G-8501	5/Desch- utes	10-1-92	10-1-92
Harbor Rural Water District	G-9502	G-9438	15/Curry	10-1-94	10-1-94
Avion Water Co. Inc.	G-10184	G-9946	5/Desch- utes	10-1-94	10-1-94
Avion Water Co. Inc.	G-10348	G-9971	5/Desch- utes	10-1-94	10-1-94
Avion Water Co. Inc.	G-10349	G-9972	5/Desch- utes	10-1-94	10-1-94
Avion Water Co. Inc.	G-10378	G-9975	5/Desch- utes	10-1-94	10-1-94

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WATER RESOURCES DEPT  
SALEM, OREGON

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

MARION COUNTY

IN THE MATTER OF APPLICATION FOR )  
 EXTENSION OF TIME IN WHICH TO )  
 COMPLETE CONSTRUCTION WORK AND )  
 MAKE COMPLETE APPLICATION OF )  
 WATER UNDER CERTAIN PERMITS )  
 -----

ORDER

The above entitled matter now coming on for the consideration of the Water Resources Director, and it appearing that:

The holders of the following water right permits issued by the Water Resources Director have submitted applications for extensions of time limits within which to complete the construction work and make complete application of water to beneficial use under their respective water right permits;

The Water Resources Director is authorized under the provisions of ORS 537.230 to grant extensions of time for good cause shown, within which to complete work or perfect a right under a water right permit;

The statements in the applications for extensions filed regarding completion of the projects indicate that each has shown such reasonable diligence as entitles him to an extension of time; and

No protest or objections to the granting of an extension under any of the following permits have been filed by any subsequent permit holders;

NOW, THEREFORE, it hereby is ORDERED that extensions of time are granted as follows:

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<u>Name</u>	<u>Permit Number</u>	<u>B To Complete Work</u>	<u>C To Apply Water</u>
City of Arlington	G-1201	October 1, 1989	October 1, 1989
Port of Umatilla	G-3112	October 1, 1989	October 1, 1989
Harbor Rural Water Dist.	G-3240	October 1, 1989	October 1, 1989
Century Meadows Water Systems Inc.	G-4183	October 1, 1988	October 1, 1988
City of Milton Freewater	G-4924	October 1, 1989	October 1, 1989
City of Bend	G-4946	October 1, 1989	October 1, 1989
Oregon Shores Beach Club Inc.	G-5180	October 1, 1987	October 1, 1987
Shangri La Water District	G-5533	October 1, 1987	October 1, 1987
Lyon Lawrence dba Lawrence Water Co.	G-5681	October 1, 1987	October 1, 1987
Mrs. M.J. Roland	G-5961	October 1, 1985	October 1, 1985
Scrael Hill Water Co-op	G-6253	October 1, 1988	October 1, 1988
Sun County Water Inc.	G-6350	October 1, 1988	October 1, 1988
Rockwood Water District	G-6639	October 1, 1988	October 1, 1988
Merle Carlson	G-6876	October 1, 1985	October 1, 1985
Zig Zag Village Homeowners Assoc.	G-6899	October 1, 1988	October 1, 1988

WATER RESOURCES DEPT  
 SALEM, OREGON

City of Fairview	G-7029	October 1, 1989	October 1, 1989
City of Irrigon	G-7241	October 1, 1989	October 1, 1989
Oregon Shores Beach Club Inc.	G-7346	October 1, 1987	October 1, 1987
City of Irrigon	G-7563	October 1, 1989	October 1, 1989
Robert Meyer	G-7509		October 1, 1982
City of Stanfield	G-7623	October 1, 1989	October 1, 1989
Rodney A. and Donna Jean Lytle	G-7639	October 1, 1985	October 1, 1985
Vernon L. Root	G-7678	October 1, 1980	
Wilson J. and MaryAnn Meyer	G-7870	October 1, 1986	October 1, 1986
Heritage Enterprises	G-7899	October 1, 1985	October 1, 1985
Star Satellite Imp. Dist.	G-7903	October 1, 1987	October 1, 1987
City of Umatilla	G-8042	October 1, 1989	October 1, 1989
Avion Water Co. Inc.	G-8258	October 1, 1988	October 1, 1988
Theodore R. Tiahr			
Douglas Tree Ranch	G-8551	October 1, 1985	October 1, 1985
Brooks Resources Corp.	G-8565	October 1, 1989	October 1, 1989
Alfred L. and Alta B. Roberts	G-8572	October 1, 1984	October 1, 1985
Theodore O. Erickson	G-8853	October 1, 1985	October 1, 1985
Kenneth W. Taylor	G-8880		October 1, 1985
Dennis Meeuwesen	G-8995	October 1, 1984	October 1, 1984
Melvin D. Enlow	G-9075	October 1, 1984	October 1, 1984
McKay Acres Imp. District	G-9106	October 1, 1985	October 1, 1985
Timothy J. Strubhar	G-9123	October 1, 1985	October 1, 1985
Terry Nofziger	G-9124	October 1, 1985	October 1, 1985
Williams Land, Inc.	G-9129	October 1, 1986	October 1, 1986
Kenneth M. and Virginia R. White	G-9132	October 1, 1984	October 1, 1984
Donald and Alice Bowden	G-9170	October 1, 1985	October 1, 1985
William W. Schmidt	G-9202	October 1, 1985	October 1, 1985
William V. Kergil	G-9205		October 1, 1985
Sam R. Phipps	G-9220	October 1, 1984	October 1, 1984
Birch Circle Farms			
George Warmington	G-9275		October 1, 1985
Gerald L. Lanier	G-9276	October 1, 1986	October 1, 1986
Lynn R. Fus	G-9357	October 1, 1984	October 1, 1984
Willie A. and Linda S. Olson	G-9421	October 1, 1985	October 1, 1985
Eulon E. Dunlap	G-9422	October 1, 1985	October 1, 1985
Larry C. Heaton	G-9423	October 1, 1985	October 1, 1985
John Yuchniuk	G-9433	October 1, 1985	October 1, 1985
Harbor Rural Water District	G-9438	October 1, 1989	October 1, 1989
Ernest C. and Betty L. Strickland	G-9477		October 1, 1985
Johnny Eygabroad	G-9518	October 1, 1984	October 1, 1985
City of Oakridge	G-9520	October 1, 1989	October 1, 1989
Liskey Farms, Inc.	G-9547	October 1, 1985	October 1, 1986
Dewey Gosson	G-9581	October 1, 1985	October 1, 1985
Monty Jeldon	G-9592	October 1, 1985	October 1, 1985
Robert Jennings Sanders	G-9644	October 1, 1984	
Urbach Farms, Inc.	G-9647	October 1, 1985	October 1, 1985
City of Scotts Mills	G-9708	October 1, 1989	October 1, 1989
Gerald L. Odman	G-9759	October 1, 1985	October 1, 1985
Dan H. Heierman	G-9787	October 1, 1985	October 1, 1985
Tillamook Water Commission	G-9829	October 1, 1989	October 1, 1989
Marvin M. Flitcroft	G-9849	October 1, 1985	October 1, 1986

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MAR 16 2010

Volume 39, page 41

WATER RESOURCES DEPT  
SALEM, OREGON

Jerrold Desselle North	G-9864	October 1, 1985	October 1, 1985
City of Aurora	G-9890	October 1, 1989	October 1, 1989
K. Neal and Pam Christopherson	G-9903	October 1, 1985	
Rainbow Water District	G-9945	October 1, 1989	October 1, 1989
Avion Water Co. Inc.	G-9946	October 1, 1989	October 1, 1989
Avion Water Co. Inc.	G-9948	October 1, 1989	October 1, 1989
Avion Water Co. Inc.	G-9971	October 1, 1989	October 1, 1989
Avion Water Co. Inc.	G-9972	October 1, 1989	October 1, 1989
Robert L. Stockhoff	G-9974	October 1, 1985	
Avion Water Co. Inc.	G-9981	October 1, 1989	October 1, 1989
Avion Water Co. Inc.	G-9982	October 1, 1988	October 1, 1988
UNC Cornucopia Mining Co.	G-9991	October 1, 1988	October 1, 1988
Avion Water Co. Inc.	G-9999	October 1, 1988	October 1, 1988
Avion Water Co. Inc.	G-10000	October 1, 1989	October 1, 1989
Western Heights Water Assoc.	G-10005	October 1, 1988	October 1, 1988
Avion Water Co. Inc.	G-10019	October 1, 1989	October 1, 1989
Renate Wolfsturm Pancake	G-10043	October 1, 1985	
Earl Jr. and Laurie L. Schrock	G-10055	October 1, 1985	October 1, 1986
Robert D. Butler	G-10070	October 1, 1985	October 1, 1986
Cecil James	G-10079	October 1, 1985	
Leonard A. Lorenzen	G-10087	October 1, 1985	October 1, 1986
Wade Brown	G-10099	October 1, 1985	October 1, 1986
Coos Bay North Bend Water Board	G-10132	October 1, 1989	October 1, 1989
The City of Bandon	R-368	October 1, 1988	
Circle Five Ranch	R-6562	October 1, 1985	
David A. and Kathleen J. Bassett	R-8163	October 1, 1985	
Paul G. Wares	R-8361	October 1, 1985	
Stephen Marco Long	R-8387	October 1, 1985	
Harvey W. Buche	R-8443	October 1, 1985	
Harry L. Bisbee	R-8458	October 1, 1985	
Taylor Ranch Inc.	R-8540	October 1, 1985	
Rex E. Miller	R-8596	October 1, 1985	
City of Bandon	3011	October 1, 1988	October 1, 1988
US Bureau of Reclamation	7400	October 1, 1984	October 1, 1984
Jordan Valley Irrigation Dist.	10843	October 1, 1984	October 1, 1984
South Fork Water Commission	22581	October 1, 1989	October 1, 1989
Coos Bay North Bend Board	26223	October 1, 1989	October 1, 1989
City of Grants Pass	26901	October 1, 1989	October 1, 1989
City of Bandon	27232	October 1, 1988	October 1, 1988
City of Bandon	27233	October 1, 1988	October 1, 1988
City of Brookings	27610	October 1, 1989	October 1, 1989
Middle Fork Irrigation Dist.	27788	October 1, 1985	October 1, 1985
City of Seaside	30117	October 1, 1989	October 1, 1989
City of Brookings	31293	October 1, 1989	October 1, 1989
Harbor Rural Water Dist.	31365	October 1, 1989	October 1, 1989
Middle Fork Irrigation Dist.	31956	October 1, 1985	October 1, 1985
Alsea Riviera Water Imp. Dist.	33727	October 1, 1988	October 1, 1988
Neahkahnie Water District	34032	October 1, 1989	October 1, 1989
Lakeside Water District	34393	October 1, 1989	October 1, 1989
Southwest Lincoln Water Dist.	36270	October 1, 1989	October 1, 1989
Succor Crk. Water Control Dist.	40584	October 1, 1986	October 1, 1986
City of Forest Grove	40615	October 1, 1988	October 1, 1988
Restful Haven Health Club Inc.	41176	October 1, 1986	October 1, 1986

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WATER RESOURCES DEPT  
SALEM, OREGON

Circle Five Ranch Inc.	41302	October 1, 1985	October 1, 1985
Douglas Co. Public Works	41514	October 1, 1988	October 1, 1988
Western Heights Water Assoc.	41864	October 1, 1988	October 1, 1988
Miguel Flores	41982	October 1, 1985	October 1, 1985
City of Forest Grove	42117	October 1, 1989	October 1, 1989
Black Mt. Water Dist. & Imp. Co.	42534	October 1, 1986	October 1, 1986
Brooks Resources Investment Corp.	42833	October 1, 1985	October 1, 1986
Middle Fork Irrigation Dist.	43520	October 1, 1985	October 1, 1985
Merle Carlson	43606	October 1, 1985	October 1, 1985
City of Manzanita	43756	October 1, 1988	October 1, 1988
Hudson Bay Dist. Imp. Co.	43973	October 1, 1987	October 1, 1987
Andrew Husari	44024		October 1, 1984
John or Alice Pratt	44408	October 1, 1985	October 1, 1985
Charles W. Johnson	44437	October 1, 1984	October 1, 1984
Steven Ungerleider, Ph. D.	44730	October 1, 1985	October 1, 1985
Everett Becraft	44753	October 1, 1985	October 1, 1985
Oregon Driftwood Shores	44758	October 1, 1986	October 1, 1986
Lorin G. Stanciu	44823	October 1, 1984	October 1, 1984
Keith Smith	44825	October 1, 1985	October 1, 1986
Keith Smith	44826	October 1, 1985	October 1, 1986
Richard Rullamas	44837	October 1, 1984	October 1, 1984
Cedric Cross	44851	October 1, 1986	October 1, 1986
Theodore O. Erickson	44877	October 1, 1985	October 1, 1985
Grant R. Jones	44915	October 1, 1985	October 1, 1985
Edward J. Bernosky	44928	October 1, 1985	October 1, 1985
David A. and Kathleen J. Bassett	44989	October 1, 1985	October 1, 1985
Mike W. and Rosalie T. Rogoff	45069	October 1, 1985	October 1, 1985
Calvin J. Vezzetti	45157	October 1, 1985	October 1, 1985
Thunder River Corp.	45303		October 1, 1985
City of Riddle	45405	October 1, 1988	October 1, 1988
William E. Cawley	45425	October 1, 1984	October 1, 1984
Jerry L. Winningham	45607	October 1, 1985	October 1, 1985
Fred W. Moe	45643		October 1, 1985
Dan L. Forsea and Sons, Inc.	45804	October 1, 1985	October 1, 1985
Hans W. Groeger MD and Ruth M.	45837	October 1, 1985	October 1, 1985
Delia H. Spuhler	45903	October 1, 1985	October 1, 1985
Cecilia and Richard Taylor	45923	October 1, 1985	October 1, 1985
Dan and/or Carol Griffith	45977	October 1, 1986	October 1, 1986
Eldon Hugie	46018	October 1, 1985	October 1, 1985
Roger L. Weiss	46099	October 1, 1986	October 1, 1986
City of Yoncalla	46114	October 1, 1989	October 1, 1989
Johnnie Johnson	46154	October 1, 1986	October 1, 1986
Louis E. Haag	46202	October 1, 1985	October 1, 1985
Creighton and Phyllis M. Baxter	46300		October 1, 1985
Bansen Jerseys Inc.	46335		October 1, 1986
Milton O. Brown and Raymond J. Kittleson	46401	October 1, 1986	October 1, 1986
City of Hillsboro	46423	October 1, 1989	October 1, 1989
Paul G. Wares	46449	October 1, 1985	
William R. McAllister	46454	October 1, 1985	October 1, 1986
Morgan and Alice Mitchell	46462	October 1, 1985	October 1, 1986
Fancho F. Stubblefield	46480	October 1, 1986	October 1, 1987
William J. Beals, Jr.	46505	October 1, 1985	

Wallace F. Bullock	46544	October 1, 1985	
Ted Orr	46561	October 1, 1986	October 1, 1986
Stephen Marco Long	46584	October 1, 1985	October 1, 1985
Harvey W. Buche	46783	October 1, 1985	October 1, 1986
Duane C. Thompson	46874	October 1, 1986	October 1, 1986
George and Margaret Benz	46923	October 1, 1985	October 1, 1986
Andrew F. Kahn	46945	October 1, 1986	October 1, 1986
Robert J. Miller	46947	October 1, 1985	
Archie C. Osborne	46953	October 1, 1985	
Ervin A. Royer	46972	October 1, 1985	
Hammond Ranches Inc.	46978	October 1, 1985	
Edwin K. and Bonnie B. Vierira	47038	October 1, 1985	
Phillip Drehmer	47039	October 1, 1985	
Bonnie Buchanan, et al	47110	October 1, 1985	October 1, 1986
Willamette Industries, Inc.	47184	October 1, 1988	October 1, 1988
Taylor Ranch Inc.	47189	October 1, 1985	October 1, 1986
David A. Reed	47200	October 1, 1985	
Gene M. Cabral	47204	October 1, 1986	October 1, 1986
Bradley J. Toynbee	47225	October 1, 1985	
Otto V. Epping	47229	October 1, 1985	
George Szabo	47232	October 1, 1985	
Kenneth L. Hebard	47260	October 1, 1985	
Carl Caswell	47277	October 1, 1985	
Western Heights Water Assoc.	47290	October 1, 1988	October 1, 1988
Dan B. Claasen	47294	October 1, 1986	October 1, 1986
Ralph L. and Irene Seltzer	47299	October 1, 1986	October 1, 1986
Jason C. Reynolds	47304	October 1, 1985	October 1, 1986
City of Grants Pass	47346	October 1, 1989	October 1, 1989

Dated at Salem, Oregon this 20th day of February, 1985.

*William H. Young*

WILLIAM H. YOUNG  
Director

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WATER RESOURCES DEPT  
SALEM, OREGON

BEFORE THE WATER RESOURCES DEPARTMENT OF OREGON

IN THE MATTER OF APPLICATION FOR )  
 EXTENSION OF TIME IN WHICH TO )  
 COMPLETE CONSTRUCTION WORK AND ) OREGON  
 MAKE COMPLETE APPLICATION OF WATER )  
 UNDER CERTAIN PERMITS )

The owners of the following water permits issued by the Water Resources Director have submitted applications for extensions of time limits within which to complete the construction work and/or make complete application of water to beneficial use under their respective permits.

The Water Resources Director is authorized under the provisions of ORS 537.230 to grant extensions of time for good cause shown, within which to complete work to perfect a water right under a permit;

The statements in the applications for extensions filed regarding completion of the projects indicate that each has shown such reasonable diligence as entitles him to an extension of time; and

No protest or objections to the granting of an extension under any of the following permits have been filed by any subsequent permit holders;

NOW, THEREFORE, it hereby is ORDERED that extensions of time are granted as follows:

<u>Permittee</u>	<u>Appl. Number</u>	<u>Permit Number</u>	<u>Basin/ County</u>	<u>New Time Limits To:</u>	
				<u>Complete Constr.</u>	<u>Apply Water</u>
City of Salem	G-834	G-734	2/Marion	10-1-94	10-1-94
Shenandoah Home Owners	G-3601	G-3388	2/Lane	10-1-91	10-1-91
Tyler Hansell	G-5598	G-10651	7/Umatilla	10-1-90	10-1-90

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WATER RESOURCES DEPT  
 SALEM, OREGON

Oregon Water Resources Department  
Water Rights Division

Water Rights Application  
Number G-10349

**Final Order**  
**Extension of Time for Permit Number G-9972**

**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**

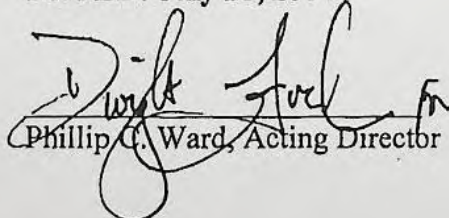
On October 1, 1999, Avion Water Co., Inc. submitted an application to the Department for an extension of time for permit number G-9972. The Department issued permit number G-9972 on March 18, 1983. The permit called for complete construction of the water development project by October 1, 1984, and application of water to full beneficial use by October 1, 1985. In accordance with OAR 690-320-0010(8), on June 1, 2004, the Department issued a Proposed Final Order proposing to extend the time to fully apply water to beneficial use to October 1, 2009. The protest period closed July 16, 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).

**Order**

The extension of time for Application Number G-10349, Permit Number G-9972, therefore, is approved. The deadline for applying water to full beneficial use is extended to October 1, 2009.

**DATED: July 28, 2004**

  
Phillip C. Ward, Acting Director

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**WATER RESOURCES DEPT  
SALEM, OREGON**

**Attachment C**  
**Permit G-9972 Well Reports**

**DESC 6503**  
**DESC 6504**

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**WATER RESOURCES DEPT  
SALEM, OREGON**

NOTICE TO WATER WELL CONTRACTOR  
The original and first copy  
of this report are to be  
filed with the

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APR 4 1972

**WATER WELL REPORT**

STATE OF OREGON

STATE ENGINEER  
SALEM, OREGON

(Please type or print)  
(Do not write above this line)

DESC  
6503

State Well No. 2119-23

State Permit No. \_\_\_\_\_

**(1) OWNER:**

Name Patrick Gialer  
Address P.O. Box 7 Bend, Oregon

**(2) TYPE OF WORK (check):**

New Well  Deepening  Reconditioning  Abandon

If abandonment, describe material and procedure in Item 12.

**(3) TYPE OF WELL:**

Rotary  Driven   
Table  Jetted   
Aug  Bored

**(4) PROPOSED USE (check):**

Domestic  Industrial  Municipal   
Irrigation  Test Well  Other

**CASING INSTALLED:**

Threaded  Welded   
" Diam. from 0 ft. to 85 ft. Gage 250  
" Diam. from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Gage \_\_\_\_\_  
" Diam. from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Gage \_\_\_\_\_

**PERFORATIONS:**

Perforated?  Yes  No.

Type of perforator used torch  
Size of perforations 1/4 in. by 6 in.  
90 perforations from 67 ft. to 83 ft.  
\_\_\_\_\_ perforations from \_\_\_\_\_ ft. to \_\_\_\_\_ ft.  
\_\_\_\_\_ perforations from \_\_\_\_\_ ft. to \_\_\_\_\_ ft.

**(7) SCREENS:**

Well screen installed?  Yes  No

Manufacturer's Name \_\_\_\_\_  
Type \_\_\_\_\_ Model No. \_\_\_\_\_  
Diam. \_\_\_\_\_ Slot size \_\_\_\_\_ Set from \_\_\_\_\_ ft. to \_\_\_\_\_ ft.  
Diam. \_\_\_\_\_ Slot size \_\_\_\_\_ Set from \_\_\_\_\_ ft. to \_\_\_\_\_ ft.

**(8) WELL TESTS:**

Drawdown is amount water level is lowered below static level

Was a pump test made?  Yes  No If yes, by whom? customer

Yield: 115 gal./min. with 13 ft. drawdown after 24 hrs.

Bailer test \_\_\_\_\_ gal./min. with \_\_\_\_\_ ft. drawdown after \_\_\_\_\_ hrs.

Artesian flow \_\_\_\_\_ g.p.m.

Temperature of water 44 Depth artesian flow encountered \_\_\_\_\_ ft.

**(9) CONSTRUCTION:**

Well seal—Material used cement

Well sealed from land surface to \_\_\_\_\_ 27 \_\_\_\_\_ ft.

Diameter of well bore to bottom of seal 16 in.

Diameter of well bore below seal 10 in.

Number of sacks of cement used in well seal 12 sacks

Number of sacks of bentonite used in well seal \_\_\_\_\_ sacks

Brand name of bentonite \_\_\_\_\_

Number of pounds of bentonite per 100 gallons \_\_\_\_\_ lbs./100 gals.

of water \_\_\_\_\_

Was a drive shoe used?  Yes  No Plugs \_\_\_\_\_ Size: location \_\_\_\_\_ ft.

Did any strata contain unusable water?  Yes  No

Type of water? \_\_\_\_\_ depth of strata \_\_\_\_\_

Method of sealing strata off \_\_\_\_\_

Was well gravel packed?  Yes  No Size of gravel: \_\_\_\_\_

Gravel placed from \_\_\_\_\_ ft. to \_\_\_\_\_ ft.

**(10) LOCATION OF WELL:**

County Deschutes Driller's well number \_\_\_\_\_  
1/4 Section 23 T. 21S R. 9E W.M.  
Bearing and distance from section or subdivision corner \_\_\_\_\_

**(11) WATER LEVEL: Completed well.**

Depth at which water was first found 80 ft.  
Static level 73 ft. below land surface. Date 3/28/72  
Artesian pressure \_\_\_\_\_ lbs. per square inch. Date \_\_\_\_\_

**(12) WELL LOG:**

Diameter of well below casing 10

Depth drilled 108 ft. Depth of completed well 108 ft.

Formation: Describe color, texture, grain size and structure of materials; and show thickness and nature of each stratum and aquifer penetrated, with at least one entry for each change of formation. Report each change in position of Static Water Level and indicate principal water-bearing strata.

MATERIAL	From	To	SWL
pumas	0'	19'	
gray clay & gravel	19'	27'	
black lava	27'	32'	
red lava	32'	47'	
broken rock & cinders	47'	51'	
black lava	51'	61'	
red cinders	61'	72'	
red lava	72'	80'	
cinders & gravel	80'	85'	73'
black lava	85'	106'	73'
gray lava	106'	108'	73'

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WATER RESOURCES DEPT  
SALEM, OREGON

Work started 3/13 1972 Completed 3/24 1972

Date well drilling machine moved off of well 3/28 1972

**Drilling Machine Operator's Certification:**

This well was constructed under my direct supervision. Materials used and information reported above are true to my best knowledge and belief.

[Signed] John W. Cunningham Date 3/29, 1972  
(Drilling Machine Operator)

Drilling Machine Operator's License No. 686

**Water Well Contractor's Certification:**

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

Name J.W. Cunningham Well Drilling  
(Person, firm or corporation) (Type or print)

Address Rt. 4 Box 1120 Bend, Oreg

[Signed] John W. Cunningham  
(Water Well Contractor)

Contractor's License No. 539 Date 3/29, 1972

NOTICE TO WATER WELL CONTRACTOR

The original and first copy of this report are to be filed with the

STATE ENGINEER, SALEM, OREGON 97101  
within 30 days from the date of well completion.

**DESC 6504**

WATER WELL REPORT

STATE OF OREGON

(Please type or print)

(Do not write above this line)

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JAN 23 1974

State Well No.

215/9E-23

STATE ENGINEER

State Permit No.

SALEM, OREGON

(1) OWNER:

Name Pat Gisler  
Address 8 Pine Crest Ct. Bend, Oregon

(2) TYPE OF WORK (check):

New Well  Deepening  Reconditioning  Abandon   
If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rotary  Driven   
Cable  Jetted   
Dug  Bored

(4) PROPOSED USE (check):

Domestic  Industrial  Municipal   
Irrigation  Test Well  Other

CASING INSTALLED:

Threaded  Welded   
8" Diam. from 4.3 ft. to 8.3 ft. Gage 250  
8" Diam. from 0 ft. to 10.5 ft. Gage 250  
" Diam. from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Gage \_\_\_\_\_

PERFORATIONS:

Perforated?  Yes  No  
Type of perforator used Torch  
Size of perforations 1/4 in. by 4 in.  
300 perforations from 65 ft. to 105 ft.  
perforations from \_\_\_\_\_ ft. to \_\_\_\_\_ ft.  
perforations from \_\_\_\_\_ ft. to \_\_\_\_\_ ft.

(7) SCREENS:

Well screen installed?  Yes  No  
Manufacturer's Name \_\_\_\_\_  
Type \_\_\_\_\_ Model No. \_\_\_\_\_  
Diam. \_\_\_\_\_ Slot size \_\_\_\_\_ Set from \_\_\_\_\_ ft. to \_\_\_\_\_ ft.  
Diam. \_\_\_\_\_ Slot size \_\_\_\_\_ Set from \_\_\_\_\_ ft. to \_\_\_\_\_ ft.

(8) WELL TESTS:

Drawdown is amount water level is lowered below static level P. Gisler  
Was a pump test made?  Yes  No If yes, by whom? Wm Cunningham  
Yield: 225 gal./min. with 1 ft. drawdown after 72 hrs.  
" " " " " "  
" " " " " "  
" " " " " "  
Baller test 40 gal./min. with 0 ft. drawdown after 1 hrs.  
Artesian flow \_\_\_\_\_ g.p.m.  
Temperature of water 48° Depth artesian flow encountered \_\_\_\_\_ ft.

CONSTRUCTION:

Well seal—Material used Cement  
Well sealed from land surface to 30 ft.  
Diameter of well bore to bottom of seal 16 in.  
Diameter of well bore below seal 8 in.  
Number of sacks of cement used in well seal 2 yds. sacks  
Number of sacks of bentonite used in well seal \_\_\_\_\_ sacks  
Brand name of bentonite \_\_\_\_\_  
Number of pounds of bentonite per 100 gallons of water \_\_\_\_\_ lbs./100 gals.  
Was a drive shoe used?  Yes  No Plugs \_\_\_\_\_ Size: location \_\_\_\_\_ ft.  
Did any strata contain unusable water?  Yes  No  
Type of water? \_\_\_\_\_ depth of strata \_\_\_\_\_  
Method of sealing strata off \_\_\_\_\_  
Was well gravel packed?  Yes  No Size of gravel: \_\_\_\_\_  
Gravel placed from \_\_\_\_\_ ft. to \_\_\_\_\_ ft.

(10) LOCATION OF WELL:

County Deschutes Driller's well number \_\_\_\_\_  
NW 1/4 NE 1/4 Section 23 T. 21S R. 9-E W.M.  
Bearing and distance from section or subdivision corner \_\_\_\_\_

(11) WATER LEVEL: Completed well.

Depth at which water was first found 118 ft.  
Static level 73 ft. below land surface. Date 12/12/73  
Artesian pressure \_\_\_\_\_ lbs. per square inch. Date \_\_\_\_\_

(12) WELL LOG:

Diameter of well below casing 8  
Depth drilled 120 ft. Depth of completed well 120 ft.

Formation: Describe color, texture, grain size and structure of materials; and show thickness and nature of each stratum and aquifer penetrated, with at least one entry for each change of formation. Report each change in position of Static Water Level and indicate principal water-bearing strata.

MATERIAL	From	To	SWL
Brn. Sandy top soil	0	4	
Brn. Sandy (med) clay	4	9	
Brn. clay	9	78	
Brn. Rock (med)	78	118	
Brn. Gravel (med)	118	120	73

RECEIVED

MAR 16 2010

WATER RESOURCES DEPT.  
SALEM, OREGON

Work started 12/5 1973 Completed 12/12 1973  
Date well drilling machine moved off of well 12/12 1973

Drilling Machine Operator's Certification:

This well was constructed under my direct supervision. Materials used and information reported above are true to my best knowledge and belief.  
[Signed] Wm. M. Cunningham Date 12/12 1973  
(Drilling Machine Operator)  
Drilling Machine Operator's License No. 522

Water Well Contractor's Certification:

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.  
Name Cunningham Well Drilling  
(Person, firm, or corporation) (Type or print)  
Address Box 104 Bend Oregon  
[Signed] Wm. M. Cunningham  
(Water Well Contractor)  
Contractor's License No. 474 Date 12/12 1973

**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-9972, Water Right Application G-10349 ) PROPOSED FINAL ORDER  
in the name of Avion Water Co. Inc. )

---

**Permit Information**

**Application File G-10349 Permit G-9972**

Basin: 5 – Deschutes / Watermaster District 11

Date of Priority: 5/29/1981

**Authorized Use of Water**

Source of Water: Two Wells within the Deschutes River Basin

Purpose of Use: Group Domestic use for 188 families, including irrigation of lawns and gardens not to exceed one-half acre in area per family (Wildriver)

Maximum Rate: 0.15 Cubic Feet per Second (cfs) from Well 1 and 0.42 CFS from Well 2

---

**This Extension of Time request is being processed in accordance with Oregon Administrative Rule Chapter 690, Division 315.**

*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-9972, water right Application G-10349. A copy of Permit G-9972 is enclosed as Attachment 1.

## Summary of Proposed Final Order for Extension of Time

### The Department proposes to:

- Grant an extension of time for complete construction of the water system from October 1, 2009 to October 1, 2024.
- Grant an extension of time to apply water to full beneficial use from October 1, 2009 to October 1, 2024.
- Make the extension subject to certain conditions set forth below.

### ACRONYM QUICK REFERENCE

Department – Oregon Department of Water Resources  
PFO – Proposed Final Order

#### Units of Measure

cfs – cubic feet per second

gpm – gallons per minute

### AUTHORITY

Generally, see ORS 537.630 and OAR Chapter 690 Division 315.

ORS 537.630(1) provide in pertinent part that the Oregon Water Resources Department (Department) may, 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) and to whether other governmental requirements relating to the project have significantly delayed completion of construction or perfection of the right.

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 690-315-0040 provides in pertinent part that the Water Resources Department shall make findings to determine if an extension of time may be approved to complete construction and/or apply water to full beneficial use.

OAR 690-315-0050(6) requires 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-9972 was granted by the Department on March 18, 1993. The permit authorizes the use of up to 0.15 CFS from Well 1 and 0.42 CFS from Well 2 of water from two wells for Group Domestic use for 188 families, including irrigation of lawns and gardens not to exceed one-half acre in area per family (Wildriver). The permit specified construction of the water system was to be completed by October 1, 1984, and complete application of water was to be made on or before October 1, 1985.
2. Four prior permit extensions have been granted for Permit G-9972. The most recent extension request resulted in the completion dates for construction and full application of water being extended from October 1, 2004 to October 1, 2009.
3. The permit holder submitted an "Application for Extension of Time" to the Department on March 16, 2010 requesting the time to complete construction of the water system and the time to apply water to full beneficial use under the terms and conditions of Permit G-9972 be extended from October 1, 2009 to October 1, 2024.
4. Notification of the Application for Extension of Time for Permit G-9972 was published in the Department's Public Notice dated March 30, 2010. No public comments were received regarding the extension application.

### Review Criteria [OAR 690-315-0040]

*The time limits to complete construction and/or apply water to full beneficial use may be extended if the Department finds that the permit holder has met the requirements set forth under OAR 690-315-0040. This determination shall consider the applicable requirements of ORS 537.230<sup>1</sup>, 537.248<sup>2</sup>, 537.630<sup>3</sup> and/or 539.010(5)<sup>4</sup>.*

### Complete Extension of Time Application [OAR 690-315-0040(1)(a)]

5. On March 16, 2010, the Department received a completed Application for Extension of Time and the fee specified in ORS 536.050 from the permit holder.

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<sup>1</sup> ORS 537.230 applies to surface water permits only.

<sup>2</sup> ORS 537.248 applies to reservoir permits only.

<sup>3</sup> ORS 537.630 applies to ground water permits only.

<sup>4</sup> ORS 539.010(5) applies to surface water and ground water permits.

**Start of Construction [OAR 690-315-0040(1)(b) and 690-315-0040(5)]**

6. Actual construction of the well began prior to the March 18, 1984 deadline specified in the permit.

**Duration of Extension [OAR 690-315-0040(1)(c)]**

*Under OAR 690-315-0040(1)(c), in order to approve an extension of time for water use permits the Department must find that the time requested is reasonable and the applicant can complete the project within the time requested.*

7. As of March 16, 2010, the remaining work to be completed consists of completion sale of the remaining lots, connecting the water system to the lots, and applying water to full beneficial use.
8. Given the amount of development left to occur, the Department has determined that the permit holder's request to have until October 1, 2024, to complete construction of the water system and to accomplish the application of water to beneficial use under the terms and conditions of Permit G-9972 is both reasonable and necessary.

**Good Cause [OAR 690-315-0040(1)(d)]**

*The Department's determination of good cause shall consider the requirements set forth under OAR 690-315-0040(2).*

**Reasonable Diligence of the Appropriator [OAR 690-315-0040(2)(a)]**

*The Department's determination of reasonable diligence shall consider the requirements set forth under OAR 690-315-0040(3)(a-d). In accordance with OAR 690-315-0040(3), the Department shall consider, but is not limited to, the following factors when determining whether the applicant has demonstrated reasonable diligence in previous performance under the permit:*

**Amount of Construction [OAR 690-315-0040(3)(a)]**

9. Work was accomplished within the time allowed in the permit or previous extension as follows:
  - a. Construction of the well and water system began prior to the March 18, 1984 deadline specified in the permit.
  - b. Work was completed (specified in the Application for an Extension of Time) during the original development time frame under Permit G-9972.
  - c. From October 1, 1985 the permit holder has drilled the wells and installed 185 service connections required under Permit G-9972.
  - d. During the most recent extension period, being from October 1, 2004, to October 1, 2009, the following was accomplished:
    - Installed 102 additional service connections;

- Upgraded service connections; and
- Upgraded well controls and valving.

Beneficial Use of Water [OAR 690-315-0040(3)(b)]

10. The following beneficial use of water was made during the permit or previous extension time limits:
- a. Since the issuance of Permit G-9972 on March 18, 1993, a maximum rate of 0.22 cfs of water has been appropriated from the well for group domestic use for 185 families, including irrigation of lawns and gardens not to exceed one-half acre in area per family (Wildriver).

Compliance with Conditions [OAR 690-315-0040(3)(c)]

11. The water right permit holder's conformance with the permit or previous extension conditions.
- a. The Department has considered the permit holder's compliance with conditions, and did not identify any concerns.

Financial Investments [OAR 690-315-0040(3)(d)]

12. Financial investments made toward developing the beneficial water use.
- a. As of March 16, 2010, the permit holder has invested approximately \$575,000, which is approximately 88 percent of the total projected cost for complete development of this project. The permit holder anticipates an additional \$75,000 investment is needed for the completion of this project.

Cost to Appropriate and Apply Water to a Beneficial Purpose [OAR 690-315-0040(2)(b)]

13. As of March 16, 2010, the permit holder has invested approximately \$575,000 which is approximately 88 percent of the total projected cost for complete development of this project. The permit holder anticipates an additional \$75,000 investment is needed for the completion of this project.

Good Faith of the Appropriator [OAR 690-315-0040(2)(c)]

14. The Department has found good faith of the appropriator under Permit G-9972.

The Market and Present Demands for Water [OAR 690-315-0040(2)(d-e)]

*The Department's determinations of market and present demand for water or power to be supplied shall consider the requirements set forth under OAR 690-315-0040(4)(a-f). In accordance with OAR 690-315-0040(4), the Department shall consider, but is not limited to, the following factors when determining the market and the present demand for water or power to be supplied:*

15. The amount of water available to satisfy other affected water rights and scenic waterway flows; special water use designations established since permit issuance, including but not

limited to state scenic waterways, federal wild and scenic rivers, serious water management problem areas or water quality limited sources established under 33 U.S.C. 1313(d); or the habitat needs of sensitive, threatened or endangered species, in consultation with the Oregon Department of Fish and Wildlife [OAR 690-315-0040(4)(a-c)].

a. The amount of water available to satisfy other affected water rights and scenic waterway flows was determined at the time of issuance of Permit G-9972; furthermore, water availability for other affected water rights and scenic waterway flows after the permit was issued is determined at such time that such application for a new water right is submitted. The points of appropriation for Permit G-9972, are located within the Deschutes River Basin, is not located within a limited or critical ground water area. Deschutes River is located within or above any state or federal scenic waterway, however it is located within an area ranked "high" for stream flow restoration needs as determined by the Department in consultation with the Oregon Department of Fish and Wildlife, and is located within a Sensitive, Threatened or Endangered Fish Species Area as identified by the Department in consultation with Oregon Department of Fish and Wildlife. Deschutes River is listed by the Department of Environmental Quality as a water quality limited stream.

16. Economic investment in the project to date [OAR 690-315-0040(4)(d)].

a. As of March 16, 2010, the permit holder has invested approximately \$575000.

17. Other economic interests dependent on completion of the project [OAR 690-315-0040(4)(e)].

a. None have been identified.

18. Other factors relevant to the determination of the market and present demand for water and power [OAR 690-315-0040(4)(f)].

a. None have been identified.

19. OAR 690-315-0050(6) requires the Department to place a checkpoint condition on this extension of time in order to ensure diligence is exercised in the development and perfection of the water use permit. A "Checkpoint Condition" is specified under Item 1 of the "Conditions" section of this PFO to meet this condition.

**Fair Return Upon Investment [OAR 690-315-0040(2)(f)]**

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

**Other Governmental Requirements [OAR 690-315-0040(2)(g)]**

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

Unforeseen Events [OAR 690-315-0040(2)(h)]

22. Unforeseen events extended the length of time needed to fully develop and perfect Permit G-9972, in that the permit holder was not able to sale the remaining lots in the subdivision because of multiple interdependent economic and regional development factors.

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 537.630(1).
2. The applicant has submitted a complete extension application form and the fee specified in ORS 536.050, as required by OAR 690-315-0040(1)(a).
3. The applicant complied with begin actual construction timeline requirements pursuant to ORS 537.630 as required by OAR 690-315-0040(1)(b) and OAR 690-315-0040(5).
4. Completion of construction and full application of water to beneficial use can be accomplished by October 1, 2024<sup>5</sup>, as required by OAR 690-315-0040(1)(c).
5. The Department has considered the reasonable diligence and good faith of the appropriator, the cost to appropriate and apply water to a beneficial purpose, the market and present demands for water to be supplied, the financial investment made and fair and reasonable return upon the investment, the requirements of other governmental agencies, and unforeseen events over which the permit holder had no control, whether denial of the extension will result in undue hardship to the applicant and whether there are no other reasonable alternatives for meeting water use needs, any other factors relevant to a determination of good cause, and has determined that the applicant has shown that good cause exists for an extension of time to apply water to full beneficial use pursuant to OAR 690-315-0040(1)(d).
6. As required by OAR 690-315-0050(6) and as described in Finding 18 above, the Department has established, as specified in the "Conditions" section of this PFO (Item 1), progress checkpoints in order to ensure future diligence is exercised in the development and perfection of Permit G-9972.

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<sup>5</sup>Pursuant to ORS 537.630(4), 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 a new or revised claim of beneficial use as deemed appropriate by the Department.

## 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-9972 from October 1, 2009 to October 1, 2024.

Extend the time to apply water to beneficial use under Permit G-9972 from October 1, 2009 to October 1, 2024.

Subject to the following conditions:

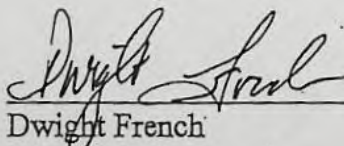
### CONDITIONS

1. Checkpoint Condition

The permit holder must submit a completed Progress Report Form to the Department by **October 1, 2014, October 1, 2019, and October 1, 2024**. *A form will be enclosed with your Final Order.*

- (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 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.

DATED: January 25, 2011



Dwight French  
Administrator  
Water Rights & Adjudications Division

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



**Mailing List for Extension PFO Copies**

**PFO Date: January 25, 2011**

**Application G-10349  
Permit G-9972**

**Copies Mailed**

By: JMS  
On: 1/25/11

**Original mailed to Applicant:**

Avion Water Co. Inc.  
60813 Parrell Road  
Bend OR 97702

**Copies sent to:**

1. WRD - App. File G-10349/ Permit G-9972
2. WRD - Watermaster District 11, Jeremy Giffin
3. Bruce Brody-Heine, GSI Water Solutions, 990 NW Brooks St, Ste 2, Bend OR 97701

**Fee paid as specified under ORS 536.050 to receive copy:**

4. None

**Receiving via e-mail (10 AM Tuesday of signature date)**

5. None

CASEWORKER: JWG

Application No. M-10349

Permit No. ....

STATE OF OREGON WATER RESOURCES DEPARTMENT

RECEIVED

MAY 29 1981

Application for a Permit to Appropriate Ground Water

WATER RESOURCES DEPT  
SALEM, OREGON  
(wild river)

I, AVION WATER CO. INC.  
(Name of Applicant)

of 60813 Parrell Road, Bend  
(Mailing Address) (City)

State of Oregon, 97702 Phone No. 382-5342  
(Zip Code)

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 2 wells  
(Give number of wells, tile lines, infiltration galleries, etc.)  
having a diameter of see attached and an estimated depth of sheet feet.

2. The well or other source is to be located ..... ft. (N. or S.) and ..... ft. (E. or W.)  
from the ..... corner of see attached sheet  
(Public Land Survey Corner)

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

..... being within the ..... 1/4 of the ..... 1/4 of

Sec. .... Tp. .... R. ...., W. M., in the county of .....

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
<u>215</u>	<u>9E</u>	<u>23</u>	<u>All of NE 1/4</u>	<u>quasi-municipal group domestic D.T. (see attached sheet)</u>

4. It is estimated that see feet of the well will require attached sheet casing.  
(Kind)

5. Depth to water table is estimated see Well drilled by attached sheet  
(Feet)

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

7. The use to which the water is to be applied is ~~quasi-municipal~~ <sup>DT</sup> group domestic for  
188 families, including irrigation of lawns and non-commercial gardens, not to  
exceed 1/2 acre per family

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.

..... not artesian .....

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.

..... see application .....

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.

The mainlines are 6" and 4", except in the areas of dead  
ends and for cut-de-sacs. These areas are served by 3"  
and/or 2" lines. The approx. length of the system is  
2 miles. Well #1 has a 1 1/2 h.p. pump at the present  
time. Well #2 has a 2 h.p. submersible pump at the  
present time.

11. Construction work will begin on or before ..... completed .....

12. Construction work will be completed on or before ..... see remarks .....

13. The water will be completely applied to the proposed use on or before ..... Oct 1, 1986 .....

14. If the ground water supply is supplemental to an existing supply, identify the supply and existing  
water right. .... not supplemental .....

Remarks: <sup>0.7.</sup> ~~The~~ <sup>group domestic</sup> ~~of~~ <sup>DT</sup> ~~the~~ <sup>1/2 acre</sup> ~~municipal~~ uses to include domestic, irrigation of lawns and gardens, fire protection and other services normally provided by a municipal water system. At the present time there are 33 users. The projected maximum users is <sup>188, 07.</sup> ~~24.~~

This permit, when issued, is for the beneficial use of water. By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan. It is possible that the land use you propose may not be allowed if it is not in keeping with the goals and the acknowledged plan. Your city or county planning agency can advise you about the land-use plan in your area.

*Avion Water Company Inc*  
*Paul C. Ramsay, President*  
 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 ..... completion .....

In order to retain its priority, this application must be returned to the Water Resources Director with corrections on or before ..... February 4 March 7 ..... , 19 83 .....

WITNESS my hand this ..... 6th ..... day of ..... January ..... 1983 .....  
 4th ..... day of ..... November ..... , 19-82 .....

James E. Sexson ..... Water Resources Director

By ..... *Chris L. Hughes* .....  
 Chris L. Hughes

RECEIVED

NOV 10 1982

WATER RESOURCES DEPT.  
 SALEM, OREGON

RECEIVED

JAN 27 1983

WATER RESOURCES DEPT.  
 SALEM, OREGON

This instrument was first received in the office of the Water Resources Director at Salem, Oregon, on the

..... 29 ..... day of ..... May ..... , 19 81 ..... , at ..... 8:00 ..... o'clock  
 ..... A.M.

Application No. .... G 10349 .....

Permit No. ....

### 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 .57 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 two wells;

being 0.15 c. Well #1 and 0.42 from Well #2

The use to which this water is to be applied is Group dam (198) and for F. 19

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;

*Spill washing - interference of rocks R*

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 May 29, 1981

Actual construction work shall begin on or before \_\_\_\_\_ and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 19\_\_\_\_\_

Complete application of the water to the proposed use shall be made on or before October 1, 19\_\_\_\_\_

WITNESS my hand this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_

68.222 = 0.11  
187.611 = 0.42

*Ref*

## Water Right Information Query Results

<b>Contact Information</b>	<b>Documents</b> <a href="#">View all scanned documents</a>	↑
----------------------------	---	---

▼ **Current contact information**

OWNER:  
 ▶ AVION WATER CO. INC.  
 60813 PARRELL RD  
 BEND, OR 97702

### Water Right Information

Status: Non-Cancelled  
 County: Deschutes  
 File Folder Location: Salem  
Watermaster District: 11

▼ **Application: G 10349**  
 ▶ Received: 5/29/1981

▼ **Permit: G 9972 document , paper map**  
 ▶ Signature: 3/18/1983

Permit Workflow			
Action	Date	Result	Completed By
Permit Issued	3/18/1983		
Extension Received	10/1/1999		ANNREECE
▶ Extension PFO 315 Issued	6/1/2004		ANNREECE
Extension FO Issued	7/28/2004		
Extended Completion Date	10/1/2009		ANNREECE
Extension Received	3/10/2010		SCOTTKUDLEMYER
Extension Public Notice	3/30/2010		SCOTTKUDLEMYER

▼ **Order(s)**

Volume-Page	Signature	Description
▶ 39-40	2/20/1985	EXTENSION OF TIME ORDER
44-53	2/16/1990	EXTENSION ORDER
49-66	2/22/1995	EXTENDS TIME LIMITS ON CERTAIN PERMITS

▶ [View right with Web Mapping](#)  
 ▶ [View Places of Use from Water Rights in the Same Area](#)

<b>Point(s) of Diversion</b>	↑
------------------------------	---

- ▶ **POD 1 - WELL 1 > DESCHUTES RIVER**
- ▶ **POD 2 - WELL 2 > DESCHUTES RIVER**

<b>Place(s) of Use</b> <a href="#">Add TRS grouping</a>	↑
---	---

▶ **Use - DOMESTIC INCLUDING LAWN AND GARDEN (Primary); Priority Date: 5/29/1981**

<b>Water Right Genealogy</b>	↑
------------------------------	---

----**No genealogy records available for this water right, try the family link below instead.**

[View Water Rights in same Family](#)

[Help understanding and working with the Water Rights Information System](#)

[Report Errors with Water Right Data](#)

[Return to WRIS Query](#)

Application # G-10349

Permit # G-9972

**Public Notice Route Slip ... New Application Extension of Time**  
per Division 315 Rules... (Extensions received on July 1, 2001 or after)

◆ WRIG...

Money Received on: \_\_\_\_\_

3/17/10

◆ Extension Specialist...

Added to tracking spreadsheet

After fee is receipted and app is added to spreadsheet, route to...

◆ Jonnine Skaug...

Publish on Public Notice (initial 30-day comment): Date of notice 3/30/10

Update WRIS Database

In the "PNotice Date" field... Enter the date the Extension Application was published on the Public Notice.

In the "Ext Filed" field... Enter the date the Extension Application was received.

Return file to Extension Specialist after PN

*G-10349 Review*

Yes or ~~No~~

**STATE OF OREGON  
WATER RESOURCES DEPARTMENT**

725 Summer St. N.E. Ste. A  
SALEM, OR 97301-4172

(503) 986-0900 / (503) 986-0904 (fax)

RECEIPT #

**99407**

INVOICE # \_\_\_\_\_

RECEIVED FROM: Avion Water Co.  
BY: JAL

APPLICATION	6-10349
PERMIT	
TRANSFER	

CASH:  CHECK:#  40469 OTHER: (IDENTIFY)

TOTAL REC'D \$ 500.00

**1083 TREASURY 4170 WRD MISC CASH ACCT**

0407 COPIES \$ \_\_\_\_\_  
OTHER: (IDENTIFY) \$ \_\_\_\_\_  
0243 I/S Lease \_\_\_\_\_ 0244 Muni Water Mgmt. Plan \_\_\_\_\_ 0245 Cons. Water \_\_\_\_\_

**4270 WRD OPERATING ACCT**

MISCELLANEOUS 46111

0407 COPY & TAPE FEES \$ \_\_\_\_\_  
0410 RESEARCH FEES \$ \_\_\_\_\_  
0408 MISC REVENUE: (IDENTIFY) \$ \_\_\_\_\_  
TC162 DEPOSIT LIAB. (IDENTIFY) \$ \_\_\_\_\_  
0240 EXTENSION OF TIME \$ 500.00

<b>WATER RIGHTS:</b>	<b>EXAM FEE</b>		<b>RECORD FEE</b>
0201 SURFACE WATER	\$ _____	0202	\$ _____
0203 GROUND WATER	\$ _____	0204	\$ _____
0205 TRANSFER	\$ _____		
<b>WELL CONSTRUCTION</b>	<b>EXAM FEE</b>		<b>LICENSE FEE</b>
0218 WELL DRILL CONSTRUCTOR	\$ _____	0219	\$ _____
LANDOWNER'S PERMIT		0220	\$ _____
OTHER (IDENTIFY)			

**0536 TREASURY 0437 WELL CONST. START FEE**

0211 WELL CONST START FEE \$ \_\_\_\_\_ CARD # \_\_\_\_\_  
0210 MONITORING WELLS \$ \_\_\_\_\_ CARD # \_\_\_\_\_  
OTHER (IDENTIFY) \_\_\_\_\_

**0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER**

0233 POWER LICENSE FEE (FWWRD) \$ \_\_\_\_\_  
0231 HYDRO LICENSE FEE (FWWRD) \$ \_\_\_\_\_  
HYDRO APPLICATION \$ \_\_\_\_\_

**TREASURY OTHER / RDX**

FUND \_\_\_\_\_ TITLE \_\_\_\_\_  
OBJ. CODE \_\_\_\_\_ VENDOR # \_\_\_\_\_  
DESCRIPTION \_\_\_\_\_ \$ \_\_\_\_\_

RECEIPT:

**99407**

DATED: 3-16-10 BY: JR



# Oregon

Theodore R. Kulongoski, 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

March 31, 2010

REFERENCE: Application for Extension of Time

Dear Extension of Time Applicant:

The Water Rights Section has received your application for an extension of time for **APPLICATION FILE#: G-10349 (PERMIT#: G-9972)**. Your application will be reviewed in the near future. Following the review, you will receive a Proposed Final Order either approving or rejecting the extension of time request. A 45-day protest period begins upon issuance of the Proposed Final Order. After the protest period closes, a Final Order is issued.

If you have questions concerning your extension of time application, please contact Scott Kudlemyer at (503) 986-0813. For general information about the Water Resources Department, you may contact the Water Resources' Customer Service Group at (503) 986-0801 or you may access the Department's Internet home page at: "[www.wrd.state.or.us](http://www.wrd.state.or.us)".

Oregon Water Resources Department  
Water Rights Division

Water Rights Application  
Number G-10349

**Final Order**  
**Extension of Time for Permit Number G-9972**

**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**

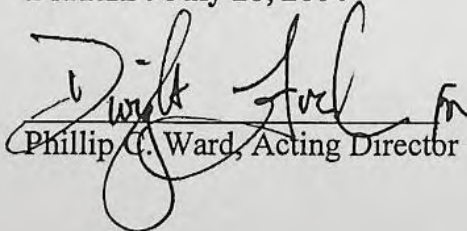
On October 1, 1999, Avion Water Co., Inc. submitted an application to the Department for an extension of time for permit number G-9972. The Department issued permit number G-9972 on March 18, 1983. The permit called for complete construction of the water development project by October 1, 1984, and application of water to full beneficial use by October 1, 1985. In accordance with OAR 690-320-0010(8), on June 1, 2004, the Department issued a Proposed Final Order proposing to extend the time to fully apply water to beneficial use to October 1, 2009. The protest period closed July 16, 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).

**Order**

The extension of time for Application Number G-10349, Permit Number G-9972, therefore, is approved. The deadline for applying water to full beneficial use is extended to October 1, 2009.

**DATED: July 28, 2004**

  
Phillip C. Ward, Acting Director

# WILD RIVER

## LEGEND

- 6" DOM
- 4" "
- 3" "
- 2" "
- WELL
- VALVE
- HYDRANT
- BLOWOFF
- SERVICE
- ACCOUNT NO.



WELL #1 IS LOCATED 900 FEET NORTH AND 1258' FEET EAST FROM THE CENTER 1/4 CORNER OF SEC. 23 T. 21S. R. 9E. BEING WITHIN THE S.W. 1/4 OF THE NE 1/4 OF SEC 23 T. 21S. R. 9E W.M. IN THE COUNTY OF DESCHUTES.

WELL #2 IS LOCATED 940 FEET SOUTH AND 490 FEET EAST FROM THE N. 1/4 CORNER OF SEC. 23 T. 21S. R. 9E BEING WITHIN THE NW 1/4 OF THE NE 1/4 OF SEC 23 T. 21S. R. 9E W.M. IN THE COUNTY OF DESCHUTES.

T. 21S. R. 9E SEC. 23:

NW 1/4 NE 1/4 62 DOMESTIC USERS AT 2.5 GPM EACH

SW 1/4 NE 1/4 30 DOMESTIC USERS AT 2.5 GPM EACH

NE 1/4 NE 1/4 62 DOMESTIC USERS AT 2.5 GPM EACH

SE 1/4 NE 1/4 34 DOMESTIC USERS AT 2.5 GPM EACH

NOTE: DOMESTIC TO INCLUDE IRRIGATION OF LAWNS AND NON-COMMERCIAL GARDENS NOT TO EXCEED 1/2 ACRE PER FAMILY.

: CIRCLED NUMBERS INDICATE POTENTIAL USERS IN EACH QUARTER - QUARTER. UNDERLINED NUMBERS INDICATE PRESENT USERS

Application No. G-10349  
 Permit No. G 9972

**RECEIVED**  
 JAN 27 1983  
 WATER RESOURCES DEPT.  
 SALEM, OREGON

# WILD RIVER

## LEGEND

- 6" DOM
- 4" "
- 3" "
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Application No. G-10349  
 Permit No. G 9972

**RECEIVED**  
 JAN 27 1983  
 WATER RESOURCES DEPT.  
 SALEM, OREGON

SCALE: 1"=200'

# 2002

Oregon Water Resources Department  
 October 2002 through September 2003  
 Annual Water Use - Monthly Quantities Form

USER-ID 10073

# 2003

*15 14 36 NPSSE*

Facility <input type="checkbox"/>	Wild River <input checked="" type="checkbox"/>	Red Cloud <input checked="" type="checkbox"/>	Cinder Butte <input checked="" type="checkbox"/>	Tetherow Crossing <input type="checkbox"/>	Odin Falls <input checked="" type="checkbox"/>
POD-ID <input type="checkbox"/>	<i>G-10349</i> 19534, 35 - DI	19373, 32754, 32755 - <i>QM</i>	<i>B-10207</i> 19329, 30 - <i>QM</i>	<i>G-10371</i> - DI 19547, 48, 49	<i>G-10617</i> 19546 - <i>GD</i>
October - 2002	98,400	<i>G 10290, G 13610</i> 422,713	124,828	235,471	96,458
November - 2002	73,283	105,194	31,064	58,598	24,004
December - 2002	46,000	218,583	64,548	121,761	49,878
January - 2003	55,613	100,724	29,744	56,108	22,984
February - 2003	14,561	82,397	24,332	45,899	18,802
March - 2003	28,888	102,065	30,140	56,855	23,290
April - 2003	37,012	91,039	26,884	50,713	20,774
May - 2003	48,445	143,040	42,240	79,680	32,640
June - 2003	125,123	351,193	103,708	195,631	80,138
July - 2003	216,800	570,968	168,608	313,056	130,288
August - 2003	168,154	729,951	215,555	406,617	166,566
September - 2003	169,200	617,605	182,380	344,035	140,930
TOTAL * C.F.	968,479	3,530,472	1,044,031	1,969,424	806,752

*G/S*

RECEIVED  
 DEC 31 2003  
 WATER RESOURCES DEPT  
 SALEM, OREGON

\* Describe the units of measure as G (gallons), KG (thousand gallons), MG (million gallons), CF (cubic feet), MCF (million cubic feet), or AF (acre-feet)

Describe method of measuring the water used: Time of operation and meter readings. If use is irrigation, total number acres irrigated N/A

I certify this information is true and accurate to the best of my knowledge.

*David Tolve*                      Engineering Dept.                      Avion Water Company, Inc.                      12/22/03  
 Signature                                      Title                                      Reporting Entity                                      Date

David Tolve  
 Name - Please Print

Please complete and mail to: Water Resources Department; Water Use Reporting Program;  
 725 Summer Street NE, Suite A; Salem, OR 97301-1271



# Extension "Final Order" Checklist

Application # G-10349 / Permit # G-9972

Permit Holder's Name AVION WATER CO., INC.

This Final Order is processed under:  Div. 315 Rules -or-  Div. 320 Rules

1. Date Extension Request submitted: 10-1-99

2. Date permit was issued: 3-18-83

3. Original "B" Date from permit: 10-1-84  
(Date for completion of construction)

4. Original "C" Date from permit: 10-1-85  
(Date for complete application of water)

5. Extension PFO Date: 6-1-04

6. WRD recommends extending "B" Date to: —  
and extending the "C" Date to: 10-1-09

7. Any conditions from PFO: NO

8. Protest Deadline Date from PFO: 7-16-04

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

Reviewer's Name: Ken Hinkle

Date: 5-21-04



**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-9972, Water Right ) PROPOSED FINAL ORDER  
Application #G-10349 )  
(Avion Water Co., Inc) )

<b>Permit Information</b>	
<b><u>Application File #G-10349 / Permit #G-9972</u></b>	
Basin: #05 - Deschutes Basin / Watermaster District: #11	
Date of Priority: May 29, 1981	
<b><u>Authorized Use of Water</u></b>	
Source of Water:	Two Wells within the Deschutes River Basin
Purpose or Use:	Group Domestic for 188 families including irrigation of lawns and gardens not to exceed one-half acre in area per family (Wildriver)
Maximum Rate:	0.57 cubic foot per second (cfs), being 0.15 cfs from well #1 and 0.42 cfs from well #2.

**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.***

This Proposed Final Order applies only to Permit #G-9972, water right Application #G-10349. A copy of Permit #G-9972 is enclosed as Attachment 1.

## Summary of Proposed Final Order for Extension of Time

### The Department proposes to:

- grant the extension for complete application of water from October 1, 1999, to October 1, 2009;

### 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.

## **FINDINGS OF FACT**

### **Background**

1. Permit #G-9972 was granted by the Water Resources Department on March 18, 1983. The permit authorizes the use of up to 0.57 cfs of water from two wells, within the Deschutes River Basin, for Group Domestic use for 188 families including irrigation of lawns and gardens not to exceed one-half acre in area per family (Wildriver). It specified that construction of the water development project should be completed by October 1, 1984, and that complete application of water was to be made on or before October 1, 1985.
2. Three prior extensions have been granted for Permit #G-9972. The most recent extension request resulted in the construction and completion dates being extended to October 1, 1999.
3. The permit holder submitted an "Application for Extension of Time" to the Department on October 1, 1999, requesting the time in which to accomplish beneficial use of water to the full extent under the terms of Permit #G-9972 be extended from October 1, 1999, to October 1, 2009.

### **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, 537.248<sup>1</sup>, 537.630 and 539.010(5).

### **Other Governmental Requirements [ORS 537.230(2)]**

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

### **Start of Construction [ORS 537.630]**

5. The applicant demonstrated that construction of the wells and water system began within the time specified in the permit, being March 18, 1984.

### **Financial Investment [ORS 539.010(5)]**

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<sup>1</sup> ORS 537.248 applies to reservoir permits only.

6. As of October 1, 1999, the permit holder had invested a total of \$450,000 into the project, consisting of installation of 33 service connections to homes, and installation of drive units.

**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)].

7. On or prior to October 1, 1999, the following had occurred: construction of the of the wells, installation of 83 service connections to homes, installation of 188 services to each lot, installation of drive units, and installation of a 10,000 gallon reservoir.
8. Since the issuance of Permit #G-9972 on March 18, 1983, a maximum rate of 0.25 cfs, being approximately 44 percent of water allowed under Permit #G-9972, has been appropriated from the wells and used for group domestic purposes.
9. Delay of full beneficial use of water was due to the length of time necessary to sell all the lots in the "Second Home" subdivision and establish water service connections.

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

10. The permit holder maintains several other water use permits and certificates in addition to Permit #G-9972. However, this permit is the sole source of water to meet current and future demands for the subject project.
11. The permit holder has established service connections to 83 of 188 residential lots, being approximately 44 percent of the permitted lots. An extension of time is necessary to allow full build-out and complete development of the project under Permit #G-9972.
12. Permit #G-9972 was issued on March 18, 1983, and is not subject to regulation or mitigation for scenic waterway flows in the Deschutes Basin [ORS 390.835(9)].
13. Permit #G-9972 has a priority date of May 29, 1981, which predates instream water rights on the Deschutes River.

**Fair Return Upon Investment [ORS 539.010(5)]**

14. 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.

15. As of October 1, 1999, the remaining work to be completed consists of complete application of water to beneficial use.
16. The scope and nature of the project extended the length of time needed to fully develop and perfect Permit #G-9972, caused by the need to sell the "Second Home" lots and establish water service connections.

**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-9972 is not subject to regulation or mitigation for scenic waterway flows.
5. Permit #G-9972 is senior to instream water rights located on the Deschutes River.
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-9972.
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).

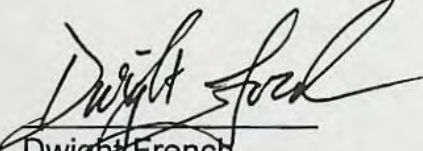
8. Given the amount of development left to occur, the Department has determined that the permittee's request to have until October 1, 2009<sup>2</sup>, to complete the application of water to beneficial use under the terms of Permit #G-9972 is both reasonable and necessary.

### **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 application of water to beneficial use under Permit #G-9972 from October 1, 1999, to October 1, 2009.

DATED: June 1, 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;

---

<sup>2</sup> 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.

- 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, July 16, 2004.**
  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 Rights Information Group at (503)986-0900.**





## STATE OF OREGON

County of DESCHUTES

## PERMIT TO APPROPRIATE THE PUBLIC WATERS

This is to certify that I have examined APPLICATION G-10349 and do hereby grant the same SUBJECT TO EXISTING RIGHTS and the following limitations and conditions:

This permit is issued to Avion Water Co., Inc., 60813 Farrell Road, Bend, Oregon 97702, phone 382-5342 for use of the waters of 2 wells, being 0.15 cubic foot per second from Well 1 and 0.42 from Well 2

for the PURPOSE of group domestic use for 188 families including irrigation of lawns and gardens not to exceed one-half acre in area per family (Wildriver)

that the PRIORITY OF THE RIGHT dates from May 29, 1981

and is limited to the amount of water which can be applied to beneficial use and shall not exceed 0.57 cfs

measured at the point of diversion from the wells, or its equivalent in case of rotation with other water users.

The well is to be LOCATED: Well 1 - 900 feet North and 1,258 feet East from the Center Quarter Corner of Section 23, being within the SW 1/4 NE 1/4 of Section 23; Well 2 - 940 feet South and 490 feet East from the N 1/4 Corner of Section 23, being within the NW 1/4 NE 1/4 of Section 23, both in Township 21 South, Range 9 East, W.M. in the County of Deschutes.

A description of the PLACE OF USE under the permit, and to which such right is appurtenant, is as follows:

Township 21 South, Range 9 East, W.M.	Section 23	Group Domestic
		NW 1/4 NE 1/4
		SW 1/4 NE 1/4
		NE 1/4 NE 1/4
		SE 1/4 NE 1/4

Use of water under this permit shall be limited to the appropriation of water only to the extent that such appropriation does not interfere with or deplete the flow of the Deschutes River. Any depletion will require the wells to be shut down, since the Deschutes River has been closed to further appropriation.

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.

Actual construction work shall begin on or before March 18, 1984, and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1984. Extended to October 1, 1989, extended to 10-1-94, 10-1-97

Complete application of the water to the proposed use shall be made on or before October 1, 1985. Extended to October 1, 1989, extended to 10-1-94, 10-1-97

Witness my hand this 18th day of March, 1983.

\_\_\_\_\_  
WATER RESOURCES DIRECTOR

This permit is for the beneficial use of water. By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan. It is possible that the land use you propose may not be allowed if it is not in keeping with the goals and the acknowledged plan. Your city or county planning agency can advise you about the land-use plan in your area.

APPLICATION G-10349

PERMIT G 9972

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

Application #: G - 10349 / Permit #: G - 9972

Permittee's Name: AVION WATER CO, INC

Permittee's Mailing Address: 60813 PARCEL RD

POD Location: Township 21S Range 9E Section 23  $\frac{1}{4}$  SW NE & NW NE

Drainage Basin: DESCHUTES County: DESCHUTES Watermaster District #: 11

1. Has the applicant submitted the appropriate fee? 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: 3-18-83 Priority Date: 5-29-81
4. Source: TWO WELLS ~~(WELL #1)~~
5. Use: GROUP DOMESTIC FOR 188 FAMILIES INCLUDING IRRIGATION OF LAWNS & GARDENS NOT TO EXCEED 1/2 ACRE
6. "Q": WELL #1 0.15 cfs & WELL #2 0.42 cfs 0.57 cfs MAX
7. Orig "A" Date: 3-18-84 Orig "B" Date: 10-1-84 Orig "C" Date: 10-1-85
8. Conditions of Permit:
  - WELLS CONSTRUCTED TO STANDARDS
  - AIRLINE & PRESSURE GAUGE TO BE INSTALLED
  - INSTALL METER
9. Extension request received: 10-1-99 Request Number (...1<sup>st</sup> 2<sup>nd</sup>, 3<sup>rd</sup>): 4<sup>th</sup>
10. Last Authorized "B" Date: 10-1-99 Last Authorized "C" Date: 10-1-99
11. Proposed "B" Date: — Proposed C Date: 10-1-09

PFO Checklist - Division 320

12. Amount Invested to date: \$450,000<sup>-</sup> Estimated Total Cost: \$450,000<sup>-</sup>  
(\*\*\*Estimated Remaining Cost: 0 )

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?  
• USING TIME MEASUREMENT

14. Work on the water development project completed to date includes: \_\_\_\_\_  
[ • LAST EPT... 33 SERVICE CONNECTIONS TO 33 HOMES FOR A TOWN OF 83  
• INSTALLED DRIVE UNITS  
• INSTALLED 10,000 GALLON RESERVOIR • DELIVERING 113 gpm (25 cfs) 44% OF ALLOWED  
• INSTALLED 30 SERVICE CONNECTIONS • 83 HOMES USING WATER / LOTS DEVELOPED 44% DEVELOPED  
• INSTALLED 188 SERVICES TO EACH LOT  
• DRILLED TO WELLS

15. The work remaining to be completed consists of: \_\_\_\_\_  
• DEVELOPE 105 MORE LOTS  
(• COMPLETE APPLICATION OF WATER)

16. Progress in perfecting the permit is being held up by: \_\_\_\_\_  
• "SECOND HOME" SUBDIVISION VERY SLOW TO FILL (VACATION HOMES)

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: \_\_\_\_\_  
• PERMITTEE NEEDS THIS WATER TO DEVELOPE THE SUBDIVISION & PROVIDE WATER TO THE EXISTING HOMES

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  
 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."

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NOTES:

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Extension "PFO" Dates

Checklist Last Revised: 3/11/2004

Mailing / Issuance Date: \_\_\_\_\_

WRD Project Manager: KAY

Protest Deadline Date: \_\_\_\_\_

Date: 5-21-04

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... per Division 520 Rules

# EXTENSION REVIEW CHECKLIST for PFO

Application #: G-10349 / Permit #: G-9972

Permittee's Name: Avion Water Co. Inc

Permittee's Mailing Address: 60813 Parrell Rd, Bend OR 97701

POD Location: Township 21-S Range 9-E Section 23 ¼ ¼

Stream Basin: \_\_\_\_\_ County: Deschutes

✓ 1. Has the applicant completely filled out the *updated* Extension Application form?  Yes / No

\*\*\*If "No"..... has certified request for the new extension form been sent?  Yes /  No

2. Shortcomings of Extension Request..... based upon review of updated extension form Yes / No

\*\*\**(NOTE: Any missing Extension information that is needed before an Extension PFO can be completed???)*

3. Date Permit was issued: 3-18-83

4. Source: Two Wells

5. Use: Group Domestic Expanded for 188 families

6. "Q": 0.57 cfs (Well#1 = 0.15 cfs & Well#2 = 0.42 cfs)

7. Original "B" Date: 10-1-84 Original "C" Date: 10-1-85

8. Conditions of Permit: \_\_\_\_\_

9. Extension request received: 10-1-99 Request Number (...1<sup>st</sup> 2<sup>nd</sup>, 3<sup>rd</sup>): 4<sup>th</sup>

10. Last Authorized "B" Date: 10-1-99 Last Authorized "C" Date: 10-1-99

11. Proposed "B" Date: \_\_\_\_\_ Proposed C Date: 10-1-2009

12. Amount Invested to date: \$450,000.<sup>00</sup> Estimated Total Cost: \$450,000.<sup>00</sup>

*(Remaining → Zero)*

\_\_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?

- Time clocks installed to measure well production using "time measurement" method.
- Air lines installed in each well to measure drawdown.

\_\_14. Work on the water development project completed to date includes: \_\_\_\_\_

- 44% developed - 83 service connections out of 188.
- 113 gpm being delivered.

\_\_15. The work remaining to be completed consists of: \_\_\_\_\_

\_\_16. Progress in perfecting the permit is being held up by: \_\_\_\_\_

\_\_17. The applicant has / has not pursued perfection of the right in good faith and with reasonable diligence.

\_\_18. Based on the written record, the Department finds there is / is not good cause to approve the extension request.

\_\_19. Conditions to be included on Extension PFO: \_\_\_\_\_

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### Extension "PFO" Dates

Mailing / Issuance Date: \_\_\_\_\_

Protest Deadline Date: \_\_\_\_\_

Reviewer's Name: \_\_\_\_\_ Date: \_\_\_\_\_

**STATE OF OREGON  
WATER RESOURCES DEPARTMENT**

RECEIPT # **33506**

158 12TH ST. N.E.  
SALEM, OR 97310-0210  
378-8455 / 378-8130 (FAX)

INVOICE # \_\_\_\_\_

RECEIVED FROM: Avion Water Co., Inc  
BY: \_\_\_\_\_

APPLICATION	G-10349
PERMIT	
TRANSFER	

CASH:  CHECK: #  96-602 OTHER: (IDENTIFY)

TOTAL REC'D \$ 100.00

**0417 WRD MISC CASH ACCT**

ADJUDICATIONS	\$
PUBLICATIONS / MAPS	\$
OTHER: (IDENTIFY)	\$
OTHER: (IDENTIFY)	\$

**REDUCTION OF EXPENSE**

CASH ACCT.	\$
VOUCHER #	

**0427 WRD OPERATING ACCT**

0407	MISCELLANEOUS COPY & TAPE FEES	\$
0410	RESEARCH FEES	\$
0408	MISC REVENUE: (IDENTIFY)	\$
(New) TC162	DEPOSIT LIAB. (IDENTIFY)	\$
<b>WATER RIGHTS:</b>		
0201	SURFACE WATER	\$
0203	GROUND WATER	\$
0205	TRANSFER	\$
<b>WELL CONSTRUCTION</b>		
0218	WELL DRILL CONSTRUCTOR	\$
	LANDOWNER'S PERMIT	\$

*PCA # 66111*

EXAM FEE	
\$	0202
\$	0204
\$	0206
EXAM FEE	
\$	0219
	0220

RECORD FEE	\$
\$	
\$	
\$	
LICENSE FEE	\$
\$	
\$	

0210 OTHER (IDENTIFY) EXT. OF TIME \$100.00

**0437 WELL CONST. START FEE**

0211	WELL CONST START FEE	\$	CARD #	
0210	MONITORING WELLS	\$	CARD #	
OTHER (IDENTIFY)				

**0539 LOTTERY PROCEEDS**

1302	LOTTERY PROCEEDS	\$
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**0467 HYDRO ACTIVITY**

0233	POWER LICENSE FEE (FW/WRD)	LIC NUMBER	\$
0231	HYDRO LICENSE FEE (FW/WRD)		\$
HRDRO APPLICATION			
\$			

RECEIPT # **33506**

DATED: 10-1-99 BY: Roger Whight

**STATE OF OREGON  
WATER RESOURCES DEPARTMENT**

RECEIPT # **33506**

158 12TH ST. N.E.  
SALEM, OR 97310-0210  
378-8455 / 378-8130 (FAX)

INVOICE # \_\_\_\_\_

RECEIVED FROM: Avion Water Co., Inc.  
BY: \_\_\_\_\_

APPLICATION	G-10349
PERMIT	
TRANSFER	

CASH:  CHECK: # 96-602 OTHER: (IDENTIFY)

TOTAL REC'D	\$100.00
-------------	----------

**0417 WRD MISC CASH ACCT**

ADJUDICATIONS	\$
PUBLICATIONS / MAPS	\$
OTHER: (IDENTIFY)	\$
OTHER: (IDENTIFY)	\$

**REDUCTION OF EXPENSE**

CASH ACCT.	\$
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PCA AND OBJECT CLASS \_\_\_\_\_ VOUCHER # \_\_\_\_\_

**0427 WRD OPERATING ACCT**

0407 MISCELLANEOUS	\$
0410 COPY & TAPE FEES	\$
0408 RESEARCH FEES	\$
TC162 MISC REVENUE: (IDENTIFY)	\$
DEPOSIT LIAB. (IDENTIFY)	\$

*PERM 66111*

**WATER RIGHTS:**

0201 SURFACE WATER	EXAM FEE	0202	RECORD FEE
0203 GROUND WATER	\$	0204	\$
0205 TRANSFER	\$	0206	\$
0218 WELL CONSTRUCTION	EXAM FEE	0219	LICENSE FEE
WELL DRILL CONSTRUCTOR	\$	0220	\$
LANDOWNER'S PERMIT			

0210 OTHER (IDENTIFY) EXT. OF TIME \$100.00

**0437 WELL CONST. START FEE**

0211 WELL CONST START FEE	\$	CARD #	
0210 MONITORING WELLS	\$	CARD #	
OTHER (IDENTIFY)			

**0539 LOTTERY PROCEEDS**

1302 LOTTERY PROCEEDS	\$
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**0467 HYDRO ACTIVITY**

0233 POWER LICENSE FEE (FWWRD)	LIC NUMBER	\$
0231 HYDRO LICENSE FEE (FWWRD)		\$
HRDRO APPLICATION		\$

RECEIPT #

**33506**

DATED: 12-1-99 BY: Roger Whight

Distribution-White Copy-Customer, Yellow Copy-Fiscal, Blue Copy-File, Buff Copy-Fiscal

RECEIVED

OCT 01 1999

WATER RESOURCES DEPT.  
SALEM, OREGON

# APPLICATION FOR EXTENSION OF TIME TO THE WATER RESOURCES DIRECTOR OF OREGON

I, Avion Water Co., Inc. Wild River  
NAME

60813 Parrell Rd. Bend, OR. 97702 541-382-5342  
ADDRESS CITY STATE ZIP PHONE

owner of record, or duly authorized agent, of Application No. G-10349, Permit No. G-9972, do hereby request that the time in which to:

complete the construction of diversion/appropriation works and/or purchase and installation of the equipment necessary to the use of water, which time now expires on October 1, \_\_\_\_\_, be extended to October 1, \_\_\_\_\_,

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, 1999, be extended to October 1, 2009.

**NOTE: 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.**

Attached is an instruction sheet to assist you in completing the information on the permit extensions application form. Oregon Water Law and Administrative Rules requires this information to be considered by the Water Resources Department when reviewing a permit extension. All items must be completed or the application will be returned. Please feel free to provide the Department with any additional information that would aid us in making our decision. Please use additional sheets of paper as needed to fully respond to the questions.

After reviewing the application form and the instruction sheet, if you have any questions, please contact the Department at 1-800-624-3199, or locally in the Salem vicinity at (503) 378-3739, and request assistance from the Water Rights Division, permit extensions personnel.

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

2-Has construction of diversion/appropriation works, distribution system, and use of water, if any, been accomplished consistent with the limitations and conditions of this permit [yes/no]? Yes

*db* ✓

A) Please describe how you have complied with each applicable permit condition (NOTE: the instruction sheet for permit extension applications provides some direction as to what is an "applicable" condition at time of permit extension review). We have installed time clocks to measure the well production using the "time measurement" method. We also installed an air line in each well to measure drawdown.

B) If you have not complied with all applicable conditions, please explain the reasons why and indicate a date certain, in the near future, by which time you will be in compliance with applicable conditions.

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

A) Within the past year or, if a prior extension was authorized, during the last permit extension period: During the last extension period Avion installed 33 service connections to 33 residential homes for a total of 83 service connections. Avion also installed drive units on the centrifugal pumps to eliminate large swings in pressure.

B) Prior to the past year or, if a prior extension was authorized, prior to the last extension period: Installed a 10,000 gallon reservoir. Installed 50 service connections. Installed 188 services to each lot. Drilled two wells.

C) I have accomplished beneficial use of water under the permit to the extent of (amount of water used or acres irrigated): Avion Water is delivering 113 gpm.

RECEIVED

OCT 01 1999

4-Cost of project to date \$450,000.00 Estimated remaining cost to complete the project 0

WATER RESOURCES DEPT.  
SALEM, OREGON

5-Please list the reasons why the project was not constructed, and/or water not beneficially used within permit time limits under the appropriate categories below. Please provide supporting information for each reason identified.

A) The project is of a size and scope that the original intent was to phase it in over a period longer than the timeframes allowed in the permit. This area was intended to be for second homes.

Therefore, this subdivision has been very slow to in-fill.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

B) Financing and/or cash-flow needs to develop the project precluded completion of the project within authorized timeframes. N/A

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

C) Good faith attempts to comply with permit conditions and/or to acquire permits from other agencies, or otherwise comply with government regulations, delayed completion of the project.

N/A  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

D) Acts of God or other unforeseen events delayed full development of the water system and use of water. N/A

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

6-Please identify the economic market or markets to which beneficial use of water under the permit is responding. Second home residential housing.

\_\_\_\_\_  
\_\_\_\_\_

A) Has there been any change in this market since the permit was issued? No, this area is  
between LaPine and Bend. There is no economic activity in this area.

B) Have these changes, if any, affected the economic feasibility of your project? Yes, since  
these parcels were intended to be for second homes, the lack of economic  
activity has drastically slowed the completion of the Subdivision.

7-Are there other present competing demands for water in your community? No

A) Has there been any change in these demands for water since the permit was issued? No

B) Are you aware of alternative sources of water that may be able to satisfy the competing demands?  
No

C) Are you aware of any adverse affects on your source of water that may have been caused by recent  
changes in use of water in your community? No

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OCT 01 1999

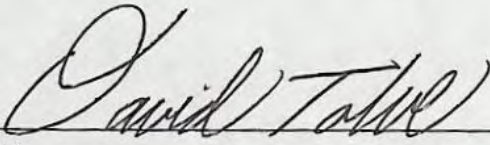
WATER RESOURCES DEPT.  
SALEM, OREGON

8-Will the income or use from the water development project authorized by this permit provide reasonable returns against the investment in the project? No, Avion's rates are determined by the Public Utility Commission.

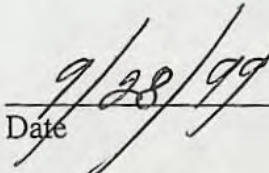
9-If the extension request is denied, is the current level of water use economically feasible?

Without an extension there would be a great economic impact on the 105 undeveloped lots.

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



Date

MAIL COMPLETED APPLICATION AND STATUTORY FEE OF \$ 100 TO:

WATER RIGHT PERMIT EXTENSIONS  
WATER RESOURCES  
158 12TH ST NE  
SALEM, OREGON 97310

March 1, 1995

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WATER  
RESOURCES  
DEPARTMENT

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AVION WATER CO INC  
60813 PARRELL RD  
BEND OR 97701

REFERENCE: File G-10184, G-10348, G-10349, G-10421 & G-10466

We have received your application for extension of the time limits to complete construction and make complete application of water under Permit G-9946, G-9971, G-9972, G-9948, and G-10019. We also have your check in the amount of \$500.

The application indicates reasonable diligence toward completion of the proposed project. The time limits to complete construction and make complete application of water are extended to October 1, 1999. The order approving the extension was entered February 22, 1995 in Special Order Volume 49, Page 66.

If you have any questions, please contact the Water Rights Section at 378-3739, or toll-free 1-800-624-3199.

Sincerely,

STEVEN P. APPLGATE, Administrator  
Water Rights/Adjudication Division

SPA:jh

enclosure



---

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

STATE OF OREGON  
**WATER RESOURCES DEPARTMENT**

RECEIPT # **118913**

158 12TH ST. N.E.  
 SALEM, OR 97310-0210  
 378-8455 / 378-8130 (FAX)

INVOICE # \_\_\_\_\_

**G**

RECEIVED FROM: <u>Avion Water Co. Inc</u>	APPLICATION: <u>10344</u>
BY: _____	PERMIT: <u>9972</u>
	TRANSFER: _____

CASH:  CHECK: # X 96-602 OTHER: (IDENTIFY)

TOTAL REC'D \$ 700.

**01-00-0 WRD MISC CASH ACCT**

842.010	ADJUDICATIONS	\$
831.087	PUBLICATIONS / MAPS	\$
830.650	PARKING FEES Name / month	\$
_____	OTHER: (IDENTIFY)	\$

**REDUCTION OF EXPENSE**

CASH ACCT. \_\_\_\_\_ \$ \_\_\_\_\_  
 COST CENTER AND OBJECT CLASS \_\_\_\_\_ VOUCHER # \_\_\_\_\_

**03-00-0 WRD OPERATING ACCT**

840.001	MISCELLANEOUS COPY FEES	\$
850.200	RESEARCH FEES	\$
880.109	MISC REVENUE: (IDENTIFY)	\$ <u>60.</u>
520.000	OTHER (P-6) (IDENTIFY)	\$

*Extension assignment*

**WATER RIGHTS:**

842.001	SURFACE WATER	EXAM FEE \$	842.002	RECORD FEE \$
842.003	GROUND WATER	\$	842.004	\$
842.005	TRANSFER	\$	842.006	\$

**WELL CONSTRUCTION**

842.022	WELL DRILL CONSTRUCTOR	EXAM FEE \$	842.023	LICENSE FEE \$
_____	LANDOWNER'S PERMIT		842.024	\$
_____	OTHER (IDENTIFY)			

**06-00-0 WELL CONST. START FEE**

842.013	WELL CONST START FEE	\$	CARD #	
_____	MONITORING WELLS	\$	CARD #	
_____	OTHER (IDENTIFY)			

**45-00-0 LOTTERY PROCEEDS**

864.000	LOTTERY PROCEEDS	\$
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**07-00-0 HYDRO ACTIVITY**

842.011	POWER LICENSE FEE (FW/WRD)	LIC NUMBER	\$
842.115	HYDRO LICENSE FEE (FW/WRD)		\$
_____	HYDRO APPLICATION		\$

RECEIPT # **118913**

DATED: 11-16-94 BY: D. Bushnell

# Application for Extension of Time

RECEIVED

NOV 16 1994

TO THE WATER RESOURCES DIRECTOR OF OREGON

I, AVION WATER COMPANY, INC.

Name

60813 Parrell Rd.

Mailing Address

Bend

OR.

97702

City

State

Zip

WATER RESOURCES  
SALEM, OREGON

record owner of water permit No. G9972, 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, 19<sup>94</sup>, be extended to October 1, 19<sup>99</sup>; 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<sup>94</sup>, be extended to October 1, 19<sup>99</sup>.

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 Installed 2 service connections for a total of 50 service connections

(2) prior to this past year Installed 2 service connections

(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)

Gayle Williamson - Secretary - Treasurer  
(If signing for a corporation please identify your title)

Dated 11/9/94

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

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

OK  
BC 10-1-99  
JSS

1. 2 WELLS 1/2 CFS GRP DAM 188 FAMILIES

3RD  
REQUEST

2. WELLS DRILLED

3. YES 50 CONNECTION - 2 DURING LAST EXT

4. 13 GPM

5. 5%

6. NOTHING GIVEN

7. NO

8. NO

9. NO

10. NO

11/12 NO INFO

OK BC-10-1-99

DM 2/16/95

EXTENSION CHECKLIST

FILE DOCUMENT - FOR OFFICE USE ONLY

APPLICATION NO: G-10349 PERMIT NO: G-9972

DATE: 2-8-95

1. What service area or base was anticipated by the applicant at the time the permit was granted?
2. What water right development steps has the permittee completed to date?
3. Is the permittee currently meeting all conditions of the permit?
4. What is the current use of water under the permit?
5. What percent of the total allowable use under the permit does the current use represent?
6. Have there been any unforeseen events (over which the permittee has no control) which could reasonably have delayed development under the permit?
7. Has there been any change in the market for either water or power since the permit was granted which could have affected the development program under the permit?
8. Has there been any change in demand for water or power since the permit was granted?
9. If the extension request is denied, is the current level of water use under the permit economically feasible?
10. Is there an alternate source of water available at this time?
11. Has use of water under the permit caused an adverse impact on the surface/ground water resource in the area?
12. Have there been claims of injury to other water right holders or water users in the area?

REMARKS:



January 5, 1995

AVION WATER COMPANY, INC.  
60813 PARRELL RD  
BEND, OR 97702

REFERENCE FILES: G-10184, G-10348, G-10349, G-10378, G-10421,  
G-10440, AND G-10466

ATTN: CHARLOTTE WILLIAMSON, SECRETARY - TREASURER

We have received \$700 along with requests to extend the time limits for the following permits: G-9946, G-9971, G-9972, G-9975, G-9948, G-10000, and G-10019.

I know Avion Water Company, Inc. has several other permits. Perhaps you have a complete understanding of the terms and conditions of the various permits, but with this group, it appears some of the limits are nearly satisfied, so we would appreciate a little more information. During the peak demand for water usage, what has been the maximum amount of water diverted under each permit? This should be a figure in gallons per minute or cubic foot per second.

Also, for those permits identifying a number of families for group domestic purposes, you will be restricted to that number. On the other hand, if all of the lots will not or cannot be developed, please advise us and let us know when you have appropriated the maximum amount of water.

Further action will be withheld on these files for a reasonable length of time pending your reply.

Sincerely,

Thomas E. Shook  
Water Right Specialist



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

M E M O R A N D U M

TO: RALPH JACKSON  
DON BUELL  
WAYNE OVERCASH

Date: April 2, 1981

FROM: LARRY W. JEBOUSEK *LWJ*

Subject: Ground Water Applications Within Closed Basins

Copies to: C. Wheeler, N. Perry, A. Petska, D. Learn

There seems to have been some variation in the past regarding accepting and processing applications and conditioning permits for the appropriation of ground water within basins that have been closed by State Engineer Orders, Legislative action, or Water Policy Review Board Basin Programs.

The procedure that will be followed from now in is to refer all new applications to the Ground Water Division for careful review, and:

1. If Ground Water determines that there is no hydraulic connection, the application will be filed and processed routinely.
2. If Ground Water determines that there may be some hydraulic connection but the impacts are slight or negligible, the application may be filed. The first letter should clearly advise the applicant of the specific withdrawal and state that if it should be determined that the well is hydraulically connected to the stream, it will be shut off. If this is satisfactory to the applicant, the permit will then be issued with a specially worded condition.
3. If Ground Water determines the well to have a direct hydraulic connection to the stream with projected quick effect on flow, the application will not be filed.

Ground Water's review must take place before the application is filed. Under condition 2, the application should be referred to Policy and Planning Division if the withdrawal or use restriction is by the Water Policy Review Board Basin Program.

M E M O R A N D U M

TO: JAMES E. SEXSON

Date: December 27, 1982

FROM: LARRY W. JEBOUSEK 

Subject: Avion Water Company's Application G-10349

Copies to: Fred Lissner, Newt Perry

The Deschutes River and its tributaries above Bend were closed to further appropriation by Order of the State Engineer entered November 26, 1921.

Avion Water Company submitted Application G-10349 for permit to appropriate 375 gallons per minute from two wells to serve a 188-lot subdivision. The wells are within 350 feet of the Deschutes River.

The Ground Water Division has advised that the wells are hydraulically connected to the river. This can be shown on paper but could not be measured in the river.

ORS 537.620(3) provides: "When an application discloses the probability of wasteful use or undue interference with existing wells or that any proposed use or well will impair or substantially interfere with existing rights to appropriate surface water by others, the director may impose conditions or limitations in the permit to prevent the same or reject the same after hearing, or, in the director's discretion, initiate a proceeding for the determination of a critical ground water area under ORS 537.730 to 537.740."

Since the application is filed, it cannot be rejected without a hearing.

Application G-10349 should be approved by issuance of a permit because the showing of impairment or substantial interference with the river cannot be made. This would also be consistent with the ground water permits issued to Sunriver in the 1960's and '70's.



## Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE 78-3066

November 15, 1989

Avion Water Company, Inc.  
69813 Parrell Road  
Bend, Oregon 97702

REFERENCE: Files G-10184, G-10348, G-10349, G-10378, G-10421,  
G-10440, and G-10466

Gentlemen:

Your applications for extension of the time limits to complete construction and make complete application of water under the terms of your Permits G-9946, G-9971, G-9972, G-9975, G-9948, G-10000, and G-10019 were received. We also have your check in the amount of \$800.

The applications indicate reasonable diligence toward completion of the proposed projects; therefore, the time limits to complete construction and make complete application of water are extended to October 1, 1994.

Sincerely,

Steven P. Applegate, Manager  
Application/Permit Section

SPA/jw

Enclosures

# Application for Extension of Time

# RECEIVED

TO THE WATER RESOURCES DIRECTOR OF OREGON

NOV 13 1989

I, AVTON WATER CO., INC. Name

60813 Parrell Rd. Mailing Address

Bend City, OR. State 97702 Zip

WATER RESOURCES DEPT.  
SALEM, OREGON

- record owner of water permit No. G9972, 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, 1989, be extended to October 1, 1994; 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, 1989, be extended to October 1, 1994.

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 installed 1 service connection for a total of 39
- (2) prior to this past year installed 1 service connection
- (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)

Charlotte Williamson Office Manager

(If signing for a corporation please identify your title)

Dated November 9, 1989

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

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

11-13-89  
\$10000  
59764

OK PC to  
10-1-94  
JH

BC99

May 29, 1981

G10349

Application No.

Permit No.

G 9972

Name Avion Water Co. Inc.

Address 60813 Parrell Rd. Bend OR 97701

Assigned

Address

Beginning construction MAR 18 1984

Completion of construction OCT 1 1984

Extended to 10-1-89 10-1-94, 10-1-99

Complete application of water OCT 1 1985

Extended to 10-1-89 10-1-94, 10-1-99



## *Water Resources Department*

MILL CREEK OFFICE PARK

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

PHONE 378-8508

January 3, 198~~7~~<sup>5</sup>

Avion Water Company  
60813 Parrell Road,  
Bend, OR 97702

REFERENCE: Files Numbered G-10617 (Odin Falls)  
G-10371 (Tetherow)  
G-8754  
G-10349 (Wild River)  
G-10348 (Bonnesborough I)

Gentlemen:

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 Numbered G-9982, G-9999, G-8258, G-9972, and G-9971 were received. We also have your check in the amount of \$500.

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 for the first three applications are being extended to October 1, 1988 and the time limits for the last two are being extended to October 1, 1989.

Sincerely,

Bruce A. Estes, Supervisor  
Survey/Certificate Section

BAE/jw.

Enclosures

# Application for Extension of Time

TO THE WATER RESOURCES DIRECTOR OF OREGON

**RECEIVED**

SEP 7 1984

WATER RESOURCES DEPT  
SALEM, OREGON

I, AVION WATER COMPANY, INC. Name  
60813 Parrell Road Mailing Address  
Bend City, Oregon State, 97702 Zip

record owner of water right permit No. G-9972, 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, 1984, be extended to October 1, 1988; 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, 1985, be extended to October 1, 1989.

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 installed 2 service hook-ups

prior to this past year installed 2 wells, installed 35 service hook-ups, installed distribution mainline

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)

Robert Williamson - Secretary - Treasurer  
(If signing for a corporation please identify your title)

Dated 9/5/84

MAIL COMPLETED APPLICATION AND STATUTORY FEE OF ~~\$10.00~~ FOR EACH PERMIT TO: \$20.

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

*B-C*  
*10-1-89*  
*BAE*

*754 84*  
*\$100 fee*  
*P-6- #43940 (4200)*



*Water Resources Department*

MILL CREEK OFFICE PARK

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

PHONE 378-8508

September 7, 1984

Avion Water Company, Inc.  
60813 Parrell Road,  
Bend, Oregon 97702

REFERENCE: Files Numbered G-10348, G-10184, G-10481, G-10347, G-10445  
G-10440, G-10599, G-10617, G-10349, & G-10371

Attention : Charlotte Williamson, Secretary-Treasurer

We received your applications for extension of time on your Permits Numbered G-997, G-9946, G-9948, G-9970, G-9976, G-10000, G-9981, G-9982, G-9972, & G-9999 along with your check in the amount of \$200 on September 7, 1984. A new fee schedule for extensions went into effect on October 15, 1983 requiring \$100 for each permit.

Please send the additional \$800 necessary so that we may properly handle your request.

Sincerely,

Bruce A. Estes, Supervisor  
Survey/Certificate Section

BAE/jw

April 6, 1983

Avion Water Company, Inc.  
60813 Parrell Road  
Bend, OR 97701

G-10349

G-9972

378-3066  
or  
1-800-452-7813  
(message line)

January 31, 1983

Dave Tolve  
Engineering Department  
Avion Water Company, Incorporated  
60813 Parrell Road  
Bend, OR 97702

Dear Mr. Tolve:

REFERENCE: File G-10349

Thank you for returning Application G-10349 and the accompanying map.

Your application is now in satisfactory form and will be considered for issuance of a permit with the next group to be processed.

Sincerely,

CHRIS L. HUGHES  
Senior Water Rights Examiner

CLH:wpc

0595B  
4800B

# AVION WATER COMPANY, INC.

60813 PARRELL ROAD  
BEND, OREGON 97702

TELEPHONE (503) 382-5342

January 20, 1983

RECEIVED

JAN 27 1983

WATER RESOURCES DEPT.  
SALEM, OREGON

Chris L. Hughes  
Senior Water Rights Examiner  
Water Resources Dept.  
Mill Creek Office Park  
555 - 13th Street N.E.  
Salem, Oregon 97310

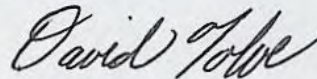
Reference: File G 10349 (Wild River )

Dear Mr. Hughes:

The corrections and additions you suggested in your letter of January 6, 1983, have been made.

Avion is applying for group domestic for 188 families, including irrigation of lawn and non-commercial gardens, not to exceed  $\frac{1}{2}$  acre per family.

Sincerely,



David Tolve  
Engineering Dept.

DT/jg

378-3066  
or  
1-800-452-7813  
(message line)

January 6, 1983

Dave Tolve  
Engineering Department  
Avion Water Company, Incorporated  
80613 Parrell Road  
Bend, OR 97701

Dear Mr. Tolve:

REFERENCE: File G-10349

Thank you for returning Application G-10349 and the map.

It has been determined that the two wells included in this application are in direct hydraulic connection with the Deschutes River. Since the Deschutes River has been withdrawn from appropriation, any depletion of the river will require the wells to be shut down. The permit will have this stipulation when it is issued.

Now that it has been determined that the uses for this application are group domestic for 188 families, including one-half acre lawn and garden for each and fire protection, we can proceed with the corrections needed before the permit can be issued.

In Item 3, please list the number of families, including irrigation of one-half acre lawn and garden each, and fire protection for each quarter-quarter section. If there are more than 188 lots on the map, please designate which lots will not be used.

In Item 5, please list the uses as follows: 'Group domestic for 188 families, including irrigation of lawns and noncommercial gardens not exceeding one-half acre for each, and maintenance of fire suppression system.'

The amount of water to be appropriated from each well must be broken down to the amount of water to be appropriated from each well for each of the two uses.

Dave Tolve  
January 6, 1983  
page two

The application will require an examination fee of \$20 and permit recording fees based on the uses. For domestic use, the fee is \$15 and for fire protection, \$15. Total fees of \$35 have already been received. Please submit the additional \$15 needed to complete the fees.

I am returning Application G-10349 and map for correction and completion. The application is endorsed so that in order to retain its priority date it must be received in this office on or before March 7, 1983.

Sincerely,

CHRIS L. HUGHES  
Senior Water Rights Examiner

CLH:wpc

enclosures

4352B

M E M O R A N D U M

TO: JAMES E. SEXSON

Date: December 27, 1982

FROM: LARRY W. JEBOUSEK *LWJ*

Subject: Avion Water Company's Application G-10349

Copies to: Fred Lissner, Newt Perry

*Larry J.  
Approved  
J.E.S.*

The Deschutes River and its tributaries above Bend were closed to further appropriation by Order of the State Engineer entered November 26, 1921.

Avion Water Company submitted Application G-10349 for permit to appropriate 375 gallons per minute from two wells to serve a 188-lot subdivision. The wells are within 350 feet of the Deschutes River.

The Ground Water Division has advised that the wells are hydraulically connected to the river. This can be shown on paper but could not be measured in the river.

ORS 537.620(3) provides: "When an application discloses the probability of wasteful use or undue interference with existing wells or that any proposed use or well will impair or substantially interfere with existing rights to appropriate surface water by others, the director may impose conditions or limitations in the permit to prevent the same or reject the same after hearing, or, in the director's discretion, initiate a proceeding for the determination of a critical ground water area under ORS 537.730 to 537.740."

Since the application is filed, it cannot be rejected without a hearing.

Application G-10349 should be approved by issuance of a permit because the showing of impairment or substantial interference with the river cannot be made. This would also be consistent with the ground water permits issued to Sunriver in the 1960's and '70's.

378-3739

STATE OF OREGON  
**WATER RESOURCES DEPARTMENT**

Mill Creek Office Park • 555 13th. Street N.E.  
Salem, Oregon 97310

Avion Water Company Inc  
RECEIVED FROM \_\_\_\_\_ Application  Permit  6-9999  
Transfer  6-9972  
TOTAL REC'D. \$ 200<sup>00</sup>  CASH  CHECK  MONEY ORDER

By \_\_\_\_\_

EXAMINATION FEES:

RECORDING FEES:

Surface Water ..... \$ \_\_\_\_\_ \$ \_\_\_\_\_  
Ground Water ..... \$ \_\_\_\_\_ \$ \_\_\_\_\_  
Transfer ..... \$ \_\_\_\_\_ \$ \_\_\_\_\_

MISCELLANEOUS FEES:

Copying .....   
Certification .....   
Misc. Recording .....  \$ 900<sup>00</sup> each file  
Protest .....   
Extension of time ....

ADJUDICATION FEE ..... \$ \_\_\_\_\_

POWER LICENSE FEE ..... \$ \_\_\_\_\_

HYDROELECTRIC LICENSE FEE . \$ \_\_\_\_\_

EXAM FEE .... \$ \_\_\_\_\_

WATER WELL CONSTRUCTOR

Exam Fee  License Fee  ..... \$ \_\_\_\_\_

LANDOWNER'S WATER WELL PERMIT FEE ..... \$ \_\_\_\_\_

ALL OTHER: P-6 ..... \$ 200<sup>00</sup>

SUSPENSE TOTAL \$ 200<sup>00</sup>

BASIN MAPS ..... \$ \_\_\_\_\_

QUADRANGLE ACCOUNT ..... \$ \_\_\_\_\_

RECEIPT NO.

43940

Dated

9-7-84

By

C. E. Mautner

# Abstract of Permit

This is to certify that I have examined APPLICATION G-10349 and do hereby grant the same SUBJECT TO EXISTING RIGHTS and the following limitations and conditions:

This permit is issued to Avion Water Co., Inc., 60813 Parrell Road, Bend, Oregon 97702, phone 382-5342 for use of the waters of 2 wells, being 0.15 cubic foot per second from Well 1 and 0.42 from Well 2

for the PURPOSE of group domestic use for 188 families including irrigation of lawns and gardens not to exceed one-half acre in area per family (wildriver)

that the PRIORITY OF THE RIGHT dates from May 29, 1981

and is limited to the amount of water which can be applied to beneficial use and shall not exceed 0.57 cfs

measured at the point of diversion from the wells, or its equivalent in case of rotation with other water users.

The well is to be LOCATED: Well 1 - 900 feet North and 1,258 feet East from the Center Quarter Corner of Section 23, being within the SW 1/4 NE 1/4 of Section 23; Well 2 - 940 feet South and 490 feet East from the N1/4 Corner of Section 23, being within the NW 1/4 NE 1/4 of Section 23, both in Township 21 South, Range 9 East, WM, in the County of Deschutes.

A description of the PLACE OF USE under the permit, and to which such right is appurtenant, is as follows:

Township 21 South, Range 9 East, WM	Section 23	Group Domestic
		NW 1/4 NE 1/4
		SW 1/4 NE 1/4
		NE 1/4 NE 1/4
		SE 1/4 NE 1/4

Use of water under this permit shall be limited to the appropriation of water only to the extent that such appropriation does not interfere with or deplete the flow of the Deschutes River. Any depletion will require the wells to be shut down, since the Deschutes River has been closed to further appropriation.

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.

Actual construction work shall begin on or before March 18, 1984, and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1984.

Complete application of the water to the proposed use shall be made on or before October 1, 1985.

Witness my hand this 18th day of March, 1983.

\_\_\_\_\_  
WATER RESOURCES DIRECTOR

This permit is for the beneficial use of water. By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan. It is possible that the land use you propose may not be allowed if it is not in keeping with the goals and the acknowledged plan. Your city or county planning agency can advise you about the land-use plan in your area.

~~..... acre full per acre for each acre irrigated during the irrigation season of each year;~~

..... Use of water under this permit shall be limited to the appropriation of water only

..... to the extent that such appropriation does not interfere with or deplete the flow of

*the Deschutes River*  
..... ~~Mill Creek~~, Any depletion will require the well to be shut down, since ~~Mill Creek~~ *the Deschutes*

*River*  
..... has been closed to further appropriation.

.....



NOTICE TO WATER WELL CONTRACTOR  
The original and first copy  
of this report are to be  
filed with the

RECEIVED  
APR 4 1972

WATER WELL REPORT

STATE OF OREGON

STATE ENGINEER, SALEM, OREGON  
within 30 days from the date  
of well completion.

STATE ENGINEER  
SALEM, OREGON  
(Please type or print)  
(Do not write above this line)

State Well No. 2119-23  
State Permit No. \_\_\_\_\_

(1) OWNER:

Name Patrick Gisler  
Address P.O. Box 7 Bend, Oregon

(2) TYPE OF WORK (check):

New Well  Deepening  Reconditioning  Abandon

If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rotary  Driven   
Cable  Jetted   
Dug  Bored

(4) PROPOSED USE (check):

Domestic  Industrial  Municipal   
Irrigation  Test Well  Other

CASING INSTALLED:

Threaded  Welded

10" Diam. from 0 ft. to 85 ft. Gage 250  
" Diam. from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Gage \_\_\_\_\_  
" Diam. from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Gage \_\_\_\_\_

PERFORATIONS:

Perforated?  Yes  No.

Type of perforator used torch  
Size of perforations 1/4 in. by 6 in.  
90 perforations from 67 ft. to 83 ft.  
perforations from \_\_\_\_\_ ft. to \_\_\_\_\_ ft.  
perforations from \_\_\_\_\_ ft. to \_\_\_\_\_ ft.

(7) SCREENS:

Well screen installed?  Yes  No

Manufacturer's Name \_\_\_\_\_  
Type \_\_\_\_\_ Model No. \_\_\_\_\_  
Diam. \_\_\_\_\_ Slot size \_\_\_\_\_ Set from \_\_\_\_\_ ft. to \_\_\_\_\_ ft.  
Diam. \_\_\_\_\_ Slot size \_\_\_\_\_ Set from \_\_\_\_\_ ft. to \_\_\_\_\_ ft.

(8) WELL TESTS:

Drawdown is amount water level is  
lowered below static level

Was a pump test made?  Yes  No If yes, by whom? customer  
Yield: 115 gal./min. with 13 ft. drawdown after 24 hrs.  
" " " " " "  
" " " " " "  
Baller test \_\_\_\_\_ gal./min. with \_\_\_\_\_ ft. drawdown after \_\_\_\_\_ hrs.  
Artesian flow \_\_\_\_\_ g.p.m.

Temperature of water 44 Depth artesian flow encountered \_\_\_\_\_ ft.

(9) CONSTRUCTION:

Well seal—Material used cement  
Well sealed from land surface to 27 ft.  
Diameter of well bore to bottom of seal 16 in.  
Diameter of well bore below seal 10 in.  
Number of sacks of cement used in well seal 12 sacks  
Number of sacks of bentonite used in well seal \_\_\_\_\_ sacks  
Brand name of bentonite \_\_\_\_\_  
Number of pounds of bentonite per 100 gallons  
of water \_\_\_\_\_ lbs./100 gals.  
Was a drive shoe used?  Yes  No Plugs \_\_\_\_\_ Size: location \_\_\_\_\_ ft.  
Did any strata contain unusable water?  Yes  No  
Type of water? \_\_\_\_\_ depth of strata \_\_\_\_\_  
Method of sealing strata off \_\_\_\_\_  
Was well gravel packed?  Yes  No Size of gravel: \_\_\_\_\_  
Gravel placed from \_\_\_\_\_ ft. to \_\_\_\_\_ ft.

(10) LOCATION OF WELL:

County Deschutes Driller's well number \_\_\_\_\_  
1/4 1/4 Section 23 T. 21S R. 9E W.M.  
Bearing and distance from section or subdivision corner \_\_\_\_\_

(11) WATER LEVEL: Completed well.

Depth at which water was first found 80 ft.  
Static level 73 ft. below land surface. Date 3/28/72  
Artesian pressure \_\_\_\_\_ lbs. per square inch. Date \_\_\_\_\_

(12) WELL LOG:

Diameter of well below casing 10

Depth drilled 108 ft. Depth of completed well 108 ft.

Formation: Describe color, texture, grain size and structure of materials;  
and show thickness and nature of each stratum and aquifer penetrated,  
with at least one entry for each change of formation. Report each change in  
position of Static Water Level and indicate principal water-bearing strata.

MATERIAL	From	To	SWL
rimas	0'	19'	
gray clay & gravel	19'	27'	
black lava	27'	32'	
red lava	32'	47'	
broken rock & cinders	47'	51'	
black lava	51'	61'	
red cinders	61'	72'	
red lava	72'	80'	
cinders & gravel	80'	85'	73'
black lava	85'	106'	73'
gray lava	106'	108'	73'

Work started 3/13 19 72 Completed 3/24 1972  
Date well drilling machine moved off of well 3/28 1972

Drilling Machine Operator's Certification:

This well was constructed under my direct supervision.  
Materials used and information reported above are true to my  
best knowledge and belief.

[Signed] John W. Cunningham Date 3/29, 1972  
(Drilling Machine Operator)

Drilling Machine Operator's License No. 686

Water Well Contractor's Certification:

This well was drilled under my jurisdiction and this report is  
true to the best of my knowledge and belief.

Name J.W. Cunningham Well Drilling  
(Person, firm or corporation) (Type or print)

Address Rt. 4 Box 1420 Bend, Oreg

[Signed] John W. Cunningham  
(Water Well Contractor)

Contractor's License No. 539 Date 3/29, 1972

# AVION WATER COMPANY, INC.

60813 PARRELL ROAD  
BEND, OREGON 97702

TELEPHONE (503) 382-5342

November 8, 1982

RECEIVED  
NOV 10 1982  
WATER RESOURCES DEPT.  
SALEM, OREGON

Chris L. Hughes  
Senior Water Rights Examiner  
Water Resources Department  
Mill Creek Office Park  
555 Thirteenth St. N.E.  
Salem, OR 97310

REF: File G-10349 (Wild River)

Dear Mr. Hughes:

Enclosed please find the corrected map and application.  
The water use is to be applied as group domestic to include one-half (1/2) acre irrigation of lawns and gardens and fire protection.  
At the present time there are 23 domestic users. The projected maximum users is 188.

AVION WATER COMPANY, INC.

*David Tolve*  
David Tolve  
Engineering Dept.

DT:em  
Enclosures -

578-3066  
or  
1-800-452-7813  
(message line)

November 4, 1982

Paul C. Rainey, President  
Avion Water Company, Incorporated  
60813 Parrell Road  
Bend, OR 97701

Dear Mr. Rainey:

REFERENCE: File G-10349

Application G-10349 describing the proposed use of 575 gallons per minute of water from two wells for quasi-municipal use, together with the map, has been reviewed.

Please put all details on the map in ink.

It appears from the description of the place of use in Item 6 of the application that the use of water for this application should not be listed as quasi-municipal, but as group domestic for X families, irrigation of X acres, and fire protection. Please submit more information of the number and types of users for this application.

Application G-10349 and the map is being returned for completion. The application is endorsed so that in order to retain its priority date it must be received in this office on or before February 4, 1983.

Sincerely,

CHRIS L. HUGHES  
Senior Water Rights Examiner

CLH:wpc

enclosure

3401B



## *Water Resources Department*

MILL CREEK OFFICE PARK

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

PHONE 378-3066 or  
1-800-452-7813

June 3, 1981

Avion Water Co., Inc.  
60813 Parrell Road  
Bend, OR 97701

Dear Sirs:

REFERENCE: Files G-10347, G-10348, and G-10349

We have received your applications for use of water for quasi-municipal along with the supporting data and fees. Our Receipts 24316, 24315, and 24314 are enclosed. Your applications have been filed and assigned numbers G-10347, G-10348, and G-10349.

Because of the many applications which have been filed in recent months, we are temporarily behind in our processing. Your applications will be examined in detail as soon as possible. We will contact you if we need any additional information. If permits are required to satisfy the conditions of a loan or land sale or if other emergency conditions exist, please let us know and we will attempt to process your applications in the shortest possible time.

The permits approving your applications will be issued without further correspondence if no additional information is required. The proposed appropriation will be subject to existing minimum flows and demands of prior rights during periods of low water.

Thank you for your patience.

Sincerely,

RALPH H. JACKSON  
Supervisor, Application/Permit Section  
Water Rights Division

RHJawpc  
enclosure  
0427A  
5285A

COPY

WILD RIVER

- |            | Diameter  | Estimated Depth |
|------------|-----------|-----------------|
| 1. Well #1 | 10 inches | 108 feet        |
| Well #2    | 8 inches  | 120 feet        |
2. Well #1 is located 900 feet North and 1258 feet East from the Center  $\frac{1}{4}$  corner of Sec. 23 T. 21S., R. 9E. being within the S.W.  $\frac{1}{4}$  of the N.E.  $\frac{1}{4}$  of Section 23, Township 21 S., Range 9 E., W.M. in the county of Deschutes.
- Well #2 is located 940 feet South and 490 feet East from the N.  $\frac{1}{4}$  corner of Sec. 23, T. 21 S., R. 9E. being within the N.W.  $\frac{1}{4}$  of the N.E.  $\frac{1}{4}$  of Section 23, Township 21 S., Range 9 E., W.M., in the county of Deschutes.
3. T. 21 S., R 9E, Sec. 23:
- |   |                                      |
|---|--------------------------------------|
| N.W. $\frac{1}{4}$ , N.E. $\frac{1}{4}$ | 62 domestic users at 2.5 G.P.M. each |
| S.W. $\frac{1}{4}$ , N.E. $\frac{1}{4}$ | 30 domestic users at 2.5 G.P.M. each |
| N.E. $\frac{1}{4}$ , N.E. $\frac{1}{4}$ | 62 domestic users at 2.5 G.P.M. each |
| S.E. $\frac{1}{4}$ , N.E. $\frac{1}{4}$ | 34 domestic users at 2.5 G.P.M. each |
- |            | Depth of Casing | Type of Casing    |
|------------|-----------------|-------------------|
| 4. Well #1 | 0 - 85 feet     | 10 inch .250 gage |
| Well #2    | 0 - 105 feet    | 8 inch .250 gage  |
- |            | Static Level | Drilled by               |
|------------|--------------|--------------------------|
| 5. Well #1 | 73 feet      | Cunningham Well Drilling |
| Well #2    | 73 feet      | Cunningham Well Drilling |
- |            |            |
|------------|------------|
| 6. Well #1 | 100 G.P.M. |
| Well #2    | 275 G.P.M. |
| Total      | 375 G.P.M. |
7. See application
8. See application
- |            | Distance to Channel | Difference in Elevation |
|------------|---------------------|-------------------------|
| 9. Well #1 | 340 feet            | 70 feet                 |
| Well #2    | 310 feet            | 70 feet                 |

RECEIVED  
 JAN 27 1983  
 WATER RESOURCES DEPT.  
 SALEM, OREGON