

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



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

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

FOR ALL TEMPORARY TRANSFER APPLICATIONS

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

- Part 1 – Completed Minimum Requirements Checklist.
- Part 2 – Completed Temporary Transfer Application Map Checklist.
- Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the online fee calculator at: http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator.
- Part 4 – Completed Applicant Information and Signature.
- Part 5 – Information about Transferred Water Rights: **How many water rights are to be transferred? 1** List them here: [Certificate 93055 \(See Attachment A\)](#)
Please include a separate Part 5 for each water right. (See instructions on page 6)
- N/A For standard Temporary Transfer (one to five years) **Begin Year: 2024 End Year: 2028.**
- N/A Temporary Drought Transfer (Only in counties where the Governor has declared drought)

Attachments:

- Completed Temporary Transfer Application Map. [See Attachment B](#)
- Completed Evidence of Use Affidavit and supporting documentation. [See Attachment C](#)
- Current recorded deed for the land **from** which the authorized place of use is temporarily being moved. [N/A The authorized use for Certificate 93055 is quasi-municipal use.](#)
- N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land upon which the water right is located.) [N/A The authorized use for Certificate 93055 is quasi-municipal use.](#)
- N/A Supplemental Form D – For water rights served by or issued in the name of a district. Complete when the temporary transfer applicant is not the district.
- N/A Oregon Water Resources Department’s Land Use Information Form with approval and signature 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. [See Attachment D](#)
- N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation (if necessary to convey water to the proposed place of use). [See Attachment E](#)

(For Staff Use Only)

WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S): 14402 -

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: _____ Phone: _____ Date: ____/____/____

Part 2 of 5 – Temporary Transfer Application Map Checklist

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

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

- N/A If **more than three** water rights are involved, separate maps are needed for each water right.
- Permanent quality printed with dark ink on good quality paper.
- The size of the map can be 8½ x 11 inches, 8½ x 14 inches, 11 x 17 inches, or up to 30 x 30 inches. For 30 x 30 inch maps, one extra copy is required.
- A north arrow, a legend, and scale.
- The scale of the map must be: 1 inch = 400 feet, 1 inch = 1,320 feet; the scale of the Final Proof/Claim of Beneficial Use Map (the map used when the permit was certificated); the scale of the county assessor map if the scale is not smaller than 1 inch = 1,320 feet; or a scale that has been pre-approved by the Department.
- Township, Range, Section, ¼ ¼, DLC, Government Lot, and other recognized public land survey lines.
- N/A Tax lot boundaries (property lines) are required. Tax lot numbers are recommended. **(Not required per 690-380-3100 (2)(J)).**
- 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 temporary place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions.
- Existing point(s) of diversion or well(s) with distance and bearing or coordinates from a recognized survey corner. This information can be found in your water right certificate or permit.
- N/A If you are proposing a change in point(s) of diversion or well(s) to convey water to the new temporary place of use, show the proposed location and label it clearly with distance and bearing or coordinates. If GPS coordinates are used, latitude-longitude coordinates may be expressed as either degrees-minutes-seconds with at least one digit after the decimal

(example – 42°32'15.5") or degrees-decimal with five or more digits after the decimal
(example – 42.53764°).

Part 3 of 5 – Fee Worksheet

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FEE WORKSHEET for TEMPORARY (not drought) TRANSFERS			
1	Base Fee (includes temporary change to one water right for up to 1 cfs)	1	\$950.00
2	Number of water rights included in transfer: <u>1 (2a)</u> Subtract 1 from the number in 3a above: <u>0 (2b)</u> <i>If only one water right this will be 0</i> Multiply line 2b by \$310.00 and enter » » » » » » » » » » » » » » » »	2	0
3	Do you propose to change the place of use for a non-irrigation use? <input type="checkbox"/> No: enter 0 on line 3 » » » » » » » » » » » » » » » » <input checked="" type="checkbox"/> Yes: enter the cfs for the portions of the rights to be transferred: <u>2.7 (3a)</u> Subtract 1.0 from the number in 3a above: <u>1.7 (3b)</u> If 3b is 0, enter 0 on line 3 » » » » » » » » » » » » » » » » If 3b is greater than 0, round up to the nearest whole number: <u>2 (3c)</u> and multiply 4c by \$210.00, then enter on line 3	3	420
4	Do you propose to change the place of use for an irrigation use? <input checked="" type="checkbox"/> No: enter 0 on line 4 » » » » » » » » » » » » » » » » <input type="checkbox"/> Yes: enter the number of acres in the footprint of the place of use for the portions of the rights to be transferred: _____ (4a) Multiply the number of acres in 4a above by \$2.70 and enter on line 4 » »	4	
5	Add entries on lines 1 through 4 above » » » » » » » » » » » Subtotal:	5	1,370
6	Is this transfer: <input type="checkbox"/> necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? <input type="checkbox"/> endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat? If one or more boxes is checked, multiply line 5 by 0.5 and enter on line 6 » If no box is applicable, enter 0 on line 7 » » » » » » » » » » » » » » » »	6	0
7	Subtract line 6 from line 5 » » » » » » » » » » » Transfer Fee:	7	\$1,370

FEE WORKSHEET for TEMPORARY DROUGHT TRANSFERS			
1	Base Fee (includes drought application and recording fee for up to 1 cfs)	1	\$200.00
2	Enter the cfs for the portions of the rights to be transferred (see example below*): _____ (2a) Subtract 1.0 from the number in 2a above: _____ (2b) If 2b is 0, enter 0 on line 2 » » » » » » » » » » » » » » » » If 2b is greater than 0, round up to the nearest whole number: _____ (2c) and multiply 2c by \$50, then enter on line 2 » » » » » » » » » » »	2	
3	Add entries on lines 1 through 2 above » » » » » » » » » » Transfer Fee:	3	N/A

*Example for Line 2a calculation to transfer 45.0 acres of Primary Certificate 12345 (total 1.25 cfs for 100 acres) and 45.0 acres of Supplemental Certificate 87654 (1/80 cfs per acre) on the same land:

1. Divide total authorized cfs by total acres in the water right (for C12345, 1.25 cfs ÷ 100 ac); then multiply by the number of acres to be transferred to get the transfer cfs (x 45 ac = 0.56 cfs).
2. If the water right certificate does not list total cfs, but identifies the allowable use as 1/40 or 1/80 of a cfs per acre; multiply number of acres proposed for change by either 0.025 (1/40) or 0.0125 (1/80). (For C87654, 45.0 ac x 0.0125 cfs/ac = 0.56 cfs)
3. Add cfs for the portions of water rights on all the land included in the transfer; however **do not count cfs for supplemental rights on acreage for which you have already calculated the cfs fee for the primary right on the same land.** The fee should be assessed only once for each "on the ground" acre included in the transfer. (In this example, blank 2a would be only 0.56 cfs, since both rights serve the same 45.0 acres. Blank 2b would be 0 and Line 2 would then also become 0).

Part 4 of 5 – Applicant Information and Signature

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Applicant Information

APPLICANT/BUSINESS NAME Broken Top Community Club			PHONE NO. 541-383-8200	ADDITIONAL CONTACT NO.
ADDRESS 62000 Broken Top Dr.			FAX NO.	
CITY Bend	STATE OR	ZIP 97702	E-MAIL	
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.				

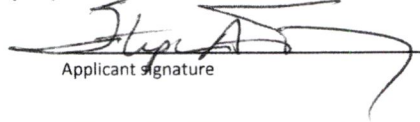
Agent Information – The agent is authorized to represent the applicant in all matters relating to this application.

AGENT/BUSINESS NAME GSI Water Solutions, Inc. Attn: Trevor Grandy			PHONE NO. 971-200-8545	ADDITIONAL CONTACT NO.
ADDRESS 147 Shevlin Hixon Dr., Suite 201			FAX NO.	
CITY Bend	STATE OR	ZIP 97702	E-MAIL tgrandy@gsiws.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 to change the place of use to include the greater Avion Service Area. In order to convey water to the new temporary place of use, the Applicant is also proposing to temporarily add three additional points of appropriation. The Applicant understands that no more than 2.7 cfs can be used under the transfer between the authorized point of appropriation and three proposed points of appropriation in any combination. The wells will be metered to monitor and document water use.**

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

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



Applicant signature

Steve Terry, Broken Top Community Club

Print Name (and Title if applicable)

12/29/2023

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 **N/A The authorized use for Certificate 93055 is quasi-municipal use.**

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

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

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DISTRICT NAME Arnold Irrigation District	ADDRESS 19604 Buck Canyon Rd.		FEB 02 2024
CITY Bend	STATE OR	ZIP 97702	OWRD

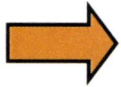
DISTRICT NAME Central Oregon Irrigation District	ADDRESS 1055 SW Lake Ct.		
CITY Redmond	STATE OR	ZIP 97756	

DISTRICT NAME Swalley Irrigation District	ADDRESS 64672 Cook Ave. #1		
CITY Bend	STATE OR	ZIP 97703	

DISTRICT NAME Tumalo Irrigation District	ADDRESS 64697 Cook Ave.		
CITY Bend	STATE OR	ZIP 97703	

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

ENTITY NAME N/A	ADDRESS		
CITY	STATE	ZIP	



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

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

ENTITY NAME City of Bend Planning Department	ADDRESS 710 NW Wall St.		
CITY Bend	STATE OR	ZIP 97701	

Part 5 of 5 – Water Right Information

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

Water Right Certificate # 93055

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Description of Water Delivery System

System capacity: 2.7 cubic feet per second (cfs)

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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. Groundwater is pumped from the supply well (DESC 8410) into the Broken Top Club House Lake located adjacent to the well. The water is then pumped from the lake into the pressurized distribution system by one of 3 pumps at the lakeside booster pump station. The distribution system provides water across the Broken Top development and consists of piping that ranges from 4- to 12-inches in diameter with smaller diameter lateral supplying water to the service connections or use points. Most of the system's piping is PVC with the distribution system piping sizes generally decreasing the farther it is from the main booster station.

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

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp		Rng		Sec	¼ ¼		Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Well 1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	DESC 8410	18	S	11	E	1	NW	SE	109	2650 feet South and 1400 feet West from the NE corner of Section 1.
China Hat Well 3	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	DESC 61639	18	S	12	E	29	NE	NE	900	663 feet South and 771 feet West from the Northeast corner of Section 29.
China Hat Well 4	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	N/A	18	S	12	E	29	NE	NE	900	760 feet South and 840 feet West from NE corner, Section 29
Dyer 2	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	DESC 62703	17	S	12	E	14	NE	SE	806	1930 feet North and 1150 feet West from SE corner, Section 14

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

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

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

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

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

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

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

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

Table 2. Description of Temporary Changes to Water Right Certificate # 93055

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the Certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.											Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.														
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp		Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date						
EXAMPLE																										
2	S	9	E	15	NE	NW	100		15.0	Irrigation	POD #1	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0		POD #5	1901
"	"	"	"	"	"	"	"	"	"	EXAMPLE	"	"	"	2	S	9	E	2	SW	NW	500		5.0		POD #6	1901
See Attached Maps												See Attached Maps														
							Quasi-Municipal	Well 1	2/22/1990	APOA/POU								N/A	Well 1, China Hat Well 3, China Hat Well 4, and Dyer 2	2/22/1990						
TOTAL ACRES							N/A				TOTAL ACRES							N/A								

Additional remarks: _____

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For Place of Use Changes

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Are there other water right certificates, water use permits or ground water registrations associated with the "from" or the "to" lands? Yes No **N/A – The authorized use is quasi-municipal.**

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



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

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

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

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well, OWRD Well ID Tag No. L-___	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well - specific rate (cfs or gpm). If less than full rate of water right
Well 1	Yes	DESC 8410	530 ft	12"	+1 to 530 ft	0 to 530 ft	430 to 530 ft	330 ft	Deschutes Formation	N/A
China Hat Well 3	Yes	DESC 61639	640 ft	14"	+2 to 640 ft	0 to 510 ft	535 to 640 ft	511.75 ft	Deschutes Formation	N/A
China Hat Well 4*	No		640 ft	14"	+2 to 640 ft	0 to 518 ft	535 to 640 ft	515 ft (estimate)	Deschutes Formation	N/A
Dyer 2	Yes	DESC 62703	838 ft	14"	+2 to 838 ft	0 to 655 ft	728 to 836 ft	692 ft	Deschutes formation	N/A

*China Hat Well 4 construction information based on China Hat Well 3 construction

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Attachment A

Certificate 93055

**Application for a Temporary Water Right Transfer – Certificate 93055
Broken Top Community Club**

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Attachment B

Application Maps

Application for a Temporary Water Right Transfer – Certificate 93055
Broken Top Community Club

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From: [STARNES Patrick K * WRD](#)
To: [Trevor Grandy](#)
Subject: RE: Request for map scale waiver for Broken Top Community Association
Date: Tuesday, December 19, 2023 9:44:17 AM

Good Morning Trevor,

The Department grants a map scale waiver for the proposed place of use map .

Please include a printed copy of this e-mail when you submit the application.

Sincerely,

Kelly

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Kelly Starnes, Transfer Program Analyst
(He/Him/His)
Oregon Water Resources Department
725 Summer St NE Suite A
Salem OR 97301-1271
Cell phone: 503-979-3511 Fax: 503-986-0903
E-mail: patrick.k.starnes@water.oregon.gov

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

From: Trevor Grandy <tgrandy@gsiws.com>
Sent: Monday, December 18, 2023 5:18 PM
To: STARNES Patrick K * WRD <patrick.k.starnes@water.oregon.gov>
Subject: Request for map scale waiver for Broken Top Community Association

You don't often get email from tgrandy@gsiws.com. [Learn why this is important](#)

Greetings Kelly,

The Broken Top Community Association is preparing a temporary transfer application to add three additional points of appropriation and change the location of the place of use authorized by certificate 93055. The applicant is proposing to change to place of use for this quasi-municipal water right to include the greater Avion service area as depicted in the attached map.

Because of the size of the greater Avion service area, I am requesting a map scale waiver for the place of use map (see attached). The proposed points of appropriation maps are

attached and are at a standard scale (1 inch = 400 feet).

Please let me know if you have any question regarding this map scale waiver request.

Cheers,

Trevor Grandy, RG, CWRE

Project Hydrogeologist

direct: 971.200.8545 | mobile: 614.493.7292

147 SW Shevlin Hixon Dr. # 201, Bend, OR 97702

GSI Water Solutions, Inc. | www.gsiws.com

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Application for Water Right Transfer

Evidence of Use Affidavit



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

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

State of Oregon)
) ss
 County of DESCHUTES

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 OWRD

I, JOSHUA CLAY, in my capacity as GENERAL MANAGER OF THE BROKEN TOP COMMUNITY ASSOCIATION,
 mailing address 62000 BROKEN TOP DR. BEND, OR 97702
 telephone number (541)383-8202, 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 # 93055; **OR**

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

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

OR

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

(continues on reverse side)

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11/11/24
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Attachment C

Evidence of Use Affidavit

Application for a Temporary Water Right Transfer – Certificate 93055
Broken Top Community Club

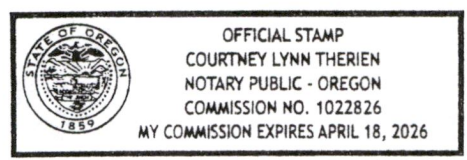
3. The water right was used for: (e.g., crops, pasture, etc.): QUASI-MUNICIPAL
4. I understand that if I do not attach one or more of the documents shown in the table below to support the above statements, my application will be considered incomplete.

[Signature]
 Signature of Affiant

12/29/2023
 Date

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Signed and sworn to (or affirmed) before me this 31st day of December, 2023. OWRD



[Signature]
 Notary Public for Oregon

My Commission Expires: April 18, 2026

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 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
<input checked="" type="checkbox"/> Water Use Report from Well 1	Copy of SCADA data from Well 1 June/July, 2022

SITE	DATE	ON	OFF	Runtime	GPM	Total	Grand Total
Broken Top	June 29, 2022	0:00	3:42	3.70	1,200.00	266,400.00	
		16:06	0:00	7.90	1,200.00	568,800.00	
							835,200.00
Broken Top	June 30, 2022	0:00	3:55	3.92	1,200.00	282,000.00	
		19:39	0:00	4.35	1,200.00	313,200.00	
							595,200.00
JULY							
Broken Top	July 1, 2022	0:00	3:34	3.57	1,200.00	256,800.00	
		18:03	0:00	5.95	1,200.00	428,400.00	
							685,200.00
Broken Top	July 2, 2022	0:00	4:01	4.02	1,200.00	289,200.00	
		11:01	17:46	6.75	1,200.00	486,000.00	
							775,200.00
Broken Top	July 3, 2022	12:16	0:00	11.73	1,200.00	844,800.00	
							844,800.00
Broken Top	July 4, 2022	0:00	3:44	3.73	1,200.00	268,800.00	
							268,800.00
Broken Top	July 5, 2022			0.00	1,200.00	-	
							-
Broken Top	July 6, 2022	17:53	0:00	6.12	1,200.00	440,400.00	
							440,400.00

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Attachment D

Land Use Information Form

Application for a Temporary Water Right Transfer - Certificate 93055
Broken Top Community Club

Land Use Information Form



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

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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.

Land Use Information Form



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

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FEB 02 2024

Applicant(s): Broken Top Community Club, Attn: Steve Terry

Mailing Address: 62000 Broken Top Dr.

OWRD

City: Bend

State: OR

Zip Code: 97702

Daytime Phone: (541) 383-8200

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>See Attached Maps</u>						<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Quasi-municipal</u>
_____	_____	_____	_____	_____	_____	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	_____
_____	_____	_____	_____	_____	_____	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	_____
_____	_____	_____	_____	_____	_____	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	_____

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

Deschutes County; City of Bend

B. Description of Proposed Use

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

- 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: 2.7 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 a temporary transfer to change the place of use to also include the greater Avion Service Area. In order to convey water to the temporary place of use the Applicant is also proposing to add three additional points of appropriation (wells).



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 3. →

For Local Government Use Only

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):
- 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:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	RECEIVED	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	FEB 02 2024	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	OWRD	<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.

Name: _____ Title: _____

Signature: _____ Phone: _____ Date: _____

Government Entity: _____

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: _____

Land Use Information Form

PLMISC20230745



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

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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.

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- 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.

Land Use Information Form

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Applicant(s): **Broken Top Community Club, Attn: Steve Terry**

Mailing Address: **62000 Broken Top Dr.**

City: **Bend**

State: **OR**

Zip Code: **97702**

Daytime Phone: **(541) 383-8200**

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:
See Attached Maps					_____	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Quasi-municipal
_____	_____	_____	_____	_____	_____	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	_____
_____	_____	_____	_____	_____	_____	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	_____
_____	_____	_____	_____	_____	_____	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	_____

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

Deschutes County; City of Bend

B. Description of Proposed Use

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

- 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: **2.7**
 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 a temporary transfer to change the place of use to also include the greater Avion Service Area. In order to convey water to the temporary place of use the Applicant is also proposing to add three additional points of appropriation (wells).



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 3. →

For Local Government Use Only

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): **BDC Chapter 2.1 Land Use Districts for 62000 BROKEN TOP DR, BEND, OR 97702, Tax Lot 1811010000109.**
- 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:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	RECEIVED	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	FEB 02 2024	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	OWRD	<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.

Tax Lot 1811010000109 for 62000 BROKEN TOP DR, BEND, OR 97702 is within the city limits of Bend and is zoned Residential Standard (RS) Density. The Dyer and China Hat wells are outside the city limits of Bend and are not part of this City of Bend review.

Name: Sheila Pyott Title: Assistant Planner
 Signature: Sheila Pyott Phone: 541.693.2123 Date: 12/26/2023
Digitally signed by Sheila Pyott
 DN: E=spyott@bendoregon.gov, CN=Sheila Pyott,
 OU=Users, OU=Community Development,
 OU=Bend-DC=org-DC=bend-DC=or-DC=us
 Date: 2023.12.26 16:01:45-08'00'
 Government Entity: City of Bend

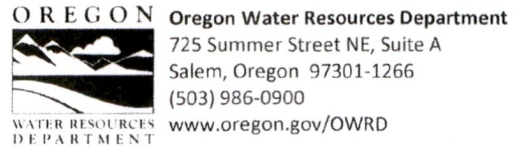
Note to local government representative: Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use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

Land Use Information Form



Applicant(s): **Broken Top Community Club, Attn: Steve Terry**

Mailing Address: **62000 Broken Top Dr.**

City: **Bend** State: **OR** Zip Code: **97702** Daytime Phone: **(541) 383-8200**

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:
See Attached Maps					_____	<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	Quasi-municipal
_____	_____	_____	_____	_____	_____	<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	_____
_____	_____	_____	_____	_____	_____	<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	_____
_____	_____	_____	_____	_____	_____	<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	_____

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

Deschutes County; City of Bend

B. Description of Proposed Use

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

- 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: **2.7** 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 a temporary transfer to change the place of use to also include the greater Avion Service Area. In order to convey water to the temporary place of use the Applicant is also proposing to add three additional points of appropriation (wells).

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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 3. →

For Local Government Use Only

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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): DCC 18.60.020(B)
- 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:	
<u>Site Plan Review</u>	<u>DCC 18.16.025(E)</u>	<input checked="" 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
	RECEIVED	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	FEB 02 2024	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	OWRD	<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.

See attached comments

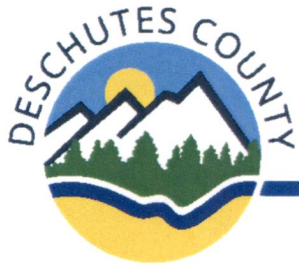
Name: Audrey Stuart Title: Associate Planner
 Signature: *Audrey Stuart* Phone: 541-388-6679 Date: 1/25/24
 Government Entity: Deschutes County

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: _____



247-23-000827-PS

Location: See attached maps; within the Avion Water Company service boundary and the Broken Top Community Club service boundary.

Request: The applicant has requested a Land Use Compatibility Statement (LUCS) to amend Certificate 93055, which is a permit for quasi-municipal water use. The applicant proposes a five-year temporary transfer permit to incorporate the Broken Top Community Club water system into the Greater Avion Service Area. All physical components of this transfer are existing infrastructure and there is no new proposed construction. The applicant proposes to add the three wells listed below to the point of appropriation.

Well	Approximate Location	Zoning Designation
Dyer 2	Assessor's Map 17-12-14	Exclusive Farm Use
China Hat 3	Assessor's Map 18-12-29	Rural Residential
China Hat 4	Assessor's Map 18-12-29	Rural Residential

The subject request is a renewal of a previous five-year temporary transfer permit (T-13140).

Land Use Compatibility Statement: This LUCS only reviews the amendment of Certificate 93055 for quasi-municipal water use, as detailed above. Three wells are proposed to be added to the point of appropriation. Two of these wells are located in the Rural Residential Zone, and are a use permitted outright pursuant to DCC 18.60.020(B). The well that is located in the Exclusive Farm Use Zone is on Tax Lot 806 on Assessor's Map 17-12-14 (Tax Account 108825). This property previously received approval through Deschutes County file SP-06-57 to establish a water reservoir tank, overflow reservoir, two drilled wells, and a pump station. All conditions of approval of Deschutes County file SP-06-57 remain in effect.

The applicant does not propose to establish any new structures or land uses within Deschutes County as part of this LUCS. To the extent other uses or structures are included on the OWRD LUCS application sheet, this LUCS does not review or approve those uses. This LUCS does not review or approve:

- Construction of buildings or fencing,
- Earthmoving or construction in floodplains,
- Earthmoving, construction, or vegetation changes in wetlands,
- Surface mining, and/or
- Other primary or accessory uses regulated by the Deschutes County Code

Each of the listed uses would require separate land use permits and/or building permits, which are not covered by this LUCS.

For more information, please contact the Planning Division office at 541-388-6560.

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**DESC 8410 - Well 1
DESC 61639 - China Hat 3
DESC 62703 - Dyer 2**

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Attachment E

Well Logs

**Application for a Temporary Water Right Transfer - Certificate 93055
Broken Top Community Club**

14402 -

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

RECEIVED
 1207 8410
JUL 13 1993

(START CARD) # 34244

185/11E/126

WATER RESOURCES DEPT.

(1) OWNER:

Name Cascade Highlands
 Address 121 SW Morrison Suite 950
 City Portland State OR Zip 97204

(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 _____

(5) BORE HOLE CONSTRUCTION:

Special Construction approval Yes No Depth of Completed Well 530 ft.
 Explosives used Yes No Type _____ Amount _____

HOLE			SEAL			Amount sacks or pounds
Diameter	From	To	Material	From	To	
20	0	30	Cement			
17	30	530	Cement	0	350	225 sacks

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	Material			
				Steel	Plastic	Welded	Threaded
Casing: 12	+1	530	.375	<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"/>

Final location of shoe(s) _____

(7) PERFORATIONS/SCREENS:

Perforations Method Machine Slot
 Screens Type _____ Material _____

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
430	530	4x1/4	6000	12		<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

Pump N/A Bailer Air Flowing Artesian

Yield gal/min	Drawdown	Drill stem at	Time
			1 hr.

Temperature of Water 52 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: _____

(9) LOCATION OF WELL by legal description:

County Deschutes Latitude _____ Longitude _____
 Township 18 S N or S. Range 11 E E or W. WM. _____
 Section 12 NW 1/4 NW 1/4
 Tax Lot _____ Lot _____ Block _____ Subdivision _____
 Street Address of Well (or nearest address) 1 1/2 Miles North of Century Drive

(10) STATIC WATER LEVEL:

330 ft. below land surface. Date 6/2/92
 Artesian pressure _____ lb. per square inch. Date _____

(11) WATER BEARING ZONES:

Depth at which water was first found 360

From	To	Estimated Flow Rate	SWL
360	530	1000	330

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(12) WELL LOG:

Ground elevation FEB 02 2024

Material	From	To	SWL
Dirt & soil	0	4	
Basalt grey fractured	4	12	
Pumice white	12	28	
Lava gray medium hard	28	85	
Lava gray pourous softer	85	126	
Lava conglomerate brown	126	148	
Lava brown with tan clay	148	202	
Lava gray brown medium	202	230	
Lava gray hard	230	243	
Lava fractured gray	243	256	
Lava with lava weathered brown	256	278	
Lava conglomerate with clay interbeds		338	
Lava gray hard	338	375	
Andacite gray hard	375	418	
Lava cinders red	418	436	
Lava brown pourous	436	530	

Date started 5/5/92 Completed 6/2/92

(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 [Signature] WWC Number 1358
 Date 6/9/92

(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 [Signature] WWC Number 723
 Date 6-9-92

AMENDED

STATE OF OREGON

WATER SUPPLY WELL REPORT

(as required by ORS 537.765 & OAR 690-205-0210)

WELL I.D. LABEL# I 112742
 START CARD # 1042396 1042369
 ORIGINAL LOG #

(1) LAND OWNER Owner Well I.D. China Hat #3
 First Name _____ Last Name _____
 Company Avion Water Company
 Address 60813 Parrell Road
 City Bend State OR Zip 97702

(2) TYPE OF WORK New Well Deepening Conversion
 Alteration (complete 2a & 10) Abandonment (complete 5a)

(2a) PRE-ALTERATION
 Casing: Dia + From To Gauge Stil Plstc Wld Thrld
 Material From To Amt sacks/lbs
 Seal: _____

(3) DRILL METHOD
 Rotary Air Rotary Mud Cable Auger Cable Mud
 Reverse Rotary Other

(4) PROPOSED USE Domestic Irrigation Community
 Industrial/ Commercial Livestock Dewatering
 Thermal Injection Other

(5) BORE HOLE CONSTRUCTION Special Standard (Attach copy)
 Depth of Completed Well 640 ft.
 BORE HOLE SEAL

Dia	From	To	Material	From	To	Amt	sacks/lbs
24-inch	0	20	Bentonite	0	20	36	Sacks
						Calculated	28
19-inch	20	640	Cement	0	510	50	Yards
						Calculated	18

How was seal placed: Method A B C D E
 Other _____
 Backfill placed from 510 ft to 518 ft. Material Gravel/Sand/Bentonite
 Filter pack from _____ ft to _____ ft. Material _____ Size _____
 Explosives used: Yes Type _____ Amount _____

(5a) ABANDONMENT USING UNHYDRATED BENTONITE
 Proposed Amount Pounds Actual Amount Pounds

(6) CASING/LINER

Casing/Liner	Dia	From	To	Gauge	Stil	Plstc	Wld	Thrd
<input checked="" type="checkbox"/>	14-inch	+2	640	.375	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

 Shoe Inside Outside Other Location of shoe(s) 640
 Temp casing Yes Dia 20-inch From 0 To 20

(7) PERFORATIONS/SCREENS Perforations Method Factory Mill Slot
 Screens Type _____ Material _____

Per/S green	Casing/Screen Liner	Dia	From	To	Scrn/slot width	Slot length	# of slots	Tele/pipe size
X	14-inch	535	640	1/8"	3"	5,880		

(8) WELL TESTS: Minimum testing time is 1 hour
 Pump Bailer Air Flowing Artesian

Yield gal/min	Drawdown	Drill stem/Pump depth	Duration (hr)
800 GPM	0.4 feet	540	3 HR

 Temperature 52 °F Lab analysis Yes By _____
 Water quality concerns? Yes (describe below) TDS amount 66 mg/l

From	To	Description	Amount	Units

(9) LOCATION OF WELL (legal description)
 County Deschutes Twp 18 S N/S Range 12 E E/W WM
 Sec 29 NE 1/4 of the NE 1/4 Tax Lot 181229A000900
 Tax Map Number _____ Lot _____
 Lat _____ " or 43.99179 DMS or DD
 Long _____ " or -121.30719 DMS or DD
 Street address of well _____ Nearest address _____
 60395 China Hat Road Bend, OR 97702

(10) STATIC WATER LEVEL

Existing Well / Pre-Alteration	Date	SWL (psi)	+ SWL (ft)
Completed Well	5/24/2019		511.75

 Flowing Artesian? Dry Hole?
 WATER BEARING ZONES Depth water was first found 520

SWL Date	From	To	Est Flow	SWL (psi)	+ SWL (ft)
4/24/2019	520	570	1,000 +		512
5/4/2019	600	640	1,500 +		512

(11) WELL LOG Ground Elevation 3974
 Material OWRD From To

Topsoil and broken rock	0	13
Weathered broken basalt	13	65
Reddish vesicular basalt	65	96
Dark Gray vesicular basalt	96	110
Basalt soft fractured	110	130
Basalt Black med-hard	130	148
Reddish broken basalt vesicular	148	195
Gray/Black basalt medium	195	265
Reddish soft basalt loss some circulation	265	275
Red-Gray broken basalt vesicular	275	310
Gray basalt broken ves	310	370
Basalt soft with silt	370	396
Basalt medium	396	425
Reddish-Gray basalt layered	425	460
Gray basalt	460	476
Reddish basalt soft	476	490
Gray/Black basalt med hard	490	520
Reddish broken vesicular	520	545
Black/Red broken vesicular	545	570

Date Started 4/12/2019 Completed 5/24/2019
 (unbonded) Water Well Constructor Certification
 I certify that the work I performed on the construction, deepening, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.
 License Number 1811 Date 6/18/2019
 Signed *Eelwars Kostelky*

(bonded) Water Well Constructor Certification
 I accept responsibility for the construction, deepening, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.
 License Number 1523 Date 6/18/2019
 Signed *14402*
 Contact Info (optional) _____

6/9/2021

(1) LAND OWNER
 Owner Well I.D. _____
 First Name _____ Last Name _____
 Company AVION WATER
 Address 60813 PARRELL RD
 City BEND State OR Zip 97702

(2) TYPE OF WORK New Well Deepening Conversion
 Alteration (complete 2a & 10) Abandonment (complete 5a)

(2a) PRE-ALTERATION
 Dia + From To Gauge Stl Plstc Wld Thrld
 Casing:
 Material From To Amt sacks/lbs
 Seal:

(3) DRILL METHOD
 Rotary Air Rotary Mud Cable Auger Cable Mud
 Reverse Rotary Other _____

(4) PROPOSED USE Domestic Irrigation Community
 Industrial/ Commercial Livestock Dewatering
 Thermal Injection Other _____

(5) BORE HOLE CONSTRUCTION Special Standard (Attach copy)
 Depth of Completed Well 838.00 ft.
 BORE HOLE SEAL

Dia	From	To	Material	From	To	Amt	sacks/ lbs
22	0	38	Bentonite Chips	0	195	263	S
19	38	838			Calculated	259.72	
			Cement	195	655	396	S
					Calculated	355	

How was seal placed: Method A B C D E
 Other CEMENT
 Backfill placed from _____ ft. to _____ ft. Material _____
 Filter pack from 660 ft. to 746 ft. Material PEA GRAV Size pea gravel
 Explosives used: Yes Type SHOT PERF Amount _____

(5a) ABANDONMENT USING UNHYDRATED BENTONITE
 Proposed Amount _____ Actual Amount _____

(6) CASING/LINER

Casing	Liner	Dia	+ From	To	Gauge	Stl	Plstc	Wld	Thrld
<input checked="" type="checkbox"/>	<input type="checkbox"/>	14	<input checked="" type="checkbox"/> 2	838	.375	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

 Shoe Inside Outside Other Location of shoe(s) _____
 Temp casing Yes Dia 20 From + 0 To 38

(7) PERFORATIONS/SCREENS
 Perforations Method shot
 Screens Type _____ Material _____

Perf/ Screen	Casing/ Liner	Screen Dia	From	To	Scr/slot width	Slot length	# of slots	Tele/ pipe size
Perf	Casing	14	728	836	.3	0.3	400	

(8) WELL TESTS: Minimum testing time is 1 hour
 Pump Bailer Air Flowing Artesian

Yield gal/min	Drawdown	Drill stem/Pump depth	Duration (hr)
400		837	1

 Temperature 53 °F Lab analysis Yes By _____
 Water quality concerns? Yes (describe below) TDS amount 137 ppm

From	To	Description	Amount	Units

(9) LOCATION OF WELL (legal description)
 County DESCHUTES Twp 17.00 S N/S Range 12.00 E E/W WM
 Sec 14 NE 1/4 of the SE 1/4 Tax Lot 806
 Tax Map Number _____ Lot _____
 Lat _____ " or _____ DMS or DD
 Long _____ " or _____ DMS or DD
 Street address of well Nearest address
 63223 HAMEHOOK RD

(10) STATIC WATER LEVEL

Existing Well / Pre-Alteration	Date	SWL(psi)	+ SWL(ft)
Completed Well	5/20/2021		692

Flowing Artesian? Dry Hole?
 WATER BEARING ZONES Depth water was first found 741.00

SWL Date	From	To	Est Flow	SWL(psi)	+ SWL(ft)
5/20/2021	741	838	400		692

(11) WELL LOG Ground Elevation _____

Material	From	To
SANDY PUMICE	0	5
GRAY LAVA	5	20
BROKEN LAVA	20	23
GRAY BASALT	23	31
BROWN CONGLOMERATE	31	35
MILD BASALT	35	75
BASALT W/SOFT SPOTS	75	118
SANDSTONE CONGLOMERATE	118	132
LOST CIRCULATION	132	156
GRAY BASALT W/SOFT SPOTS	156	170
CONGLOMERATE	170	176
HARD GRAY BASALT	176	188
BROWN SANDSTONE	188	205
CONGLOMERATE POUR CIRCULATION	205	240
CINDERS POUR CIRCULATION	240	253
MILD	253	257
SOFT O RETURNS	257	280
BROWN LAVA CONGLOMERATE	280	301
GRAY BASALT	301	320

Date Started 12/23/2020 Completed 5/20/2021

(unbonded) Water Well Constructor Certification
 I certify that the work I performed on the construction, deepening, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.
 License Number 1852 Date 6/9/2021
 Signed JEB ABBAS (E-filed)

(bonded) Water Well Constructor Certification
 I accept responsibility for the construction, deepening, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.
 License Number 1720 Date 6/9/2021
 Signed JACK ABBAS (E-filed) 14402
 Contact Info (optional) JACK ABBAS



January 25, 2024

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

RE: Temporary Transfer Application for Certificate 93055, in the name of Broken Top Community Club

Dear Kelly:

The Broken Top Club (Applicant) is the holder of water right Certificate 93055, which authorizes the use of up to 2.7 cfs for quasi-municipal use. The Applicant is proposing to temporarily change the place of use to also include the greater Avion Water Company (Avion) service area. In order to convey water to the new temporary place of use the Applicant is also proposing to temporarily add three additional points of appropriation.

Enclosed is an Application for Temporary Water Right Transfer and the accompanying processing fee of \$1,370.

Please contact me if you have any questions or concerns. My phone number is 971-200-8545.

Sincerely,

A handwritten signature in blue ink, appearing to read "T. Grandy", is written over a light blue circular stamp.

Trevor Grandy, RG, CWRE
Project Hydrogeologist

cc: Steve Terry, Broken Top Community Association
Adam Jackson, Avion Water Company

Enclosures: Application for a Temporary Water Right Transfer
Check for application fee in the amount of \$1,370

RECEIVED

FEB 02 2024

OWRD

14402 -

STATE OF OREGON
 COUNTY OF DESCHUTES
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

GOLD RING HOLDINGS LLC
 5837 JEAN RD
 LAKE OSWEGO OR 97035

confirms the right to the use of water perfected under the terms of Permit G-11091. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of diversion from the source. The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-12033

SOURCE OF WATER: ONE WELL IN THE DESCHUTES RIVER BASIN

PURPOSE OR USE: QUASI-MUNICIPAL USE

MAXIMUM RATE: 2.7 CUBIC FEET PER SECOND

DATE OF PRIORITY: FEBRUARY 22, 1990

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FEB 02 2024

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The well is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
18 S	11 E	WM	1	NW SE	2650 FEET SOUTH AND 1400 FEET WEST FROM NE CORNER, SECTION 1

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q
18 S	11 E	WM	1	NE NE
18 S	11 E	WM	1	NW NE
18 S	11 E	WM	1	SW NE
18 S	11 E	WM	1	SE NE
18 S	11 E	WM	1	NE NW
18 S	11 E	WM	1	NW NW
18 S	11 E	WM	1	SW NW
18 S	11 E	WM	1	SE NW
18 S	11 E	WM	1	NE SW
18 S	11 E	WM	1	NW SW

Twp	Rng	Mer	Sec	Q-Q
18 S	11 E	WM	1	SW SW
18 S	11 E	WM	1	SE SW
18 S	11 E	WM	1	NE SE
18 S	11 E	WM	1	NW SE
18 S	11 E	WM	1	SW SE
18 S	11 E	WM	1	SE SE
18 S	11 E	WM	2	SE NE
18 S	11 E	WM	12	NW NE
18 S	11 E	WM	12	NE NW
18 S	12 E	WM	6	NW SW

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 well 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 the water level elevation in the well at all times. When required by the department, the water user shall install and maintain a weir, meter, or other suitable measuring device, and shall keep a complete record of the amount of ground water withdrawn.

The quantity of water diverted at the new point of appropriation (well), shall not exceed the quantity of water lawfully available from the original point of appropriation described as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
18 S	11 E	WM	1	SE NE	1450 FEET SOUTH AND 1150 FEET WEST FROM NE CORNER, SECTION 1

The water user shall maintain a headgate, an in-line flow meter, weir, or other suitable measuring device for measuring and recording the quantity of water diverted.

Water shall be acquired from the same aquifer as the original point of appropriation.

The Director may require water level or pump test results every ten years.

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

This right is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use granted herein may be made only at times when sufficient water is available to satisfy all prior rights.

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; however, water may be applied to lands which are not specifically described above, provided the holder of this right complies with ORS 540.510(3).

Issued MAY 09 2017



Dwight French
 Water Right Services Division Administrator, for
 Thomas M. Byler, Director
 Oregon Water Resources Department

RECEIVED

FEB 02 2024

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