

**Application for Water Right
Temporary or Drought Temporary Transfer
Part 1 of 5 – Minimum Requirements Checklist**



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.oregon.gov/OWRD

This temporary transfer application will be returned if Parts 1 through 5 and all required attachments are not completed and included.
For questions, please call (503) 986-0900, and ask for Transfer Section.

FOR ALL TEMPORARY TRANSFER APPLICATIONS

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Check all items included with this application. (N/A = Not Applicable)

- Part 1 – Completed Minimum Requirements Checklist.
- Part 2 – Completed Temporary Transfer Application Map Checklist.
- Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the online fee calculator at: http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator. If you have questions, call Customer Service at (503) 986-0801.
- Part 4 – Completed Applicant Information and Signature.
- Part 5 – Information about Transferred Water Rights: **How many water rights are to be transferred? 1 List them here: 89259 under OAR 690-380-8000(2)**
Please include a separate Part 5 for each water right. (See instructions on page 6)
- N/A For standard Temporary Transfer (one to five years) **Begin Year: 2019 End Year: 2044.**
- N/A Temporary Drought Transfer (Only in counties where the Governor has declared drought)

Attachments:

- Completed Temporary Transfer Application Map.
- Completed Evidence of Use Affidavit and supporting documentation.
- Current recorded deed for the land **from** which the authorized place of use is temporarily being moved.
- N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land upon which the water right is located.) **See included deeds expressly reserving water rights.**
- N/A Supplemental Form D – For water rights served by or issued in the name of a district. Complete when the temporary transfer applicant is not the district.
- N/A **LUC under Application G-16385 / Permit G-17036** - Oregon Water Resources Department's Land Use Information Form with approval and signature (or signed land use form receipt stub) from each local land use authority in which water is to be diverted, conveyed, and/or used. Not required if water is to be diverted, conveyed, and/or used only on federal lands or if **all** of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone.
- N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation (if necessary to convey water to the proposed place of use).

(For Staff Use Only) WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):

<input type="checkbox"/> Application fee not enclosed/or is insufficient	<input type="checkbox"/> Map not included or incomplete
<input type="checkbox"/> Land Use Form not enclosed or incomplete	<input type="checkbox"/> Part ____ is incomplete
<input type="checkbox"/> Additional signature(s) required	
Other/Explanation _____	
Staff: _____ 503-986-0____	Date: ____/____/____

Part 2 of 5 – Temporary Transfer Application Map Checklist

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Your temporary transfer application **will be returned** if any of the map requirements listed below are not met.

Please be sure that the temporary transfer application map you submit includes all the required items and matches the existing water right map. Check all boxes that apply.

- N/A If more than three water rights are involved, separate maps are needed for each water right.
- Permanent quality printed with dark ink on good quality paper.
- The size of the map can be 8½ x 11 inches, 8½ x 14 inches, 11 x 17 inches, or up to 30 x 30 inches. For 30 x 30 inch maps, one extra copy is required.
- A north arrow, a legend, and scale.
- The scale of the map must be: 1 inch = 400 feet, 1 inch = 1,320 feet; the scale of the Final Proof/Claim of Beneficial Use Map (the map used when the permit was certificated); the scale of the county assessor map if the scale is not smaller than 1 inch = 1,320 feet; or a scale that has been pre-approved by the Department.
- Township, Range, Section, ¼ ¼, DLC, Government Lot, and other recognized public land survey lines.
- Tax lot boundaries (property lines) are required. Tax lot numbers are recommended.
- Major physical features including rivers and creeks showing direction of flow, lakes and reservoirs, roads, and railroads.
- N/A Major water delivery system features from the point(s) of diversion/appropriation such as main pipelines, canals, and ditches.
- Existing place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions. If less than the entirety of the water right is being changed, a separate hachuring is needed for lands left unchanged.
- N/A Proposed temporary place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions.
- Existing point(s) of diversion or well(s) with distance and bearing or coordinates from a recognized survey corner. This information can be found in your water right certificate or permit.
- N/A If you are proposing a change in point(s) of diversion or well(s) to convey water to the new temporary place of use, show the proposed location and label it clearly with distance and bearing or coordinates. If GPS coordinates are used, latitude-longitude coordinates may be expressed as either degrees-minutes-seconds with at least one digit after the decimal (example – 42°32'15.5") or degrees-decimal with five or more digits after the decimal (example – 42.53764°).

Part 4 of 5 – Applicant Information and Signature

Applicant Information

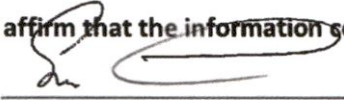
APPLICANT/BUSINESS NAME Shane Lundgren / Dutch Pacific Properties, LP			PHONE NO. 541-480-1709	ADDITIONAL CONTACT NO.
ADDRESS PO Box 3500, PMB 303			FAX NO.	
CITY Sisters	STATE OR	ZIP 97759	E-MAIL shane@metolius.com	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

Agent Information – The agent is authorized to represent the applicant in all matters relating to this application.

AGENT/BUSINESS NAME Water Right Services, LLC / Contact: John A. Short			PHONE NO. 541-389-2837	ADDITIONAL CONTACT NO.
ADDRESS PO Box 1830			FAX NO.	
CITY Bend	STATE OR	ZIP 97709	E-MAIL johnshort@usa.com	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

Explain in your own words what you propose to accomplish with this transfer application and why:
 Temporarily transfer 16.5 acres of Cert 89259 to another location for quasi-municipal use.
 If you need additional space, continue on a separate piece of paper and attach to the application as "Attachment 1".

I (we) affirm that the information contained in this application is true and accurate.


 Applicant signature

SHANE LUNDGREN 7/13/19
 Print Name (and Title if applicable) Date
 MANAGER

 Applicant signature Print Name (and Title if applicable) Date

Is the applicant the sole owner of the land on which the water right, or portion thereof, proposed for transfer is located? Yes No

If NO, include signatures of all landowners (and mailing and/or e-mail addresses if different than the applicant's) or attach affidavits of consent from all landowners or individuals/entities (and mailing and/or e-mail addresses) to which the water right(s) has been conveyed.

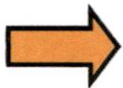
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Check here if any of the water rights proposed for transfer are or will be located within or served by an irrigation or other water district. (NOTE: If this box is checked, you must complete and attach Supplemental Form D.)

DISTRICT NAME Central Oregon Irrigation District	ADDRESS 1055 SW Lake Court	
CITY Redmond	STATE OR	ZIP 97756
DISTRICT NAME Tumalo Irrigation District	ADDRESS 64697 COOK AVE	
CITY Bend	STATE OR	ZIP 97703

Check here if water for any of the rights supplied under a water service agreement or other contract for stored water with a federal agency or other entity.

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP



To meet State Land Use Consistency Requirements, you must list all local governments (each county, city, municipal corporation, or tribal government) within whose jurisdiction water will be diverted, conveyed and/or used.

ENTITY NAME Deschutes Community Development	ADDRESS 117 NW Lafayette Ave.	
CITY Bend	STATE OR	ZIP 97701

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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Part 5 of 5 – Water Right Information

Please use a separate Part 5 for each water right being changed. See instructions on page 6, to copy and paste additional Part 5s, or to add rows to tables within the form.

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Water Right Certificate # 89259

Description of Water Delivery System

System capacity: 0.29 cubic feet per second (cfs) OR
 _____ gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. **Water pumped from well into mainlines, which feed handlines and wheel lines.**

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)

(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp		Rng		Sec	¼ ¼		Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Well	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	DESC 52653	15	S	10	E	4	SE	NW	1901	326' N, 180' W of C/4 S4
Kem Well	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	DESC 756	15	S	12	E	29	NE	NE	7800	880' S, 800' W of NE Cor S29
Bennett Well	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	DESC 3666	15	S	12	E	29	SE	SE	7801	250' N, 650' W of SE Cor S29
Davis Well	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	L-31049	15	S	12	E	29	NW	SE	7900	2130' N, 1590' W of SE Cor S29
Well # 4	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	TBD	15	S	12	E	28	SE	NE	7700	1677' N, 1466' W of SE Cor, S29

Check all type(s) of temporary change(s) proposed below (change "CODES" are provided in parentheses):

- | | |
|---|---|
| <input checked="" type="checkbox"/> Place of Use (POU) | <input checked="" type="checkbox"/> Appropriation/Well (POA) |
| <input type="checkbox"/> Point of Diversion (POD) | <input type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input type="checkbox"/> Additional Point of Diversion (APOD) | <input checked="" type="checkbox"/> Character of Use (USE) DESCHUTES BASIN |

Check all type(s) of temporary change(s) due to drought proposed below (change "CODES" are provided in parentheses):

- | | |
|---|---|
| <input type="checkbox"/> Place of Use (POU) | <input type="checkbox"/> Point of Appropriation/Well (POA) |
| <input type="checkbox"/> Character of Use (USE) | <input type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input type="checkbox"/> Point of Diversion (POD) | <input type="checkbox"/> Additional Point of Diversion (APOD) |

Will all of the proposed changes affect the entire water right?

- Yes Complete only the Proposed ("to" lands) section of Table 2 on the next page. Use the "CODES" listed above to describe the proposed changes.
- No Complete all of Table 2 to describe the portion of the water right to be changed.

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Please use and attach additional pages of Table 2 as needed.
See page 6 for instructions.

Do you have questions about how to fill-out the tables?
Contact the Department at 503-986-0900 and ask for Transfer Staff."

Table 2. Description of Temporary Changes to Water Right Certificate # 89259

List only the part of the right that will be changed. For the acreage in each ¼ ¼, list the change proposed. If more than one change, specify the acreage associated with each change. If more than one POD/POA, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the Certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.												Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.													
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp	Rng		Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date						
EXAMPLE																										
2	S	9	E	15	NE	NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0		POD #5	1901
"	"	"	"	"	"	"	"	"	"	EXAMPLE	"	"	"	2	S	9	E	2	SW	NW	500		5.0		POD #6	1901
15	S	10	E	4	SE	NW	SEE REMARKS BELOW		16.5	IR	Well	1901	POU, USE, POA	15	S	12	E	SEE	ATTACH ED	MAP	PLEASE		N/A	Deschutes QM	Kem, Bennett & Davis Wells Well # 4	3/18/1998
TOTAL ACRES												TOTAL ACRES									N/A					

Additional remarks: Off lands include Tax Lots 101-134, 136, 137 and portions of 200, 300, 1900, N Jantzen Lane and E Diamond Peak Ave.

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For Place of Use Changes

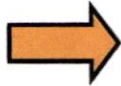
Are there other water right certificates, water use permits or ground water registrations associated with the "from" or the "to" lands? Yes No

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If YES, list the certificate, water use permit, or ground water registration numbers: _____



Pursuant to ORS 540.525, any "layered" water use such as an irrigation right that is supplemental to a primary right proposed for temporary transfer can be included in the transfer or remain unused on the authorized place of use. If the primary water right does not revert soon enough to allow use of the supplemental right within five years, the supplemental right shall become subject to cancellation for nonuse under ORS 540.610.

If a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation is necessary to convey the water to the new temporary place of use you must provide:

- Well log(s) for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map. (Tip: You may search for well logs on the Department's web page at: http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx)

AND/OR

- Describe the construction of the authorized and proposed well(s) in Table 3 below for any well that does not have a well log. For a *proposed well(s) not yet constructed or built*, provide "a best estimate" for each requested information element in the table. The Department recommends you consult a licensed well driller, geologist, or certified water right examiner to assist with assembling the information necessary to complete Table 3.

Table 3. Construction of Point(s) of Appropriation

Any well(s) in this listing must be clearly tied to corresponding well(s) described in Table 1 and shown on the accompanying application map. Failure to provide the information will delay the processing of your transfer application until it is received. The information is necessary for the Department to assess whether the proposed well(s) will access the same source aquifer as the authorized point(s) of appropriation (POA). The Department is prohibited by law from approving POA changes that do not access the same source aquifer.

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well, OWRD Well ID Tag No. L-____	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well - specific rate (cfs or gpm). If less than full rate of water right
Well # 4	No		TBD	16"	TBD	TBD		730'	Fractured Basalt	0.21 cfs

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Application for Water Right Transfer

Evidence of Use Affidavit



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

Please print legibly or type. Be as specific as possible. Attach additional pages if you need more spacing. Supporting documentation must be attached.

State of Oregon)
) ss
 County of DESCHUTES)

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I, JOHN A. SHORT, in my capacity as WATER RIGHT SPECIALIST,
 mailing address PO BOX 1830, BEND, OR 97709
 telephone number (541)389-2837, being first duly sworn depose and say:

1. My knowledge of the exercise or status of the water right is based on (check one):

- Personal observation Professional expertise

2. I attest that:

- Water was used during the previous five years on the **entire** place of use for Certificate # 89259; **OR**
- My knowledge is specific to the use of water at the following locations within the last five years:

Certificate #	Township	Range	Mer	Sec	¼ ¼	Gov't Lot or DLC	Acres (if applicable)

- OR**
- Confirming Certificate # _____ has been issued within the past five years; **OR**
- Part or all of the water right was leased instream at some time within the last five years. The instream lease number is: _____ (Note: If the entire right proposed for transfer was not leased, additional evidence of use is needed for the portion not leased instream.); **OR**
- The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use would be rebutted under ORS 540.610(2) is attached.
- Water has been used at the actual current point of diversion or appropriation for more than 10 years for Certificate # _____ (For Historic POD/POA Transfers)

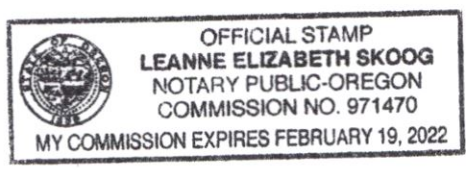
(continues on reverse side)

3. The water right was used for: (e.g., crops, pasture, etc.): PASTURE
4. I understand that if I do not attach one or more of the documents shown in the table below to support the above statements, my application will be considered incomplete.

[Signature]
 Signature of Affiant

7-26-2019
 Date

Signed and sworn to (or affirmed) before me this 26th day of July, 2019.



[Signature]
 Notary Public for Oregon

My Commission Expires: 02/19/2022

Supporting Documents	Examples
<input type="checkbox"/> Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate)	Copy of confirming water right certificate that shows issue date
<input type="checkbox"/> Copies of receipts from sales of irrigated crops or for expenditures related to use of water	<ul style="list-style-type: none"> • Power usage records for pumps associated with irrigation use • Fertilizer or seed bills related to irrigated crops • Farmers Co-op sales receipt
<input type="checkbox"/> Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers	<ul style="list-style-type: none"> • District assessment records for water delivered • Crop reports submitted under a federal loan agreement • Beneficial use reports from district • IRS Farm Usage Deduction Report • Agricultural Stabilization Plan • CREP Report
<input checked="" type="checkbox"/> Aerial photos containing sufficient detail to establish location and date of photograph	<p>Multiple photos can be submitted to resolve different areas of a water right. If the photograph does not print with a "date stamp" or without the source being identified, the date of the photograph and source should be added.</p> <p>Sources for aerial photos: OSU – www.oregonexplorer.info/imagery OWRD – www.wrd.state.or.us Google Earth – earth.google.com TerraServer – www.terraserver.com</p>
<input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

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From: johnshort@usa.com 
Subject: District Notification of Temp Transfer
Date: August 1, 2019 at 2:35 PM
To: Leslie Clark leslic@coid.org



Hello Leslie,

This one is just a notification though if you see any red flags, please let me know!

Thanks,
John

John A. Short CCB# 197121

541-389-2837

Water Right Services, LLC
PO Box 1830
Bend, OR 97709
johnshort@usa.com
oregonwater.us

Begin forwarded message:

From: John A. Short<johnshort@usa.com>
Subject: Scan
Date: August 1, 2019 at 6:22:05 AM PDT
To: John A. Short<johnshort@usa.com>



20190801scan1
32226.pdf

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Supplemental Form D

Water Right Transfers Within the Boundaries of or Served by an Irrigation or Other District

[For transfers submitted under OAR Chapter 690 Division 380]



Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem, Oregon 97301-1266
 503-986-0900
 www.oregon.gov/OWRD

The Department requires non-district applicants to communicate with districts during the planning and preparation of transfer applications involving water rights having a point of diversion/appropriation (POD/POA) or place of use (POU) served by or located within the boundaries of a district. In some cases district consent to the transfer will be required.

This form must be included with your transfer application if the transfer involves rights served by or located within the boundaries of a district. Use this form for either permanent or temporary transfers.

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1. APPLICANT INFORMATION

NAME WATER RIGHT SERVICES, LLC / JOHN A. SHORT		PHONE (HM)	
PHONE (WK) 541-389-2837	CELL	FAX	
ADDRESS PO Box 1830			
CITY BEND	STATE OR	ZIP 97709	E-MAIL** JOHNSHORT@USA.COM

2. DISTRICT INFORMATION

DISTRICT NAME CENTRAL OREGON IRRIGATION DISTRICT		PHONE (HM)	
PHONE (WK) 541-548-6047	CELL	FAX	
ADDRESS 1055 SW LAKE CT			
CITY REDMOND	STATE OR	ZIP 97756	E-MAIL** LESLIEC@COID.ORG

** By providing an e-mail address, the applicant and/or the district consent to receive all correspondence from the Department electronically. Copies of final order documents will also be mailed.

3. WATER RIGHTS ISSUED IN THE NAME OF, or LOCATED WITHIN, or SERVED BY AN IRRIGATION OR OTHER DISTRICT

a. List the water right(s) involved in this transfer:

	Application / Decree	Permit / Previous Transfer	Certificate	Is the Water Right in the Name of a District or BOR*?
1.		-	89259	YES <input type="checkbox"/>
2.		-		YES <input type="checkbox"/>
3.		-		YES <input type="checkbox"/>

Attach additional pages for additional water rights if necessary.

*Bureau of Reclamation

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b. Determine a district's association with your points of diversion (POD) or appropriation (POA) and places of use (POU). [If you are uncertain how to respond to the questions, please consult the district.]

CURRENT ASSOCIATIONS Please answer the following "yes" or "no" questions:

YES NO One or more of the current POD(s) / POA(s) involved in the transfer are served by a district or rely on Bureau of Reclamation (BOR) water.

YES NO All or a portion of the current POU involved in this proposed transfer receives water for either primary or supplemental irrigation from the district; i.e., the POU is currently layered with a district or BOR water supplied water right(s).

PROPOSED ASSOCIATIONS Please answer the following "yes" or "no" questions:

YES NO One or more of the proposed POD(s) / POA(s) involved in the transfer are currently served or will be served by a district if the transfer is approved, or rely on BOR water.

YES NO All or a portion of the proposed POU involved in this proposed transfer currently receives or will receive either primary or supplemental irrigation from the district; i.e., the POU will be layered with a district or BOR water supplied water right(s).

COMMENTS OR ADDITIONAL INFORMATION ABOUT RELATIONSHIPS BETWEEN APPLICANT'S AND DISTRICT'S and/or BOR'S WATER RIGHTS

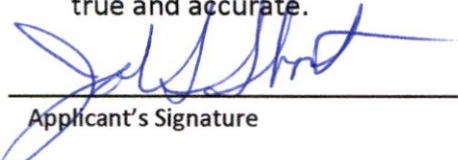
Simply a groundwater temp transfer to QM under OAR 690-380-8000 to same POU as Permit G-17036.

4. APPLICANT'S SIGNATURE

(1) I certify that I have notified the district about the proposed water right transfer application by [check one]:

email, phone, postal mail, in person, or other (please specify) _____

(2) I certify that to the best of my knowledge the information contained in this Supplemental Form D is true and accurate.


Applicant's Signature

John A. Short
Name (print)

8-1-2019
Date

5. (WHEN REQUIRED) DISTRICT CONSENT TO THE PROPOSED WATER RIGHT TRANSFER

District consent is required if any box on this form is marked "YES."

The district certifies the following:

- (1) The district has reviewed the applicant's proposed water right transfer application and maps; and
- (2) The district consents to the proposed water right transfer application.

YES NO After proof of completion, the confirming water right certificate is to remain in the name of the U.S. Bureau of Reclamation or the district.

YES NO The district will be responsible for submitting the claim of beneficial use.

District Manager Signature

Name (print)

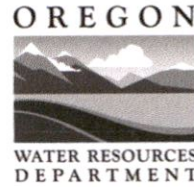
Date

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Supplemental Form D

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1. APPLICANT INFORMATION

NAME WATER RIGHT SERVICES, LLC / JOHN A. SHORT		PHONE (HM)	
PHONE (WK) 541-389-2837	CELL	FAX	
ADDRESS PO Box 1830			
CITY BEND	STATE OR	ZIP 97709	E-MAIL** JOHNSHORT@USA.COM

2. DISTRICT INFORMATION

DISTRICT NAME TUMALO IRRIGATION DISTRICT		PHONE (HM)	
PHONE (WK) 541-382-3053	CELL	FAX	
ADDRESS 64697 COOK AVE			
CITY BEND	STATE OR	ZIP 97703	E-MAIL**

** By providing an e-mail address, the applicant and/or the district consent to receive all correspondence from the Department electronically. Copies of final order documents will also be mailed.

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3. WATER RIGHTS ISSUED IN THE NAME OF, or LOCATED WITHIN, or SERVED BY AN IRRIGATION OR OTHER DISTRICT

a. List the water right(s) involved in this transfer:

	Application / Decree	Permit / Previous Transfer	Certificate	Is the Water Right in the Name of a District or BOR*?
1.		-	89259	YES <input type="checkbox"/>
2.		-		YES <input type="checkbox"/>
3.		-		YES <input type="checkbox"/>

Attach additional pages for additional water rights if necessary.

*Bureau of Reclamation

b. Determine a district's association with your points of diversion (POD) or appropriation (POA) and places of use (POU). [If you are uncertain how to respond to the questions, please consult the district.]

CURRENT ASSOCIATIONS Please answer the following "yes" or "no" questions:

YES NO One or more of the current POD(s) / POA(s) involved in the transfer are served by a district or rely on Bureau of Reclamation (BOR) water.

YES NO All or a portion of the current POU involved in this proposed transfer receives water for either primary or supplemental irrigation from the district; i.e., the POU is currently layered with a district or BOR water supplied water right(s).

PROPOSED ASSOCIATIONS Please answer the following "yes" or "no" questions:

YES NO One or more of the proposed POD(s) / POA(s) involved in the transfer are currently served or will be served by a district if the transfer is approved, or rely on BOR water.

YES NO All or a portion of the proposed POU involved in this proposed transfer currently receives or will receive either primary or supplemental irrigation from the district; i.e., the POU will be layered with a district or BOR water supplied water right(s).

COMMENTS OR ADDITIONAL INFORMATION ABOUT RELATIONSHIPS BETWEEN APPLICANT'S AND DISTRICT'S and/or BOR'S WATER RIGHTS


Some 'ON' lands fall within TID's service area but not where they can or do deliver.

4. APPLICANT'S SIGNATURE

(1) I certify that I have notified the district about the proposed water right transfer application by [check one]:

email, phone, postal mail, in person, or other (please specify) _____

(2) I certify that to the best of my knowledge the information contained in this Supplemental Form D is true and accurate.



Applicant's Signature

John A. Short

Name (print)

8-1-2019

Date

5. (WHEN REQUIRED) DISTRICT CONSENT TO THE PROPOSED WATER RIGHT TRANSFER

District consent is required if any box on this form is marked "YES."

The district certifies the following:

- (1) The district has reviewed the applicant's proposed water right transfer application and maps; and
- (2) The district consents to the proposed water right transfer application.

YES NO After proof of completion, the confirming water right certificate is to remain in the name of the U.S. Bureau of Reclamation or the district.

YES NO The district will be responsible for submitting the claim of beneficial use.

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District Manager Signature

Name (print)

Date

OWRD

CONTACT US



541-382-3053

Help is available 24 hours a day, seven days a week when water is running.

Calls after hours will be forwarded to the ditch rider on call, who will respond as soon as possible.

Business Hours

Monday – Friday

8am – 4:30pm

(closed for lunch from 12-12:30)

Our Address

64697 Cook Ave

Bend, OR 97703

SEND US A MESSAGE

1 3 2 3 8

(All fields required)

Thank you for sending us a message! If this is a water emergency, please call us at
541-382-3053

8-1-2019

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[Site Map](#)

13238

NOTICE TO WATER WELL CONTRACTOR

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

WATER RESOURCES DEPARTMENT, SALEM, OREGON 97310 within 30 days from the date of well completion.

DESC 3666

WATER WELL REPORT

STATE OF OREGON

(Please type or print)

(Do not write above this line)

RECEIVED

DEC - 31 1979

State Well No.

15512E-29dd

WATER RESOURCES DEPT

State Permit No.

SALEM, OREGON

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AUG 05 2019

Page 1

(1) OWNER:

Name William K. Bennett Address 67525 Cline Falls Rd Redmond, Ore

(2) TYPE OF WORK (check):

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

(3) TYPE OF WELL:

Rotary [X] Driven [] Cable [] Jetted [] Bored []

(4) PROPOSED USE (check):

Domestic [X] Industrial [] Municipal [] Irrigation [] Test Well [] Other []

(5) CASING INSTALLED:

8" Diam. from +1 ft. to 19 ft. Gage 250 6" Diam. from 0 ft. to 515 ft. Gage 188

(6) PERFORATIONS:

Type of perforator used machine Size of perforations 1/8 in. by 3 in. 456 perforations from 475 ft. to 515 ft.

(7) SCREENS:

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

(8) WELL TESTS:

Drawdown is amount water level is lowered below static level Was a pump test made? [] Yes [X] No If yes, by whom? 1 gal./min. with ft. drawdown after hrs. air lifting 20 GPM with 0 DD

(9) CONSTRUCTION:

Well seal—Material used cement Well sealed from land surface to 19 ft. Diameter of well bore to bottom of seal 12 in. Diameter of well bore below seal 8 in. Number of sacks of cement used in well seal 9 sacks How was cement grout placed? pumped from 19 to 0

Was a drive shoe used? [] Yes [X] No Plugs Size: location ft. Did any strata contain unusable water? [] Yes [X] No Type of water? depth of strata Method of sealing strata off Was well gravel packed? [] Yes [X] No Size of gravel: Gravel placed from ft. to ft.

(10) LOCATION OF WELL:

County Deschutes Driller's well number OWRD SE 1/4 SE 1/4 Section 29 T. 15S R. 12E W.M. Bearing and distance from section or subdivision corner 250' N 650' W of SE corner Sec 29

(11) WATER LEVEL: Completed well.

Depth at which water was first found 451 ft. Static level 451 ft. below land surface. Date 10/31/79 Artesian pressure lbs. per square inch. Date

(12) WELL LOG:

Diameter of well below casing 0 Depth drilled 515 ft. Depth of completed well 515 ft. Formation: Describe color, texture, grain size and structure of materials; and show thickness and nature of each stratum and aquifer penetrated.

Table with columns: MATERIAL, From, To, SWL. Rows include: brn sand, brn congl crs, grey basalt, red cinders, tan congl, blk cinders caving, red cinders caving, med to crs gravel caving, grey basalt, lt brn congl, redish grey basalt, grey basalt, redish tuft, lt brn congl fine, tan ss congl med, grey congl, grey basalt fractured, tan congl fine, log cont.

Work started 10/12/79 Completed 10/31/79 Date well drilling machine moved off of well 10/31/79

Drilling Machine Operator's Certification:

This well was constructed under my direct supervision. Materials used and information reported above are true to my best knowledge and belief. [Signed] Johnson Well Drilling Date 11/14/79

Water Well Contractor's Certification:

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief. Name Johnson Well Drilling Address 3626 NW Coyner Redmond, Ore [Signed] Johnson Well Drilling Contractor's License No. 595 Date 11/14/79

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

WATER RESOURCES DEPARTMENT,
SALEM, OREGON 97310
within 30 days from the date
of well completion.

WATER WELL REPORT

STATE OF OREGON

(Please type or print)

(Do not write above this line)

RECEIVED

DEC - 31 1979

State Well No. _____

WATER RESOURCES DEPT

State Permit No. _____

SALEM, OREGON

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AUG 05 2019

OWRD

(1) OWNER:

Page 2

Name William K. Bennett
Address 67525 Cline Falls Rd. Redmond, Ore

(2) TYPE OF WORK (check):

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

(3) TYPE OF WELL:

Rotary Cable Driven Jetted Bored

(4) PROPOSED USE (check):

Domestic Industrial Municipal Irrigation Test Well Other

(5) CASING INSTALLED:

Threaded Welded
8" Diam. from + 1 ft. to 19 ft. Gage 250
6" Diam. from 0 ft. to 5.15 ft. Gage 188

(6) PERFORATIONS:

Perforated? Yes No.

Type of perforator used machine
Size of perforations 1/8 in. by 3 in.
456 perforations from 4.75 ft. to 5.15 ft.

(7) SCREENS:

Well screen installed? Yes No

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

(8) WELL TESTS:

Drawdown is amount water level is lowered below static level

Was a pump test made? Yes No If yes, by whom?
1 gal./min. with _____ ft. drawdown after _____ hrs.
" air lifting 20 GPM with 0 DD " " " "
" " " " " " " "
Bailer test gal./min. with _____ ft. drawdown after _____ hrs.
1 in flow _____ g.p.m.
1 rature of water 53 Depth artesian flow encountered _____ ft.

(9) CONSTRUCTION:

Well seal—Material used cement
Well sealed from land surface to 19 ft.
Diameter of well bore to bottom of seal 12 in.
Diameter of well bore below seal 8 in.
Number of sacks of cement used in well seal 9 sacks
How was cement grout placed? pumped from 19 to 0

Was a drive shoe used? Yes No Plugs _____ Size: location _____ ft.
Did any strata contain unusable water? Yes No
Type of water? _____ depth of strata _____
Method of sealing strata off _____
Was well gravel packed? Yes No Size of gravel: _____
Gravel placed from _____ ft. to _____ ft.

(10) LOCATION OF WELL:

County Deschutes Driller's well number _____
SE 1/4 SE 1/4 Section 29 T. 5S R. 12E W.M.

Bearing and distance from section or subdivision corner
250' N 650' W of SE corner Sec 29

(11) WATER LEVEL: Completed well.

Depth at which water was first found 451 ft.
Static level 451 ft. below land surface. Date 10/31/79
Artesian pressure _____ lbs. per square inch. Date _____

(12) WELL LOG:

Diameter of well below casing 0

Depth drilled 515 ft. Depth of completed well 515 ft.

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

MATERIAL	From	To	SWL
lt brn congl med	345	391	
blk ss	391	435	
med gravel crs brn sand (tan clay)	435	451	451
fine gravel brn sand (WB)	451	474	
fine gravel blk sand (caving (WB))	474	515	

Work started 10/12 1979 Completed 10/31 1979
Date well drilling machine moved off of well 10/31 1979

Drilling Machine Operator's Certification:

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

[Signed] John W. Johnson Date 11/14, 1979
(Drilling Machine Operator)

Drilling Machine Operator's License No. 1039

Water Well Contractor's Certification:

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

Name Johnson Well Drilling
(Person, firm or corporation) (Type or print)

Address 3626 NW Coyner Redmond, Ore

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

Contractor's License No. 55 Date 11/14, 1979

#11

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AUG 05 2019 55/12E/39 ad

STATE OF OREGON
WATER WELL REPORT
(as required by ORS 537.765)

DESC
756

JAN 25 1991

WATER RESOURCES DEPT (START CARD) # 24901

(1) OWNER: Well Number: SALEM, OR
Name Harry Kern
Address 1336 NE Eby
City State Zip

(9) LOCATION OF WELL by legal description:
County Desch Latitude Longitude
Township 15 N or S, Range 12 E or W, WM.
Section 29 NE 1/4 NE 1/4
Tax Lot 7800 Lot Block Subdivision
Street Address of Well (or nearest address) Cline Butte

(2) TYPE OF WORK:
 New Well Deepen Recondition Abandon

(3) DRILL METHOD
 Rotary Air Rotary Mud Cable
 Other

(4) PROPOSED USE:
 Domestic Community Industrial Irrigation
 Thermal Injection Other

(10) STATIC WATER LEVEL:
730 ft. below land surface. Date 1-15-91
Artesian pressure lb. per square inch. Date

(5) BORE HOLE CONSTRUCTION:
Special Construction approval Yes No
Yes No Depth of Completed Well 880 ft.
Explosives used Type Amount

(11) WATER BEARING ZONES:
Depth at which water was first found

HOLE			SEAL			Amount sacks or pounds
Diameter	From	To	Material	From	To	
12	0	18 1/2	Cement	0	18 1/2	8 Sacks
8	18 1/2	880				

From	To	Estimated Flow Rate	SWL
830	880		730

How was seal placed: Method A B C D E
 Other
Backfill placed from ft. to ft. Material
Gravel placed from ft. to ft. Size of gravel

(12) WELL LOG: Ground elevation

(6) CASING/LINER:

Casing/Liner	Diameter	From	To	Gauge	Material			
					Steel	Plastic	Welded	Threaded
Casing	8	+1 1/2	18 1/2	250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Liner					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Material	From	To	SWL
Top Soil	0	3	
Brown S.S. Congl.	3	32	
dark S.S. Congl.	32	37	
Red S.S. Congl.	37	45	
Brown SS. Congl	45	78	
Dark Br. SS. Congl	78	117	
Brown SS.	117	136	
Dark Br. SS.	136	154	
Brown SS.	154	360	
Brown S.S. Congl. Hard	360	390	
Brown SS. Congl. Softer	390	406	
Brown S.S. Congl. Hard	406	421	
Brown S.S. Congl. soft	421	426	
Brown S.S. Hard	426	483	
Red S.S. Hard	483	546	
lava	546	582	
Brown S.S. Congl.	582	674	
lava	674	707	
Brown SS	707	780	
lava	780	828	
Red S.S. (w.B.)	828	830	
frac. lava	830	880	

(7) PERFORATIONS/SCREENS:
 Perforations Method
 Screens Type Material

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>

Date started 1-9-91 Completed 1-15-91

(8) WELL TESTS: Minimum testing time is 1 hour
 Pump Bailer Air Flowing Artesian
Yield gal/min Drawdown Drill stem at Time
10 0 860 1 hr.

(unbonded) Water Well Constructor Certification:
I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon well construction standards. Materials used and information reported above are true to my best knowledge and belief.
WWC Number
Signed Date

Temperature of water 53 Depth Artesian Flow Found
Was a water analysis done? Yes By whom
Did any strata contain water not suitable for intended use? Too little
 Salty Muddy Odor Colored Other
Depth of strata:

(bonded) Water Well Constructor Certification:
I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. all work performed during this time is in compliance with Oregon well construction standards. This report is true to the best of my knowledge and belief.
WWC Number 1255
Signed William D. Adam Date 1-16-91

13238

WELL IDENTIFICATION FORM

Owner's Well Number: _____

DESC 3669

CURRENT WELL OWNER:

Phone 1-800-426-9137

Name: La Salle National Bank as Trustee

handled by: Security National Servicing Corp. 11911 Justice Ave.

City: Baton Rouge State: LA. Zip: 70816

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If a well report is available for this well, please attach a copy of it to this form and return. It is not necessary for you to complete the remainder of the form if the well report is attached. If a well report is not available, please complete the remainder of the form to the best of your ability.

WELL LOCATION: DESC 3669 Well log Attached Send Copy of Well I.D. to Ken Theobald @ RE/MAX 230 S.E. 3rd St. Bend, OR. 97702

County: Deschutes Latitude: _____ Longitude: _____

Township: 55¹⁵ N or S, Range: 12E (E or W) Section: 29 NW 1/4 SE 1/4

Tax Lot Number: 07900

Street Address of Well (if different from above): 67545 S.W. Cline Falls Rd.
Redmond, OR. 97756

WELL INFORMATION:

Start Card Number: _____ Approx. Construction Date: 6-17-69

Well Constructor: Dale Crawford Drilling

Name of Owner at Time of Construction: Cecil Davis

Well Depth (in feet): 535 Static Water Level (in feet): 490

Diameter of Exposed Well Casing (in inches): 6"

Does this well have a formal water right associated with it? Yes: _____ No: If yes:

Application #: _____ Permit #: _____ Certificate #: _____

Please Return Completed Form to: Oregon Water Resources Department
Local Contact: Ken Theobald 158 12th Street NE
@ RE/MAX Manzanita Prop. Salem, OR 97310
230 S.E. 3rd St. Bend, OR. 97702
Phn. 541-389-0200 (Office use only)

Well Identification Number: 31049

13238



34

After recording return to:
BIRD GARD LLC
PO Box 1690
Sisters, OR 97759

Until a change is requested all tax statements shall be sent to the following address:
BIRD GARD LLC
PO Box 1690
Sisters, OR 97759

File No.: 7063-635332 (CC)
Date: February 14, 2006

DESCHUTES COUNTY OFFICIAL RECORDS
NANCY BLANKENSHIP, COUNTY CLERK

2006-11516



\$36.00

02/17/2006 04:03:00 PM

D-D Cnt=1 Stn=2 LADENEL
\$10.00 \$11.00 \$10.00 \$5.00

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AUG 05 2019

OWRD

STATUTORY WARRANTY DEED

2

Dutch Pacific Properties Limited Partnership, who acquired title as Dutch Pacific Properties LP, an Oregon Limited Partnership, Grantor, conveys and warrants to BIRD GARD LLC, an Oregon Limited Liability Company, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

Lot 10 of SUN RANCH - PHASE I, City of Sisters, Deschutes County, Oregon.

Excepting therefrom, any and all water rights appurtenant to the real property described in this deed including without limitation the water rights set forth in Certificate of Water Right #80808 ("Water Right") issued by the State of Oregon all of which Water Rights are expressly reserved to Grantor. If necessary in the future, Grantee, its successors and assigns will execute and deliver a Quitclaim Deed releasing and transferring any and all right, title or interest in the Water Right.

This property is free from liens and encumbrances, EXCEPT:

1. Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

The true consideration for this conveyance is **\$248,000.00**. (Here comply with requirements of ORS 93.030)

FIRST AMERICAN TITLE
INSURANCE COMPANY OF OREGON
P.O. BOX 323
BEND, OR 97709

7063-635332

File No.: ~~sunranch (cc)~~
Date: 01/27/2006

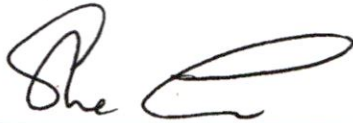
APN:

Statutory Warranty Deed
- continued

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER CHAPTER 1, OREGON LAWS 2005 (BALLOT MEASURE 37 (2004)). THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER CHAPTER 1, OREGON LAWS 2005 (BALLOT MEASURE 37 (2004)).

Dated this 17th day of February, 2006.

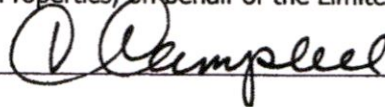
Dutch Pacific Properties, an Oregon Limited Partnership



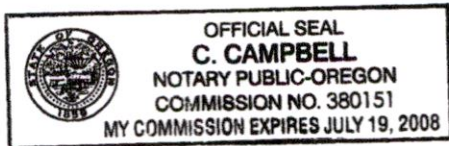
By: Shane Lundgren, Member

STATE OF Oregon)
County of Deschutes)ss.
)

This instrument was acknowledged before me on this 17TH day of February, 2006 by Shane Lundgren as Member of Dutch Pacific Properties, on behalf of the Limited Partnership.




Notary Public for Oregon
My commission expires: 7-19-2008



AUG 05 2019

OWRD

RECORDING REQUESTED BY:


 Western Title & Escrow

 220 S Pine Street, Suite 102
 Sisters, OR 97759

**RETURN TO WESTERN
 TITLE & ESCROW**
GRANTOR'S NAME:
 F&L Sun Ranch Lot #11, LLC

GRANTEE'S NAME:
 KappyKo, LLC
AFTER RECORDING RETURN TO:
Order No.: WT0142549-SM
 Jeanmarie Kapp
 KappyKo, LLC
 2001 W. Churchill Street
 Chicago, IL 60647
SEND TAX STATEMENTS TO:
 KappyKo, LLC
 2001 W. Churchill Street
 Chicago, IL 60647

APN: 251133
Map: 15-10-04-BD-00200

 Deschutes County Official Records **2017-029484**
D-D
 Stn=0 PG **07/28/2017 08:27:03 AM**
 \$21.00 \$10.00 \$20.00 \$6.00 \$11.00 **\$68.00**

 I, Nancy Blankenship, County Clerk for Deschutes County, Oregon,
 certify that the instrument identified herein was recorded in the Clerk
 records.

Nancy Blankenship - County Clerk

SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY WARRANTY DEED

F&L Sun Ranch Lot #11, LLC, an Oregon limited liability company, Grantor, conveys and warrants to KappyKo, LLC, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Deschutes, State of Oregon:

Lot 11, SUN RANCH PHASE I, recorded January 23, 2006 in Subdivision Plat Cabinet G, Page 1018, Deschutes County Subdivision Records; located in the Southeast quarter of the Northwest quarter of Section 4, Township 15 South, Range 10 East of the Willamette Meridian, City of Sisters, Deschutes County, Oregon.

Together with a Portion of Tract "A", of said Sun Ranch Phase I, more particularly described as follows;

Beginning at the Southeast corner of Lot 11 of said Sun Ranch Phase I; said point lies on the North right-of-way of Sun Ranch Drive; thence leaving said North right-of-way, along the East boundary of said Lot 11, North 00°03'18" East, 221.46 feet to a point of non-tangent curvature; thence leaving said East boundary, along the arc of a 120.00 foot radius curve to the right, an arc distance of 142.51 feet, through a central angle of 68°02'29" (the chord of which bears South 33°54'54" East, 134.28 feet) to a point of tangency; thence South 00°06'20" West, 110.18 feet to said North right-of-way of Sun Ranch Drive; thence along said right of way, North 89°52'53" West, 74.93 feet to the point of beginning.

Excepting therefrom, any and all water rights appurtenant to the real property described in this deed including without limitation the water rights set forth in Certificate of Water Right #80808 ("Water Right") issued by the State of Oregon all of which Water Rights are expressly reserved to Grantor. If necessary in the future, Grantee, its successors and assigns will execute and deliver a Quitclaim Deed releasing and transferring any and all right, title or interest in the Water Right.

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS TWO HUNDRED SIXTY-FIVE THOUSAND AND NO/100 DOLLARS (\$265,000.00). (See ORS 93.030).

13238

STATUTORY WARRANTY DEED

(continued)

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Subject to:

Property taxes, which are a lien not yet due and payable, including any assessments collected with taxes to be levied for the fiscal year 2017-2018.

Tax Identification No.: 251133

The Land has been classified as Farm, as disclosed by the tax roll. If the Land becomes disqualified, said Land may be subject to additional taxes and/or penalties.

Regulations, including levies, liens, assessments, water and irrigation rights and easements for ditches and canals of Three Sisters Irrigation District.

Air space easements, as disclosed in Warranty Deed

Recording Date: June 29, 1967
Recording No.: 154-14

Easement for delivery of water, as disclosed in Statutory Warranty Deed

Recording Date: November 19, 1987
Recording No.: 154-2881

Easements for delivery of irrigation water, as disclosed in Statutory Warranty Deed

Recording Date: November 25, 1987
Recording No.: 155-711

Agreement for road and utility development, including the terms and provisions thereof,

Recording Date: January 5, 1998
Recording No.: 475-1731

Development Agreement, including the terms and provisions thereof,

Recording Date: May 4, 2001
Recording No.: 2001-21130

Easements, conditions, restrictions and notes as delineated on the recorded plat.

Covenants, conditions and restrictions but omitting any covenants or restrictions, if any, including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, source of income, gender, gender identity, gender expression, medical condition or genetic information, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law, as set forth in the document

Recording Date: January 24, 2006
Recording No.: 2006-5106

Amendment(s)/Modification(s) of said covenants, conditions and restrictions

Recording Date: June 10, 2015
Recording No.: 2015-22508

STATUTORY WARRANTY DEED

(continued)

Assessments of the Sun Ranch Business Park Association as provided for in the Declaration of Restrictions.

By-laws of Sun Ranch Business Park Association

Recording Date: June 10, 2015
Recording No.: 2015-22507

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AUG 05 2019

OWRD

Shared Well Use Agreement and Access Easement, including the terms and provisions thereof,

Recording Date: July 1, 2015
Recording No.: 2015-26612
Rerecording Date: October 28, 2015
Rerecording No.: 2015-44307

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

13238

STATUTORY WARRANTY DEED

(continued)

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

Dated: 7-10-17

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F&L Sun Ranch Lot #11, LLC

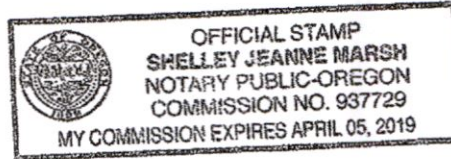
BY: Linda J. Faria
Linda J. Faria
Managing Member

State of OR
County of Deschutes

This instrument was acknowledged before me on July 10, 2017 by Linda J. Faria, Managing Member of F&L Sun Ranch Lot #11, LLC

Shelley Jeanne Marsh
Notary Public - State of Oregon

My Commission Expires: 04-05-19



AFTER RECORDING RETURN TO:
Robin David
Law Office of Robin L. David
845 N. Kingsbury #415
Chicago, Illinois 60610

UNTIL A CHANGE IS REQUESTED ALL
TAX STATEMENTS ARE TO BE SENT
TO THE FOLLOWING ADDRESS:
Grand Peaks at Sisters LLC
Attn: Nancy J. Kapp
2001 West Churchill Street
Chicago, Illinois 60647

**RETURN TO WESTERN
TITLE & ESCROW**

STATUTORY WARRANTY DEED

R133834 SM

DUTCH PACIFIC PROPERTIES LP, an Oregon limited partnership, Grantor, hereby conveys and warrants to GRAND PEAKS AT SISTERS LLC, an Oregon limited liability company, Grantee, the following described real property, free of encumbrances except as specifically set forth herein:

Tract A, SUN RANCH, PHASE 1, recorded January 23, 2006 in Subdivision Cabinet G, Page 1018, Deschutes County Subdivision Records; located in the Southeast one quarter of the Northwest one quarter (SE1/4 NW1/4) of Section 4, Township 15 South, Range 10 East, Willamette Meridian, City of Sisters, Deschutes County, Oregon.

EXCEPTING THEREFROM: A portion of Tract "A" of said Sun Ranch Phase 1, more particularly described as follows:

Beginning at the Southeast corner of Lot 11 of said Sun Ranch Phase 1; said point lies on the North right-of-way of Sun Ranch Drive; thence leaving said North right-of-way, along the East boundary of said Lot 11, North 00°03'18" East, 221.46 feet to a point of non-tangent curvature; thence leaving said East boundary, along the arc of a 120.00 foot radius curve to the right, an arc distance of 142.51 feet, through a central angle of 68°02'29" (the chord which bears South 33°54'54" East, 134.28 feet) to a point of tangency; thence South 00°06'20" West, 110.18 feet to said North right-of-way of Sun Ranch Drive; thence along said right-of-way; North 89°52'53" West, 74.93 feet to the point of beginning.

FURTHER EXCEPTING THEREFROM, any and all water rights appurtenant to the above described real property, specifically including those 18.5 acres of water rights perfected under Deschutes County, Oregon Permit G 13492, which water rights are expressly reserved to the Grantor. Upon Grantor's request, Grantee or its successors and assigns, will execute and deliver a Quitclaim Deed releasing and transferring all right, title and interest in the water rights to Grantor.

Tax Account No: 251132
Map/Tax Lot No: 15 10 04 BD 00100

This property is free of encumbrances except all those items of record, if any, as of the date of this deed, including any real property taxes due, but not yet payable.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY

Deschutes County Official Records **2017-042734**
D-D
Stn=0 PG 10/24/2017 01:52:00 PM
\$21.00 \$11.00 \$10.00 \$10.00 \$6.00 \$20.00 **\$78.00**
I, Nancy Blankenship, County Clerk for Deschutes County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.
Nancy Blankenship - County Clerk

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OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

The true and actual consideration for this conveyance is \$2,800,000.

Dated effective as of the 24 day of October, 2017.

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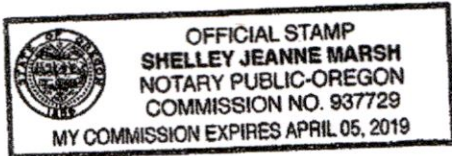
Dutch Pacific Properties LP
By: Jefferson Peak LLC, its general partner


By: *Shane Lundgren*
Shane Lundgren, its manager

State of Oregon)
County of Deschutes) ss.

The foregoing instrument was acknowledged before me this 24 day of October, 2017 by Shane Lundgren, as manager of Jefferson Peak LLC, which in turn is general partner of Dutch Pacific Properties LP.

Shelley Jeanne Marsh
Notary Public for Oregon
My commission expires: 04-05-19



After recording return to:
Order Number: 98403  Western Title & Escrow 360 SW Bond, Suite 100 Bend, OR 97702
Grantee Name(s)
Swordfish Consulting, LLC 10574 NW Harding Court Portland, OR 97229
Until a change is requested, all tax statements shall be sent to the following address:
Same as Above

Deschutes County Official Records **2015-026611**
D-D
Stn=3 JS **07/01/2015 01:47:28 PM**
\$10.00 \$11.00 \$10.00 \$6.00 \$21.00 **\$58.00**
I, Nancy Blankenship, County Clerk for Deschutes County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.
Nancy Blankenship - County Clerk

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Reserved for Recorder's Use

STATUTORY WARRANTY DEED

Dutch Pacific Properties LP, a Oregon Limited Partnership, Grantor(s), convey and warrant to Swordfish Consulting, LLC, an Oregon limited liability company, Grantee(s), the following described real property free of encumbrances except as specifically set forth herein.

Parcel 2, Land Partition Plat No. 2015-10, recorded 6/22/2015, Document No. 2015-24415, Official Records, in Deschutes County, Oregon

Account: **251150**
Map: **15-10-04-BD**

This property is free of encumbrances, EXCEPT: All those items of record, if any, as of the date of this deed, including any real property taxes due, but not yet payable.

The true consideration for this conveyance is **\$205,000.00**. (Here comply with requirements of ORS 93.030.)

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009 AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

**RETURN TO WESTERN
TITLE & ESCROW**

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Executed this 1st day of July, 2015

Dutch Pacific Properties LP, a Oregon Limited Partnership

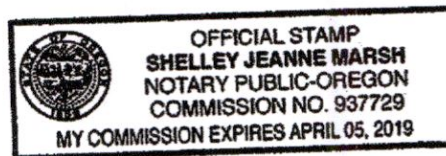
By: Jefferson Peak, LLC, General Partner

By: [Signature]
Shane Lundgren, Member

State of **Oregon**, County of **Deschutes**) ss.

This instrument was acknowledged before me on this 1st day of July, 2015 by **Shane Lundgren**, as Member of Dutch Pacific Properties, LP

[Signature]
Notary Public for the State of Oregon
My commission expires: 04-05-19



After Recording Return To:
Thomas Bahrman
Bahrman Law LLC
985 SW Disk Drive, Suite 120
Bend, Oregon 97702

98403

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Deschutes County Official Records	2015-026612
D-EAS	07/01/2015 01:47:28 PM
Stn=3 JS	
\$20.00 \$11.00 \$10.00 \$6.00 \$21.00	\$68.00
I, Nancy Blankenship, County Clerk for Deschutes County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.	
Nancy Blankenship - County Clerk	

**RETURN TO WESTERN
TITLE & ESCROW**

**SHARED WELL USE AGREEMENT
AND ACCESS EASEMENT**

**Recorded by Western Title as an
accommodation only. No liability
accepted for condition of title or
validity, sufficiency or affect of
document.**

This Shared Well Use Agreement ("Agreement") is entered into this 1ST day of July, 2015 ("Effective Date"), between Swordfish Consulting LLC, an Oregon limited liability company ("Swordfish") and Dutch Pacific Properties LP, an Oregon limited partnership ("Dutch Pacific").

RECITALS

A. Deschutes County Water Rights Certificate G-13492 (hereinafter referred to as the "Certificate") authorizes withdrawal of groundwater from the Well at a maximum instantaneous withdrawal rate of .23 cubic foot per second with a maximum annual volume of 3.0 acre feet for each acre irrigated during the irrigation season of each year, within 18.5-acres place of use of Section 4 of Township 15 South, Range 10 East, W.M. The Certificate is held by Dutch Pacific.

B. Swordfish owns Parcel A, as more particularly described on Exhibit A, in Deschutes County, Oregon. Parcel A is located within the place of use authorized under the Water Rights Certificate. The Well is located on Parcel A.

C. Dutch Pacific owns Parcel B, Parcel C and Tract A, as more particularly described on Exhibit B, in Deschutes County, Oregon. Parcel B, Parcel C and Tract A are located within the place of use authorized under the Certificate.

D. The parties to this Agreement are entitled to use irrigation water from the Well in accordance with the provisions of the Certificate.

AGREEMENT

NOW, THEREFORE, in consideration of the mutual promises contained herein and intending to be legally bound thereby, the parties agree as follows:

1. **Shared Facilities.** The Agreement applies to the Well at SE ¼ of the NW ¼ of Section 4, Township 10E North, Range 104 East, W.M., at 326 Feet North and 180 Feet West from the C ¼ Corner of Section 4 ("Well"), and associated pump and water distribution system.

2. **Water Allocation.** Parcel A, Parcel B, Parcel C and Tract A will share in use of the Well, and associated pump and water distribution system. Parcel A will be entitled to 0.89 acres of water rights from the Well; Parcel B, Parcel C and Tract A will be entitled to a combined 18.5 acres of water rights from the Well. The parties agree to work together, at the sole expense of Swordfish, to allow for industrial and commercial use of the water from the Well; this may include, but is not limited to, amendment to the Certificate. In the event that additional commercial or industrial use

PAGE 1

SHARED WELL USE AGREEMENT AND ACCESS EASEMENT

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is allowed, Dutch Pacific agrees to sell additional water rights to Swordfish at then-current fair market value, subject to any restrictions imposed by law and provided Dutch Pacific has not otherwise transferred those rights to another party. So long as the parties are working together to allow for industrial and commercial use of the water from the Well, and have not received a denial of any such change in use, Dutch Pacific agrees not to sell its water rights under Certificate G-13492 to any third party, other than Swordfish, for a period of one year after the Effective Date.

3. **Maintenance and Repair.** Parcel A agrees to maintain and repair the Well and associated pump. Each property owner is responsible for the maintenance and repair of any portion of the water distribution system located on their property, except that Parcel B, Parcel C and Tract A will be responsible for repairs to those portions of the water distribution system located on Parcel A that exclusively service their respective parcels. All pipes and water mains must be maintained so there is no leakage or seepage or other defects that cause waste or contamination of water, or injury or damage to persons or property.

4. **Cost Allocation.** Each party is responsible for installing a water meter, at its own expense, to measure water usage from the Well on the owner's property. The parties agree to apportion all costs of operation, including electrical service to the pump and fees paid to any governmental agency related to the Well, and maintenance and repair of the Well and associated pump, and any shared water distribution system, in direct proportion to each parties' metered use of water from the Well on their property during the calendar year in which the expenses are incurred. Each party will invoice the other parties for expenses under this Agreement, and the other parties agreed to reimburse such expenses within 15 business days. The consent of all parties to pay a proportionate share of costs shall be obtained prior to the expenditure of funds for system maintenance, replacement and improvements, except in emergency situations. Each property owner will be individually responsible for costs related to the repair and maintenance of those portions of the water distribution system that exclusively service their individual parcel, including those located on Parcel A.

5. **Pond.** There is an irrigation pond located primarily on Parcel C ("Pond"), currently used to irrigate both Parcel B and Parcel C. A small portion of the Pond is located on the corner of Parcel A. Parcel A has the right to use that portion of the Pond located on Parcel A, and agrees to maintain the portion of the pond located on Parcel A so long as the Pond exists. Swordfish has the right, at its sole expense, to remove the Pond from Parcel A by physically filling that portion of the Pond located on Parcel A. Furthermore, Swordfish has the right, at its sole expense, to expand the Pond further onto Parcel A by enlarging the size of the Pond. However, in no event does Swordfish, or any successor or assignee of Parcel A, have any rights to use or enjoyment of the Pond located on Parcel C. Dutch Pacific, and its successors and assignees to Parcel C, may remove the Pond from Parcel C at any time, at their sole expense.

6. **Access.** Swordfish, the owner of Parcel A, its successors and assigns, grants to Dutch Pacific, the owner of Parcel B, Parcel C and Tract A, its successors and assigns, a nonexclusive easement to maintain and repair the existing water distribution system on Parcel A. This easement is appurtenant to, and for the benefit of Parcel B, Parcel C and Tract A. The easement constitutes a burden on Parcel A. The easement expires on the date of the expiration of this Agreement.

7. **Restrictions on Use.** The Well may only be used to benefit Parcel A, Parcel B, Parcel C and Tract A. Neither party will permit other persons to take, draw, use or receive water allocated under this Agreement without prior written consent of both parties.

8. **Interference.** The parties will not unreasonably interfere with each other's use of water and any party causing damage to the water distribution system will promptly repair the damage. The owner of Parcel A may relocate any portion of the water distribution system located on Parcel A at its sole expense.

9. **Heirs, Successors, and Assigns.** The benefits and burdens of this Agreement shall constitute a covenant running with the land and shall inure to the benefit of, and be binding upon, the heirs, successors in title and assigns of the parties to this Agreement.

10. **Breach of Obligations.** In the event either party fails to perform its obligations under this Agreement, the other party shall be entitled to require such performance by suit for specific performance or, where appropriate, through injunctive relief. Such remedies shall be in addition to any other remedies afforded under Oregon law.

11. **Attorney Fees.** In the event of any litigation arising under or in connection with this Agreement, the prevailing party shall recover from the losing party the prevailing party's reasonable attorney fees at trial and on appeal as adjudged by the trial and appellate court.

12. **Governing Law.** This Agreement shall be construed and enforced in accordance with the laws of the state of Oregon.

13. **Duration.** This Agreement will remain in effect for a period of ten years after the Effective Date, on which date it will expire and Parcel B, Parcel C and Tract A will have no further rights under this Agreement.

14. **Amendment.** This Agreement can be modified only by a writing signed by the owners of Parcel A, Parcel B, Parcel C and Tract A.

[SIGNATURE PAGES FOLLOWS]

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IN WITNESS WHEREOF, the parties have caused this Agreement to be duly signed as of the day and year first above written.

Dutch Pacific Properties LP

By: Jefferson Peak LLC, its general partner

By: [Signature]
Shane Lundgren, its manager

Swordfish Consulting LLC

By: [Signature]
Mark Beasley, Managing Member

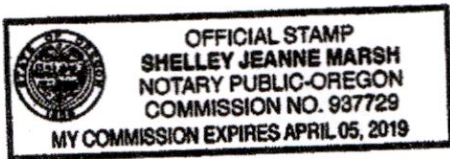
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STATE OF OREGON)
) ss.
County of Deschutes)

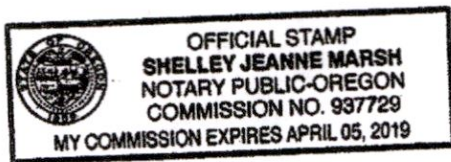
This instrument was acknowledged before me on the 1st day of July, 2015, by Shane Lundgren, manager of Jefferson Peak LLC, general partner of Dutch Pacific Properties LP.



[Signature]
Notary Public for Oregon
My commission expires: 04-05-19

STATE OF OREGON)
) ss.
County of Deschutes)

This instrument was acknowledged before me on the 1st day of July, 2015, by Mark Beasley, managing member of Swordfish Consulting LLC.



[Signature]
Notary Public for Oregon
My commission expires: 04-05-19

From: STARNES Patrick K * WRD Patrick.K.Starnes@oregon.gov @
Subject: FW: 1" = 2000' map scale OK for Temp Transfer?
Date: July 31, 2019 at 8:07 AM
To: johnshort@usa.com



Hi John -

The Department grants a map scale waiver for the attached temporary application map.

Please attach a copy of this e-mail to the map when you send in the application.

Kelly

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Kelly Starnes, Transfer Program Analyst
Oregon Water Resources Department
725 Summer St NE Suite A
Salem OR 97301-1271
Telephone: 503-986-0886 Fax: 503-986-0903
E-mail: patrick.k.starnes@oregon.gov

Please Note: Under Oregon Law, messages to and from this e-mail address may be available to the public.

From: JARAMILLO Lisa J * WRD <Lisa.J.Jaramillo@oregon.gov>
Sent: Monday, July 29, 2019 11:18 AM
To: STARNES Patrick K * WRD <Patrick.K.Starnes@oregon.gov>
Subject: FW: 1" = 2000' map scale OK for Temp Transfer?

Sorry.... Here it is.

LISA J. JARAMILLO | TRANSFER & CONSERVATION SECTION MANAGER
725 Summer Street NE, Suite A Salem, OR 97301 | Phone 503-986-0880



Integrity | Service | Technical Excellence | Teamwork | Forward-Looking

From: johnshort@usa.com <johnshort@usa.com>
Sent: Friday, July 26, 2019 1:09 PM
To: JARAMILLO Lisa J * WRD <Lisa.J.Jaramillo@oregon.gov>
Subject: 1" = 2000' map scale OK for Temp Transfer?

Hello Lisa,

13238

Dutch Pacific Properties, LP

or locations of property
ownership lines.

WWW.OREGONWATER.US 541-389-2837

Date: 7/19/2019

johnshort@usa.com CCB # 197121



Untitled
attach...18.htm

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