G9

Name Sun Mountain Water System Inc.

By June Bonkosky

Address PO Box 7096 9295

Bend, OR 97708 - 9295

Date filed March 13, 1989

Priority

Action suspended until C 2034

Return to applicant

Date of approval 9-3-91

Application No. G11899 E WFDP

Permit No. G11328

Certificate No.

Stream Index, Page No. 5:60

05.1980.1720

FEES PAID

Date	Amount	Receipt No.
3-13-89	300.00	57504
9-30-99	100.00	33438
	Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

ASSIGNMENTS

Date	To Whom	Address	Volume	Page

CONSTRUCTION

Date for beginning SEP 3 1992

Date for completion OCT 1 1993

Extended to 10/1/98

Date for application of water OCT 1 1994

Extended to 10/1/98 10-1-14

10-30-2034

PROSECUTION OF WORK

Form "A" filed Started

Form "B" filed

Form "C" filed

FINAL PROOF

Blank mailed

Proof received

Date certificate issued

REMARKS

Ext. Ord. V49 P335 9/29/95 BC98

SP*70900-119

2/15/01

Dallas
extension of time
request submitted 9/30/99.
COBU also submitted in
case ext. req. denied.
Process with Desch. Basin
GW ext. group? Thanks

APPLICATION
CHECK-OFF LIST

~~RECEIPT POSTED~~
~~CONTENTS MARKED/STAMPED~~
~~FILE FOLDER TYPED~~
~~CALENDAR CARD TYPED~~
~~KARDEX TYPED~~
~~MAPS COPIED (4 COPIES)~~
~~APPLICATION COPIED (2)~~
~~STREAM INDEXED~~
~~ENTERED INTO WRIS~~
~~ACK LETTER TYPED~~

Oregon
Tina Kotek, Governor

Water Resources Department
North Mall Office Building
725 Summer St NE, Suite A
Salem, OR 97301-1266
Phone: 503-986-0900
Fax: 503-986-0904
www.Oregon.gov / OWRD

December 3, 2023

Sun Mountain Water System Inc.
Jamie Hildebrandt
P.O. Box 9295
Bend, OR 97708

REFERENCE: Application G-11899 / Permit G-11328

Dear Permit Holder:

The Water Right Services Division received your written progress report for Permit G-11328. Receipt of the progress report was published on the Department's weekly Public Notice, dated October 17, 2023. The Department did not receive any public comment on the progress report.

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

Your next written progress report for Permit G-11328 is due no later than **October 1,** 2028. The report must be received by the Department no sooner than 30 days prior to the due date.

For your convenience, I have enclosed your next *Progress Report Form*. Please calendar this October 1, 2028 due date, as no further reminders will be sent.

As per your most recent extension, the date by which water must be applied to full beneficial use within the terms and conditions of your permit is October 1, 2034. ***Failure to submit a written progress report will most likely result in any future extensions being denied.***

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

Sincerely,

Jeffrey D. Pierceall
Extensions
Water Right Services Division

Enclosure

cc: Application G-11899
Watermaster District 11 – Jeremy Giffin

OREGON WATER RESOURCES DEPARTMENT

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: Sun Mountain Water System Inc.

Application G-11899
Permit G-11328

Report Due no later than October 1, 2028
DO NOT SUBMIT PRIOR TO 30 DAYS BEFORE DUE DATE

Progress Report Form for 2028

As authorized in ORS 690-315-0050(6), this progress report is required in order to ensure diligence is exercised in the development and perfection of Permit 11328. **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, October 1, 2023 and October 1, 2028	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)**

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

Acre-feet stored to date = _____ **AF**

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

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

Signature_____ **Date**_____

For OWRD use only

Diligence Shown ☐ Yes ☐ No Date Public Noticed: _____

Reviewed by: _____ Date: _____

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

1. Extension Specialist: Progress Report Review

Date Report was Due: October 1, 2023 (= "Deadline Date" for the corresponding ECP work flow record in WRIS)

Date Report Received: October 2, 2023

Report Complete: ☒ YES

☐ NO – Send letter requesting missing information.
☐ letter mailed on: December 17, 2023

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: _____

❒ 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: December 17, 2023

❒ 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: Sun Mountain Water System Inc. Attn: Jamie Hildebrandt

Application: G-11899

Permit: G-11328

County: Deschutes

Source: three wells in the Squaw Creek Basin

Use: domestic use expanded for 380 families

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: Sun Mountain Water Systems Inc

Application G-11899
Permit G-11328

Report Due no later than October 1, 2023
DO NOT SUBMIT PRIOR TO 30 DAYS BEFORE DUE DATE

Progress Report Form for 2023

As authorized in ORS 690-315-0050(6), this progress report is required in order to ensure diligence is exercised in the development and perfection of Permit 11328. **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, October 1, 2018 and October 1, 2023	FINANCIAL INVESTMENT
	SEE LIST	

2. **Compliance with terms and conditions of the permit and/or previous extension.** SUN MOUNTAIN CONTINUES TO UPGRADE THE WATER SYSTEM - WE HAVE ADDED 4 PROPERTIES TO THE SYSTEM & DROPPED 2 AS THEY DRILLED WELLS - 298 TOTAL IN SERVICE - CONTINUE TO UPDATE MAPPING OF SYSTEM AND PLANNING ON DEEPENING WELLS - AND REPLACING 1 WELL IN THE NEXT 2 YEARS.

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 = 0.758 **cfs (cubic feet per second)**

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

Acre-feet stored to date = _____ **AF**

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

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

Signature _____ **Date** 10/2/2023

For OWRD use only

Diligence Shown ☒ Yes ☐ No Date Public Noticed: 9-19-23

Reviewed by: _____ Date: 12-1-23

Sun Mountain Water System LLC.
2023 Progress Report for Application G11899
Permit G11328

2018 Oct. – Dec.	
Maintain system, monthly meter reading, billing	$3,000
Water quality testing	$500
2019	
Maintain system, monthly meter reading, billing	$22,000
Water quality testing	$7,500
Purchase snow plow	$2,000
Purchase 4wd vehicle for winter 1/24/19	$3,000
Repairs/ upgrades to mainlines Parts	$6,500
Repairs / upgrades to mainlines Labor	$12,000
Spare 50 hp Pump for Varco Well	$11,200
Office computer/printer upgrades	$1,400
Add carsonite markers on ground to locate system	$1,600
2020	
Maintain system, monthly meter reading, billing	$22,000
Water quality testing	$1,600
Replace circulating pump Central	$1,600
Purchase Signs for shut downs	$1,400
Repairs/ upgrades to mainlines Parts	$7,500
Repairs / upgrades to mainlines Labor	$12,000
Office computer/printer upgrades	$1,400
Add carsonite markers on ground to locate system	$1,600
Mapping updates	$2,000
Purchase Van	$26,000
2021	
Maintain system, monthly meter reading, billing	$22,000
Water quality testing	$1,600
Install manual override central well pump	$5758
Service varco PLC	$510
Repairs/ upgrades to mainlines Parts	$13,800
Repairs / upgrades to mainlines Labor	$9,000
Replace circulating pump central	$4,500
Upgrade service pumps	$1,600
Office computer/printer upgrades	$1,400
Add carsonite markers on ground to locate system	$2,300

Telemetry Upgrades	$9,500
Mapping Updates	$2,400
2022	
Maintain system, monthly meter reading, billing	$24,000
Water quality testing	$1,600
Repairs/ upgrades to mainlines Parts	$7,500
Repairs / upgrades to mainlines Labor	$8,,000
Office computer/software upgrades	$10,600
Add carsonite markers on ground to locate system	$1,600
Add two properties to system	$9,000
Replace Mainline Water Meter	$3,500
Telemetry	$1,100
Water system operator contract	$2,000
PLC maintenance and upgrade	$4,600
Mapping Updates	$4,000
Remove 2 customers off system	$1,200
2023	
Maintain system, monthly meter reading, billing	$24,000
Water quality testing	$1,600
Repairs/ upgrades to mainlines Parts	$2,700
Repairs / upgrades to mainlines Labor	$4,000
Office computer/printer upgrades	$250
Add carsonite markers on ground to locate system	$850
Replace well pump - Young well	$16,000
Add 1 property to system	$4,000
Mapping Updates	$1,600

G-11899

CLARK Gerald E * WRD

From: CLARK Gerald E * WRD
Sent: Thursday, September 2, 2021 2:08 PM
To: Bryce Withers
Cc: GIFFIN Jeremy T * WRD
Subject: RE: Permit G-11328 Options

Bryce,

As a Domestic Expanded use, there is not an option to partially perfect the permit. It is a permit that will need to be proved up on all at the same time. If we received a Claim today, we would assume that the permit holder was indicating that the development of the permit was complete. The proposed certificate would be limited to the number of domestic uses developed as described in the Claim.

In general, when the use is domestic expanded, the map CBU Map does not need to map the location of the irrigation or quantify the number of acres. Essentially, if there is a domestic use on the lot, the irrigation is included, being limited to up to ½ acre.

OAR 690-300-0010(15) "Domestic Use Expanded" means the use of water, in addition to that allowed for domestic use, for watering up to 1/2-acre of lawn or noncommercial garden.

It may be helpful to know that the use of water for irrigation on one of the authorized lots does not establish a domestic use on the lot. The developed use must be a domestic use.

For reference, what works well on the CBU map for this type of permit is the use of a symbol to represent which lots have a domestic use developed on them. A star seems to be a common symbol CWREs have chosen.

My recommendation is they wait to submit the CBU until full build out under the permit is complete or within one year following the "C" Date, whichever comes first. It sounds like submitting a CBU at this time would be premature as they have not completed the development of all the lots.

Please let me know if you have any additional questions.

Gerry

Gerry Clark
He/Him/His
Oregon Water Resources Department
Program Analyst, Certificate Section, Water Right Services Division
725 Summer Street NE, Suite A Salem, OR 97301 | Phone 503-979-9103

From: Bryce Withers <brycewrs@gmail.com>
Sent: Thursday, September 2, 2021 1:43 PM
To: CLARK Gerald E * WRD <Gerald.E.Clark@oregon.gov>; GIFFIN Jeremy T * WRD <Jeremy.T.Giffin@oregon.gov>
Subject: Permit G-11328 Options

Hi Gerry & Jeremy,

This is a Permit for Domestic Expanded for 380 families. The 3 wells and full rate has been developed, but only 300 or so out of 380 homesites have been developed, and likely only 20 or so of the remaining 80 will ever be developed. It has been extended to 2034.

The permit holder is interested in determining his best option, and is considering doing a partial CBU in order to shore up the developed portion of the permit.

For the Partial CBU, what would the mapping requirement be for something like this? The permit designates QQ's much like a Quasi-Municipal Service area. Would each developed lot need to be identified with hatchuring (or each lawn/garden-please no!?) or could the entire POU be claimed by outlining the entire service area and we just count up the developed # of families/lots to-date? What happens after a Partial CBU is submitted?

What would happen if a Full CBU is submitted, i.e. wouldn't this mean they could no longer develop or deliver water to the lots that aren't developed at the time of the CBU?

Jeremy-
They asked whether they are allowed to limit the amount of water delivered to patrons? Each family or lot is allowed up to 15,000 gpd for domestic and up to a half acre of non commercial lawn and garden right? There isn't a duty listed on the permit. If the permitted rate is 0.846 cfs or 380 gpm, they could only pump around 200 MG in a year, so could they use that to limit each family to an upper limit if need be? I guess he has concerns that customers are "overusing" and want to know if he has options. He is currently charging a base fee and charging for extra use above, all metered. Thoughts?

Thank you!
--
Bryce Withers

Water Right Specialist
(541)408-1400 cell

Water Right Services, LLC
PO Box 1830
Bend, OR 97709
https://oregonwater.us

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.Oregon.gov/OWRD

November 2, 2018

Sun Mountain Water Systems Inc
P.O. Box 9295
Bend, OR 97708

REFERENCE: Application G-11899 / Permit G-11328

Dear Permit Holder:

The Water Right Services Division received your written progress report for Permit G-11328. Receipt of the progress report was published on the Department's weekly Public Notice, dated October 2, 2018. The Department did not receive any public comment on the progress report.

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

Your next written progress report for Permit G-11328 is due no later than **October 1, 2023**. The report must be received by the Department no sooner than 30 days prior to the due date.

For your convenience, I have enclosed your next *Progress Report Form*. Please calendar this **October 1, 2023** due date, as no further reminders will be sent.

As per your most recent extension, the date by which water must be applied to full beneficial use within the terms and conditions of your permit is October 1, 2034. ***Failure to submit a written progress report will most likely result in any future extensions being denied.***

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

Sincerely,

Jeffrey D. Pierceall
Extensions
Water Right Services Division

Enclosure

cc: Application G-11899
Watermaster District 11 – Jeremy Giffin

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: Sun Mountain Water Systems Inc

Application G-11899
Permit G-11328

Report Due no later than October 1, 2023
DO NOT SUBMIT PRIOR TO 30 DAYS BEFORE DUE DATE

Progress Report Form for 2023

As authorized in ORS 690-315-0050(6), this progress report is required in order to ensure diligence is exercised in the development and perfection of Permit 11328. **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, October 1, 2018 and October 1, 2023	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)**

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

Acre-feet stored to date = _____**AF**

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

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

Signature_____ **Date**_____

For OWRD use only

Diligence Shown ☐ Yes ☐ No Date Public Noticed: _____

Reviewed by: _____ Date: _____

Route Slip…..Extension of Time Progress Report

1. Extension Specialist: Progress Report Review

Date Report was Due: October 1, 2018 (= "Deadline Date" for the corresponding ECP work flow record in WRIS)

Date Report Received: September 27, 2018

Report Complete: ☒ YES

☐ NO – Send letter requesting missing information.
☐ letter mailed on: November 2, 2018

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: 10/2/2018

☒ 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: November 2, 2018

☐ 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: Sun Mountain Water Systems Inc Attn:

Application: G-11899

Permit: G-11328

County: Deschutes

Source: three wells in Squaw Creek Basin

Use: domestic use expanded for 360 families

Next 2023

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

RECEIVED
SEP 27 2018
OWRD

Extension of Time
Progress Report Form
For Checkpoints

TO THE DIRECTOR OF THE OREGON WATER RESOURCES DEPARTMENT

Permit Holder: Sun Mountian Water Systems Inc. Application G-11899 Permit G-11328

Progress Report for 2018

Report Due no later than October 1, 2018
DO NOT SUBMIT PRIOR TO 30 DAYS BEFORE DUE DATE

As authorized in ORS 690-315-0050(6), this progress report is required in order to ensure diligence is exercised in the development and perfections of Permit G-11328.
FAILURE TO SUBMIT THIS REPORT WILL MOST LIKELY RESULT IN ANY FUTURE EXTENSION BEING DENIED.

DATES	LIST ALL WORK ACCOMPLISHED and FINANCIAL INVESTMENTS For the period of time between September 9, 2014 and October 1, 2018	FINANCIAL INVESTMENT
	See Attached List	

2. **Describe actions to achieve compliance with conditions of the permit and/or previous extension.**

Sun Mountain Water Systems, Inc. continues to upgrade the water system to meet the projected water consumption rate that is outlined in the permit extension. Since 2014 we have started the research into the remaining properties available to be serviced by the system and added 6 properties to the system to make a total of 296 connections. We have started a mainline extension to improve reliability of the system to serve the 380 customers we hope to serve in the future as outlined in the permit extension.

3. **Total number of acres irrigated to date:** N/A *(NA if not applicable)*

4. **Provide the maximum rate, or duty if applicable, of water diverted for beneficial use under this permit, if any, to date.**
   Maximum rate used to date = 0.758 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.***

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

Signature _____ Date 9/25/18

Printed Name/Title Jamie Hildebrandt President / Owner

Diligence Shown ☐ Yes ☐ No Date Public Noticed: _____
For OWRD use only

Reviewed by: _____ Date: _____

Sun Mountain 2018 Progress Report
Application G11899 Permit G11328
Improvements 9/9/14 to 10/1/18

2014

Maintain system, monthly meter reading, billing	$3000.00
Water Quality testing	$400.00
Replace Young well pump	$1500.00
Add 1 property to system	$1000.00 ✓

2015

Purchase water system	
Meet with fire department to discuss future needs for hydrants	
Maintain system, monthly meter reading, billing	$12,000.00
Water Quality testing	$1440.00
Update mapping of system	$1200.00
Review / update system easements & land ownership	$15,000.00
Add 2 properties on to system	$2000.00 ✓

2016

Maintain system, monthly meter reading, billing	$12,000.00
Water Quality testing	$5024.00
Replace 15hp well pump and motor in Young well	$2000.00
Purchase easement for mainline extension	$6000.00
Repair mainline leaks throughout system	$4000.00
Add 1 property to system	$1000.00 ✓

2017

Maintain system, monthly meter reading, billing	$12,000.00
Water Quality testing	$1440.00
Update all insulation in meter and back flow boxes	$2700.00
Purchase laptop computer for mapping and monitoring	$3600.00
Engineering of 1800'of mainline extension	$7000.00
Add 600' of mainline for future reliability of system	$4000.00 ✓
Upgrade radio system for pump to cistern	$2000.00
Purchase carsonite markers to locate system on the ground	$2000.00
Purchase Variable speed drive on 5hp pump	$1500.00 ✓
Purchase security cameras to monitor wells	$1200.00

2018

Install security fence around Young well	$1000.00
Maintain system, monthly meter reading, billing	$12,000.00
Water Quality testing	$1440.00
Meet with local OWRD staff to discuss water right	
Replace roofing on Sun Mountain pump house	$1500.00
Replace roof on Varco pump house	$900.00
Resurface 100,000 gallon cistern	$1500.00
Resurface 30,000 gallon cistern	$1000.00
Add carsonite markers on the ground to locate system	$1200.00
Purchase soft start for Sun Mountain well	$1500.00
Purchase water depth gauges to monitor ground water levels	$360.00
Add 2 properties to water system	$2000.00

STATE OF OREGON

COUNTY OF DESCHUTES

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

SUN MOUNTAIN WATER SYSTEM, INC.
by JUNE BONKOSKY 503-382-3039
P.O. BOX 7096
BEND, OREGON 97708

to use the waters of THREE WELLS in the SQUAW CREEK BASIN for DOMESTIC USE EXPANDED FOR 380 FAMILIES.

This Permit is issued approving Application G-11899. The date of priority is MARCH 13, 1989 FOR 0.223 CUBIC FOOT PER SECOND (CFS) AND AUGUST 23, 1991 FOR 0.623 CFS. The use is limited to not more than 0.846 CFS, or its equivalent in case of rotation, measured at the wells.

The wells are located as follows:

WELL 1 - NW 1/4 SW 1/4, SECTION 1, T 16 S, R 10 E, W.M.; 1148 FEET SOUTH AND 46 FEET EAST FROM NW CORNER, SECTION 1;

WELL 2 - NW 1/4 NW 1/4, SECTION 33, T 15 S, R 11 E, W.M.; 151 FEET SOUTH AND 823 FEET EAST FROM W 1/4 CORNER, SECTION 33;

WELL 3 - NW 1/4 NW 1/4, SECTION 13, T 16 S, R 10 E, W.M.; 2028 FEET NORTH AND 270 FEET EAST FROM W 1/4 CORNER, SECTION 13.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the proposed place of use under the permit is as follows:

SE 1/4 SE 1/4
SECTION 36
TOWNSHIP 15 SOUTH, RANGE 10 EAST, W.M.

SW 1/4 NE 1/4
SE 1/4 NW 1/4
NE 1/4 SW 1/4
S 1/2 SW 1/4
SE 1/4
SECTION 31

SW 1/4
SW 1/4 SE 1/4
SECTION 32

W 1/2
SECTION 33
TOWNSHIP 15 SOUTH, RANGE 11 EAST, W.M.

ALL
SECTION 1

LOTS 1 & 2
SE 1/4
SECTION 2

NE 1/4 NE 1/4
NW 1/4 NE 1/4
SE 1/4 SE 1/4
SECTION 11

NW 1/4 NW 1/4
SW 1/4 SW 1/4
SE 1/4 SW 1/4
SW 1/4 SE 1/4
SECTION 12

NW 1/4 NW 1/4
SW 1/4 NW 1/4
NW 1/4 SW 1/4
SECTION 13

NE 1/4 NE 1/4
SECTION 14
TOWNSHIP 16 SOUTH, RANGE 10 EAST, W.M.

ALL
SECTION 6

NE 1/4
NE 1/4 SE 1/4
SECTION 7

SW 1/4 NW 1/4
NW 1/4 SW 1/4
SECTION 8
TOWNSHIP 16 SOUTH, RANGE 11 EAST, W.M.

The well shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevations in the well at all times. When required by the Department, 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.

Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the Department's standards, to the Water Resources Department. The Director may require water level or pump test results every ten years thereafter.

Actual construction work shall begin on or before September 3, 1992, and shall be completed on or before October 1, 1993. Complete application of the water shall be made on or before October 1, 1994.

Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit.

This permit is for beneficial use of water without waste. The water user is advised that new regulations may require use of best practical technologies or conservation practices to achieve this end.

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.

The use of water shall be limited when it interferes with any prior surface or ground water rights.

Issued this date, SEPTEMBER 3, 1991.

William H. Young

Water Resources Department
William H. Young
Director

Sun Mountain Water Systems Inc. G-11899
PO Box 9295
Bend, OR 97708

Extension PFO Checklist for

Other than Muni or Quasi-Municipal

Water Use Permits

(OAR 690-315-0010 through OAR 690-315-0060)

Application: G- 11899 Permit: G- 11328 Permit Amendment? No ☒ Yes ☐ T- _____ ☐ pending ☐ approved

Permit Holder's Name: Sun Mountian Water Systems INC

Permit Holder's Mailing Address: PO Box 9295 Bend, OR 977089-295 email rkfuller@excite.com

Phone Number: 541-977-5025

POD Location: Township TRSQQ: 15.00S-11.00E-33-NWSW (see attached) ,TRSQQ: 16.00S-10.00E-01-NWSW ,TRSQQ: 16.00S-10.00E-13-NWNW Range _____ Section _____ ¼¼ _____

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

Date Permit was issued: 9/3/1991 **Priority Date:** 3/13/1989 **Date of PN:** 9/16/2014

Source: 3 wells in Sqaw Creek

Use: Domestic yse expanded for 380 families

"Q": 0.846 cfs

Orig "A" Date: 9/3/1992 **Orig "B" Date:** 10/1/1993 **Orig "C" Date:** 10/1/1994

Extension request rec'd: ~~9/30/1999~~ 9/9/2014 **Last Authorized "B" Date:** 10/1/2014 **Last Authorized "C" Date:** 10/1/2014

Request Number (1, 2, 3...): 3 **Proposed "B" Date:** 10/1/2034 **Proposed C Date:** 10/1/2034

Conditions of Permit:

Condition Met?	Condition Not Met?	Permit Condition
☒	☐	~~usable access port (1995)~~ Actual construction began (1989)
~~☒~~	☐	~~pump test~~
~~☒~~	☐	~~wells drilled~~
☐	☐	
☐	☐	

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: $**1,131,423** Estimated Remaining Cost: $**2,000**

☒ ☐ Beneficial use made of the water during the permit or previous extension time limits

- Permit holder has beneficially used **550** ☐ cfs ☒ gpm ☒ af of the total permitted quantity of water on **289 households** acres

GW REVIEW: Y (N) MAB

MITIGATION REVIEW: Y (N)

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

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

Identify the closest surface water or localized water basin. Midldle Deschutes River

Ground Water Permits: Is the POA located…

Surface Water Permits: Is the POD located…

Yes No

☒ ☐ above a state scenic waterway? Name The Deschutes Scenic Waterway Source: OWRD "Areas Above State Scenic Waterways" Map

☐ ☒ within a stream segment designated as a federal wild and scenic river? Source: www.rivers.gov/wildriverslist.html

☒ ☐ within a sensitive, threatened or endangered species area Source: "/gisdata/dev/projects/salmon/div33map.aml"

☐ ☒ within a critical or limited Ground Water Area? Name of area

☐ ☒ within a Withdrawn Area? Name of area

☐ ☒ in a waterbody listed on the DEQ Section 303(d) List of Water Quality Limited Areas? Date added to list

☒ ☐ within an area ranking ☐low / ☒moderate / ☐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. ☒ Approval of Extension Request

No ... "Good Cause" *cannot* be found. ☐ Denial of Extension Request

Conditions to be included in Extension 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 (Years: 2019,2023, 2028, 2033 ~~2019,2024,2029,2034~~)

☐ Other: _____

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

NR ☒ **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."

NO ☒ **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."

Yes ☒ **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:

this is the 3rd extension.

Extension "PFO" Dates

Mailing / Issuance Date: _____ **Protest Deadline Date:** _____

Reviewer's Name: Machelle Bamberger **Date:** 9-10-14

Point of Diversion Characteristics

Right:	Permit: G 11328 *
Name:	SUN MOUNTAIN WATER SYSTEM INC.

TRSQQ: 15.00S-11.00E-33-NWSW

County: Deschutes
Basin: Deschutes
WM District: 11
WM Region: SC
Withdrawn Area:
WAB: DESCHUTES R > COLUMBIA R - AB SHITIKE CR (30530643)
Priority WAB: DESCHUTES R ab SHITIKE CR (OWRD: Good, ODFW: Moderate) (30530643)
Rule 4D:
Groundwater Restricted Area:
Scenic Water Way: ABOVE The Deschutes Scenic Waterway
Division 33: UPPER COLUMBIA
Water Quality Limited:

TRSQQ: 16.00S-10.00E-01-NWSW

County: Deschutes
Basin: Deschutes
WM District: 11
WM Region: SC
Withdrawn Area:
WAB: DESCHUTES R > COLUMBIA R - AB SHITIKE CR (30530643)
Priority WAB: DESCHUTES R ab SHITIKE CR (OWRD: Good, ODFW: Moderate) (30530643)
Rule 4D:
Groundwater Restricted Area:
Scenic Water Way: ABOVE The Deschutes Scenic Waterway
Division 33: UPPER COLUMBIA
Water Quality Limited:

TRSQQ: 16.00S-10.00E-13-NWNW

County: Deschutes
Basin: Deschutes
WM District: 11
WM Region: SC
Withdrawn Area:
WAB: DESCHUTES R > COLUMBIA R - AB SHITIKE CR (30530643)
Priority WAB:

DESCHUTES R ab SHITIKE CR (OWRD: Good, ODFW: Moderate) (30530643)

Rule 4D:

Groundwater Restricted Area:

Scenic Water Way: ABOVE The Deschutes Scenic Waterway

Division 33: UPPER COLUMBIA

Water Quality Limited:

Application # G-11899 **Permit #** G-11328

Public Notice Route Slip ... New Application Extension of Time

per Division 315 Rules... (Extensions received on July 1, 2001 or after)

- **WRIG...**
  Money Receipted on: 9-10-14
- **Extension Specialist...**
  - ☒ Added to tracking spreadsheet

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

- **Codi Holmes...**
  - ☒ Publish on Public Notice (initial 30-day comment): Date of notice 9-16-14
  - ☒ 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.

☒ Yes or ☐ No: **Return file to Extension Specialist after PN** Michelle Bamberger

STATE OF OREGON

WATER RESOURCES DEPARTMENT

RECEIPT # 113400

725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

INVOICE # _____

RECEIVED FROM: Sun Mountain Water System Inc

BY: _____

APPLICATION	G-12831
PERMIT	
TRANSFER	

CASH: ☐ CHECK:# ☑ 6871 OTHER: (IDENTIFY) ☐ _____

TOTAL REC'D $595.00

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		$ 595.00

WATER RIGHTS:

		EXAM FEE		RECORD FEE
0201	SURFACE WATER	$	0202	$
0203	GROUND WATER	$	0204	$
0205	TRANSFER	$		

WELL CONSTRUCTION

		EXAM FEE		LICENSE FEE
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: 113400 DATED: 9/9/14 BY: _____

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

A G-11899 P G-11328 *Last revised: August 19, 2013*

Completeness Checklist for Permit Extension of Time Application

Minimum completeness criteria for Extension of Time Applications are set forth in OAR 690-086-0020(3) for NON-Municipal or NON-Quasi-Municipal permits and in OAR 690-086-0070(3) for Municipal or Quasi-Municipal permits.

☒ **1.** Pull the permit file. If a copy of the permit is not in the file, pull up an image of the permit in WRIS.

☒ **2.** Is the permit to be extended Non-Cancelled according to WRIS and the permit file? Yes

If the permit has been cancelled, the Extension Application cannot be accepted.

☒ **3.** Is the extension applicant's name and mailing address supplied? Yes

If yes, is the applicant a permit holder of record *(i.e., permit issued or assigned to them)*? Yes

If the extension applicant is **NOT** a permit holder of record, a "*Request for Assignment*" must be accepted and processed before the Extension Application can be processed.

If an Assignment has **not** yet occurred, and is **not** submitted with the Extension of Time Application, the application cannot be accepted.

* ***NOTE:*** The applicant **may** submit a complete "*Request for Assignment,*" at the same time, which **must** include the statutory fee of $85 for the assignment, required proof of ownership, or signature of previous permit holder, in addition to all necessary items required for the Extension of Time Application so that **both applications can be accepted.**

☒ **4.** Is the appropriate Extension of Time Application used? Yes

If the wrong application form is used, the Extension Application cannot be accepted.

- If a Municipal or Quasi-Municipal permit, use: "*Application for Extension of Time for Municipal and Quasi-Municipal Water Use Permits.*"
- If a NON-Municipal or NON-Quasi-Municipal permit, use: "*Application for Extension of Time for a Water Right Permit (Non-Municipal / Non-Quasi-municipal Water Use).*"

☒ **5.** Are the requested date(s) for extension identified *(Page 1)*? Yes

- Check the permit to see if it includes a "B-Date" and/or a "C-Date."

"B-Date" = date by which construction of the water delivery system for the permit is to be completed.
"C-Date" = date by which full beneficial use of water under the permit is to be accomplished.

NOTE: For permits with both a "B-Date and a "C-Date," the applicant will likely request an extension of both dates *(i.e., to complete construction of the water delivery/distribution system and to apply water to full beneficial use)*. Unless, of course, construction of the water delivery system is complete. In which case, the applicant would likely only request an extension of the "C-Date" *(i.e., to apply water to full beneficial use)*.

For permits with only a "C-Date," the applicant will only be requesting an extension of the date in which to apply water to full beneficial use.

☒ **6.** Is the Extension Application signed (with an original signature) by permit holder(s) of record or an authorized agent? Yes

(If signed by agent, documentation from the permit holder(s) granting authorization for the agent to sign on their behalf must be provided or be present and current in the permit file.)

If **not** signed by a permit holder of record or authorized agent, the Extension Application cannot be accepted.

NOTE: If the permit covers land that has been subdivided and assigned to different, individual parties… we only need signatures of the permit holder(s) of record for the portion of the permit involved in the Extension of Time Application.

☒ 7. Are all questions on the application answered? Yes

(NOTE: Supporting documentation such as: copies of the permit, well log(s), annual water use reports, static water level measurement reports, evidence demonstrating construction/work/water use accomplished, etc. may be included.)

The tables below are informational only. No need to check off.

■ **NON-Municipal or NON-Quasi-Municipal Permit Extension Applications:**

▪ **Ques. #1** - Information provided on beginning of construction ("A" Date) under the permit.	▪ **Ques. #5-C** - Well location information provided and whether a permit amendment is necessary.
▪ **Ques. #2** - Information provided on compliance with permit conditions.	▪ **Ques. #6** - Information provided on number of acres irrigated, if applicable.
▪ **Ques. #3** - Description provided of progress made in developing the permit.	▪ **Ques. #7** - Description provided of remaining work left to be accomplished to perfect the permit.
▪ **Ques. #4** - Monetary investment made in the project to date provided.	▪ **Ques. #8** - Description provided of estimated cost to complete the project associated with the permit.
▪ **Ques. #5-A** - Max amount of water beneficially used to date for a SW permit indicated.	▪ **Ques. #9** - Explanation provided of why the permit has not been fully developed/perfected.
▪ **Ques. #5-B** - Well construction information provided and max amount of water beneficially used to date for a GW permit indicated.	▪ **Ques. #10** - Justification provided of why the requested time is necessary to complete project.

■ **Municipal/Quasi-Municipal Permit Extension Applications:**

▪ **Ques. #2** – For Quasi-Municipal permits only, information provided on beginning of construction ("A" Date) under the permit.	▪ **Ques. #8** - Estimate provided of current peak water demand of the population served and the methodology used to make the estimate.
▪ **Ques. #3** – For Municipal permits issued on or after June 29, 2005, information provided on beginning of construction ("A" Date).	▪ **Ques. #9** - Explanation provided of why the permit has not been fully developed/perfected.
▪ **Ques. #4** - Description provided of progress made in developing the permit and financial expenditures made in the project to date.	▪ **Ques. #10-A** - Estimate provided of demand projection for the permit, the methodology used to make the estimate and anticipated date for full beneficial use of the permit.
▪ **Ques. #5-A & #5-B** - Information provided on compliance *(or non-compliance)* with permit conditions.	▪ **Ques. #10-B** – For extension requests greater than 50 years, documentation provided that the demand projection is consistent with the lands and uses proposed to be served by the permit holder.
▪ **Ques. #6-A** - Max amount of water beneficially used to date for a SW permit indicated.	▪ **Ques. #11** – Estimate of costs to complete the project and a summary of future schedule to complete construction / perfect the water right.
▪ **Ques. #6-B** - Well construction information provided and max amount of water beneficially used to date for a GW permit indicated.	▪ **Ques. #12** - Justification provided of why the requested time is necessary to complete project and/or apply water to full beneficial use.
▪ **Ques. #6-C** - Well location information provided and whether a permit amendment is necessary.	▪ **Ques. #14**- A copy of any agreements regarding use of the undeveloped portion of the permit and maintaining the persistence of fish, if applicable.
▪ **Ques. #7** – Estimate provided of current population served under the permit and the methodology used to make the estimate.	▪ **Attachment A** – A tabular inventory of the water supplier's water rights and any other water use authorizations.

☒ 8. Has the $575 fee been paid? Receipt # 113400

***If applicable**, has the $85 fee for the Assignment been paid? _____

(As of July 1, 2013, the Extension of Time fee is $575, and Request for Assignment fee is $85)

If the fee has **NOT** been paid, the application cannot be accepted.

****NOTE:** If the fee is the only item missing, contact the applicant to see if they can submit the fee with the next few days. If the applicant commits to submitting the fee within one week, hold the Extension Application, and explain to them that if it is not received the application will be returned (as we are required to keep any application, regardless of how complete, if retained by the Department as long as two weeks.*

☐ 9. If after completing this checklist, it is not clear whether the application can be accepted, please route both the money slip and Extension Application to **Extension Specialist,** or **Anne Reece** for municipal and quasi-municipal applications. One will either: **1)** accept the application; **2)** return the application; or **3)** prepare a deficiency letter.

Reviewed by: MAB Date: 9-10-14

Oregon
John A. Kitzhaber, MD, Governor

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

September 11, 2014

REFERENCE: Application for Extension of Time

Dear Extension of Time Applicant:

The Water Right Services Division has received your application for an extension of time for **APPLICATION FILE #: G-11899 (Permit G-11328).** Your application will be reviewed in the 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 are interested in having your application reviewed sooner, you may pay to have your file processed immediately, using the Reimbursement Authority program, which is described at: http://www.wrd.state.or.us/OWRD/mgmt_reimbursement_authority.shtml

You may continue the use of water under your water right until the Water Resources Department formally takes action on your extension application. If your permit includes conditions, water use reporting, water level measurement reporting, etc., you are required to comply with the conditions.

Any additional development that occurs after the expired completion date, identified on the permit or an extension order, can only be claimed upon an approved extension application.

If you have questions concerning your extension of time application, please contact Machelle Bamberger at (503) 986-0802. 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 website at: **www.wrd.state.or.us.**

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

I, Sun Mountain Water System, Inc., Ron Fuller, President
NAME OF PERMIT HOLDER *[OAR 690-315-0020(1) and (3)(a)]*

the holder of: Application Number G-11899 Permit Number G-11328 *[OAR 690-315-0020(3)(b)]*

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

P.O. Box 9295
MAILING ADDRESS

Bend, Oregon 97708-9295
CITY, STATE, ZIP

541-977-5025
PHONE

rkfuller@excite.com
E-MAIL ADDRESS

X **do hereby request that** the time to apply water to full beneficial use under the terms and conditions of the permit, which now expires on Month October Day 1 Year 2014, be extended to October 30, Year 2034.

Please Note. If the permit **does** specify a date when **construction** must be **completed**, you should request to extend both the time to apply water to full beneficial use **and** to complete construction. These dates are typically found on the permit above the signature of the Director.

and

☒ **do hereby request that** the time to complete construction of the water system, which now expires on Month October Day 1 Year 2014, be extended to October 30, Year 2034

Sign after completing the entire application, questions 1-11.

I am the permit holder, or have attached to this application written 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. I have completed the entire application.

Ronald K Fuller — 9/5/2014
Signature **Date**

Printed Name/Title Ronald K. Fuller / Pres. - Owner

RECEIVED BY OWRD

SEP 09 2014

SALEM, OR

MAIL COMPLETED and SIGNED APPLICATION with the $575 STATUTORY FEE TO:

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

Submit the following items with your Application for Extension of Time:

- **The signed and completed Application for Extension of Time.**
- **$575 check to OWRD or Oregon Water Resources Department**
- **All supporting documentation and/or evidence referenced in the application.**

Reference materials needed to complete this Application:

- **Water right permit.** A copy of the water right permit can be downloaded from the Department's Website at *http://www.wrd.state.or.us* (using the link to the Water Rights Information System (WRIS). A copy of the permit may be requested from the Water Rights Division at 503-986-0801 (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.).

Helpful information for completing this Application:

- Permit holders of **municipal or quasi-municipal water use permits DO NOT use this form.** The form *Application for Extension of Time for Municipal and Quasi-Municipal Water Use Permits* is 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 construction of the water project and/or to fully use the permitted quantity of water under the permit terms & conditions.

- The attached *Instructions for Completing an Application for Extension of Time for a Water Right Permit* will help you answer each question on the application. If, after reading the instructions, you need assistance, please call the Extensions Specialist at 503-986-0900.

- Permit extensions are evaluated under OAR Chapter 690, Division 315, which may be viewed at: http://www.wrd.state.or.us/OWRD/LAW/index.shtml. Please note that OWRD may require additional information, if necessary, to evaluate the application per OAR 315-0020(3)(n).

- OWRD will review applications received for completeness and will return incomplete or deficient applications per OAR 690-315-0040(1)(a) to the applicant.

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SEP 09 2014
SALEM, OR

Questions to Complete this Application for Extension of Time

Please see the instruction sheet to help you answers these questions.

[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** ☐ **N/A,** if not specified in this permit

Date "actual construction" began is: 1989

Describe details of construction: Wells were developed and construction of distribution system begun. Maintenance and upgrade on system is ongoing.

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

2-A. Please Describe how you have complied with each standard and special condition in the original permit [and, if applicable, conditions contained in any order approving a permit amendment and/or order approving a prior extension of time].

TIP: The instruction sheet explains which typical conditions must be addressed here.

Condition Number: *Hand-number each condition on a copy of your permit (and, if applicable, any permit amendment and/or prior extension). Include a copy of your hand-numbered permit.*

CHART-A

Condition Number	Date Satisfied	Describe How Permit Condition Has Been Satisfied
1	1995	Wells drilled/deepened, have access ports and working meters. Company keeps records of water pumped from all wells.
3	1989	Construction of system began in 1989. Extensions of time applied for and granted up to 2014.

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 Number	Date Will Comply	Explain Why Each Permit Condition Has NOT Been Satisfied
2	2034	Pump tests will be performed and submitted for wells as they are equiped at build-out.

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SEP 09 2014

SALEM, OR

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

3-A. Provide evidence of physical progress made toward completion of the water system and progress toward making beneficial use of water within the original permitted time period.

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

CHART-C

DATE	LIST & DESCRIBE WORK ACCOMPLISHED BEFORE PERMIT WAS ISSUED	COST*
1967	Begin drilling wells, develop wells	$40000 +/-
1989	Began construction of distribution system.	
DATE	**LIST & DESCRIBE WORK ACCOMPLISHED AFTER PERMIT WAS ISSUED *and* PRIOR TO DATE FOR COMPLETE APPLICATION OF WATER**	**COST***
09/03/91	Date the permit was signed - find date above signature on last page of permit.	
1994-2014	extensions of time	
9/3/1992	Date the permit specified "Actual Construction Work" shall begin ("A-Date") -not all permits contain this date.	
1991-1994	Have no records. Bought company in 1995. Previous application have totals.	
1995-2003	Operating expenses, maintenance and upgrades, installation of services	1,028,770
1994	Date the permit specified complete application of water to the use shall be made ("C-Date") - all permits contain this date.	
DATE	**LIST & DESCRIBE WORK ACCOMPLISHED AFTER DATE FOR COMPLETE APPLICATION OF WATER UP TO NOW** Complete if this is your first request for extension of time.	**COST***
	NA	
	$1,068,770.00	

*** If exact cost is not known, please provide your best estimate.**

RECEIVED BY OWRD
SEP 09 2014
SALEM, OR

IF this is your first Application for an Extension of Time, write NA in Chart D below and proceed to question 4 at the bottom of this page.

3-B) Provide evidence of physical progress made toward completion of the water system and progress toward making beneficial use of water within the most recent extension period.

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.*

CHART-D

DATE	LIST AND DESCRIBE WORK ACCOMPLISHED DURING THE LAST EXTENSION PERIOD	COST*
2004	"Extended From" date for complete application of water used in the 1st (or the most recent) Application for Extension of Time.	
2004	Upgrades to Well 2 pump, electronics at Well 1. Construction of new pumphouse and access roads.	$10,004
2005	Upgrade pump and wiring at Well 3, pump upgrade for Well 1. Improve access road at Well 2. Install monitoring system.	21,271
2006	Repair main reservoir, upgrade wiring. Well 3 pump repairs.	8,530
2007	Improve road to main reservoir. Repair Well 3 pump.	2635
2008	Relocate main water line, upgrade pump at Well 3	967
2009	Automation upgrade Well 1, main water line relocation. Well 3 sample tap installation	1456
2010	Replace pump Well 2, water line relocation	2867
2011	Well 1 battery backup installation, repairs to well house at Well 2	1222
2012	Well 2 pump repair, Well 3 frequency drive reset, upgrade phone connection to Well 1	533
2013	Install remote access equipment to Well 1, repairs to Well 3, weed control	1010
2014	SOC, VOC tests. Repair main reservoir, water pipe extension. Install and upgrade new frequency drive for Well 3.	12,158
2014	"Extended To" date for complete application of water resulting from the 1st (or the most recent) Application for Extension of Time.	
DATE	**LIST AND DESCRIBE WORK ACCOMPLISHED AFTER THE LAST EXPIRED EXTENSION PERIOD UP TO NOW**	**COST***
	NA	
	Total Cost of Chart-D	**$62,653**

*** If exact cost is not known, please provide your best estimate.**

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

4. **Cost of project to date:** $1,131,423
(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 actually diverted for beneficial use under this permit and/or prior extensions of time (if any) made to date.**

TIP: Report the rate used to date in the same units of measurement as specified in the permit. Unless full beneficial use has been made, this rate will be less than the rate authorized on the permit.

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

Maximum measured rate used to date = ____ cfs (cubic feet per second)
or
Maximum measured rate used to date = ____ gpm (gallons per minute)
or
Acre-feet stored to date = ____ AF

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

CHART-E

Well # as identified on Permit	Water User's Well #	Has this well been drilled?	IF DRILLED: 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 **measured rate** used from this well - - under this permit only (CFS or GPM)	Is this well authorized or utilized under any OTHER water rights?	If yes, provide the Permit, Certificate, or Transfer No.
Well 1		Yes ☒ No ☐	DESC9830		Yes ☐ No ☐	350 gpm	Yes ☐ No ☒	- -
Well 2		Yes ☒ No ☐	DESC3417		Yes ☐ No ☐	105 gpm	Yes ☐ No ☒	- -
Well 3		Yes ☒ No ☐	DESC4016		Yes ☐ No ☐	95 gpm	Yes ☐ No ☒	- -
		Yes ☐ No ☐			Yes ☐ No ☐		Yes ☐ No ☐	- -
Total **measured rate** from all wells utilized under this permit						550 gpm		

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 ☐ NA

Well #____: Actual location: ____

Well #____: Actual location: ____

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

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

Surface Water Permits: I have applied water to ____ acres for irrigation to date.

Ground Water Permits: I have applied water to 289 household connections to date

Please specify which wells are being utilized for this irrigation.

Well #1 Acres na Well #2 Acres na

Well #3 Acres na Well #____ Acres na

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

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

CHART-F

APPROXIMATE DATE RANGE (projected)	LIST & DESCRIBE WORK TO BE ACCOMPLISHED TO COMPLETE WATER DEVELOPMENT (projected)	ESTIMATED COST (projected)
2014-2034	provide water connections to an additional 91 homesites, maintain system, rebuild reservoir,	$200,000
Year: 2034	Date intend to apply water to full beneficial use under the terms and conditions of this permit.	
8. **Estimated remaining total cost to complete the water development:** [OAR 690-315-0020(3)(g)]		**$200,000**

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

9. **Describe the reasons why the water development 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) Is the project 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? If yes, describe.

The project was planned to be phased in as the service area built out with homes.

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9-B) Did the financial resources needed to develop the project preclude completion of the project within authorized time frames? If yes, describe.

NA

9-C) Did good faith attempts to comply with other agency permit conditions and/or acquire permits from other agencies, or otherwise comply with government regulations, delay completion of the project? If yes, describe.

NA

9-D) Have other unforeseen events delayed full development of the water system and use of water within the authorized time frames? If yes, describe.

Yes. The housing market has fluctuated in the last 10 years. We are beginning to recover from the recession that began in 2008, but homebuilding in the service area is still slow.

[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. 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.

We are asking for a 20-year extension of time to allow for buildout of vacant parcels within the service area. Before the recession, the area was attractive to homebuilders because of the rural homesites that are close to both Sisters and Bend. There is every reason to believe that the area will continue to develop in the next 20 years.

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

In fiscal years 2002-2007, Deschutes County building permits for new homes averaged 435 a year. Between 2008-2014, that number dropped to 111 a year. While the number of permits is trending upward (150 for 2013 and 173 for 2014), the area will probably not see the pre-recession level of activity. However, if the water system service area sees an average of 5 new services a year, it will acheive build-out within the time limits of the requested extension. The water system has experienced a similar pattern of activity, with new hook-ups going from 6 in 2005, to zero in 2008-2012, then 2 per year in 2013-2014.

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Thank you for submitting a complete and accurate application. Remember to sign the front page. If you have questions or need assistance, please ask to speak with the Department's Extension Specialist by calling 503-986-0900 during business hours.

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INSTRUCTIONS FOLLOW ON NEXT PAGE

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11 Well #1 16S/10E/16cb

STATE OF OREGON WATER WELL REPORT

(as required by ORS 537.765)

DESC 9830

Instructions for completing this report are on the last page of this form.

RECEIVED APR 17 1995 WATER RESOURCES DEPT. SALEM, OREGON

(START CARD) # 67771

(1) OWNER: Well Number WATER SALE

Name Sun Mountain Water System, Inc.

Address P.O. Box 7096

City Bend State Ore. Zip 97708

(2) TYPE OF WORK

☐ New Well ☒ Deepening ☐ Alteration (repair/recondition) ☐ Abandonment

(3) DRILL METHOD:

☒ Rotary Air ☐ Rotary Mud ☒ Cable ☐ Auger ☐ Other

(4) PROPOSED USE:

☐ Domestic ☒ Community ☐ Industrial ☐ Irrigation ☐ Thermal ☐ Injection ☐ Livestock ☐ Other

(5) BORE HOLE CONSTRUCTION:

Special Construction approval ☐ Yes ☒ No Depth of Completed Well 481 ft.

Explosives used ☐ Yes ☒ No Type ____ Amount ____

HOLE Diameter	From	To	SEAL Material	From	To	Sacks or pounds
undisturbed		251'				
12"	251'	356'				
10"	356'	481'				

How was seal placed: Method ☐ A ☐ B ☐ C ☐ D ☐ E

☐ Other

Backfill placed from ____ ft. to ____ ft. Material ____

Gravel placed from ____ ft. to ____ ft. Size of gravel ____

(6) CASING/LINER:

	Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing:	undisturbed				☐	☐	☐	☐
					☐	☐	☐	☐
					☐	☐	☐	☐
					☐	☐	☐	☐
Liner:	8"	+2'	480'	.188	☒	☐	☒	☐
					☐	☐	☐	☐

Final location of shoe(s) ____

(7) PERFORATIONS/SCREENS:

☒ Perforations Method machine

☐ Screens Type ____ Material ____

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
420'	480'	1/8x3	798			☐	☒
						☐	☐
						☐	☐
						☐	☐
						☐	☐

(8) WELL TESTS: Minimum testing time is 1 hour

☒ Pump ☐ Bailer ☐ Air ☐ Flowing Artesian

Yield gal/min	Drawdown	Drill stem at	Time
375 GPM			4hr. 1 hr.
well was drilled from 356' to 481'			with no
return from water strata			

Temperature of water 53 Depth Artesian Flow Found ____

Was a water analysis done? ☐ Yes By whom ____

Did any strata contain water not suitable for intended use? ☐ Too little

☐ Salty ☐ Muddy ☐ Odor ☐ Colored ☐ Other ____

Depth of strata: ____

(9) LOCATION OF WELL by legal description:

County Deschutes Latitude ____ Longitude ____

Township 16S N or S Range 10E E or W. WM.

Section 16 NW 1/4 SW 1/4

Tax Lot 7900 Lot ____ Block ____ Subdivision ____

Street Address of Well (or nearest address) Varco Rd

(10) STATIC WATER LEVEL:

370' ft. below land surface. Date 3-24-95

Artesian pressure ____ lb. per square inch. Date ____

(11) WATER BEARING ZONES:

Depth at which water was first found 228'

From	To	Estimated Flow Rate	SWL
0	237'	375 GPM	370

(12) WELL LOG:

Ground Elevation ____

Material	From	To	SWL
open hole	0	237'	
clean out fill	237'	251'	
red clay	251'	295'	
sand rock red cinder	295'	315'	
red clay red cinder	315'	340'	
sand red clay rock	340'	356'	
hard basalt crevis NR	356'	390'	370'
soft NR	390'	403'	
fract hard NR	403'	420'	
hard NR	420'	437'	
soft brkn NR	437'	460'	
hard NR	460'	472'	
soft brkn	472'	481'	

RECEIVED MAY 15 1995 WATER RESOURCES DEPT. SALEM, OREGON

RECEIVED BY OWRD SEP 09 2014 SALEM, OR

Date started 1-17-95 Completed 3-24-95

(unbonded) Water Well Constructor Certification:

I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.

WWC Number ____

Signed ____ Date ____

(bonded) Water Well Constructor Certification:

I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.

WWC Number 1568

Signed David J Kuhn Date 4-14-95

ORIGINAL & FIRST COPY-WATER RESOURCES DEPARTMENT SECOND COPY-CONSTRUCTOR THIRD COPY-CUSTOMER

NOTICE TO WATER WELL CONTRACTOR
The original and first copy of this report are to be filed with the STATE ENGINEER, SALEM, OREGON 97310 within 30 days from the date of well completion.

RECEIVED
JUL 11 1972
STATE ENGINEER
SALEM, OREGON

NC DESC 3417

WATER WELL REPORT
STATE OF OREGON
(Please type or print)
(Do not write above this line)

WELL #2

State Well No. 15S/11E-33

State Permit No. .....

(1) OWNER:
Name: Newel P. Baker
Address: Rt. 2 Box 1130 Bend, Ore. 97701

(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 ☐

(5) CASING INSTALLED:
Threaded ☐ Welded ☐
16 " Diam. from XXX 0 ft. to XXX245 Gage 250
" Diam. from ..... ft. to ..... ft. Gage .....
" Diam. from ..... ft. to ..... ft. Gage .....

(6) PERFORATIONS:
Perforated? ☒ Yes ☐ No.
Type of perforator used
Size of perforations in. by in.
3/8x4" perforations from 220 ft. to 243 ft.
..... perforations from ..... ft. to ..... ft.
..... perforations from ..... ft. to ..... 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) WATER LEVEL: Completed well.
Static level 238 ft. below land surface Date 7-20-69
Artesian pressure ..... lbs. per square inch Date .....

(9) WELL TESTS:
Drawdown is amount water level is lowered below static level Bob
Was a pump test made? ☒ Yes ☐ No If yes, by whom Riemenschnieder
Yield: 800 gal./min. with 10 ft. drawdown after 6 hrs.
" " " "
" " " "
Bailer test ..... gal./min. with ..... ft. drawdown after ..... hrs.
Artesian flow ..... g.p.m. Date .....
Temperature of water ..... Was a chemical analysis made? ☐ Yes ☐ No

(10) CONSTRUCTION:
Well seal—Material used Bentonite
Depth of seal 26 ft.
Diameter of well bore to bottom of seal 24 in.
Were any loose strata cemented off? ☐ Yes ☒ No Depth .....
Was a drive shoe used? ☒ Yes ☐ No
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.

(11) LOCATION OF WELL:
County Deschutes Driller's well number .....
West ¼ W ¼ Section 33 T. 15S R. 11 E W.M.
Bearing and distance from section or subdivision corner

(12) WELL LOG:
Diameter of well below casing 12"
Depth drilled ..... ft. Depth of completed well 297 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 as drilling proceeds. Note drilling rates.

MATERIAL	From	To	SWL
Dirt	0	2	
Gravel	2	11	
Cinders	11	27	
Lava	27	50	
Hard Dark Rock	50	80	
Soft Red Cinders	80	85	
Hard Lava	85	100	
Red Clay & Gravel	100	128	
Lava Rock	128	143	
Red Cinders	143	184	
Hard Gray Rock	184	243	
Cinders & Gravel	243	290	

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Work started May 1968 Completed July 1969
Date well drilling machine moved off of well August 1969

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] Newel P. Baker OWNER Date ....., 19.....
(Drilling Machine Operator)
Drilling Machine Operator's License No. .....

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 ..... (Person, firm or corporation) (Type or print)
Address .....
[Signed] ..... (Water Well Contractor)
Contractor's License No. ..... Date ....., 19.....

(USE ADDITIONAL SHEETS IF NECESSARY)

NOTICE TO WATER WELL CONTRACTOR
The original and first copy of this report are to be filed with the STATE ENGINEER, SALEM, OREGON 97310 within 30 days from the date of well completion.

RECEIVED
JUN 12 1967
STATE ENGINEER
SALEM OREGON

DESC 4016

Well #3

WATER WELL REPORT
STATE OF OREGON
(Please type or print)

State Well No. 16/10-13 D

State Permit No.

(1) OWNER:
Name Newell Baker
Address Rt 2 Bend Ore

(2) LOCATION OF WELL:
County Deschutes Driller's well number
NW¼ NW¼ Section 13 T. 16S R. 10E W.M.
Bearing and distance from section or subdivision corner
200 yds S & 100 yds E of NW Corner Sec 13

TYPE OF WORK (check):
Well ☑ Deepening ☐ Reconditioning ☐ Abandon ☐
If abandonment, describe material and procedure in Item 12.

(4) PROPOSED USE (check):
Domestic ☑ Industrial ☐ Municipal ☐
Irrigation ☐ Test Well ☐ Other ☐

(5) TYPE OF WELL:
Rotary ☐ Driven ☐
Cable ☑ Jetted ☐
Dug ☐ Bored ☐

(6) CASING INSTALLED:
Threaded ☐ Welded ☑
8" Diam. from 0 ft. to 20 ft. Gage .250
" Diam. from ft. to ft. Gage
" Diam. from ft. to ft. Gage

(7) PERFORATIONS:
Perforated? ☐ Yes ☑ No
Type of perforator used
Size of perforations in. by in.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.

(8) SCREENS:
Well screen installed? ☐ Yes ☑ No
Manufacturer's Name
Model No.
Slot size Set from ft. to ft.
Diam. Slot size Set from ft. to ft.

(9) CONSTRUCTION:
Well seal—Material used in seal Bentonite
Depth of seal 20 ft. Was a packer used? No
Diameter of well bore to bottom of seal 12 in.
Were any loose strata cemented off? ☐ Yes ☑ No Depth
Was a drive shoe used? ☐ Yes ☑ No
Was well gravel packed? ☐ Yes ☑ No Size of gravel:
Gravel placed from ft. to ft.
Did any strata contain unusable water? ☐ Yes ☑ No
Type of water? depth of strata
Method of sealing strata off

(10) WATER LEVELS:
Static level 255 ft. below land surface Date 5-8-67
Artesian pressure lbs. per square inch Date

(11) WELL TESTS:
Drawdown is amount water level is lowered below static level
Was a pump test made? ☑ Yes ☐ No If yes, by whom? Newton Redmond
Yield: 30 gal./min. with 4 ft. drawdown after 2 hrs.
" " " "
" " " "
Bailer test gal./min. with ft. drawdown after hrs.
Artesian flow g.p.m. Date
Temperature of water 50 Was a chemical analysis made? ☐ Yes ☑ No

(12) WELL LOG:
Diameter of well below casing 8"
Depth drilled 273 ft. Depth of completed well 273 ft.

Formation: Describe by color, character, size of material and structure, and show thickness of aquifers and the kind and nature of the material in each stratum penetrated, with at least one entry for each change of formation.

MATERIAL	FROM	TO
Over Burden Sandy	0	8
Conglomerate	8	55
Boulders	55	105
Sandstone	105	155
Pumice	155	173
Conglomerate	173	207
Hard Lava	207	248
Brown Sandstone	248	262
Hard Lava	262	265
Water Bearing Sand	265	273

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Work started 4-25 1967 Completed 5-8 1967
Date well drilling machine moved off of well 5-9 1967

(13) PUMP:
Manufacturer's Name Fyeo Motor
Type: Submersable H.P. 1½

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 Trussell Well Drilling
(Person, firm or corporation) (Type or print)
Address Rt 2 Box 226 Bend Ore
Drilling Machine Operator's License No. 533
[Signed] James E. Trussell
(Water Well Contractor)
Contractor's License No. 466 Date 6-6, 1967

(USE ADDITIONAL SHEETS IF NECESSARY)

STATE OF OREGON

COUNTY OF DESCHUTES

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

SUN MOUNTAIN WATER SYSTEM, INC.
by JUNE BONKOSKY 503-382-3039
P.O. BOX 7096
BEND, OREGON 97708

to use the waters of THREE WELLS in the SQUAW CREEK BASIN for DOMESTIC USE EXPANDED FOR 380 FAMILIES.

This Permit is issued approving Application G-11899. The date of priority is MARCH 13, 1989 FOR 0.223 CUBIC FOOT PER SECOND (CFS) AND AUGUST 23, 1991 FOR 0.623 CFS. The use is limited to not more than 0.846 CFS, or its equivalent in case of rotation, measured at the wells.

The wells are located as follows:

WELL 1 - NW 1/4 SW 1/4, SECTION 1, T 16 S, R 10 E, W.M.; 1148 FEET SOUTH AND 46 FEET EAST FROM NW CORNER, SECTION 1;

WELL 2 - NW 1/4 NW 1/4, SECTION 33, T 15 S, R 11 E, W.M.; 151 FEET SOUTH AND 823 FEET EAST FROM W 1/4 CORNER, SECTION 33;

WELL 3 - NW 1/4 NW 1/4, SECTION 13, T 16 S, R 10 E, W.M.; 2028 FEET NORTH AND 270 FEET EAST FROM W 1/4 CORNER, SECTION 13.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the proposed place of use under the permit is as follows:

SE 1/4 SE 1/4
SECTION 36
TOWNSHIP 15 SOUTH, RANGE 10 EAST, W.M.

SW 1/4 NE 1/4
SE 1/4 NW 1/4
NE 1/4 SW 1/4
S 1/2 SW 1/4
SE 1/4
SECTION 31

SW 1/4
SW 1/4 SE 1/4
SECTION 32

W 1/2
SECTION 33
TOWNSHIP 15 SOUTH, RANGE 11 EAST, W.M.

ALL
SECTION 1

LOTS 1 & 2
SE 1/4
SECTION 2

NE 1/4 NE 1/4
NW 1/4 NE 1/4
SE 1/4 SE 1/4
SECTION 11

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NW 1/4 NW 1/4
SW 1/4 SW 1/4
SE 1/4 SW 1/4
SW 1/4 SE 1/4
SECTION 12

NW 1/4 NW 1/4
SW 1/4 NW 1/4
NW 1/4 SW 1/4
SECTION 13

NE 1/4 NE 1/4
SECTION 14
TOWNSHIP 16 SOUTH, RANGE 10 EAST, W.M.

ALL
SECTION 6

NE 1/4
NE 1/4 SE 1/4
SECTION 7

SW 1/4 NW 1/4
NW 1/4 SW 1/4
SECTION 8
TOWNSHIP 16 SOUTH, RANGE 11 EAST, W.M.

(1) The well shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevations in the well at all times. When required by the Department, 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.

(2) Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the Department's standards, to the Water Resources Department. The Director may require water level or pump test results every ten years thereafter.

(3) Actual construction work shall begin on or before September 3, 1992, and shall be completed on or before October 1, 1993.[b] Complete application of the water shall be made on or before October 1, 1994.[c]

B+C ext - 10-1-98, 2004

Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit.

This permit is for beneficial use of water without waste. The water user is advised that new regulations may require use of best practical technologies or conservation practices to achieve this end.

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.

The use of water shall be limited when it interferes with any prior surface or ground water rights.

Issued this date, SEPTEMBER 3, 1991.

extended to BC 2014

/s/ WILLIAM H. YOUNG
Water Resources Department
William H. Young
Director

Oregon Water Resources Department
Water Right Services Division

PROPOSED FINAL ORDER

In the Matter of the Application for an Extension of Time for Permit G-11328, Water Right Application G-11899, in the name of Sun Mountian Water Systems Inc.

Permit Information

Application:	G-11899
Permit:	G-11328
Basin:	5 – Deschutes / Watermaster District 11
Date of Priority:	March 13, 1989 and August 23, 1991
Source of Water:	Three wells in the Squaw Creek Basin
Purpose of Use:	Domestic use expanded for 380 families
Maximum Rate:	0.223 cubic feet per second (cfs) (priority date March 13, 1989) and 0.623 cfs (priority date August 23, 1991); use limited to not more than 0.846 cubic feet per second (cfs)

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

In Summary, the Department proposes to:

- Grant an extension of time to complete construction of the water system from October 1, 2014 to October 30, 2034.
- Grant an extension of time to apply water to full beneficial use from October 1, 2014 to October 30, 2034[1].
- Make the extension subject to certain conditions set forth below.

This Extension of Time request is being processed in accordance with Oregon Revised Statute 537.630 and 539.010(5), and Oregon Administrative Rule Chapter 690, Division 315.

[1]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.

ACRONYM QUICK REFERENCE
Department – Oregon Department of Water Resources
PFO – Proposed Final Order
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) provides in pertinent part that the Oregon Water Resources 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(5) states that extension orders may include, but are not limited to, any condition or provision needed to: ensure future diligence; mitigate the effects of the subsequent development on competing demands on the resource; and periodically document the continued need for the permit.

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-11328 was granted by the Department on September 3, 1991. The permit authorizes the use of up to 0.846 cfs of water from three wells in the Squaw Creek for domestic use expanded for 380 families. The permit specified actual construction to begin by September 3, 1992, construction of the water system was to be completed by October 1, 1993, and complete application of water was to be made on or before October 1, 1994.

2. Three prior permit extensions have been granted for Permit G-11328. 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, 2014.

3. The permit holder submitted an "Application for Extension of Time" to the Department on September 4, 2014, requesting both 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-11328 be extended from October 1, 2014 to October 30, 2034.

4. Notification of the Application for Extension of Time for Permit G-11328 was published in the Department's Public Notice dated September 16, 2014. 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[2], 537.248[3], 537.630[4] and/or 539.010(5)[5].

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

5. On September 4, 2014, the Department received a completed Application for Extension of Time and the fee specified in ORS 536.050 from the permit holder.

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

6. Actual construction of the well began prior to the September 3, 1992 deadline specified in the permit. Construction of well 3 (DESC 4016) began April 25, 1967.

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

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[2]ORS 537.230 applies to surface water permits only.

[3]ORS 537.248 applies to reservoir permits only.

[4]ORS 537.630 applies to ground water permits only.

[5]ORS 539.010(5) applies to surface water and ground water permits.

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 September 4, 2014, the remaining work to be completed consists of providing water connection to an additional 91 home sites, maintaining water system, rebuilding the reservoir 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 30, 2034, 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-11328 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 September 3, 1992, deadline specified in the permit. Construction of well 3 (DESC 4016) began April 25, 1967 and completed May 8, 1967. Well 2 (DESC 3417) construction began May 1969 and completed July 1969. Construction of the distribution system began in 1989.

   b. Work was completed during the original development time frame under Permit G-11328. The permit holder provided maintenance and upgrades on the water system and installation of services.

   c. From October 1, 1994 to October 1, 2004 the permit holder continued maintenance and upgrades on the water system and installation of services. Construction of Well 1 (DESC 9830) began January 17, 1995 and completed March 24, 1995.

   d. During the most recent extension period, being from October 1, 2004, to

October 1, 2014, the following was accomplished:

- Constructed a pump house and access roads;
- Relocated main water line
- Upgraded/ replaced pumps
- Installed monitoring system; and
- Installed remote access equipment to Well 1.

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-11328 on September 3, 1991, a maximum rate of 1.23 cfs of water has been appropriated from the wells for domestic use for 289 home sites. This exceeds the amount of water authorized under this permit. The authorized amount of water is 0.846 cfs.

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

11. The Department has considered the permit holder's compliance with conditions, and did not identify any concerns.

Financial Investments to Appropriate and Apply Water to a Beneficial Purpose [OAR 690-315-0040(2)(b),(3)(d),(4)(d)]

12. As of September 4, 2014, the permit holder has invested approximately $1,131,423, which is approximately 99 percent of the total projected cost for complete development of this project. The permit holder anticipates an additional $2,000 investment is needed for the completion of this project.

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

13. The Department has found good faith of the appropriator under Permit G-11328.

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:

14. 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)].

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-11328; furthermore, water availability for other affected water rights and scenic waterway flows after the permit was issued is determined when an application for a new water right is submitted. The points of appropriation for Permit G-11328, are located within the Middle Deschutes Basin, and are not located within a limited or critical ground water area. Middle Deschutes River is located above the Deschutes Scenic Waterway, and, it is located within an area ranked "moderate" 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. The points of appropriation are not in an area listed by the Department of Environmental Quality as a water quality limited stream.

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

15. None have been identified.

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

16. OAR 690-315-0050(5) provides for extension orders to include, but are not limited to, any condition or provision needed to ensure future diligence, and/or mitigate the effects of the subsequent development on competing demands on the resource. The Department determined the need to place a "Last Extension Condition" on this extension of time in order to ensure diligence is exercised in the development and perfection of the water use permit. This condition, specified under Item 2 of the "Conditions" section of this PFO, was determined to be necessary due to the length of time for the development perfection this water right.

17. 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)]

18. Use and income from the permitted water development will likely result in reasonable returns upon the investment made to date.

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

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

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

20. Unforeseen events extended the length of time needed to fully develop and perfect Permit G-11328, in that the permit holders were faced with a down turn in the economy and housing sales dropped which restricted their ability to complete development of the project in a timely manner.

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 30, 2034, 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 16 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-11328.

7. As authorized in OAR 690-315-0050(5) and as described in Finding 17 above, the Department has established, as specified in the "Conditions" section of this PFO (Item 2), a "Last Extension Condition" in order to ensure future diligence is exercised in the development and perfection of Permit G-11328.

PROPOSED ORDER

Based upon the foregoing Findings of Fact and Conclusions of Law, the Department proposes to issue an order to:

Extend the time to complete construction of the water system under Permit G-11328 from October 1, 2014 to October 30, 2034.

Extend the time to apply water to beneficial use under Permit G-11328 from October 1, 2014 to October 30, 2034.

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, 2018, 2023, 2028, and 2033.** ***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.

2. **Last Extension Condition**

This is to be the last extension of time granted for Permit G-11328. Any future extensions of time requests will be denied.

DATED: November 4, 2014

Dwight W. French, Administrator,
Water Right Services Division

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

Proposed Final Order Hearing Rights

1. Under the provisions of OAR 690-315-0100(1) and 690-315-0060, the applicant or any other person adversely affected or aggrieved by the proposed final order may submit a written protest to the proposed final order. The written protest must be received by the Water Resources Department no later than **December 19, 2014,** being 45 days from the date of publication of the proposed final order in the Department's weekly notice.

2. A written protest shall include:

   a. The name, address and telephone number of the petitioner;
   b. A description of the petitioner's interest in the proposed final order and if the protestant claims to represent the public interest, a precise statement of the public interest represented;
   c. A detailed description of how the action proposed in the proposed final order would adversely affect or aggrieve the petitioner's 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 the petitioner, if known;
   f. Proof of service of the protest upon the water right permit holder, if petitioner is other than the water right permit holder; and
   g. The applicant or non-applicant protest fee required under ORS 536.050.

3. Within 60 days after the close of the period for requesting a contested case hearing, the Director shall:

   a. Issue a final order on the extension request; or
   b. Schedule a contested case hearing if a protest has been submitted, and:
      1) Upon review of the issues, the Director finds there are significant disputes related to the proposed agency action; or
      2) The applicant submits a written request for a contested case hearing within 30 days after the close of the period for submitting protests.

- If you have questions about statements contained in this document, please contact Machelle A Bamberger at (503)986-0802.
- If you have questions about how to file a protest or if you have previously filed a protest and you want to know the status, please contact Patricia McCarty at 503-986-0820.
- If you have any questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at 503-986-0900.
- Address any correspondence to : Water Right Services Division
  725 Summer St NE, Suite A
  Fax: 503-986-0901 Salem, OR 97301-1266

Mailing List for Extension PFO Copies

PFO Date: November 4, 2014

Application: G-11899
Permit: G-11328

Copies Mailed

By: BW
On: 11/4/14

Original mailed to Applicant:

Sun Mountian Water Systems Inc.
P.O. Box 9295
Bend OR 97708

Copies sent to:

1. WRD - App. File G-11899/ Permit G-11328

2. Fred A. AST, JR. & Associates
   P.O. Box 751
   Sisters, OR 97759

Fee paid as specified under ORS 536.050 to receive copy:

3. None

Receiving *via e-mail* (10 AM Tuesday of signature date)
(DONE BY EXTENSION SPECIALIST)

4. WRD - Watermaster District 11, Jeremy Giffin

CASEWORKER: MAB

Oregon Water Resources Department
Water Right Services Division

Water Rights Application
Number G-11899

FINAL ORDER

Extension of Time for Permit Number G-11328
Permit Holder: Sun Mountian Water Systems Inc.

Permit Information

Application:	G-11899
Permit:	G-11328
Basin:	5 – Deschutes / Watermaster District 11
Date of Priority:	March 13, 1989 and August 23, 1991
Source of Water:	Three wells in the Squaw Creek Basin
Purpose of Use:	Domestic use expanded for 380 families
Maximum Rate:	0.223 cubic feet per second (cfs) (priority date March 13, 1989) and 0.623 cfs (priority date August 23, 1991); use limited to not more than 0.846 cubic feet per second (cfs)

This Extension of Time request is being processed in accordance with Oregon Revised Statute 537.630 and 539.010(5), and Oregon Administrative Rule Chapter 690, Division 315

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-11328 was issued by the Department on September 3, 1991. The permit called for actual construction to begin by September 3, 1992, completion of construction by October 1, 1993, and complete application of water to beneficial use by October 1, 1994. The most recent extension authorized completion of construction and complete application of water to beneficial use by October 1, 2014. On September 4, 2014, Sun Mountian Water Systems Inc. submitted to the Department an Application for Extension of Time for Permit G-11328. In accordance with OAR 690-315-0050(2), on November 4, 2014, the Department issued a

Proposed Final Order proposing to extend the time to complete construction to October 30, 2034, and the time to fully apply water to beneficial use to October 30, 2034. The protest period closed December 19, 2014, in accordance with OAR 690-315-0060(1). No protest was filed.

FINDINGS OF FACT

The Department adopts and incorporates by reference the findings of fact in the Proposed Final Order dated November 4, 2014.

At time of issuance of the Proposed Final Order the Department concluded that, based on the factors demonstrated by the applicant, any comments received, and information within the file, 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, 2018, 2023, 2028, and 2033.** ***A form is enclosed with this 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.

2. **Last Extension Condition**

This is to be the last extension of time granted for Permit G-11328. Any future extensions of time requests will be denied.

CONCLUSION OF LAW

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-11899, Permit G-11328, therefore, is approved subject to conditions contained herein. The deadline for completing construction is extended to from October 1, 2014 to October 30, 2034. The deadline for applying water to full beneficial use within the terms and conditions of the permit is extended from October 1, 2014 to October 30, 2034.

DATED: December 26, 2014

Dwight French
Water Right Services Division Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department

- If you have any questions about statements contained in this document, please contact the Permit Extension Specialist at (503) 986-0802.
- If you have other questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at (503) 986-0900

Oregon Water Resources Department
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: Sun Mountian Water Systems Inc. Application G-11899 Permit G-11328

Progress Report for 2018

Report Due no later than October 1, 2018
DO NOT SUBMIT PRIOR TO 30 DAYS BEFORE DUE DATE

As authorized in ORS 690-315-0050(6), this progress report is required in order to ensure diligence is exercised in the development and perfections of Permit G-11328.
FAILURE TO SUBMIT THIS REPORT WILL MOST LIKELY RESULT IN ANY FUTURE EXTENSION BEING DENIED.

DATES	LIST ALL WORK ACCOMPLISHED and FINANCIAL INVESTMENTS For the period of time between September 9, 2014 and October 1, 2018	FINANCIAL INVESTMENT

2. Describe actions to achieve compliance with conditions of the permit and/or previous extension.

3. Total number of acres irrigated to date: _____*(NA if not applicable)*

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

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

Signature_____Date_____

Printed Name/Title_____

Diligence Shown ☐ Yes ☐ No Date Public Noticed: _____
For OWRD use only

Reviewed by: _____ Date: _____

Mailing List for Extension FO Copies

FO Date: December 26, 2014

Copies Mailed

Application: G-11899
Permit: G-11328

By: BW
On: 12/26/14

Original mailed to permit holder

Sun Mountian Water Systems Inc.
P.O. Box 9295
Bend OR 97708

Copies sent to:

1. WRD - App. File G-11899/ Permit G-11328

2. Fred A. AST, JR. & Associates
   P.O. Box 751
   Sisters, OR 97759

Fee paid as specified under ORS 536.050 to receive copy:

3. None

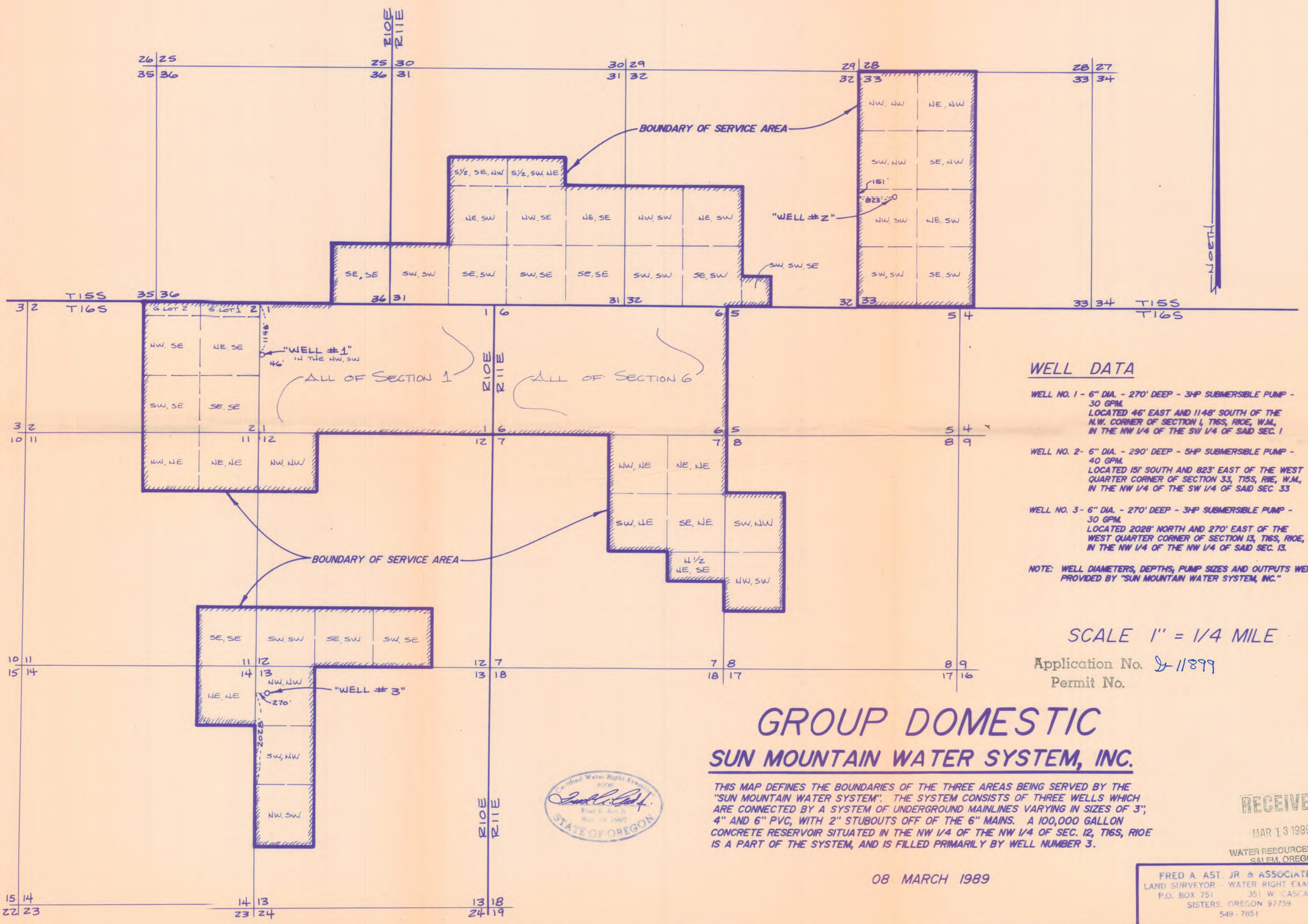
Receiving notification *via e-mail* - FO available in WRIS for review
(DONE BY EXTENSION SPECIALIST)

4. WRD - Watermaster District 11, Jeremy Giffin

If Progress Reports are included:
(DONE BY EXTENSION SPECIALIST)
Add record to Progress Report tracking sheet.xls Done: by MAB Date 12-22-14

CASEWORKER: MAB

MAR 13 1989



WELL DATA

WELL NO. 1 - 6" DIA. - 270' DEEP - 3HP SUBMERSIBLE PUMP - 30 GPM.
LOCATED 46' EAST AND 1148' SOUTH OF THE N.W. CORNER OF SECTION 1, T16S, R10E, W.M., IN THE NW 1/4 OF THE SW 1/4 OF SAID SEC. 1

WELL NO. 2- 6" DIA. - 290' DEEP - 5HP SUBMERSIBLE PUMP - 40 GPM.
LOCATED 151' SOUTH AND 823' EAST OF THE WEST QUARTER CORNER OF SECTION 33, T15S, R11E, W.M., IN THE NW 1/4 OF THE SW 1/4 OF SAID SEC 33

WELL NO. 3 - 6" DIA. - 270' DEEP - 3HP SUBMERSIBLE PUMP - 30 GPM.
LOCATED 2028' NORTH AND 270' EAST OF THE WEST QUARTER CORNER OF SECTION 13, T16S, R10E, W.M. IN THE NW 1/4 OF THE NW 1/4 OF SAID SEC. 13.

NOTE: WELL DIAMETERS, DEPTHS, PUMP SIZES AND OUTPUTS WERE PROVIDED BY "SUN MOUNTAIN WATER SYSTEM, INC."

SCALE 1" = 1/4 MILE

Application No. G-11899
Permit No.

GROUP DOMESTIC

SUN MOUNTAIN WATER SYSTEM, INC.

THIS MAP DEFINES THE BOUNDARIES OF THE THREE AREAS BEING SERVED BY THE "SUN MOUNTAIN WATER SYSTEM". THE SYSTEM CONSISTS OF THREE WELLS WHICH ARE CONNECTED BY A SYSTEM OF UNDERGROUND MAINLINES VARYING IN SIZES OF 3", 4" AND 6" PVC, WITH 2" STUBOUTS OFF OF THE 6" MAINS. A 100,000 GALLON CONCRETE RESERVOIR SITUATED IN THE NW 1/4 OF THE NW 1/4 OF SEC. 12, T16S, R10E IS A PART OF THE SYSTEM, AND IS FILLED PRIMARILY BY WELL NUMBER 3.

Certified Water Right Examiner
Fred A. Ast Jr
Mar 08 1989
STATE OF OREGON

08 MARCH 1989

RECEIVED
MAR 13 1989
WATER RESOURCES DEPT
SALEM, OREGON

FRED A. AST. JR & ASSOCIATES
LAND SURVEYOR - WATER RIGHT EXAMINER
P.O. BOX 751 351 W. CASCADE
SISTERS, OREGON 97759
549-7851

Oregon
Theodore R. Kulongoski, Governor

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

March 29, 2010

SUN MOUNTAIN WATER SYSTEMS, INC.
PO BOX 9295
BEND, OR 97708

REFERENCE: Application G-11899 / Permit G-11328

Dear Permit Holder:

The Water Rights and Adjudications Division received your written progress report for Permit G-11328 on February 16, 2010. Receipt of the progress report was published on the Department's weekly Public Notice, February 23, 2010. The Department did not receive any public comment on the progress report.

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

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

Sincerely,

Scott Kudlemyer
Extensions
Water Rights and Adjudications Division

Enclosure

cc: Application G-11899 / Permit G-11328
Watermaster District 11 / Jeremy Giffin

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

1. **Extension Specialist: Progress Report Review**

   Date Report Received: 2/16/2010

   Report Complete: ☒ YES

   ☐ NO – Send letter requesting missing information.

   ☐ letter mailed on: _____

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

   ☐ **315** ☑ **320** OAR Division under which Progress Report was required

   ☑ Publish on Public Notice Date: 2/23/10 JS

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

   ☑ Return to Extension Specialist

3. **Extension Specialist: Prepare Progress Report Confirmation Letter**

   See ..\Procedures_progress reports (date / mail out after 30 day comment period)

   Date Letter Needed: 3/29/2010

   ☑ Update Progress Report Worksheet.xls

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

   CC: Watermaster #11

   File G-11899

4. **Return file to cabinet**

PUBLIC NOTICE INFORMATION

Permit Holder's Name: Sun Mountain Water Systems Attn: _____

Permit Holder's Mailing Address: PO Box 9295
Bend, OR 97708

Application: G- 11899 Permit: G- 11328

County: Deschutes

Quantity of Water: 0.846 cfs

Source: Three wells in the Squaw Creek Basin

Use: Domestic Use Expanded for 380 Families

Current Authorized Extension Date: 10/1/2014

Oregon
Theodore R. Kulongoski, Governor

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

Febuuary 4, 2010

SUN MOUNTAIN WATER SYSTEM, INC
PO BOX 9295
BEND, OR 97708

REFERENCE: Application G-11899 / Permit G-11328

Dear Permit Holder:

On September 29, 2004 the Department issued a Final Order approving an Extension of Time for Permit G-11328. This Final Order included a condition that required the permit holder to submit a written progress report to the Department by October 1, 2009. This letter is being sent to you because the Department has not yet received the progress report.

For your convenience, I have enclosed a **Progress Report Form** for 2009. In order to maintain the ability to continue developing water under this permit, you should submit your overdue progress report immediately.

As per your most recent extension, the date by which water must be applied to full beneficial use within the terms and conditions of your permit is October 1, 2014. ***Failure to submit a written progress report may jeopardize continued development of your permit beyond October 1, 2014, as future extensions are evaluated on past due diligence, and consequently may not be granted.***

If you have any questions concerning this matter, you may contact me by telephone at (503) 986-0813.

Sincerely,

Scott Kudlemyer
Extensions
Water Rights and Adjudications Division

Enclosure
cc:
Application G-11899
Watermaster District 11 – Jeremy Giffin

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

Mailing List for Extension FO Copies

Application #G-11899 **FO Date: September 29, 2004**
Permit #G-11328

Copies Mailed
By: (SUPPORT STAFF)
on: 9-30-04 (DATE)

Original mailed to:

Applicant: **Sun Mountain Water System Inc**
PO Box 9295
Bend, OR 97708-9295

For Extension FO's - Copies sent to:

1. WRD - Appl. File #G-11899 / Permit #G-11328
2. WRD - Watermaster District: #11 - Jeremy Giffin, Bend
3. ODFW Biologist District: #7 - Steve Marx, Bend
4. WRD - Support Staff - Salem

Other interested parties:

NONE

CASEWORKER: **LJJ**/JJU

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 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:

PERMITTEE	APPL. NUMBER	PERMIT NUMBER	NEW TIME LIMITS TO: COMPLETE CONST.	APPLY WATER
PERMITS TO USE GROUNDWATER:				
City of Scotts Mills	G-10630	G-9708	10-1-97	10-1-97
Sun Mountain Water System, Inc.	G-11899	G-11328	10-1-98	10-1-98
Michael & Kathleen Laidet	G-12284	G-11425	10-1-95	
Michael & Kathleen Laidet	G-12284	G-11425	10-1-96	10-1-96
Roy Peters	G-12290	G-11295	10-1-96	10-1-96
Eagle Ridge Development Corporation	G-12429	G-11313	10-1-96	10-1-96
City of Sisters	G-12591	G-11418	10-1-99	10-1-99
Knudsen Vineyards	G-12941	G-11701	10-1-96	
Frank Michaelis	G-13213	G-11608	10-1-97	10-1-97
PERMITS TO CONSTRUCT RESERVOIRS AND USE SURFACE WATER:				
Roy Peters	R-70917	R-11461	10-1-96	
Roy Peters	70918	51474	10-1-96	
Roy Peters	R-72031	R-11471	10-1-96	10-1-96
Roy Peters	72032	51475	10-1-96	

PERMITS TO USE SURFACE WATER:

City of Medford	8092	6703	10-1-00	10-1-2000
City of Medford	10120	6884	10-1-00	10-1-2000
City of Medford	29527	23210	10-1-00	10-1-2000
City of Detroit	43399	32449	10-1-00	10-1-2000
Portland General Electric	51521	39188	10-1-96	10-1-96
Allen & Lorraine Walker	70290	51106	10-1-93	10-1-94
Allen & Lorraine Walker	70290	51106	10-1-94	10-1-95
Bernard & Ronni Lacroute	71566	51282	10-1-96	10-1-96

Dated at Salem, Oregon this 29th day of September, 1995.

for Martha O. Pagel
DIRECTOR

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number G-11899

Final Order
Extension of Time for Permit Number G-11328

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 September 30, 1999, Sun Mountain Water Systems Inc. submitted an application to the Department for an extension of time for permit number G-11328. The Department issued permit number G-11328 on September 3, 1991. The permit called for completion of construction of the water development project by October 1, 1993, and complete application of water to beneficial use by October 1, 1994. In accordance with OAR 690-320-0010(8), on July 6, 2004, the Department issued a Proposed Final Order proposing to extend the time to complete construction of the water development project to October 1, 2014, and the time to fully apply water to beneficial use to October 1, 2014. The protest period closed August 20, 2004. No protest was filed.

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

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

CONDITIONS

1. **In accordance with OAR 690-320-0010(10), the permittee must submit a written progress report to the Department by October 1 of the year 2009.** The report must be received by the Department not sooner than 90 days prior to the due date. The permittee's report must describe in detail the work done each year since the last extension was granted or the last progress report submitted. The report shall include:

   a) The amount of construction completed;
   b) The amount of beneficial use of water being made, including the total volume of water used, water used relative to the specific authorizations (types of use, acres irrigated, etc.) contained in the permit, and the percent of the total allowable water use that this represents;

c) A review of the permittee's compliance with terms and conditions of the permit and/or previous extension; and
d) Financial investments made toward developing the beneficial water use.

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

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

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

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

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

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

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

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

Order

The extension of time for Application Number G-11899, Permit Number G-11328, therefore, is approved. The deadline for completing construction is extended to October 1, 2014. The deadline for applying water to full beneficial use is extended to October 1, 2014.

DATED: September 29, 2004

Phillip C. Ward, Acting Director

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

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

G-11899

now

SUN MOUNTAIN WATER SYSTEMS, INC.
P.O. Box 9295 • Bend, OR 97708-9295 • (541) 382-7309

From: Sun Mountain Water Systems, Inc.

To: Director of the Oregon Water Resources Department

503-986-0901

RE: Progress report form for 2009

Attention: Scott Kudlemyer

To Be Filed

RECEIVED
FEB 16 2010
WATER RESOURCES DEPT
SALEM, OREGON

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 Holders: MOUNTAIN SUN WATER SYSTEM, INC

Application G-11899
Permit G-11328

Report Due no later than **October 1, 2009**

Progress Report Form for 2009

As authorized in ORS 690-315-0050(6), this progress report is required in order to ensure diligence is exercised in the development and perfection of Permit G-11328

INSERT DATES	LIST ALL WORK ACCOMPLISHED and FINANCIAL INVESTMENTS For the period of time between October 1, 2004 and October 1, 2009	FINANCIAL INVESTMENT
2004	Radio & wiring in pump house to measure water levels in reservoir on computer.	$6815.
2005	Pull & upgrade 2 pumps to access more water, install frequency drive & transformer	$20,700.
2006	Reservoir repair & well upgrades	$7861.
2007	Well upgrades	$1521.
2008	Section of water main line relocated & pump grades	$967.
2009	Well automation upgrade, well sample tap installed, water line relocated	$1456

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

Sun Mountain Water Systems, Inc. continues to upgrade the water system to meet the projected water consumption rate that was outlined previously. To quote the findings of Bruce Estes, Oregon licensed survey consultant, dated 6/15/04 "They have equipment to pull the full amount of water from the three wells, but have not had enough homes built to use it to the extent anticipated." Since 2004 we have increased our peak usage from 257 gpm to 333 gpm in 2009. Due to the economic down turn fewer homes have been built than was anticipated, but the peak usage has increased in the past five years.

RECEIVED
FEB 16 2010
WATER RESOURCES DEPT
SALEM, OREGON

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.

*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.***

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

Maximum rate used to date = 333 **gpm (gallons per minute)**

Acre-feet stored to date = _____ **AF**

Signature Ronald R Fuller **Date** 2/16/10

For OWRD use only

Diligence Shown ☐ Yes ☐ No Date Public Noticed: _____

Reviewed by: _____ Date: _____

Extension "Final Order" Checklist

Application # G-11899 / **Permit #** G-11328

Permit Holder's Name Sun Mountain Water System Inc

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

✓ 1. Date Extension Request submitted: 9-30-99

✓ 2. Date permit was issued: 9-3-91

✓ 3. Original "B" Date from permit: 10-1-93
(Date for completion of construction)

✓ 4. Original "C" Date from permit: 10-1-94
(Date for complete application of water)

✓ 5. Extension PFO Date: 7-6-04

✓ 6. WRD recommends extending "B" Date to: 10-1-2014

and extending the "C" Date to: 10-1-2014

✓ 7. Protest Deadline Date from PFO: 8-20-04

✓ 8. Any written Protests or written Comments received within the Protest period? **Yes** / **(No)**

Reviewer's Name: [signature] **Date:** 9/7/04

S:\groups\wr\extensions\forms and templates\ext_final order_checklist.wpd

9/27/04

Mailing List for Extension PFO Copies

Application #G-11899 **PFO Date: July 6, 2004**
Permit #G-11328

Original mailed to:

Applicant: **Sun Mountain Water System Inc.**
PO Box 9295
Bend, OR 97708-9295

Copies Mailed
By: _____ (SUPPORT STAFF)
on: 7/6/04 (DATE)

For Extension PFO's - Copies sent to:

1. WRD - Appl. File #G-11899 / Permit #G-11328
2. WRD - Watermaster District: #11 - Jeremy Giffin, Bend
3. ODFW Biologist District: #7 - Steve Marx, Bend
4. DEQ Regional Office: Eastern - Dick Nichols, Bend

Other interested parties:

5. NONE

CASEWORKER: **LJJ**/JJU

S:\groups\wr\extensions\P F O\Work_320 rules\g11899.wpd

Oregon Water Resources Department
Water Rights Division

Application for Extension of Time

In the Matter of the Application for an Extension of Time for Permit #G-11328, Water Right Application #G-11899 (Sun Mountain Water System Inc.)	)))))	PROPOSED FINAL ORDER

Permit Information

Application File #G-11899 / Permit #G-11328
Basin: #05 - Deschutes Basin / Watermaster District: #11
Date of Priority: March 13, 1989 for 0.223 cfs and
August 23, 1991 for 0.623 cfs

Authorized Use of Water

Source of Water:	Three Wells in the Squaw Creek Basin
Purpose or Use:	Group Domestic Expanded for 380 Families
Maximum Rate:	0.846 cubic feet per second (cfs)

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

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

This Proposed Final Order applies only to Permit #G-11328, water right Application #G-11899. A copy of Permit #G-11328 is enclosed as Attachment 1.

Summary of Proposed Final Order for Extension of Time

The Department proposes to:

- grant the extension for complete construction of the water system from October 1, 1998, to October 1, 2014; and

- grant the extension for complete application of water from October 1, 1998, to October 1, 2014; and

- make the extension subject to certain conditions set forth below.

AUTHORITY

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

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

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

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

FINDINGS OF FACT

Background

1. Permit #G-11328 was granted by the Water Resources Department on September 3, 1991. The permit authorizes the use of up to 0.846 cfs of water from three wells, within the Squaw Creek Basin, for group domestic expanded for 380 families. It specified that construction of the water development project should be completed by October 1, 1993, and that complete application of water was to be made on or before October 1, 1994.

2. One prior extension has been granted for Permit #G-11328, resulting in the construction and completion dates being extended to October 1, 1998.

3. The permit holder submitted an "Application for Extension of Time" to the Department on September 30, 1999, requesting the time in which to complete construction of the water system and the time in which to accomplish beneficial use of water to the full extent under the terms of Permit #G-11328 be extended from October 1, 1998, to October 1, 2014.

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[1], 537.630 and 539.010(5).

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

4. System plans and upgrading required by other state agencies contributed to the delayed development of this project.

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 September 3, 1992.

Financial Investment *[ORS 539.010(5)]*

6. As of September 30, 1999, the permit holder had invested a total of $250,000 into the project, consisting of: construction, maintenance and testing of water system per state requirements; installation of flow meters; installation of additional 3 inch water lines; completion of initial work to establish computerized monitoring of Well #1 and the 100,000 gallon reservoir; and initial work to install a 2 horsepower booster pump near the reservoir. An additional $50,000 investment is anticipated for the completion of this project.

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[1] ORS 537.248 applies to reservoir permits only.

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. Since the issuance of Permit #G-11328 on September 3, 1991, a maximum rate of 0.724 cfs of water has been appropriated from the three wells and used for group domestic use expanded for 250 families.

8. Delay of full beneficial use of water was due to the length of time necessary to complete development on all the lots in the subdivision and establish water service connections. Additionally, system plans and upgrading required by other state agencies contributed to the delayed development of this project.

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

9. Sun Mountain Water System Inc. does not hold any other water use permits or certificates in addition to Permit #G-11328. This permit is the permit holder's sole source of water to meet current and future demands.

10. The permit holder has established service connections to 250 out of 380 residential lots, being approximately 65 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-11328.

11. Permit #G-11328 was issued on September 3, 1991, and is not subject to regulation or mitigation for scenic waterway flows in the Deschutes Basin [ORS 390.835(9)].

12. Permit #G-11328 has a priority date of March 13, 1989 for 0.223 cfs and August 23, 1991 for 0.623 cfs. Permit #G-11328 is junior to some instream water rights located on the Deschutes River.

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

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

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

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

14. As of September 30, 1999, the remaining work to be completed consists of

completion of construction and complete application of water to beneficial use.

15. The scope and nature of the project extended the length of time needed to fully develop and perfect Permit #G-11328, caused by the need to complete development on all the permitted lots and establish water service connections.

16. Since the issuance of Permit #G-11328 on September 3, 1991, the permit holder has established service connections to 250 of the 380 lots within the permitted service area.

17. During the period 1995 through 1999, service connections grew from 220 lots to 250 lots, being approximately 8 lots developed per year. Based upon this recent growth rate, the permit holder anticipates development of the remaining 130 lots will occur approximately by the year 2014.

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-11328 is not subject to regulation or mitigation for scenic waterway flows.

5. Permit #G-11328 is junior to some 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-11328.

7. The Department has considered the requirements of other governmental agencies, the financial investment made, the reasonable diligence and good faith of the appropriator, the market and present demands for water and the fair return upon the investment, and has determined that the applicant has shown good cause for the untimely completion of the water development project and complete application of water to full beneficial use pursuant to ORS 537.230(2) and ORS 537.630(1).

8. Given the permit holder's current water supply situation and the amount of development left to occur, the Department has determined that the permittee's request to have until October 1, 2014[2], to complete construction of the water system and to complete the application of water to beneficial use under the terms of Permit #G-11328 is both reasonable and necessary.

9. In order to ensure future diligence is exercised in the development and perfection of Permit #G-11328, the Department shall establish progress checkpoints in accordance with OAR 690-320-0010(10). (See Item #1 of the "Conditions" section contained in this Proposed Final Order for an Extension of Time.)

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-11328 from October 1, 1998, to October 1, 2014; and

Extend the time for complete application of water to beneficial use under Permit #G-11328 from October 1, 1998, to October 1, 2014.

Subject to the following conditions:

CONDITIONS

1. **In accordance with OAR 690-320-0010(10), the permittee must submit a written progress report to the Department by October 1 of the year 2009.** The report must be received by the Department not sooner than 90 days prior to the due date. The permittee's report must describe in detail the work done each year since the last extension was granted or the last progress report submitted. The report shall include:

   a) The amount of construction completed;
   b) The amount of beneficial use of water being made, including the total volume of water used, water used relative to the specific authorizations

---

[2] 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.

(types of use, acres irrigated, etc.) contained in the permit, and the percent of the total allowable water use that this represents;

c) A review of the permittee's compliance with terms and conditions of the permit and/or previous extension; and

d) Financial investments made toward developing the beneficial water use.

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

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

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

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

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

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

b) apply additional conditions and performance criteria for perfection of the right; or

c) cancel the undeveloped portion of the permit pursuant to ORS 537.260 or 537.410 to 537.450. The Department will grant the permittee a hearing on the cancellation, if one is requested.

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

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

DATED: July 6, 2004

Dwight French
Water Rights Section Manager

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

Protest Rights and Comments

1. Under the provisions of OAR 690-320-0010(8), you have the right to protest this proposed final order. Your protest must be in writing and must include the following:
   a. Your name, mailing address and telephone number;
   b. Your interest in this proposed final order, and if you claim to represent the public interest, a precise statement of the public interest represented;
   c. A detailed description of how the action in the proposed final order would impair or be detrimental to your interest;
   d. A detailed description of how the proposed final order is in error or deficient and how to correct the alleged error or deficiency;
   e. Any citation of legal authority supporting your protest, if known; and
   f. The $250 protest fee required under ORS 536.050(1).

2. Each person submitting a protest shall raise all reasonably ascertainable issues and all reasonably available arguments supporting the person's position by the close of the comment period.

3. The Water Resources Department must receive written protests or written comments no later than ***Friday, August 20, 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 Resources Customer Service Group at (503)986-0900.

SENDER: *COMPLETE THIS SECTION*

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

G-11899
SUN MOUNTAIN WATER SYSTEM, INC
ATTN: RONALD K FULLER
PO BOX 9295
BEND, OR 97708

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X Cheryl D. Fuller ☐ Agent ☑ Addressee

B. Received by (*Printed Name*) Cheryl D. Fuller
C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☒ No

SOUTH STATION OR 97702 MAY 27 2004 USPS

3. Service Type
☑ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (*Extra Fee*) ☐ Yes

2. Article Number
(*Transfer from service label*) 7004 0550 0000 7951 0092

PS Form 3811, February 2004 Domestic Return Receipt WR 165 DE 102595-02-M-1540

UNITED STATES POSTAL SERVICE



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4 in this box •

WATER RESOURCES DEPARTMENT
725 SUMMER STREET NE SUITE A
SALEM OR 97301-1271

RECEIVED
JUN 01 2004
WATER RESOURCES DEPT
SALEM, OREGON

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

CERTIFIED MAIL
Return Receipt Requested

May 24, 2004

Sun Mountain Water System, Inc.
Attn: Ronald K. Fuller
PO Box 9295
Bend, OR 97708

REFERENCE: File # G-11899 (Permit # G-11328)

Dear Mr. Fuller:

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

1. On September 30, 1999, you submitted an "Application For Extension Of Time." In order for the Department to process your application you must give an estimate (gallons per minute or cubic feet per second), of the amount of water used for group domestic purposes.

Please submit this information by **23 June, 2004**. Failure to submit the requested information by this deadline **may** result in the proposed rejection of your extension request.

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

If you should have any questions concerning your extension request or the required materials listed above, you may contact me at (503) 986-0802.

Sincerely,

Ken Wilcke

Ken Wilcke
Water Rights Specialist

cc: Appl # G-11899 (Permit # G-11328)
Watermaster District #11
Bruce A Estes, CWRE

... per Division 320 Rules

EXTENSION REVIEW CHECKLIST for PFO

Application #: G-11899 / Permit #: G-11328

Permittee's Name: Sun Mtn. Water System Inc

Permittee's Mailing Address: PO Box 9295 Bend OR 97708-9295

POD Location: Township ~~15-S~~ 16-S Range ~~11-E~~ 10-E Section ~~Sec. 33~~ 1 & 13 ¼¼ _____

Stream Basin: Squaw Creek County: Deschutes

1. Has the applicant completely filled out the *updated* Extension Application form? Yes / No - Need New Form
   ***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???)
   ~~3c NOT COMPLETE... AMT OF WATER USED?~~ See June 9, 2004 Fax from Sun Mtn Water. JJU

3. Date Permit was issued: 9-3-91 Priority 3-13-89 for 0.223 cfs; 8-23-91 for 0.623 cfs

4. Source: Three Wells

5. Use: Group Domestic Expanded for 380

6. "Q": Total = 0.846 cfs (Priority: 3-13-89 = 0.223 cfs; 8-23-91 = 0.623 cfs)

7. Original "B" Date: 10-1-93 Original "C" Date: 10-1-94

8. Conditions of Permit: * NO SWW Cond. 7j *
   - Wells to be equipped with usuable access port, may include air line & pressure gauge adequate to determine water level elevations in the well at all times.
   - May be required install a meter & Keep complete record of water use.

   JJU "A" Date - 9-3-92

9. Extension request received: 9-30-99 Request Number (...1st 2nd, 3rd): 2nd

10. Last Authorized "B" Date: 10-1-98 Last Authorized "C" Date: 10-1-98

11. Proposed "B" Date: 10-1-2014 Proposed C Date: 10-1-2014

12. Amount Invested to date: $250,000.00 Estimated Total Cost: $300,000.00 (Remaining Cost: $50,000.00)

__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?

- All 3 wells have flow meters
- Have taken monthly & year state required tests on water system.

__14. Work on the water development project completed to date includes: _____

- 65% developed (water use on 250 lots out of 380 lots).
- Electricity installed 100,000 gallon reservoir
- installed phone line to well #1 pump house to prepare for enabling monitoring of that well & reservoir

__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: _____

Extension "PFO" Dates

Mailing / Issuance Date:_____

Protest Deadline Date:_____

Reviewer's Name:_____ **Date:**_____

__12. **Amount Invested to date:** $ 250,000 ^00 **Estimated Total Cost:** $ 300,000 ^00

(***Estimated Remaining Cost:** $ 50,000 ^00)

__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?

__14. Work on the water development project completed to date includes:

- Maintenance and construction of water system as per State requirements

__15. The work remaining to be completed consists of:

- Further development of water system as new homes are built.

__16. Progress in perfecting the permit is being held up by:

- Slow rate of new home construction.

__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:

__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."

NOTES:

- IS 70087 Priority = 10-2-89
- IS 71194 Priority = 1-16-91

Extension "PFO" Dates *Checklist Last Revised: 3/11/2004*

Mailing / Issuance Date:_____ **WRD Project Manager:** coordinator _____

Protest Deadline Date:_____ **Date:**_____

Sun Mtn Water Sys, Inc

Appl #G-11899 / Permit #G-11328

6-29-04

Total permitted lots = 380

As of 1st Ext Appl (1995) = service to 220 lots

As of 2nd Ext Appl (1999) = service to 250 lots

- 250 (−) 220 = 30 lots developed over 4 years
- 30 lots (÷) 4 yrs = 8 lots / year approx.
- 130 remaining lots (÷) 8 lots/year = 16.25 years approx
- Year 1999 (+) 16 years = year 2015 approx.

So → Request to extend to 2014 is reasonable.

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # 33438

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

INVOICE #_____

RECEIVED FROM: Sun Mountain Water Syst.
BY: _____

APPLICATION	G-11899
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. $

_____ PCA AND OBJECT CLASS _____ VOUCHER #

0427 WRD OPERATING ACCT

MISCELLANEOUS

0407	COPY & TAPE FEES	PD #6611	$
0410	RESEARCH FEES		$
0408	MISC REVENUE: (IDENTIFY)	_____	$
(New) TC162	DEPOSIT LIAB. (IDENTIFY)	_____	$

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

0240 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 $

0467 HYDRO ACTIVITY

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

RECEIPT # 33438 DATED: 9-30-99 BY: Roger Wright

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

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # 33438

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

INVOICE #_____

RECEIVED FROM: Sun Mountain Water Syst.
BY: _____

APPLICATION	G-11399
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. _____ $

PCA AND OBJECT CLASS _____ VOUCHER # _____

0427 WRD OPERATING ACCT

	MISCELLANEOUS		
0407	COPY & TAPE FEES	PCA 11661	$
0410	RESEARCH FEES		$
0408	MISC REVENUE: (IDENTIFY)	_____	$
(New) TC162	DEPOSIT LIAB. (IDENTIFY)	_____	$

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

0240 OTHER (IDENTIFY) EXT. OF TIME $100.00

0437 WELL CONST. START FEE

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

NO WWI

0539 LOTTERY PROCEEDS

1302	LOTTERY PROCEEDS	$

0467 HYDRO ACTIVITY

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

RECEIPT # 33438 DATED: 9-30-91 BY: Roger Wright

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

APPLICATION FOR EXTENSION OF TIME

TO THE WATER RESOURCES DIRECTOR OF OREGON

I, Ronald K. Fuller, Sun Mountain Water Systems, Inc.
PO Box 9295 (ADDRESS) Bend, OR 97708 (CITY, STATE, ZIP) 541-382-7309 (NAME, PHONE)

record owner of application No. G-11899 permit No. G-11328, 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, 1998, be extended to October 1, 2014, 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, 1998, be extended to October 1, 2014.

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

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

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

3-I have accomplished the following described works, purchases and installation of equipment necessary to the use of water under said permit.
(a) within past year See next page

(b) prior to this past year See next page

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SEP 30 1999
WATER RESOURCES DEPT.
SALEM, OREGON

dbv

3-(a) Within the year 1998 we have:

1. Installed electricity at our 100,000-gallon reservoir so that a computer can maintain the water levels.
2. Computerized the Varco Well (well #1) pump station with a wireless controller going up to the reservoir.
3. Installed a flow meter at the Young Well (well # 3), so all 3 wells have flow meters.
4. Added a fire hydrant to the south end of Ponderosa Cascade Dr.
5. Updated and improved 3 fire stand pipes.
6. Installed a sampling tap in the pump discharge piping at the Young Well (well # 3).
7. In 1995 we served approximately 190 connections, in 1998 we served approximately 250 connections with approximately 45 more that have water rights for future connections.

3-(b) Prior to Oct. 1998 we have accomplished the following since 1995:

1. Installed casing vents in the Sun Mtn. and Young well.
2. Lined the 100,000-gallon reservoir with a 25-year potable water liner.
3. Installed a pressure reduction valve at the east end of Ponderosa Cascade Drive.
4. We have developed and are implementing a cross connection control program for our entire water system.
5. We have developed a coliform sampling plan for the system.
6. We have taken monthly and yearly state required tests on the water system.
7. Required all homes to have DCVA installed by January 2000 to ensure the safety of our entire water system.

3-(d) From Oct. 1998 to Oct. 1999 we have accomplished the following:

1.Looped the system by adding an additional Quarter mile 3-inch line between Paradise Alley and Jericho Rd.

1. Installed a phone line to the Varco Well (well # 1) pump house in preparation for additional computer connections to our office to enable monitoring of that well and the 100,000-gallon reservoir.
2. Currently in the process of adding a 2 horse booster pump near the reservoir to increase the water pressure to the homes in the Delicious Rd. area.

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WATER RESOURCES DEPT.
SALEM, OREGON

© and have accomplished beneficial use of water to the extent of (amount of water used or acres irrigated) As of Oct. 1998 we serve approximately 250 homes.

4-Cost of project to date apx. 1/4 million Projected cost for completion of project apx. $20-50,000.

5-Have there been any unforeseen events which delayed development of water system? Homes have not been built at the rate we originally projected, perhaps due to a high interest rate.

6-Have there been any significant government requirements that have delayed the completion of construction or application of water ? [please explain] yes, cross connection plans mandated and upgrading system to meet state requirements.

7-What reasons was the project not completed within permit time limits ? We have no control on when homes will be constructed. All lots are sold and waiting for a future date to build on.

8-Has there been any change in the demand for water or power since permit was issued? (please explain) Yes, due to fire hazards homeowners are landscaping greenways around their homes and new homes have been added to the system.

9-Has there been any change in the market for water or power since the permit was issued? (please explain) Yes, Deschutes Ground Water Study has been completed and WRD has implemented required ground water mitigation.

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WATER RESOURCES DEPT.
SALEM, OREGON

10-Will the income or use from this project provide reasonable returns against the investment in this project? (please explain)
yes, we feel the PUC will see that a reasonable return happens so that our business can continue on.

11-If the extension request is denied, is the current level of water use economically feasible? (please explain)
NO, there have been homes connected since 1998 and we have the obligation/liability to serve the remaining lots.

12-Is there an alternative source of water available [yes/no please explain]? NO, this is part of the high desert.

13-Has the use of water under the permit caused an adverse impact on the surface/groundwater resource in the area ? (please explain)
NO, there have been no measurable effects.

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

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

Signature Ronald K Fuller, President 9/29/99

MAIL COMPLETED APPLICATION AND STATUTORY FEE OF $ 100 TO:
WATER RIGHT PERMIT EXTENSIONS
WATER RESOURCES
158 12TH ST NE
SALEM, OREGON 97310

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SEP 30 1999
WATER RESOURCES DEPT.
SALEM, OREGON

ESTES SURVEYS LLC

SURVEYS
CONSULTING

LAND & WATER RIGHTS
Bruce A. Estes, PLS, CWRE

60382 Arnold Mkt. Rd.
Bend, OR 97702
(541) 382-7391
FAX 382-7391

PO Box 17519
Salem, OR 97305-7519
(503) 585-7593
FAX 585-7593

June 15, 2004

RECEIVED
JUN 16 2004
WATER RESOURCES DEPT
SALEM, OREGON

Ken Wilcke, Water Right Specialist
Water Resources Department
725 Summer St. NE, Suite A
Salem, OR 97301-1271

Dear Mr. Wilcke: Re: G-11899

On May 24, 2004 you sent a letter to Ron Fuller stating that the extension request for Mountain Water System, Inc.'s permit G-11328 needed the rate of application used. They have equipment to pull the full amount of water from the three wells, but have not had enough homes built to use it to the extent anticipated. Your current policy for group domestic expanded is for four hours minimum pumping. They could potentially meet that rate, but I estimate the use in 1999 for purposes of the extension request to be 300 to 325 GPM. The pumps will run longer and more use of the reservoir will occur with the expected expansion.

Thank you for your efforts. If you have any questions please call.

Sincerely,

Bruce

Bruce A. Estes, PLS, CWRE

cc Ron Fuller

325 gpm (+) 448.83 = 773.83 cfs

SUN MOUNTAIN WATER SYSTEMS, INC.
P.O. Box 9295 Bend, OR 97708-9295 (541) 382-7309

Attn: Lisa

Water Resource Dept.
North Mall Office Building
725 Summer St. NE Suite A
Salem, OR 97301-1271
503-986-0900
Fax 503-986-0901

Re: File #G-11899 (Permit #G-11328) Sun Mountain Water Systems, Inc

In response to your letter dated May 24, 2004 requesting a statement of gallons of water used per minute during peak usage time for domestic purposes in order to process our "Application For Extension Of Time" we submit the following:

Our system used 257 gallons of water per minute during July of 2003, which was our peak usage month.

Thank you for your help in this matter. And thank you for your responding phone call, John, on 6/9/04.

Sincerely,

Ronald K. Fuller
President
Sun Mountain Water Systems, Inc.
PO Box 9295
Bend, OR 97702

541-382-7309
rkfuller@excite.com

ESTES SURVEYS

SURVEYS CONSULTING

LAND & WATER RIGHTS
Bruce A. Estes, PLS, CWRE

60382 Arnold Rd.
Bend, OR 97702
(541) 382-7391
FAX 382-7391

PO Box 17519
Salem, OR 97305-7519
(503) 585-7593
FAX 585-7593

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OCT 0 8 1999
WATER RESOURCES DEPT.
SALEM, OREGON

October 2, 1999

Stephen C. Brown, Senior Water Right Specialist
Water Resources Department
158 12th Street NE
Salem, OR 97310-0210

Dear Steve: Re: G-11899

Friday, October1, 1999 I delivered a site report to the WRD for Sun Mountain Water System's permit G-11328. Ron Fuller, owner, called me a few weeks ago about his reminder letter from the WRD. I understood it to be one of the reminder letters about the "C" date for the permit. When I checked the file I found that it was for the Claim of Beneficial Use.

The site report was submitted only for the purpose of complying with the requirement of ORS 537.230 (3) in case their extension of time is not granted. The Fullers are not going to sign the report until they have exhausted all efforts to gain an extension of time. It appears to me they have ample reason to get an extension with nearly a 1/3 of the lots left to be developed. As you are aware the area between Bend and Sisters is growing very rapidly and the remaining lots will no doubt be developed.

I did not submit a map at this time because I did not want to spend the time to locate all the houses since I am fairly sure an extension will be granted. They have expressed a desire to request a permit amendment under the extension to change the use from domestic expanded to quasi-municipal.

If you have any questions or concerns about this please call.

Sincerely,

Bruce

Bruce A. Estes, PLS, CWRE

cc Ron & Cheryl Fuller

ESTES SURVEYS

PO Box 17519
Salem, OR 97305-7519

SALEM OR 973
PM
6 OCT
1999



97310+0210

ESTES SURVEYS

SURVEYS
CONSULTING

LAND & WATER RIGHTS
Bruce A. Estes, PLS, CWRE

60382 Arnold Rd.
Bend, OR 97702
(541) 382-7391
FAX 382-7391

PO Box 17519
Salem, OR 97305-7519
(503) 585-7593
FAX 585-7593

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OCT 01 1999
WATER RESOURCES DEPT.
SALEM, OREGON

CLAIM OF BENEFICIAL USE AND SITE REPORT

Application G-11899, Permit G-11328
in the name of SUN MOUNTAIN WATER SYSTEM, INC.

INFORMATION: Went over the project with Cheryl Fuller, owner.

SOURCE: Three wells. Well 1 - 481' deep with 16" casing. Well 2 - 290' deep with 16" casing. Well 3 - 273' deep with 8" casing. All wells were drilled prior to the application.

DIVERSION POINTS: Well 2 - NW 1/4 SW 1/4 of Section 33, T 15 S, R 11 E, W.M. - 151' South and 823' East from W 1/4 corner of Section 33; Well 1 - NW 1/4 SW 1/4 Section 1 - 1148' South and 46' East from the NW corner of Section 1 and Well 3 - NW 1/4 NW 1/4 Section 13 - 2028' North and 270' East from the W 1/4 corner of section 13 both in T 16 S, R 10 E, W.M.

USE: Domestic expanded on 257 lots of a 380 lot subdivision.

CAPACITY: Well 2 has 10 HP submersible pump and a 5 HP booster pump. With a pumping level of 248' this site is capable of 7.04x15/248+85 = 0.317 cfs (142 GPM) at 40 psi. It has a 2" flowmeter and feeds a 6" mainline. Well 1 has a 50 HP pump with a 3" flowmeter. With a pumping level of 205' it has a capacity of 7.04x50/205+85 = 1.214 cfs (545 GPM) at 40 psi. Well 3 has a 5 HP submersible pump and a 5 HP booster. With a pumping level of 259' it is capable of 7.04x10/258+85 = 0.205 cfs (92 GPM) at 40 psi. It has a 1 1/2" flowmeter. The capacity of the system is considerably more than the permit allowed so the certificate should limit the right to 0.846 cfs (380 GPM).

TIE: The map was tied to the application map.

An inspection of the land developed under the terms of permit G-11328 was made by me on September 29, 1999, and the facts contained in this report and accompanying map are correct to the best of my knowledge.

Certified Water Right Examiner
#1
Bruce A. Estes
Nov. 19, 1987
STATE OF OREGON

We, Ron and Cheryl Fuller, agree with Mr. Estes findings and submit this site report and map as our Claim of Beneficial Use of the water as provided under the terms and conditions of permit G-11328 and hereby request a water right certificate be issued.

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- ☐ Complete items 1 and/or 2 for additional services. Complete items 3, 4a, and 4b.
- ☐ Print your name and address on the reverse of this form so that we can return this card to you.
- ☐ Attach this form to the front of the mailpiece, or on the back if space does not permit.
- ☐ Write *"Return Receipt Requested"* on the mailpiece below the article number.
- ☐ The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

3. Article Addressed to:

SUN MTN WATER SYSTEM
JUNE BONKOSKY
PO BOX 9295
BEND OR 97708

G11899 WRS

4a. Article Number P 566 132

4b. Service Type

- ☐ Registered
- ☑ Certified
- ☐ Express Mail
- ☐ Insured
- ☐ Return Receipt for Merchandise
- ☐ COD

7. Date of Delivery 9-17-99

5. Received By: *(Print Name)* Cheryl Fuller

Cheryl Fuller

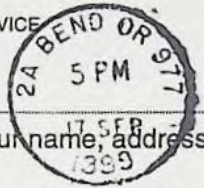
8. Addressee's Address *(Only if requested and fee is paid)*

6. Signature *(Addressee or Agent)*

PS Form **3811,** December 1994 102595-99-B-0223 Domestic Return Receipt

Thank you for using Return Receipt Service.

UNITED STATES POSTAL SERVICE



First Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Print your name, address, and ZIP Code in this box •

WATER RESOURCES DEPT
158 12TH ST NE
SALEM OR 97310

Oregon
John A. Kitzhaber, M.D., Governor

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

September 15, 1999

Bruce Estes, CWRE has been involved with helping us. Thanks for the notice we were unaware of the deadline. (June Bonkoskys name needs to be replaced with Ronald K. Fuller.

SUN MOUNTAIN WATER SYSTEM
JUNE BONKOSKY
PO BOX 9295
BEND OR 97708

REFERENCE: File G-11899

This letter is in regard to your water use in our January 14, 1999 letter, your claim of be **October 1, 1999.**

Oregon Administrative Rule 690-14-190 states: "The claim of beneficial use shall be submitted to the Department within one year after the use was reported..as being complete...Failure to comply with this section shall cause the Director to initiate permit cancellation proceedings as provided by ORS 537.260."

The "claim" consists of a site report and map of the developed use prepared by a Certified Water Rights Examiner, which accompany a request from the permittee for issuance of a certificate of water right.

You are hereby notified that unless your claim is received on or before **October 1, 1999** your permit will be canceled without further notice.

If you have any questions, please contact the Water Rights Section.

Sincerely,

DALLAS MILLER
Water Rights Specialist

DM:jh

cc: Kyle Gorman, Watermaster
Fred Ast, CWRE

CERTIFIED - RETURN RECEIPT REQUESTED

RECEIVED
SEP 30 1999
WATER RESOURCES DEPT.
SALEM, OREGON

Oregon
John A. Kitzhaber, M.D., Governor

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

September 15, 1999

SUN MOUNTAIN WATER SYSTEM INC
JUNE BONKOSKY
PO BOX 9295
BEND OR 97708

REFERENCE: File G-11899

This letter is in regard to your water use Permit G-11328. As we pointed out to you in our January 14, 1999 letter, your claim of beneficial use must be received in this office by **October 1, 1999.**

Oregon Administrative Rule 690-14-190 states: "The claim of beneficial use shall be submitted to the Department within one year after the use was reported..as being complete...Failure to comply with this section shall cause the Director to initiate permit cancellation proceedings as provided by ORS 537.260."

The "claim" consists of a site report and map of the developed use prepared by a Certified Water Rights Examiner, which accompany a request from the permittee for issuance of a certificate of water right.

You are hereby notified that unless your claim is received on or before **October 1, 1999** your permit will be canceled without further notice.

If you have any questions, please contact the Water Rights Section.

Sincerely,

DALLAS MILLER
Water Rights Specialist

DM:jh

cc: Kyle Gorman, Watermaster
Fred Ast, CWRE

CERTIFIED - RETURN RECEIPT REQUESTED

RECEIVED
SEP 30 1999
WATER RESOURCES DEPT.
SALEM, OREGON

Oregon
WATER RESOURCES
DEPARTMENT
Commerce Building
158 12th Street NE
Salem, OR 97310-0210

PRESORTED FIRST CLASS
SALEM JAN 19'99 OR
PITNEY BOWES PSI METER 6855335
U.S. POSTAGE 0.49

G11899

reserve 2/3/99

SUNM096 977080023 1198 13 01/23/99
FORWARD TIME EXP RTN TO SEND
:SUN MOUNTAIN WATER CO
PO BOX 9295
BEND OR 97708-9295

AUTO 97310/0201 97708

Oregon
John A. Kitzhaber, M.D., Governor

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

September 15, 1999

SUN MOUNTAIN WATER SYSTEM INC
JUNE BONKOSKY
PO BOX 9295
BEND OR 97708

REFERENCE: File G-11899

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The "claim" consists of a site report and map of the developed use prepared by a Certified Water Rights Examiner, which accompany a request from the permittee for issuance of a certificate of water right.

You are hereby notified that unless your claim is received on or before **October 1, 1999** your permit will be canceled without further notice.

If you have any questions, please contact the Water Rights Section.

Sincerely,

DALLAS MILLER
Water Rights Specialist

DM:jh

cc: Kyle Gorman, Watermaster
Fred Ast, CWRE

CERTIFIED - RETURN RECEIPT REQUESTED

Oregon
John A. Kitzhaber, M.D., Governor

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

January 14, 1999

SUN MOUNTAIN WATER SYSTEM INC
JUNE BONKOSKY
PO BOX 7096
BEND OR 97708

REFERENCE: File G-11899

The date for the complete application of water to a beneficial use for your water use Permit G-11328 was **October 1, 1998.** To date we have not received notice that your project was completed.

If the project was completed, you should promptly submit the notice of complete application of water. If you were unable to complete the project within the time allowed, you may wish to request an extension of the time limits.

Water Right Certificate
In order to obtain a certificate of water right, you are required by law to hire a certified water right examiner to conduct the final proof survey of the completed use. This must be done within one year after the use is reported as being complete or within one year after the beneficial use date allowed in the permit, whichever occurs first. Accordingly, the map and claim of beneficial use must be received in this office on or before **October 1, 1999.** A list of certified water right examiners is enclosed for your information.

Upon receipt of the map and claim of beneficial use, the information will be reviewed and a brief field inspection may be conducted by a representative of this office. Following that, a proposed certificate of water right will be mailed to you for review.

Extension of Time
If you wish to apply for an extension of time, please fill out the enclosed form. Permit extension rules, adopted by the Water Resources Commission in October 1998, require that the Department consider this information when determining whether or not to approve an extension request. You should request to extend your permit for the amount of time necessary to fully complete your project and put the water to beneficial use. Should the permit extension be approved, it is the Department's expectation that it will be the last extension granted. Copies of the new extension rules will be furnished upon request.

If you are no longer interested in the project, please let us know. We will provide forms for you to authorize the cancellation of the permit.

If you have any questions, please contact me at extension 272, at 503-378-3739, or toll-free 1-800-624-3199.

Sincerely,

DALLAS S. MILLER
Water Rights Specialist

DSM:jh

enclosure

cc: Kyle Gorman, Watermaster
Fred Ast, CWRE

Oregon

WATER
RESOURCES
DEPARTMENT

October 2, 1995

SUN MOUNTAIN WATER SYSTEM INC
PO BOX 7096
BEND OR 97708

REFERENCE: File G-11899

We have received your application for extension of the time limits to complete construction and make complete application of water under Permit G-11328. We also have your check in the amount of $100. Our receipt number 126684 is enclosed.

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, 1998. The order approving the extension was entered September 29, 1995, at Volume 49, Page 335.

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

Sincerely,

Dallas Miller
Water Rights Specialist

DM: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 # 126684

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

INVOICE #_____

RECEIVED FROM: Sun Y T. Wales

BY: _____

APPLICATION	G 11899
PERMIT	
TRANSFER	

CASH: ☐ CHECK: # ☒ 96-602 OTHER: (IDENTIFY) _____

TOTAL REC'D $ 100.00

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

MISCELLANEOUS

840.001	COPY FEES		$
850.200	RESEARCH FEES		$
880.109	MISC REVENUE: (IDENTIFY)	Extension	$ 100.00
520.000	OTHER (P-6) (IDENTIFY)	_____	$

	WATER RIGHTS:	EXAM FEE		RECORD FEE
842.001	SURFACE WATER	$	842.002	$
842.003	GROUND WATER	$	842.004	$
842.005	TRANSFER	$	842-006	$
	WELL CONSTRUCTION	**EXAM FEE**		**LICENSE FEE**
842.022	WELL DRILL CONSTRUCTOR	$	842.023	$
	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	$

07-00-0 HYDRO ACTIVITY

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

RECEIPT # 126684 DATED: 7-25-95 BY: J Lissner

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

G 11899 Sou Mountain Water

1 3 wells DOM 380 Families 0.223 CFS 1st Request

2 3 wells in, pumps installed, pump houses, pipes in,

3 No

4 Domestic 220 being served

5 58%

6 No info

7
8
9
10
11
12

13 None

Extend B-C
to
10-1-98
DSM

EXTENSION CHECKLIST

FILE DOCUMENT - FOR OFFICE USE ONLY

APPLICATION NO: G 11899 PERMIT NO: G 11328

DATE: 92295

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 unforseen 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:

690-10-116 File No. _____

Application for Extension of Time

TO THE WATER RESOURCES DIRECTOR OF OREGON

I, Ronald K. Fuller
Name

60700 Heidi Ln (Business - P.O. Box 7096 - Bend OR 97708)
Mailing Address

Bend, OR 97702
City, State, Zip

record owner of water permit No. G-11328, 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, 1995 be extended to October 1, 1999 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, 1995 be extended to October 1, 1999

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 Upgraded Varco well by ① Deepened well ② Larger pump and appropriate valves + pressure reducers ③ new pump house and electrical equipment ④ larger casing in well ⑤ air valve by well

(2) prior to this past year Upgraded Sun Mountain well by ① larger pump and appropriate valves + reducers ② New pump house and electrical equipment ③ built + 30,000 gal storage cistern ④ Installed air vent ⑤ Installed 4 stand pipes for fire use

(3) and have accomplished beneficial use of water to the extent of (IF FOR IRRIGATION, STATE HOW MANY ACRES HAVE BEEN IRRIGATED) We are now serving 220 customers and contemplate serving up to our capacity in the next five years

(If additional space is required, attach separate sheet)

Ronald K Fuller - President
(If signing for a corporation please identify your title)

Dated 7/19/95

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

WATER RESOURCES DEPARTMENT
158 12TH STREET NE
SALEM OR 97310

BC 10-1-98
DSM

RECEIVED
JUL 25 1995
WATER RESOURCES DEPT.
SALEM, OREGON

Oregon

WATER
RESOURCES
DEPARTMENT

June 27, 1995

SUN MOUNTAIN WATER SYSTEM INC
JUNE BONKOSKY
PO BOX 7096
BEND OR 97708

REFERENCE: File G-11899

This letter is in regard to your water use Permit G-11328. As we pointed out to you in our letter of October 18, 1994, your claim of beneficial use must be received in this office by October 1, 1995.

Oregon Administrative Rule 690-14-190 states: "The claim of beneficial use shall be submitted to the Department within one year after the use was reported..as being complete...Failure to comply with this section shall cause the Director to initiate permit cancellation proceedings as provided by ORS 537.260."

The "claim" consists of a site report and map of the developed use prepared by a Certified Water Rights Examiner, which accompany a request from the permittee for issuance of a certificate of water right.

You are hereby notified that unless your claim is received on or before October 1, 1995, your permit will be canceled without further notice.

If you have any questions, please contact the Water Rights Section.

Sincerely,

DALLAS MILLER
Water Rights Specialist

DM:jh

cc: Kyle Gorman, Watermaster
Fred Ast, CWRE

CERTIFIED - RETURN RECEIPT REQUESTED

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

Oregon

WATER
RESOURCES
DEPARTMENT

October 18, 1994

SUN MOUNTAIN WATER SYSTEM INC
JUNE BONKOSKY
PO BOX 7096
BEND OR 97708

REFERENCE: File G11899

The date for the complete application of water to a beneficial use for your water use Permit G11328 was October 1, 1994. To date we have not received notice that your project was completed.

If the project was completed, you should promptly submit the notice of complete application of water. If you were unable to complete the project within the time allowed, you may wish to request an extension of the time limits. Forms will be furnished upon request.

In order to obtain a certificate of water right, you are required by law to hire a certified water right examiner to conduct the final proof survey of the completed use. This must be done within one year after the use is reported as being complete or within one year after the beneficial use date allowed in the permit, whichever occurs first. Accordingly, the map and claim of beneficial use must be received in this office on or before October 1, 1995. A list of certified water right examiners is enclosed for your information.

Upon receipt of the map and claim of beneficial use, the information will be reviewed and a brief field inspection may be conducted by a representative of this office. Following that, a proposed certificate of water right will be mailed to you for review.

If you are no longer interested in the project, please let us know. We will provide forms for you to authorize the cancellation of the permit.

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

Sincerely,

THOMAS E. SHOOK
Water Rights Specialist

TES:jh

Enclosure

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

8/23/91 Conv

TYE ENGINEERING, INC.

112 NW Greeley • Bend, Oregon 97701 • (503) 389-6959

RECEIVED
AUG 23 1991
WATER RESOURCES DEPT.
SALEM, OREGON

August 20, 1991

Mr. Stephen C. Brown
Oregon Water Resources Department
3850 Portland Rd. NE
Portland, Or. 97310

REFERENCE: File G-11899, Sun Mountain Water System

Dear Steve:

This letter is to request a modification to the groundwater application G-11899, filed March 13, 1989, for Sun Mountain Water System.

We would like to modify this application to allow for the following quantity of water for each well:

WELL #1 -- 80 GPM (15 HP pump),
WELL #2 -- 125 GPM (20 HP pump),
WELL #3 -- 175 GPM (15 HP pump).

In addition to the three existing wells and the water system described in the original application, there is an existing 100,000 gallon reservoir. A 60,000 gallon reservoir will also be constructed. The system upgrade shall begin by August 1992, and will be complete by August 1995.

The total water requirement for this application will be 380 gpm rather that the 100 gpm requested in the original application. The use shall be "domestic use expanded", for a total of 380 lots.

Please contact me if you need any additional information to amend the Sun Mountain Water System groundwater application.

Sincerely,

Heidi Lansdowne

Heidi Lansdowne, P.E., C.W.R.E.

TYE ENGINEERING, INC.

112 NW Greeley • Bend, Oregon 97701 • (503) 389-6959

RECEIVED
AUG - 2 1991
WATER RESOURCES DEPT.
SALEM, OREGON

July 30, 1991

Mr. Stephen C. Brown
State of Oregon
Water Resources Department
3850 Portland Rd. NE
Salem, Or. 97310

RE: File G-11899, Sun Mountain Water System

Dear Steve;

Tye Engineering has recently been retained by Sun Mountain Water System to assess the existing water system needs and growth requirements. It is our understanding that the only additional information required to complete the processing of File G-11899 by the Water Resources Department is the information you asked for in your letter of July 3, 1991 to Ms. June Bonkosky.

The number of homes currently being served by the existing water system is approximately 130. We anticipate that future needs will eventually range from 250 to 300 homes. We are currently in the process of reviewing the entire system to determine how the system should be upgraded to better meet current peak demands and accommodate future growth in the area.

Once this review is completed we will be applying for additional groundwater rights to cover the anticipated growth.

Please let us know if there is any further information you need to complete processing File G-11899.

Sincerely,

Heidi Lansdowne

Heidi L. Lansdowne, P.E.

To: Steve Brown

Oregon

WATER
RESOURCES
DEPARTMENT

July 3, 1991

RECEIVED
JUL 16 1991
WATER RESOURCES DEPT.
SALEM, OREGON

June Bonkosky
Sun Mountain Water System
P.O. Box 7096
Bend, OR 97708

Reference: File G-11899

Dear Ms. Bonkosky:

Your application for permit to use 100 gallons per minute of water from three wells for group domestic use along with the supporting data has been reviewed.

It will be necessary for you to define the maximum number of homes to be served by your water system.

The use of water for group domestic use will be limited to human consumption, household purposes, watering livestock necessary for the sustenance of a family and related accessory uses.

Upon receipt of the information defining the maximum number of homes to be served, we will recommend the issuance of a permit to the Director.

Sincerely,

Stephen C. Brown
Senior Water Rights Specialist
Field Operations Division

cc: Fred Ast, CWRE
Main, Central Region Manager

0477

Steve: How old is this application? The last I heard June Bonkosky was severely injured and was in the hospital. The uses here include watering lawns and gardens. Shouldn't they be quasi-municipal?
Bob Main

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

Oregon

WATER
RESOURCES
DEPARTMENT

July 3, 1991

June Bonkosky
Sun Mountain Water System
P.O. Box 7096
Bend, OR 97708

Reference: File G-11899

Dear Ms. Bonkosky:

Your application for permit to use 100 gallons per minute of water from three wells for group domestic use along with the supporting data has been reviewed.

It will be necessary for you to define the maximum number of homes to be served by your water system.

The use of water for group domestic use will be limited to human consumption, household purposes, watering livestock necessary for the sustenance of a family and related accessory uses.

Upon receipt of the information defining the maximum number of homes to be served, we will recommend the issuance of a permit to the Director.

Sincerely,

Stephen C. Brown
Senior Water Rights Specialist
Field Operations Division

cc: Fred Ast, CWRE
Main, Central Region Manager

0477

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

Application No. G-11879 Permit No. G11328

RECEIVED
MAR 13 1989
WATER RESOURCES DEPT
SALEM, OREGON

STATE OF OREGON WATER RESOURCES DEPARTMENT

Application for a Permit to Appropriate Ground Water

I, JUNE BONKOSKY OF SUN MOUNTAIN WATER SYSTEM INC. (Name of Applicant)

of P.O. BOX 7096 (Mailing Address), BEND (City)

State of OREGON, 97708 (Zip Code) Phone No. 503-382-3039 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 ~~XXXXXXXXX~~ CONSISTS OF 3 WELLS (Give number of wells, tile lines, infiltration galleries, etc.)

having a diameter of 6" and an estimated depth of #1 270 #2 290 #3 270 feet.

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

from the ..... corner of (Public Land Survey Corner)

#1 1148'S, 46'E OF NW CORNER SEC. 1

#2 151'S, 823'E OF W¼ CORNER SEC. 33 #3 2028'N, 270'E OF W¼ CORNER SEC. 13

#1 NW,SW S1 T16S R10E (If there is more than one well, each must be described)

#2 NW,SW S33 T15S R11E #3 NW,NW S13 T16S R10E

being within the ..... ¼ of the ..... ¼ of

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

3. Location of ~~area to be irrigated, or place of use if other than~~ GROUP DOMESTIC

Township	Range	Section	List ¼ ¼ of Section	List use and/or number of acres to be irrigated
15	10E	36	SE SE	GROUP DOMESTIC SERVICE AREA
15S	11E	31	S½ SE NW; S½ SW NE;	"
			NE SW; SE SW; SW SW &	
			ALL OF THE SE¼	
15S	11E	32	SW SW SE; & THE SW¼	"
15S	11E	33	THE NW¼ & THE SW¼	"
16S	10E	1	ALL OF SECTION 1	"
16S	10E	2	GOV. LOTS 1,2 & THE SE¼	"
16S	10E	11	NW NE; NE NE & SE SE	"
16S	10E	12	NW NW; SW SW; SE SW &	
			SW SE	"
16S	10E	13	NW NW; SWNW & NW SW	"
16S	10E	14	NE NE	"
16S	11E	6	ALL OF SECTION 6	"
16S	11E	7	N½ NE SE; NE¼	"
16S	11E	8	SW NW; NW SW	"

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

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

Form 690-3-0-1-77

6. *The amount of water which the applicant intends to apply to beneficial use is* ...0..223.... *cubic feet per second or* .....100..... *gallons per minute.* #1 30GPM #2 40GPM #3 30GPM

7. *The use to which the water is to be applied is* .....GROUP DOMESTIC.....

.....

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

.....N/A.....

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

.....N/A.....

10. *DESCRIPTION OF WORKS*

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

MAIN LINE PIPES ARE 6" PVC AND 4" PVC.

THERE ARE OCCASIONAL STRETCHES OF 3" PVC.

ALL STUBOUTS FROM 6" PVC ARE 2" PVC.

WELL #1 AND WELL #3 HAVE 3HP- 3PHASE SUBMERSIBLE PUMPS

WELL #2 HAS A 5HP- 3PHASE SUBMERSIBLE PUMP

11. *Construction work will begin on or before* ALREADY BEGUN

12. *Construction work will be completed on or before* OCTOBER 1990

13. *The water will be completely applied to the proposed use on or before* OCTOBER 1991

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

Application No. G-11899 *Permit No.*.....

Remarks:.....

.....

.....

.....

.....

.....

.....

.....

.....

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.

June Bonkoskey
Signature of Applicant

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

.....

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

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

..... *Water Resources Director*

By .....

This instrument was first received in the office of the Water Resources Director at Salem, Oregon, on the 13th *day of* March, 19 89, *at* 8 *o'clock* A.M.

Application No. G-11899 *Permit No.*.....

Application No. G-11899 *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 ..... 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.....

.....

The use to which this water is to be applied is.....

.....

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

.....

.....

.....

.....

.....

.....

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

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

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

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

The priority date of this permit is.....

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.....

.....

Water Resources Director

MEMORANDUM

DATE: 11/16/89

TO: Application/ Permit Section

FROM: Groundwater Section by Susan Hartford
(signature)

SUBJECT: Application # G- 11899

The application referenced above and available data has been reviewed under the guidelines of the Director's policy memo of October 19, 1989.

We find that the proposed groundwater use falls within the following category:

____ CATEGORY 1A - The proposed well will be located less than 1/4 mile from the nearest stream, and significant surface water interference will exist.

____ CATEGORY 1B - The proposed well will be located less than 1/4 mile from the nearest stream, but significant surface water interference will not exist.

__X__ CATEGORY 2A - The proposed well will be located more than 1/4 mile from the nearest stream, and significant surface water interference will not exist.

_____ CATEGORY 2B - The proposed well will be located more than 1/4 mile from the nearest stream, but significant surface water interference will exist at the nearest point on the stream.

REMARKS: _____

NEIL GOLDSCHMIDT
GOVERNOR

Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE 378-3739

RECEIVED
JUL 31 1989
WATER RESOURCES DEPT.
SALEM, OREGON

July 21, 1989

OF SUN MOUNTAIN WATER SYSTEM INC.
JUNE BONKOSKY
PO BOX 7096
BEND, OR 97708

File: G-11899

You are receiving this notice because you have a water right application pending with the Water Resources Department. Your proposed water development project is located within or upstream from a state scenic waterway. A recent Oregon Supreme Court decision (Diack) requires the Water Resources Commission to make certain findings about applications in these locations.

The Commission has directed the Department to postpone further processing of applications in these locations until the streamflows necessary for recreation and fish and wildlife uses within the scenic waterway have been determined. We are working with the State Parks Division and the Departments of Fish & Wildlife and Environmental Quality to make these determinations as quickly as possible.

We expect the scenic waterway flows will be determined by June 1990 for your area.

Even though your application is within or above a scenic waterway, we will process your application in the normal manner if it fits any one of the criteria listed below:

A. You propose to use groundwater that is not hydraulically connected to the stream located within or tributary to the state scenic waterway.* Usually this means that your well would need to be at least one mile away from the nearest stream.

B. Your proposed use of water is nonconsumptive. It would pass through your project and return in equal amounts at a location upstream from the scenic waterway.

C. You propose to contract for stored water as either your primary or supplemental source of supply and the owner of the stored water is willing to give you a contract.

D. You propose to transfer an existing water right certificate by moving either the point of diversion or the place of use. You believe that such a move will not change the amount of water in the stream from your current practices.

June Bonkosky,

Thanks

* Sun Mountain Water System, Inc. is certainly not within a mile of any stream - let alone a Scenic Waterway

If your project does not fit into one of the above categories (A-D), you may want to modify your application so that is does. Submit those modifications to us.

If you can not modify your application to fit one of the above categories, you may want to consider one of the options below:

1. Leave your current application pending with us to hold your tentative priority date. After the flows are quantified, we will resume processing your application. If it turns out that not enough water is available to meet the recreational demands for the scenic waterway, we may have to deny your request. The examination fees will not be refunded, but any recording fees you submitted will be refunded.

2. Withdraw your application. The examination fee is non-refundable, but any recording fees which were submitted will be refunded. If after flows needed for the scenic waterway are quantified you believe that there is enough water left for your proposed use, file a new application with the appropriate fees to establish a new priority date. Your new application will then be processed using more definite information regarding the availability of water for your proposed use.

3. Conduct sufficient flow studies of your own using methods approved by the Parks Division and Fish & Wildlife. Then, submit information demonstrating that your proposed use of water will not impair the flows needed for the scenic waterway.

We advise you to avoid committing any resources toward your project on the assumption that your permit will be issued. Use of water cannot legally be made without the permit, and the outcome of the scenic waterway study is not predictable at this time. Some streams are likely to have no water available except during high flow periods. It is possible that there will not be enough water left for your proposal after the studies are done.

If you want to wait for the results of the flow studies, you do not need to contact us. We will assume that you want to leave your application pending (alternative #1, above).

If your choice is either alternative #2 or #3, please return this letter with your comments.

If you have any questions not answered by this letter, please contact the Applications and Permits Section at 378-3739.

Sincerely,

William H. Young by John E. Barber

William H. Young
Director

NEIL GOLDSCHMIDT
GOVERNOR

Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310 PHONE 378-3739

July 21, 1989

OF SUN MOUNTAIN WATER SYSTEM INC.
JUNE BONKOSKY
PO BOX 7096
BEND, OR 97708

File: G-11899

You are receiving this notice because you have a water right application pending with the Water Resources Department. Your proposed water development project is located within or upstream from a state scenic waterway. A recent Oregon Supreme Court decision (Diack) requires the Water Resources Commission to make certain findings about applications in these locations.

The Commission has directed the Department to postpone further processing of applications in these locations until the streamflows necessary for recreation and fish and wildlife uses within the scenic waterway have been determined. We are working with the State Parks Division and the Departments of Fish & Wildlife and Environmental Quality to make these determinations as quickly as possible.

We expect the scenic waterway flows will be determined by June 1990 for your area.

Even though your application is within or above a scenic waterway, we will process your application in the normal manner if it fits any one of the criteria listed below:

A. You propose to use groundwater that is not hydraulically connected to the stream located within or tributary to the state scenic waterway. Usually this means that your well would need to be at least one mile away from the nearest stream.

B. Your proposed use of water is nonconsumptive. It would pass through your project and return in equal amounts at a location upstream from the scenic waterway.

C. You propose to contract for stored water as either your primary or supplemental source of supply and the owner of the stored water is willing to give you a contract.

D. You propose to transfer an existing water right certificate by moving either the point of diversion or the place of use. You believe that such a move will not change the amount of water in the stream from your current practices.

If your project does not fit into one of the above categories (A-D), you may want to modify your application so that is does. Submit those modifications to us.

If you can not modify your application to fit one of the above categories, you may want to consider one of the options below:

1. Leave your current application pending with us to hold your tentative priority date. After the flows are quantified, we will resume processing your application. If it turns out that not enough water is available to meet the recreational demands for the scenic waterway, we may have to deny your request. The examination fees will not be refunded, but any recording fees you submitted will be refunded.

2. Withdraw your application. The examination fee is non-refundable, but any recording fees which were submitted will be refunded. If after flows needed for the scenic waterway are quantified you believe that there is enough water left for your proposed use, file a new application with the appropriate fees to establish a new priority date. Your new application will then be processed using more definite information regarding the availability of water for your proposed use.

3. Conduct sufficient flow studies of your own using methods approved by the Parks Division and Fish & Wildlife. Then, submit information demonstrating that your proposed use of water will not impair the flows needed for the scenic waterway.

We advise you to avoid committing any resources toward your project on the assumption that your permit will be issued. Use of water cannot legally be made without the permit, and the outcome of the scenic waterway study is not predictable at this time. Some streams are likely to have no water available except during high flow periods. It is possible that there will not be enough water left for your proposal after the studies are done.

If you want to wait for the results of the flow studies, you do not need to contact us. We will assume that you want to leave your application pending (alternative #1, above).

If your choice is either alternative #2 or #3, please return this letter with your comments.

If you have any questions not answered by this letter, please contact the Applications and Permits Section at 378-3739.

Sincerely,

William H. Young by John E. Barber

William H. Young
Director

NEIL GOLDSCHMIDT
GOVERNOR

Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310 PHONE 378-3066

April 18, 1989

June Bonkosky of
Sun Mountain Water System, Inc.
PO Box 7096
Bend, OR 97708

REFERENCE: File G-11899

We received the application you submitted on March 13, 1989, describing the proposed use of 100.0 gallons per minute of water from three wells within Squaw Creek Basin for group domestic. The supporting data and fees were also received. Our Receipt 57504 is enclosed. The application has been filed, assigned number G-11899 and will be reviewed in detail as time allows.

Applications which are defective, conflict with existing rights or require additional information will, if necessary, be returned for correction and/or completion. Due to the present backlog of applications and other matters needing attention we have been unable to process applications as rapidly as would be liked. If you feel that a delay in the processing of the application will cause a hardship, please advise.

The permittee will be required to hire a Certified Water Right Examiner to survey the extent of use of water perfected under the terms of the permit that may be issued approving the application. Within one year of application of water to beneficial use or the date to make complete application of water allowed in the permit, the permittee shall submit a map of the survey prepared by the Certified Water Right Examiner.

Recently adopted administrative rules require that the results of a pump test be submitted to the Water Resources Department before a certificate of water right can be issued confirming the right to the use of water perfected under the terms of the permit. A pump test will be required within 10 years of the priority date in the event a certificate has not been issued within that time. The pump test must meet certain specifications.

Informational brochures describing the pump test requirements and related information are currently being written and will be sent to you with the permit approving your application or as they become available.

If the application is approved, the permit authorizing the described project would be subject to prior rights and require that the well be constructed in accordance with the General Standards for the Construction of Water Wells in Oregon. The permit would also require that a weir, meter

or other suitable measuring device be installed, if required by the Watermaster, and a log be kept recording the amount of ground water withdrawals. If you have any questions regarding these provisions or the Well Standards, please contact this office.

Sincerely,

Wayne J. Overcash
Water Rights Specialist
Application/Permit Section

WJO:tcb

Enclosure

cc: Fredrick A. Ast, Jr., CWRE

Fred A. Ast, Jr. & Associates

—Land Surveyor—
Water Right Examiner

9 MARCH 1989

RECEIVED
MAR 13 1989
WATER RESOURCES DEPT
SALEM, OREGON

WATER RIGHTS DIVISION
WATER RESOURCES DEPARTMENT
3850 PORTLAND ROAD N.E.
SALEM, OREGON 97310

WAYNE OVERCASH,

ATTACHED, YOU WILL FIND FOUR COPIES OF THE MAP WHICH DEFINES THE BOUNDARIES OF THE "SERVICE AREA" FOR THE "SUN MOUNTAIN WATER SYSTEM, INC." SYSTEM.

ALSO ATTACHED IS AN APPLICATION TO APPROPRIATE GROUND WATER, TOGETHER WITH A CHECK FOR $300.00.

THIS IS AN EXISTING SYSTEM. THE WELLS ARE IN PLACE, THE PRIMARY DISTRIBUTION SYSTEM IS SUBSTANTIALLY IN PLACE. THE MAP DEFINES THE BOUNDARIES OF THE AREAS PRESENTLY BEING SERVED AS WELL AS THOSE WHICH MAY CURRENTLY BE UNDEVELOPED BUT HAVE BEEN GUARANTEED A DOMESTIC WATER SERVICE.

PLEASE CONTACT EITHER ME, OR JUNE BONKOSKY WITH ANY QUESTIONS YOU MAY HAVE, OR ADDITIONAL INFO THAT YOU MAY NEED.

THANK YOU.

RESPECTFULLY,

Application No. G-11899
Permit No. G11328

FRED A. AST, JR., WRE #008

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

Application #: _____-_____ / **Permit #:** _____-_____

Permittee's Name: _____

Permittee's Mailing Address: _____

POD Location: Township_____ Range _____ Section _____ ¼ ¼_____

Drainage Basin: _____ **County:** _____ **Watermaster District #:** _____

___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:** _____ **Priority Date:** _____

___4. **Source:** _____

___5. **Use:** _____

___6. **"Q":** _____

___7. **Orig "A" Date:** _____ **Orig "B" Date:** _____ **Orig "C" Date:** _____

___8. **Conditions of Permit:** _____

___9. **Extension request received:** _____ **Request Number (...1st 2nd, 3rd):** _____

___10. **Last Authorized "B" Date:** _____ **Last Authorized "C" Date:** _____

___11. **Proposed "B" Date:** _____ **Proposed C Date:** _____

___12. **Amount Invested to date:** _____ **Estimated Total Cost:** _____

(Estimated Remaining Cost:** _____)*

___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?*

___14. Work on the water development project completed to date includes: _____

___15. The work remaining to be completed consists of: _____

___16. Progress in perfecting the permit is being held up by: _____

___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: _____

___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."

NOTES:

Extension "PFO" Dates *Checklist Last Revised: 3/11/2004*

Mailing / Issuance Date:_____ **WRD Project Manager:**_____

Protest Deadline Date:_____ **Date:**_____

NOTICE TO WATER WELL CONTRACTOR
The original and first copy of this report are to be filed with the STATE ENGINEER, SALEM, OREGON 97310 within 30 days from the date of well completion.

RECEIVED
JUL 11 1972
STATE ENGINEER
SALEM, OREGON

WATER WELL REPORT
STATE OF OREGON
(Please type or print)
(Do not write above this line)

State Well No. 15S/11E-33
State Permit No. .....

(1) OWNER:
Name: Newel P. Baker
Address: Rt. 2 Box 1130 Bend, Ore. 97701

(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 ☐

(5) CASING INSTALLED:
Threaded ☐ Welded ☐
16" Diam. from XXX 0 ft. to XXX245 ft. Gage 250
..." Diam. from ..... ft. to ..... ft. Gage .....
..." Diam. from ..... ft. to ..... ft. Gage .....

(6) PERFORATIONS:
Perforated? ☒ Yes ☐ No.
Type of perforator used
Size of perforations in. by in.
3/8x4" perforations from 220 ft. to 243 ft.
..... perforations from ..... ft. to ..... ft.
..... perforations from ..... ft. to ..... 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) WATER LEVEL: Completed well.
Static level 238 ft. below land surface Date 7-20-69
Artesian pressure ..... lbs. per square inch Date

(9) WELL TESTS:
Drawdown is amount water level is lowered below static level
Was a pump test made? ☒ Yes ☐ No If yes, by whom Bob Riemenschnieder
Yield: 800 gal./min. with 10 ft. drawdown after 6 hrs.
" " " "
" " " "
Bailer test ..... gal./min. with ..... ft. drawdown after ..... hrs.
Artesian flow ..... g.p.m. Date .....
Temperature of water ..... Was a chemical analysis made? ☐ Yes ☐ No

(10) CONSTRUCTION:
Well seal—Material used Bentonite
Depth of seal 26 ft.
Diameter of well bore to bottom of seal 24 in.
Were any loose strata cemented off? ☐ Yes ☒ No Depth .....
Was a drive shoe used? ☒ Yes ☐ No
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.

(11) LOCATION OF WELL:
County Deschutes Driller's well number
West ¼ W ¼ Section 33 T. 15S R. 11 E W.M.
Bearing and distance from section or subdivision corner
Well #2

(12) WELL LOG:
Diameter of well below casing 12"
Depth drilled ..... ft. Depth of completed well 297 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 as drilling proceeds. Note drilling rates.

MATERIAL	From	To	SWL
Dirt	0	2	
Gravel	2	11	
Cinders	11	27	
Lava	27	50	
Hard Dark Rock	50	80	
Soft Red Cinders	80	85	
Hard Lava	85	100	
Red Clay & Gravel	100	128	
Lava Rock	128	143	
Red Cinders	143	184	
Hard Gray Rock	184	243	
Cinders & Gravel	243	290	

Application No. 6-11899
Permit No. G11328

Work started May 1968 Completed July 1969
Date well drilling machine moved off of well August 1969

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] Newel P. Baker (Drilling Machine Operator) OWNER Date ....., 19.....
Drilling Machine Operator's License No. .....

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 ..... (Person, firm or corporation) (Type or print)
Address .....
[Signed] ..... (Water Well Contractor)
Contractor's License No. ..... Date ....., 19.....

filed with the
STATE ENGINEER, SALEM, OREGON 97310
within 30 days from the date
of well completion

STATE OF OREGON STATE ENGINEER
(Please type or print)
(Do not write above this line)

State Well No. [redacted]
State Permit No.

STATE ENGINEER
SALEM, OREGON

(1) OWNER:

Name Newel Baker
Address Hwy 20 Bend, Ore. 97701

(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 ☐
[illegible] ☐ Bored ☐

(4) PROPOSED USE (check):

Domestic ☐ Industrial ☐ Municipal ☐
Irrigation ☒ Test Well ☐ Other ☐

(5) CASING INSTALLED:

Threaded ☐ Welded ☐
12 " Diam. from 0 ft. to 20 ft. Gage 250 W
" Diam. from ft. to ft. Gage
" Diam. from ft. to ft. Gage

(6) PERFORATIONS:

Perforated? ☐ Yes ☒ No.
Type of perforator used
Size of perforations in. by in.
perforations from ft. to 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?
[illegible]: gal./min. with ft. drawdown after hrs.
" " " "
" " " "
Bailer test gal./min. with ft. drawdown after hrs.
Artesian flow g.p.m.
Temperature of water Depth artesian flow encountered ft.

(9) CONSTRUCTION:

Well seal—Material used Bentonite
Well sealed from land surface to 20 ft.
Diameter of well bore to bottom of seal 15 in.
Diameter of well bore below seal 12 in.
Number of sacks of cement used in well seal — sacks
Number of sacks of bentonite used in well seal 3 sacks
Brand name of bentonite
Number of pounds of bentonite per 100 gallons of water 400 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
¼ ¼ Section 2[illegible] T. 16S R. 10[illegible] W.M.
Bearing and distance from section or subdivision corner

(11) WATER LEVEL: Completed well.

Depth at which water was first found ft.
Static level ft. below land surface. Date
Artesian pressure lbs. per square inch. Date

(12) WELL LOG:

Diameter of well below casing 10 "
Depth drilled 198 ft. Depth of completed well 198 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
Bould + Conq.	0'	80'	
Hard Lava	80'	111'	
Basalt + Crevices	111'	198'	
Moved OFF, to Complete ON A Later date.			
Application No. 6-11899 Permit No. G11328			

Work started 6/16 1970 Completed 7/16 1970
Date well drilling machine moved off of well 7/16 1970

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] RM Krieg (Drilling Machine Operator) Date 8-1, 1970
Drilling Machine Operator's License No. 487

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 Krieg Drilling Service (Person, firm or corporation) (Type or print)
Address Rt. 2 Box 1317-D Bend, Ore.
[Signed] RM Krieg (Water Well Contractor)
Contractor's License No. 468 Date June 21, 1974

(USE ADDITIONAL SHEETS IF NECESSARY)

SP-45656-119

APPLICATION PROCESSING OUTLINE

Basin: DESCHUTES R.

Sub-basin: SQUAW CREEK

Application No. G-11899

Permit No. G11328

Fees paid: Examination fee:_____

Recording fees: _____

Total: _____

RATE AND DUTY_____ for irrigation

1. Check for minimum information (OAR 690-11-020)

yes	no	
✓	____	Name and mailing address of the applicant.
✓	____	Source of the water.
✓	____	Quantity of water to be appropriated.
✓	____	Location of point of diversion to 1/4 1/4 Section.
✓	____	Nature and place of use.
____	____	Name and mailing address of all legal owners of the properties involved.
✓	____	Signature of the applicant
____	____	Examination fees.

If minimum information not supplied, excepting legal owner information, then return to applicant with letter explaining deficiencies.

yes	no	
____	____	Water Resources Commission classification limits or restrictions -- If yes, note:
		_____
____	✓	State Engineer's withdravals -- If yes, note:
		_____
____	✓	Legislative withdravals -- If yes, note:
		_____
____	✓	If policy statement is unclear check with Resources Management Division.
✓	____	Scenic Waterway: DESCHUTES RIVER
		____ on ✓ up-stream ____ w7in 1/4 mile
		____ Notify Parks and Recreation Department
____	✓	Out-of-basin diversion
✓	____	Need to route to Geology Section due to:
		✓ well within one mile of a stream
		✓ well within restricted surface water area
		____ wells with request for greater than 5 cfs
		____ well is for heating &/or cooling
		____ well constructed by land owner
		____ well is artesian
		____ artificial ground water recharge project
		____ ground water area under study
____	____	Within Irrigation District:_____
		____ Notify ____ Need excerpt from District
____	____	Legal description of property
____	____	Ownership statement
____	____	Other parties to Notify:_____
____	____	Water Resources Commission review if:
		____Request for greater than 5 cfs
		____Dam height greater than 10 feet
		____Storage of more than 9.2 acre-feet
		____Out-of-basin diversion
		____within or above a scenic waterway
		____conditional uses under basin programs
		____requests for larger rate or duty than alloved
		____ground water recharge project
		____other substantial public interest issues
		____requests for review by an agency or person
____	____	Watermaster comment form sent with copy of application and map._____
____	____	Watermaster comments received _____
____	____	Hydrographic section comments requested_____
____	____	Hydrographic section comments received_____
____	X	O.D.F.W. sent copy of application and map(except groundvater) requesting comment_____
____	____	O.D.F.W. comments received _____
____	____	Report from D.E.Q. received _____
X	____	Publish application information in weekly public notice.
____	____	Notify other owners of development
____	____	PROTESTED
		filed_____
		resolved_____

G-11899
SUN MOUNTAIN WATER SYSTEM, INC
PO BOX 9295
BEND, OR 97708-9295

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

G11899

SUN MTN WATER
PO BOX 7096
BEND OR 97708

4a. Article Number

54682

4b. Service Type

☐ Registered ☐ Insured
☑ Certified ☐ COD
☐ Express Mail ☐ Return Receipt for Merchandise

7. Date of Delivery

7/10/95

5. Signature (Addressee)

Cheryl D Fuller

6. Signature (Agent)

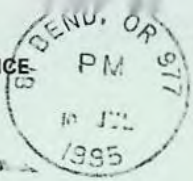
8. Addressee's Address (Only if requested and fee is paid)

PS Form **3811**, December 1991 ☆U.S. GPO: 1993—352-714 **DOMESTIC RETURN RECEIPT**

Thank you for using Return Receipt Service.

UNITED STATES POSTAL SERVICE

Official Business





Print your name, address and ZIP Code here

WATER RESOURCES DEPT.
COMMERCE BUILDING
158 12TH STREET NE
SALEM, OR 97310

FPD

Application No. G11899

Permit No. G11328

3-13-89 June Bonkosky of Sun

Name Mountain Water Syatem, Inc.

Address PO Box 7096, Bend, OR 97708

Assigned

Address

Beginning construction SEP 3 1992

Completion of construction OCT 1 1993

Extended to 10-1-98

Complete application of water OCT 1 1994

Extended to 10-1-98

Form 111