



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

# Application for Permanent Water Right Transfer

## Part 1 of 5 – Minimum Requirements Checklist

**This transfer application will be returned if Parts 1 through 5 and all required attachments are not completed and included.**

For questions, please call (503) 986-0900, and ask for Transfer Section.

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

- Part 1 – Completed Minimum Requirements Checklist.
- Part 2 – Completed Transfer Application Map Checklist.
- Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at: [http://apps.wrd.state.or.us/apps/misc/wrd\\_fee\\_calculator](http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator). If you have questions, call Customer Service at (503) 986-0801.
- Part 4 – Completed Applicant Information and Signature.
- Part 5 – Information about Water Rights to be Transferred: **How many water rights are to be transferred? 1 List them here: ONE WATER RIGHT - CERTIFICATE 76372 (POD TO POA & POU)**  
 Please include a separate Part 5 for each water right. (See instructions on page 6)

**Attachments:**

- Completed Transfer Application Map.
- Completed Evidence of Use Affidavit and supporting documentation.
- N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land the water right is on.)
- N/A Supplemental Form D – For water rights served by or issued in the name of an irrigation district. Complete when the transfer applicant is not the irrigation district.
- Oregon Water Resources Department’s Land Use Information Form with approval and signature (or signed land use form receipt stub) from each local land use authority in which water is to be diverted, conveyed, and/or used. Not required if water is to be diverted, conveyed, and/or used only on federal lands or if **all** of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone. **SIGNED DESCHUTES COUNTY LAND USE FORM RECEIPT ATTACHED**
- Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation.
- N/A Geologist Report for a change from a surface water point of diversion to a ground water point of appropriation (well), if the proposed well is more than 500’ from the surface water source and more than 1000’ upstream or downstream from the point of diversion. See OAR 690-380-2130 for requirements and applicability. **Proposed transfer of POD to POA for C – 76372 is in upper Deschutes Basin groundwater study area; ORS 540.531 (3)(a)(b)(c) applies to this proposed transfer (See Attachment 7).**

(For Staff Use Only)

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**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: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

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

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

- N/A Certified Water Right Examiner (CWRE) Stamp and Original Signature. For a list of CWREs, see [http://apps.wrd.state.or.us/apps/wr/cwre\\_license\\_view/](http://apps.wrd.state.or.us/apps/wr/cwre_license_view/). CWRE stamp and signature are not required for substitutions.
- N/A If **more than three** water rights are involved, separate maps are needed for each water right.
- Permanent quality printed with dark ink on good quality paper.
- The size of the map can be 8½ x 11 inches, 8½ x 14 inches, 11 x 17 inches, or up to 30 x 30 inches. For 30 x 30 inch maps, one extra copy is required.
- A north arrow, a legend, and scale.
- The scale of the map must be: 1 inch = 400 feet, 1 inch = 1,320 feet, the scale of the Final Proof/Claim of Beneficial Use Map (the map used when the permit was certificated), the scale of the county assessor map if the scale is not smaller than 1 inch = 1,320 feet, or a scale that has been pre-approved by the Department.
- Township, Range, Section, ¼ ¼, DLC, Government Lot, and other recognized public land survey lines.
- Tax lot boundaries (property lines) are required. Tax lot numbers are recommended.
- Major physical features including rivers and creeks showing direction of flow, lakes and reservoirs, roads, and railroads.
- Major water delivery system features from the point(s) of diversion/appropriation such as main pipelines, canals, and ditches. **(See Figure 2, Attachment 1, Delivery System Map)**
- Existing place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions. If less than the entirety of the water right is being changed, a separate hachuring is needed for lands left unchanged.
- N/A Proposed place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions.
- Existing point(s) of diversion or well(s) with distance and bearing or coordinates from a recognized survey corner. This information can be found in your water right certificate or permit.
- N/A If you are proposing a change in point(s) of diversion or well(s), show the proposed location and label it clearly with distance and bearing or coordinates. If GPS coordinates are used, latitude-longitude coordinates may be expressed as either degrees-minutes-seconds with at least one digit after the decimal (example – 42°32'15.5") or degrees-decimal with five or more digits after the decimal (example – 42.53764°).



## Part 4 of 5 – Applicant Information and Signature

### Applicant Information

APPLICANT/BUSINESS NAME BIG FALLS RANCH -CONTACT: REX BARBER			PHONE NO. (541) 948-6325	ADDITIONAL CONTACT NO.
ADDRESS: P.O. BOX 434			FAX NO.	
CITY TERREBONNE	STATE OR	ZIP 97760	E-MAIL bigfalls@cbbmail.com	
<b>BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.</b>				

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

AGENT/BUSINESS NAME DAVID NEWTON H. A. MCCOY ENGINEERING & SURVEYING, LLC			PHONE NO. (541) 325-3905	ADDITIONAL CONTACT NO.
ADDRESS 1180 SW LAKE ROAD, SUITE 200			FAX NO.	
CITY REDMOND	STATE OR	ZIP 97756	E-MAIL DNEWTON@NEWTONCONSULTANTS.COM	
<b>BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.</b>				

Explain in your own words what you propose to accomplish with this transfer application, and why: Transfer authorized Point of Diversion (POD) for Certificate 76372 from surface water POD in McKenzie Canyon to groundwater Points of Appropriation (POA's) at existing Wells 1, 3, 4 and 7. The reason for transfer is to improve the control of water through well system which is integrated into the water distribution system and to improve the efficiency of the irrigation system and related water use. The irrigation system is constructed such that water from any or all wells can deliver water to the Places of Use defined on Certificate 76372. Well capacity is also adequate to supply full rate and volume of water under all certificates supplied by these wells, including Certificate 76372.

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)

#### Check One Box

- By signing this application, I understand that, upon receipt of the draft preliminary determination and prior to Department approval of the transfer, I will be required to provide landownership information and evidence that I am authorized to pursue the transfer as identified in OAR 690-380-4010(5); **OR**
- I affirm the applicant is a municipality as defined in ORS 540.510(3)(b) and that the right is in the name of the municipality or a predecessor; **OR**
- I affirm the applicant is an entity with the authority to condemn property and is acquiring by condemnation the property to which the water right proposed for transfer is appurtenant and have supporting documentation.

**By my signature below, I confirm that I understand:**

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- Prior to Department approval of the transfer application, 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 water right 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: Redmond Spokesman.
- Amendments to the application may only be made in response to the Department's Draft Preliminary Determination (DPD). The applicant will have a period of at least 30 days to amend the application to address any issues identified by the Department in the DPD, or to withdraw the application. Note that amendments may be subject to additional fees, pursuant to ORS 536.050.
- Failure to complete an approved change in place of use and/or change in character of use, will result in loss of the water right (OAR 690-380-6010).



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

<u>Big Falls Ranch Co</u> Applicant signature	by <u>Rex Barber Jr</u> Print Name (and Title if applicable)	<u>5/25/21</u> Date
<u>[Signature]</u> Applicant signature	<u>President</u> Print Name (and Title if applicable)	<u>5/25/21</u> Date

Is the applicant the sole owner of the land on which the water right, or portion thereof, proposed for transfer is located?  Yes  No *If NO, include signatures of all deeded landowners (and mailing and/or e-mail addresses if different than the applicant's) or attach affidavits of consent (and mailing and/or e-mail addresses) from all landowners or individuals/entities to which the water right(s) were conveyed.*

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Check the following boxes that apply:

- The applicant is responsible for completion of change(s). Notices and correspondence should continue to be sent to the applicant.
- The receiving landowner will be responsible for completing the proposed change(s) after the final order is issued. Copies of notices and correspondence should be sent to this landowner.
- Both the receiving landowner and applicant will be responsible for completion of change(s). Copies of notices and correspondence should be sent to this landowner and the applicant.

At this time, are the lands in this transfer application in the process of being sold?  Yes  No

If YES, and you know who the new landowner will be, please complete the receiving landowner information table below. If you do not know who the new landowner will be, then a request for assignment will have to be filed for at a later date.

If a property sells, the certificated water right(s) located on the land belong to the new owner, unless a sale agreement or other document states otherwise. For more information see:

<http://www.oregon.gov/owrd/docs/transfer-propertytransactions.pdf>

RECEIVING LANDOWNER NAME			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS				FAX NO.
CITY	STATE	ZIP	E-MAIL	

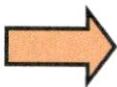
Describe any special ownership circumstances here: **NA**

- Check here if any of the water rights proposed for transfer are or will be located within or served by an irrigation or other water district. (**Tip: Complete and attach Supplemental Form D.**)

IRRIGATION DISTRICT NAME <b>NOT WITHIN AN IRRIGATION DISTRICT</b>	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP



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

ENTITY NAME <b>DESCHUTES COUNTY COMMUNITY DEVELOPMENT DEPARTMENT</b>	ADDRESS <b>P.O. BOX 6005</b>	
CITY BEND	STATE OREGON	ZIP 97708-6005

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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

**CERTIFICATE # 76372**

**Description of Water Delivery System**

System capacity: 13.37 cfs for the cumulative total capacity of proposed Points of Appropriation including Well 1, Well 3, Well 4. A pump will be installed in Well 7, bringing total capacity to 16.04 cfs; all wells shown in Table 1 below;

**OR**

6,000 gallons per minute (gpm), Wells 1, 3, 4. 7,200 gallons per minute with planned pump installation in Well 7.

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use.

The current point of diversion (POD) includes ponding of water from spring discharge within McKenzie Canyon to allow pumping of water to the water distribution and irrigation systems. The irrigation water delivery system is constructed so that water from any point of appropriation (POA) or POD on the property can deliver water to any POU on the property authorized under all water rights held by the applicant. In addition, the capacity of the wells 1, 3, 4, and 7 is adequate to supply the maximum rate and volume of water under Certificate 76372, and all other water rights held by the applicant. The water delivery system is shown on the map attached as Figure 1.

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

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp	Rng	Sec	¼	¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
McKenzie Canyon (POD)	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		14 S	12 E	9	SW	SE	1500	1,610.6 feet west & 1,592.5 feet north from SE corner of Section 4; T14S R12E, W.M.
POA 1 Well 1	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	DESC 2100	14 S	12 E	18	SW	SE	1406	1680.6 feet west & 1154.2 feet north from the SE corner of Section 18
POA 2 Well 3	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	DESC 2087	14 S	12 E	17	SW	NE	1402	1706.6 feet west & 1772.1 feet south from the NE corner of Section 17
POA 3 Well 4	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	DESC 2098	14 S	12 E	17	NW	NW	1404	32.2 feet east & 240.7 feet south from the NW corner of Section 17
POA 4 Well 7	Proposed	DESC 768	14 S	12 E	9	SE	NW	1500	2862.6 feet west & 1571.4 feet south from the NE corner of Section 9
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**Check all type(s) of change(s) proposed below (change “CODES” are provided in parentheses):**

- |  |   |
|--|---|
| <input type="checkbox"/> Place of Use (POU)  | <input type="checkbox"/> Supplemental Use to Primary Use (S to P) |
| <input type="checkbox"/> Character of Use (USE)  | <input type="checkbox"/> Point of Appropriation/Well (POA)        |
| <input type="checkbox"/> Point of Diversion (POD)  | <input type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input type="checkbox"/> Additional Point of Diversion (APOD)                                | <input type="checkbox"/> Substitution (SUB)                       |
| <input checked="" type="checkbox"/> Surface Water POD to Ground Water<br>POA (SW/GW) C-76372 | <input type="checkbox"/> Government Action POD (GOV)              |

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

- Yes Complete only the Proposed (“to” or “on” lands) section of Table 2 on the next page. Use the “CODES” listed above to describe the proposed changes. ***The POD to POA change effects entire water right certificate 76372.***
- No Complete all of Table 2 to describe the portion of the water right to be changed.

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

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

**Table 2. Description of Changes to Water Right Certificate # 76372**

List the change proposed for the acreage in each 1/4 1/4. 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.

AUTHORIZED (the "from" or "off" lands)										PROPOSED (the "to" or "on" lands)														
The listing that appears on the certificate BEFORE PROPOSED CHANGES										The listing as it would appear AFTER PROPOSED CHANGES														
List only that part or portion of the water right that will be changed.										are made.														
Twp	Rng	Sec	1/4	1/4	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Proposed Changes (see "CODES" from previous page)	Twp	Rng	Sec	1/4	1/4	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s) to be used (from Table 1)	Priority Date		
<b>EXAMPLE</b>																								
2	S	9	E	15	NE	NW	100	15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0	POD #5 POD #6	1901
										MCKENZIE CANYON	OCT 23, 1973	POD TO POA	14	S	12	E	8	NE	SW	1404	0.4	WELLS 1, 3, 4, 7		
										MCKENZIE CANYON	OCT 23, 1973	POD TO POA	14	S	12	E	8	SE	SW	1404	34.0	WELLS 1, 3, 4, 7		
										MCKENZIE CANYON	OCT 23, 1973	POD TO POA	14	S	12	E	8	NW	SE	1403	28.0	WELLS 1, 3, 4, 7		
										MCKENZIE CANYON	OCT 23, 1973	POD TO POA	14	S	12	E	8	SW	SE	1400	39.0	WELLS 1, 3, 4, 7		
										MCKENZIE CANYON	OCT 23, 1973	POD TO POA	14	S	12	E	17	NE	NW	1404	34.8	WELLS 1, 3, 4, 7		
										MCKENZIE CANYON	OCT 23, 1973	POD TO POA	14	S	12	E	17	NW	NE	1403	13.6	WELLS 1, 3, 4, 7		
TOTAL ACRES:										TOTAL ACRES:														
										149.8														

Additional remarks:

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**For Place of Use or Character of Use Changes**

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

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

 Pursuant to ORS 540.510, any “layered” water use such as an irrigation right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled. Any change to a ground water registration must be filed separately in a ground water registration modification application.

**For Substitution** (ground water supplemental irrigation will be substituted for surface water primary irrigation)

Ground water supplemental Permit or Certificate # **NA**;  
Surface water primary Certificate # **NA**.

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**For a change from Supplemental Irrigation Use to Primary Irrigation Use**

Identify the primary certificate to be cancelled. Certificate # **NA**

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**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](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
POA 1 WELL 1	YES	DESC 2100	232	24”- 12”	0-18’ 0-232’	0-18’	170-232’	170’	SAND & GRAVEL	2000 GPM
POA 2 WELL 3	YES	DESC 2087	262’	16”	+2-19’	0-19’	Open Hole Below 19’	171’	SAND & GRAVEL	1500 GPM
POA 3 WELL 4	YES	DESC 2098	288’	16”	+1-19’	0-19’	Open Hole Below 19’	163’	GRAVEL	2500 GPM

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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
POA 4 WELL 7	YES	DESC 768	340'	16" 12" 8"	0-25' +2-50' 18-340'	0-25'	Open Hole Below 25'	170'	FRACTURED BASALT & SAND	1200 GPM, when pump is installed

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**ATTACHMENT 1**

**FIGURE 1 - SURFACE WATER POD TO GROUND WATER POA  
TRANSFER MAP**

**FIGURE 2 – DELIVERY SYSTEM MAP**

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**ATTACHMENT 2**

**CERTIFICATE 76372**

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STATE OF OREGON  
COUNTY OF DESCHUTES  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

DESCHUTES VALLEY FARMS, INC.  
PO BOX 166  
CULVER, OREGON 97734

confirms the right to use the waters of AN UNNAMED STREAM (McKENZIE CANYON), a tributary of THE DESCHUTES RIVER, for SUPPLEMENTAL IRRIGATION OF 149.8 ACRES.

This right was perfected under Permit 37392. The date of priority is OCTOBER 23, 1973. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 1.89 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

NW¼ SE¼, Section 4, T. 14 S., R. 12 E., W.M.; 1870 feet north and 3700 feet east from the SW Corner of Section 4.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-FORTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 4.0 acre-feet for each acre irrigated during the irrigation season of each year.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use to which this right is appurtenant is as follows:

NE¼ SW¼ 0.4 acre  
SE¼ SW¼ 34.0 acres  
NW¼ SE¼ 28.0 acres  
SW¼ SE¼ 39.0 acres  
SECTION 8

NW¼ NE¼ 13.6 acres  
NE¼ NW¼ 34.8 acres  
SECTION 17

TOWNSHIP 14 SOUTH, RANGE 12 EAST, W.M.

This certificate describes that portion of the water right confirmed by Certificate 44283, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered JAN 11 2000, approving Transfer Application 6854.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described. The use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

WITNESS the signature of the Water Resources Director, affixed JAN 11 2000.

/s/ Thomas J. Paul (for)  
Martha O. Pagel, Director

Recorded in State Record of Water Right Certificates numbered 76372.

T-6854.BWB

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**ATTACHMENT 3**

**PRIMARY WATER RIGHT CERTIFICATE 87558**

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STATE OF OREGON

COUNTY OF DESCHUTES

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

BIG FALLS RANCH CO.  
PO BOX 434  
TERREBONNE, OR 97760

NW FARM CREDIT SERVICES, FLCA, PCA  
PO BOX 607  
REDMOND, OR 97756

confirms the right to use the waters of WELL 1, WELL 3, AND WELL 4 in the DESCHUTES RIVER BASIN for the IRRIGATION of 501.1 ACRES AND WELL 1, WELL 3, WELL 4, AND WELL 7 for the SUPPLEMENTAL IRRIGATION 464.9 ACRES.

This right was perfected under Permit G-13362. The date of priority is MAY 15, 1989. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed A MAXIMUM CUMULATIVE TOTAL OF 12.07 CUBIC FEET PER SECOND (CFS), LIMITED TO 6.26 CFS FOR PRIMARY IRRIGATION AND 5.81 CFS FOR SUPPLEMENTAL IRRIGATION, BEING FURTHER LIMITED TO NOT MORE THAN 3.35 CFS FROM WELL 1, 3.35 CFS FROM WELL 3, 4.45 CFS FROM WELL 4, OR 2.23 CFS FROM WELL 7, or its equivalent in case of rotation, measured at the wells.

The period of allowed use is April 1 to October 31 of each year.

The wells are located as follows:

Well	Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
7	14 S	12 E	WM	9	SE NW	WELL 7: 1571.4 FEET SOUTH & 2862.6 FEET WEST FROM NE CORNER, SECTION 9
3	14 S	12 E	WM	17	SW NE	WELL 3: 1772.1 FEET SOUTH & 1706.6 FEET WEST FROM NE CORNER, SECTION 17
4	14 S	12 E	WM	17	NW NW	WELL 4: 240.7 FEET SOUTH & 32.2 FEET EAST FROM NW CORNER, SECTION 17
1	14 S	12 E	WM	18	SW SE	WELL 1: 1154.2 FEET NORTH & 1680.6 FEET WEST FROM SE CORNER, SECTION 18

**NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW**

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, you may petition for judicial review and petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate within three months after issuance of the certificate.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year. The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

A description of the place of use is as follows:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
14 S	12 E	WM	8	NE SW	1.6
14 S	12 E	WM	8	NW SW	0.2
14 S	12 E	WM	8	SW SW	32.7
14 S	12 E	WM	8	SE SW	37.1
14 S	12 E	WM	8	NW SE	30.2
14 S	12 E	WM	8	SW SE	40.1
14 S	12 E	WM	17	NW NE	23.6
14 S	12 E	WM	17	SW NE	16.4
14 S	12 E	WM	17	SE NE	32.4
14 S	12 E	WM	17	NE NW	34.1
14 S	12 E	WM	17	NW NW	39.2
14 S	12 E	WM	17	SE NW	0.4
14 S	12 E	WM	17	NE SW	27.4
14 S	12 E	WM	17	NW SW	19.8
14 S	12 E	WM	17	SW SW	35.8
14 S	12 E	WM	17	SE SW	35.4
14 S	12 E	WM	17	NE SE	14.8
14 S	12 E	WM	17	NW SE	24.9
14 S	12 E	WM	17	SW SE	6.1
14 S	12 E	WM	18	SE SE	2.3
14 S	12 E	WM	19	NE NE	11.4
14 S	12 E	WM	19	NW NE	9.4
14 S	12 E	WM	19	SW NE	0.4
14 S	12 E	WM	19	SE NE	1.2
14 S	12 E	WM	19	NE NW	0.5
14 S	12 E	WM	20	NE NW	6.9
14 S	12 E	WM	20	NW NW	16.8

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A description of the place of use is as follows:

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
14 S	12 E	WM	3	SW SW	5.1
14 S	12 E	WM	4	SW SE	8.9
14 S	12 E	WM	4	SE SE	29.8
14 S	12 E	WM	8	SE NE	2.9
14 S	12 E	WM	8	NE SE	35.2
14 S	12 E	WM	8	SE SE	40.3
14 S	12 E	WM	9	NW NE	24.1
14 S	12 E	WM	9	SW NE	40.2
14 S	12 E	WM	9	SE NE	12.5
14 S	12 E	WM	9	NE NW	9.8
14 S	12 E	WM	9	SW NW	31.5
14 S	12 E	WM	9	SE NW	38.3
14 S	12 E	WM	9	NE SW	36.5
14 S	12 E	WM	9	NW SW	40.0
14 S	12 E	WM	9	SW SW	14.3
14 S	12 E	WM	9	SE SW	10.0
14 S	12 E	WM	9	NE SE	3.2
14 S	12 E	WM	9	NW SE	18.6
14 S	12 E	WM	17	NE NE	39.3
14 S	12 E	WM	17	NW NE	16.2
14 S	12 E	WM	17	SW NE	1.4
14 S	12 E	WM	17	SE NE	0.2
14 S	12 E	WM	17	NE NW	5.9
14 S	12 E	WM	17	SE NW	0.7

Use of water under this right may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows. If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this right, 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 interference.

This right is for the beneficial use of water without waste. New regulations established in the future may require the use of best practical technologies or conservation practices to achieve this end.

Use of water under this right shall conform to such reasonable rotation system as may be deemed a beneficial use without waste. The water user shall restrict normal use to pumping from two wells at any given time, with the following exceptions:

- a) During the height of the irrigation season a maximum of three wells may be used;
- b) When no surface water is being used by the water user then all four wells may be used up to the maximum allowed under this right.

The wells shall be maintained 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 any time.

The water user shall maintain the meters or measuring devices in good working order, shall keep a complete record of the amount of water used each month, as well as the average pumping rate at each well, and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the water user to report general water-use information, including the place and nature of use of water under the right.

The water user shall allow the watermaster access to the meters or measuring devices; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

The water user shall obtain a static water level measurement for each well during March of each year and report the measurement to the Department within thirty days. The measurement shall be made by a certified water rights examiner, registered professional geologist, or professional engineer. Water levels shall be reported as depth-to-water below ground level and shall be accompanied by supporting calculations.

If a well listed on this right displays a total static water level decline of ten or more feet over any period of years, as compared to the reference level, then the right holder shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s) under this right. Such action shall be taken until the water level recovers to above the ten-foot decline level or until the Department determines, based on the water user's or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. Regulation under this condition shall be made only as among the wells under this right.

The reference level for static water level declines is the second annual measurement taken after water use began under the terms of this right, being 177.9 feet below land surface (bls) for Well 1, 134.9 feet bls for Well 3, 139 feet bls for Well 4, and 166.7 feet bls for Well 7. The water user shall in no instance allow excessive decline to occur within the aquifer as a result of use under this right.

The water user shall allow the watermaster access to Well Number 7 for the purpose of static water level monitoring.

If there is a decline in the static water level in Well Number 7 of more than ten feet below the reference level ( 166.7 feet bls) at any time during operation of Wells Number 1, 3, and/or 4, the water user shall stop pumping said wells until the static water level recovers.

The Director may require pump test results every ten years thereafter.

Use of water under authority of this right may be regulated if analysis of data discloses that the appropriation will measurably reduce, or is measurably reducing, the surface water flows necessary to maintain the free-flowing character of the Deschutes scenic waterway.

For use supplemental to existing rights on the place of use, the right is limited to any deficiency in the available supply of any prior right existing for the same land.

Failure to comply with any of the provisions of the right may result in action including, but not limited to, restrictions on the use, penalties, or cancellation of the right.

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The use of water shall be limited when it interferes with any prior surface or ground water rights.

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Issued MAY 10 2012

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Dwight W. French  
Water Right Services Administrator, for  
Phillip C. Ward, Director  
Water Resources Department

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**ATTACHMENT 4**

**EVIDENCE OF USE AFFIDAVIT**

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# Application for Water Right Transfer

## Evidence of Use Affidavit



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

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

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State of Oregon )  
 ) ss  
 County of DESCHUTES)

I, REX BARBER, in my capacity as OWNER/OPERATOR,  
 mailing address P.O. BOX 434, TERREBONNE, OREGON 97760  
 telephone number (541)948-6325, being first duly sworn depose and say:

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

- Personal observation       Professional expertise

2. I attest that:

- Water was used during the previous five years on the **entire** place of use for Certificate # 87558 WHICH IS THE PRIMARY WATER RIGHT TO WHICH THE SUPPLEMENTAL WATER RIGHT UNDER CERTIFICATE 76372 IS ATTACHED FOR WHICH THE POD IS TO BE CHANGED TO A POA; AND WHICH WATER UNDER CERTIFICATE 76372 HAS BEEN USED DURING THE PREVIOUS FIVE YEARS.  
**OR**

- My knowledge is specific to the use of water at the following locations within the last five years:

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

**OR**

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

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(continues on reverse side)

3. The water right was used for: (e.g., crops, pasture, etc.): CROPS

4. I understand that if I do not attach one or more of the documents shown in the table below to support the above statements, my application will be considered incomplete.

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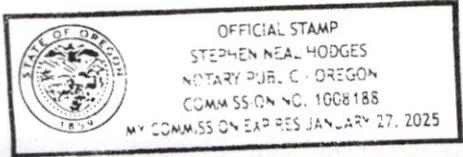
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*[Handwritten Signature]*  
Signature of Affiant

*5/28/21*  
Date

Signed and sworn to (or affirmed) before me this 28 day of MAY, 2021.



*Stephen Neal Hodges*  
Notary Public for Oregon

My Commission Expires: 1/27/25

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

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Well 4

**View**

**Date Range**  
 Unbilled  Current Bill  Previous Bill  Last Week  Last Month

**Type**

**Account**  
 6207850101 - 70625 LOWER BRIDC ▾

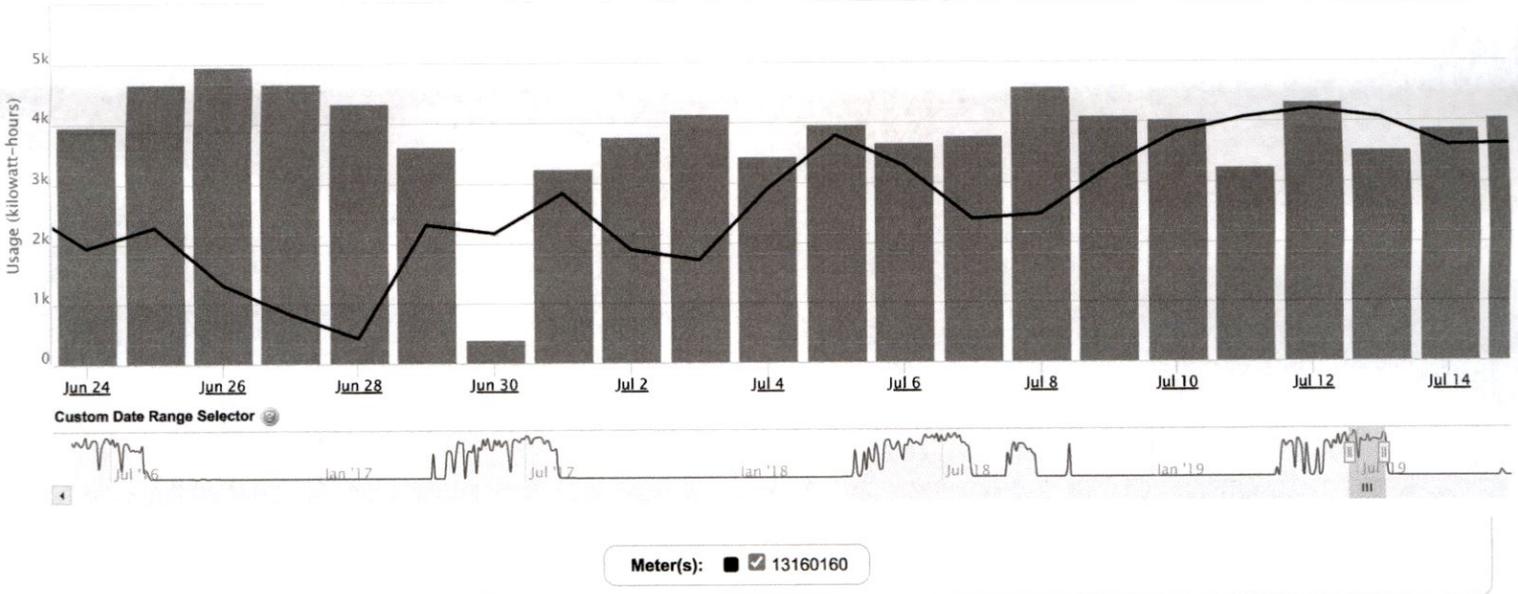
**Show Temperature Line**  
 High  Average  Low

**Usage Type**  
 kWh ▾

**Meter**  
 13160160 ▾

**From** 06/24/2019 **To** 07/24/2019

**Daily Usage Jun 24, 2019 to Jul 24, 2019**  
 Customer since: November 23, 1988



The total usage may vary from what is on your bill due to the time of day the reading was taken.

<b>Usage</b>		
Meter:		13160160
High Usage:		4,957.84
Low Usage:		394.86
Average Usage:		3,914.61
Total Usage:		121,353.02
<b>Weather</b>		
Average Temperature:		65° F
Average High Temperature:		76° F
Average Low Temperature:		52° F

Like

Tweet

Version: 12.8.3

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**ATTACHMENT 6**

**WELL LOGS**

**DESC 768**

**DESC 2087**

**DESC 2098**

**DESC 2100**

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#11

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



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DESC 768  
FEB 13 1991

145/125/9ba  
24903

WATER RESOURCES DEPT. LOCATION OF WELL by legal description:  
SALEM, OREGON (START CARD) #

(1) OWNER:  
Name Rex Barber  
Address 2045 S.W. 21st  
City Redmond State Ore Zip 97760

County Desch Latitude \_\_\_\_\_ Longitude \_\_\_\_\_  
Township 14 N or S. Range 12 E or W. WM.  
Section 9 NE 1/4 NW 1/4  
Tax Lot 1400 Lot \_\_\_\_\_ Block \_\_\_\_\_ Subdivision \_\_\_\_\_  
Street Address of Well (or nearest address) lower bridge

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

(3) DRILL METHOD  
 Rotary Air  Rotary Mud  Cable  
 Other \_\_\_\_\_

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

(5) BORE HOLE CONSTRUCTION:  
Special Construction approval Yes  No  Depth of Completed Well 340 ft.  
Explosives used   Type \_\_\_\_\_ Amount \_\_\_\_\_

HOLE		SEAL		Amount sacks or pounds
Diameter	From To	Material	From To	
<u>16</u>	<u>0</u> <u>25</u>	<u>Bentonite</u>	<u>0</u> <u>25</u>	<u>22 bags</u>

How was seal placed: Method  A  B  C  D  E  
 Other Bentonite (Granular)  
Backfill placed from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Material \_\_\_\_\_  
Gravel placed from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Size of gravel \_\_\_\_\_

(6) CASING/LINER:

Diameter	From	To	Gauge	Material			
				Steel	Plastic	Welded	Threaded
Casing: <u>12</u>	<u>+2</u>	<u>50</u>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Liner:				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

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

(8) WELL TESTS: Minimum testing time is 1 hour  
 Pump  Bailer  Air  Flowing Artesian  
Yield gal/min 500 Drawdown 0 Drill stem at 320 Time 1 hr.

Temperature of water 31 Depth Artesian Flow Found \_\_\_\_\_  
Was a water analysis done?  Yes By whom \_\_\_\_\_  
Did any strata contain water not suitable for intended use?  Too little  
 Salty  Muddy  Odor  Colored  Other \_\_\_\_\_  
Depth of strata: \_\_\_\_\_

(10) STATIC WATER LEVEL:  
170 ft. below land surface. Date 2-7-91  
Artesian pressure \_\_\_\_\_ lb. per square inch. Date \_\_\_\_\_

(11) WATER BEARING ZONES:

Depth at which water was first found 213

From	To	Estimated Flow Rate	SWL
<u>213</u>	<u>340</u>	<u>500</u>	<u>170</u>

(12) WELL LOG: Ground elevation \_\_\_\_\_

Material	From	To	SWL
<u>Sand &amp; Gravel</u>	<u>0</u>	<u>19</u>	
<u>Brown Sand Stone Congl</u>	<u>19</u>	<u>32</u>	
<u>Cemented Sand &amp; Gravel</u>	<u>32</u>	<u>60</u>	
<u>Brown Sand Stone</u>	<u>60</u>	<u>62</u>	
<u>Red lava</u>	<u>62</u>	<u>77</u>	
<u>Brown sand Stone Congl</u>	<u>77</u>	<u>147</u>	
<u>Red fine sand Stone</u>	<u>147</u>	<u>213</u>	
<u>(w.B.) Gray lava broken</u>	<u>213</u>	<u>231</u>	
<u>(w.B.) Black Basalt broken</u>	<u>231</u>	<u>276</u>	
<u>(w.B.) Red sand Stone</u>	<u>276</u>	<u>280</u>	
<u>(w.B.) Coarse black Sand</u>	<u>280</u>	<u>340</u>	
<u>stone Congl</u>			

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Date started 2-4-91 Completed 2-7-91

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

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



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

Application for Well ID Number

OWRD

bigfalls@cbbmail.com

POA 4 Well #7

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DEC 11 2017

WATER RESOURCES DEPT SALEM, OREGON

Do not complete if the well already has a Well Identification Number.

I. OWNER INFORMATION

Current Owner Name (please print): BIG FALLS RANCH CO. (REX BARBER)
Mailing Address: P.O. Box 434
City, State, Zip: TERREBONNE, OR 97760
Mail Well ID Tag to: [ ] SAME AS ABOVE [ ] In Care Of (C/O)
Name & Address:
City, State, Zip:

II. WELL LOCATION INFORMATION (Please fill out as completely as possible)

Township: 14 (North / South) Range: 12 (East / West) Section: 9 SE 1/4 of the NW 1/4
Tax Lot (usually last 3-5 numbers of Tax Map #): 1500 County: DESCHUTES
GPS Coordinates: 44.37438, -121.30203
Street Address of Well, City: 70480 NW LOWER BRIDGE WAY, TERREBONNE, OR
If the property had a different street address in the past:

III. GENERAL WELL INFORMATION (Please fill out as completely as possible, AND attach copy of Well Log, if available)

Use of Well (domestic, irrigation, commercial, industrial, monitoring): IRRIGATION
Date Well Constructed (or property built): 11/10/90 Total Well Depth: 340' Casing Diameter: 12"
Owner at time the well was constructed (if known): Rex Barber Well Log # (if known): DESC 224
Other Information: POA #4, WELL #7; WELL ALSO RECONDITIONED IN 1991 -> DESC 768

SUBMITTED BY (please print): WILLIAM D. NASHAM - WELL INSPECTOR - SCR
PHONE: 541/639-4109 EMAIL &/or FAX:

Send application to: Oregon Water Resources Department 725 Summer St NE, Suite A, Salem, Oregon 97301; or fax to (503) 986-0902. Applications are processed in the order they are received, and Well ID Numbers are mailed within 4-5 business days.

For Official Use Only by the Oregon Water Resources Department:

Received Date: 12-11-17

Well Log Number: DESC 224 + DESC 768

Well Identification #: L122706

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

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

**DESC 2087**  
**WATER WELL REPORT**

**RECEIVED**

STATE OF OREGON  
(Please type or print)

DESC  
2087

State Well No. 145/12E-Mac

State Permit No. \_\_\_\_\_

FEB 1 1979 (Do not write above this line)

**(1) OWNER:** WATER RESOURCES DEPT.  
SALEM, OREGON  
Name Bobby Beesley  
Address Culver, Ore. 97739

**(2) TYPE OF WORK (check):**  
New Well  Deepening  Reconditioning  Abandon   
If abandonment, describe material and procedure in Item 12.

**(3) TYPE OF WELL:** Rotary  Driven   
Cable  Jetted   
Dug  Bored   
**(4) PROPOSED USE (check):** Domestic  Industrial  Municipal   
Irrigation  Test Well  Other

**CASING INSTALLED:** Threaded  Welded   
16" Diam. from 2 ft. to -19 ft. Gage 250  
" Diam. from ft. to ft. Gage  
" Diam. from ft. to ft. Gage

**PERFORATIONS:** Perforated?  Yes  No.  
Type of perforator used \_\_\_\_\_  
Size of perforations in. by in.  
perforations from ft. to ft.  
perforations from ft. to ft.  
perforations from ft. to ft.

**(7) SCREENS:** Well screen installed?  Yes  No  
Manufacturer's Name \_\_\_\_\_  
Type \_\_\_\_\_ Model No. \_\_\_\_\_  
Diam. Slot size Set from ft. to ft.  
Diam. Slot size Set from ft. to ft.

**(8) WELL TESTS:** Drawdown is amount water level is lowered below static level  
Was a pump test made?  Yes  No If yes, by whom?  
Yield gal./min. with ft. drawdown after hrs.  
" " " " "  
" " " " "  
Bailer test 8 gal./min. with NO ft. drawdown after 1 hrs.  
Artesian flow g.p.m.  
Temperature of water Depth artesian flow encountered ft.

**(9) CONSTRUCTION:** Well seal—Material used cement  
Well sealed from land surface to -19 ft.  
Diameter of well bore to bottom of seal 20 in.  
Diameter of well bore below seal 15 in.  
Number of sacks of cement used in well seal 12 sacks  
How was cement grout placed? gravity flow

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

**(10) LOCATION OF WELL:**  
County Deschutes Driller's well number \_\_\_\_\_  
SW 1/4 NE 1/4 Section 17 T. 14S R. 12E W.M.  
Bearing and distance from section or subdivision corner  
800 ft. north and 1,540 ft. west from the east quarter corner of Section 17

**(11) WATER LEVEL: Completed well.**  
Depth at which water was first found 191 ft.  
Static level 171 ft. below land surface. Date 1-3-79  
Artesian pressure \_\_\_\_\_ lbs. per square inch. Date \_\_\_\_\_

**(12) WELL LOG:** Diameter of well below casing 15  
Depth drilled 262 ft. Depth of completed well 262 ft.

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

MATERIAL	From	To	SWL
brown soil & small boulders	0	5	
brown coarse sandstone	5	76	
brown coarse sandstone & large boulders	76	191	171
black fine sand & gravel WB	191	223	
black doarse sand & gravel W.B.	223	252	
red soft rock	252	262	

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Work started 12-26 1978 Completed 1-4 1979  
Date well drilling machine moved off of well 1-5 1979

**Drilling Machine Operator's Certification:**  
This well was constructed under my direct supervision. Materials used and information reported above are true to my best knowledge and belief.  
[Signed] Larry K. Crawford Date 1-8, 1979.  
(Drilling Machine Operator)  
Drilling Machine Operator's License No. 678

**Water Well Contractor's Certification:**  
This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.  
Name Crawford Well Drilling, Inc.  
(Person, firm or corporation) (Type or print)  
Address 1245 N.W. Lower Bridge Terrebonne, Ore.  
[Signed] Larry K. Crawford  
(Water Well Contractor)  
Contractor's License No. 570 Date 1-8, 1979



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

Application for Well ID Number

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DEC 11 2017

WATER RESOURCES DEPT SALEM, OREGON

70A2 WELL #3 Cleanout log DESC 2086

Do not complete if the well already has a Well Identification Number.

I. OWNER INFORMATION

Current Owner Name (please print): BIG FALLS RANCH CO., (REX BARBER)
Mailing Address: P.O. Box 434
City, State, Zip: TERREBONNE, OR 97760
Mail Well ID Tag to: [ ] SAME AS ABOVE [ ] In Care Of (C/O)
Name & Address:
City, State, Zip:

II. WELL LOCATION INFORMATION (Please fill out as completely as possible)

Township: 14 (North/South) Range: 12 (East/West) Section: 17 SW 1/4 of the NE 1/4
Tax Lot (usually last 3-5 numbers of Tax Map #): 1402 County: DESCHUTES
GPS Coordinates: 44.35900, -121.31786
Street Address of Well, City: 70470 NW LOWER BRIDGE WAY, TERREBONNE, OR
If the property had a different street address in the past:

III. GENERAL WELL INFORMATION (Please fill out as completely as possible, AND attach copy of Well Log, if available)

Use of Well (domestic, irrigation, commercial, industrial, monitoring): IRRIGATION
Date Well Constructed (or property built): 1/5/1979 Total Well Depth: 262' Casing Diameter: 16"
Owner at time the well was constructed (if known): BOB BRESLEY Well Log # (if known): DESC 2087
Other Information: POA #2, WELL #3; Also, there is a cleanout log - DESC 2086
SUBMITTED BY (please print): WILLIAM D. NASHAM - WELL INSPECTOR - SCR
PHONE: 541/639-4109 EMAIL &/or FAX:

Send application to: Oregon Water Resources Department 725 Summer St NE, Suite A, Salem, Oregon 97301; or fax to (503) 986-0902. Applications are processed in the order they are received, and Well ID Numbers are mailed within 4-5 business days.

For Official Use Only by the Oregon Water Resources Department:

Received Date: 12-11-17

Well Log Number: DESC 2087+2086

Well Identification #: L122702

NOTICE TO WATER WELL CONTRACTOR  
 The original and first copy of this report  
 are to be filed with the  
 WATER RESOURCES DEPARTMENT,  
 SALEM, OREGON 97310  
 within 30 days from the date  
 of well completion.

**RECEIVED** **DESC** 2098  
**WATER WELL REPORT**  
**RECEIVED**  
 FEB - 9 1978  
 STATE OF OREGON  
 WATER RESOURCES DEPT.  
 SALEM, OREGON  
 (Do not write above this line)  
 WATER RESOURCES DEPT.

State Well No. /45/12E-1820  
 State Permit No. \_\_\_\_\_  
 JAN 10 1978

**(1) OWNER:**

Name Bob Beesley  
 Address Rt. 1, Box 31  
Culver, Ore. 97734

**(2) TYPE OF WORK (check):**

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

**(3) TYPE OF WELL:**

Rotary  Driven   
 Cable  Jetted   
 Dug  Bored

**(4) PROPOSED USE (check):**

Domestic  Industrial  Municipal   
 Irrigation  Test Well  Other

**CASING INSTALLED:**

Threaded  Welded   
16 " Diam. from 1 ft. to -19 ft. Gage .250  
 " Diam. from " ft. to " ft. Gage "  
 " Diam. from " ft. to " ft. Gage "

**PERFORATIONS:**

Perforated?  Yes  No.  
 Type of perforator used \_\_\_\_\_  
 Size of perforations in. by in.  
 perforations from " ft. to " ft.  
 perforations from " ft. to " ft.  
 perforations from " ft. to " ft.

**(7) SCREENS:**

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

**(8) WELL TESTS:**

Drawdown is amount water level is lowered below static level  
 Was a pump test made?  Yes  No If yes, by whom?  
 gal./min. with ft. drawdown after hrs.  
 " " " " " "  
 " " " " " "  
Baller test 20 gal./min. with no ft. drawdown after 1 hrs.  
 Artesian flow g.p.m.  
 Temperature of water Depth artesian flow encountered \_\_\_\_\_ ft.

**(9) CONSTRUCTION:**

Well seal—Material used cement  
 Well sealed from land surface to 18 ft.  
 Diameter of well bore to bottom of seal 20 in.  
 Diameter of well bore below seal 15 in.  
 Number of sacks of cement used in well seal 11 sacks  
 How was cement grout placed? gravity flow  
 Was a drive shoe used?  Yes  No Plugs \_\_\_\_\_ Size: location \_\_\_\_\_ ft.  
 Did any strata contain unusable water?  Yes  No  
 Type of water? \_\_\_\_\_ depth of strata \_\_\_\_\_  
 Method of sealing strata off \_\_\_\_\_  
 Was well gravel packed?  Yes  No Size of gravel: \_\_\_\_\_  
 Gravel placed from \_\_\_\_\_ ft. to \_\_\_\_\_ ft.

**(10) LOCATION OF WELL:**

County Jefferson-Deschutes Driller's well number \_\_\_\_\_  
NE  $\frac{1}{4}$  NE  $\frac{1}{4}$  Section 18 T. 14S R. 12 W.M.

Bearing and distance from section or subdivision corner  
1110 ft. south of the NE corner of  
section 18

**(11) WATER LEVEL: Completed well.**

Depth at which water was first found 210 ft.  
 Static level 163 ft. below land surface. Date 12/20/77  
 Artesian pressure lbs. per square inch. Date \_\_\_\_\_

**(12) WELL LOG:**

Diameter of well below casing 15  
 Depth drilled 288 ft. Depth of completed well 288 ft.

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

MATERIAL	From	To	SWL
brown sandy soil	0	3	
brown sandstone	3	28	
soft red rock	28	36	
brown sandstone	36	210	163
brown coarse gravel W. B.	210	267	
red soft rock	267	279	
black hard rock	279	288	

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**JUN 28 2021**  
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Work started 12/19 19 77 Completed 12/21 19 77  
 Date well drilling machine moved off of well 12/22 19 77

**Drilling Machine Operator's Certification:**

This well was constructed under my direct supervision. Materials used and information reported above are true to my best knowledge and belief.  
 [Signed] Dele Paul Dumas Date 1-7, 19 78  
 (Drilling Machine Operator)  
 Drilling Machine Operator's License No. 934

**Water Well Contractor's Certification:**

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.  
 Name Crawford Well Drilling  
 (Person, firm or corporation) (Type or print)  
 Address 1245 N.W. Lower Bridge Terrebonne, Ore.  
 [Signed] Larry K. Crawford  
 (Water Well Contractor)  
 Contractor's License No. 570 Date 1-7, 19 78



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

Application for
Well ID Number

OWRD

POA 3, WELL #4

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DEC 11 2017

Do not complete if the well already has a Well Identification Number.

WATER RESOURCES DEPT
SALEM, OREGON

I. OWNER INFORMATION

Current Owner Name (please print): BIG FALLS RANCH CO. (REX BARBER)
Mailing Address: P.O. Box 434
City, State, Zip: TERREBONNE, OR 97760
Mail Well ID Tag to: [ ] SAME AS ABOVE [ ] In Care Of (C/O)
Name & Address:
City, State, Zip:

II. WELL LOCATION INFORMATION (Please fill out as completely as possible)

Township: 14 (North/South) Range: 12 (East/West) Section: 17 NW 1/4 of the NW 1/4
Tax Lot (usually last 3-5 numbers of Tax Map #): 1404 County DESCHUTES
GPS Coordinates: 44.36325, -121.33143
Street Address of Well, City: 70700 NW LOWER BRIDGE WAY, TERREBONNE, OR
If the property had a different street address in the past:

III. GENERAL WELL INFORMATION (Please fill out as completely as possible, AND attach copy of Well Log, if available)

Use of Well (domestic, irrigation, commercial, industrial, monitoring): IRRIGATION
Date Well Constructed (or property built): 12/22/1977 Total Well Depth: 288' Casing Diameter: 16"
Owner at time the well was constructed (if known): BOB BEESLEY Well Log # (if known): DESC 2098
Other Information: POA #3, WELL #4

SUBMITTED BY (please print): WILLIAM D. NASHAM - WELL INSPECTOR - SCR
PHONE: 541/639-4109 EMAIL &/or FAX:

Send application to: Oregon Water Resources Department 725 Summer St NE, Suite A, Salem, Oregon 97301; or fax to (503) 986-0902.
Applications are processed in the order they are received, and Well ID Numbers are mailed within 4-5 business days.

For Official Use Only by the Oregon Water Resources Department:

Received Date:

12-11-17

Well Log Number:

DESC 2098

Well Identification #:

L122703

DESC

2100

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#1

NOTICE TO WATER WELL CONTRACTOR
The original and first copy of this report are to be filed with the STATE ENGINEER, SALEM, OREGON 97310 within 30 days from the date of well completion.

NOV 18 1967 WATER WELL REPORT

JUN 20 1967

14/12-18dea

STATE ENGINEER, SALEM, OREGON 97310 (Please type or print) STATE PERMIT NO. G-4843

(1) OWNER: BOB RIEMENSCHNEIDER
Name DOUBLE R.C. RANCH
Address RT-1 BOX 235 TERREBONNE ORE.

(11) WELL TESTS: Drawdown is amount water level is lowered below static level
Was a pump test made? Yes No If yes, by whom? EASTERN MILLS
Yield: 2000 gal./min. with NO ft. drawdown after 20 hrs.

(2) LOCATION OF WELL:
County DESC Driller's well number
Bearing and distance from section or subdivision corner SEC-18-T 14 S-RANGE-12 E

(12) WELL LOG: Diameter of well below casing CASED
Depth drilled 232 ft. Depth of completed well 232 ft.
Formation: Describe by color, character, size of material and structure, and show thickness of aquifers and the kind and nature of the material in each stratum penetrated, with at least one entry for each change of formation.

(3) TYPE OF WORK (check):
Well Deepening Reconditioning Abandonment

Table with columns MATERIAL, FROM, TO. Rows include OVER BURDEN, SANDSTONE, RED CINDERS, BOULDER CONC., SANDSTONE, WATER BEARING BLACK SAND MIXED WITH LARGE RIVER AGGREGATE.

(4) PROPOSED USE (check): Domestic Industrial Municipal Irrigation Test Well Other
(5) TYPE OF WELL: Rotary Driven Cable Jetted Dug Bored

(6) CASING INSTALLED: Threaded Welded
12" Diam. from 0 ft. to 232 ft. Gage 250
24" Diam. from 0 ft. to 16 ft. Gage 312

(7) PERFORATIONS: Perforated? Yes No
Type of perforator used CUTTING TORCH
Size of perforations 1/2 in. by 3 in.
150 perforations from 170 ft. to 232 ft.

(8) SCREENS: Well screen installed? Yes No
Manufacturer's Name Model No.
Slot size Set from ft. to ft.
Diam. Slot size Set from ft. to ft.

(9) CONSTRUCTION: NOT TEST (GRAVEL)
Well seal-Material used in seal
Depth of seal ft. Was a packer used?
Diameter of well bore to bottom of seal 24 in.
Were any loose strata cemented off? Yes No
Was a drive shoe used? Yes No
Was well gravel packed? Yes No Size of gravel 4 1/2 in. to 3/4
Gravel placed from 160 ft. to 232 ft.
Did any strata contain unusable water? Yes No
Type of water? depth of strata
Method of sealing strata off

(10) WATER LEVELS:
Static level 170 ft. below land surface Date 11-12-66
Artesian pressure lbs. per square inch Date

Work started 10-28 1966 Completed 11-12 1966
Date well drilling machine moved off of well 11-14 1966

(13) PUMP:
Manufacturer's Name NONE
Type: H.P.

Water Well Contractor's Certification:
This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.
NAME JACKSON DRILLING SERVICE
Address REDMOND ORE.
Drilling Machine Operator's License No. 350
[Signed] Thomas D. Jackson
Contractor's License No. 427 Date 11-17 1966

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Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem Oregon 97301
(503) 986-0900
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Application for Well ID Number

OWRD

POA 1, WELL #1

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Do not complete if the well already has a Well Identification Number.

DEC 11 2017

WATER RESOURCES DEPT
SALEM, OREGON

I. OWNER INFORMATION

Current Owner Name (please print): BIG FALLS RANCH CO. (REX BARBER)
Mailing Address: P.O. Box 434
City, State, Zip: TERREBONNE, OR 97760
Mail Well ID Tag to: [ ] SAME AS ABOVE [ ] In Care Of (C/O)
Name & Address:
City, State, Zip:

II. WELL LOCATION INFORMATION (Please fill out as completely as possible)

Township: 14 (North / South) Range: 12 (East / West) Section: 18 SW 1/4 of the SE 1/4
Tax Lot (usually last 3-5 numbers of Tax Map #): 1406 County DESCHUTES
GPS Coordinates: 44.35252, -121.33788
Street Address of Well, City: 70505 LOWER BRIDGE WAY, TERREBONNE, OR
If the property had a different street address in the past:

III. GENERAL WELL INFORMATION (Please fill out as completely as possible, AND attach copy of Well Log, if available)

Use of Well (domestic, irrigation, commercial, industrial, monitoring): IRRIGATION
Date Well Constructed (or property built): 11/14/1966 Total Well Depth: 232' Casing Diameter: 12"
Owner at time the well was constructed (if known): BOB REIMENSCHNEIDER Well Log # (if known):
Other Information: POA #1, WELL #1

SUBMITTED BY (please print): WILLIAM D. NASHUM - Well Inspector - SCIR
PHONE: 541/639-4109 EMAIL &/or FAX:

Send application to: Oregon Water Resources Department 725 Summer St NE, Suite A, Salem, Oregon 97301; or fax to (503) 986-0902.
Applications are processed in the order they are received, and Well ID Numbers are mailed within 4-5 business days.

For Official Use Only by the Oregon Water Resources Department:

Received Date:

12-11-17

Well Log Number:

DESC 2100

Well Identification #:

#L122705

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**ATTACHMENT 7**

**ORS 540.531 – TRANSFER OF SURFACE WATER POINT OF  
DIVERSION TO GROUNDWATER POINT OF APPROPRIATION WITH  
REFERENCE TO:**

**ORS 540.531(3)(a)(b)(c)**

13749

—

(f) The time allowed by the commission for completion of an authorized change under paragraphs (a) to (e) of this subsection may not be used when computing a five-year period of nonuse under the provisions of ORS 540.610 (1).

(2)(a) If a certificate covering the water right has been previously issued, the commission shall cancel the previous certificate or, if for an irrigation district, the commission may modify the previous certificate and, when proper proof of completion of the authorized changes has been filed with the commission, issue a new certificate or, if for an irrigation district, modify the previous certificate, preserving the previously established priority of rights and covering the authorized changes. If only a portion of the water right covered by the previous certificate is affected by the changes, a separate new certificate may be issued to cover the unaffected portion of the water right.

(b) If the change authorized under subsection (1) of this section is necessary to allow a change in a water right pursuant to ORS 537.348, is necessary to complete a project funded under ORS 541.932, or is approved by the State Department of Fish and Wildlife as a change that will result in a net benefit to fish and wildlife habitat, the Water Resources Department, at the discretion of the Water Resources Director, may waive or assist the applicant in satisfying any of the proof of completion requirements of paragraph (a) of this subsection. The assistance provided by the department may include, but need not be limited to, development of a final proof survey map and claim of beneficial use.

(3) Upon receiving notification of the merger or consolidation of municipal water supply entities, or the formation of a water authority under ORS chapter 450, the commission shall cancel the previous certificates of the entities replaced by the merger, consolidation or formation and issue a new certificate to the newly formed municipality or water authority. The new certificate shall preserve the previously established priority of rights of the replaced entities and shall allow beneficial use of the water on any lands acquired in the merger, consolidation or formation. [Amended by 1975 c.581 §26b; 1983 c.807 §2; 1985 c.673 §95; 1989 c.707 §4; 1993 c.577 §37; 1999 c.664 §3; 1999 c.804 §1; 2001 c.299 §§1,2; 2005 c.614 §4]

**540.531 Transfer of surface water point of diversion to ground water; requirements; priority; mitigation measures; return to surface water diversion; rules.** (1) Notwithstanding ORS 537.515 and 537.535, an owner of a surface water use subject to transfer may apply for a transfer of the point of diversion to allow the appropriation of ground water if the proposed

transfer complies with the requirements of subsection (2) or (3) of this section and with the requirements for a transfer in point of diversion specified in ORS 540.520 and 540.530.

(2) The Water Resources Department may allow a transfer of the point of diversion under subsection (1) of this section if:

(a)(A) The new point of diversion appropriates ground water from an aquifer that is hydraulically connected to the authorized surface water source;

(B) The proposed change in point of diversion will not result in enlargement of the original water right or in injury to other water right holders;

(C) The use of the new point of diversion will affect the surface water source similarly to the authorized point of diversion specified in the water use subject to transfer; and

(D) The withdrawal of ground water at the new point of diversion is located within 500 feet of the surface water source and, when the surface water source is a stream, is also located within 1,000 feet upstream or downstream of the original point of diversion as specified in the water use subject to transfer; or

(b) The new point of diversion is not located within the distance requirements set forth in paragraph (a)(D) of this subsection, the holder of the water use subject to transfer submits to the department evidence prepared by a licensed geologist that demonstrates that the use of the ground water at the new point of diversion will meet the criteria set forth in paragraph (a)(A) to (C) of this subsection.

(3) Notwithstanding subsection (2) of this section, the department shall allow a transfer of the point of diversion under subsection (1) of this section in the Deschutes Basin ground water study area if:

(a) The new point of diversion appropriates ground water from an aquifer that is hydraulically connected to the authorized surface water source;

(b) The proposed change in the point of diversion will not result in enlargement of the original water right or in injury to other water right holders; and

(c) The use of the new point of diversion will affect the surface water source hydraulically connected to the authorized point of diversion specified in the water use subject to transfer. The department may not require that the use of the new point of diversion affect the surface water source similarly to the authorized point of diversion specified in the water use subject to transfer under this subsection.

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JUN 23 2021

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**H.A. McCoy**  
ENGINEERING & SURVEYING, LLC

1180 SW Lake Road, Redmond, OR 541-923-7554 www.ham-engr.com

June 21, 2021

Ms. Lisa Jaramillo  
Oregon Water Resources Department  
Transfer Applications  
725 Summer Street NE, Suite A  
Salem, Oregon 97301-1266

**TRANSFER APPLICATION; CERTIFICATE 76372**

Dear Lisa,

Enclosed is a transfer application for Certificate 76372. The application is to change the authorized point of surface water diversion for Certificate 76372 to points of ground water appropriation at existing functioning wells. The certificate authorizes supplemental use of water for irrigation in the upper Deschutes Basin under the primary water right Certificate 87558.

The proposed transfer of the point of surface water diversion for Certificate 76372 to a point of ground water appropriation is being made under ORS 540.531(3)(a)(b)(c).

Enclosed are the following application items:

1. Application for permanent water right transfer;
2. Attachment 1 containing:
  - Figure 1 transfer map for Certificate 76372 (POD to POA);
  - Figure 2, water delivery system map;
3. Attachment 2: Certificate 76372;
4. Attachment 3: primary water right Certificate 87558;
5. Attachment 4: evidence of use affidavits, Certificate 76372;
6. Attachment 5: signed Land Use Information Form Receipt;
7. Attachment 6: well logs;
8. Attachment 7: ORS 540.531(3)(a)(b)(c);
9. Big Falls Ranch Co. check in the amount of \$1,570.00 for application fee.

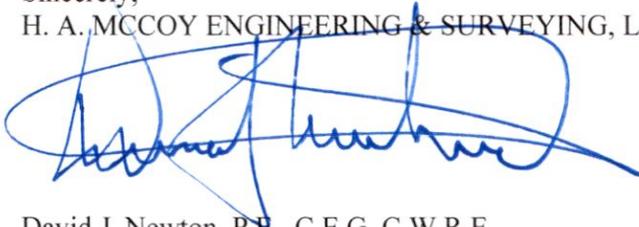
Expeditious processing of this application is appreciated very much. If there are any questions regarding this transfer application, please contact me at (541) 325-3905, or by e-mail at [dnewton@newtonconsultants.com](mailto:dnewton@newtonconsultants.com) for H. A. McCoy Engineering & Surveying, LLC, as agent for the applicant.

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Sincerely,  
H. A. MCCOY ENGINEERING & SURVEYING, LLC



David J. Newton, P.E., C.E.G. C.W.R.E.  
Principal Engineer & Engineering Geologist

Enclosures

13749