

State of Oregon **Water Resources Department** 725 Summer Street NE, Suite A Salem, Oregon 97301-1266 (503) 986-0900

Application for **Permit Amendment**

Part 1 of 5 - Minimum Requirements Checklist

This permit amendment 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.

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Che	ck all items included with this application. (N/A = Not Applicable)	
\boxtimes	Part 1 – Completed Minimum Requirements Checklist.	3 202
\boxtimes	Part 2 – Completed Application Map Checklist.	
	Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at: http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator . If you have questions, call Custome Service at (503) 986-0801.	
\boxtimes	Part 4 - Completed Applicant Information and Signature.	
	Part 5 – Information about Permits to be Amended: Number of permits to be amended: 1 List the Permits here: G – 17551 Attachment A Please include a separate Part 5 for each permit. (See instructions on page 6)	
\boxtimes	Completed Permit Amendment Application Map (Does not have to be prepared by a Certified Water Right Examiner). <u>Attachment B</u>	
	N/A Request for Assignment Form and statutory fee. The request for assignment form has to be completed if the applicant is not the permit holder of record and needs to be assigned to the permit; or the landowner of the proposed place of use is not the permit holder of record and needs to be assigned to the permit (the Request for Assignment Form is available online at https://www.oregon.gov/OWRD/Forms/Pages/default.aspx). Assignment is not needed if the applicant is the permit holder of record.	
	N/A Affidavit(s) of Consent are required from all permit holder(s) of record if the permit is not asset to the applicant or other permit holders of record that are not listed as applicants.	igned
	N/A Oregon Water Resources Department's Land Use Information Form with approval and signat (or signed land use form receipt stub) from each local land use authority in which water is to 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. Attachment C	be d
\boxtimes	N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation. Attachment D	
	N/A Geologist Report for a change from a surface water point of diversion to a ground water point appropriation (well), if the proposed well is more than 500 feet from the surface water source more than 1000 feet upstream or downstream from the point of diversion. (ORS 540.531(2) or	and
	(For Staff Use Only) WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S): Application fee not enclosed/insufficient Map not included or incomplete Land Use Form not enclosed or incomplete Additional signature(s) required Part is incomplete Other/Explanation Staff: 503-986-0 Date: / /	
		and the same of th

Your permit amendment application will be returned if any of the map requirements listed below are not met.

Please be sure that the map you submit includes all the items listed below and meets the requirements of OAR 690-380-3100, however, the map does <u>not</u> have to be prepared by a Certified Water Right Examiner. Check all boxes that apply.

	N/A	If more than three permits are involved, separate maps for each permit.
\boxtimes		Permanent quality printed with dark ink on good quality paper.
		The size of the map can be $8\frac{1}{2} \times 11$ inches, $8\frac{1}{2} \times 14$ inches, 11×17 inches, or up to 30×30 inches. For 30×30 inch maps, one extra copy is required.
\boxtimes		A north arrow, a legend, and scale.
		The scale of the map must be: $1 \text{ inch} = 400 \text{ feet}$, $1 \text{ inch} = 1,320 \text{ feet}$, the scale of the county assessor map if the scale is not smaller than $1 \text{ inch} = 1,320 \text{ feet}$, or a scale that has been preapproved by the Department.
\boxtimes		Township, Range, Section, 1/4 1/4, DLC, Government Lot, and other recognized public land survey lines.
\boxtimes		Tax lot boundaries (property lines) are required. Tax lot numbers are recommended.
\boxtimes		Major physical features including rivers and creeks showing direction of flow, lakes and reservoirs, roads, and railroads.
\boxtimes		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 use permit, 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 permit is being changed, a separate hachuring is needed for the portion of the permit left unchanged.
	⊠ N/A	If you are proposing a change in place of use, show the proposed place of use with hachuring that includes separate hachuring for each permit, 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.
\boxtimes		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 use permit.
	□ N/A	If you are proposing a change in point(s) of diversion or well(s), 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°).

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	FEE WORKSHEET for PERMIT AMENDMENT		
1	Base Fee (includes one type of change to one permit for up to 1 cfs)	1	\$1,160
	Types of change proposed:		
	☐ Place of Use		-
	☐ Point of Diversion/Appropriation		
	Number of above boxes checked = $\frac{1}{2a}$		
	Subtract 1 from the number in line $2a = 0 (2b)$ If only one change, this will be 0		=
	Multiply line 2b by \$930 and enter » » » » » » » » » » » » » » »		
2		2	0
	Number of permits included in Permit Amendment <u>1 (3a)</u>		
	Subtract 1 from the number in 3a: $0 (3b)$ If only one permit this will be 0		
3	Multiply line 3b by \$520 and enter » » » » » » » » » » » » » »	3	0
	Do you propose to add or change a well, or change from a surface water POD	4.0	
	to a well?		
10	No: enter 0 »» » » » » » » » » » » » » » » » »	E	
4		4	\$410
	Do you propose to change the place of use?		
	No: enter 0 on line 5 » » » » » » » » » » » » » » » » »		
	Yes: enter the cfs for the portions of the permits to be amended (see		
	example below*): (5a)		
	Subtract 1.0 from the number in 5a above:(5b)		
	If 5b is 0, enter 0 on line 5 » » » » » » » » » » » » » » » »		
	If 5b is greater than 0, round up to the nearest whole number:(5c)	E.	
5	and multiply 5c by \$350, then enter on line 5 » » » » » » » »	5	0
6	Add entries on lines 1 through 5 above » » » » » » » » » Subtotal:	6	\$1,570
	Is this permit amendment:		
	necessary to complete a project funded by the Oregon Watershed		
	Enhancement Board (OWEB) under ORS 541.932?		10
	endorsed in writing by ODFW as a change that will result in a net		
	benefit to fish and wildlife habitat?		
	If one or more boxes is checked, multiply line 6 by 0.5 and enter on line 7 »		
7	If no box is applicable, enter 0 on line 7» » » » » » » » » » » » » » »	7	0
8	Subtract line 7 from line 6 » » » » » » » » Permit Amendment Fee:	8	\$1,570

- *Example for Line 5a calculation to transfer 45.0 acres of Primary Permit S-12345 (total 1.25 cfs for 100 acres) and 45.0 acres of Supplemental Permit S-87654 (1/80 cfs per acre) on the same land:
- 1. For irrigation calculate cfs for each permit involved as follows:
 - a. Divide total authorized cfs by total acres in the permit (for S-12345, 1.25 cfs \div 100 ac); then multiply by the number of acres to be changed to get the application cfs (x 45 ac = 0.56 cfs).
 - b. If the water right permit does not list total cfs, but identifies the allowable use as 1/40 or 1/80 of a cfs per acre; multiply number of acres proposed for change by either 0.025 (1/40) or 0.0125 (1/80). (For S-87654, 45.0 ac x 0.0125 cfs/ac = 0.56 cfs)
- 2. Add cfs for the portions of permits on all the land included in the application; however do not count cfs for supplemental permits on acreage for which you have already calculated the cfs fee for the primary permit on the same land. The fee should be assessed only once for each "on the ground" acre included in the application. (In this example, blank 5a would be only 0.56 cfs, since both permits serve the same 45.0 acres. Blank 5b would be 0 and Line 5 would then also become 0).

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Part 4 of 5 - Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS N	AME		PHONE NO.	ADDITIONAL CONTACT NO.
Avion Water Compa				
ADDRESS				FAX NO.
60813 Parrell Rd.				
CITY	STATE	ZIP	E-MAIL	
Bend	OR	97702	Jason@avionwa	ter.com
BY PROVIDING AN	E-MAIL ADDRESS,	CONSENT IS G	IVEN TO RECEIVE ALL O	CORRESPONDENCE FROM THE
DEPARTMENT ELEC	CTRONICALLY. CO	PIES OF THE I	FINAL ORDER DOCUME	NTS WILL ALSO BE MAILED.

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

AGENT/BUSINESS NAME GSI Water Solutions, Inc. AT	TN: Adar	PHONE NO. 541-257-9001	ADDITIONAL CONTACT NO.							
ADDRESS 1600 SW Western Boulevard, Suite 240										
CITY	STATE	ZIP	E-MAIL							
Corvallis	OR	97333	asussman@gsiw	siws.com						
BY PROVIDING AN E-MAIL A	DDRESS, O	CONSENT IS GIVE	N TO RECEIVE ALL C	ORRESPONDENCE FROM THE						
DEPARTMENT ELECTRONICA	ALLY. CO	PIES OF THE FIN	AL ORDER DOCUMEN	NTS WILL ALSO BE MAILED.						

Explain in your own words what you propose to accomplish with this permit amendment; and why:

The applicant is proposing to add a new well, China Hat 3, as an APOA to Permit G-17551.

If you need additional space, continue on a separate piece of paper and attach to the application as "Attachment 1".

Check this box if this project is fully or partially funded by the American Recovery and Reinvestment Act. (Federal stimulus dollars)

Is the applicant the permit holder of record?
Yes
No

If NO, include either:

- A completed assignment form (with required statutory assignment fee), assigning all or a portion of the permit to the applicant(s), **OR**
- An affidavit of consent from the permit holder(s) of record that gives permission for the applicant to amend the permit.

Has the Completion ("C") Date of the permit(s) in this application expired?

Yes No

If YES, this application will not be accepted by the Department.

If NO, what are the completion dates of the permit(s)? _____

- If the permit completion date expires while the Permit Amendment Application is pending, the Department will not approve the Permit Amendment Application until an Extension of Time Application is approved for the permit.
- You may consider using the Reimbursement Authority process to expedite the processing of this Permit Amendment Application if the completion date of the permit expires within 6 months of the date of filing this application.

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OWRD 13352 -

By my signature below, I confirm that I understand:

Prior to Department approval of the permit amendment, I may be required to submit payment to the
Department for publication of a notice in a newspaper with general circulation in the area where the permit is
located, once per week for two consecutive weeks. If more than one qualifying newspaper is available, I
suggest publishing the notice in the following newspaper: <u>The Bulletin</u>.

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

Jason Wick, President
Print Name (and Title if applicable)

Date

Applicant Signature Print Name (and Title if applicable)

Date

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Check one of the following:		
☐ The applicant is responsible fo continue to be sent to the appli		Notices and correspondence should
		pleting the proposed change(s) after e should be sent to the permit holder(
Check the appropriate box, if applic	eable:	
Check here if any of the permits by an irrigation or other water di		re or will be located within or served
RRIGATION DISTRICT NAME Central Oregon Irrigation District	ADDRESS 1055 SW Lake CT	
Redmond	STATE OR	ZIP 97756
RRIGATION DISTRICT NAME	ADDRESS 64672 Cook Ave. Suit	te #1
ITY B end	STATE OR	ZIP 97702
contract for stored water with a f	ADDRESS	•
CITY	STATE	ZIP
To meet State Land Use Consistency I		•
ity, municipal corporation, or tribal g onveyed or used.		irisdiction water will be diverted,
NTITY NAME Peschutes County Planning	ADDRESS 117 NW Lafayette Av	venue
ITY end	STATE OR	ZIP 97701
NTITY NAME ity of Bend	ADDRESS 710 NW Wall St.	
TTY Send	STATE	ZIP
	OR	97703
	OR	97703
ENTITY NAME	ADDRESS	97703

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Part 5 of 5 - Water Use Permit Information

PERMIT # G-17551

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA) (Note: If the POD/POA name is not specified in the permit, assign it a name or number here.)

	POD/POA Name or Number	Is this POD/POA Authorized by the permit or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L)	RD Well ID# (or /ell ID Twp		R	Rng		1/4 1/4		Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
	Brown 1			18	s	12	E	15	SE	sw		52 feet North and 1887 feet East from SW Corner, Section 15
	Brown 2	Brown 2 Authorized Proposed		18	S	12	E	15	SE	sw		52 feet North and 1937 feet East from SW Corner, Section 15
	Dyer 2			17	s	12	E	14	NE	SE		1935 feet North and 1150 feet West from SE Corner, Section 14
	China Hat 3	☐ Authorized ☐ Proposed	DESC 61639	18	s	12	E	29	NE	NE		663 feet South and 771 feet West from NE Corner, Section 29
		Additional Point of	(POD) Diversion (A	APOI	D)		P A S (S	oint o additio urface SW/G	f Appi onal Po water W)	ropriat oint of r POD	ion/We Approp	ll (POA) priation (APOA) und Water POA
		all of the proposed cha Yes Complete onl						•			the nev	t page. Use the
		"CODES" list									the nex	t page. Ose the
		No Complete all	of Table 2 to	desc	ribe	the p	orti	on of t	the per	rmit to	be cha	nged.
]	For a chan	ge in place of use: N/A	\									
	Does the po ☐ Yes ☐	<mark>ermit holder of recor</mark> d No	l own or con	trol	the l	land	то	which	the p	olace o	of use is	being moved?
	as a pern statutory	e landowner of the land nit holder of record by fee for an assignment.	submitting a	con	nplet	ted R	leque	est for	Assig	nment	form a	nd the required
]	Is the prop	osed place of use cont	iguous to the	e aut	hor	ized	plac	e of u	se?	Yes	□ 1 03	352
	Revised	2/11/2019	Permit Amen	dment	Applie	cation -	- Page	7 of 10				TACS

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 Changes to Water Use Permit # G-17551

List the change proposed for the acreage in each ¼ ¼. If more than one change is proposed, specify the acreage associated with each change. If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

		isting	g tha	t appe	ars or	the co	ertific NGES	3	lands) RE PROPO will be chan		Proposed Changes (see			The	list	ing a			appear			nds) OSED CHAN	IGES
Twp		Rng	Sec	c 1/4	1/4	Tax Lot	Gvt Lot or DLC	Acres (if applicable)	POD(s) or POA(s) (name or number from Table 1)	Priority Date	"CODES" from previous page)	Tv	vp	Rng	}	Sec	1/4	1/4	Tax Lot		Acres (if applicable)		Priority Date
											EXAME	LE											
1000 300									CONTRACTOR DESCRIPTION AND ADDRESS OF THE PERSON ADDRESS OF THE PERSON AND ADDRESS OF THE PERSON ADDRESS OF THE PERSON AND ADDRESS OF THE PERSON AND ADDRESS OF THE PERSON ADDRESS OF THE PERSON AND ADDRESS OF THE PERSON AND ADD	DESCRIPTION OF THE PERSON NAMED IN	AND PROPERTY AND P								-				
2 8	5	9 E	15	NE	NW	100		15.0	POD #1 POD #2		POU/POD	2	S	9	E	15	NW	NW	100	1	10.0	POD #5	
2 5		9 E			NW "	100	"	15.0 EXAMPLE	MINISTER OF THE PARTY OF THE PA		POU/POD "			9			NW SW			1	10.0	POD #5	
							66		POD #2						E	15		NW	200	1	5.0 N/A		12/14/2012

A 11141	1	
Additional	remarks:	

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Revised 2/11/2019

Permit Amendment Application - Page 9 of 10

TACS

Permit # G-17551

Are there other water rights certificates, water use permits or ground water registrations associated with the "from" or "to" lands?

Yes No N/A - Certificate 84975 is for Quasi-Municipal use so water rights are not "layered."

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



If the permit(s) are for irrigation or supplemental irrigation use, other water rights existing on the same land for irrigation that are subject to transfer must either change concurrently or be cancelled. Any change to a water right certificate or ground water registration must be filed separately in a water right transfer application or ground water registration modification application, respectively.

For a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation:

Well log(s) are attached 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 for any wells that do not have a well log. For *proposed wells 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
Brown 1*	No		~1000ft	~20-24in ~16-20in	~0-50 ~0-700	~0-700ft	~700- 1000	N/A	Basalt	~1500 gpm
Brown 2	No		~1000ft	~20-24in ~16-20in	~0-50 ~0-700	~0-700ft	~700- 1000	N/A	Basalt	~1500 gpm
Dyer 2	No	1	~1000ft	~20-24in ~16-20in	~0-50 ~0-700	~0-700ft	~700- 1000	N/A	Basalt	~1500 gpm
China Hat 3	Yes	DESC 61639			,	See well lo	g in Attachm	ent D		

^{*}All construction information presented in table 3 is consistent with the information provided in application G - 17606

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Attachment A Permit G-17551

Application for a Permit Amendment– Permit G-17551 Avion Water Company, Inc.

STATE OF OREGON

COUNTY OF DESCHUTES

PERMIT TO APPROPRIATE THE PUBLIC WATERS

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THIS PERMIT IS HEREBY ISSUED TO

JAN 2 3 2020

AVION WATER CO. 60813 PARRELL RD BEND OR 97702

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The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-17606

SOURCE OF WATER: BROWN #1 WELL, BROWN #2 WELL, AND DYER #2 WELL IN

DESCHUTES RIVER BASIN

RATE: 10.0 CUBIC FEET PER SECOND, FURTHER LIMITED TO 1287.0 ACRE-FEET PER YEAR

DATE OF PRIORITY: DECEMBER 14, 2012

USE: QUASI-MUNICIPAL USE PERIOD OF USE: YEAR-ROUND

Authorized Point of Diversion:

Wells	Twp	Rng	Mer	Sec	Q-Q	Measured Distances
BROWN 1	18 S	12 E	WM	15	SE SW	52 FEET NORTH AND 1887 FEET EAST FROM SW CORNER, SECTION 15
BROWN 2	18 S	12 E	WM	15	SE SW	52 FEET NORTH AND 1937 FEET EAST FROM SW CORNER, SECTION 15
DYER 2	17 S	12 E	WM	14	NE SE	1935 FEET NORTH AND 1150 FEET WEST FROM SE CORNER, SECTION 14

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q
14 S	14 E	WM	33	NE NE
14 S	14 E	WM	33	NW NE
14 S	14 E	WM	33	SW NE
14 S	14 E	WM	33	SE NE
14 S	14 E	WM	33	NE SE
14 S	14 E	WM	33	NW SE
14 S	14 E	WM	33	SW SE
14 S	14 E	WM	33	SE SE
14 S	14 E	WM	34	SW NE
14 S	14 E	WM	34	SE NE
14 S	14 E	WM	34	NE NW
14 S	14 E	WM	34	NW NW
14 S	14 E	WM	34	SWNW

Twp	Rng	Mer	Sec	Q-Q
14 S	14 E	WM	34	SE NW
14 S	14 E	WM	34	NE SW
14 S	14 E	WM	34	NW SW
14 S	14 E	WM	34	SW SW
14 S	14 E	WM	34	SE SW
14 S	14 E	WM	34	NE SE
14 S	14 E	WM	34	NW SE
14 S	14 E	WM	34	SW SE
14 S	14 E	WM	34	SE SE
15 S	14 E	WM	3	NW NW
15 S	14 E	WM	3	SWNW
15 S	14 E	WM	3	NW SW
15 S	14 E	WM	3	SW SW

Application G-17606

Water Resources Department

Twp	Rng	Mer	Sec	Q-Q
15 S	14 E	WM	4	NE NE
15 S	14 E	WM	4	NW NE
15 S	14 E	WM	4	SW NE
15 S	14 E	WM	4	SE NE
15 S	14 E	WM	4	NE NW
15 S	14 E	WM	4	NWNW
15 S	14 E	WM	4	SW NW
15 S	14 E	WM	4	SE NW
15 S	14 E	WM	4	NE SW
15 S	14 E	WM	4	NW SW
15 S	14 E	WM	4	SW SW
15 S	14 E	WM	4	SE SW
15 S	14 E	WM	4	NE SE
15 S	14 E	WM	4	NW SE
15 S	14 E	WM	4	SW SE
15 S	14 E	WM	4	SE SE
15 S	14 E	WM	5	NE NE
15 S	14 E	WM	5	SE NE
15 S	14 E	WM	5	NE SE
15 S	14 E	WM	5	SE SE
15 S	14 E	WM	9	NE NE
15 S	14 E	WM	9	NW NE
15 S	14 E	WM	9	SW NE
15 S	14 E	WM	9	SE NE
15 S	14 E	WM	9	NENW
15 S	14 E	WM	9	NWNW
15 S	14 E	WM	9	SW NW
15 S	14 E	WM	9	SE NW
15 S	14 E	WM	10	SW NE
15 S	14 E	WM	10	SE NE
15 S	14 E	WM	10	SW NW
15 S	14 E	WM	10	SE NW
15 S	14 E	WM	10	NE SW
15 S	14 E	WM	10	NW SW
15 S	14 E	WM	10	NE SE
15 S	14 E	WM	10	NW SE
15 S	14 E	WM	10	SE SE
15 S	14 E	WM	11	NW SW
15 S	14 E	WM	11	SW SW
15 S	14 E	WM	14	NWNW
15 S	14 E	WM	14	SWNW
15 S	14 E	WM	14	NW SW
15 S	14 E	WM	14	SW SW
15 S	14 E	WM	15	NE NE
15 S	14 E	WM	15	SE NE
15 S	14 E	WM	15	NE SE
15 S	14 E	WM	15	SE SE
15 S	14 E	WM	22	NE NE

Twp	Rng	Mer	Sec	Q-Q
15 S	14 E	WM	22	SE NE
15 S	14 E	WM	22	NE SE
15 S	14 E	WM	22	SE SE
15 S	14 E	WM	23	NWNW
15 S	14 E	WM	23	SW NW
15 S	14 E	WM	23	NW SW
15 S	14 E	WM	23	SW SW
15 S	14 E	WM	25	NE NE
15 S	14 E	WM	25	NW NE
15 S	14 E	WM	25	SW NE
15 S	14 E	WM	25	SE NE
15 S	14 E	WM	25	NE SW
15 S	14 E	WM	25	NW SW
15 S	14 E	WM	25	SWSW
15 S	14 E	WM	25	SE SW
15 S	14 E	WM	25	NE SE
15 S	14 E	WM	25	NW SE
15 S	14 E	WM	25	SW SE
15 S	14 E	WM	25	SE SE
15 S	14 E	WM	26	NW NW
15 S	14 E	WM	26	SW NW
15 S	14 E	WM	26	NW SW
15 S	14 E		26	
15 S		WM		SW SW
	14 E	WM	26	SE SW
15 S	14 E	WM	26	NE SE
15 S	14 E	WM	26	NW SE
15 S	14 E	WM	26	SW SE
15 S	14 E	WM	26	SE SE
15 S	14 E	WM	27	NE NE
15 S	14 E	WM	27	SE NE
15 S	14 E	WM	27	NW SW
15 S	14 E	WM	27	SW SW
15 S	14 E	WM	27	SE SW
15 S	14 E	WM	27	NE SE
15 S	14 E	WM	27	SW SE
15 S	14 E	WM	27	SE SE
15 S	14 E	WM	28	SW NE
15 S	14 E	WM	28	SE NE
15 S	14 E	WM	28	NE SE
15 S	14 E	WM	28	NW SE
15 S	14 E	WM	28	SW SE
15 S	14 E	WM	28	SE SE
15 S	14 E	WM	34	NE NE
15 S	14 E	WM	34	NW NE
15 S	14 E	WM	34	SE NE
15 S	14 E	WM	34	NE NW
15 S	14 E	WM	34	NWNW
15 S	14 E	WM	34	NE SE

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Twp	Rng	Mer	Sec	Q-Q
15 S	14 E	WM	34	SE SE
15 S	14 E	WM	35	NE NE
15 S	14 E	WM	35	NW NE
15 S	14 E	WM	35	SW NE
15 S	14 E	WM	35	SE NE
15 S	14 E	WM	35	NENW
15 S	14 E	WM	35	NWNW
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15 S	15 E	WM	9	NE NW
15 S 15 S	15 E	WM	9	NW NW
	15 E	WM	9	SW NW
15 S	15 E	WM	9	SENW
15 S	15 E	WM	9	NE SW
15 S	15 E	WM	9	NW SW
15 S	15 E 15 E	WM	9	NE SE NW SE
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15 S	15 E	WM	10	SE SE SW NE
15 S	15 E	WM	10	SE NW
15 S	15 E	WM	10	NE SW
15 S	15 E	WM	10	NW SW
15 S	15 E	WM	10	SW SW

Twp	Rng	Mer	Sec	Q-Q
15 S	15 E	WM	10	SE SW
15 S	15 E	WM	10	NW SE
15 S	15 E	WM	10	SW SE
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15 S	15 E	WM	29	NE NE
15 S	15 E	WM	29	NW NE
	15 E		29	

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Twp	Rng	Mer	Sec	Q-Q
15 S	15 E	WM	29	SE NE
15 S	15 E	WM	29	NENW
15 S	15 E	WM	29	NWNW
15 S	15 E	WM	29	SWNW
15 S	15 E	WM	29	SE NW
15 S	15 E	WM	29	NE SW
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16 S	12 E	WM	15	NE SW

OW	Twp	Rng	Mer	Sec	Q-Q
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	16 S	12 E	WM	15	NE SE
	16 S	12 E	WM	15	NW SE
	16 S	12 E	WM	15	SW SE
	16 S	12 E	WM	15	SE SE
	16 S	12 E	WM	16	
	16 S	12 E	+	16	NE SW
	16 S	12 E	WM	16	NW SW
	16 S	12 E	WM		SW SW
		12 E	WM	16	SE SW
	16 S		WM	16	NE SE
	16 S	12 E	WM	16	NW SE
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	16 S	12 E	WM	21	SE SW
	16 S	12 E	WM	21	NE SE
	16 S	12 E	WM	21	NW SE
	16 S	12 E	WM	21	SW SE
	16 S	12 E	WM	21	SE SE

12 E

WM 15

NW SW

16 S

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OWRD

Twp	Rng	Mer	Sec	Q-Q
16 S	12 E	WM	22	NE NE
16 S	12 E	WM	22	NW NE
16 S	12 E	WM	22	SW NE
16 S	12 E	WM	22	SE NE
16 S	12 E	WM	22	NENW
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16 S	12 E	WM	25	NW NW
16 S	12 E	WM	25	SWNW
16 S	12 E	_	25	
16 S		WM		SW SW
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16 S	12 E	WM	26	SW NE
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	12 E	WM	26	NW NW
16 S	12 E	WM	26	SW NW
16 S	12 E	WM	26	SE NW
16 S	12 E	WM	26	NE SW

Twp	Rng	Mer	Sec	Q-Q
16 S	12 E	WM	26	NW SW
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16 S	12 E	WM	26	NW SE
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16 S	12 E	WM	29	NENW
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16 S	12 E	WM	29	NE SW
16 S	12 E	WM	29	SE SW
16 S	12 E	WM	29	NE SE

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Twp	Rng	Mer	Sec	Q-Q
16 S	12 E	WM	29	NW SE
16 S	12 E	WM	29	SW SE
16 S	12 E	WM	29	SE SE
16 S	12 E	WM	32	NENE
16 S	12 E	WM	32	NW NE
16 S	12 E	WM	32	SW NE
16 S	12 E	WM	32	SE NE
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16 S	12 E	WM	32	NE SW
16 S	12 E	WM	32	NWSW
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16 S	12 E	WM	34	NE SW
16 S	12 E	WM	34	NW SW
16 S	12 E	WM	34	SW SW
16 S	12 E	WM	34	SE SW
16 S	12 E	WM	34	NE SE

Twp	Rng	Mer	Sec	Q-Q
16 S	12 E	WM	34	NW SE
16 S	12 E	WM	34	SW SE
16 S	12 E	WM	34	SE SE
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16 S	13 E	WM	16	SW NE
16 S	13 E	WM	16	SE NE
16 S	13 E	WM	16	NE NW
16 S	13 E	WM	16	NWNW
16 S	13 E	WM	16	SWNW
10.5	15 15	14 141	10	311 14 14

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		-		
Twp	Rng	Mer	Sec	Q-Q
16 S	13 E	WM	16	SE NW
16 S	13 E	WM	16	NESW
16 S	13 E	WM	16	NWSW
16 S	13 E	WM	16	SW SW
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16 S	13 E	WM	25	NENW
16 S	13 E		25	NW NW
16 S		WM	25	SWNW
16 S	13 E	WM	25	
	13 E	WM		SE NW
16 S	13 E	WM	25	NW SW
16 S	13 E	WM	26	NE SE
16 S	13 E	WM	26	SW SE
16 S	13 E	WM	26	SE SE
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16 S	13 E	WM	32	SE SW
16 S	13 E	WM	32	NE SE
16 S	13 E	WM	32	SW SE
16 S	13 E	WM	32	SE SE
16 S	13 E	WM	33	NE NE

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Twp	Rng	Mer	Sec	Q-Q
16 S	14 E	WM	10	SW NW
16 S	14 E	WM	10	NW SW
16 S	14 E	WM	10	SW SW
16 S	14 E	WM	11	NE NE
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Twp	Rng	Mer	Sec	Q-Q
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16 S	14 E	WM	23	NW SE
16 S	14 E	WM	23	SW SE
16 S	14 E	WM	23	SE SE
16 S	14 E	WM	24	NE NE

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Twp	Rng	Mer	Sec	Q-Q
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16 S	14 E	WM	24	SW NE
16 S	14 E	WM	24	SE NE
16 S	14 E	WM	24	NENW
16 S	14 E	WM	24	NWNW
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16 S	14 E	WM	26	SE SW
16 S	14 E	WM	26	NE SE
16 S	14 E	WM	26	NW SE
16 S	14 E	WM	26	SW SE
16 S	14 E	WM	26	SE SE
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16 S	14 E	WM	27	NW NE
16 S	14 E	WM	27	SW NE
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16 S	14 E	WM	27	NE NW
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16 S	14 E	WM	28	SW SE
16 S	14 E	WM	28	SE SE
16 S	14 E	WM	33	NE NE
16 S	14 E	WM	33	NW NE
16 S	14 E	WM	33	SW NE
16 S	14 E	WM	33	SE NE

Twp	Rng	Mer	Sec	Q-Q
16 S	14 E	WM	33	NE NW
16 S	14 E	WM	34	NW NE
16 S	14 E	WM	34	SW NE
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16 S	15 E	WM	7	SE NE
16 S	15 E	WM	7	SWNW
16 S	15 E	WM	7	NW SW
16 S	15 E	+	7	
16 S	15 E	WM WM	7	NE SE NW SE
16 S		-		
	15 E	WM	7	SW SE
16 S	15 E	WM		SE SE
16 S	15 E	WM	8	NE NW
16 S	15 E	WM	8	NW NW
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16 S	15 E	WM	8	SE SW
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16 S	15 E	WM	8	NW SE
16 S	15 E	WM	8	SW SE
16 S	15 E	WM	8	SE SE

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Twp	Rng	Mer	Sec	Q-Q
16 S	15 E	WM	9	SW SE
16 S	15 E	WM	9	SE SE
16 S	15 E	WM	15	NE NE
16 S	15 E	WM	15	NW NE
16 S	15 E	WM	15	SW NE
16 S	15 E	WM	15	SE NE
16 S	15 E	WM	15	NE NW
16 S	15 E	WM	15	NWNW
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16 S	15 E	WM	15	SW SE
16 S	15 E	WM	16	NE NE
16 S	15 E		16	NW NE
16 S		WM WM		SW NE
	15 E		16	
16 S	15 E	WM	16	SE NE
16 S	15 E	WM	16	NE NW
16 S	15 E	WM	16	NWNW
16 S	15 E	WM	16	SWNW
16 S	15 E	WM	16	SE NW
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16 S	15 E	WM	18	NE NE
16 S	15 E	WM	18	NW NE
16 S	15 E	WM	18	SW NE
16 S	15 E	WM	18	SE NE
16 S	15 E	WM	18	NE NW

Twp	Rng	Mer	Sec	Q-Q
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16 S	15 E	WM	18	SW NW
16 S	15 E	WM	18	SENW
16 S	15 E	WM	18	NE SW
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16 S	15 E	WM	21	NW NW
16 S	15 E	WM	21	SW NW
16 S	15 E	WM	21	SENW
16 S	15 E	WM	21	NE SW
16 S	15 E	WM	21	NW SW

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Twp	Rng	Mer	Sec	Q-Q
16 S	15 E	WM	21	SW SW
16 S	15 E	WM	21	NW SE
16 S	15 E	WM	29	NE NE
16 S	15 E	WM	29	NW NE
16 S	15 E	WM	29	SW NE
16 S	15 E	WM	29	SE NE
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16 S	15 E	WM	31	SW SW
16 S	15 E	WM	31	SE SW
16 S	15 E	WM	32	NENW
16 S	15 E	WM	32	NW NW
16 S	15 E	WM	32	SWNW

Twp	Rng	Mer	Sec	Q-Q
16 S	15 E	WM	32	SENW
16 S	15 E	WM	32	NE SW
16 S	15 E	WM	32	NW SW
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17 S	12 E	WM	4	NE SW
17 S	12 E	WM	4	NW SW
17 S	12 E	WM	4	SWSW
17 S	12 E	WM	4	SE SW
17 S	12 E	WM	4	NE SE
173	12 L	44 141	1	ITE SE

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SE NE NE NW NW NW

WM WM

SW NW

NE NE NW NE

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WM 10

WM WM

SW NE

SE NW NE SW NW SW

SE SW NE SE NW SE

SW SE SE SE SW NE

WM 12

17 S

SW SW

7.5				
2	12 E	WM	4	NW SE
2 Z		WM	4	SW SE
7.5	12 E	WM	4	SE SE
7 S	12 E	WM	5	NE NE
2 Z	12 E	WM	5	NW NE
S	12 E	WM	5	SW NE
7 S	12 E	WM	5	SENE
S	12 E	WM	5	NENW
S	12 E	WM	5	NN NN
S	12 E	WM	5	SW NW
2 Z	12 E	WM	5	SE NW
7.5	12 E	WM	S	NE SW
7.5	12 E	WM	5	NW SW
7.5	12 E	WM	2	SW SW
7.8	12 E	WM	5	SE SW
S	12 E	WM	5	NE SE
7.5	12 E	WM	5	NW SE
	12 E	WM	2	SW SE
S	12 E	WM	S	SE SE
7.5	12 E	WM	9	NE NE
2 2	12 E	WM	9	SE NE
S	12 E	WM	9	SW SW
7.5	12 E		9	SESW
7.5	12 E		9	NE SE
S	12 E	WM	9	NW SE
S	12 E	WM	9	SW SE
S	12 E	WM	9	SE SE
7.5	12 E	WM	7	NE NE
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S	12 E	WM	7	NENW
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S	12 E	WM	7	SE NW
S	12 E	WM	8	NE NE
2 S	12 E	WM	∞	NW NE
S	12 E	WM	8	SW NE
	12 E	WM	∞	SE NE
	12 E	WM	∞	NENW
	12 E	WM	8	NW NW
	12 E	WM	∞	SWNW
	12 E	WM	8	SE NW
S	12 E	WM	∞	NE SW
	12 E	WM	8	NW SW
S	12 E	WM	8	NE SE
S	12 E	WM	8	SE SE
S	12 E	WM	6	NE NE

NW NW SW NW

WM 10 WM 10

SE NW NE SW NW SW

WM 10

| 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178 | 178

WW WM

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NW SE SW SE

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NE NW NW NW SW NW

WM 9 WM 9 WM 9 WW 9

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SE NW NE SW NW SW SW SW SE SW

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Twp	Rng	Mer	Sec	Q-Q
17 S	12 E	WM	12	SE NE
17 S	12 E	WM	12	NWNW
17 S	12 E	WM	12	SWNW
17 S	12 E	WM	12	SE NW
17 S	12 E	WM	12	NESW
17 S	12 E	WM	12	NW SW
17 S	12 E	WM	12	SW SW
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17 S	12 E	WM	13	SE SE
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17 S	12 E	WM	15	NE NE
17 S	12 E	WM	15	NW NE
17 S	12 E	WM	15	SW NE
17 S	12 E		15	SE NE
17 S	12 E	WM	15	SE NE

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12 E 12 E 12 E 12 E	WM WM WM	15	
12 E 12 E 12 E	WM WM		
12 E 12 E	WM	1 1.3	SE NW
12 E		15	NE SW
	WM	15	NW SW
	WM	15	SWSW
12 E	WM	15	SE SW
12 E	WM	15	NE SE
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		-	SW NE
		_	SE NE
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	+		SE SW
			NE SE
	+		NW SE
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			SENW
	-		NE SW
	-		NW SW
	-		SW SW
	-		SE SW
	-		NE SE
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Twp	Rng	Mer	Sec	Q-Q
17 S	12 E	WM	23	SE SE
17 S	12 E	WM	24	NE NE
17 S	12 E	WM	24	NWNE
17 S	12 E	WM	24	SW NE
17 S	12 E	WM	24	SE NE
17 S	12 E	WM	24	NENW
17 S	12 E	WM	24	NWNW
17 S	12 E	WM	24	SWNW
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17 S	12 E	WM	24	NE SW
17 S	12 E	WM	24	NW SW
17 S	12 E	WM	24	SW SW
17 S	12 E	WM	24	SESW
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17 S	12 E	WM	26	NW SE
17 S	12 E	WM	26	SW SE
17 S	12 E	WM	26	SE SE
17 S	12 E	WM	34	
1/3	14 E	WIVI	24	SE SW

Twp	Rng	Mer	Sec	Q-Q
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17 S	13 E	WM	5	NE SW
17 S	13 E	WM	5	NW SW
17 S	13 E	WM	5	SW SW

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Twp	Rng	Mer	Sec	Q-Q
17 S	13 E	WM	5	SE SW
17 S	13 E	WM	5	NE SE
17 S	13 E	WM	5	NW SE
17 S	13 E	WM	5	SW SE
17 S	13 E	WM	6	NE SE
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17 S	13 E	WM	16	SENE
17 S	13 E	WM	16	NE NW
17 S	13 E	WM	16	NW NW
17 S	13 E	WM	16	SW NW
17 S	13 E	WM	16	SE NW

Twp	Rng	Mer	Sec	Q-Q
17 S	13 E	WM	16	NE SW
17 S	13 E	WM	16	NW SW
17 S	13 E	WM	16	SW SW
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17 S	13 E	WM	16	NE SE
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17 S	13 E	WM	17	
17 S	13 E	WM	18	SE SE
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17 S	13 E	WM	19	NE NW
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17 S	13 E	WM	19	SW NW
17 S	13 E	WM	19	SE NW
17 S	13 E	WM	19	NE SW

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Twp	Rng	Mer	Sec	Q-Q
17 S	13 E	WM	19	NW SW
17 S	13 E	WM	19	SW SW
17 S	13 E	WM	19	SE SW
17 S	13 E	WM	19	NE SE
17 S	13 E	WM	19	NW SE
17 S	13 E	WM	19	SW SE
17 S	13 E	WM	19	SE SE
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17 S	13 E	WM	27	SW NW
17 S	13 E	WM	27	NE SW
17 S	13 E	WM	27	NW SW

Twp	Rng	Mer	Sec	Q-Q
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17 S	13 E	WM	27	SE SW
17 S	13 E	WM	27	SW SE
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17 S	13 E	WM	30	NE SW
17 S	13 E	WM	30	NW SW
17 S	13 E	WM	30	SW SW
17 S	13 E	WM	30	SE SW
17 S	13 E	WM	30	NE SE

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Twp	Rng	Mer	Sec	Q-Q
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17 S	13 E	WM	30	SW SE
17 S	13 E	WM	30	SE SE
17 S	13 E	WM	31	NE NE
17 S	13 E	WM	31	NW NE
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17 S	13 E	WM	33	NE SW
17 S	13 E	WM	33	NW SW
17 S	13 E	WM	33	SW SW
17 S	13 E	WM	33	SE SW
17 S	13 E	WM	33	NE SE

Twp	Rng	Mer	Sec	Q-Q
17 S	13 E	WM	33	NW SE
17 S	13 E	WM	33	SW SE
17 S	13 E	WM	33	SE SE
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18 S	11 E	WM	24	SW SW
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18 S	11 E	WM	24	NE SE
18 S	11 E	WM	24	NW SE
18 S	11 E	WM	24	SW SE
103	TIE	AA IAI	24	3 W SE

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Twp	Rng	Mer	Sec	Q-Q
18 S	11 E	WM	24	SE SE
18 S	11 E	WM	25	NENE
18 S	11 E	WM	25	NWNE
18 S	11 E	WM	25	SW NE
18 S	11 E	WM	25	SE NE
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18 S	11 E	WM	25	NWNW
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18 S	11 E	WM	36	NE SW
18 S	11 E	WM	36	NW SW
18 S	11 E	WM	36	SW SW
18 S	11 E	WM	36	SE SW
18 S	11 E	WM	36	NE SE

Twp	Rng	Mer	Sec	Q-Q
18 S	11 E	WM	36	NW SE
185	11 E			
18 S		WM	36	SW SE
	11 E	WM	36	SE SE
18 S	12 E	WM	1	NE NE
18 S	12 E	WM	1	NW NE
18 S	12 E	WM	1	SW NE
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18 S	12 E	WM	3	SW SW
18 S	12 E	WM	3	SE SW
18 S	12 E	WM	3	NE SE
18 S	12 E	WM	3	NW SE
18 S	12 E	WM	3	SW SE
100	12 15	44 TAI	5	3W 3E

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12 E 12 E 12 E 12 E 12 E 12 E 12 E 12 E	WM WM WM WM WM WM	3 4 4 4 5	SE SE SE SW SW SE SE SE
12 E 12 E 12 E 12 E 12 E	WM WM WM WM	4	SW SE SE SE
12 E 12 E 12 E 12 E	WM WM WM	4	SE SE
12 E 12 E 12 E	WM WM		
12 E 12 E	WM	5	
12 E			SW SW
		6	SE SE
12 E		7	NE NE
	WM	7	NW NE
12 E	WM	7	SW NE
12 E	WM	7	SE NE
12 E	WM	7	SW NW
		7	SE NW
12 E		7	NE SW
12 E	+	7	NWSW
12 E	WM	7	SW SW
	+		SE SW
12 E			NE SE
12 E			NW SE
	+		SW SE
	+		SE SE
	-		NE NE
	+		SW NE
		-	SE NE
			NENW
			NWNW
			SWNW
	+		SE NW
	+		NE SW
	-		NWSW
	+		SWSW
			SE SW
	+		NE SE
	+		NW SE
	+		SW SE
			SE SE
	+		NE NE
			NW NE
	-		SENE
	+		NENW
			NWNW
	+		SW NW
	-		NE SW
			NWSW
	-		SWSW
			SE SW
			NE SE
	-		SE SE
			NE NE
	12 E 12 E 12 E 12 E 12 E	12 E WM	12 E WM 7 12 E WM 8 12 E WM 9

Twp	Rng	Mer	Sec	Q-Q
18 S	12 E	WM	10	NW NE
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18 S	12 E	WM	12	SW SE
18 S	12 E	WM	12	SE SE
18 S	12 E	WM	13	NE NE

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Twp	Rng	Mer	Sec	Q-Q
18 S	12 E	WM	13	NW NE
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18 S	12 E	WM	13	SE NE
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18 S	12 E	WM	15	NW NE
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	12 E	WM		SW NE
18 S	12 E	WM	15	SE NE
18 S	12 E	WM	15	NE NW
18 S	12 E	WM	15	NW NW
18 S	12 E	WM	15	SWNW
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18 S	12 E	WM	15	NE SE
18 S	12 E	WM	15	NW SE
18 S	12 E	WM	15	SW SE
18 S	12 E	WM	15	SE SE
18 S	12 E	WM	16	NE NE

OWRAWP	Rng	Mer	Sec	Q-Q
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18 S	12 E	WM	18	NE SE
18 S	12 E	WM	18	NW SE
18 S	12 E	WM	18	SW SE
18 S	12 E	WM	18	SE SE
18 S	12 E	WM	19	NE NE
18 S	12 E	WM	19	NW NE

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Twp	Rng	Mer	Sec	Q-Q
18 S	12 E	WM	19	SW NE
18 S	12 E	WM	19	SE NE
18 S	12 E	WM	19	NENW
18 S	12 E	WM	19	NW NW
18 S	12 E	WM	19	SWNW
18 S	12 E	WM	19	SE NW
18 S	12 E	WM	19	NE SW
18 S	12 E	WM	19	NW SW
18 S	12 E	WM	19	SWSW
18 S	12 E	WM	19	SE SW
18 S	12 E	WM	19	NE SE
18 S	12 E	WM	19	NW SE
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18 S	12 E	WM	20	NW NE
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18 S	12 E	WM	20	NENW
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18 S	12 E	WM	20	NE SE
18 S	12 E	WM	20	NW SE
18 S	12 E	WM	20	SW SE
18 S	12 E	WM	20	SE SE
18 S	12 E	WM	21	NE NE
18 S	12 E	WM	21	NW NE
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Twp	Rng	Mer	Sec	Q-Q
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18 S	12 E	WM	23	SE NW
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Application G-17606

Water Resources Department

JAN 2 3 2020

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Sec Q-Q	WM I NW SE	WM I SW SE	WM 1 SESE	2 NENE	WM 2 SWNE	WM 2 SENE	2 NE NW	WM 2 NW NW	WM 2 SW NW	2 NE SW	WM 2 NW SW	WM 2 SW SW	WM 2 SESW	WM 2 NESE	2 SWSE	WM 2 SESE	3 NENE	WM 3 NW NE	WM 3 SENE	WM 3 NENW	WM 3 NW NW	3 SWNW	WM 3 NESW	WM 3 NW SW	3 SESW	WM 3 NE SE	WM 3 NW SE	3 SWSE	WM 3 SESE WM 4 NFNF	WM 4 NW NE	WM 4 SW NE	4 SENE	WM 4 NW NW	WM 4 SW NW	WM 4 SENW	4 NE SW	WM 4 NW SW WM 4 SW SW	WM 4 SE SW	WM 4 NE SE

Twp	Rng	Mer	Sec	Q-Q
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18 S	13 E	WM	8	NE NW
18 S	13 E	WM	8	NWNW
18 S	13 E	WM	8	SWNW
18 S	13 E	WM	8	SE NW
18 S	13 E	WM	8	NE SW
18 S	13 E	WM	8	NW SW
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18 S	13 E	WM	8	
18 S	13 E	-		NE SE
18 S	13 E	WM	8	NW SE
	13 E	WM	8	SW SE
18 S		WM	8	SE SE
18 S	13 E	WM	9	NE NE
18 S	13 E	WM	9	NW NE
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18 S	13 E	WM	9	NWNW
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18 S	13 E	WM	9	NE SW
18 S	13 E	WM	9	NW SW
18 S	13 E	WM	9	SW SW
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OWRD				P
Twp	Rng	Mer	Sec	Q-Q
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18 S	13 E	WM	11	NE NW
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Twp	Rng	Mer	Sec	Q-Q
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OWRDTwp	Rng	Mer	Sec	Q-Q
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Water Resources Department

Twp	Rng	Mer	Sec	Q-Q
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Twp	Rng	Mer	Sec	Q-Q
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Measurement, Recording and Reporting Conditions:

- A. Before water use may begin under this permit, the permittee shall install a totalizing flow meter at each point of appropriation. The permittee shall maintain the device(s) in good working order.
- B. The permittee shall allow the watermaster access to the device; provided however, where any device is located within a private structure, the watermaster shall request access upon reasonable notice.
- C. The permittee shall keep a complete record of the volume of water diverted each month, and shall submit a report which includes water-use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water-use information, including the place and nature of use of water under the permit.
- D. The Director may provide an opportunity for the permittee to submit alternative measuring and reporting procedures for review and approval

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Water Resources Department

RECEIVED Permit G-17551

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Ground Water Mitigation Conditions:

OWRD

- 1. Mitigation Obligation: 514.8 acre-feet of mitigation water in the General Zone of Impact.
- Mitigation Source: Mitigation Credits or a Mitigation Project, in accordance with the incremental development plan on file with the Department, meeting the requirements of OAR Chapter 690, Division 505.
- 3. Mitigation water must be legally protected instream in the General Zone of Impact for the life of the permit and subsequent certificate(s). Regulation of the use and/or cancellation of the permit, or subsequent certificate(s) will occur if the required mitigation is not maintained.
- 4. The permittee shall provide mitigation during each stage of development under the permit, as described in the incremental development mitigation plan on file with the Department, and in accordance with the standards of the Deschutes Ground Water Mitigation Rules, OAR chapter 690, Division 505, and Division 522.
- 5. The permittee shall not increase the rate or amount of water diverted, as described in the incremental development mitigation plan, prior to increasing the corresponding mitigation.
- 6. The permittee shall seek and received Department approval prior to changing the incremental mitigation development plan and related mitigation obligation for each stage of permit development.
- The permittee shall provide additional mitigation if the Department determines that average annual
 consumptive use of the subject appropriation has increased beyond the originally mitigated amount.
- 8. The permittee shall report to the Department the progress of implementing the incremental mitigation development plan and related mitigation no later than April 1 of each year. The annual report shall include the annual volume of water used, the source and amount of mitigation and any offset used for that period. This annual notification is not necessary if the permittee has completed development and submitted a Claim of Beneficial Use to the Department.
- 9. If mitigation is from a secondary right for stored water from a storage project not owned or operated by the permittee, the use of water under this right is subject to the maintenance and terms and conditions of a valid contract or satisfactory replacement, with the owner/operator of the storage project, a copy of which must be on file in the records of the Water Resources Department.
- 10. Failure to comply with these mitigation conditions shall result in the Department regulating the ground water permit, or subsequent certificate(s), proposing to deny any permit extension application for the ground water permit, and proposing to cancel the ground water permit, or subsequent certificate(s).

Water Management and Conservation Plan Condition

The permittee shall submit a Water Management and Conservation Plan, addressing use under this permit, consistent with OAR 690-086 within five years of permit issuance, or before use of the second increment of water development occurs, whichever is sooner. The Director may approve an extension of this time line to complete the required Water Management and Conservation Plan. No water may be diverted if a Water Management and Conservation Plan is not submitted according to the time lines described in this condition, unless such an extension has been approved. The time line for submittal of a plan under this permit does not alter the time lines for submittal of said plan under any other order of the Department.

Application G-17606

Water Resources Department

Permit G-17551

Scenic Waterway Condition:

Use of water under authority of this permit may be regulated if analysis of data available after the permit is issued discloses that the appropriation will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife in effect as of the priority date of the right, or as those quantities may be reduced subsequently. However, the use of ground water allowed under the terms of this permit will not be subject to regulation for Scenic Waterway flows, provided the required mitigation is maintained.

STANDARD CONDITIONS

- 1. Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit.
- 2. If the number, location, source, or construction of any well deviates from that proposed in the permit application or required by permit conditions, this permit may be subject to cancellation, unless the Department authorizes the change in writing.
- 3. If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this permit, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences.
- 4. The wells shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the well at all times.
- 5. Where two or more water users agree among themselves as to the manner of rotation in the use of water and such agreement is placed in writing and filed by such water users with the watermaster, and such rotation system does not infringe upon such prior rights of any water user not a party to such rotation plan, the watermaster shall distribute the water according to such agreement.
- 6. Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the department's standards, to the Water Resources Department. The Director may require water level or pump test results every ten years thereafter.
- This permit is for the beneficial use of water without waste. The water user is advised that new
 regulations may require the use of best-practice technologies or conservation practices to achieve this
 end.
- 8. By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged comprehensive land-use plan
- Construction of the well shall be made within five years of the date of permit issuance. The deadline
 to begin construction may not be extended. This permit is subject to cancellation proceedings if the
 begin construction deadline is missed.
- 10. Complete application of the water shall be made within five years of the date of permit issuance. If beneficial use of permitted water has not been made before this date, the permittee may submit an application for extension of time, which may be approved based upon the merit of the application.
- 11. Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner.

Permit G-17551

Issued APRIL 14 2016

5. Timothy Wall.

E. Timothy Wallin, Water Rights Program Manager

for, Thomas M. Byler, Director

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Application G-17606 Basin 5

Water Resources Department Volume 1 Deschutes R Misc

Permit G-17551

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DECISION OF DESCHUTES COUNTY HEARINGS OFFICER

FILE NUMBER:

SP-99-1

APPLICANT/

PROPERTY OWNER:

Avion Water Company 60813 Parrell Road

Bend, Oregon 97702

ATTORNEY:

Robert S. Lovlien

Bryant Lovlien & Jarvis

P. O. Box 1151 Bend, Oregon 97709

REQUEST:

The applicant is requesting site plan approval for a 4.6 million gallon water reservoir and associated well house on a 5-acre parcel outside the Bend Urban Growth Boundary in the RR-10 Zone.

STAFF REVIEWER:

Paul Blikstad, Associate Planner

HEARING DATE:

February 23, 1999

RECORD CLOSED:

March 16, 1999

I. APPLICABLE STANDARDS AND CRITERIA:

- A. Title 18 of the Deschutes County Code, the Deschutes County Zoning Ordinance
 - 1. Chapter 18.04, Title, Purpose and Definitions
 - * Section 18.04.190, Definition Building
 - * Section 18.04.1210, Definition Structure
 - * Section 18.04.1315, Definition Utility facility
 - 2. Chapter 18.60, Rural Residential (RR-10) Zone
 - * Section 18.60.020, Uses permitted outright
 - * Section 18.60.040, Yard and setback requirements
 - * Section 18.60.060, Dimensional standards
 - 3. Chapter 18.116, Supplementary Provisions
 - * Section 18.116.030, Off-street parking and loading
 - * Section 18.116.180, Building setbacks for the protection of solar access
 - 4. Chapter 18.124, Site Plan Review
 - * Section 18.124.060, Approval criteria
 - * Section 18.124.070, Required minimum standards

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. II. FINDINGS OF FACT:

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- A. Location: The subject property is located at 60395 China Hat Road in Bend and is further identified as Tax Lot 900 on Deschutes County Assessor's Map 18-12-29A.
- B. Zoning and Plan Designation: The subject property is zoned Rural Residential (RR-10) and is designated rural residential on the Deschutes County Comprehensive Plan Map.
- C. Surrounding Zoning and Land Uses: The subject property is surrounded by land zoned RR-10 and developed primarily with rural residential subdivisions including Woodside Ranch to the east across China Hat Road and Sunset View Estates to the north and west. The Lost Tracks Golf Course is located north and west of the subject property. China Hat Road is a designated rural collector on the Deschutes County Transportation Plan Map.
- D. Site Description: The subject property is five acres in size, is generally level and is developed with the existing Avion reservoir, well house and electric control building. There is an existing vegetated earthen berm along China Hat Road and the undeveloped part of the site is covered with native and introduced vegetation. The site has perimeter cyclone fencing. Access to the property is from a gravel driveway off China Hat Road. There is a small gravel parking and maneuvering area on the site just off the road.
- E. Procedural History: The subject property has received several previous land use approvals. The property was created by a partition in 1988 (MP-88-42). In January of 1989 the applicant received site plan approval for the existing water reservoir (SP-88-81). That reservoir was approved and constructed as an earthen reservoir with a liner. In 1990, the existing reservoir experienced a catastrophic failure resulting in significant flooding of the surrounding area. The reservoir was rebuilt as a concrete structure under the previously-approved site plan. In 1997, the applicant received site plan approval and a temporary use permit to construct the existing well house and electrical control building (SP-97-32, TU-97-12).

The subject site plan application was submitted on January 7, 1999, and was accepted by the county as complete on February 8, 1999. Therefore 150th day for issuance of a final local land use decision under ORS 215.428 expires on July 8, 1999. On February 23, 1999, the Hearings Officer made a site visit to the subject property and vicinity. The public hearing on the application was held on February 23, 1999. At the public hearing the Hearings Officer received testimony and evidence, left the written evidentiary record open to March 9, 1999, and allowed the applicant to March 16, 1999, to submit final arguments pursuant to ORS 197.763. The record closed on that date. As of the date of this decision there remain 84 days in the 150-day period.

F. Proposal: The applicant proposes to construct a new concrete, metal-roofed water reservoir and a new well house adjacent to and south of the existing reservoir. The existing reservoir has a 4 million gallon capacity. The new reservoir would have a 4.6 million gallon capacity but would have the same external dimensions (20' by 20') as the existing reservoir. The new 12' by 12' well house would be located between the existing and proposed reservoirs behind the existing well house and electric control building. The applicant proposes to construct the new reservoir with an exterior appearance matching that of the existing reservoir and with exterior colors matching the existing well house and electrical control building. Cyclone fencing would be installed around the new reservoir. The applicant proposes to retain, lengthen and landscape the existing earthen berm along China Hat Road as well as to add landscaping adjacent to both the existing and new reservoirs. The applicant's attorney, Robert Lovlien, testified at the public hearing that the

applicant needs a total water storage capacity of 10 million gallons in the next ten years, and that the subject property was selected for the location of the new reservoir because it needs to be placed at an elevation between 3,940 and 3,960 feet in order to provide the gravity flow required for the system. Mr. Lovlien testified the subject property is at this elevation and is at the highest location within the applicant's service area.

- **G.** Public/Private Agency Comments: The Planning Division sent notice of the applicant's proposal to a number of public and private agencies and received responses from the Deschutes County Road Department (hereafter "road department"), Property Address Coordinator and Environmental Health Division. These comments are set forth verbatim at 2es 2-3 of the Staff Report and are included in the record.
- Pub. Notice and Comments: The Planning Division mailed individual written notice of the public hearing to the owners of record of all property located within 500 feet of the subject property. In addition, notice of the public hearing was published in the "Bend Bulletin" newspaper and the subject property was posted with a notice of proposed land use action son. As of the date the record closed the county had received three letters in response to the second son woodside Ranch property owners. In addition, three Woodside Ranch property owners testified at the public hearing. These comments are addressed in the indings below.

III. CONCLUSIONS OF LAW:

- A. Title 18 of the Deschutes County Code, the Deschutes County Zoning Ordinance
 - 1. Chapter 18.66 Rural Residential, RR-10 Zone
 - a. Section 8.60.020, Uses permitted outright

The following uses and their accessory uses are permitted outright.

B. Utilit cilities necessary to serve the area including energy facility water supply and treatment and sewage disposal and treatment.

FINDINGS: Section 18.04.1315 defines "utility facility" as follows:

"Utility facility" means any major structures, excluding hydroelectric facilities, owned or operated by a public, private or cooperative electric, fuel, communications, sewage or water company for the generation, transmission, distribution or processing of its products or for the disposal of cooling water, waste or by-products, and including power transmission lines, major trunk pipelines, power substations, telecommunications facilities, water towers, sewage lagoons, sanitary landfills and similar facilities, but excluding local sewer, water, gas, telephone and power distribution lines, and similar minor facilities allowed in any zone. This definition shall not include wireless telecommunication facilities where such facilities are listed as a separate use in a zone. (Emphasis added.)

The record indicates the applicant is a private water company and that the proposed water reservoir would become a part of the applicant's water storage and distribution system. Therefore, Hearings Officer finds the applicant's proposal constitutes a "utility facility."

Avion Water Company SP-99-1 Page 3

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The remaining question is whether the proposed reservoir is a utility facility "necessary to serve the area." In a previous decision (Central Oregon Cellular, SP-96-53) this Hearings Officer found a cellular telephone tower did not constitute a utility facility "necessary to serve the area" because it was "designed to serve a population and geographic area much larger than the rural residential uses in the RR-10 Zone" within which the cell tower would be located. I found that siting a utility facility designed to serve an area greatly exceeding the surrounding RR-10 Zone was not consistent with the purpose of the RR-10 Zone to "provide rural residential living environments . . . consistent with the desired rural character . . . of the land." This decision was affirmed by LUBA in Central Oregon Cellular, Inc. v. Deschutes County, LUBA No. 96-190 (July 7, 1997).

However, in *dicta* in this Hearings Officer's decision, I concluded that because Section 18.60.020(B) expressly refers to "water supply" in listing the uses "necessary to serve the area," it permits outright in the RR-10 Zone "community water systems . . . designed to serve a particular community or geographic area." Decision, at 4. The record indicates the applicant provides just such a system. The applicant's burden of proof states its present service area includes a total of 50,000 acres of land on the south and east side of Bend, including 8,000 acres inside and 42,000 acres outside the Bend Urban Growth Boundary (UGB). The applicant currently serves 6,000 residential customers and 300 commercial/industrial customers. Thus, while the applicant's service area includes land both inside and outside the RR-10 Zone and in a number of zoning districts, it nevertheless serves a distinct part of the Bend community. Therefore I find the applicant's proposal is a utility facility "necessary to serve the area."

b. Section 18.60.040, Yard and setback requirements

In an RR-10 zone, the following yard and setbacks shall be maintained.

- A. The front setback shall be a minimum of 20 feet from a property line fronting on a local street right of way, 30 feet from a property line fronting on a collector right of way and 50 feet from an arterial right of way.
- B. There shall be a minimum side yard of 10 feet for all uses, except on the street side of a corner lot, the side yard shall be 20 feet.
- C. The minimum rear yard shall be 20 feet.
- D. The setback from the north lot line shall meet the solar setback requirements in section 18.116.180.
- E. In addition to the setbacks set forth herein, any greater setbacks required by applicable building or structural codes adopted by the State of Oregon and/or the county under chapter 15.04 of the Deschutes County Code shall be met.

FINDINGS: China Hat Road is a designated a rural collector. The applicant's submitted site plan shows the proposed new reservoir would be set back 70 feet from the front yard and China Hat Road, thus satisfying the standard in paragraph (A). The reservoir would be set back approximately 60 feet from the south side yard, 390 feet from the north side yard and 63 feet from the rear yard. As discussed in the findings below the Hearings Officer has found the applicant's

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- , proposal is not subject to the solar setback requirements in Section 18.116.180. Therefore, I find the applicant's proposal satisfies the standards in this section.
 - c. Section 18.60.060, Dimensional standards

In an RR-10 zone, the following dimensional standards shall apply:

A. Lot Coverage. The main building and accessory buildings located on any building site or lot shall not cover in excess of 30 percent of the total lot area.

FINDINGS: The subject property is five acres or 217,800 square feet in size. Therefore, thirty percent of the total lot area would be 65,340 square feet. The proposed new reservoir would be 40,000 square feet in size and the new well house would be 144 square feet in size, for a total lot coverage of 40,144 square feet. However, the proposed new reservoir and well house would be the second such structures on the subject property. The existing reservoir and well house also total 40,144 square feet in size. The existing electrical control building is 256 square feet in size. Thus, combining the existing and proposed reservoirs and accessory buildings would produce a total lot coverage of 80,544 square feet or approximately 37 percent, exceeding the standard in this section by 15,204 square feet.

The Staff Report asserts without explanation that this lot coverage standard does not apply to the proposed reservoir because it does not constitute a "building." That term is defined in Section 18.04.190 as follows:

"Building" means a structure built for the support, shelter or enclosure of persons, animals, chattels or property of any kind.

However, the terms "chattel" and "property" are not defined in Title 18. Webster's New World Dictionary, College Edition, includes the following definitions for these terms:

"Chattel. 1. an article of personal or movable property as distinguished from real property: furniture, automobiles, livestock, farm equipment, etc. are chattels."

"Property. . . 2. a thing or things owned; holdings or possessions collectively; especially, land or real estate owned. 3. a specific piece of land or real estate. . . 5. something regarded as being possessed by, or at the disposal of, a person or group of persons: as, that joke is common property. . . ."

The Hearings Officer finds water does not fall within the ordinary definition of "chattel." However, it is debatable whether water falls within the ordinary definition of "property." Water is a tangible commodity that can be bought and sold, and the applicant's proposed reservoir would support and enclose water. On the other hand, water is not like other types of property the uses of which typically are regulated by the zoning ordinance. And water reservoirs are not typical buildings and can take many forms. For example, reservoirs may be fully enclosed and built into the ground like the reservoir proposed by the applicant. Or they may be prefabricated free-standing metal tanks sitting on a concrete pad or elevated on a tower. Or they may consist simply of an unenclosed body of water such as a pond or lake. The extent to which any of these

¹ The applicant's Water Management and Conservation Plan included in the record identifies the applicant's 11 separate water rights and when and from whom they were purchased.

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reservoirs constitutes a "building" for purposes of the RR-10 Zone lot coverage requirements is far from clear and apparently is a question of first impression for the county.

As discussed above, Section 18.16.010 states the purpose of the RR-10 Zone is "to provide rural residential living environments ... with desired rural character." The lot coverage requirements apparently are intended to implement this purpose by assuring that development is rural in character, that buildings are not so large as to be out of scale with surrounding rural residential development and that significant areas of open space are preserved on each parcel. In light of this purpose, the Hearings Officer finds it would not be unreasonable to characterize the applicant's proposed reservoir as a "building" for purposes of the lot coverage requirements since it is more like a traditional building than a water tower, for example. However, because the term "property" is not defined in the ordinance the application of the lot coverage standard to water reservoirs is unclear at best. And because this is a question of first impression and the applicant apparently was not advised at the time of application that the proposed reservoir could be a "building" for purposes of the lot coverage requirement, I find it would not be appropriate at this point in the process to require compliance with the maximum 30 percent lot coverage standard for the existing and proposed reservoirs.²

B. Building Height. No building or structure shall be erected or enlarged to exceed thirty (30) feet in height, except as allowed under section 18.120.040.

FINDINGS: As discussed above, the Hearings Officer has found the proposed reservoir is a "building" for purposes of Title 18. I also find it is a "structure," defined in Section 18.04.1210 as follows:

"Structure" means something constructed or built having a fixed base on, or fixed connection to, the ground or another structure.

The proposed reservoir will have a fixed based on and connection to the ground. Therefore, I find the reservoir is subject to the building height limitation in this section. The reservoir is proposed to be approximately 17 feet high at the roof peak, thus meeting this standard.

2. Chapter 18.116, Supplementary Provisions

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a. Section 18.116.030, Off-street parking and loading.

A. Compliance. No building or other permit shall be issued until plans and evidence are presented to show how the off-street parking and loading requirements are to be met and that property is and will be available for exclusive use as off-street parking and loading. . . .

FINDINGS: The Hearings Officer finds this and other sections in Chapter 18.116 address offstreet parking and loading requirements for various types of uses. I concur with staff that the applicant's proposed facility has no specific parking requirements in this chapter. And as

² If the 30 percent lot coverage standard in the RR-10 Zone were applicable, the applicant would either have to reduce the size of the proposed reservoir by 15,204 square feet (38 percent) or obtain approval of a variance to the standard pursuant to Chapter 18.132. Because of the county's conclusion that the lot coverage standards do not apply to the proposed reservoir, the applicant was not required to, and did not, submit a variance application.

discussed above, given the unique nature of the proposed use with no regular employees, only periodic employee visits to the site and no public access, I find no loading areas or bicycle parking are required for the site and that the small existing parking and maneuvering area on the site will be adequate for the proposed use.

b. Section 18.116.180, Building setbacks for the protection of solar access

FINDINGS: The Hearings Officer finds the requirements of this section can be summarized as follows. All new structures must be sited as far south on their lots as possible so as to protect the south wall of buildings on properties to the north for solar access during winter months. I find the applicant's proposed reservoir constitutes a new structure subject to these provisions. However, as discussed above the proposed new reservoir will be located south of the existing reservoir which is located approximately 73 feet south of the north lot line. Therefore I find it is the existing reservoir, not the proposed new reservoir, that is subject to the solar access setbacks.

3. Chapter 18.124, Site Plan Review

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a. Section 18.124.060 Approval Criteria

Approval of a site plan shall be based on the following criteria:

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A. The proposed development shall relate harmoniously to the natural environment and existing development, minimizing visual impacts and preserving natural features including views and topographical features.

FINDINGS: As discussed above, the applicant proposes to construct a new reservoir that will be virtually identical to the existing reservoir. The applicant also proposes to lengthen and landscape the existing earthen berm adjacent to China Hat Road and to paint the exterior of the reservoir the same color as the existing reservoir. Because the site is relatively level the applicant has not proposed excavation or grading that would change the existing topography.

In their written comments and public hearing testimony, Woodside Ranch property owners raised several concerns about the visual impacts of the proposed reservoir, particularly its height and color and the surface material for the roof. Neighbors requested that the applicant consider landscaping the roof. At the public hearing Mr. Lovlien responded that landscaping the roof would not be feasible because the roof structure would not be strong enough to bear the additional weight of dirt and landscape material. Neighbors also requested that the applicant protect their mountain views by lowering the new reservoir's height through excavation. However, none of the neighbors testified that their views would be obstructed by the new reservoir. At the public hearing, Mr. Lovlien responded that the proposed reservoir must be located at an elevation of at least 3,940 feet in order to provide the gravity flow necessary for the applicant's water system to function and therefore lowering the structure would defeat its purpose. However, Mr. Lovlien stated the applicant would work with neighbors to identify acceptable exterior finishes and colors, as well as to identify locations and species for landscaping.

During the two-week period between the public hearing and the close of the record, the applicant and neighbors discussed the reservoir's exterior appearance and color as well as landscaping. As a result of these discussions, on March 9, 1999, the applicant submitted a revised site plan showing significant additional landscaping and including the following notation: "Reservoir Roof and wall color to match the existing Electrical Control and Well House." In addition, the revised site plan bears the signature of Raymond Miao, President of the Woodside Ranch Homeowners' Association, indicating the association's approval of the revised site plan.

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Based upon the Hearings Officer's site visit, I find the existing reservoir is largely screened from view from China Hat Road and Woodside Ranch homes to the east by the existing earthen berm, landscaping and native vegetation. The reservoir's roof is visible but its low pitch and profile have the effect of making its surface area seem smaller. The applicant's revised site plan proposes to paint the exterior of the new reservoir the same color as the existing well house and electrical control building which the record indicates is satisfactory to Woodside Ranch property owners. The applicant also proposes to retain and extend the existing berm and to add significant additional landscaping to the berm and elsewhere on the site, including between the existing reservoir and China Hat Road. With these measures I find the new reservoir will relate to the site and surrounding property as harmoniously as does the existing reservoir, and perhaps more so considering the additional proposed landscaping. I find it is challenging to screen a 40,000-square-foot structure of any kind. However, I agree with staff's observation that the applicant's proposal will do so to the maximum extent practical and will minimize its visual impacts. Therefore, I find the applicant's proposal satisfies this criterion.

B. The landscape and existing topography shall be preserved to the greatest extent possible, considering development constraints and suitability of the landscape and topography. Preserved trees and shrubs shall be protected.

FINDINGS: As discussed above, the subject property is generally level and the applicant does not propose significant excavation or grading for the new reservoir. The applicant does propose to retain and extend the existing earthen berm in order to screen the new reservoir from China Hat Road and the Woodside Ranch homes to the east. The applicant proposes to retain existing vegetation to the extent possible. Based on the Hearings Officer's site visit observations I agree with staff that the only vegetation that will be removed consists of native brush and a few small juniper trees. The revised site plan submitted following discussions with neighboring property owners shows significant additional landscaping. For the foregoing reasons, I find the applicant's proposal preserves the existing topography and vegetation to the greatest extent possible. However, I find that as a condition of approval the applicant will be required to protect all trees and shrubs to be preserved by clearly marking them and taking necessary measures to assure they and their root systems are not damaged by construction equipment and that the soil atop their root systems is not unnecessarily compacted. With these conditions, I find the applicant's proposal can satisfy this criterion.

C. The site plan shall be designed to provide a safe environment, while offering appropriate opportunities for privacy and transition from public to private spaces.

FINDINGS: The Hearings Officer finds the applicant's proposal presents four potential safety issues: traffic, site security, the integrity of the reservoir structure itself and the safety of the water stored in the reservoir. With respect to traffic, the applicant proposes to continue using the existing access driveway from China Hat Road. The applicant has stated there will be no full time employees on the site so that traffic generated by operation of the reservoirs will be minimal. The road department's comments state the existing access to China Hat Road is safe but recommend that brush on the west side of China Hat Road to the south of the access is to be trimmed back to

Avion Water Company SP-99-1 Page 8

³ Neighboring property owners also requested that the applicant install fire hydrants on or near the site to provide additional fire protection for the area surrounding the subject property. There is no evidence the proposed reservoir itself creates a fire hazard. And Mr. Lovlien testified at the public hearing that installing additional fire hydrants on or near the site would not be feasible because the location would not provide sufficient gravity and water pressure to supply the hydrant(s).

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improve the sight distance. I find this recommendation will be included as a condition of approval. With respect to security, the applicant proposes to retain the existing perimeter fence and to maintain a locked gate preventing unauthorized access to the site.

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Neighboring property owners expressed concern about the construction of the proposed reservoir. As discussed above, the existing reservoir had a catastrophic failure apparently due to its earthen construction and the failure of its liner. It was rebuilt as a concrete structure and apparently has experienced no problems since that reconstruction. The applicant proposes to construct the new reservoir as a concrete structure. Therefore, the Hearings Officer finds the reservoir has been designed to provide a safe environment on the site and in the surrounding neighborhood, thus satisfying this criterion. Finally, with respect to the quality and safety of the water being stored in the proposed reservoir, the record indicates the applicant will be required to obtain approval from the Oregon Health Division for the new reservoir. Therefore, I find approval of the applicant's proposal will be conditioned on Health Division approval.

D. When appropriate, the site plan shall provide for the special needs of handicapped persons, such as ramps for wheelchairs and Braille signs.

FINDINGS: The Hearings Officer finds that since there will be no employees stationed at the subject property and no public access will be allowed, it is not appropriate or necessary to require that the site provide for the needs of handicapped persons.

E. The location and number of points of access to the site, interior circulation patterns, separations between pedestrians and moving and parked vehicles, and the arrangement of parking areas in relation to buildings and structures shall be harmonious with proposed and neighboring buildings and structures.

FINDINGS: As discussed above, the applicant proposes to continue using the single existing access driveway from China Hat Road. The site includes a relatively small area for vehicle parking and maneuvering. However, the Hearings Officer finds this area is adequate since there will be no employees stationed at the site and no public access will be allowed. Therefore, I find the applicant's proposal satisfies this criterion.

F. Surface drainage systems shall be designed to prevent adverse impacts on neighboring properties, streets, or surface or subsurface water quality.

FINDINGS: The submitted site plan shows four "drainage control areas" adjacent to the existing and proposed reservoir structures. These areas will allow drainage from the reservoir roofs onto adjacent soil areas. In addition, surface drainage will be retained on the soil and landscaped areas on the rest of this large site. The Hearings Officer finds these site features will be adequate to assure surface water drainage is retained on the subject property and does not run off onto adjacent properties or China Hat Road. As discussed above, the existing reservoir had a catastrophic failure when it was of earthen construction with a liner. The existing reservoir was rebuilt as a concrete structure as has had no leakage since. The proposed reservoir would also be constructed of concrete to minimize the chance of a failure in the future. For these reasons I find the applicant's proposal satisfies this criterion.

G. Areas, structures and facilities for storage, machinery and equipment, services (mail, refuse, utility wires, and the like),

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loading and parking and similar accessory areas and structures shall be designed, located and buffered or screened to minimize adverse impacts on the site and neighboring properties.

FINDINGS: The applicant does not propose any outside storage of machinery or equipment or the storage of refuse on the site. No loading will occur on the site except during reservoir construction. Utilities in the area are underground. The small vehicle parking and maneuvering area is proposed to be located just off China Hat Road between the two reservoirs and will be screened to a considerable extent by the existing and proposed berm and landscaping. Therefore, the Hearings Officer finds the applicant's proposal satisfies this criterion.

H. All above-ground utility installations shall be located to minimize adverse visual impacts on the site and neighboring properties.

FINDINGS: The applicant proposes to locate necessary electric service for the reservoir underground. Therefore, the Hearings Officer finds the applicant's proposal satisfies this criterion.

I. Specific criteria are outlined for each zone and shall be a required part of the site plan (e.g. lot setbacks, etc.).

FINDINGS: The proposal's compliance with the specific criteria in the RR-10 Zone is discussed in the findings above. As discussed there, the Hearings Officer has found the applicant's proposal satisfies or can with conditions satisfy all applicable criteria in the zone.

J. All exterior lighting shall be shielded so that direct light does not project off-site.

FINDINGS: Neighboring property owners expressed concern about impacts from exterior lighting on the site. The applicant proposes no exterior lighting. The Hearings Officer finds that if the applicant elects to provide exterior lighting on the site, all exterior light fixtures shall be shielded and downcast so as not to shine light off the subject property.

- b. Section 18.124.070, Required minimum standards
 - B. Required Landscaped Areas.
 - 1. The following landscape requirements are established for multi-family, commercial and industrial developments, subject to site plan approval:

FINDINGS: At the outset, the Staff Report states without explanation that the county does not consider the applicant's proposal to constitute a commercial or industrial development subject to the criteria in this section. Title 18 does not define the terms "commercial" and "industrial." Webster's New World Dictionary, College Edition, includes the following definitions for these terms:

"Commercial. 1. of or connected with commerce. 2. designating unrefined products bought and sold in large quantities for industrial uses: as in *commercial* sulfuric acid. 3. made or done primarily for sale or profit."

"Industrial. 1. having the nature of or characterized by industry or industries. 2. of, connected with, or resulting from industry or industries."

The dictionary defines "industry" as "any branch of trade, business, production, or manufacture." The Hearings Officer finds there are aspects of the applicant's proposal that are both "commercial" and "industrial" in nature. The applicant's reservoirs store water that is sold for profit as part of the applicant's business. Moreover, I find the applicant's reservoirs are similar in size and scale to industrial buildings that are required to provide landscaping in order to screen them from surrounding property. Therefore, I find the provisions of this section are applicable to the applicant's proposal.

- a. A minimum of 15 percent of the lot area shall be landscaped.
- b. All areas subject to the final site plan and not otherwise improved shall be landscaped.

FINDINGS: As discussed above, in response to concerns raised by neighboring property owners the applicant submitted a revised site plan proposing to extend the existing earthen berm between the reservoir sites and China Hat Road and including extensive existing and introduced vegetation. The site plan does not include a calculation of the amount of landscaping proposed for the site. However, the Hearings Officer finds the revised site plan clearly shows at least 15 percent of the site, and all undeveloped portions of the site, will be landscaped as required by these standards.

Most of the remaining landscaping requirements in this section relate to providing landscape screening for parking areas. However, the Hearings Officer finds that given the unique nature of the proposed use and the very small parking area provided for occasional visits by the applicant's employees, the above-described landscaping satisfies these standards.

- 5. Provision shall be made for watering planting areas where such care is required.
- 6. Required landscaping shall be continuously maintained and kept alive and attractive.
- 7. Maximum height of tree species shall be considered when planting under overhead utility lines.

FINDINGS: The applicant proposes an underground automatic irrigation system to provide water for landscaping requiring it. As discussed above, there are no overhead utility lines with which trees would interfere. Neighboring property owners expressed concern that existing landscaping on the subject property had not been adequately maintained and that some landscaping had died and had not been replaced. In response to these concerns, the applicant's revised site plan includes additional landscaping around the existing reservoir. The Hearings Officer finds that as a condition of approval the applicant will be required to continuously maintain all landscaping, including promptly removing and replacing dead and dying vegetation and watering all landscaping requiring irrigation.

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IV. DECISION:

Based upon the foregoing Findings of Fact and Conclusions of Law, the Hearings Officer hereby APPROVES the applicant's site plan, SUBJECT TO THE FOLLOWING CONDITIONS OF APPROVAL:

- 1. Approval is based upon the revised site plan submitted on March 9, 1999. Any substantial change to this plan will require a new land use application and approval.
- Any exterior lighting on the site shall be provided with fixtures that are shielded and downcast so as not to shine light off the subject property.
- The applicant shall obtain approval from the Oregon Health Division for the new reservoir and shall submit to the Planning Division written verification of that approval prior to applying for a building permit for the reservoir.
- 4. The applicant shall remove brush on the west side of China Hat Road south of the existing access driveway in order to maintain a clear vision area at the entrance.
- 5. The applicant shall continuously maintain all landscaping and the automatic irrigation system. All dead or dying vegetation shall be removed and replaced. The applicant shall protect existing vegetation to be preserved by clearly marking such vegetation and taking necessary measures to assure they and their root systems are not damaged by construction equipment and that the soil atop their root systems is not unnecessarily compacted.

Dated this ______ day of April, 1999.

Mailed this ______ day of April, 1999.

Karen H. Green, Hearings Officer

THIS DECISION BECOMES FINAL TEN DAYS AFTER MAILING UNLESS TIMELY APPEALED.

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Attachment D Well Log – DESC 61639

Application for a Permit Amendment– Permit G-17551 Avion Water Company, Inc.

Anerided DESC 61		£ 61639
STATE OF OREGON	WELL I.D. LABEL# L 112742	
WATER SUPPLY WELL REPORT	START CARD # 1042396	1042369
(as required by ORS 537.765 & OAR 690-205-0210)	ORIGINAL LOG#	
LAND OWNER Owner Well [D. China Hat #3		
rst Name Last Name	(9) LOCATION OF WELL (legal description	ı)
mpany Avion Water Company	County Deschutes Twp 18 S N/S Range	
dress 60813 Parrell Road	Sec 29 NE 1/4 of the NE 1/4 Tax L	ot 181229A000900
Bend State OR Zip 97702	Tax Map Number Lot	
TYPE OF WORK X New Well Deepening Conversion	Lat o ' or 43.99179	DMS or DI
Alteration (complete 2a & 10) Abendarmant(complete 5a)	Long o ' " or -121.30719	DMS or DI
Die + Frank T. Course St. Diete Wild Thed	X Street address of well Nearest address	
Casing: Material From To Amt sacks/lbs 2 7 2019	60395 China Hat Road Bend, OR 97702	
Material From To Amt sacks los		
Seal:	(40) CTATIC WATER LEVEL	
DRILL METHOD OWRD	(10) STATIC WATER LEVEL DateSWL(psi) + SWL(ft)
Rotary Air Rotary Mud Cable Auger Call No.	Existing Well / Pre-Alteration	1 - 3 - 3 - 3 - 3 - 3 - 3 - 3 - 3 - 3 -
Reverse Rotary Other	Completed Well 5/24/2019	511.75
PROPOSED USE Domestic Irrigation X Community	Flowing Artesian? Dry Hole	?
Industrial/ Commercial Livestock Dewatering	WATER BEARING ZONES Depth water was first	found 520
Thermal Injection Other	I control to the control of the cont	(psi) + SWL(ft)
BORE HOLE CONSTRUCTION Special Standard (Attach copy	4/24/2019 520 570 1,000+	512
Depth of Completed Well 640 ft.	5/4/2019 600 640 1,500+	512
BORE HOLE SEAL sacks/		
Dia From To Material From To Amt lbs		
24-inch 0 20 Bentonite 0 20 36 Sacks	<i>a</i>)	
Calculated 28 Sack: 19-inch 20 640 Cement 0 510 50 Yards		
19-inch 20 640 Cement 0 510 50 Yards	MAAN SEITER A T CO	
How was seal placed: Method A B XC D E	Material From	m To
Other	Topsoil and broken rock 0	13
Backfill placed from 510 ft. to 518 ft. Material Gravel/Sand/Bentonite	Weathered broken basalt 13	65
Filter pack from fl. to ft. Material Size	Reddish vesicular basalt 65	
Explosives used: Yes Type Amount	Dark Gray vesicular basalt 96 Basalt soft fractured 116	
	Basalt soft fractured 110 Basalt Black med-hard 130	
Proposed Amount Pounds Actual Amount Pounds	Reddish broken basalt vesicular 14	
Proposed Amount	Gray/Black basalt medium 19:	
CASING/LINER Casing Liner Dia + From To Gauge Stl Plste Wld Thrd	Reddish soft basalt loss some circulation 26:	
(X) 14-inch + +2 640 .375 (X) [X]	Red-Gray broken basalt vesicular 27: Gray basalt broken ves 310	
	Gray basalt broken ves 310 Basalt soft with silt 370	
	Basalt medium 396	
	Reddish -Gray basalt layered 425	
	Gray basalt 460	
Shoe Inside X Outside Other Location of shoe(s) 640	Reddish basalt soft 476	
Temp casing X Yes Dia 20-inch From 0 To 20	Gray/Black basalt med hard 49 Reddish broken vesicular 52	
PERFORATIONS/SCREENS Perforations Method Factory Mill Slot	Black/Red broken vesicular 54	
Perforations Method Factory Mill Slot		
remonstrations (viction		
Screens Type Material Perf/S Casing/ Screen Scrn/slot Slot # of Tele/	Date Started 4/12/2019 Completed 5/2	4/2019

the best of my knowledge and belief.

Signed	El Word	Kastilicky	
3.9		1	

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

License Number 1523	Date 6/18/2019	RECEIVED
Signed #1.4		TOLIVED
Contact Info (optional)		JAN 2 3 2020

O Flowing Artesian

Duration (hr) 3 HR

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

O Bailer

Drawdown 0.4 feet

O Air

°F Lab analysis Yes By

Drill stem/Pump depth 540

Yes (describe below) TDS amount 66
Description Amount

N Pump

Temperature

Yield gal/min 800 GPM

Water quality concerns?

DESC 61639

WATER SUPPLY WELL REPORT -

WELL I.D. LABEL# L

continuation page START CARD # ORIGINAL LOG# (2a) PRE-ALTERATION Water Quality Concerns From To Gauge Stl Plstc Wld Thrd From To Description Amount Units Material From To Amt sacks/lbs (10) STATIC WATER LEVEL (5) BORE HOLE CONSTRUCTION SWL Date From To Est Flow SWL(psi) + SWL(ft) BORE HOLE SEAL sacks/ Dia From Material From To Amt lbs Calculated Calculated Calculated Calculated FILTER PACK (11) WELL LOG Material Size From To Material From To Black basalt med hard 570 600 Red basalt very soft broken vesicular Gray basalt fractured hard all circulation 600 622 640 (6) CASING/LINER lost by 632 drilled blind to 640 Casing Liner Dia From To Gauge Stl Plstc Wld Thrd (7) PERFORATIONS/SCREENS Perf/S Casing/ Screen Scrn/slot Slot # of Tele/ creen Liner slots From width length pipe size Comments/Remarks Page 2 is continuation of formation log only (8) WELL TESTS: Minimum testing time is 1 hour Yield gal/min Drawdown Drill stem/Pump depth Duration (hr)



JAN 2 3 2020

OWRD

January 21, 2020

Kelly Starnes Oregon Water Resources Department 725 NE Summer Street, Suite A Salem, OR 97301

RE: Application for Permit Amendment in the name of Avion Water Company, Inc.

Dear Kelly:

GSI Water Solutions, Inc. (GSI) is submitting the enclosed Permit Amendment on behalf of Avion Water Company, Inc. (Avion). Avion holds Permit G-17551 which allows for the appropriation of 10 CFS for municipal use. Avion is seeking to add one well (China Hat 3) as a point of appropriation to Permit G-17551.

The required application documents and fee of \$1,570 are enclosed.

Please contact me if you have any questions. My phone number is 541-257-9001.

Sincerely,

Adam Sussman

Principle Water Resources Consultant

Enclosures: Application for Permit Amendment G-17551

Check in the amount of \$1,570