

Application Status as of April 2, 2025

Delashmutt, Thornburgh and/or Pinnacle Utilities

New Permit Applications:

Pending:

- [App: G 19139 * \(state.or.us\)](#) – Pinnacle Utilities, LLC
 - **Current Status:** **PROTEST RECEIVED – PROPOSED FINAL ORDER (PFO) TO DENY – PROTEST IS IN QUEUE OF PROTESTS WAITING TO BE REFERRED TO OAH FOR A HEARING WHEN RESOURCES BECOME AVAILABLE**
 - Application for permit to appropriate groundwater. Pinnacle protested OWRD's proposed denial. Pinnacle's protest is in the queue of protests waiting to be referred to the Office of Administrative Hearings for a contested case hearing when resources become available.
 - PFO to Deny issued on 7/25/2023
 - PFO Protest Deadline = 9/8/2023
 - Protest Received on 9/7/2023
 - Requests for Standing received from Central Oregon LandWatch, Annunziata Gould, WaterWatch, and Confederated Tribes of the Warm Springs
 - **Applicant:** Pinnacle Utilities, LLC
 - **Date Submitted:** 5/24/2021
 - **Request:** The amended Groundwater Application G-19139 requests 6.0 cubic feet per second from seven wells for year-round quasi-municipal use.
 - **Link:** Here is the [link](#) to the application webpage, which includes the application, map, Groundwater Review, our Initial Review, amended application and map, Groundwater Re-Review, and our PFO to Deny the application.

Permit Extension of Time Applications:

Pending:

- [Permit: G 17036 * \(state.or.us\)](#) – (Thornburgh Utility Group, LLC; Pinnacle Utilities, LLC)
 - **Current Status:** **PROTEST RECEIVED – EXTENSION OF TIME APPLICATION; OWRD plans to refer this to the Office of Administrative Hearings for a contested case hearing in the near future.**
 - Pinnacle and Annunziata Gould each protested OWRD's proposed denial.
 - **Date Permit G-17036 Issued:** 4/3/2013
 - Permit G-17036 was issued to correctly describe the maximum annual volume allowed. Original Permit G-17009, issued on 2/7/2013, is superseded by Permit G-17036 and is of no further force or effect.
 - Completion Date ("C" Date): 2/7/2018, being 5 years after issuance of the original permit (i.e., Permit G-17009 issued on 2/7/2013, superseded by Permit G-17036)
 - **Date Permit Extension Application Filed:** 4/2/2018
 - Proposed Final Order (PFO) to **DENY** Issued: 7/26/2022 – **PROTESTS RECEIVED**
 - **Link:** Here is the [link](#) to the webpage related to Permit G-17036.

Limited License Applications:

Pending:

- N/A

Completed:

- [App: LL 1879 * \(state.or.us\)](#) – Pinnacle Utilities, LLC
 - **Current Status:** **PETITION FOR JUDICIAL REVIEW**
 - Application for limited license to appropriate groundwater. Pinnacle filed a petition for judicial review of OWRD's denial (Deschutes County Circuit Court Case No. 22CV08683). A trial was held, and the court issued a ruling on March 31, 2025, affirming OWRD's denial. The next step is for OWRD to prepare and file a judgment consistent with the court's ruling. After the court enters the judgment, the parties will have the opportunity to appeal the judgment to the Oregon Court of Appeals.
 - **Applicant:** Pinnacle Utilities, LLC
 - **Date Submitted:** 6/11/2021
 - **Request:** 4.5 cfs and a total volume of 1032.0 af of groundwater from five wells for Road Construction or Maintenance, General Construction, and Quasi-Municipal Use
 - **Link:** Here is the [link](#) to the application webpage, which include the application and map
 - **Final Order:** Denial of LL-1879; issued 9/15/2021 ([FO Denying LL-1879](#))
- [App: LL 1917 * \(state.or.us\)](#) – Pinnacle Utilities, LLC
 - **Current Status:** **WITHDRAWN**
 - **Applicant:** Pinnacle Utilities, LLC
 - **Date Submitted:** 1/27/2022
 - **Request:** 0.453 cubic feet per second (cfs) and a total volume of 327.9 acre-feet (af) from four wells for year-round road construction or maintenance, general construction, and Quasi-Municipal Use
 - **Link:** Here is the [link](#) to the application webpage, which includes the application and map
 - **Assigned Reviewer:** Mary Bjork – Email: mary.f.bjork@water.oregon.gov / Phone: 503-979-9895

Instream Lease Applications:

Pending:

- N/A

Completed:

- [Transfer: IL-1874 \(state.or.us\)](#) – Pinnacle Utilities, LLC
 - **Current status:** **TERMINATED**
 - **Applicant:** Pinnacle Utilities, LLC
 - **Date Submitted:** 5/18/2021
 - **Link:** Here is the [link](#) to the application webpage
 - **Final Order(s):**
 - Final Order **approving** IL-1874 issued 6/30/2021 ([Sp. Or. Vol. 120, Pg. 1007](#))
 - A portion of Certificate 90239 leased instream in Little Deschutes River, tributary to Deschutes River, from April 1 through October 31 each season.
 - Term of lease: June 30, 2021, through October 31, 2025.
 - Final Order **terminating** IL-1874 issued 4/15/2022 ([Sp. Or. Vol. 122, Pg. 822](#))
 - Instream Lease **terminated early** on April 15, 2022.

- [Transfer: IL-1975 \(state.or.us\)](#)
 - **Current status:** **EXPIRED**
 - **Applicant:** Pinnacle Utilities, LLC; Kameron Delashmutt; Central Land & Cattle Co, LLC
 - **Date Originally Submitted:** 5/19/2023 (Revised on 6/9/2023)
 - **Link:** Here is the [link](#) to the application webpage
 - **Final Order(s):**
 - Final Order **approving** IL-1975 issued 7/26/2023 ([Sp. Or. Vol. 128, Pg. 808](#))
 - A portion of Certificate 95746 leased instream in Little Deschutes River, tributary to Deschutes River, from April 15 through October 15.
 - Term of lease: July 26, 2023, through October 31, 2023.
 - **IL-1975 Lease RENEWAL Application Received:** 5/2/2024
 - Final Order approving RENEWAL of IL-1975 issued 6/11/2024 ([Sp. Or. Vol. 131, Pg. 366](#))
 - A portion of Certificate 95746 leased instream in Little Deschutes River, tributary to Deschutes River, from April 15 through October 15.
 - Term of renewed lease: June 11, 2024, through October 31, 2024.

Transfer Applications:

In Litigation:

- [Transfer: T-13703 \(state.or.us\)](#) – Pinnacle Utilities, LLC
 - **Current Status:** **APPEAL PENDING BEFORE THE OREGON COURT OF APPEALS**
 - Annunziata Gould filed a petition for judicial review of OWRD’s approval (Marion County Circuit Court Case No. 21CV48665). The Marion County Circuit Court affirmed OWRD’s approval. Ms. Gould’s filed an appeal of the Marion County Circuit Court’s ruling with the Oregon Court of Appeals (Case No. A185116). Ms. Gould’s appeal is pending before the Oregon Court of Appeals.
 - **Applicant:** Pinnacle Utilities, LLC
 - **Request:** Temporarily change the place of use, and temporarily move the authorized point of appropriation (well) and to add seven (7) wells to convey water to the temporary place of use for a 0.453 portion of Certificate 96029, which was superseded by Certificate 95715.
 - **NOTE:** Certificate 96029 was cancelled as a result of issuance of a Final Order in Settlement Agreement for Transfer T-13583.
 - **Final Order(s):**
 - Final Order **approving** temporary change in place of use, change in point of appropriation, and additional points of appropriation; issued on 12/7/2021 ([Sp. Or. Vol. 122, Pg. 179](#)). Under the Final Order issued on 12/7/2021, the use reverts back to the original authorized place of use and point of appropriation on December 31, 2025. However, under the Marion County Circuit Court’s 7/8/2024 judgment affirming OWRD’s Final Order, the use will not revert back to the original authorized place of use and point of appropriation until four years after 7/8/2024.
 - **Correcting** Final Order issued 5/11/2022 ([Sp. Or. Vol. 125, Pg. 82](#))
 - **Link:** Here is the [link](#) to the application webpage, which includes the application and map.

Pending:

- [Transfer: T-14165 \(state.or.us\)](#) – Pinnacle Utilities, LLC
 - **Current Status:** **PENDING / UNDER REVIEW**
 - GW Review completed on 4/11/2023.
 - OWRD is currently in the process of preparing the Draft Preliminary Determination (DPD). Once the DPD is finalized and a peer-review is completed, it will be sent to the applicant and their agent for review, and they'll have 30 days to respond to the DPD and correct any identified issues.
 - **NOTE:** A 2nd public notice had to be run (to correctly identify Q being transferred) – Comment period ended on 5/11/2023. Over 100 comments received; review in process.
 - Following issuance of the DPD, the next step is issuance of a Preliminary Determination (PD) and and Public Notice of the PD.
 - **Applicant:** Pinnacle Utilities, LLC
 - **Date Filed:** 1/30/2023
 - **Request:** Change in place of use and change in point of appropriation to seven (7) wells for a 0.453 cfs portion of quasi-municipal water right Certificate 96029, which was superseded by Certificate 95715. (Certificate 96029 was cancelled as a result of issuance of a Final Order in Settlement Agreement for Transfer T-13583.)
 - **NOTE:** T-14165 is similar to, but a permanent version of, Temporary Transfer T-13703 (see above) involving quasi-municipal water right Certificate 96029 (now Certificate 95715).
 - **Caseworker:** Dante Luongo
 - **Link:** Here is the [link](#) to the application webpage, which includes the application and map.
- [Transfer: T-14074 \(state.or.us\)](#) – Pinnacle Utilities, LLC
 - **Current Status:** **PENDING / UNDER REVIEW**
 - Application T-14074 is awaiting completion of a review from OWRD's Groundwater Section.
 - OWRD cannot proceed with processing the application before the Groundwater Review is complete.
 - **Applicant:** Pinnacle Utilities, LLC
 - **Date Filed:** 8/17/2022
 - **Request:** Temporary changes in the character of use, place of use, and points of appropriation (wells) for a 47.6 acre/0.548 cfs portion of Certificate 96190 and a 106.1 acre/1.22 cfs portion of Certificate 96192 through the Year 2026.
 - **Caseworker:** Arla Davis
 - **Link:** Here is the [link](#) to the application webpage, which includes the application and map.
- [Transfer: T-14075 \(state.or.us\)](#) – Pinnacle Utilities, LLC
 - **Current Status:** **PENDING / UNDER REVIEW**
 - Application T-14075 is awaiting completion of a review from OWRD's Groundwater Section.
 - OWRD cannot proceed with processing the application before the Groundwater Review is complete.
 - **Applicant:** Pinnacle Utilities, LLC
 - **Date Filed:** 8/18/2022
 - **Request:** Temporarily change the character of use, place of use, and points of appropriation (wells) for a 6.3 acre/0.079 cfs portion of Certificate 87558 through the Year 2026.
 - **Caseworker:** Arla Davis
 - **Link:** Here is the [link](#) to the application webpage, which includes the application and map.

Big Falls Ranch -----

[Transfer: T-13749 \(state.or.us\)](#) – Big Falls Ranch

- **Current Status:** **PENDING / UNDER REVIEW**
 - Preliminary Determination issued on 5/18/2023.
 - Currently awaiting final review.
- **Applicant:** Big Falls Ranch
- **Date Filed:** 6/23/2021
- **Request:** Change from SW POD to 4 GW POAs under Certificate 76372
- **Caseworker:** Arla Davis
- **Link:** Here is the [link](#) to the application webpage, which includes the application and map.

Completed:

- [Transfer: T-12651 \(state.or.us\)](#) – Big Falls Ranch and Pinnacle Utilities, LLC
 - **Current Status:** **APPROVED**
 - **Applicant:** Big Falls Ranch
 - **Date Filed:** 4/21/2017
 - **Current Transfer Holders of Record (via Assignment):** Big Falls Ranch and Pinnacle Utilities, LLC
 - Confirmation of Request for Partial Assignment for T-12651 issued 9/23/2021
 - **Request:** Change surface water points of diversion to groundwater points of appropriation (wells) under Certificates 76371, 87655, and 88027.
 - **Caseworker:** Kelly Starnes
 - **Final Order:**
 - Final Order **approving** SW POD to GW POA change issued on 11/20/2018 ([Sp. Or. Vol. 109, Pg. 999](#)).
 - **Link:** Here is the [link](#) to the application webpage, which includes the application, map and final order.
- [Transfer: T-13857 \(state.or.us\)](#) – Pinnacle Utilities, LLC
 - **Current Status:** **WITHDRAWN**
 - Order of Withdrawal issued on 5/17/2023
 - Link to Withdrawal Order: [T-13857 - Order of Withdrawal](#)
 - **Applicant:** Pinnacle Utilities, LLC
 - **Date Filed:** 10/22/2021
 - **Request:** Change in the character of use (from irrigation to municipal), change in place of use, and changing a surface water point of diversion to eight groundwater points of appropriation (wells) for a 50.0 acre/1.25 cfs portion of Certificate 95746.
 - **Caseworker:** Arla Davis
 - **Link:** Here is the [link](#) to the application webpage, which includes the application, map, and Withdrawal Order.

- [Transfer: T-14350 \(state.or.us\)](#) – Pinnacle Utilities, LLC
 - **Current Status:** **WITHDRAWN**
 - Order of Withdrawal issued on 10/21/2024
 - Link to Withdrawal Order: [T-14350 - Order of Withdrawal](#)
 - **Applicant:** Pinnacle Utilities, LLC
 - **Date Filed:** 11/14/2023
 - **Request:** Applicant proposes to return the groundwater points of appropriation (Wells 1, 3, 4, & 7) approved under Transfer T-12651 back to the last authorized surface water point of diversion (Deep Canyon Creek point of diversion) that was in place prior to approval of T-12651. This return request applies only to a 47.6 acre/0.548 cfs portion of Certificate 96190 and a 106.1 acre/1.22 cfs portion of Certificate 96192.
 - [See: ORS 540.531(6)(a), OAR 690-380-2130(8) and Condition #7 of the Final Order approving Transfer T-12651 (Sp. Or. Vol. 109, Pgs. 999-1006).]
 - **Caseworker:** Not yet assigned.
 - **Link:** Here is the [link](#) to the application webpage, which includes the application and map.

Water Management & Conservation Plans:

Pending:

- N/A

Completed:

- Pinnacle Utilities, LLC Water Management & Conservation Plan (#1)
 - **Current Status:** **WITHDRAWN – OF NO FURTHER FORCE OR EFFECT**
 - **Date Filed:** 2/26/2020
 - **Date Approved:** 11/24/2020 – See Approval Final Order (FO) at [Sp. Or. Vol. 118, Pg. 117](#)
 - **Date Approval Reconsidered:** 3/9/2021 – [Sp. Or. Vol. 118, Pg. 673](#)
 - **Date Withdrawn by Applicant:** 8/31/2021
- Pinnacle Utilities, LLC Water Management & Conservation Plan (#2)
 - **Current Status:** **DENIED; PETITION FOR RECONSIDERATION FILED AND SUBSEQUENTLY DENIED**
 - **Date Filed:** 1/18/2022
 - **Date Denied:** 11/21/2023 – See Order on Reconsideration Denying Approval of a WMCP at [Sp. Or. Vol. 129, Pg. 431](#)
 - **Petition for Reconsideration of Final Order Denying WMCP Received:** 1/4/2024
 - **Petition for Reconsideration of Final Order Denying WMCP Denied:** 3/4/2024
 - WRD denied petition for reconsideration by taking no action on the petition within the 60-day period established by ORS 183.484.
- Pinnacle Utilities, LLC Water Management & Conservation Plan (#3)
 - **Current Status:** **APPROVED**
 - **Date Filed:** 5/9/2024
 - **Date Approved:** 2/25/2025 – See Approval Final Order (FP) at [Sp. Or. Vol. 133, Pg. 903](#) (Reconsideration Deadline is 4/28/2025)