



Oregon Water Resources Department
 721 Summer Street NE, Suite A
 Salem, OR 97301-1271

**OAR Chapter 690, Division 385
 District Permanent Transfer Application
 Place of Use**

District: CENTRAL OREGON IRRIGATION DISTRICT

Contact Person: Leslie Clark Phone: (541) 548-6047

Mailing Address: 1055 S.W. LAKE COURT; REDMOND, OR 97756

I. Pursuant to ORS 540.572, ORS 540.580 and OAR Chapter 690, Division 385, the district proposes to change the place of use for the following water rights:

WATER RIGHTS			
PERMIT NUMBER	CERTIFICATE NUMBER	PRIORITY DATE	PRIMARY (P) or SUPP (S)
	83571	October 31, 1900 and December 2, 1907	PRIMARY
	76714	February 28, 1913	SUPPLEMENTAL

II. The point(s) of diversion for the water rights proposed for transfer are as follows:

POINT(S) OF DIVERSION / APPROPRIATION		
POD#	SOURCE	LOCATION - LEGAL DESCRIPTION
1	Desch River	SW ¼ NE ¼ SEC. 13, T. 18 S., R. 11 E., W.M.; 1520' S. & 1535' W. FROM THE NE CORNER OF SEC. 13
11	Desch River	SE ¼ NE ¼ SEC. 29, T. 17 S., R. 12 E., W.M.; 850' N. AND 630' W. FROM THE E ¼ CORNER OF SEC. 29

III. The district proposes to change the place of use from the authorized location listed in Table 1 to the location listed in Table 2.

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TABLE 2. - PROPOSED PLACE OF USE											
WATER RIGHT Cert/Decree	PRIORITY DATE	USE (IR/IS)	POD #	LEGAL DESCRIPTION							NOTICE NUMBER
				TWP	RNG	SEC	QQ	TAX LOT	ACRES	USER NAME	
83571/76714	10/31/1900	IR/IS	1	17 S	13 E	28	SENE	600	0.3	Allan J. & Dianne L. Herauf	T-2014-019
				18 S	13 E	3	NENW	1602	2.0	Jack Bridges	T-2014-019
				18 S	13 E	3	SWSW	1000	0.10	Central Oregon Irrigation District	T-2014-019
									2.4	Confiscated Acres	
				17 S	12 E	12	SWSE	309	0.5	Delano Hamberger	T-2014-024
				17 S	13 E	28	SENE	600	0.1	Allan J. & Dianne L. Herauf	T-2014-026
									0.6	Regular Transferred Acres	
Total:									3.0		

TABLE 2. - PROPOSED PLACE OF USE											
WATER RIGHT Cert/Decree	PRIORITY DATE	USE (IR/IS)	POD #	LEGAL DESCRIPTION							NOTICE NUMBER
				TWP	RNG	SEC	QQ	TAX LOT	ACRES	USER NAME	
83571/76714	10/31/1900	IR/IS	11	14 S	13 E	20	SWNW	801	2.95	Darrell K. & Sherry Aaby	T-2014-019
				13 S	13 E	34	SWSW	400	0.93	Philip H. & Penelope P. Knight	T-2014-019
				13 S	13 E	34	SWNW	400	1	Philip H. & Penelope P. Knight	T-2014-019
				13 S	13 E	34	SESW	103	0.15	Philip H. & Penelope P. Knight	T-2014-019
				13 S	13 E	33	SESE	400	1.51	Philip H. & Penelope P. Knight	T-2014-019
				13 S	13 E	33	SWSE	400	0.9	Philip H. & Penelope P. Knight	T-2014-019
				13 S	13 E	33	NWSE	400	1.6	Philip H. & Penelope P. Knight	T-2014-019
				13 S	13 E	33	SWNE	200	2.09	Philip H. & Penelope P. Knight	T-2014-019
				14 S	13 E	4	SWNE	300	0.4	Philip H. & Penelope P. Knight	T-2014-019
Total:									11.53	Confiscated Acres	

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IV. Enclosed is a map for each proposed change in place of use meeting the standards of OAR Chapter 690, Division 385.

V. The water right proposed for transfer is a water right subject to transfer and has not been forfeited for nonuse under ORS 540.610.

VI. Enclosed:

- Copy of the notice required under OAR 690-385-5100 mailed by the District
- Copy of any objections to the proposed transfer under OAR 690-385-5100
- Copy of findings, determinations and conclusions resulting from any hearing per OAR 690-385-5100

VII. Enclosed is the application fee in the amount of: \$1,300.00

I certify that the information contained in this district permanent transfer application is true and accurate.



Craig Horrell
Secretary-Manager for Central Oregon Irrigation District

Date 12/9/14

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T-2014-019

ORS. 540.572

AUTHORIZED LANDS

15-13-03 NWSW 01401

WAGENBLAST FAMILY LTD

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CENTRAL OREGON IRRIGATION DISTRICT

1055 SW LAKE COURT, REDMOND, OR 97756

PHONE: 541.548.6047 FAX: 541.548.0243

www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

December 16, 2014

Wagenblast Family Partnership
2036 NW Canal Blvd
Redmond, OR 97756

RE: Confiscation of water rights appurtenant to tax map #: 15-13-03 00 01401 3.10 acres Irrigation

Dear Sir or Madam,

This notice is to inform you the District has filed a permanent transfer application with Oregon Water Resources Department (OWRD) to remove water rights appurtenant to the lands described above due to 5 consecutive years of non-use.

Per OAR 690-385-5400(2)(a) OWRD shall approve the district permanent transfer application as provided under OAR 690-385-5600 unless:

- A. The application does not include the information required under OAR 690-385-5200; or
- B. The user, of lands from which water rights are to be transferred, submits a protest pursuant to OAR Chapter 690, Division 002
 - b. The user has the right to protest the application as described in OAR 690-385-5700

You have 60 days from the date of mailing of this notice to submit a protest of the permanent transfer application to OWRD. OAR 690-385-5700(2) & (3) states that: Protest shall be filed in accordance with OAR Chapter 690, Division 002, and shall include the fee required under ORS 536.050; and, each person submitting a protest shall raise all reasonably ascertainable issues and submit all reasonably available arguments supporting the person's position by the close of the protest period. Failure to raise a reasonably ascertainable issue in a protest or failure to provide sufficient specificity to afford the Department an opportunity to respond to the issue precludes consideration of the issue during the hearing.

Enclosed are copies of the district permanent transfer application and maps. Please keep in mind if you wish to protest this transfer application with OWRD, the deadline for protest is 60 days from the date of this mailing.

Sincerely,

Leslie Clark
Water Right Manager

cc: OWRD, 725 Summer St N.E., Salem, OR
Mailed via certified mail December 16, 2014
Encl.

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DESCHUTES COUNTY SEC.03 T15S R13E

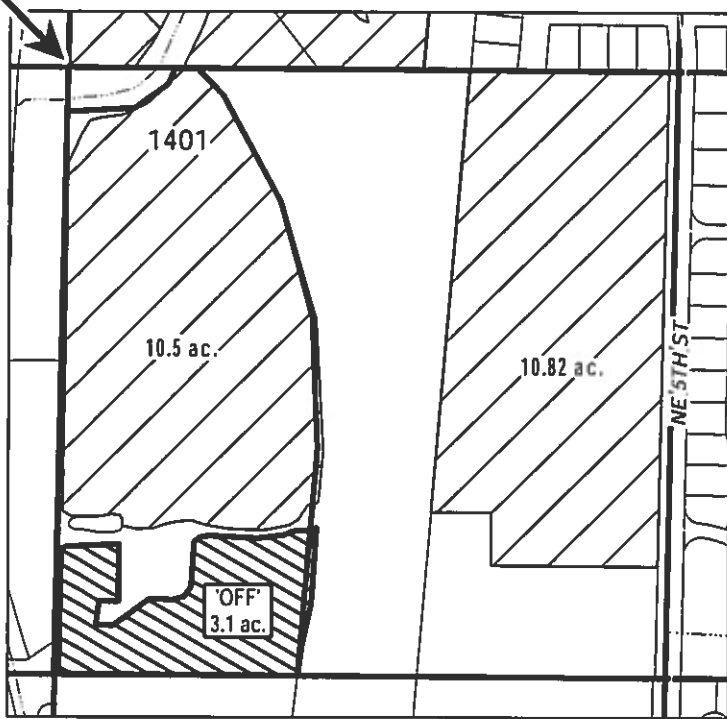
SCALE - 1" = 400'



NW 1/4 OF THE SW 1/4

DISTRICT INTERNAL
NOTICE #: T-2014-019

W 1/4 COR



	EXISTING WATER RIGHTS
	OFF LANDS

"OFF" MAP



APPLICATION FOR WATER RIGHTS TRANSFER

NAME: WAGENBLAST FAMILY PARTNERSHIP

TAXLOT #: 1401

3.1 ACRES

Date: 10/29/2014

FILE: H\TRANSFER\WRTRANS14IT-2014-019\151303_NWSW

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Total Postage & Fees	\$ 6.49

Mailed
10/22/14
Postmark
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Sent To Wagenblast Family Ltd Partnership
 Street, Apt. No. or PO Box No. 2036 NW Canal Blvd
 City, State, ZIP+4 Redmond OR 97756
 PS Form 3800, August 2006 See Reverse for Instructions

7007 3020 0003 0426 4730

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UNC

Certified Mail/Return Receipt Requested

Wagenblast Family Ltd Partnership
2036 NW Canal
Redmond OR

RETURN TO SENDER
UNCLAIMED
UNABLE TO FORWARD

BC: 97756146955 *1229-08311-04-40

CENTRAL OREGON IRRIGATION DISTRICT
1055 SW Lake Court
Redmond OR 97756-1469
Address Service Requested

10/22/14



CENTRAL OREGON IRRIGATION DISTRICT

1055 SW LAKE COURT, REDMOND, OR 97756

PHONE: 541.548.6047 FAX: 541.548.0243

www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

October 1, 2014

RECEIVED BY OWRD

Patron #: 4146

DEC 23 2014

Wagenblast Family Partnership
2036 NW Canal Blvd
Redmond, OR 97756

SALEM, OR

RE: Tax Map #: 1513030001401, 13.6 acres total Irrigation water rights
3.1 acres water rights to be confiscated in 2014

Dear Patron,

Our records indicate that you have failed to beneficially use your full water right for the last 5 consecutive years. By this letter, the District is serving you notice of our intent to confiscate the water right referenced above for failure to beneficially use the water for the last 5 consecutive years (See OAR 690-385-5000 and ORS 540.572 to 540.578). A copy of this letter is being sent to any security interest holders listed in the county records for your property as well as the Oregon Water Resources Dept. (OWRD), as required by statute. Enclosed with this letter is a copy of the District Confiscation Policy and a water right map indicating where your water should be used.

Certified letters were sent to you and any known security interest holders following the end of the 2013 irrigation season, informing you of the non-use of the full water right, the options available to assist you in fulfilling OWRD's beneficial use requirements, and COID's intent to confiscate any remaining unused water at the end of the 2014 irrigation season. Available options included using the full water right beneficially; leasing, at a minimum, the unused portion of the water right instream; and transferring off or selling the unused water right. Site visits were completed during 2014 to review any signs of beneficial use of the full water right. In addition, multiple years of aerial photos were also used to assist in the review of what may or may not have been accomplished between 2010 and 2014.

Failure to prove beneficial use is a very serious matter and is cause for forfeiture of the unused water right. Oregon Revised Statute 540.610 clearly states the requirement of beneficial use:

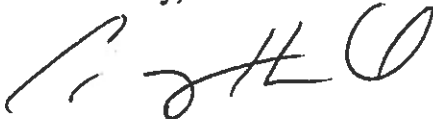
540.610 Use as measure of water right; presumption of forfeiture of right for nonuse; basis for rebutting presumption; confirmation of rights of municipalities. (1) Beneficial use shall be the basis, the measure and the limit of all rights to the use of water in this state. Whenever the owner of a perfected and developed water right ceases or fails to use all or part of the water appropriated for a period of five successive years, the failure to use shall establish a rebuttable presumption of forfeiture of all or part of the water right.

If you wish to dispute the confiscation and permanent removal of the unused water right from your property, you have 30 days from the date this letter was mailed (see date below) to notify the District of your objection – in writing. If you object or wish to demonstrate that non-use is excusable under one of the provisions allowed in ORS 640.610(2)(a-n), a meeting will be scheduled with the District Manager to try to resolve the issue with you; and if unable to do so, a District hearing before the COID Board of Directors will be held in November to determine if a petition to transfer the water off the lands should be filed with the OWRD Director. Failure to contact the District within 30 days will cause the water to be permanently transferred off of your property.

If you have any evidence that you have beneficially used all of your water right at any time during the last 5 years, please have the evidence ready to present at the time of your meeting with the District Manager and, if necessary, at the hearing with the Board of Directors.

Please respond within 30 days from the date of this letter to confirm that the information provided in this notice is correct.

Sincerely,



Craig Horrell
District Manager

Enc

cc: OWRD, 725 Summer St N.E. Suite 100, Salem, OR 97301
Jeremy Giffin, District 11 Watermaster, 231 SW Scalehouse Lp, Ste 103, Bend, OR 97701
No known lien holders

Sent by certified mail October 1, 2014
Copy sent by first class mail October 1, 2014

DESCHUTES COUNTY SEC.03 T15S R13E

RECEIVED BY OWRD

1 inch = 400 feet

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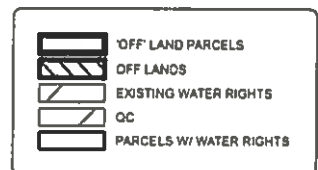
SALEM, OR



NW 1/4 OF THE SW 1/4



"OFF" MAP



WATER RIGHTS CONFISCATION MAP

NAME: WAGENBLAST FAMILY PARTNERSHIP

TAXLOT #: 1401

3.1 ACRES

Date: 10/2/2014



CENTRAL OREGON IRRIGATION DISTRICT

1055 SW LAKE COURT, REDMOND, OR 97756

PHONE: 541.548.6047 FAX: 541.548.0243

www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

January 7, 2014

Patron ID: 4146

Wagenblast Family Partnership
2036 NW Canal Blvd
Redmond, OR 97756

RE: Tax Map #: 1513030001401 - 13.6 acres total Irrigation Water Rights

Dear Patron,

The 2013 irrigation season has come to an end, and with that, the District has completed the required yearly review of beneficial use of all water rights within our District.

A certified letter was mailed to you regarding the beneficial use of your water rights on December 12, 2013. This letter was returned to our office as unclaimed after the post office made 3 attempts to deliver it.

Oregon Revised Statutes requires that an irrigation district mail notification of 4 years of non-use to its patrons via certified mail with return receipt requested. We are not required to mail this notice via regular first class mail. As a courtesy, I am resending this letter to you through regular first class mail so that you will be informed of the beneficial use status of your water right.

Please review the enclosed letter and information so that you can make an informed decision as to how you wish to use your water rights in 2014. If you have any questions after reviewing the information, please plan on attending the open house anytime between the hours of 4:30 and 7:00 p.m. on Tuesday, January, 21, 2014, or contact me by email at lauraw@coid.org. You may also contact me by phone at 541-504-7577.

Sincerely,

Laura Wollam
Water Use Specialist

Enc

Sent by first class mail January 7, 2014

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Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$ 6.31	

Sent To
 Street, /
 or PO B
 City, Sta

Wagenblast Family Partnership ^{PB3}
 2036 NW Canal Blvd
 Redmond, OR 97756

PS Form 3800, April 2008

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CENTRAL OREGON IRRIGATION DISTRICT
1055 SW Lake Court
Redmond OR 97756-1489

Address Service Requested

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Wagenblast Family Partnership
2036 NW Canal Blvd
Redmond, OR 97756

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UNABLE TO FORWARD
RETURN TO SENDER





CENTRAL OREGON IRRIGATION DISTRICT

1055 SW LAKE COURT, REDMOND, OR 97756

PHONE: 541.548.6047 FAX: 541.548.0243

www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

December 11, 2013

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Patron ID: 4146

DEC 23 2014

Wagenblast Family Partnership
2036 NW Canal Blvd
Redmond, OR 97756

SALEM, OR

RE: Tax Map #: 1513030001401 - 13.6 acres total Irrigation Water Rights

Dear Patron,

The 2013 irrigation season has come to an end, and with that, the District has completed the required yearly review of beneficial use of all water rights within our District.

It has been brought to my attention that all or a portion of the water right on the above-noted property has not been beneficially used for 4 consecutive years. Oregon Revised Statute 540.610 clearly states the requirement of beneficial use:

540.610 Use as measure of water right; presumption of forfeiture of right for nonuse; basis for rebutting presumption; confirmation of rights of municipalities. (1) Beneficial use shall be the basis, the measure and the limit of all rights to the use of water in this state. Whenever the owner of a perfected and developed water right ceases or fails to use all or part of the water appropriated for a period of five successive years, the failure to use shall establish a rebuttable presumption of forfeiture of all or part of the water right.

Failure to prove beneficial use as stated is a very serious matter and is cause for forfeiture of the unused water right. At this time, you have 3 options to protect this water right. You must use the full water right on the ground exactly as it is mapped during the 2014 irrigation season (see enclosed aerial photo for location of mapped water rights); lease, at minimum, the unused portion of the water right back into the Deschutes River for the 2014 season (the District will accept requests for temporary lease applications through February 15, 2014); or transfer the unused water. By failing to follow any of these options, the District will be forced by Oregon Statute to confiscate the water right at the end of the 2014 season by filing a petition with OWRD to transfer these water rights to other lands in the District.

As a courtesy, the District is informing you that if this property has any other water rights specifically appurtenant to it that are delivered from another source (non-COID water), that water (per ORS 540.510) may be subject to cancellation by OWRD should COID be forced to file a confiscation transfer.

By this letter, the District is serving you notice of our intent to confiscate any water right that goes unused in 2014 (see OAR 690-385-5000 and ORS 540.572 to 540.578). A copy of this letter is being sent to any security interest holders listed against your property as well as the Oregon Water Resources Dept (as required by statute).

If you have any evidence that you have used all of your water right at any time since 2010, please present the evidence to our office within 30 days from the date of this letter.


I have enclosed an aerial photo showing where your mapped water rights are located and a copy of the District Confiscation Policy. If your water rights are unmapped, the aerial photo will indicate the number of acres of water right and the number of acres of land to assist you in determining how much area should be irrigated. Please note that the aerial photo may not fully represent your irrigation habits for the full 2013 irrigation season or any new structures, arenas, dry lots, etc. that may have been added to your property since the aerial photo was taken. The date the photo was taken is indicated in the lower left hand corner of the map.

REMINDER: Whether you choose to use, lease, transfer, or not use your water rights in 2014; your assessments are still due and payable to COID by the due date. If you fail to pay your assessments, COID will add late fees and legal fees to your bill and file a lien against your property for non-payment.

It is our hope that we can work together and maintain the water rights on your property. If you have any questions or concerns please contact Laura Wollam at 541-504-7577 or by email at lauraw@coid.org as soon as possible so we can discuss your available options. *Please note that Laura will be out of the office from December 23, 2013 – January 1, 2014.*

Please respond within 30 days from the date of this letter to confirm that the information provided in this notice is correct.

Sincerely,

 for

Steven C. Johnson
Secretary-Manager

Enc

cc: OWRD Attn: Susan Douthit 725 Summer St NE, Ste 100 Salem, OR 97301
No known lien holders

Sent by certified mail December 11, 2013



CENTRAL OREGON IRRIGATION DISTRICT

1055 SW LAKE COURT, REDMOND, OR 97756

PHONE: 541.548.6047 FAX: 541.548.0243

www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

April 23, 2014

Wagenblast Family Partnership
2036 NW Canal Blvd
Redmond, OR 97756

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SALEM, OR

Dear Patron,

The beginning of the 2014 irrigation season is upon us and with that comes the responsibility of beneficially using your water rights. In 2013, you received a letter from COID stating that you have not exercised your full water right in four consecutive years. Now is the time to review your water rights and how you would like to use them in 2014.

As the deadline for instream leasing and temporary transfer has passed for 2014, your remaining options for beneficial use compliance as required per ORS 540.610 are as follows:

1. Use your water right on your property as mapped. If you have an unmapped water right, you must cover the amount of ground equal to the total water right (i.e.: if you have a 2 acre unmapped water right, you must irrigate and grow something that is considered beneficial on 2 acres of land within your tax lot).
2. Sell or permanently transfer, at a minimum, the unused portion of your water right.

If you are interested in selling your water right, there are several options available to you. COID is a member of the DWA Water Bank (Bank). You can sell your water rights directly to COID for potential use by other water users through the Bank in the Deschutes Basin for surface delivery, for mitigation of a groundwater delivery or for river restoration. COID purchases water at current market price. Please contact Leslie Clark at COID (541-504-7576 or lesliec@coid.org) for more information as the market can fluctuate depending on the availability and demand.

If you fail to beneficially use or transfer the unused water right before the end of the 2014 irrigation season, COID will proceed with confiscation of the unused water right as allowed by Oregon Water Resources Department and ORS 540.610.

Remember that whether you choose to use your water rights, transfer them, or not use them in 2014; your assessments are still due and payable to COID by the due date. If you fail to pay your assessments, COID will file a lien against your property for non-payment. Please contact Janet Brown at COID (541-504-7580 or jbrown@coid.org) before July 1 to discuss payment options if needed.

Please call me at 541-504-7577 or email me at lauraw@coid.org if you would like to discuss your beneficial use options further.

Thank you,

Laura Wollam
Water Use Specialist



CENTRAL OREGON IRRIGATION DISTRICT

1055 SW LAKE COURT, REDMOND, OR 97756

PHONE: 541.548.6047 FAX: 541.548.0243

www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

December 13, 2012

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Patron ID: 741340

DEC 23 2014

DEC 23 2014

David & Gail Wagenblast
5052 SW Highway 97
Madras, OR 97741

SALEM, OR

SALEM, OR

RE: Tax Map #: 1513030001401 - 13.6 acres total Irrigation Water Rights

Dear Patron,

The 2012 irrigation season has come to an end, and with that, the District has completed its yearly review of beneficial use of all water rights within our District.

It has been reported that all or a portion of the water right on the above-noted property has not been beneficially used for the last 3 consecutive years. I am bringing this to your attention at this time to encourage you to protect your water rights in the future.

Oregon Water Resources Dept (OWRD) enforces water right laws for the State of Oregon. The law requires that water rights be fully used on land 1 year out of every 5 years. The 5-year time period is not based on years of ownership, but on the beneficial use of the water right on the appurtenant land itself, counting forward from the last reported year of full use. For further information on this requirement please refer to the following Oregon Revised Statute:

540.610 Use as measure of water right; presumption of forfeiture of right for nonuse; basis for rebutting presumption; confirmation of rights of municipalities. (1) Beneficial use shall be the basis, the measure and the limit of all rights to the use of water in this state. Whenever the owner of a perfected and developed water right ceases or fails to use all or part of the water appropriated for a period of five successive years, the failure to use shall establish a rebuttable presumption of forfeiture of all or part of the water right.

Please consider how you wish to use your water right through the next irrigation season. The preferred choice is to fully use the water on the ground. If you do not wish to or are unable to do this, there are other options available such as:

- OWRD will allow you to temporarily lease your water right back into the Deschutes River and credit you with beneficial use (leasing instream is considered the same as applying the water to the ground). This benefits you by not having to irrigate, and benefits the river by increasing the flow. The District will accept requests for instream lease applications for the upcoming irrigation season from any interested party through February 15. *Please note that requests to lease for the 2013 irrigation season will not be accepted after February 15, 2013.*

- If you have a portion of your property that is difficult to irrigate, you may want to consider transferring that part of your water right to another area on your property.
- If you have a portion of your property that is difficult to irrigate, you may also consider selling that portion of your water right.

The District will work with you in every way we can to protect your water right. See enclosed beneficial use information sheet for further information on these and other options that may be available to you.

I have enclosed an aerial photo showing where your mapped water rights are located and a copy of the District Confiscation Policy. If your water rights are unmapped, the aerial photo will indicate the number of acres of water right and the number of acres of land to assist you in determining how much area should be irrigated. Please note that the aerial photo may not fully represent your irrigation habits for the full 2012 irrigation season or show any new structures, arenas, dry lots, etc. that may have been added to your property since the aerial photo was taken. The date the photo was taken is indicated on the map.

It is our hope that we can work together to maintain the water rights on your property. If you have any questions or concerns please contact me at 541-504-7577 or lauraw@coid.org so that we can discuss your available options.

Sincerely,



Laura Wollam
Water Use Specialist

Enc

T-2014-019

ORS. 540.572

AUTHORIZED LANDS

15-12-25 SWNE 00600

ANTHONY L. & NICOLE E. PUPO

RECEIVED BY OWRD

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SALEM, OR



CENTRAL OREGON IRRIGATION DISTRICT

1055 SW LAKE COURT, REDMOND, OR 97756

PHONE: 541.548.6047 FAX: 541.548.0243

www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

December 16, 2014

Anthony Pupo
3096 SW Obsidian LN
Redmond, OR 97756

RE: Confiscation of water rights appurtenant to tax map #: 15-12-25 00 00600 0.95 acres Irrigation

Dear Mr. & Ms. Pupo,

This notice is to inform you the District has filed a permanent transfer application with Oregon Water Resources Department (OWRD) to remove water rights appurtenant to the lands described above due to 5 consecutive years of non-use.

Per OAR 690-385-5400(2)(a) OWRD shall approve the district permanent transfer application as provided under OAR 690-385-5600 unless:

- A. The application does not include the information required under OAR 690-385-5200; or
- B. The user, of lands from which water rights are to be transferred, submits a protest pursuant to OAR Chapter 690, Division 002
 - b. The user has the right to protest the application as described in OAR 690-385-5700

You have 60 days from the date of mailing of this notice to submit a protest of the permanent transfer application to OWRD. OAR 690-385-5700(2) & (3) states that: Protest shall be filed in accordance with OAR Chapter 690, Division 002, and shall include the fee required under ORS 536.050; and, each person submitting a protest shall raise all reasonably ascertainable issues and submit all reasonably available arguments supporting the person's position by the close of the protest period. Failure to raise a reasonably ascertainable issue in a protest or failure to provide sufficient specificity to afford the Department an opportunity to respond to the issue precludes consideration of the issue during the hearing.

Enclosed are copies of the district permanent transfer application and maps. Please keep in mind if you wish to protest this transfer application with OWRD, the deadline for protest is 60 days from the date of this mailing.

Sincerely,

Leslie Clark
Water Right Manager

cc: OWRD, 725 Summer St N.E., Salem, OR
Mailed via certified mail December 16, 2014
Encl.

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR

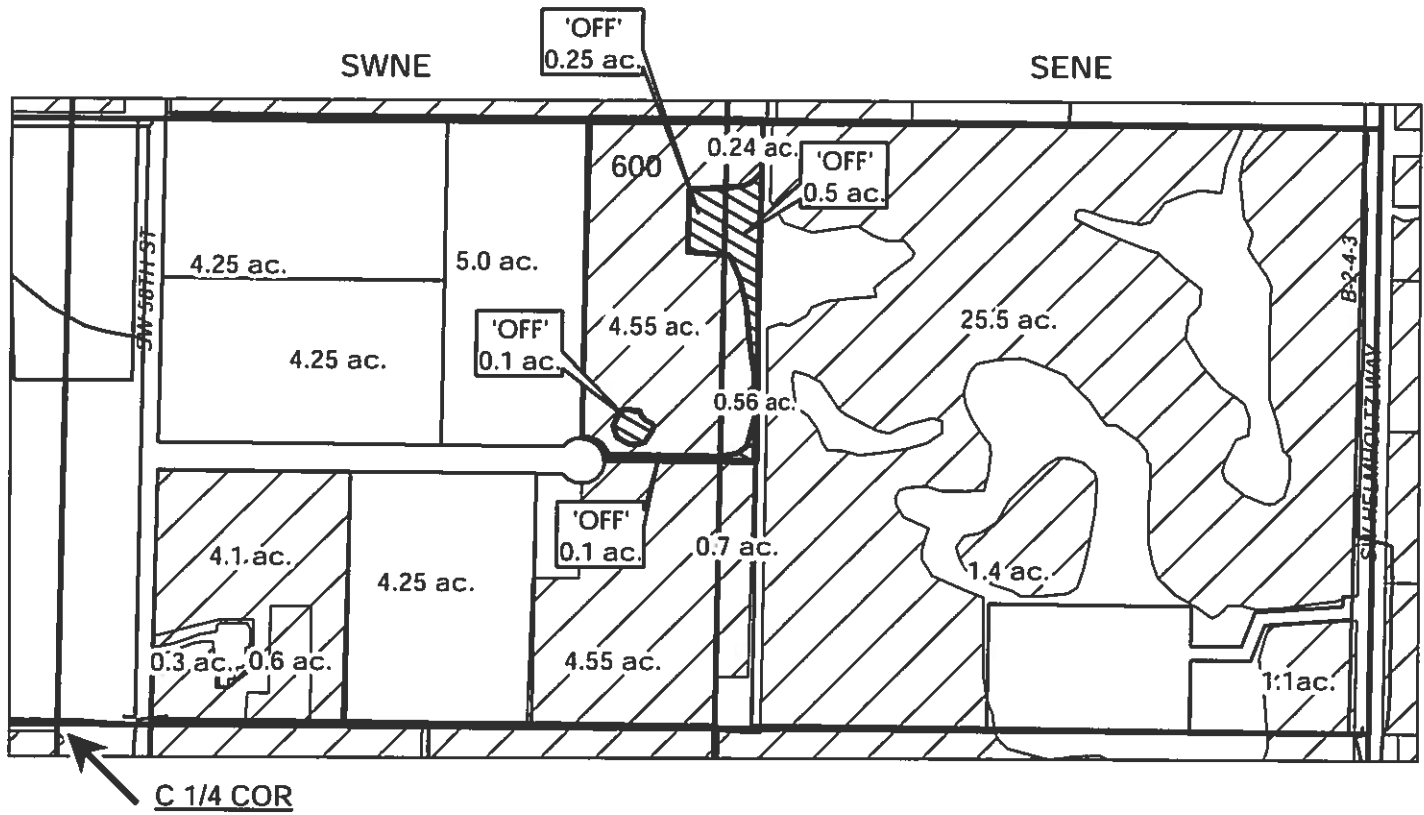
DESCHUTES COUNTY SEC.25 T15S R12E

SCALE - 1" = 400'



SW 1/4 OF THE NE 1/4,; SE 1/4 OF THE NE 1/4

DISTRICT INTERNAL
NOTICE #: E-2014-019



	EXISTING WATER RIGHTS
	OFF LANDS
	PARCELS W/ WATER RIGHTS

"OFF" MAP



APPLICATION FOR WATER RIGHTS TRANSFER

NAME: ANTHONY & NICOLE PUPO

TAXLOT #: 600

0.95 ACRES

Date: 12/2/2014

FILE: I:\TRANSFER\WR\TRANS14\T-2014-019\151225_5NE

7009 1410 0000 0928 2331

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$ 0.49
Certified Fee	\$ 3.30
Return Receipt Fee (Endorsement Required)	\$ 2.70
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 6.49

Mailed 12/02/14
Postmark Here

Sent To: *Anthony + Nicole Papp*
 Street, Apt. No., or PO Box No.: *3096 SW Obsidian*
 City, State, ZIP+4: *Redmond OR 97256*

PS Form 3800, August 2006 See Reverse for Instructions

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR



CENTRAL OREGON IRRIGATION DISTRICT

1055 SW LAKE COURT, REDMOND, OR 97756

PHONE: 541.548.6047 FAX: 541.548.0243

www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

October 1, 2014

RECEIVED BY OWRD

Patron #: 3950

DEC 23 2014

Anthony & Nicole Pupo
3096 SW Obsidian Ln
Redmond, OR 97756

SALEM, OR

RE: Tax Map #: 1512250000600, 6.3 acres total Irrigation water rights
0.95 acres water rights to be confiscated in 2014

Dear Patron,

Our records indicate that you have failed to beneficially use your full water right for the last 5 consecutive years. By this letter, the District is serving you notice of our intent to confiscate the water right referenced above for failure to beneficially use the water for the last 5 consecutive years (See OAR 690-385-5000 and ORS 540.572 to 540.578). A copy of this letter is being sent to any security interest holders listed in the county records for your property as well as the Oregon Water Resources Dept. (OWRD), as required by statute. Enclosed with this letter is a copy of the District Confiscation Policy and a water right map indicating where your water should be used.

Certified letters were sent to you and any known security interest holders following the end of the 2013 irrigation season, informing you of the non-use of the full water right, the options available to assist you in fulfilling OWRD's beneficial use requirements, and COID's intent to confiscate any remaining unused water at the end of the 2014 irrigation season. Available options included using the full water right beneficially; leasing, at a minimum, the unused portion of the water right instream; and transferring off or selling the unused water right. Site visits were completed during 2014 to review any signs of beneficial use of the full water right. In addition, multiple years of aerial photos were also used to assist in the review of what may or may not have been accomplished between 2010 and 2014.

Failure to prove beneficial use is a very serious matter and is cause for forfeiture of the unused water right. Oregon Revised Statute 540.610 clearly states the requirement of beneficial use:

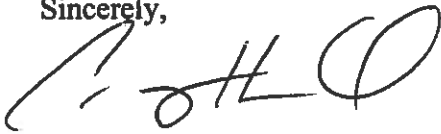
540.610 Use as measure of water right; presumption of forfeiture of right for nonuse; basis for rebutting presumption; confirmation of rights of municipalities. (1) Beneficial use shall be the basis, the measure and the limit of all rights to the use of water in this state. Whenever the owner of a perfected and developed water right ceases or fails to use all or part of the water appropriated for a period of five successive years, the failure to use shall establish a rebuttable presumption of forfeiture of all or part of the water right.

If you wish to dispute the confiscation and permanent removal of the unused water right from your property, you have 30 days from the date this letter was mailed (see date below) to notify the District of your objection – in writing. If you object or wish to demonstrate that non-use is excusable under one of the provisions allowed in ORS 640.610(2)(a-n), a meeting will be scheduled with the District Manager to try to resolve the issue with you; and if unable to do so, a District hearing before the COID Board of Directors will be held in November to determine if a petition to transfer the water off the lands should be filed with the OWRD Director. Failure to contact the District within 30 days will cause the water to be permanently transferred off of your property.

If you have any evidence that you have beneficially used all of your water right at any time during the last 5 years, please have the evidence ready to present at the time of your meeting with the District Manager and, if necessary, at the hearing with the Board of Directors.

Please respond within 30 days from the date of this letter to confirm that the information provided in this notice is correct.

Sincerely,



Craig Horrell
District Manager

Enc

cc: OWRD, 725 Summer St N.E. Suite 100, Salem, OR 97301
Jeremy Giffin, District 11 Watermaster, 231 SW Scalehouse Lp, Ste 103, Bend, OR 97701
No known lien holders

Sent by certified mail October 1, 2014
Copy sent by first class mail October 1, 2014

DESCHUTES COUNTY SEC.25 T15S R12E

1 inch = 400 feet

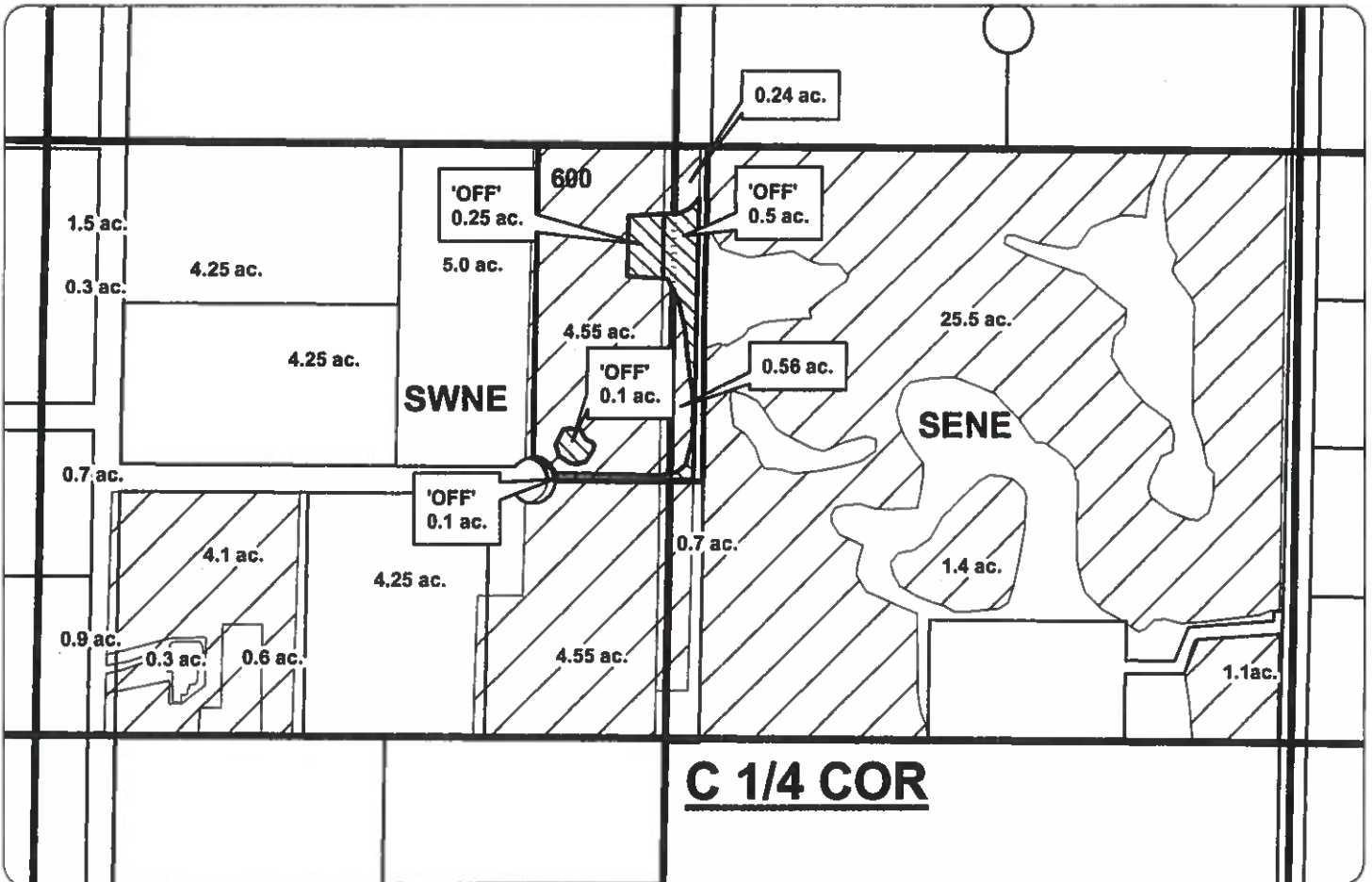


RECEIVED BY OWRD

DEC 23 2014

SALEM, OR

SE 1/4 OF THE NE 1/4, SW 1/4 OF THE NE 1/4



"OFF" MAP



WATER RIGHTS CONFISCATION MAP

NAME: ANTHONY/NICOLE PUPO

TAXLOT #: 600

0.95 ACRES

Date: 10/2/2014

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR

7012 0470 0002 1812 0834

U.S. Postal Service™
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(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$ 0.66
Certified Fee	3.10
Return Receipt Fee (Endorsement Required)	2.55
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 6.31

Mailed
12/12/13
Postmark
Here

Sent To
Street, or PO
City, St
PS Form

701
Anthony & Nicole Pupo
3096 SW Obsidian Ln
Redmond, OR 97756

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
 Antony Pupo Addressee
 B. Received by (Printed Name) C. Date of Delivery
Nicole Pupo
 D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

SENDER: COMPLETE THIS SECTION

1. Article Addressed to:

- 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.

Antony & Nicole Pupo
3096 SW Obsidian Ln
Redmond, OR 97756

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) 7012 0470 0002 1812 0834



CENTRAL OREGON IRRIGATION DISTRICT

1055 SW LAKE COURT, REDMOND, OR 97756

PHONE: 541.548.6047 FAX: 541.548.0243

www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

December 11, 2013

RECEIVED BY OWRD

Patron ID: 3950

DEC 23 2014

Anthony & Nicole Pupo
3096 SW Obsidian Ln
Redmond, OR 97756

SALEM, OR

RE: Tax Map #: 1512250000600 - 6.3 acres total Irrigation Water Rights

Dear Patron,

The 2013 irrigation season has come to an end, and with that, the District has completed the required yearly review of beneficial use of all water rights within our District.

It has been brought to my attention that all or a portion of the water right on the above-noted property has not been beneficially used for 4 consecutive years. Oregon Revised Statute 540.610 clearly states the requirement of beneficial use:

540.610 Use as measure of water right; presumption of forfeiture of right for nonuse; basis for rebutting presumption; confirmation of rights of municipalities. (1) Beneficial use shall be the basis, the measure and the limit of all rights to the use of water in this state. Whenever the owner of a perfected and developed water right ceases or fails to use all or part of the water appropriated for a period of five successive years, the failure to use shall establish a rebuttable presumption of forfeiture of all or part of the water right.

Failure to prove beneficial use as stated is a very serious matter and is cause for forfeiture of the unused water right. At this time, you have 3 options to protect this water right. You must use the full water right on the ground exactly as it is mapped during the 2014 irrigation season (see enclosed aerial photo for location of mapped water rights); lease, at minimum, the unused portion of the water right back into the Deschutes River for the 2014 season (the District will accept requests for temporary lease applications through February 15, 2014); or transfer the unused water. By failing to follow any of these options, the District will be forced by Oregon Statute to confiscate the water right at the end of the 2014 season by filing a petition with OWRD to transfer these water rights to other lands in the District.

As a courtesy, the District is informing you that if this property has any other water rights specifically appurtenant to it that are delivered from another source (non-COID water), that water (per ORS 540.510) may be subject to cancellation by OWRD should COID be forced to file a confiscation transfer.

By this letter, the District is serving you notice of our intent to confiscate any water right that goes unused in 2014 (see OAR 690-385-5000 and ORS 540.572 to 540.578). A copy of this letter is being sent to any security interest holders listed against your property as well as the Oregon Water Resources Dept (as required by statute).

If you have any evidence that you have used all of your water right at any time since 2010, please present the evidence to our office within 30 days from the date of this letter.

I have enclosed an aerial photo showing where your mapped water rights are located and a copy of the District Confiscation Policy. If your water rights are unmapped, the aerial photo will indicate the number of acres of water right and the number of acres of land to assist you in determining how much area should be irrigated. Please note that the aerial photo may not fully represent your irrigation habits for the full 2013 irrigation season or any new structures, arenas, dry lots, etc. that may have been added to your property since the aerial photo was taken. The date the photo was taken is indicated in the lower left hand corner of the map.

REMINDER: Whether you choose to use, lease, transfer, or not use your water rights in 2014; your assessments are still due and payable to COID by the due date. If you fail to pay your assessments, COID will add late fees and legal fees to your bill and file a lien against your property for non-payment.

It is our hope that we can work together and maintain the water rights on your property. If you have any questions or concerns please contact Laura Wollam at 541-504-7577 or by email at lauraw@coid.org as soon as possible so we can discuss your available options. *Please note that Laura will be out of the office from December 23, 2013 – January 1, 2014.*

Please respond within 30 days from the date of this letter to confirm that the information provided in this notice is correct.

Sincerely,

 for

Steven C. Johnson
Secretary-Manager

Enc

cc: OWRD Attn: Susan Douthit 725 Summer St NE, Ste 100 Salem, OR 97301
No known lien holders

Sent by certified mail December 11, 2013



CENTRAL OREGON IRRIGATION DISTRICT

1055 SW LAKE COURT, REDMOND, OR 97756

PHONE: 541.548.6047 FAX: 541.548.0243

www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

April 23, 2014

RECEIVED BY OWRD

Anthony & Nicole Pupo
3096 SW Obsidian Ln
Redmond, OR 97756

DEC 23 2014

SALEM, OR

Dear Patron,

The beginning of the 2014 irrigation season is upon us and with that comes the responsibility of beneficially using your water rights. In 2013, you received a letter from COID stating that you have not exercised your full water right in four consecutive years. Per conversations I or other staff members have had with you, I have noted that you intend to beneficially use the unused water right in 2014.

At this time, I would like to remind you that you must follow through with irrigating the unused area(s) before the end of the 2014 irrigation season in order to avoid COID having to follow through with confiscation of the unused water right as allowed by Oregon Water Resources Department and ORS 540.610.

If circumstances have changed for you since our last conversation and you will not be irrigating the unused water right this year, your only remaining option to avoid confiscation of the unused portion is to sell or permanently transfer it.

If you are interested in selling your water right, there are several options available to you. COID is a member of the DWA Water Bank (Bank). You can sell your water rights directly to COID for potential use by other water users through the Bank in the Deschutes Basin for surface delivery, for mitigation of a groundwater delivery or for river restoration. COID purchases water at current market price. Please contact Leslie Clark at COID (541-504-7576 or lesliec@coid.org) for more information as the market can fluctuate depending on the availability and demand.

Please call me at 541-504-7577 or email me at lauraw@coid.org if you would like to discuss your beneficial use options further.

Thank you,

Laura Wollam
Water Use Specialist



CENTRAL OREGON IRRIGATION DISTRICT

1055 SW LAKE COURT, REDMOND, OR 97756

PHONE: 541.548.6047 FAX: 541.548.0243

www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

December 13, 2012

RECEIVED BY OWRD

Patron ID: 3950

DEC 23 2014

Anthony & Nicole Pupo
3096 SW Obsidian Ln
Redmond, OR 97756

SALEM, OR

RE: Tax Map #: 1512250000600 - 6.3 acres total Irrigation Water Rights

Dear Patron,

The 2012 irrigation season has come to an end, and with that, the District has completed its yearly review of beneficial use of all water rights within our District.

It has been reported that all or a portion of the water right on the above-noted property has not been beneficially used for the last 3 consecutive years. I am bringing this to your attention at this time to encourage you to protect your water rights in the future.

Oregon Water Resources Dept (OWRD) enforces water right laws for the State of Oregon. The law requires that water rights be fully used on land 1 year out of every 5 years. The 5-year time period is not based on years of ownership, but on the beneficial use of the water right on the appurtenant land itself, counting forward from the last reported year of full use. For further information on this requirement please refer to the following Oregon Revised Statute:

540.610 Use as measure of water right; presumption of forfeiture of right for nonuse; basis for rebutting presumption; confirmation of rights of municipalities. (1) Beneficial use shall be the basis, the measure and the limit of all rights to the use of water in this state. Whenever the owner of a perfected and developed water right ceases or fails to use all or part of the water appropriated for a period of five successive years, the failure to use shall establish a rebuttable presumption of forfeiture of all or part of the water right.

Please consider how you wish to use your water right through the next irrigation season. The preferred choice is to fully use the water on the ground. If you do not wish to or are unable to do this, there are other options available such as:

- OWRD will allow you to temporarily lease your water right back into the Deschutes River and credit you with beneficial use (leasing instream is considered the same as applying the water to the ground). This benefits you by not having to irrigate, and benefits the river by increasing the flow. The District will accept requests for instream lease applications for the upcoming irrigation season from any interested party through February 15. *Please note that requests to lease for the 2013 irrigation season will not be accepted after February 15, 2013.*

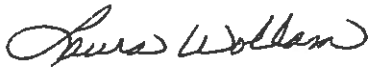
- If you have a portion of your property that is difficult to irrigate, you may want to consider transferring that part of your water right to another area on your property.
- If you have a portion of your property that is difficult to irrigate, you may also consider selling that portion of your water right.

The District will work with you in every way we can to protect your water right. See enclosed beneficial use information sheet for further information on these and other options that may be available to you.

I have enclosed an aerial photo showing where your mapped water rights are located and a copy of the District Confiscation Policy. If your water rights are unmapped, the aerial photo will indicate the number of acres of water right and the number of acres of land to assist you in determining how much area should be irrigated. Please note that the aerial photo may not fully represent your irrigation habits for the full 2012 irrigation season or show any new structures, arenas, dry lots, etc. that may have been added to your property since the aerial photo was taken. The date the photo was taken is indicated on the map.

It is our hope that we can work together to maintain the water rights on your property. If you have any questions or concerns please contact me at 541-504-7577 or lauraw@coid.org so that we can discuss your available options.

Sincerely,



Laura Wollam
Water Use Specialist

Enc

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR

T-2014-019

ORS. 540.572

AUTHORIZED LANDS

16-12-35 SWSW 00700

MIKE & EILEEN PLUNKETT



CENTRAL OREGON IRRIGATION DISTRICT

1055 SW LAKE COURT, REDMOND, OR 97756

PHONE: 541.548.6047 FAX: 541.548.0243

www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

December 16, 2014

RECEIVED BY OWRD

DEC 23 2014

Michael Plunkett
23195 Bear Creek Rd
Bend, OR 97701

SALEM, OR

RE: Confiscation of water rights appurtenant to tax map #: 16-12-35 00 00700 1.54 acres Irrigation

Dear Mr. Plunkett,

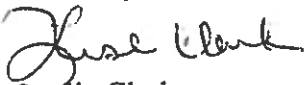
This notice is to inform you the District has filed a permanent transfer application with Oregon Water Resources Department (OWRD) to remove water rights appurtenant to the lands described above due to 5 consecutive years of non-use.

Per OAR 690-385-5400(2)(a) OWRD shall approve the district permanent transfer application as provided under OAR 690-385-5600 unless:

- A. The application does not include the information required under OAR 690-385-5200; or
- B. The user, of lands from which water rights are to be transferred, submits a protest pursuant to OAR Chapter 690, Division 002
 - b. The user has the right to protest the application as described in OAR 690-385-5700

You have 60 days from the date of mailing of this notice to submit a protest of the permanent transfer application to OWRD. OAR 690-385-5700(2) & (3) states that: Protest shall be filed in accordance with OAR Chapter 690, Division 002, and shall include the fee required under ORS 536.050; and, each person submitting a protest shall raise all reasonably ascertainable issues and submit all reasonably available arguments supporting the person's position by the close of the protest period. Failure to raise a reasonably ascertainable issue in a protest or failure to provide sufficient specificity to afford the Department an opportunity to respond to the issue precludes consideration of the issue during the hearing.

Enclosed are copies of the district permanent transfer application and maps. Please keep in mind if you wish to protest this transfer application with OWRD, the deadline for protest is 60 days from the date of this mailing.

Sincerely,

Leslie Clark
Water Right Manager

cc: OWRD, 725 Summer St N.E., Salem, OR
Mailed via certified mail December 16, 2014
Encl.

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR

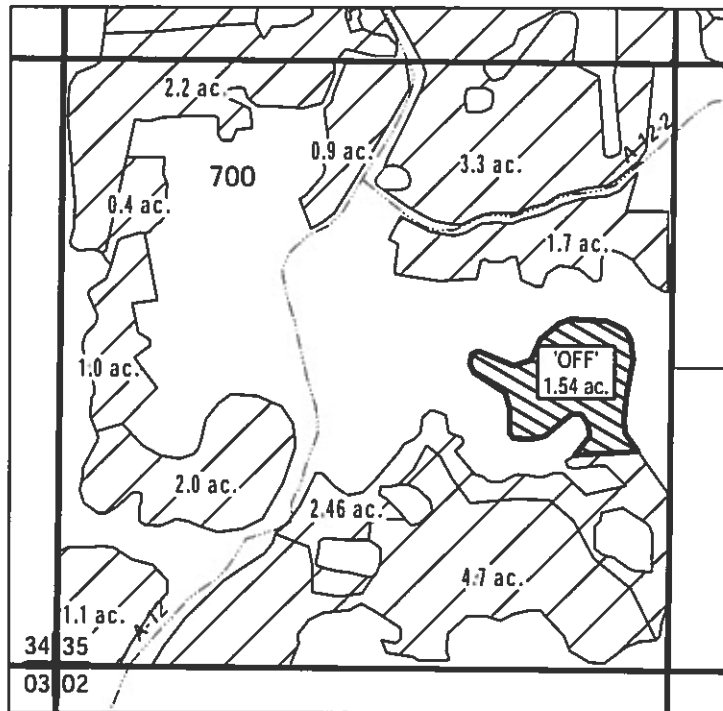
DESCHUTES COUNTY SEC.35 T16S R12E

SCALE - 1" = 400'



SW 1/4 OF THE SW 1/4

DISTRICT INTERNAL
NOTICE #: T-2014-019



	EXISTING WATER RIGHTS
	OFF LANDS

"OFF" MAP



APPLICATION FOR WATER RIGHTS TRANSFER

NAME: MIKE & EILEEN PLUNKETT

TAXLOT #: 700

1.54 ACRES

Date: 10/30/2014

FILE: I:\TRANSFER\WR\TRANS14IT-2014-019\161235_SWSW



CENTRAL OREGON IRRIGATION DISTRICT

1055 SW LAKE COURT, REDMOND, OR 97756

PHONE: 541.548.6047 FAX: 541.548.0243

www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

October 20, 2014

Mike Plunkett
23195 Bear Creek Rd
Bend, OR 97701

Dear Mike,

Enclosed is a revised confiscation letter and map showing the areas that were not used for the last 5 years. I am sending the revised letter and map, as it is slightly different than the original one sent on October 1st. The total off acres is now 3.08 acres with 1.54 acres to be confiscated and 1.54 acres to be transferred to the areas that we discussed on Thursday, October 16th. As we do not have separate maps made for the confiscation acres and the transfer acres until after the November board meeting, I must submit the map to OWRD with the full 3.08 acres showing. We do not have to confiscate the full amount that we submit, so please don't panic when you review the enclosed map.

If you have any questions regarding this letter or the confiscation, please feel free to contact me or Cary Penhollow at 541-548-6047.

Sincerely,

Laura Wollam
Water Use Specialist

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR

Enc

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OFFICIAL USE

2229 2492 2000 0090 ETDL

Postage	\$ 0.49
Certified Fee	\$ 3.30
Return Receipt Fee (Endorsement Required)	\$ 2.70
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 6.49

Mailed
 10/20/14
 Postmark
 Here

Sent To
 Street,
 or PO Box
 City, St
 PS Form

Mike & Eileen Plunkett
 23195 Bear Creek Rd
 Bend, OR 97701



2. Article Number
 (Transfer from service label)
 PS Form 3811, February 2004

Domestic Return Receipt

7013 0600 0002 2642 8272

102595-02-M-1540

Mike & Eileen Plunkett
 23195 Bear Creek Rd
 Bend, OR 97701

5. Service Type
 Certified Mail
 Registered
 Insured Mail
 Express Mail
 Return Receipt for Merchandise
 C.O.D.
 4. Restricted Delivery? (Extra Fee) Yes No

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:

COMPLETE THIS SECTION ON DELIVERY

A. Signature

B. Received by (Printed Name)
 Mike Plunkett

C. Date of Delivery
 02/23/14

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

Agent
 Addressee

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR



CENTRAL OREGON IRRIGATION DISTRICT

1055 SW LAKE COURT, REDMOND, OR 97756

PHONE: 541.548.6047 FAX: 541.548.0243

www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

October 20, 2014

RECEIVED BY OWRD

Patron #: 1950

DEC 23 2014

Mike & Eileen Plunkett
23195 Bear Creek Rd
Bend, OR 97701

SALEM, OR

RE: Tax Map #: 1612350000700, 40 acres total Irrigation water rights
3.08 acres water rights to be confiscated in 2014 – revised total since October 1, 2014
letter

Dear Patron,

Our records indicate that you have failed to beneficially use your full water right for the last 5 consecutive years. By this letter, the District is serving you notice of our intent to confiscate the water right referenced above for failure to beneficially use the water for the last 5 consecutive years (See OAR 690-385-5000 and ORS 540.572 to 540.578). A copy of this letter is being sent to any security interest holders listed in the county records for your property as well as the Oregon Water Resources Dept. (OWRD), as required by statute. Enclosed with this letter is a copy of the District Confiscation Policy and a water right map indicating where your water should be used.

Certified letters were sent to you and any known security interest holders following the end of the 2013 irrigation season, informing you of the non-use of the full water right, the options available to assist you in fulfilling OWRD's beneficial use requirements, and COID's intent to confiscate any remaining unused water at the end of the 2014 irrigation season. Available options included using the full water right beneficially; leasing, at a minimum, the unused portion of the water right instream; and transferring off or selling the unused water right. Site visits were completed during 2014 to review any signs of beneficial use of the full water right. In addition, multiple years of aerial photos were also used to assist in the review of what may or may not have been accomplished between 2010 and 2014.

Failure to prove beneficial use is a very serious matter and is cause for forfeiture of the unused water right. Oregon Revised Statute 540.610 clearly states the requirement of beneficial use:

540.610 Use as measure of water right; presumption of forfeiture of right for nonuse; basis for rebutting presumption; confirmation of rights of municipalities. (1) Beneficial use shall be the basis, the measure and the limit of all rights to the use of water in this state. Whenever the owner of a perfected and developed water right ceases or fails to use all or part of the water appropriated for a period of five successive years, the failure to use shall establish a rebuttable presumption of forfeiture of all or part of the water right.

If you wish to dispute the confiscation and permanent removal of the unused water right from your property, you have 30 days from the date this letter was mailed (see date below) to notify the District of your objection – in writing. If you object or wish to demonstrate that non-use is excusable under one of the provisions allowed in ORS 640.610(2)(a-n), a meeting will be scheduled with the District Manager to try to resolve the issue with you; and if unable to do so, a District hearing before the COID Board of Directors will be held in November to determine if a petition to transfer the water off the lands should be filed with the OWRD Director. Failure to contact the District within 30 days will cause the water to be permanently transferred off of your property.

If you have any evidence that you have beneficially used all of your water right at any time during the last 5 years, please have the evidence ready to present at the time of your meeting with the District Manager and, if necessary, at the hearing with the Board of Directors.

Please respond within 30 days from the date of this letter to confirm that the information provided in this notice is correct.

Sincerely,

/s/ Craig Horrell

Craig Horrell
District Manager

Enc

cc: OWRD, 725 Summer St N.E. Suite 100, Salem, OR 97301
Jeremy Giffin, District 11 Watermaster, 231 SW Scalehouse Lp, Ste 103, Bend, OR 97701
No known lien holders

Sent by certified mail October 20, 2014
Copy sent by first class mail October 20, 2014

7007 3020 0003 0426 4945

U.S. Postal Service™
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10/07/14

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Street
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City,
PS Form 3800

Mike & Eileen Plunkett
23195 Bear Creek Rd
Bend, OR 97701

RECEIVED BY OWRD
DEC 23 2014
SALEM, OR

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent Addressee

B. Received by Printed Name Date of Delivery

Mike Plunkett 10-9-14

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

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
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1. Article Addressed to:

Mike & Eileen Plunkett
23195 Bear Creek Rd
Bend, OR 97701

3. Service Type

Certified Mail Express Mail

Registered Return Receipt for Merchandise

Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes No

2. Article Number
(Transfer from service label)

7007 3020 0003 0426 4945



CENTRAL OREGON IRRIGATION DISTRICT

1055 SW LAKE COURT, REDMOND, OR 97756

PHONE: 541.548.6047 FAX: 541.548.0243

www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

October 7, 2014

RECEIVED BY OWRD

Patron #: 1950

DEC 23 2014

Mike & Eileen Plunkett
23195 Bear Creek Rd
Bend, OR 97701

SALEM, OR

RE: Tax Map #: 1612350000700, 40 acres total Irrigation water rights
5.82 acres water rights to be confiscated in 2014

Dear Patron,

Our records indicate that you have failed to beneficially use your full water right for the last 5 consecutive years. By this letter, the District is serving you notice of our intent to confiscate the water right referenced above for failure to beneficially use the water for the last 5 consecutive years (See OAR 690-385-5000 and ORS 540.572 to 540.578). A copy of this letter is being sent to any security interest holders listed in the county records for your property as well as the Oregon Water Resources Dept. (OWRD), as required by statute. Enclosed with this letter is a copy of the District Confiscation Policy and a water right map indicating where your water should be used.

Certified letters were sent to you and any known security interest holders following the end of the 2013 irrigation season, informing you of the non-use of the full water right, the options available to assist you in fulfilling OWRD's beneficial use requirements, and COID's intent to confiscate any remaining unused water at the end of the 2014 irrigation season. Available options included using the full water right beneficially; leasing, at a minimum, the unused portion of the water right instream; and transferring off or selling the unused water right. Site visits were completed during 2014 to review any signs of beneficial use of the full water right. In addition, multiple years of aerial photos were also used to assist in the review of what may or may not have been accomplished between 2010 and 2014.

Failure to prove beneficial use is a very serious matter and is cause for forfeiture of the unused water right. Oregon Revised Statute 540.610 clearly states the requirement of beneficial use:

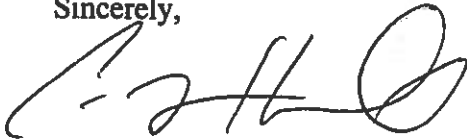
540.610 Use as measure of water right; presumption of forfeiture of right for nonuse; basis for rebutting presumption; confirmation of rights of municipalities. (1) Beneficial use shall be the basis, the measure and the limit of all rights to the use of water in this state. Whenever the owner of a perfected and developed water right ceases or fails to use all or part of the water appropriated for a period of five successive years, the failure to use shall establish a rebuttable presumption of forfeiture of all or part of the water right.

If you wish to dispute the confiscation and permanent removal of the unused water right from your property, you have 30 days from the date this letter was mailed (see date below) to notify the District of your objection – in writing. If you object or wish to demonstrate that non-use is excusable under one of the provisions allowed in ORS 640.610(2)(a-n), a meeting will be scheduled with the District Manager to try to resolve the issue with you; and if unable to do so, a District hearing before the COID Board of Directors will be held in November to determine if a petition to transfer the water off the lands should be filed with the OWRD Director. Failure to contact the District within 30 days will cause the water to be permanently transferred off of your property.

If you have any evidence that you have beneficially used all of your water right at any time during the last 5 years, please have the evidence ready to present at the time of your meeting with the District Manager and, if necessary, at the hearing with the Board of Directors.

Please respond within 30 days from the date of this letter to confirm that the information provided in this notice is correct.

Sincerely,



Craig Horrell
District Manager

Enc

cc: OWRD, 725 Summer St N.E. Suite 100, Salem, OR 97301
Jeremy Giffin, District 11 Watermaster, 231 SW Scalehouse Lp, Ste 103, Bend, OR 97701
No known lien holders

Sent by certified mail October 1, 2014
Copy sent by first class mail October 1, 2014

DESCHUTES COUNTY SEC.35 T16S R12E

RECEIVED BY OWRD

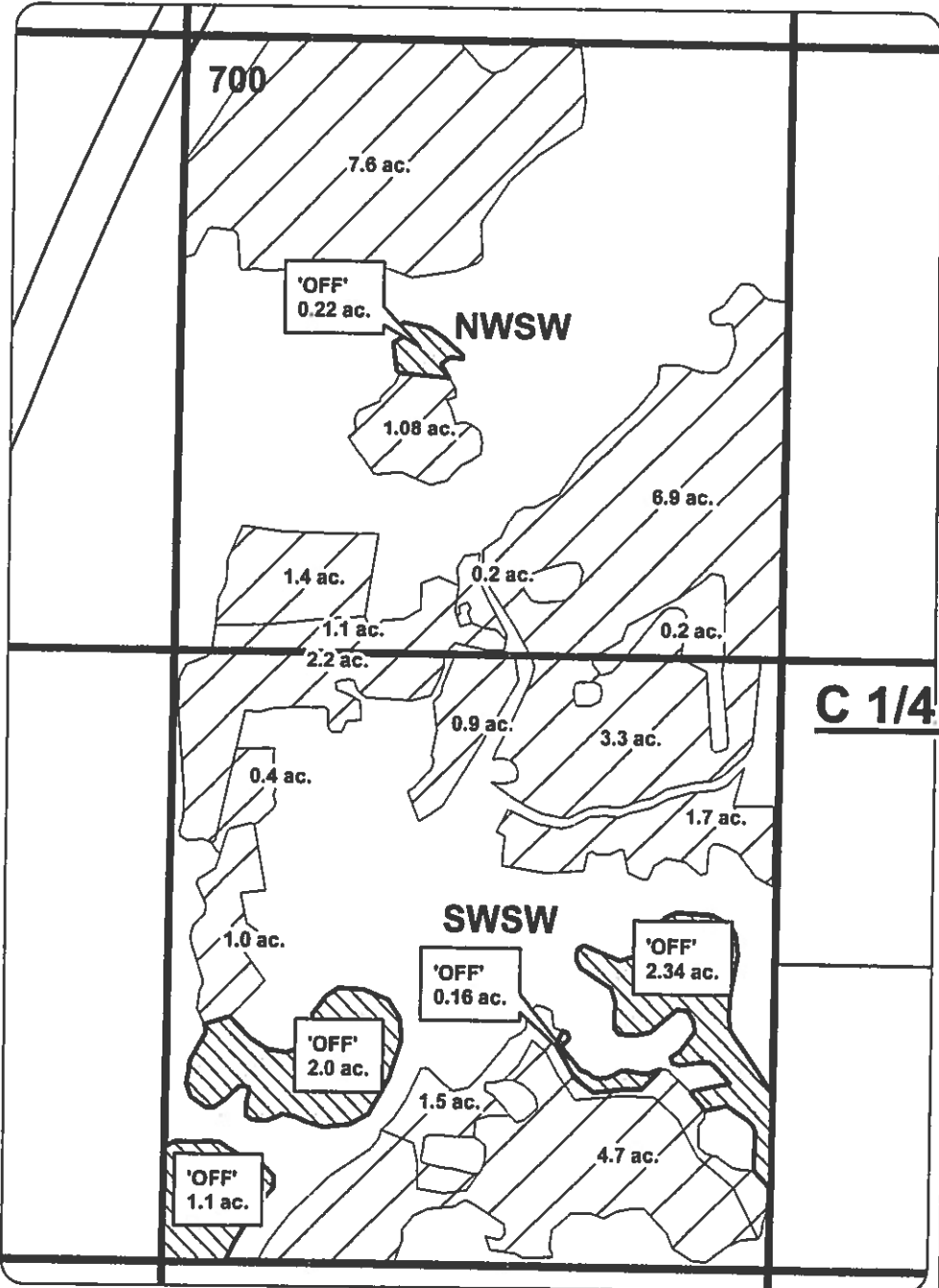
DEC 23 2014

SALEM, OR

1 inch = 400 feet



NW 1/4 OF THE SW 1/4, SW 1/4 OF THE SW 1/4



"OFF" MAP



WATER RIGHTS CONFISCATION MAP

NAME: MIKE PLUNKETT

TAXLOT #: 700

5.82 ACRES

DEC 23 2014

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:

Mike & Eileen Plunkett
 23195 Bear Creek Rd
 Bend, OR 97701

COMPLETE THIS SECTION ON DELIVERY

- A. Signature Agent Addresssee
- B. Received by (Printed Name) Agent Addresssee
 M Plunkett
- C. Date of Delivery
 12-16-13
- D. Is delivery address different from item 1? Yes No
 If YES, enter delivery address below:

- 3. Service Type
 - Certified Mail
 - Registered
 - Insured Mail
 - Express Mail
 - Return Receipt for Merchandise
 - C.O.D.
- 4. Restricted Delivery? (Extra Fee) Yes

2. Article Number (Transfer from service label) 7012 0470 0002 1812 0810
 PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

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Certified Fee	3.10	
Return Receipt Fee (Endorsement Required)	2.55	
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$ 6.31	

Sent 1
 Street or PO
 City, S
 PS Form 3811

FBI

Mike & Eileen Plunkett
 23195 Bear Creek Rd
 Bend, OR 97701

0190 2191 2000 0440 2102

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR



CENTRAL OREGON IRRIGATION DISTRICT

1055 SW LAKE COURT, REDMOND, OR 97756

PHONE: 541.548.6047 FAX: 541.548.0243

www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

December 11, 2013

RECEIVED BY OWRD

Patron ID: 1950

DEC 23 2014

Mike & Eileen Plunkett
23195 Bear Creek Rd
Bend, OR 97701

SALEM, OR

RE: Tax Map #: 1612350000700 - 40 acres total Irrigation Water Rights

Dear Patron,

The 2013 irrigation season has come to an end, and with that, the District has completed the required yearly review of beneficial use of all water rights within our District.

It has been brought to my attention that all or a portion of the water right on the above-noted property has not been beneficially used for 4 consecutive years. Oregon Revised Statute 540.610 clearly states the requirement of beneficial use:

540.610 Use as measure of water right; presumption of forfeiture of right for nonuse; basis for rebutting presumption; confirmation of rights of municipalities. (1) Beneficial use shall be the basis, the measure and the limit of all rights to the use of water in this state. Whenever the owner of a perfected and developed water right ceases or fails to use all or part of the water appropriated for a period of five successive years, the failure to use shall establish a rebuttable presumption of forfeiture of all or part of the water right.

Failure to prove beneficial use as stated is a very serious matter and is cause for forfeiture of the unused water right. At this time, you have 3 options to protect this water right. You must use the full water right on the ground exactly as it is mapped during the 2014 irrigation season (see enclosed aerial photo for location of mapped water rights); lease, at minimum, the unused portion of the water right back into the Deschutes River for the 2014 season (the District will accept requests for temporary lease applications through February 15, 2014); or transfer the unused water. By failing to follow any of these options, the District will be forced by Oregon Statute to confiscate the water right at the end of the 2014 season by filing a petition with OWRD to transfer these water rights to other lands in the District.

As a courtesy, the District is informing you that if this property has any other water rights specifically appurtenant to it that are delivered from another source (non-COID water), that water (per ORS 540.510) may be subject to cancellation by OWRD should COID be forced to file a confiscation transfer.

By this letter, the District is serving you notice of our intent to confiscate any water right that goes unused in 2014 (see OAR 690-385-5000 and ORS 540.572 to 540.578). A copy of this letter is being sent to any security interest holders listed against your property as well as the Oregon Water Resources Dept (as required by statute).

If you have any evidence that you have used all of your water right at any time since 2010, please present the evidence to our office within 30 days from the date of this letter.

I have enclosed an aerial photo showing where your mapped water rights are located and a copy of the District Confiscation Policy. If your water rights are unmapped, the aerial photo will indicate the number of acres of water right and the number of acres of land to assist you in determining how much area should be irrigated. Please note that the aerial photo may not fully represent your irrigation habits for the full 2013 irrigation season or any new structures, arenas, dry lots, etc. that may have been added to your property since the aerial photo was taken. The date the photo was taken is indicated in the lower left hand corner of the map.

REMINDER: Whether you choose to use, lease, transfer, or not use your water rights in 2014; your assessments are still due and payable to COID by the due date. If you fail to pay your assessments, COID will add late fees and legal fees to your bill and file a lien against your property for non-payment.

It is our hope that we can work together and maintain the water rights on your property. If you have any questions or concerns please contact Laura Wollam at 541-504-7577 or by email at lauraw@coid.org as soon as possible so we can discuss your available options. *Please note that Laura will be out of the office from December 23, 2013 – January 1, 2014.*

Please respond within 30 days from the date of this letter to confirm that the information provided in this notice is correct.

Sincerely,

 for

Steven C. Johnson
Secretary-Manager

Enc

cc: OWRD Attn: Susan Douthit 725 Summer St NE, Ste 100 Salem, OR 97301
No known lien holders

Sent by certified mail December 11, 2013



CENTRAL OREGON IRRIGATION DISTRICT

1055 SW LAKE COURT, REDMOND, OR 97756

PHONE: 541.548.6047 FAX: 541.548.0243

www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

April 23, 2014

Mike & Eileen Plunkett
23195 Bear Creek Rd
Bend, OR 97701

RECEIVED BY OWRD

DEC 23 2014

Dear Patron,

SALEM, OR

The beginning of the 2014 irrigation season is upon us and with that comes the responsibility of beneficially using your water rights. In 2013, you received a letter from COID stating that you have not exercised your full water right in four consecutive years. Now is the time to review your water rights and how you would like to use them in 2014.

As the deadline for instream leasing and temporary transfer has passed for 2014, your remaining options for beneficial use compliance as required per ORS 540.610 are as follows:

1. Use your water right on your property as mapped. If you have an unmapped water right, you must cover the amount of ground equal to the total water right (i.e.: if you have a 2 acre unmapped water right, you must irrigate and grow something that is considered beneficial on 2 acres of land within your tax lot).
2. Sell or permanently transfer, at a minimum, the unused portion of your water right.

If you are interested in selling your water right, there are several options available to you. COID is a member of the DWA Water Bank (Bank). You can sell your water rights directly to COID for potential use by other water users through the Bank in the Deschutes Basin for surface delivery, for mitigation of a groundwater delivery or for river restoration. COID purchases water at current market price. Please contact Leslie Clark at COID (541-504-7576 or lesliec@coid.org) for more information as the market can fluctuate depending on the availability and demand.

If you fail to beneficially use or transfer the unused water right before the end of the 2014 irrigation season, COID will proceed with confiscation of the unused water right as allowed by Oregon Water Resources Department and ORS 540.610.

Remember that whether you choose to use your water rights, transfer them, or not use them in 2014; your assessments are still due and payable to COID by the due date. If you fail to pay your assessments, COID will file a lien against your property for non-payment. Please contact Janet Brown at COID (541-504-7580 or jbrown@coid.org) before July 1 to discuss payment options if needed.

Please call me at 541-504-7577 or email me at lauraw@coid.org if you would like to discuss your beneficial use options further.

Thank you,

Laura Wollam
Water Use Specialist



CENTRAL OREGON IRRIGATION DISTRICT

1055 SW LAKE COURT, REDMOND, OR 97756

PHONE: 541.548.6047 FAX: 541.548.0243

www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

December 13, 2012

RECEIVED BY OWRD

Patron ID: 1950

DEC 23 2014

Mike & Eileen Plunkett
23195 Bear Creek Rd
Bend, OR 97701

SALEM, OR

RE: Tax Map #: 1612350000700 - 40 acres total Irrigation Water Rights

Dear Patron,

The 2012 irrigation season has come to an end, and with that, the District has completed its yearly review of beneficial use of all water rights within our District.

It has been reported that all or a portion of the water right on the above-noted property has not been beneficially used for the last 3 consecutive years. I am bringing this to your attention at this time to encourage you to protect your water rights in the future.

Oregon Water Resources Dept (OWRD) enforces water right laws for the State of Oregon. The law requires that water rights be fully used on land 1 year out of every 5 years. The 5-year time period is not based on years of ownership, but on the beneficial use of the water right on the appurtenant land itself, counting forward from the last reported year of full use. For further information on this requirement please refer to the following Oregon Revised Statute:

540.610 Use as measure of water right; presumption of forfeiture of right for nonuse; basis for rebutting presumption; confirmation of rights of municipalities. (1) Beneficial use shall be the basis, the measure and the limit of all rights to the use of water in this state. Whenever the owner of a perfected and developed water right ceases or fails to use all or part of the water appropriated for a period of five successive years, the failure to use shall establish a rebuttable presumption of forfeiture of all or part of the water right.

Please consider how you wish to use your water right through the next irrigation season. The preferred choice is to fully use the water on the ground. If you do not wish to or are unable to do this, there are other options available such as:

- OWRD will allow you to temporarily lease your water right back into the Deschutes River and credit you with beneficial use (leasing instream is considered the same as applying the water to the ground). This benefits you by not having to irrigate, and benefits the river by increasing the flow. The District will accept requests for instream lease applications for the upcoming irrigation season from any interested party through February 15. *Please note that requests to lease for the 2013 irrigation season will not be accepted after February 15, 2013.*

- If you have a portion of your property that is difficult to irrigate, you may want to consider transferring that part of your water right to another area on your property.
- If you have a portion of your property that is difficult to irrigate, you may also consider selling that portion of your water right.

The District will work with you in every way we can to protect your water right. See enclosed beneficial use information sheet for further information on these and other options that may be available to you.

I have enclosed an aerial photo showing where your mapped water rights are located and a copy of the District Confiscation Policy. If your water rights are unmapped, the aerial photo will indicate the number of acres of water right and the number of acres of land to assist you in determining how much area should be irrigated. Please note that the aerial photo may not fully represent your irrigation habits for the full 2012 irrigation season or show any new structures, arenas, dry lots, etc. that may have been added to your property since the aerial photo was taken. The date the photo was taken is indicated on the map.

It is our hope that we can work together to maintain the water rights on your property. If you have any questions or concerns please contact me at 541-504-7577 or lauraw@coid.org so that we can discuss your available options.

Sincerely,



Laura Wollam
Water Use Specialist

Enc

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR

T-2014-019

ORS. 540.572

AUTHORIZED LANDS

15-12-14 NENE 00601

STEVEN W. & LORIE L. KULIN



CENTRAL OREGON IRRIGATION DISTRICT

1055 SW LAKE COURT, REDMOND, OR 97756

PHONE: 541.548.6047 FAX: 541.548.0243

www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

December 16, 2014

Steven Kulin
447 SW 67th St
Redmond, OR 97756

RE: Confiscation of water rights appurtenant to tax map #: 15-12-14 00 00601 0.44 acres Irrigation

Dear Mr. & Ms. Kulin,

This notice is to inform you the District has filed a permanent transfer application with Oregon Water Resources Department (OWRD) to remove water rights appurtenant to the lands described above due to 5 consecutive years of non-use.

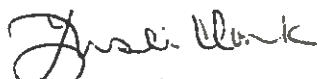
Per OAR 690-385-5400(2)(a) OWRD shall approve the district permanent transfer application as provided under OAR 690-385-5600 unless:

- A. The application does not include the information required under OAR 690-385-5200; or
- B. The user, of lands from which water rights are to be transferred, submits a protest pursuant to OAR Chapter 690, Division 002
 - b. The user has the right to protest the application as described in OAR 690-385-5700

You have 60 days from the date of mailing of this notice to submit a protest of the permanent transfer application to OWRD. OAR 690-385-5700(2) & (3) states that: Protest shall be filed in accordance with OAR Chapter 690, Division 002, and shall include the fee required under ORS 536.050; and, each person submitting a protest shall raise all reasonably ascertainable issues and submit all reasonably available arguments supporting the person's position by the close of the protest period. Failure to raise a reasonably ascertainable issue in a protest or failure to provide sufficient specificity to afford the Department an opportunity to respond to the issue precludes consideration of the issue during the hearing.

Enclosed are copies of the district permanent transfer application and maps. Please keep in mind if you wish to protest this transfer application with OWRD, the deadline for protest is 60 days from the date of this mailing.

Sincerely,


Leslie Clark
Water Right Manager

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR

cc: OWRD, 725 Summer St N.E., Salem, OR
Mailed via certified mail December 16, 2014
Encl.

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR

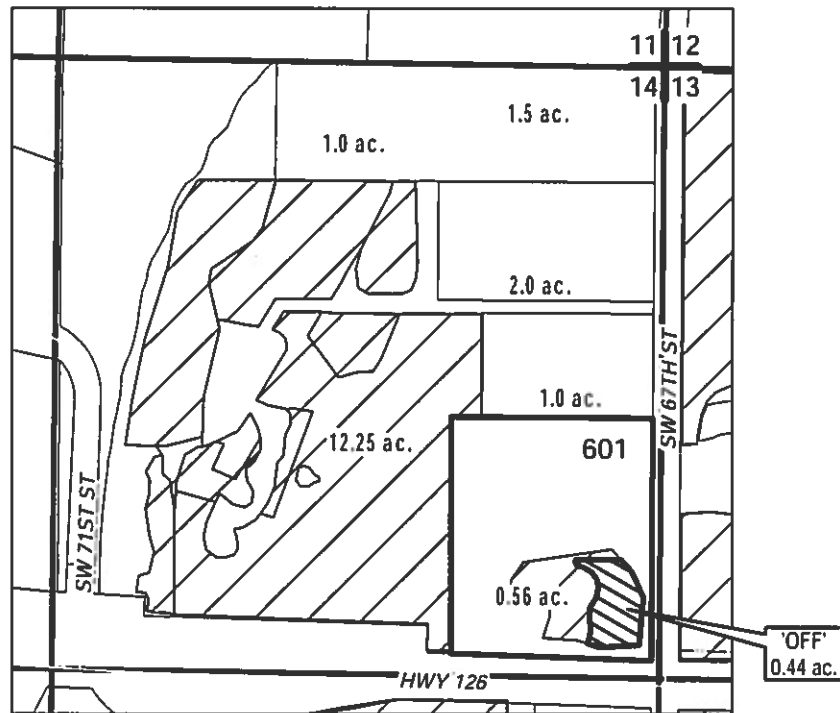
DESCHUTES COUNTY SEC.14 T15S R12E

SCALE - 1" = 400'



NE 1/4 OF THE NE 1/4

DISTRICT INTERNAL
NOTICE #: T-2014-019



"OFF" MAP

	EXISTING WATER RIGHTS
# ac.	'OFF' LAND PARCELS
# ac.	PARCELS W/ WATER RIGHTS



APPLICATION FOR WATER RIGHTS TRANSFER

NAME: STEVEN W & LORIE KULIN

TAXLOT #: 601

0.44 ACRES

Date: 10/24/2014

FILE: I:\TRANSFER\WRTRANS14IT-2014-019\151214_NENE



CENTRAL OREGON IRRIGATION DISTRICT

1055 SW LAKE COURT, REDMOND, OR 97756

PHONE: 541.548.6047 FAX: 541.548.0243

www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

November 20, 2014

RECEIVED BY OWRD

DEC 23 2014

Steven W. Kulin
447 SW 67th St
Redmond, OR 97756

SALEM, OR

Dear Mr. Kulin,

The District received your letter dated October 31, 2014 by hand delivery on November 4, 2014. I appreciate the time and attention you put into your letter.

While I sympathize with the challenges you have faced in recent years, there is no longer an option to protect the un-used 0.44 acres of water and keep it on the property.

It is my understanding that you chose to sell the remaining 0.56 acres of water. Enclosed is a copy of the recorded quitclaim deed conveying the 0.56 acres to COID and a check as payment for the agreed amount of \$300.00 less a \$200.00 transfer fee.

As requested, your letter will remain on file in our office. Prior to the end of December, 2014, you will receive a copy of a formal transfer application submitted to Oregon Water Resources Department to remove the 0.44 acres of water. Your property will no longer have a COID water right and you will not receive future assessment billings from COID.

If you have any questions regarding this process please contact myself or Leslie Clark at: 541-548-6047.

Sincerely,

Craig Horrell
Secretary-Manager
Central Oregon Irrigation District

Encl.



Steven W. Kulin
447 SW 67th Street
Redmond, OR 97756

October 31, 2014

Craig Horrell
Central Oregon Irrigation District
1055 SW Lake Court
Redmond, OR 97756

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR

Dear Sir:

I've signed the enclosed forms as requested. I only ask that you keep the following information in the file with the documents. I'd like my written statement to remain as part of the official file. I hope you will honor that request.

For the record, I have not been an irresponsible water user as your actions imply. Moreover, I believe that had I been notified of the problem sometime before the eleventh hour, I could have fixed it, as I have done immediately with other Water District issues. Furthermore, I believe that the Water District acted unreasonably by changing my water schedule after the fact, which made my ability to address the current issue impossible as a disabled person.

My case is a simple one. It is predicated on the following points:

- 1. The District has acted unreasonably by not notifying me of their concern over my water use, which resulted in me not having the opportunity to correct the problem before things reached a climax.*

2. The District disregarded all of my previous efforts and new efforts to be a responsible water user.

3. When I responded responsibly to the "last minute warning" by the District, they raised the bar so high, by changing my delivery time, that I could no longer physically manage the problem.

4. The District offered me no other means of resolving the situation in my favor when it came to fees, refunds, scheduling, or appeals.

5. The District made the "path of least resistance" the confiscation of my water rights, rather than trying to find a way that I could continue to use my water beneficially.

SITUATION:

1. I am legally disabled by blindness, a crippled left leg, and a deformed spine. Kulin V. Deschutes County is ample proof of my legally disabled status.

2. I was not properly notified by the District that I was failing to meet their criteria for "beneficial use" until 5 years had gone by. At no time during those 5 years was I able to perceive the problem, nor was I notified of the problem by anyone, which caused me to believe that no problem existed.

3. As a blind person, I had no other way of noticing that my water use wasn't impacting 100% of the area for which it was intended.

4. During those 5 years, I routinely took steps to maintain the health and vigor of the irrigation area in question, by employing contracted landscaping services to clear ditches, remove noxious weeds, trim up Juniper trees, cut pasture grass, and burn to destroy weeds, insects and other infirmities. Other than the mowing, the other activities took place in the off season. During the season, I paid my college age son, Daniel, and my high school age son, Joshua, to set the upper and lower gates in order to properly distribute the water in the appropriate areas. If a neighbor complained about poor down stream flow through ditches that crossed my property, but weren't used by myself, I paid to have those ditches cleaned.

a. During that 5 year period I was engaged in a Federal law suit, Kulin V. Deschutes County 2012, in which I successfully proved my rights under the Americans With Disabilities Act, under Title 3, to be "accommodated" in order to participate in the County's "programs and services", which in my case were operating an in-home occupation that exceeded County codes for size and number of employees. The Court found that putting me out of business by not accommodating my needs was "unreasonable" and that it would come at "too high of a human cost".

b. Also, during that 5 year period, I experienced a 50% decline in my business, which I attribute to the distraction of the County litigation situation and to the economy.

c. To illustrate the severity of the litigation situation: The consequences of the stress on my life and finances resulted in a critical health crisis that hospitalized me for 5 days, so profound was the burden upon me between November 2006 and June 2012..

d. Also, at the same time, my bookkeeper began to embezzle funds from my business amounting to \$228,000, which resulted in further damaging my business and impacting my family financially, between May 2009 and August 2012. Christine Marie Harris pled guilty to 6 felony counts of aggravated theft in County court and was sentenced on October 2, 2013. We continue to suffer the consequences of those crimes. However, we are recovering slowly from the loss.

e. And lastly, during the time of the embezzlement, May 2009 through August 2012, that same bookkeeper burned down my business, on January 10, 2011 (OSP believes that she was the arsonist but there was only circumstantial evidence after the embezzlement was discovered). The arson resulted in a \$310,000 property loss and subsequent insurance claim. The arson losses gave the County the opportunity to further prevent me from operating my business during the litigation, which allowed them the accusation of me being the arsonist, allowed them to sully my insurance claim to replace my building and business operations, and to deny me building permits and completion of said structure until June 2012, fully 18 months after the arson.

The combined loss of business, fire loss and embezzlement between 2008 and 2012 totaled \$6.03 million, and devastated the previous 20 years of work, leaving me without any financial resources with which to recover without borrowing.

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR

5. Upon notification from the Water District regarding my water situation, I immediately developed an "action plan" to rectify the issue of "beneficial use", which included contracting a landscaping service to improve my ditch network for better water distribution, to quote on a lined holding pond and distribution system, to install pig wire and barbed wire cross fencing, and to create a plan to lease the acreage in question out for grazing cattle. See Sam Toevs.

a. I also contacted the water District in order to set up a site survey with the Water Master with the intent of purchasing an additional 2 acres of water so that I could irrigate my entire pasture area. I was told that I had been put on his schedule, but that additional water couldn't be delivered until the 2015 season.

6. Upon hearing of my "action plan" and discussing same with my contracted landscaper, the District immediately changed my "water time" from 10:30 AM Saturday mornings, which it had been for 15 years, since I bought the property in 1998, to 6:00 AM on Saturday mornings, which I found extremely difficult to manage after working a 60 hour week and having to operate in the dark, or twilight, of that hour. My sons were no longer available to help me with the water at that time. Daniel had moved to Texas to work for NBC. Joshua was recovering from back surgery.

7. I appealed to the District for a modification to the schedule, and was denied, citing the "inconvenience" of restructuring the schedule. See Barbara.

8. I immediately went about trying to find someone who could set my water for me at that hour, but was unable to do so. That effort included "swopping out" a portion of my neighbors water time for my own time, but my neighbor rejected the idea, citing inconvenience". See John Green.

9. I approached the District for a third time, asking for a formal appeals process, and was told that no appeals process was available. I mentioned my rights to a hearing under the Americans With Disabilities Act, but the District representative ignored the statement. See Leslie.

a. I considered asking for an ADA accommodation hearing to resolve the matter, but chose to relent rather than fight due to my previous and current stress levels.

10. I asked if I could forego my water use for a year until the delivery schedule could be modified in 2015, and I was told that a fee of \$350 would be charged to do so, which I could not afford after having paid my annual fee already. See Leslie.

11. When I realized that the District had made my use of water, beneficial or otherwise, impossible for me, and that there wasn't any flexibility or appeal process, I asked to have my annual fee refunded. I was told that it was, "too late to receive a refund". See Leslie.

12. At that point I was forced to relent and allow my water rights to be confiscated, which meant foregoing my plans to cross fence, lease for grazing, and otherwise improve my capacity to "beneficially" use the water, and to purchase more water.

13. And for the season of 2014, I have been forced by the District to let my water go "undistributed", which essentially allowed my neighbors the free use of my water while my pasture went without any beneficial use. See John Green.

14. I have been told that once my water has been confiscated, I will be designated an "irresponsible water user", and will be permanently "black listed" for obtaining water as long as I hold title to my property, and that I still must keep the more than 850 feet of ditches on my property clean, or allow my neighbors access to those ditches for maintenance.

RECEIVED BY OWRD

DEC 23 2014

COMMENT:

SALEM, OR

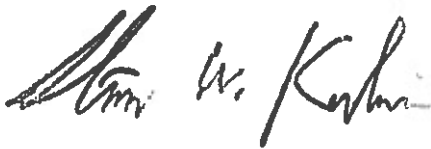
I object strongly to being designated an "irresponsible water user", given my disabilities, water use record, maintenance record, personal situation, and clear intent to be responsible. I find it inhumane that the District was unwilling to recognize anything of a positive nature from my intent to use water responsibly. And that the horrific circumstances under which I have lived during the period in question were not taken into consideration. And that my severe disabilities, which made surviving those circumstances almost impossible, couldn't be taken into consideration, at least in terms of scheduling a delivery time that I could make work. Surely, I deserved a better opportunity to fix a problem that I didn't know existed, while the District knew for 5 years, but was unwilling to inform me until the last minute. The sense I have is that the Water District didn't want me to have water, and that they did everything possible to prevent me from solving the problem in order to confiscate the water, and prevented me from my Constitutional right, "to enjoy and prosper from my land", in terms of my planned future use of

water, which significantly diminished the appearance and value of my land, and made moot all of my previous investment in managing my land properly.

It's clear that the chain of causation that started with Deschutes County's persecution of myself has had a ripple effect in every aspect of my life, including both my use of water and my right to retain my water. And in that, I have been truly victimized.

I am anything but irresponsible in every aspect of my life. If not for my disabilities, I would not be such an easy target for physical and financial abuse by government and by individuals. I've learned to live without the respect I've earned. And, now I must learn to live without irrigation water.

Regards,

A handwritten signature in black ink, appearing to read "Steven W. Kulin". The signature is written in a cursive, flowing style.

Steven W. Kulin

OFFER TO PURCHASE WATER RIGHT

Central Oregon Irrigation District
Address: 1055 S.W. Lake Court; Redmond, OR 97756
Telephone: 541-548-6047
Fax: 541-548-0243

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR

Hereby agrees to purchase 0.50 acre of irrigation water rights appurtenant to lands described as:
15-12-14 A0 00601

Seller:

Name: Steven & Lori Kulin

For the sum of: \$ 300.00 (\$600.00 per acre is current market value)
- 200.00 (Transfer Fee)
\$ 100.00

This offer is contingent on the following: Central Oregon Irrigation District will complete due diligence study on the property including documentation of beneficial use of the water right over the previous 5 years. If, as a result of that study it is determined the water right is ineligible for transfer, this agreement shall be null and void.

Transfer Fee is required to cover the District expenses to complete a transfer to remove this water right from the above described property. If the sale is not completed and/or Seller chooses to cancel this sale agreement at any time for any reason, Seller will be responsible for expenses incurred by the District (not to exceed the transfer fee) and by signing this offer agrees to reimburse the District for those expenses immediately upon cancellation of this agreement.

When water is determined to be transferable, *seller will be required to sign a Quitclaim Deed* granting ownership of the water right to the District. District will make payment to Seller for the water right after receipt of the signed quitclaim deed.

Purchaser: Leslie Clark
Leslie Clark Central Oregon Irrigation District

Date: 10/3/14

Seller: Steven Kulin
Steven Kulin

Date: 11-3-14

Seller: Lori Kulin
Lori Kulin

Date: 11-3-14



CENTRAL OREGON IRRIGATION DISTRICT

1055 SW LAKE COURT, REDMOND, OR 97756

PHONE: 541.548.6047 FAX: 541.548.0243

www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

October 2, 2014

RECEIVED BY OWRD

DEC 23 2014

Steve & Lori Kulin
447 SW 67th St
Redmond, OR 97756

SALEM, OR

RE: Irrigation Water Purchase
447 SW 67th St

Dear Mr. & Ms. Kulin,

Back on May 1, 2014, you and I talked about the irrigation water on your property. My understanding from that conversation was that you understood the District would be filing to take the un-used portion of your water through the confiscation process and that you were willing to give up the remaining water, leaving you with no water going forward.

Our District manager, Craig Horrell, wrote a letter to you on October 1, 2014, (which you should be receiving in the mail over the next couple of days) informing you the District is proceeding with the confiscation of 0.44 acres of the un-used water. The District would like to purchase the remaining 0.56 acres of irrigation for \$300.00 (\$200.00 transfer fee will be deducted). Enclosed is the offer to purchase and a quitclaim deed to convey the water to the District. The quitclaim must be signed before a notary public. If convenient for you, I can go out to your home to notarize the signatures, or you can both come into the office to sign.

I realize it's been awhile since we talked about this and you may have some questions. I will call you in the next day or two, or of course you can also call me directly at: 541-504-7576.

Sincerely,

Leslie Clark
Water Right Manager

Encl.

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR

7012 0470 0002 1812 2470

PS Form 3800, August 2005 See Reverse for Instructions

Sent to: Steven & Lorie Kubin
 Street Apt. No. or PO Box No.: 447 SW 67th St
 City, State, ZIP+4: Redmond OR 97756

Postage	\$ 0.48
Certified Fee	3.30
Return Receipt Fee (Endorsement Required)	2.70
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 6.48

Postmark Here
12/23/14

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)
 For delivery information visit our website at www.usps.com
OFFICIAL USE

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:
Steven & Lorie Kubin
447 SW 67th Street
Redmond OR 97756

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
James W. [Signature] Addressee

B. Received by (Printed Name) James W. [Signature] Addressee

C. Date of Delivery 12-23-14

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

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

4. Restricted Delivery? (Extra Fee) Yes

2. Article Number 7012 0470 0002 1812 2470
 (Transfer from service label)

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-44-1540



CENTRAL OREGON IRRIGATION DISTRICT

1055 SW LAKE COURT, REDMOND, OR 97756

PHONE: 541.548.6047 FAX: 541.548.0243

www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

October 1, 2014

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR

Patron #: 549

Steven & Lori Kulin
447 SW 67th St
Redmond, OR 97756

RE: Tax Map #: 151214A000601, 1 acres total Irrigation water rights
0.44 acres water rights to be confiscated in 2014

Dear Patron,

Our records indicate that you have failed to beneficially use your full water right for the last 5 consecutive years. By this letter, the District is serving you notice of our intent to confiscate the water right referenced above for failure to beneficially use the water for the last 5 consecutive years (See OAR 690-385-5000 and ORS 540.572 to 540.578). A copy of this letter is being sent to any security interest holders listed in the county records for your property as well as the Oregon Water Resources Dept. (OWRD), as required by statute. Enclosed with this letter is a copy of the District Confiscation Policy and a water right map indicating where your water should be used.

Certified letters were sent to you and any known security interest holders following the end of the 2013 irrigation season, informing you of the non-use of the full water right, the options available to assist you in fulfilling OWRD's beneficial use requirements, and COID's intent to confiscate any remaining unused water at the end of the 2014 irrigation season. Available options included using the full water right beneficially; leasing, at a minimum, the unused portion of the water right instream; and transferring off or selling the unused water right. Site visits were completed during 2014 to review any signs of beneficial use of the full water right. In addition, multiple years of aerial photos were also used to assist in the review of what may or may not have been accomplished between 2010 and 2014.

Failure to prove beneficial use is a very serious matter and is cause for forfeiture of the unused water right. Oregon Revised Statute 540.610 clearly states the requirement of beneficial use:

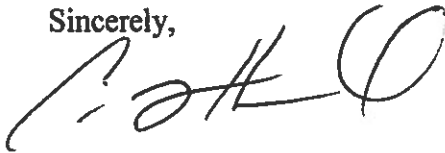
540.610 Use as measure of water right; presumption of forfeiture of right for nonuse; basis for rebutting presumption; confirmation of rights of municipalities. (1) Beneficial use shall be the basis, the measure and the limit of all rights to the use of water in this state. Whenever the owner of a perfected and developed water right ceases or fails to use all or part of the water appropriated for a period of five successive years, the failure to use shall establish a rebuttable presumption of forfeiture of all or part of the water right.

If you wish to dispute the confiscation and permanent removal of the unused water right from your property, you have 30 days from the date this letter was mailed (see date below) to notify the District of your objection – in writing. If you object or wish to demonstrate that non-use is excusable under one of the provisions allowed in ORS 640.610(2)(a-n), a meeting will be scheduled with the District Manager to try to resolve the issue with you; and if unable to do so, a District hearing before the COID Board of Directors will be held in November to determine if a petition to transfer the water off the lands should be filed with the OWRD Director. Failure to contact the District within 30 days will cause the water to be permanently transferred off of your property.

If you have any evidence that you have beneficially used all of your water right at any time during the last 5 years, please have the evidence ready to present at the time of your meeting with the District Manager and, if necessary, at the hearing with the Board of Directors.

Please respond within 30 days from the date of this letter to confirm that the information provided in this notice is correct.

Sincerely,



Craig Horrell
District Manager

Enc

cc: OWRD, 725 Summer St N.E. Suite 100, Salem, OR 97301
Jeremy Giffin, District 11 Watermaster, 231 SW Scalehouse Lp, Ste 103, Bend, OR 97701
US Bank, NA 4801 Frederica St, Owensboro, KY 42301
Loan # 7884728104

Sent by certified mail October 1, 2014
Copy sent by first class mail October 1, 2014

DESCHUTES COUNTY SEC.14 T15S R12E

RECEIVED BY OWRD

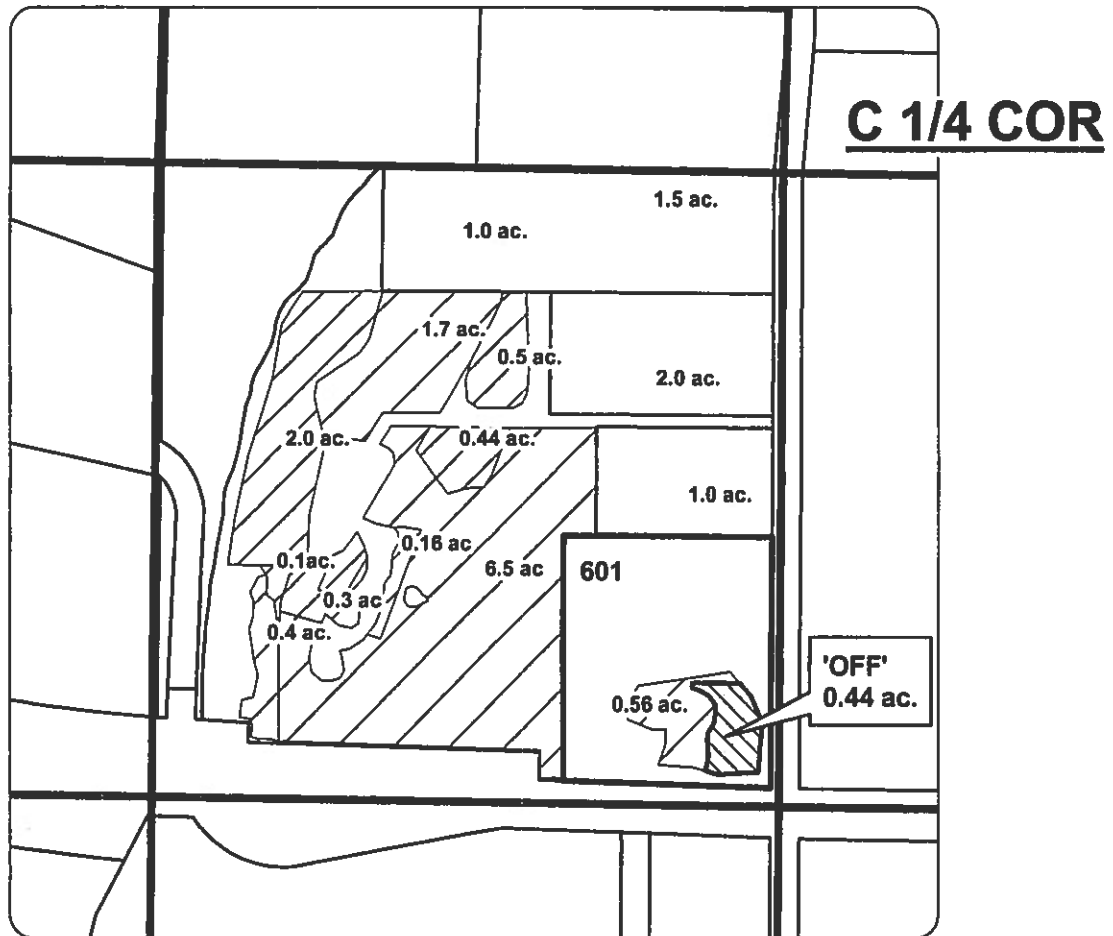
DEC 23 2014

SALEM, OR

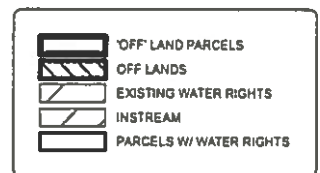
1 inch = 400 feet



NE 1/4 OF THE NE 1/4



"OFF" MAP



CENTRAL OREGON



IRRIGATION DISTRICT

WATER RIGHTS CONFISCATION MAP

NAME: STEVEN/LORIE KULIN

TAXLOT #: 601

0.44 ACRES



CENTRAL OREGON IRRIGATION DISTRICT

1055 SW LAKE COURT, REDMOND, OR 97756

PHONE: 541.548.6047 FAX: 541.548.0243

www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

October 2, 2014

RECEIVED BY OWRD

US Bank, NA
4801 Frederica St
Owensboro, KY 42301

DEC 23 2014

SALEM, OR

RE: Loan # 7884728104 -- Steven W. & Lorie Kulin

Please find enclosed a copy of the 5th year non-use letter that Central Oregon Irrigation District (COID) sends to its patrons that fail to beneficially use their full water rights for five consecutive years. You will also find a copy of COID's confiscation policy and a list of laws applicable to confiscation per Oregon Revised Statutes and Oregon Administrative Rules.

This letter is being sent to you as required by Oregon Water Resources Department because county records show you as a security interest holder on the property that the water right is appurtenant to.

If you have any questions regarding the letter or beneficial use, please contact me at 541-504-7577 or lauraw@coid.org.

Sincerely,

Laura Wollam
Water Use Specialist

Enc

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR

5/1/14 Steve Kulin called and we discussed his water and the Bu status. He told me he is physically incapable of taking his water. I asked him if he wanted to pay the \$350 to put the 0.60 acres instream and improve his system for next year but he doesn't feel it is worth it for him due to his disabilities. He understands we will send him a confiscation letter this fall and he understands he will not be compensated. At the time of confiscation request Kulin sign a Affidavit of Cancellation on the ~~remaining right~~ water on the building and a Quitclaim deed ~~later~~ for the water used

Buy water used approx 0.40 in 2010
Canal water on buildings
Confiscate the remainder in Oct '14

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:

Steven & Lori Kulin
447 SW 67th St
Redmond, OR 97756

2. Article Number
(Transfer from service label)

7012 0470 0002 1812 1084

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Lori Kulin*

- Agent
 Addressee

B. Received by (Printed Name)

Lori Kulin

C. Date of Delivery

D. Is delivery address different from item 1? Yes

If YES, enter delivery address below: No

3. Service Type

- Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee)

- Yes

U.S. Postal Service™ CERTIFIED MAIL™ RECEIPT (Domestic Mail Only; No Insurance Coverage Provided)	
For delivery information visit our website at www.usps.com	
OFFICIAL USE	
Postage	\$ 0.66
Certified Fee	3.10
Return Receipt Fee (Endorsement Required)	2.55
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 6.31
Mailed 12/12/13 Postmark Here	
Steven & Lori Kulin 447 SW 67th St Redmond, OR 97756	
Sent	PS Form

4807 2787 2000 0240 2702

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR



CENTRAL OREGON IRRIGATION DISTRICT

1055 SW LAKE COURT, REDMOND, OR 97756

PHONE: 541.548.6047 FAX: 541.548.0243

www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

December 11, 2013

RECEIVED BY OWRD

Patron ID: 549

DEC 23 2014

Steven & Lori Kulin
447 SW 67th St
Redmond, OR 97756

SALEM, OR

RE: Tax Map #: 151214A000601 - 1 acres total Irrigation Water Rights

Dear Patron,

The 2013 irrigation season has come to an end, and with that, the District has completed the required yearly review of beneficial use of all water rights within our District.

It has been brought to my attention that all or a portion of the water right on the above-noted property has not been beneficially used for 4 consecutive years. Oregon Revised Statute 540.610 clearly states the requirement of beneficial use:

540.610 Use as measure of water right; presumption of forfeiture of right for nonuse; basis for rebutting presumption; confirmation of rights of municipalities. (1) Beneficial use shall be the basis, the measure and the limit of all rights to the use of water in this state. Whenever the owner of a perfected and developed water right ceases or fails to use all or part of the water appropriated for a period of five successive years, the failure to use shall establish a rebuttable presumption of forfeiture of all or part of the water right.

Failure to prove beneficial use as stated is a very serious matter and is cause for forfeiture of the unused water right. At this time, you have 3 options to protect this water right. You must use the full water right on the ground exactly as it is mapped during the 2014 irrigation season (see enclosed aerial photo for location of mapped water rights); lease, at minimum, the unused portion of the water right back into the Deschutes River for the 2014 season (the District will accept requests for temporary lease applications through February 15, 2014); or transfer the unused water. By failing to follow any of these options, the District will be forced by Oregon Statute to confiscate the water right at the end of the 2014 season by filing a petition with OWRD to transfer these water rights to other lands in the District.

As a courtesy, the District is informing you that if this property has any other water rights specifically appurtenant to it that are delivered from another source (non-COID water), that water (per ORS 540.510) may be subject to cancellation by OWRD should COID be forced to file a confiscation transfer.

By this letter, the District is serving you notice of our intent to confiscate any water right that goes unused in 2014 (see OAR 690-385-5000 and ORS 540.572 to 540.578). A copy of this letter is being sent to any security interest holders listed against your property as well as the Oregon Water Resources Dept (as required by statute).

If you have any evidence that you have used all of your water right at any time since 2010, please present the evidence to our office within 30 days from the date of this letter.

I have enclosed an aerial photo showing where your mapped water rights are located and a copy of the District Confiscation Policy. If your water rights are unmapped, the aerial photo will indicate the number of acres of water right and the number of acres of land to assist you in determining how much area should be irrigated. Please note that the aerial photo may not fully represent your irrigation habits for the full 2013 irrigation season or any new structures, arenas, dry lots, etc. that may have been added to your property since the aerial photo was taken. The date the photo was taken is indicated in the lower left hand corner of the map.

REMINDER: Whether you choose to use, lease, transfer, or not use your water rights in 2014; your assessments are still due and payable to COID by the due date. If you fail to pay your assessments, COID will add late fees and legal fees to your bill and file a lien against your property for non-payment.

It is our hope that we can work together and maintain the water rights on your property. If you have any questions or concerns please contact Laura Wollam at 541-504-7577 or by email at lauraw@coid.org as soon as possible so we can discuss your available options. *Please note that Laura will be out of the office from December 23, 2013 – January 1, 2014.*

Please respond within 30 days from the date of this letter to confirm that the information provided in this notice is correct.

Sincerely,

 for

Steven C. Johnson
Secretary-Manager

Enc

cc: OWRD Attn: Susan Douthit 725 Summer St NE, Ste 100 Salem, OR 97301
US Bank, NA 4801 Frederica St, Owensboro, KY 42301 Loan # 7884728104

Sent by certified mail December 11, 2013

Steven W. Kulin
447 SW 67th Street
Redmond, OR 97756
Patron ID# 549

RECEIVED BY OWRD

December 16, 2013

DEC 23 2014

Central Oregon Irrigation District
1055 SW Lake Court
Redmond, OR 97756

SALEM, OR

Regarding your letter of December 11, 2013, concerning the lack of beneficial use of our irrigation water for the last 4 years, I would like to respond and contradict whomever brought the matter to your attention.

Firstly, I didn't appreciate the tone or the implied threat made by the letter. I'm blind. I work very hard to maintain my property. In the 4 years you mentioned, I survived the economy, an arson fire, 2 break ins and thefts, embezzlement, internal gangrene and a 6 year legal battle against Deschutes County that ended with my victory in Federal Court.

Frankly, I'm tired of being victimized by false accusations and being bullied by local government.

Your letter is both misinformed and malicious. I have used my irrigation beneficially despite everything else that's gone on. Both of my sons, Daniel, and Joshua, can attest to having set the irrigation every Saturday morning. Moreover, they can attest to a noxious weed burn that was done in November, 2011. See Sam Toevs. Toevs Landscaping, Redmond, OR. 541-548-7325.

Furthermore, 2 years ago, when a neighbor complained to you that the ditch that runs along the west side of SW 67th Street was choked, I spent \$400 to have it cleaned. And it wasn't even my ditch to clean according to your own rules.

During the summer of 2013, our son, Daniel, ran our irrigation every Saturday morning throughout the season until he moved to Texas in Mid-September. Our pasture had thick green grass all season long.

Moreover, we paid Toev's Landscaping, Redmond, OR, to maintain our inter and intra field ditches to facilitate such use. Again, see Sam Toevs..

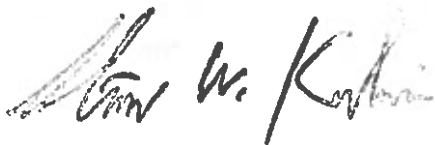
Furthermore, we didn't resume irrigating at the end of the season, after mid-September, because of a noxious weed problem, due in part to COI discontinuing spraying of said, which included a severe punch weed infestation. Again, see Sam Toevs, who was charged with bringing the situation back under control. We hauled off 4 pickup truck loads of punch weed vines. We then sprayed every week for 6 weeks in a row. We're still cleaning up thorns.

Sam Toevs is considering putting cows on our pasture if we can bring it to full health. That may include buying another 2 acres of irrigation so that we can do the entire pasture instead of only a part of it.

If for some reason you think I'm doing a bad job of maintaining my own property, please contact Sam Toevs. I'm only one disabled person. My youngest son is still living at home, but he's recovering from major back surgery. Being embattled for so long has ruined my health, my business, and the financial future of my family. It's all I can do to manage working to restore what I once had.

Your letter is neither accurate or helpful. I suggest that you reset the 5 year clock starting it from 2013. Under the circumstances, I don't have any idea what I could have done differently to improve the condition of my pasture.

Respectfully,

A handwritten signature in black ink that reads "Steven W. Kulin". The signature is written in a cursive style with a large, sweeping initial 'S'.

Steven W. Kulin



CENTRAL OREGON IRRIGATION DISTRICT

1055 SW LAKE COURT, REDMOND, OR 97756

PHONE: 541.548.6047 FAX: 541.548.0243

www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

December 13, 2012

RECEIVED BY OWRD

Patron ID: 549

DEC 23 2014

Steven & Lorie Kulin
447 SW 67th St
Redmond, OR 97756

SALEM, OR

RE: Tax Map #: 151214A000601 - 1 acres total Irrigation Water Rights

Dear Patron,

The 2012 irrigation season has come to an end, and with that, the District has completed its yearly review of beneficial use of all water rights within our District.

It has been reported that all or a portion of the water right on the above-noted property has not been beneficially used for the last 3 consecutive years. I am bringing this to your attention at this time to encourage you to protect your water rights in the future.

Oregon Water Resources Dept (OWRD) enforces water right laws for the State of Oregon. The law requires that water rights be fully used on land 1 year out of every 5 years. The 5-year time period is not based on years of ownership, but on the beneficial use of the water right on the appurtenant land itself, counting forward from the last reported year of full use. For further information on this requirement please refer to the following Oregon Revised Statute:

540.610 Use as measure of water right; presumption of forfeiture of right for nonuse; basis for rebutting presumption; confirmation of rights of municipalities. (1) Beneficial use shall be the basis, the measure and the limit of all rights to the use of water in this state. Whenever the owner of a perfected and developed water right ceases or fails to use all or part of the water appropriated for a period of five successive years, the failure to use shall establish a rebuttable presumption of forfeiture of all or part of the water right.

Please consider how you wish to use your water right through the next irrigation season. The preferred choice is to fully use the water on the ground. If you do not wish to or are unable to do this, there are other options available such as:

- OWRD will allow you to temporarily lease your water right back into the Deschutes River and credit you with beneficial use (leasing instream is considered the same as applying the water to the ground). This benefits you by not having to irrigate, and benefits the river by increasing the flow. The District will accept requests for instream lease applications for the upcoming irrigation season from any interested party through February 15. *Please note that requests to lease for the 2013 irrigation season will not be accepted after February 15, 2013.*

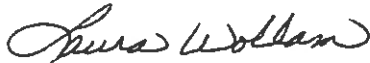
- If you have a portion of your property that is difficult to irrigate, you may want to consider transferring that part of your water right to another area on your property.
- If you have a portion of your property that is difficult to irrigate, you may also consider selling that portion of your water right.

The District will work with you in every way we can to protect your water right. See enclosed beneficial use information sheet for further information on these and other options that may be available to you.

I have enclosed an aerial photo showing where your mapped water rights are located and a copy of the District Confiscation Policy. If your water rights are unmapped, the aerial photo will indicate the number of acres of water right and the number of acres of land to assist you in determining how much area should be irrigated. Please note that the aerial photo may not fully represent your irrigation habits for the full 2012 irrigation season or show any new structures, arenas, dry lots, etc. that may have been added to your property since the aerial photo was taken. The date the photo was taken is indicated on the map.

It is our hope that we can work together to maintain the water rights on your property. If you have any questions or concerns please contact me at 541-504-7577 or lauraw@coid.org so that we can discuss your available options.

Sincerely,



Laura Wollam
Water Use Specialist

Enc

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR

T-2014-019

ORS. 540.572

AUTHORIZED LANDS

14-13-17 NWNW 02100

PAUL A. KLINKO



CENTRAL OREGON IRRIGATION DISTRICT

1055 SW LAKE COURT, REDMOND, OR 97756

PHONE: 541.548.6047 FAX: 541.548.0243

www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

RECEIVED BY OWRD

December 16, 2014

DEC 23 2014

Paul Klinko
2889 SW 23rd St
Redmond, OR 97756

SALEM, OR

RE: Confiscation of water rights appurtenant to tax map #: 14-13-17 00 02100 0.420 acres Irrigation

Dear Mr. Klinko,

This notice is to inform you the District has filed a permanent transfer application with Oregon Water Resources Department (OWRD) to remove water rights appurtenant to the lands described above due to 5 consecutive years of non-use.

Per OAR 690-385-5400(2)(a) OWRD shall approve the district permanent transfer application as provided under OAR 690-385-5600 unless:

- A. The application does not include the information required under OAR 690-385-5200; or
- B. The user, of lands from which water rights are to be transferred, submits a protest pursuant to OAR Chapter 690, Division 002
 - b. The user has the right to protest the application as described in OAR 690-385-5700

You have 60 days from the date of mailing of this notice to submit a protest of the permanent transfer application to OWRD. OAR 690-385-5700(2) & (3) states that: Protest shall be filed in accordance with OAR Chapter 690, Division 002, and shall include the fee required under ORS 536.050; and, each person submitting a protest shall raise all reasonably ascertainable issues and submit all reasonably available arguments supporting the person's position by the close of the protest period. Failure to raise a reasonably ascertainable issue in a protest or failure to provide sufficient specificity to afford the Department an opportunity to respond to the issue precludes consideration of the issue during the hearing.

Enclosed are copies of the district permanent transfer application and maps. Please keep in mind if you wish to protest this transfer application with OWRD, the deadline for protest is 60 days from the date of this mailing.

Sincerely,

Leslie Clark
Water Right Manager

cc: OWRD, 725 Summer St N.E., Salem, OR
Mailed via certified mail December 16, 2014
Encl.

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR

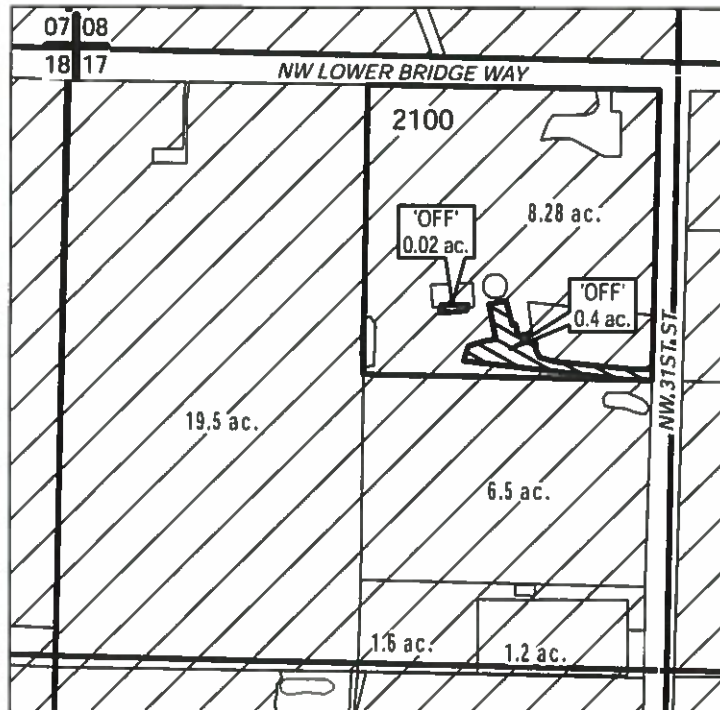
DESCHUTES COUNTY SEC.17 T14S R13E

SCALE - 1" = 400'



NW 1/4 OF THE NW 1/4

DISTRICT INTERNAL
NOTICE #: T-2014-019



"OFF" MAP

	EXISTING WATER RIGHTS
	OFF LANDS



APPLICATION FOR WATER RIGHTS TRANSFER

NAME: PAUL A KLINKO

TAXLOT #: 2100

0.42 ACRES

Date: 10/24/2014

FILE: I\TRANSFER\WRTRANS14IT-2014-019\141317_NWNW

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR

CENTRAL OREGON IRRIGATION DISTRICT
1055 SW Lake Court
Redmond OR 97756-1469
Address Service Requested

*MTF
28
10-2*

PS Form 3800, August 2006
See Reverse for Instructions

Sent To: Paul Klinko
Street Apt No.: 2889 SW 23rd
City, State, ZIP+4: Redmond OR 97756

Postage	\$ 0.49
Certified Fee	\$ 3.30
Return Receipt Fee (Endorsement Required)	\$ 2.70
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 6.49

U.S. Postal Service
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

OFFICIAL USE
For delivery information visit our website at www.usps.com

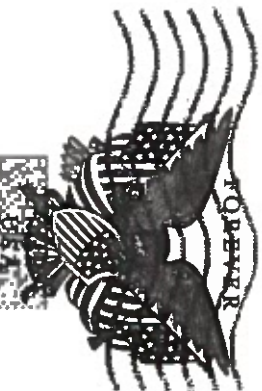
7012 0470 0002 1812 2463

CERTIFIED MAIL™



7012 0470 0002 1812 2463

PORTLAND, OR 970
04 OCT 2014 PM 2:1



Certified Mail/Return Receipt Requested

Paul Klinko
2889 SW 23rd St NIXIE
Redmond OR 977

970 7E 1009 0010/07/14

UNITED STATES POSTAL SERVICE
02 17
0001066728
MAILED FROM

RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD

BC: 97756146955 *1229-08275-04-40
97756501469
97756501469



CENTRAL OREGON IRRIGATION DISTRICT

1055 SW LAKE COURT, REDMOND, OR 97756

PHONE: 541.548.6047 FAX: 541.548.0243

www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

October 1, 2014

RECEIVED BY OWRD

Patron #: 1360

DEC 23 2014

Paul Klinko
2889 SW 23rd St
Redmond, OR 97756

SALEM, OR

RE: Tax Map #: 1413170002100, 8.7 acres total Irrigation water rights
0.42 acres water rights to be confiscated in 2014

Dear Patron,

Our records indicate that you have failed to beneficially use your full water right for the last 5 consecutive years. By this letter, the District is serving you notice of our intent to confiscate the water right referenced above for failure to beneficially use the water for the last 5 consecutive years (See OAR 690-385-5000 and ORS 540.572 to 540.578). A copy of this letter is being sent to any security interest holders listed in the county records for your property as well as the Oregon Water Resources Dept. (OWRD), as required by statute. Enclosed with this letter is a copy of the District Confiscation Policy and a water right map indicating where your water should be used.

Certified letters were sent to you and any known security interest holders following the end of the 2013 irrigation season, informing you of the non-use of the full water right, the options available to assist you in fulfilling OWRD's beneficial use requirements, and COID's intent to confiscate any remaining unused water at the end of the 2014 irrigation season. Available options included using the full water right beneficially; leasing, at a minimum, the unused portion of the water right instream; and transferring off or selling the unused water right. Site visits were completed during 2014 to review any signs of beneficial use of the full water right. In addition, multiple years of aerial photos were also used to assist in the review of what may or may not have been accomplished between 2010 and 2014.

Failure to prove beneficial use is a very serious matter and is cause for forfeiture of the unused water right. Oregon Revised Statute 540.610 clearly states the requirement of beneficial use:

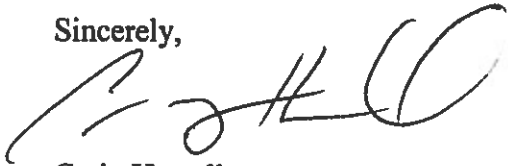
540.610 Use as measure of water right; presumption of forfeiture of right for nonuse; basis for rebutting presumption; confirmation of rights of municipalities. (1) Beneficial use shall be the basis, the measure and the limit of all rights to the use of water in this state. Whenever the owner of a perfected and developed water right ceases or fails to use all or part of the water appropriated for a period of five successive years, the failure to use shall establish a rebuttable presumption of forfeiture of all or part of the water right.

If you wish to dispute the confiscation and permanent removal of the unused water right from your property, you have 30 days from the date this letter was mailed (see date below) to notify the District of your objection – in writing. If you object or wish to demonstrate that non-use is excusable under one of the provisions allowed in ORS 640.610(2)(a-n), a meeting will be scheduled with the District Manager to try to resolve the issue with you; and if unable to do so, a District hearing before the COID Board of Directors will be held in November to determine if a petition to transfer the water off the lands should be filed with the OWRD Director. Failure to contact the District within 30 days will cause the water to be permanently transferred off of your property.

If you have any evidence that you have beneficially used all of your water right at any time during the last 5 years, please have the evidence ready to present at the time of your meeting with the District Manager and, if necessary, at the hearing with the Board of Directors.

Please respond within 30 days from the date of this letter to confirm that the information provided in this notice is correct.

Sincerely,



Craig Horrell
District Manager

Enc

cc: OWRD, 725 Summer St N.E. Suite 100, Salem, OR 97301
Jeremy Giffin, District 11 Watermaster, 231 SW Scalehouse Lp, Ste 103, Bend, OR 97701
Chase Manhattan Mortgage Corp 343 Thornall St, Edison, NJ 08837

Sent by certified mail October 1, 2014
Copy sent by first class mail October 1, 2014

DESCHUTES COUNTY SEC.17 T14S R13E

RECEIVED BY OWRD

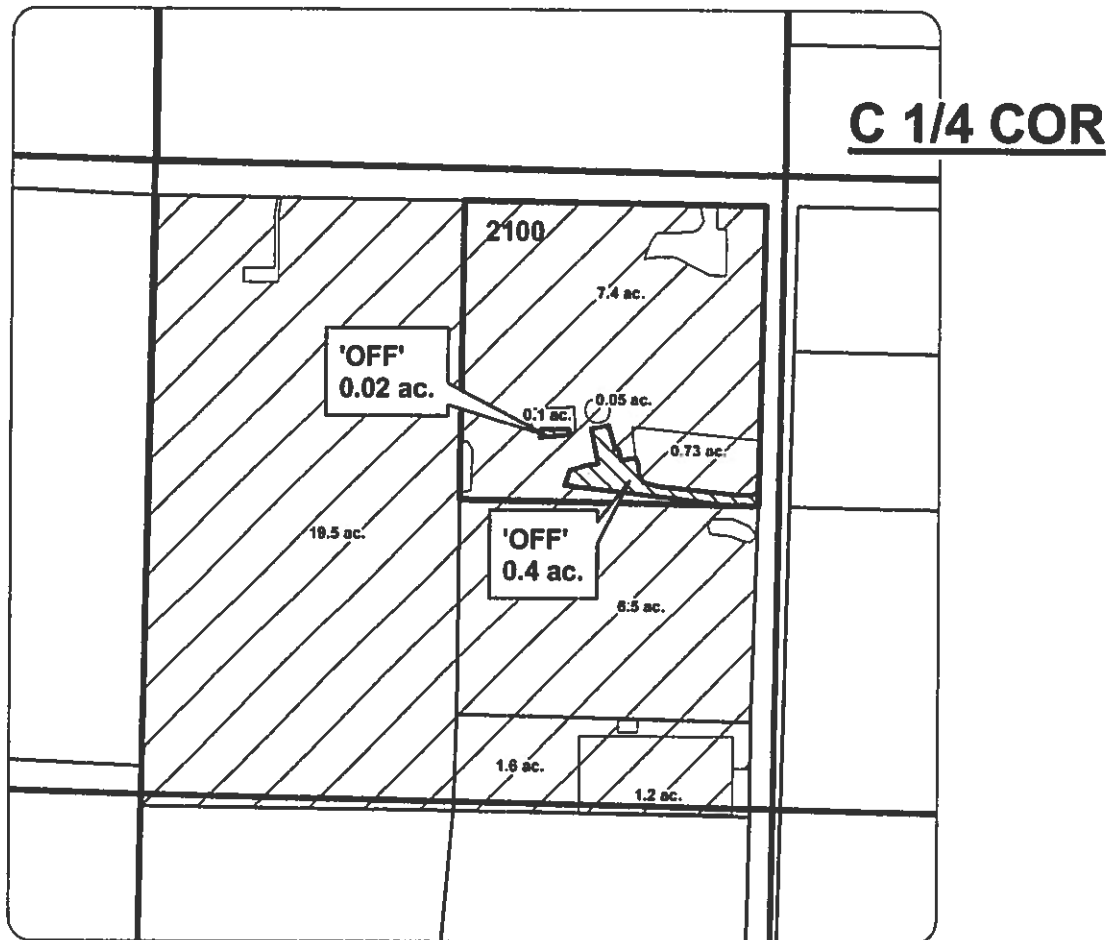
DEC 23 2014

SALEM, OR

1 inch = 400 feet



NW 1/4 OF THE NW 1/4



C 1/4 COR

'OFF'
0.02 ac.

'OFF'
0.4 ac.

- 'OFF' LAND PARCELS
- OFF LANDS
- PARCELS W/ WATER RIGHTS
- EXISTING WATER RIGHTS

"OFF" MAP

CENTRAL OREGON



IRRIGATION DISTRICT

WATER RIGHTS CONFISCATION MAP

NAME: PAUL KLINKO

TAXLOT #: 2100

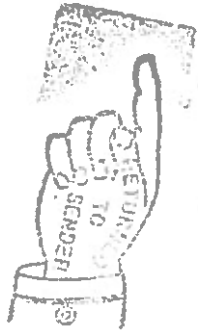
0.42 ACRES

CENTRAL OREGON IRRIGATION DISTRICT
1055 SW Lake Court
Redmond OR 97756-1489
Address Service Requested

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR



Chase Manhattan Mortgage Corp
343 Thormal St
Edison NJ 08837

PORTLAND OR 970

04 OCT 2014 PM 21

A handwritten signature in dark ink, appearing to be "JDF".



~~019922024568~~



U T F



CENTRAL OREGON IRRIGATION DISTRICT

1055 SW LAKE COURT, REDMOND, OR 97756

PHONE: 541.548.6047 FAX: 541.548.0243

www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

October 2, 2014

Chase Manhattan Mortgage Corp.
343 Thornall ST
Edison, NJ 08837

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR

RE: Paul A Klinko

Please find enclosed a copy of the 5th year non-use letter that Central Oregon Irrigation District (COID) sends to its patrons that fail to beneficially use their full water rights for five consecutive years. You will also find a copy of COID's confiscation policy and a list of laws applicable to confiscation per Oregon Revised Statutes and Oregon Administrative Rules.

This letter is being sent to you as required by Oregon Water Resources Department because county records show you as a security interest holder on the property that the water right is appurtenant to.

If you have any questions regarding the letter or beneficial use, please contact me at 541-504-7577 or lauraw@coid.org.

Sincerely,

Laura Wollam
Water Use Specialist

Enc

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR

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:

Paul Klinko
 1035 I St
 Washougal, WA 98671

COMPLETE THIS SECTION ON DELIVERY

- A. Signature Agent
Paul Klinko Addressee
- B. Received by (Printed Name) Agent
PAUL KLINKO Addressee
- C. Date of Delivery
12-14-13
- D. Is delivery address different from item 1? Yes
 No
 If YES, enter delivery address below:

2. Article Number

(Transfer from service label)

PS Form 3811, February 2004

Domestic Return Receipt

7012 0470 0002 1812 1251

102595-02-M-1540

3. Service Type

- Certified Mail Express Mail
- Registered Return Receipt for Merchandise
- Insured Mail C.O.D.
4. Restricted Delivery? (Extra Fee) Yes

U.S. Postal ServiceTM
CERTIFIED MAILTM RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$ 0.66	<i>Mailed</i> <i>12/12/13</i> Postmark Here <i>784</i>
Certified Fee	3.10	
Return Receipt Fee (Endorsement Required)	2.55	
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$ 6.31	

Sent To
 Street, or PO E
 City, St

Paul Klinko
 1035 I St
 Washougal, WA 98671

PS Form

1521 2191 2000 0440 2102



CENTRAL OREGON IRRIGATION DISTRICT

1055 SW LAKE COURT, REDMOND, OR 97756

PHONE: 541.548.6047 FAX: 541.548.0243

www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

December 11, 2013

RECEIVED BY OWRD

Patron ID: 1360

DEC 23 2014

Paul Klinko
1035 I St
Washougal, WA 98671

SALEM, OR

RE: Tax Map #: 1413170002100 - 8.7 acres total Irrigation Water Rights

Dear Patron,

The 2013 irrigation season has come to an end, and with that, the District has completed the required yearly review of beneficial use of all water rights within our District.

It has been brought to my attention that all or a portion of the water right on the above-noted property has not been beneficially used for 4 consecutive years. Oregon Revised Statute 540.610 clearly states the requirement of beneficial use:

540.610 Use as measure of water right; presumption of forfeiture of right for nonuse; basis for rebutting presumption; confirmation of rights of municipalities. (1) Beneficial use shall be the basis, the measure and the limit of all rights to the use of water in this state. Whenever the owner of a perfected and developed water right ceases or fails to use all or part of the water appropriated for a period of five successive years, the failure to use shall establish a rebuttable presumption of forfeiture of all or part of the water right.

Failure to prove beneficial use as stated is a very serious matter and is cause for forfeiture of the unused water right. At this time, you have 3 options to protect this water right. You must use the full water right on the ground exactly as it is mapped during the 2014 irrigation season (see enclosed aerial photo for location of mapped water rights); lease, at minimum, the unused portion of the water right back into the Deschutes River for the 2014 season (the District will accept requests for temporary lease applications through February 15, 2014); or transfer the unused water. By failing to follow any of these options, the District will be forced by Oregon Statute to confiscate the water right at the end of the 2014 season by filing a petition with OWRD to transfer these water rights to other lands in the District.

As a courtesy, the District is informing you that if this property has any other water rights specifically appurtenant to it that are delivered from another source (non-COID water), that water (per ORS 540.510) may be subject to cancellation by OWRD should COID be forced to file a confiscation transfer.

By this letter, the District is serving you notice of our intent to confiscate any water right that goes unused in 2014 (see OAR 690-385-5000 and ORS 540.572 to 540.578). A copy of this letter is being sent to any security interest holders listed against your property as well as the Oregon Water Resources Dept (as required by statute).

If you have any evidence that you have used all of your water right at any time since 2010, please present the evidence to our office within 30 days from the date of this letter.

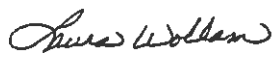
I have enclosed an aerial photo showing where your mapped water rights are located and a copy of the District Confiscation Policy. If your water rights are unmapped, the aerial photo will indicate the number of acres of water right and the number of acres of land to assist you in determining how much area should be irrigated. Please note that the aerial photo may not fully represent your irrigation habits for the full 2013 irrigation season or any new structures, arenas, dry lots, etc. that may have been added to your property since the aerial photo was taken. The date the photo was taken is indicated in the lower left hand corner of the map.

REMINDER: Whether you choose to use, lease, transfer, or not use your water rights in 2014; your assessments are still due and payable to COID by the due date. If you fail to pay your assessments, COID will add late fees and legal fees to your bill and file a lien against your property for non-payment.

It is our hope that we can work together and maintain the water rights on your property. If you have any questions or concerns please contact Laura Wollam at 541-504-7577 or by email at lauraw@coid.org as soon as possible so we can discuss your available options. *Please note that Laura will be out of the office from December 23, 2013 – January 1, 2014.*

Please respond within 30 days from the date of this letter to confirm that the information provided in this notice is correct.

Sincerely,

 for

Steven C. Johnson
Secretary-Manager

Enc

cc: OWRD Attn: Susan Douthit 725 Summer St NE, Ste 100 Salem, OR 97301
Chase Manhattan Mortgage Corp 343 Thornall St, Edison, NJ 08837

Sent by certified mail December 11, 2013



CENTRAL OREGON IRRIGATION DISTRICT

1055 SW LAKE COURT, REDMOND, OR 97756

PHONE: 541.548.6047 FAX: 541.548.0243

www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

December 16, 2013

Chase Manhattan Mortgage Corp
343 Thornall St
Edison, NJ 08837

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR

RE: Irrigation water rights beneficial use letter from Central Oregon Irrigation District

Please find enclosed a copy of the 4th year non-use letter that Central Oregon Irrigation District (COID) sends to its patrons that fail to beneficially use their full water rights for four consecutive years. You will also find a copy of COID's confiscation policy, a list of laws applicable to confiscation per Oregon Revised Statutes and Oregon Administrative Rules, and a beneficial use information sheet.

This letter is being sent to you as required by Oregon Water Resources Department because you are shown as a security interest holder for the property that the water right is appurtenant to.

If you have any questions regarding the letter or beneficial use, please contact me at 541-504-7577 or lauraw@coid.org.

Sincerely,

Laura Wollam
Water Use Specialist

Enc



CENTRAL OREGON IRRIGATION DISTRICT

1055 SW LAKE COURT, REDMOND, OR 97756

PHONE: 541.548.6047 FAX: 541.548.0243

www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

April 23, 2014

RECEIVED BY OWRD

Paul Klinko
2889 Sw 23rd St
Redmond, OR 97756

DEC 23 2014

SALEM, OR

Dear Patron,

The beginning of the 2014 irrigation season is upon us and with that comes the responsibility of beneficially using your water rights. In 2013, you received a letter from COID stating that you have not exercised your full water right in four consecutive years. Now is the time to review your water rights and how you would like to use them in 2014.

As the deadline for instream leasing and temporary transfer has passed for 2014, your remaining options for beneficial use compliance as required per ORS 540.610 are as follows:

1. Use your water right on your property as mapped. If you have an unmapped water right, you must cover the amount of ground equal to the total water right (i.e.: if you have a 2 acre unmapped water right, you must irrigate and grow something that is considered beneficial on 2 acres of land within your tax lot).
2. Sell or permanently transfer, at a minimum, the unused portion of your water right.

If you are interested in selling your water right, there are several options available to you. COID is a member of the DWA Water Bank (Bank). You can sell your water rights directly to COID for potential use by other water users through the Bank in the Deschutes Basin for surface delivery, for mitigation of a groundwater delivery or for river restoration. COID purchases water at current market price. Please contact Leslie Clark at COID (541-504-7576 or lesliec@coid.org) for more information as the market can fluctuate depending on the availability and demand.

If you fail to beneficially use or transfer the unused water right before the end of the 2014 irrigation season, COID will proceed with confiscation of the unused water right as allowed by Oregon Water Resources Department and ORS 540.610.

Remember that whether you choose to use your water rights, transfer them, or not use them in 2014; your assessments are still due and payable to COID by the due date. If you fail to pay your assessments, COID will file a lien against your property for non-payment. Please contact Janet Brown at COID (541-504-7580 or jbrown@coid.org) before July 1 to discuss payment options if needed.

Please call me at 541-504-7577 or email me at lauraw@coid.org if you would like to discuss your beneficial use options further.

Thank you,

Laura Wollam
Water Use Specialist



CENTRAL OREGON IRRIGATION DISTRICT

1055 SW LAKE COURT, REDMOND, OR 97756

PHONE: 541.548.6047 FAX: 541.548.0243

www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

December 13, 2012

RECEIVED BY OWRD

Patron ID: 1360

DEC 23 2014

Paul Klinko
1035 I St
Washougal, WA 98671

SALEM, OR

RE: Tax Map #: 1413170002100 - 8.7 acres total Irrigation Water Rights

Dear Patron,

The 2012 irrigation season has come to an end, and with that, the District has completed its yearly review of beneficial use of all water rights within our District.

It has been reported that all or a portion of the water right on the above-noted property has not been beneficially used for the last 3 consecutive years. I am bringing this to your attention at this time to encourage you to protect your water rights in the future.

Oregon Water Resources Dept (OWRD) enforces water right laws for the State of Oregon. The law requires that water rights be fully used on land 1 year out of every 5 years. The 5-year time period is not based on years of ownership, but on the beneficial use of the water right on the appurtenant land itself, counting forward from the last reported year of full use. For further information on this requirement please refer to the following Oregon Revised Statute:

540.610 Use as measure of water right; presumption of forfeiture of right for nonuse; basis for rebutting presumption; confirmation of rights of municipalities. (1) Beneficial use shall be the basis, the measure and the limit of all rights to the use of water in this state. Whenever the owner of a perfected and developed water right ceases or fails to use all or part of the water appropriated for a period of five successive years, the failure to use shall establish a rebuttable presumption of forfeiture of all or part of the water right.

Please consider how you wish to use your water right through the next irrigation season. The preferred choice is to fully use the water on the ground. If you do not wish to or are unable to do this, there are other options available such as:

- OWRD will allow you to temporarily lease your water right back into the Deschutes River and credit you with beneficial use (leasing instream is considered the same as applying the water to the ground). This benefits you by not having to irrigate, and benefits the river by increasing the flow. The District will accept requests for instream lease applications for the upcoming irrigation season from any interested party through February 15. *Please note that requests to lease for the 2013 irrigation season will not be accepted after February 15, 2013.*

- If you have a portion of your property that is difficult to irrigate, you may want to consider transferring that part of your water right to another area on your property.
- If you have a portion of your property that is difficult to irrigate, you may also consider selling that portion of your water right.

The District will work with you in every way we can to protect your water right. See enclosed beneficial use information sheet for further information on these and other options that may be available to you.

I have enclosed an aerial photo showing where your mapped water rights are located and a copy of the District Confiscation Policy. If your water rights are unmapped, the aerial photo will indicate the number of acres of water right and the number of acres of land to assist you in determining how much area should be irrigated. Please note that the aerial photo may not fully represent your irrigation habits for the full 2012 irrigation season or show any new structures, arenas, dry lots, etc. that may have been added to your property since the aerial photo was taken. The date the photo was taken is indicated on the map.

It is our hope that we can work together to maintain the water rights on your property. If you have any questions or concerns please contact me at 541-504-7577 or lauraw@coid.org so that we can discuss your available options.

Sincerely,



Laura Wollam
Water Use Specialist

Enc

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR

T-2014-019

ORS. 540.572

AUTHORIZED LANDS

17-13-28 SESW 00900

MATTHEW J. & BAYLEY A.
KILLPACK



CENTRAL OREGON IRRIGATION DISTRICT

1055 SW LAKE COURT, REDMOND, OR 97756

PHONE: 541.548.6047 FAX: 541.548.0243

www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

December 16, 2014

RECEIVED BY OWRD

DEC 23 2014

Matthew Killpack
20398 Shetland Loop
Bend, OR 97701

SALEM, OR

RE: Confiscation of water rights appurtenant to tax map #: 17-13-28 C0 00900 0.40 acres Irrigation

Dear Mr. & Ms. Killpack,

This notice is to inform you the District has filed a permanent transfer application with Oregon Water Resources Department (OWRD) to remove water rights appurtenant to the lands described above due to 5 consecutive years of non-use.

Per OAR 690-385-5400(2)(a) OWRD shall approve the district permanent transfer application as provided under OAR 690-385-5600 unless:

- A. The application does not include the information required under OAR 690-385-5200; or
- B. The user, of lands from which water rights are to be transferred, submits a protest pursuant to OAR Chapter 690, Division 002
 - b. The user has the right to protest the application as described in OAR 690-385-5700

You have 60 days from the date of mailing of this notice to submit a protest of the permanent transfer application to OWRD. OAR 690-385-5700(2) & (3) states that: Protest shall be filed in accordance with OAR Chapter 690, Division 002, and shall include the fee required under ORS 536.050; and, each person submitting a protest shall raise all reasonably ascertainable issues and submit all reasonably available arguments supporting the person's position by the close of the protest period. Failure to raise a reasonably ascertainable issue in a protest or failure to provide sufficient specificity to afford the Department an opportunity to respond to the issue precludes consideration of the issue during the hearing.

Enclosed are copies of the district permanent transfer application and maps. Please keep in mind if you wish to protest this transfer application with OWRD, the deadline for protest is 60 days from the date of this mailing.

Sincerely,

Leslie Clark
Water Right Manager

cc: OWRD, 725 Summer St N.E., Salem, OR
Mailed via certified mail December 16, 2014
Encl.

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR

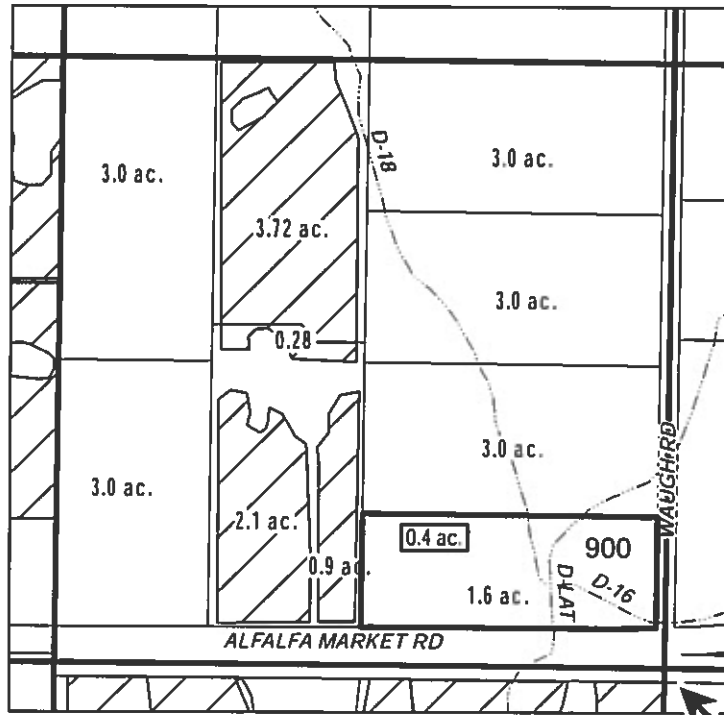
DESCHUTES COUNTY SEC.28 T17S R13E

SCALE - 1" = 400'



SE 1/4 OF THE SW 1/4

DISTRICT INTERNAL
NOTICE #: T-2014-019



S 1/4 COR

	EXISTING WATER RIGHTS
	'OFF' LAND PARCELS
	PARCELS W/ WATER RIGHTS

"OFF" MAP



APPLICATION FOR WATER RIGHTS TRANSFER

NAME: MATTHEW & BAYLEY KILLPACK

TAXLOT #: 900

0.4 ACRES

Date: 12/2/2014

FILE I:\TRANSFER\WRTRANS14IT-2014-019\171328_SESW

Leslie

From: Leslie <lesliec@coid.org>
Sent: Tuesday, November 04, 2014 10:36 AM
To: matt (mattkillpack@hotmail.com)
Cc: 'Laura Wollam'
Subject: Water Rights

Hello Matt,

I understand that you would like to address the COID board of directors at their November 13th board meeting; please be here for open forum at 9:00 am.

Please contact myself or Laura Wollam if you have any questions prior to the meeting.

Thank you,

Leslie Clark
Water Right Manager
Central Oregon Irrigation District
1055 SW Lake Court
Redmond, OR 97756
541 504-7576

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR



*1. Leslie given in 2014
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received
10-27-14

Dear Craig Horrell,

Thank you for the letter indicating that our water rights have not been beneficially used in the last five consecutive years. As my wife and I just recently purchased the property in January we have been getting accustomed to usage and watering in the Central Oregon Irrigation District as the property was pretty much barren land and had not been watered for at least four years. Unfortunately we were unaware of our options before it was too late to use them. It would have been nice to know that the Deschutes River Conservancy could have helped us out by leasing an acre of water to put back into the system for fish habitat. We were unaware and so this option did not exist for us. During site visits, our ditch rider informed us that in order to keep our full water rights we would have to cross the irrigation canals to water the back half of our property in which a major canal splits into four minor canals. As this is in violation of COI's policies, we did not pursue this option. My wife and I spent thousands of dollars on irrigation piping, an appropriate pump, seed, a tractor, and other various equipment to sow rye and bluegrass seed in the hopes that grass would grow. It was quite the learning experience, and by August our neighbors were very impressed with our efforts, claiming it was the greenest they had ever seen (this is from one neighbor who has lived nearby for forty years).

As the season went on we soon realized we had neither the resources nor the money to "green up" the full two acres that was required to fulfill the arguably antiquated laws. We would love to continue the process to get a full 1.5 acres green by next year, but according to the letter we received, one full acre will be taken away from us. We purchased the property with the romantic idea that we will have sheep, pigs, and a cow or two grazing on the fields that we have sewn. By only having the ability, in the short time we have owned the land, to green up one acre we feel it will not be enough to make our dreams a reality.

With that said, we are requesting the opportunity to prove that we are responsible and hard working enough to get 1.5 acres green by next year and ask that only .5 acres be confiscated. We appreciate the help we have received over our learning experience and ask not to be punished for our hard work.

Sincerely,

Matt + Bayle

Matt and Bayley Killpack
22980 Alfalfa Market Rd
Bend, OR 97701
541.815.7530

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR

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:

*Matthew & Bayley Killpack
 20398 Shetland Loop
 Bend OR 97701-8919*

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
Matthew Killpack Addressee

B. Received by (Printed Name) Agent
Bayley Killpack Addressee

C. Date of Delivery
10/23/14

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

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

4. Restricted Delivery? (Extra Fee) Yes No

2. Article Number (Transfer from service label) 7012 0470 0002 1A12 2234
 PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$ 0.49	<i>Mailed 10/22/14</i> Postmark Here
Certified Fee	\$ 3.30	
Return Receipt Fee (Endorsement Required)	\$ 2.70	
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$ 6.49	

Sent To *Matthew & Bayley Killpack*
 Street, Apt. No., or PO Box No. *20398 Shetland Loop*
 City, State, ZIP+4 *Bend OR 97701-8919*

PS Form 3800, August 2006 See Reverse for Instructions

4522 219T 2000 0440 2102

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR



CENTRAL OREGON IRRIGATION DISTRICT

1055 SW LAKE COURT, REDMOND, OR 97756

PHONE: 541.548.6047 FAX: 541.548.0243

www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

October 1, 2014

RECEIVED BY OWRD

Patron #: 4207

DEC 23 2014

Matthew & Bayley Killpack
20398 Shetland Loop
Bend, OR 97701

SALEM, OR

RE: Tax Map #: 171328C000900, 2 acres total Irrigation water rights
1 acres water rights to be confiscated in 2014

Dear Patron,

Our records indicate that you have failed to beneficially use your full water right for the last 5 consecutive years. By this letter, the District is serving you notice of our intent to confiscate the water right referenced above for failure to beneficially use the water for the last 5 consecutive years (See OAR 690-385-5000 and ORS 540.572 to 540.578). A copy of this letter is being sent to any security interest holders listed in the county records for your property as well as the Oregon Water Resources Dept. (OWRD), as required by statute. Enclosed with this letter is a copy of the District Confiscation Policy and a water right map indicating where your water should be used.

Certified letters were sent to you and any known security interest holders following the end of the 2013 irrigation season, informing you of the non-use of the full water right, the options available to assist you in fulfilling OWRD's beneficial use requirements, and COID's intent to confiscate any remaining unused water at the end of the 2014 irrigation season. Available options included using the full water right beneficially; leasing, at a minimum, the unused portion of the water right instream; and transferring off or selling the unused water right. Site visits were completed during 2014 to review any signs of beneficial use of the full water right. In addition, multiple years of aerial photos were also used to assist in the review of what may or may not have been accomplished between 2010 and 2014.

Failure to prove beneficial use is a very serious matter and is cause for forfeiture of the unused water right. Oregon Revised Statute 540.610 clearly states the requirement of beneficial use:

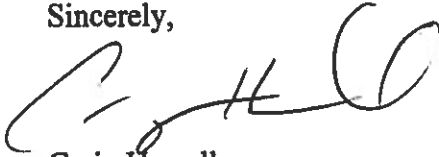
540.610 Use as measure of water right; presumption of forfeiture of right for nonuse; basis for rebutting presumption; confirmation of rights of municipalities. (1) Beneficial use shall be the basis, the measure and the limit of all rights to the use of water in this state. Whenever the owner of a perfected and developed water right ceases or fails to use all or part of the water appropriated for a period of five successive years, the failure to use shall establish a rebuttable presumption of forfeiture of all or part of the water right.

If you wish to dispute the confiscation and permanent removal of the unused water right from your property, you have 30 days from the date this letter was mailed (see date below) to notify the District of your objection – in writing. If you object or wish to demonstrate that non-use is excusable under one of the provisions allowed in ORS 640.610(2)(a-n), a meeting will be scheduled with the District Manager to try to resolve the issue with you; and if unable to do so, a District hearing before the COID Board of Directors will be held in November to determine if a petition to transfer the water off the lands should be filed with the OWRD Director. Failure to contact the District within 30 days will cause the water to be permanently transferred off of your property.

If you have any evidence that you have beneficially used all of your water right at any time during the last 5 years, please have the evidence ready to present at the time of your meeting with the District Manager and, if necessary, at the hearing with the Board of Directors.

Please respond within 30 days from the date of this letter to confirm that the information provided in this notice is correct.

Sincerely,



Craig Horrell
District Manager

Enc

cc: OWRD, 725 Summer St N.E. Suite 100, Salem, OR 97301
Jeremy Giffin, District 11 Watermaster, 231 SW Scalehouse Lp, Ste 103, Bend, OR 97701
Directors Mortgage, Inc 4550 SW Kruse Way, Ste 275, Lake Oswego, OR 97035
Loan # 130836959

Sent by certified mail October 1, 2014
Copy sent by first class mail October 1, 2014

DESCHUTES COUNTY SEC.28 T17S R13E

RECEIVED BY OWRD

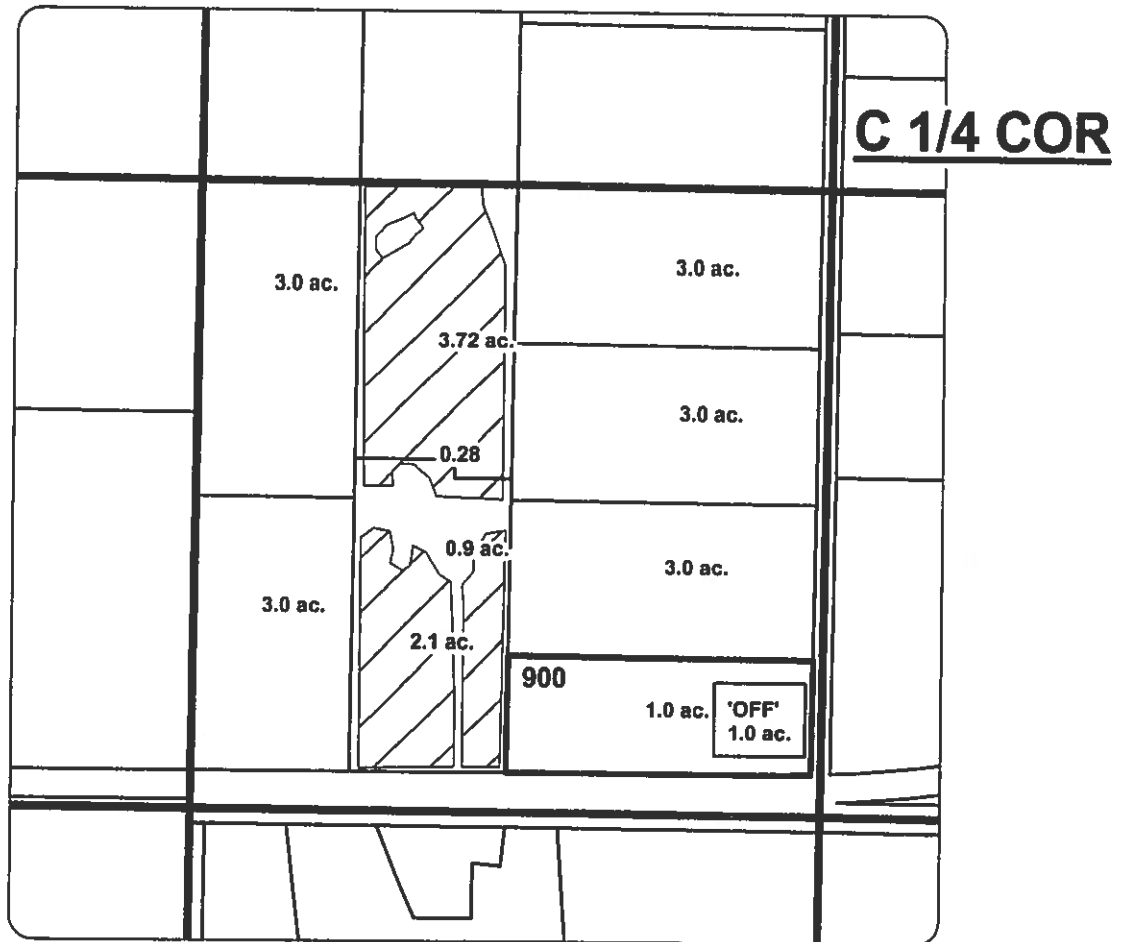
DEC 23 2014

SALEM, OR

1 inch = 400 feet



SE 1/4 OF THE SW 1/4



"OFF" MAP



WATER RIGHTS CONFISCATION MAP

NAME: MATHEW/BAYLEY KILLPACK

TAXLOT #: 900

1.0 ACRES



CENTRAL OREGON IRRIGATION DISTRICT

1055 SW LAKE COURT, REDMOND, OR 97756

PHONE: 541.548.6047 FAX: 541.548.0243

www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

October 2, 2014

Directors Mortgage, Inc.
4550 SW Kruse Way Ste 275
Lake Oswego, OR 97035

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR

RE: Loan # 130836959 – Matthew & Bayley Killpack

Please find enclosed a copy of the 5th year non-use letter that Central Oregon Irrigation District (COID) sends to its patrons that fail to beneficially use their full water rights for five consecutive years. You will also find a copy of COID's confiscation policy and a list of laws applicable to confiscation per Oregon Revised Statutes and Oregon Administrative Rules.

This letter is being sent to you as required by Oregon Water Resources Department because county records show you as a security interest holder on the property that the water right is appurtenant to.

If you have any questions regarding the letter or beneficial use, please contact me at 541-504-7577 or lauraw@coid.org.

Sincerely,

Laura Wollam
Water Use Specialist

Enc

Laura Wollam

From: Matt Killpack <matt_killpack@rpademy.org>
Sent: Monday, April 21, 2014 2:12 PM
To: lauraw@coid.org
Subject: Water Rights

Good Afternoon,

My name is Matt Killpack and I just recently purchased 22980 Alfafla Market Rd. I understand that the beneficial use of this property is a bit behind and that I must full green 2 acres by the end of June. My question is, is it possible for me to sell back .75 acres of water as I only need about 1.25 acres? In other words, there is too much water granted to the property for our desired use of it and I would like to allow someone else who actually needs that water to have it. In order for us to full green we would have to spend a few thousand dollars sending water back over the irrigation ditches that run on the East side of our property to water an area that we wouldn't necessarily use. I am brand new to this so I hope this request doesn't sound too elementary. I appreciate your time and look forward to your response.

Cheers,
Matt

--

Matt Killpack
Social Studies
Redmond Proficiency Academy
541.815.7530
fax# 541.516.1160
www.rpademy.org

"Be cool"
-- Ken Moore

*04/22/14
Forwarded to Leslie.
for contact or info so at
can contact.*

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR

Leslie

From: Leslie <lesliec@coid.org>
Sent: Monday, July 14, 2014 7:51 AM
To: 'matt'
Subject: RE: Water

Hi Matt,

Thank you for checking in. You are correct, 2 acres of land must be producing non-native (not weeds) vegetation on 2 acres of landmass area. COID staff will be out in August, September to measure the irrigated area and determine if any of the water is not use. Any un-used portion will be confiscated by the District in November 2014. It is perfectly fine to cut your crop but I suggest you take a number of photos with some landmarks to identify the location (house, fence lines etc.).

Thanks,

Leslie

Leslie Clark
Water Right Manager
Central Oregon Irrigation District
1055 SW Lake Court
Redmond, OR 97756
541 504-7576

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR

From: matt [mailto:mattkillpack@hotmail.com]
Sent: Monday, July 07, 2014 1:19 PM
To: lesliec@coid.org
Subject: Water

Ms. Clark,

My name is Matt Killpack and we spoke earlier this year about full greening my property at 22980 Alfalfa Market Rd. As we just bought the land in January and the previous owners hadn't full greened in 4 years, this summer marked the time in which we are to get our property full green. As such, my wife and I have been working very hard at restoring the acreage that is necessary to keep our rights. When we spoke on the phone you provided me with a few options, one of which was to green all we can and that everything we don't we could lose the rights for that amount. In other words, if we have 2 acres of rights but only green up 1 we still retain the rights to that 1 but give up the other. In a long winded way, I guess I am asking if you can confirm that for me. Also, is it okay to cut the rye and alfalfa we have growing or does that mess with the full green regulations. Thank you for helping me with this and I appreciate your patience while I am learning the ropes of irrigation. Thank you again.

Cheers,
Matt

COMPLETE THIS SECTION ON DELIVERY

- 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:

Matthew & Bayley Killpack
20398 Shetland Loop
Bend, OR 97701

A. Signature Agent
X Bayley Killpack Addressee

B. Received by (Printed Name) *Bayley Killpack* C. Date of Delivery *12/19/13*

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

3. Service Type Express Mail Return Receipt for Merchandise
 Certified Mail Registered C.O.D.
 Insured Mail Restricted Delivery? (Extra Fee) Yes

2. Article Number *7012 0470 0002 1812 1640*
(Transfer from service label)
PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1640

RECEIVED BY OWRD
DEC 23 2014
SALEM, OR

U.S. Postal Service™ CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)
For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$ 0.44	
Certified Fee	3.10	
Return Receipt Fee (Endorsement Required)	2.55	
Restricted Delivery Fee (Endorsement Required)	4.31	

Postmark Here *Malden 12/12/13*

Sent *102*

City: Bend, OR 97701
Street: 20398 Shetland Loop
PS Form 3811, February 2004

7012 0470 0002 1812 1640



CENTRAL OREGON IRRIGATION DISTRICT

1055 SW LAKE COURT, REDMOND, OR 97756

PHONE: 541.548.6047 FAX: 541.548.0243

www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

December 11, 2013

Patron ID: 4207

RECEIVED BY OWRD

Matthew & Bayley Killpack
20398 Shetland Loop
Bend, OR 97701

DEC 23 2014

SALEM, OR

RE: Tax Map #: 171328C000900 - 2 acres total Irrigation Water Rights

Dear Patron,

The 2013 irrigation season has come to an end, and with that, the District has completed the required yearly review of beneficial use of all water rights within our District.

It has been brought to my attention that all or a portion of the water right on the above-noted property has not been beneficially used for 4 consecutive years. Oregon Revised Statute 540.610 clearly states the requirement of beneficial use:

540.610 Use as measure of water right; presumption of forfeiture of right for nonuse; basis for rebutting presumption; confirmation of rights of municipalities. (1) Beneficial use shall be the basis, the measure and the limit of all rights to the use of water in this state. Whenever the owner of a perfected and developed water right ceases or fails to use all or part of the water appropriated for a period of five successive years, the failure to use shall establish a rebuttable presumption of forfeiture of all or part of the water right.

Failure to prove beneficial use as stated is a very serious matter and is cause for forfeiture of the unused water right. At this time, you have 3 options to protect this water right. You must use the full water right on the ground exactly as it is mapped during the 2014 irrigation season (see enclosed aerial photo for location of mapped water rights); lease, at minimum, the unused portion of the water right back into the Deschutes River for the 2014 season (the District will accept requests for temporary lease applications through February 15, 2014); or transfer the unused water. By failing to follow any of these options, the District will be forced by Oregon Statute to confiscate the water right at the end of the 2014 season by filing a petition with OWRD to transfer these water rights to other lands in the District.

As a courtesy, the District is informing you that if this property has any other water rights specifically appurtenant to it that are delivered from another source (non-COID water), that water (per ORS 540.510) may be subject to cancellation by OWRD should COID be forced to file a confiscation transfer.

By this letter, the District is serving you notice of our intent to confiscate any water right that goes unused in 2014 (see OAR 690-385-5000 and ORS 540.572 to 540.578). A copy of this letter is being sent to any security interest holders listed against your property as well as the Oregon Water Resources Dept (as required by statute).

If you have any evidence that you have used all of your water right at any time since 2010, please present the evidence to our office within 30 days from the date of this letter.

I have enclosed an aerial photo showing where your mapped water rights are located and a copy of the District Confiscation Policy. If your water rights are unmapped, the aerial photo will indicate the number of acres of water right and the number of acres of land to assist you in determining how much area should be irrigated. Please note that the aerial photo may not fully represent your irrigation habits for the full 2013 irrigation season or any new structures, arenas, dry lots, etc. that may have been added to your property since the aerial photo was taken. The date the photo was taken is indicated in the lower left hand corner of the map.

REMINDER: Whether you choose to use, lease, transfer, or not use your water rights in 2014; your assessments are still due and payable to COID by the due date. If you fail to pay your assessments, COID will add late fees and legal fees to your bill and file a lien against your property for non-payment.

It is our hope that we can work together and maintain the water rights on your property. If you have any questions or concerns please contact Laura Wollam at 541-504-7577 or by email at lauraw@coid.org as soon as possible so we can discuss your available options. *Please note that Laura will be out of the office from December 23, 2013 – January 1, 2014.*

Please respond within 30 days from the date of this letter to confirm that the information provided in this notice is correct.

Sincerely,

 for

Steven C. Johnson
Secretary-Manager

Enc

cc: OWRD Attn: Susan Douthit 725 Summer St NE, Ste 100 Salem, OR 97301
Directors Mortgage, Inc 4550 SW Kruse Way, Ste 275, Lake Oswego, OR 97035 Loan # 130836959

Sent by certified mail December 11, 2013

T-2014-019

RECEIVED BY OWRD

ORS. 540.572

DEC 23 2014

SALEM, OR

AUTHORIZED LANDS

18-12-02 NESE 01301

KELCO INC. RETIREMENT PLAN



CENTRAL OREGON IRRIGATION DISTRICT

1055 SW LAKE COURT, REDMOND, OR 97756

PHONE: 541.548.6047 FAX: 541.548.0243

www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

December 16, 2014

Kelco Inc. Retirement Plan
23030 Bear Creek Rd
Bend, OR 97701

RE: Confiscation of water rights appurtenant to tax map #: 18-12-02 00 01301 10 acres Irrigation

Dear Sir or Madam,

This notice is to inform you the District has filed a permanent transfer application with Oregon Water Resources Department (OWRD) to remove water rights appurtenant to the lands described above due to 5 consecutive years of non-use.

Per OAR 690-385-5400(2)(a) OWRD shall approve the district permanent transfer application as provided under OAR 690-385-5600 unless:

- A. The application does not include the information required under OAR 690-385-5200; or
- B. The user, of lands from which water rights are to be transferred, submits a protest pursuant to OAR Chapter 690, Division 002
 - b. The user has the right to protest the application as described in OAR 690-385-5700

You have 60 days from the date of mailing of this notice to submit a protest of the permanent transfer application to OWRD. OAR 690-385-5700(2) & (3) states that: Protest shall be filed in accordance with OAR Chapter 690, Division 002, and shall include the fee required under ORS 536.050; and, each person submitting a protest shall raise all reasonably ascertainable issues and submit all reasonably available arguments supporting the person's position by the close of the protest period. Failure to raise a reasonably ascertainable issue in a protest or failure to provide sufficient specificity to afford the Department an opportunity to respond to the issue precludes consideration of the issue during the hearing.

Enclosed are copies of the district permanent transfer application and maps. Please keep in mind if you wish to protest this transfer application with OWRD, the deadline for protest is 60 days from the date of this mailing.

Sincerely,

Leslie Clark
Water Right Manager

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR

cc: OWRD, 725 Summer St N.E., Salem, OR
Mailed via certified mail December 16, 2014
Encl.

DESCHUTES COUNTY
SEC.02 T18S R12E

RECEIVED BY OWRD

DEC 23 2014

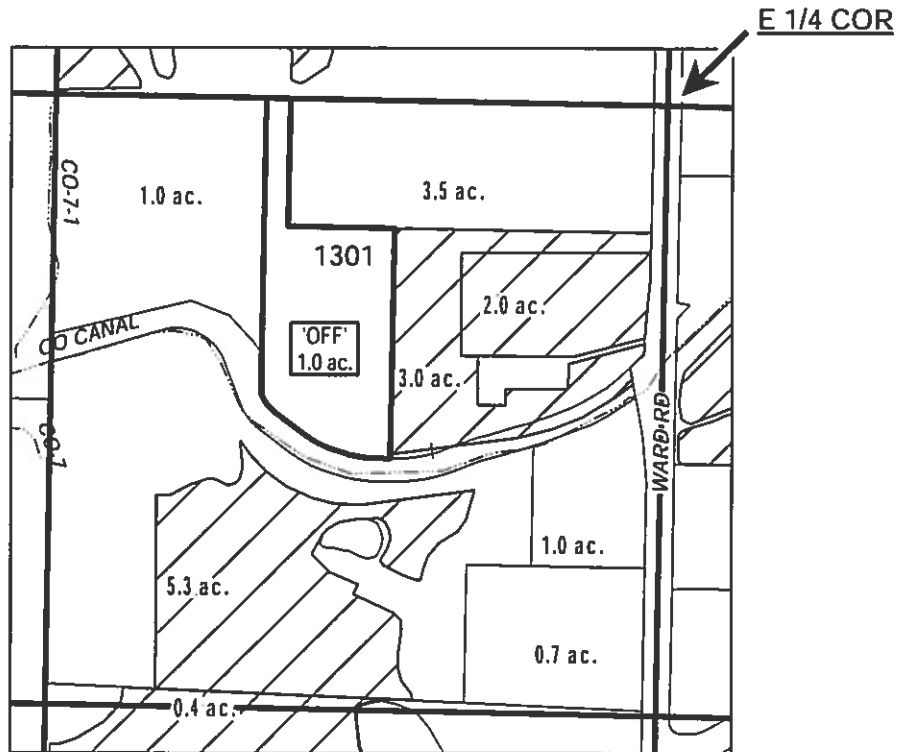
SALEM, OR

SCALE - 1" = 400'



NE 1/4 OF THE SE 1/4

DISTRICT INTERNAL
NOTICE #: T-2014-019



	EXISTING WATER RIGHTS
	'OFF' LAND PARCELS
	PARCELS W/ WATER RIGHTS

"OFF" MAP



APPLICATION FOR WATER RIGHTS TRANSFER

NAME: KELCO INC. RETIREMENT PLAN

TAXLOT #: 1301

1.0 ACRES

Date: 10/16/2014

FILE: I\TRANSFER\WRTRANS14IT-2014-019\181202_NESE

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:

Kelco Inc. Retirement Plan
Attn: Darrin Kelleher
2303D Bear Creek Rd
Bend OR 97701

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X 

Agent

Addressee

B. Received by (Printed Name)

Darrin Kelleher

C. Date of Delivery

10-10-14

D. Is delivery address different from item 1? If YES, enter delivery address below:

Yes
 No

5. Service Type

Certified Mail
 Registered
 Insured Mail

Express Mail
 Return Receipt for Merchandise
 C.O.D.

4. Restricted Delivery? (Extra Fee)

Yes

2. Article Number

(Transfer from service label)

7012 0470 0002 1A12 2210

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$ 0.49
Certified Fee	\$ 3.30
Return Receipt Fee (Endorsement Required)	\$ 2.70
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 6.49

Mailed 10/02/14

Postmark Here

Sent to *Kelco Inc. Retirement Plan Attn: Darrin Kelleher*
 Street, Apt. No., or PO Box No. *2303D Bear Creek Rd*
 City, State, ZIP+4 *Bend OR 97701*

PS Form 3800, August 2006 See Reverse for Instructions

0122 2197 2000 0440 2102

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR



CENTRAL OREGON IRRIGATION DISTRICT

1055 SW LAKE COURT, REDMOND, OR 97756

PHONE: 541.548.6047 FAX: 541.548.0243

www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

October 1, 2014

RECEIVED BY OWRD

Patron #: 4362

DEC 23 2014

Kelco Inc. Retirement Plan
23030 Bear Creek Road
Bend, OR 97701

SALEM, OR

RE: Tax Map #: 1812020001301, 1 acres total Irrigation water rights
1 acres water rights to be confiscated in 2014

Dear Patron,

Our records indicate that you have failed to beneficially use your full water right for the last 5 consecutive years. By this letter, the District is serving you notice of our intent to confiscate the water right referenced above for failure to beneficially use the water for the last 5 consecutive years (See OAR 690-385-5000 and ORS 540.572 to 540.578). A copy of this letter is being sent to any security interest holders listed in the county records for your property as well as the Oregon Water Resources Dept. (OWRD), as required by statute. Enclosed with this letter is a copy of the District Confiscation Policy and a water right map indicating where your water should be used.

Certified letters were sent to you and any known security interest holders following the end of the 2013 irrigation season, informing you of the non-use of the full water right, the options available to assist you in fulfilling OWRD's beneficial use requirements, and COID's intent to confiscate any remaining unused water at the end of the 2014 irrigation season. Available options included using the full water right beneficially; leasing, at a minimum, the unused portion of the water right instream; and transferring off or selling the unused water right. Site visits were completed during 2014 to review any signs of beneficial use of the full water right. In addition, multiple years of aerial photos were also used to assist in the review of what may or may not have been accomplished between 2010 and 2014.

Failure to prove beneficial use is a very serious matter and is cause for forfeiture of the unused water right. Oregon Revised Statute 540.610 clearly states the requirement of beneficial use:

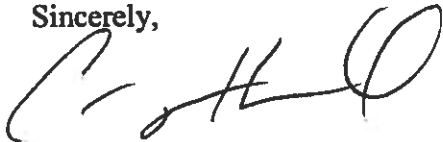
540.610 Use as measure of water right; presumption of forfeiture of right for nonuse; basis for rebutting presumption; confirmation of rights of municipalities. (1) Beneficial use shall be the basis, the measure and the limit of all rights to the use of water in this state. Whenever the owner of a perfected and developed water right ceases or fails to use all or part of the water appropriated for a period of five successive years, the failure to use shall establish a rebuttable presumption of forfeiture of all or part of the water right.

If you wish to dispute the confiscation and permanent removal of the unused water right from your property, you have 30 days from the date this letter was mailed (see date below) to notify the District of your objection – in writing. If you object or wish to demonstrate that non-use is excusable under one of the provisions allowed in ORS 640.610(2)(a-n), a meeting will be scheduled with the District Manager to try to resolve the issue with you; and if unable to do so, a District hearing before the COID Board of Directors will be held in November to determine if a petition to transfer the water off the lands should be filed with the OWRD Director. Failure to contact the District within 30 days will cause the water to be permanently transferred off of your property.

If you have any evidence that you have beneficially used all of your water right at any time during the last 5 years, please have the evidence ready to present at the time of your meeting with the District Manager and, if necessary, at the hearing with the Board of Directors.

Please respond within 30 days from the date of this letter to confirm that the information provided in this notice is correct.

Sincerely,



Craig Horrell
District Manager

Enc

cc: OWRD, 725 Summer St N.E. Suite 100, Salem, OR 97301
Jeremy Giffin, District 11 Watermaster, 231 SW Scalehouse Lp, Ste 103, Bend, OR 97701
No known lien holders

Sent by certified mail October 1, 2014
Copy sent by first class mail October 1, 2014

DESCHUTES COUNTY SEC.02 T18S R12E

RECEIVED BY OWRD

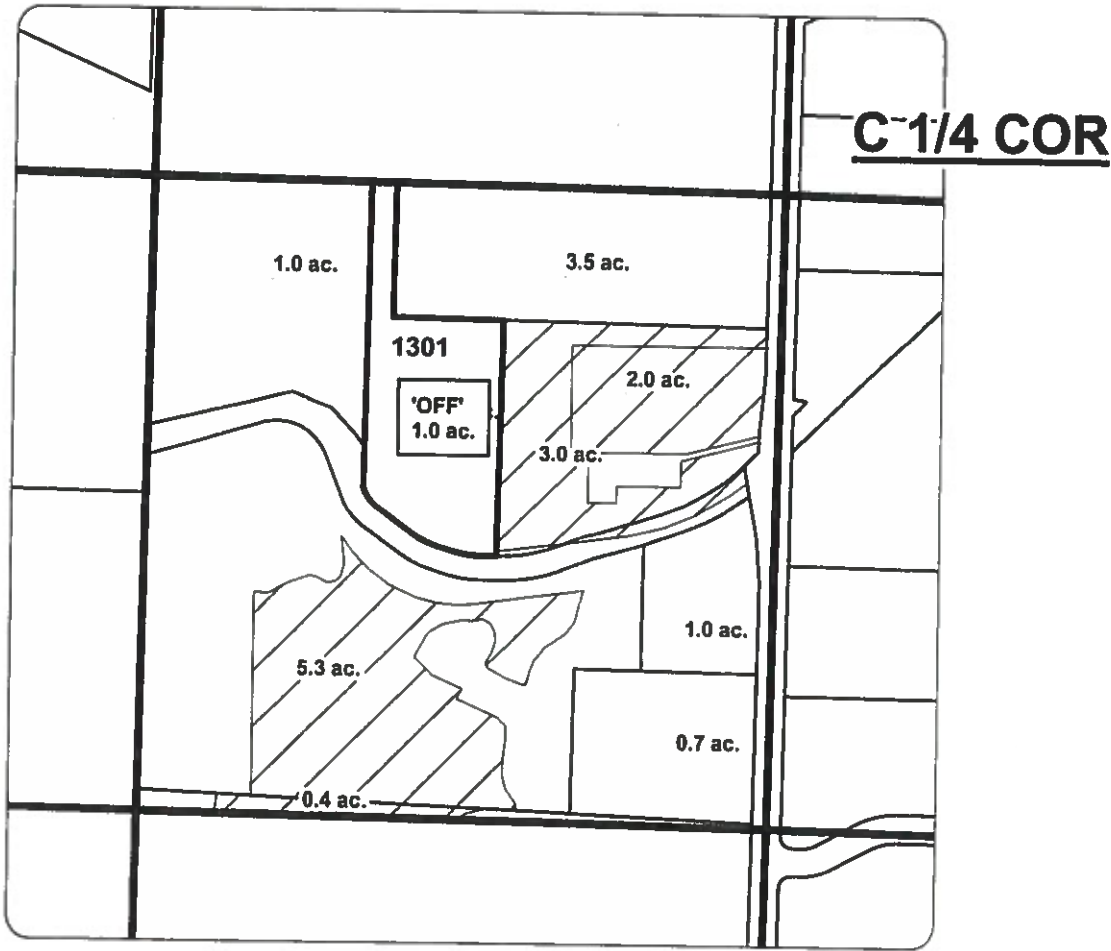
DEC 23 2014

SALEM, OR

1 inch = 400 feet



NE 1/4 OF THE SE 1/4



"OFF" MAP

	'OFF' LAND PARCELS
	EXISTING WATER RIGHTS
	PARCELS W/ WATER RIGHTS



WATER RIGHTS CONFISCATION MAP

NAME: KELCO INC. RETIREMENT PLAN

TAXLOT #: 1301

1.0 ACRES



CENTRAL OREGON IRRIGATION DISTRICT

1055 SW LAKE COURT, REDMOND, OR 97756

PHONE: 541.548.6047 FAX: 541.548.0243

www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

January 3, 2014

Patron ID: 52480

Ralph & Glennys Boese
61795 Ward Rd
Bend, OR 97702

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR

RE: Tax Map #: 1812020001301 - 1 acres total Irrigation Water Rights

Dear Patron,

The 2013 irrigation season has come to an end, and with that, the District has completed the required yearly review of beneficial use of all water rights within our District.

A certified letter was mailed to you regarding the beneficial use of your water rights on December 12, 2013. This letter was returned to our office as unclaimed after the post office made 3 attempts to deliver it.

Oregon Revised Statutes requires that an irrigation district mail notification of 4 years of non-use to its patrons via certified mail with return receipt requested. We are not required to mail this notice via regular first class mail. As a courtesy, I am resending this letter to you through regular first class mail so that you will be informed of the beneficial use status of your water right.

Please review the enclosed letter and information so that you can make an informed decision as to how you wish to use your water rights in 2014. If you have any questions after reviewing the information, please plan on attending the open house anytime between the hours of 4:30 and 7:00 p.m. on Tuesday, January, 21, 2014, or contact me by email at lauraw@coid.org. You may also contact me by phone at 541-504-7577.

Sincerely,

Laura Wollam
Water Use Specialist

Enc

Sent by first class mail January 3, 2014

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR

7012 0470 0002 1612 1343

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Postage	\$ 0.46	<i>Mailed 12/12/13</i> Postmark Here
Certified Fee	3.10	
Return Receipt Fee (Endorsement Required)	2.55	
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$ 6.51	

Sent To: LD1

Street or PO: **Ralph & Glennys Boese^L**

City, St: **61795 Ward Rd^L**

PS Form: **Bend, OR 97702^L**

CERTIFIED MAIL™



7012 0470 0002 1612 1343



USA
FIRST-CLASS
FOREVER

N
12/13
17-19

Ralph & Glennys Boese^L
61795 Ward Rd^L
Bend, OR 97702^L

CENTRAL OREGON IRRIGATION DISTRICT
1055 SW Lake Court
Redmond OR 97758-1469
Address Service Requested

UNITED STATES POSTA
02 1P
000 106672
MAILED FROM

NIXIE 970 DE 1009 0001/01/14

RETURN TO SENDER
UNCLAIMED
UNABLE TO FORWARD

BC: 97756146955 *0529-02663-12-42

9770235604 R004
9775601469



CENTRAL OREGON IRRIGATION DISTRICT

1055 SW LAKE COURT, REDMOND, OR 97756

PHONE: 541.548.6047 FAX: 541.548.0243

www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

RECEIVED BY OWRD

December 11, 2013

DEC 23 2014

Patron ID: 52480

SALEM, OR

Ralph & Glennys Boese
61795 Ward Rd
Bend, OR 97702

RE: Tax Map #: 1812020001301 - 1 acres total Irrigation Water Rights

Dear Patron,

The 2013 irrigation season has come to an end, and with that, the District has completed the required yearly review of beneficial use of all water rights within our District.

It has been brought to my attention that all or a portion of the water right on the above-noted property has not been beneficially used for 4 consecutive years. Oregon Revised Statute 540.610 clearly states the requirement of beneficial use:

540.610 Use as measure of water right; presumption of forfeiture of right for nonuse; basis for rebutting presumption; confirmation of rights of municipalities. (1) Beneficial use shall be the basis, the measure and the limit of all rights to the use of water in this state. Whenever the owner of a perfected and developed water right ceases or fails to use all or part of the water appropriated for a period of five successive years, the failure to use shall establish a rebuttable presumption of forfeiture of all or part of the water right.

Failure to prove beneficial use as stated is a very serious matter and is cause for forfeiture of the unused water right. At this time, you have 3 options to protect this water right. You must use the full water right on the ground exactly as it is mapped during the 2014 irrigation season (see enclosed aerial photo for location of mapped water rights); lease, at minimum, the unused portion of the water right back into the Deschutes River for the 2014 season (the District will accept requests for temporary lease applications through February 15, 2014); or transfer the unused water. By failing to follow any of these options, the District will be forced by Oregon Statute to confiscate the water right at the end of the 2014 season by filing a petition with OWRD to transfer these water rights to other lands in the District.

As a courtesy, the District is informing you that if this property has any other water rights specifically appurtenant to it that are delivered from another source (non-COID water), that water (per ORS 540.510) may be subject to cancellation by OWRD should COID be forced to file a confiscation transfer.

By this letter, the District is serving you notice of our intent to confiscate any water right that goes unused in 2014 (see OAR 690-385-5000 and ORS 540.572 to 540.578). A copy of this letter is being sent to any security interest holders listed against your property as well as the Oregon Water Resources Dept (as required by statute).

If you have any evidence that you have used all of your water right at any time since 2010, please present the evidence to our office within 30 days from the date of this letter.

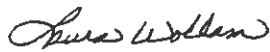
I have enclosed an aerial photo showing where your mapped water rights are located and a copy of the District Confiscation Policy. If your water rights are unmapped, the aerial photo will indicate the number of acres of water right and the number of acres of land to assist you in determining how much area should be irrigated. Please note that the aerial photo may not fully represent your irrigation habits for the full 2013 irrigation season or any new structures, arenas, dry lots, etc. that may have been added to your property since the aerial photo was taken. The date the photo was taken is indicated in the lower left hand corner of the map.

REMINDER: Whether you choose to use, lease, transfer, or not use your water rights in 2014; your assessments are still due and payable to COID by the due date. If you fail to pay your assessments, COID will add late fees and legal fees to your bill and file a lien against your property for non-payment.

It is our hope that we can work together and maintain the water rights on your property. If you have any questions or concerns please contact Laura Wollam at 541-504-7577 or by email at lauraw@coid.org as soon as possible so we can discuss your available options. *Please note that Laura will be out of the office from December 23, 2013 – January 1, 2014.*

Please respond within 30 days from the date of this letter to confirm that the information provided in this notice is correct.

Sincerely,

 for

Steven C. Johnson
Secretary-Manager

Enc

cc: OWRD Attn: Susan Douthit 725 Summer St NE, Ste 100 Salem, OR 97301
No known lien holders

Sent by certified mail December 11, 2013



CENTRAL OREGON IRRIGATION DISTRICT

1055 SW LAKE COURT, REDMOND, OR 97756

PHONE: 541.548.6047 FAX: 541.548.0243

www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

April 23, 2014

Ralph & Glennys Boese
61795 Ward Rd
Bend, OR 97702

RECEIVED BY OWRD

DEC 23 2014

Dear Patron,

SALEM, OR

The beginning of the 2014 irrigation season is upon us and with that comes the responsibility of beneficially using your water rights. In 2013, you received a letter from COID stating that you have not exercised your full water right in four consecutive years. Now is the time to review your water rights and how you would like to use them in 2014.

As the deadline for instream leasing and temporary transfer has passed for 2014, your remaining options for beneficial use compliance as required per ORS 540.610 are as follows:

1. Use your water right on your property as mapped. If you have an unmapped water right, you must cover the amount of ground equal to the total water right (i.e.: if you have a 2 acre unmapped water right, you must irrigate and grow something that is considered beneficial on 2 acres of land within your tax lot).
2. Sell or permanently transfer, at a minimum, the unused portion of your water right.

If you are interested in selling your water right, there are several options available to you. COID is a member of the DWA Water Bank (Bank). You can sell your water rights directly to COID for potential use by other water users through the Bank in the Deschutes Basin for surface delivery, for mitigation of a groundwater delivery or for river restoration. COID purchases water at current market price. Please contact Leslie Clark at COID (541-504-7576 or lesliec@coid.org) for more information as the market can fluctuate depending on the availability and demand.

If you fail to beneficially use or transfer the unused water right before the end of the 2014 irrigation season, COID will proceed with confiscation of the unused water right as allowed by Oregon Water Resources Department and ORS 540.610.

Remember that whether you choose to use your water rights, transfer them, or not use them in 2014; your assessments are still due and payable to COID by the due date. If you fail to pay your assessments, COID will file a lien against your property for non-payment. Please contact Janet Brown at COID (541-504-7580 or jbrown@coid.org) before July 1 to discuss payment options if needed.

Please call me at 541-504-7577 or email me at lauraw@coid.org if you would like to discuss your beneficial use options further.

Thank you,

Laura Wollam
Water Use Specialist



CENTRAL OREGON IRRIGATION DISTRICT

1055 SW LAKE COURT, REDMOND, OR 97756

PHONE: 541.548.6047 FAX: 541.548.0243

www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

December 13, 2012

RECEIVED BY OWRD

Patron ID: 52480

DEC 23 2014

Ralph & Glennys Boese
61795 Ward Rd
Bend, OR 97702

SALEM, OR

RE: Tax Map #: 1812020001301 - 1 acres total Irrigation Water Rights

Dear Patron,

The 2012 irrigation season has come to an end, and with that, the District has completed its yearly review of beneficial use of all water rights within our District.

It has been reported that all or a portion of the water right on the above-noted property has not been beneficially used for the last 3 consecutive years. I am bringing this to your attention at this time to encourage you to protect your water rights in the future.

Oregon Water Resources Dept (OWRD) enforces water right laws for the State of Oregon. The law requires that water rights be fully used on land 1 year out of every 5 years. The 5-year time period is not based on years of ownership, but on the beneficial use of the water right on the appurtenant land itself, counting forward from the last reported year of full use. For further information on this requirement please refer to the following Oregon Revised Statute:

540.610 Use as measure of water right; presumption of forfeiture of right for nonuse; basis for rebutting presumption; confirmation of rights of municipalities. (1) Beneficial use shall be the basis, the measure and the limit of all rights to the use of water in this state. Whenever the owner of a perfected and developed water right ceases or fails to use all or part of the water appropriated for a period of five successive years, the failure to use shall establish a rebuttable presumption of forfeiture of all or part of the water right.

Please consider how you wish to use your water right through the next irrigation season. The preferred choice is to fully use the water on the ground. If you do not wish to or are unable to do this, there are other options available such as:

- OWRD will allow you to temporarily lease your water right back into the Deschutes River and credit you with beneficial use (leasing instream is considered the same as applying the water to the ground). This benefits you by not having to irrigate, and benefits the river by increasing the flow. The District will accept requests for instream lease applications for the upcoming irrigation season from any interested party through February 15. *Please note that requests to lease for the 2013 irrigation season will not be accepted after February 15, 2013.*

- If you have a portion of your property that is difficult to irrigate, you may want to consider transferring that part of your water right to another area on your property.
- If you have a portion of your property that is difficult to irrigate, you may also consider selling that portion of your water right.

The District will work with you in every way we can to protect your water right. See enclosed beneficial use information sheet for further information on these and other options that may be available to you.

I have enclosed an aerial photo showing where your mapped water rights are located and a copy of the District Confiscation Policy. If your water rights are unmapped, the aerial photo will indicate the number of acres of water right and the number of acres of land to assist you in determining how much area should be irrigated. Please note that the aerial photo may not fully represent your irrigation habits for the full 2012 irrigation season or show any new structures, arenas, dry lots, etc. that may have been added to your property since the aerial photo was taken. The date the photo was taken is indicated on the map.

It is our hope that we can work together to maintain the water rights on your property. If you have any questions or concerns please contact me at 541-504-7577 or lauraw@coid.org so that we can discuss your available options.

Sincerely,



Laura Wollam
Water Use Specialist

Enc

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR

T-2014-019

ORS. 540.572

AUTHORIZED LANDS

14-13-08 NESW 400

TIMOTHY A. & ANGELA M.
JORDISON



CENTRAL OREGON IRRIGATION DISTRICT

1055 SW LAKE COURT, REDMOND, OR 97756

PHONE: 541.548.6047 FAX: 541.548.0243

www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

RECEIVED BY OWRD

December 16, 2014

DEC 23 2014

Timothy Jordison
10225 NW 27th St
Terrebonne, OR 97760

SALEM, OR

RE: Confiscation of water rights appurtenant to tax map #: 14-13-08 00 00400 2.40 acres Irrigation

Dear Mr. & Ms. Jordison,

This notice is to inform you the District has filed a permanent transfer application with Oregon Water Resources Department (OWRD) to remove water rights appurtenant to the lands described above due to 5 consecutive years of non-use.

Per OAR 690-385-5400(2)(a) OWRD shall approve the district permanent transfer application as provided under OAR 690-385-5600 unless:

- A. The application does not include the information required under OAR 690-385-5200; or
- B. The user, of lands from which water rights are to be transferred, submits a protest pursuant to OAR Chapter 690, Division 002
 - b. The user has the right to protest the application as described in OAR 690-385-5700

You have 60 days from the date of mailing of this notice to submit a protest of the permanent transfer application to OWRD. OAR 690-385-5700(2) & (3) states that: Protest shall be filed in accordance with OAR Chapter 690, Division 002, and shall include the fee required under ORS 536.050; and, each person submitting a protest shall raise all reasonably ascertainable issues and submit all reasonably available arguments supporting the person's position by the close of the protest period. Failure to raise a reasonably ascertainable issue in a protest or failure to provide sufficient specificity to afford the Department an opportunity to respond to the issue precludes consideration of the issue during the hearing.

Enclosed are copies of the district permanent transfer application and maps. Please keep in mind if you wish to protest this transfer application with OWRD, the deadline for protest is 60 days from the date of this mailing.

Sincerely,

Leslie Clark
Water Right Manager

cc: OWRD, 725 Summer St N.E., Salem, OR
Mailed via certified mail December 16, 2014
Encl.

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR

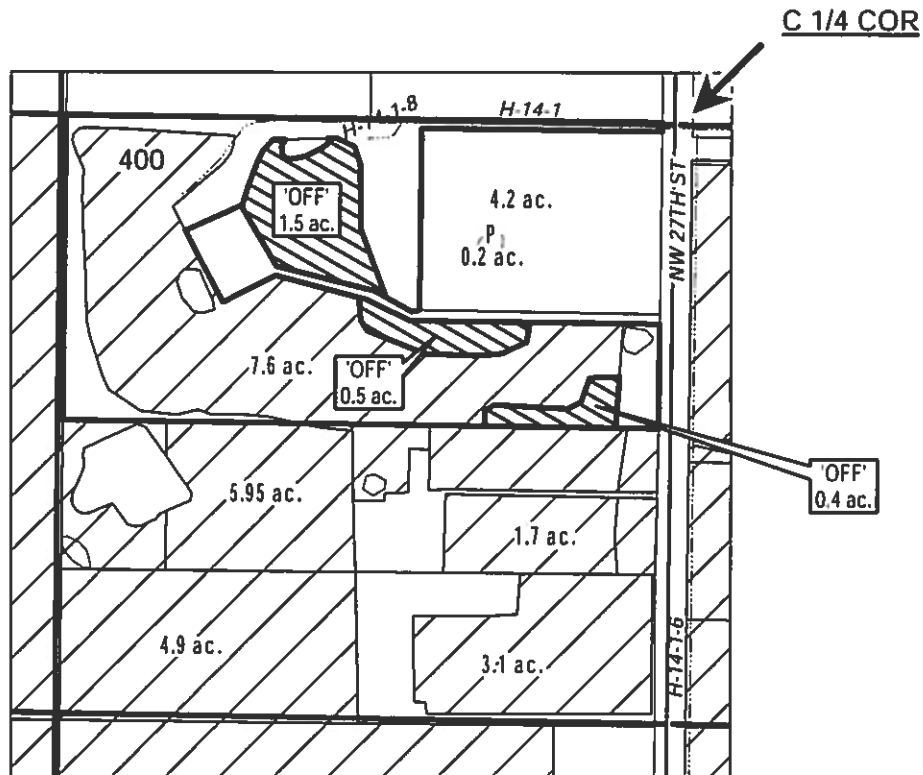
DESCHUTES COUNTY SEC.08 T14S R13E

SCALE - 1" = 400'



NE 1/4 OF THE SW 1/4

DISTRICT INTERNAL
NOTICE #: T-2014-019



"OFF" MAP

	EXISTING WATER RIGHTS
	OFF LANDS
# ac.	PARCELS W/ WATER RIGHTS
	POND



APPLICATION FOR WATER RIGHTS TRANSFER

NAME: TIMOTHY & ANGELA JORDISON

TAXLOT #: 400

2.4 ACRES

Date: 10/23/2014

FILE I:\TRANSFER\WRTRANS14IT-2014-019\141308_NESW

CENTRAL OREGON IRRIGATION DISTRICT
1055 SW Lake Court
Redmond OR 97756-1489

Address Service Requested

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR

CERTIFIED MAIL



DRYLAND OR 990
OCT 2014 PM 2 L

7012 0470 0002 1812 2296

Certified Mail/Return Receipt Requested

Timothy & Angela Jordison
10225 NW 27th
Terrebonne OR

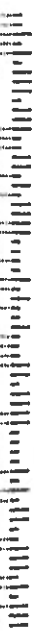
NIXIE

970 SE 1009 0010/26/14

RETURN TO SENDER
UNCLAIMED
UNABLE TO FORWARD

9775601489
97760976325

BC: 97756146955 *1229-08196-04-40



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OFFICIAL USE

Postage	\$ 0.49	Marked 10/02/14 Postmark Here
Certified Fee	\$ 3.30	
Return Receipt Fee (Endorsement Required)	\$ 2.70	
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$ 6.49	

Sent To
Timothy & Angela Jordison
 Street, Apt. No.,
 or PO Box No. *10225 NW 27th St*
 City, State, ZIP+4
Terrebonne OR 97760

PS Form 3800, August 2006 See Reverse for Instructions

10/06
10/16
10/16



9622 TRPT 2000 0440 2T02



CENTRAL OREGON IRRIGATION DISTRICT

1055 SW LAKE COURT, REDMOND, OR 97756

PHONE: 541.548.6047 FAX: 541.548.0243

www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

October 1, 2014

Patron #: 1873

Timothy & Angela Jordison
10225 NW 27th St
Terrebonne, OR 97760

RE: Tax Map #: 1413080000400, 10 acres total Irrigation water rights
2.4 acres water rights to be confiscated in 2014

Dear Patron,

Our records indicate that you have failed to beneficially use your full water right for the last 5 consecutive years. By this letter, the District is serving you notice of our intent to confiscate the water right referenced above for failure to beneficially use the water for the last 5 consecutive years (See OAR 690-385-5000 and ORS 540.572 to 540.578). A copy of this letter is being sent to any security interest holders listed in the county records for your property as well as the Oregon Water Resources Dept. (OWRD), as required by statute. Enclosed with this letter is a copy of the District Confiscation Policy and a water right map indicating where your water should be used.

Certified letters were sent to you and any known security interest holders following the end of the 2013 irrigation season, informing you of the non-use of the full water right, the options available to assist you in fulfilling OWRD's beneficial use requirements, and COID's intent to confiscate any remaining unused water at the end of the 2014 irrigation season. Available options included using the full water right beneficially; leasing, at a minimum, the unused portion of the water right instream; and transferring off or selling the unused water right. Site visits were completed during 2014 to review any signs of beneficial use of the full water right. In addition, multiple years of aerial photos were also used to assist in the review of what may or may not have been accomplished between 2010 and 2014.

Failure to prove beneficial use is a very serious matter and is cause for forfeiture of the unused water right. Oregon Revised Statute 540.610 clearly states the requirement of beneficial use:

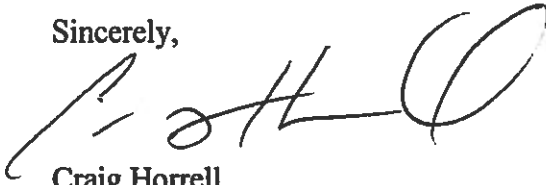
540.610 Use as measure of water right; presumption of forfeiture of right for nonuse; basis for rebutting presumption; confirmation of rights of municipalities. (1) Beneficial use shall be the basis, the measure and the limit of all rights to the use of water in this state. Whenever the owner of a perfected and developed water right ceases or fails to use all or part of the water appropriated for a period of five successive years, the failure to use shall establish a rebuttable presumption of forfeiture of all or part of the water right.

If you wish to dispute the confiscation and permanent removal of the unused water right from your property, you have 30 days from the date this letter was mailed (see date below) to notify the District of your objection – in writing. If you object or wish to demonstrate that non-use is excusable under one of the provisions allowed in ORS 640.610(2)(a-n), a meeting will be scheduled with the District Manager to try to resolve the issue with you; and if unable to do so, a District hearing before the COID Board of Directors will be held in November to determine if a petition to transfer the water off the lands should be filed with the OWRD Director. Failure to contact the District within 30 days will cause the water to be permanently transferred off of your property.

If you have any evidence that you have beneficially used all of your water right at any time during the last 5 years, please have the evidence ready to present at the time of your meeting with the District Manager and, if necessary, at the hearing with the Board of Directors.

Please respond within 30 days from the date of this letter to confirm that the information provided in this notice is correct.

Sincerely,



Craig Horrell
District Manager

Enc

cc: OWRD, 725 Summer St N.E. Suite 100, Salem, OR 97301
Jeremy Giffin, District 11 Watermaster, 231 SW Scalehouse Lp, Ste 103, Bend, OR 97701
Aurora Loan Services, LLC 10350 Park Meadows Dr, Littleton, CO 80124
Loan # 0021507611

Sent by certified mail October 1, 2014
Copy sent by first class mail October 1, 2014

DESCHUTES COUNTY SEC.08 T14S R13E

RECEIVED BY OWRD

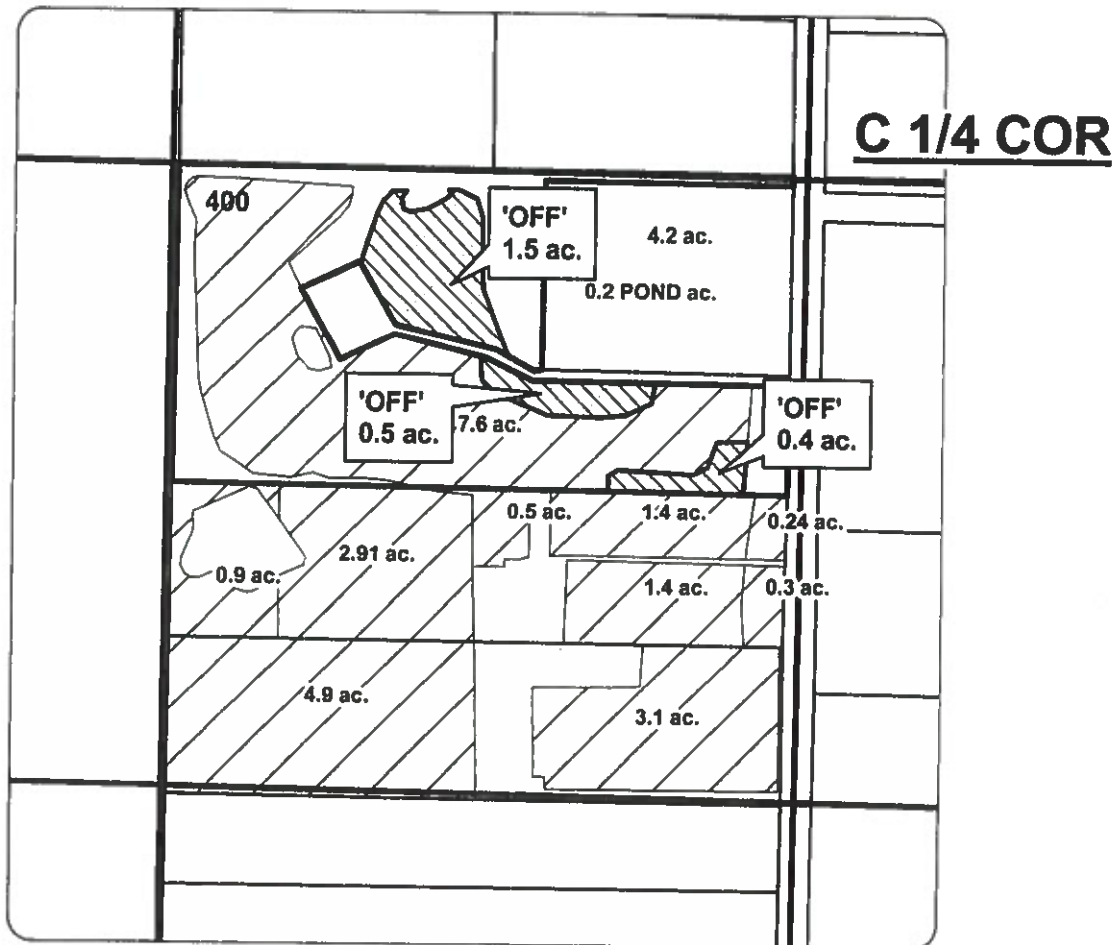
DEC 23 2014

SALEM, OR

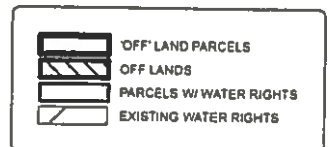
1 inch = 400 feet



NE 1/4 OF THE SW 1/4



"OFF" MAP



CENTRAL OREGON



IRRIGATION DISTRICT

WATER RIGHTS CONFISCATION MAP

NAME:TIMOTHY/ANGELA JORDISON

TAXLOT #: 400

2.4 ACRES



CENTRAL OREGON IRRIGATION DISTRICT

1055 SW LAKE COURT, REDMOND, OR 97756

PHONE: 541.548.6047 FAX: 541.548.0243

www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

October 2, 2014

RECEIVED BY OWRD

Aurora Loan Services, LLC
10350 Park Meadows Dr
Littleton, CO 80124

DEC 23 2014

SALEM, OR

RE: Loan # 0021507611 – Timothy & Angela Jordison

Please find enclosed a copy of the 5th year non-use letter that Central Oregon Irrigation District (COID) sends to its patrons that fail to beneficially use their full water rights for five consecutive years. You will also find a copy of COID's confiscation policy and a list of laws applicable to confiscation per Oregon Revised Statutes and Oregon Administrative Rules.

This letter is being sent to you as required by Oregon Water Resources Department because county records show you as a security interest holder on the property that the water right is appurtenant to.

If you have any questions regarding the letter or beneficial use, please contact me at 541-504-7577 or lauraw@coid.org.

Sincerely,

Laura Wollam
Water Use Specialist

Enc

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR

U.S. Postal ServiceTM
CERTIFIED MAILTM RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

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OFFICIAL USE

Postage	\$ 0.66	Mailed 12/12/13 Postmark Here
Certified Fee	3.10	
Return Receipt Fee (Endorsement Required)	2.55	
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	6.31	

784

Timothy & Angela Jordison
 10225 NW 27th St
 Terrebonne, OR 97760

Sent 7
 Street or PO
 City, S
 PS Fo

4421 21PT 2000 0240 2102


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:

Timothy & Angela Jordison
 10225 NW 27th St
 Terrebonne, OR 97760

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
 Addressee

B. Received by (Printed Name) Date of Delivery
 TIM JORDISON 12/26/13

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

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 7012 0470 0002 1812 1244
 (Transfer from service label)

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



CENTRAL OREGON IRRIGATION DISTRICT

1055 SW LAKE COURT, REDMOND, OR 97756

PHONE: 541.548.6047 FAX: 541.548.0243

www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

December 11, 2013

RECEIVED BY OWRD

Patron ID: 1873

DEC 23 2014

Timothy & Angela Jordison
10225 NW 27th St
Terrebonne, OR 97760

SALEM, OR

RE: Tax Map #: 1413080000400 - 10 acres total Irrigation Water Rights

Dear Patron,

The 2013 irrigation season has come to an end, and with that, the District has completed the required yearly review of beneficial use of all water rights within our District.

It has been brought to my attention that all or a portion of the water right on the above-noted property has not been beneficially used for 4 consecutive years. Oregon Revised Statute 540.610 clearly states the requirement of beneficial use:

540.610 Use as measure of water right; presumption of forfeiture of right for nonuse; basis for rebutting presumption; confirmation of rights of municipalities. (1) Beneficial use shall be the basis, the measure and the limit of all rights to the use of water in this state. Whenever the owner of a perfected and developed water right ceases or fails to use all or part of the water appropriated for a period of five successive years, the failure to use shall establish a rebuttable presumption of forfeiture of all or part of the water right.

Failure to prove beneficial use as stated is a very serious matter and is cause for forfeiture of the unused water right. At this time, you have 3 options to protect this water right. You must use the full water right on the ground exactly as it is mapped during the 2014 irrigation season (see enclosed aerial photo for location of mapped water rights); lease, at minimum, the unused portion of the water right back into the Deschutes River for the 2014 season (the District will accept requests for temporary lease applications through February 15, 2014); or transfer the unused water. By failing to follow any of these options, the District will be forced by Oregon Statute to confiscate the water right at the end of the 2014 season by filing a petition with OWRD to transfer these water rights to other lands in the District.

As a courtesy, the District is informing you that if this property has any other water rights specifically appurtenant to it that are delivered from another source (non-COID water), that water (per ORS 540.510) may be subject to cancellation by OWRD should COID be forced to file a confiscation transfer.

By this letter, the District is serving you notice of our intent to confiscate any water right that goes unused in 2014 (see OAR 690-385-5000 and ORS 540.572 to 540.578). A copy of this letter is being sent to any security interest holders listed against your property as well as the Oregon Water Resources Dept (as required by statute).

If you have any evidence that you have used all of your water right at any time since 2010, please present the evidence to our office within 30 days from the date of this letter.

I have enclosed an aerial photo showing where your mapped water rights are located and a copy of the District Confiscation Policy. If your water rights are unmapped, the aerial photo will indicate the number of acres of water right and the number of acres of land to assist you in determining how much area should be irrigated. Please note that the aerial photo may not fully represent your irrigation habits for the full 2013 irrigation season or any new structures, arenas, dry lots, etc. that may have been added to your property since the aerial photo was taken. The date the photo was taken is indicated in the lower left hand corner of the map.

REMINDER: Whether you choose to use, lease, transfer, or not use your water rights in 2014; your assessments are still due and payable to COID by the due date. If you fail to pay your assessments, COID will add late fees and legal fees to your bill and file a lien against your property for non-payment.

It is our hope that we can work together and maintain the water rights on your property. If you have any questions or concerns please contact Laura Wollam at 541-504-7577 or by email at lauraw@coid.org as soon as possible so we can discuss your available options. *Please note that Laura will be out of the office from December 23, 2013 – January 1, 2014.*

Please respond within 30 days from the date of this letter to confirm that the information provided in this notice is correct.

Sincerely,

 for

Steven C. Johnson
Secretary-Manager

Enc

cc: OWRD Attn: Susan Douthit 725 Summer St NE, Ste 100 Salem, OR 97301
Aurora Loan Services, LLC 10350 Park Meadows Dr, Littleton, CO 80124 Loan # 0021507611

Sent by certified mail December 11, 2013



CENTRAL OREGON IRRIGATION DISTRICT

1055 SW LAKE COURT, REDMOND, OR 97756

PHONE: 541.548.6047 FAX: 541.548.0243

www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

April 23, 2014

Timothy & Angela Jordison
10225 NW 27th St
Terrebonne, OR 97760

RECEIVED BY OWRD

DEC 23 2014

Dear Patron,

SALEM, OR

The beginning of the 2014 irrigation season is upon us and with that comes the responsibility of beneficially using your water rights. In 2013, you received a letter from COID stating that you have not exercised your full water right in four consecutive years. Now is the time to review your water rights and how you would like to use them in 2014.

As the deadline for instream leasing and temporary transfer has passed for 2014, your remaining options for beneficial use compliance as required per ORS 540.610 are as follows:

1. Use your water right on your property as mapped. If you have an unmapped water right, you must cover the amount of ground equal to the total water right (i.e.: if you have a 2 acre unmapped water right, you must irrigate and grow something that is considered beneficial on 2 acres of land within your tax lot).
2. Sell or permanently transfer, at a minimum, the unused portion of your water right.

If you are interested in selling your water right, there are several options available to you. COID is a member of the DWA Water Bank (Bank). You can sell your water rights directly to COID for potential use by other water users through the Bank in the Deschutes Basin for surface delivery, for mitigation of a groundwater delivery or for river restoration. COID purchases water at current market price. Please contact Leslie Clark at COID (541-504-7576 or lesliec@coid.org) for more information as the market can fluctuate depending on the availability and demand.

If you fail to beneficially use or transfer the unused water right before the end of the 2014 irrigation season, COID will proceed with confiscation of the unused water right as allowed by Oregon Water Resources Department and ORS 540.610.

Remember that whether you choose to use your water rights, transfer them, or not use them in 2014; your assessments are still due and payable to COID by the due date. If you fail to pay your assessments, COID will file a lien against your property for non-payment. Please contact Janet Brown at COID (541-504-7580 or jbrown@coid.org) before July 1 to discuss payment options if needed.

Please call me at 541-504-7577 or email me at lauraw@coid.org if you would like to discuss your beneficial use options further.

Thank you,

Laura Wollam
Water Use Specialist



CENTRAL OREGON IRRIGATION DISTRICT

1055 SW LAKE COURT, REDMOND, OR 97756

PHONE: 541.548.6047 FAX: 541.548.0243

www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

December 13, 2012

RECEIVED BY OWRD

Patron ID: 1873

DEC 23 2014

Timothy & Angela Jordison
10225 NW 27th
Terrebonne, OR 97760

SALEM, OR

RE: Tax Map #: 1413080000400 - 10 acres total Irrigation Water Rights

Dear Patron,

The 2012 irrigation season has come to an end, and with that, the District has completed its yearly review of beneficial use of all water rights within our District.

It has been reported that all or a portion of the water right on the above-noted property has not been beneficially used for the last 3 consecutive years. I am bringing this to your attention at this time to encourage you to protect your water rights in the future.

Oregon Water Resources Dept (OWRD) enforces water right laws for the State of Oregon. The law requires that water rights be fully used on land 1 year out of every 5 years. The 5-year time period is not based on years of ownership, but on the beneficial use of the water right on the appurtenant land itself, counting forward from the last reported year of full use. For further information on this requirement please refer to the following Oregon Revised Statute:

540.610 Use as measure of water right; presumption of forfeiture of right for nonuse; basis for rebutting presumption; confirmation of rights of municipalities. (1) Beneficial use shall be the basis, the measure and the limit of all rights to the use of water in this state. Whenever the owner of a perfected and developed water right ceases or fails to use all or part of the water appropriated for a period of five successive years, the failure to use shall establish a rebuttable presumption of forfeiture of all or part of the water right.

Please consider how you wish to use your water right through the next irrigation season. The preferred choice is to fully use the water on the ground. If you do not wish to or are unable to do this, there are other options available such as:

- OWRD will allow you to temporarily lease your water right back into the Deschutes River and credit you with beneficial use (leasing instream is considered the same as applying the water to the ground). This benefits you by not having to irrigate, and benefits the river by increasing the flow. The District will accept requests for instream lease applications for the upcoming irrigation season from any interested party through February 15. *Please note that requests to lease for the 2013 irrigation season will not be accepted after February 15, 2013.*

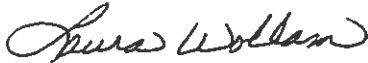
- If you have a portion of your property that is difficult to irrigate, you may want to consider transferring that part of your water right to another area on your property.
- If you have a portion of your property that is difficult to irrigate, you may also consider selling that portion of your water right.

The District will work with you in every way we can to protect your water right. See enclosed beneficial use information sheet for further information on these and other options that may be available to you.

I have enclosed an aerial photo showing where your mapped water rights are located and a copy of the District Confiscation Policy. If your water rights are unmapped, the aerial photo will indicate the number of acres of water right and the number of acres of land to assist you in determining how much area should be irrigated. Please note that the aerial photo may not fully represent your irrigation habits for the full 2012 irrigation season or show any new structures, arenas, dry lots, etc. that may have been added to your property since the aerial photo was taken. The date the photo was taken is indicated on the map.

It is our hope that we can work together to maintain the water rights on your property. If you have any questions or concerns please contact me at 541-504-7577 or lauraw@coid.org so that we can discuss your available options.

Sincerely,



Laura Wollam
Water Use Specialist

Enc

T-2014-019

ORS. 540.572

AUTHORIZED LANDS

14-13-08 SESW 00700

M. SCOTT & PAMELA L. JAHN

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR



CENTRAL OREGON IRRIGATION DISTRICT

1055 SW LAKE COURT, REDMOND, OR 97756

PHONE: 541.548.6047 FAX: 541.548.0243

www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

December 16, 2014

RECEIVED BY OWRD

M. Scott Jahn
2913 NW Lower Bridge Way
Terrebonne, OR 97760

DEC 23 2014

SALEM, OR

RE: Confiscation of water rights appurtenant to tax map #: 14-13-08 00 00700 0.50 acres Irrigation

Dear Mr. & Ms. Jahn,

This notice is to inform you the District has filed a permanent transfer application with Oregon Water Resources Department (OWRD) to remove water rights appurtenant to the lands described above due to 5 consecutive years of non-use.

Per OAR 690-385-5400(2)(a) OWRD shall approve the district permanent transfer application as provided under OAR 690-385-5600 unless:

- A. The application does not include the information required under OAR 690-385-5200; or
- B. The user, of lands from which water rights are to be transferred, submits a protest pursuant to OAR Chapter 690, Division 002
 - b. The user has the right to protest the application as described in OAR 690-385-5700

You have 60 days from the date of mailing of this notice to submit a protest of the permanent transfer application to OWRD. OAR 690-385-5700(2) & (3) states that: Protest shall be filed in accordance with OAR Chapter 690, Division 002, and shall include the fee required under ORS 536.050; and, each person submitting a protest shall raise all reasonably ascertainable issues and submit all reasonably available arguments supporting the person's position by the close of the protest period. Failure to raise a reasonably ascertainable issue in a protest or failure to provide sufficient specificity to afford the Department an opportunity to respond to the issue precludes consideration of the issue during the hearing.

Enclosed are copies of the district permanent transfer application and maps. Please keep in mind if you wish to protest this transfer application with OWRD, the deadline for protest is 60 days from the date of this mailing.

Sincerely,

Leslie Clark
Water Right Manager

cc: OWRD, 725 Summer St N.E., Salem, OR
Mailed via certified mail December 16, 2014
Encl.

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR

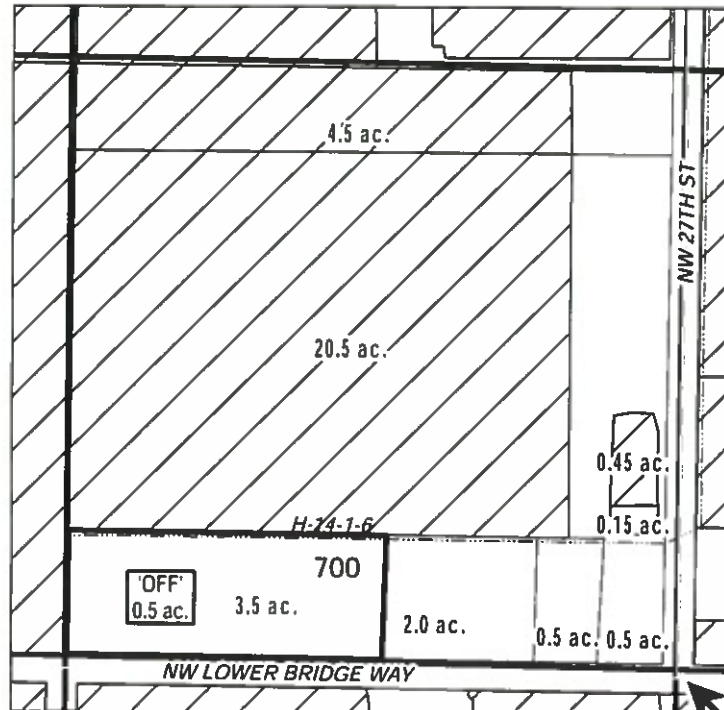
DESCHUTES COUNTY SEC.08 T14S R13E

SCALE - 1" = 400'



SE 1/4 OF THE SW 1/4

DISTRICT INTERNAL
NOTICE #: T-2014-019



S 1/4 COR

	EXISTING WATER RIGHTS
	'OFF' LAND PARCELS
	PARCELS W/ WATER RIGHTS

"OFF" MAP



APPLICATION FOR WATER RIGHTS TRANSFER

NAME: M. SCOTT & PAMELA JAHN

TAXLOT #: 700

0.5 ACRES

Date: 10/23/2014

FILE: H\TRANSFER\WRTRANS14IT-2014-019\141308_SESW

ON IRRIGATION DISTRICT
urt
56-1469
Requested



PORTLAND OR 970
04 OCT 2014 PM 2 L



7012 0470 0002 1812 2289

Certified Mail/Return Receipt Requested

M Scott & Pamela Jahn
2913 NW Lower
Terrebonne OR

X 970 N7E 1009913I0010/04/14
FORWARD TIME EXP RTN TO SEND
JAHN
PO BOX 2073
REDMOND OR 97756-0538

RETURN TO SENDER

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OFFICIAL USE

7012 0470 0002 1812 2289

Postage	\$ 0.49
Certified Fee	\$ 3.30
Return Receipt Fee (Endorsement Required)	\$ 2.70
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 6.49

Mailed 10/02/14

Postmark
Here

Sent to
M Scott & Pamela Jahn
Street, Apt. No. or PO Box No. 2913 NW Lower Bridge Way
City, State, ZIP+4 Terrebonne OR 97760

PS Form 3800, August 2006

See Reverse for Instructions

ON IRRIGATION DISTRICT
urt
56-1469
Requested

PORTLAND OR 970
04 OCT 2014 PM 2 L



RECEIVED BY OWRD

DEC 23 2014

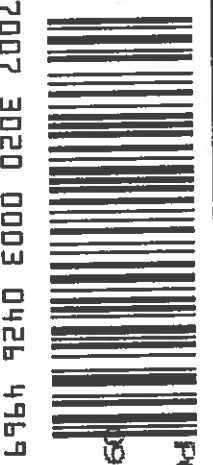
SALEM, OR

M. Scott & Pamela Jahn
2913 NW Lower Bridge Way
Terrebonne, OR 97760

X 970 N7E 1009913I0010/04/14
FORWARD TIME EXP RTN TO SEND
JAHN
PO BOX 2073
REDMOND OR 97756-0538

RETURN TO SENDER

CENTRAL OREGON IRRIGATION DISTRICT
 1055 SW Lake Court
 Redmond OR 97756-1469
 Address Service Requested



PORTLAND OR 970
 09 OCT 2014 PM 3 L
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MSE

M. Scott & Pamela Jahn
 PO Box 2073
 Redmond, OR 97756-0538

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RETURN TO SENDER
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 UNABLE TO FORWARD

9775601469

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Postage	\$ 0.49	<i>Mailed 10/08/14</i> Postmark Here
Certified Fee	\$ 3.30	
Return Receipt Fee (Endorsement Required)	\$ 2.70	
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$ 6.49	

M. Scott & Pamela Jahn
 PO Box 2073
 Redmond, OR 97756-0538

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RECEIVED BY OWRD

DEC 23 2014

SALEM, OR



CENTRAL OREGON IRRIGATION DISTRICT

1055 SW LAKE COURT, REDMOND, OR 97756

PHONE: 541.548.6047 FAX: 541.548.0243

www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

October 1, 2014

RECEIVED BY OWRD

DEC 23 2014

Patron #: 361500

SALEM, OR

M. Scott & Pamela Jahn
2913 NW Lower Bridge Way
Terrebonne, OR 97760

RE: Tax Map #: 1413080000700, 4 acres total Irrigation water rights
0.5 acres water rights to be confiscated in 2014

Dear Patron,

Our records indicate that you have failed to beneficially use your full water right for the last 5 consecutive years. By this letter, the District is serving you notice of our intent to confiscate the water right referenced above for failure to beneficially use the water for the last 5 consecutive years (See OAR 690-385-5000 and ORS 540.572 to 540.578). A copy of this letter is being sent to any security interest holders listed in the county records for your property as well as the Oregon Water Resources Dept. (OWRD), as required by statute. Enclosed with this letter is a copy of the District Confiscation Policy and a water right map indicating where your water should be used.

Certified letters were sent to you and any known security interest holders following the end of the 2013 irrigation season, informing you of the non-use of the full water right, the options available to assist you in fulfilling OWRD's beneficial use requirements, and COID's intent to confiscate any remaining unused water at the end of the 2014 irrigation season. Available options included using the full water right beneficially; leasing, at a minimum, the unused portion of the water right instream; and transferring off or selling the unused water right. Site visits were completed during 2014 to review any signs of beneficial use of the full water right. In addition, multiple years of aerial photos were also used to assist in the review of what may or may not have been accomplished between 2010 and 2014.

Failure to prove beneficial use is a very serious matter and is cause for forfeiture of the unused water right. Oregon Revised Statute 540.610 clearly states the requirement of beneficial use:

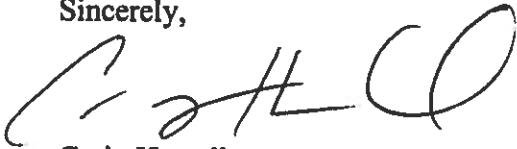
540.610 Use as measure of water right; presumption of forfeiture of right for nonuse; basis for rebutting presumption; confirmation of rights of municipalities. (1) Beneficial use shall be the basis, the measure and the limit of all rights to the use of water in this state. Whenever the owner of a perfected and developed water right ceases or fails to use all or part of the water appropriated for a period of five successive years, the failure to use shall establish a rebuttable presumption of forfeiture of all or part of the water right.

If you wish to dispute the confiscation and permanent removal of the unused water right from your property, you have 30 days from the date this letter was mailed (see date below) to notify the District of your objection – in writing. If you object or wish to demonstrate that non-use is excusable under one of the provisions allowed in ORS 640.610(2)(a-n), a meeting will be scheduled with the District Manager to try to resolve the issue with you; and if unable to do so, a District hearing before the COID Board of Directors will be held in November to determine if a petition to transfer the water off the lands should be filed with the OWRD Director. Failure to contact the District within 30 days will cause the water to be permanently transferred off of your property.

If you have any evidence that you have beneficially used all of your water right at any time during the last 5 years, please have the evidence ready to present at the time of your meeting with the District Manager and, if necessary, at the hearing with the Board of Directors.

Please respond within 30 days from the date of this letter to confirm that the information provided in this notice is correct.

Sincerely,



Craig Horrell
District Manager

Enc

cc: OWRD, 725 Summer St N.E. Suite 100, Salem, OR 97301
Jeremy Giffin, District 11 Watermaster, 231 SW Scalehouse Lp, Ste 103, Bend, OR 97701
*Eagle Home Mortgage, Inc, dba Majestic Mortgage Services 222 SW Columbia, #950,
Portland, OR 97201*
Loan # H24B036
*Eagle Home Mortgage, Inc, dba Majestic Mortgage Services 222 SW Columbia, #950,
Portland, OR 97201*
Loan # H24B043

Sent by certified mail October 1, 2014
Copy sent by first class mail October 1, 2014

DESCHUTES COUNTY SEC.08 T14S R13E

RECEIVED BY OWRD

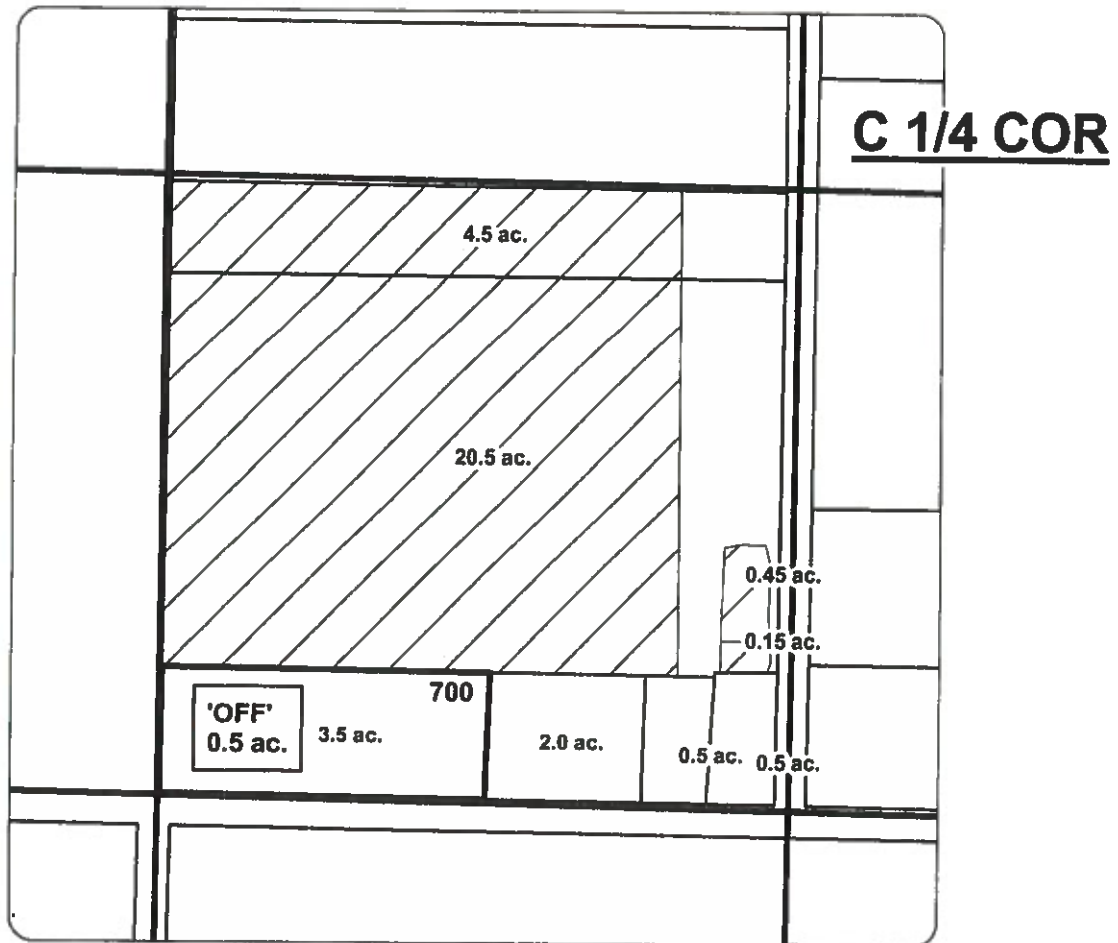
1 inch = 400 feet

DEC 23 2014



SALEM, OR

SE 1/4 OF THE SW 1/4



"OFF" MAP



CENTRAL OREGON

WATER RIGHTS CONFISCATION MAP

NAME: SCOTT/PAMELA JAHN

TAXLOT #: 700

0.5 ACRES



IRRIGATION DISTRICT



CENTRAL OREGON IRRIGATION DISTRICT

1055 SW LAKE COURT, REDMOND, OR 97756

PHONE: 541.548.6047 FAX: 541.548.0243

www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

October 2, 2014

Eagle Home Mortgage, Inc.
dba Majestic Mortgage Services
222 SW Columbia #950
Portland, OR 97201

RE: Loan # H24B036 & H24B043 – M. Scott & Pamela Jahn

Please find enclosed a copy of the 5th year non-use letter that Central Oregon Irrigation District (COID) sends to its patrons that fail to beneficially use their full water rights for five consecutive years. You will also find a copy of COID's confiscation policy and a list of laws applicable to confiscation per Oregon Revised Statutes and Oregon Administrative Rules.

This letter is being sent to you as required by Oregon Water Resources Department because county records show you as a security interest holder on the property that the water right is appurtenant to.

If you have any questions regarding the letter or beneficial use, please contact me at 541-504-7577 or lauraw@coid.org.

Sincerely,

Laura Wollam
Water Use Specialist

Enc

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR



CENTRAL OREGON IRRIGATION DISTRICT

1055 SW LAKE COURT, REDMOND, OR 97756

PHONE: 541.548.6047 FAX: 541.548.0243

www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

January 3, 2014

Patron ID: 361500

M. Scott & Pamela Jahn
56400 Spencer Wells Rd
Bend, OR 97701

RE: Tax Map #: 1413080000700 - 4 acres total Irrigation Water Rights

Dear Patron,

The 2013 irrigation season has come to an end, and with that, the District has completed the required yearly review of beneficial use of all water rights within our District.

A certified letter was mailed to you regarding the beneficial use of your water rights on December 12, 2013. This letter was returned to our office as unclaimed after the post office made 3 attempts to deliver it.

Oregon Revised Statutes requires that an irrigation district mail notification of 4 years of non-use to its patrons via certified mail with return receipt requested. We are not required to mail this notice via regular first class mail. As a courtesy, I am resending this letter to you through regular first class mail so that you will be informed of the beneficial use status of your water right.

Please review the enclosed letter and information so that you can make an informed decision as to how you wish to use your water rights in 2014. If you have any questions after reviewing the information, please plan on attending the open house anytime between the hours of 4:30 and 7:00 p.m. on Tuesday, January, 21, 2014, or contact me by email at lauraw@coid.org. You may also contact me by phone at 541-504-7577.

Sincerely,

Laura Wollam
Water Use Specialist

Enc

Sent by first class mail January 3, 2014

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR

7012 0470 0002 1812 1237

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OFFICIAL USE

Postage	\$ 0.46	<i>Mailed 12/12/13</i>
Certified Fee	3.10	
Return Receipt Fee (Endorsement Required)	2.55	
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$ 6.31	

Postmark
Here

7B4

Sent	M. Scott & Pamela Jahn 56400 Spencer Wells Rd Bend, OR 97701
Street or P.O. Box	
City, State, and ZIP+4®	
PS Form 3800, April 2012	

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS, FOLD AT DOTTED LINE
CERTIFIED MAIL™



7012 0470 0002 1812 1237



USA
FIRST-CLASS
FOREVER

UNITED STATES POSTAGE
PITNEY BOWES
02 1P
\$005.85⁰
0001066726 DEC 12 2013
MAILED FROM ZIP CODE 97701

M. Scott & Pamela Jahn
56400 Spencer Wells Rd
Bend, OR 97701

UNCLAIMED

12/14
12-20
12-29

CENTRAL OREGON IRRIGATION DISTRICT
1055 SW Lake Court
Redmond OR 97756-1469

Address Service Requested

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR

5770182883 HUGG



CENTRAL OREGON IRRIGATION DISTRICT
1055 SW LAKE COURT, REDMOND, OR 97756
PHONE: 541.548.6047 FAX: 541.548.0243
www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

December 11, 2013

Patron ID: 361500

M. Scott & Pamela Jahn
56400 Spencer Wells Rd
Bend, OR 97701

RE: Tax Map #: 1413080000700 - 4 acres total Irrigation Water Rights

Dear Patron,

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540.610 Use as measure of water right; presumption of forfeiture of right for nonuse; basis for rebutting presumption; confirmation of rights of municipalities. (1) Beneficial use shall be the basis, the measure and the limit of all rights to the use of water in this state. Whenever the owner of a perfected and developed water right ceases or fails to use all or part of the water appropriated for a period of five successive years, the failure to use shall establish a rebuttable presumption of forfeiture of all or part of the water right.

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As a courtesy, the District is informing you that if this property has any other water rights specifically appurtenant to it that are delivered from another source (non-COID water), that water (per ORS 540.510) may be subject to cancellation by OWRD should COID be forced to file a confiscation transfer.

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR

By this letter, the District is serving you notice of our intent to confiscate any water right that goes unused in 2014 (see OAR 690-385-5000 and ORS 540.572 to 540.578). A copy of this letter is being sent to any security interest holders listed against your property as well as the Oregon Water Resources Dept (as required by statute).

If you have any evidence that you have used all of your water right at any time since 2010, please present the evidence to our office within 30 days from the date of this letter.

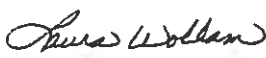
I have enclosed an aerial photo showing where your mapped water rights are located and a copy of the District Confiscation Policy. If your water rights are unmapped, the aerial photo will indicate the number of acres of water right and the number of acres of land to assist you in determining how much area should be irrigated. Please note that the aerial photo may not fully represent your irrigation habits for the full 2013 irrigation season or any new structures, arenas, dry lots, etc. that may have been added to your property since the aerial photo was taken. The date the photo was taken is indicated in the lower left hand corner of the map.

REMINDER: Whether you choose to use, lease, transfer, or not use your water rights in 2014; your assessments are still due and payable to COID by the due date. If you fail to pay your assessments, COID will add late fees and legal fees to your bill and file a lien against your property for non-payment.

It is our hope that we can work together and maintain the water rights on your property. If you have any questions or concerns please contact Laura Wollam at 541-504-7577 or by email at lauraw@coid.org as soon as possible so we can discuss your available options. *Please note that Laura will be out of the office from December 23, 2013 – January 1, 2014.*

Please respond within 30 days from the date of this letter to confirm that the information provided in this notice is correct.

Sincerely,

 for

Steven C. Johnson
Secretary-Manager

Enc

cc: OWRD Attn: Susan Douthit 725 Summer St NE, Ste 100 Salem, OR 97301
Eagle Home Mortgage, Inc, dba Majestic Mortgage Services 222 SW Columbia, #950, Portland, OR 97201
Loan # H24B036
Eagle Home Mortgage, Inc, dba Majestic Mortgage Services 222 SW Columbia, #950, Portland, OR 97201
Loan # H24B043

Sent by certified mail December 11, 2013



CENTRAL OREGON IRRIGATION DISTRICT

1055 SW LAKE COURT, REDMOND, OR 97756

PHONE: 541.548.6047 FAX: 541.548.0243

www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

April 23, 2014

M. Scott & Pamela Jahn
2913 NW Lower Bridge Way
Terrebonne, OR 97760

Dear Patron,

The beginning of the 2014 irrigation season is upon us and with that comes the responsibility of beneficially using your water rights. In 2013, you received a letter from COID stating that you have not exercised your full water right in four consecutive years. Now is the time to review your water rights and how you would like to use them in 2014.

As the deadline for instream leasing and temporary transfer has passed for 2014, your remaining options for beneficial use compliance as required per ORS 540.610 are as follows:

1. Use your water right on your property as mapped. If you have an unmapped water right, you must cover the amount of ground equal to the total water right (i.e.: if you have a 2 acre unmapped water right, you must irrigate and grow something that is considered beneficial on 2 acres of land within your tax lot).
2. Sell or permanently transfer, at a minimum, the unused portion of your water right.

If you are interested in selling your water right, there are several options available to you. COID is a member of the DWA Water Bank (Bank). You can sell your water rights directly to COID for potential use by other water users through the Bank in the Deschutes Basin for surface delivery, for mitigation of a groundwater delivery or for river restoration. COID purchases water at current market price. Please contact Leslie Clark at COID (541-504-7576 or lesliec@coid.org) for more information as the market can fluctuate depending on the availability and demand.

If you fail to beneficially use or transfer the unused water right before the end of the 2014 irrigation season, COID will proceed with confiscation of the unused water right as allowed by Oregon Water Resources Department and ORS 540.610.

Remember that whether you choose to use your water rights, transfer them, or not use them in 2014; your assessments are still due and payable to COID by the due date. If you fail to pay your assessments, COID will file a lien against your property for non-payment. Please contact Janet Brown at COID (541-504-7580 or jbrown@coid.org) before July 1 to discuss payment options if needed.

Please call me at 541-504-7577 or email me at lauraw@coid.org if you would like to discuss your beneficial use options further.

Thank you,

Laura Wollam
Water Use Specialist

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR



CENTRAL OREGON IRRIGATION DISTRICT

1055 SW LAKE COURT, REDMOND, OR 97756

PHONE: 541.548.6047 FAX: 541.548.0243

www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

December 13, 2012

Patron ID: 361500

Scott & Pamela Jahn
2913 NW Lower Bridge Rd
Terrebonne, OR 97760

RE: Tax Map #: 1413080000700 - 4 acres total Irrigation Water Rights

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR

Dear Patron,

The 2012 irrigation season has come to an end, and with that, the District has completed its yearly review of beneficial use of all water rights within our District.

It has been reported that all or a portion of the water right on the above-noted property has not been beneficially used for the last 3 consecutive years. I am bringing this to your attention at this time to encourage you to protect your water rights in the future.

Oregon Water Resources Dept (OWRD) enforces water right laws for the State of Oregon. The law requires that water rights be fully used on land 1 year out of every 5 years. The 5-year time period is not based on years of ownership, but on the beneficial use of the water right on the appurtenant land itself, counting forward from the last reported year of full use. For further information on this requirement please refer to the following Oregon Revised Statute:

540.610 Use as measure of water right; presumption of forfeiture of right for nonuse; basis for rebutting presumption; confirmation of rights of municipalities. (1) Beneficial use shall be the basis, the measure and the limit of all rights to the use of water in this state. Whenever the owner of a perfected and developed water right ceases or fails to use all or part of the water appropriated for a period of five successive years, the failure to use shall establish a rebuttable presumption of forfeiture of all or part of the water right.

Please consider how you wish to use your water right through the next irrigation season. The preferred choice is to fully use the water on the ground. If you do not wish to or are unable to do this, there are other options available such as:

- OWRD will allow you to temporarily lease your water right back into the Deschutes River and credit you with beneficial use (leasing instream is considered the same as applying the water to the ground). This benefits you by not having to irrigate, and benefits the river by increasing the flow. The District will accept requests for instream lease applications for the upcoming irrigation season from any interested party through February 15. *Please note that requests to lease for the 2013 irrigation season will not be accepted after February 15, 2013.*

- If you have a portion of your property that is difficult to irrigate, you may want to consider transferring that part of your water right to another area on your property.
- If you have a portion of your property that is difficult to irrigate, you may also consider selling that portion of your water right.

The District will work with you in every way we can to protect your water right. See enclosed beneficial use information sheet for further information on these and other options that may be available to you.

I have enclosed an aerial photo showing where your mapped water rights are located and a copy of the District Confiscation Policy. If your water rights are unmapped, the aerial photo will indicate the number of acres of water right and the number of acres of land to assist you in determining how much area should be irrigated. Please note that the aerial photo may not fully represent your irrigation habits for the full 2012 irrigation season or show any new structures, arenas, dry lots, etc. that may have been added to your property since the aerial photo was taken. The date the photo was taken is indicated on the map.

It is our hope that we can work together to maintain the water rights on your property. If you have any questions or concerns please contact me at 541-504-7577 or lauraw@coid.org so that we can discuss your available options.

Sincerely,



Laura Wollam
Water Use Specialist

Enc

T-2014-019

ORS. 540.572

AUTHORIZED LANDS

17-12-12 SWSE 00309

DELANO HAMBERGER

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR



CENTRAL OREGON IRRIGATION DISTRICT

1055 SW LAKE COURT, REDMOND, OR 97756

PHONE: 541.548.6047 FAX: 541.548.0243

www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

December 16, 2014

Delano Hamberger
63656 Cricketwood Rd
Bend, OR 97701

RE: Confiscation of water rights appurtenant to tax map #: 17-12-12 00 00309 0.50 acres Irrigation

Dear Mr. Hamberger,

This notice is to inform you the District has filed a permanent transfer application with Oregon Water Resources Department (OWRD) to remove water rights appurtenant to the lands described above due to 5 consecutive years of non-use.

Per OAR 690-385-5400(2)(a) OWRD shall approve the district permanent transfer application as provided under OAR 690-385-5600 unless:

- A. The application does not include the information required under OAR 690-385-5200; or
- B. The user, of lands from which water rights are to be transferred, submits a protest pursuant to OAR Chapter 690, Division 002
 - b. The user has the right to protest the application as described in OAR 690-385-5700

You have 60 days from the date of mailing of this notice to submit a protest of the permanent transfer application to OWRD. OAR 690-385-5700(2) & (3) states that: Protest shall be filed in accordance with OAR Chapter 690, Division 002, and shall include the fee required under ORS 536.050; and, each person submitting a protest shall raise all reasonably ascertainable issues and submit all reasonably available arguments supporting the person's position by the close of the protest period. Failure to raise a reasonably ascertainable issue in a protest or failure to provide sufficient specificity to afford the Department an opportunity to respond to the issue precludes consideration of the issue during the hearing.

Enclosed are copies of the district permanent transfer application and maps. Please keep in mind if you wish to protest this transfer application with OWRD, the deadline for protest is 60 days from the date of this mailing.

Sincerely,

Leslie Clark
Water Right Manager

cc: OWRD, 725 Summer St N.E., Salem, OR
Mailed via certified mail December 16, 2014
Encl.

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR

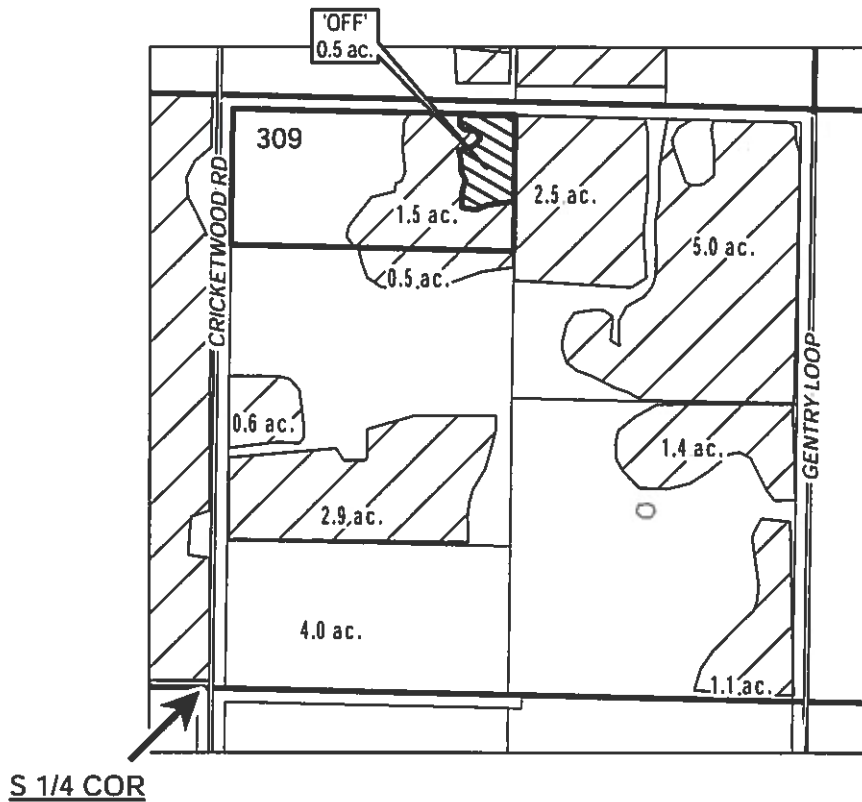
DESCHUTES COUNTY SEC.12 T17S R12E

SCALE - 1" = 400'



SW 1/4 OF THE SE 1/4

DISTRICT INTERNAL
NOTICE #: T-2014-019



RECEIVED BY OWRD

DEC 23 2014

SALEM, OR

	EXISTING WATER RIGHTS
	OFF LANDS
	PARCELS W/ WATER RIGHTS

"OFF" MAP



APPLICATION FOR WATER RIGHTS TRANSFER

NAME: DELANO HAMBERGER

TAXLOT #: 309

0.5 ACRES

Date: 12/9/2014

FILE I:\TRANSFER\WRTRANS14\T-2014-019\171212_SWSE_19

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:

Delano Hamberger
63656 Cricketwood Rd
Bend, OR 97701

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
[Signature] Addressee

B. Received by (Printed Name) Agent
DL HAMBERGER C. Date of Delivery Addressee
11-21-14

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

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 (Transf.) **7013 0600 0002 2642 8289**

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR



CENTRAL OREGON
 1055 SW LAKE C...
 PHONE: 541.548.

A MUNICIPAL CORPORATION

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)
 For delivery information visit our website at www.usps.com.®

OFFICIAL USE

Postage	\$ 5.69	11/17/14 Postmark Here
Certified Fee	1.30	
Return Receipt Fee (Endorsement Required)	3.30	
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$ 5.29	

Sent To: Delano Hamberger
 Street, Apt. No., or PO Box No.: 63656 Cricketwood Rd
 City, State, ZIP+4: Bend, OR 97701

PS Form 3800, August 2006 See Reverse for Instructions

6929 2492 2000 0090 ETD

November 17, 2014

Delano Hamberger
 63656 Cricketwood Rd
 Bend, OR 97701

RE: Beneficial Use Hearing

Dear Mr. Hamberger,

This letter is in follow-up to the beneficial use hearing held on November 13, 2014 before the COID Board of Directors.

The Board found that the 1.0 acre of irrigation in question has not received beneficial use on the property for five consecutive years. The Board agreed to allow you to transfer 0.50 acres of the 1.0 acre to another area of your property. **You have until 4 pm on December 5, 2014 to present payment of a \$400 transfer fee and sign and return the enclosed transfer documents to complete the transfer. Failure to do so will cause the forfeiture of the full 1.0 acre.**

Enclosed please find:

- Invoice for \$400 transfer fee due 12/5/14 by 4:00 pm
- Irrigation Contract – must be signed before a notary public (we have notaries available in the office). Please review item #6 and date and initial where indicated and submit with the transfer fee
- Copy of District Transfer Notice to be submitted to Oregon Water Resources Department

Your Board Director, Bob Borlen, has offered to meet with you on your property during the 2015 irrigation season to review your irrigation system. You will need to make adjustments to your irrigation system to efficiently apply your irrigation to achieve full beneficial use of your remaining water. Additionally, Cary Penhollow will ask your ditchrider (Kelley Hamby) to measure your weir during the 2015 season to assure you are receiving all of your water.

Please contact myself or the office (541-548-6047) if you have any questions regarding the information I've provided you today.

Sincerely,

Craig Horrell
 Secretary-Manager/COID

Original sent by certified mail on November 17, 2014

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR



CENTRAL OREGON IRRIGATION DISTRICT

1055 SW LAKE COURT, REDMOND, OR 97756

PHONE: 541.548.6047 FAX: 541.548.0243

www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

November 4, 2014

Delano Hamberger
63656 Cricketwood Rd
Bend, OR 97701

Dear Mr. Hamberger,

Thank you for taking the time to meet with us on Monday, October 27th. This letter is to follow up on our phone conversation regarding your options for the 1 acre of water right.

1. Pay the \$400.00 transfer fee to transfer 0.50 from the area identified to be confiscated to the two areas on your property that you are currently irrigating without a water right – the lawn and area around the pond. This will leave 0.50 acre to be forfeited for non-use as the letter dated October 1, 2014 discusses. This will reduce the water right appurtenant to your land to 1.5 acres and will not change your annual assessment (subject to annual increase). You must notify COID that you wish to pursue this option and pay the \$400.00 to COID by November 7th.
2. Leave things the way they are and the District will proceed with confiscation of the 1 acre identified in the October 1, 2014 letter. This will reduce the water right appurtenant to your land to 1 acre and will also reduce your assessment from \$346.00/yr. To \$323.00/yr. at the current rate (subject to annual increase).
3. You have the right to request a hearing and present your case to the District Board of Directors at our next board meeting on Thursday, November 13th at 9:00 am. Please contact COID staff at 541-548-6047 by Wednesday November 12th if you wish to request a hearing.

You may appeal the forfeiture of your water right by filing a protest with Oregon Water Resources Department (requires a \$700 filing fee).

If you have any questions regarding your options please contact me at 541-548-6047 or by email at chorrell@coid.org.

Sincerely,

Craig Horrell
District Manager

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR

Mr. Craig Horrell
District Manager
Central Oregon Irrigation District
1055 SW Lake Court
Redmond, Oregon 97756

Friday, October 11, 2014

Dear Mr. Horrell:

I received your letter dated October 1, 2014 and was truly taken aback by your position regarding my use and benefit of my two acre water rights. Are you familiar with my situation? There should be quite a file in your records of the problems with the water in the tributary canal that supplies my water. If not, let me take this opportunity to bring you up to speed.

I moved to 63656 Cricketwood in January of 2004. As a horse owner, it was important for me to have a property with pasture and irrigation. Cricketwood was supposed to have both, pasture and two acres of water. The property does have pasture but not the water.

In the past 10 years I have without fail paid COID for two acres of irrigation. But, I have never received two acres of water, EVER. During my first few years of living at Cricketwood I called and met on numerous occasions with your assigned Ditch Rider asking for assistance. They confirmed my lack of water and were always sympathetic but they also always said there was nothing they could do to help because the tributary channel was a private canal. This has been very frustrating for me and has caused me to have to feed grass hay throughout the year because I could not irrigate my two acres. I've even been to your office in Redmond to ask for help with this matter as well as contacting the State Water Board. Always the same, there's nothing we can do. Really?

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR

Now you threaten to confiscate one of my two acres of water rights for non-use. That would at least save me from paying for water you can't supply, but I'm not interested in losing that acre as it would have a negative effect on my properties' resale value.

So now let me explain just how much water I do receive, or should I say how much I don't receive. During the months of June, July, August and most of September, I receive a flow of water into my pond that will fill a one gallon bucket in a bit over one minute. At that rate it takes three to four days to fill my holding pond after I irrigate. One gallon per minute according to your Ditch Riders does not provide me with my two acre feet per season that I am paying for. I believe he said I was only getting about one twelfth of the water required to provide my two acres.

So I propose that instead of threatening me with confiscation of my paid for water rights you meet with your field operators and figure out how to get me the water I pay for. You do that and I'll be more than happy to irrigate two acres as I always intended to do while living here.

Sincerely,



Del Hamberger
Patron #: 1463

Cc: OWRD, 725 Summer St. N.E. Suite 100, Salem, OR 97301

Jeremy Giffin, District 11 Watermaster, 231 SW Scalehouse Lp, Ste 103, Bend, OR 97701

RECEIVED

MAR 13 2013

PAID

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:

Delano Hamberger
 63656 Cricketwood Rd
 Bend OR 97701

COMPLETE THIS SECTION ON DELIVERY

- A. Signature *Delano Hamberger* Agent
- B. Received by (Printed Name) *Delano Hamberger* Addressee
- C. Date of Delivery *10-4-14*
- D. Is delivery address different from item 1? Yes No
If YES, enter delivery address below:

3. Service Type

- Certified Mail
- Registered
- Insured Mail
- Express Mail
- Return Receipt for Merchandise
- C.O.D.

4. Restricted Delivery? (Extra Fee) Yes No

2. Article Number (Transfer from service label)

7012 0470 0002 1812 2227

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$ 0.49	<i>Mailed 10/01/14</i> Postmark Here
Certified Fee	\$ 3.30	
Return Receipt Fee (Endorsement Required)	\$ 2.70	
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$ 6.49	

Sent To *Delano Hamberger*

Street, Apt. No., or PO Box No. *63656 Cricketwood Rd*

City, State, ZIP+4 *Bend OR 97701*

PS Form 3800, August 2006 See Reverse for Instructions

4222 2TRT 2000 0470 2T02

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR



CENTRAL OREGON IRRIGATION DISTRICT

1055 SW LAKE COURT, REDMOND, OR 97756

PHONE: 541.548.6047 FAX: 541.548.0243

www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

October 1, 2014

Patron #: 1463

Delano J Hamberger
63656 Cricketwood Rd
Bend, OR 97701

RE: Tax Map #: 1712120000309, 2 acres total Irrigation water rights
1 acres water rights to be confiscated in 2014

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR

Dear Patron,

Our records indicate that you have failed to beneficially use your full water right for the last 5 consecutive years. By this letter, the District is serving you notice of our intent to confiscate the water right referenced above for failure to beneficially use the water for the last 5 consecutive years (See OAR 690-385-5000 and ORS 540.572 to 540.578). A copy of this letter is being sent to any security interest holders listed in the county records for your property as well as the Oregon Water Resources Dept. (OWRD), as required by statute. Enclosed with this letter is a copy of the District Confiscation Policy and a water right map indicating where your water should be used.

Certified letters were sent to you and any known security interest holders following the end of the 2013 irrigation season, informing you of the non-use of the full water right, the options available to assist you in fulfilling OWRD's beneficial use requirements, and COID's intent to confiscate any remaining unused water at the end of the 2014 irrigation season. Available options included using the full water right beneficially; leasing, at a minimum, the unused portion of the water right instream; and transferring off or selling the unused water right. Site visits were completed during 2014 to review any signs of beneficial use of the full water right. In addition, multiple years of aerial photos were also used to assist in the review of what may or may not have been accomplished between 2010 and 2014.

Failure to prove beneficial use is a very serious matter and is cause for forfeiture of the unused water right. Oregon Revised Statute 540.610 clearly states the requirement of beneficial use:

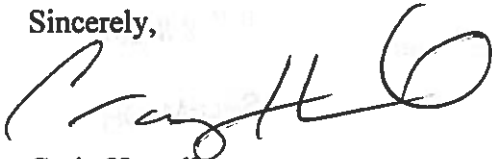
540.610 Use as measure of water right; presumption of forfeiture of right for nonuse; basis for rebutting presumption; confirmation of rights of municipalities. (1) Beneficial use shall be the basis, the measure and the limit of all rights to the use of water in this state. Whenever the owner of a perfected and developed water right ceases or fails to use all or part of the water appropriated for a period of five successive years, the failure to use shall establish a rebuttable presumption of forfeiture of all or part of the water right.

If you wish to dispute the confiscation and permanent removal of the unused water right from your property, you have 30 days from the date this letter was mailed (see date below) to notify the District of your objection – in writing. If you object or wish to demonstrate that non-use is excusable under one of the provisions allowed in ORS 640.610(2)(a-n), a meeting will be scheduled with the District Manager to try to resolve the issue with you; and if unable to do so, a District hearing before the COID Board of Directors will be held in November to determine if a petition to transfer the water off the lands should be filed with the OWRD Director. Failure to contact the District within 30 days will cause the water to be permanently transferred off of your property.

If you have any evidence that you have beneficially used all of your water right at any time during the last 5 years, please have the evidence ready to present at the time of your meeting with the District Manager and, if necessary, at the hearing with the Board of Directors.

Please respond within 30 days from the date of this letter to confirm that the information provided in this notice is correct.

Sincerely,



Craig Horrell
District Manager

Enc

cc: OWRD, 725 Summer St N.E. Suite 100, Salem, OR 97301
Jeremy Giffin, District 11 Watermaster, 231 SW Scalehouse Lp, Ste 103, Bend, OR 97701
Sterling Savings Bank 111 N Wall St, Spokane, WA 99201

Sent by certified mail October 1, 2014
Copy sent by first class mail October 1, 2014

DESCHUTES COUNTY SEC.12 T17S R12E

1 inch = 400 feet

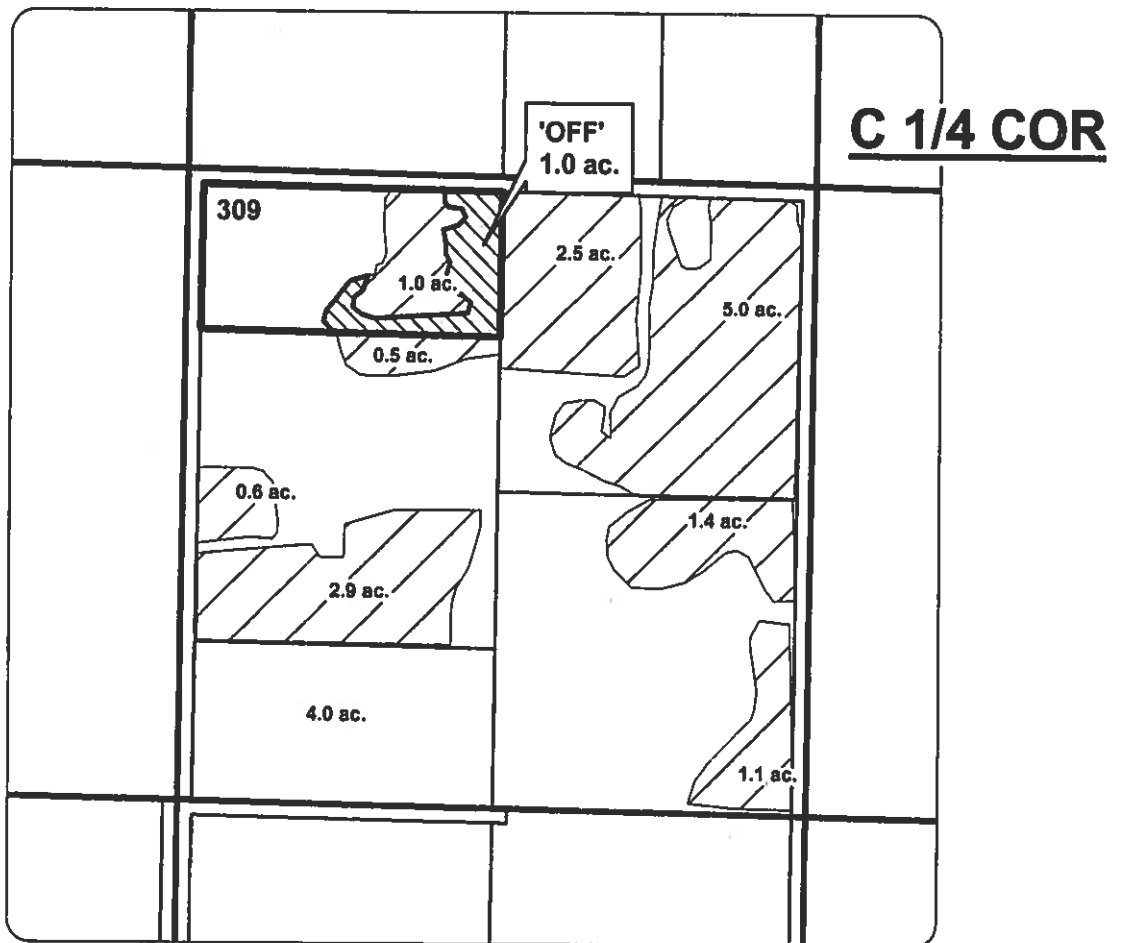
RECEIVED BY OWRD

DEC 23 2014

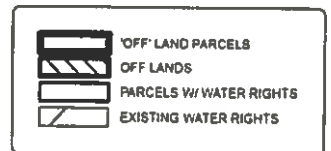
SALEM, OR



SW 1/4 OF THE SE 1/4



"OFF" MAP



CENTRAL OREGON



IRRIGATION DISTRICT

WATER RIGHTS CONFISCATION MAP

NAME: DELANO HAMBERGER

TAXLOT #: 309

1.0 ACRES

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.

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
Delano J Hamberger Addressee

B. Received by (Printed Name) Addresssee
 DELANO J HAMBERGER

C. Date of Delivery
 12-18-13

D. Is delivery address different from item 1? Yes
 No

If YES, enter delivery address below:

Delano J Hamberger
 63656 Cricketwood Rd
 Bend, OR 97701

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) 7012 0470 0002 1812 1435
 PS Form 3811, February 2004 Domestic Return Receipt 102585-02-M-1540

U.S. Postal ServiceTM
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OFFICIAL USE

Postage	\$ 0.66	Mailed 12/12/13 Postmark Here
Certified Fee	3.10	
Return Receipt Fee (Endorsement Required)	2.55	
Restricted Delivery Fee (Endorsement Required)		
Total	6.31	

CD1

Delano J Hamberger
 63656 Cricketwood Rd
 Bend, OR 97701

Sent To: Street, or PO Box City, State ZIP+4[®] PS Form 3811, February 2004

SENT 21PT 2000 0440 2T02

RECEIVED BY OWRD
 DEC 23 2014
 SALEM, OR



CENTRAL OREGON IRRIGATION DISTRICT

1055 SW LAKE COURT, REDMOND, OR 97756

PHONE: 541.548.6047 FAX: 541.548.0243

www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

December 11, 2013

Patron ID: 1463

Delano J Hamberger
63656 Cricketwood Rd
Bend, OR 97701

RE: Tax Map #: 1712120000309 - 2 acres total Irrigation Water Rights

Dear Patron,

The 2013 irrigation season has come to an end, and with that, the District has completed the required yearly review of beneficial use of all water rights within our District.

It has been brought to my attention that all or a portion of the water right on the above-noted property has not been beneficially used for 4 consecutive years. Oregon Revised Statute 540.610 clearly states the requirement of beneficial use:

540.610 Use as measure of water right; presumption of forfeiture of right for nonuse; basis for rebutting presumption; confirmation of rights of municipalities. (1) Beneficial use shall be the basis, the measure and the limit of all rights to the use of water in this state. Whenever the owner of a perfected and developed water right ceases or fails to use all or part of the water appropriated for a period of five successive years, the failure to use shall establish a rebuttable presumption of forfeiture of all or part of the water right.

Failure to prove beneficial use as stated is a very serious matter and is cause for forfeiture of the unused water right. At this time, you have 3 options to protect this water right. You must use the full water right on the ground exactly as it is mapped during the 2014 irrigation season (see enclosed aerial photo for location of mapped water rights); lease, at minimum, the unused portion of the water right back into the Deschutes River for the 2014 season (the District will accept requests for temporary lease applications through February 15, 2014); or transfer the unused water. By failing to follow any of these options, the District will be forced by Oregon Statute to confiscate the water right at the end of the 2014 season by filing a petition with OWRD to transfer these water rights to other lands in the District.

As a courtesy, the District is informing you that if this property has any other water rights specifically appurtenant to it that are delivered from another source (non-COID water), that water (per ORS 540.510) may be subject to cancellation by OWRD should COID be forced to file a confiscation transfer.

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR

By this letter, the District is serving you notice of our intent to confiscate any water right that goes unused in 2014 (see OAR 690-385-5000 and ORS 540.572 to 540.578). A copy of this letter is being sent to any security interest holders listed against your property as well as the Oregon Water Resources Dept (as required by statute).

If you have any evidence that you have used all of your water right at any time since 2010, please present the evidence to our office within 30 days from the date of this letter.

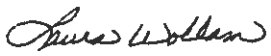
I have enclosed an aerial photo showing where your mapped water rights are located and a copy of the District Confiscation Policy. If your water rights are unmapped, the aerial photo will indicate the number of acres of water right and the number of acres of land to assist you in determining how much area should be irrigated. Please note that the aerial photo may not fully represent your irrigation habits for the full 2013 irrigation season or any new structures, arenas, dry lots, etc. that may have been added to your property since the aerial photo was taken. The date the photo was taken is indicated in the lower left hand corner of the map.

REMINDER: Whether you choose to use, lease, transfer, or not use your water rights in 2014; your assessments are still due and payable to COID by the due date. If you fail to pay your assessments, COID will add late fees and legal fees to your bill and file a lien against your property for non-payment.

It is our hope that we can work together and maintain the water rights on your property. If you have any questions or concerns please contact Laura Wollam at 541-504-7577 or by email at lauraw@coid.org as soon as possible so we can discuss your available options. *Please note that Laura will be out of the office from December 23, 2013 – January 1, 2014.*

Please respond within 30 days from the date of this letter to confirm that the information provided in this notice is correct.

Sincerely,

 for

Steven C. Johnson
Secretary-Manager

Enc

cc: OWRD Attn: Susan Douthit 725 Summer St NE, Ste 100 Salem, OR 97301
Sterling Savings Bank 111 N Wall St, Spokane, WA 99201

Sent by certified mail December 11, 2013



CENTRAL OREGON IRRIGATION DISTRICT

1055 SW LAKE COURT, REDMOND, OR 97756

PHONE: 541.548.6047 FAX: 541.548.0243

www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

December 13, 2012

Patron ID: 1463

Delano Hamberger
63656 Cricketwood Rd
Bend, OR 97701

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR

RE: Tax Map #: 1712120000309 - 2 acres total Irrigation Water Rights

Dear Patron,

The 2012 irrigation season has come to an end, and with that, the District has completed its yearly review of beneficial use of all water rights within our District.

It has been reported that all or a portion of the water right on the above-noted property has not been beneficially used for the last 3 consecutive years. I am bringing this to your attention at this time to encourage you to protect your water rights in the future.

Oregon Water Resources Dept (OWRD) enforces water right laws for the State of Oregon. The law requires that water rights be fully used on land 1 year out of every 5 years. The 5-year time period is not based on years of ownership, but on the beneficial use of the water right on the appurtenant land itself, counting forward from the last reported year of full use. For further information on this requirement please refer to the following Oregon Revised Statute:

540.610 Use as measure of water right; presumption of forfeiture of right for nonuse; basis for rebutting presumption; confirmation of rights of municipalities. (1) Beneficial use shall be the basis, the measure and the limit of all rights to the use of water in this state. Whenever the owner of a perfected and developed water right ceases or fails to use all or part of the water appropriated for a period of five successive years, the failure to use shall establish a rebuttable presumption of forfeiture of all or part of the water right.

Please consider how you wish to use your water right through the next irrigation season. The preferred choice is to fully use the water on the ground. If you do not wish to or are unable to do this, there are other options available such as:

- OWRD will allow you to temporarily lease your water right back into the Deschutes River and credit you with beneficial use (leasing instream is considered the same as applying the water to the ground). This benefits you by not having to irrigate, and benefits the river by increasing the flow. The District will accept requests for instream lease applications for the upcoming irrigation season from any interested party through February 15. *Please note that requests to lease for the 2013 irrigation season will not be accepted after February 15, 2013.*

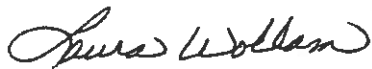
- If you have a portion of your property that is difficult to irrigate, you may want to consider transferring that part of your water right to another area on your property.
- If you have a portion of your property that is difficult to irrigate, you may also consider selling that portion of your water right.

The District will work with you in every way we can to protect your water right. See enclosed beneficial use information sheet for further information on these and other options that may be available to you.

I have enclosed an aerial photo showing where your mapped water rights are located and a copy of the District Confiscation Policy. If your water rights are unmapped, the aerial photo will indicate the number of acres of water right and the number of acres of land to assist you in determining how much area should be irrigated. Please note that the aerial photo may not fully represent your irrigation habits for the full 2012 irrigation season or show any new structures, arenas, dry lots, etc. that may have been added to your property since the aerial photo was taken. The date the photo was taken is indicated on the map.

It is our hope that we can work together to maintain the water rights on your property. If you have any questions or concerns please contact me at 541-504-7577 or lauraw@coid.org so that we can discuss your available options.

Sincerely,



Laura Wollam
Water Use Specialist

Enc

T-2014-019

ORS. 540.572

AUTHORIZED LANDS

14-13-14 SENW 01101

CURTIS LA MARR GRIFFIN ET AL

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR



CENTRAL OREGON IRRIGATION DISTRICT

1055 SW LAKE COURT, REDMOND, OR 97756

PHONE: 541.548.6047 FAX: 541.548.0243

www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

December 16, 2014

Curtis Griffin
2305 NE Wilcox Ave
Terrebonne, OR 97760

RE: Confiscation of water rights appurtenant to tax map #: 14-13-14 B0 01101 0.78 acres Irrigation

Dear Mr. & Ms. Griffin,

This notice is to inform you the District has filed a permanent transfer application with Oregon Water Resources Department (OWRD) to remove water rights appurtenant to the lands described above due to 5 consecutive years of non-use.

Per OAR 690-385-5400(2)(a) OWRD shall approve the district permanent transfer application as provided under OAR 690-385-5600 unless:

- A. The application does not include the information required under OAR 690-385-5200; or
- B. The user, of lands from which water rights are to be transferred, submits a protest pursuant to OAR Chapter 690, Division 002
 - b. The user has the right to protest the application as described in OAR 690-385-5700

You have 60 days from the date of mailing of this notice to submit a protest of the permanent transfer application to OWRD. OAR 690-385-5700(2) & (3) states that: Protest shall be filed in accordance with OAR Chapter 690, Division 002, and shall include the fee required under ORS 536.050; and, each person submitting a protest shall raise all reasonably ascertainable issues and submit all reasonably available arguments supporting the person's position by the close of the protest period. Failure to raise a reasonably ascertainable issue in a protest or failure to provide sufficient specificity to afford the Department an opportunity to respond to the issue precludes consideration of the issue during the hearing.

Enclosed are copies of the district permanent transfer application and maps. Please keep in mind if you wish to protest this transfer application with OWRD, the deadline for protest is 60 days from the date of this mailing.

Sincerely,

Leslie Clark
Water Right Manager

cc: OWRD, 725 Summer St N.E., Salem, OR
Mailed via certified mail December 16, 2014
Encl.

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR

DESCHUTES COUNTY
SEC.14 T14S R13E

RECEIVED BY OWRD

DEC 23 2014

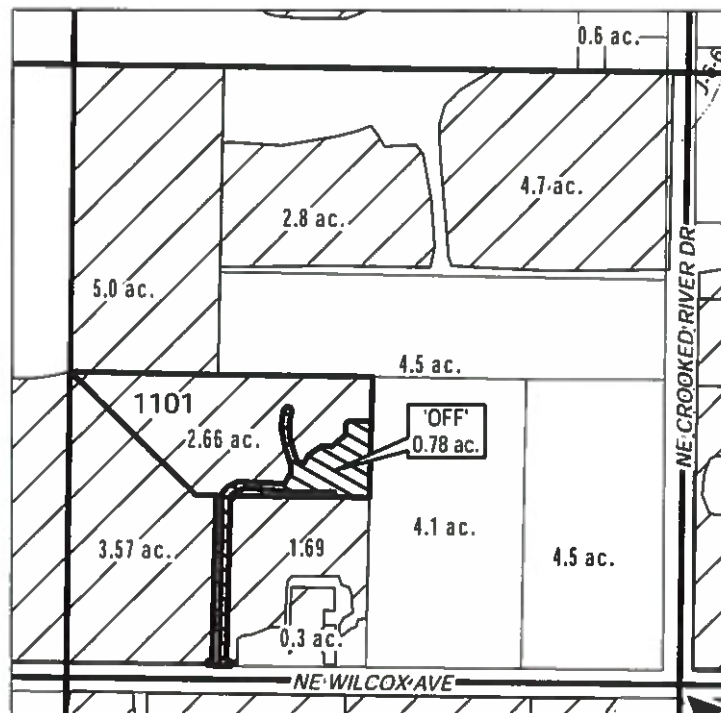
SALEM, OR

SCALE - 1" = 400'



SE 1/4 OF THE NW 1/4

DISTRICT INTERNAL
NOTICE #: T-2014-019



C 1/4 COR

	EXISTING WATER RIGHTS
	OFF LANDS
	PARCELS W/ WATER RIGHTS

"OFF" MAP



APPLICATION FOR WATER RIGHTS TRANSFER

NAME: CURTIS & BEVERLY GRIFFEN

TAXLOT #: 1101

0.78 ACRES

Date: 10/22/2014

FILE I:\TRANSFER\WRTRANS14\T-2014-019\141314_SENW

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:

Curtis & Beverly Griffin
 2305 NE Wilcox
 Terrebonne OR 97760

COMPLETE THIS SECTION ON DELIVERY

A. Signature

[Handwritten Signature]

Agent

B. Received by (Printed Name)

Curtis & Beverly Griffin

Addressee

C. Date of Delivery

10/15/14

D. Is delivery address different from item 1? If YES, enter delivery address below:

Yes No

3. Service Type

- Certified Mail
- Registered
- Insured Mail
- Express Mail
- Return Receipt for Merchandise
- C.O.D.

4. Restricted Delivery? (Extra Fee) Yes No

2. Article Number

(Transfer from service label)

7012 0470 0002 1812 2272

PS Form 3811, February 2004

Domestic Return Receipt

102995-02-44-1540

U.S. Postal ServiceTM
CERTIFIED MAILTM RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$ 2.49
Certified Fee	\$ 3.30
Return Receipt Fee (Endorsement Required)	\$ 2.70
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 6.49

Mailed 10/02/14

Postmark Here

Sent To Curtis & Beverly Griffin
 Street, Apt. No., or PO Box No. 2305 NE Wilcox
 City, State, ZIP+4 Terrebonne, OR 97760

PS Form 3800, August 2006 See Reverse for Instructions

2422 219T 2000 0240 2104

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR



CENTRAL OREGON IRRIGATION DISTRICT

1055 SW LAKE COURT, REDMOND, OR 97756

PHONE: 541.548.6047 FAX: 541.548.0243

www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

October 1, 2014

RECEIVED BY OWRD

Patron #: 3717

DEC 23 2014

Curtis & Beverly Griffin
2305 NE Wilcox
Terrebonne, OR 97760

SALEM, OR

RE: Tax Map #: 141314B001101, 3.44 acres total Irrigation water rights
0.78 acres water rights to be confiscated in 2014

Dear Patron,

Our records indicate that you have failed to beneficially use your full water right for the last 5 consecutive years. By this letter, the District is serving you notice of our intent to confiscate the water right referenced above for failure to beneficially use the water for the last 5 consecutive years (See OAR 690-385-5000 and ORS 540.572 to 540.578). A copy of this letter is being sent to any security interest holders listed in the county records for your property as well as the Oregon Water Resources Dept. (OWRD), as required by statute. Enclosed with this letter is a copy of the District Confiscation Policy and a water right map indicating where your water should be used.

Certified letters were sent to you and any known security interest holders following the end of the 2013 irrigation season, informing you of the non-use of the full water right, the options available to assist you in fulfilling OWRD's beneficial use requirements, and COID's intent to confiscate any remaining unused water at the end of the 2014 irrigation season. Available options included using the full water right beneficially; leasing, at a minimum, the unused portion of the water right instream; and transferring off or selling the unused water right. Site visits were completed during 2014 to review any signs of beneficial use of the full water right. In addition, multiple years of aerial photos were also used to assist in the review of what may or may not have been accomplished between 2010 and 2014.

Failure to prove beneficial use is a very serious matter and is cause for forfeiture of the unused water right. Oregon Revised Statute 540.610 clearly states the requirement of beneficial use:


540.610 Use as measure of water right; presumption of forfeiture of right for nonuse; basis for rebutting presumption; confirmation of rights of municipalities. (1) Beneficial use shall be the basis, the measure and the limit of all rights to the use of water in this state. Whenever the owner of a perfected and developed water right ceases or fails to use all or part of the water appropriated for a period of five successive years, the failure to use shall establish a rebuttable presumption of forfeiture of all or part of the water right.

If you wish to dispute the confiscation and permanent removal of the unused water right from your property, you have 30 days from the date this letter was mailed (see date below) to notify the District of your objection – in writing. If you object or wish to demonstrate that non-use is excusable under one of the provisions allowed in ORS 640.610(2)(a-n), a meeting will be scheduled with the District Manager to try to resolve the issue with you; and if unable to do so, a District hearing before the COID Board of Directors will be held in November to determine if a petition to transfer the water off the lands should be filed with the OWRD Director. Failure to contact the District within 30 days will cause the water to be permanently transferred off of your property.

If you have any evidence that you have beneficially used all of your water right at any time during the last 5 years, please have the evidence ready to present at the time of your meeting with the District Manager and, if necessary, at the hearing with the Board of Directors.

Please respond within 30 days from the date of this letter to confirm that the information provided in this notice is correct.

Sincerely,



Craig Horrell
District Manager

Enc

cc: OWRD, 725 Summer St N.E. Suite 100, Salem, OR 97301
Jeremy Giffin, District 11 Watermaster, 231 SW Scalehouse Lp, Ste 103, Bend, OR 97701
Mid Oregon Federal Credit Union PO Box 6749, Bend, OR 97708-6749

Sent by certified mail October 1, 2014
Copy sent by first class mail October 1, 2014

DESCHUTES COUNTY SEC.14 T14S R13E

RECEIVED BY OWRD

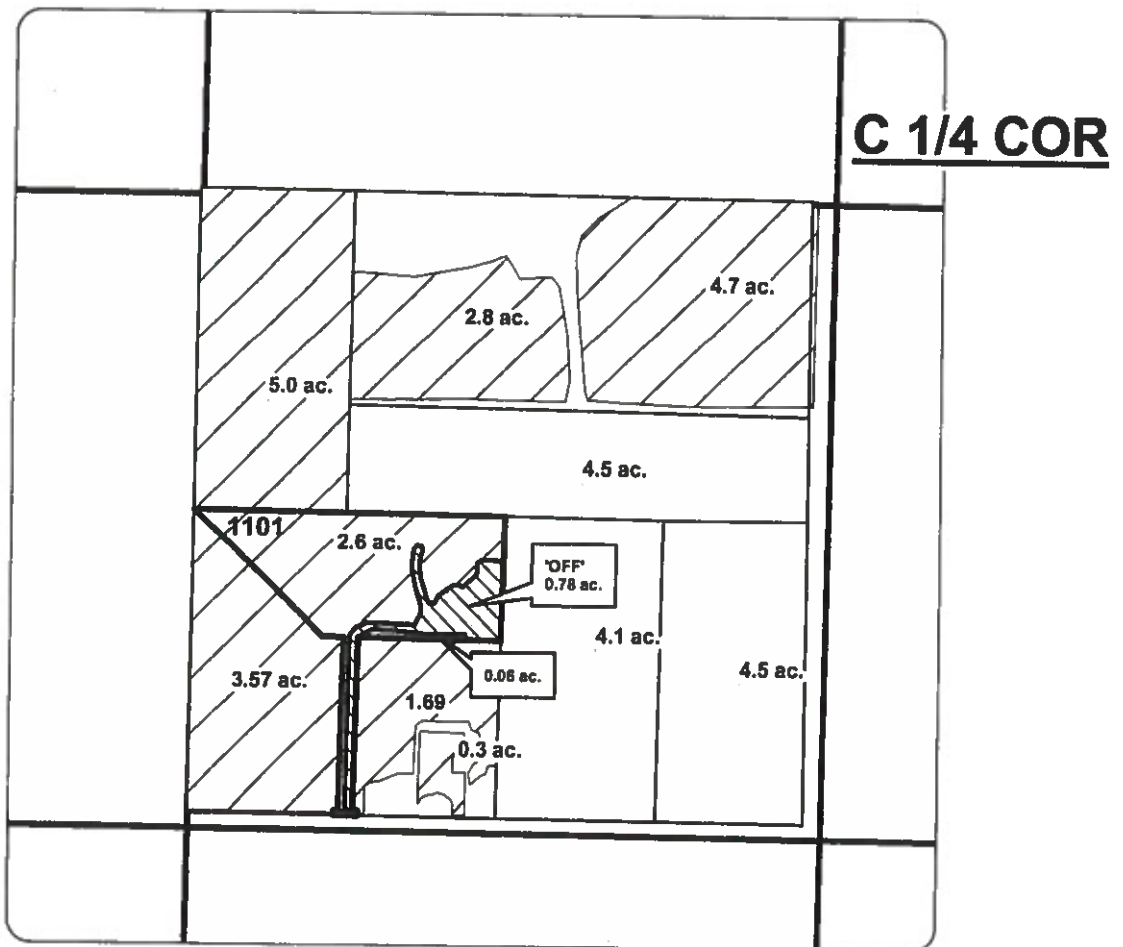
1 inch = 400 feet

DEC 23 2014

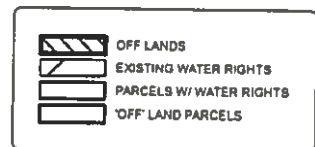


SALEM, OR

SE 1/4 OF THE NW 1/4



"OFF" MAP



WATER RIGHTS CONFISCATION MAP

NAME: CURTIS/BEVERLY GRIFFIN

TAXLOT #: 1101

0.78 ACRES



CENTRAL OREGON IRRIGATION DISTRICT

1055 SW LAKE COURT, REDMOND, OR 97756

PHONE: 541.548.6047 FAX: 541.548.0243

www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

October 2, 2014

Mid Oregon Federal Credit Union
PO Box 6749
Bend, OR 97708-6749

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR

RE: Curtis & Beverly Griffin

Please find enclosed a copy of the 5th year non-use letter that Central Oregon Irrigation District (COID) sends to its patrons that fail to beneficially use their full water rights for five consecutive years. You will also find a copy of COID's confiscation policy and a list of laws applicable to confiscation per Oregon Revised Statutes and Oregon Administrative Rules.

This letter is being sent to you as required by Oregon Water Resources Department because county records show you as a security interest holder on the property that the water right is appurtenant to.

If you have any questions regarding the letter or beneficial use, please contact me at 541-504-7577 or lauraw@coid.org.

Sincerely,

Laura Wollam
Water Use Specialist

Enc

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:

Curtis & Beverly Griffith
 2305 NE Wilcox
 Terrebonne, OR 97760

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
 B. Receiver's (Printed name) Addressee
 C. Date of Delivery
 D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type
 Certified Mail
 Registered
 Insured Mail
 Express Mail
 Return Receipt for Merchandise
 C.O.D.
 4. Restricted Delivery? (Extra Fee) Yes

2. Article Number (Transfer from service label) 7012 0470 0002 1812 1183
 PS Form 3811, February 2004 Domestic Return Receipt 102595-02-44-154

**U.S. Postal Service™
 CERTIFIED MAIL™ RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)**

For delivery information visit our website at www.usps.com
OFFICIAL USE

Postage	\$ 0.66	<i>Mailed 12/12/13</i> Postmark Here
Certified Fee	3.10	
Return Receipt Fee (Endorsement Required)	2.55	
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	6.31	

Curtis & Beverly Griffith
 2305 NE Wilcox
 Terrebonne, OR 97760

EGTT 219T 2000 0240 2TD2

RECEIVED BY OWRD
 DEC 23 2014
 SALEM, OR



CENTRAL OREGON IRRIGATION DISTRICT

1055 SW LAKE COURT, REDMOND, OR 97756

PHONE: 541.548.6047 FAX: 541.548.0243

www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

December 11, 2013

Patron ID: 3717

Curtis & Beverly Griffiths
2305 NE Wilcox
Terrebonne, OR 97760

RE: Tax Map #: 141314B001101 - 3.44 acres total Irrigation Water Rights

Dear Patron,

The 2013 irrigation season has come to an end, and with that, the District has completed the required yearly review of beneficial use of all water rights within our District.

It has been brought to my attention that all or a portion of the water right on the above-noted property has not been beneficially used for 4 consecutive years. Oregon Revised Statute 540.610 clearly states the requirement of beneficial use:

540.610 Use as measure of water right; presumption of forfeiture of right for nonuse; basis for rebutting presumption; confirmation of rights of municipalities. (1) Beneficial use shall be the basis, the measure and the limit of all rights to the use of water in this state. Whenever the owner of a perfected and developed water right ceases or fails to use all or part of the water appropriated for a period of five successive years, the failure to use shall establish a rebuttable presumption of forfeiture of all or part of the water right.

Failure to prove beneficial use as stated is a very serious matter and is cause for forfeiture of the unused water right. At this time, you have 3 options to protect this water right. You must use the full water right on the ground exactly as it is mapped during the 2014 irrigation season (see enclosed aerial photo for location of mapped water rights); lease, at minimum, the unused portion of the water right back into the Deschutes River for the 2014 season (the District will accept requests for temporary lease applications through February 15, 2014); or transfer the unused water. By failing to follow any of these options, the District will be forced by Oregon Statute to confiscate the water right at the end of the 2014 season by filing a petition with OWRD to transfer these water rights to other lands in the District.

As a courtesy, the District is informing you that if this property has any other water rights specifically appurtenant to it that are delivered from another source (non-COID water), that water (per ORS 540.510) may be subject to cancellation by OWRD should COID be forced to file a confiscation transfer.

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR

By this letter, the District is serving you notice of our intent to confiscate any water right that goes unused in 2014 (see OAR 690-385-5000 and ORS 540.572 to 540.578). A copy of this letter is being sent to any security interest holders listed against your property as well as the Oregon Water Resources Dept (as required by statute).

If you have any evidence that you have used all of your water right at any time since 2010, please present the evidence to our office within 30 days from the date of this letter.

I have enclosed an aerial photo showing where your mapped water rights are located and a copy of the District Confiscation Policy. If your water rights are unmapped, the aerial photo will indicate the number of acres of water right and the number of acres of land to assist you in determining how much area should be irrigated. Please note that the aerial photo may not fully represent your irrigation habits for the full 2013 irrigation season or any new structures, arenas, dry lots, etc. that may have been added to your property since the aerial photo was taken. The date the photo was taken is indicated in the lower left hand corner of the map.

REMINDER: Whether you choose to use, lease, transfer, or not use your water rights in 2014; your assessments are still due and payable to COID by the due date. If you fail to pay your assessments, COID will add late fees and legal fees to your bill and file a lien against your property for non-payment.

It is our hope that we can work together and maintain the water rights on your property. If you have any questions or concerns please contact Laura Wollam at 541-504-7577 or by email at lauraw@coid.org as soon as possible so we can discuss your available options. *Please note that Laura will be out of the office from December 23, 2013 – January 1, 2014.*

Please respond within 30 days from the date of this letter to confirm that the information provided in this notice is correct.

Sincerely,

 for

Steven C. Johnson
Secretary-Manager

Enc

cc: OWRD Attn: Susan Douthit 725 Summer St NE, Ste 100 Salem, OR 97301
Mid Oregon Federal Credit Union PO Box 6749, Bend, OR 97708-6749

Sent by certified mail December 11, 2013



CENTRAL OREGON IRRIGATION DISTRICT

1055 SW LAKE COURT, REDMOND, OR 97756

PHONE: 541.548.6047 FAX: 541.548.0243

www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

December 13, 2012

Patron ID: 3717

Curtis & Beverly Griffin
2305 NE Wilcox
Terrebonne, OR 97760

RE: Tax Map #: 141314B001101 - 3.44 acres total Irrigation Water Rights

Dear Patron,

The 2012 irrigation season has come to an end, and with that, the District has completed its yearly review of beneficial use of all water rights within our District.

It has been reported that all or a portion of the water right on the above-noted property has not been beneficially used for the last 3 consecutive years. I am bringing this to your attention at this time to encourage you to protect your water rights in the future.

Oregon Water Resources Dept (OWRD) enforces water right laws for the State of Oregon. The law requires that water rights be fully used on land 1 year out of every 5 years. The 5-year time period is not based on years of ownership, but on the beneficial use of the water right on the appurtenant land itself, counting forward from the last reported year of full use. For further information on this requirement please refer to the following Oregon Revised Statute:

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Please consider how you wish to use your water right through the next irrigation season. The preferred choice is to fully use the water on the ground. If you do not wish to or are unable to do this, there are other options available such as:

- OWRD will allow you to temporarily lease your water right back into the Deschutes River and credit you with beneficial use (leasing instream is considered the same as applying the water to the ground). This benefits you by not having to irrigate, and benefits the river by increasing the flow. The District will accept requests for instream lease applications for the upcoming irrigation season from any interested party through February 15. *Please note that requests to lease for the 2013 irrigation season will not be accepted after February 15, 2013.*

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR

- If you have a portion of your property that is difficult to irrigate, you may want to consider transferring that part of your water right to another area on your property.
- If you have a portion of your property that is difficult to irrigate, you may also consider selling that portion of your water right.

The District will work with you in every way we can to protect your water right. See enclosed beneficial use information sheet for further information on these and other options that may be available to you.

I have enclosed an aerial photo showing where your mapped water rights are located and a copy of the District Confiscation Policy. If your water rights are unmapped, the aerial photo will indicate the number of acres of water right and the number of acres of land to assist you in determining how much area should be irrigated. Please note that the aerial photo may not fully represent your irrigation habits for the full 2012 irrigation season or show any new structures, arenas, dry lots, etc. that may have been added to your property since the aerial photo was taken. The date the photo was taken is indicated on the map.

It is our hope that we can work together to maintain the water rights on your property. If you have any questions or concerns please contact me at 541-504-7577 or lauraw@coid.org so that we can discuss your available options.

Sincerely,



Laura Wollam
Water Use Specialist

Enc

T-2014-019

ORS. 540.572

AUTHORIZED LANDS

14-13-32 SESW 01000

FRED & KARIN CROUCH

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR



CENTRAL OREGON IRRIGATION DISTRICT

1055 SW LAKE COURT, REDMOND, OR 97756

PHONE: 541.548.6047 FAX: 541.548.0243

www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

December 16, 2014

Fred Crouch
6420 NW Poplar Ct
Redmond, OR 97756

RE: Confiscation of water rights appurtenant to tax map #: 14-13-32 00 01000 0.50 acres Irrigation

Dear Mr. & Ms. Crouch,

This notice is to inform you the District has filed a permanent transfer application with Oregon Water Resources Department (OWRD) to remove water rights appurtenant to the lands described above due to 5 consecutive years of non-use.

Per OAR 690-385-5400(2)(a) OWRD shall approve the district permanent transfer application as provided under OAR 690-385-5600 unless:

- A. The application does not include the information required under OAR 690-385-5200; or
- B. The user, of lands from which water rights are to be transferred, submits a protest pursuant to OAR Chapter 690, Division 002
 - b. The user has the right to protest the application as described in OAR 690-385-5700

You have 60 days from the date of mailing of this notice to submit a protest of the permanent transfer application to OWRD. OAR 690-385-5700(2) & (3) states that: Protest shall be filed in accordance with OAR Chapter 690, Division 002, and shall include the fee required under ORS 536.050; and, each person submitting a protest shall raise all reasonably ascertainable issues and submit all reasonably available arguments supporting the person's position by the close of the protest period. Failure to raise a reasonably ascertainable issue in a protest or failure to provide sufficient specificity to afford the Department an opportunity to respond to the issue precludes consideration of the issue during the hearing.

Enclosed are copies of the district permanent transfer application and maps. Please keep in mind if you wish to protest this transfer application with OWRD, the deadline for protest is 60 days from the date of this mailing.

Sincerely,

Leslie Clark
Water Right Manager

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR

cc: OWRD, 725 Summer St N.E., Salem, OR
Mailed via certified mail December 16, 2014
Encl.

DESCHUTES COUNTY
SEC.32 T14S R13E

RECEIVED BY OWRD

DEC 23 2014

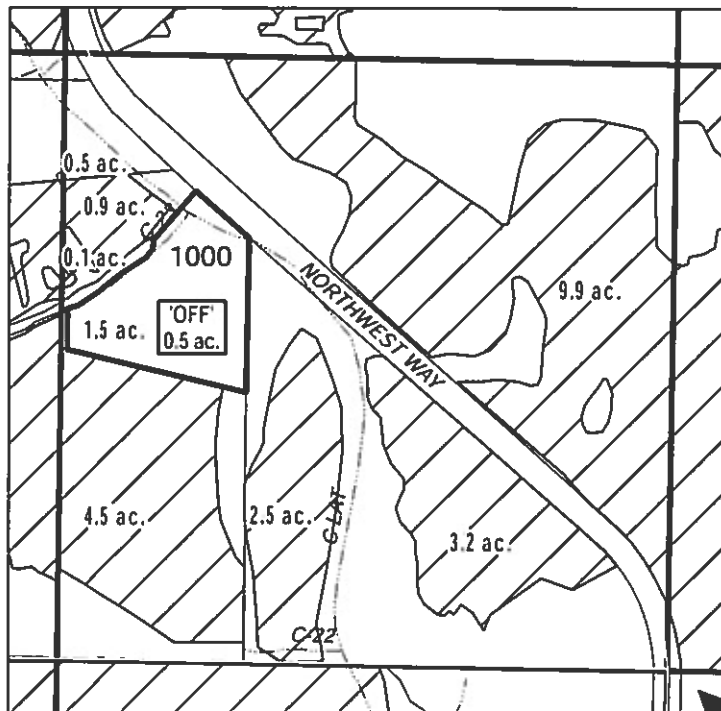
SALEM, OR

SCALE - 1" = 400'



SE 1/4 OF THE SW 1/4

DISTRICT INTERNAL
NOTICE #: T-2014-019



← S 1/4 COR

	EXISTING WATER RIGHTS
# ac.	'OFF' LAND PARCELS
# ac.	PARCELS W/ WATER RIGHTS

"OFF" MAP



APPLICATION FOR WATER RIGHTS TRANSFER

NAME: FRED & KARIN CROUCH

TAXLOT #: 1000

0.5 ACRES

Date: 10/16/2014

FILE: I:\TRANSFER\WRTRANS14IT-2014-019\141332_SE5W



CENTRAL OREGON IRRIGATION DISTRICT

1055 SW LAKE COURT, REDMOND, OR 97756

PHONE: 541.548.6047 FAX: 541.548.0243

www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

October 31, 2014

Fred & Karin Crouch
6420 NW Poplar Ct
Redmond, OR 97756

Dear Fred & Karin,

Enclosed is a revised confiscation letter and map per your request. The total acres for confiscation are now 0.5 acres. Cary's site review with you on October 9th added an additional 0.15 acres to the areas irrigated in 2014, totaling 1.5 acres irrigated.

If you have any questions regarding this letter or the confiscation, please feel free to contact me or Cary Penhollow at 541-548-6047.

Sincerely,

Laura Wollam
Water Use Specialist

Enc

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR

DESCHUTES COUNTY SEC.32 T14S R13E

1 inch = 400 feet

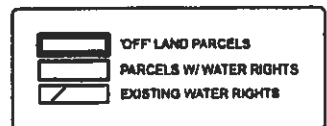
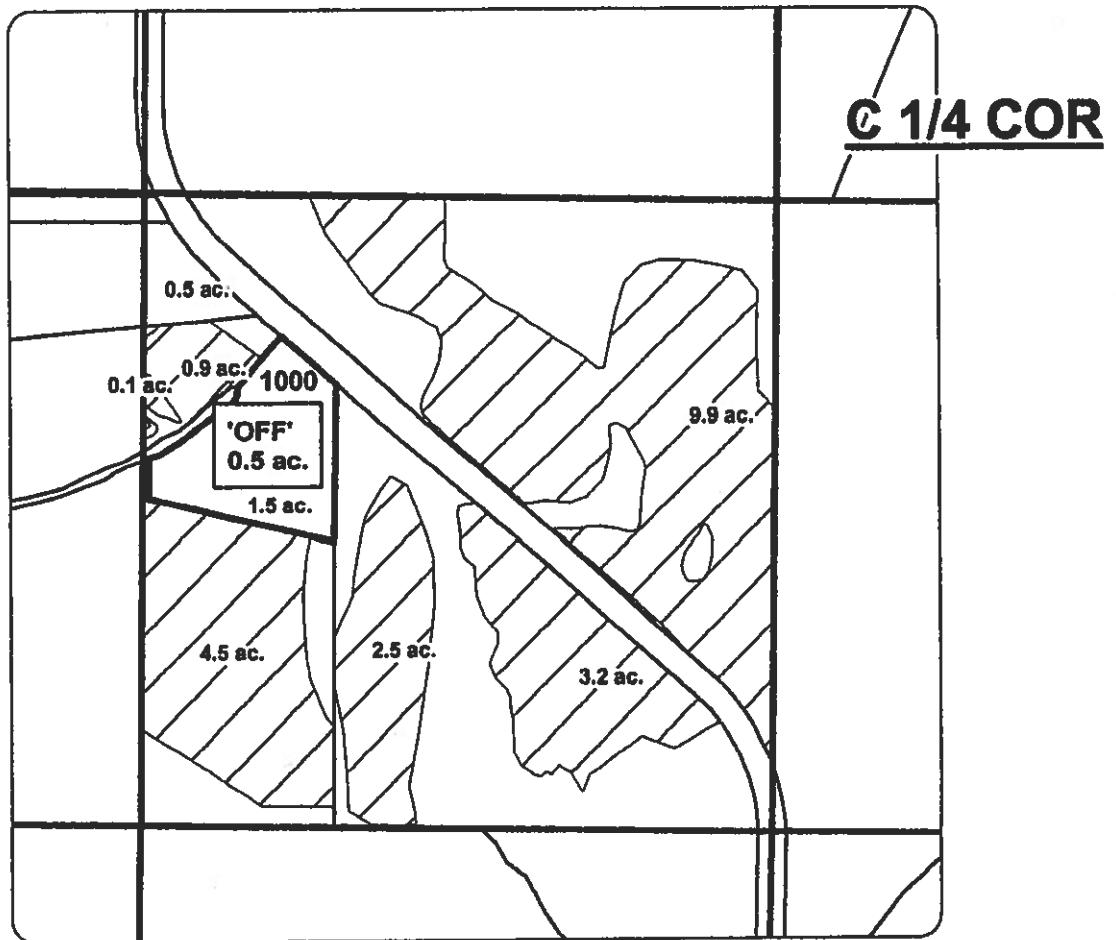


SE 1/4 OF THE SW 1/4

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR



"OFF" MAP

WATER RIGHTS CONFISCATION MAP

NAME: FRED & KARIN CROUCH

TAXLOT #: 1000

0.5 ACRES

CENTRAL OREGON



IRRIGATION DISTRICT

Date: 10/10/2014

JP
CENTRAL OREGON IRRIGATION DISTRICT
1055 SW Lake Court
Redmond OR 97756-1489

Address Service Requested

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR

WJW

CERTIFIED MAIL

54 11:24

PORTLAND OR 970



DEC 23 2014 PM 11

7012 0470 0002 1812 2265

Certified Mail/Return Receipt Requested

Fred & Karin Crouch
6420 NW NIXIE
Redmond

RETURN TO SENDER
UNCLAIMED
UNABLE TO FORWARD

*HR 66 014
in 6-14*

BC: 97756246955



3229-08193-04-40



MAILED FROM
000 1066728



0010722/14

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Postage	\$ 0.49
Certified Fee	\$ 3.30
Return Receipt Fee (Endorsement Required)	\$ 2.70
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 6.49

Mailed 10/02/14
Postmark Here

Sent To *Fred & Karin Crouch*
 Street, Apt. No., or PO Box No. *6420 NW Nixie Ct*
 City, State, ZIP+4 *Redmond OR 97756*

PS Form 3800, August 2006 See Reverse for Instructions

5922 219T 2000 0240 2102



CENTRAL OREGON IRRIGATION DISTRICT

1055 SW LAKE COURT, REDMOND, OR 97756

PHONE: 541.548.6047 FAX: 541.548.0243

www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

October 1, 2014

Patron #: 3351

Fred & Karin Crouch
6420 NW Poplar Ct
Redmond, OR 97756

RE: Tax Map #: 1413200001000, 2 acres total Irrigation water rights
0.65 acres water rights to be confiscated in 2014

Dear Patron,

Our records indicate that you have failed to beneficially use your full water right for the last 5 consecutive years. By this letter, the District is serving you notice of our intent to confiscate the water right referenced above for failure to beneficially use the water for the last 5 consecutive years (See OAR 690-385-5000 and ORS 540.572 to 540.578). A copy of this letter is being sent to any security interest holders listed in the county records for your property as well as the Oregon Water Resources Dept. (OWRD), as required by statute. Enclosed with this letter is a copy of the District Confiscation Policy and a water right map indicating where your water should be used.

Certified letters were sent to you and any known security interest holders following the end of the 2013 irrigation season, informing you of the non-use of the full water right, the options available to assist you in fulfilling OWRD's beneficial use requirements, and COID's intent to confiscate any remaining unused water at the end of the 2014 irrigation season. Available options included using the full water right beneficially; leasing, at a minimum, the unused portion of the water right instream; and transferring off or selling the unused water right. Site visits were completed during 2014 to review any signs of beneficial use of the full water right. In addition, multiple years of aerial photos were also used to assist in the review of what may or may not have been accomplished between 2010 and 2014.

Failure to prove beneficial use is a very serious matter and is cause for forfeiture of the unused water right. Oregon Revised Statute 540.610 clearly states the requirement of beneficial use:

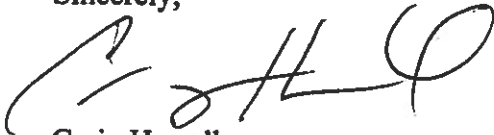
540.610 Use as measure of water right; presumption of forfeiture of right for nonuse; basis for rebutting presumption; confirmation of rights of municipalities. (1) Beneficial use shall be the basis, the measure and the limit of all rights to the use of water in this state. Whenever the owner of a perfected and developed water right ceases or fails to use all or part of the water appropriated for a period of five successive years, the failure to use shall establish a rebuttable presumption of forfeiture of all or part of the water right.

If you wish to dispute the confiscation and permanent removal of the unused water right from your property, you have 30 days from the date this letter was mailed (see date below) to notify the District of your objection – in writing. If you object or wish to demonstrate that non-use is excusable under one of the provisions allowed in ORS 640.610(2)(a-n), a meeting will be scheduled with the District Manager to try to resolve the issue with you; and if unable to do so, a District hearing before the COID Board of Directors will be held in November to determine if a petition to transfer the water off the lands should be filed with the OWRD Director. Failure to contact the District within 30 days will cause the water to be permanently transferred off of your property.

If you have any evidence that you have beneficially used all of your water right at any time during the last 5 years, please have the evidence ready to present at the time of your meeting with the District Manager and, if necessary, at the hearing with the Board of Directors.

Please respond within 30 days from the date of this letter to confirm that the information provided in this notice is correct.

Sincerely,



Craig Horrell
District Manager

Enc

cc: OWRD, 725 Summer St N.E. Suite 100, Salem, OR 97301
Jeremy Giffin, District 11 Watermaster, 231 SW Scalehouse Lp, Ste 103, Bend, OR 97701
No known lien holders

Sent by certified mail October 1, 2014
Copy sent by first class mail October 1, 2014

DESCHUTES COUNTY SEC.32 T14S R13E

1 inch = 400 feet

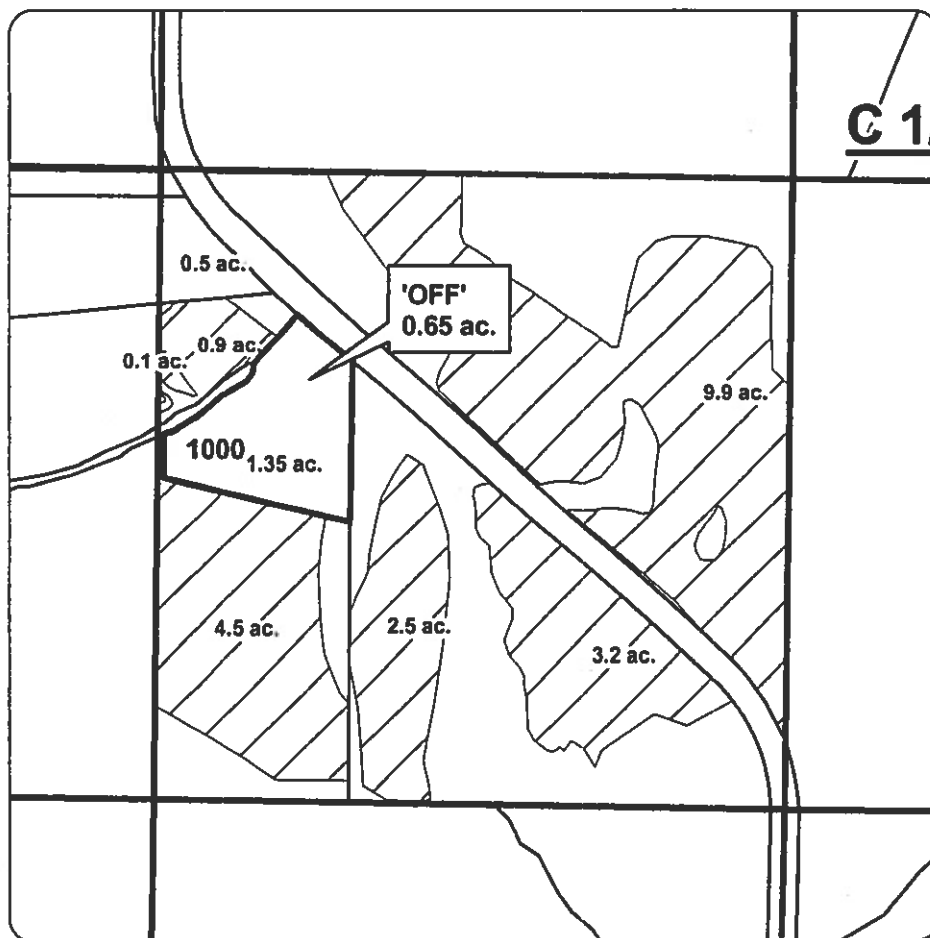
RECEIVED BY OWRD



DEC 23 2014

SALEM, OR

SE 1/4 OF THE SW 1/4



C 1/4 COR

"OFF" MAP



CENTRAL OREGON



IRRIGATION DISTRICT

WATER RIGHTS CONFISCATION MAP

NAME: FRED/KARIN CROUCH

TAXLOT #: 1000

0.65 ACRES

DATE: 10/20/14

7012 0470 0002 1812 0988

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OFFICIAL USE

Postage	\$ 0.64	Marked 12/12/13 Postmark Here
Certified Fee	3.10	
Return Receipt Fee (Endorsement Required)	2.55	
Restricted Delivery Fee (Endorsement Required)		
Total	6.31	

Sent To: Fred & Karin Crouch
 Street or PO: 6420 NW Poplar Ct
 City, S: Redmond, OR 97756

PS Form 3811, February 2004

COMPLETE THIS SECTION ON DELIVERY

A. Signature: *[Signature]* Agent

B. Received by (Printed Name): *Karin Crouch* Addressee

C. Date of Delivery: *12/19/13*

D. Is delivery address different from item 1? Yes No

YES, enter delivery address below:

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:

Fred & Karin Crouch
 6420 NW Poplar Ct
 Redmond, OR 97756

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) **7012 0470 0002 1812 0988**

PS Form 3811, February 2004

RECEIVED BY OWRD
 DEC 23 2014
 SALEM, OR



CENTRAL OREGON IRRIGATION DISTRICT

1055 SW LAKE COURT, REDMOND, OR 97756

PHONE: 541.548.6047 FAX: 541.548.0243

www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

December 11, 2013

Patron ID: 3351

Fred & Karin Crouch
6420 NW Poplar Ct
Redmond, OR 97756

RE: Tax Map #: 1413200001000 - 2 acres total Irrigation Water Rights

Dear Patron,

The 2013 irrigation season has come to an end, and with that, the District has completed the required yearly review of beneficial use of all water rights within our District.

It has been brought to my attention that all or a portion of the water right on the above-noted property has not been beneficially used for 4 consecutive years. Oregon Revised Statute 540.610 clearly states the requirement of beneficial use:

540.610 Use as measure of water right; presumption of forfeiture of right for nonuse; basis for rebutting presumption; confirmation of rights of municipalities. (1) Beneficial use shall be the basis, the measure and the limit of all rights to the use of water in this state. Whenever the owner of a perfected and developed water right ceases or fails to use all or part of the water appropriated for a period of five successive years, the failure to use shall establish a rebuttable presumption of forfeiture of all or part of the water right.

Failure to prove beneficial use as stated is a very serious matter and is cause for forfeiture of the unused water right. At this time, you have 3 options to protect this water right. You must use the full water right on the ground exactly as it is mapped during the 2014 irrigation season (see enclosed aerial photo for location of mapped water rights); lease, at minimum, the unused portion of the water right back into the Deschutes River for the 2014 season (the District will accept requests for temporary lease applications through February 15, 2014); or transfer the unused water. By failing to follow any of these options, the District will be forced by Oregon Statute to confiscate the water right at the end of the 2014 season by filing a petition with OWRD to transfer these water rights to other lands in the District.

As a courtesy, the District is informing you that if this property has any other water rights specifically appurtenant to it that are delivered from another source (non-COID water), that water (per ORS 540.510) may be subject to cancellation by OWRD should COID be forced to file a confiscation transfer.

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR

By this letter, the District is serving you notice of our intent to confiscate any water right that goes unused in 2014 (see OAR 690-385-5000 and ORS 540.572 to 540.578). A copy of this letter is being sent to any security interest holders listed against your property as well as the Oregon Water Resources Dept (as required by statute).

If you have any evidence that you have used all of your water right at any time since 2010, please present the evidence to our office within 30 days from the date of this letter.

I have enclosed an aerial photo showing where your mapped water rights are located and a copy of the District Confiscation Policy. If your water rights are unmapped, the aerial photo will indicate the number of acres of water right and the number of acres of land to assist you in determining how much area should be irrigated. Please note that the aerial photo may not fully represent your irrigation habits for the full 2013 irrigation season or any new structures, arenas, dry lots, etc. that may have been added to your property since the aerial photo was taken. The date the photo was taken is indicated in the lower left hand corner of the map.

REMINDER: Whether you choose to use, lease, transfer, or not use your water rights in 2014; your assessments are still due and payable to COID by the due date. If you fail to pay your assessments, COID will add late fees and legal fees to your bill and file a lien against your property for non-payment.

It is our hope that we can work together and maintain the water rights on your property. If you have any questions or concerns please contact Laura Wollam at 541-504-7577 or by email at lauraw@coid.org as soon as possible so we can discuss your available options. *Please note that Laura will be out of the office from December 23, 2013 – January 1, 2014.*

Please respond within 30 days from the date of this letter to confirm that the information provided in this notice is correct.

Sincerely,

 for

Steven C. Johnson
Secretary-Manager

Enc

cc: OWRD Attn: Susan Douthit 725 Summer St NE, Ste 100 Salem, OR 97301
No known lien holders

Sent by certified mail December 11, 2013



CENTRAL OREGON IRRIGATION DISTRICT

1055 SW LAKE COURT, REDMOND, OR 97756

PHONE: 541.548.6047 FAX: 541.548.0243

www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

April 23, 2014

Fred & Karin Crouch
6420 NW Poplar Ct
Redmond, OR 97756

Dear Patron,

The beginning of the 2014 irrigation season is upon us and with that comes the responsibility of beneficially using your water rights. In 2013, you received a letter from COID stating that you have not exercised your full water right in four consecutive years. Now is the time to review your water rights and how you would like to use them in 2014.

As the deadline for instream leasing and temporary transfer has passed for 2014, your remaining options for beneficial use compliance as required per ORS 540.610 are as follows:

1. Use your water right on your property as mapped. If you have an unmapped water right, you must cover the amount of ground equal to the total water right (i.e.: if you have a 2 acre unmapped water right, you must irrigate and grow something that is considered beneficial on 2 acres of land within your tax lot).
2. Sell or permanently transfer, at a minimum, the unused portion of your water right.

If you are interested in selling your water right, there are several options available to you. COID is a member of the DWA Water Bank (Bank). You can sell your water rights directly to COID for potential use by other water users through the Bank in the Deschutes Basin for surface delivery, for mitigation of a groundwater delivery or for river restoration. COID purchases water at current market price. Please contact Leslie Clark at COID (541-504-7576 or leslic@coid.org) for more information as the market can fluctuate depending on the availability and demand.

If you fail to beneficially use or transfer the unused water right before the end of the 2014 irrigation season, COID will proceed with confiscation of the unused water right as allowed by Oregon Water Resources Department and ORS 540.610.

Remember that whether you choose to use your water rights, transfer them, or not use them in 2014; your assessments are still due and payable to COID by the due date. If you fail to pay your assessments, COID will file a lien against your property for non-payment. Please contact Janet Brown at COID (541-504-7580 or jbrown@coid.org) before July 1 to discuss payment options if needed.

Please call me at 541-504-7577 or email me at lauraw@coid.org if you would like to discuss your beneficial use options further.

Thank you,

Laura Wollam
Water Use Specialist

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR



CENTRAL OREGON IRRIGATION DISTRICT

1055 SW LAKE COURT, REDMOND, OR 97756

PHONE: 541.548.6047 FAX: 541.548.0243

www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

December 13, 2012

RECEIVED BY OWRD

Patron ID: 3351

DEC 23 2014

Fred & Karin Crouch
6420 NW Poplar Ct
Redmond, OR 97756

SALEM, OR

RE: Tax Map #: 1413320001000 - 2 acres total Irrigation Water Rights

Dear Patron,

The 2012 irrigation season has come to an end, and with that, the District has completed its yearly review of beneficial use of all water rights within our District.

It has been reported that all or a portion of the water right on the above-noted property has not been beneficially used for the last 3 consecutive years. I am bringing this to your attention at this time to encourage you to protect your water rights in the future.

Oregon Water Resources Dept (OWRD) enforces water right laws for the State of Oregon. The law requires that water rights be fully used on land 1 year out of every 5 years. The 5-year time period is not based on years of ownership, but on the beneficial use of the water right on the appurtenant land itself, counting forward from the last reported year of full use. For further information on this requirement please refer to the following Oregon Revised Statute:

540.610 Use as measure of water right; presumption of forfeiture of right for nonuse; basis for rebutting presumption; confirmation of rights of municipalities. (1) Beneficial use shall be the basis, the measure and the limit of all rights to the use of water in this state. Whenever the owner of a perfected and developed water right ceases or fails to use all or part of the water appropriated for a period of five successive years, the failure to use shall establish a rebuttable presumption of forfeiture of all or part of the water right.

Please consider how you wish to use your water right through the next irrigation season. The preferred choice is to fully use the water on the ground. If you do not wish to or are unable to do this, there are other options available such as:

- OWRD will allow you to temporarily lease your water right back into the Deschutes River and credit you with beneficial use (leasing instream is considered the same as applying the water to the ground). This benefits you by not having to irrigate, and benefits the river by increasing the flow. The District will accept requests for instream lease applications for the upcoming irrigation season from any interested party through February 15. *Please note that requests to lease for the 2013 irrigation season will not be accepted after February 15, 2013.*

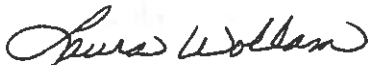
- If you have a portion of your property that is difficult to irrigate, you may want to consider transferring that part of your water right to another area on your property.
- If you have a portion of your property that is difficult to irrigate, you may also consider selling that portion of your water right.

The District will work with you in every way we can to protect your water right. See enclosed beneficial use information sheet for further information on these and other options that may be available to you.

I have enclosed an aerial photo showing where your mapped water rights are located and a copy of the District Confiscation Policy. If your water rights are unmapped, the aerial photo will indicate the number of acres of water right and the number of acres of land to assist you in determining how much area should be irrigated. Please note that the aerial photo may not fully represent your irrigation habits for the full 2012 irrigation season or show any new structures, arenas, dry lots, etc. that may have been added to your property since the aerial photo was taken. The date the photo was taken is indicated on the map.

It is our hope that we can work together to maintain the water rights on your property. If you have any questions or concerns please contact me at 541-504-7577 or lauraw@coid.org so that we can discuss your available options.

Sincerely,



Laura Wollam
Water Use Specialist

Enc

T-2014-019

ORS. 540.572

AUTHORIZED LANDS

16-12-28 NWSE 00700

JOHN A. BUCKLEY

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR



CENTRAL OREGON IRRIGATION DISTRICT

1055 SW LAKE COURT, REDMOND, OR 97756

PHONE: 541.548.6047 FAX: 541.548.0243

www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

December 16, 2014

John Buckley
64990 Hunnell Rd
Bend, OR 97701

RE: Confiscation of water rights appurtenant to tax map #: 16-12-28 DB 00700 0.90

Dear Mr. Buckley,

This notice is to inform you the District has filed a permanent transfer application with Oregon Water Resources Department (OWRD) to remove water rights appurtenant to the lands described above due to 5 consecutive years of non-use.

Per OAR 690-385-5400(2)(a) OWRD shall approve the district permanent transfer application as provided under OAR 690-385-5600 unless:

- A. The application does not include the information required under OAR 690-385-5200; or
- B. The user, of lands from which water rights are to be transferred, submits a protest pursuant to OAR Chapter 690, Division 002
 - b. The user has the right to protest the application as described in OAR 690-385-5700

You have 60 days from the date of mailing of this notice to submit a protest of the permanent transfer application to OWRD. OAR 690-385-5700(2) & (3) states that: Protest shall be filed in accordance with OAR Chapter 690, Division 002, and shall include the fee required under ORS 536.050; and, each person submitting a protest shall raise all reasonably ascertainable issues and submit all reasonably available arguments supporting the person's position by the close of the protest period. Failure to raise a reasonably ascertainable issue in a protest or failure to provide sufficient specificity to afford the Department an opportunity to respond to the issue precludes consideration of the issue during the hearing.

Enclosed are copies of the district permanent transfer application and maps. Please keep in mind if you wish to protest this transfer application with OWRD, the deadline for protest is 60 days from the date of this mailing.

Sincerely,

Leslie Clark
Water Right Manager

cc: OWRD, 725 Summer St N.E., Salem, OR
Mailed via certified mail December 16, 2014
Encl.

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR

DESCHUTES COUNTY SEC.28 T16S R12E

RECEIVED BY OWRD

SCALE - 1" = 400'

DEC 23 2014



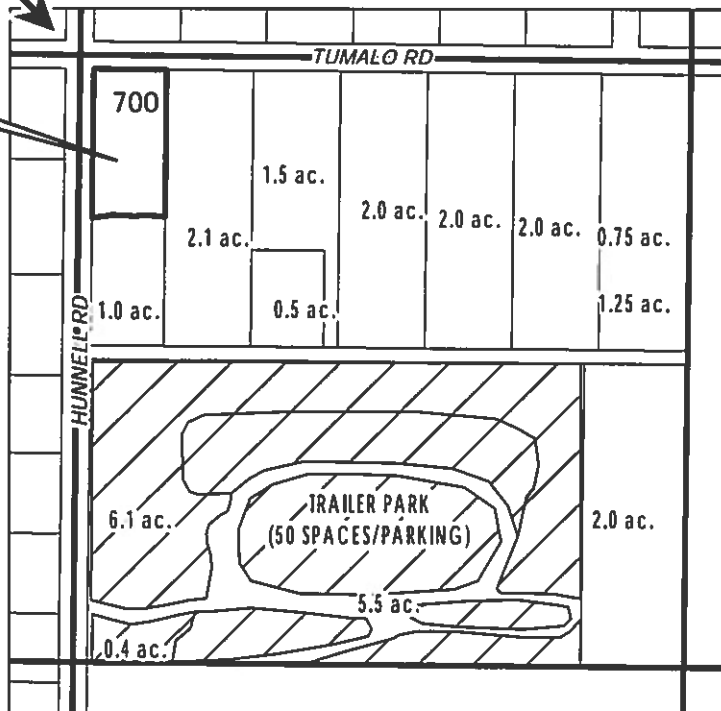
SALEM, OR

NW 1/4 OF THE SE 1/4

DISTRICT INTERNAL
NOTICE #: T-2014-019

C 1/4 COR

'OFF'
0.9 ac.



	EXISTING WATER RIGHTS
	'OFF' LAND PARCELS
	PARCELS W/ WATER RIGHTS

"OFF" MAP



APPLICATION FOR WATER RIGHTS TRANSFER

NAME: JOHN A BUCKLEY

TAXLOT #: 700

0.9 ACRES

Date: 10/16/2014

FILE: I:\TRANSFER\WRTRANS14\T-2014-019\161228_NWSE

OREGON IRRIGATION DISTRICT
Lake Court
OR 97756-1469
Service Requested

CERTIFIED MAIL™



7012 0470 0002 1812 2258

PORTLAND OR 97201
OCT 2014 PM 2 L



11/01/16
10-24-16
10-20

Certified Mail/Return Receipt Requested

John
64991 NIXIE 970 7E 1809 0010/22/1
Bend

RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD

BC: 97756146955 *1229-08886-0440
977561469 97701892590

7012 0470 0002 1812 2258

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Certified Fee	\$ 3.30
Return Receipt Fee (Endorsement Required)	\$ 2.70
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 6.44

Mailed
10/22/14
Postmark
Here

Sent To John A. Buckley
 Street, Apt. No.,
 or PO Box No. 64990 Hunnell Rd
 City, State, ZIP+4 Bend OR 97701

PS Form 3800, August 2006 See Reverse for Instructions

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR



CENTRAL OREGON IRRIGATION DISTRICT

1055 SW LAKE COURT, REDMOND, OR 97756

PHONE: 541.548.6047 FAX: 541.548.0243

www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

October 1, 2014

Patron #: 1031

John A. Buckley
64990 Hunnell Rd
Bend, OR 97701

RE: Tax Map #: 161228DB00700, 0.9 acres total Irrigation water rights
0.9 acres water rights to be confiscated in 2014

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR

Dear Patron,

Our records indicate that you have failed to beneficially use your full water right for the last 5 consecutive years. By this letter, the District is serving you notice of our intent to confiscate the water right referenced above for failure to beneficially use the water for the last 5 consecutive years (See OAR 690-385-5000 and ORS 540.572 to 540.578). A copy of this letter is being sent to any security interest holders listed in the county records for your property as well as the Oregon Water Resources Dept. (OWRD), as required by statute. Enclosed with this letter is a copy of the District Confiscation Policy and a water right map indicating where your water should be used.

Certified letters were sent to you and any known security interest holders following the end of the 2013 irrigation season, informing you of the non-use of the full water right, the options available to assist you in fulfilling OWRD's beneficial use requirements, and COID's intent to confiscate any remaining unused water at the end of the 2014 irrigation season. Available options included using the full water right beneficially; leasing, at a minimum, the unused portion of the water right instream; and transferring off or selling the unused water right. Site visits were completed during 2014 to review any signs of beneficial use of the full water right. In addition, multiple years of aerial photos were also used to assist in the review of what may or may not have been accomplished between 2010 and 2014.

Failure to prove beneficial use is a very serious matter and is cause for forfeiture of the unused water right. Oregon Revised Statute 540.610 clearly states the requirement of beneficial use:

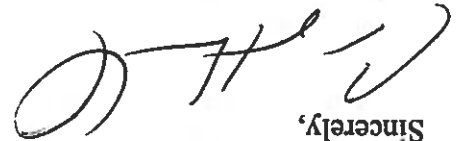
540.610 Use as measure of water right; presumption of forfeiture of right for nonuse; basis for rebutting presumption; confirmation of rights of municipalities. (1) Beneficial use shall be the basis, the measure and the limit of all rights to the use of water in this state. Whenever the owner of a perfected and developed water right ceases or fails to use all or part of the water appropriated for a period of five successive years, the failure to use shall establish a rebuttable presumption of forfeiture of all or part of the water right.

If you wish to dispute the confiscation and permanent removal of the unused water right from your property, you have 30 days from the date this letter was mailed (see date below) to notify the District of your objection – in writing. If you object or wish to demonstrate that non-use is excusable under one of the provisions allowed in ORS 640.610(2)(a-n), a meeting will be scheduled with the District Manager to try to resolve the issue with you; and if unable to do so, a District hearing before the CODD Board of Directors will be held in November to determine if a petition to transfer the water off the lands should be filed with the OWRD Director. Failure to contact the District within 30 days will cause the water to be permanently transferred off of your property.

If you have any evidence that you have beneficially used all of your water right at any time during the last 5 years, please have the evidence ready to present at the time of your meeting with the District Manager and, if necessary, at the hearing with the Board of Directors.

Please respond within 30 days from the date of this letter to confirm that the information provided in this notice is correct.

Sincerely,



Craig Horrell

District Manager

Enc

cc: OWRD, 725 Summer St N.E. Suite 100, Salem, OR 97301
Jeremy Giffin, District 11 Watermaster, 231 SW Scalehouse Ln, Ste 103, Bend, OR 97701
Countrywide Home Loans, Inc 4500 Park Granada, MSN # SVB-314, Calabasas, CA
91302-1613
Tax Acct # 161228DB00700

Sent by certified mail October 1, 2014
Copy sent by first class mail October 1, 2014

DESCHUTES COUNTY SEC.28 T16S R12E

RECEIVED BY CWRD

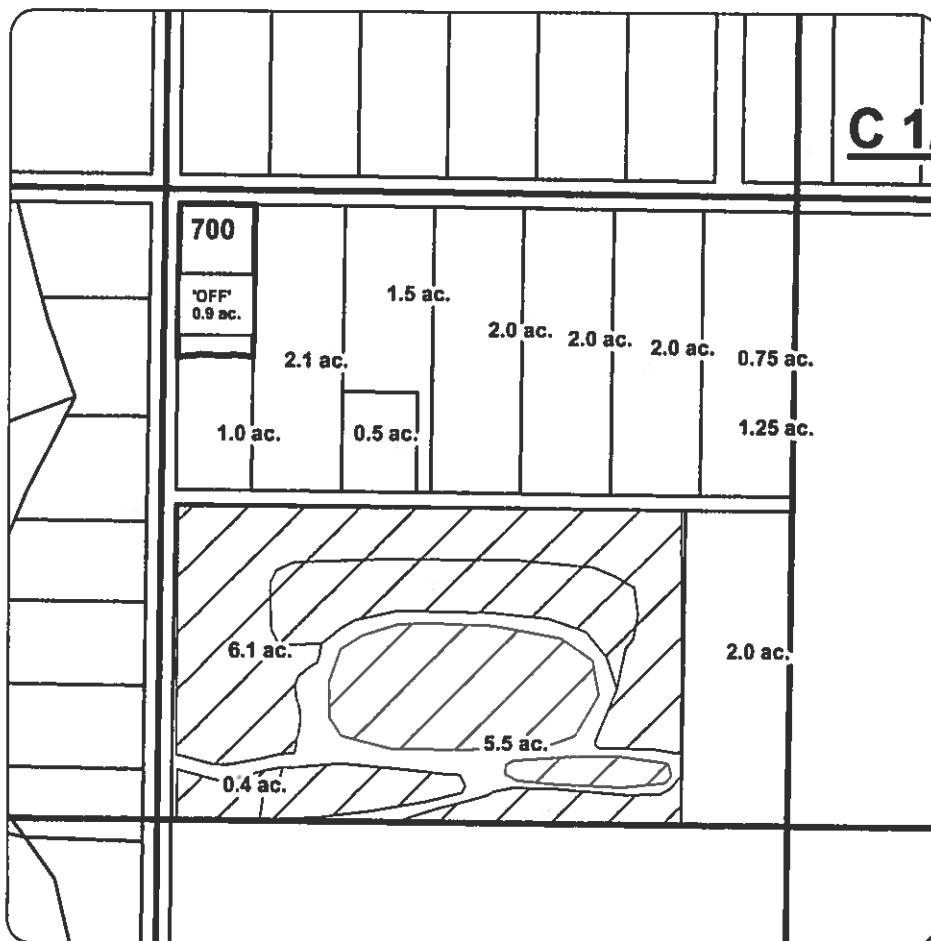
DEC 23 2014

SALEM, OR

1 inch = 400 feet



NW 1/4 OF THE SE 1/4



C 1/4 COR

700

'OFF'
0.9 ac.

1.5 ac.

2.0 ac.

2.0 ac.

2.0 ac.

0.75 ac.

2.1 ac.

1.0 ac.

0.5 ac.

1.25 ac.

6.1 ac.

2.0 ac.

5.5 ac.

0.4 ac.

"OFF" MAP

	'OFF' LAND PARCELS
	PARCELS W/ WATER RIGHTS
	EXISTING WATER RIGHTS

CENTRAL OREGON



IRRIGATION DISTRICT

WATER RIGHTS CONFISCATION MAP

NAME: JOHN BUCKLEY

TAXLOT #: 700

0.9 ACRES

Date: 10/20/2014



CENTRAL OREGON IRRIGATION DISTRICT

1055 SW LAKE COURT, REDMOND, OR 97756

PHONE: 541.548.6047 FAX: 541.548.0243

www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

October 2, 2014

Countrywide Home Loans, Inc.
4500 Park Granada
MSN # SVB-314
Calabasas, CA 91302-1613

RE: Tax Acct # 161228DB00700 -- John A. Buckley

Please find enclosed a copy of the 5th year non-use letter that Central Oregon Irrigation District (COID) sends to its patrons that fail to beneficially use their full water rights for five consecutive years. You will also find a copy of COID's confiscation policy and a list of laws applicable to confiscation per Oregon Revised Statutes and Oregon Administrative Rules.

This letter is being sent to you as required by Oregon Water Resources Department because county records show you as a security interest holder on the property that the water right is appurtenant to.

If you have any questions regarding the letter or beneficial use, please contact me at 541-504-7577 or lauraw@coid.org.

Sincerely,

Laura Wollam
Water Use Specialist

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR

Enc

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> 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. 	<p>A. Signature <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>C. Date of Delivery</p>
<p>1. Article Addressed to:</p> <p style="text-align: center;">John A. Buckley 64990 Hunnell Rd Bend, OR 97701</p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No If YES, enter delivery address below:</p> <p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail</p> <p><input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number (Transfer from service label)</p>	<p>7012 0470 0002 1812 1275</p>

PS Form 3811, February 2004

Domestic Return Receipt

102585-02-M-1540

U.S. Postal Service TM CERTIFIED MAIL TM RECEIPT (Domestic Mail Only; No Insurance Coverage Provided)	
For delivery information visit our website at www.usps.com	
OFFICIAL USE	
<p>Postage \$ 0.66</p> <p>Certified Fee 3.10</p> <p>Return Receipt Fee (Endorsement Required) 2.55</p> <p>Restricted Delivery Fee (Endorsement Required)</p> <p>Total Postage & Fees \$ 6.31</p>	<p>Mailed 12/12/13</p> <p>Postmark Here</p>
<p>Sent to</p> <p>Street, or PO 1</p> <p>City, St</p>	<p style="text-align: center;">John A. Buckley 64990 Hunnell Rd Bend, OR 97701</p> <p style="text-align: right;">SW</p>
PS Form	15

7012 0470 0002 1812 1275

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR



CENTRAL OREGON IRRIGATION DISTRICT

1055 SW LAKE COURT, REDMOND, OR 97756

PHONE: 541.548.6047 FAX: 541.548.0243

www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

December 11, 2013

Patron ID: 1031

John A. Buckley
64990 Hunnell Rd
Bend, OR 97701

RE: Tax Map #: 161228DB00700 - 0.9 acres total Irrigation Water Rights

Dear Patron,

The 2013 irrigation season has come to an end, and with that, the District has completed the required yearly review of beneficial use of all water rights within our District.

It has been brought to my attention that all or a portion of the water right on the above-noted property has not been beneficially used for 4 consecutive years. Oregon Revised Statute 540.610 clearly states the requirement of beneficial use:

540.610 Use as measure of water right; presumption of forfeiture of right for nonuse; basis for rebutting presumption; confirmation of rights of municipalities. (1) Beneficial use shall be the basis, the measure and the limit of all rights to the use of water in this state. Whenever the owner of a perfected and developed water right ceases or fails to use all or part of the water appropriated for a period of five successive years, the failure to use shall establish a rebuttable presumption of forfeiture of all or part of the water right.

Failure to prove beneficial use as stated is a very serious matter and is cause for forfeiture of the unused water right. At this time, you have 3 options to protect this water right. You must use the full water right on the ground exactly as it is mapped during the 2014 irrigation season (see enclosed aerial photo for location of mapped water rights); lease, at minimum, the unused portion of the water right back into the Deschutes River for the 2014 season (the District will accept requests for temporary lease applications through February 15, 2014); or transfer the unused water. By failing to follow any of these options, the District will be forced by Oregon Statute to confiscate the water right at the end of the 2014 season by filing a petition with OWRD to transfer these water rights to other lands in the District.

As a courtesy, the District is informing you that if this property has any other water rights specifically appurtenant to it that are delivered from another source (non-COID water), that water (per ORS 540.510) may be subject to cancellation by OWRD should COID be forced to file a confiscation transfer.

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR

By this letter, the District is serving you notice of our intent to confiscate any water right that goes unused in 2014 (see OAR 690-385-5000 and ORS 540.572 to 540.578). A copy of this letter is being sent to any security interest holders listed against your property as well as the Oregon Water Resources Dept (as required by statute).

If you have any evidence that you have used all of your water right at any time since 2010, please present the evidence to our office within 30 days from the date of this letter.

I have enclosed an aerial photo showing where your mapped water rights are located and a copy of the District Confiscation Policy. If your water rights are unmapped, the aerial photo will indicate the number of acres of water right and the number of acres of land to assist you in determining how much area should be irrigated. Please note that the aerial photo may not fully represent your irrigation habits for the full 2013 irrigation season or any new structures, areas, dry lots, etc. that may have been added to your property since the aerial photo was taken. The date the photo was taken is indicated in the lower left hand corner of the map.

REMINDER: Whether you choose to use, lease, transfer, or not use your water rights in 2014; your assessments are still due and payable to COID by the due date. If you fail to pay your assessments, COID will add late fees and legal fees to your bill and file a lien against your property for non-payment.

It is our hope that we can work together and maintain the water rights on your property. If you have any questions or concerns please contact Laura Wollam at 541-504-7577 or by email at lauraw@coid.org as soon as possible so we can discuss your available options. Please note that *Laura will be out of the office from December 23, 2013 – January 1, 2014.*

Please respond within 30 days from the date of this letter to confirm that the information provided in this notice is correct.

Sincerely,

Steven C. Johnson
for

Steven C. Johnson
Secretary-Manager

Enc

cc: OWRD Attn: Susan Douthit 725 Summer St NE, Ste 100 Salem, OR 97301
Countywide Home Loans, Inc 4500 Park Granada, MSN # SVB-314, Calabasas, CA 91302-1613 Tax
Acct # 161228DB00700

Sent by certified mail December 11, 2013



CENTRAL OREGON IRRIGATION DISTRICT

1055 SW LAKE COURT, REDMOND, OR 97756

PHONE: 541.548.6047 FAX: 541.548.0243

www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

April 23, 2014

John A. Buckley
64990 Hunnell Rd
Bend, OR 97701

Dear Patron,

The beginning of the 2014 irrigation season is upon us and with that comes the responsibility of beneficially using your water rights. In 2013, you received a letter from COID stating that you have not exercised your full water right in four consecutive years. Now is the time to review your water rights and how you would like to use them in 2014.

As the deadline for instream leasing and temporary transfer has passed for 2014, your remaining options for beneficial use compliance as required per ORS 540.610 are as follows:

1. Use your water right on your property as mapped. If you have an unmapped water right, you must cover the amount of ground equal to the total water right (i.e.: if you have a 2 acre unmapped water right, you must irrigate and grow something that is considered beneficial on 2 acres of land within your tax lot).
2. Sell or permanently transfer, at a minimum, the unused portion of your water right.

If you are interested in selling your water right, there are several options available to you. COID is a member of the DWA Water Bank (Bank). You can sell your water rights directly to COID for potential use by other water users through the Bank in the Deschutes Basin for surface delivery, for mitigation of a groundwater delivery or for river restoration. COID purchases water at current market price. Please contact Leslie Clark at COID (541-504-7576 or lesliec@coid.org) for more information as the market can fluctuate depending on the availability and demand.

If you fail to beneficially use or transfer the unused water right before the end of the 2014 irrigation season, COID will proceed with confiscation of the unused water right as allowed by Oregon Water Resources Department and ORS 540.610.

Remember that whether you choose to use your water rights, transfer them, or not use them in 2014; your assessments are still due and payable to COID by the due date. If you fail to pay your assessments, COID will file a lien against your property for non-payment. Please contact Janet Brown at COID (541-504-7580 or jbrown@coid.org) before July 1 to discuss payment options if needed.

Please call me at 541-504-7577 or email me at lauraw@coid.org if you would like to discuss your beneficial use options further.

Thank you,

Laura Wollam
Water Use Specialist

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR



CENTRAL OREGON IRRIGATION DISTRICT

1055 SW LAKE COURT, REDMOND, OR 97756

PHONE: 541.548.6047 FAX: 541.548.0243

www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

December 13, 2012

Patron ID: 1031

RECEIVED BY OWRD

John Buckley
64990 Hunnell Rd
Bend, OR 97701

DEC 23 2014

SALEM, OR

RE: Tax Map #: 161228DB00700 - 0.9 acres total Irrigation Water Rights

Dear Patron,

The 2012 irrigation season has come to an end, and with that, the District has completed its yearly review of beneficial use of all water rights within our District.

It has been reported that all or a portion of the water right on the above-noted property has not been beneficially used for the last 3 consecutive years. I am bringing this to your attention at this time to encourage you to protect your water rights in the future.

Oregon Water Resources Dept (OWRD) enforces water right laws for the State of Oregon. The law requires that water rights be fully used on land 1 year out of every 5 years. The 5-year time period is not based on years of ownership, but on the beneficial use of the water right on the appurtenant land itself, counting forward from the last reported year of full use. For further information on this requirement please refer to the following Oregon Revised Statute:

540.610 Use as measure of water right; presumption of forfeiture of right for nonuse; basis for rebutting presumption; confirmation of rights of municipalities. (1) Beneficial use shall be the basis, the measure and the limit of all rights to the use of water in this state. Whenever the owner of a perfected and developed water right ceases or fails to use all or part of the water appropriated for a period of five successive years, the failure to use shall establish a rebuttable presumption of forfeiture of all or part of the water right.

Please consider how you wish to use your water right through the next irrigation season. The preferred choice is to fully use the water on the ground. If you do not wish to or are unable to do this, there are other options available such as:

- OWRD will allow you to temporarily lease your water right back into the Deschutes River and credit you with beneficial use (leasing instream is considered the same as applying the water to the ground). This benefits you by not having to irrigate, and benefits the river by increasing the flow. The District will accept requests for instream lease applications for the upcoming irrigation season from any interested party through February 15. *Please note that requests to lease for the 2013 irrigation season will not be accepted after February 15, 2013.*

- If you have a portion of your property that is difficult to irrigate, you may want to consider transferring that part of your water right to another area on your property.
- If you have a portion of your property that is difficult to irrigate, you may also consider selling that portion of your water right.

The District will work with you in every way we can to protect your water right. See enclosed beneficial use information sheet for further information on these and other options that may be available to you.

I have enclosed an aerial photo showing where your mapped water rights are located and a copy of the District Confiscation Policy. If your water rights are unmapped, the aerial photo will indicate the number of acres of water right and the number of acres of land to assist you in determining how much area should be irrigated. Please note that the aerial photo may not fully represent your irrigation habits for the full 2012 irrigation season or show any new structures, arenas, dry lots, etc. that may have been added to your property since the aerial photo was taken. The date the photo was taken is indicated on the map.

It is our hope that we can work together to maintain the water rights on your property. If you have any questions or concerns please contact me at 541-504-7577 or lauraw@coid.org so that we can discuss your available options.

Sincerely,



Laura Wollam
Water Use Specialist

Enc

T-2014-019

ORS. 540.572

AUTHORIZED LANDS

15-14-23 SE SW TL 401, 402, 500

GLEN E. & SHERRI R. BASSETT

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR



CENTRAL OREGON IRRIGATION DISTRICT

1055 SW LAKE COURT, REDMOND, OR 97756

PHONE: 541.548.6047 FAX: 541.548.0243

www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

December 16, 2014

Glen Bassett
2206 Sunrise St
Emmett, ID 83617

RE: Confiscation of water rights appurtenant to tax map #: 15-14-23 00 00401 0.20 acres Irrigation, tax map #: 15-14-23 00 00402 0.20 acres Irrigation, tax map #: 15-14-23 00 00500 0.10 acres Irrigation

Dear Mr. & Ms. Bassett,

This notice is to inform you the District has filed a permanent transfer application with Oregon Water Resources Department (OWRD) to remove water rights appurtenant to the lands described above due to 5 consecutive years of non-use.

Per OAR 690-385-5400(2)(a) OWRD shall approve the district permanent transfer application as provided under OAR 690-385-5600 unless:

- A. The application does not include the information required under OAR 690-385-5200; or
- B. The user, of lands from which water rights are to be transferred, submits a protest pursuant to OAR Chapter 690, Division 002
 - b. The user has the right to protest the application as described in OAR 690-385-5700

You have 60 days from the date of mailing of this notice to submit a protest of the permanent transfer application to OWRD. OAR 690-385-5700(2) & (3) states that: Protest shall be filed in accordance with OAR Chapter 690, Division 002, and shall include the fee required under ORS 536.050; and, each person submitting a protest shall raise all reasonably ascertainable issues and submit all reasonably available arguments supporting the person's position by the close of the protest period. Failure to raise a reasonably ascertainable issue in a protest or failure to provide sufficient specificity to afford the Department an opportunity to respond to the issue precludes consideration of the issue during the hearing.

Enclosed are copies of the district permanent transfer application and maps. Please keep in mind if you wish to protest this transfer application with OWRD, the deadline for protest is 60 days from the date of this mailing.

Sincerely,

Leslie Clark
Water Right Manager

cc: OWRD, 725 Summer St N.E., Salem, OR
Mailed via certified mail December 16, 2014
Encl.

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR

CROOK COUNTY
SEC.23 T15S R14E

SCALE - 1" = 400'



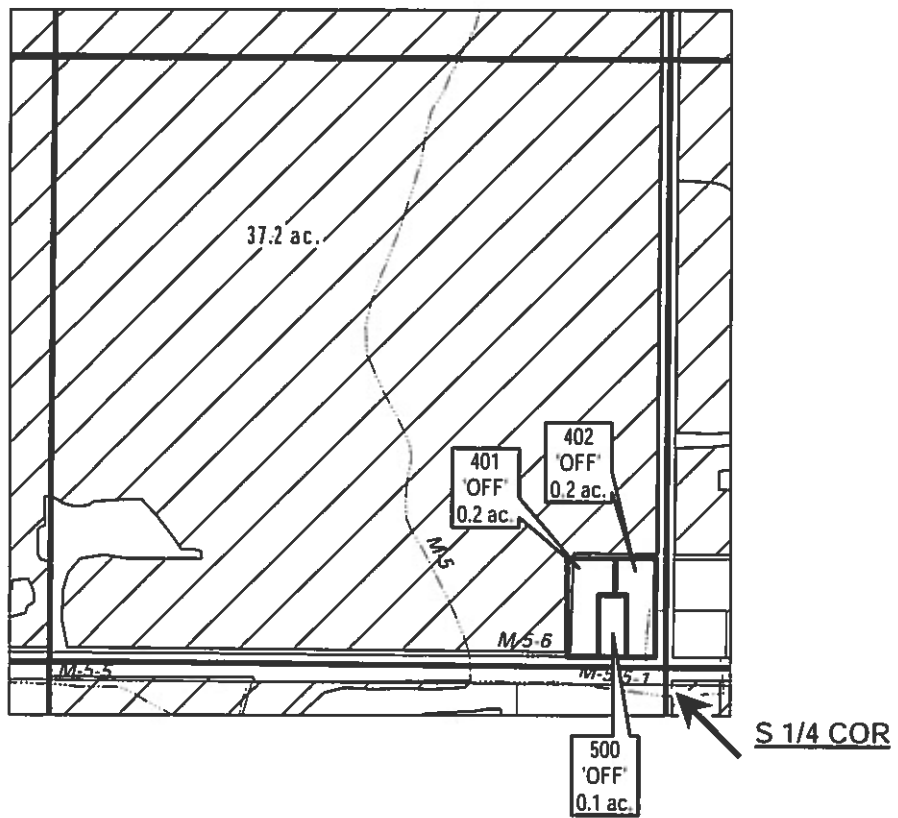
SE 1/4 OF THE SW 1/4

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR

DISTRICT INTERNAL
NOTICE #: T-2014-019



"OFF" MAP



APPLICATION FOR WATER RIGHTS TRANSFER

NAME: GLEN & SHERRI BASSET

TAXLOT #: 401, 402, 500

0.5 ACRES

Date: 10/16/2014

FILE: IATransferIWRTRANS14IT-2014_019\151423_SESW



CENTRAL OREGON IRRIGATION DISTRICT

1055 SW LAKE COURT, REDMOND, OR 97756

PHONE: 541.548.6047 FAX: 541.548.0243

www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

October 2, 2014

Patron #: 3663

Glen & Sheri Basset
2206 Sunrise St
Emmett, ID 83617

RE: Tax Map #: 1514230000401, 1514230000402, 1514230000500

Dear Mr. & Mrs. Basset,

On October 1, 2014 you were mailed 3 letters, one for each tax lot listed above, with a confiscation map showing the water rights to be confiscated on these tax lots. This morning our mapping department discovered an error on the map, showing 0.1 acre of water on tax lot 401 and 0.2 acre of water on tax lot 500. Enclosed is a corrected map showing the correct number of acres on each tax lot – 0.2 acre on tax lot 401, 0.2 acre on tax lot 402, and 0.1 ac on tax lot 500.

Please replace the map that was sent with the letters mailed on October 1. Should you have any questions, please follow the process outlined in these letters for contact with the District.

Sincerely,

Laura Wollam
Water Use Specialist

Enc

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR

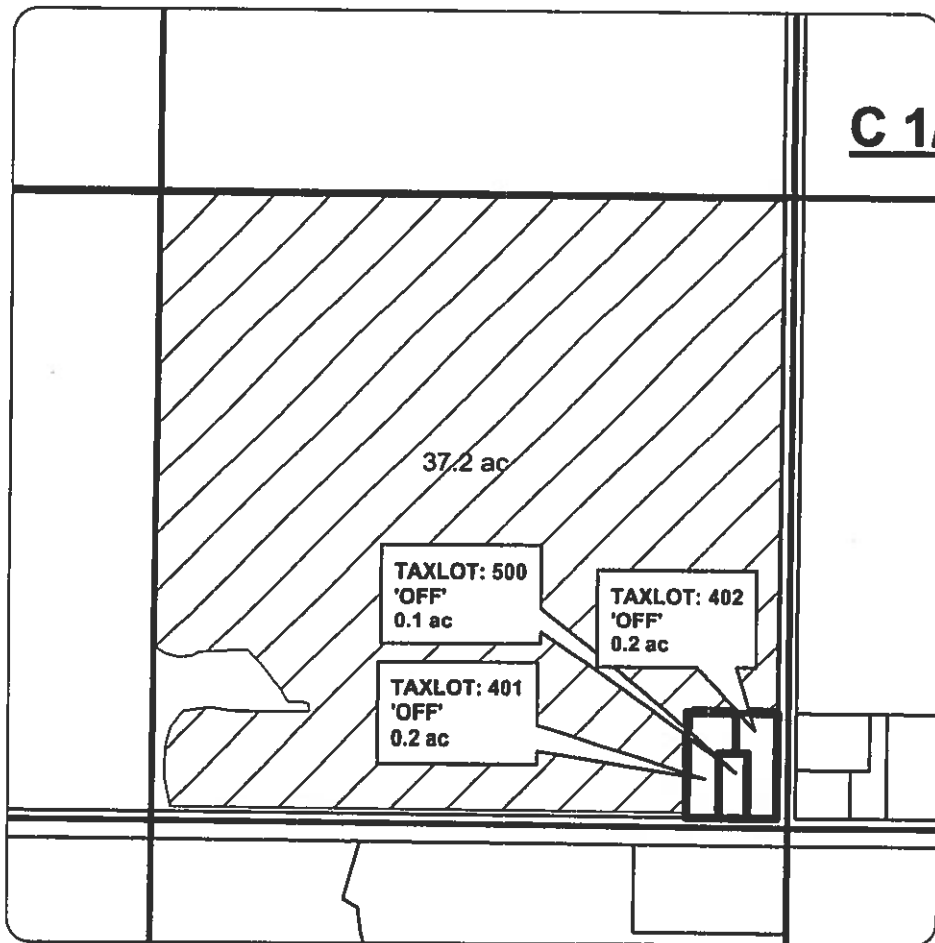
CROOK COUNTY SEC.23 T15S R14E

RECEIVED BY OWRD

1 inch = 400 feet

DEC 23 2014

SALEM, OR



C 1/4 COR

37.2 ac

TAXLOT: 500
'OFF'
0.1 ac

TAXLOT: 402
'OFF'
0.2 ac

TAXLOT: 401
'OFF'
0.2 ac

-  'OFF' LAND PARCELS
-  PARCELS W/ WATER RIGHTS
-  EXISTING WATER RIGHTS

"OFF" MAP

CENTRAL OREGON



IRRIGATION DISTRICT

"CORRECTED" WATER RIGHTS CONFISCATION MAP

NAME: GLEN/SHERRI BASSET

TAXLOT #: 401 & 402 & 500

0.5 ACRES

7012 0470 0002 1812 2203

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(Domestic Mail Only; No Insurance Coverage Provided)

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OFFICIAL USE

Postage	\$ 0.69
Certified Fee	3.30
Return Receipt Fee (Endorsement Required)	2.70
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 6.69

Mailed 10/01/14

Postmark
Here

Sent To
Glen & Sherri Bisset *LW*

Street, Apt. No.,
or PO Box No. *2206 Sunrise St.*

City, State, ZIP+4
Emmett ID 83617

PS Form 3800, August 2006 See Reverse for Instructions



UNITED STATES POST
02 1P
000106672
MAILED FROM

CERTIFIED MAIL™



PORTLAND OR 9720

OCT 2014 PM 2 L

7012 0470 0002 1812 2203

CENTRAL OREGON IRRIGATION DISTRICT
1055 SW Lake Court
Redmond OR 97756-1489

Address Service Requested

Certified Mail/Return Receipt Requested

Glen & Sherri Bisset
2206 Sunrise St NIXIE
Emmett, ID 836

0.1 1

841 5E 1009 0010/05/14

RETURN TO SENDER
REFUSED
UNABLE TO FORWARD

BC: 97756146955

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR



CENTRAL OREGON IRRIGATION DISTRICT

1055 SW LAKE COURT, REDMOND, OR 97756

PHONE: 541.548.6047 FAX: 541.548.0243

www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

October 1, 2014

Patron #: 3663

Glen & Sherri Basset
2206 Sunrise St
Emmett, ID 83617

RE: Tax Map #: 1514230000401, 0.2 acres total Irrigation water rights
0.2 acres water rights to be confiscated in 2014

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR

Dear Patron,

Our records indicate that you have failed to beneficially use your full water right for the last 5 consecutive years. By this letter, the District is serving you notice of our intent to confiscate the water right referenced above for failure to beneficially use the water for the last 5 consecutive years (See OAR 690-385-5000 and ORS 540.572 to 540.578). A copy of this letter is being sent to any security interest holders listed in the county records for your property as well as the Oregon Water Resources Dept. (OWRD), as required by statute. Enclosed with this letter is a copy of the District Confiscation Policy and a water right map indicating where your water should be used.

Certified letters were sent to you and any known security interest holders following the end of the 2013 irrigation season, informing you of the non-use of the full water right, the options available to assist you in fulfilling OWRD's beneficial use requirements, and COID's intent to confiscate any remaining unused water at the end of the 2014 irrigation season. Available options included using the full water right beneficially; leasing, at a minimum, the unused portion of the water right instream; and transferring off or selling the unused water right. Site visits were completed during 2014 to review any signs of beneficial use of the full water right. In addition, multiple years of aerial photos were also used to assist in the review of what may or may not have been accomplished between 2010 and 2014.

Failure to prove beneficial use is a very serious matter and is cause for forfeiture of the unused water right. Oregon Revised Statute 540.610 clearly states the requirement of beneficial use:

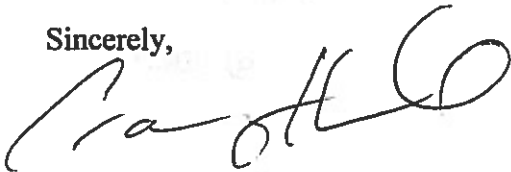
540.610 Use as measure of water right; presumption of forfeiture of right for nonuse; basis for rebutting presumption; confirmation of rights of municipalities. (1) Beneficial use shall be the basis, the measure and the limit of all rights to the use of water in this state. Whenever the owner of a perfected and developed water right ceases or fails to use all or part of the water appropriated for a period of five successive years, the failure to use shall establish a rebuttable presumption of forfeiture of all or part of the water right.

If you wish to dispute the confiscation and permanent removal of the unused water right from your property, you have 30 days from the date this letter was mailed (see date below) to notify the District of your objection – in writing. If you object or wish to demonstrate that non-use is excusable under one of the provisions allowed in ORS 640.610(2)(a-n), a meeting will be scheduled with the District Manager to try to resolve the issue with you; and if unable to do so, a District hearing before the COID Board of Directors will be held in November to determine if a petition to transfer the water off the lands should be filed with the OWRD Director. Failure to contact the District within 30 days will cause the water to be permanently transferred off of your property.

If you have any evidence that you have beneficially used all of your water right at any time during the last 5 years, please have the evidence ready to present at the time of your meeting with the District Manager and, if necessary, at the hearing with the Board of Directors.

Please respond within 30 days from the date of this letter to confirm that the information provided in this notice is correct.

Sincerely,



Craig Horrell
District Manager

Enc

cc: OWRD, 725 Summer St N.E. Suite 100, Salem, OR 97301
Jeremy Giffin, District 11 Watermaster, 231 SW Scalehouse Lp, Ste 103, Bend, OR 97701
No known lien holders

Sent by certified mail October 1, 2014
Copy sent by first class mail October 1, 2014



CENTRAL OREGON IRRIGATION DISTRICT

1055 SW LAKE COURT, REDMOND, OR 97756

PHONE: 541.548.6047 FAX: 541.548.0243

www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

October 1, 2014

RECEIVED BY OWRD

Patron #: 3663

DEC 23 2014

Glen & Sherri Basset
2206 Sunrise St
Emmett, ID 83617

SALEM, OR

RE: Tax Map #: 1514230000402, 0.2 acres total Irrigation water rights
0.2 acres water rights to be confiscated in 2014

Dear Patron,

Our records indicate that you have failed to beneficially use your full water right for the last 5 consecutive years. By this letter, the District is serving you notice of our intent to confiscate the water right referenced above for failure to beneficially use the water for the last 5 consecutive years (See OAR 690-385-5000 and ORS 540.572 to 540.578). A copy of this letter is being sent to any security interest holders listed in the county records for your property as well as the Oregon Water Resources Dept. (OWRD), as required by statute. Enclosed with this letter is a copy of the District Confiscation Policy and a water right map indicating where your water should be used.

Certified letters were sent to you and any known security interest holders following the end of the 2013 irrigation season, informing you of the non-use of the full water right, the options available to assist you in fulfilling OWRD's beneficial use requirements, and COID's intent to confiscate any remaining unused water at the end of the 2014 irrigation season. Available options included using the full water right beneficially; leasing, at a minimum, the unused portion of the water right instream; and transferring off or selling the unused water right. Site visits were completed during 2014 to review any signs of beneficial use of the full water right. In addition, multiple years of aerial photos were also used to assist in the review of what may or may not have been accomplished between 2010 and 2014.

Failure to prove beneficial use is a very serious matter and is cause for forfeiture of the unused water right. Oregon Revised Statute 540.610 clearly states the requirement of beneficial use:

540.610 Use as measure of water right; presumption of forfeiture of right for nonuse; basis for rebutting presumption; confirmation of rights of municipalities. (1) Beneficial use shall be the basis, the measure and the limit of all rights to the use of water in this state. Whenever the owner of a perfected and developed water right ceases or fails to use all or part of the water appropriated for a period of five successive years, the failure to use shall establish a rebuttable presumption of forfeiture of all or part of the water right.

If you wish to dispute the confiscation and permanent removal of the unused water right from your property, you have 30 days from the date this letter was mailed (see date below) to notify the District of your objection – in writing. If you object or wish to demonstrate that non-use is excusable under one of the provisions allowed in ORS 640.610(2)(a-n), a meeting will be scheduled with the District Manager to try to resolve the issue with you; and if unable to do so, a District hearing before the COID Board of Directors will be held in November to determine if a petition to transfer the water off the lands should be filed with the OWRD Director. Failure to contact the District within 30 days will cause the water to be permanently transferred off of your property.

If you have any evidence that you have beneficially used all of your water right at any time during the last 5 years, please have the evidence ready to present at the time of your meeting with the District Manager and, if necessary, at the hearing with the Board of Directors.

Please respond within 30 days from the date of this letter to confirm that the information provided in this notice is correct.

Sincerely,



Craig Horrell
District Manager

Enc

cc: OWRD, 725 Summer St N.E. Suite 100, Salem, OR 97301
Jeremy Giffin, District 11 Watermaster, 231 SW Scalehouse Lp, Ste 103, Bend, OR 97701
No known lien holders

Sent by certified mail October 1, 2014
Copy sent by first class mail October 1, 2014



CENTRAL OREGON IRRIGATION DISTRICT

1055 SW LAKE COURT, REDMOND, OR 97756

PHONE: 541.548.6047 FAX: 541.548.0243

www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

October 1, 2014

Patron #: 3663

Glen & Sherri Basset
2206 Sunrise St
Emmett, ID 83617

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR

RE: Tax Map #: 1514230000500, 0.1 acres total Irrigation water rights
0.1 acres water rights to be confiscated in 2014

Dear Patron,

Our records indicate that you have failed to beneficially use your full water right for the last 5 consecutive years. By this letter, the District is serving you notice of our intent to confiscate the water right referenced above for failure to beneficially use the water for the last 5 consecutive years (See OAR 690-385-5000 and ORS 540.572 to 540.578). A copy of this letter is being sent to any security interest holders listed in the county records for your property as well as the Oregon Water Resources Dept. (OWRD), as required by statute. Enclosed with this letter is a copy of the District Confiscation Policy and a water right map indicating where your water should be used.

Certified letters were sent to you and any known security interest holders following the end of the 2013 irrigation season, informing you of the non-use of the full water right, the options available to assist you in fulfilling OWRD's beneficial use requirements, and COID's intent to confiscate any remaining unused water at the end of the 2014 irrigation season. Available options included using the full water right beneficially; leasing, at a minimum, the unused portion of the water right instream; and transferring off or selling the unused water right. Site visits were completed during 2014 to review any signs of beneficial use of the full water right. In addition, multiple years of aerial photos were also used to assist in the review of what may or may not have been accomplished between 2010 and 2014.

Failure to prove beneficial use is a very serious matter and is cause for forfeiture of the unused water right. Oregon Revised Statute 540.610 clearly states the requirement of beneficial use:

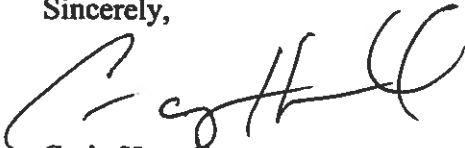
540.610 Use as measure of water right; presumption of forfeiture of right for nonuse; basis for rebutting presumption; confirmation of rights of municipalities. (1) Beneficial use shall be the basis, the measure and the limit of all rights to the use of water in this state. Whenever the owner of a perfected and developed water right ceases or fails to use all or part of the water appropriated for a period of five successive years, the failure to use shall establish a rebuttable presumption of forfeiture of all or part of the water right.

If you wish to dispute the confiscation and permanent removal of the unused water right from your property, you have 30 days from the date this letter was mailed (see date below) to notify the District of your objection – in writing. If you object or wish to demonstrate that non-use is excusable under one of the provisions allowed in ORS 640.610(2)(a-n), a meeting will be scheduled with the District Manager to try to resolve the issue with you; and if unable to do so, a District hearing before the COID Board of Directors will be held in November to determine if a petition to transfer the water off the lands should be filed with the OWRD Director. Failure to contact the District within 30 days will cause the water to be permanently transferred off of your property.

If you have any evidence that you have beneficially used all of your water right at any time during the last 5 years, please have the evidence ready to present at the time of your meeting with the District Manager and, if necessary, at the hearing with the Board of Directors.

Please respond within 30 days from the date of this letter to confirm that the information provided in this notice is correct.

Sincerely,



Craig Horrell
District Manager

Enc

cc: OWRD, 725 Summer St N.E. Suite 100, Salem, OR 97301
Jeremy Giffin, District 11 Watermaster, 231 SW Scalehouse Lp, Ste 103, Bend, OR 97701
No known lien holders

Sent by certified mail October 1, 2014
Copy sent by first class mail October 1, 2014

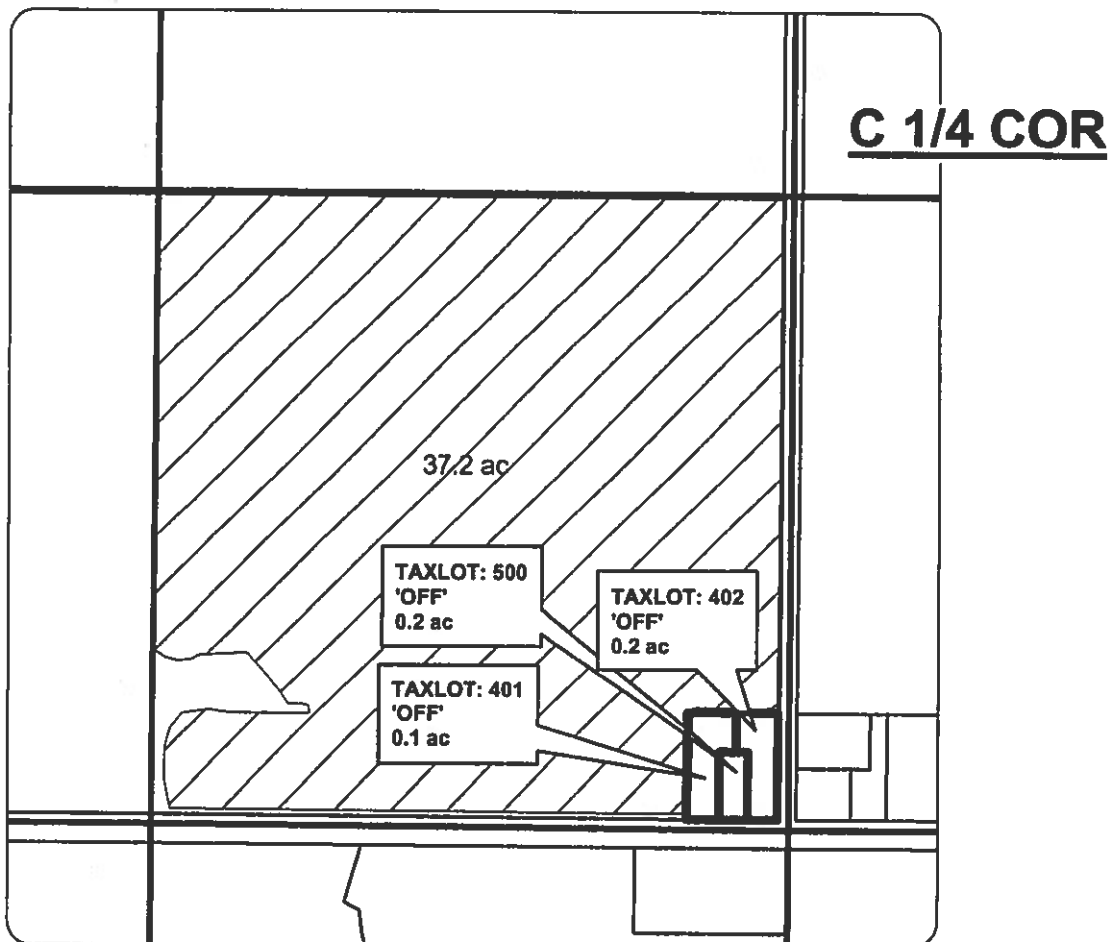
CROOK COUNTY SEC.23 T15S R14E

RECEIVED BY OWRD

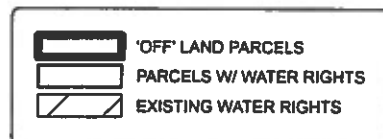
1 inch = 400 feet

DEC 23 2014

SALEM, OR



"OFF" MAP



CENTRAL OREGON



IRRIGATION DISTRICT

WATER RIGHTS CONFISCATION MAP

NAME: GLEN/SHERRI BASSET

TAXLOT #: 401 & 402 & 500

0.5 ACRES



CENTRAL OREGON IRRIGATION DISTRICT

1055 SW LAKE COURT, REDMOND, OR 97756

PHONE: 541.548.6047 FAX: 541.548.0243

www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

April 23, 2014

Glen & Sherri Basset
2206 Sunrise St
Emmett, ID 83617

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR

Dear Patron,

The beginning of the 2014 irrigation season is upon us and with that comes the responsibility of beneficially using your water rights. In 2013, you received a letter from COID stating that you have not exercised your full water right in four consecutive years. Now is the time to review your water rights and how you would like to use them in 2014.

As the deadline for instream leasing and temporary transfer has passed for 2014, your remaining options for beneficial use compliance as required per ORS 540.610 are as follows:

1. Use your water right on your property as mapped. If you have an unmapped water right, you must cover the amount of ground equal to the total water right (i.e.: if you have a 2 acre unmapped water right, you must irrigate and grow something that is considered beneficial on 2 acres of land within your tax lot).
2. Sell or permanently transfer, at a minimum, the unused portion of your water right.

If you are interested in selling your water right, there are several options available to you. COID is a member of the DWA Water Bank (Bank). You can sell your water rights directly to COID for potential use by other water users through the Bank in the Deschutes Basin for surface delivery, for mitigation of a groundwater delivery or for river restoration. COID purchases water at current market price. Please contact Leslie Clark at COID (541-504-7576 or lesliec@coid.org) for more information as the market can fluctuate depending on the availability and demand.

If you fail to beneficially use or transfer the unused water right before the end of the 2014 irrigation season, COID will proceed with confiscation of the unused water right as allowed by Oregon Water Resources Department and ORS 540.610.

Remember that whether you choose to use your water rights, transfer them, or not use them in 2014; your assessments are still due and payable to COID by the due date. If you fail to pay your assessments, COID will file a lien against your property for non-payment. Please contact Janet Brown at COID (541-504-7580 or jbrown@coid.org) before July 1 to discuss payment options if needed.

Please call me at 541-504-7577 or email me at lauraw@coid.org if you would like to discuss your beneficial use options further.

Thank you,

Laura Wollam
Water Use Specialist

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> 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. 		A. Signature X <i>[Signature]</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee	
		B. Received by (Printed Name) GLEN BASSETT	C. Date of Delivery 12-16-13
1. Article Addressed to:		D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
Glen & Sherri Basset 2206 Sunrise St Emmett, ID 83617		3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
		4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
2. Article Number (Transfer from service label)		7012 0470 0002 1812 1824	
PS Form 3811, February 2004		Domestic Return Receipt	
		102595-02-M-1E	

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OFFICIAL USE

Postage	\$ 0.66	<i>Mailed 12/12/13</i> Postmark Here
Certified Fee	3.10	
Return Receipt Fee (Endorsement Required)	2.55	
Restricted Delivery Fee (Endorsement Required)		
Total	6.31	

Sent To: **Glen & Sherri Basset**
Street, or PO E: **2206 Sunrise St**
City, St: **Emmett, ID 83617**

AD4

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR



CENTRAL OREGON IRRIGATION DISTRICT

1055 SW LAKE COURT, REDMOND, OR 97756

PHONE: 541.548.6047 FAX: 541.548.0243

www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

December 11, 2013

Patron ID: 3663

Glen & Sherri Basset
2206 Sunrise St
Emmett, ID 83617

RE: Tax Map #: 1514230000401 - 0.2 acres total Irrigation Water Rights

Dear Patron,

The 2013 irrigation season has come to an end, and with that, the District has completed the required yearly review of beneficial use of all water rights within our District.

It has been brought to my attention that all or a portion of the water right on the above-noted property has not been beneficially used for 4 consecutive years. Oregon Revised Statute 540.610 clearly states the requirement of beneficial use:

540.610 Use as measure of water right; presumption of forfeiture of right for nonuse; basis for rebutting presumption; confirmation of rights of municipalities. (1) Beneficial use shall be the basis, the measure and the limit of all rights to the use of water in this state. Whenever the owner of a perfected and developed water right ceases or fails to use all or part of the water appropriated for a period of five successive years, the failure to use shall establish a rebuttable presumption of forfeiture of all or part of the water right.

Failure to prove beneficial use as stated is a very serious matter and is cause for forfeiture of the unused water right. At this time, you have 3 options to protect this water right. You must use the full water right on the ground exactly as it is mapped during the 2014 irrigation season (see enclosed aerial photo for location of mapped water rights); lease, at minimum, the unused portion of the water right back into the Deschutes River for the 2014 season (the District will accept requests for temporary lease applications through February 15, 2014); or transfer the unused water. By failing to follow any of these options, the District will be forced by Oregon Statute to confiscate the water right at the end of the 2014 season by filing a petition with OWRD to transfer these water rights to other lands in the District.

As a courtesy, the District is informing you that if this property has any other water rights specifically appurtenant to it that are delivered from another source (non-COID water), that water (per ORS 540.510) may be subject to cancellation by OWRD should COID be forced to file a confiscation transfer.

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR

By this letter, the District is serving you notice of our intent to confiscate any water right that goes unused in 2014 (see OAR 690-385-5000 and ORS 540.572 to 540.578). A copy of this letter is being sent to any security interest holders listed against your property as well as the Oregon Water Resources Dept (as required by statute).

If you have any evidence that you have used all of your water right at any time since 2010, please present the evidence to our office within 30 days from the date of this letter.


I have enclosed an aerial photo showing where your mapped water rights are located and a copy of the District Confiscation Policy. If your water rights are unmapped, the aerial photo will indicate the number of acres of water right and the number of acres of land to assist you in determining how much area should be irrigated. Please note that the aerial photo may not fully represent your irrigation habits for the full 2013 irrigation season or any new structures, arenas, dry lots, etc. that may have been added to your property since the aerial photo was taken. The date the photo was taken is indicated in the lower left hand corner of the map.

REMINDER: Whether you choose to use, lease, transfer, or not use your water rights in 2014; your assessments are still due and payable to COID by the due date. If you fail to pay your assessments, COID will add late fees and legal fees to your bill and file a lien against your property for non-payment.

It is our hope that we can work together and maintain the water rights on your property. If you have any questions or concerns please contact Laura Wollam at 541-504-7577 or by email at lauraw@coid.org as soon as possible so we can discuss your available options. *Please note that Laura will be out of the office from December 23, 2013 – January 1, 2014.*

Please respond within 30 days from the date of this letter to confirm that the information provided in this notice is correct.

Sincerely,

 for

Steven C. Johnson
Secretary-Manager

Enc

cc: OWRD Attn: Susan Douthit 725 Summer St NE, Ste 100 Salem, OR 97301
No known lien holders

Sent by certified mail December 11, 2013



CENTRAL OREGON IRRIGATION DISTRICT

1055 SW LAKE COURT, REDMOND, OR 97756

PHONE: 541.548.6047 FAX: 541.548.0243

www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

December 13, 2012

RECEIVED BY OWRC

Patron ID: 3663

DEC 23 2014

Glen & Sherri Basset
2206 Sunrise St
Emmett, ID 83617

SALEM, OR

RE: Tax Map #: 1514230000401 - 0.2 acres total Irrigation Water Rights

Dear Patron,

The 2012 irrigation season has come to an end, and with that, the District has completed its yearly review of beneficial use of all water rights within our District.

It has been reported that all or a portion of the water right on the above-noted property has not been beneficially used for the last 3 consecutive years. I am bringing this to your attention at this time to encourage you to protect your water rights in the future.

Oregon Water Resources Dept (OWRD) enforces water right laws for the State of Oregon. The law requires that water rights be fully used on land 1 year out of every 5 years. The 5-year time period is not based on years of ownership, but on the beneficial use of the water right on the appurtenant land itself, counting forward from the last reported year of full use. For further information on this requirement please refer to the following Oregon Revised Statute:

540.610 Use as measure of water right; presumption of forfeiture of right for nonuse; basis for rebutting presumption; confirmation of rights of municipalities. (1) Beneficial use shall be the basis, the measure and the limit of all rights to the use of water in this state. Whenever the owner of a perfected and developed water right ceases or fails to use all or part of the water appropriated for a period of five successive years, the failure to use shall establish a rebuttable presumption of forfeiture of all or part of the water right.

Please consider how you wish to use your water right through the next irrigation season. The preferred choice is to fully use the water on the ground. If you do not wish to or are unable to do this, there are other options available such as:

- OWRD will allow you to temporarily lease your water right back into the Deschutes River and credit you with beneficial use (leasing instream is considered the same as applying the water to the ground). This benefits you by not having to irrigate, and benefits the river by increasing the flow. The District will accept requests for instream lease applications for the upcoming irrigation season from any interested party through February 15. *Please note that requests to lease for the 2013 irrigation season will not be accepted after February 15, 2013.*

- If you have a portion of your property that is difficult to irrigate, you may want to consider transferring that part of your water right to another area on your property.
- If you have a portion of your property that is difficult to irrigate, you may also consider selling that portion of your water right.

The District will work with you in every way we can to protect your water right. See enclosed beneficial use information sheet for further information on these and other options that may be available to you.

I have enclosed an aerial photo showing where your mapped water rights are located and a copy of the District Confiscation Policy. If your water rights are unmapped, the aerial photo will indicate the number of acres of water right and the number of acres of land to assist you in determining how much area should be irrigated. Please note that the aerial photo may not fully represent your irrigation habits for the full 2012 irrigation season or show any new structures, arenas, dry lots, etc. that may have been added to your property since the aerial photo was taken. The date the photo was taken is indicated on the map.

It is our hope that we can work together to maintain the water rights on your property. If you have any questions or concerns please contact me at 541-504-7577 or lauraw@coid.org so that we can discuss your available options.

Sincerely,



Laura Wollam
Water Use Specialist

Enc



CENTRAL OREGON IRRIGATION DISTRICT

1055 SW LAKE COURT, REDMOND, OR 97756

PHONE: 541.548.6047 FAX: 541.548.0243

www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

December 13, 2012

Patron ID: 3663

Glen & Sherri Basset
2206 Sunrise St
Emmett, ID 83617

RE: Tax Map #: 1514230000402 - 0.2 acres total Irrigation Water Rights

Dear Patron,

The 2012 irrigation season has come to an end, and with that, the District has completed its yearly review of beneficial use of all water rights within our District.

It has been reported that all or a portion of the water right on the above-noted property has not been beneficially used for the last 3 consecutive years. I am bringing this to your attention at this time to encourage you to protect your water rights in the future.

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Please consider how you wish to use your water right through the next irrigation season. The preferred choice is to fully use the water on the ground. If you do not wish to or are unable to do this, there are other options available such as:

- OWRD will allow you to temporarily lease your water right back into the Deschutes River and credit you with beneficial use (leasing instream is considered the same as applying the water to the ground). This benefits you by not having to irrigate, and benefits the river by increasing the flow. The District will accept requests for instream lease applications for the upcoming irrigation season from any interested party through February 15. *Please note that requests to lease for the 2013 irrigation season will not be accepted after February 15, 2013.*

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR

- If you have a portion of your property that is difficult to irrigate, you may want to consider transferring that part of your water right to another area on your property.
- If you have a portion of your property that is difficult to irrigate, you may also consider selling that portion of your water right.

The District will work with you in every way we can to protect your water right. See enclosed beneficial use information sheet for further information on these and other options that may be available to you.

I have enclosed an aerial photo showing where your mapped water rights are located and a copy of the District Confiscation Policy. If your water rights are unmapped, the aerial photo will indicate the number of acres of water right and the number of acres of land to assist you in determining how much area should be irrigated. Please note that the aerial photo may not fully represent your irrigation habits for the full 2012 irrigation season or show any new structures, arenas, dry lots, etc. that may have been added to your property since the aerial photo was taken. The date the photo was taken is indicated on the map.

It is our hope that we can work together to maintain the water rights on your property. If you have any questions or concerns please contact me at 541-504-7577 or lauraw@coid.org so that we can discuss your available options.

Sincerely,



Laura Wollam
Water Use Specialist

Enc



CENTRAL OREGON IRRIGATION DISTRICT

1055 SW LAKE COURT, REDMOND, OR 97756

PHONE: 541.548.6047 FAX: 541.548.0243

www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

December 13, 2012

RECEIVED BY OWRD

Patron ID: 3663

DEC 23 2014

Glen & Sherri Basset
2206 Sunrise St
Emmett, ID 83617

SALEM, OR

RE: Tax Map #: 1514230000500 - 0.1 acres total Irrigation Water Rights

Dear Patron,

The 2012 irrigation season has come to an end, and with that, the District has completed its yearly review of beneficial use of all water rights within our District.

It has been reported that all or a portion of the water right on the above-noted property has not been beneficially used for the last 3 consecutive years. I am bringing this to your attention at this time to encourage you to protect your water rights in the future.

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- If you have a portion of your property that is difficult to irrigate, you may also consider selling that portion of your water right.

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It is our hope that we can work together to maintain the water rights on your property. If you have any questions or concerns please contact me at 541-504-7577 or lauraw@coid.org so that we can discuss your available options.

Sincerely,



Laura Wollam
Water Use Specialist

Enc

7013 0600 0002 2642 8470

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Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 6.69

Mailed
12/16/14

Postmark
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Sent To Darrell Aaby

Street, Apt. or PO Box 7575 NW Almeter Way

City, State, ZIP+4 Terrebbonne, OR 97760

PS Form 3800

7013 0600 0002 2642 8487

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$
Certified Fee	3.30
Return Receipt Fee (Endorsement Required)	2.70
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 6.69

Mailed
12/16/14

Postmark
Here

Sent To Allan Herauf

Street, Apt. or PO Box 62685 Stenkamp Rd

City, State, ZIP+4 Bend, OR 97701

PS Form 3800

7013 0600 0002 2642 8500

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$ 0.69
Certified Fee	3.30
Return Receipt Fee (Endorsement Required)	2.70
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 6.69

Mailed
12/16/14

Postmark
Here

Sent To Philip & Penelope Knight
c/o Eric Hagerty

Street, Apt. No. or PO Box No. 8800 NW 31st St

City, State, ZIP+4 Terrebbonne, OR 97760

PS Form 3800

7013 0600 0002 2642 8494

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$ 0.69
Certified Fee	3.30
Return Receipt Fee (Endorsement Required)	2.70
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 6.69

Mailed
12/16/14

Postmark
Here

Sent To Jack Bridges

Street, Apt. or PO Box 61935 Ten Barr Ranch Rd

City, State, ZIP+4 Bend, OR 97701

PS Form 3800

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR

12/16/14

Notice to Patron of Confiscation. Receiver Lands

OR 690-385-5400

T-2014-019

ORS. 540.572

PROPOSED LANDS

13-13-34 00 00400

13-13-34 00 00103

13-13-33 00 00400

13-13-33 00 00200

14-13-04 00 00300

PHILIP H. & PENELOPE P. KNIGHT

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR



CENTRAL OREGON IRRIGATION DISTRICT

1055 SW LAKE COURT, REDMOND, OR 97756

PHONE: 541.548.6047 FAX: 541.548.0243

www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

December 15, 2014

Philip Penelope Knight
c/o Eric Hagerty
8800 NW 31st St
Terrebonne, OR 97760

RE: Water Right Transfer #P-2014-003

Dear Mr. Hagerty,

Enclosed is a copy of the transfer application prepared by Central Oregon Irrigation District (COID) and submitted to Oregon Water Resources Department (OWRD) on December 15, 2014. Also enclosed is a copy of the recorded Irrigation Contract between you and COID.

The user of the lands FROM which these water rights are being transferred has been noticed of the following:

"Per OAR 690-385-5400(2)(a) OWRD shall approve the district permanent transfer application as provided under OAR 690-385-5600 unless:

- A. *The application does not include the information required under OAR 690-385-5200; or*
- B. *The user, of lands from which water rights are to be transferred, submits a protest pursuant to OAR Chapter 690, Division 002*
 - b. *The user has the right to protest the application as described in OAR 690-385-5700*

You have 60 days from the date of mailing of this notice to submit a protest of the permanent transfer application to OWRD. OAR 690-385-5700(2) & (3) states that: Protest shall be filed in accordance with OAR Chapter 690, Division 002, and shall include the fee required under ORS 536.050; and, each person submitting a protest shall raise all reasonably ascertainable issues and submit all reasonably available arguments supporting the person's position by the close of the protest period. Failure to raise a reasonably ascertainable issue in a protest or failure to provide sufficient specificity to afford the Department an opportunity to respond to the issue precludes consideration of the issue during the hearing."

If no protest is filed by the FROM land user within 60 days and OWRD finds this application to be complete, a Final Order will be issued by OWRD placing this water onto your property. A copy of the Final Order will be mailed to you by COID.

If you have any questions please do not hesitate to contact me. You can reach me on my direct line: 541-504-7576 or by email: lesliec@coid.org.

Sincerely,

Leslie Clark
Water Right Manager

cc: OWRD, 725 Summer St N.E., Salem, OR
Sent by certified mail December 20, 2013
Encl.

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR

JEFFERSON COUNTY SEC.33 T13S R13E

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR

SCALE - 1" = 400'

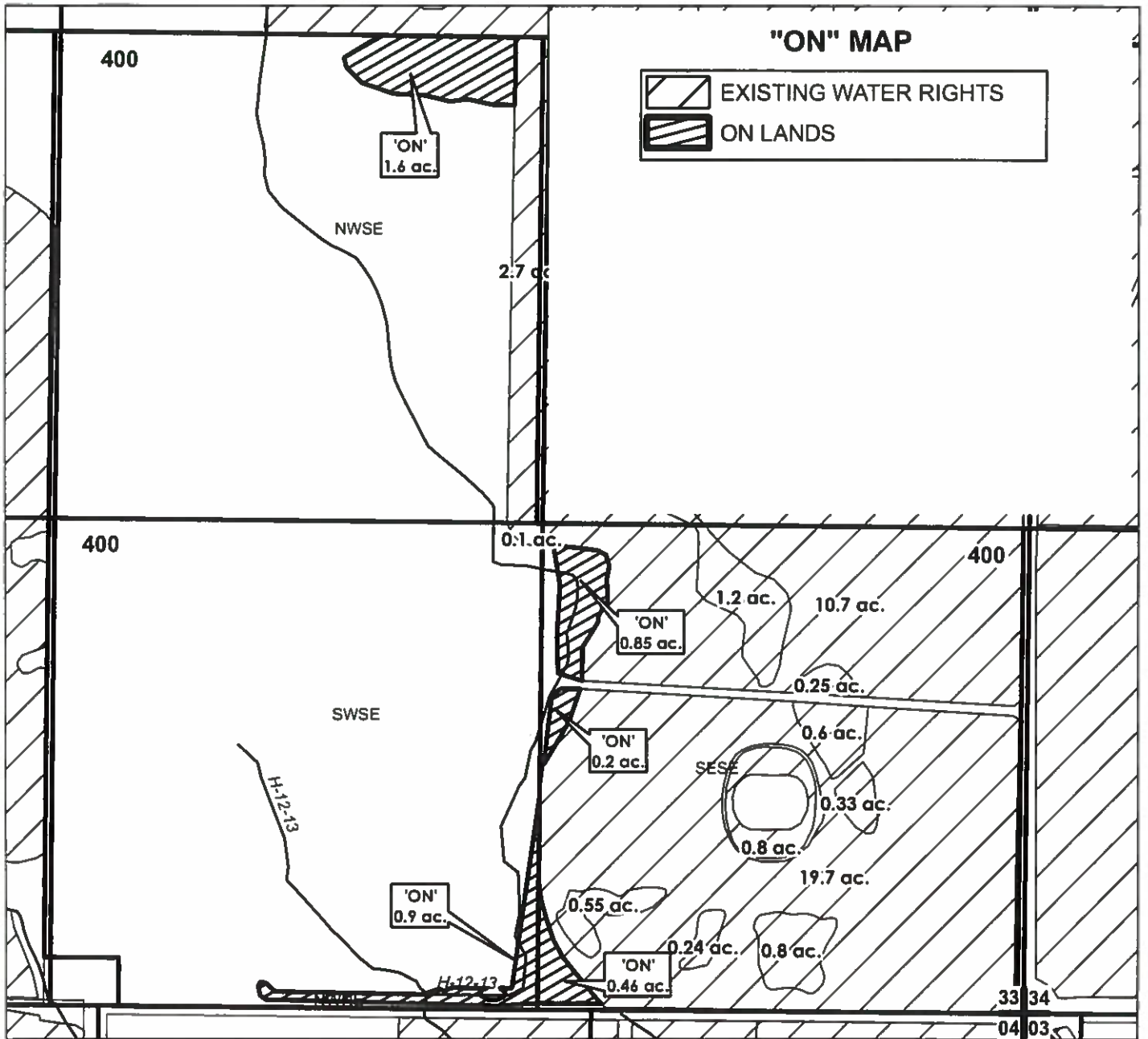


SE 1/4

DISTRICT INTERNAL
NOTICE #: T-2014-019

"ON" MAP

	EXISTING WATER RIGHTS
	ON LANDS



APPLICATION FOR WATER RIGHTS TRANSFER

COID / PHILIP H. & PENELOPE P. KNIGHT

TAXLOT #: 400

4.01 ACRES

12/2/2014

FILE: \\TRANSFER\WRTRANS14IT-2014-019\131333_SE

DESCHUTES COUNTY SEC.33 T13S R13E

SCALE - 1" = 400'



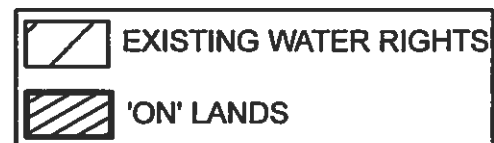
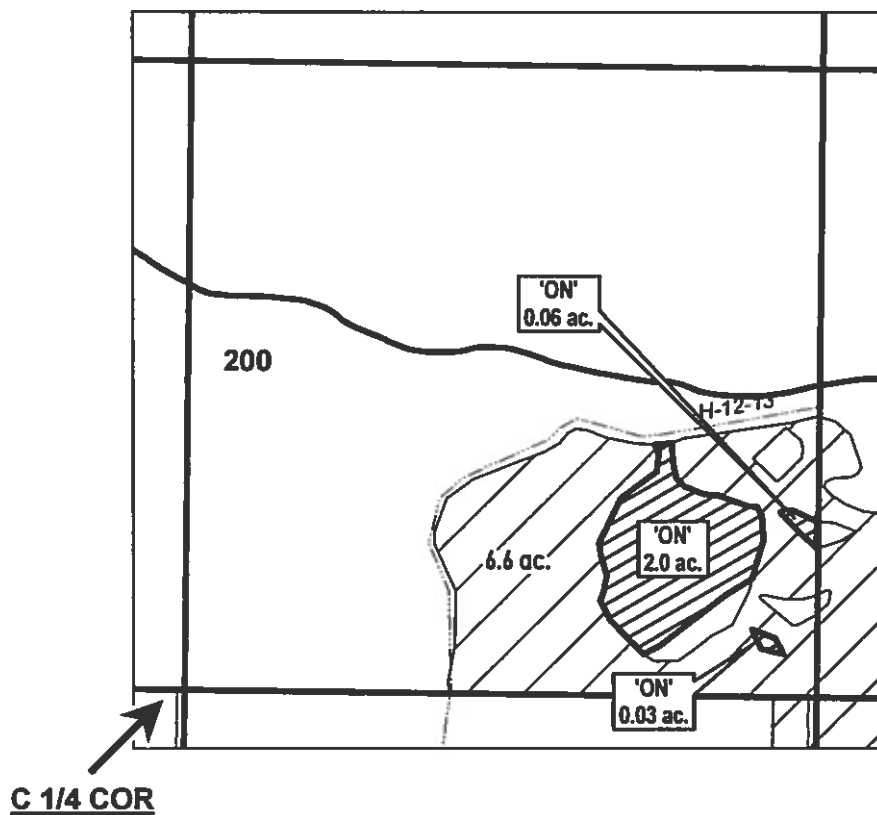
SW 1/4 OF THE NE 1/4

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR

DISTRICT INTERNAL
NOTICE #: T-2014-019



"ON" MAP

CENTRAL OREGON



IRRIGATION DISTRICT

APPLICATION FOR WATER RIGHTS TRANSFER

COID / PHILIP H. & PENELOPE P. KNIGHT

TAXLOT #: 200

2.09 ACRES

Date: 12/16/2014

FILE: I:\TRANSFERWRTRANS14IT-2014-019\131333_SWNE

JEFFERSON COUNTY SEC.34 T13S R13E

SCALE - 1" = 400'

RECEIVED BY OWRD

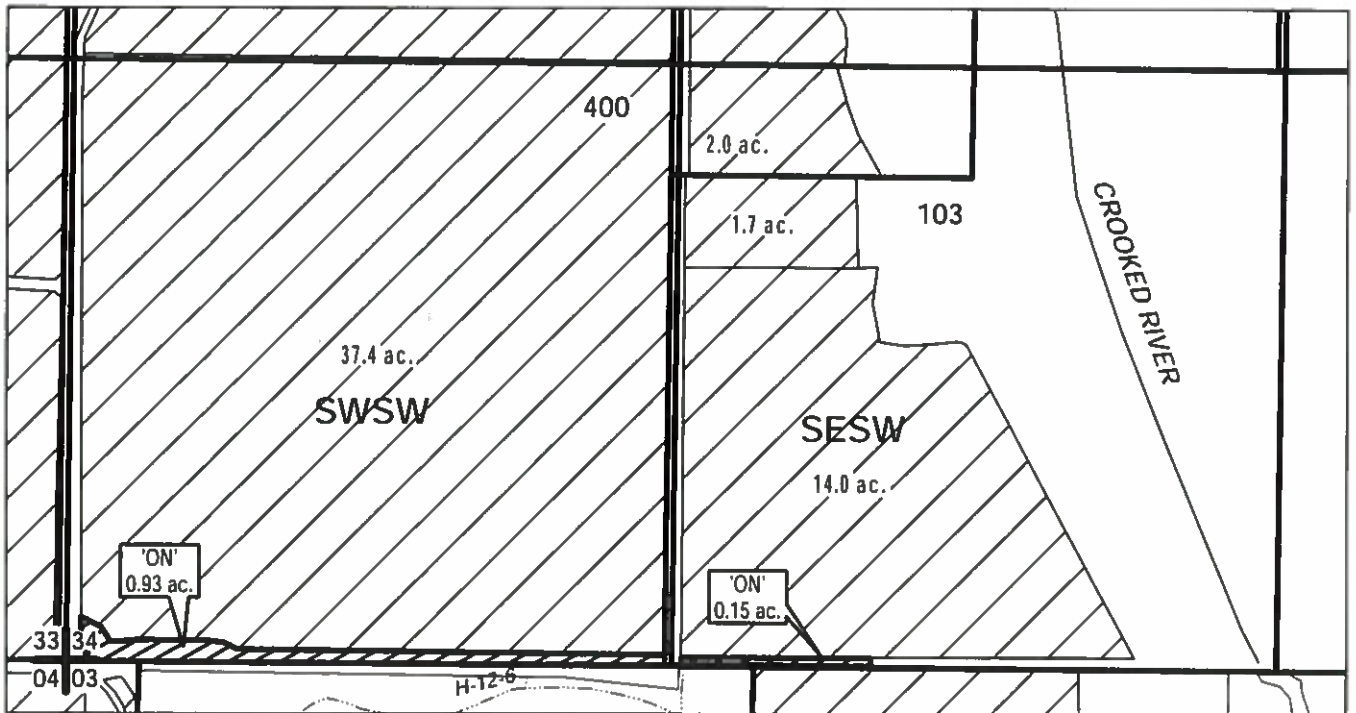
DEC 23 2014



SW 1/4 OF THE SW 1/4 / SE 1/4 OF THE SW 1/4

SALEM, OR

DISTRICT INTERNAL
NOTICE #: T-2014-019



"OFF" MAP



APPLICATION FOR WATER RIGHTS TRANSFER

COID / PHILIP H. & PENELOPE P. KNIGHT

TAXLOT #: 400, 103

1.08 ACRES

Date: 11/24/2014

FILE: I:\TRANSFER\WRTRANS14\T-2014-019\131334_SSW

JEFFERSON COUNTY
SEC.34 T13S R13E

SCALE - 1" = 400'

RECEIVED BY OWRD

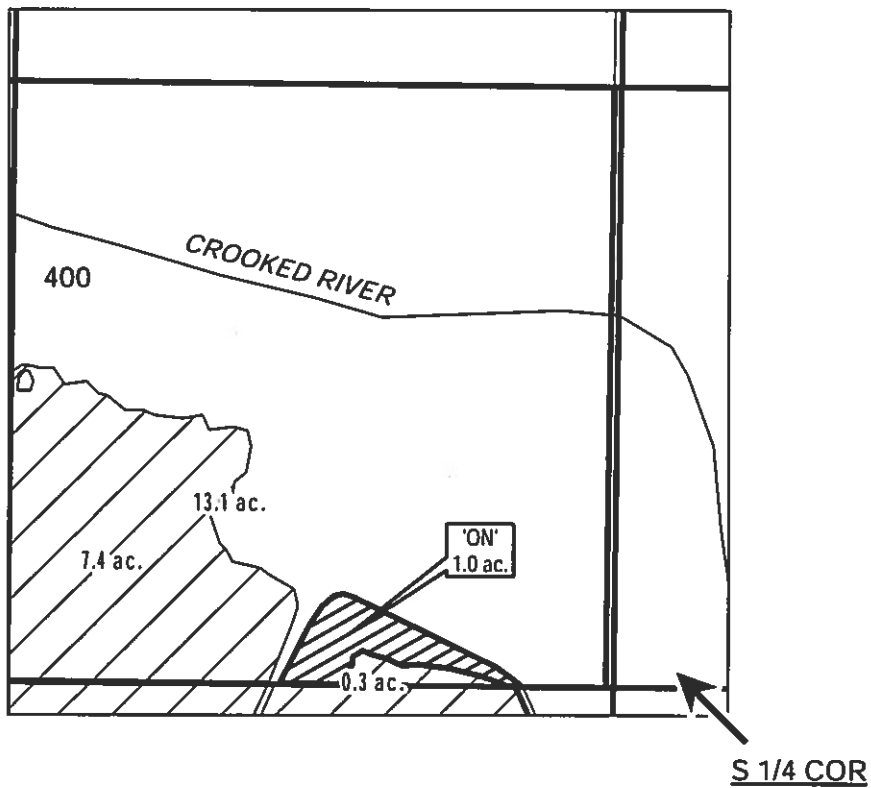
DEC 23 2014



SW 1/4 OF THE NW 1/4

SALEM, OR

DISTRICT INTERNAL
NOTICE #: T-2014-019



"ON" MAP



APPLICATION FOR WATER RIGHTS TRANSFER

COID / PHILIP H. & PENELOPE P. KNIGHT

TAXLOT #: 400

1.0 ACRES

Date: 12/1/2014

FILE I:\TRANSFER\WRTRANS141T-2014-019\131334_SWNW

DESCHUTES COUNTY
SEC.04 T14S R13E

SCALE - 1" = 400'



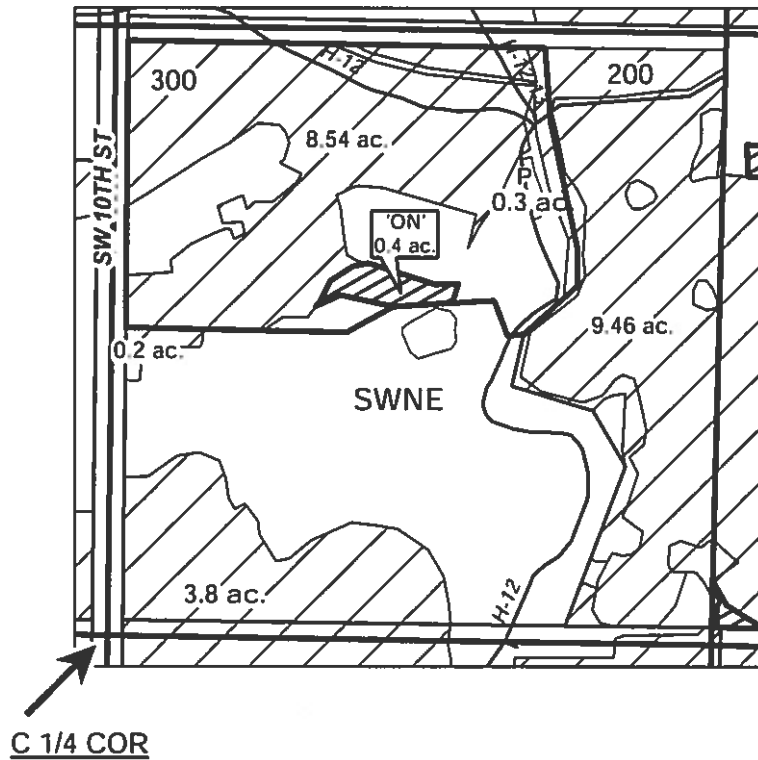
SW 1/4 OF THE NE 1/4

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR

DISTRICT INTERNAL
NOTICE #: T-2014-019



	EXISTING WATER RIGHTS
	'ON' LANDS
	POND

'ON' MAP



APPLICATION FOR WATER RIGHTS TRANSFER

NAME: PHILIP H. & PENELOPE P. KNIGHT

TAXLOT #: 300

0.4 ACRES

Date: 12/1/2014

FILE: I:\TRANSFER\WRTRANS14IT-2014-019\141304_SWNE

T-2014-019

RECEIVED BY OWRE

DEC 23 2014

SALEM, OR

ORS. 540.572

PROPOSED LANDS

14-13-20 SWNW 00801

DARRELL K. & SHERRY AABY



CENTRAL OREGON IRRIGATION DISTRICT

1055 SW LAKE COURT, REDMOND, OR 97756

PHONE: 541.548.6047 FAX: 541.548.0243

www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

December 15, 2014

Darrell & Sherry Aaby
7575 NW Almeter Way
Terrebonne, OR 97760

RE: Water Right Transfer #P-2014-003

Dear Mr. & Mrs. Aaby,

Enclosed is a copy of the transfer application prepared by Central Oregon Irrigation District (COID) and submitted to Oregon Water Resources Department (OWRD) on December 15, 2014. Also enclosed is a copy of the recorded Irrigation Contract between you and COID.

The user of the lands FROM which these water rights are being transferred has been noticed of the following:

"Per OAR 690-385-5400(2)(a) OWRD shall approve the district permanent transfer application as provided under OAR 690-385-5600 unless:

- A. *The application does not include the information required under OAR 690-385-5200; or*
- B. *The user, of lands from which water rights are to be transferred, submits a protest pursuant to OAR Chapter 690, Division 002*
 - b. *The user has the right to protest the application as described in OAR 690-385-5700*

You have 60 days from the date of mailing of this notice to submit a protest of the permanent transfer application to OWRD. OAR 690-385-5700(2) & (3) states that: Protest shall be filed in accordance with OAR Chapter 690, Division 002, and shall include the fee required under ORS 536.050; and, each person submitting a protest shall raise all reasonably ascertainable issues and submit all reasonably available arguments supporting the person's position by the close of the protest period. Failure to raise a reasonably ascertainable issue in a protest or failure to provide sufficient specificity to afford the Department an opportunity to respond to the issue precludes consideration of the issue during the hearing."

If no protest is filed by the FROM land user within 60 days and OWRD finds this application to be complete, a Final Order will be issued by OWRD placing this water onto your property. A copy of the Final Order will be mailed to you by COID.

If you have any questions please do not hesitate to contact me. You can reach me on my direct line: 541-504-7576 or by email: lesliec@coid.org.

Sincerely,

Leslie Clark
Water Right Manager

cc: OWRD, 725 Summer St N.E., Salem, OR
Sent by certified mail December 20, 2013
Encl.

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR

DESCHUTES COUNTY
SEC.20 T14S R13E

SCALE - 1" = 400'

RECEIVED BY OWRD

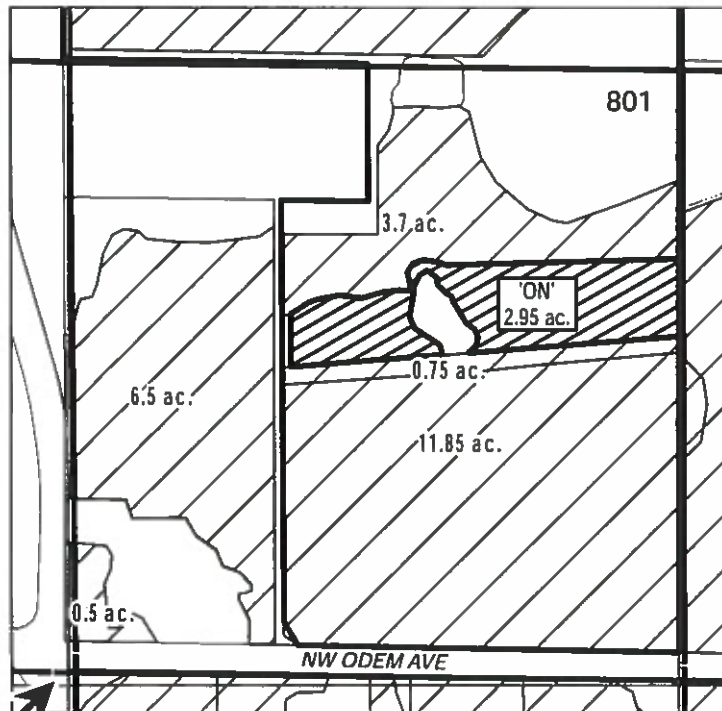
DEC 23 2014



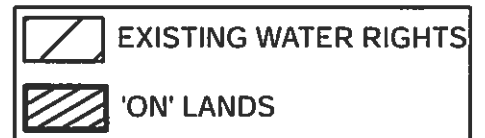
SW 1/4 OF THE NW 1/4

SALEM, OR

DISTRICT INTERNAL
NOTICE #: T-2014-019



W 1/4 COR



"ON" MAP



APPLICATION FOR WATER RIGHTS TRANSFER

COID / DARRELL K. & SHERRY AABY

TAXLOT #: 801

2.95 ACRES

Date: 11/24/2014

FILE: I:\TRANSFER\WRTRANS14IT-2014-019\141320_SWNW

T-2014-019

ORS. 540.572

PROPOSED LANDS

17-13-28 SENE 00600

ALLAN J. & DIANNE L. HERAUF

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR



CENTRAL OREGON IRRIGATION DISTRICT
1055 SW LAKE COURT, REDMOND, OR 97756
PHONE: 541.548.6047 FAX: 541.548.0243
www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

December 15, 2014

Allan & Dianne Herauf
62685 Stenkamp Rd
Bend, OR 97701

RE: Water Right Transfer #P-2014-003

Dear Mr. & Mrs. Herauf,

Enclosed is a copy of the transfer application prepared by Central Oregon Irrigation District (COID) and submitted to Oregon Water Resources Department (OWRD) on December 15, 2014. Also enclosed is a copy of the recorded Irrigation Contract between you and COID.

The user of the lands FROM which these water rights are being transferred has been noticed of the following:

"Per OAR 690-385-5400(2)(a) OWRD shall approve the district permanent transfer application as provided under OAR 690-385-5600 unless:

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If no protest is filed by the FROM land user within 60 days and OWRD finds this application to be complete, a Final Order will be issued by OWRD placing this water onto your property. A copy of the Final Order will be mailed to you by COID.

If you have any questions please do not hesitate to contact me. You can reach me on my direct line: 541-504-7576 or by email: lesliec@coid.org.

Sincerely,

Leslie Clark
Water Right Manager

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR

cc: OWRD, 725 Summer St N.E., Salem, OR
Sent by certified mail December 20, 2013
Encl.

DESCHUTES COUNTY
SEC.28 T17S R13E

RECEIVED BY OWRD

SCALE - 1" = 400'

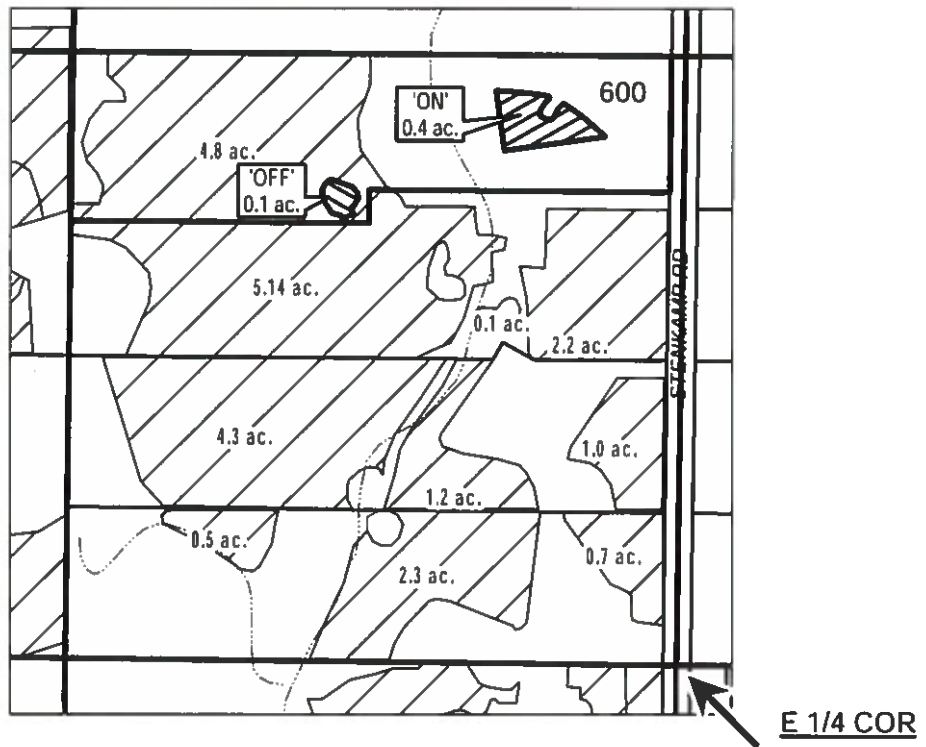
DEC 23 2014



SE 1/4 OF THE NE 1/4

SALEM, OR

DISTRICT INTERNAL
NOTICE #: T-2014-019 & T-2014-26



"OFF / ON" MAP

	EXISTING WATER RIGHTS
	OFF LANDS
	ON LANDS



APPLICATION FOR WATER RIGHTS TRANSFER

NAME: DIANNE L. & ALLAN J. HERAUF

TAXLOT #: 600

0.1 ACRES 'OFF'
0.4 ACRES 'ON'

DATE: 11/25/2014

FILE: I\TRANSFER\WR\TRANS14\T-2014-019\171328_SENE

T-2014-019

ORS. 540.572

PROPOSED LANDS

18-13-03 NENW 01602

JACK BRIDGES

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR



CENTRAL OREGON IRRIGATION DISTRICT

1055 SW LAKE COURT, REDMOND, OR 97756

PHONE: 541.548.6047 FAX: 541.548.0243

www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

December 15, 2014

Jack Bridges
61935 Ten Barr Ranch Rd
Bend, OR 97701

RE: Water Right Transfer #P-2014-003

Dear Mr. Bridges,

Enclosed is a copy of the transfer application prepared by Central Oregon Irrigation District (COID) and submitted to Oregon Water Resources Department (OWRD) on December 15, 2014. Also enclosed is a copy of the recorded Irrigation Contract between you and COID.

The user of the lands FROM which these water rights are being transferred has been noticed of the following:

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If you have any questions please do not hesitate to contact me. You can reach me on my direct line: 541-504-7576 or by email: lesliec@coid.org.

Sincerely,

Leslie Clark
Water Right Manager

cc: OWRD, 725 Summer St N.E., Salem, OR
Sent by certified mail December 20, 2013
Encl.

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR

DESCHUTES COUNTY
SEC.03 T18S R13E

RECEIVED BY OWRD

DEC 23 2014

SCALE - 1" = 400'

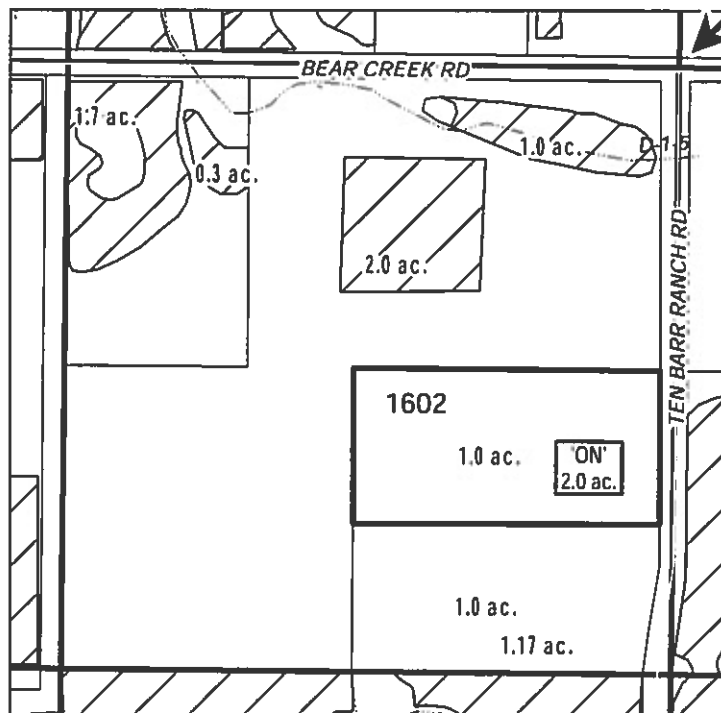
SALEM, OR



NE 1/4 OF THE NW 1/4

DISTRICT INTERNAL
NOTICE #: T-2014-019

N 1/4 COR



	EXISTING WATER RIGHTS
	'ON' LAND PARCELS
	PARCELS W/ WATER RIGHTS

"ON" MAP



APPLICATION FOR WATER RIGHTS TRANSFER

NAME: JACK BRIDGES

TAXLOT #: 1602

2.0 ACRES

Date: 12/3/2014

FILE: I:\TRANSFER\WRTRANS14IT-2014-019\181303_NENW

T-2014-019

ORS. 540.572

PROPOSED LANDS

18-13-03 SWSW 01000

CENTRAL OREGON IRRIGATION
DISTRICT

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR



CENTRAL OREGON IRRIGATION DISTRICT

1055 SW LAKE COURT, REDMOND, OR 97756

PHONE: 541.548.6047 FAX: 541.548.0243

www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

December 15, 2014

Central Oregon Irrigation District
1055 SW Lake Court
Redmond, OR 97756

RE: Water Right Transfer #P-2014-003

Dear Sir or Madam,

Enclosed is a copy of the transfer application prepared by Central Oregon Irrigation District (COID) and submitted to Oregon Water Resources Department (OWRD) on December 15, 2014. Also enclosed is a copy of the recorded Irrigation Contract between you and COID.

The user of the lands FROM which these water rights are being transferred has been noticed of the following:

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If you have any questions please do not hesitate to contact me. You can reach me on my direct line: 541-504-7576 or by email: lesliec@coid.org.

Sincerely,

Leslie Clark
Water Right Manager

cc: OWRD, 725 Summer St N.E., Salem, OR
Sent by certified mail December 20, 2013
Encl.

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR

DESCHUTES COUNTY
SEC.03 T18S R13E

RECEIVED BY OWRD

SCALE - 1" = 400'

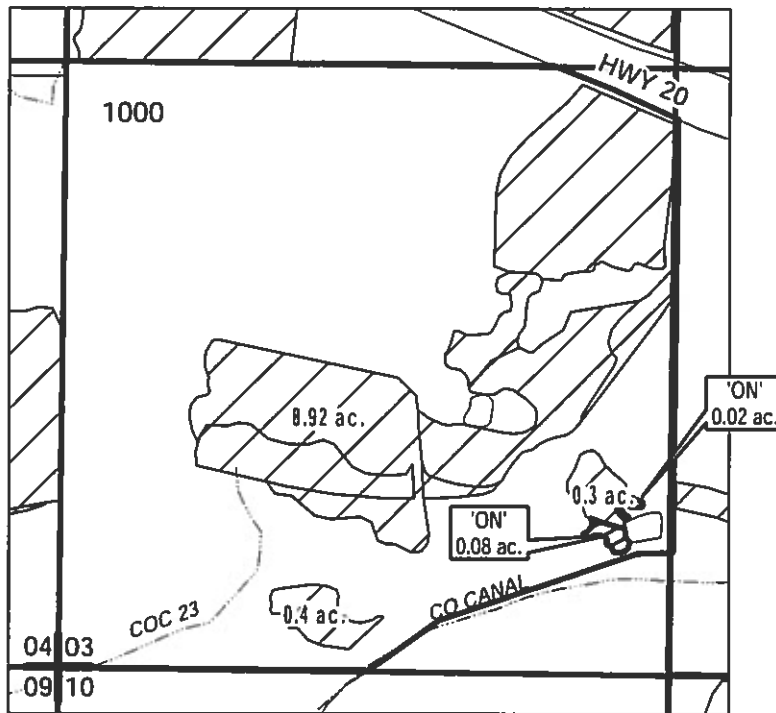
DEC 23 2014



SALEM, OR

SW 1/4 OF THE SW 1/4

DISTRICT INTERNAL
NOTICE #: T-2014-019



"ON" MAP



APPLICATION FOR WATER RIGHTS TRANSFER

NAME: COID

TAXLOT #: 1000

0.1 ACRES

Date: 12/8/2014

FILE: I\TRANSFER\WRTRANS14IT-2014-019\181303_SW5W

T-2014-024

ORS. 540.580

AUTHORIZED/PROPOSED LANDS

17-12-12 SWSE 00309

DELANO HAMBERGER

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR



CENTRAL OREGON IRRIGATION DISTRICT

1055 SW LAKE COURT, REDMOND, OR 97756

PHONE: 541.548.6047 FAX: 541.548.0243

www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

December 15, 2014

Delano Hamberger
63656 Cricketwood Rd
Bend, OR 97701

RE: Water Right Transfer – 0.50 acres irrigation within your own lands
17-12-12 SWSE 00309

Dear Mr. Hamberger,

Enclosed is a copy of the recorded Irrigation Contract, transferring 0.50 acres within your own parcel. It is your responsibility to clear, seed and irrigate the new lands during the 2015 irrigation season and each year thereafter. Please contact us if you are having challenges in meeting this requirement.

You may not sell, transfer or lease the new water instream until the transfer process is completed by OWRD. This process may span 3 years or longer depending on OWRD processing time.

We appreciate the opportunity to work with you in meeting your water needs. If you have any questions please do not hesitate to contact us.

Sincerely,

Leslie Clark
Water Right Manager

Encl.

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR

DESCHUTES COUNTY SEC.12 T17S R12E

SCALE - 1" = 400'



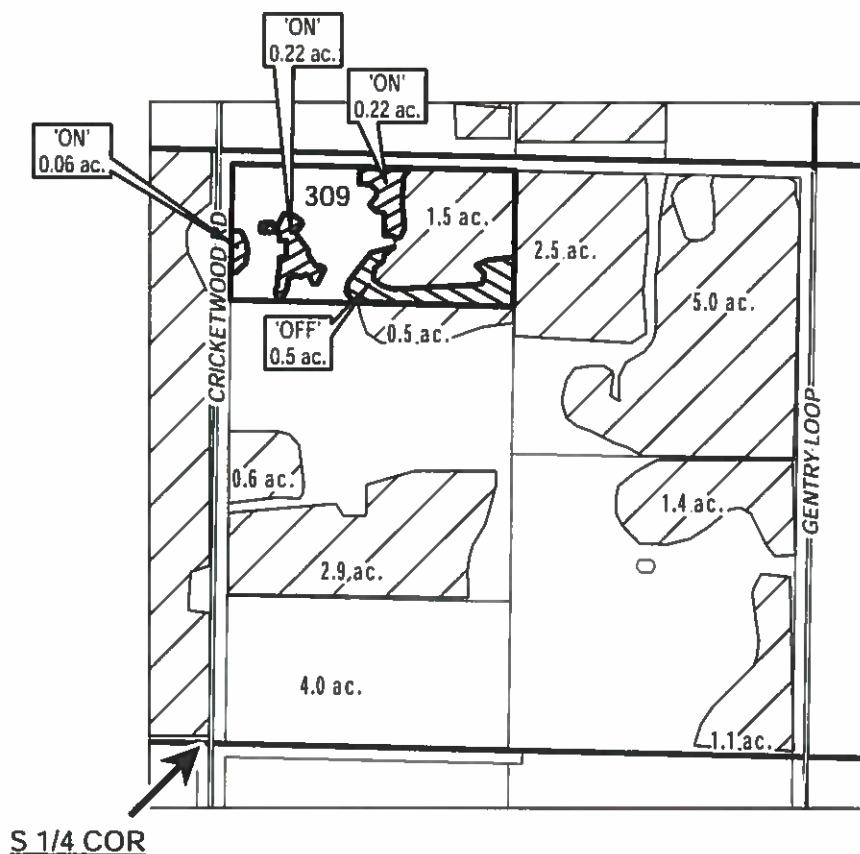
SW 1/4 OF THE SE 1/4

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR

DISTRICT INTERNAL
NOTICE #: T-2014-024



	EXISTING WATER RIGHTS
	OFF LANDS
	ON LANDS
	PARCELS W/ WATER RIGHTS

"OFF / ON" MAP



APPLICATION FOR WATER RIGHTS TRANSFER

NAME: DELANO HAMBERGER

TAXLOT #: 309

0.5 ACRES

Date: 12/9/2014

FILE: I\TRANSFER\WRTRANS14\T-2014-019\171212_SWSE_24

T-2014-026

RECEIVED BY OWRD

DEC 23 2014

SALEM, OR

ORS. 540.580

AUTHORIZED/PROPOSED LANDS

17-13-28 SENE 00600

ALLAN J. & DIANNE L. HERAUF