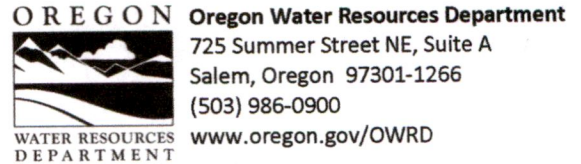


Application for Permanent Water Right Transfer



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.
- 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: C-95746**
 Please include a separate Part 5 for each water right. (See instructions on page 6)
NOTE: A separate transfer application is required for each water right unless the criteria in OAR 690-380-3220 are met.

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.
- N/A Oregon Water Resources Department’s Land Use Information Form with approval and signature (or signed land use form receipt stub) from each local land use authority in which water is to be diverted, conveyed, and/or used. Not required if water is to be diverted, conveyed, and/or used only on federal lands or if **all** of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone.
- N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation.
- 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.

(For Staff Use Only)

WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):

<input type="checkbox"/> Application fee not enclosed/insufficient	<input type="checkbox"/> Map not included or incomplete
<input type="checkbox"/> Land Use Form not enclosed or incomplete	<input type="checkbox"/> Evidence of Use Form not enclosed or incomplete
<input type="checkbox"/> Additional signature(s) required	<input type="checkbox"/> Part _____ is incomplete

Other/Explanation _____

Staff: _____ 503- _____ Date: ____/____/____

Part 2 of 5 – Transfer Application Map

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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/. 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.
- 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°).

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Part 4 of 5 – Applicant Information and Signature

Applicant Information

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APPLICANT/BUSINESS NAME Kameron DeLashmutt / Pinnacle Utilities, LLC & Central Land and Cattle Company, LLC			PHONE NO. 541-350-8479	ADDITIONAL CONTACT NO.
ADDRESS 2477 NW Canyon Drive				FAX NO.
CITY Redmond	STATE OR	ZIP 97756	E-MAIL kameron1959@gmail.com	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

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

AGENT/BUSINESS NAME John A. Short / Water Right Services, LLC			PHONE NO. 541-389-2837	ADDITIONAL CONTACT NO.
ADDRESS PO Box 1830				FAX NO.
CITY Bend	STATE OR	ZIP 97756	E-MAIL johnshort@usa.com	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

Explain in your own words what you propose to accomplish with this transfer application, and why:
The applicant is proposing the following changes to a portion of C-95746; change the place of use, change surface water POD to groundwater POA, and change the type of use to Quasi-municipal use.

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

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.

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By my signature below, I confirm that I understand:

- 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: **Bend Bulletin.**
- 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).
- Refunds may only be granted upon request and, as set forth in ORS 536.050(4)(a), if the Director determines that a refund of all or part of a fee is appropriate in the interests of fairness to the public or necessary to correct an error of the Department.

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



Applicant signature

Print Name (and Title if applicable)

Date

Applicant signature

Print Name (and Title if applicable)

Date

Is the applicant the sole owner of the land on which the water right, or portion thereof, proposed for transfer is located? Yes No* See attached Deed - Deschutes Co. Official Records Document No. 2021-21099

*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.

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:

https://www.oregon.gov/owrd/WRDFormsPDF/Transfer_Property_Transactions.pdf

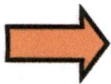
RECEIVING LANDOWNER NAME			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS				FAX NO.
CITY	STATE	ZIP	E-MAIL	
Describe any special ownership circumstances:				
The confirming Certificate shall be issued in the name of: <input checked="" type="checkbox"/> Applicant <input type="checkbox"/> Receiving Landowner				

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.)

DISTRICT NAME Tumalo Irrigation District	ADDRESS 64697 Cook Avenue		RECEIVED OCT 22 2021
CITY Bend	STATE OR	ZIP 97703	
DISTRICT NAME Central Oregon Irrigation District	ADDRESS 1055 SW Lake Court		OWRD
CITY Redmond	STATE OR	ZIP 97756	

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 La Pine Cooperative Water Association	ADDRESS PO Box 97	
CITY La Pine	STATE OR	ZIP 97739



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 Deschutes County Community Development	ADDRESS 117 NW Lafayette Ave	
CITY Bend	STATE OR	ZIP 97703

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

Part 5 of 5 – Water Right Information

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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 # 95746

Description of Water Delivery System

System capacity: 26.9 cubic feet per second (cfs) OR
 _____ gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. **The Authorized POD is located in the SWSW, Section 34, T23S R9E, WM, and has a capacity to divert the entire water right in Certificate 95746, which can reach 26.9 during the peak irrigation season. A canal delivers the water to the POU.**

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)
POD	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		23	S	9	E	34	SW	SW	3400	550' N, 1150' E OF SW COR SEC 34
Well #1	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		15	S	12	E	28	SE	NE	7700	2519' S, 578' W of NE Cor Sec 28
Well #2	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		"	"	"	"	"	NW	SE	7700	2958' S, 2316' W of NE Cor Sec 28
Well #3	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		"	"	"	"	"	SE	NW	7700	1632' S, 3425' W of NE Cor Sec 28
Well #4	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		"	"	"	"	29	NW	SE	7900	1677' N, 1466' W of SE Cor Sec 29
Well #5	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		"	"	"	"	20	NE	SE	7700	205' S, 434' W of E 1/4 Cor Sec 20
Well #6	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		"	"	"	"	"	SW	NE	5000	244' N, 1667' W of E 1/4 Cor Sec 20
Well #7	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		"	"	"	"	17	SE	NW	5000	2446' S, 1180' W of N 1/4 Cor Sec 17
Well #8	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	DESC 756	"	"	"	"	29	NE	NE	7800	900' S, 850' W of NE Cor Sec 29

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

- | | |
|--|---|
| <input checked="" type="checkbox"/> Place of Use (POU) | <input type="checkbox"/> Supplemental Use to Primary Use (S to P) |
| <input checked="" 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
POA (SW/GW) | <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.
- 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 # 95746

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.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.													Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.													
Twp	Rng	Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp	Rng		Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date					
22	S	10	E	34	NW	NE	2803		16.9	IR	POD	1897	POU, USE, SW/GW	15	S	12	E	17	NW	NE	5000			QM	Wells 1-8	1897	
"	"	"	"	"	NE	NW	"		10.5	"	"	"	"	"	"	"	"	"	SW	NE	"			"	"	"	
"	"	"	"	"	SE	NW	"		16.7	"	"	"	"	"	"	"	"	"	NE	NW	"			"	"	"	
"	"	"	"	"	NE	SW	"		5.9	"	"	"	"	"	"	"	"	"	SE	NW	"			"	"	"	
													"	"	"	"	"	"	SW	SW	"			"	"	"	
													"	"	"	"	"	"	SE	SW	"			"	"	"	
													"	"	"	"	"	"	NW	SE	"			"	"	"	
													"	"	"	"	"	"	SW	SE	"			"	"	"	
													"	"	"	"	"	"	20	NW	NE	"			"	"	"
													"	"	"	"	"	"	SW	NE	"			"	"	"	
													"	"	"	"	"	"	NE	NW	"			"	"	"	
													"	"	"	"	"	"	NW	NW	"			"	"	"	

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													POU, USE, SW/GW	15	S	12	E	29	NE	NE	7800			QM	Wells 1-8	1897
													"	"	"	"	"	"	NW	NE	"			"	"	"
													"	"	"	"	"	"	SW	NE	"			"	"	"
													"	"	"	"	"	"	SE	NE	"			"	"	"
													"	"	"	"	"	"	SW	NW	"			"	"	"
													"	"	"	"	"	"	SE	NW	"			"	"	"
													"	"	"	"	"	"	NE	SW	"			"	"	"
													"	"	"	"	"	"	NW	SW	"			"	"	"
													"	"	"	"	"	"	NE	SE	"			"	"	"
													"	"	"	"	"	"	NW	SE	7900			"	"	"
													"	"	"	"	"	"	SE	SE	7801			"	"	"
													"	"	"	"	"	30	NW	NE	8000			"	"	"
													"	"	"	"	"	"	SW	NE	"			"	"	"
													"	"	"	"	"	"	SE	NE	7800			"	"	"
													"	"	"	"	"	"	NE	NW	8000			"	"	"
													"	"	"	"	"	"	SE	NW	"			"	"	"
													"	"	"	"	"	"	NE	SE	7800			"	"	"
TOTAL ACRES											50.0												TOTAL ACRES	N/A		

Additional remarks: **The proposed place of use will adhere to the season of use and rate and duty limitation of the 50.0 acre portion of C-95746 proposed for transfer, changing to QM use within the service area boundary outlined for the "TO" lands, thereby not enlarging the use.**

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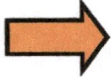
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For Place of Use or Character of Use Changes

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

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

The "to" lands are associated with Permit G-17036. Being quasi-municipal rights, the rights are not "layered" as defined in OAR 690-380-0100(4).



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 # _____;
Surface water primary Certificate # _____.

For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # _____

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
Well 1	No		800-900'	14"	+2-18.5'	0-18.5'			Deschutes Formation	
Well 2	No		"	"	"	"			Deschutes Formation	
Well 3	No		900-1000'	"	"	"			Deschutes Formation	
Well 4	No		"	"	"	"			Deschutes Formation	
Well 5	No		800-900'	"	"	"			Deschutes Formation	
Well 6	No		"	"	"	"			Deschutes Formation	
Well 7	No		"	"	"	"			Deschutes Formation	
Well 8	Yes	DESC 756	880'	8"	+1.5-18.5'	"		730'	Deschutes Formation	



Land Use Application

Permit Sign-Off - Other Agency - New

DESCHUTES COUNTY
117 NW Lafayette Avenue
PO Box 6005
Bend, OR 97703
541-388-6575

247-21-000885-PS

www.deschutes.org/cd

cdd-webmaster@deschutes.org

APPLICATION DESCRIPTION

Type of Application: Permit Sign-Off - Other Agency - New

Description of Work: Oregon Water Resources Department- LUCS

LOCATION INFORMATION

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Property Address:

67525 Cline Falls Rd, Redmond, OR 97756
67400 Barr Rd, Redmond, OR 97756
67205 Cline Falls Rd, Redmond, OR 97756
67545 Cline Falls Rd, Redmond, OR 97756
67555 Cline Falls Rd, Redmond, OR 97756
67705 Cline Falls Rd, Redmond, OR 97756
11800 Eagle Crest Blvd, Redmond, OR 97756
11810 Eagle Crest Blvd, Redmond, OR 97756
11820 Eagle Crest Blvd, Redmond, OR 97756

Parcel:

1512000007801 - Primary
1512000005000
1512000005001
1512000005002
1512000007700
1512000007701
1512000007800
1512000007900
1512000008000

Owner: CENTRAL LAND & CATTLE COMPANY LLC

Address: 2447 NW CANYON DR
REDMOND OR 97756

Owner: LOYAL LAND LLC

Address: 78340 BIRKDALE CT
LA QUINTA CA 92253

Owner: CENTRAL LAND & CATTLE COMPANY LLC

Address: 2223 CEDAR ELM TERR
WESTLAKE TX 76262

Owner: CENTRAL LAND & CATTLE COMPANY LLC

Address: 2447 NW CANYON DR
REDMOND OR 97756

Owner: DELASHMUTT, KAMERON

Address: 2447 NW CANYON DR
REDMOND OR 97756

Owner: CENTRAL LAND & CATTLE COMPANY LLC

Address: 2447 NW CANYON DR
REDMOND OR 97756

Owner: CENTRAL LAND & CATTLE COMPANY LLC

Address: 2447 NW CANYON DR
REDMOND OR 97756

Owner: CENTRAL LAND & CATTLE COMPANY LLC

Address: 2447 NW CANYON DR
REDMOND OR 97756

Owner: CENTRAL LAND & CATTLE COMPANY LLC

Address: 2447 NW CANYON DR
REDMOND OR 97756

Owner: CENTRAL LAND & CATTLE COMPANY LLC

Address: 2447 NW CANYON DR
REDMOND OR 97756

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APPLICANT INFORMATION

Applicant:	Business Name:	Address:	City:	State:	Zip
Kameron DeLashmutt/Pinnacle Utilities	Kameron DeLashmutt/Pinnacle Utilities	2477 NW Canyon Dr.	Redmond	OR	97756

APPLICATION FEES

Fee Description

Quantity

Amount

Permit Sign-Off for Other Agency - LUCS sign off

1.00 Qty

\$98.00

Total Fees:

\$98.00

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Land Use Information Form



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

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Applicant(s): Kameron DeLashmutt / Pinnacle Utilities, LLC

Mailing Address: 2477 NW Canyon Drive

City: Redmond

State: OR

Zip Code: 97756

Daytime Phone: 541-350-8479

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. Applicants for municipal use, or irrigation uses within irrigation districts may substitute existing and proposed service-area boundaries for the tax-lot information requested below.

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
<u>15 S</u>	<u>12 E</u>	<u>17 & 20</u>		<u>5000</u>	<u>EFUSC & DR</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>QM</u>
<u>15 S</u>	<u>12 E</u>	<u>20</u>		<u>5001</u>	<u>EFUSC & DR</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>QM</u>
<u>15 S</u>	<u>12 E</u>	<u>20</u>		<u>5002</u>	<u>EFUSC & DR</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>QM</u>
<u>15 S</u>	<u>12 E</u>	<u>20, 21, & 28</u>		<u>7700</u>	<u>EFUSC & DR</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>QM</u>
<u>15 S</u>	<u>12 E</u>	<u>20</u>		<u>7701</u>	<u>EFUSC & DR</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>QM</u>
<u>15 S</u>	<u>12 E</u>	<u>29 & 30</u>		<u>7800</u>	<u>EFUSC & DR</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>QM</u>
<u>15 S</u>	<u>12 E</u>	<u>29</u>		<u>7801</u>	<u>EFUSC & DR</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>QM</u>
<u>15 S</u>	<u>12 E</u>	<u>29</u>		<u>7900</u>	<u>EFUSC & DR</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>QM</u>
<u>15 S</u>	<u>12 E</u>	<u>30</u>		<u>8000</u>	<u>EFUSC & DR</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>QM</u>

List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed:

<u>Deschutes County.</u>

Land Use Information Form



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

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NOTE TO APPLICANTS

In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be used and developed. The planning official may choose to complete the form while you wait, or return the receipt stub to you. Applications received by WRD without the Land Use Form or the receipt stub will be returned to you. Please be aware that your application will not be approved without land use approval.

This form is NOT required if:

- 1) Water is to be diverted, conveyed, and/or used only on federal lands; **OR**
- 2) The application is for a water right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and **all** of the following apply:
 - a) The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
 - b) The application involves a change in place of use only;
 - c) The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; and
 - d) The application involves irrigation water uses only.

NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for or modifying a water right. The Water Resources Department (WRD) requires its applicants to obtain land-use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan. Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land-use form and return it to the WRD. If no land-use information is received from you within that 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan. Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0801.

For Local Government Use Only

OWRD

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

Please check the appropriate box below and provide the requested information

- Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): **To the extent the water in question is directed to "farm use", as defined in DCC 18.04.030, such use is permitted outright.**
- Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
Thornburgh Destination Resort has an extensive County approval process. Master Plans and Golf Course Site Plan have received final local approval. Specific development plans for overnight lodging facilities and other resort development are in progress or are anticipated.	DCC 18.113	<input checked="" type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input checked="" type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued

Local governments are invited to express special land-use concerns or make recommendations to the Water Resources Department regarding this proposed use of water below, or on a separate sheet.

Nothing in this LUCS signature should be interpreted to allow uses on the subject properties other than those allowed outright under the DCC 18.04.030 definition of "farm use" or those uses specifically proposed and approved in the Thornburgh Destination Resort decision history and as subject to the terms and conditions of those approvals.

Name: Will Groves Title: Lead Senior Planner

Signature: *Will Groves* Phone: 541-388-6518 Date: 10/20/21

Government Entity: Deschutes County

Note to local government representative: Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.

Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

OCT 22 2021

B. Description of Proposed Use

Type of application to be filed with the Water Resources Department:

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- Permit to Use or Store Water Water Right Transfer Permit Amendment or Ground Water Registration Modification
- Limited Water Use License Allocation of Conserved Water Exchange of Water

Source of water: Reservoir/Pond Ground Water Surface Water (name) _____

Estimated quantity of water needed: **1.25** cubic feet per second gallons per minute acre-feet

Intended use of water: Irrigation Commercial Industrial Domestic for _____ household(s)

Municipal Quasi-Municipal Instream Other _____

Briefly describe:

The applicant is proposing the following changes to a 50.0 acre portion of C-95746; change the place of use, change surface water POD to groundwater POA, and change the type of use to Quasi-municipal use.

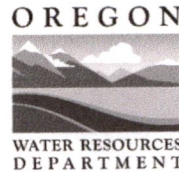
Note to applicant: If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt at the bottom of the next page and include it with the application filed with the Water Resources Department.

See bottom of Page 4. →

Supplemental Form D

OWRD

Water Right Transfers Within the Boundaries of or Served by an Irrigation District or other Water Supplier (Association, Ditch Co., etc.)



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

[For transfers submitted under OAR Chapter 690 Division 380]

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

This form must be included with any transfer application that involves rights served by or located within the boundaries of a district or other type of water supplier.

1. APPLICANT INFORMATION

NAME KAMERON DELASHMUTT / PINNACLE UTILITIES, LLC & CENTRAL LAND AND CATTLE COMPANY, LLC			PHONE (HM)
PHONE (WK) 541-350-8479	CELL	FAX	
ADDRESS 2447 NW CANYON DRIVE			
CITY REDMOND	STATE OR	ZIP 97756	E-MAIL**

2. DISTRICT or WATER SUPPLIER INFORMATION

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

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

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

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

	Application / Decree	Permit / Previous Transfer	Certificate	Is the water right in the name of a district, water supplier, or BOR*?
1.		-	95746	YES <input type="checkbox"/>
2.		-		YES <input type="checkbox"/>
3.		-		YES <input type="checkbox"/>

Attach additional pages for additional water rights if necessary.

**Bureau of Reclamation*

b. Determine a district's/water supplier's connection to your points of diversion (POD) or appropriation (POA) and places of use (POU). [You may need to consult with your district/water supplier.]

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

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

OWRD

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

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

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

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

COMMENTS OR ADDITIONAL INFORMATION : THE APPLICANT IS PROPOSING TO TEMPORARILY CHANGE THE PLACE OF USE, THE POINT OF APPROPRIATION, AND ADD ADDITIONAL POINTS OF APPROPRIATION FOR A 0.453 CFS PORTION OF QM C- 94958, UNDER OAR 690-380-8000.

4. APPLICANT'S SIGNATURE

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

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

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

Applicant Signature

Name (print)

Date

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

District Manager or Water Supplier consent is required if any box on this form is marked "YES."

The district/water supplier certifies the following:

(1) The district/water supplier has reviewed the applicant's proposed water right transfer application and maps; and

(2) The district/water supplier consents to the proposed water right transfer application.

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

YES NO The district/water supplier will be responsible for submitting the claim of beneficial use prepared by a Certified Water Rights Examiner (CWRE).

Signature of District Manager /Water Supplier

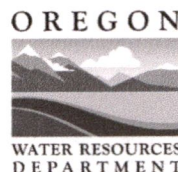
Name (print), Title

Date

Supplemental Form D

Water Right Transfers Within the Boundaries of or Served by an Irrigation District or other Water Supplier (Association, Ditch Co., etc.)

[For transfers submitted under OAR Chapter 690 Division 380]



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

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

This form must be included with any transfer application that involves rights served by or located within the boundaries of a district or other type of water supplier.

1. APPLICANT INFORMATION

NAME KAMERON DELASHMUTT / PINNACLE UTILITIES, LLC CENTRAL LAND AND CATTLE COMPANY, LLC			PHONE (HM)
PHONE (WK) 541-350-8479	CELL	FAX	
ADDRESS 2447 NW CANYON DRIVE			
CITY REDMOND	STATE OR	ZIP 97756	E-MAIL**

2. DISTRICT or WATER SUPPLIER INFORMATION

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

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

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

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

	Application / Decree	Permit / Previous Transfer	Certificate	Is the water right in the name of a district, water supplier, or BOR*?
1.		-	95746	YES <input type="checkbox"/>
2.		-		YES <input type="checkbox"/>
3.		-		YES <input type="checkbox"/>

Attach additional pages for additional water rights if necessary.

**Bureau of Reclamation*

b. Determine a district's/water supplier's connection to your points of diversion (POD) or appropriation (POA) and places of use (POU). [You may need to consult with your district/water supplier.]

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

OCT 22 2021

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

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

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

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

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

COMMENTS OR ADDITIONAL INFORMATION : THE APPLICANT IS PROPOSING TO TEMPORARILY CHANGE THE PLACE OF USE, THE POINT OF APPROPRIATION, AND ADD ADDITIONAL POINTS OF APPROPRIATION FOR A 0.453 CFS PORTION OF QM C- 94958, UNDER OAR 690-380-8000.

4. APPLICANT'S SIGNATURE

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

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

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

Applicant Signature

KAM A. ELASAMRA
Name (print)

10/21/21
Date

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

District Manager or Water Supplier consent is required if any box on this form is marked "YES."

The district/water supplier certifies the following:

(1) The district/water supplier has reviewed the applicant's proposed water right transfer application and maps; and

(2) The district/water supplier consents to the proposed water right transfer application.

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

YES NO The district/water supplier will be responsible for submitting the claim of beneficial use prepared by a Certified Water Rights Examiner (CWRE).

Signature of District Manager /Water Supplier

Name (print), Title

Date

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

DESC
756

JAN 25 1991

55/12E/B9 ad

WATER RESOURCES DEPT (START CARD) # *24901*

(1) OWNER:

Name *Harry Kem*
 Address *1336 NE Eby*
 City _____ State _____ Zip _____

Well Number: *SALEM, (9)* LOCATION OF WELL by legal description:

County *Desch* Latitude _____ Longitude _____
 Township *15* N or S, Range *12* E or W, WM.
 Section *29* NE ¼ NE ¼
 Tax Lot *7800* Lot _____ Block _____ Subdivision _____
 Street Address of Well (or nearest address) *Cline Butte*

(2) TYPE OF WORK:

New Well Deepen Recondition Abandon

(3) DRILL METHOD

Rotary Air Rotary Mud Cable
 Other _____

(4) PROPOSED USE:

Domestic Community Industrial Irrigation
 Thermal Injection Other _____

(10) STATIC WATER LEVEL:

730 ft. below land surface. Date *1-15-91*
 Artesian pressure _____ lb. per square inch. Date _____

(5) BORE HOLE CONSTRUCTION:

Special Construction approval Yes No Depth of Completed Well *880* ft.
 Explosives used Type _____ Amount _____

(11) WATER BEARING ZONES:

Depth at which water was first found _____

From	To	Estimated Flow Rate	SWL
<i>830</i>	<i>880</i>	<i>RECEIVED</i>	<i>730</i>

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

(12) WELL LOG:

Ground elevation _____

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

How was seal placed: Method A B C D E
 Other _____

Backfill placed from _____ ft. to _____ ft. Material _____
 Gravel placed from _____ ft. to _____ ft. Size of gravel _____

(6) CASING/LINER:

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

Liner: _____

Final location of sheets) _____

(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"/>

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

Pump Bailer Air Flowing Artesian

Yield gal/min	Drawdown	Drill stem at	Time
<i>10</i>	<i>0</i>	<i>860</i>	<i>1 hr.</i>

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

(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.

Signed _____ WWC Number _____
 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.

Signed *William D. Adam* WWC Number *1255*
 Date *1-16-91*

**Application for Water Right
Transfer
Consent by Deeded Landowner**



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

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State of Colorado)
Oregon)
County of Denver)
)ss
)

I MICHAEL LEBEAU in my capacity as OWNER,
mailing address 2838 N Jackson St, Denver, CO 80205,
telephone number 503-740-8325, duly sworn depose and say that I
consent to the proposed change(s) to Water Right Certificate Number 90239 or as superseded
described in Transfer Application (T-TBD) submitted by Central Land & Cattle Co., LLC
(transfer number, if known)
and/or Pinnacle Utilities, LLC or assigns, currently appurtenant to the property described as tax
lot number 2803, Section 34, and tax lot number 101 in Section 27, both in Township 22
South, Range 10 East, W.M.

Michael Lebeau
Signature of Affiant

03-31-2021
Date

N/A
Signature of Affiant

Date

Subscribed and Sworn to before me this 31 day of March, 2021.

Jon Pool
Notary Public for Oregon
Colorado

My commission expires July 29, 2024.

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STATE OF COLORADO, County of Denver) ss.

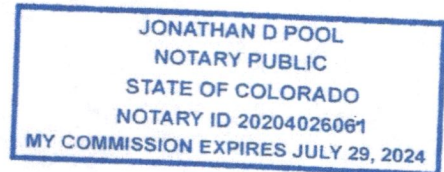
On March 31, 2021, personally appeared the herein named Michael LeBeau, and acknowledged the foregoing instrument to be his voluntary act and deed.

Before me:



Notary Public for Colorado

My commission expires: July 29, 2024



Application for Water Right Transfer

Evidence of Use Affidavit



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

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

State of Oregon)
) ss
 County of **DESCHUTES**)

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 OCT 22 2021
 OWRD

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

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

2. I attest that:

- Water was used during the previous five years on the **entire** place of use for Certificate #; **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)
95746	22	S	10	E	WM	34	NW	NE		16.9
"	"	"	"	"	"	"	NE	NW		10.5
"	"	"	"	"	"	"	SE	NW		16.7
"	"	"	"	"	"	"	NE	SW		5.9

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

(continues on reverse side)

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

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Signature of Affiant

[Handwritten Signature]

10-2-21

Date

OWRD

Signed and sworn to (or affirmed) before me this 02 day of October, 2021.



[Handwritten Signature: Linda Lee Miller]
Notary Public for Oregon

My Commission Expires: July 12, 2025

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

October 11, 2021

Kenneth Katzaroff

Admitted in Washington and Oregon

T: 206-405-1985

C: 206-755-2011

KKatzaroff@SCHWABE.com

Angie Brewer
Senior Planner, AICP
Deschutes County Community Development
117 NW Lafayette Avenue
Bend, OR 97708

RE: Deschutes County File No. 247-21-000885 - PS

Dear Angie:

As you know, our office represents Kameron DeLashmutt and Pinnacle Utilities, LLC (collectively, the "Applicant") in a request for a Land Use Information Form ("LUCS") for the Oregon Water Resources Department ("OWRD"). This letter provides additional information regarding that request.

Applicant seeks to transfer the place of use and type of use of 50.00 acres of C-95746, to provide quasi-municipal water to the Thornburgh Destination Resort. Quasi-municipal water is defined under state rule.

To clarify any misunderstanding, a quasi-municipal water use is defined as is relevant at OAR 690-300-0010(40):

"Quasi-Municipal Water Use" means the delivery and use of water through the water service system of a corporation other than a public corporation created for the purpose of operating a water supply system, for those uses usual and ordinary to municipal water use, or a federally recognized Indian tribe that operates a water supply system for uses usual and ordinary to a municipal water use.

That definition refers to uses that are "usual and ordinary to municipal water use", which is defined at OAR 690-300-0010(29):

"Municipal Water Use" means the delivery and use of water through the water service system of a municipal corporation for all water uses usual and ordinary to such systems. Examples of these water uses shall include but are not limited to domestic water use, irrigation of lawns and gardens, commercial water use, industrial water use, fire protection, irrigation and other water uses in park and

Angie Brewer
October 11, 2021
Page 2

recreation facilities, and street washing. Such uses shall not include generation of hydroelectric power.

As is relevant to the LUCS, any number of uses allowed under a quasi-municipal water right are permitted outright in EFU lands, including "irrigation" use.

More importantly, the Applicant (or its affiliates), has also received final master plan approval for a destination resort on the same lands. Applicant has also received tentative plan approval and related infrastructure including road and facility systems, site plan approval for a golf course and related infrastructure, overnight lodging unit ("OLU") site plan approval, and is pursuing a number of other applications. Together, file numbers include but are not limited to:

- Deschutes County Document No. 2006-151; CU-05-20
- MU-07-2/MA-08-6
- 247-19-000881-SP
- 247-20-000279-A
- 247-20-000282-A
- 247-21-000553-MC
- 247-21-000731-A; 18-386-TP, 18-454-SP, 18-542-MA
- 247-21-000508-SP

These multiple and binding land use decisions permit development, including that which may be served by a quasi-municipal water right. Therefore, Applicant requests that the county sign the LUCS indicating that the proposed use of water is permitted outright, permitted pursuant to the multitudes of land use decisions regarding the Thornburgh Destination Resort, and that additional approvals are also being pursued.

Very truly yours,

SCHWABE, WILLIAMSON & WYATT, P.C.

/s/ Kenneth Katzaroff

Kenneth Katzaroff

JKKA:aks

PDX\135849\262760\JKKA\31953643.1

Transaction Code: 300921E3D-1F77A11E-FFD2-46DF-8A42-99FB53E1C31D
Date: 09/30/2021 03:19:11 PM
Card Type: Visa
Card Number: xxxxxxxxxxxx8987
Authorization Code: 097736
Total Amount: \$98.00
Operator ID: ANGIEB
Cash Drawer ID :
Record: 247-21-000885-PS

I agree to pay the above amount according to the Credit Card issuer agreement.

Sign Below:

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Bryce Withers <brycewrs@gmail.com>

OWRD

Map Scale Waiver Request

2 messages

Bryce Withers <brycewrs@gmail.com>
To: STARNES Patrick K * WRD <patrick.k.starnes@oregon.gov>

Mon, Oct 4, 2021 at 10:23 AM

Hi Kelly,

Can the department please grant a waiver for an atypical map scale for this property? Attached is a copy of an "ON" map that is drawn to the same scale as the tax map (1"=2000'), allowing for a single map instead of 3 pages.

Thank you.

--

Bryce Withers

Water Right Specialist
(541)408-1400 cell

Water Right Services, LLC
PO Box 1830
Bend, OR 97709

<https://oregonwater.us>

 **Lebeau_Pinnacle_Perm_TFR_MAP_ON.pdf**
270K

STARNES Patrick K * WRD <Patrick.K.Starnes@oregon.gov>
To: Bryce Withers <brycewrs@gmail.com>

Mon, Oct 4, 2021 at 11:41 AM

Hi Bryce,

The Department grants a map scale waiver for the attached transfer application map. Please include a copy of this email in the transfer application when it is submitted.

Sincerely,

Kelly

Kelly Starnes, Transfer Program Analyst
Oregon Water Resources Department
725 Summer St NE Suite A
Salem OR 97301-1271
Cellphone: 503-979-3511 Fax: 503-986-0903
E-mail: patrick.k.starnes@oregon.gov

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

From: Bryce Withers <brycewrs@gmail.com>
Sent: Monday, October 4, 2021 10:23 AM
To: STARNES Patrick K * WRD
Subject: Map Scale Waiver Request



Bryce Withers <brycewrs@gmail.com>

District Notification of Temporary Transfer

1 message

Bryce Withers <brycewrs@gmail.com>
To: April Harris <april@tumalo.org>

Wed, Sep 29, 2021 at 11:54 AM

Hi April,

Just sending the required notification as the "ON" lands I believe to be within your boundary, but not currently any water being delivered to my knowledge. Please let me know if you have any questions or concerns or need any additional information. I have also attached a draft "ON" map for your reference.

Thank you!

--
Bryce Withers

Water Right Specialist
(541)408-1400 cell

Water Right Services, LLC
PO Box 1830
Bend, OR 97709

<https://oregonwater.us>

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OWRD

2 attachments

 **Supplemental_Form_D_non-district_transfer_within_District_TID.pdf**
130K

 **Lebeau_Pinnacle_Perm_TFR_MAP_ON.pdf**
270K



Bryce Withers <brycewrs@gmail.com>

District Notification of Temporary Transfer

1 message

Bryce Withers <brycewrs@gmail.com>
To: LeslieClark <Lesliec@coid.org>

Wed, Sep 29, 2021 at 11:53 AM

Hi Leslie,

Just sending the required notification as the "ON" lands I believe to be within your boundary, but not currently any water being delivered. Please let me know if you have any questions or concerns or need any additional information. I have also attached a draft "ON" map for your reference.

Thank you!

--
Bryce Withers

Water Right Specialist
(541)408-1400 cell

Water Right Services, LLC
PO Box 1830
Bend, OR 97709


<https://oregonwater.us>

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2 attachments

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130K

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270K