

MARTHA O. PAGEL

Admitted in Oregon and Washington

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SEP 10 2009

WATER RESOURCES DEPT
SALEM, OREGON

September 9, 2009

Dwight French
Administrator, Water Rights & Adjudication
Division
Oregon Water Resources Department
725 Summer St NE Ste A
Salem, OR 97301-1271

Re: Amendment of Application for Rupp Ranches (G-17068)
Our File No.: 120499/168223

Dear Dwight:

I am writing on behalf of our client, Randy Rupp, of Rupp Ranches, in follow-up to recent correspondence regarding the above-referenced application. By this letter, we wish to amend the application as further described below.

Background

On June 16, 2008, Rupp Ranches filed the application requesting a new water right for the use of ground water to irrigate up to 10,000 acres in Umatilla County. On October 31, 2008, the Oregon Water Resources Department (OWRD) issued an Initial Review indicating it was unlikely a permit could be issued based on the department's analysis of ground water availability. In response to the Initial Review, Rupp Ranches offered substantial additional technical information developed by GSI Water Solutions, Inc. We also met several times with OWRD staff and exchanged correspondence regarding the ground water resource and potential permit conditions to address OWRD concerns. Most recently, we received a letter dated August 20, 2009, from Deputy Director Tom Paul, which summarizes OWRD's response to information we have provided, and outlines conditions under which the department would proceed toward potential issuance of a permit for irrigation of up to 1,000 acres with an annual duty limitation of 2,000 acre-feet.

Although we believe the record includes sufficient information to support issuance of a permit for a greater annual volume of water, Rupp Ranches is willing to accept the terms and

conditions described in Mr. Paul's letter. Accordingly, this letter amends the application as follows:

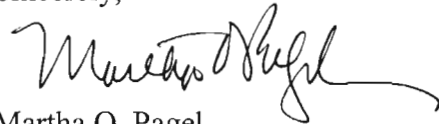
Request to Amend Application G-17068

1. The Applicant hereby amends the application to request ground water use from up to three wells for irrigation of up to 1,000 acres as identified on the enclosed table and revised application map.
2. The Applicant understands that any permit issued as a result of this amended application will be limited to an annual duty of 2,000 acre-feet, and will be subject to additional conditions as described in the letter of August 20, 2009, from Tom Paul.

Because of the dramatic reduction in requested irrigation, we believe Mr. Rupp should receive a refund of a substantial portion of the application fee of \$18,000 submitted with the original application and hereby request the same. The refund check should be made payable to Mr. Rupp, but may be mailed to me at our Salem office address.

On behalf of Randy Rupp, GSI consultants Terry Tolan and Molly Reid, and myself, I wish to thank OWRD staff for their efforts in working with us on the application.

Sincerely,



Martha O. Pagel

MOP:kdo
Enclosures
cc: (all w/encls.)
Randy Rupp
Molly Reid
Jerry Rodgers
Doug Woodcock

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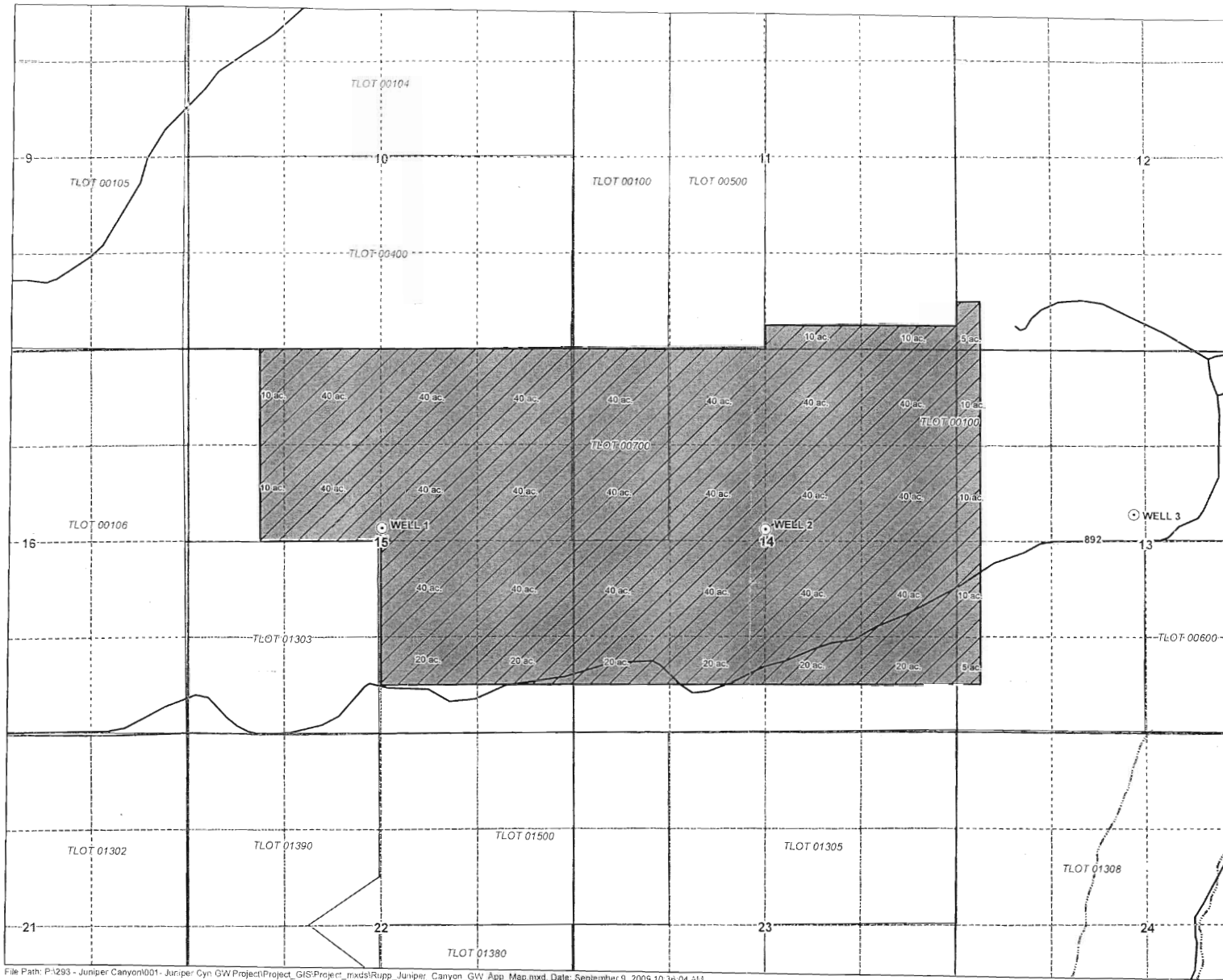


Proposed Place of Use for Rupp Ranches Groundwater Application

TWP, RNG	Section	Quarter/Quarter	Acres
T5N, R30E	11	SWSE	10.00
T5N, R30E	11	SESE	10.00
T5N, R30E	12	SWSW	5.00
T5N, R30E	13	NWNW	10.00
T5N, R30E	13	SWNW	10.00
T5N, R30E	13	NWSW	10.00
T5N, R30E	13	SWSW	5.00
T5N, R30E	14	NENE	40.00
T5N, R30E	14	NWNE	40.00
T5N, R30E	14	SWNE	40.00
T5N, R30E	14	SENE	40.00
T5N, R30E	14	NENW	40.00
T5N, R30E	14	NWNW	40.00
T5N, R30E	14	SWNW	40.00
T5N, R30E	14	SENW	40.00
T5N, R30E	14	NESW	40.00
T5N, R30E	14	NWSW	40.00
T5N, R30E	14	SWSW	20.00
T5N, R30E	14	SESW	20.00
T5N, R30E	14	NESE	40.00
T5N, R30E	14	NWSE	40.00
T5N, R30E	14	SWSE	20.00
T5N, R30E	14	SESE	20.00
T5N, R30E	15	NENE	40.00
T5N, R30E	15	NWNE	40.00
T5N, R30E	15	SWNE	40.00
T5N, R30E	15	SENE	40.00
T5N, R30E	15	NENW	40.00
T5N, R30E	15	NWNW	10.00
T5N, R30E	15	SWNW	10.00
T5N, R30E	15	SENW	40.00
T5N, R30E	15	NESE	40.00
T5N, R30E	15	NWSE	40.00
T5N, R30E	15	SWSE	20.00
T5N, R30E	15	SESE	20.00
		TOTAL ACRES	1000.00

Application G-17068
 Amended Location of Use
 September 9, 2009

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 SALEM, OREGON



**Groundwater Permit
Application Map
In the Name of:
Randy Rupp**

Umatilla County, Oregon

Township 5 North, Range 30 East (W.M.)

LEGEND

- Proposed Place of Use (POU)
- Proposed Points of Appropriation (POAs)
- Umatilla County Parcels
- Roads
- Watercourses

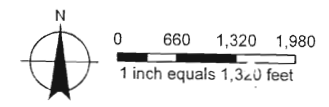
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POA LOCATION DESCRIPTIONS WATER RESOURCES DEPT SALEM, OREGON

- Well 1**
2455 feet South and 2660 feet East from the NW corner of Section 15, Township 5 North, Range 30 East (W.M.)
- Well 2**
2455 feet South and 2645 feet East from the NW corner of Section 14, Township 5 North, Range 30 East (W.M.)
- Well 3**
2230 feet South and 2440 feet East from the NW corner of Section 13, Township 5 North, Range 30 East (W.M.)

DISCLAIMER

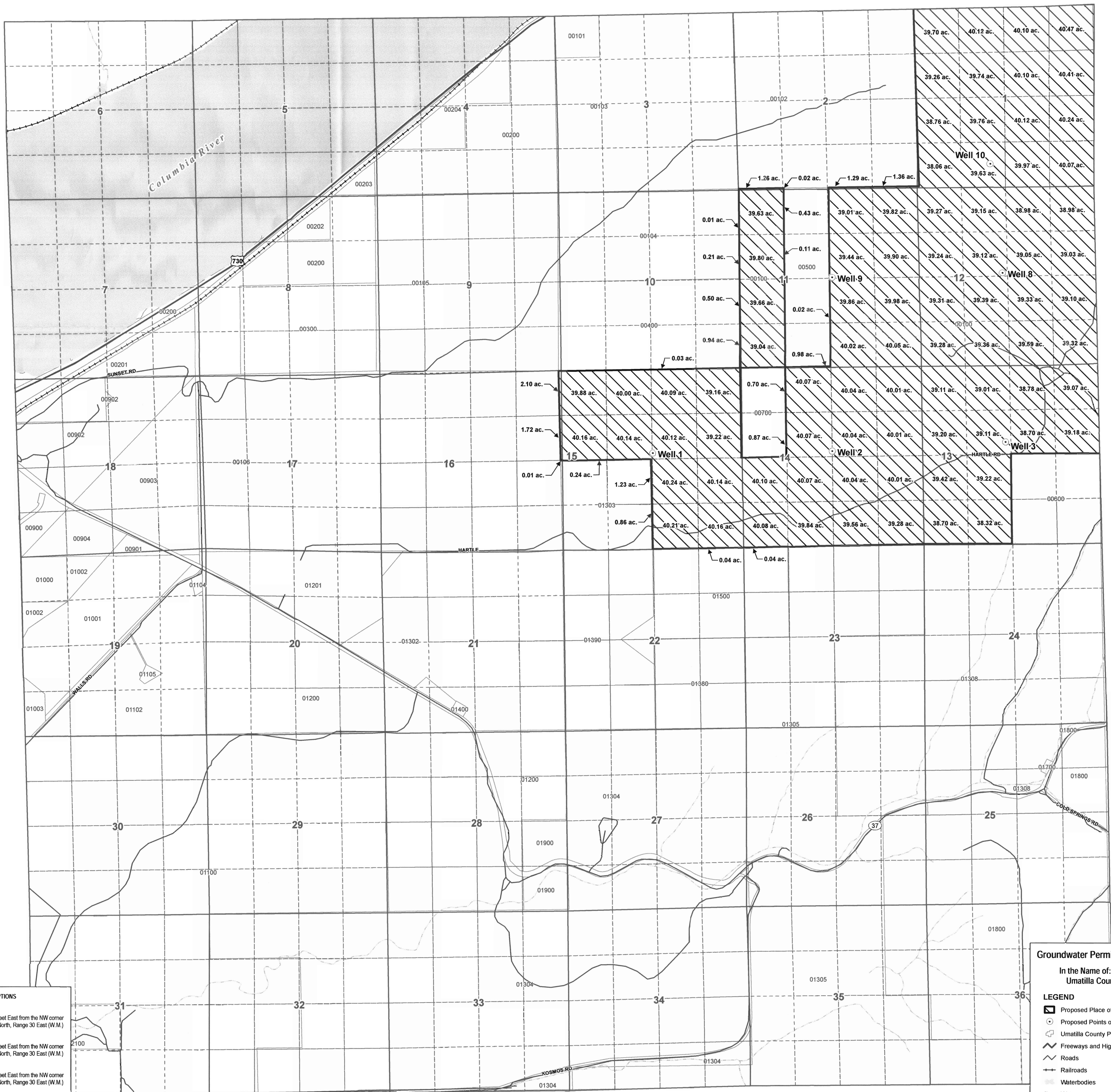
This map was prepared for the purpose of identifying the location of a water right only and it is not intended to provide legal dimensions or location of property ownership lines.



MAP NOTES:
Projection: Oregon State Plane North Zone
Datum: North American Datum of 1983
Date: September 9, 2009
Data Sources: Umatilla County GIS, Oregon Geospatial Data Clearinghouse, ESRI



TOWNSHIP 5 NORTH, RANGE 30 EAST (W.M.)



POA LOCATION DESCRIPTIONS

Well 1
2455 feet South and 2660 feet East from the NW corner of Section 15, Township 5 North, Range 30 East (W.M.)

Well 2
2455 feet South and 2645 feet East from the NW corner of Section 14, Township 5 North, Range 30 East (W.M.)

Well 3
2230 feet South and 2440 feet East from the NW corner of Section 13, Township 5 North, Range 30 East (W.M.)

Well 8
2520 feet South and 2460 feet East from the NW corner of Section 12, Township 5 North, Range 30 East (W.M.)

Well 9
2670 feet South and 2720 feet East from the NW corner of Section 11, Township 5 North, Range 30 East (W.M.)

Well 10
695 feet North and 2160 feet East from the SW corner of Section 4, Township 5 North, Range 30 East (W.M.)

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SALEM, OREGON

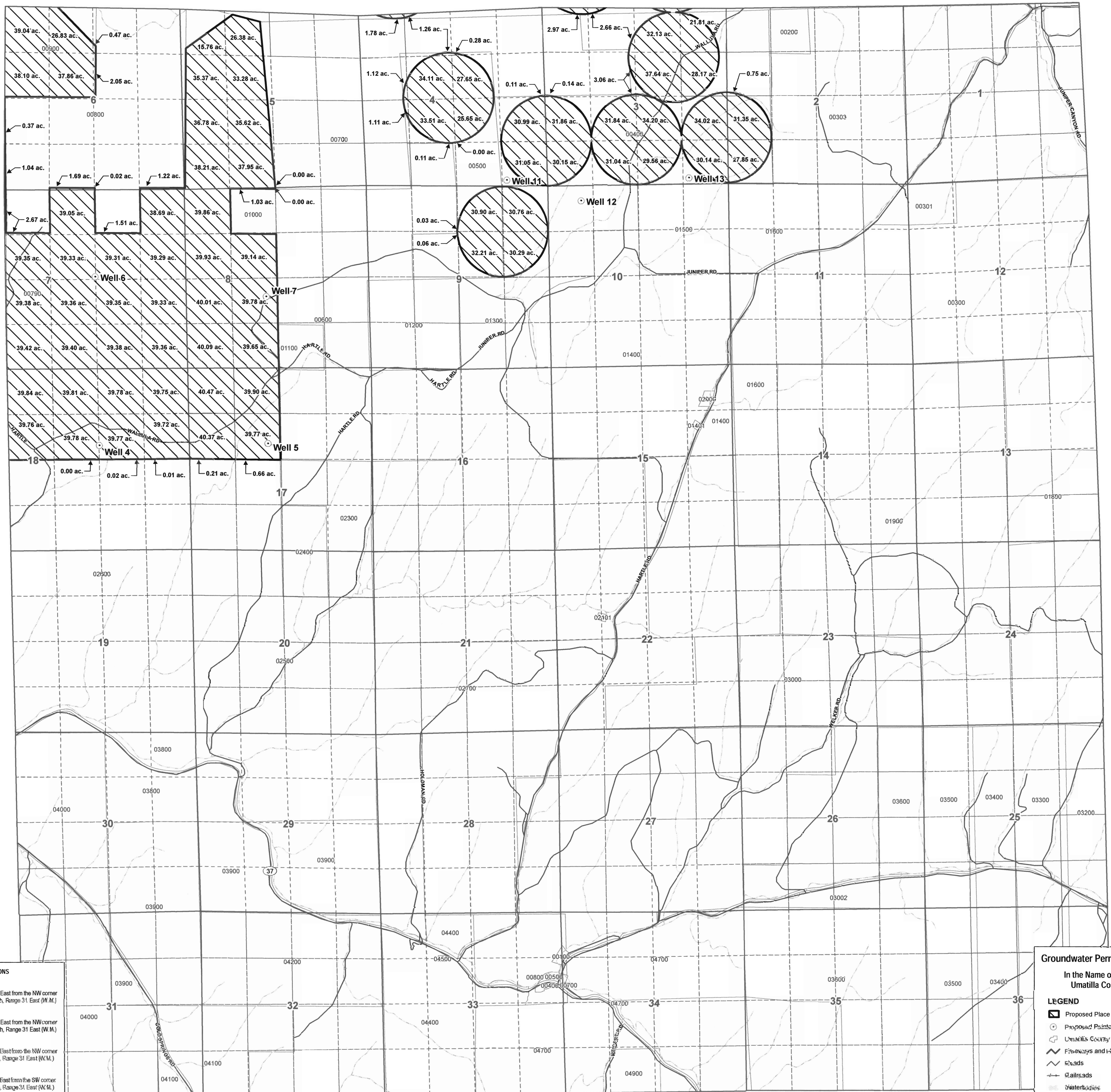
Groundwater Permit Application Map
In the Name of: Randy Rupp
Umatilla County, Oregon

- LEGEND**
- ⊙ Proposed Place of Use (POU)
 - ⊙ Proposed Points of Appropriation (POAs)
 - ▭ Umatilla County Parcels
 - ▬ Freeways and Highways
 - ▬ Roads
 - ▬ Railroads
 - ▭ Waterbodies
 - ▬ Watercourses

MAP NOTES:
Projection: Oregon State Plane North Zone
Datum: North American Datum of 1983
Date: June 3, 2008
Data Source: Umatilla County GIS, Oregon Geospatial Data

0 660 1,320
1 inch equals 1,320 feet

TOWNSHIP 5 NORTH, RANGE 31 EAST (W.M.)



POA LOCATION DESCRIPTIONS

Well 4
2335 feet South and 2635 feet East from the NW corner of Section 18, Township 5 North, Range 31 East (W.M.)

Well 5
2200 feet South and 2285 feet East from the NW corner of Section 17, Township 5 North, Range 31 East (W.M.)

Well 6
2533 feet South and 2610 feet East from the NW corner of Section 7, Township 5 North, Range 31 East (W.M.)

Well 7
2095 feet South and 2323 feet East from the SW corner of Section 6, Township 5 North, Range 31 East (W.M.)

Well 11
165 feet North and 1195 feet West from the SE corner of Section 4, Township 5 North, Range 31 East (W.M.)

Well 12
445 feet South and 960 feet East from the NW corner of Section 10, Township 5 North, Range 31 East (W.M.)

Well 13
175 feet North and 1150 feet West from the SE corner of Section 3, Township 5 North, Range 31 East (W.M.)

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WATER RESOURCES DEPT
SALEM, OREGON

Groundwater Permit Application Map
In the Name of: Randy Rupp
Umatilla County, Oregon

LEGEND

- Proposed Place of Use (POU)
- Proposed Points of Application (POAs)
- Umatilla County Paroiss
- Freeways and Highways
- Roads
- Railroads
- Waterbodies
- Watercourses

MAP NOTES:
Projection: Oregon State Plane North Zone
Datum: North American Datum of 1983
Date: June 3, 2008
Data Source: Umatilla County GIS, Oregon Geospatial Data Clearinghouse, ESRI

Scale: 0 660 1,320
1 inch equals 1,320 feet

GSI
Water Solutions, Inc.

POA LOCATION DESCRIPTIONS

Well 14
565 feet South and 2070 feet East from the NW corner of Section 23, Township 6 North, Range 31 East (W.M.)

Well 15
110 feet South and 120 feet West from the NE corner of Section 27, Township 6 North, Range 31 East (W.M.)

Well 16
2355 feet North and 1800 feet East from the SW corner of Section 15, Township 6 North, Range 31 East (W.M.)

Well 17
2090 feet North and 2565 feet West from the SE corner of Section 16, Township 6 North, Range 31 East (W.M.)

Well 18
145 feet South and 310 feet West from the NE corner of Section 29, Township 6 North, Range 31 East (W.M.)

Well 19
125 feet South and 1085 feet West from the NE corner of Section 28, Township 6 North, Range 31 East (W.M.)

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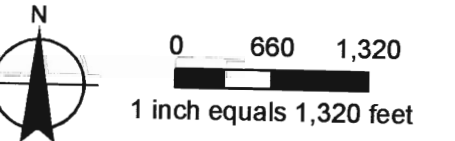
TOWNSHIP 6 NORTH, RANGE 31 EAST (W.M.)

Groundwater Permit Application Map

In the Name of: Randy Rupp
Umatilla County, Oregon

LEGEND

- Proposed Place of Use (POU)
- Proposed Points of Appropriation (POAs)
- Umatilla County Parcels
- Freeways and Highways
- Roads
- Railroads
- Waterbodies
- Watercourses



MAP NOTES:
Projection: UTM Zone 18N
Datum: North American Datum of 1983
Date: June 3, 2008
Data Sources: Umatilla County GIS, Oregon Department of Geology and Mineral Industries, Clearwater, Inc., etc.



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WATER RESOURCES DEPT
SALEM, OREGON

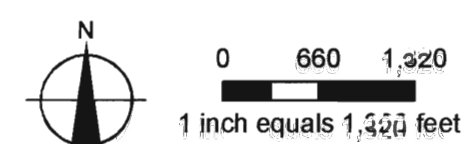
TOWNSHIP 6 NORTH, RANGE 30 EAST (W.M.)

4 of 4

In the Name of: Randy Rupp
Umatilla County, Oregon

LEGEND

- Proposed Place of Use (P.O.U.)
- Umatilla County Parcel
- Freeways and Highways
- Roads
- Railroads
- Waterbodies
- Watercourses



MAP NOTES:
 Projection: Oregon State Plane North Zone
 Datum: North American Datum of 1983
 Date: June 2, 2008
 Data Sources: Umatilla County GIS, Oregon Geospatial Data Center, Oregon State Plane North Zone
 GSI
 Water Solutions, Inc.

