

T-8928

T-8928

Name Ty Fehrenbacher
 By _____
 Address 5301 N. Lone Pine Rd.
Terrebonne, OR 97760

 Change in POU/POA
 Date filed 11-29-2001
 Date of hearing _____
 Place of hearing _____
 Date of order 10-28-2011 Vol. 85, page 588
 Date for application of water _____
 Proof mailed _____
 Proof received _____
 Certificate issued _____ Vol. _____, page _____

DESCRIPTION OF WATER RIGHT

Name of stream Well
 Trib. of Crooked River County of Crook
 Use Manufacturing
 Quantity of water _____ No. of acres _____
 Name of ditch _____
 Date of priority 2-16-1995
 In name of Ty Fehrenbacher
 _____ Adjudication, Vol. _____, page _____
 App. No. G-13984 Per. No. G-12923 Cert. No. 86860
 Certificate cancelled _____
 Notation made on record by _____

FEEES PAID

Date	Amount	Receipt No.
<u>11/29/01</u>	<u>400.00</u>	<u>49791</u>
TOTAL . . .		
	Cert. Fee	

FEEES REFUNDED


Date	Amount	Check No.

REMARKS

Central Oregon Irrigation District
Ochoco Irrigation District
CWRE #1 / Bruce Estes
Howard M. Day / Hooker Creek Land Co. LLC / 63101 Nels Anderson Rd / Bend, OR 97701

10/30/02
To: Ken Lute
From: Bernie Williams
T-8928 has been amended
& needs a new GW
review. Please send
to Ben Bishop when
complete. Thanks!

Ned,
11-4-02
Please give transfer
application to Ben.
Thanks, Ken

10/31/02 
To: BEN BISHOP
ScRegion (#11)
From: BERNIE WILLIAMS
SALEM WLD
Per our conversation, here is T-8928
with amended application in file.
I've also sent the amended applic
to the WM & GW section for review.
Will call Bruce Estes... Bernie

T-8928

is is

25

Name Ty Fehrenbacher
 By _____
 Address 5301 N. Lone Pine Rd.
Terrebonne, OR 97760

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REMARKS

Central Oregon Irrigation District
Ochoco Irrigation District
CWRE #1 / Bruce Estes
Howard M. Day / Hooker Creek Land Co. LLC / 63101 N. Anderson Rd / Bend, OR 97701

Send to: Ben / Sc Reg
 Watermaster #: 11
 ODFW# 7
 GW Yes No

Selling this property
willowville Industries
Ed Henricks
541-926-7771

7819-

Memo

To: File T-8928
From: Teri Hranac *Teri*
Date: April 6, 2016
Re: Scrivener's error in legal description of Proposed Points of Diversion

It has been brought to my attention there is a scrivener's error in the reference point of the legal description of the proposed points of diversion listed under Finding of Fact #5, page 2 of the Final Order Approving a Change In point of Appropriation and Place of Use recorded at Special Order Volume 85, Pages 588-591.

The correct legal descriptions are as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
14 S	14 E	WM	30	SE NE	900 FEET NORTH AND 1250 FEET WEST FROM THE E-1/4 CORNER OF SECTION 30
14 S	14 E	WM	30	SE NE	30 FEET NORTH AND 1250 FEET WEST FROM THE E-1/4 CORNER OF SECTION 30

After discussions with Kelly Starnes, Transfer Program Advisor, due to the length of time since the issuance of the final order, no superseding Final Order will be issued. *KS*

RECEIVED
JUN 06 2002
WATER RESOURCES DEPT.
SALEM, OREGON

May 23, 2002

Bernadette Williams, Manger, Transfer Section
Water Resources Department
158 12th Street NE
Salem, OR 97301-4172

Dear Ms. Williams:

Re: T-8928

I understand there was a meeting held in Salem with yourself and a number of other department employees along with representatives for Hooker Creek Land Co. regarding the issue of transferring part of my permit G-12923 to a site near Prineville (well #2 of T-8928). Hooker Creek Land has now decided to transfer all the water right to the O'Neil site and add another well there.

Please amend my transfer application T-8928 by crossing out reference to well # 2 found on page 1 and including the changes annotated on page 3. Also amend the quantity of water as annotated on page 3. Please delete sheet 3 of the transfer map.

If you have any questions please call Bruce Estes, CWRE #1, at (503) 585-7593 or (541) 382-7391.

Sincerely,


Ty Fehrenbacher

cc Ben Bishop, Transfer Specialist
Hooker Creek Land Co., LLC
Estes Surveys, LLC

4. PROPOSED CHANGES TO THE WATER RIGHT

RECEIVED

JUN 06 2002

WATER RESOURCES DEPT.
SALEM, OREGON

Change in Use:

Proposed use: _____

Change in Point of Diversion or Point of Appropriation:

Change

Old point of diversion or point of appropriation will not be used for this portion of the water right.

Additional

Both old and new points of diversion or points of appropriation will be used for this portion of the water right.

Location of Proposed Point of Diversion or Point of Appropriation

	Coordinates (from recognized survey corner)	1/4 1/4 Section	Section	Township	Range
Well #1	30' N 1250' S & 100' W from E 1/4 corner	NE 1/4 SE 1/4	30	14S	14E
Well #2	750' N & 30' E from S 1/4 corner	SW 1/4 SE 1/4	23	14S	15E

Well #2 900' N & 1250' W from E 1/4 corner SE NE 30 14S 14E (Amended May 23, 02)

Change in Place of Use:

Location of Proposed Place of Use

Township	Range	Section	Government Lot or DIC	1/4 1/4 Section	Tax Lot Number	Acres (if appropriate)
Well #1	14S	14E		NE 1/4	302	NA
Well #2	14S	15E		W 1/2 SE 1/4	600	NA (Amended May 23, 02)

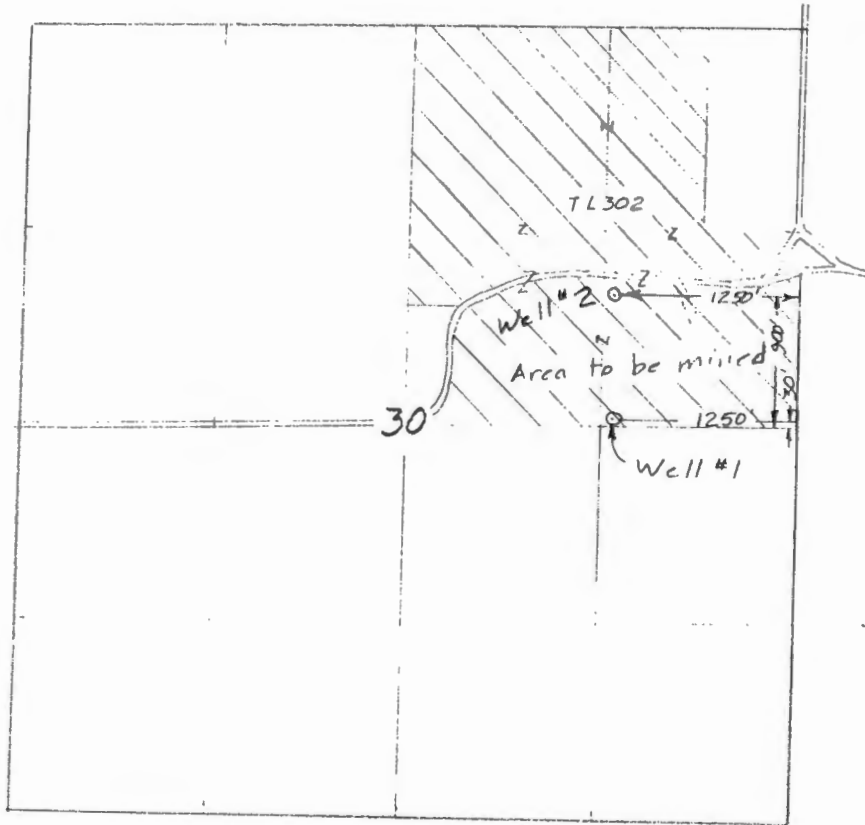
Remarks: Well #1 to receive 0.^{.78}~~78~~ cfs (³⁵⁰300 GPM) and Well #2 to receive 1.²⁸~~33~~ cfs (⁵⁵⁰600 GPM). Both of these sites are within the Deschutes study area.

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

RECEIVED
JUN 06 2002
WATER RESOURCES DEPT.
SALEM, OREGON



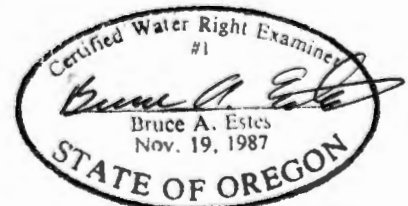
Scale 1" = 1320'



TO

Transfer Application Map
for
TY FEHRENBACHER

T-8928



Renewal Dec 31, 2003

Sheet 2 of 2

This map is for the purpose of
locating a water right only
and has no intent to provide
legal dimensions or the location
of property lines.

ESTES SURVEYS, LLC

PO Box 17519 60382 Arnold Rd
Salem, OR 97305-7519 Bend, OR 97702
(503) 585-7593 (541) 382-7391

Amended 22 May 02

Assignment - New Owner

Rob Miller -
Mt Jefferson Farms Inc
PO 12708
Salem 97309

JF

J Farms

STATE OF OREGON
COUNTY OF CROOK
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

TY FEHRENBACHER
19310 NW BUTLER RD
TERREBONNE, OR 97760

confirms the right to use the waters of WELL 4 in the Crooked River Basin for INDUSTRIAL USE.

This right was perfected under Permit G-12923. The date of priority is FEBRUARY 16, 1995. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 1.98 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the well.

The period of allowed use is year round.

The well is located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Measured Distances
14 S	14 E	WM	17	SE NE			2170 FEET SOUTH & 290 FEET WEST FROM NE CORNER, SECTION 17

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

INDUSTRIAL USE				
Twp	Rng	Mer	Sec	Q-Q
14 S	14 E	WM	17	SW SE

Measurement, recording and reporting conditions:

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

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. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may either petition for judicial review or 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 at any time before it has issued, and after the time has expired for the completion of the appropriation under the permit, or within three months after issuance of the certificate.

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

This use may be regulated if analysis of data available discloses that the appropriation will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife in effect as of the priority date of this right or as those quantities may be subsequently reduced.

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this right, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interference.

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 to determine the water level elevation in the well at all times.

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

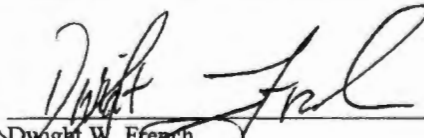
Failure to comply with any of the provisions of this right may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the right.

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.

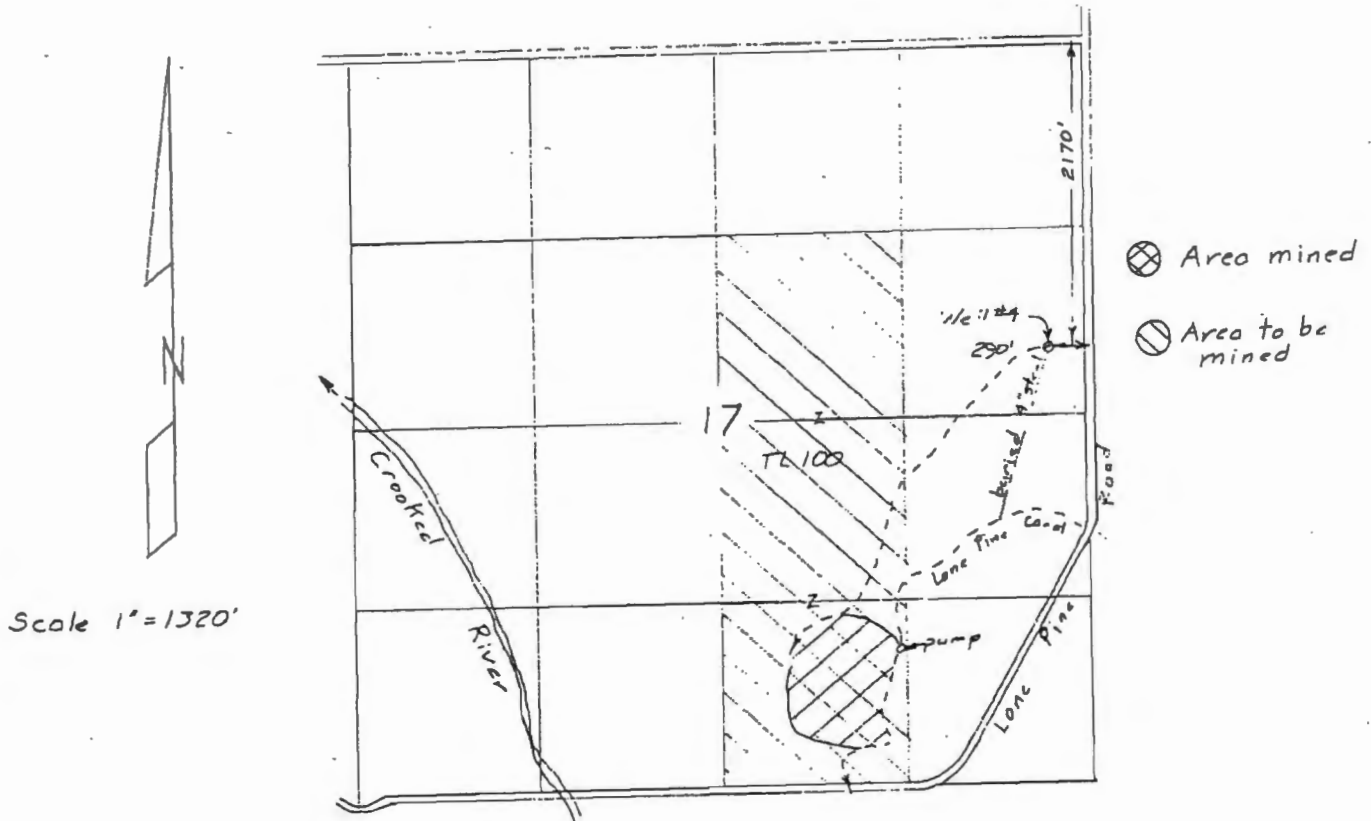
The use of water shall be limited when it interferes with any prior surface or ground water rights.

Issued APR 01 2011



Dwight W. French
Administrator Water Rights and Adjudications, for
Phillip C. Ward, Director
Water Resources Department

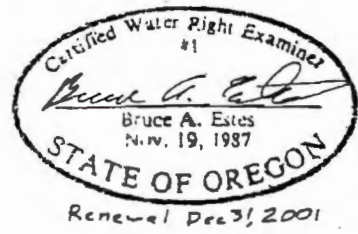
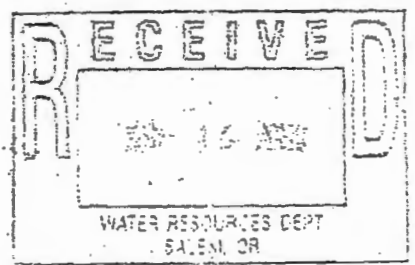
TOWNSHIP 14 SOUTH, RANGE 14 EAST, W.M.



Surveyed September 24, 1998

Claim of Beneficial Use Map
for
TY FEHRENBACHER

Application G-13984
Permit G-12923



This map is for the purpose of locating a water right only and has no intent to provide legal dimensions or the location of property lines.

ESTES SURVEYS
PO Box 17519 Salem, OR 97305-7519 (503) 585-7593
60382 Arnold Rd Bend, OR 97702 (541) 382-7391

Teri Hranac

From: Hultberg, Steve [shultberg@balljanik.com]
Sent: Friday, August 26, 2011 9:39 AM
To: Teri Hranac
Subject: RE: T-8928: FW: Ty Fehrenbacher/Howard M. Day

Teri,

Thank you for your message. We acknowledge the September 2 deadline. With respect to the October 1, 2012 date, just to be safe, we would appreciate a one-year extension of the deadline to October 1, 2013. As I mentioned, I don't think that there will be any difficulty, but a one year extension now may be beneficial. With respect to the other terms, yes, we concur with the terms and conditions of the draft preliminary determination.

Regards,

Steve Hultberg

From: Teri Hranac [mailto:hranack@wrdd.state.or.us]
Sent: Friday, August 26, 2011 9:30 AM
To: Hultberg, Steve
Subject: RE: T-8928: FW: Ty Fehrenbacher/Howard M. Day

Good Morning.

Thank you for sending me the information. This will acknowledge receipt of the documents. As long as we receive the original documents by September 2, 2011, we are fine. Once I receive the original documents, we can issue the Preliminary Determination proposing to approve T-8928.

I will need an e-mail or letter stating that they you agree with the terms and conditions of the draft preliminary determination. Is the October 1, 2012 date for completion of the proposed changes sufficient? It is easier to change the deadline to complete the changes now, rather than have them have to file a request for extension of time.

Please let me know if you have any questions or concerns.

Teri

Teri Hranac
(503) 986-0881
teri.k.hranac@wrdd.state.or.us

From: Hultberg, Steve [mailto:shultberg@balljanik.com]
Sent: Friday, August 26, 2011 9:05 AM
To: Teri Hranac
Cc: Scott Carlson
Subject: T-8928: FW: Ty Fehrenbacher/Howard M. Day

Teri,

As you may recall I represent Hooker Creek Ranch in connection with T-8928. Hooker Creek Ranch is an affiliate of O'Neil Valley, LLC, the owner of the property to which the water will be transferred. I have attached two documents in connection with this

application. The first is the affidavit of consent to transfer from the Millers, the current owners of the Fehrenbacher property. We will be delivering the original to your attention. The second is the listing packet from AmeriTitle. We are also obtaining a Lot Book report, and expect to have that today. Again, I will forward the original to your attention.

My concern is that you will not have the original documents by the 29th, the deadline set forth in your DPD letter. Can you confirm that your receipt of these materials, with the understanding that the originals will shortly follow, is sufficient to prevent a denial of the application. If not, we will make arrangements to drive to Salem on Monday to deliver the originals directly to you.

I appreciate your help on this.

Regards,

Steven Hultberg

From: Chuck Nichols [mailto:chuckn@ameri-title.com]
Sent: Thursday, August 18, 2011 9:24 AM
To: Hultberg, Steve
Subject: RE: Ty Fehrenbacher/Howard M. Day

Hello Steve,

I have attached a listing packet for TL 1414170000100 in Crook County, owned by Walter and Sally Miller. Please confirm this is the property in question you would like the lot book report on.

Thank you,

Chuck Nichols, Title Officer
AmeriTitle
150 NE Court St. | Prineville, OR 97754
Tel: (541) 447-5181 | Fax: (541) 447-3371
chuckn@ameri-title.com | www.ameri-title.com



Steven Hultberg

t 541.693.0065
f 541.617.8824
shultberg@balljanik.com

We advise you that any discussion of federal tax matters in this email is not intended or written to be used, and may not be used by you or any taxpayer, to (a) avoid penalties under the Internal Revenue Code, or (b) promote, market or recommend to any other party any transaction or matter addressed herein. All taxpayers should seek independent tax advice.

8/26/2011

Teri Hranac

From: Hultberg, Steve [shultberg@balljanik.com]
Sent: Friday, August 26, 2011 9:05 AM
To: Teri Hranac
Cc: Scott Carlson
Subject: T-8928: FW: Ty Fehrenbacher/Howard M. Day
Attachments: Miller List Kit.pdf; Transfer Consent Miller August 25 2011.pdf

Teri,

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Thank you,

Chuck Nichols, Title Officer
AmeriTitle
150 NE Court St. | Prineville, OR 97754
Tel: (541) 447-5181 | Fax: (541) 447-3371
chuckn@ameri-title.com | www.ameri-title.com



Steven Hultberg

t 541.693.0065
f 541.617.8824
shultberg@balljanik.com

We advise you that any discussion of federal tax matters in this email is not intended or written to be used, and may not be used by you or any taxpayer, to (a) avoid penalties under the Internal Revenue Code, or (b) promote, market or recommend to any other party any transaction or matter addressed herein. All taxpayers should seek independent tax advice.



Change search type:

Assessor Information Reports last updated on: 8/16/2011

Report Generated for Maptaxlot 1414170000100, Date: 8/18/2011 9:15:36 AM

General Account Information

Account	Tax Payer	Acres	Fire Patrol	Code Area	Remarks	Sen. Def.	DOR No.
413	MILLER WALTER R	491.78		21	RPMH VALUES MOVED HERE (OLD ACCT #72988) FOR 2007		
Account	Add1	Add2	Add3	City	State	Zip	Country
413	PO BOX 12708			SALEM	OR	97309	USA
Account	Subdivision	Block Lot	Property Class	PC Description	Description	Liability	
413	PART PLAT YEAR & # NO PARCEL #	1	17 551	Farm Zone Improved	EFU Land &/or Buildings	Potential Additional Tax Liability	
Account	Additional Taxes Due	Farm Disqualification	Deliquent Sewer	Pending Situation			
413							

Site Address

Address	Secondary Number
19200 NW BUTLER RD, TERREBONNE	
5441 NW LONE PINE RD, TERREBONNE	
5445 NW LONE PINE RD, TERREBONNE	
5549 NW LONE PINE RD, TERREBONNE	
5631 NW LONE PINE RD, TERREBONNE	
6101 NW LONE PINE RD, TERREBONNE	

Zoning Info. for Tax Lot

Zone	Description	Proportion
EFU2	Exclusive Farm Use	1

Current Owner for Account

Account	Owner	From date					
413	MILLER SALLY N	1/1/2006					
413	MILLER WALTER R	1/1/2006					
Account	Add1	Add2	Add3	City	State	Zip	Country
413	PO BOX 12708			SALEM	OR	97309	USA
413	PO BOX 12708			SALEM	OR	97309	USA

Owner History for Account

Account	Owner	From date	To date				
413	MILLER SALLY N	1/1/2006					
413	MILLER WALTER R	1/1/2006					
413	FEHRENBACHER TY	1/1/2005	12/31/2005				
413	FEHRENBACHER LEO & LILLIAN LIFE EST	1/1/2002	12/31/2003				
413	FEHRENBACHER TY	1/1/2002	12/31/2004				
413	CIRCLE F RANCHES INC	1/1/2000	12/31/2001				
413	CIRCLE F RANCHES INC	1/1/1998	12/31/1999				
413	CIRCLE F RANCHES INC	1/1/1996	12/31/1997				
413	CIRCLE F RANCHES INC	1/1/1993	12/31/1995				
Account	Add1	Add2	Add3	City	State	Zip	Country
413	PO BOX 12708			SALEM	OR	97309	USA
413	PO BOX 12708			SALEM	OR	97309	USA
413	5299 NW LONE PINE RD			TERREBONNE	OR	97760	USA
413	5301 NW LONE PINE RD			TERREBONNE	OR	97760	USA
413	5301 NW LONE PINE RD			TERREBONNE	OR	97760	USA
413	5301 NW LONE PINE RD			TERREBONNE	OR	97760	USA
413	19200 NW BUTLER RD			TERREBONNE	OR	97760	USA
413	6101 N LONE PINE RD			TERREBONNE	OR	97760	USA
413	RT 1 BOX 36			TERREBONNE	OR	97760	USA

Certified Values

Account	Tax Year	Valuation Type	Initial Value	Initial Date	Modified Value	Modified Date
413	2010	Total RMV	\$1,217,630.00	9/28/2010	\$1,217,630.00	9/28/2010
413	2010	Special Assessment Portion (Land)	\$388,040.00	1/2/2009	\$388,040.00	1/2/2009
413	2010		\$928,859.00	9/28/2010	\$928,859.00	9/28/2010
413	2010	Special Assessment Portion (Total)	\$232,580.00	1/2/2009	\$232,580.00	1/2/2009
413	2010	TAV	\$928,859.00	9/28/2010	\$928,859.00	9/28/2010
413	2010	Special Assessment Portion (Improvement)	\$0.00	1/2/2009	\$0.00	1/2/2009
413	2010	Improvements RMV	\$812,040.00	9/28/2010	\$812,040.00	9/28/2010
413	2010	Land RMV	\$405,590.00	9/28/2010	\$405,590.00	9/28/2010

Tentative Uncertified Values, subject to change

Account	Date	Real Market Land	Real Market Improvement	Real Market Total
413	6/14/2011	\$398,800.00	\$690,990.00	\$1,089,790.00

Land Information for Tax Lot

Account	Description	Soil	Acres	Base Rate	RMV	Effective Year	Last Updated
413	Farm (Market)	Class 5 in Lone Pine	46.39	\$245.00	\$11,370.00	2011	6/14/2011
413	Farm (Market)		0.91	\$181.00	\$160.00	2011	6/14/2011
413	Farm (Market)	VA 4 Class 62	0.91	\$181.00	\$160.00	2011	6/14/2011
413	Farm (Market)	VA 4 Class 6	54.33	\$22.00	\$1,200.00	2011	6/14/2011
413	Farm (Market)	VA 4 Class 5	46.39	\$245.00	\$11,370.00	2011	6/14/2011
413	Farm (Market)	VA 4 Class 4	5.27	\$379.00	\$2,000.00	2011	6/14/2011
413	Farm (Market)	VA 4 Class 3	72.74	\$813.00	\$59,140.00	2011	6/14/2011
413	Farm (Market)	VA 4 Class 2	307.14	\$949.00	\$291,480.00	2011	6/14/2011
413	Farm (Market)	Class 62; Lone Pine	0.91	\$181.00	\$160.00	2011	6/14/2011
413	Farm (Market)	Class 62 in Lone Pine	0.91	\$181.00	\$160.00	2011	6/14/2011
413	Farm (Market)	Class 6; Lone Pine	54.33	\$22.00	\$1,200.00	2011	6/14/2011
413	Specialy Assessed OSD		0	\$4,000.00	\$4,000.00	2011	6/14/2011
413	Farm (Market)	Class 5; Lone Pine	46.39	\$245.00	\$11,370.00	2011	6/14/2011
413	Specialy Assessed OSD		0	\$4,000.00	\$4,000.00	2011	6/14/2011
413	Farm (Market)	Class 4; Lone Pine	5.27	\$379.00	\$2,000.00	2011	6/14/2011
413	Farm (Market)	Class 4 in Lone Pine	5.27	\$379.00	\$2,000.00	2011	6/14/2011
413	Farm (Market)	Class 3; Lone Pine	72.74	\$813.00	\$59,140.00	2011	6/14/2011
413	Farm (Market)	Class 3 in Lone Pine	72.74	\$813.00	\$59,140.00	2011	6/14/2011
413	Farm (Market)	Class 2; Lone Pine	307.14	\$949.00	\$291,480.00	2011	6/14/2011
413	Farm (Market)	Class 2 in Lone Pine	307.14	\$949.00	\$291,480.00	2011	6/14/2011
413	Farm (Market)		307.14	\$949.00	\$291,480.00	2011	6/14/2011
413	Farm (Market)		72.74	\$813.00	\$59,140.00	2011	6/14/2011
413	Farm (Market)		54.33	\$22.00	\$1,200.00	2011	6/14/2011
413	Farm (Market)		46.39	\$245.00	\$11,370.00	2011	6/14/2011
413	Farm (Market)		5.27	\$379.00	\$2,000.00	2011	6/14/2011
413	Farm (Market)	Class 6 in Lone Pine	54.33	\$22.00	\$1,200.00	2011	6/14/2011
413	Specialy Assessed OSD	OSD; Lone Pine	0	\$4,000.00	\$4,000.00	2011	6/14/2011
413	SHS Calculation (Market)	VA 4 Statutory Homestite	1	\$854.00	\$850.00	2011	6/14/2011
413	SHS Calculation (Market)	VA 4 Statutory Homestite	1	\$854.00	\$850.00	2011	6/14/2011
413	SHS Calculation (Market)	VA 4 Statutory Homestite	1	\$854.00	\$850.00	2011	6/14/2011
413	SHS Calculation (Market)	VA 4 Statutory Homestite	1	\$854.00	\$850.00	2011	6/14/2011
413	Yard Improvements		0	\$3,600.00	\$3,600.00	2011	6/14/2011
413	Yard Improvements		0	\$3,600.00	\$3,600.00	2011	6/14/2011
413	Yard Improvements		0	\$2,000.00	\$2,000.00	2011	6/14/2011
413	Specialy Assessed OSD	VA 4 OSD	0	\$4,000.00	\$4,000.00	2011	6/14/2011
413	Specialy Assessed OSD	VA 4 OSD	0	\$4,000.00	\$4,000.00	2011	6/14/2011
413	Specialy Assessed OSD	VA 4 OSD	0	\$4,000.00	\$4,000.00	2011	6/14/2011
413	Specialy Assessed OSD		0	\$4,000.00	\$4,000.00	2011	6/14/2011
413	Specialy Assessed OSD	VA 4 OSD	0	\$4,000.00	\$4,000.00	2011	6/14/2011

413	SHS Calculation (Market)	VA 4 Statutory Homestite	1	\$854.00	\$850.00	2011	6/14/2011
413	Specialty Assessed OSD	OSD; Lone Pine	0	\$4,000.00	\$4,000.00	2011	6/14/2011
413	Specialty Assessed OSD	OSD; Lone Pine	0	\$4,000.00	\$4,000.00	2011	6/14/2011
413	Specialty Assessed OSD	OSD; Lone Pine	0	\$4,000.00	\$4,000.00	2011	6/14/2011
413	Specialty Assessed OSD	OSD; Lone Pine	0	\$4,000.00	\$4,000.00	2011	6/14/2011
413	Specialty Assessed OSD	OSD in Lone Pine	0	\$4,000.00	\$4,000.00	2011	6/14/2011
413	Specialty Assessed OSD	OSD in Lone Pine	0	\$4,000.00	\$4,000.00	2011	6/14/2011
413	Specialty Assessed OSD	OSD in Lone Pine	0	\$4,000.00	\$4,000.00	2011	6/14/2011
413	Specialty Assessed OSD	OSD in Lone Pine	0	\$4,000.00	\$4,000.00	2011	6/14/2011
413	Specialty Assessed OSD	OSD in Lone Pine	0	\$4,000.00	\$4,000.00	2011	6/14/2011
413	Specialty Assessed OSD	OSD in Lone Pine	0	\$4,000.00	\$4,000.00	2011	6/14/2011
413	Specialty Assessed OSD	OSD in Lone Pine	0	\$4,000.00	\$4,000.00	2011	6/14/2011
413	Specialty Assessed OSD	OSD in Lone Pine	0	\$4,000.00	\$4,000.00	2011	6/14/2011
413	Specialty Assessed OSD	OSD in Lone Pine	0	\$4,000.00	\$4,000.00	2011	6/14/2011
413	Specialty Assessed OSD	VA 4 OSD	0	\$4,000.00	\$4,000.00	2011	6/14/2011

Improvement Information for Tax Lot

Account	Type	Extension	Year Built	Eff. Year Built	Condition	Grade	Physical Dep.	Functional Dep.	RMV of Improvement	Size	Units
413	DWELL	R01	1958	1980	AV	45	22	10	\$83,100.00	0	
413	DWELL	R02	1970	1990	AV	35	17	0	\$50,620.00	0	
413	IRRIGATE	R03	0	1950	AV	45	0	0	\$70,460.00	1	IT
413	DWELL	R04	1970	1970	AV	22	27	0	\$20,770.00	0	
413	MHOME	R05	1994	1994	AV	55	0	0	\$21,350.00	924	
413	SHEDGP	R06	2009	2009	AV	68	0	0	\$117,470.00	20160	SF
413	MISC	R02	0	2000	AV	35	12	0	\$1,720.00	222	SF
413	MISC	R06	2009	2009	AV	45	0	0	\$1,060.00	266	SF
413	MISC	R06	2009	2009	AV	45	0	0	\$4,320.00	1079	SF
413	MISC	R06	2009	2009	AV	35	0	0	\$620.00	70	SF
413	MISC	R06	2009	2009	AV	35	0	0	\$5,320.00	605	SF
413	MISC	R06	2009	2009	AV	25	0	0	\$860.00	360	SF
413	LEANTO	R01	0	1995	AV	55	15	0	\$1,110.00	286	SF
413	HPCP	R02	0	1995	AV	35	15	0	\$12,530.00	792	SF
413	HAYCOVER	R03	0	1978	AV	52	23	0	\$17,380.00	4340	SF
413	FLATCP	R04	0	1959	AV	35	33	0	\$1,920.00	192	SF
413	UTLSHED	R05	1994	1994	AV	45	15	0	\$3,280.00	280	SF
413	MISC	R06	2009	2009	AV	35	0	0	\$9,410.00	3920	SF
413	SHEDGP	R01	0	1970	AV	65	27	0	\$8,680.00	336	SF
413	FLATBARN	R02	0	1959	AV	45	33	0	\$19,990.00	1968	SF
413	HAYCOVER	R03	0	1989	AV	55	18	0	\$15,420.00	3999	SF
413	UTLSHED	R04	0	1979	AV	55	23	0	\$2,080.00	144	SF
413	MISC	R05	1994	1994	AV	35	15	0	\$710.00	80	SF
413	MISC	R06	2009	2009	AV	35	0	0	\$20,160.00	1680	SF
413	DETGAR	R01	0	1980	AV	45	22	0	\$16,310.00	660	SF
413	MISC	R02	1970	1990	AV	35	17	0	\$1,400.00	192	SF
413	HAYCOVER	R03	0	1969	AV	55	28	0	\$18,520.00	5120	SF
413	LEANTO	R05	0	1978	AV	45	23	0	\$1,560.00	504	SF
413	PAV	R06	2009	2009	AV	35	0	0	\$1,690.00	1056	SF
413	MACHINE	R01	0	1962	AV	42	31	0	\$14,950.00	3600	SF
413	MISC	R02	1970	1990	AV	35	17	0	\$1,660.00	192	SF
413	HAYCOVER	R03	0	1969	AV	55	28	0	\$20,430.00	5460	SF
413	MISC	R06	2009	2009	AV	25	0	0	\$100.00	40	SF
413	MISC	R01	0	1999	AV	25	13	0	\$1,510.00	720	SF
413	DETGAR	R02	0	1980	AV	35	22	0	\$6,000.00	200	SF
413	MISC	R06	2009	2009	AV	25	0	0	\$1,920.00	800	SF
413	POTATO	R01	0	1962	AV	45	0	0	\$31,450.00	5600	SF
413	UTLSHED	R02	0	1980	AV	55	22	0	\$3,890.00	220	SF
413	MISC	R06	2009	2009	AV	25	0	0	\$250.00	102	SF

413	SHEDGP	R01	0	1968 AV	55	28	0	\$25,910.00	2400	SF
413	MISC	R02	2009	2009 AV	75	0	0	\$420.00	70	SF
413	SHEDGP	R06	2009	2009 AV	68	0	0	\$36,480.00	1388	SF
413	PAV	R01	0	1980 AV	35	22	0	\$5,800.00	4650	SF
413	MISC	R02	2009	2009 AV	75	0	0	\$8,380.00	1397	SF
413	MISC	R06	2009	2009 AV	25	0	0	\$4,020.00	1675	SF

Tax History Information

Account	Tax Year	Tax Amount	Description	Balance
413	2000	\$6,729.00	AV Principal-Regular	\$0.00
413	2001	\$6,865.73	AV Principal-Regular	\$0.00
413	2002	\$6,527.80	AV Principal-Regular	\$0.00
413	2003	\$6,654.17	AV Principal-Regular	\$0.00
413	2004	\$6,512.26	AV Principal-Regular	\$0.00
413	2005	\$6,674.51	AV Principal-Regular	\$0.00
413	2006	\$8,307.31	AV Principal-Regular	\$0.00
413	2007	\$8,521.29	AV Principal-Regular	\$0.00
413	2008	\$40.80	AV Interest	\$0.00
413	2008	\$9,179.58	AV Principal-Regular	\$0.00
413	2009	\$9,406.40	AV Principal-Regular	\$0.00
413	2010	\$11,589.65	AV Principal-Regular	\$0.00
72988	2000	\$311.35	AV Principal-Regular	\$0.00
72988	2000	\$6.00	MH Ombudsman District Principal	\$0.00
72988	2001	\$6.00	MH Ombudsman District Principal	\$0.00
72988	2001	\$313.32	AV Principal-Regular	\$0.00
72988	2002	\$314.76	AV Principal-Regular	\$0.00
72988	2002	\$6.00	MH Ombudsman District Principal	\$0.00
72988	2003	\$316.23	AV Principal-Regular	\$0.00
72988	2003	\$6.00	MH Ombudsman District Principal	\$0.00
72988	2004	\$299.77	AV Principal-Regular	\$0.00
72988	2004	\$6.00	MH Ombudsman District Principal	\$0.00
72988	2005	\$6.00	MH Ombudsman District Principal	\$0.00
72988	2005	\$218.44	AV Principal-Regular	\$0.00

Tax Receipt Information

Account	Name	Receipt No.	Amount	Amount Applied	Receipt Date
413	T Y RANCH	223044	\$6,729.00	\$6,729.00	5/7/2001
413	FEHRENBACHER	238571	\$6,865.73	\$6,865.73	1/2/2002
413	FEHRENBACHER	257490	\$6,527.80	\$6,527.80	1/3/2003
413	FEHRENBACHER	273673	\$6,454.54	\$6,454.54	11/20/2003
413	FEHRENBACHER	296481	\$6,512.26	\$6,512.26	1/3/2005
413	AMERITITLE	303828	\$6,474.27	\$6,474.27	11/2/2005
413	MT. JEFFERSON	334266	\$8,058.09	\$8,058.09	11/20/2006
413	MT. JEFFERSON FARMS INC	348320	\$8,265.65	\$8,265.65	11/28/2007
413	MT. JEFFERSON FARMS, INC	365137	\$8,904.19	\$8,904.19	11/24/2008
413	MILLER WALTER R	365381	\$316.19	\$316.19	12/8/2008
413	MILLER WALTER R	377471	\$9,124.21	\$9,124.21	11/17/2009
413	MILLER WALTER R	394561	\$7,571.90	\$7,571.90	11/19/2010
413	MT JEFFERSON FARMS, INC	398632	\$3,863.22	\$3,863.22	5/16/2011
72988	FEHRENBACHER	218990	\$307.83	\$307.83	11/22/2000
72988	FEHRENBACHER	226148	\$309.74	\$309.74	10/24/2001
72988	FEHRENBACHER	256096	\$311.14	\$311.14	11/21/2002
72988	FEHRENBACHER	273675	\$312.56	\$312.56	11/20/2003
72988	FEHRENBACHER	295447	\$296.60	\$296.60	11/23/2004
72988	AMERITITLE	318167	\$220.00	\$220.00	3/23/2006

Sale Information

Account	Mod. Sale Date	Adj. Sale Price	Gross Sale Price	Prop. Value	Tax Year	Overall Ratio	Deed Date	Deed No.
413	8/28/2002	\$400,000.00	\$400,000.00	\$683,390.00	2002	170.8500	8/28/2002	173030
413	11/1/2005	\$0.00	\$0.00	\$813,490.00	2006	43.9700	11/1/2005	205276

Property Transfer Deed Information

Account	Date	Doc. Number	Description
413			
413	8/28/2002	173030	STATUTORY WARRANTY DEED
413	11/1/2005	205276	STATUTORY WARRANTY DEED
72988			

General Residential Information

Account	Building No.	Type	Grade	Year Built	Eff. Year Built	Year Remodeled	Condition	% Complete
413	R04	DWELL	22	1970	1970	0	AV	100
413	R02	DWELL	35	1970	1990	0	AV	100
413	R05	MHOME	55	1994	1994	0	AV	100
413	R01	DWELL	45	1958	1980	0	AV	100

Room Inventory

Account	Dwelling No.	Floor	Date	Finished Area (sq. ft.)
413	R01	1.0	4/26/2010	2948
413	R02	1.0	4/23/2010	1840
413	R04	1.0	4/26/2010	960

Account	Dwelling No.	Floor	Liv. Rooms	Din. Rooms	Gt. Rooms	Kitchens	Dens	Bedrooms	Other Rooms	1/2 Bathrooms	Full Bathrooms
413	R01	1.0	1	1	0	1	0	4	1	0	2
413	R02	1.0	1	1	0	1	0	3	0	0	2
413	R04	1.0	1	0	0	1	0	2	0	0	2

Events for Account

Account	Remarks	Eff. Date
413	LIFE ESTATE: FEHRENBACHER, LEO W & LILLIAN E DE 05/10/02 MF170759	2/28/2007
413	SW 05/16/02 MF170914	2/28/2007
413	CIRCLE F RANCHES TO FEHRENBACHER TY SW 08/09/02 MF173020	2/28/2007
413	032404 EASE MF188938	2/28/2007
413	REMOVE LIFE ESTATE 040904 DE MF189334	2/28/2007
413	FEHRENBACHER T TO FEHRENBACHER T/L 110105 BS MF205274	2/28/2007
413	FEHRENBACHER T/L TO MILLER W R/S N 110105 SW MF205276	2/28/2007
413	110405 LEASE MF205279	2/28/2007
413	Type: OTHER, Status: Approved, Tax Year: 2006 by shall	8/4/2008
413	Type: OTHER, Status: Approved, Tax Year: 2007 by shall	8/4/2008
413	by shall	5/11/2009
72988	by shall	1/1/2007

No 'Exemption' Information is available

Mobile Home Info. for Account

Account	Make	Model	Width	Length	Size	Last Update	Year Built
413	GUERDON		14.00	66.00	924		1994
72988	GUERDON		14.00	66.00	924		1994

Maptaxlot	Account	LOIS No.	Serial No.
1414170000100	72988	0000276710	
1414170000100	413	0000276710	

Property Notes for Account

Account	Map Taxlot	Notes
413	1414170000100	MV TL102 SEG OFF
413	1414170000100	COPY WELL LOG TO JACKET
413	1414170000100	MV SEG'D -139.84 AC TL #103 ACCT 16224 MF163219 PP 2001-17 FOR 2002
413	1414170000100	MV BLA ADJ +31.34 AC FROM 14 14 17 103 ACCT 16224 MF164530 FOR 2002
413	1414170000100	MV LLA +2.84 FROM TL #103 REF 16224 MF177449 FOR 2003
413	1414170000100	LANDCLASS CHANGES/LANDCLASS PROJ
413	1414170000100	SITUS ADDRESS CHANGE PER FAITH
413	1414170000100	MADE MH 72988 REAL TO ACCT 413 FOR 2006
413	1414170000100	MV CODE FROM 1 TO 21-ANNEX TO FIRE & RESCUE DOR 7-110-2005/RES 2005-8
413	1414170000100	MOVED \$17250 OF MAV FROM HERE TO ACCOUNT 72988 FOR 2007
72988	1414170000100	MADE MH 72988 REAL TO ACCT 413 FOR 2006
72988	1414170000100	MV CODE FROM 1 TO 21-ANNEX TO FIRE & RESCUE DOR 7-110-2005/RES 2005-8
72988	1414170000100	MOVED \$17250 IN MAV TO HERE FROM ACCOUNT 413 FOR 2007

[Permit Info](#)



THIS SPACE RESERVED FOR RECORDER'S USE

KEY PUNCHED

NOV 02 2005

SCANNED

After recording return to:
Walter R. Miller
PO Box 12708
Salem, OR 97309

Crook County Official Records 2005-205276
DEED-D 11/01/05 03:17 PM
Cal#1 6#-6 COUNTER \$38.00
\$10.00 \$11.00 \$5.00 \$10.00

Until a change is requested all
tax statements shall be sent to
The following address:



Walter R. Miller
PO Box 12708
Salem, OR 97309

I, Deanna Bertram, County Clerk for Crook
County, Oregon, certify that the instrument
identified herein was recorded in the Clerk
records.



Deanna Bertram

Escrow No. CT71923KT
Title No. 0071923

5W11

STATUTORY WARRANTY DEED

Ty Fehrenbacher and Linda Fehrenbacher, husband and wife, Grantor(s) hereby convey and warrant to
Walter R. Miller and Sally N. Miller, husband and wife, Grantee(s) the following described real property in the
County of Crook and State of Oregon free of encumbrances except as specifically set forth herein:

Located in CROOK COUNTY, OREGON:

See Exhibit "A" attached hereto-

141417 100

The above-described property is free of encumbrances except all those items of record, if any, as of the date of this deed and
those shown below, if any:

The true and actual consideration for this conveyance is **PURSUANT TO AN IRC 1031 TAX DEFERRED
EXCHANGE ON BEHALF OF GRANTOR/GRANTEE.**

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN
VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING
THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE
APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO
DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS
30.930.

Dated this 31 day of October, 2005.

Ty Fehrenbacher
Ty Fehrenbacher
Linda Fehrenbacher
Linda Fehrenbacher

State of Oregon
County of CROOK

This instrument was acknowledged before me on October 31, 2005 by Ty Fehrenbacher and Linda Fehrenbacher.



Kerri Jo Talburt
(Notary Public for Oregon)

My commission expires 10-08-09

71923KT

(2 pgs)

EXHIBIT "A"

Located in CROOK COUNTY, OREGON:

Parcel Two (2) of Partition Plat No. 2001-17, Recorded June 19, 2001 in Partitions MF No. 163219, Records of Crook County, Oregon, Located in Section 17, Township 14 South, Range 14 East of the Willamette Meridian, Crook County, Oregon.

TOGETHER WITH a parcel of land being a portion of Parcel One (1) of Partition Plat No. 2001-17, Recorded June 19, 2001 in Partitions MF No. 163219, Records of Crook County, Oregon, more particularly described as follows: Beginning at the Northwest corner of Section 17, thence South 00°06'53" West along the West line of said Section 17, a distance of 20.00 feet to the Northwest corner of said Parcel 1 and the South right of way line of Butler Road and the True Point of Beginning, thence North 89°59'03" East along said right of way line a distance of 971.52 feet to the Northeast corner of said Parcel 1; thence South 02°06'52" West along the East line of said Parcel 1 a distance of 2450.49 feet; thence North 89°23'17" West a distance of 46.07 feet; thence North 63°39'14" West a distance of 163.63 feet; thence North 02°06'52" East a distance of 1198.22 feet; thence South 89°31'58" West a distance of 735.00 feet to the West line of said Parcel 1; thence North 00°06'53" East along said West line a distance of 1184.04 feet to the True Point of Beginning.

TOGETHER WITH a portion of Parcel 1 of Partition Plat No. 2001-17, Records of Crook County, Oregon, located in the SW¼ of Section 17, Township 14 South, Range 14 East of the Willamette Meridian, Crook County, Oregon, more particularly described as follows: Beginning at the Southeast corner of said Parcel 1, thence along the East line of said Parcel 1 along the following courses: North 04°09'45" East a distance of 177.20 feet; thence North 89°41'43" East a distance of 52.10 feet; thence North 03°47'04" East a distance of 104.18 feet; thence North 29°07'02" West a distance of 67.70 feet; thence South 63°09'54" West a distance of 177.89 feet; thence North 27°53'46" West a distance of 56.29 feet; thence North 63°19'21" East a distance of 45.83 feet; thence North 02°25'24" West a distance of 430.11 feet; thence North 89°51'46" West a distance of 159.58 feet; thence leaving said East line, South 04°04'30" East a distance of 36.98 feet; thence South 12°04'11" East a distance of 96.73 feet; thence South 01°36'56" West a distance of 173.58 feet; thence South 18°11'17" West a distance of 81.14 feet; thence South 11°33'10" West a distance of 101.87 feet; thence South 45°13'42" East a distance of 60.84 feet; thence North 78°52'58" East a distance of 33.39 feet; thence South 01°46'06" East a distance of 26.80 feet; thence South 58°32'30" East a distance of 100.16 feet; thence South 71°58'04" East a distance of 102.82 feet; thence South 20°05'15" East a distance of 56.17 feet; thence South 25°51'52" West a distance of 24.76 feet; thence South 37°02'24" East a distance of 70.18 feet to the point of beginning.

↑
 N
 COMPLIMENTS OF
AmeriTitle
 THIS SKETCH IS FURNISHED
 TO ASSIST IN PROPERTY
 LOCATION AND THE COMPANY
 DOES NOT GUARANTY
 ITS ACCURACY.

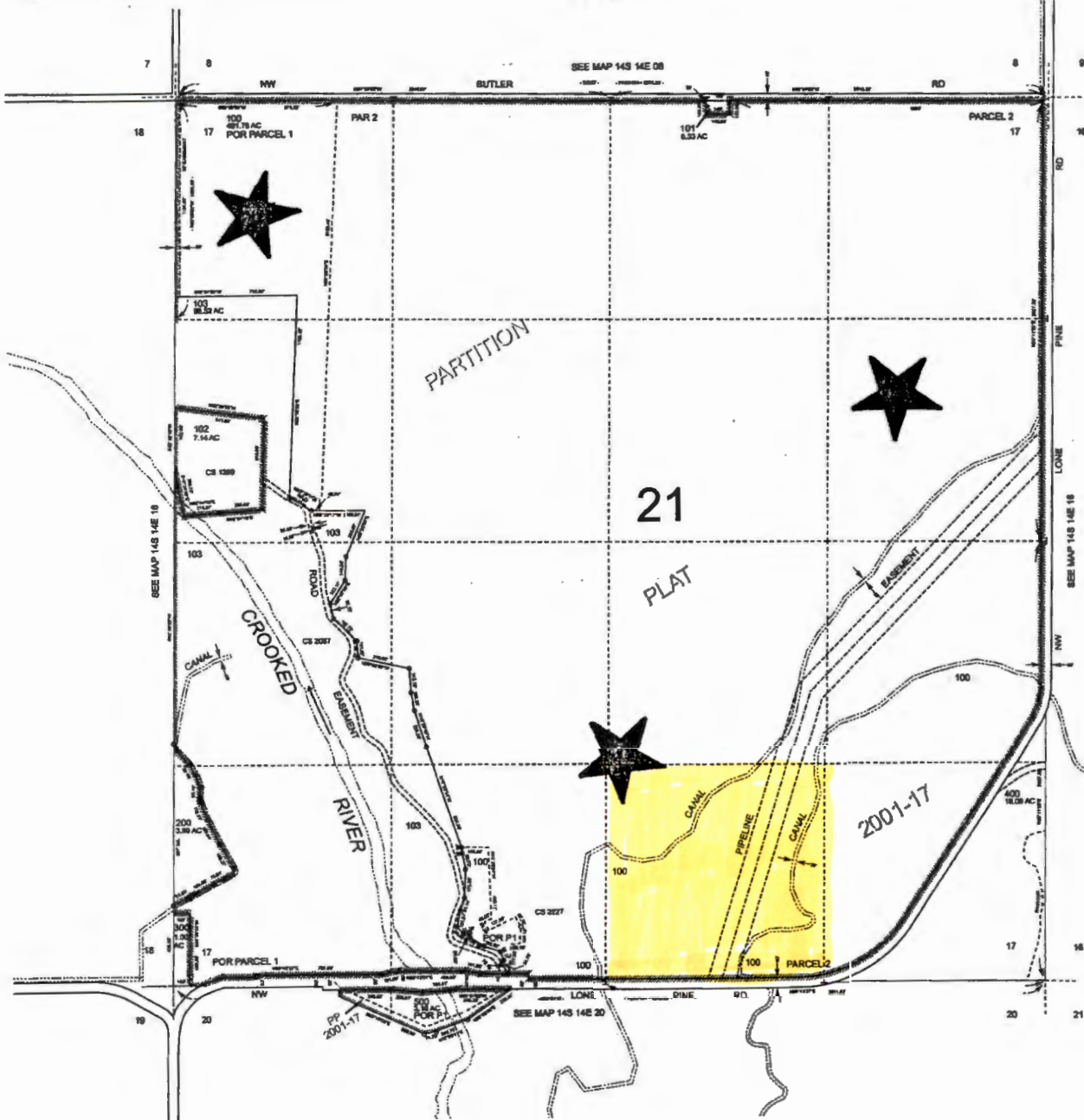
THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY



SECTION 17 T.14S. R.14E. W.M.
 CROOK COUNTY
 1" = 400'

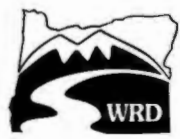
14S14E17

CANCELLED:



Revised: JK
 4/28/2010
 14S14E17

T-8928



State of Oregon
Water Resources Department
158 12th Street NE, Salem, OR 97310
(503)378-8455 • (800)624-3199
www.wrd.state.or.us

Application for Water Right Transfer

Please type or print in dark ink. If your application is found to be incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "n/a." Please read and refer to the instructions when completing your application. Thank you.

RECEIVED

NOV 29 2001

WATER RESOURCES DEPT.
SALEM, OREGON

RECEIVED
OVER THE COUNTER

APPLICATION FOR:

Please check one

Water Right Transfer Temporary Transfer Permit Amendment

Historic Point of Diversion Change Government Action Point of Diversion

1. APPLICANT INFORMATION

Name: Ty Fehrenbacher
First Last

Address: 5301 N. Lone Pine Rd
Terrebonne, Oregon 97760
City State Zip

Phone: (541) 548-4353
Home Work Other

*Fax: _____ *E-Mail address: _____

**Optional information*

2. TYPE OF CHANGE

Use Place of Use Point of Diversion Point of Appropriation

Reason for change: Move to active mines

Is the land within an irrigation or other water district? Yes No

If yes, include district name: Well #1 Central Oregon Irrigation Dist.
Well #2 Ochoco Irrigation District

App. No. _____	Permit No. _____	Date _____
----------------	------------------	------------

T-8928

3. CURRENT WATER RIGHT INFORMATION

RECEIVED

Name on Permit, Certificate, or Decree: Ty Fehrenbacher NOV 29 2001

WATER RESOURCES DEPT. SALEM, OREGON

Decree: [Not applicable]

Permit Number: G-12923 Certificate Number: Claim of Beneficial Use filed Sept. 1, 2000

Priority Date: Feb 16, 1995 Authorized Use: Industrial Use

Source of Water: a well County: Crook

Are there other sources listed on the water right? Yes No

Location of Authorized Point of Diversion or Point of Appropriation:

Coordinates (from recognized survey corner)	1/4 1/4 Section	Section	Township	Range
<u>2170'S & 290'W from NE corner</u>	<u>SE 1/4 NE 1/4</u>	<u>17</u>	<u>14 S</u>	<u>14 E</u>

Location of Authorized Place of Use:

Township	Range	Section	Government Lot or DIC	1/4 1/4 Section	Tax Lot Number	Acres (if appropriate)
<u>14 S</u>	<u>14 E</u>	<u>17</u>		<u>SW NE</u>	<u>100</u>	
		<u>17</u>		<u>NW SE</u>	<u>100</u>	
		<u>17</u>		<u>SW SE</u>	<u>100</u>	

Are there other lands described in the water right? Yes No

Are there other water rights or permits associated with this land? Yes No
If yes, include a copy of all rights or permits.

Description of general delivery system (ditch measurements, pump size, number of sprinklers, etc.):
40 HP submersible pump through 4" buried pipe to a ditch. Ditch delivers water to a 20 HP pump to pressurize the gravel operation.

System capacity (in cfs): 2.0 cfs

T. 8928

4. PROPOSED CHANGES TO THE WATER RIGHT

RECEIVED

Change in Use:

Proposed use: _____

NOV 29 2001

WATER RESOURCES DEPT.
SALEM, OREGON

Change in Point of Diversion or Point of Appropriation:

Change

Old point of diversion or point of appropriation will not be used for this portion of the water right.

Additional

Both old and new points of diversion or points of appropriation will be used for this portion of the water right.

Location of Proposed Point of Diversion or Point of Appropriation

	Coordinates (from recognized survey corner)	1/4 1/4 Section	Section	Township	Range
Well #1	30' N & 1250' W 120' S & 100' W from E 1/4 corner	NE SE SE NE	30	14 S	14 E
Well #2	750' N & 30' E from S 1/4 corner	SW 1/4 SE 1/4	23	14 S	15 E

Change in Place of Use:

Location of Proposed Place of Use

	Township	Range	Section	Government Lot or DIC	1/4 1/4 Section	Tax Lot Number	Acres (if appropriate)
Well #1	14 S	14 E	30		NE 1/4	302	NA
Well #2	14 S	15 E	23		W 1/2 SE 1/4	600	NA

Remarks: Well #1 to receive 0.67 cfs (300 GPM) and Well #2 to receive 1.33 cfs (600 GPM). Both of these sites are within the Deschutes study area.

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WATER RESOURCES DEPT.
SALEM, OREGON

Answer only
if for change
in Use or
Place of Use.

T-8928

5. LAND OWNERSHIP

Use/Place of Use

Are the lands free of encumbrances? Yes No

If no, name of encumbrance holder: _____

If no, application must include written permission for the transfer from the encumbrance holder.

Landowners

This section does not apply to water delivery entities authorized to act on behalf of their members, making permit amendment requests, or requests for changes in point of diversion or point of appropriation only.

Landowners: _____

(List all landowners shown on deed.)

Address(es): _____

_____ City State Zip

Application must include notarized statements from all landowners shown on deed giving permission for the transfer. Use an extra sheet if necessary.

Answer only
if applicant
is **not** the
landowner.

Receiving Landowner

Name: Howard M. Day

Hooker Creek Land Co., LLC

Address: 63101 Nels Anderson Rd.

Bend Oregon 97701
City State Zip

The Department's records should be changed to show this landowner is responsible for completion of the changes. All notices and correspondence should be sent to this landowner.

Applicant will remain responsible for completion of changes. Notices and correspondence should continue to be sent to applicant.

Answer only
if the receiving
landowner is
not the original
landowner or
the applicant.

T-8928

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SALEM, OREGON

6. EXHIBITS

Application may be rejected if all appropriate exhibits are not enclosed.

Land Use Information Form:

- Enclosed
- Not needed: (must meet the following four requirements)
 - ① In EFU zone or irrigation district.
 - ② Change in place of use only.
 - ③ No structural changes needed, including diversion works, delivery facilities, other structures.
 - ④ Irrigation only.

List all affected governments (city, county, state, tribal, federal):

Creek Co.

Map:

- Water Right Transfer: *Must be prepared by a Certified Water Right Examiner.*
- All others: *Need not be prepared by a Certified Water Right Examiner.*

Deed:

- Must accompany all applications, except permit amendment requests.

Evidence of use within last five years, or not subject to forfeiture:

- Best evidence is an affidavit from a knowledgeable person describing the water use. Statements saying water was delivered or assessments/fees were paid are insufficient. Evidence must show actual use of the water for the authorized purpose, in the authorized place of use.

Water Well Reports:

- If application is for a change in point of appropriation or change from surface water to ground water, attach copies of all water well reports. If reports are not available, describe construction details including well depth, static water level, and information necessary to establish the ground water body developed or proposed to be developed.

Fees:

Amount enclosed \$ 400.00

See instruction book for fee schedule.

7. SIGNATURE

I (we) swear that I (we) have read the above application and the statements made are true and accurate.

Ty Fehrenbacher
applicant signature

name (print)

11/21/01
date

date

applicant signature

name (print)

date

Before you submit your application be sure you have:

- Answered each question completely.
- Attached a legible map which includes township, range, section, quarter/quarter and tax lot number.
- Included the necessary exhibits.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount.

T-8928

Well #2

C200
3026

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JUN 15 1994

74s/15E/23

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

WATER RESOURCES DEPT. (START CARD) # 63957
SALEM, OREGON

Instructions for completing this report are on the last page of this form.

(1) OWNER: Well Number # 1

Name Barnard Construction Co., Inc.
Address P.O. Box 99
City Boylston State Mt. Zip 97771

(2) TYPE OF WORK
 New Well Deepening Alteration (repair/recondition) Abandonment

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

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

(5) BORE HOLE CONSTRUCTION:
Special Construction approval Yes No Depth of Completed Well 350 ft.
Explosives used Yes No Type _____ Amount _____

BORE			SEAL			
Diameter	From	To	Material	From	To	Sacks or pounds
21"	0	350	cement	0	104	4 yds slurry

How was seal placed: Method A B C D E
 Other pumped via tremie (3")

Backfill placed from _____ ft. to _____ ft. Material _____
Gravel placed from 104 ft. to 350 ft. Size of gravel 3/8

Casing	Diameter	From	To	Gauge	Material			
					Steel	Plastic	Welded	Threaded
	10"	+1	350	250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Final location of shoe(s) _____

(7) PERFORATIONS/SCREENS:

Method		Type		Material		Casing	Liner
From	To	Blot size	Number	Diameter	Blot size		
290	350	1/8	1200	10"		<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

Yield gal/min	Drawdown	Drill stem at	Flowing
600 gpm	100'	290'	5hrs

Temperature of water 68 Depth Artesian Flow Found 292'

Was a water analysis done? Yes No 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 Crook Latitude _____ Longitude _____
Township 14 S N or S Range 15 E E or W. WM
Section 23 SW 1/4 SS 1/4
Tax Lot 500 Lot _____ Block _____ Subdivision _____
Street Address of Well (or nearest address) _____
Bus Evans Rd., Prineville, Or. 97754

(10) STATIC WATER LEVEL:
49' ft. below land surface Date 5-31-94
Artesian pressure 0 lb. per square inch. Date _____

(11) WATER BEARING ZONES:
Depth at which water was first found 70'

From	To	Estimated Flow Rate	SV
70	90	50 gpm	7
292	340	600 gpm	4

(12) WELL LOG:
Ground Elevation _____

Material	From	To	SWI
top soil	0	4	
med. gravel	4	23	
1/2 brown clay	23	36	
med gravel	36	48	
sandy clay	48	68	
brown sand w/b	68	90	
black sticky clay	90	292	
coarse gravel w/b	292	340	49'
brown claystone	340	360	

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WATER RESOURCES DEPT.
SALEM, OREGON

Date started 5-23-94 Completed 5-27-94

(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 water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.

Signed Bill Rupp WWC Number 1555 Date 6/14

(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 water supply well construction standards. This report is true to the best of my knowledge and belief.

Signed Carl WWC Number 741 Date 6-1-94

T-8928 Well #1

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MAY 20 1996

STATE OF OREGON WATER SUPPLY WELL REPORT

CROO 50081

(START CARD) # 67772

Instructions for completing this report are on the last page of this WATER RESOURCES DEPT.

(1) OWNER: Well Number SALEM, OREGON Name O'Neil Sand & Gravel Address P.O. Box 1238 City Redmond, State Ore. Zip 97756

(2) TYPE OF WORK: [X] New Well [] Deepening [] Alteration (repair/recondition) [] Abandonment

(3) DRILL METHOD: [X] Rotary Air [] Rotary Mud [] Cable [] Auger [] Other

(4) PROPOSED USE: [] Domestic [] Community [] Industrial [] Irrigation [] Thermal [] Injection [] Livestock [X] Other sand & gravel

(5) BORE HOLE CONSTRUCTION: Special Construction approval [] Yes [X] No Depth of Completed Well 155 ft. Explosives used [] Yes [X] No Type Amount

Table with columns: HOLE Diameter, From, To, Material, SEAL From, To, Sacks or pounds. Row 1: 20", 0, 49', Bentonite, 0, 49', 65 sks. Row 2: 16", 49', 155'

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

(6) CASING/LINER: Table with columns: Diameter, From, To, Gauge Steel, Plastic, Welded, Threaded. Casing: 16, +2', 94', .250, [X], [], []. Liner: 12", +3', 151', [X], [], []

Final location of shoe(s)

(7) PERFORATIONS/SCREENS: [X] Perforations Method Factory [] Screens Type Material. From 91' To 151' Slot size 1/8X3 Number 2880 Diameter 12" Casing [] Liner [X]

(8) WELL TESTS: Minimum testing time is 1 hour [X] Pump [] Bailor [] Air [] Artesian. Yield gal/min 570 Drawdown 18" Drill stem at 24hr xxx

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

LOCATION OF WELL by legal description: County Crook Latitude Longitude Township 14S N or S Range 14E E or W. WM. Section 30 SW 1/4 SE 1/4 Tax Lot 302 Loc Block Subdivision Street Address of Well (or nearest address) O'Neil Way

(10) STATIC WATER LEVEL: 35 ft. below land surface. Date 5-8-96 Artesian pressure lb. per square inch Date

(11) WATER BEARING ZONES: Depth at which water was first found 114'

Table with columns: From, To, Estimated Flow Rate, SWL. Row 1: 114', 145', 800, 35'

(12) WELL LOG: Ground Elevation

Table with columns: Material, From, To, SWL. coarse clay congl 0 31' coarse sand & gravel 31' 44' brwn clay congl 44' 60' black sand 60' 87' gray sticky clay 87' 93' brwn clay stone 93' 114' coarse congl W.B. 114' 145' 35' brkn gray lava 145' 155'

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WATER RESOURCES DEPT. SALEM, OREGON

Date started 5-2-96 Completed 5-8-96 (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 water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.

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 water supply well construction standards. This report is true to the best of my knowledge and belief.

WWC Number 1658 Date 5-14-96

Places of Use from Water Rights in the Same Area

The following rights have acreage in the same quarter-quarter as Cert:86860 OR *

Right	Name	Decree	App	Permit	Cert	Priority	Status	Use	T-R-S-QQ	DLC	Gov't Lot
<u>CERT:72197 CF CR *</u>	CROOK COUNTY IMPROVEMENT DISTRICT 1	DESCHUTES RIVER (F)			72197	10/31/1900	NC	IR	14.00S-14.00E-17-SWSE	<input type="checkbox"/>	:
<u>INCHOATE: T 9626 CF (REG) *</u>	WALTER MILLER	DESCHUTES RIVER (F)				10/31/1900	NC	IR	14.00S-14.00E-17-SWSE	<input type="checkbox"/>	:
<u>INCHOATE: T 9626 RR (REG) *</u>	CROOK COUNTY IMPROVEMENT DISTRICT 1	DESCHUTES RIVER (F)				10/31/1900	NC	IR	14.00S-14.00E-17-SWSE	<input type="checkbox"/>	:
<u>CERT:76714 CF *</u>	CENTRAL OREGON IRRIGATION DISTRICT		S-13180	S-23256	76714	2/28/1913	NC	IS	14.00S-14.00E-17-SWSE	<input type="checkbox"/>	:

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

Draft

In the Matter of Transfer Application)
T-8928, Deschutes County)

[Signature]

D R A F T
PRELIMINARY DETERMINATION
PROPOSING APPROVAL OF A CHANGE
IN POINT OF APPROPRIATION AND
PLACE OF USE

Authority

ORS 537.705 and 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of appropriation, place of use, or character of use authorized under an existing water right. OAR Chapter 690, Division 380 implements the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

TY FEHRENBACHER
5301 N LONE PINE RD
TERREBONE, OR 97760

Findings of Fact

Background

1. On November 29, 2001, TY FEHRENBACHER filed an application to change the point of appropriation and to change the place of use under Permit G-12923. The Department assigned the application number T-8928.
2. On September 7, 2000, a claim of beneficial use was submitted for Permit G-12923. On April 1, 2011, Certificate 86860 was issued.
3. On June 6, 2002, the applicant amended the transfer application clarifying the proposed points of appropriation.
4. The right to be transferred is as follows:

Certificate: 86860 in the name of TY FEHRENBACHER (perfected under Permit G-12923)

Use: INDUSTRIAL/MANUFACTURING USES

Priority Date: FEBRUARY 16, 1995

Rate: 1.98 CUBIC FEET PER SECOND

Source: A WELL within the LONE PINE CREEK BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
14 S	14 E	WM	17	SE NE	2170 FEET SOUTH AND 290 FEET WEST FROM NE CORNER OF SECTION 17

Authorized Place of Use:

INDUSTRIAL/MANUFACTURING USES				
Twp	Rng	Mer	Sec	Q-Q
14 S	14 E	WM	17	SW SE

5. Transfer Application T-8928 proposes to move the authorized point of appropriation to two points of appropriation approximately 1-3/4 miles from the existing point of appropriation located:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
14 S	14 E <i>OK</i>	WM	30 <i>OK</i>	SE NE	900 FEET NORTH AND 1250 FEET WEST FROM THE SE CORNER OF SECTION 30
14 S	14 E <i>OK</i>	WM	30 <i>OK</i>	SE NE	30 FEET NORTH AND 1250 FEET WEST FROM THE SE CORNER OF SECTION 30

6. Transfer Application T-8928 also proposes to change the place of use of the right to:

INDUSTRIAL/MANUFACTURING USES				
Twp	Rng	Mer	Sec	Q-Q
14 S	14 E	WM	30	NE NE
14 S	14 E	WM	30	NW NE
14 S	14 E	WM	30	SW NE
14 S	14 E	WM	30	SE NE

7. Notice of the application for transfer was published on December 10, 2001, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.

Transfer Review Criteria (OAR 690-380-4010)

8. Water Right Certificate 86860 was issued on April 1, 2011. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
9. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Transfer Application T-8928.
10. The proposed change would not result in enlargement of the right.
11. The proposed change would not result in injury to other water rights.

Determination and Proposed Action

The change in point of appropriation and change in place of use proposed in Transfer Application T-8928 appear to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved.

If application T-8928 is approved, the final order will include the following:

1. *The change in point of appropriation and change in place of use proposed in application T-8928 are approved.*
2. *The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificate 86860 and any related decree.*
3. *Water right certificate 86860 is cancelled.*
4. *The quantity of water diverted at the new points of appropriation, shall not exceed the quantity of water lawfully available at the original point of appropriation.*
5. *Water use measurement conditions:*
 - a. *Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of appropriation.*
 - b. *The water user shall maintain the meters or measuring devices in good working order.*
 - c. *The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.*
6. *Water shall be acquired from the same aquifer (water source) as the original point of appropriation.*
7. *The former place of use of the transferred right shall no longer receive water under the right.*
8. *The approved changes shall be completed and full beneficial use of the water shall be made on or before **October 1, 2012**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.*
9. *When satisfactory proof of the completed changes is received, a new certificate confirming the right transferred will be issued.*

Dated at Salem, Oregon this ____ day of _____ 2011.

D R A F T

Dwight French, Water Right Services Administrator, for
PHILLIP C. WARD, DIRECTOR

This draft Preliminary Determination was prepared by Teri Hranac. If you have questions about the information in this document, you may reach me at 503-986-0881 or Teri.K.Hranac@ wrd.state.or.us.

T-8928

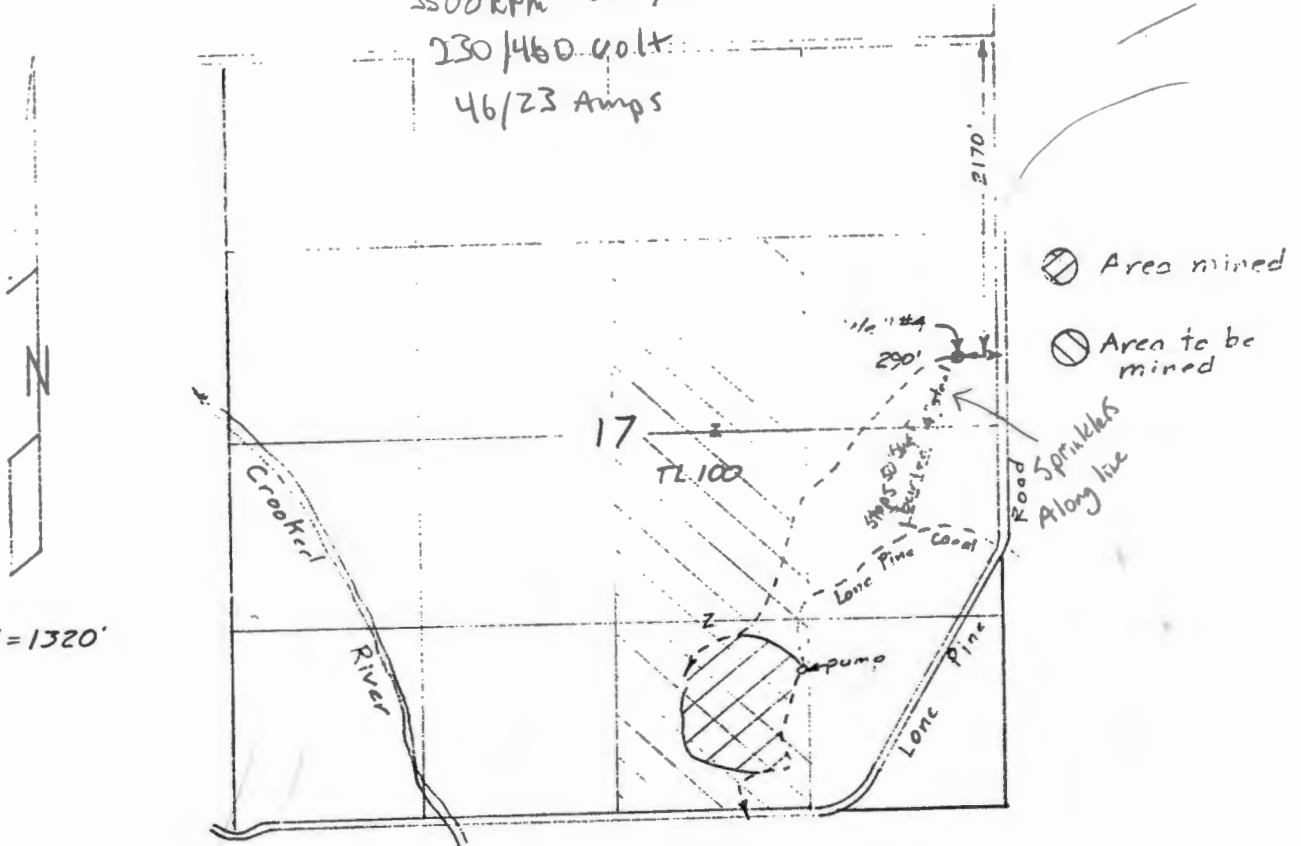
TOWNSHIP 14 SOUTH, RANGE 4 EAST, W.M.

Pump at site

20 HP 3 phase
3500 RPM 60 cycle

230/460 volt
46/23 Amps

3 inch outlet
5 inch intake



Scale 1" = 1320'

Pump #1 2" outlet to 4"

FROM

10 HP
RPM = 3530
3 Phase
Amp 26.2/13.1
60 Cycle
5" intake

Transfer Application Map
for

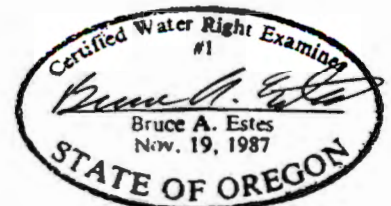
TY FEHRENBACHER

Application T-

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WATER RESOURCES DEPT.
SALEM, OREGON



Renewal Dec 3, 2001

Sheet 1 of 3

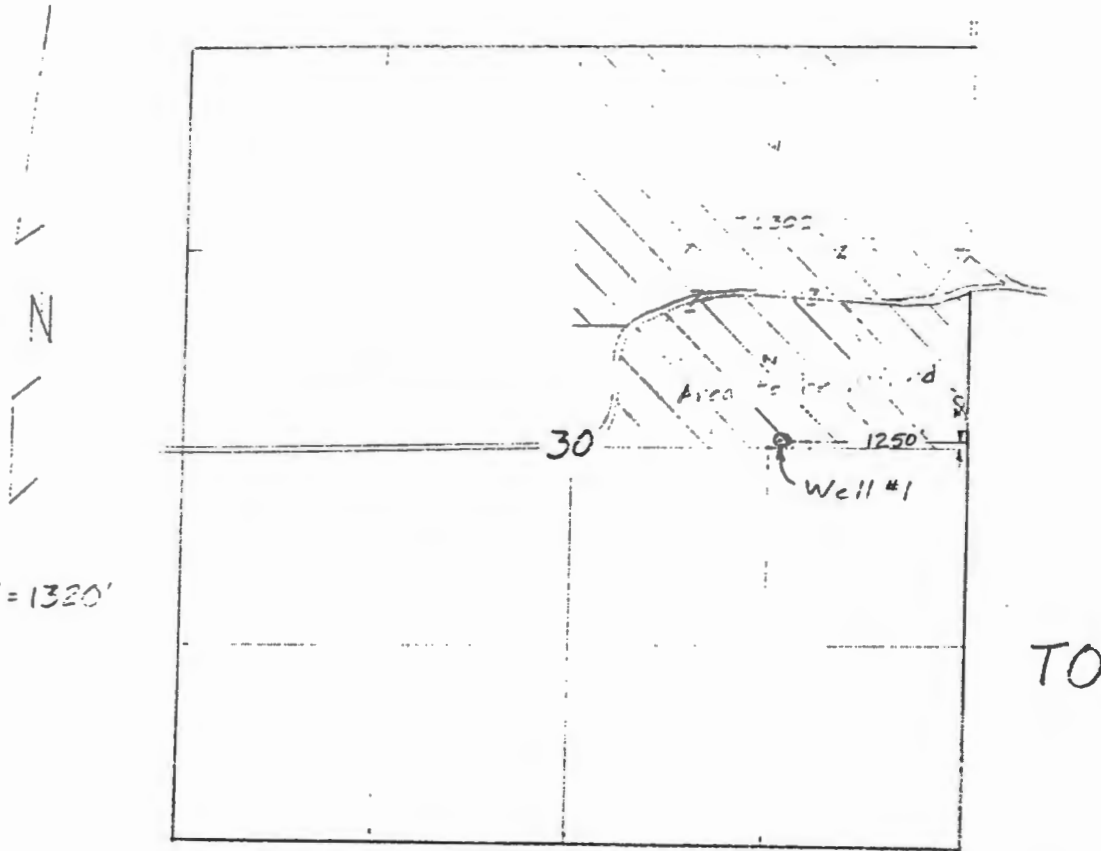
This map is for the purpose of locating a water right only and has no intent to provide legal dimensions or the location of property lines.

ESTES SURVEYS, LLC

PO Box 17519 Salem, OR 97305-7519 (503) 585-7593
60382 Arnold Rd Bend, OR 97702 (541) 382-7391

T-8928

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



Scale 1" = 1320'

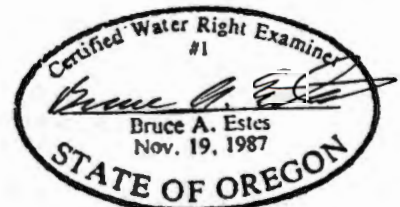
Transfer Application Map
for
TY FEHRENBACHER

T-

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NOV 29 2001

WATER RESOURCES DEPT.
SALEM, OREGON



Renewal Dec 31, 2001

Sheet 2 of 3

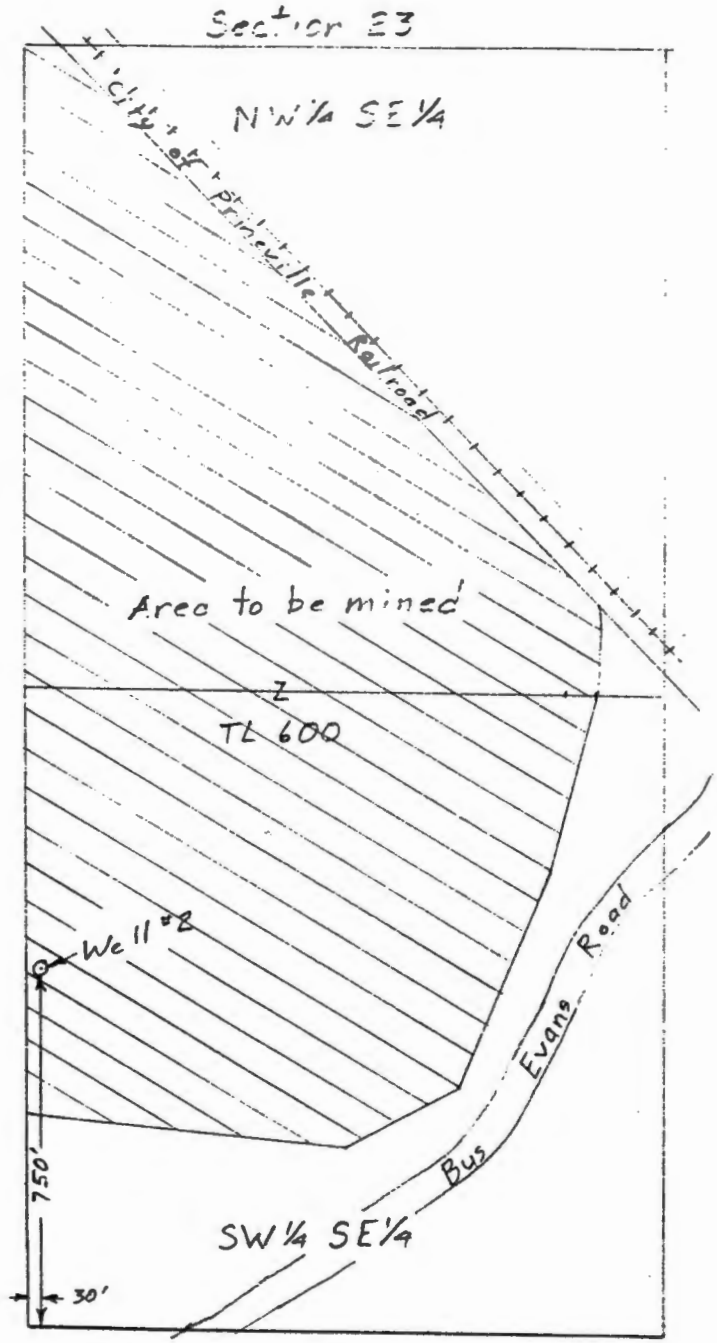
This map is for the purpose of
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ESTES SURVEYS, LLC

PO Box 17519
Salem, OR 97305-7519
(503) 585-7593

60382 Arnold Rd
Bend, OR 97702
(541) 382-7391

T-8928 TOWNSHIP 14 SOUTH, RANGE 15 EAST W.M.



Scale 1" = 400'

TO

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 NOV 29 2001
 WATER RESOURCES DEPT.
 SALEM, OREGON

Transfer Application Map
 for
 TY FEHRENBACHER

Certified Water Right Examiner
 #1
Bruce A. Estes
 Bruce A. Estes
 Nov. 19, 1987
 STATE OF OREGON
 Renewal Dec 31, 2001

Sheet 3 of 3

This map is for the purpose of
 indicating a water right only
 and has no intent to provide
 legal dimensions or the location
 of property lines.

ESTES SURVEYS
 PO Box 17519 60382 Arnold Rd
 Salem, OR 97305-7519 Bend, OR 97702
 (503) 585-7593 (541) 382-7391



Oregon

John A. Kitzhaber, MD, Governor

Water Resources Department

North Mall Office Building

725 Summer St. NE, Suite A

Salem, OR 97301

Phone 503-986-0900

FAX 503-986-0904

October 28, 2011

TY FEHRENBACHER
5301 N LONE PINE RD
TERREBONE, OR 97760

REFERENCE: Transfer Application T-8928

Enclosed is a copy of the final order approving your water right transfer application.

The time allowed to complete the transfer is specified in the final order. YOU SHOULD GIVE PARTICULAR ATTENTION TO THE TIME LIMIT. The water right for any portion of the authorized change in character of use or change in place of use NOT carried out within the time allowed will be lost.

An extension of the time limit can be allowed only upon a showing that diligent effort has been made to complete the actual change(s) within the time allowed.

You are required to hire a Certified Water Rights Examiner (CWRE) to complete a Claim of Beneficial Use report and map which must be submitted to this Department within one year of the date you complete the change(s) or within one year of the completion date authorized in the transfer final order, whichever occurs first.

If you have any questions related to the approval of this transfer, you may contact me by telephone at (503) 986-0883 or by e-mail at Jonnine.L.Skaug@wrp.state.or.us.

Sincerely,

Jonnine Skaug
Executive Support
Field Services Division

cc: Jeremy T. Giffin, Watermaster Dist. #11
Bruce Estes, CWRE
O'Neil Valley, LLC

Enclosure



Water Right Transfer Cover Sheet

Transfer T-8928

Transfer Specialist: **TERI**

Transfer Type: **rEGULAR**

Applicant Name/Address: TY FEHRENBACHER 5301 N. LONE PINE ROAD TERREBONNE, OR 97760	Agent Name/Address:	Rec Landowner Name/Address: O'Neil Valley, LLC 95 SW Scalehouse Loop #100 Bend, OR 97702
CWRE Name/Number: BRUCE ESTES #1	Irr. District Name/Address:	Affected Gov'ts Name/Address:
Commentors: Name/Address:		Current Landowner Name/Address:

Water Rights Affected

Records Marked	Records Copied	App File No. or Decree Name	Permit No.	Certificate No.	RR/CR Needed	RR/CR Nos.
<input type="checkbox"/>	<input type="checkbox"/>	G-13984	G-12923	86860	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<input type="checkbox"/>	<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	

Key Dates & Initial Actions

Rec'd: November 29, 2001	Proposed Action(s):	
Fees Pd: 400.00	WM District:	ODFW District:
Initial Notice:	WM Review sent:	ODFW Review sent:
Acknowledgement Letter Sent <input type="checkbox"/>		GW Review sent:

Processing Dates & Actions

Deficiency Contacts: _____

DPD Mailed: 7/27/2011

ODFW contact sheet sent with DPD, or N/A

WM measurement contact sheet sent, or N/A

PD Signed: 9/1/11

PD Weekly Notice: 9/6

Newspaper Pub Affid Due: 10/19/11

not required

Affid of Pub Rec'd: 10/6/11

Last Day Published: 9/25/11

Affidavit Reminder Sent: _____

Reminder Deadline: _____

DPD Review (Optional)	PD Review (Salem)	Final Order Review (Salem)
Reviewer: _____	Reviewer: <u>PKS</u>	Reviewer: _____
Date: _____	Date: <u>9/31/2011</u>	Date: _____
Coordinator: _____	Coordinator: _____	Coordinator: <u>SW</u>
Date: _____	Date: _____	Date: <u>10/18/11</u>
Comments/Special Issues: CHG POA/POU		

Special Order Volume: Vol 85 Pages 588-591 Final Order Signature Date: 10-28-11

Notice of FO email'd to processors _____

**BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON**

In the Matter of Transfer Application)	FINAL ORDER APPROVING A CHANGE
T-8928, Crook County)	IN POINT OF APPROPRIATION AND
)	PLACE OF USE

Authority

ORS 537.705 and 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of appropriation, place of use, or character of use authorized under an existing water right. OAR Chapter 690, Division 380 implements the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

TY FEHRENBACHER
19310 BUTLER ROAD
TERREBONE, OR 97760

Receiving Landowner

O'NEIL VALLEY, LLC
95 SW SCALEHOUSE LOOP #100
BEND, OR 97702

Findings of Fact

Background

1. On November 29, 2001, TY FEHRENBACHER filed an application to change the point of appropriation and to change the place of use under Permit G-12923. The Department assigned the application number T-8928.
2. On September 7, 2000, a claim of beneficial use was submitted for Permit G-12923. On April 1, 2011, Certificate 86860 was issued.
3. On June 6, 2002, the applicant amended the transfer application clarifying the proposed points of appropriation.
4. The right to be transferred is as follows:

Certificate: 86860 in the name of TY FEHRENBACHER (perfected under Permit G-12923)
Use: INDUSTRIAL USE
Priority Date: FEBRUARY 16, 1995
Rate: 1.98 CUBIC FEET PER SECOND
Source: WELL 4 within the CROOKED RIVER BASIN

This final order is subject to judicial review by the Court of Appeals under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482(1). Pursuant to ORS 536.075 and OAR 137-003-0675, you may petition for judicial review or 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.

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
14 S	14 E	WM	17	SE NE	2170 FEET SOUTH AND 290 FEET WEST FROM NE CORNER OF SECTION 17

Authorized Place of Use:

INDUSTRIAL USE				
Twp	Rng	Mer	Sec	Q-Q
14 S	14 E	WM	17	SW SE

5. Transfer Application T-8928 proposes to move the authorized point of appropriation to two points of appropriation approximately 1¾ miles from the existing point of appropriation located at:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
14 S	14 E	WM	30	SE NE	900 FEET NORTH AND 1250 FEET WEST FROM THE SE CORNER OF SECTION 30
14 S	14 E	WM	30	SE NE	30 FEET NORTH AND 1250 FEET WEST FROM THE SE CORNER OF SECTION 30

6. Transfer Application T-8928 also proposes to change the place of use of the right to:

INDUSTRIAL USE				
Twp	Rng	Mer	Sec	Q-Q
14 S	14 E	WM	30	NE NE
14 S	14 E	WM	30	NW NE
14 S	14 E	WM	30	SW NE
14 S	14 E	WM	30	SE NE

7. Notice of the application for transfer was published on December 10, 2001, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
8. On July 27, 2011, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-8928 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of August 29, 2011, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.
9. On August 26, 2011, the applicant submitted a Consent by Deeded Landowner form signed by the current landowners, Walter R. and Sally N. Miller.

On September 1, 2011, the Department issued a Preliminary Determination proposing to approve Transfer Application T-8928 and mailed a copy to the applicant and receiving landowner. Additionally, notice of the Preliminary Determination for the transfer application was published in the Department's weekly notice on September 6, 2011, and in The Bulletin newspaper on September 11, 18, and 25, 2011, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notices.

Transfer Review Criteria (OAR 690-380-4010)

10. Water Right Certificate 86860 was issued on April 1, 2011. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
11. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Transfer Application T-8928.
12. The proposed change would not result in enlargement of the right.
13. The proposed change would not result in injury to other water rights.

Conclusions of Law

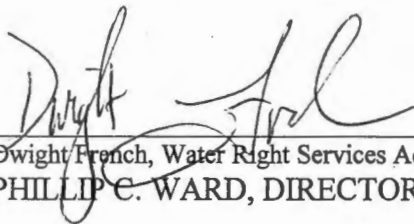
The change in point of appropriation and change in place of use proposed in Transfer Application T-8928 are consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000.

Now, therefore, it is ORDERED:

1. The change in point of appropriation and change in place of use proposed in Transfer Application T-8928 are approved.
2. The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificate 86860 and any related decree.
3. Water right certificate 86860 is cancelled.
4. The quantity of water diverted at the new points of appropriation, shall not exceed the quantity of water lawfully available at the original point of appropriation.
5. Water use measurement conditions:
 - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of appropriation.
 - b. The water user shall maintain the meters or measuring devices in good working order.
 - c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.
6. Water shall be acquired from the same aquifer (water source) as the original point of appropriation.

7. The former place of use of the transferred right shall no longer receive water under the right.
8. The approved changes shall be completed and full beneficial use of the water shall be made on or before **October 1, 2013**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the receiving landowner to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.
9. When satisfactory proof of the completed changes is received, a new certificate confirming the right transferred will be issued.

Dated at Salem, Oregon this 28 day of October 2011.



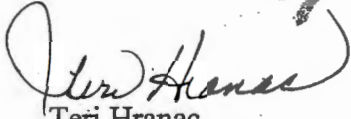
Dwight French, Water Right Services Administrator, for
PHILLIP C. WARD, DIRECTOR

Mailing date: NOV 01 2011

proposed in the Preliminary Determination to present information and arguments supporting their position in a quasi-judicial proceeding.

Please do not hesitate to contact me at 503-986-0881 or Teri.K.Hranac@wrд.state.or.us if I may be of assistance.

Sincerely,



Teri Hranac
Transfer Specialist
Transfer and Conservation Section

Enclosures

cc: Jererny T. Giffin, District 11 Watermaster
Bruce Estes, CWRE #1
Matt Day, Hooker Creek Ranch, 63101 Nels Anderson Road, Bend, OR 97701
Rob Miller, PO Box 12708, Salem, OR 97309
Steven Hultberg, Ball Janik LLP, 15 SW Colorado, Suite 3, Bend, OR 97701

cc list for FO



Oregon

John A. Kitzhaber, MD, Governor

Water Resources Department
North Mall Office Building
725 Summer St. NE, Suite A
Salem, OR 97301
Phone 503-986-0900
FAX 503-986-0904
www.wrd.state.or.us

September 1, 2011

Ty Fehrenbacher
19310 NW Butler Road
Terrebonne, OR 97760

FILE

SUBJECT: Water Right Transfer Application T-8928

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-8928. This document is an intermediate step in the approval process; water may not be used legally as proposed in the transfer application until a Final Order has been issued by the Department. Please read this entire letter carefully to determine your responsibility for additional action.

A public notice is being published in the Department's weekly publication simultaneously with issuance of the Preliminary Determination. The notice initiates a 30-day period in which any person may file either a protest opposing the decision proposed by the Department in the Preliminary Determination or a standing statement supporting the Department's decision.

Because the new points of appropriation are more than $\frac{1}{4}$ mile from the authorized point of appropriation, the applicant is responsible for giving public notice of the transfer changes in a local newspaper having a general circulation in the area of the water right. The notice must be published at least once a week for three consecutive weeks. We have prepared the notice for you (enclosed). The deadline for individuals to file protests or standing statements is 30 days after the date of last publication. Please have the newspaper insert the date of last publication in the proper place.

After publication, the Department needs to receive an affidavit specifying the dates the notice was published. Please have the newspaper prepare and mail an original affidavit of publication to me at the address shown in the letterhead, by **October 18, 2011**.

If no protest is filed, the Department will issue a Final Order consistent with the Preliminary Determination. You should receive a copy of the Final Order about 30 days after the close of the protest period.

If a protest is filed, the application may be referred to a contested case proceeding. A contested case provides an opportunity for the proponents and opponents of the decision



proposed in the Preliminary Determination to present information and arguments supporting their position in a quasi-judicial proceeding.

Please do not hesitate to contact me at 503-986-0881 or Teri.K.Hranac@ wrd.state.or.us if I may be of assistance.

Sincerely,

A handwritten signature in black ink that reads "Teri Hranac". The signature is written in a cursive style. A large, semi-transparent red stamp with the word "FILE" is visible in the background behind the signature.

Teri Hranac
Transfer Specialist
Transfer and Conservation Section

Enclosures

cc: Jeremy T. Giffin, District 11 Watermaster
Bruce Estes, CWRE #1
Matt Day, Hooker Creek Ranch, 63101 Nels Anderson Road, Bend, OR 97701
Rob Miller, PO Box 12708, Salem, OR 97309
Steven Hultberg, Ball Janik LLP, 15 SW Colorado, Suite 3, Bend, OR 97701

**BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON**

In the Matter of Transfer Application)	PRELIMINARY DETERMINATION
T-8928, Crook County)	PROPOSING APPROVAL OF A CHANGE
)	IN POINT OF APPROPRIATION AND
)	PLACE OF USE

Authority

ORS 537.705 and 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of appropriation, place of use, or character of use authorized under an existing water right. OAR Chapter 690, Division 380 implements the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

TY FEHRENBACHER
19310 BUTLER ROAD
TERREBONE, OR 97760

Receiving Landowner

O'NEIL VALLEY, LLC
95 SW SCALEHOUSE LOOP #100
BEND, OR 97702

Findings of Fact

Background

1. On November 29, 2001, TY FEHRENBACHER filed an application to change the point of appropriation and to change the place of use under Permit G-12923. The Department assigned the application number T-8928.
2. On September 7, 2000, a claim of beneficial use was submitted for Permit G-12923. On April 1, 2011, Certificate 86860 was issued.
3. On June 6, 2002, the applicant amended the transfer application clarifying the proposed points of appropriation.
4. The right to be transferred is as follows:

Certificate: 86860 in the name of TY FEHRENBACHER (perfected under Permit G-12923)

Use: INDUSTRIAL USE

Priority Date: FEBRUARY 16, 1995

Rate: 1.98 CUBIC FEET PER SECOND

Source: WELL 4 within the CROOKED RIVER BASIN

Pursuant to OAR 690-380-4030, any person may file a protest or standing statement within 30 days after the last date of publication of notice of this preliminary determination.

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
14 S	14 E	WM	17	SE NE	2170 FEET SOUTH AND 290 FEET WEST FROM NE CORNER OF SECTION 17

Authorized Place of Use:

INDUSTRIAL USE				
Twp	Rng	Mer	Sec	Q-Q
14 S	14 E	WM	17	SW SE

5. Transfer Application T-8928 proposes to move the authorized point of appropriation to two points of appropriation approximately 1¼ miles from the existing point of appropriation located at:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
14 S	14 E	WM	30	SE NE	900 FEET NORTH AND 1250 FEET WEST FROM THE SE CORNER OF SECTION 30
14 S	14 E	WM	30	SE NE	30 FEET NORTH AND 1250 FEET WEST FROM THE SE CORNER OF SECTION 30

6. Transfer Application T-8928 also proposes to change the place of use of the right to:

INDUSTRIAL USE				
Twp	Rng	Mer	Sec	Q-Q
14 S	14 E	WM	30	NE NE
14 S	14 E	WM	30	NW NE
14 S	14 E	WM	30	SW NE
14 S	14 E	WM	30	SE NE

7. Notice of the application for transfer was published on December 10, 2001, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
8. On July 27, 2011, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-8928 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of August 29, 2011, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.
9. On August 26, 2011, the applicant submitted a Consent by Deeded Landowner form signed by the current landowners, Walter R. and Sally N. Miller.

Transfer Review Criteria (OAR 690-380-4010)

10. Water Right Certificate 86860 was issued on April 1, 2011. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.

11. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Transfer Application T-8928.
12. The proposed change would not result in enlargement of the right.
13. The proposed change would not result in injury to other water rights.

Determination and Proposed Action

The change in point of appropriation and change in place of use proposed in Transfer Application T-8928 appear to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved.

If Transfer Application T-8928 is approved, the final order will include the following:

1. *The change in point of appropriation and change in place of use proposed in Transfer Application T-8928 are approved.*
2. *The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificate 86860 and any related decree.*
3. *Water right certificate 86860 is cancelled.*
4. *The quantity of water diverted at the new points of appropriation, shall not exceed the quantity of water lawfully available at the original point of appropriation.*
5. *Water use measurement conditions:*
 - a. *Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of appropriation.*
 - b. *The water user shall maintain the meters or measuring devices in good working order.*
 - c. *The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.*
6. *Water shall be acquired from the same aquifer (water source) as the original point of appropriation.*
7. *The former place of use of the transferred right shall no longer receive water under the right.*

8. *The approved changes shall be completed and full beneficial use of the water shall be made on or before **October 1, 2013**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the receiving landowner to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.*
9. *When satisfactory proof of the completed changes is received, a new certificate confirming the right transferred will be issued.*

Dated at Salem, Oregon this 31 day of August 2011.


Dwight French, Water Right Services Administrator, for
PHILLIP C. WARD, DIRECTOR

This Preliminary Determination was prepared by Teri Hranac. If you have questions about the information in this document, you may reach me at 503-986-0881 or Teri.K.Hranac@wrд.state.or.us.

Protests should be addressed to the attention of Transfer and Conservation Section, Water Resources Department, 725 Summer St. NE, Suite A, Salem, OR 97301-1266.

**Notice of Preliminary Determination for
Water Right Transfer T-8928**

T-8928 filed by Ty Fehrenbacher, 19310 NW Butler Rd., Terrebonne, OR 97760, proposes changes in point of appropriation and place of use under Certificate 86860. The right allows the use of 1.98 cubic feet per second (priority date Feb. 16, 1995) from a well in Sec. 17, T 14 S, R 14 E, W.M. (Crooked River Basin) for industrial use in Sec. 17. The applicant proposes to move the point of appropriation to 2 wells approximately 1-3/4 miles in Sec. 30, T 14 S, R 14 E, W.M. and to change the place of use to Sec. 30. The Water Resources Department has concluded that the proposed transfer appears to be consistent with the requirements of ORS Chapter 540 and OAR 690-380-5000.

Any person may file, jointly or severally, with the Department a protest or standing statement within 30 days after the date of final publication of notice in the Department's weekly notice or of this newspaper notice, whichever is later. A protest form and additional information on filing protests may be obtained by calling (503) 986-0883. The last date of newspaper publication is **[DATE OF LAST PUBLICATION]**. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.



15 SW Colorado Avenue, Suite 3
Bend, Oregon 97702

balljanik.com

t 541.617.1309
f 541.617.8824

October 4, 2011

Steven P. Hultberg
Of Counsel
shultberg@balljanik.com

Teri Hranac
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301

Re: Water Rights Transfer Application T-8928

Dear Ms. Hranac:

Enclosed in connection with the above-referenced transfer is the original Affidavit of Publication from *The Bulletin* affirming that it published the Notice of Preliminary Determination on September 11th, 18th, and 25th. Pursuant to your earlier direction, we are returning this Affidavit to your attention prior to the October 18, 2011 deadline.

Please call should you have any questions.

Yours truly,

Steven P. Hultberg
Of Counsel

SPH:lj
encs
cc: Scott Carlson

RECEIVED
OCT 06 2011
WATER RESOURCES DEPT
SALEM, OREGON

::ODMA\PCDOCS\PORTLAND\794710\1

**Application for Water
Transfer
Consent by Deeded**

Rob Miller
Hi Terri - If any
questions of me my
cell phone is
503-881-4424.
Thanks for all your
help on this and other
stuff lately.
Sincerely, Rob Miller

Water Resources Department
1200 NE Street NE, Suite A
Salem, Oregon 97301-1266
Phone: 503-990-1900
www.water.state.or.us

RECEIVED

AUG 26 2011

WATER RESOURCES DEPT
SALEM, OREGON

State of Oregon
County of Marion

I Walter R. Miller and Sally N. Miller in my/our capacity as owners of the property described
below,

mailing address PO Box 12708, Salem, Oregon 97309,

telephone number (503) 881-4424, duly sworn depose and say that We

consent to the proposed change(s) to Water Right Certificate Number 86860

described in a Transfer Application (T-8928) submitted by Ty Fehrenbacher,
(transfer number, if known)

on the property in tax lot number(s) 100, Section 17, Township 14S

North, Range 14 East, W.M., located at 19200 NW Butler Rd., Terrebonne, Oregon, and further
consent to the transfer of the water rights described in T-8928 to O'Neil Valley, LLC.
(site address)

Walter R. Miller
Signature of Affiant

8/25/11
Date

Sally N. Miller
Signature of Affiant

8/25/11
Date

Subscribed and Sworn to before me this 25th day of August, 2011.



Jeannette Schroeder
Notary Public for Oregon

My commission expires Aug. 3, 2012.

Affidavit of Publication

STATE OF OREGON, COUNTY OF DESCHUTES

I, **Missy Nelson**, a citizen of the United States and a resident of the county aforesaid; I am over the age of eighteen years, and not party to or interested in the above-entitled matter. I am the principal clerk of the printer of

The Bulletin

a daily newspaper of general circulation, published in the aforesaid county and state as defined by ORS 193.010 and ORS 193.020, that

Acct Name: BALL JANIK LLP

Legal Description: LEGAL NOTICE, Notice of Preliminary, Determination for , Water Right Transfer T-8928 , ,

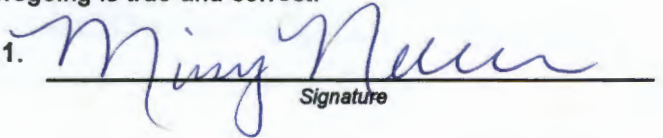
T-8928 filed by Ty Fehrenbacher, 19310 NW Butler Rd.,
Terrebonne, O...

a printed copy of which is hereto affixed was published in each regular and entire issue of the said newspaper and not in any supplement thereof on the following dates, to wit:

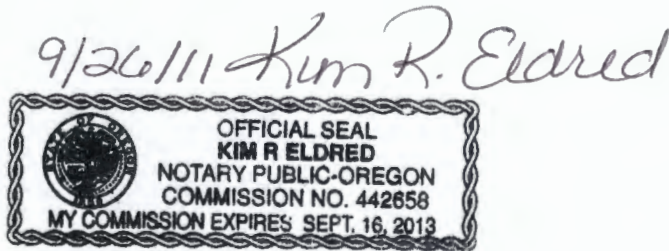
9/11/11	Page E5
9/18/11	Page E4
9/25/11	Page E5

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated at Bend, Oregon, this 26 day of September, 2011.


Signature

AdName: 16457678A



No. _____

In the _____ Court of the

STATE OF OREGON
for the
COUNTY OF DESCHUTES

AFFIDAVIT OF PUBLICATION

Filed _____

By _____

From the Office of _____

Attorney for _____

916
Trucks and Heavy Equipment

GREAT BUY!
Pette Bone Mercury Fork Lift, 6000 lb., 2 stage, propane, hardrubber tires, \$4000, 541-389-5355.

Truck with Snow Plow!
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925
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WON'T LAST!
12 ft. Hydraulic dump trailer w/extra sides, dual axle, steel ramps, spare tire, tarp, excellent condition. \$6500 firm. 541-419-6552

24-ft Wells Fargo trailer, winch, many extras, \$5500 or best offer. 541-548-7126

Call The Bulletin At 541-385-5809.
Place Your Ad Or E-Mail At: www.bendbulletin.com

925
Utility Trailers

WON'T LAST!
Big Tex Landscaping/ATV Trailer, dual axle flatbed, 7'x16', 7000 lb. GVW, all steel, \$1400. 541-382-4115, or 541-280-7024.

Flatbed trailer frame, 28-ft, electric brakes, new tires & spare, wide, 2" ball, \$700. 541-416-0471

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925
Utility Trailers

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Towmaster Equipment Trailer, 14,000 lb capacity. Tandemn axle, 4-wheel brakes, 18' bed, heavy duty ramps, spare tire mounted, side mounted fork pockets, all tires in good condition. \$3995. Call 541-420-1846.

PUBLIC NOTICES

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Legal Notices

LEGAL NOTICE
ADOPT: Loving, secure family yearns for 1st baby to cherish. Expenses paid. **Rose, 1-888-449-0803.**

LEGAL NOTICE
Notice of Preliminary Determination for Water Right Transfer T-8928

T-8928 filed by Ty Fehrenbacher, 19310 NW Butler Rd., Terrebonne, OR 97760, proposes changes in point of appropriation and place of use under Certificate 86860. The right allows the use of 1.98 cubic feet per second (priority date Feb. 16, 1995) from a well in Sec. 17, T 14 S, R 14 E, W.M. (Crooked River Basin) for industrial use in Sec. 17. The applicant proposes to move the point of appropriation to 2 wells approximately 1-3/4 miles in Sec. 30, T 14 S, R 14 E, W.M. and to change the place of use to Sec. 30. The Water Resources Department has concluded that the proposed transfer appears to be consistent with the requirements of ORS Chapter 540 and OAR 690-380-5000.

Any person may file, jointly or severally, with the Department a protest or standing statement within 30 days after the date of final publication of notice in the Department's weekly notice or of this newspaper notice, whichever is later. A protest form and additional information on filing protests may be obtained by calling (503) 986-0883. The last date of newspaper publication is September 25, 2011. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.

LEGAL NOTICE
NOTICE TO INTERESTED PERSONS

Richard J. Wright has been appointed personal representative of the Estate of Marian Wright, Deceased, by the Circuit Court, State of

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Legal Notices

within four months of the first publication date of this notice to BRYANT, LOVLIE & JARVIS, PC at 591 SW Mill View Way, Bend, OR 97702, Attn.: Melissa P. Lande, or they may be barred. Additional information may be obtained from the court records, the personal representative or the following named attorney for the personal representative.

Date of first publication: September 18, 2011.

MELISSA P. LANDE
BRYANT, LOVLIE & JARVIS, PC
591 SW MILL VIEW WAY
BEND, OR 97702

LEGAL NOTICE
PUBLIC AUCTION
Public auction to be held Saturday, October 8, 2011 at 10:30 A.M., at Jamison Street Self Storage, 63177 Jamison St., Bend OR 97701. (Unit C-030, Lisa Williams).

LEGAL NOTICE
Trustee's Notice of Sale

Reference is made to that certain trust deed made by Robert T. Seliger and Hilary D. Seliger as grantors, to AmeriTitle, as trustee, in favor of Community West Bank, N.A., as beneficiary, dated February 6, 2007, recorded February 13, 2007, in the mortgage records of Deschutes County, Oregon, as Document No. 2007-09040, and covering the following described real property situated in the above-mentioned county and state, to wit: Parcel 1, Partition Plat 2006-67, Deschutes County, Oregon. Real property commonly known as 252 SW Pumice Avenue, Redmond, OR 97756. The undersigned hereby disclaims any liability for any incorrectness of the above-described street address or other common designation. The said real property will be sold to satisfy the obligations secured by said trust deed and a notice of default has been recorded

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Legal Notices

following sums: Loan No.: 430049/SBA Loan No. PLP 265-801-6007. The existing payment defaults and amounts owing upon the Promissory Note as of July 15, 2011 are: Outstanding payment balance \$32,033.43. Late charges \$145.60. Total \$32,179.03*. *Total does not include accruing interest at the rate of \$68.03 per diem from July 16, 2011, additional late charges, expenditures, trustee fees, and attorney fees and costs. A total payoff amount as of a specific date is available upon request. By reason of these defaults, the beneficiary has and does hereby declare all sums owing on the obligation secured by the trust deed immediately due and payable, those sums being the following as of July 18, 2011, to wit: Principle Balance: \$413,825.16. Accrued Interest: \$30,718.70. Late Charges: \$145.60. Appraisal Fee: \$2,700.00. Total: \$447,389.46*. *Total does not include accruing interest at the rate of \$68.03 per diem from July 19, 2011, additional late charges, expenditures, trustee fees, and attorney fees and costs. A total payoff amount as of a specific date is available upon request. On August 10, 2010, Robert Tyler Seliger and Hilary Diane Seliger filed a Chapter 7 Bankruptcy petition as Bankruptcy Case No. 10-37587-tmb7 in the United States Bankruptcy Court District of Oregon. The Bankruptcy Court entered an Order granting the beneficiary, Community West Bank, relief from the automatic stay to commence foreclosure on January 21, 2011. Wherefore, notice hereby is given that the undersigned trustee will on TUESDAY, NOVEMBER 22, 2011, at the hour of 2:00 P.M., in accord with the standard of time established by ORS 187.110, at the front entrance of the Deschutes County Courthouse, 1164 NW Bond, in the City of Bend, County of Deschutes, State

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Legal Notices

power to convey at the time of the execution by grantor of the said trust deed, together with any interest which the grantor or grantor's successors in interest acquired after the execution of said trust deed, to satisfy the foregoing obligations thereby secured and the costs and expenses of sale, including a reasonable charge by the trustee. Notice is further given that any person named in ORS 86.753 has the right, at any time not later than five days before the date last set for the sale, to have this foreclosure proceeding dismissed and the trust deed reinstated by paying the entire amount then due (other than such portion of the principal as would not then be due had no default occurred), together with costs, trustee's fees and attorney fees, and by curing any other default complained of in the notice of default, that is capable of being cured by tendering the performance required under the obligation or trust deed. In construing this notice, the singular includes the plural, the word "grantor" includes any successor in interest to the grantor as well as any other person owing an obligation, the performance of which is secured by the trust deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any. The mailing address for trustee, as referenced herein, is as follows: Erich M. Paetsch, P.O. Box 470, Salem, OR 97308-0470. Dated: July 22, 2011. /s/ Erich M. Paetsch. Erich M. Paetsch, Successor Trustee. Trustee telephone number: (503) 399-1070. State of Oregon, County of Marion) ss. I, the undersigned, certify that I am the attorney or one of the attorneys for the above named trustee and that the foregoing is a complete and exact copy of the original trustee's notice of sale. /s/ Erich M. Paetsch, Attorney for said Trustee.

Teri Hranac

From: Hultberg, Steve [shultberg@balljanik.com]
Sent: Monday, August 29, 2011 9:50 AM
To: Teri Hranac
Subject: FW: Emailing: LBR 89193 (Miller)

Attachments: LBR 89193 (Miller).pdf



LBR 89193
Miller).pdf (642 KB..
Teri,

Attached is the lot book report. Is this sufficient, or do you need an original from the title company?

Steven Hultberg

Ball Janik LLP
t 541.693.0065
f 541.617.8824
shultberg@balljanik.com

We advise you that any discussion of federal tax matters in this email is not intended or written to be used, and may not be used by you or any taxpayer, to (a) avoid penalties under the Internal Revenue Code, or (b) promote, market or recommend to any other party any transaction or matter addressed herein. All taxpayers should seek independent tax advice.

-----Original Message-----

From: Patt Martens [mailto:patriciam@ameri-title.com]
Sent: Friday, August 26, 2011 4:28 PM
To: Hultberg, Steve
Subject: Emailing: LBR 89193 (Miller)

Good afternoon, please find your title product attached. Your examiner is Chuck, should you have any additional questions. Thank you, Patt.

Patt Martens, Title Department
AmeriTitle 150 NE Court, PO Box 487
Prineville, OR 97754
Phone: 541.447.5181
Email: patriciam@ameri-title.com

The message is ready to be sent with the following file or link attachments:

LBR 89193 (Miller)

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.



REMIT PAYMENT TO:
PO BOX 487
PRINEVILLE OR 97754

INVOICE #0033052

ACCOUNT NUMBER : 007704

INVOICE DATE : 08/26/11

ATTN:
BALL JANIK LLP
15 SW COLORADO AVE
SUITE 260
BEND, OR 97702

TITLE NUMBER : 89193
CUSTOMER REF : MILLER
ESCROW NUMBER :
ESCROW OFFICER :

Questions? Please call 541-447-5181

DESCRIPTION	LIABILITY	AMOUNT
LOT BOOK REPORT		200.00

TOTAL

200.00

INVOICE #0033052



LOT BOOK REPORT

Ball Janik LLP
15 SW Colorado Ave Ste 260
Bend, OR 97702

Date: August 25, 2011
Title Number: 0089193
Fee: \$200.00

Attn: Steve Hultberg

We have searched our Tract Indices as to the following described property in Crook County, Oregon:

See EXHIBIT "A" attached hereto

and as of: August 23, 2011 at 8:00 A.M.

We find the last deed of record runs to:

**WALTER R. MILLER and SALLY N. MILLER,
as tenants by the entirety**

We also find the following monetary encumbrances within ten years prior to the effective date hereof:

1. Regulations, including levies, assessments, water and irrigation rights and easements for ditches and canals of the Central Oregon Irrigation District (541) 548-6047.
(No inquiry has been made.)
2. Deed of Trust, including the terms and provisions thereof, to secure the amount noted below and other amounts secured thereunder, if any:
Amount: \$1,300,000.00
Dated: October 21, 2005
Recorded: November 1, 2005
Microfilm No.: 2005-205277 (Records of Crook County, Oregon)
Grantor: Walter R. Miller and Sally N. Miller, husband and wife
Trustee: AmeriTitle, a corporation
Beneficiary: Northwest Farm Credit Services, PCA, a corporation organized under the Farm Credit Act of 1971, as amended

4. A Farm Lease, including the terms and provisions thereof:
Dated: October 31, 2005
Recorded: November 1, 2005
Microfilm No.: 2005-205279 (Records of Crook County, Oregon)
Lessor: Walter R. Miller and Sally N. Miller, husband and wife
Lessee: Ty Fehrenbacher
5. **Effect, if any**, of a Deed of Trust, Assignment of Leases and Rents, Security Agreement, and Fixture Filing from Core Botanica, LLC, an Oregon limited liability company, to U.S. Bank Trust Company, National Association, recorded March 29, 2010, as Microfilm No. 2010-239856 (Records of Crook County, Oregon).
(Grantor has no recorded interest in property)

We have searched our General Index for judgments and State and Federal Tax Liens filed against the above named grantees and find:

NONE

We also find the following unpaid taxes and city liens:

Taxes assessed under Code No. 21, Map and Tax Lot No. 1414-17 00100, Account No. 413

NOTE: The 2010-2011 Taxes: \$11,589.65, paid in full.

Taxes assessed under Code No. 21, Map and Tax Lot No. 1414-17 00100, Account No. 72988

NOTE: The 2010-2011 Taxes: \$311.35, paid in full.

1. The 2011-2012 Taxes: A lien not yet due or payable.
2. Taxes deferred, as disclosed by the tax roll, the premises herein described have been zoned or classified for farm use. At any time that said land is disqualified for such use the property will be subject to additional taxes or penalties and interest.

NOTE: No liability is assumed for agricultural services liens or financing statements covering crops filed in the Office of the Secretary of State.

NOTE: No liability is assumed if a financing statement is filed in the office of the County Clerk covering fixtures wherein the land is described other than by metes and bounds, the rectangular survey system, or by recorded lot and block.

NOTE: The address of the property described herein is:
19200 NW Butler Road
Terrebonne, OR

NOTE: Any map or sketch enclosed as an attachment herewith is furnished for information purposes to assist in property location with reference to streets or other parcels. No representation is made as to accuracy and the company assumes no liability for any loss occurring by reason of reliance thereon.

THIS IS NOT A TITLE REPORT, A COMMITMENT TO ISSUE TITLE INSURANCE OR A GUARANTEE OF ANY KIND. No liability is assumed with this report. Our search was limited to our tract indices and no examination of the public record was made. The fee charged for this service does not include supplemental reports or other services. Further dissemination of the information in this report in a form of purporting to insure title to the herein described land is prohibited by law.

cn:lw

END

"Superior Service with Commitment and Respect for Customers and Employees"

EXHIBIT "A"

Located in CROOK COUNTY, OREGON:

Parcel Two (2) of Partition Plat No. 2001-17, Recorded June 19, 2001 in Partitions MF No. 163219, Records of Crook County, Oregon, Located in Section 17, Township 14 South, Range 14 East of the Willamette Meridian, Crook County, Oregon.

TOGETHER WITH a parcel of land being a portion of Parcel One (1) of Partition Plat No. 2001-17, Recorded June 19, 2001 in Partitions MF No. 163219, Records of Crook County, Oregon, more particularly described as follows: Beginning at the Northwest corner of Section 17, thence South $00^{\circ}06'53''$ West along the West line of said Section 17, a distance of 20.00 feet to the Northwest corner of said Parcel 1 and the South right of way line of Butler Road and the True Point of Beginning, thence North $89^{\circ}59'03''$ East along said right of way line a distance of 971.52 feet to the Northeast corner of said Parcel 1; thence South $02^{\circ}06'52''$ West along the East line of said Parcel 1 a distance of 2450.49 feet; thence North $89^{\circ}23'17''$ West a distance of 46.07 feet; thence North $63^{\circ}39'14''$ West a distance of 163.63 feet; thence North $02^{\circ}06'52''$ East a distance of 1198.22 feet; thence South $89^{\circ}31'58''$ West a distance of 735.00 feet to the West line of said Parcel 1; thence North $00^{\circ}06'53''$ East along said West line a distance of 1184.04 feet to the True Point of Beginning.

TOGETHER WITH a portion of Parcel 1 of Partition Plat No. 2001-17, Records of Crook County, Oregon, located in the SW $\frac{1}{4}$ of Section 17, Township 14 South, Range 14 East of the Willamette Meridian, Crook County, Oregon, more particularly described as follows: Beginning at the Southeast corner of said Parcel 1, thence along the East line of said Parcel 1 along the following courses: North $04^{\circ}09'45''$ East a distance of 177.20 feet; thence North $89^{\circ}41'43''$ East a distance of 52.10 feet; thence North $03^{\circ}47'04''$ East a distance of 104.18 feet; thence North $29^{\circ}07'02''$ West a distance of 67.70 feet; thence South $63^{\circ}09'54''$ West a distance of 177.89 feet; thence North $27^{\circ}53'46''$ West a distance of 56.29 feet; thence North $63^{\circ}19'21''$ East a distance of 45.83 feet; thence North $02^{\circ}25'24''$ West a distance of 430.11 feet; thence North $89^{\circ}51'46''$ West a distance of 159.58 feet; thence leaving said East line, South $04^{\circ}04'30''$ East a distance of 36.98 feet; thence South $12^{\circ}04'11''$ East a distance of 96.73 feet; thence South $01^{\circ}36'56''$ West a distance of 173.58 feet; thence South $18^{\circ}11'17''$ West a distance of 81.14 feet; thence South $11^{\circ}33'10''$ West a distance of 101.87 feet; thence South $45^{\circ}13'42''$ East a distance of 60.84 feet; thence North $78^{\circ}52'58''$ East a distance of 33.39 feet; thence South $01^{\circ}46'06''$ East a distance of 26.80 feet; thence South $58^{\circ}32'30''$ East a distance of 100.16 feet; thence South $71^{\circ}58'04''$ East a distance of 102.82 feet; thence South $20^{\circ}05'15''$ East a distance of 56.17 feet; thence South $25^{\circ}51'52''$ West a distance of 24.76 feet; thence South $37^{\circ}02'24''$ East a distance of 70.18 feet to the point of beginning.



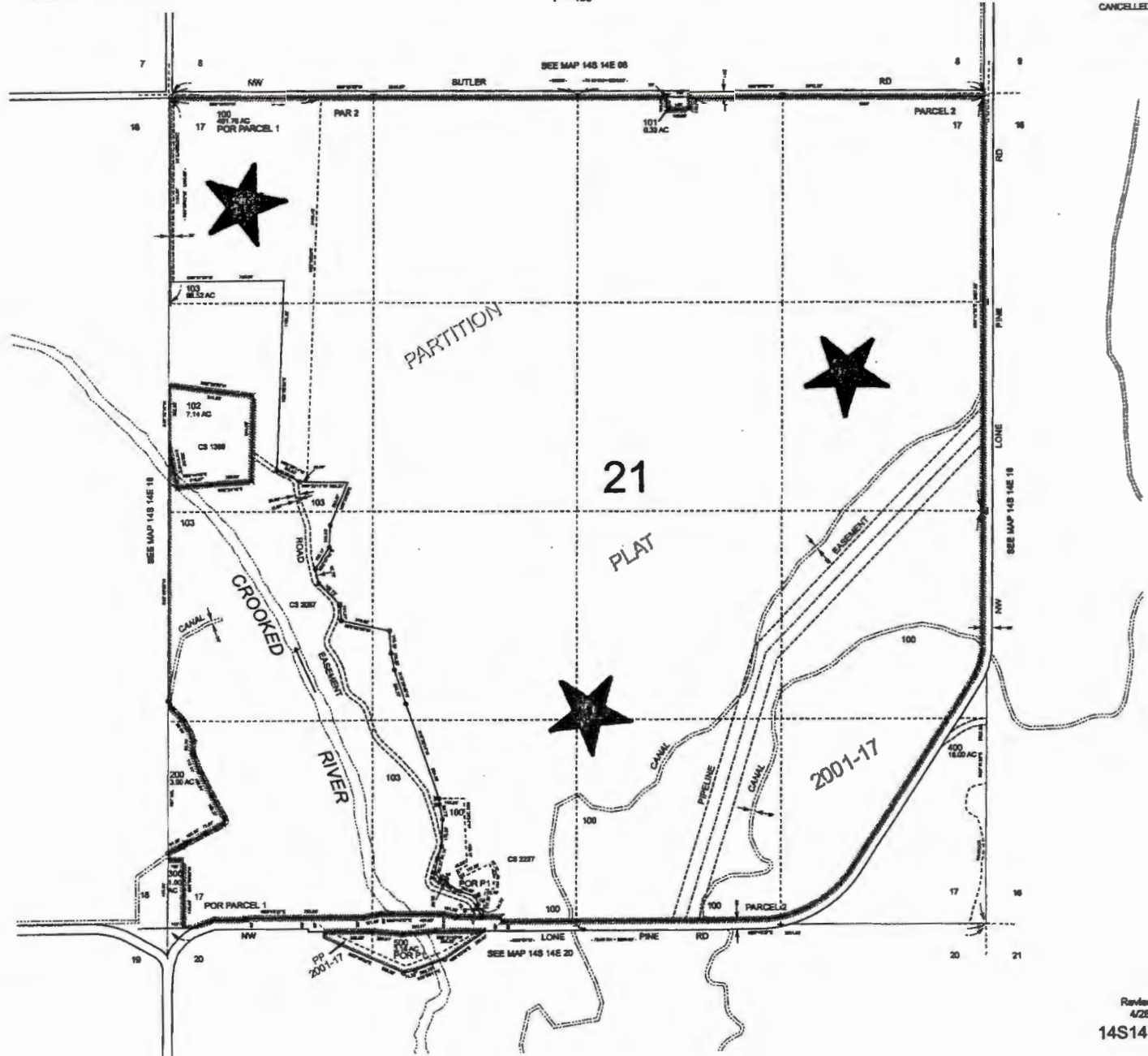
COMPLIMENTS OF
AmeriTitle
 THIS SKETCH IS FURNISHED
 TO ASSIST IN PROPERTY
 LOCATION AND THE COMPANY
 DOES NOT GUARANTY
 ITS ACCURACY.

14S14E17

CANCELLED:

SECTION 17 T.14S. R.14E. W.M.
 CROOK COUNTY
 1" = 400'

THIS MAP WAS PREPARED FOR
 ASSESSMENT PURPOSE ONLY



Revised: JK
 4/28/2010
 14S14E17



THIS SPACE RESERVED FOR RECORDER'S USE

KEY PUNCHED

NOV 02 2005

After recording return to:
Walter R. Miller
PO Box 12708
Salem, OR 97309

Until a change is requested all
tax statements shall be sent to
The following address:

Walter R. Miller
PO Box 12708
Salem, OR 97309

Escrow No. CT71923KT
Title No. 0071923

SWT

Crook County Official Records **2005-205276**
DEED-D **11/01/05 03:17 PM**
Cnt=1 Stmt=6 COUNTER **\$36.00**
\$10.00 \$11.00 \$5.00 \$10.00



I, Deanna Bertram, County Clerk for Crook
County, Oregon, certify that the instrument
identified herein was recorded in the Clerk
records.

Deanna Bertram



STATUTORY WARRANTY DEED

Ty Fehrenbacher and Linda Fehrenbacher, husband and wife, Grantor(s) hereby convey and warrant to
Walter R. Miller and Sally N. Miller, husband and wife, Grantee(s) the following described real property in the
County of Crook and State of Oregon free of encumbrances except as specifically set forth herein:

Located in CROOK COUNTY, OREGON:

See Exhibit "A" attached hereto-

141417 100

The above-described property is free of encumbrances except all those items of record, if any, as of the date of this deed and
those shown below, if any:

The true and actual consideration for this conveyance is **PURSUANT TO AN IRC 1031 TAX DEFERRED
EXCHANGE ON BEHALF OF GRANTOR/GRANTEE.**

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN
VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING
THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE
APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO
DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS
30.930.

Dated this 31 day of October, 2005.

Ty Fehrenbacher
Ty Fehrenbacher

Linda Fehrenbacher
Linda Fehrenbacher

State of Oregon
County of CROOK

This instrument was acknowledged before me on October 31, 2005 by Ty Fehrenbacher and Linda Fehrenbacher.



Kerri Jo Talburt
(Notary Public for Oregon)

My commission expires 10-08-09

RECORDED 71923KT

(2 pgs)

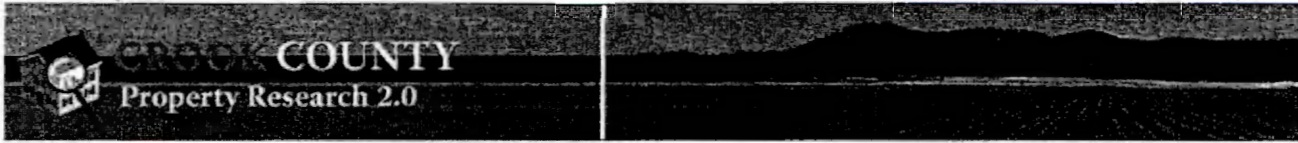
EXHIBIT "A"

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TOGETHER WITH a portion of Parcel 1 of Partition Plat No. 2001-17, Records of Crook County, Oregon, located in the SW¼ of Section 17, Township 14 South, Range 14 East of the Willamette Meridian, Crook County, Oregon, more particularly described as follows: Beginning at the Southeast corner of said Parcel 1, thence along the East line of said Parcel 1 along the following courses: North 04°09'45" East a distance of 177.20 feet; thence North 89°41'43" East a distance of 52.10 feet; thence North 03°47'04" East a distance of 104.18 feet; thence North 29°07'02" West a distance of 67.70 feet; thence South 63°09'54" West a distance of 177.89 feet; thence North 27°53'46" West a distance of 56.29 feet; thence North 63°19'21" East a distance of 45.83 feet; thence North 02°25'24" West a distance of 430.11 feet; thence North 89°51'46" West a distance of 159.58 feet; thence leaving said East line, South 04°04'30" East a distance of 36.98 feet; thence South 12°04'11" East a distance of 96.73 feet; thence South 01°36'56" West a distance of 173.58 feet; thence South 18°11'17" West a distance of 81.14 feet; thence South 11°33'10" West a distance of 101.87 feet; thence South 45°13'42" East a distance of 60.84 feet; thence North 78°52'58" East a distance of 33.39 feet; thence South 01°46'06" East a distance of 26.80 feet; thence South 58°32'30" East a distance of 100.16 feet; thence South 71°58'04" East a distance of 102.82 feet; thence South 20°05'15" East a distance of 56.17 feet; thence South 25°51'52" West a distance of 24.76 feet; thence South 37°02'24" East a distance of 70.18 feet to the point of beginning.



Change search type:

Assessor Information Reports last updated on: 8/16/2011

Report Generated for Maptaxlot 1414170000100, Date: 8/18/2011 9:16:36 AM

General Account Information

Account	Tax Payer	Acres	Fire Patrol	Code Area	Remarks	Ser. Def.	DOR No.
413	MILLER WALTER R	491.78		21	RPMH VALUES MOVED HERE (OLD ACCT #72988) FOR 2007		
Account	Add1	Add2	Add3	City	State	Zip	Country
413	PO BOX 12708			SALEM	OR	97309	USA
Account	Subdivision	Block Lot	Property Class	PC Description	Description	Liability	
413	PART PLAT YEAR & # NO PARCEL #	1	17 551	Farm Zone Improved	EFU Land &/or Buildings	Potential Additional Tax Liability	
Account	Additional Taxes Due	Farm Disqualification	Deliquent Sewer	Pending Situation			
413							

Site Address

Address	Secondary Number
19200 NW BUTLER RD, TERREBONNE	
5441 NW LONE PINE RD, TERREBONNE	
5445 NW LONE PINE RD, TERREBONNE	
5549 NW LONE PINE RD, TERREBONNE	
5631 NW LONE PINE RD, TERREBONNE	
6101 NW LONE PINE RD, TERREBONNE	

Zoning Info. for Tax Lot

Zone	Description	Proportion
EFU2	Exclusive Farm Use	1

Current Owner for Account

Account	Owner	From date					
413	MILLER SALLY N	1/1/2006					
413	MILLER WALTER R	1/1/2006					
Account	Add1	Add2	Add3	City	State	Zip	Country
413	PO BOX 12708			SALEM	OR	97309	USA
413	PO BOX 12708			SALEM	OR	97309	USA

Owner History for Account

Account	Owner	From date	To date				
413	MILLER SALLY N	1/1/2006					
413	MILLER WALTER R	1/1/2006					
413	FEHRENBACHER TY	1/1/2005	12/31/2005				
413	FEHRENBACHER LEO & LILLIAN LIFE EST	1/1/2002	12/31/2003				
413	FEHRENBACHER TY	1/1/2002	12/31/2004				
413	CIRCLE F RANCHES INC	1/1/2000	12/31/2001				
413	CIRCLE F RANCHES INC	1/1/1998	12/31/1999				
413	CIRCLE F RANCHES INC	1/1/1996	12/31/1997				
413	CIRCLE F RANCHES INC	1/1/1993	12/31/1995				
Account	Add1	Add2	Add3	City	State	Zip	Country
413	PO BOX 12708			SALEM	OR	97309	USA
413	PO BOX 12708			SALEM	OR	97309	USA
413	5299 NW LONE PINE RD			TERREBONNE	OR	97760	USA
413	5301 NW LONE PINE RD			TERREBONNE	OR	97760	USA
413	5301 NW LONE PINE RD			TERREBONNE	OR	97760	USA
413	5301 NW LONE PINE RD			TERREBONNE	OR	97760	USA
413	19200 NW BUTLER RD			TERREBONNE	OR	97760	USA
413	6101 N LONE PINE RD			TERREBONNE	OR	97760	USA
413	RT 1 BOX 36			TERREBONNE	OR	97760	USA

Certified Values

Account	Tax Year	Valuation Type	Initial Value	Initial Date	Modified Value	Modified Date
413	2010	Total RMV	\$1,217,630.00	9/28/2010	\$1,217,630.00	9/28/2010
413	2010	Special Assessment Portion (Land)	\$388,040.00	1/2/2009	\$388,040.00	1/2/2009
413	2010		\$928,859.00	9/28/2010	\$928,859.00	9/28/2010
413	2010	Special Assessment Portion (Total)	\$232,580.00	1/2/2009	\$232,580.00	1/2/2009
413	2010	TAV	\$928,859.00	9/28/2010	\$928,859.00	9/28/2010
413	2010	Special Assessment Portion (Improvement)	\$0.00	1/2/2009	\$0.00	1/2/2009
413	2010	Improvements RMV	\$812,040.00	9/28/2010	\$812,040.00	9/28/2010
413	2010	Land RMV	\$405,590.00	9/28/2010	\$405,590.00	9/28/2010

Tentative Uncertified Values, subject to change

Account	Date	Real Market Land	Real Market Improvement	Real Market Total
413	6/14/2011	\$398,800.00	\$690,990.00	\$1,089,790.00

Land Information for Tax Lot

Account	Description	Soil	Acres	Base Rate	RMV	Effective Year	Last Updated
413	Farm (Market)	Class 5 in Lone Pine	46.39	\$245.00	\$11,370.00	2011	6/14/2011
413	Farm (Market)		0.91	\$181.00	\$160.00	2011	6/14/2011
413	Farm (Market)	VA 4 Class 62	0.91	\$181.00	\$160.00	2011	6/14/2011
413	Farm (Market)	VA 4 Class 6	54.33	\$22.00	\$1,200.00	2011	6/14/2011
413	Farm (Market)	VA 4 Class 5	46.39	\$245.00	\$11,370.00	2011	6/14/2011
413	Farm (Market)	VA 4 Class 4	5.27	\$379.00	\$2,000.00	2011	6/14/2011
413	Farm (Market)	VA 4 Class 3	72.74	\$813.00	\$59,140.00	2011	6/14/2011
413	Farm (Market)	VA 4 Class 2	307.14	\$949.00	\$291,480.00	2011	6/14/2011
413	Farm (Market)	Class 62; Lone Pine	0.91	\$181.00	\$160.00	2011	6/14/2011
413	Farm (Market)	Class 62 in Lone Pine	0.91	\$181.00	\$160.00	2011	6/14/2011
413	Farm (Market)	Class 6; Lone Pine	54.33	\$22.00	\$1,200.00	2011	6/14/2011
413	Specially Assessed OSD		0	\$4,000.00	\$4,000.00	2011	6/14/2011
413	Farm (Market)	Class 5; Lone Pine	46.39	\$245.00	\$11,370.00	2011	6/14/2011
413	Specially Assessed OSD		0	\$4,000.00	\$4,000.00	2011	6/14/2011
413	Farm (Market)	Class 4; Lone Pine	5.27	\$379.00	\$2,000.00	2011	6/14/2011
413	Farm (Market)	Class 4 in Lone Pine	5.27	\$379.00	\$2,000.00	2011	6/14/2011
413	Farm (Market)	Class 3; Lone Pine	72.74	\$813.00	\$59,140.00	2011	6/14/2011
413	Farm (Market)	Class 3 in Lone Pine	72.74	\$813.00	\$59,140.00	2011	6/14/2011
413	Farm (Market)	Class 2; Lone Pine	307.14	\$949.00	\$291,480.00	2011	6/14/2011
413	Farm (Market)	Class 2 in Lone Pine	307.14	\$949.00	\$291,480.00	2011	6/14/2011
413	Farm (Market)		307.14	\$949.00	\$291,480.00	2011	6/14/2011
413	Farm (Market)		72.74	\$813.00	\$59,140.00	2011	6/14/2011
413	Farm (Market)		54.33	\$22.00	\$1,200.00	2011	6/14/2011
413	Farm (Market)		46.39	\$245.00	\$11,370.00	2011	6/14/2011
413	Farm (Market)		5.27	\$379.00	\$2,000.00	2011	6/14/2011
413	Farm (Market)	Class 6 in Lone Pine	54.33	\$22.00	\$1,200.00	2011	6/14/2011
413	Specially Assessed OSD	OSD; Lone Pine	0	\$4,000.00	\$4,000.00	2011	6/14/2011
413	SHS Calculation (Market)	VA 4 Statutory Homestite	1	\$854.00	\$850.00	2011	6/14/2011
413	SHS Calculation (Market)	VA 4 Statutory Homestite	1	\$854.00	\$850.00	2011	6/14/2011
413	SHS Calculation (Market)	VA 4 Statutory Homestite	1	\$854.00	\$850.00	2011	6/14/2011
413	SHS Calculation (Market)	VA 4 Statutory Homestite	1	\$854.00	\$850.00	2011	6/14/2011
413	Yard Improvements		0	\$3,600.00	\$3,600.00	2011	6/14/2011
413	Yard Improvements		0	\$3,600.00	\$3,600.00	2011	6/14/2011
413	Yard Improvements		0	\$2,000.00	\$2,000.00	2011	6/14/2011
413	Specially Assessed OSD	VA 4 OSD	0	\$4,000.00	\$4,000.00	2011	6/14/2011
413	Specially Assessed OSD	VA 4 OSD	0	\$4,000.00	\$4,000.00	2011	6/14/2011
413	Specially Assessed OSD	VA 4 OSD	0	\$4,000.00	\$4,000.00	2011	6/14/2011
413	Specially Assessed OSD		0	\$4,000.00	\$4,000.00	2011	6/14/2011
413	Specially Assessed OSD	VA 4 OSD	0	\$4,000.00	\$4,000.00	2011	6/14/2011

413	SHS Calculation (Market)	VA 4 Statutory Homestite	1	\$854.00	\$850.00	2011	6/14/2011
413	Specialty Assessed OSD	OSD; Lone Pine	0	\$4,000.00	\$4,000.00	2011	6/14/2011
413	Specialty Assessed OSD	OSD; Lone Pine	0	\$4,000.00	\$4,000.00	2011	6/14/2011
413	Specialty Assessed OSD	OSD; Lone Pine	0	\$4,000.00	\$4,000.00	2011	6/14/2011
413	Specialty Assessed OSD	OSD; Lone Pine	0	\$4,000.00	\$4,000.00	2011	6/14/2011
413	Specialty Assessed OSD	OSD in Lone Pine	0	\$4,000.00	\$4,000.00	2011	6/14/2011
413	Specialty Assessed OSD	OSD in Lone Pine	0	\$4,000.00	\$4,000.00	2011	6/14/2011
413	Specialty Assessed OSD	OSD in Lone Pine	0	\$4,000.00	\$4,000.00	2011	6/14/2011
413	Specialty Assessed OSD	OSD in Lone Pine	0	\$4,000.00	\$4,000.00	2011	6/14/2011
413	Specialty Assessed OSD	OSD in Lone Pine	0	\$4,000.00	\$4,000.00	2011	6/14/2011
413	Specialty Assessed OSD	OSD in Lone Pine	0	\$4,000.00	\$4,000.00	2011	6/14/2011
413	Specialty Assessed OSD	OSD in Lone Pine	0	\$4,000.00	\$4,000.00	2011	6/14/2011
413	Specialty Assessed OSD	OSD in Lone Pine	0	\$4,000.00	\$4,000.00	2011	6/14/2011
413	Specialty Assessed OSD	OSD in Lone Pine	0	\$4,000.00	\$4,000.00	2011	6/14/2011
413	Specialty Assessed OSD	OSD in Lone Pine	0	\$4,000.00	\$4,000.00	2011	6/14/2011
413	Specialty Assessed OSD	OSD in Lone Pine	0	\$4,000.00	\$4,000.00	2011	6/14/2011
413	Specialty Assessed OSD	VA 4 OSD	0	\$4,000.00	\$4,000.00	2011	6/14/2011

Improvement Information for Tax Lot

Account	Type	Extension	Year Built	Eff. Year Built	Condition	Grade	Physical Dep.	Functional Dep.	RMV of Improvement	Size	Units
413	DWELL	R01	1958	1980	AV	45	22	10	\$83,100.00	0	
413	DWELL	R02	1970	1990	AV	35	17	0	\$50,620.00	0	
413	IRRIGATE	R03	0	1950	AV	45	0	0	\$70,460.00	1	IT
413	DWELL	R04	1970	1970	AV	22	27	0	\$20,770.00	0	
413	MHOME	R05	1994	1994	AV	55	0	0	\$21,350.00	924	
413	SHEDGP	R06	2009	2009	AV	68	0	0	\$117,470.00	20160	SF
413	MISC	R02	0	2000	AV	35	12	0	\$1,720.00	222	SF
413	MISC	R06	2009	2009	AV	45	0	0	\$1,060.00	266	SF
413	MISC	R06	2009	2009	AV	45	0	0	\$4,320.00	1079	SF
413	MISC	R06	2009	2009	AV	35	0	0	\$620.00	70	SF
413	MISC	R06	2009	2009	AV	35	0	0	\$5,320.00	605	SF
413	MISC	R06	2009	2009	AV	25	0	0	\$860.00	360	SF
413	LEANTO	R01	0	1995	AV	55	15	0	\$1,110.00	286	SF
413	HPCP	R02	0	1995	AV	35	15	0	\$12,530.00	792	SF
413	HAYCOVER	R03	0	1978	AV	52	23	0	\$17,380.00	4340	SF
413	FLATCP	R04	0	1959	AV	35	33	0	\$1,920.00	192	SF
413	UTLSHED	R05	1994	1994	AV	45	15	0	\$3,280.00	280	SF
413	MISC	R06	2009	2009	AV	35	0	0	\$9,410.00	3920	SF
413	SHEDGP	R01	0	1970	AV	65	27	0	\$8,680.00	336	SF
413	FLATBARN	R02	0	1959	AV	45	33	0	\$19,980.00	1968	SF
413	HAYCOVER	R03	0	1989	AV	55	18	0	\$15,420.00	3999	SF
413	UTLSHED	R04	0	1979	AV	55	23	0	\$2,080.00	144	SF
413	MISC	R05	1994	1994	AV	35	15	0	\$710.00	80	SF
413	MISC	R06	2009	2009	AV	35	0	0	\$20,160.00	1680	SF
413	DETGAR	R01	0	1980	AV	45	22	0	\$16,310.00	860	SF
413	MISC	R02	1970	1990	AV	35	17	0	\$1,400.00	192	SF
413	HAYCOVER	R03	0	1969	AV	55	28	0	\$16,520.00	5120	SF
413	LEANTO	R05	0	1978	AV	45	23	0	\$1,560.00	504	SF
413	PAV	R06	2009	2009	AV	35	0	0	\$1,690.00	1056	SF
413	MACHINE	R01	0	1962	AV	42	31	0	\$14,950.00	3600	SF
413	MISC	R02	1970	1990	AV	35	17	0	\$1,660.00	192	SF
413	HAYCOVER	R03	0	1969	AV	55	28	0	\$20,430.00	5460	SF
413	MISC	R06	2009	2009	AV	25	0	0	\$100.00	40	SF
413	MISC	R01	0	1999	AV	25	13	0	\$1,510.00	720	SF
413	DETGAR	R02	0	1980	AV	35	22	0	\$8,000.00	200	SF
413	MISC	R06	2009	2009	AV	25	0	0	\$1,920.00	800	SF
413	POTATO	R01	0	1962	AV	45	0	0	\$31,450.00	5600	SF
413	UTLSHED	R02	0	1980	AV	55	22	0	\$3,890.00	220	SF
413	MISC	R06	2009	2009	AV	25	0	0	\$250.00	102	SF

413	SHEDGP	R01	0	1968 AV	55	28	0	\$25,910.00	2400	SF
413	MISC	R02	2009	2009 AV	75	0	0	\$420.00	70	SF
413	SHEDGP	R06	2009	2009 AV	68	0	0	\$36,480.00	1388	SF
413	PAV	R01	0	1980 AV	35	22	0	\$5,800.00	4650	SF
413	MISC	R02	2009	2009 AV	75	0	0	\$8,380.00	1397	SF
413	MISC	R06	2009	2009 AV	25	0	0	\$4,020.00	1675	SF

Tax History Information

Account	Tax Year	Tax Amount	Description	Balance
413	2000	\$6,729.00	AV Principal-Regular	\$0.00
413	2001	\$6,865.73	AV Principal-Regular	\$0.00
413	2002	\$6,527.80	AV Principal-Regular	\$0.00
413	2003	\$6,654.17	AV Principal-Regular	\$0.00
413	2004	\$6,512.26	AV Principal-Regular	\$0.00
413	2005	\$6,874.51	AV Principal-Regular	\$0.00
413	2006	\$8,307.31	AV Principal-Regular	\$0.00
413	2007	\$8,521.29	AV Principal-Regular	\$0.00
413	2008	\$40.80	AV Interest	\$0.00
413	2008	\$9,179.58	AV Principal-Regular	\$0.00
413	2009	\$9,406.40	AV Principal-Regular	\$0.00
413	2010	\$11,589.65	AV Principal-Regular	\$0.00
72988	2000	\$311.35	AV Principal-Regular	\$0.00
72988	2000	\$6.00	MH Ombudsman District Principal	\$0.00
72988	2001	\$6.00	MH Ombudsman District Principal	\$0.00
72988	2001	\$313.32	AV Principal-Regular	\$0.00
72988	2002	\$314.76	AV Principal-Regular	\$0.00
72988	2002	\$6.00	MH Ombudsman District Principal	\$0.00
72988	2003	\$316.23	AV Principal-Regular	\$0.00
72988	2003	\$6.00	MH Ombudsman District Principal	\$0.00
72988	2004	\$299.77	AV Principal-Regular	\$0.00
72988	2004	\$6.00	MH Ombudsman District Principal	\$0.00
72988	2005	\$6.00	MH Ombudsman District Principal	\$0.00
72988	2005	\$218.44	AV Principal-Regular	\$0.00

Tax Receipt Information

Account	Name	Receipt No.	Amount	Amount Applied	Receipt Date
413	T Y RANCH	223044	\$6,729.00	\$6,729.00	5/7/2001
413	FEHRENBACHER	238571	\$6,865.73	\$6,865.73	1/2/2002
413	FEHRENBACHER	257490	\$6,527.80	\$6,527.80	1/3/2003
413	FEHRENBACHER	273673	\$8,454.54	\$8,454.54	11/20/2003
413	FEHRENBACHER	296481	\$6,512.26	\$6,512.26	1/3/2005
413	AMERITITLE	303828	\$6,474.27	\$6,474.27	11/2/2005
413	MT. JEFFERSON	334266	\$8,058.09	\$8,058.09	11/20/2006
413	MT. JEFFERSON FARMS INC	348320	\$8,265.65	\$8,265.65	11/28/2007
413	MT. JEFFERSON FARMS, INC	365137	\$8,904.19	\$8,904.19	11/24/2008
413	MILLER WALTER R	365381	\$316.19	\$316.19	12/8/2008
413	MILLER WALTER R	377471	\$9,124.21	\$9,124.21	11/17/2009
413	MILLER WALTER R	394561	\$7,571.90	\$7,571.90	11/19/2010
413	MT JEFFERSON FARMS, INC	398632	\$3,863.22	\$3,863.22	5/16/2011
72988	FEHRENBACHER	218990	\$307.83	\$307.83	11/22/2000
72988	FEHRENBACHER	226148	\$309.74	\$309.74	10/24/2001
72988	FEHRENBACHER	256096	\$311.14	\$311.14	11/21/2002
72988	FEHRENBACHER	273675	\$312.56	\$312.56	11/20/2003
72988	FEHRENBACHER	295447	\$296.60	\$296.60	11/23/2004
72988	AMERITITLE	318167	\$220.00	\$220.00	3/23/2006

Sale Information

Account	Mod. Sale Date	Adj. Sale Price	Gross Sale Price	Prop. Value	Tax Year	Overall Ratio	Deed Date	Deed No.
413	8/28/2002	\$400,000.00	\$400,000.00	\$683,390.00	2002	170.8500	8/28/2002	173030
413	11/1/2005	\$0.00	\$0.00	\$813,490.00	2006	43.9700	11/1/2005	205276

Property Transfer Deed Information

Account	Date	Doc. Number	Description
413			
413	8/28/2002	173030	STATUTORY WARRANTY DEED
413	11/1/2005	205276	STATUTORY WARRANTY DEED
72988			

General Residential Information

Account	Building No.	Type	Grade	Year Built	Eff. Year Built	Year Remodeled	Condition	% Complete
413	R04	DWELL	22	1970	1970	0	AV	100
413	R02	DWELL	35	1970	1990	0	AV	100
413	R05	MHOME	55	1994	1994	0	AV	100
413	R01	DWELL	45	1958	1980	0	AV	100

Room Inventory					
Account	Dwelling No.	Floor	Date	Finished Area (sq. ft.)	
413	R01	1.0	4/26/2010	2948	
413	R02	1.0	4/23/2010	1840	
413	R04	1.0	4/26/2010	960	

Account	Dwelling No.	Floor	Liv. Rooms	Din. Rooms	Gt. Rooms	Kitchens	Dens	Bedrooms	Other Rooms	1/2 Bathrooms	Full Bathrooms
413	R01	1.0	1	1	0	1	0	4	1	0	2
413	R02	1.0	1	1	0	1	0	3	0	0	2
413	R04	1.0	1	0	0	1	0	2	0	0	2

Events for Account		
Account	Remarks	Eff. Date
413	LIFE ESTATE: FEHRENBACHER, LEO W & LILLIAN E DE 05/10/02 MF170759	2/28/2007
413	SW 05/16/02 MF170914	2/28/2007
413	CIRCLE F RANCHES TO FEHRENBACHER TY SW 08/09/02 MF173020	2/28/2007
413	032404 EASE MF188938	2/28/2007
413	REMOVE LIFE ESTATE 040904 DE MF189334	2/28/2007
413	FEHRENBACHER T TO FEHRENBACHER T/L 110105 BS MF205274	2/28/2007
413	FEHRENBACHER T/L TO MILLER W/R/S N 110105 SW MF205276	2/28/2007
413	110405 LEASE MF205279	2/28/2007
413	Type: OTHER, Status: Approved, Tax Year: 2006 by shall	8/4/2008
413	Type: OTHER, Status: Approved, Tax Year: 2007 by shall	8/4/2008
413	by shall	5/11/2009
72988	by shall	1/1/2007

No 'Exemption' Information is available

Mobile Home Info. for Account						
Account	Make	Model	Width	Length	Size	Year Built
413	GUERDON		14.00	66.00	924	1994
72988	GUERDON		14.00	66.00	924	1994
Maptaxlot	Account	LOIS No.	Serial No.			
1414170000100	72988	0000276710				
1414170000100	413	0000276710				

Property Notes for Account	
Account	Notes
413	1414170000100 MV TL102 SEG OFF
413	1414170000100 COPY WELL LOG TO JACKET
413	1414170000100 MV SEG'D -139.84 AC TL #103 ACCT 16224 MF163219 PP 2001-17 FOR 2002
413	1414170000100 MV BLA ADJ +31.34 AC FROM 14 14 17 103 ACCT 16224 MF164530 FOR 2002
413	1414170000100 MV LLA +2.84 FROM TL #103 REF 16224 MF177449 FOR 2003
413	1414170000100 LANDCLASS CHANGES/LANDCLASS PROJ
413	1414170000100 SITUS ADDRESS CHANGE PER FAITH
413	1414170000100 MADE MH 72988 REAL TO ACCT 413 FOR 2006
413	1414170000100 MV CODE FROM 1 TO 21-ANNEX TO FIRE & RESCUE DOR 7-110-2005/RES 2005-8
413	1414170000100 MOVED \$17250 OF MAV FROM HERE TO ACCOUNT 72988 FOR 2007
72988	1414170000100 MADE MH 72988 REAL TO ACCT 413 FOR 2006
72988	1414170000100 MV CODE FROM 1 TO 21-ANNEX TO FIRE & RESCUE DOR 7-110-2005/RES 2005-8
72988	1414170000100 MOVED \$17250 IN MAV TO HERE FROM ACCOUNT 413 FOR 2007



Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem, Oregon 97301-1271
 (503) 986-0900
 www.wrd.state.or.us

Ground Water Review Form:

- Water Right Transfer
- Permit Amendment
- GR Modification
- Other

Application: T-8928

Applicant Name: Fehrenbacher

Proposed Changes: POA APOA SW→GW RA
 USE POU OTHER

Reviewer(s): K. Lite

Date of Review: 7/7/11

The information provided in the application is insufficient to evaluate whether the proposed transfer may be approved because:

- The water well reports provided with the application do not correspond to the water rights affected by the transfer.
- The application does not include water well reports or a description of the well construction details sufficient to establish the ground water body developed or proposed to be developed.
- Other _____

-
1. Basic description of the changes proposed in this transfer: Applicant proposes to transfer 900 gpm from cert 86860 Well #4 (Croo 3173). 350 gpm will go to Well#1 (Croo 50081) and 550 gpm to Well #2 (Croo51925).
 2. Will the proposed POA develop the same aquifer (source) as the existing authorized POA?
 Yes No Comments: _____
 3. a) Is there more than one source developed under the right (e.g., basalt and alluvium)?
 Yes No.
 b) If yes, estimate the portion of the right supplied by each of the sources and describe any limitations that will need to be placed on the proposed change (rate, duty, etc.): _____
 4. a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with **another ground water right**?
 Yes No Comments: _____
 b) If yes, would this proposed change, at its maximum allowed rate of use, likely result in another groundwater right not receiving the water to which it is legally entitled?
 Yes No If yes, explain: _____
 5. a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with **another surface water source**?
 Yes No Comments: _____
 b) If yes, at its maximum allowed rate of use, what is the expected change in degree of interference with any **surface water sources** resulting from the proposed change?

Stream: _____

Minimal Significant

Stream: _____

Minimal Significant

Provide context for minimal/significant impact: _____

6. What conditions or other changes in the application are necessary to address any potential issues identified above: _____
7. Any additional comments: No



Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem, Oregon 97301-1271
 (503) 986-0900
 www.wrd.state.or.us

Watermaster Review Form: Water Right Transfer

Transfer Application: T-8928

Review Due Date: 5/28/11

Applicant Name: Ty Fehrenbacher

Proposed Changes: POU POD POA USE OTHER

Reviewer(s): Giffin

Date of Review: Apr. 29, 2011

1. Do you have information suggesting that the water rights may be subject to forfeiture?
 Yes No If "Yes", describe the information and indicate if you intend to file a cancellation affidavit or if you need additional time to determine if a cancellation affidavit should be filed: The use at the current site never occurred (see original WM review), however a certificate was issued so the right is subject to transfer and an affidavit should not be filed.
2. Is there a history of regulation on the source that serves the right proposed for transfer that has involved the right and downstream water rights? Yes No Generally characterize the frequency of any regulation or explain why regulation has not occurred:

3. Check here if it appears that downstream water rights benefit from return flows resulting from the current use of the right? If you check the box, generally characterize the locations where the return flows likely occur and list the water rights that benefit most:

4. Are there upstream water rights that would be affected by the proposed change?
 Yes No If "Yes", describe how the rights would be affected and list the rights most affected: _____
5. For POD changes and instream transfers, check here if there are channel losses between the old and new PODs or within the proposed instream reach? If you check the box, describe and, if possible, estimate the losses: _____
6. Would distribution of water for the right after the proposed change result in regulation of other water rights that would not have occurred if use of the existing right was maximized?
 Yes No If "Yes", explain: _____
7. For POU changes, would the original place of use continue to receive water from the same source? Yes No N/A If "Yes", explain: _____
8. For POU or USE changes, would use of the existing right at "full face value," result in the diversion of more water than can be used beneficially and without waste? Yes No
 If "Yes", explain: _____
9. Are there other issues not identified through the above questions? Yes No If "Yes", explain: _____

Flow Restrictor

Other: _____

Oregon Water Resources Department
Measurement Condition Information for the Applicant
(to be sent with the Draft Preliminary Determination or Final Order)

Transfer #: T-8928

A Totalizing flow meter will be required to be installed **prior to diversion of water** at the proposed point(s) of diversion or appropriation as a condition of this transfer.

For additional information, or to obtain approval of a different type of measurement device, the applicant should contact the area Watermaster:

Watermaster name: Jeremy Giffin

District: 11

Address: 1128 NW Harriman St

City/State/Zip: Bend, OR 97701

Phone: (541) 388-6669

Email: Jeremy.T.GIFFIN@wrđ.state.or.us

Note: If a device other than the one specified in the Preliminary Determination or Final Order is approved by the Watermaster, fill out and mail the form below to the Salem office.

Approval of an Alternate Measurement Device **T-_____**
(to be filled out after consultation with the applicant, or after a site visit)

On behalf of the Director, I authorize use of the following suitable **alternate measurement device**:

Watermaster signature

District

Date

If this form is used for approval of an alternative measurement device, it must be mailed to:

Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1266



Oregon

John A. Kitzhaber, MD, Governor

Water Resources Department
North Mall Office Building
725 Summer St. NE, Suite A
Salem, OR 97301
Phone 503-986-0900
FAX 503-986-0904
www.wrd.state.or.us

July 27, 2011

 **FILE**

TY FEHRENBACHER
19310 NW BUTLER RD
TERREBONNE, OR 97760

SUBJECT: Water Right Transfer Application T-8928

Your water right transfer is in one of three phases of processing. Enclosed is a draft of our Preliminary Determination regarding Transfer Application T-8928. The document reflects the Department's conclusion that, based on the information currently available, the transfer will be approved.

Items needed before the next phase of processing...

Please review the draft carefully to familiarize yourself with any requirements and evaluate whether the document is consistent with your intent in seeking the transfer. Please respond in writing by the deadline provided below, whether you agree with the proposed action and whether there are any typographical errors that need to be corrected.

A report of landownership for the lands to which the water right is appurtenant (the FROM lands) is required. **The report must be prepared by a title company.**

- 1) The title company's report must either be:
 - a) prepared within 3 months of the draft Preliminary Determination showing current ownership, or
 - b) prepared within 3 months of recording of a water right conveyance agreement, or
 - c) prepared at any time, but showing ownership at the time a water right conveyance agreement was recorded.
- 2) The ownership report shall include:
 - a) Date reflected by the ownership information
 - b) List of owners at that time
 - c) Legal description of the property where the water right to be transferred is currently located.
- 3) You will need to submit a notarized statement of consent from any landowner listed in the ownership report who is not already included in the transfer application, or other information such as a water right conveyance agreement, if applicable.

Conditions to your water right...

The Watermaster has required a water measurement device at the new points of appropriation. Enclosed is a contact information sheet to assist you in pursuing additional information or approval of the required (or alternate) devices.



Please look at Condition #8 on page 3, which sets a date for completion of the changes. If the required completion date is insufficient to comply with any of the requirements listed in this document, you may extend the date at no cost to you during this stage of processing. Please let me know by the comment deadline so we can make the proper arrangements to get you the time you need.

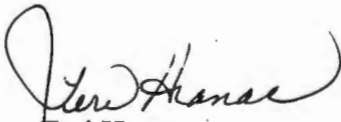
What happens next...

Once the preliminary determination is issued a publication period is required. Because the new points of appropriation are more than ¼ mile from the authorized point of appropriation, the applicant is responsible for publishing notice of the transfer in a local newspaper having a general circulation in the area of the water right. The notice must be published at least once a week for three consecutive weeks. We will provide a copy of the required notice to you upon issuance of the Preliminary Determination.

Issuance of the Preliminary Determination will occur shortly after we receive the report of ownership and your written response to the conditions and proposed action in the draft Preliminary Determination (e-mail is acceptable). **If we do not receive your response and the report by August 29, 2011, a Preliminary Determination may be issued denying the application as incomplete.**

Please do not hesitate to contact me at 503-986-0881 or Teri.K.Hranac@ wrd.state.or.us if I may be of assistance.

Sincerely,



Teri Hranac
Transfer Specialist
Transfer and Conservation Section

Enclosure

cc: T-8928
Jeremy Giffin, District 11 Watermaster
Bruce Estes, CWRE # 1
Matt Day, Hooker Creek Ranch, 63101 Nels Anderson Road, Bend, OR 97701

**BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON**

In the Matter of Transfer Application)
T-8928, Deschutes County)
)
)
)
)
)

D R A F T

PRELIMINARY DETERMINATION
PROPOSING APPROVAL OF A CHANGE
IN POINT OF APPROPRIATION AND
PLACE OF USE

Authority

ORS 537.705 and 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of appropriation, place of use, or character of use authorized under an existing water right. OAR Chapter 690, Division 380 implements the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

TY FEHRENBACHER
5301 N LONE PINE RD
TERREBONE, OR 97760

Findings of Fact

Background

1. On November 29, 2001, TY FEHRENBACHER filed an application to change the point of appropriation and to change the place of use under Permit G-12923. The Department assigned the application number T-8928.
2. On September 7, 2000, a claim of beneficial use was submitted for Permit G-12923. On April 1, 2011, Certificate 86860 was issued.
3. On June 6, 2002, the applicant amended the transfer application clarifying the proposed points of appropriation.
4. The right to be transferred is as follows:

Certificate: 86860 in the name of TY FEHRENBACHER (perfected under Permit G-12923)

Use: INDUSTRIAL/MANUFACTURING USES

Priority Date: FEBRUARY 16, 1995

Rate: 1.98 CUBIC FEET PER SECOND

Source: A WELL within the LONE PINE CREEK BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
14 S	14 E	WM	17	SE NE	2170 FEET SOUTH AND 290 FEET WEST FROM NE CORNER OF SECTION 17

Authorized Place of Use:

INDUSTRIAL/MANUFACTURING USES				
Twp	Rng	Mer	Sec	Q-Q
14 S	14 E	WM	17	SW SE

5. Transfer Application T-8928 proposes to move the authorized point of appropriation to two points of appropriation approximately 1-3/4 miles from the existing point of appropriation located:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
14 S	14 E	WM	30	SE NE	900 FEET NORTH AND 1250 FEET WEST FROM THE SE CORNER OF SECTION 30
14 S	14 E	WM	30	SE NE	30 FEET NORTH AND 1250 FEET WEST FROM THE SE CORNER OF SECTION 30

6. Transfer Application T-8928 also proposes to change the place of use of the right to:

INDUSTRIAL/MANUFACTURING USES				
Twp	Rng	Mer	Sec	Q-Q
14 S	14 E	WM	30	NE NE
14 S	14 E	WM	30	NW NE
14 S	14 E	WM	30	SW NE
14 S	14 E	WM	30	SE NE

7. Notice of the application for transfer was published on December 10, 2001, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.

Transfer Review Criteria (OAR 690-380-4010)

8. Water Right Certificate 86860 was issued on April 1, 2011. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
9. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Transfer Application T-8928.
10. The proposed change would not result in enlargement of the right.
11. The proposed change would not result in injury to other water rights.

Determination and Proposed Action

The change in point of appropriation and change in place of use proposed in Transfer Application T-8928 appear to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved.

If application T-8928 is approved, the final order will include the following:

1. *The change in point of appropriation and change in place of use proposed in application T-8928 are approved.*
2. *The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificate 86860 and any related decree.*
3. *Water right certificate 86860 is cancelled.*
4. *The quantity of water diverted at the new points of appropriation, shall not exceed the quantity of water lawfully available at the original point of appropriation.*
5. *Water use measurement conditions:*
 - a. *Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of appropriation.*
 - b. *The water user shall maintain the meters or measuring devices in good working order.*
 - c. *The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.*
6. *Water shall be acquired from the same aquifer (water source) as the original point of appropriation.*
7. *The former place of use of the transferred right shall no longer receive water under the right.*
8. *The approved changes shall be completed and full beneficial use of the water shall be made on or before **October 1, 2012**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.*
9. *When satisfactory proof of the completed changes is received, a new certificate confirming the right transferred will be issued.*

Dated at Salem, Oregon this ____ day of _____ 2011.

D R A F T

Dwight French, Water Right Services Administrator, for
PHILLIP C. WARD, DIRECTOR

This draft Preliminary Determination was prepared by Teri Hranac. If you have questions about the information in this document, you may reach me at 503-986-0881 or Teri.K.Hranac@wrds.state.or.us.

Oregon Water Resources Department

Measurement Condition Information for the Applicant

(to be sent with the Draft Preliminary Determination or Final Order)

Transfer #: T-8928

A Totalizing flow meter will be required to be installed prior to diversion of water at the proposed point(s) of diversion or appropriation as a condition of this transfer.

For additional information, or to obtain approval of a different type of measurement device, the applicant should contact the area Watermaster:

Watermaster name: Jeremy Giffin

District: 11

Address: 1128 NW Harriman St

City/State/Zip: Bend, OR 97701

Phone: (541) 388-6669

Email: Jeremy.T.GIFFIN@wrđ.state.or.us

Note: If a device other than the one specified in the Preliminary Determination or Final Order is approved by the Watermaster, fill out and mail the form below to the Salem office.

Approval of an Alternate Measurement Device T-_____
(to be filled out after consultation with the applicant, or after a site visit)

On behalf of the Director, I authorize use of the following suitable **alternate measurement device**:

Watermaster signature

District

Date

If this form is used for approval of an alternative measurement device, it must be mailed to:

Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1266

STATE OF OREGON

COUNTY OF CROOK

CERTIFICATE OF WATER RIGHT

T-8928
Where is file?

THIS CERTIFICATE ISSUED TO

TY FEHRENBACHER
19310 NW BUTLER RD
TERREBONNE, OR 97760

confirms the right to use the waters of WELL 4 in the Crooked River Basin for INDUSTRIAL USE.

This right was perfected under Permit G-12923. The date of priority is FEBRUARY 16, 1995. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 1.98 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the well.

The period of allowed use is year round.

The well is located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Measured Distances
14 S	14 E	WM	17	SE NE			2170 FEET SOUTH & 290 FEET WEST FROM NE CORNER, SECTION 17

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

INDUSTRIAL USE				
Twp	Rng	Mer	Sec	Q-Q
14 S	14 E	WM	17	SW SE

Measurement, recording and reporting conditions:

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

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. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may either petition for judicial review or 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 at any time before it has issued, and after the time has expired for the completion of the appropriation under the permit, or within three months after issuance of the certificate.

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

This use may be regulated if analysis of data available discloses that the appropriation will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife in effect as of the priority date of this right or as those quantities may be subsequently reduced.

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this right, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interference.

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 to determine the water level elevation in the well at all times.

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

Issued APR 01 2011



Dwight W. French
Administrator Water Rights and Adjudications, for
Phillip C. Ward, Director
Water Resources Department

STATE OF OREGON

COUNTY OF CROOK

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

TY FEHRENBACHER
5301 N LONE PINE RD
TERREBONE OR 97760

confirms the right to use the waters of three wells, tributary to LONE PINE CREEK BASIN for SUPPLEMENTAL IRRIGATION of 74.5 ACRES.

This right was perfected under Permit G-11774. The date of priority is DECEMBER 30, 1991. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 326 gallons per minute or its equivalent in case of rotation, measured at the well.

The well is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
14 S	14 E	WM	17	NE NE	Well 5 - 60 FEET SOUTH AND 190 FEET WEST FROM NE CORNER, SECTION 17
14 S	14 E	WM	17	SE NE	Well 4 - 2170 FEET SOUTH AND 290 FEET WEST FROM NE CORNER, SECTION 17
14 S	14 E	WM	17	NE NW	Well 1 - 860 FEET SOUTH AND 3580 FEET WEST FROM NE CORNER, SECTION 17

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year. The period of the allowed use is February 1 to December 1 of each year. The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

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

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
14 S	14 E	WM	17	SW NE	16.2
14 S	14 E	WM	17	SW NW	16.4
14 S	14 E	WM	17	SE NW	34.1
14 S	14 E	WM	17	NE SW	2.3
14 S	14 E	WM	17	NW SW	5.5

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.

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meters or other suitable measuring devices in good working order, shall

keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the water user to report general water use information, including the place and nature of use of water under this right.

- B. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within private structures, the Watermaster shall request access upon reasonable notice.

This right is limited to any deficiency in the available supply of any prior right existing for the same land.

In the event of a request for a change in point of appropriation, an additional point of appropriation or alteration of the appropriation facility associated with authorized diversion, the quantity of water allowed herein, together with any other right, shall not exceed the capacity of the facility at the time of perfection of this right.

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

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

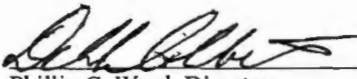
The right to use water for the above purpose is restricted to beneficial use on the lands or place of use described.

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

This certificate describes that portion of the water right confirmed by Certificate 83332, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered SEP 12 2008, approving Transfer Application T-9626.

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

WITNESS the signature of the Water Resources Director, affixed SEP 12 2008.


Phillip C. Ward, Director

STATE OF OREGON

COUNTY OF CROOK

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

G W WILEY
POST OR 97752

confirms the right to use the waters of NEWSOME and CAMP CREEKS, tributaries of the CROOKED RIVER, for DOMESTIC, LIVESTOCK, and IRRIGATION of 82 ACRES.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Crook County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 1, at Page 449. The date of priority is 1880 for irrigation of 30 acres, and 1890 for irrigation of 52 acres. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed a reasonable amount for domestic and livestock use, and 1.03 CUBIC FEET PER SECOND, or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Survey Coordinates
16 S	19 E	WM	32	NONE GIVEN
17 S	19 E	WM	5	NONE GIVEN

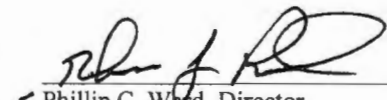
The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 4 acre-feet per acre for each acre irrigated during the irrigation season of each year. The use shall conform to such reasonable rotation system as may be ordered by the proper state officer. The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

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

Twp	Rng	Mer	Sec	Q-Q	Acres
16 S	19 E	WM	32	NE NE	15
16 S	19 E	WM	32	NE SE	37
18 S	21 E	WM	13	SW NE	15
18 S	21 E	WM	13	NW SE	15

This certificate describes that portion of the water right confirmed by Certificate 680, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered JUN 13 2005, approving Transfer Application 9758. It corrects the inaccurate irrigation season listed on Certificate 680, making it consistent with that specified in the Crooked River decree (February 1 to December 1). The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

WITNESS the signature of the Water Resources Director, affixed JUNE 13, 2005.


Phillip C. Ward, Director

Waiting on GW review 10/11/07

G-12923

on Permit

Proof needed



11-10-2005

STATE OF OREGON

COUNTY OF CROOK

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

TY FEHRENBACHER
ROUTE 1, BOX 36
TERREBONNE, OREGON 97760

(541)548-4353

The specific limits for the use are listed below along with conditions of use.

APPLICATION FILE NUMBER: G-13984

SOURCE OF WATER: WELLS #4 AND #5 WITHIN THE CROOKED RIVER BASIN

PURPOSE OR USE: INDUSTRIAL USE

MAXIMUM RATE: 2.0 CUBIC FEET PER SECOND

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: FEBRUARY 16, 1995

POINT OF DIVERSION LOCATION: NE 1/4 NE 1/4, SE 1/4 NE 1/4, SECTION 17, T14S, R14E, W.M.; WELL #4 - 2100 FEET SOUTH & 530 FEET WEST; WELL #5 - 200 FEET SOUTH & 460 FEET WEST, BOTH FROM THE NE CORNER OF SECTION 17

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SW 1/4 NE 1/4
NW 1/4 SE 1/4
SW 1/4 SE 1/4
SECTION 17

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

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.

Application G-13984 Water Resources Department

PERMIT G-12923

T-8928 A Pow/PSA

- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

Use of water under authority of this permit may be regulated if analysis of data available after the permit is issued discloses that the appropriation will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife in effect as of the priority date of the right or as those quantities may be subsequently reduced.

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this permit, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences.

STANDARD CONDITIONS

The wells shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the well at all times.

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

Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the department's standards, to the Water Resources Department. The Director may require water level or pump test results every ten years thereafter.

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

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

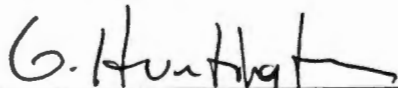
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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

The Director finds that the proposed use(s) of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

Actual construction of the well shall begin within one year from permit issuance, and shall be completed on or before October 1, 1998. Complete application of the water to the use shall be made on or before October 1, 1999.

Issued October 28, 1996



Martha O. Pagel, Director
Water Resources Department

RECEIVED

APR 26 1993

WATER RESOURCES DEPT.
SALEM, OREGON

Re: Thomas G. Strand and Crook County Improvement District #1
Irrigation Water Exchange

The Board of Directors and Crook County Improvement District #1 approved at its regular meeting on April 26, 1989 the exchange of irrigation water with Thomas G. Strand as follows: The district will furnish water to land owned by Mr. Strand and in exchange Mr. Strand will return water to the district in its canals. The same amount of water is to be returned by the end of the irrigation season. Mr. Strand has agreed to furnish and maintain Totalizing Flow meters and make them available to a representative of the district at all times.

This agreement is for a maximum of 86 acres.

Richard Butler Chairman

Ty Feinbacher Director

Thomas G. Strand Director

Thomas G. Strand Thomas G. Strand



Chuck Hegele
10818 NW St Helens Rd
Portland, OR 97231

52
30

27

copies

Route Slip



Date 4-4-03

TO:	Name	Division/Section	Initial	Date
1.	WRAD:	Sarah		
2.				
3.	Chuck Hegele			
4.	503-519-3608			
5.				

<input type="checkbox"/>	as requested	<input type="checkbox"/>	investigate	<input type="checkbox"/>	per conversation
<input type="checkbox"/>	approval	<input type="checkbox"/>	justify	<input type="checkbox"/>	prepare reply
<input type="checkbox"/>	comment	<input checked="" type="checkbox"/>	necessary action	<input type="checkbox"/>	return with more detail
<input type="checkbox"/>	confer	<input type="checkbox"/>	initial and return	<input type="checkbox"/>	review and circulate
<input type="checkbox"/>	for your information	<input type="checkbox"/>	note and file	<input type="checkbox"/>	signature

would like copies of
files T-8923 & J
T-7853

Call for # 2,

FROM: <u>Steve B</u>	Phone No.
----------------------	-----------

WATER RESOURCES DEPARTMENT

NAME: Chuck Hegele DATE: 4-7-03

COPIES
(AGENCY ASSISTED)

COPY	@	\$2.00	MINIMUM =	\$2.00
(FOR EACH ADDITIONAL COPY)				
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TOTAL				<u>42.50</u>

SELF SERVICE COPIES

TOTAL NUMBER OF COPIES MADE

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(For each additional copy over 20)					
cash acct 0417 obj 407 pca 66116					-Total

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NAME OF PUBLICATION	AMOUNT	COPIES	
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	DATA CENTER	

STAFF TIME: HOURS @ \$20.00 =

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(FOR EACH ADDITIONAL COPY)				
COPIES	@	\$0.10	=	

DISKETTE MEDIA CHARGE

DISKS @	\$5.00	=	
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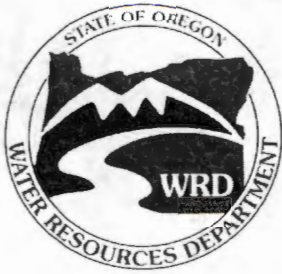
POSTAGE AND HANDLING

Total

TOTAL OF ALL CHARGES RECEIVED

Fees Verified By: S. Henderson

COPY



State of Oregon
 Water Resources Department
 158 12th Street NE
 Salem OR 97301-4172
 Gina Beaman 503/378-8455 Ext 319

INVOICE

To: Chuck Hegele
 10818 NW St Helens Rd
 Portland OR 97231

Invoice No.: 3712
 Date: 4/7/03
 Terms: Net 30 days
 Amount: \$42.50

Please reference invoice # with payment.

Description	Unit Quantity	Unit Price	Total
Copy fees			\$42.50

COPY

Total \$42.50

For SFMS Agencies

<u>Vendor Number</u>					<u>Cash</u>		
<u>Invoice #</u>	<u>SFX</u>	<u>PCA</u>	<u>Agency Obi</u>	<u>AY</u>	<u>Account</u>	<u>Tcodes</u>	<u>Amount</u>
AR003712	001	66111	0407	03	0427		42.50

STATE OF OREGON

COUNTY OF CROOK

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

TY FEHRENBACHER
ROUTE 1, BOX 36
TERREBONNE, OREGON 97760

(541)548-4353

The specific limits for the use are listed below along with conditions of use.

APPLICATION FILE NUMBER: G-13984

SOURCE OF WATER: WELLS #4 AND #5 WITHIN THE CROOKED RIVER BASIN

PURPOSE OR USE: INDUSTRIAL USE

MAXIMUM RATE: 2.0 CUBIC FEET PER SECOND

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: FEBRUARY 16, 1995

POINT OF DIVERSION LOCATION: NE 1/4 NE 1/4, SE 1/4 NE 1/4, SECTION 17, T14S, R14E, W.M.; WELL #4 - 2100 FEET SOUTH & 530 FEET WEST; WELL #5 - 200 FEET SOUTH & 460 FEET WEST, BOTH FROM THE NE CORNER OF SECTION 17

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SW 1/4 NE 1/4
NW 1/4 SE 1/4
SW 1/4 SE 1/4
SECTION 17

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

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.

Application G-13984 Water Resources Department

PERMIT G-12923

T-8928 A Pow/PSA

- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

Use of water under authority of this permit may be regulated if analysis of data available after the permit is issued discloses that the appropriation will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife in effect as of the priority date of the right or as those quantities may be subsequently reduced.

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this permit, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences.

STANDARD CONDITIONS

The wells shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the well at all times.

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

Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the department's standards, to the Water Resources Department. The Director may require water level or pump test results every ten years thereafter.

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

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

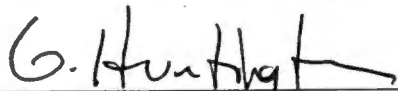
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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

The Director finds that the proposed use(s) of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

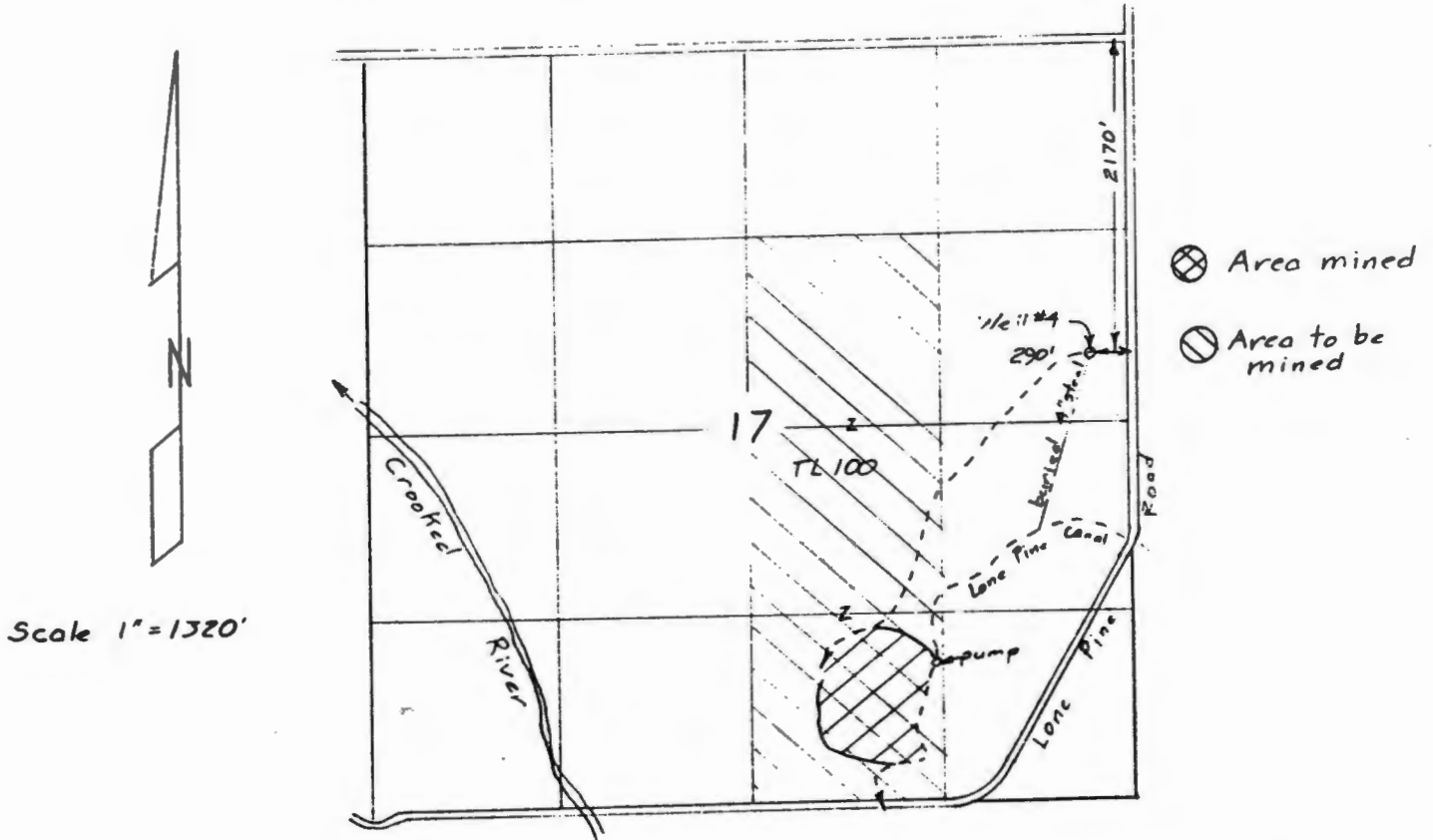
Actual construction of the well shall begin within one year from permit issuance, and shall be completed on or before October 1, 1998. Complete application of the water to the use shall be made on or before October 1, 1999.

Issued October 28, 1996



Martha O. Pagel, Director
Water Resources Department

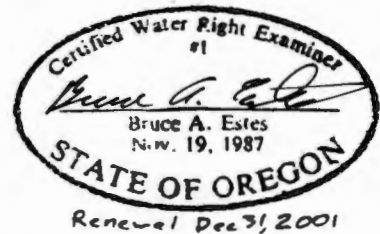
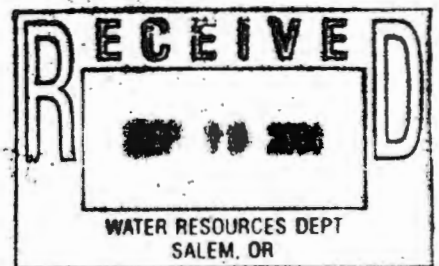
TOWNSHIP 14 SOUTH, RANGE 14 EAST, W.M.



Surveyed September 24, 1998

Claim of Beneficial Use Map
for
TY FEHRENBACHER

Application G-13984
Permit G-12923



This map is for the purpose of locating a water right only and has no intent to provide legal dimensions or the location of property lines.

ESTES SURVEYS
PO Box 17519 60382 Arnold Rd
Salem, OR 97305-7519 Bend, OR 97702
(503) 585-7593 (541) 382-7391

RECEIVED
JUN 06 2002
WATER RESOURCES DEPT.
SALEM, OREGON

May 23, 2002

Bernadette Williams, Manger, Transfer Section
Water Resources Department
158 12th Street NE
Salem, OR 97301-4172

Dear Ms. Williams:

Re: T-8928

I understand there was a meeting held in Salem with yourself and a number of other department employees along with representatives for Hooker Creek Land Co. regarding the issue of transferring part of my permit G-12923 to a site near Prineville (well #2 of T-8928). Hooker Creek Land has now decided to transfer all the water right to the O'Neil site and add another well there.

Please amend my transfer application T-8928 by crossing out reference to well # 2 found on page 1 and including the changes annotated on page 3. Also amend the quantity of water as annotated on page 3. Please delete sheet 3 of the transfer map.

If you have any questions please call Bruce Estes, CWRE #1, at (503) 585-7593 or (541) 382-7391.

Sincerely,



Ty Fehrenbacher

cc Ben Bishop, Transfer Specialist
Hooker Creek Land Co., LLC
Estes Surveys, LLC



State of Oregon
Water Resources Department
158 12th Street NE, Salem, OR 97310
(503)378-8455 • (800)624-3199
www.wrd.state.or.us

Application for Water Right Transfer

Please type or print in dark ink. If your application is found to be incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "n/a." Please read and refer to the instructions when completing your application. Thank you.

RECEIVED
JUN 06 2002
WATER RESOURCES DEPT.
SALEM, OREGON

APPLICATION FOR:

Please check one

Water Right Transfer Temporary Transfer Permit Amendment

Historic Point of Diversion Change Government Action Point of Diversion

1. APPLICANT INFORMATION

Name: Ty Fehrenbacher
First Last

Address: 5301 N. Lone Pine Rd
Terrebonne, Oregon 97760
City State Zip

Phone: (541) 548-4353
Home Work Other

*Fax: _____ *E-Mail address: _____

*Optional information

2. TYPE OF CHANGE

Use Place of Use Point of Diversion Point of Appropriation

Reason for change: Move to active mines

Is the land within an irrigation or other water district? Yes No

If yes, include district name: Well #1 Central Oregon Irrigation Dist.
~~Well #2 Ochoco Irrigation District (Amended May 23, 2002)~~

For Department Use		
App. No. _____	Permit No. _____	Date _____

4. PROPOSED CHANGES TO THE WATER RIGHT

RECEIVED

JUN 06 2002

WATER RESOURCES DEPT.
SALEM, OREGON

Change in Use:

Proposed use: _____

Change in Point of Diversion or Point of Appropriation:

Change

Old point of diversion or point of appropriation will not be used for this portion of the water right.

Additional

Both old and new points of diversion or points of appropriation will be used for this portion of the water right.

Location of Proposed Point of Diversion or Point of Appropriation

	Coordinates (from recognized survey corner)	1/4 1/4 Section	Section	Township	Range
Well #1	30' N 1250' 120' S & 100' W from E 1/4 corner	NE SE SE NE	30	14 S	14 E
Well #2	750' N & 30' E from S 1/4 corner	SW 1/4 SE 1/4	23	14 S	15 E

Well #2 900' N & 1250' W from E 1/4 corner SE NE 30 14 S 14 E (Amended May 23, 02)

Change in Place of Use:

Location of Proposed Place of Use

Township	Range	Section	Government Lot or DIC	1/4 1/4 Section	Tax Lot Number	Acres (if appropriate)
Well #1	14 S	14 E	30	NE 1/4	302	NA
Well #2	14 S	15 E	23	W 1/2 SE 1/4	600	NA (Amended May 23, 02)

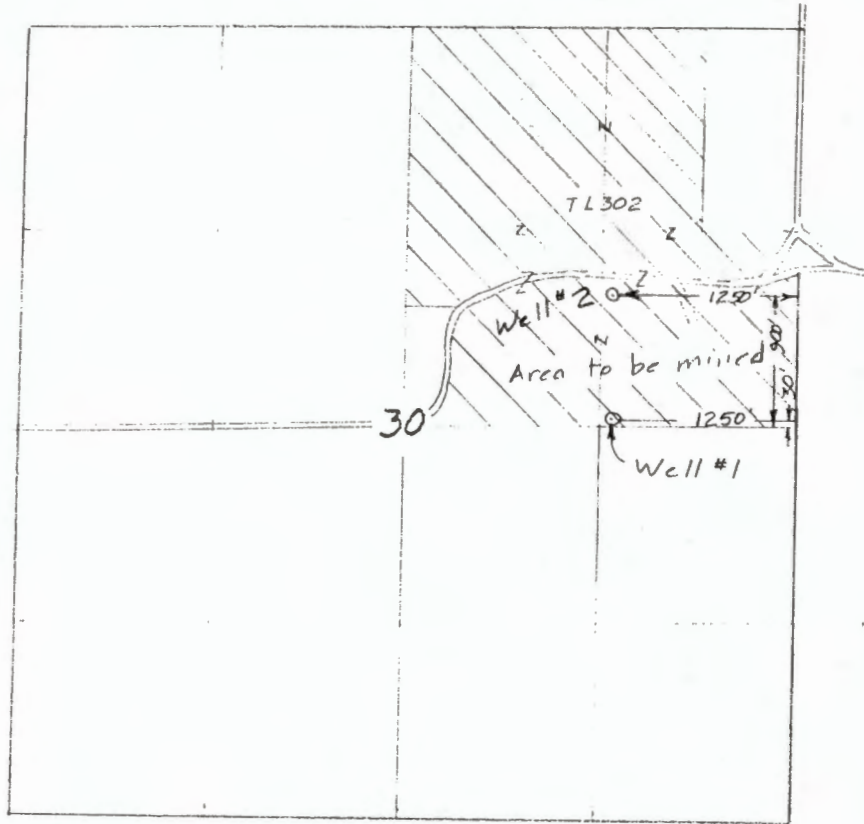
Remarks: Well #1 to receive 0.^{.78}~~78~~ cfs (³⁵⁰300 GPM) and Well #2 to receive 1.²⁸~~33~~ cfs (⁵⁵⁰600 GPM). Both of these sites are within the Deschutes study area.

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

RECEIVED

JUN 06 2002

WATER RESOURCES DEPT.
SALEM, OREGON

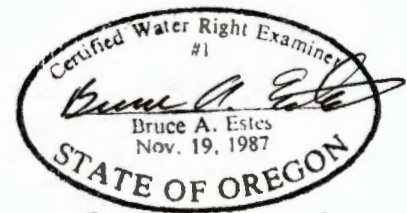


Scale 1" = 1320'

TO

Transfer Application Map
for
TY FEHRENBACHER

T-8928



Renewal Dec 31, 2003

Sheet 2 of 2

This map is for the purpose of
locating a water right only
and has no intent to provide
legal dimensions or the location
of property lines.

ESTES SURVEYS, LLC

PO Box 17519 60382 Arnold Rd
Salem, OR 97305-7519 Bend, OR 97702
(503) 585-7593 (541) 382-7391

Amended 22 May 02



Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97301-4172
(503) 378-3739
FAX (503) 378-8130
www.wrd.state.or.us

RECEIVED
12.6.01

December 3, 2001

Ty Fehrenbacher
5301 N. Lone Pine Road
Terrebonne, Oregon 97760

REFERENCE: Transfer 8928

On 11-29-2001 we received your water right transfer application requesting a change in Place of Use and Point of Appropriation for use of water from a Well. The application was accompanied by \$ 400.00. Our receipt 49791 is enclosed.

By copy of this letter, we are asking the Watermaster for his usual report regarding the potential for injury to existing water rights which may be caused by the change.

Your application will be examined to determine if additional information is needed. You will be contacted following this examination. If you have a specific reason why your application should be examined ahead of other applications, please send us a letter describing your reason. We may be able to examine your application ahead of others.

You may not use water for the new use, in the new place of use or from the new point of diversion until the transfer application has been approved. In order to avoid any possible forfeiture of the water right, you should continue to use the water as described by your existing water right. If the land is sold before the transfer is approved, you will need to obtain consent from the buyer to complete the transfer.

We will notify you if additional information or corrections to the application or map are required.

If you have any questions, please call the Transfer Section, (503)378-3739.

cc: Watermaster District #11
CWRE #1, Bruce Estes
Central Oregon Irrigation District
Ochoco Irrigation District
Howard M. Day
Ground Water Section

enclosure

AFFIDAVIT

I, Ty Fehrenbacher, hereby certify that I used this water right for the intended purpose within the last five years with the system described in Item 3 of this transfer application.

Certified this 27th day of November, 2001

Ty Fehrenbacher
TY FEHRENBACHER



Subscribed and sworn to before me this 27th day of November, 2001

Carrie Tirrell
Notary Public

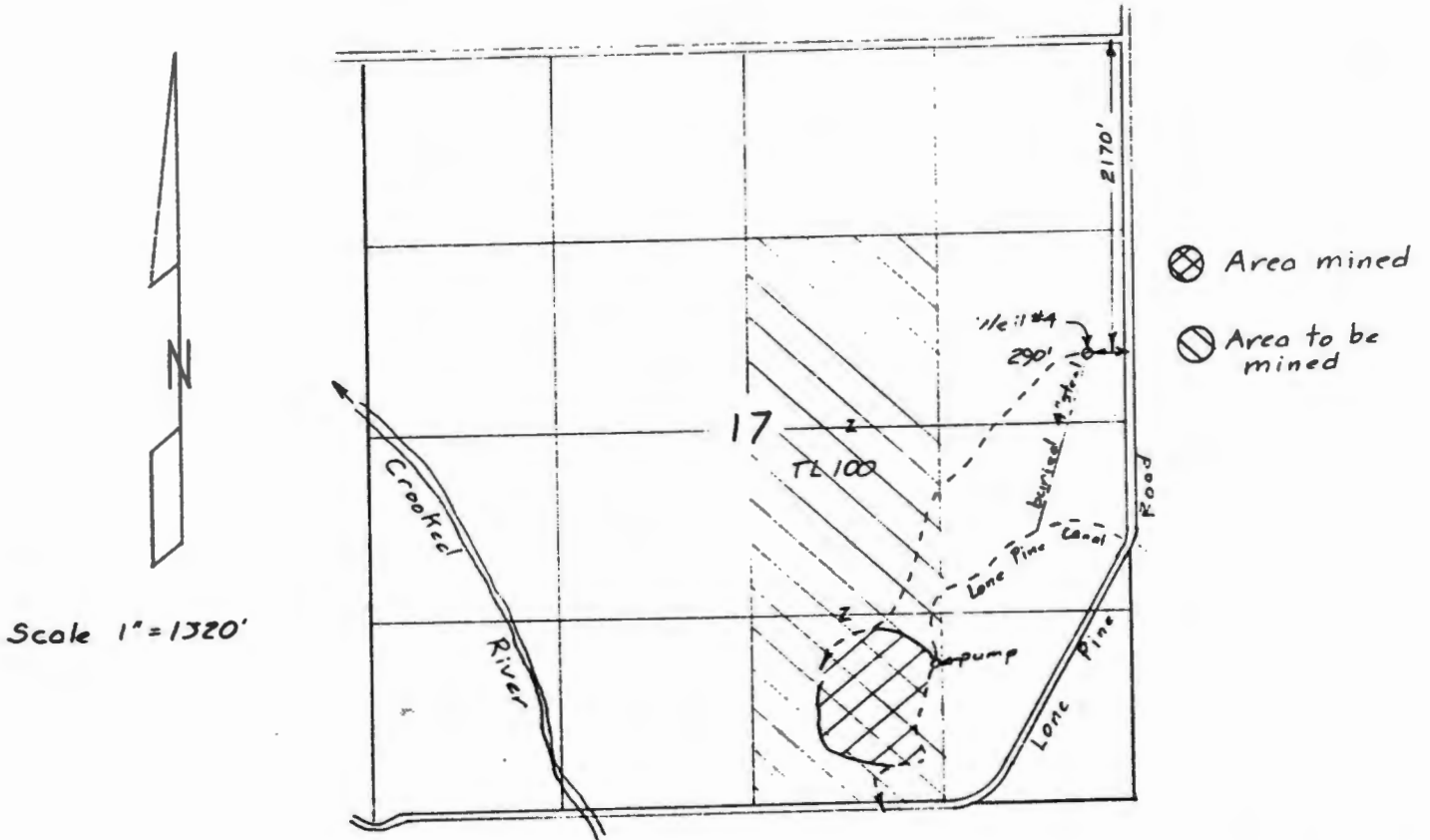
My commission expires May 7, 2005



1900

Garfield County
May 1900

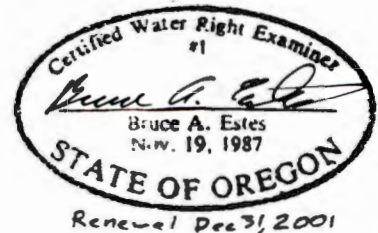
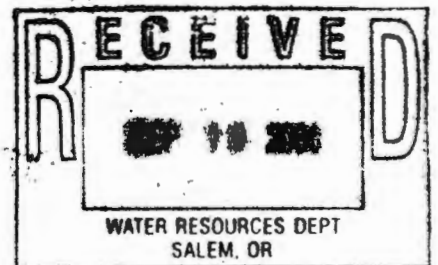
TOWNSHIP 14 SOUTH, RANGE 14 EAST, W.M.



Surveyed September 24, 1998

Claim of Beneficial Use Map
for
TY FEHRENBACHER

Application G-13984
Permit G-12923



This map is for the purpose of locating a water right only and has no intent to provide legal dimensions or the location of property lines.

ESTES SURVEYS
 PO Box 17519 60382 Arnold Rd
 Salem, OR 97305-7519 Bend, OR 97702
 (503) 585-7593 (541) 382-7391



Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97301-4172
(503) 378-3739
FAX (503) 378-8130

INTEROFFICE MEMO

FORWARD TO: BEN BISHOP - BEND DATE: 10/30/02
FIELD PROCESSOR WORKING ON THIS TRANSFER

FROM: WATERMASTER, DISTRICT # 11
 GROUNDWATER SECTION

(SIGNATURE)
signed by injury reviewer

SUBJECT: WATER RIGHT TRANSFER # 8928

A change in: POU POD POA USE of water.

In the name(s) of TY FEHRENBACHER

In my opinion (assuming the right is valid), the proposed change

MAY BE MADE WITHOUT INJURY WOULD RESULT IN INJURY* to an existing water right.

*The approval of this transfer application would result in injury to other water rights because I visited the subject property on 11/5, was allowed permission by the ranch hand, and found an existing well, a small sump, but no evidence of mining or of a gravel washing operation, my observations being these are mature juniper trees in the area shown on the map as mined area, an undisturbed irrigation ditch, ect.

The existing right may not be valid because _____

Headgate notices HAVE HAVE NOT been issued for diversion from the source(s) which serve(s) this right.

If for change in point of diversion, is there any intervening point(s) for diversion between the authorized and proposed points of diversion? (Yes or No) _____

In my opinion, the order approving the subject transfer application should include the following in regard to the appropriator installing suitable measuring devices in the diversion works:

(1) PRIOR to the diverting of water at the new point of diversion . . .

(2) WHEN IN the judgement of the watermaster it becomes necessary . . .

The enclosed copy of the transfer application and map(s) is for your records.





Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97301-4172
(503) 378-3739
FAX (503) 378-8130

INTEROFFICE MEMO

FORWARD TO: BEN BISHOP - BEND
FIELD PROCESSOR WORKING ON THIS TRANSFER

DATE: 10/30/02

FROM: _____ WATERMASTER, DISTRICT # _____
X _____ GROUNDWATER SECTION

(SIGNATURE) K. Lite
signed by injury reviewer

SUBJECT: WATER RIGHT TRANSFER # 8928

A change in: POU POD POA USE of water.

In the name(s) of TY FEHRENBACHER

In my opinion (assuming the right is valid), the proposed change

MAY BE MADE WITHOUT INJURY WOULD RESULT IN INJURY* to an existing water right.

*The approval of this transfer application would result in injury to other water rights because _____

The existing right may not be valid because _____

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In my opinion, the order approving the subject transfer application should include the following in regard to the appropriator installing suitable measuring devices in the diversion works:

_____ (1) PRIOR to the diverting of water at the new point of diversion . . .

_____ (2) WHEN IN the judgement of the watermaster it becomes necessary . . .

The enclosed copy of the transfer application and map(s) is for your records.





Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97301-4172
(503) 378-3739
FAX (503) 378-8130

INTEROFFICE MEMO

FORWARD TO: Ben Bishop DATE: 12-3-01
FIELD PROCESSOR WORKING ON THIS TRANSFER

FROM: WATERMASTER, DISTRICT # 11
 GROUNDWATER SECTION 3-2602
(SIGNATURE) [Signature]
signed by injury reviewer

SUBJECT: WATER RIGHT TRANSFER # 8928

RECEIVED
MAR 29 2002
WATER RESOURCES DEPT.
SALEM, OREGON

A change in: POU POD POA USE of water.

In the name(s) of Ty Fehrenbacher

In my opinion (assuming the right is valid), the proposed change

MAY BE MADE WITHOUT INJURY WOULD RESULT IN INJURY* to an existing water right.

*The approval of this transfer application would result in injury to other water rights because provided the claim of beneficial use is approved by our Department.

The existing right may not be valid because _____

Headgate notices HAVE HAVE NOT Been issued for diversion from the source(s) which serve(s) this right.

If for change in point of diversion, is there any intervening point(s) for diversion between the authorized and proposed points of diversion? (Yes or No) _____

In my opinion, the order approving the subject transfer application should include the following in regard to the appropriator installing suitable measuring devices in the diversion works:

- (1) PRIOR to the diverting of water at the new point of diversion . . .
- (2) WHEN IN the judgement of the watermaster it becomes necessary . . .

The enclosed copy of the transfer application and map(s) is for your records.

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

11
 CROO
 3173

MAY - 8 1995

(START CARD) #

145/14e/17
 40047

(1) OWNER: **WATER RESOURCES**
 Name Ty Fehnenbacher SALEM, OREGON
 Address Rt. 1, Box 36
 City Terrebonne State Ore. Zip 97760

(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 9.5 ft.
 Explosives used Yes No Type _____ Amount _____

HOLE		SEAL		Amount	
Diameter	From To	Material	From To	sacks or pounds	
16"	0 28'	Bentonite	0 28'	44 Sacks	
10"	28 95'				

How was seal placed: Method A B C D E
 Other Poured down dry

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
Casing: 10"	42'	28'	250	<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 _____
 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 Bailor Air Flowing Artesian

Yield gal/min	Drawdown	Drill stem at	Time
1150	12"	8.5'	24 hrs

Temperature of Water 54° 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 Crook Latitude _____ Longitude _____
 Township 14 or S. Range 14 E or W
 Section 17 S.E. & S.E. &
 Tax Lot 100 Lot _____ Block _____ Subdivision _____
 Street Address of Well (or nearest address) None

(10) STATIC WATER LEVEL:
48 ft. below land surface. Date 4-16
 Artesian pressure _____ lb. per square inch. Date _____

(11) WATER BEARING ZONES:
 Depth at which water was first found 48'

From	To	Estimated Flow Rate
48	95	3000 GPM

(12) WELL LOG: Ground elevation _____

Material	From	To
Overburden	0	8
Tan clay	8	22
Black lava, W.B.	22	48
Broken black lava	48	70
Hard black lava	70	82
Hard Broken Basalt + W.B.	82	95

RECEIVED

JUN 20 1995

WATER RESOURCE DEPT.
 SALEM, OREGON

Date started 3-13-95 Completed 4-16-95

(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. All work performed and information reported above are true to my best knowledge and belief.

Signed Wayne T. Buchner WWC Number 6
 Date 5-4-9

(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 is true to the best of my knowledge and belief.

Signed Russell McWhorter WWC Number 1
 Date 5-4

Memorandum

December 14, 2001

TO: Ben Bishop

FROM:  Ken Lite, Hydrogeologist

SUBJECT Transfer Application T-8928

Well #2 (proposed POA) in Transfer Application T-8928 proposes a change in POA that would result in a transfer between two different aquifers. OAR 690-15-010 prohibits us from allowing such a transfer.

**Water Right Conditions
Tracking Slip**

Groundwater/Hydrology Section

FILE ## T-8928

ROUTED TO: Ben Bishop

TOWNSHIP/

RANGE-SECTION: 14s/14E-17,30

CONDITIONS ATTACHED? []yes []no

REMARKS OR FURTHER INSTRUCTIONS:

Transfer can only be made
to proposed well #1 -
See Memo.

Reviewer: K. Lite



Oregon

John A. Kitzhaber, M.D., Governor

RECEIVED
12-26-01

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97301-4172
(503) 378-3739
FAX (503) 378-8130

INTEROFFICE MEMO

FORWARD TO: Ben Bishop DATE: 12-3-01
FIELD PROCESSOR WORKING ON THIS TRANSFER

FROM: _____ WATERMASTER, DISTRICT # _____
✓ GROUNDWATER SECTION

(SIGNATURE) K. Lite
signed by injury reviewer

SUBJECT: WATER RIGHT TRANSFER # 8928

A change in: POU POD POA USE of water.

In the name(s) of Ty Fehrenbacher

In my opinion (assuming the right is valid), the proposed change
Well #1 ONLY - See 12/14/01 memo

MAY BE MADE WITHOUT INJURY WOULD RESULT IN INJURY* to an existing water right.

*The approval of this transfer application would result in injury to other water rights because _____

The existing right may not be valid because _____

Headgate notices HAVE HAVE NOT Been issued for diversion from the source(s) which serve(s) this right.

If for change in point of diversion, is there any intervening point(s) for diversion between the authorized and proposed points of diversion? (Yes or No) _____

In my opinion, the order approving the subject transfer application should include the following in regard to the appropriator installing suitable measuring devices in the diversion works:

- _____ (1) PRIOR to the diverting of water at the new point of diversion . . .
- _____ (2) WHEN IN the judgement of the watermaster it becomes necessary . . .

The enclosed copy of the transfer application and map(s) is for your records.



Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

South Central Region
Watermaster District 11
1340 NW Wall St., Suite 100
Bend, OR 97701-1939
(541) 388-6669
FAX (541) 388-5101
<http://www.wrd.state.or.us>

February 4, 2002

HOWARD M. DAY
HOOKER CREEK LAND COMPANY, LLC
63101 NELS ANDERSON ROAD
BEND, OREGON 97701

Reference: Transfer Application 8928

Dear Mr. Day:

A review by a staff geologist in the Ground Water Section of our Salem Office of Transfer Application 8928, filed by Ty Fehrenbacher, which requests a move of water rights from a well owned by him to two wells owned by you, found that the proposed move to your Well #2 cannot be approved. The two wells involved are appropriating water from two different aquifers, therefore, pursuant to OAR 690-15-010, we are prohibited from allowing the move.


Although the move to your well #2 cannot be approved, the move to your well #1 has been approved subject to further review of other requirements.

I am returning the application to you for any revision that may be appropriate. You may wish to contact your Certified Water Right Examiner for advice.

Please make any changes that you deem appropriate and return the amended application to me by April 4, 2002.

If you have any questions, please contact me.

Sincerely,


Benjamin W. Bishop
Field Water Right Technician

encl

cc: Ty Fehrenbacher
Bruce Estes, CWRE



TRANSFER CHECK OFF LIST

TRANSFER FILE # T-8928
 DATE RECEIVED 11-29-2001
 DATE MONEY SLIPPED 11-29-2001
 DATE RECEIPTED 11-29-2001
 VALID WATER RIGHT? Yes No
 TEMP ALT AC ___(Greg) IRR DIST ___(Greg) PERM AMEND ___(Kelly) DIV 15 ~~X~~ (Bernie Assigns)
 TEMP Div 15 ___ (Bernie) ISWR Bernie COPIES TO LIAISON _____
 LETTER FROM ATTORNEY ___ YES (PUT INFO ON FRONT COVER) ~~X~~ NO

FOLDER FILLED OUT* ✓
 INDEX CARD ✓
 ENTERED IN DB ✓
 TYPE BLACK BOOK ✓ (And color code)
 RECORD MONEY/RECEIPT # ✓
 CONTENTS MARKED ✓
 COLOR CODED ✓ Yes
 4 COPIES MADE & STAMPED ✓

CERTIFICATE MARKED N/A
 CERTIFICATE COPIED ✓
 PULL APPLICATIONS ✓
 APP FOLDER MARKED ✓
 FINAL PROOF MAP COPIED ✓
 PERMIT MARKED ✓
 PERMIT COPIED ✓
 PERMIT MAP COPIED ✓
 DECREE MARKED N/A
 DECREE COPIED ✓
 ADJUDICATION MAP COPIED ✓

ENTRIES CHECKED _____ CHECKED BY _____ INIT FOLDER _____
 PUBLIC NOTICE DATE 12-10-01 (PREPARED & COPIED) ✓
 LETTER SENT ✓ Irrigation District ✓ (copy of app & map)
 COPY TO WM ✓
 BLUE FORM TO WM ✓ Orange Perm Amend/Yellow Temp/Grn Dist/Lav Alt Acr/pink his
 COPY TO GW ✓ POA, APOA, or [SW TO GW ONLY(as POD)]
 BLUE FORM TO GW ✓ Orange Perm Amend/Yellow Temp/Grn Dist/Lav Alt Acr/pink his
 COPY TO CWRE ✓
 LETTER TO ODFW N/A ALL Surface water POU/USE (POD and APOD FISH SCREENS)
 TRANSFER SENT TO: ✓ SW -- NCR -- SCR -- ER

Bernie

*SHRINK DATA IF THERE ARE MANY FILES INVOLVED AND GLUE TO FOLDER

County: CROOK
Transfer: 8928
Permit: G 12923
Priority Date: 02/16/1995
Name: TY FEHRENBACHER
Address: 5301 N. LONE PINE ROAD; TERREBONNE, OR 97760
Change: POU/POA
Source: WELL
Authorized POU: T14S R14E 17
Proposed POU: T14S R14E 30
T14S R15E 23
Authorized POA: T14S R14E 17
Proposed POA: T14S R14E 30
T14S R15E 23



Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97301-4172
(503) 378-3739
FAX (503) 378-8130
www.wrd.state.or.us

December 3, 2001

Ty Fehrenbacher
5301 N. Lone Pine Road
Terrebonne, Oregon 97760

REFERENCE: Transfer 8928

On 11-29-2001 we received your water right transfer application requesting a change in Place of Use and Point of Appropriation for use of water from a Well. The application was accompanied by \$ 400.00. Our receipt 49791 is enclosed.

By copy of this letter, we are asking the Watermaster for his usual report regarding the potential for injury to existing water rights which may be caused by the change.

Your application will be examined to determine if additional information is needed. You will be contacted following this examination. If you have a specific reason why your application should be examined ahead of other applications, please send us a letter describing your reason. We may be able to examine your application ahead of others.

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We will notify you if additional information or corrections to the application or map are required.

If you have any questions, please call the Transfer Section, (503)378-3739.

cc: Watermaster District #11
CWRE #1, Bruce Estes
Central Oregon Irrigation District
Ochoco Irrigation District
Howard M. Day
Ground Water Section

enclosure

47767 X

T-8928

BARBARIAN AND SALE DEED

KNOW ALL MEN BY THESE PRESENTS, That TYGHE FEHRENBACHER and LINDA FEHRENBACHER, tenants by the entirety, hereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto LEO TY FEHRENBACHER and LINDA ANN FEHRENBACHER, husband and wife hereinafter called grantee, and unto grantee's heirs, successors and assigns all of that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, situated in the County of CROOK, State of Oregon, described as follows, to-wit:

RECEIVED

NOV 29 2001

WATER RESOURCES DEPT. SALEM, OREGON

CENTRAL OREGON TITLE COMPANY OF CROOK COUNTY

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ -0-

However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration (indicate which). (The sentence between the symbols @, if not applicable, should be deleted. See ORS 1.030.)

In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

In Witness Whereof, the grantor has executed this instrument this 16 day of JANUARY, 1995; if a corporate grantor, it has caused its name to be signed and its seal affixed by an officer or other person duly authorized to do so by order of its board of directors.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.030.

Tygha Fehrenbacher
Linda Fehrenbacher

STATE OF OREGON, County of Crook) ss.
This instrument was acknowledged before me on January 16, 1995
by Tygha Fehrenbacher and Linda Fehrenbacher
This instrument was acknowledged before me on _____, 19____
by _____



Karen S. Hamelin
Notary Public for Oregon
My commission expires _____

Tygha Fehrenbacher et ux
5301 N Lone Pine Rd.
Terrebonne, OR 97760
Grantor's Name and Address
Leo Ty Fehrenbacher et ux
5301 N Lone Pine Rd.
Terrebonne, OR 97760
Grantor's Name and Address
After recording return to Name, Address, Zip:
Central Oregon Title Company
PO Box 487
Prineville, OR 97754
Mail requested references and all fee statements to Name, Address, Zip:
Leo Ty Fehrenbacher et ux
5301 N Lone Pine Rd.
Terrebonne, OR 97760

SPACE RESERVED FOR RECORDER'S USE

STATE OF OREGON,) ss.
County of _____
I certify that the within instrument was received for record on the _____ day of _____, 19____, at _____ o'clock _____ M., and recorded in book/reel/volume No. _____ on page _____ or as fee/file/instrument/microfilm/reception No. _____ Record of Deeds of said County.
Witness my hand and seal of County affixed.

NAME _____ TITLE _____

EXHIBIT "A"

A parcel of land located in the Southwest 1/4 Northwest 1/4 of Section 17, Township 14 South, Range 14 East of the Willamette Meridian, Crook County, Oregon, more particularly described as follows: Commencing at the Southwest corner of said Section 17, thence North 11°07'46" East a distance 2882.47 feet to the TRUE POINT OF BEGINNING, marked by a 5/8 inch iron rod and being the Southeast corner of said parcel. Thence North 1°29'24" East a distance of 545.09 feet to a 5/8 inch iron rod; thence North 82°35'55" West a distance of 541.86 feet to a 5/8 inch iron rod; thence South 0°52'18" West a distance of 352.00 feet to a 5/8 inch iron rod; thence South 10°24'48" East a distance of 300.02 feet to a point on the centerline of Crooked River; thence North 85°24'43" East a distance of 218.87 feet to a 5/8 inch iron rod; thence North 86°24'15" East a distance of 256.53 feet to the TRUE POINT OF BEGINNING.

TOGETHER WITH an easement for ingress and egress and public utility purposes forty (40.00) feet in width begin twenty (20.00) feet on each side of the following described centerline: Commencing at the Southwest corner of said Section 17, thence North 11°07'46" East a distance of 2882.47 feet to the Southeast corner of said parcel, thence North 1°29'24" East along the East line of said parcel a distance of 150.49 feet to the TRUE POINT OF BEGINNING of this centerline description. Thence South 55°15'36" East a distance of 197.60 feet; thence around a 650.00 foot radius curve left a distance of 72.43 feet, long chord bears South 58°27'08" East, 72.39 feet; thence South 61°38'39" East a distance of 40.21 feet; thence around a 65.00 foot radius curve right a distance of 61.79 feet, long chord bears South 34°24'40" East, 59.49 feet; thence South 7°10'41" East a distance of 20.18 feet; thence around a 440.00 foot radius curve left a distance of 93.69 feet, long chord bears South 13°16'41" East, 93.51 feet; thence South 19°22'40" East a distance of 117.81 feet; thence around a 160.00 foot radius curve right a distance of 65.87 feet, long chord bears South 7°35'04" East, 65.40 feet; thence South 4°12'32" West a distance of 4.66 feet; thence around a 370.00 foot radius curve left a distance of 93.80 feet, long chord bears South 3°03'14" East, 93.55 feet; thence South 10°18'59" East a distance of 168.38 feet; thence around a 135.00 foot radius curve left a distance of 84.88 feet, long chord bears South 28°19'44" East, 83.49 feet; thence South 46°20'29" East a distance of 86.59 feet; thence around a 140.00 foot radius curve right a distance of 174.17 feet, long chord bears South 10°42'03" East 163.16 feet; thence South 24°56'24" West a distance of 106.18 feet; thence around a 75.00 foot radius curve left a distance of 79.36 feet, long chord bears South 5°22'18" East, 75.71 feet; thence South 35°40'59" East a distance of 40.22 feet; thence around a 490.00 foot radius curve right a distance of 165.07 feet, long chord bears South 23°51'40" East, 163.90 feet; thence South 12°02'20" East a distance of 58.38 feet; thence around a 110.00 foot radius curve left a distance of 80.82 feet, long chord bears South 33°05'15" East, 79.01 feet; thence South 54°08'09" East a distance of 49.06 feet; thence around a 145.00 foot radius curve right a distance of 94.48 feet, long chord bears South 35°28'09" East, 92.82 feet; thence South 16°48'09" East a distance of 109.02 feet; thence around a 220.00 foot radius curve left a distance of 109.92 feet, long chord bears South 31°06'58" East 108.78 feet; thence South 45°25'46" East a distance of 120.56 feet; thence around a 2100.00 foot radius curve right a distance of 241.06 feet long chord bears South 42°08'28" East, 240.93 feet, thence South 38°51'10" East a distance of 21.31 feet; thence around a 110.00 foot radius curve left a distance of 104.16 feet, long chord bears South 65°58'46" East, 100.31 feet; thence North 86°53'39" East a distance of 152.60 feet; thence around an 85.00 foot radius curve right a distance of 136.62 feet, long chord bears South 47°03'35" East, 122.38 feet; thence South 1°00'48" East a distance of 142.26 feet; thence around a 240.00 foot radius curve left a distance of 146.39 feet, long chord bears South 18°29'16" East, 144.13 feet; thence South 35°57'43" East a distance of 59.63 feet; thence

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WATER RESOURCES DEPT.
SALEM, OREGON

around a 225.00 foot radius curve right a distance of 194.38 feet, long
chord bears South 11°12'44" East 188.39 feet; thence South 13°32'15"
West a distance of 189.32 feet to the North right of way line of Lone
Pine Coustey Road, and the termination of this easement description, from
which point the Southwest corner of said Section 17 bears South 0°09'00"
West, 40.00 feet and North 89°51'00" West, 2052.37 feet.



STATE OF OREGON } ss 125256
COUNTY OF CROOK }

I CERTIFY THAT THE WITHIN INSTRUMENT WAS
RECEIVED FOR RECORD ON THE 18th DAY OF
January, 1996, AT 3:00 P.M.

AND IN
Deeds

RECORDED IN COUNTY MAP NO. 125256

DEBRA E. BERMAN, CROOK COUNTY CLERK
BY Wanda Brunner DEPUTY

45th

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SALEM, OREGON

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Well #1

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MAY 20 1996

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

(START CARD) # 67772

Instructions for completing this report are on the last page of this WATER RESOURCES DEPT.

(1) OWNER: Well Number SALEM, OREGON

Name O'Neil Sand & Gravel
Address P.O. Box 1238
City Redmond State Ore. Zip 97756

(2) TYPE OF WORK
 New Well Deepening Alteration (repair/reconduction) Abandonment

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

(4) PROPOSED USE:
 Domestic Community Industrial Irrigation
 Thermal Injection Livestock Other sand & gravel

(5) BORE HOLE CONSTRUCTION:
Special Construction approval Yes No Depth of Completed Well 155 ft
Explosives used Yes No Type _____ Amount _____

BORE HOLE		SEAL		SEALS or pounds	
Diameter	From To	Material	From To	Seals or pounds	
28"	0' 49'	Bentonite	0' 49'	65	sks
16"	49' 155'				

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

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
Casing 16"	+2'	94'	250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Liner 12"	+3'	151'		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Final location of shoe(s) _____

(7) PERFORATIONS/SCREENS:

From	To	Slot size	Number	Diameter	Material	Coating	Liner
91'	151'	3/8X3	2680	12"	Factory	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

Yield gal/min	Drawdown	Drill stem #	Time
570	18"		24hr & xxx

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

(9) LOCATION OF WELL by legal description:
County Crook Latitude _____ Longitude _____
Township 14S N or S Range 14E E or W. WM
Section 30 SW 1/4 SE 1/4
Tax Lot 302 Lot Block Subdivision
Street Address of Well (or nearest address) _____
O'Neil Way

(10) STATIC WATER LEVEL:
35 ft. below land surface. Date 5-8-96
Artesian pressure _____ lb. per square inch Date _____

(11) WATER BEARING ZONES:
Depth at which water was first found 114'

From	To	Estimated Flow Rate	SWL
114'	145'	800	35'

(12) WELL LOG:
Ground Elevation _____

Material	From	To	SWL
coarse clay congl	0	31'	
coarse sand & gravel	31'	44'	
brwn clay congl	44'	60'	
black sand	60'	87'	
gray sticky clay	87'	93'	
brwn clay stone	93'	114'	
coarse congl W.B.	114'	145'	35'
brkn gray lava	145'	155'	

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WATER RESOURCES DEPT.
SALEM, OREGON

Date started 5-2-96 Completed 5-8-96
(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 water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.

WWC Number _____ Date _____
Signed _____

(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 water supply well construction standards. This report is true to the best of my knowledge and belief.

WWC Number 1558 Date 5-14-96
Signed John J. [Signature]

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AFFIDAVIT

I, Ty Fehrenbacher, hereby certify that I used this water right for the intended purpose within the last five years with the system described in Item 3 of this transfer application.

Certified this 27th day of November, 2001

Ty Fehrenbacher
TY FEHRENBACHER



Subscribed and sworn to before me this 27th day of November, 2001

Carrie Tirrell
Notary Public

My commission expires May 7, 2005

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WATER RESOURCES DEPT.
SALEM, OREGON

T-8928

Well #2

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JUN 15 1994

14S/15E/23

STATE OF OREGON WATER WELL REPORT

CROO 3026

WATER RESOURCES DEPT. (START CARD) # 63957 SALEM, OREGON

Instructions for completing this report are on the last page of this form.

(1) OWNER: Well Number # 1 Name Bernard Construction Co. Inc. Address P.O. Box 99 City Bowman State Mt. Zip 59771

(2) TYPE OF WORK: [X] New Well [] Deepening [] Alteration (repair/recorrection) [] Abandonment

(3) DRILL METHOD: [] Rotary Air [X] Rotary Mud [] Cable [] Auger [] Other

(4) PROPOSED USE: [] Domestic [] Community [X] Industrial [] Irrigation [] Thermal [] Injection [] Livestock [] Other

(5) BORE HOLE CONSTRUCTION: Special Construction approval [] Yes [X] No Depth of Completed Well 350' ft. Explosives used [] Yes [X] No Type Amount

Table with columns: HOLE, SEAL, Diameter, From, To, Material, From, To, Sacks or pounds. Row 1: 21", 0, 350, cement, 0, 104, 4 yds slurry

How was seal placed: Method [] A [] B [] C [] D [] E [] Other pumped via tremie (3") Backfill placed from ft. to ft. Material Gravel placed from 104 ft to 350 ft Size of gravel 3/8

Table for (6) CASING/LINER with columns: Diameter, From, To, Gauge, Steel, Plastic, Welded, Threaded. Rows for Casing and Liner.

Final location of shoe(s)

(7) PERFORATIONS/SCREENS: Table with columns: From, To, Slot size, Number, Diameter, Material, Casing, Liner. Row 1: 290, 350, 1/8, 1200, 10"

(8) WELL TESTS: Minimum testing time is 1 hour. [] Pump [] Bailor [X] Air [] Flowing Artesian. Yield gal/min 600, Drawdown 100', Drill stem at 290', Time 5hrs

Temperature of water 68 Depth Artesian Flow Found 292' Was a water analysis done? [] Yes By whom [X] Too little [] Salty [] Muddy [] Other [] Colored [] Other

(9) LOCATION OF WELL by legal description: County Crook Latitude Longitude Township 14 S N or S Range 15 E E or W WM Section 23 SW 1/4 SW 1/4 Tax Lot 500 Lot Block Subdivision Street Address of Well (or nearest address) Eng Evans Rd, Prineville, Or, 97754

(10) STATIC WATER LEVEL: 49' ft below land surface Date 5-31-94 Artesian pressure 0 lb. per square inch. Date

(11) WATER BEARING ZONES: Table with columns: From, To, Estimated Flow Rate, SW. Rows: 70-90 (50 gpm), 292-340 (600 gpm)

(12) WELL LOG: Table with columns: Material, From, To, SW. Rows: top soil (0-4), med. gravel (4-23), brown clay (23-36), med gravel (36-48), sandy clay (48-68), brown sand w/b (68-90), black sticky clay (90-292), coarse gravel w/b (292-340), brown claystone (340-360)

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Date started 5-23-94 Completed 5-27-94 (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 water supply well construction standard. Materials used and information reported above are true to the best of my knowledge and belief.

Signed [Signature] WWC Number 1555 Date 6/1/94

(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 water supply well construction standards. This report is true to the best of my knowledge and belief.

Signed [Signature] WWC Number Date 6-1-94

Remittance Advice

Check: 108417
Date: 11/26/01
Amount: 400.00

Paid by: HOOKER CREEK COMPANIES, LLC
Paid to: STATE OF OREGON

Vendor Code: STAOR2

Invoice No.	Job Number	Inv. Amount	Discount	Amount Paid	Retention	Remarks
11/26/01 112601		400.00		400.00		
Check Totals		400.00		400.00		

jm This portion can be removed for Recipient's records.

Date 11-28-01 FedEx Tracking Number 825485503204

Sender's Name MATT DAY Phone 541 322-5683

Company HOOKER CREEK RANCH

Address 63101 NELS ANDERSON RD

City BEND State OR ZIP 97701

or Internal Billing Reference

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OVER THE COUNTER

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WATER RESOURCES DEPT.
SALEM, OREGON

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Unless Otherwise Requested, All Tax Statements Shall Be Sent To:

MATT DAY
*65505 Gerking Market Rd
Bend, OR 97701*

Well #2 site

AFTER RECORDING RETURN TO:
BRYANT, EMERSON & FITCH
PO BOX 457
REDMOND OR 97756

T-8928

WARRANTY DEED

0751799-141

KNOW ALL MEN BY THESE PRESENTS, that R. L. RIEMENSCHNEIDER, hereinafter called the Grantor, for and in consideration of the sum of \$340,000, to grantor paid by MATT DAY, hereinafter called the Grantee, does hereby convey and warrant free and clear of encumbrances except as specifically set forth herein unto the said Grantee and Grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Crook and State of Oregon, described as follows, to-wit:

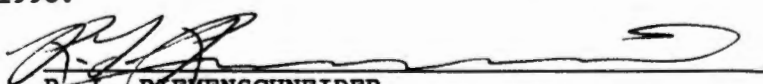
SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED BY REFERENCE HEREIN

SUBJECT TO:

- Existing rights of way for roads, highway, irrigation ditches, canals, pole lines and railroads.
- Any liens and assessments that may result from the herein described property being within the boundaries of the Ochoco Irrigation District.
- A right of way easement created by instrument, subject to the terms and provisions thereof:
Book 52 of Deeds at page 235 (Records of Crook County, Oregon)
Book 53 of Deeds at page 115 (Records of Crook County, Oregon)
Book 59 of Deeds at page 207 (Records of Crook County, Oregon)
Book 98 of Deeds at page 634 (Records of Crook County, Oregon)
Microfilm No. 56556 (Records of Crook County, Oregon)
In favor of Pacific Power and Light Company.
- An Oil and Gas Lease, including the terms and provisions thereof from Pine Products Corporation, an Oregon corporation, to Inca Oil and Gas, Inc. recorded December 9, 1981 as Microfilm No. 62976, records of Crook County, Oregon, together with Ratification and Rental Division Order recorded December 17, 1982 as Microfilm No. 67300 records of Crook County, Oregon.
- Grantee, by acknowledgement on this deed, is accepting the property in AS IS condition in all respects and subject to Grantee performing at Grantee's expense any and all reclamation of the property in accordance with all county, state and federal regulations, and holding Grantor harmless therefrom.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

DATED this 7th day of January, 1998.


R. L. RIEMENSCHNEIDER

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SALEM, OREGON

138442 (3pg)

BRYANT, EMERSON & FITCH
ATTORNEYS AT LAW
888 WEST EVERGREEN AVENUE
P.O. BOX 457
REDMOND, OREGON 97756-0103
TELEPHONE (541) 548-2151
FAX (541) 548-1885

AMERITITLE

STATE OF OREGON)
)
 : ss.
 County of Crook)

January 17th, 1998

Personally appeared before me the above-named R. L. RIEMENSCHNEIDER and acknowledged the foregoing instrument to be his voluntary act and deed.



Brenda L. Hazelton
Notary Public for Oregon

ACCEPTED THIS 17th day of January, 1998.

MATT DAY, Grantee

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SALEM, OREGON

BRYANT, EMERSON & FITCH
ATTORNEYS AT LAW
888 WEST EVERGREEN AVENUE
P.O. BOX 457
REDMOND, OREGON 97756-0103
TELEPHONE (541) 548-2151
FAX (541) 548-1885

CT51603

EXHIBIT A

Located in CROOK COUNTY, OREGON:

A parcel of land situate in a portion of the E½ of Section 23 in Township 14 South, Range 15 East of the Willamette Meridian, Crook County, Oregon, more particularly described as follows: Commencing at the South quarter corner of said Section 23, the Initial Point; thence North 00°14'52" East along the West line of the E½ of said Section 23 a distance of 424.53 feet to the True Point of Beginning; thence North 00°14'52" East along said West line 2214.27 feet to the Center 1/4 corner of said Section 23; thence North 00°14'52" East along said West line 80.15 feet to a point on the Southwest right of way (R/W) of the City of Prineville Railway, as located and constructed; thence South 43°58'22" East along said R/W line 1075.96 feet to an existing Railroad crossing herein called "Access Point A"; thence South 43°58'22" East along said Southwest line 619.15 feet; thence South 02°52'49" West 224.10 feet; thence South 15°59'41" West 324.55 feet to an existing entrance point, herein called "Access Point B"; thence South 24°22'33" West 505.22 feet; thence South 60°27'10" West 273.84 feet; thence North 84°56'47" West 641.93 feet to the Point of Beginning.

KEY PUNCHED MICROFILM

JAN 20 1998
STATE OF OREGON } ss 138442
COUNTY OF CROOK }
I CERTIFY THAT THE WITHIN INSTRUMENT WAS
RECEIVED FOR RECORD ON THE 14th DAY OF
January, 19 98, AT 11:25 A. M.,
AND RECORDED IN Deeds
RECORDS OF SAID COUNTY MF NO. 138442
DEANNA E. BERMAN, CROOK COUNTY CLERK
BY: Debra Bummer DEPUTY

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WATER RESOURCES DEPT.
SALEM, OREGON

T-8928

MEMORANDUM OF REAL ESTATE CONTRACT OF SALE

KNOW ALL MEN BY THESE PRESENTS, that notice is hereby given to whom it may concern that under and by virtue of a certain agreement of sale dated February 1, 1996, for and in consideration of the sum of \$700,000, JOHN ARNETT agreed to sell to TEGA 3, INC., an Oregon corporation, the following described real property located in Crook County, State of Oregon:

See Exhibit "A" attached hereto and made a part hereof, TOGETHER WITH all irrigation equipment on the premises as described in Exhibit "B".

SUBJECT TO:

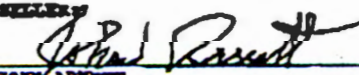
1. Right of way easement, subject to the terms and provisions thereof recorded in Book 5 of Deeds at page 66, Records of Crook County, Oregon, in favor of Prineville Irrigation company for irrigation purposes (As to Tract I).
2. Right of way easement, subject to the terms and provisions thereof, recorded in Book 40 of Deeds at page 32, Records of Crook County, Oregon, in favor of City of Prineville for railway purposes (As to Tract III).
3. Right of way easement, subject to the terms and provisions thereof, recorded in Book 41 of Deeds at page 20, Records of Crook County, Oregon, in favor of City of Prineville, for railway purposes (As to Tracts I & III).
4. Right of way easement, subject to the terms and provisions thereof recorded in Book 49 of Deeds at page 386, Records of Crook County, Oregon, in favor of Central Oregon Irrigation District for irrigation purposes (As to Tract III).
5. Easements created by instruments, subject to the terms and provisions thereof, recorded in Book 64 of Deeds at page 192 and Book 98 of Deeds at page 361, records of Crook County, Oregon, in favor of city of Prineville for railway purposes (As to Tract III).
6. Right of way easement, subject to the terms and provisions thereof, recorded in Book 64 of Deeds at page 267 and 316, records of Crook County, Oregon, in favor of the State of Oregon, by and through its State Highway Commission (As to Tract III).
7. Building restrictions and conditions contained in deed from Knox Rock & Land Co., an Oregon corporation to Stacy L. Johnson, dated August 6, 1974, recorded August 12, 1974 as Microfilm No. 27973, Records of Crook County, Oregon as to Tract I.
8. An easement created by instrument, subject to the terms and provisions thereof recorded October 9, 1975 as Microfilm No. 32796, records of Crook County, Oregon, in favor of Keith L. Newton and wife for access and right of way (As to Tract I).
9. An Easement Agreement, and the terms and provisions thereof, between Harold W. Christensen and Margaret L. Christensen, husband and wife, and Stacie L. Johnson, recorded July 12, 1984 as Microfilm No. 72987, records of Crook County, Oregon (As to Tract III).
10. Terms and provisions of a Well Agreement and Easement recorded July 12, 1984 as Microfilm No. 72992, records of Crook County, Oregon.

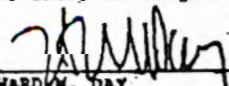
THE PROPERTY DESCRIBED IN THIS INSTRUMENT MAY NOT BE WITHIN A FIRE PROTECTION DISTRICT PROTECTING STRUCTURES. THE PROPERTY IS SUBJECT TO LAND USE LAWS AND REGULATIONS, WHICH, IN FARM OR FOREST ZONES MAY NOT AUTHORIZE CONSTRUCTION OR SITING OF A RESIDENCE AND WHICH LIMIT LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 IN ALL ZONES. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND EXISTENCE OF FIRE PROTECTION FOR STRUCTURES.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

That said agreement in part provides that the taxes shall be prorated as of , and thereafter shall be the obligation of the date of closing.

WITNESS our hands this 15th day of February, 1996.

SELLER:

JOHN ARNETT

PURCHASER:
TEGA 3, INC., an Oregon corporation
By: 
HOWARD M. DAY

After recording, return to:
Bryant, Emerson, Fitch & McCord
PO Box 457
Redmond, OR 97756

Mail Tax Statements to:
Howard M. Day
6525 Gorking Market Road
Sed, OR 97701-9081

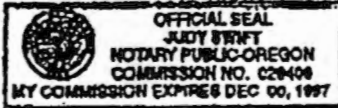
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SALEM, OREGON

STATE OF OREGON)
County of Deschutes)

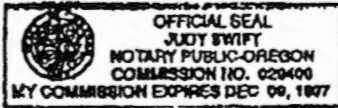
On the 1st day of February, 1996, personally appeared before me the above-named JOHN ARNETT and acknowledged the foregoing instrument to be his voluntary act and deed.



[Signature]
Notary Public for Oregon
My Commission Expires 12-9-97

STATE OF OREGON)
County of Deschutes)

On the 1st day of February, 1996, personally appeared before me HOWARD M. DAY who, being first duly sworn, did say that he is the president of TEGA J, INC., a corporation, and that the instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed.



[Signature]
Notary Public for Oregon
My Commission Expires 12-9-97

T-8928

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WATER RESOURCES DEPT.
SALEM, OREGON

STC RE

EXHIBIT A

TRACT I:

All that portion of the southwest quarter and the south half of the southeast quarter of Section 19, Township 14 South, Range 14 East of the Willamette Meridian, lying South and West of the right of way of the City of Prineville Railway, as located and constructed.

EXCEPTING THEREFROM a parcel of land situate in a portion of the southwest quarter of Section 19 in Township 14 South, Range 14 East of the Willamette Meridian, Crook County, Oregon, more particularly described as follows: Commencing at the southwest corner of said Section 19, the initial point as well as the true point of beginning; thence North 00°00'00" East along the Westerly line of said Section 19, 1320.64 feet to the South 1/16th corner; thence North 00°00'00" East along the Westerly line of said Section 19, 646.76 feet to a point on the southerly right of way line of the City of Prineville Railroad; thence South 75°06'15" East along the southerly right of way line of said railroad 929.26 feet to the beginning of a curve; thence 230.40 feet along the arc of a 1387.413 foot radius curve right said railroad right of way forming a delta angle of 09°43'31" and a long chord bearing South 70°14'29" East 230.13 feet; thence South 19°11'31" East along the toe of a canyon rim 1136.64 feet; thence South 01°26'56" West along the toe of a canyon rim 560.17 feet; thence South 89°29'04" West along the southerly line of said Section 19, 252.85 feet to the West 1/16th corner; thence South 89°29'04" West along the southerly line of said Section 19, 1221.31 feet to the point of beginning.

EXCEPTING THEREFROM the following described tract of land: A portion of the southwest quarter of Section 19 in Township 14 South, Range 14 East of the Willamette Meridian, more particularly described as follows: Commencing at the southwest corner of said Section 19, thence North 00°04'19" West along the West line of said Section 19, 1320.64 feet to the South 1/16th corner; thence North 89°19'07" East along the south line of the Northwest quarter of the Southwest quarter of said Section, 688.14 feet to the true point of beginning; thence North 00°04'19" West parallel with the West line of said Section, 482.40 feet to the southwesterly line of 150.00 foot wide Prineville Railroad; thence South 75°10'34" East along said southerly right of way line 217.24 feet to the beginning of a curve; thence 230.40 feet along the arc of a 1357.41 foot chord definition curve right of said right of way line forming a deflection angle of 09°43'31" and a long chord bearing South 70°18'48" East 230.13 feet to a 1/2" pipe; thence South 19°15'50" East 397.76 feet; thence South 89°19'07" West 557.30 feet; thence North 00°04'19" West, 62.82 feet to the point of beginning.

TRACT II:

All that portion of the East half of the Northeast quarter of the Northeast quarter of Section 30, Township 14 South, Range 14 East of the Willamette Meridian, lying West of the County Road known as Lone Pine Road and South of the southerly right of way line of the City of Prineville Railway, as the same are now located and constructed.

TRACT III:

In Township 14 South, Range 14 East of the Willamette Meridian: Section 30: The West half of the Northeast quarter of the Northeast quarter, the Northwest quarter of the Northeast quarter, and the Northeast quarter, of the Northwest quarter.

EXCEPTING THEREFROM a tract of land containing 0.67 acres, more or less, conveyed by Floyd D. Knorr and wife to Mark L. Forrest and wife by deed dated December 1, 1949, and recorded December 5, 1949 in Book 63 of Deeds at page 217, Records of Crook County, Oregon.

AND EXCEPTING THEREFROM a tract of land containing 5.2 acres, more or less, deeded by Floyd D. Knorr and wife to Harold W. Christensen and wife, by deed dated June 21, 1954 and recorded August 26, 1954 in Book 72 of Deeds at page 395, Records of Crook County, Oregon.

AND EXCEPTING THEREFROM a tract of land conveyed by Floyd D. Knorr and wife, to J. M. Poppe and wife, by deed dated April 20, 1963 and recorded March 20, 1964 in Book 90 of Deeds at page 261, Records of Crook County, Oregon, and described as follows: All that portion of the NW1/4 NE1/4 NE1/4 of Section 30 in Township 14 South, Range 14 East of the Willamette Meridian lying North and East of the right of way of the City of Prineville Railway.

EXHIBIT "A"

T-8928

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NOV 29 2001
WATER RESOURCES DEPT.
SALEM, OREGON

NOTE TO LOCAL GOVERNMENTS

WATER
RESOURCES
DEPARTMENT

The person presenting the attached request for land use information is applying for a transfer of water right. The Water Resources Department (WRD) requires its applicants to obtain land use information to be sure water rights do no result in land uses that would violate your comprehensive plan.

You will receive notice once the applicant formally submits his or her request to WRD. Please complete this form and *return it to the applicant for inclusion with their application*. Your attention to this request for information is greatly appreciated by the Department. If you have questions concerning the form, please contact us at 378-3739.

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WATER RESOURCES DEPT.
SALEM, OREGON



Commerce Building
158 12th Street NE
Salem, OR 97310-0210
(503) 378-3739
FAX (503) 378-8130

T-8928

Description of Water Use

Note to Applicant: This sheet will provide local planning staff with a basic description of your proposed water use. Please fill out this sheet before bringing the attached land use form to your local planning office. It will help local planning offices complete your land use information form quickly.

Note to Local Planning Officials: Please initial this sheet. Do not separate it from the land use information form. If needed, please make a separate copy for your records.

Applicant Name: Ty Fehrenbacher
 Address: 15301 N. Lone Pine Rd.
Terrebonne, OR 97760
 Phone: (541) 548-4353

Please indicate what you will use the water for. Check all boxes that apply and fill in the blanks with key characteristics of the project

- Irrigation (crop type, golf course, nursery or greenhouse): _____
- Livestock (type of livestock, feedlot, slaughterhouse): _____
- Residential (# units, single or multi-family, # lots if partition or subdivision): _____
- Commercial (i.e., retail, office, restaurant, gas station, hotel service, etc): _____
- Industrial (i.e., factory, pulp mill, research and development, processing, etc): Gravel washing and dust control
- Institutional (i.e., school, library, etc): _____
- Mining (aggregate, metal, open pit, placer, etc.): _____
- Recreation (park, campsite, pond, etc.): _____
- Fish and Wildlife (pond, hatchery, etc.): _____
- Hydropower (dam, reservoir, power generating or transmitting facilities): _____
- Other (Name and list key characteristics): _____

Indicate sources for the proposed water use below	Indicate the estimated quantity of water the use will require
<input type="checkbox"/> Surface water Name sources: _____ _____	<u>2.0</u> Cubic feet per second _____ Gallons per minute _____ Acre-feet
<input type="checkbox"/> Reservoir or pond	
<input checked="" type="checkbox"/> Ground Water	

Water Resources Department
 Commerce Building
 158 12th Street NE
 Salem, OR 97310-0210

T-8928

Land Use Information Form: Water Right Transfers, Use of Conserved Water, Exchanges

This information is needed to determine compatibility with local comprehensive plans as required by ORS 197.180. The Water Resources Department will use this and other information to evaluate the water use application. **DO NOT FILL OUT THIS FORM IF:** 1) Water is to be diverted, conveyed, and or used only on federal lands; or 2) if ALL OF THE FOLLOWING APPLY: a) the application is for a change in the place of use, b) there are no structural changes, c) the use is irrigation, and d) the use is located in irrigation districts or exclusive farm use zones.

Applicant's Name: Ty Fehrenbacher
 Address 5301 N. Lone Pine Rd.
 City: Terrebonne State: OR Zip: 97760 Day Phone (541) 548-4353

Please provide information as requested below for all tax lots on or through which water will be diverted or used. (Attach extra sheets as necessary.) Applicants for municipal use may substitute existing and proposed service area boundaries for the tax lot information requested below.

(CHECK ALL THAT APPLY)

TIAS, R14E
Section 30

TAX LOT LOCAL ID #	PLAN DESIGNATION/ZONING (e.g. Rural Residential/RR-5)	WATER DIVERTED	WATER CONVEYED	WATER USE
302		✓	✓	✓

Please list all counties and cities within which water is proposed to be diverted, conveyed, and/or used.
Crook Co.

The following section must be completed by a planning official from each county and city listed **unless** your project will be located entirely within the city limits. In this case, only the city planning agency must complete this form. Please request additional forms as needed.

=====

For Local Government Use Only

Local government planning officials are to complete the remainder of the form and return it to the applicant for inclusion in the application.

a) Check the appropriate box below and provide requested information.

- Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s); _____ Go to section b) on reverse side.
- Land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below. **Note:** Please attach documentation of applicable local land use approvals which have already been obtained. (Record of Action plus accompanying findings is sufficient.)

(CHECK THE BOX THAT APPLIES)

Type of Land Use Approval Needed (e.g. Plan amendments, rezones, conditional use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Already Obtained	Already Denied	Being Pursued Satisfactorily
<u>Conditional Use</u>	<u>Article 11</u>	✓		

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WATER RESOURCES DEPT.
SALEM, OREGON

T-8928

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **49791**

158 12TH ST. N.E.
SALEM, OR 97310-0210
378-8455 / 378-8130 (FAX)

INVOICE # _____

RECEIVED FROM: Hooker Creek Co.
BY: _____

APPLICATION	
PERMIT	
TRANSFER	18928

CASH: CHECK: # 24-22 OTHER: (IDENTIFY)

TOTAL REC'D \$ 400.00

0417 WRD MISC CASH ACCT

**RECEIVED
OVER THE COUNTER**

ADJUDICATIONS	\$
PUBLICATIONS / MAPS	\$
OTHER: (IDENTIFY)	\$
OTHER: (IDENTIFY)	\$

REDUCTION OF EXPENSE

CASH ACCT.	\$
VOUCHER #	

0427 WRD OPERATING ACCT

66111

MISCELLANEOUS

0407 COPY & TAPE FEES	\$
0410 RESEARCH FEES	\$
0408 MISC REVENUE: (IDENTIFY)	\$
TC162 DEPOSIT LIAB. (IDENTIFY)	\$

WATER RIGHTS:

0201 SURFACE WATER	EXAM FEE	0202	RECORD FEE
0203 GROUND WATER	\$	0204	\$
0205 TRANSFER	\$ <u>400.00</u>	0206	\$

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR	EXAM FEE	0219	LICENSE FEE
LANDOWNER'S PERMIT	\$	0220	\$
OTHER (IDENTIFY)			

0437 WELL CONST. START FEE

0211 WELL CONST START FEE	\$	CARD #	
0210 MONITORING WELLS	\$	CARD #	
OTHER (IDENTIFY)			

0539 LOTTERY PROCEEDS

1302 LOTTERY PROCEEDS	\$
-----------------------	----

0467 HYDRO ACTIVITY

0233 POWER LICENSE FEE (FW/WRD)	LIC NUMBER	\$
0231 HYDRO LICENSE FEE (FW/WRD)		\$
HRDRO APPLICATION		\$

RECEIPT # **49791**

DATED: 11/29/01 BY: C. Vance

Memorandum

December 14, 2001

TO: Ben Bishop

FROM:  Ken Lite, Hydrogeologist

SUBJECT Transfer Application T-8928

Well #2 (proposed POA) in Transfer Application T-8928 proposes a change in POA that would result in a transfer between two different aquifers. OAR 690-15-010 prohibits us from allowing such a transfer.



Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97301-4172
(503) 378-3739
FAX (503) 378-8130
www.wrd.state.or.us

December 3, 2001

Ty Fehrenbacher
5301 N. Lone Pine Road
Terrebonne, Oregon 97760

REFERENCE: Transfer 8928

On 11-29-2001 we received your water right transfer application requesting a change in Place of Use and Point of Appropriation for use of water from a Well. The application was accompanied by \$ 400.00. Our receipt 49791 is enclosed.

By copy of this letter, we are asking the Watermaster for his usual report regarding the potential for injury to existing water rights which may be caused by the change.

Your application will be examined to determine if additional information is needed. You will be contacted following this examination. If you have a specific reason why your application should be examined ahead of other applications, please send us a letter describing your reason. We may be able to examine your application ahead of others.

You may not use water for the new use, in the new place of use or from the new point of diversion until the transfer application has been approved. In order to avoid any possible forfeiture of the water right, you should continue to use the water as described by your existing water right. If the land is sold before the transfer is approved, you will need to obtain consent from the buyer to complete the transfer.

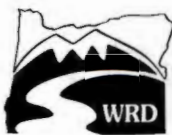
We will notify you if additional information or corrections to the application or map are required.

If you have any questions, please call the Transfer Section, (503) 378-3739.

cc: Watermaster District #11
CWRE #1, Bruce Estes
Central Oregon Irrigation District
Ochoco Irrigation District
Howard M. Day
Ground Water Section

enclosure

T-8928



State of Oregon
Water Resources Department
158 12th Street NE, Salem, OR 97310
(503)378-8455 • (800)624-3199
www.wrd.state.or.us

Application for Water Right Transfer

Please type or print in dark ink. If your application is found to be incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "n/a." Please read and refer to the instructions when completing your application. Thank you.

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NOV 29 2001

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WATER RESOURCES DEPT.
SALEM, OREGON

APPLICATION FOR:

Please check one

Water Right Transfer Temporary Transfer Permit Amendment

Historic Point of Diversion Change Government Action Point of Diversion

1. APPLICANT INFORMATION

Name: Ty Fehrenbacher
First Last

Address: 5301 N. Lone Pine Rd
Terrebonne, Oregon 97760
City State Zip

Phone: (541) 548-4353
Home Work Other

*Fax: _____ *E-Mail address: _____

**Optional information*

2. TYPE OF CHANGE

Use Place of Use Point of Diversion Point of Appropriation

Reason for change: Move to active mines

Is the land within an irrigation or other water district? Yes No

If yes, include district name: Well #1 Central Oregon Irrigation Dist.
Well #2 Ochoco Irrigation District

For Department Use

App. No. _____ Permit No. _____ Date _____

T-8928

RECEIVED

3. CURRENT WATER RIGHT INFORMATION

Name on Permit, Certificate, or Decree: Ty Fehrenbacher NOV 29 2001

Decree: _____ WATER RESOURCES DEPT. SALEM, OREGON
 Not applicable]

Permit Number: G-12923 Certificate Number: Claim of Beneficial Use
 Not applicable] Not applicable] filed Sept. 1, 2000

Priority Date: Feb 16, 1995 Authorized Use: Industrial Use

Source of Water: a well County: Crook

Are there other sources listed on the water right? Yes No

Location of Authorized Point of Diversion or Point of Appropriation:

Coordinates (from recognized survey corner)	1/4 1/4 Section	Section	Township	Range
<u>2170'S & 290'W from NE corner</u>	<u>SE 1/4 NE 1/4</u>	<u>17</u>	<u>14 S</u>	<u>14 E</u>

Location of Authorized Place of Use:

Township	Range	Section	Government Lot or DIC	1/4 1/4 Section	Tax Lot Number	Acres (if appropriate)
<u>14 S</u>	<u>14 E</u>	<u>17</u>		<u>SW NE</u>	<u>100</u>	
		<u>17</u>		<u>NW SE</u>	<u>100</u>	
		<u>17</u>		<u>SW SE</u>	<u>100</u>	

Are there other lands described in the water right? Yes No

Are there other water rights or permits associated with this land? Yes No
If yes, include a copy of all rights or permits.

Description of general delivery system (ditch measurements, pump size, number of sprinklers, etc.):
40 HP submersible pump through 4" buried pipe to
a ditch. Ditch delivers water to a 20 HP pump
to pressurize the gravel operation

System capacity (in cfs): 2.0 cfs

T. 8928

4. PROPOSED CHANGES TO THE WATER RIGHT

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Change in Use:

Proposed use: _____

NOV 29 2001

WATER RESOURCES DEPT.
SALEM, OREGON

Change in Point of Diversion or Point of Appropriation:

Change

Old point of diversion or point of appropriation will not be used for this portion of the water right.

Additional

Both old and new points of diversion or points of appropriation will be used for this portion of the water right.

Location of Proposed Point of Diversion or Point of Appropriation

	Coordinates (from recognized survey corner)	1/4 1/4 Section	Section	Township	Range
Well #1	30'N & 1250'W 120'S & 100'W from E 1/4 corner	NE SE SE NE	30	14S	14E
Well #2	750'N & 30'E from SW 1/4 corner	SW 1/4 SE 1/4	23	14S	15E

Change in Place of Use:

Location of Proposed Place of Use

	Township	Range	Section	Government Lot or DIC	1/4 1/4 Section	Tax Lot Number	Acres (if appropriate)
Well #1	14S	14E	30		NE 1/4	302	NA
Well #2	14S	15E	23		W 1/2 SE 1/4	600	NA

Remarks: Well #1 to receive 0.67 cfs (300 GPM) and Well #2 to receive 1.33 cfs (600 GPM). Both of these sites are within the Deschutes study area.

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WATER RESOURCES DEPT.
SALEM, OREGON

Answer only
if for change
in **Use** or
Place of Use.

T-8928

5. LAND OWNERSHIP

Use/Place of Use

Are the lands free of encumbrances? Yes No

If no, name of encumbrance holder: _____

If no, application must include written permission for the transfer from the encumbrance holder.

Landowners

This section does not apply to water delivery entities authorized to act on behalf of their members, making permit amendment requests, or requests for changes in point of diversion or point of appropriation only.

Landowners: _____

(List all landowners shown on deed.)

Address(es): _____

_____ City State Zip

Application must include notarized statements from all landowners shown on deed giving permission for the transfer. Use an extra sheet if necessary.

Answer only
if applicant
is **not** the
landowner.

Receiving Landowner

Name: Howard M. Day

Hooker Creek Land Co., LLC

Address: 63101 Nels Anderson Rd.

Bend Oregon 97701
City State Zip

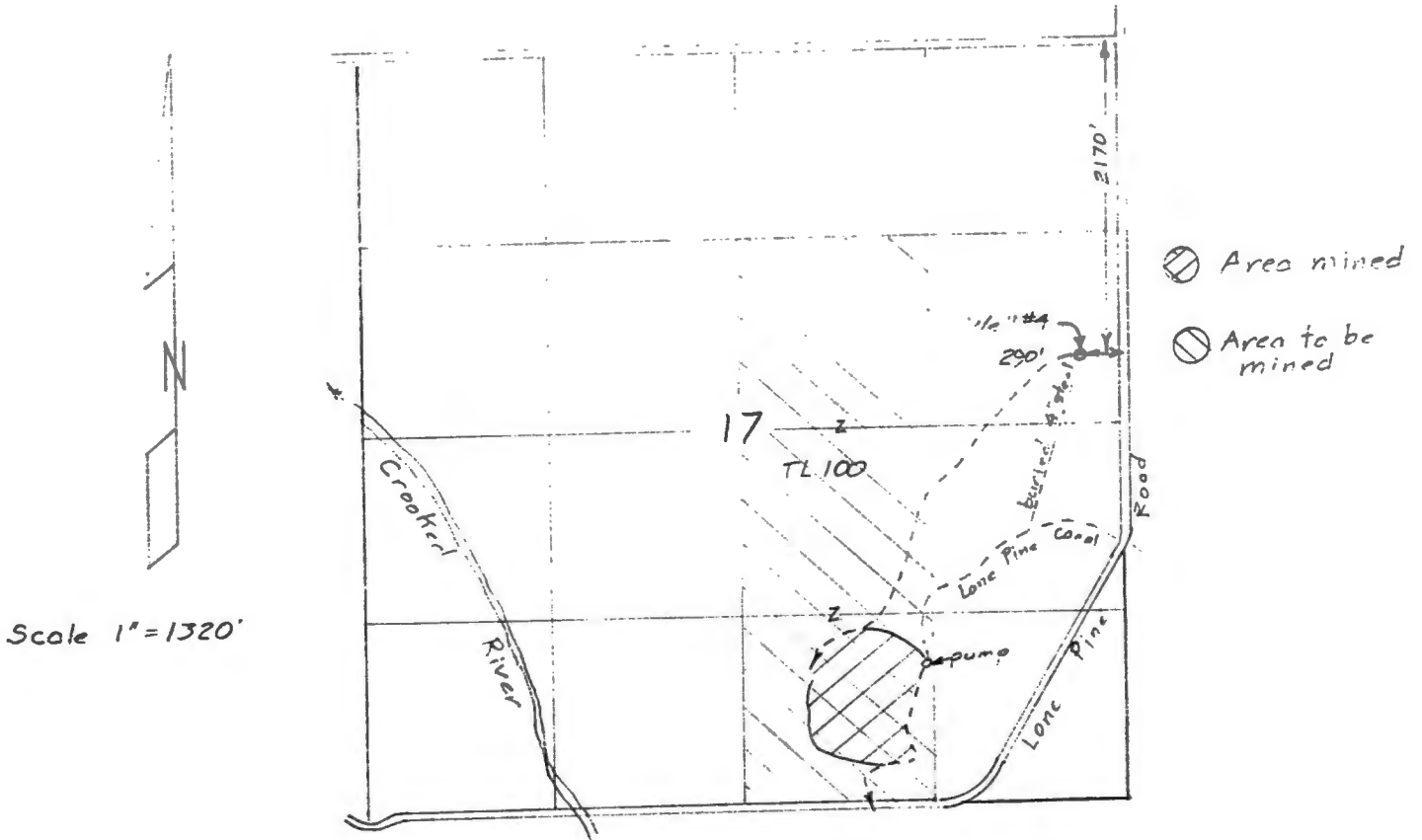
The Department's records should be changed to show this landowner is responsible for completion of the changes. All notices and correspondence should be sent to this landowner.

Applicant will remain responsible for completion of changes. Notices and correspondence should continue to be sent to applicant.

Answer only
if the receiving
landowner is
not the original
landowner or
the applicant.

T-8928

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



FROM

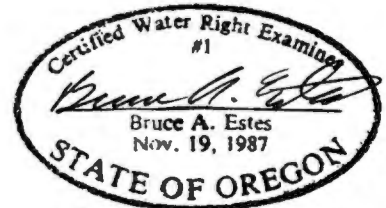
Transfer Application Map
for
TY FEHRENBACHER

Application T-

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WATER RESOURCES DEPT.
SALEM, OREGON



Renewal Dec 31, 2001

Sheet 1 of 3

This map is for the purpose of
locating a water right only
and has no intent to provide
legal dimensions or the location
of property lines.

ESTES SURVEYS, LLC

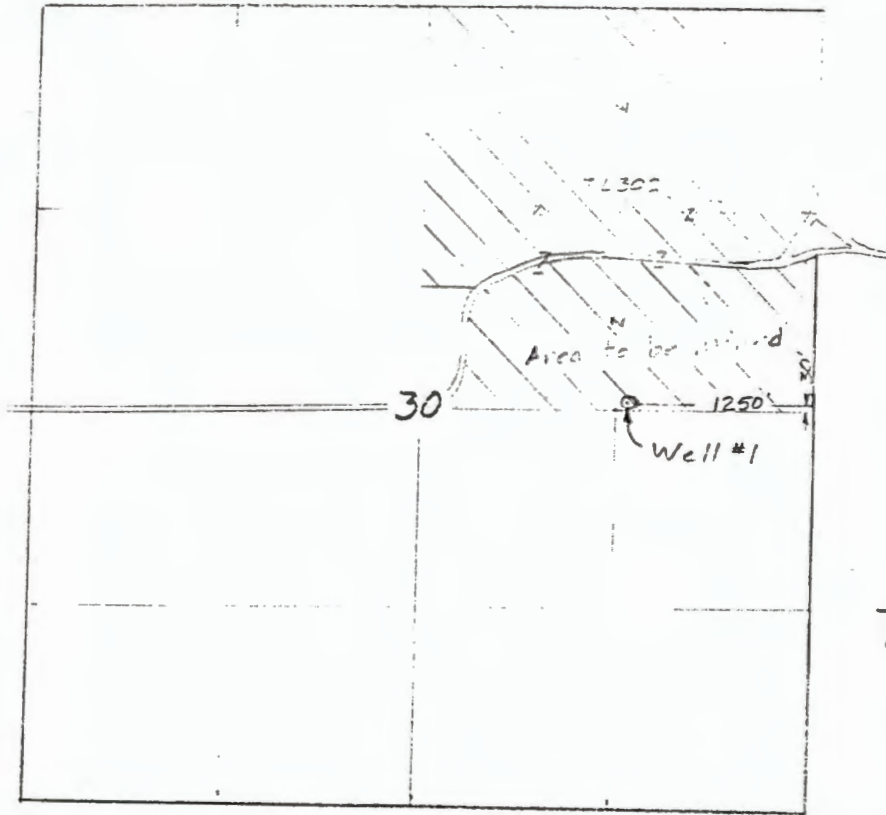
PO Box 17519 Salem, OR 97305-7519 (503) 585-7593	60382 Arnold Rd Bend, OR 97702 (541) 382-7391
--	---

T-8928

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



Scale 1" = 1320'



TO

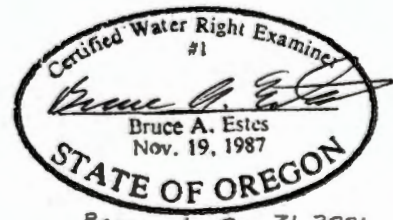
Transfer Application Map
for
TY FEHRENBACHER

T-

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NOV 29 2001

WATER RESOURCES DEPT.
SALEM, OREGON



Renewal Dec 31, 2001

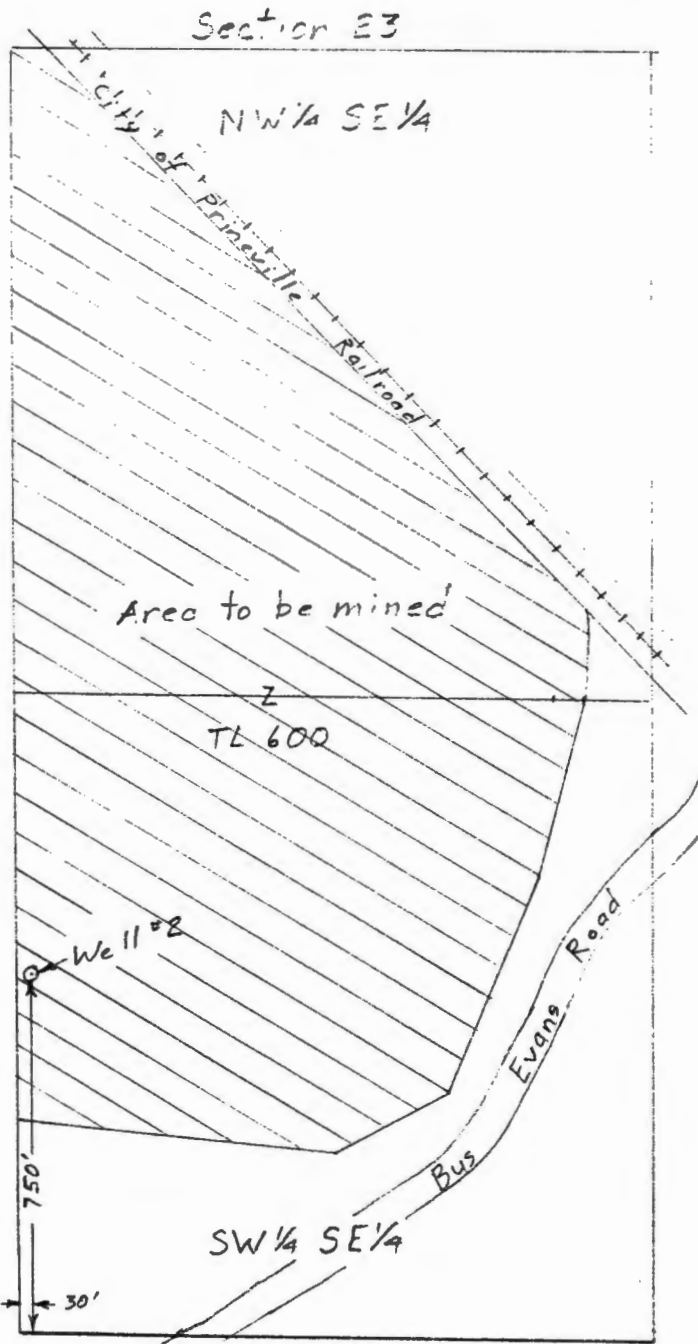
Sheet 2 of 3

This map is for the purpose of
locating a water right only
and has no intent to provide
legal dimensions or the location
of property lines.

ESTES SURVEYS, LLC

PO Box 17519	60382 Arnold Rd
Salem, OR 97305-7519	Bend, OR 97702
(503) 585-7593	(541) 382-7391

T-8928 TOWNSHIP 14 SOUTH, RANGE 15 EAST. W.M.



Scale 1" = 400'

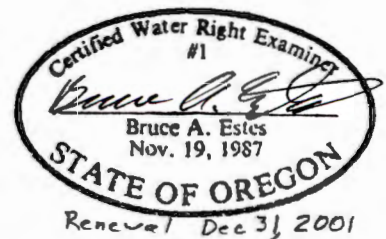
TO

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WATER RESOURCES DEPT.
SALEM, OREGON

Transfer Application Map
for
TY FEHRENBACHER



Sheet 3 of 3

This map is for the purpose of
indicating a water right only
and has no intent to provide
legal dimensions or the location
of property lines.

ESTES SURVEYS

PO Box 17519	60382 Arnold Rd
Salem, OR 97305-7519	Bend, OR 97702
(503) 585-7593	(541) 382-7391

T-8928

Well #2

C200
3026

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JUN 15 1994

14s/15E/23

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

WATER RESOURCE - CPT. (START CARD) # 63957
SALEM, OREGON

Instructions for completing this report are on the last page of this form.

(1) OWNER: Well Number # 1
Name Bernard Construction Co., Inc.
Address P.O. Box 99
City Bozeman State Mt. Zip 59771

(2) TYPE OF WORK
 New Well Deepening Alteration (repair/recondition) Abandonment

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

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

(5) BORE HOLE CONSTRUCTION:
Special Construction approval Yes No Depth of Completed Well 350 ft.
Explosives used Yes No Type _____ Amount _____

HOLE		SEAL		Sacks or pounds	
Diameter	From To	Material	From To		
21"	0 350	cement	0 104	4 yds slurry	

How was seal placed: Method A B C D E
 Other pumped via tremie (3")
Backfill placed from _____ ft. to _____ ft. Material _____
Gravel placed from 104 ft. to 350 ft. Size of gravel 3/8

Casing/Liner	Diameter	From	To	Gauge	Material			
					Steel	Plastic	Welded	Threaded
Casing	10"	+1	350	250	<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 factory

Screens Type _____ Material _____

From	To	Slot size	Number	Diameter	Tube type size	Casing	Liner
290	350	1/8	1200	10"		<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

Pump Bailor Air Flowing Artesian

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

600 gpm _____ 100' _____ 290' _____ 5hrs

Temperature of water 68 Depth Artesian Flow Found 292'

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 Crook Latitude _____ Longitude _____
Township 14 S N or S Range 15 E E or W. WM
Section 23 SW 1/4 SE 1/4
Tax Lot 500 Lot _____ Block _____ Subdivision _____
Street Address of Well (or nearest address) _____
Bus Evans Rd. Prineville, Or. 97754

(10) STATIC WATER LEVEL:
49' ft. below land surface. Date 5-31-94
Artesian pressure -0- lb. per square inch. Date _____

(11) WATER BEARING ZONES:

Depth at which water was first found 70'

From	To	Estimated Flow Rate	SW
70	90	50 gpm	7
292	340	600 gpm	4

(12) WELL LOG:

Ground Elevation _____

Material	From	To	SW
top soil	0	4	
med. gravel	4	23	
4 brown clay	23	36	
med gravel	36	48	
sandy clay	48	68	
brown sand w/b	68	90	
black sticky clay	90	292	
coarse gravel w/b	292	340	49'
brown claystone	340	360	

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NOV 29 2001
WATER RESOURCES DEPT.
SALEM, OREGON

Date started 5-23-94 Completed 5-27-94
(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 water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.
Signed Bill [Signature] WWC Number 1555 Date 6/1/94
(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 water supply well construction standards. This report is true to the best of my knowledge and belief.
Signed [Signature] WWC Number 941 Date 6-1-94

T-8928

Well #1

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STATE OF OREGON WATER SUPPLY WELL REPORT

CR00 30081

MAY 20 1996

(START CARD) # 67772

Instructions for completing this report are on the last page of this WATER RESOURCES DEPT.

(1) OWNER: Well Number SALEM, OREGON OF WELL by legal description:

Name O'Neil Sand & Gravel Address P.O. Box 1238 City Redmond, State Ore, Zip 97756

County Crook Latitude Longitude Township 14S N or S Range 14E E or W. WM Section 30 SW 1/4 SE 1/4 Tax Lot 302 Lot Block Subdivision Street Address of Well (or nearest address) O'Neil Way

(2) TYPE OF WORK: [X] New Well [] Deepening [] Alteration (repair/recondition) [] Abandonment

(3) DRILL METHOD: [X] Rotary Air [] Rotary Mud [] Cable [] Auger [] Other

(4) PROPOSED USE: [] Domestic [] Community [] Industrial [] Irrigation [] Thermal [] Injection [] Livestock [X] Other sand & gravel

(10) STATIC WATER LEVEL: 35 ft. below land surface. Date 5-8-96 Artesian pressure lb. per square inch Date

(5) BORE HOLE CONSTRUCTION: Special Construction approval [] Yes [X] No Depth of Completed Well 155 ft. Explosives used [] Yes [X] No Type Amount

(11) WATER BEARING ZONES: Depth at which water was first found 114'

Table with columns: Diameter, From, To, Material, From, To, Sacks or pounds. Row 1: 20", 0, 49', Bentonite, 0, 49', 65 sks. Row 2: 16", 49', 155'

Table with columns: From, To, Estimated Flow Rate, SWL. Row 1: 114', 145', 800, 35'

How was seal placed: Method [] A [] B [] C [] D [] E [X] Other poured

(12) WELL LOG: Ground Elevation

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

Table with columns: Material, From, To, SWL. Rows: coarse clay cong (0-31'), coarse sand & gravel (31'-44'), brwn clay cong (44'-60'), black sand (60'-87'), gray sticky clay (87'-93'), brwn clay stone (93'-114'), coarse cong W.B. (114'-145'), brkn gray lava (145'-155')

(6) CASING/LINER: Table with columns: Diameter, From, To, Gauge, Steel, Plastic, Welded, Threaded. Casing: 16, +2', 94', .250, [X], [], [], []. Liner: 12", +3', 151', [X], [], [], []

(7) PERFORATIONS/SCREENS: [X] Perforations Method Factory [] Screens Type Material

Table with columns: From, To, Slot size, Number, Diameter, Tele/pipe size, Casing, Liner. Row 1: 91', 151', 1/8X3, 2880, 12", [], [], [], []

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

[X] Pump [] Bailor [] Air [] Flowing Artesian Yield gal/min 570 Drawdown 18" Drill stem at 24hr 24hr

Date started 5-2-96 Completed 5-8-96 (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 water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief. WWC Number Date

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

(bonded) Water Well Constructor Certification: I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief. WWC Number 1658 Date 5-14-96

STATE OF OREGON

COUNTY OF CROOK

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

TY FEHRENBACHER
ROUTE 1, BOX 36
TERREBONNE, OREGON 97760

(541) 548-4353

The specific limits for the use are listed below along with conditions of use.

APPLICATION FILE NUMBER: G-13984

SOURCE OF WATER: WELLS #4 AND #5 WITHIN THE CROOKED RIVER BASIN

PURPOSE OR USE: INDUSTRIAL USE

MAXIMUM RATE: 2.0 CUBIC FEET PER SECOND

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: FEBRUARY 16, 1995

POINT OF DIVERSION LOCATION: NE 1/4 NE 1/4, SE 1/4 NE 1/4, SECTION 17, T14S, R14E, W.M.; WELL #4 - 2100 FEET SOUTH & 530 FEET WEST; WELL #5 - 200 FEET SOUTH & 460 FEET WEST, BOTH FROM THE NE CORNER OF SECTION 17

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SW 1/4 NE 1/4
NW 1/4 SE 1/4
SW 1/4 SE 1/4
SECTION 17

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

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.

Application G-13984 Water Resources Department

PERMIT G-12923

T-8928 A Pow/PCA

- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

Use of water under authority of this permit may be regulated if analysis of data available after the permit is issued discloses that the appropriation will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife in effect as of the priority date of the right or as those quantities may be subsequently reduced.

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this permit, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences.

STANDARD CONDITIONS

The wells shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the well at all times.

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

Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the department's standards, to the Water Resources Department. The Director may require water level or pump test results every ten years thereafter.

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

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

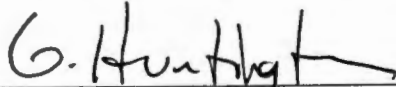
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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

The Director finds that the proposed use(s) of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

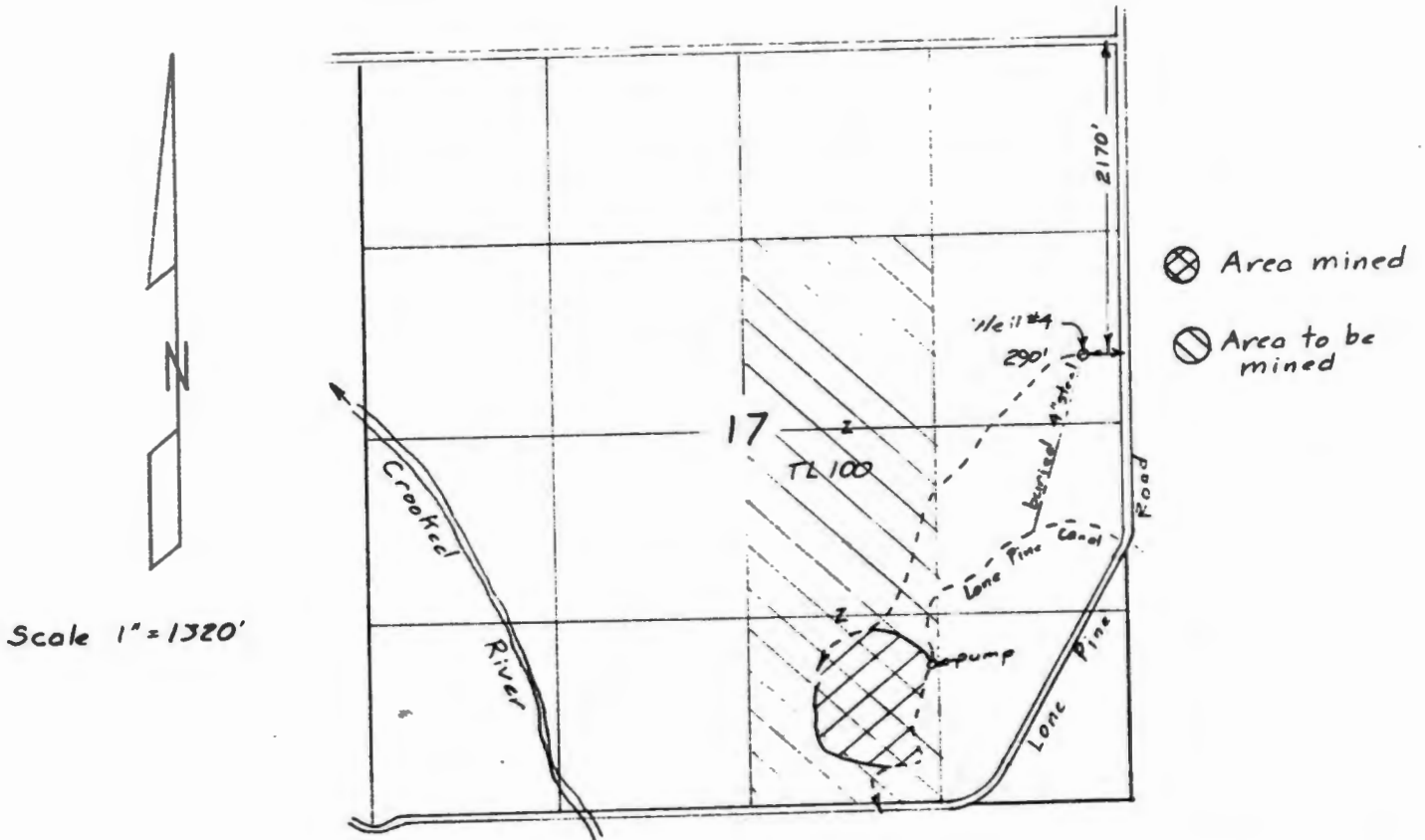
Actual construction of the well shall begin within one year from permit issuance, and shall be completed on or before October 1, 1998. Complete application of the water to the use shall be made on or before October 1, 1999.

Issued October 28, 1996



Martha O. Pagel, Director
Water Resources Department

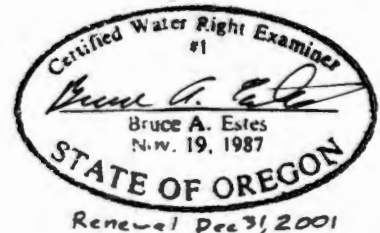
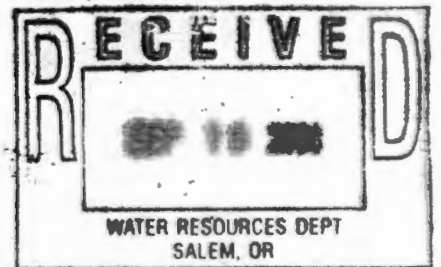
TOWNSHIP 14 SOUTH, RANGE 14 EAST, W.M.



Surveyed September 24, 1998

Claim of Beneficial Use Map
for
TY FEHRENBACHER

Application G-13984
Permit G-12923



This map is for the purpose of
locating a water right only
and has no intent to provide
legal dimensions or the location
of property lines.

ESTES SURVEYS

PO Box 17519 60382 Arnold Rd
Salem, OR 97305-7519 Bend, OR 97702
(503) 585-7593 (541) 382-7391



Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97301-4172
(503) 378-3739
FAX (503) 378-8130
www.wrd.state.or.us

December 3, 2001

Ty Fehrenbacher
5301 N. Lone Pine Road
Terrebonne, Oregon 97760

REFERENCE: Transfer 8928

On 11-29-2001 we received your water right transfer application requesting a change in Place of Use and Point of Appropriation for use of water from a Well. The application was accompanied by \$ 400.00. Our receipt 49791 is enclosed.

By copy of this letter, we are asking the Watermaster for his usual report regarding the potential for injury to existing water rights which may be caused by the change.

Your application will be examined to determine if additional information is needed. You will be contacted following this examination. If you have a specific reason why your application should be examined ahead of other applications, please send us a letter describing your reason. We may be able to examine your application ahead of others.

You may not use water for the new use, in the new place of use or from the new point of diversion until the transfer application has been approved. In order to avoid any possible forfeiture of the water right, you should continue to use the water as described by your existing water right. If the land is sold before the transfer is approved, you will need to obtain consent from the buyer to complete the transfer.

We will notify you if additional information or corrections to the application or map are required.

If you have any questions, please call the Transfer Section, (503) 378-3739.

cc: Watermaster District #11
CWRE #1, Bruce Estes
Central Oregon Irrigation District
Ochoco Irrigation District
Howard M. Day
Ground Water Section

enclosure

T-8928



State of Oregon
Water Resources Department
158 12th Street NE, Salem, OR 97310
(503)378-8455 • (800)624-3199
www.wrd.state.or.us

Application for Water Right Transfer

Please type or print in dark ink. If your application is found to be incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "n/a." Please read and refer to the instructions when completing your application. Thank you.

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WATER RESOURCES DEPT.
SALEM, OREGON

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OVER THE COUNTER

APPLICATION FOR:

Please check one

Water Right Transfer Temporary Transfer Permit Amendment

Historic Point of Diversion Change Government Action Point of Diversion

1. APPLICANT INFORMATION

Name: Ty Fehrenbacher
First Last

Address: 5301 N. Lone Pine Rd
Terrebonne, Oregon 97760
City State Zip

Phone: (541) 548-4353
Home Work Other

*Fax: _____ *E-Mail address: _____

*Optional information

2. TYPE OF CHANGE

Use Place of Use Point of Diversion Point of Appropriation

Reason for change: Move to active mines

Is the land within an irrigation or other water district? Yes No

If yes, include district name: Well #1 Central Oregon Irrigation Dist.
Well #2 Ochoco Irrigation District

For Department Use		
App. No. _____	Permit No. _____	Date _____

T-8928

3. CURRENT WATER RIGHT INFORMATION

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Name on Permit, Certificate, or Decree: Ty Fehrenbacher

NOV 29 2001

Decree:
 Not applicable]

WATER RESOURCES DEPT. SALEM, OREGON

Permit Number: G-12923
 Not applicable]

Certificate Number: Claim of Beneficial Use
 Not applicable] filed Sept. 1, 2000

Priority Date: Feb 16, 1995

Authorized Use: Industrial Use

Source of Water: a well

County: Crook

Are there other sources listed on the water right? Yes No

Location of Authorized Point of Diversion or Point of Appropriation:

Coordinates (from recognized survey corner)	1/4 1/4 Section	Section	Township	Range
<u>2170'S & 290'W from NE corner</u>	<u>SE 1/4 NE 1/4</u>	<u>17</u>	<u>14 S</u>	<u>14 E</u>

Location of Authorized Place of Use:

Township	Range	Section	Government Lot or DIC	1/4 1/4 Section	Tax Lot Number	Acres (if appropriate)
<u>14 S</u>	<u>14 E</u>	<u>17</u>		<u>SW NE</u>	<u>100</u>	
		<u>17</u>		<u>NW SE</u>	<u>100</u>	
		<u>17</u>		<u>SW SE</u>	<u>100</u>	

Are there other lands described in the water right? Yes No

Are there other water rights or permits associated with this land? Yes No
 If yes, include a copy of all rights or permits.

Description of general delivery system (ditch measurements, pump size, number of sprinklers, etc.):
40 HP submersible pump through 4" buried pipe to a ditch. Ditch delivers water to a 20 HP pump to pressurize the gravel operation.

System capacity (in cfs): 2.0 cfs

T. 8928

4. PROPOSED CHANGES TO THE WATER RIGHT

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Change in Use:

Proposed use: _____

NOV 29 2001

WATER RESOURCES DEPT.
SALEM, OREGON

Change in Point of Diversion or Point of Appropriation:

Change

Old point of diversion or point of appropriation will not be used for this portion of the water right.

Additional

Both old and new points of diversion or points of appropriation will be used for this portion of the water right.

Location of Proposed Point of Diversion or Point of Appropriation

	Coordinates (from recognized survey corner)	1/4 1/4 Section	Section	Township	Range
Well #1	30' N & 1250' W 120' S & 100' W from E 1/4 corner	NE SE SE NE	30	14 S	14 E
Well #2	750' N & 30' E from S 1/4 corner	SW 1/4 SE 1/4	23	14 S	15 E

Change in Place of Use:

Location of Proposed Place of Use

	Township	Range	Section	Government Lot or DIC	1/4 1/4 Section	Tax Lot Number	Acres (if appropriate)
Well #1	14 S	14 E	30		NE 1/4	302	NA
Well #2	14 S	15 E	23		W 1/2 SE 1/4	600	NA

Remarks: Well #1 to receive 0.67 cfs (300 GPM) and Well #2 to receive 1.33 cfs (600 GPM). Both of these sites are within the Deschutes study area.

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WATER RESOURCES DEPT.
SALEM, OREGON

Answer only
if for change
in **Use** or
Place of Use.

T-8928

5. LAND OWNERSHIP

Use/Place of Use

Are the lands free of encumbrances? Yes No

If no, name of encumbrance holder: _____

If no, application must include written permission for the transfer from the encumbrance holder.

Landowners

This section does not apply to water delivery entities authorized to act on behalf of their members, making permit amendment requests, or requests for changes in point of diversion or point of appropriation only.

Landowners: _____
(List all landowners shown on deed.)

Address(es): _____

_____ City State Zip

Application must include notarized statements from all landowners shown on deed giving permission for the transfer. Use an extra sheet if necessary.

Answer only
if applicant
is **not** the
landowner.

Receiving Landowner

Name: Howard M. Day
Hooker Creek Land Co., LLC

Address: 63101 Nels Anderson Rd.

Bend Oregon 97701
City State Zip

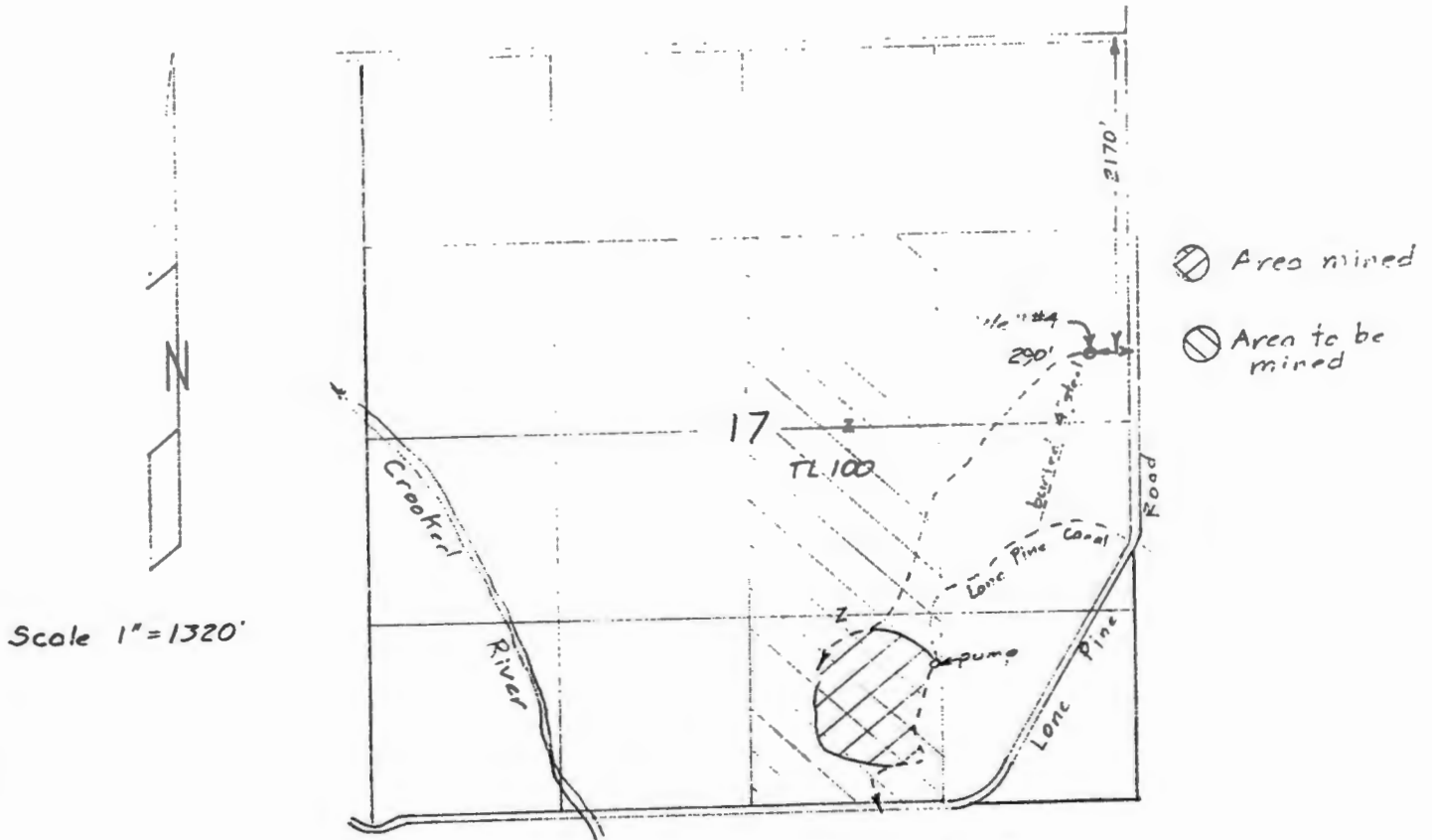
The Department's records should be changed to show this landowner is responsible for completion of the changes. All notices and correspondence should be sent to this landowner.

Applicant will remain responsible for completion of changes. Notices and correspondence should continue to be sent to applicant.

Answer only
if the receiving
landowner is
not the original
landowner or
the applicant.

T-8928

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



FROM

Transfer Application Map
for

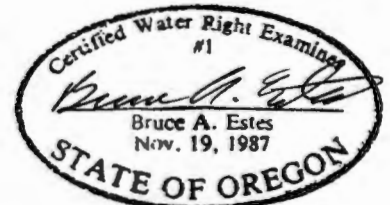
TY FEHRENBACHER

Application T-

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WATER RESOURCES DEPT.
SALEM, OREGON



Renewal Dec 31, 2001

Sheet 1 of 3

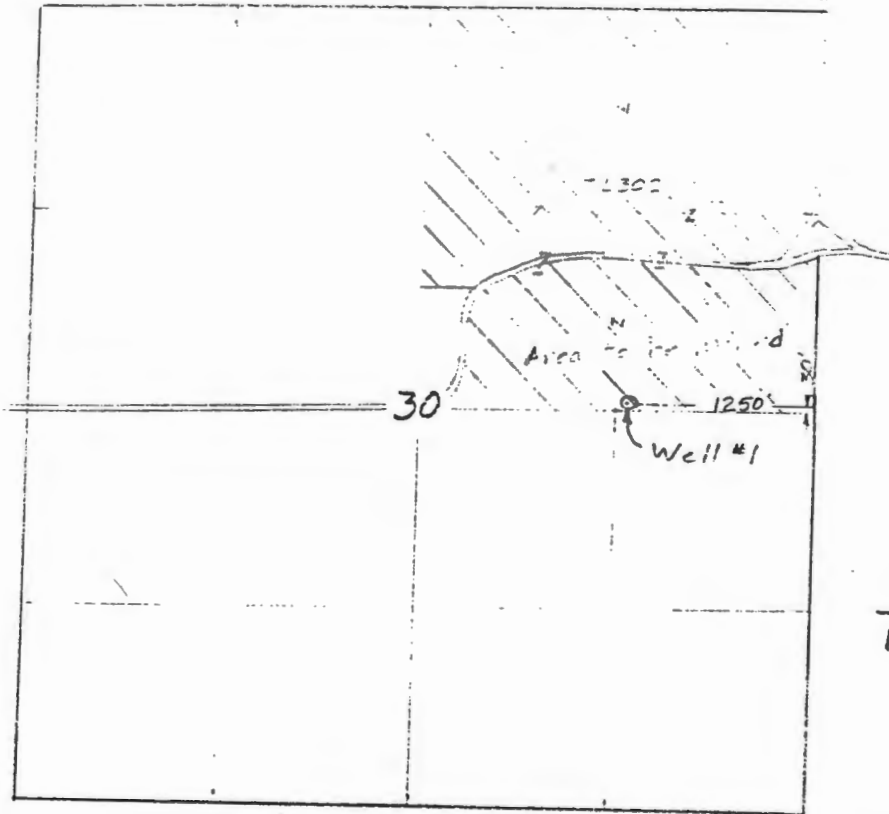
This map is for the purpose of
locating a water right only
and has no intent to provide
legal dimensions or the location
of property lines.

ESTES SURVEYS, LLC

PO Box 17519	60382 Arnold Rd
Salem, OR 97305-7519	Bend, OR 97702
(503) 585-7593	(541) 382-7391

T-8928

TOWNSHIP 14 SOUTH, RANGE 4 EAST, W.M.



Scale 1" = 1320'

TO

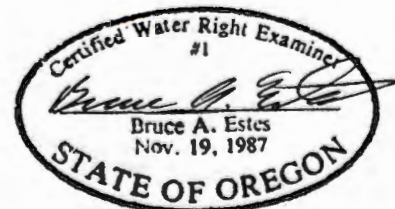
Transfer Application Map
for
TY FEHRENBACHER

T-

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WATER RESOURCES DEPT.
SALEM, OREGON



Renewal Dec 31, 2001

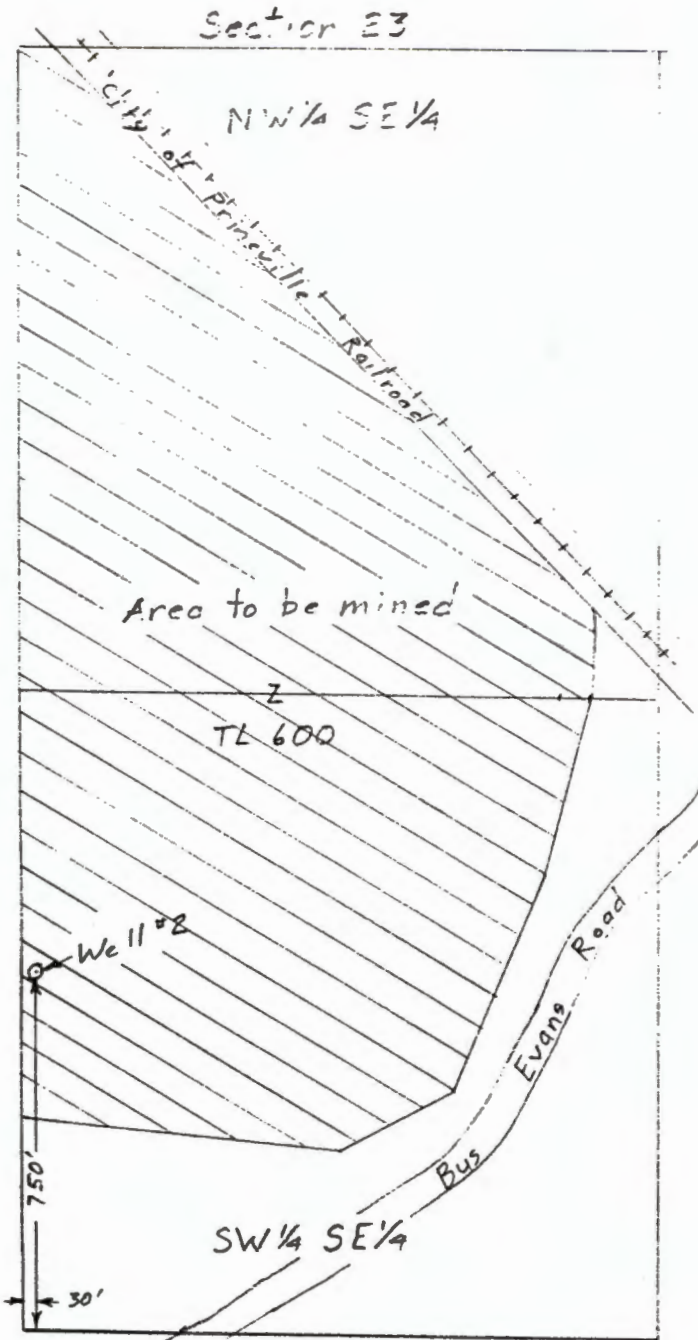
Sheet 2 of 3

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ESTES SURVEYS, LLC

PO Box 17519 60382 Arnold Rd
Salem, OR 97305-7519 Bend, OR 97702
(503) 585-7593 (541) 382-7391

T-8928 TOWNSHIP 14 SOUTH, RANGE 15 EAST W.M.



Scale 1" = 400'

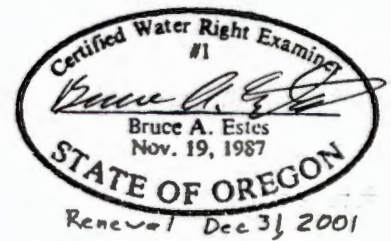
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WATER RESOURCES DEPT.
SALEM, OREGON

Transfer Application Map
for
TY FEHRENBACHER



Sheet 3 of 3

This map is for the purpose of
indicating a water right only
and has no intent to provide
legal dimensions or the location
of property lines.

ESTES SURVEYS

PO Box 17519
Salem, OR 97305-7519
(503) 585-7593

60382 Arnold Rd
Bend, OR 97702
(541) 382-7391

T-8928

Well #2

C200
3026

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JUN 15 1994

14S/15E/23

STATE OF OREGON
WATER WELL REPORT
(as required by ORS 337.765)

WATER RESOURCES DEPT. (START CARD) # 63957
SALEM, OREGON

Instructions for completing this report are on the last page of this form.

(1) OWNER: Well Number # 1
Name Barnard Construction Co. Inc.
Address P.O. Box 99
City Bozeman State Mt. Zip 59771

(2) TYPE OF WORK
 New Well Deepening Alteration (repair/recondition) Abandonment

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

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

(5) BORE HOLE CONSTRUCTION:
Special Construction approval Yes No Depth of Completed Well 350 ft.
Explosives used Yes No Type _____ Amount _____

HOLE			SEAL			
Diameter	From	To	Material	From	To	Sacks or pounds
21"	0	350	cement	0	104	4 yds slurry

How was seal placed: Method A B C D E
 Other pumped via tremie (3")
Backfill placed from _____ ft. to _____ ft. Material _____
Gravel placed from 104 ft. to 350 ft. Size of gravel 3/8

(6) CASING/LINER:

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing: 10"	+1	350	250	<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:

Method		Type		Material		Casing	Liner
From	To	Slot size	Number	Diameter	Slot size		
290	350	1/8	1200	10"		<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

Yield gal/min	Drawdown	Drill stem at	Flowing
600 gpm	100'	290'	5hrs

Temperature of water 68 Depth Artesian Flow Found 292'
Was a water analysis done? Yes No 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 Crook Latitude _____ Longitude _____
Township 14 S N or S Range 15 E E or W. WM
Section 23 SW 1/4 88 1/4
Tax Lot 500 Lot _____ Block _____ Subdivision _____
Street Address of Well (or nearest address) _____
Bus Evans Rd, Prineville, Or, 97754

(10) STATIC WATER LEVEL:
49' n. below land surface Date 5-31-94
Artesian pressure 0 lb. per square inch Date _____

(11) WATER BEARING ZONES:

Depth at which water was first found 70'

From	To	Estimated Flow Rate	SV
70	90	50 gpm	7
292	340	600 gpm	4

(12) WELL LOG:
Ground Elevation _____

Material	From	To	SWI
top soil	0	4	
med. gravel	4	23	
brown clay	23	36	
med gravel	36	48	
sandy clay	48	68	
brown sand w/b	68	90	
black sticky clay	90	292	
coarse gravel w/b	292	340	49'
brown claystone	340	360	

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WATER RESOURCES DEPT.
SALEM, OREGON

Date started 5-23-94 Completed 5-27-94

(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 water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.

Signed Bill Rupp WWC Number 1555
Date 6/11

(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 water supply well construction standards. This report is true to the best of my knowledge and belief.

Signed Carl Ch... WWC Number 741
Date 6-1-94

T-8928

Well #1

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MAY 20 1996

STATE OF OREGON WATER SUPPLY WELL REPORT

CROO 50081

(START CARD) # 67772

Instructions for completing this report are on the last page of this WATER RESOURCES DEPT.

(1) OWNER: Well Number SALEM, OREGON Name O'Neil Sand & Gravel Address P.O. Box 1238 City Redmond, State Ore, Zip 97756

LOCATION OF WELL by legal description: County Crook Latitude Longitude Township 14S N or S Range 14E E or W. WM. Section 30 SW 1/4 SE 1/4 Tax Lot 302 Lot Block Subdivision Street Address of Well (or nearest address) O'Neil Way

(2) TYPE OF WORK: [X] New Well [] Deepening [] Alteration (repair/recondition) [] Abandonment

(10) STATIC WATER LEVEL: 35 ft. below land surface. Date 5-8-96 Artesian pressure lb. per square inch. Date

(3) DRILL METHOD: [X] Rotary Air [] Rotary Mud [] Cable [] Auger [] Other

(11) WATER BEARING ZONES: Depth at which water was first found 114'

(4) PROPOSED USE: [] Domestic [] Community [] Industrial [] Irrigation [] Thermal [] Injection [] Livestock [X] Other sand & gravel

(5) BORE HOLE CONSTRUCTION: Special Construction approval [] Yes [X] No Depth of Completed Well 155 ft. Explosives used [] Yes [X] No Type Amount

Table with columns: From, To, Estimated Flow Rate, SWL. Row 1: 114', 145', 800, 35'

HOLE SEAL table with columns: Diameter, From, To, Material, From, To, Sacks or pounds. Row 1: 20", 0, 49', Bentonite, 0, 49', 65 sks. Row 2: 16", 49', 155'

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

(12) WELL LOG: Ground Elevation

(6) CASING/LINER table with columns: Diameter, From, To, Gauge, Steel, Plastic, Welded, Threaded. Casing: 16, +2', 94', 25, [X], [], []. Liner: 12", +3', 151', [X], [], []

WELL LOG table with columns: Material, From, To, SWL. Rows: coarse clay congl (0-31'), coarse sand & gravel (31'-44'), brwn clay congl (44'-60'), black sand (60'-87'), gray sticky clay (87'-93'), brwn clay stone (93'-114'), coarse congl W.B. (114'-145'), brkn gray lava (145'-155')

Final location of shoe(s)

(7) PERFORATIONS/SCREENS table with columns: From, To, Slot size, Number, Diameter, Tele/pipe size, Casing, Liner. Row 1: 91', 151', 1/8X3, 2880, 12", [], [X]

RECEIVED NOV 29 2001 WATER RESOURCES DEPT. SALEM, OREGON

(8) WELL TESTS: Minimum testing time is 1 hour [X] Pump [] Bailor [] Air [] Flowing Artesian Yield gal/min 570 Drawdown 18" Drill stem at Time 24hrxxx

Date started 5-2-96 Completed 5-8-96 (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 water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief. WWC Number Date

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

(bonded) Water Well Constructor Certification: I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief. WWC Number 1658 Date 5-14-96

STATE OF OREGON

COUNTY OF CROOK

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

TY FEHRENBACHER
ROUTE 1, BOX 36
TERREBONNE, OREGON 97760

(541)548-4353

The specific limits for the use are listed below along with conditions of use.

APPLICATION FILE NUMBER: G-13984

SOURCE OF WATER: WELLS #4 AND #5 WITHIN THE CROOKED RIVER BASIN

PURPOSE OR USE: INDUSTRIAL USE

MAXIMUM RATE: 2.0 CUBIC FEET PER SECOND

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: FEBRUARY 16, 1995

POINT OF DIVERSION LOCATION: NE 1/4 NE 1/4, SE 1/4 NE 1/4, SECTION 17, T14S, R14E, W.M.; WELL #4 - 2100 FEET SOUTH & 530 FEET WEST; WELL #5 - 200 FEET SOUTH & 460 FEET WEST, BOTH FROM THE NE CORNER OF SECTION 17

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SW 1/4 NE 1/4
NW 1/4 SE 1/4
SW 1/4 SE 1/4

SECTION 17

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

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.

Application G-13984 Water Resources Department

PERMIT G-12923

T-8928 A Pow/PCA

- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

Use of water under authority of this permit may be regulated if analysis of data available after the permit is issued discloses that the appropriation will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife in effect as of the priority date of the right or as those quantities may be subsequently reduced.

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this permit, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences.

STANDARD CONDITIONS

The wells shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the well at all times.

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

Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the department's standards, to the Water Resources Department. The Director may require water level or pump test results every ten years thereafter.

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

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

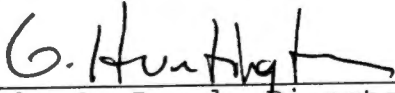
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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

The Director finds that the proposed use(s) of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

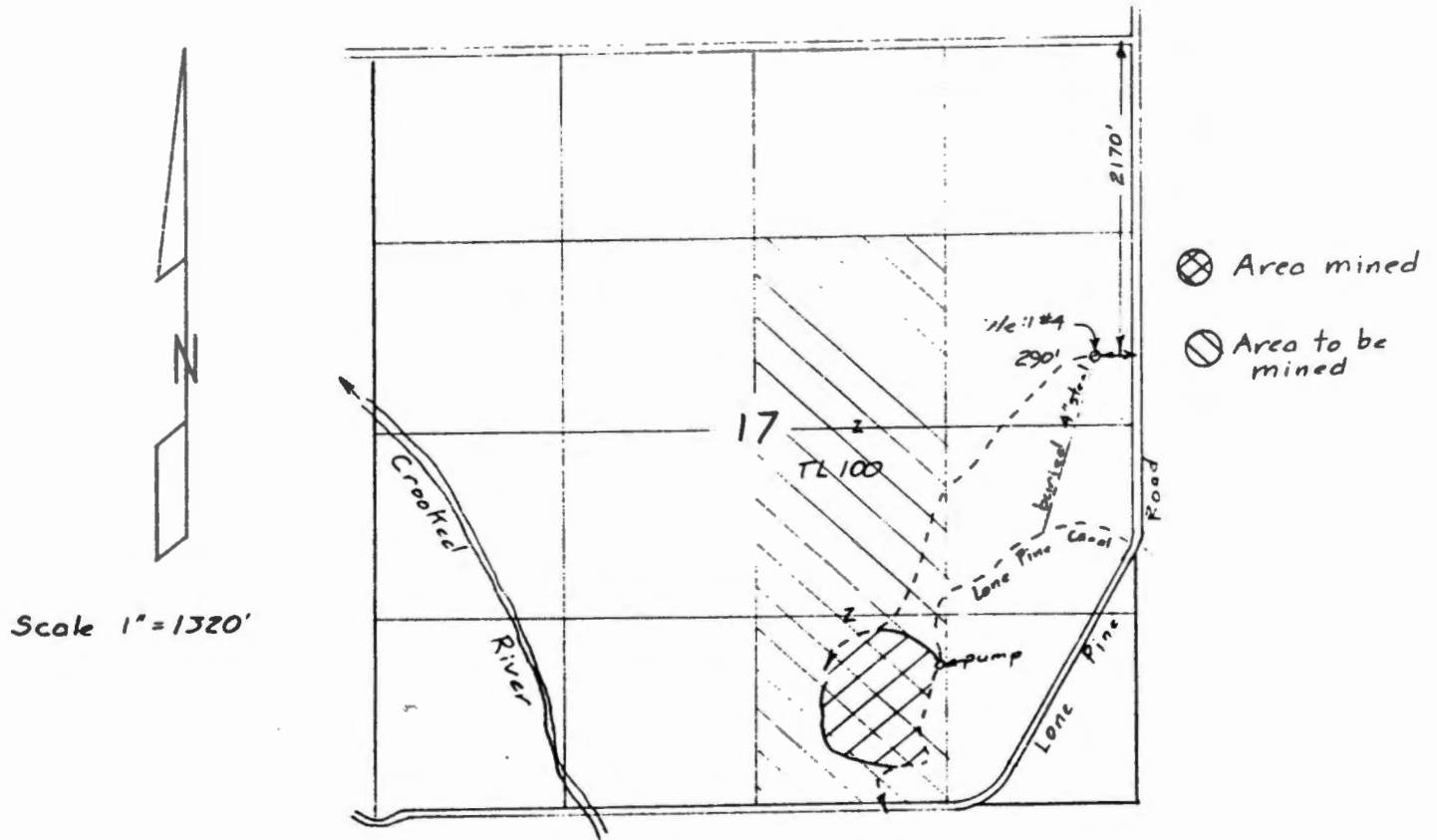
Actual construction of the well shall begin within one year from permit issuance, and shall be completed on or before October 1, 1998. Complete application of the water to the use shall be made on or before October 1, 1999.

Issued October 28, 1996



Martha O. Pagel, Director
Water Resources Department

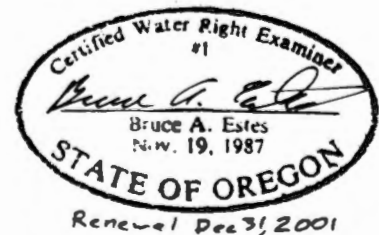
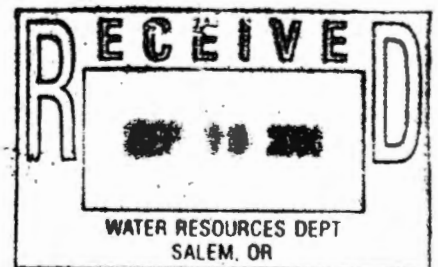
TOWNSHIP 14 SOUTH, RANGE 14 EAST, W.M.



Surveyed September 24, 1998

Claim of Beneficial Use Map
for
TY FEHRENBACHER

Application G-13984
Permit G-12923



This map is for the purpose of locating a water right only and has no intent to provide legal dimensions or the location of property lines.

ESTES SURVEYS

PO Box 17519 60382 Arnold Rd
Salem, OR 97305-7519 Bend, OR 97702
(503) 585-7583 (541) 382-7391



Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

Commerce Building

158 12th Street NE

Salem, OR 97301-4172

(503) 378-3739

FAX (503) 378-8130

INTEROFFICE MEMO

FORWARD TO:

Ben Bishop
FIELD PROCESSOR WORKING ON THIS TRANSFER

DATE: 12-3-01

FROM:

WATERMASTER, DISTRICT # 11
GROUNDWATER SECTION 3-2602
(SIGNATURE) [Signature]
signed by injury reviewer

SUBJECT: WATER RIGHT TRANSFER # 8928

A change in: POU POD POA USE of water.

In the name(s) of Ty Fehrenbacher

In my opinion (assuming the right is valid), the proposed change

MAY BE MADE WITHOUT INJURY WOULD RESULT IN INJURY* to an existing water right. *

*The approval of this transfer application would result in injury to other water rights because provided the claim of beneficial use is approved by our Department.

The existing right may not be valid because _____

Headgate notices HAVE HAVE NOT Been issued for diversion from the source(s) which serve(s) this right.

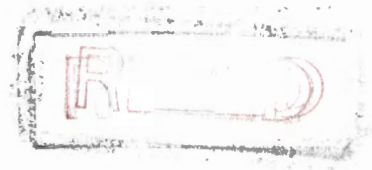
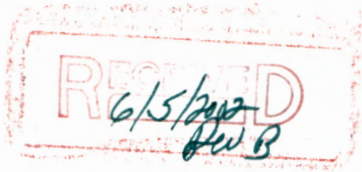
If for change in point of diversion, is there any intervening point(s) for diversion between the authorized and proposed points of diversion? (Yes or No) _____

In my opinion, the order approving the subject transfer application should include the following in regard to the appropriator installing suitable measuring devices in the diversion works:

- (1) PRIOR to the diverting of water at the new point of diversion . . .
- (2) WHEN IN the judgement of the watermaster it becomes necessary . . .

The enclosed copy of the transfer application and map(s) is for your records.





May 23, 2002

Bernadette Williams, Manger, Transfer Section
Water Resources Department
158 12th Street NE
Salem, OR 97301-4172

Dear Ms. Williams:

Re: T-8928

I understand there was a meeting held in Salem with yourself and a number of other department employees along with representatives for Hooker Creek Land Co. regarding the issue of transferring part of my permit G-12923 to a site near Prineville (well #2 of T-8928). Hooker Creek Land has now decided to transfer all the water right to the O'Neil site and add another well there.

Please amend my transfer application T-8928 by crossing out reference to well # 2 found on page 1 and including the changes annotated on page 3. Also amend the quantity of water as annotated on page 3. Please delete sheet 3 of the transfer map.

If you have any questions please call Bruce Estes, CWRE #1, at (503) 585-7593 or (541) 382-7391.

Sincerely,

Ty Fehrenbacher

cc Ben Bishop, Transfer Specialist ✓
Hooker Creek Land Co., LLC
Estes Surveys, LLC



State of Oregon
Water Resources Department
158 12th Street NE, Salem, OR 97310
(503)378-8455 • (800)624-3199
www.wrd.state.or.us

Application for Water Right Transfer

Please type or print in dark ink. If your application is found to be incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "n/a." Please read and refer to the instructions when completing your application. Thank you.

APPLICATION FOR:

Please check one

- Water Right Transfer
- Temporary Transfer
- Permit Amendment
- Historic Point of Diversion Change
- Government Action Point of Diversion

1. APPLICANT INFORMATION

Name: Ty Fehrenbacher
First Last

Address: 5301 N. Lone Pine Rd
Terrebonne, Oregon 97760
City State Zip

Phone: (541) 548-4353
Home Work Other

*Fax: _____ *E-Mail address: _____

*Optional information

2. TYPE OF CHANGE

- Use
- Place of Use
- Point of Diversion
- Point of Appropriation

Reason for change: Move to active mines

Is the land within an irrigation or other water district? Yes No

If yes, include district name: Well #1 Central Oregon Irrigation Dist.
~~Well #2 Ochoco Irrigation District (Amended May 23, 2002)~~

For Department Use		
App. No. _____	Permit No. _____	Date _____

4. PROPOSED CHANGES TO THE WATER RIGHT

Change in Use:

Proposed use: _____

Change in Point of Diversion or Point of Appropriation:

Change

Old point of diversion or point of appropriation will not be used for this portion of the water right.

Additional

Both old and new points of diversion or points of appropriation will be used for this portion of the water right.

Location of Proposed Point of Diversion or Point of Appropriation

	Coordinates (from recognized survey corner)	1/4 1/4 Section	Section	Township	Range
Well #1	30' N 1250' ± 20' S & 100' W from E 1/4 corner	NE SE SE NE	30	14 S	14 E
Well #2	750' N & 30' E from S 1/4 corner	SW 1/4 SE 1/4	23	14 S	15 E
Well #2	900' N & 1250' W from E 1/4 corner	SE NE	30	14 S	14 E (Amended May 23, 02)

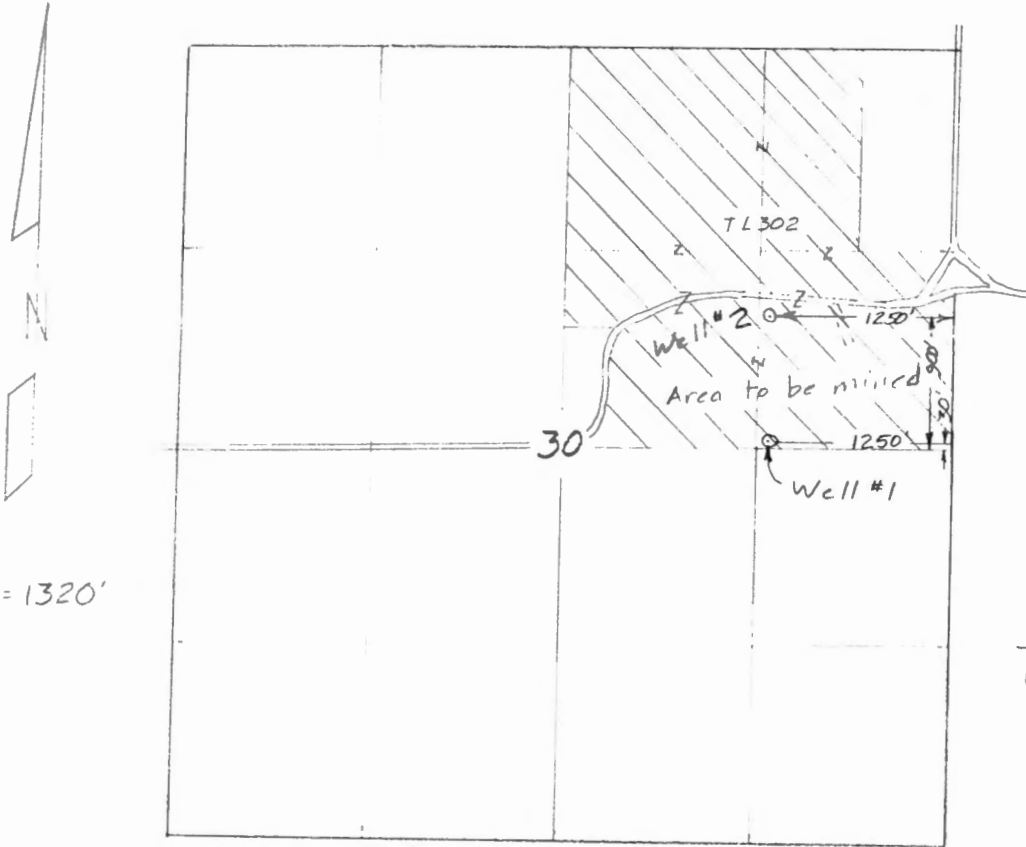
Change in Place of Use:

Location of Proposed Place of Use

	Township	Range	Section	Government Lot or DIC	1/4 1/4 Section	Tax Lot Number	Acres (if appropriate)
Wells #1 & #2	14 S	14 E	30		NE 1/4	302	NA
Well #2	14 S	15 E	23		W 1/2 SE 1/4	600	NA (Amended May 23, 02)

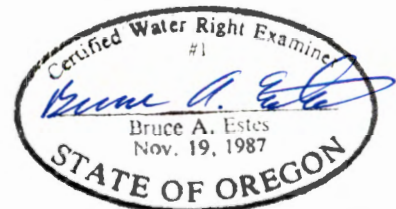
Remarks: Well #1 to receive 0.^{.78}~~78~~ ³⁵⁰ cfs (300 GPM) and Well #2 to receive 1.³³~~33~~ ⁵⁵⁰ cfs (600 GPM). Both of these sites are within the Deschutes study area.

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



Transfer Application Map
for
TY FEHRENBACHER

T- 8928



Renewal Dec 31, 2003

Sheet 2 of 2

This map is for the purpose of locating a water right only and has no intent to provide legal dimensions or the location of property lines.

ESTES SURVEYS, LLC

PO Box 17519 60382 Arnold Rd
Salem, OR 97305-7519 Bend, OR 97702
(503) 585-7593 (541) 382-7391

Amended 22 May 02

Ty Fehrenbacher
5301 N. Lone Pine Rd.
Terrebonne, OR 97760



★ ★ ★

125
4155
6286



00.34⁰

PB8646471
JUN 03 02
MAILED FROM BEND, OR 97702

Benjamin W. Bishop
Water Resources Dept.
1340 NW Wall St., Ste 100
Bend, OR 97701-1939

RECEIVED
JUN 06 2002
WATER RESOURCES DEPT.
SALEM, OREGON

May 23, 2002

Bernadette Williams, Manger, Transfer Section
Water Resources Department
158 12th Street NE
Salem, OR 97301-4172

Dear Ms. Williams:

Re: T-8928

I understand there was a meeting held in Salem with yourself and a number of other department employees along with representatives for Hooker Creek Land Co. regarding the issue of transferring part of my permit G-12923 to a site near Prineville (well #2 of T-8928). Hooker Creek Land has now decided to transfer all the water right to the O'Neil site and add another well there.

Please amend my transfer application T-8928 by crossing out reference to well # 2 found on page 1 and including the changes annotated on page 3. Also amend the quantity of water as annotated on page 3. Please delete sheet 3 of the transfer map.

If you have any questions please call Bruce Estes, CWRE #1, at (503) 585-7593 or (541) 382-7391.

Sincerely,


Ty Fehrenbacher

cc Ben Bishop, Transfer Specialist
Hooker Creek Land Co., LLC
Estes Surveys, LLC



State of Oregon
Water Resources Department
158 12th Street NE, Salem, OR 97310
(503)378-8455 • (800)624-3199
www.wrd.state.or.us

Application for Water Right Transfer

Please type or print in dark ink. If your application is found to be incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "n/a." Please read and refer to the instructions when completing your application. Thank you.

RECEIVED

JUN 06 2002

WATER RESOURCES DEPT.
SALEM, OREGON

APPLICATION FOR:

Please check one

- Water Right Transfer
- Temporary Transfer
- Permit Amendment
- Historic Point of Diversion Change
- Government Action Point of Diversion

1. APPLICANT INFORMATION

Name: Ty Fehrenbacher
First Last

Address: 5301 N. Lone Pine Rd
Terrebonne, Oregon 97760
City State Zip

Phone: (541) 548-4353
Home Work Other

*Fax: _____ *E-Mail address: _____

*Optional information

2. TYPE OF CHANGE

- Use
- Place of Use
- Point of Diversion
- Point of Appropriation

Reason for change: Move to active mines

Is the land within an irrigation or other water district? Yes No

If yes, include district name: Well #1 Central Oregon Irrigation Dist.

~~Well #2 Ochoco Irrigation District (Amended May 23, 2002)~~

For Department Use		
App. No. _____	Permit No. _____	Date _____

4. PROPOSED CHANGES TO THE WATER RIGHT

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JUN 06 2002

WATER RESOURCES DEPT.
SALEM, OREGON

Change in Use:

Proposed use: _____

Change in Point of Diversion or Point of Appropriation:

Change

Old point of diversion or point of appropriation will not be used for this portion of the water right.

Additional

Both old and new points of diversion or points of appropriation will be used for this portion of the water right.

Location of Proposed Point of Diversion or Point of Appropriation

	Coordinates (from recognized survey corner)	1/4 1/4 Section	Section	Township	Range
Well #1	30' N 1250' 120' S & 100' W from E 1/4 corner	NE SE SE NE	30	14 S	14 E
Well #2	750' N & 30' E from S 1/4 corner	SW 1/4 SE 1/4	23	14 S	15 E

Well #2 900' N & 1250' W from E 1/4 corner SE NE 30 14 S 14 E (Amended May 23, 02)

Change in Place of Use:

Location of Proposed Place of Use

Township	Range	Section	Government Lot or DIC	1/4 1/4 Section	Tax Lot Number	Acres (if appropriate)
Well #1	14 S	14 E	30	NE 1/4	302	NA
Well #2	14 S	15 E	23	W 1/2 SE 1/4	600	NA (Amended May 23, 02)

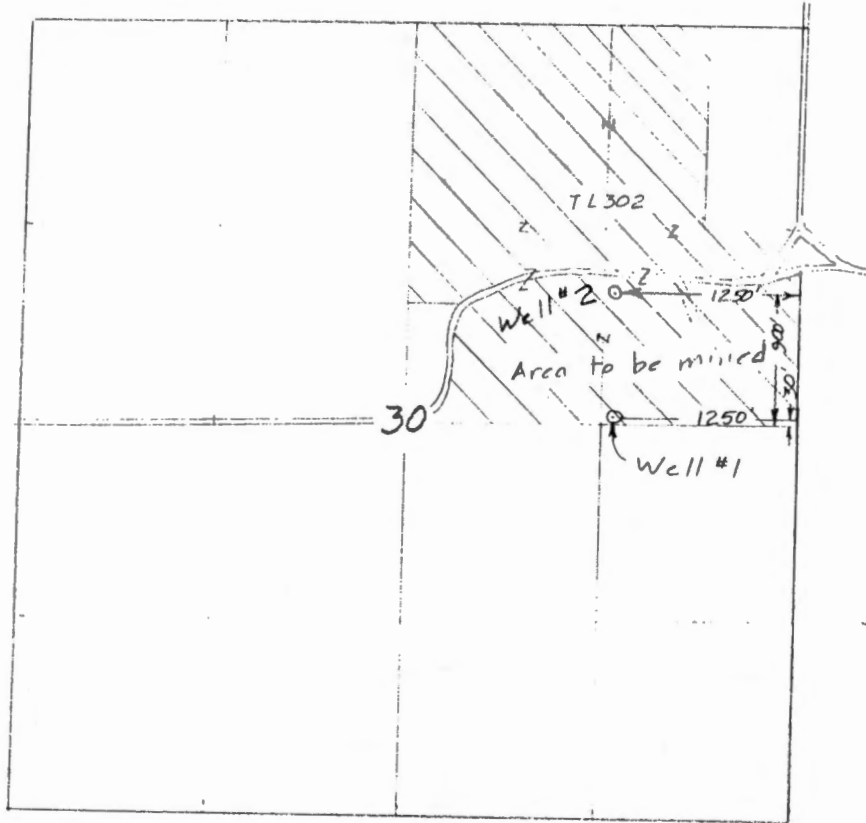
Remarks: Well #1 to receive 0.^{.78}~~78~~ cfs (³⁵⁰300 GPM) and Well #2 to receive 1.²⁸~~33~~ cfs (⁵⁵⁰600 GPM). Both of these sites are within the Deschutes study area.

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

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JUN 06 2002

WATER RESOURCES DEPT.
SALEM, OREGON



Scale 1" = 1320'

TO

Transfer Application Map
for
TY FEHRENBACHER

T-8928



Renewal Dec 31, 2003

Sheet 2 of 2

This map is for the purpose of
locating a water right only
and has no intent to provide
legal dimensions or the location
of property lines.

ESTES SURVEYS, LLC
PO Box 17519 60382 Arnold Rd
Salem, OR 97305-7519 Bend, OR 97702
(503) 585-7593 (541) 382-7391

Amended 22 May 02

Memorandum

December 14, 2001

TO: Ben Bishop

FROM:  Ken Lite, Hydrogeologist

SUBJECT Transfer Application T-8928

Well #2 (proposed POA) in Transfer Application T-8928 proposes a change in POA that would result in a transfer between two different aquifers. OAR 690-15-010 prohibits us from allowing such a transfer.



Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97301-4172
(503) 378-3739
FAX (503) 378-8130
www.wrd.state.or.us

December 3, 2001

Ty Fehrenbacher
5301 N. Lone Pine Road
Terrebonne, Oregon 97760

REFERENCE: Transfer 8928

On 11-29-2001 we received your water right transfer application requesting a change in Place of Use and Point of Appropriation for use of water from a Well. The application was accompanied by \$ 400.00. Our receipt 49791 is enclosed.

By copy of this letter, we are asking the Watermaster for his usual report regarding the potential for injury to existing water rights which may be caused by the change.

Your application will be examined to determine if additional information is needed. You will be contacted following this examination. If you have a specific reason why your application should be examined ahead of other applications, please send us a letter describing your reason. We may be able to examine your application ahead of others.

You may not use water for the new use, in the new place of use or from the new point of diversion until the transfer application has been approved. In order to avoid any possible forfeiture of the water right, you should continue to use the water as described by your existing water right. If the land is sold before the transfer is approved, you will need to obtain consent from the buyer to complete the transfer.

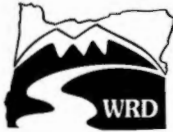
We will notify you if additional information or corrections to the application or map are required.

If you have any questions, please call the Transfer Section, (503) 378-3739.

cc: Watermaster District #11
CWRE #1, Bruce Estes
Central Oregon Irrigation District
Ochoco Irrigation District
Howard M. Day
Ground Water Section

enclosure

T-8928



State of Oregon
Water Resources Department
158 12th Street NE, Salem, OR 97310
(503)378-8455 • (800)624-3199
www.wrd.state.or.us

Application for Water Right Transfer

Please type or print in dark ink. If your application is found to be incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "n/a." Please read and refer to the instructions when completing your application. Thank you.

RECEIVED

NOV 29 2001

WATER RESOURCES DEPT.
SALEM, OREGON

RECEIVED
OVER THE COUNTER

APPLICATION FOR:

Please check one

Water Right Transfer Temporary Transfer Permit Amendment

Historic Point of Diversion Change Government Action Point of Diversion

1. APPLICANT INFORMATION

Name: Ty Fehrenbacher
First Last

Address: 5301 N. Lone Pine Rd.
Terrebonne, Oregon 97760
City State Zip

Phone: (541) 548-4353
Home Work Other

*Fax: _____ *E-Mail address: _____

*Optional information

2. TYPE OF CHANGE

Use Place of Use Point of Diversion Point of Appropriation

Reason for change: Move to active mines

Is the land within an irrigation or other water district? Yes No

If yes, include district name: Well #1 Central Oregon Irrigation Dist.
Well #2 Ochoco Irrigation District

	For Department Use	
App. No. _____	Permit No. _____	Date _____

T-8928

3. CURRENT WATER RIGHT INFORMATION

RECEIVED

Name on Permit, Certificate, or Decree: Ty Fehrenbacher

NOV 29 2001

Decree: [X] Not applicable

WATER RESOURCES DEPT.
SALEM, OREGON

Permit Number: G-12923
[] Not applicable

Certificate Number: Claim of Beneficial Use
[] Not applicable filed Sept. 1, 2000

Priority Date: Feb 16, 1995

Authorized Use: Industrial Use

Source of Water: a well

County: Crook

Are there other sources listed on the water right? [] Yes [X] No

Location of Authorized Point of Diversion or Point of Appropriation:

Coordinates (from recognized survey corner)	1/4 1/4 Section	Section	Township	Range
<u>2170'S & 290'W from NE corner</u>	<u>SE 1/4 NE 1/4</u>	<u>17</u>	<u>14 S</u>	<u>14 E</u>

Location of Authorized Place of Use:

Township	Range	Section	Government Lot or DIC	1/4 1/4 Section	Tax Lot Number	Acres (if appropriate)
<u>14 S</u>	<u>14 E</u>	<u>17</u>		<u>SW NE</u>	<u>100</u>	
		<u>17</u>		<u>NW SE</u>	<u>100</u>	
		<u>17</u>		<u>SW SE</u>	<u>100</u>	

Are there other lands described in the water right? [] Yes [X] No

Are there other water rights or permits associated with this land? [X] Yes [] No
If yes, include a copy of all rights or permits.

Description of general delivery system (ditch measurements, pump size, number of sprinklers, etc.):
40 HP submersible pump through 4" buried pipe to a ditch. Ditch delivers water to a 20 HP pump to pressurize the gravel operation

System capacity (in cfs): 2.0 cfs

T. 8928

4. PROPOSED CHANGES TO THE WATER RIGHT

RECEIVED

Change in Use:

Proposed use: _____

NOV 29 2001

WATER RESOURCES DEPT.
SALEM, OREGON

Change in Point of Diversion or Point of Appropriation:

Change

Old point of diversion or point of appropriation will not be used for this portion of the water right.

Additional

Both old and new points of diversion or points of appropriation will be used for this portion of the water right.

Location of Proposed Point of Diversion or Point of Appropriation

	Coordinates (from recognized survey corner)	1/4 1/4 Section	Section	Township	Range
Well #1	30' N & 1250' W 120' S & 100' W from E 1/4 corner	NE SE SE NE	30	14 S	14 E
Well #2	750' N & 30' E from S 1/4 corner	SW 1/4 SE 1/4	23	14 S	15 E

Change in Place of Use:

Location of Proposed Place of Use

	Township	Range	Section	Government Lot or DIC	1/4 1/4 Section	Tax Lot Number	Acres (if appropriate)
Well #1	14 S	14 E	30		NE 1/4	302	NA
Well #2	14 S	15 E	23		W 1/2 SE 1/4	600	NA

Remarks: Well #1 to receive 0.67 cfs (300 GPM) and Well #2 to receive 1.33 cfs (600 GPM). Both of these sites are within the Deschutes study area.

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NOV 29 2001

WATER RESOURCES DEPT.
SALEM, OREGON

Answer only
if for change
in Use or
Place of Use.

T-8928

5. LAND OWNERSHIP

Use/Place of Use

Are the lands free of encumbrances? Yes No

If no, name of encumbrance holder: _____

If no, application must include written permission for the transfer from the encumbrance holder.

Landowners

This section does not apply to water delivery entities authorized to act on behalf of their members, making permit amendment requests, or requests for changes in point of diversion or point of appropriation only.

Landowners: _____
(List all landowners shown on deed.)

Address(es): _____

_____ City State Zip

Application must include notarized statements from all landowners shown on deed giving permission for the transfer. Use an extra sheet if necessary.

Answer only
if applicant
is not the
landowner.

Receiving Landowner

Name: Howard M. Day
Hooker Creek Land Co., LLC

Address: 63101 Nels Anderson Rd.

Bend Oregon 97701
City State Zip

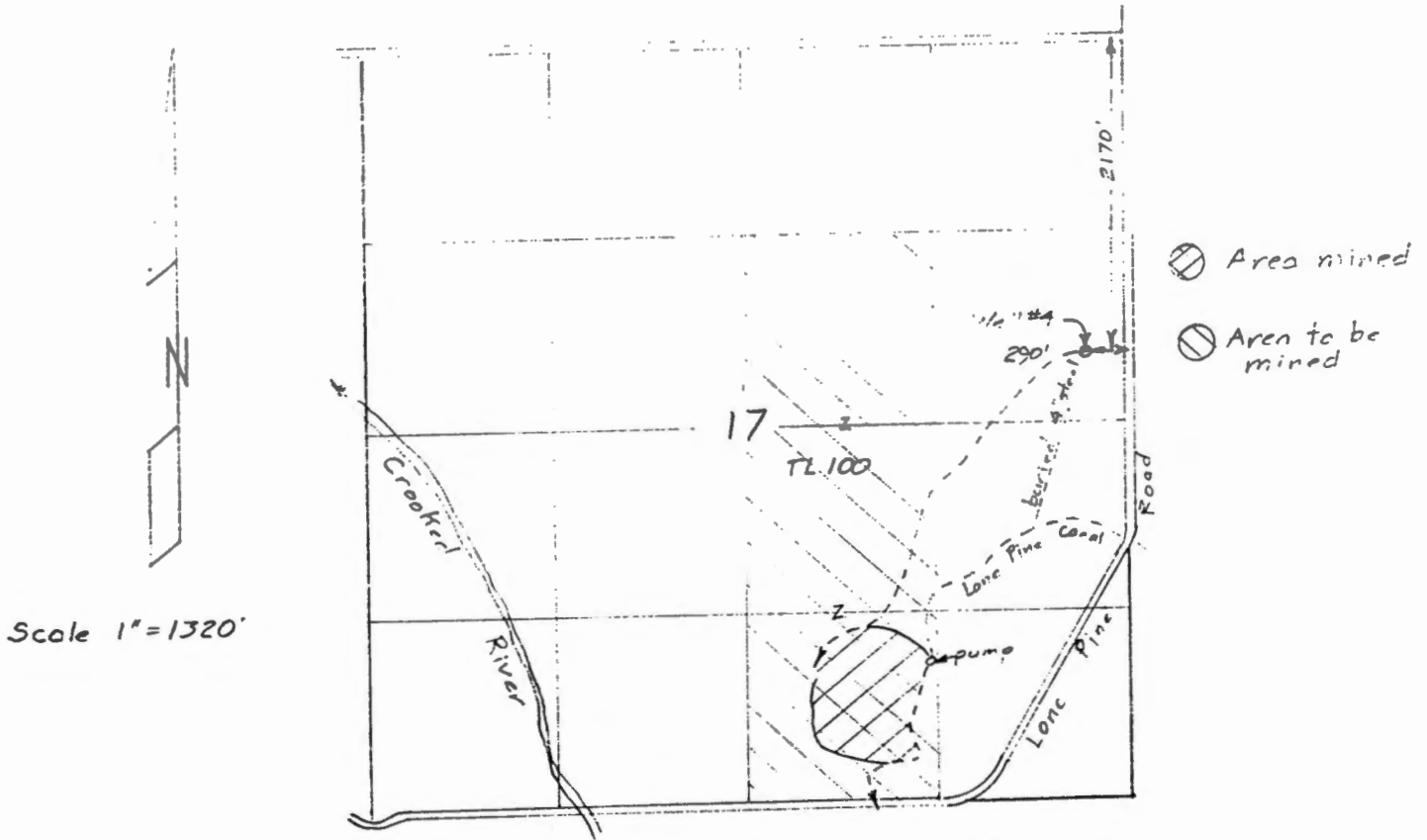
The Department's records should be changed to show this landowner is responsible for completion of the changes. All notices and correspondence should be sent to this landowner.

Applicant will remain responsible for completion of changes. Notices and correspondence should continue to be sent to applicant.

Answer only
if the receiving
landowner is
not the original
landowner or
the applicant.

T-8928

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

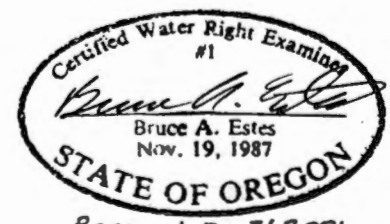


FROM

Transfer Application Map
for
TY FEHRENBACHER

Application T-

RECEIVED
NOV 29 2001
WATER RESOURCES DEPT.
SALEM, OREGON



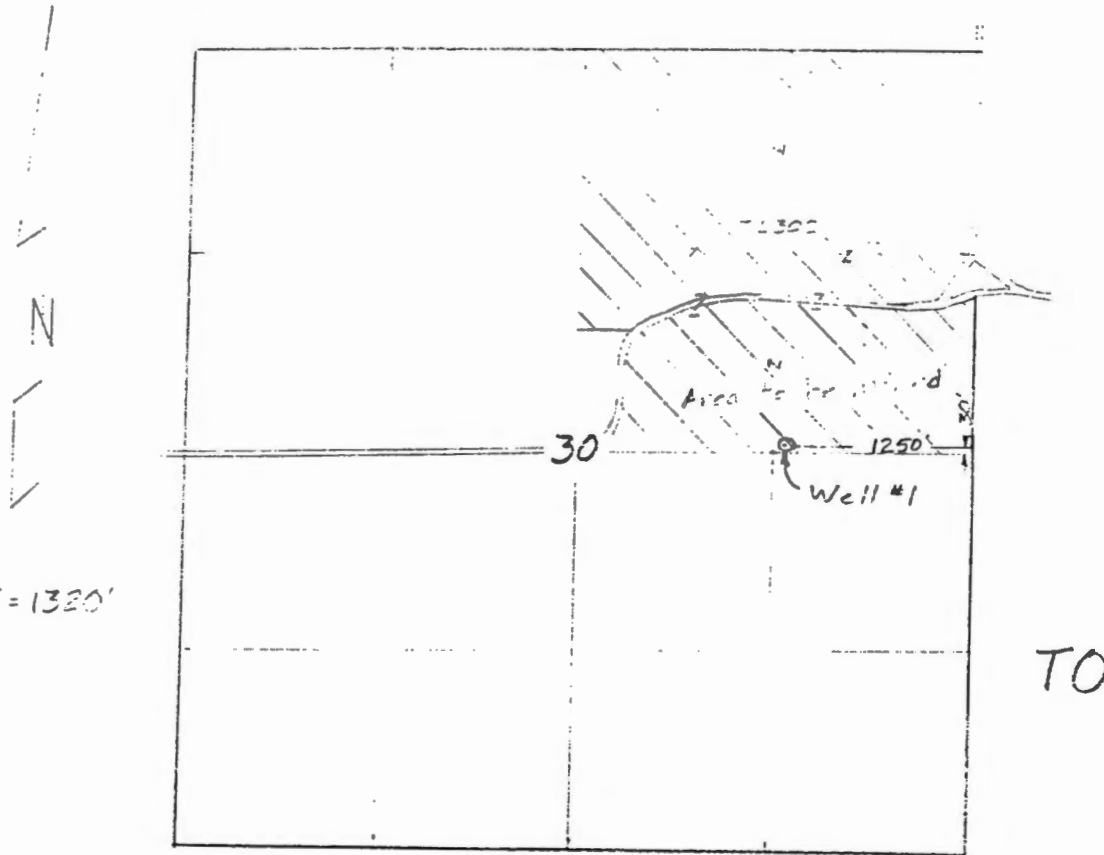
Renewal Dec 31, 2001
Sheet 1 of 3

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ESTES SURVEYS, LLC
 PO Box 17519 Salem, OR 97305-7519 (503) 585-7583
 60382 Arnold Rd Bend, OR 97702 (541) 382-7391

T-8928

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



Scale 1" = 1320'

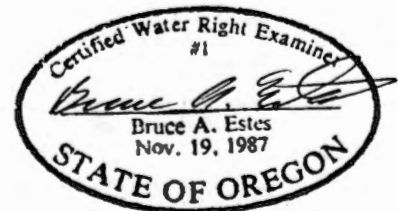
Transfer Application Map
for
TY FEHRENBACHER

T-

RECEIVED

NOV 29 2001

WATER RESOURCES DEPT.
SALEM, OREGON



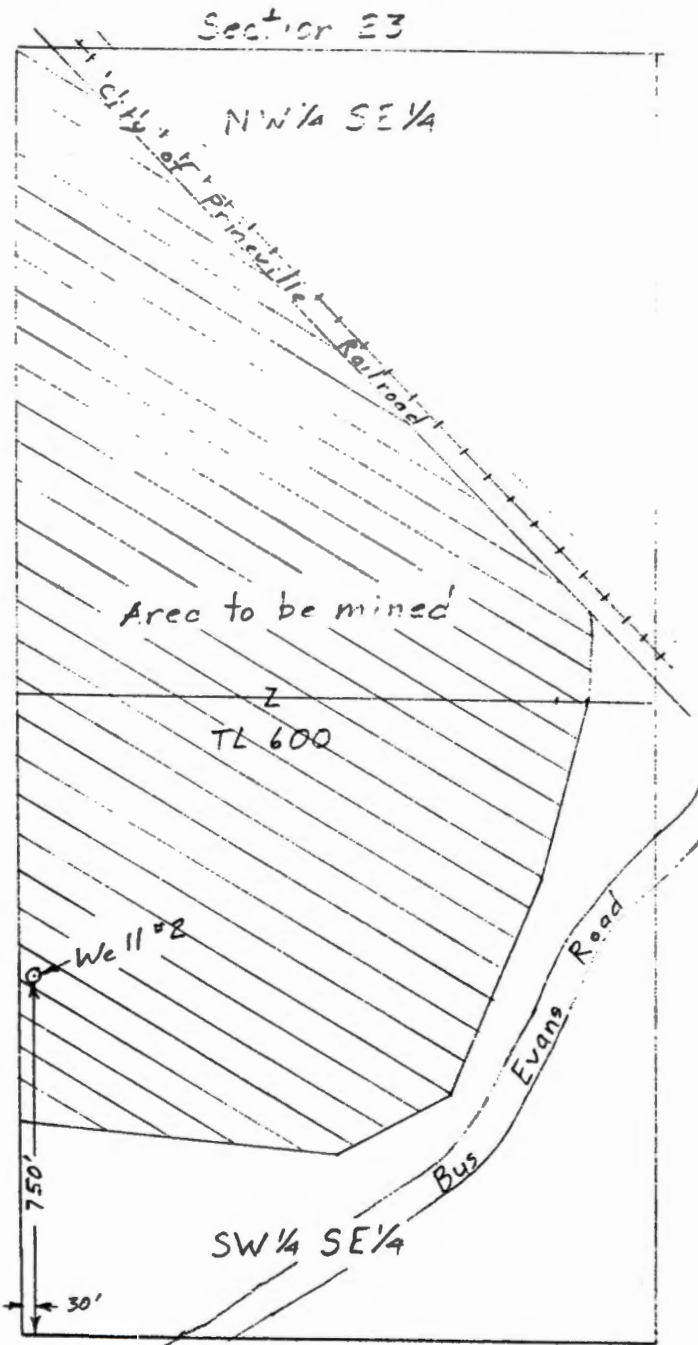
Renewal Dec 31, 2001

Sheet 2 of 3

This map is for the purpose of locating a water right only and has no intent to provide legal dimensions or the location of property lines.

ESTES SURVEYS, LLC
 PO Box 17519 60382 Arnold Rd
 Salem, OR 97305-7519 Bend, OR 97702
 (503) 585-7593 (541) 382-7391

T-8928 TOWNSHIP 14 SOUTH, RANGE 15 EAST W.M.



Scale 1" = 400'

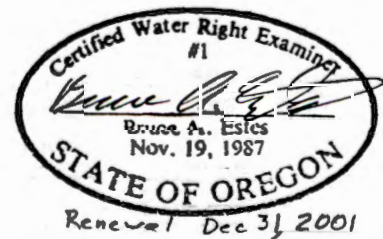
TO

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NOV 29 2001

WATER RESOURCES DEPT.
SALEM, OREGON

Transfer Application Map
for
TY FEHRENBACHER



Sheet 3 of 3

This map is for the purpose of
indicating a water right only
and has no intent to provide
legal dimensions or the location
of property lines.

ESTES SURVEYS

PO Box 17519
Salem, OR 97305-7519
(503) 585-7593

60382 Arnold Rd
Bend, OR 97702
(541) 382-7391

T-8928

Well #2

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JUN 15 1994

14S/15E/23

STATE OF OREGON WATER WELL REPORT

(as required by ORS 337.765)

WATER RESOURCES DEPT. (START CARD) # 63957

Instructions for completing this report are on the last page of this form. SALEM, OREGON

(1) OWNER: Well Number # 1 Name Barnard Construction Co. Inc. Address P.O. Box 99 City Boylston State Mt. Zip 59771

(2) TYPE OF WORK [X] New Well [] Deepening [] Alteration (repair/recondition) [] Abandonment

(3) DRILL METHOD: [] Rotary Air [X] Rotary Mud [] Cable [] Auger [] Other

(4) PROPOSED USE: [] Domestic [] Community [X] Industrial [] Irrigation [] Thermal [] Injection [] Livestock [] Other

(5) BORE HOLE CONSTRUCTION: Special Construction approval [] Yes [X] No Depth of Completed Well 350 ft. Explosives used [] Yes [X] No Type Amount

Table with columns: HOLE Diameter, From, To, Material, SEAL From, To, Sacks or pounds. Row 1: 21", 0, 350, cement, 0, 104, 4 yds slurry

How was seal placed: Method [] A [] B [] C [] D [] E [] Other pumped via tremie (3") Backfill placed from ft. to ft. Material Gravel placed from 104 ft. to 350 ft. Size of gravel 3/8

Table for (6) CASING/LINER: Diameter, From, To, Gauge, Steel, Plastic, Welded, Threaded. Row 1: Casing 10", +1, 350, 250, [X], [], [X], []

Final location of shoe(s)

(7) PERFORATIONS/SCREENS: [X] Perforations Method factory [] Screens Type Material. Table with columns: From, To, Slot size, Number, Diameter, Hole/pipe size, Casing, Liner. Row 1: 290, 350, 1/8, 1200, 10", [], [X], [], []

(8) WELL TESTS: Minimum testing time is 1 hour [] Pump [] Bailor [X] Air [] Flowing Artesian. Table with columns: Yield gal/min, Drawdown, Drill stem air, Flow. Row 1: 600 gpm, 100', 290', 50 gpm

Temperature of water 68 Depth Artesian Flow Found 292' Was a water analysis done? [] Yes By whom Did any strata contain water not suitable for intended use? [X] Too little [] Salty [] Muddy [] Odor [] Colored [] Other Depth of strata:

(9) LOCATION OF WELL by legal description: County Crook Latitude Longitude Township 14 S N or S Range 15 E E or W. WM Section 23 SW 1/4 SE 1/4 Tax Lot 500 Lot Block Subdivision Street Address of Well (or nearest address) Bus Evans Rd. Prineville, Or. 97754

(10) STATIC WATER LEVEL: 49' ft. below land surface. Date 5-31-94 Artesian pressure -0- lb. per square inch. Date

(11) WATER BEARING ZONES: Depth at which water was first found 70'. Table with columns: From, To, Estimated Flow Rate, SW. Row 1: 70, 90, 50 gpm, 7. Row 2: 292, 340, 600 gpm, 4.

(12) WELL LOG: Ground Elevation. Table with columns: Material, From, To, SW. Row 1: top soil, 0, 4. Row 2: med. gravel, 4, 23. Row 3: brown clay, 23, 36. Row 4: med gravel, 36, 48. Row 5: sandy clay, 48, 68. Row 6: brown sand w/b, 68, 90. Row 7: black sticky clay, 90, 292. Row 8: coarse gravel w/b, 292, 340, 49'. Row 9: brown claystone, 340, 360.

RECEIVED NOV 29 2001 WATER RESOURCES DEPT. SALEM, OREGON

Date started 5-23-94 Completed 5-27-94 (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 water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.

Signed [Signature] WWC Number 1555 Date 6/1/94

(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 water supply well construction standards. This report is true to the best of my knowledge and belief.

Signed [Signature] WWC Number 741 Date 6-1-94

T-8928

Well #1

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To #1

STATE OF OREGON WATER SUPPLY WELL REPORT

CR00 50081

MAY 20 1996

(START CARD) # 67772

Instructions for completing this report are on the last page of this WATER RESOURCES DEPT.

(1) OWNER: Well Number SALEM, OREGON

Name O'Neil Sand & Gravel Address P.O. Box 1238 City Redmond State Ore Zip 97756

(2) TYPE OF WORK: [] New Well [] Deepening [] Alteration (repair/recondition) [] Abandonment

(3) DRILL METHOD: [x] Rotary Air [] Rotary Mud [] Cable [] Auger [] Other

(4) PROPOSED USE: [] Domestic [] Community [] Industrial [] Irrigation [] Thermal [] Injection [] Livestock [x] Other sand & gravel

(5) BORE HOLE CONSTRUCTION: Special Construction approval [] Yes [x] No Depth of Completed Well 155 ft. Explosives used [] Yes [x] No Type Amount

Table with columns: Diameter, From, To, Material, From, To, Sacks or pounds. Row 1: 20", 0, 49', Bentonite, 0, 49', 65 sks. Row 2: 16", 49', 155'

How was seal placed: Method [] A [] B [] C [] D [] E [x] Other poured

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

(6) CASING/LINER: Table with columns: Diameter, From, To, Gauge, Steel, Plastic, Welded, Threaded. Casing: 16, +2', 94', 250, [x], [], [x], []. Liner: 12", +3', 151', [x], [], [x], [].

(7) PERFORATIONS/SCREENS: [x] Perforations Method Factory [] Screens Type Material

Table with columns: From, To, Slot size, Number, Diameter, Tele/pipe size, Casing, Liner. Row 1: 91', 151', 1/8X3, 2880, 12", [], [x].

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

[x] Pump [] Bailor [] Air [] Anestian Yield gpm/min Drawdown Drill stem at Time 570 18" 24hr x x x

Temperature of water 53 Depth Anestian How 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:

LOCATION OF WELL by legal description: County Crook Latitude Longitude Township 14S N or S Range 14E E or W. WM. Section 30 SW 1/4 SE 1/4 Tax Lot 302 Lot Block Subdivision Street Address of Well (or nearest address) O'Neil Way

(10) STATIC WATER LEVEL: 35 ft. below land surface. Date 5-8-96 Artesian pressure lb. per square inch Date

(11) WATER BEARING ZONES: Depth at which water was first found 114'

Table with columns: From, To, Estimated Flow Rate, SWL. Row 1: 114', 145', 800, 35'

(12) WELL LOG: Ground Elevation

Table with columns: Material, From, To, SWL. Rows: coarse clay congl (0-31'), coarse sand & gravel (31'-44'), brwn clay congl (44'-60'), black sand (60'-87'), gray sticky clay (87'-93'), brwn clay stone (93'-114'), coarse congl W.B. (114'-145'), brkn gray lava (145'-155')

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WATER RESOURCES DEPT. SALEM, OREGON

Date started 5-2-96 Completed 5-8-96

(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 water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.

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 water supply well construction standards. This report is true to the best of my knowledge and belief.

WWC Number 1658 Date 5-14-96

STATE OF OREGON

COUNTY OF CROOK

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

TY FEHRENBACHER
ROUTE 1, BOX 36
TERREBONNE, OREGON 97760

(541)548-4353

The specific limits for the use are listed below along with conditions of use.

APPLICATION FILE NUMBER: G-13984

SOURCE OF WATER: WELLS #4 AND #5 WITHIN THE CROOKED RIVER BASIN

PURPOSE OR USE: INDUSTRIAL USE

MAXIMUM RATE: 2.0 CUBIC FEET PER SECOND

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: FEBRUARY 16, 1995

POINT OF DIVERSION LOCATION: NE 1/4 NE 1/4, SE 1/4 NE 1/4, SECTION 17, T14S, R14E, W.M.; WELL #4 - 2100 FEET SOUTH & 530 FEET WEST; WELL #5 - 200 FEET SOUTH & 460 FEET WEST, BOTH FROM THE NE CORNER OF SECTION 17

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SW 1/4 NE 1/4
NW 1/4 SE 1/4
SW 1/4 SE 1/4

SECTION 17

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

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.

- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

Use of water under authority of this permit may be regulated if analysis of data available after the permit is issued discloses that the appropriation will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife in effect as of the priority date of the right or as those quantities may be subsequently reduced.

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this permit, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences.

STANDARD CONDITIONS

The wells shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the well at all times.

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

Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the department's standards, to the Water Resources Department. The Director may require water level or pump test results every ten years thereafter.

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

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

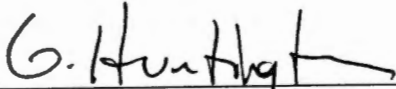
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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

The Director finds that the proposed use(s) of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

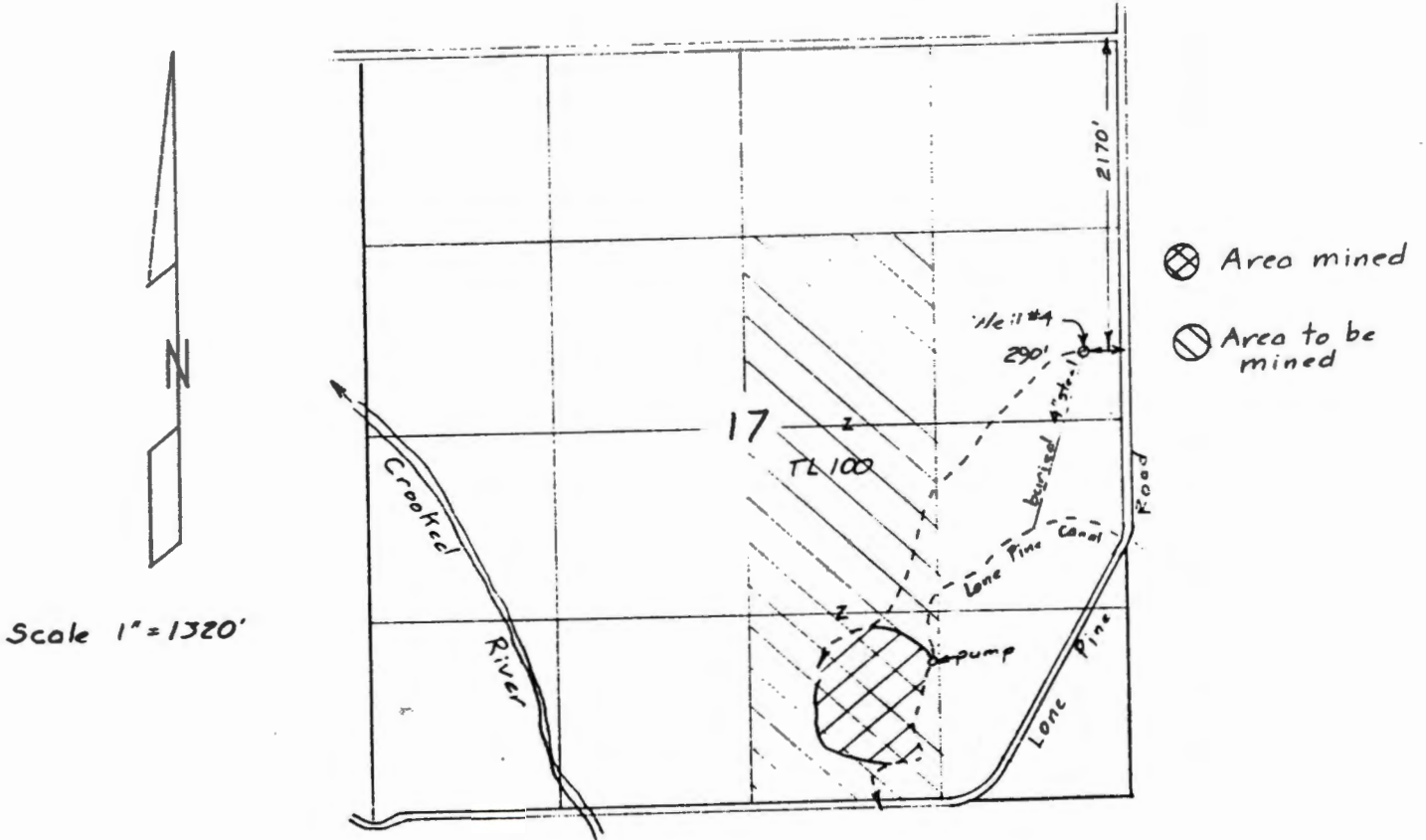
Actual construction of the well shall begin within one year from permit issuance, and shall be completed on or before October 1, 1998. Complete application of the water to the use shall be made on or before October 1, 1999.

Issued October 28, 1996



Martha O. Pagel, Director
Water Resources Department

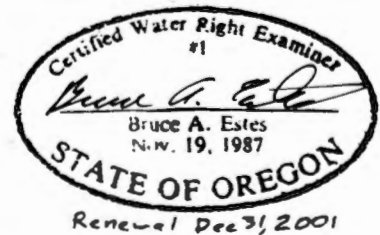
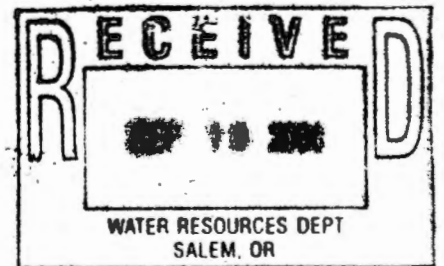
TOWNSHIP 14 SOUTH, RANGE 14 EAST, W.M.



Surveyed September 24, 1998

Claim of Beneficial Use Map
for
TY FEHRENBACHER

Application G-13984
Permit G-12923



This map is for the purpose of locating a water right only and has no intent to provide legal dimensions or the location of property lines.

ESTES SURVEYS

PO Box 17519 60382 Arnold Rd
Salem, OR 97305-7519 Bend, OR 97702
(503) 585-7593 (541) 382-7391

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JUN 06 2002
WATER RESOURCES DEPT.
SALEM, OREGON

May 23, 2002

Bernadette Williams, Manger, Transfer Section
Water Resources Department
158 12th Street NE
Salem, OR 97301-4172

Dear Ms. Williams:

Re: T-8928

I understand there was a meeting held in Salem with yourself and a number of other department employees along with representatives for Hooker Creek Land Co. regarding the issue of transferring part of my permit G-12923 to a site near Prineville (well #2 of T-8928). Hooker Creek Land has now decided to transfer all the water right to the O'Neil site and add another well there.

Please amend my transfer application T-8928 by crossing out reference to well # 2 found on page 1 and including the changes annotated on page 3. Also amend the quantity of water as annotated on page 3. Please delete sheet 3 of the transfer map.

If you have any questions please call Bruce Estes, CWRE #1, at (503) 585-7593 or (541) 382-7391.

Sincerely,


Ty Fehrenbacher

cc Ben Bishop, Transfer Specialist
Hooker Creek Land Co., LLC
Estes Surveys, LLC

4. PROPOSED CHANGES TO THE WATER RIGHT

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JUN 06 2002

WATER RESOURCES DEPT.
SALEM, OREGON

Change in Use:

Proposed use: _____

Change in Point of Diversion or Point of Appropriation:

Change

Old point of diversion or point of appropriation will not be used for this portion of the water right.

Additional

Both old and new points of diversion or points of appropriation will be used for this portion of the water right.

Location of Proposed Point of Diversion or Point of Appropriation

	Coordinates (from recognized survey corner)	1/4 1/4 Section	Section	Township	Range
Well #1	30' N 1250' + 20' S & 100' W from E 1/4 corner	NE SE SE NE	30	14 S	14 E
Well #2	750' N & 30' E from S 1/4 corner	SW 1/4 SE 1/4	23	14 S	15 E

Well #2 900' N & 1250' W from E 1/4 corner SE NE 30 14 S 14 E (Amended May 23, 02)

Change in Place of Use:

Location of Proposed Place of Use

Township	Range	Section	Government Lot or DIC	1/4 1/4 Section	Tax Lot Number	Acres (if appropriate)
14 S	14 E	30		NE 1/4	302	NA
14 S	15 E	23		W 1/2 SE 1/4	600	NA (Amended May 23, 02)

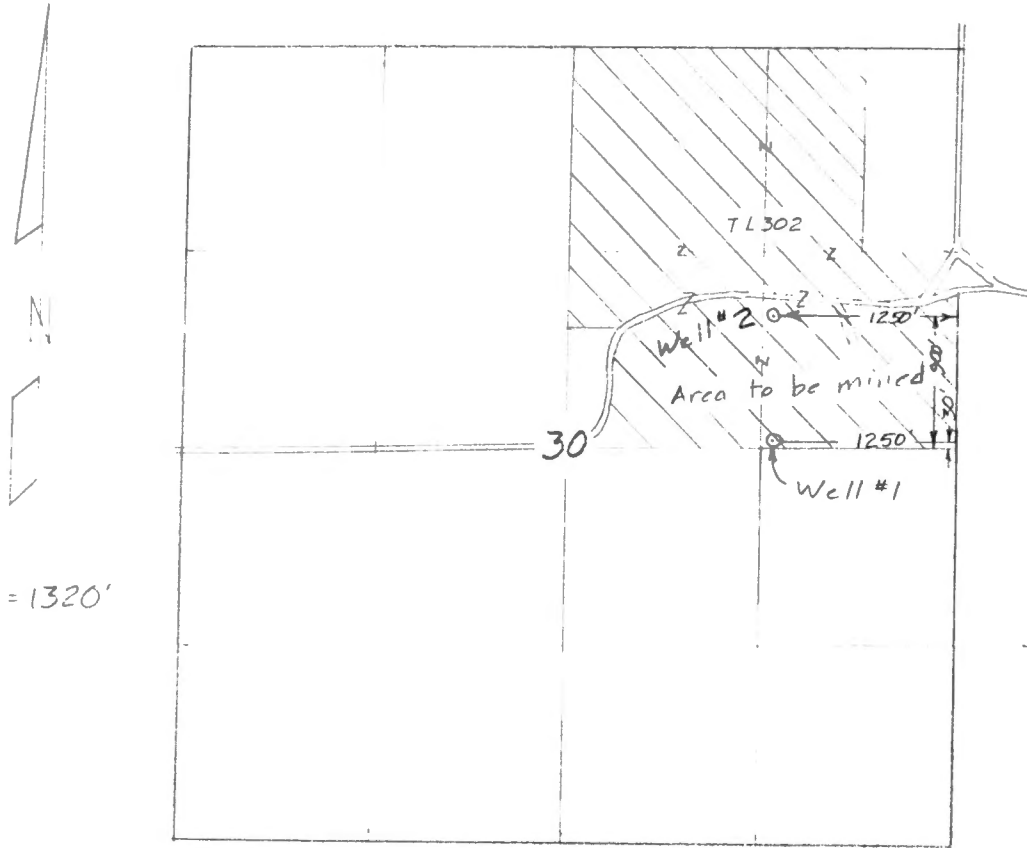
Remarks: Well #1 to receive 0.^{.78}~~78~~ cfs (³⁵⁰300 GPM) and Well #2 to receive 1.²⁸~~33~~ cfs (⁵⁵⁰600 GPM). Both of these sites are within the Deschutes study area.

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

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JUN 06 2002

WATER RESOURCES DEPT.
SALEM, OREGON

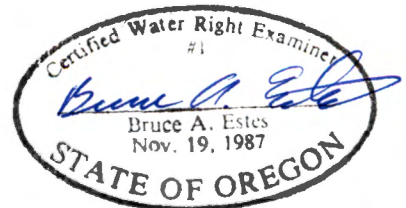


Scale 1" = 1320'

TO

Transfer Application Map
for
TY FEHRENBACHER

T-8928



Renewal Dec 31, 2003

Sheet 2 of 2

This map is for the purpose of
locating a water right only
and has no intent to provide
legal dimensions or the location
of property lines.

ESTES SURVEYS, LLC

PO Box 17519	60382 Arnold Rd
Salem, OR 97305-7519	Bend, OR 97702
(503) 585-7593	(541) 382-7391

Amended 22 May 02

T-8928



State of Oregon
Water Resources Department
158 12th Street NE, Salem, OR 97310
(503)378-8455 • (800)624-3199
www.wrd.state.or.us

Application for Water Right Transfer

Please type or print in dark ink. If your application is found to be incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "n/a." Please read and refer to the instructions when completing your application. Thank you.

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WATER RESOURCES DEPT.
SALEM, OREGON

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OVER THE COUNTER

APPLICATION FOR:

Please check one

Water Right Transfer Temporary Transfer Permit Amendment

Historic Point of Diversion Change Government Action Point of Diversion

1. APPLICANT INFORMATION

Name: Ty Fehrenbacher
First Last

Address: 5301 N. Lone Pine Rd
Terrebonne, Oregon 97760
City State Zip

Phone: (541) 548-4353
Home Work Other

*Fax: _____ *E-Mail address: _____

*Optional information

2. TYPE OF CHANGE

Use Place of Use Point of Diversion Point of Appropriation

Reason for change: Move to active mines

Is the land within an irrigation or other water district? Yes No

If yes, include district name: Well #1 Central Oregon Irrigation Dist.
Well #2 Ochoco Irrigation District

For Department Use		
App. No. _____	Permit No. _____	Date _____

T-8928

3. CURRENT WATER RIGHT INFORMATION

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Name on Permit, Certificate, or Decree: Ty Fehrenbacher NOV 29 2001

Decree: _____ WATER RESOURCES DEPT. SALEM, OREGON

Not applicable]

Permit Number: G-12923 Certificate Number: Claim of Beneficial Use
[Not applicable] [Not applicable] filed Sept. 1, 2000

Priority Date: Feb 16, 1995 Authorized Use: Industrial Use

Source of Water: a well County: Crook

Are there other sources listed on the water right? Yes No

Location of Authorized Point of Diversion or Point of Appropriation:

Coordinates (from recognized survey corner)	1/4 1/4 Section	Section	Township	Range
<u>2170'S & 290'W from NE corner</u>	<u>SE 1/4 NE 1/4</u>	<u>17</u>	<u>14 S</u>	<u>14 E</u>

Location of Authorized Place of Use:

Township	Range	Section	Government Lot or DIC	1/4 1/4 Section	Tax Lot Number	Acres (if appropriate)
<u>14 S</u>	<u>14 E</u>	<u>17</u>		<u>SW NE</u>	<u>100</u>	
		<u>17</u>		<u>NWSE</u>	<u>100</u>	
		<u>17</u>		<u>SWSE</u>	<u>100</u>	

Are there other lands described in the water right? Yes No

Are there other water rights or permits associated with this land? Yes No
If yes, include a copy of all rights or permits.

Description of general delivery system (ditch measurements, pump size, number of sprinklers, etc.):
40 HP submersible pump through 4" buried pipe to a ditch. Ditch delivers water to a 20 HP pump to pressurize the gravel operation

System capacity (in cfs): 2.0 cfs

T. 8928

4. PROPOSED CHANGES TO THE WATER RIGHT

RECEIVED

Change in Use:

Proposed use: _____

NOV 29 2001

WATER RESOURCES DEPT.
SALEM, OREGON

Change in Point of Diversion or Point of Appropriation:

Change

Old point of diversion or point of appropriation will not be used for this portion of the water right.

Additional

Both old and new points of diversion or points of appropriation will be used for this portion of the water right.

Location of Proposed Point of Diversion or Point of Appropriation

	Coordinates (from recognized survey corner)	1/4 1/4 Section	Section	Township	Range
Well #1	30' N & 1250' W 120' S & 100' W from E 1/4 corner	NE SE SE NE	30	14 S	14 E
Well #2	750' N & 30' E from S 1/4 corner	SW 1/4 SE 1/4	23	14 S	15 E

Change in Place of Use:

Location of Proposed Place of Use

	Township	Range	Section	Government Lot or DIC	1/4 1/4 Section	Tax Lot Number	Acres (if appropriate)
Well #1	14 S	14 E	30		NE 1/4	302	NA
Well #2	14 S	15 E	23		W 1/2 SE 1/4	600	NA

Remarks: Well #1 to receive 0.67 cfs (300 GPM) and Well #2 to receive 1.33 cfs (600 GPM). Both of these sites are within the Deschutes study area.

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WATER RESOURCES DEPT.
SALEM, OREGON

Answer only
if for change
in **Use** or
Place of Use.

T-8928

5. LAND OWNERSHIP

Use/Place of Use

Are the lands free of encumbrances? Yes No

If no, name of encumbrance holder: _____

If no, application must include written permission for the transfer from the encumbrance holder.

Landowners

This section does not apply to water delivery entities authorized to act on behalf of their members, making permit amendment requests, or requests for changes in point of diversion or point of appropriation only.

Landowners: _____
(List all landowners shown on deed.)

Address(es): _____

_____ City State Zip

Application must include notarized statements from all landowners shown on deed giving permission for the transfer. Use an extra sheet if necessary.

Answer only
if applicant
is **not** the
landowner.

Receiving Landowner

Name: Howard M. Day
Hooker Creek Land Co., LLC

Address: 63101 Nels Anderson Rd.

Bend Oregon 97701
City State Zip

The Department's records should be changed to show this landowner is responsible for completion of the changes. All notices and correspondence should be sent to this landowner.

Applicant will remain responsible for completion of changes. Notices and correspondence should continue to be sent to applicant.

Answer only
if the receiving
landowner is
not the original
landowner or
the applicant.

T-8928

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WATER RESOURCES DEPT.
SALEM, OREGON

6. EXHIBITS

Application may be rejected if all appropriate exhibits are not enclosed.

Land Use Information Form:

- Enclosed
- Not needed: (must meet the following four requirements)
 - ① In EFU zone or irrigation district.
 - ② Change in place of use only.
 - ③ No structural changes needed, including diversion works, delivery facilities, other structures.
 - ④ Irrigation only.

List all affected governments (city, county, state, tribal, federal):
Creek Co.

Map:

- Water Right Transfer: *Must be prepared by a Certified Water Right Examiner.*
- All others: *Need not be prepared by a Certified Water Right Examiner.*

Deed:

- Must accompany all applications, except permit amendment requests.

Evidence of use within last five years, or not subject to forfeiture:

- Best evidence is an affidavit from a knowledgeable person describing the water use. Statements saying water was delivered or assessments/fees were paid are insufficient. Evidence must show actual use of the water for the authorized purpose, in the authorized place of use.

Water Well Reports:

- If application is for a change in point of appropriation or change from surface water to ground water, attach copies of all water well reports. If reports are not available, describe construction details including well depth, static water level, and information necessary to establish the ground water body developed or proposed to be developed.

Fees:

Amount enclosed \$ 400⁰⁰
See instruction book for fee schedule.

7. SIGNATURE

I (we) swear that I (we) have read the above application and the statements made are true and accurate.

Ty Fehrenbacher
applicant signature

name (print)

11/21/01
date

date

applicant signature

name (print)

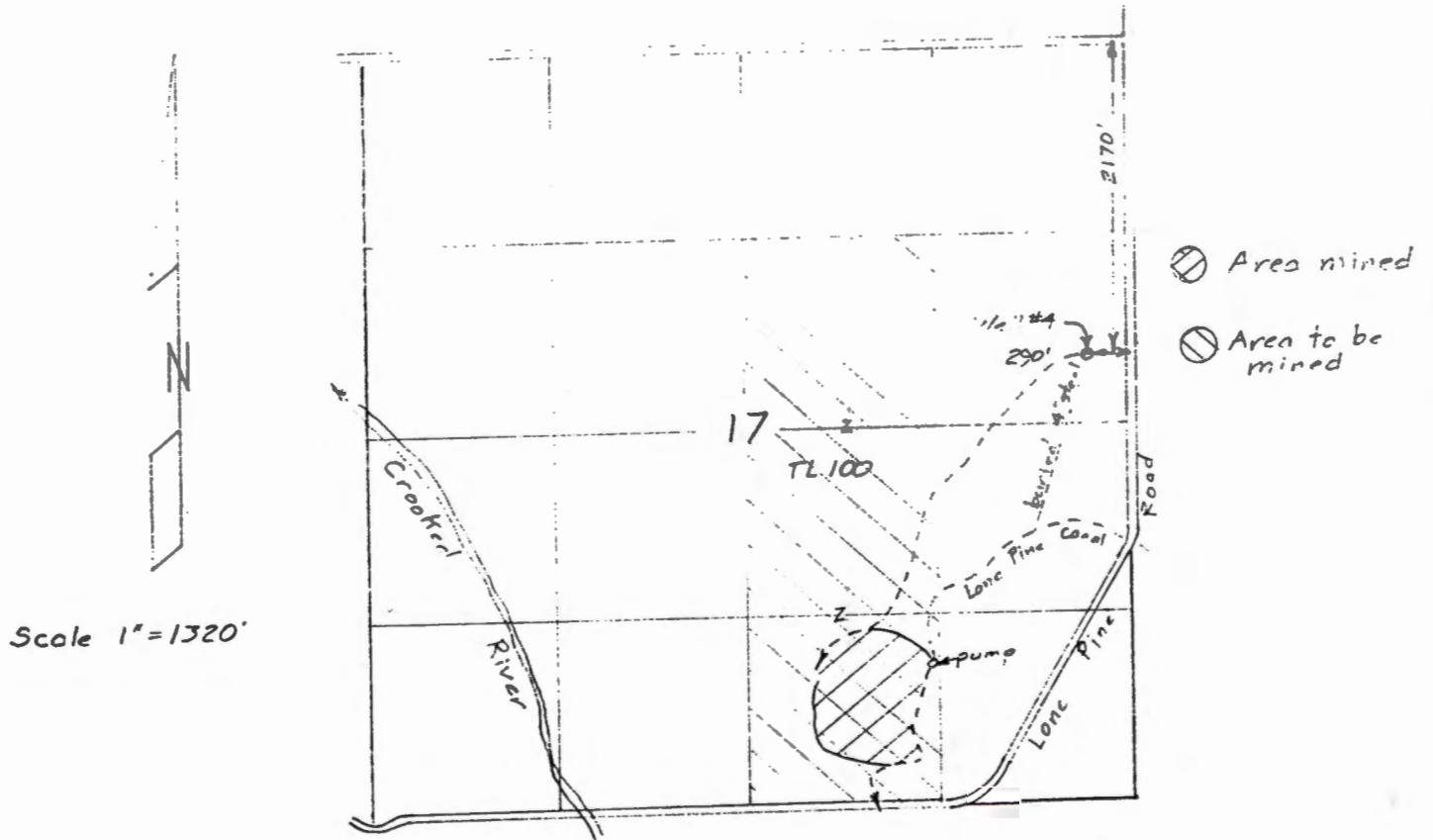
date

Before you submit your application be sure you have:

- Answered each question completely.
- Attached a legible map which includes township, range, section, quarter/quarter and tax lot number.
- Included the necessary exhibits.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount.

T-8928

TOWNSHIP 14 SOUTH, RANGE 4 EAST, W.M.



FROM

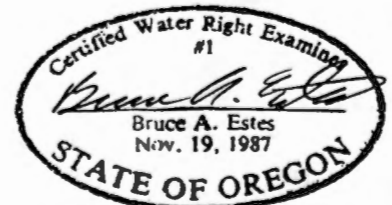
Transfer Application Map
for
TY FEHRENBACHER

Application T-

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WATER RESOURCES DEPT.
SALEM, OREGON



Renewal Dec 31, 2001

Sheet 1 of 3

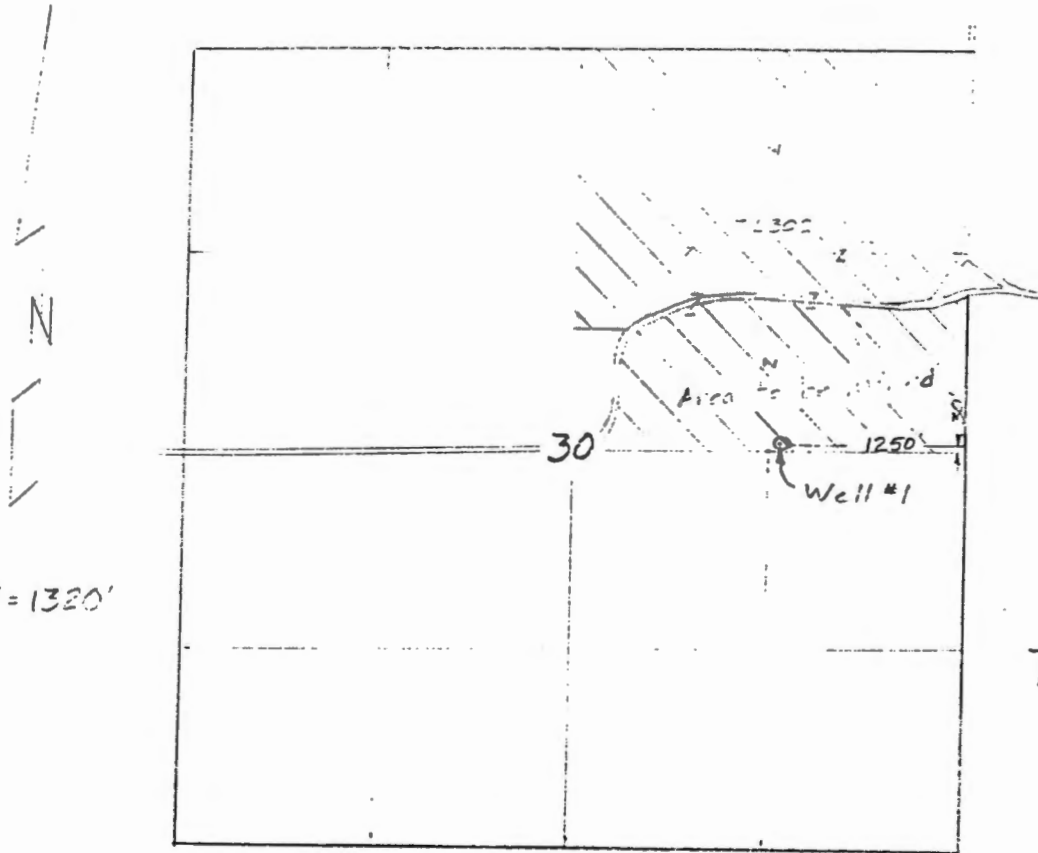
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ESTES SURVEYS, LLC

PO Box 17519	60382 Arnold Rd
Salem, OR 97305-7519	Send, OR 97702
(503) 585-7593	(541) 382-7391

T-8928

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



Scale 1" = 1320'

TO

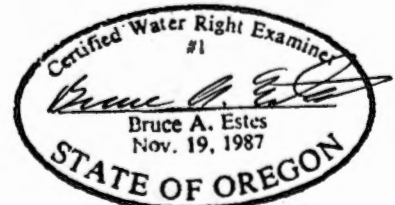
Transfer Application Map
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TY FEHRENBACHER

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WATER RESOURCES DEPT.
SALEM, OREGON

T-



Renewal Dec 31, 2001

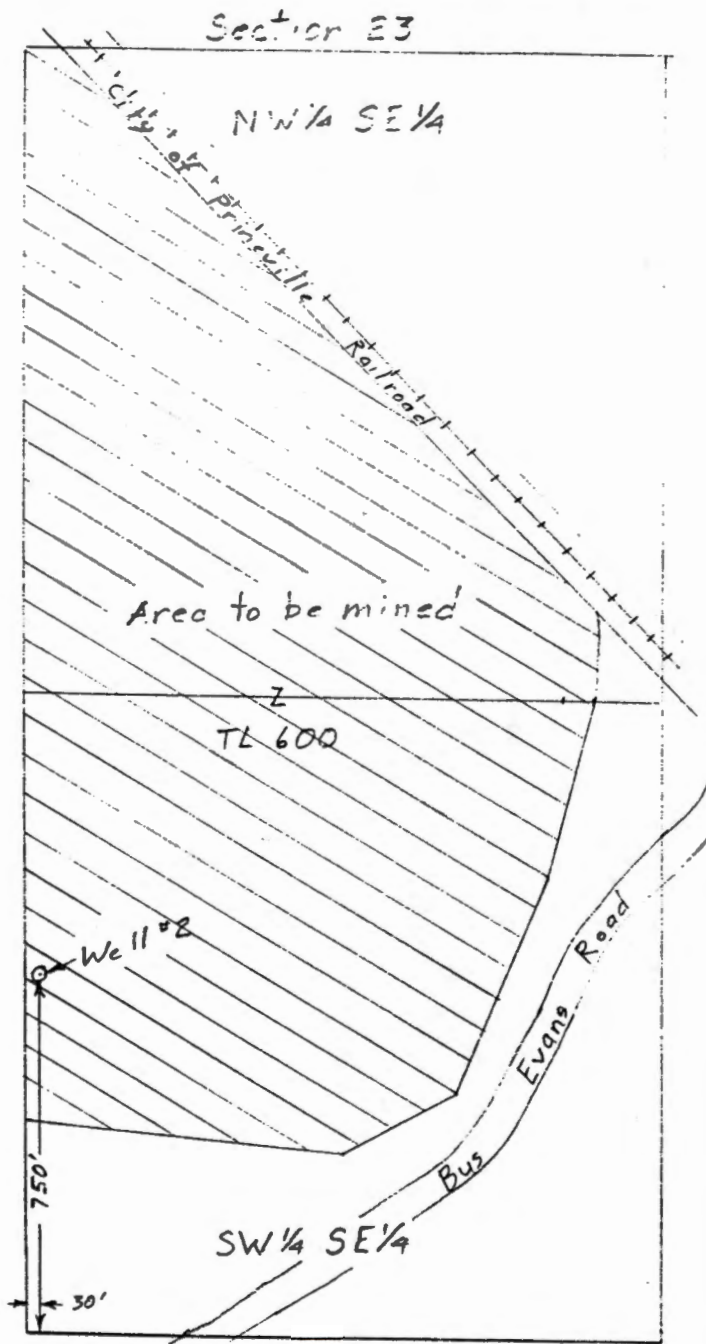
Sheet 2 of 3

This map is for the purpose of locating a water right only and has no intent to provide legal dimensions or the location of property lines.

ESTES SURVEYS, LLC

PO Box 17519 Salem, OR 97305-7519 (503) 585-7593	60382 Arnold Rd Bend, OR 97702 (541) 382-7391
--	---

T-8928 TOWNSHIP 14 SOUTH, RANGE 15 EAST W.M.



Scale 1" = 400'

TO

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 NOV 29 2001
 WATER RESOURCES DEPT.
 SALEM, OREGON

Transfer Application Map
 for
 TY FEHRENBACHER

Certified Water Right Examining
 #1
Bruce A. Estes
 Bruce A. Estes
 Nov. 19, 1987
 STATE OF OREGON
 Renewal Dec 31, 2001

Sheet 3 of 3

This map is for the purpose of
 indicating a water right only
 and has no intent to provide
 legal dimensions or the location
 of property lines.

ESTES SURVEYS
 PO Box 17519 60382 Arnold Rd
 Salem, OR 97305-7519 Bend, OR 97702
 (503) 585-7593 (541) 382-7391

T-8928

Well #2

C200
3026

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JUN 15 1994

14S/15E/23

STATE OF OREGON
WATER WELL REPORT
(As required by ORS 337.765)

WATER RESOURCES DEPT. (START CARD) # 63957
SALEM, OREGON

Instructions for completing this report are on the last page of this form.

(1) OWNER: Well Number # 1
Name Barnard Construction Co., Inc.
Address P.O. Box 99
City Boyeman State Mt. Zip 59771

(2) TYPE OF WORK
 New Well Deepening Alteration (repair/recondition) Abandonment

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

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

(5) BORE HOLE CONSTRUCTION:
Special Construction approval Yes No Depth of Completed Well 350 ft.
Explosives used Yes No Type _____ Amount _____

HOLE			SEAL			
Diameter	From	To	Material	From	To	Sacks or pounds
21"	0	350	cement	0	104	4 yds slurry

How was seal placed: Method A B C D E
 Other pumped via tremie (3")
Backfill placed from _____ ft. to _____ ft. Material _____
Gravel placed from 104 ft. to 350 ft. Size of gravel 3/8

Casing/Liner	Diameter	From	To	Gauge	Material			
					Steel	Plastic	Welded	Threaded
Casing	10"	+1	350	250	<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 factory

Screens

From	To	Hole size	Type	Number	Diameter	Material	
						Casepipe size	Casing
290	350	1/8	1200	10"		<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

Pump Bailor Air Flowing Artesian

Yield gal/min	Drawdown	Drill stem at	Time
600 gpm	100'	290'	5hrs

Temperature of water 68 Depth Artesian Flow Found 292'

Was a water analysis done? Yes No 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 Crook Latitude _____ Longitude _____
Township 14 S N or S Range 15 E E or W. WM
Section 23 SW 1/4 SE 1/4
Trx Lot 500 Lot _____ Block _____ Subdivision _____
Street Address of Well (or nearest address)
Bug Evans Rd., Prineville, Or., 97754

(10) STATIC WATER LEVEL:
49' ft. below land surface. Date 5-31-94
Artesian pressure 0 lb. per square inch. Date _____

(11) WATER BEARING ZONES:

Depth at which water was first found 70'

From	To	Estimated Flow Rate	SI
70	90	50 gpm	7
292	340	600 gpm	4

(12) WELL LOG:

Ground Elevation _____

Material	From	To	SWI
top soil	0	4	
med. gravel	4	23	
1/2 brown clay	23	36	
med gravel	36	48	
sandy clay	48	68	
brown sand w/b	68	90	
black sticky clay	90	292	
coarse gravel w/b	292	340	49'
brown claystone	340	360	

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WATER RESOURCES DEPT.
SALEM, OREGON

Date started 5-23-94 Completed 5-27-94

(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 water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.

Signed Bill Rupp WWC Number 1555
Date 6/14

(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 water supply well construction standards. This report is true to the best of my knowledge and belief.

Signed Carl Ch... WWC Number 741
Date 6-1-94

T-8928

Well #1

CR00
50081

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MAY 20 1996

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

(START CARD) # 67772

Instructions for completing this report are on the last page of this WATER RESOURCES DEPT.

(1) OWNER: Well Number SALEM, OREGON

Name O'Neil Sand & Gravel
Address P.O. Box 1238
City Redmond, State Ore. Zip 97756

(2) TYPE OF WORK
 New Well Deepening Alteration (repair/recondition) Abandonment

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

(4) PROPOSED USE:
 Domestic Community Industrial Irrigation
 Thermal Injection Livestock Other sand & gravel

(5) BORE HOLE CONSTRUCTION:
Special Construction approval Yes No Depth of Completed Well 155 ft.
Explosives used Yes No Type Amount

HOLE		SEAL		Sacks or pounds	
Diameter	From To	Material	From To		
20"	0 49'	Bentonite	0 49'	65	sks
16"	49' 155'				

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

Diameter	From To	Gauge	Steel	Plastic	Welded	Threaded
16"	+2' 94'	250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
12"	+3' 151'		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Final location of shoe(s)

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

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
91'	151'	1/8X3	2880	12"		<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

Pump Bailor Air Flowing Artesian
Yield gal/min 570 Drawdown 18" Drill stem at 24hr & xxx

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

(9) LOCATION OF WELL by legal description:
County Crook Latitude Longitude
Township 14S N or S Range 14E E or W. WM
Section 30 SW 1/4 SE 1/4
Tax Lot 302 Lot Block Subdivision
Street Address of Well (or nearest address)
O'Neil Way

(10) STATIC WATER LEVEL:
35 ft. below land surface. Date 5-8-96
Artesian pressure lb. per square inch Date

(11) WATER BEARING ZONES:
Depth at which water was first found 114'

From	To	Estimated Flow Rate	SWL
114'	145'	800	35'

(12) WELL LOG:
Ground Elevation

Material	From	To	SWL
coarse clay congl	0	31'	
coarse sand & gravel	31'	44'	
brwn clay congl	44'	60'	
black sand	60'	87'	
gray sticky clay	87'	93'	
brwn clay stone	93'	114'	
coarse congl W.B.	114'	145'	35'
brkn gray lava	145'	155'	

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WATER RESOURCES DEPT.
SALEM, OREGON

Date started 5-2-96 Completed 5-8-96
(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 water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.

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 water supply well construction standards. This report is true to the best of my knowledge and belief.

WWC Number 1658
Date 5-14-96

T-8928



State of Oregon
Water Resources Department
158 12th Street NE, Salem, OR 97310
(503)377-1000
www.wrd.or.us

Water Resources Department
158 12th Street NE, Salem, OR 97310
(503)377-1000
www.wrd.or.us

Application for Water Right Transfer

Please type or print in dark ink any requested information do when completing your applic

If your application is found to be incomplete or inaccurate, we will return it to you. If apply to your application, insert "n/a." Please read and refer to the instructions Thank you.

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WATER RESOURCES DEPT.
SALEM, OREGON

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OVER THE COUNTER

APPLICATION FOR:

Please check one

- Water Right Transfer
- Temporary Transfer
- Permit Amendment
- Historic Point of Diversion
- Diversion Change
- Government Action Point of Diversion

1. APPLICANT INFORMATION

Name: Ty Fehrenbacher
First Last

Address: 530 N. Lone Pine Rd
Terre ome, Oregon 97760
City State Zip

Phone: (541) 54 4353
Home Work Other

*Fax: _____ *E-Mail address: _____

*Optional information

2. TYPE OF CHANGE

- Use of Point of Diversion
- Use of Point of Appropriation

Reason for change: move to active mines

Is the land within an irrigation or other water district? Yes No

If yes, include district number:
#1 Central Oregon Irrigation Dist.
#2 Ochoco Irrigation District

App. No. _____	For Department Use
	Permit No. _____ Date _____

T-8928

3. CURRENT WATER RIGHT INFORMATION

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Name on Permit, Certificate, or Decree: Ty Fehrenbacher NOV 29 2001

Decree: _____ WATER RESOURCES DEPT. SALEM, OREGON
 Not applicable]

Permit Number: G-12923 Certificate Number: Claim of Beneficial Use
 Not applicable] Not applicable] filed Sept. 1, 2000

Priority Date: Feb 16, 1995 Authorized Use: Industrial Use

Source of Water: a well County: Crook

Are there other sources listed on the water right? Yes No

Location of Authorized Point of Diversion or Point of Appropriation:

Coordinates (from recognized survey corner)	1/4 1/4 Section	Section	Township	Range
<u>2170'S & 290'W from NE corner</u>	<u>SE 1/4 NE 1/4</u>	<u>17</u>	<u>14 S</u>	<u>14 E</u>

Location of Authorized Place of Use:

Township	Range	Section	Government Lot or DIC	1/4 1/4 Section	Tax Lot Number	Acres (if appropriate)
<u>14 S</u>	<u>14 E</u>	<u>17</u>		<u>SW NE</u>	<u>100</u>	
		<u>17</u>		<u>NWSE</u>	<u>100</u>	
		<u>17</u>		<u>SWSE</u>	<u>100</u>	

Are there other lands described in the water right? Yes No

Are there other water rights or permits associated with this land? Yes No
If yes, include a copy of all rights or permits.

Description of general delivery system (ditch measurements, pump size, number of sprinklers, etc.):
40 HP submersible pump through 4" buried pipe to
a ditch. Ditch delivers water to a 20 HP pump
to pressurize the gravel operation

System capacity (in cfs): 2.0 cfs

T. 8928

4. PROPOSED CHANGES TO THE WATER RIGHT

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Change in Use:

Proposed use: _____

NOV 29 2001

WATER RESOURCES DEPT.
SALEM, OREGON

Change in Point of Diversion or Point of Appropriation:

Change

Old point of diversion or point of appropriation will not be used for this portion of the water right.

Additional

Both old and new points of diversion or points of appropriation will be used for this portion of the water right.

Location of Proposed Point of Diversion or Point of Appropriation

	Coordinates (from recognized survey corner)	1/4 1/4 Section	Section	Township	Range
Well #1	30'N & 1250'W 120'S & 700'W from E 1/4 corner	NE SE SE NE	30	14S	14E
Well #2	750'N & 30'E from SW 1/4 corner	SW 1/4 SE 1/4	23	14S	15E

Change in Place of Use:

Location of Proposed Place of Use

	Township	Range	Section	Government Lot or DIC	1/4 1/4 Section	Tax Lot Number	Acres (if appropriate)
Well #1	14S	14E	30		NE 1/4	302	NA
Well #2	14S	15E	23		W 1/2 SE 1/4	600	NA

Remarks: Well #1 to receive 0.67 cfs (300 GPM) and Well #2 to receive 1.33 cfs (600 GPM). Both of these sites are within the Deschutes study area.

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WATER RESOURCES DEPT.
SALEM, OREGON

Answer only
if for change
in **Use** or
Place of Use.

T-8928

5. LAND OWNERSHIP

Use/Place of Use

Are the lands free of encumbrances? Yes No

If no, name of encumbrance holder: _____

If no, application must include written permission for the transfer from the encumbrance holder.

Landowners

This section does not apply to water delivery entities authorized to act on behalf of their members, making permit amendment requests, or requests for changes in point of diversion or point of appropriation only.

Landowners: _____
(List all landowners shown on deed.)

Address(es): _____

_____ City State Zip

Application must include notarized statements from all landowners shown on deed giving permission for the transfer. Use an extra sheet if necessary.

Answer only
if applicant
is **not** the
landowner.

Receiving Landowner

Name: Howard M. Day
Hooker Creek Land Co., LLC

Address: 63101 Nels Anderson Rd.

Bend Oregon 97701
City State Zip

The Department's records should be changed to show this landowner is responsible for completion of the changes. All notices and correspondence should be sent to this landowner.

Applicant will remain responsible for completion of changes. Notices and correspondence should continue to be sent to applicant.

Answer only
if the receiving
landowner is
not the original
landowner or
the applicant.

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WATER RESOURCES DEPT.
SALEM, OREGON

6. EXHIBITS

Application may be rejected if all appropriate exhibits are not enclosed.

Land Use Information Form:

- Enclosed
- Not needed: (must meet the following four requirements)
 - ① In EFU zone or irrigation district.
 - ② Change in place of use only.
 - ③ No structural changes needed, including diversion works, delivery facilities, other structures.
 - ④ Irrigation only.
- List all affected governments (city, county, state, tribal, federal):
Creek Co.

Map:

- Water Right Transfer: *Must be prepared by a Certified Water Right Examiner.*
- All others: *Need not be prepared by a Certified Water Right Examiner.*

Deed:

- Must accompany all applications, except permit amendment requests.

Evidence of use within last five years, or not subject to forfeiture:

- Best evidence is an affidavit from a knowledgeable person describing the water use. Statements saying water was delivered or assessments/fees were paid are insufficient. Evidence must show actual use of the water for the authorized purpose, in the authorized place of use.

Water Well Reports:

- If application is for a change in point of appropriation or change from surface water to ground water, attach copies of all water well reports. If reports are not available, describe construction details including well depth, static water level, and information necessary to establish the ground water body developed or proposed to be developed.

Fees:

- Amount enclosed \$ 400⁰⁰
- See instruction book for fee schedule.*

7. SIGNATURE

I (we) swear that I (we) have read the above application and the statements made are true and accurate.

Ty Fehrenbacher 11/21/01

applicant signature name (print) date

applicant signature name (print) date

Before you submit your application be sure you have:

- Answered each question completely.
- Attached a legible map which includes township, range, section, quarter/quarter and tax lot number.
- Included the necessary exhibits.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount.

T-8928



State of Oregon
Water Resources Department
158 12th Street, NE, Salem, OR 97310
(503)377-3300
www.wrd.or.gov

Water Resources Department
158 12th Street, NE, Salem, OR 97310
• (800)624-3199
www.wrd.or.gov

Application for Water Right Transfer

Please type or print in dark ink any requested information directly on this form when completing your application.

If your application is found to be incomplete or inaccurate, we will return it to you. If you have any questions, please call or write to the Department. Thank you.

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WATER RESOURCES DEPT.
SALEM, OREGON

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OVER THE COUNTER

APPLICATION FOR:

Water Right Transfer

Historic Point of Diversion

Please check one

Temporary Transfer Permit Amendment

Diversion Change Government Action Point of Diversion

1. APPLICANT INFORMATION

Name: Ty Fehrenbacher
First Last

Address: 530 N. Lone Pine Rd
Terre ome, Oregon 97760
City State Zip

Phone: (541) 54 4353
Home Work Other

*Fax: _____ *E-Mail address: _____

*Optional information

2. TYPE OF CHANGE

Use Point of Diversion Point of Appropriation

Reason for change: move to active mines

Is the land within an irrigation or other water district? Yes No

If yes, include district number:
#1 Central Oregon Irrigation Dist.
#2 Ochoco Irrigation District

App. No. _____

For Department Use

Permit No. _____ Date _____

T-8928

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3. CURRENT WATER RIGHT INFORMATION

Name on Permit, Certificate, or Decree: Ty Fehrenbacher NOV 29 2001

Decree: _____ WATER RESOURCES DEPT. SALEM, OREGON
 Not applicable]

Permit Number: G-12923 Certificate Number: Claim of Beneficial Use
 Not applicable] filed Sept. 1, 2000

Priority Date: Feb 16, 1995 Authorized Use: Industrial Use

Source of Water: a well County: Crook

Are there other sources listed on the water right? Yes No

Location of Authorized Point of Diversion or Point of Appropriation:

Coordinates (from recognized survey corner)	1/4 1/4 Section	Section	Township	Range
<u>2170'S & 290'W from NE corner</u>	<u>SE 1/4 NE 1/4</u>	<u>17</u>	<u>14 S</u>	<u>14 E</u>

Location of Authorized Place of Use:

Township	Range	Section	Government Lot or DIC	1/4 1/4 Section	Tax Lot Number	Acres (if appropriate)
<u>14 S</u>	<u>14 E</u>	<u>17</u>		<u>SW NE</u>	<u>100</u>	
		<u>17</u>		<u>NW SE</u>	<u>100</u>	
		<u>17</u>		<u>SW SE</u>	<u>100</u>	

Are there other lands described in the water right? Yes No

Are there other water rights or permits associated with this land? Yes No
If yes, include a copy of all rights or permits.

Description of general delivery system (ditch measurements, pump size, number of sprinklers, etc.):
90 HP submersible pump through 4" buried pipe to
a ditch. Ditch delivers water to a 20 HP pump
to pressurize the gravel operation.

System capacity (in cfs): 2.0 cfs

T. 8928

4. PROPOSED CHANGES TO THE WATER RIGHT

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Change in Use:

Proposed use: _____

NOV 29 2001

WATER RESOURCES DEPT.
SALEM, OREGON

Change in Point of Diversion or Point of Appropriation:

Change

Old point of diversion or point of appropriation will not be used for this portion of the water right.

Additional

Both old and new points of diversion or points of appropriation will be used for this portion of the water right.

Location of Proposed Point of Diversion or Point of Appropriation

	Coordinates (from recognized survey corner)	1/4 1/4 Section	Section	Township	Range
Well #1	30' N & 1250' W 120' S & 100' W from E 1/4 corner	NE SE SE NE	30	14 S	14 E
Well #2	750' N & 30' E from SW 1/4 corner	SW 1/4 SE 1/4	23	14 S	15 E

Change in Place of Use:

Location of Proposed Place of Use

	Township	Range	Section	Government Lot or DIC	1/4 1/4 Section	Tax Lot Number	Acres (if appropriate)
Well #1	14 S	14 E	30		NE 1/4	302	NA
Well #2	14 S	15 E	23		W 1/2 SE 1/4	600	NA

Remarks: Well #1 to receive 0.67 cfs (300 GPM) and Well #2 to receive 1.33 cfs (600 GPM). Both of these sites are within the Deschutes study area.

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WATER RESOURCES DEPT.
SALEM, OREGON

Answer only
if for change
in Use or
Place of Use.

T-8928

5. LAND OWNERSHIP

Use/Place of Use

Are the lands free of encumbrances? Yes No

If no, name of encumbrance holder: _____

If no, application must include written permission for the transfer from the encumbrance holder.

Landowners

This section does not apply to water delivery entities authorized to act on behalf of their members, making permit amendment requests, or requests for changes in point of diversion or point of appropriation only.

Landowners: _____

(List all landowners shown on deed.)

Address(es): _____

_____ City State Zip

Application must include notarized statements from all landowners shown on deed giving permission for the transfer. Use an extra sheet if necessary.

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Receiving Landowner

Name: Howard M. Day

Hooker Creek Land Co., LLC

Address: 63101 Nels Anderson Rd.

Bend Oregon 97701
City State Zip

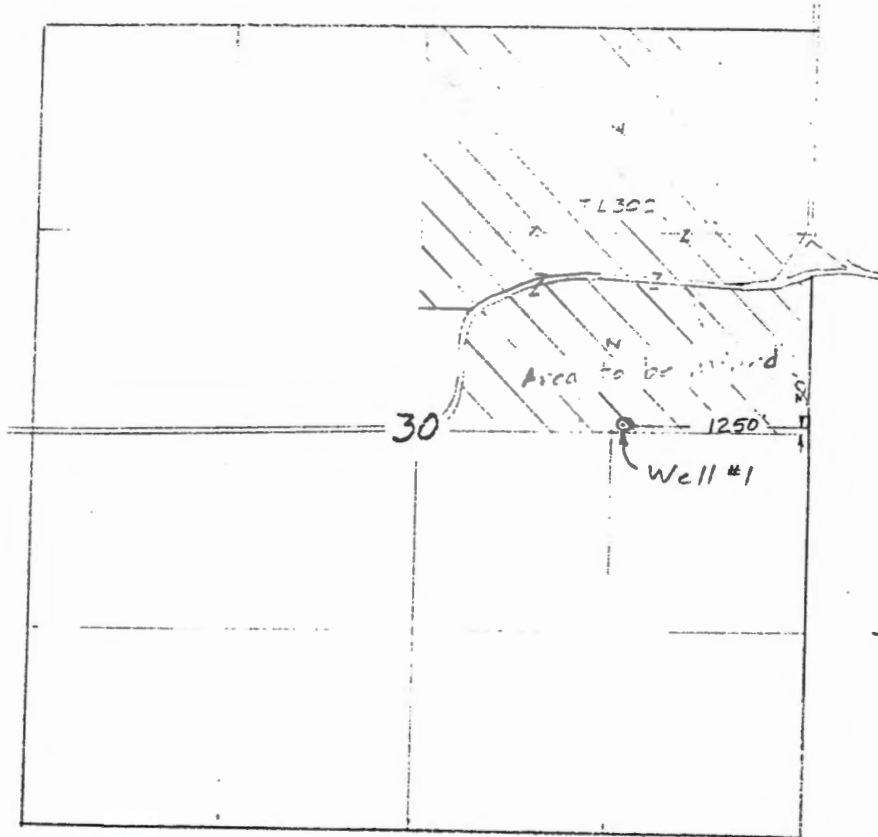
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Applicant will remain responsible for completion of changes. Notices and correspondence should continue to be sent to applicant.

Answer only
if the receiving
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landowner or
the applicant.

T-8928

TOWNSHIP 14 SOUTH, RANGE 4 EAST, W.M.



Scale 1" = 1320'

TO

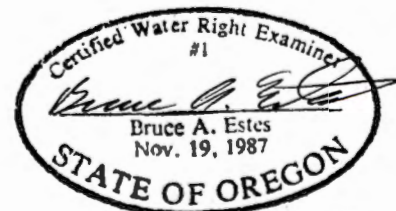
Transfer Application Map
for
TY FEHRENBACHER

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WATER RESOURCES DEPT.
SALEM, OREGON



Renewal Dec 31, 2001

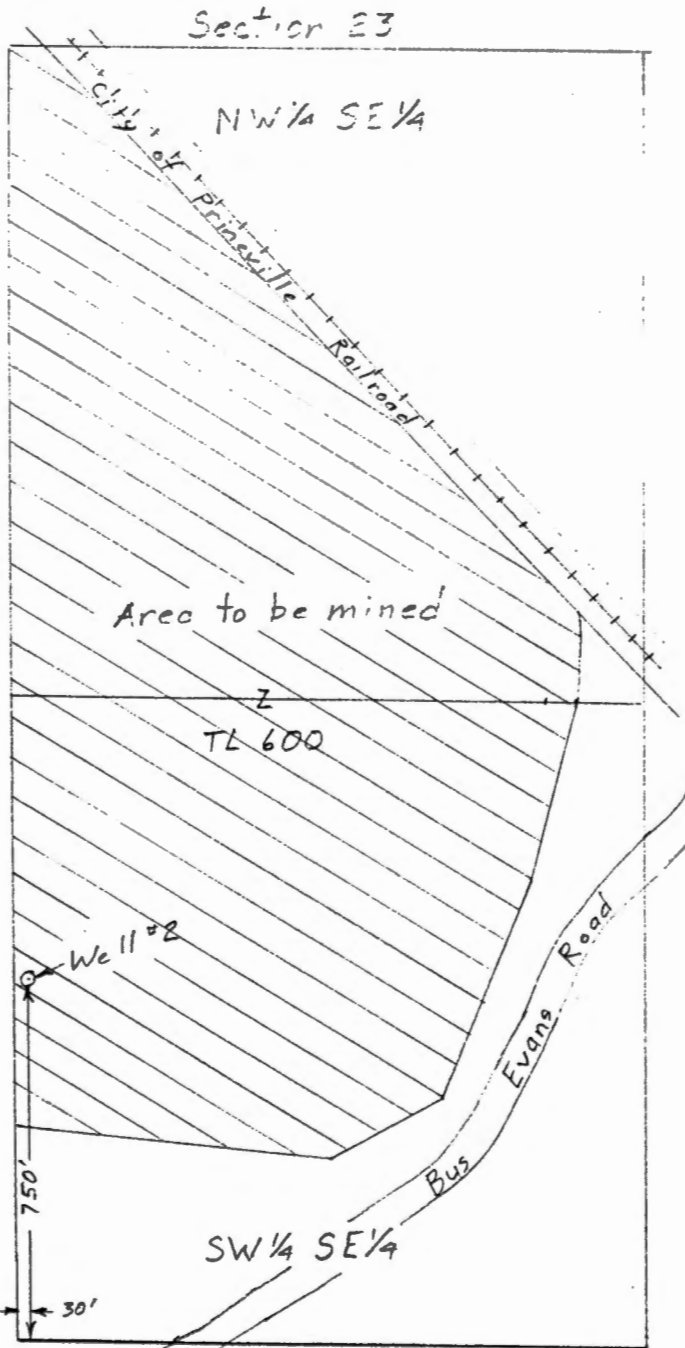
Sheet 2 of 3

This map is for the purpose of
locating a water right only
and has no intent to provide
legal dimensions or the location
of property lines.

ESTES SURVEYS, LLC

PO Box 17519 60382 Arnold Rd
Salem, OR 97305-7519 Bend, OR 97702
(503) 585-7593 (541) 382-7391

T-8928 TOWNSHIP 14 SOUTH, RANGE 15 EAST W.M.



Scale 1" = 400'

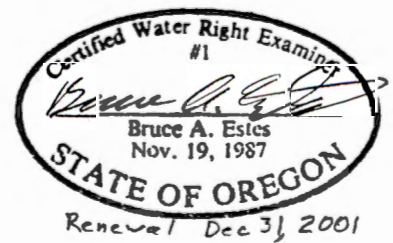
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WATER RESOURCES DEPT.
SALEM, OREGON

Transfer Application Map
for
TY FEHRENBACHER



Sheet 3 of 3

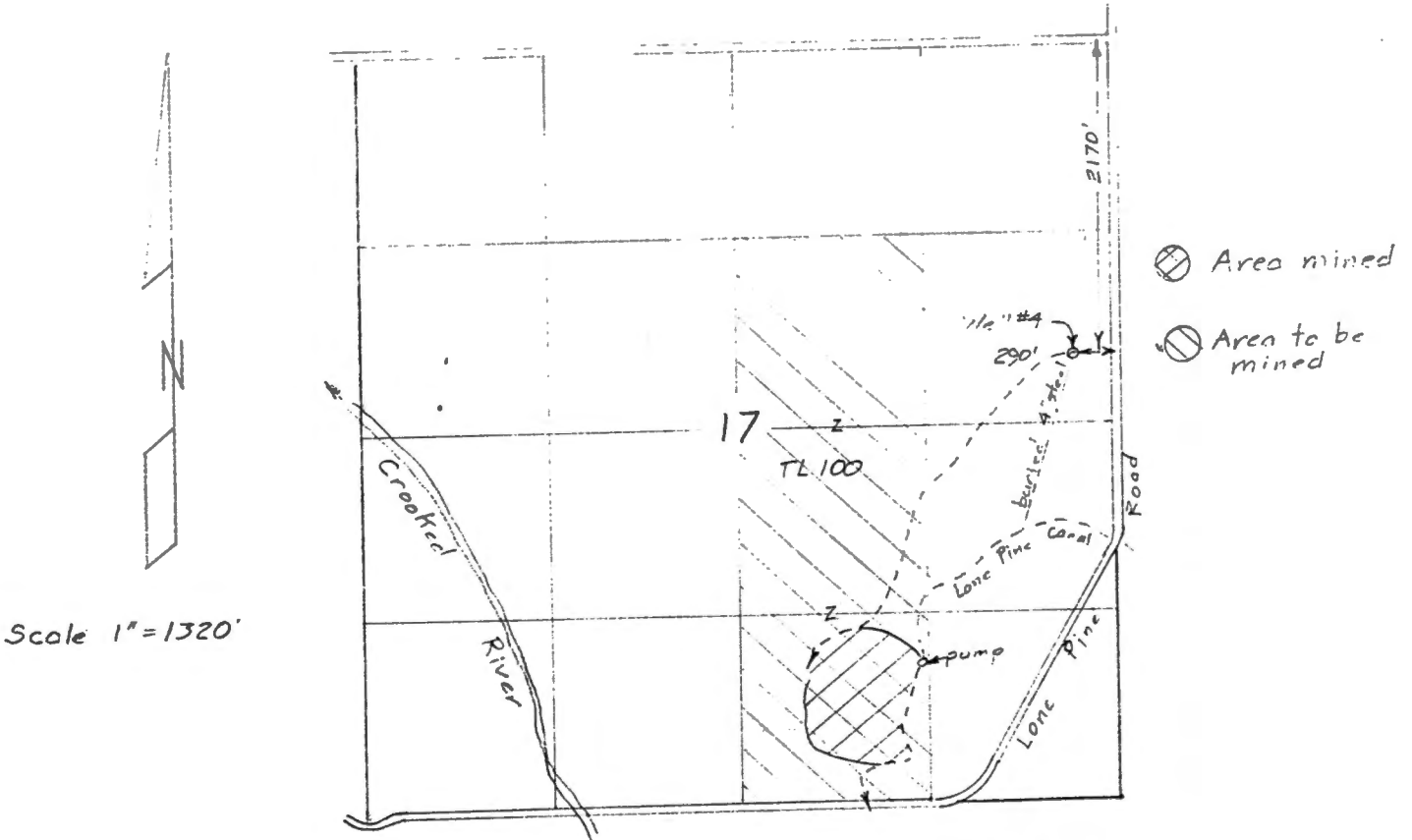
ESTES SURVEYS

PO Box 17519	60382 Arnold Rd
Salem, OR 97305-7519	Scnd, OR 97702
(503) 585-7593	(541) 382-7391

This map is for the purpose of
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of property lines.

T-8928

TOWNSHIP 14 SOUTH, RANGE 4 EAST, W.M.



FROM

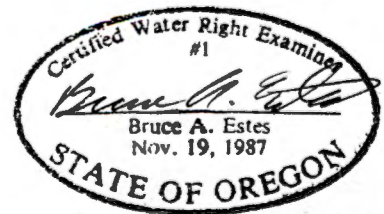
Transfer Application Map
for
TY FEHRENBACHER

Application T-

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WATER RESOURCES DEPT.
SALEM, OREGON



Renewal Dec 31, 2001

Sheet 1 of 3

This map is for the purpose of locating a water right only and has no intent to provide legal dimensions or the location of property lines.

ESTES SURVEYS, LLC

PO Box 17519
Salem, OR 97305-7519
(503) 585-7593

60382 Arnold Rd
Bend, OR 97702
(541) 382-7391



Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem, Oregon 97301-1271
 (503) 986-0900
 www.wrd.state.or.us

Ground Water Review Form:

- Water Right Transfer
- Permit Amendment
- GR Modification
- Other

Application: T-8928

Applicant Name: Fehrenbacher

Proposed Changes: POA APOA SW→GW RA
 USE POU OTHER

Reviewer(s): K. Lite

Date of Review: 7/7/11

The information provided in the application is insufficient to evaluate whether the proposed transfer may be approved because:

- The water well reports provided with the application do not correspond to the water rights affected by the transfer.
- The application does not include water well reports or a description of the well construction details sufficient to establish the ground water body developed or proposed to be developed.
- Other _____

1. Basic description of the changes proposed in this transfer: Applicant proposes to transfer 900 gpm from cert 86860 Well #4 (Croo 3173). 350 gpm will go to Well#1 (Croo 50081) and 550 gpm to Well #2 (Croo51925).
2. Will the proposed POA develop the same aquifer (source) as the existing authorized POA?
 Yes No Comments: _____
3. a) Is there more than one source developed under the right (e.g., basalt and alluvium)?
 Yes No.
 b) If yes, estimate the portion of the right supplied by each of the sources and describe any limitations that will need to be placed on the proposed change (rate, duty, etc.): _____
4. a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with **another ground water right**?
 Yes No Comments: _____
 b) If yes, would this proposed change, at its maximum allowed rate of use, likely result in another groundwater right not receiving the water to which it is legally entitled?
 Yes No If yes, explain: _____
5. a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with **another surface water source**?
 Yes No Comments: _____
 b) If yes, at its maximum allowed rate of use, what is the expected change in degree of interference with any **surface water sources** resulting from the proposed change?

Stream: _____

Minimal Significant

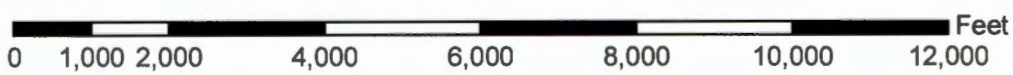
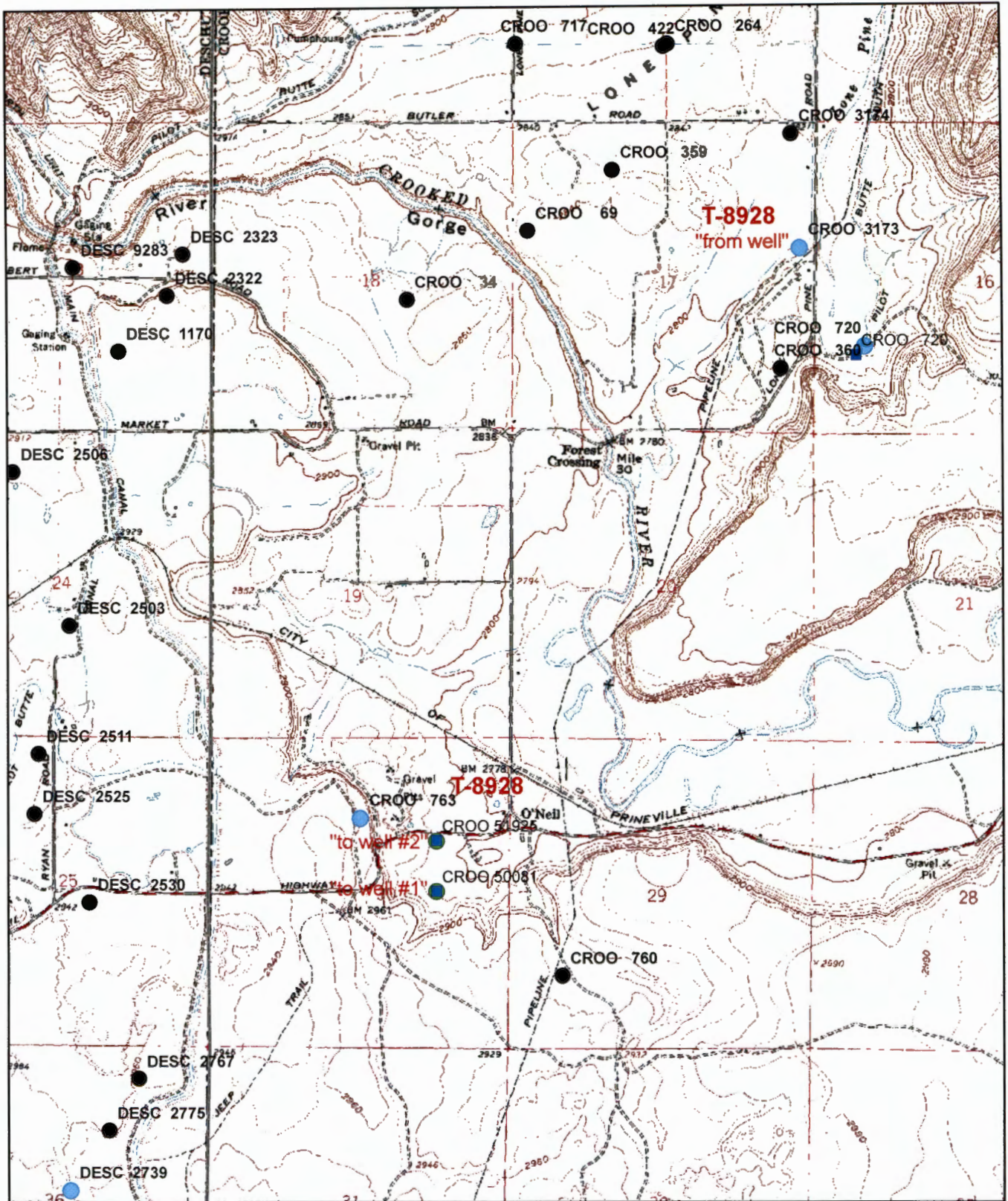
Stream: _____

Minimal Significant

Provide context for minimal/significant impact: _____

6. What conditions or other changes in the application are necessary to address any potential issues identified above: _____
7. Any additional comments: No

T-8928: O'Neil Quadrangle





Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97301-4172
(503) 378-3739
FAX (503) 378-8130

INTEROFFICE MEMO

FORWARD TO: BEN BISHOP - BEND DATE: 10/30/02
FIELD PROCESSOR WORKING ON THIS TRANSFER

FROM: _____ WATERMASTER, DISTRICT # _____
X _____ GROUNDWATER SECTION

(SIGNATURE) K. Lite
signed by injury reviewer

SUBJECT: WATER RIGHT TRANSFER # 8928

A change in: POU POD POA USE of water.

In the name(s) of TY FEHRENBACHER

In my opinion (assuming the right is valid), the proposed change

MAY BE MADE WITHOUT INJURY WOULD RESULT IN INJURY* to an existing water right.

*The approval of this transfer application would result in injury to other water rights because _____

The existing right may not be valid because _____

Headgate notices HAVE HAVE NOT Been issued for diversion from the source(s) which serve(s) this right.

If for change in point of diversion, is there any intervening point(s) for diversion between the authorized and proposed points of diversion? (Yes or No) _____

In my opinion, the order approving the subject transfer application should include the following in regard to the appropriator installing suitable measuring devices in the diversion works:

_____ (1) PRIOR to the diverting of water at the new point of diversion . . .

_____ (2) WHEN IN the judgement of the watermaster it becomes necessary . . .

The enclosed copy of the transfer application and map(s) is for your records.



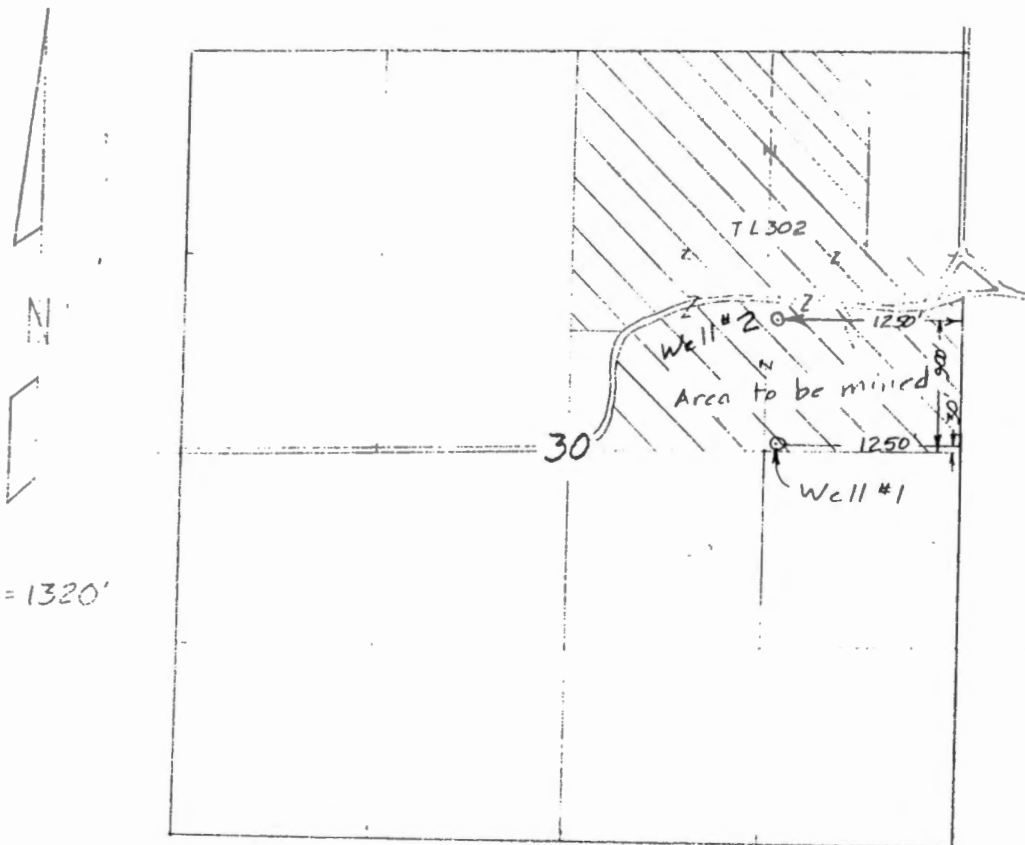
T-8928 Amendment

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

RECEIVED

JUN 06 2002

WATER RESOURCES DEPT.
SALEM, OREGON

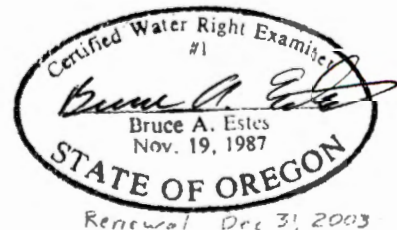


Scale 1" = 1320'

TO

Transfer Application Map
for
TY FEHRENBACHER

T-8928



Sheet 2 of 2

This map is for the purpose of locating a water right only and has no intent to provide legal dimensions or the location of property lines.

ESTES SURVEYS, LLC

PO Box 17519	60382 Arnold Rd
Salem, OR 97305-7519	Bend, OR 97702
(503) 585-7593	(541) 382-7391

Amended 22 May 02

WATER RESOURCES DEPARTMENT MEMORANDUM

DATE 11/4/2002

APPLICATION_NUMBER T 8928
OWNER FEHRENBACHER
AMOUNT_REQUESTED 900 GPM NUMBER_OF_WELLS 2 BASIN DESCHUTES
SUB_BASIN CROOKED RIVER
QUADRANGLE_MAP_1 O'NEIL COUNTY CROOK

WELL_# 1 WELL_LOG_STATUS DRILLED, LOG AVAILABLE
WELL_LOG_NUMBER CROO 50081 DPN_LOG_1
TWNSHP 14S RANGE 14E SECTION 30 QQQ ADC
PROPOSED_LEGAL_LOCATION 31 FEET NORTH AND 1250 FEET WEST FROM E1/4 CORNER, SECTION 30
DISTANCE_FROM_STREAM_1 3200 FEET STREAM_1 CROOKED RIVER
DISTANCE_FROM_STREAM_2 STREAM_2
PROPOSED_WELL_DEPTH
WELL_ELEV 2815 STREAM_ELEV 2760 WELL_ELEV_minus_STREAM_ELEV 55
WELL_DEPTH 155 SWL 35
SEAL_DEPTH 49 SWL_DATE 5/8/1996
CASING_DEPTH 94 FIRST_WATER_DEPTH 114
LINER_DEPTH WELL_TEST_1_TYPE PUMP
PERFORATIONS_SCREEN_1 91-151 YIELD_1 570 GPM
PERFORATIONS_SCREEN_2 DRAWDOWN_1 1.5FT
AQUIFER_TYPE UNCONFINED DURATION_1 1 HR

HYDRAULIC_CONNECTION PROBABLY POOR CONNECTION AT NEAREST REACH

DIVISION_9_FINDING

CONDITIONED_WATER_RIGHTS_IN_AREA

OTHER_NEARBY_WATER_RIGHTS

DENSITY_OF_NEARBY_WELLS

COMMENTS AMENDMENT TO T-8928. TRANSFER FROM WELL CROO 3173. TRANSFERS 350 GPM TO THIS WELL. THIS WELL IS CONSTRUCTED INTO A WATER-BEARING ZONE WITHIN ALLUVIUM. GROUND WATER FLOW IS TOWARDS THE CROOKED RIVER WITH THE NEAREST SIGNIFICANT DISCHARGE AREA ABOUT 6-7 MILES TO THE NORTHWEST. TRANSFER IS WITHIN SAME AQUIFER.

REFERENCES USGS / OWRD DATA; APPL. FILE T-8928. WELL REPORT CROO 50081 (TO WELL) AND CROO 3173 (FROM WELL); O'NEIL TOPO MAP. MAY 23, 2002 APPLICATION AMENDMENT LETTER FROM TY FEHRENBACHER.

WATER RESOURCES DEPARTMENT MEMORANDUM

DATE 11/4/2002

APPLICATION_NUMBER T 8928
OWNER FEHRENBACHER
AMOUNT_REQUESTED 900 GPM NUMBER_OF_WELLS 2 BASIN DESCHUTES
SUB_BASIN CROOKED RIVER
QUADRANGLE_MAP_1 O'NEIL COUNTY CROOK

WELL_# 2 WELL_LOG_STATUS DRILLED, LOG AVAILABLE
WELL_LOG_NUMBER CROO 51925 DPN_LOG_1
TWNSHP 14S RANGE 14E SECTION 30 QQQ ADB
PROPOSED_LEGAL_LOCATION 900FEET NORTH AND 1250 FEET WEST FROM E1/4 CORNER, SECTION 30
DISTANCE_FROM_STREAM_1 2900 FEET STREAM_1 CROOKED RIVER
DISTANCE_FROM_STREAM_2 STREAM_2
PROPOSED_WELL_DEPTH
WELL_ELEV 2815 STREAM_ELEV 2760 WELL_ELEV_minus_STREAM_ELEV 55
WELL_DEPTH 175 SWL 30
SEAL_DEPTH 85 SWL_DATE 7/2/2002
CASING_DEPTH 175 FIRST_WATER_DEPTH 52
LINER_DEPTH WELL_TEST_1_TYPE PUMP
PERFORATIONS_SCREEN_1 135-175 YIELD_1 850 GPM
PERFORATIONS_SCREEN_2 DRAWDOWN_1 4 FT
AQUIFER_TYPE UNCONFINED DURATION_1 2 HR

HYDRAULIC_CONNECTION PROBABLY POOR CONNECTION AT NEAREST REACH

DIVISION_9_FINDING

CONDITIONED_WATER_RIGHTS_IN_AREA

OTHER_NEARBY_WATER_RIGHTS

DENSITY_OF_NEARBY_WELLS

COMMENTS AMENDMENT TO T-8928. TRANSFER FROM WELL CROO 3173. TRANSFERS 550 GPM TO THIS WELL. THIS WELL IS CONSTRUCTED INTO A WATER-BEARING ZONE WITHIN LAVA (LIKELY Qb). GROUND WATER FLOW IS TOWARDS THE CROOKED RIVER WITH THE NEAREST SIGNIFICANT DISCHARGE AREA ABOUT 6-7 MILES TO THE NORTHWEST. TRANSFER IS WITHIN SAME AQUIFER.

REFERENCES USGS / OWRD DATA; APPL. FILE T-8928. WELL REPORT CROO 51925 (TO WELL) AND CROO 3173 (FROM WELL); O'NEIL TOPO MAP. MAY 23, 2002 APPLICATION AMENDMENT LETTER FROM TY FEHRENBACHER.

From well

G-13984 POD #4

14s/14e/17

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

11
CROOK
3173

MAY - 8 1995

(START CARD) # 40047

(1) OWNER:
Name Ty Fehnenbacher
Address Rt. 1, Box 36
City Terrebonne State Ore. Zip 97760

(9) LOCATION OF WELL by legal description:
County Crook Latitude _____ Longitude _____
Township 14 or S. Range 14 E or _____
Section 17 S.E. S.E. _____
Tax Lot 100 Lot _____ Block _____ Subdivision _____
Street Address of Well (or nearest address) None

(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 95 ft.
Explosives used Yes No Type _____ Amount _____

HOLE			SEAL			Amount sacks or pounds
Diameter	From	To	Material	From	To	
16"	0	28'	Bentonite	0	28'	44 Sacks
10"	28	95				

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

Casing:	Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
					<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	10"	42	28'	250	<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 _____
 Screens Type _____ Material _____

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

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

Pump Bailer Air Flowing Artesian
Yield gal/min 1150 Drawdown 12" Drill stem at 8.5' Time 24 hrs

Temperature of Water 55.40 Depth Artesian Flow Found _____
Was a water analysis done? Yes By whom _____
Did any strata contain water not suitable for intended use? Too little
 Salty Muddy Odor Colored Other _____
Depth of strata: _____

(10) STATIC WATER LEVEL:
48 ft. below land surface. Date 4-16
Artesian pressure _____ lb. per square inch. Date _____

(11) WATER BEARING ZONES:
Depth at which water was first found 48'

From	To	Estimated Flow Rate
48	95	3000 GPM

(12) WELL LOG: Ground elevation _____

Material	From	To
Overburden	0	8
Tan Clay	8	22
Black Lava w.B.	22	48
Broken Black Lava	48	70
Hard Black Lava	70	82
Hard Broken Basalt w.B.	82	95

RECEIVED

JUN 20 1995

WATER RESOURCES DEPT.
SALEM, OREGON

Date started 3-13-95 Completed 4-16-95

(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. The used and information reported above are true to my best knowledge and belief.
Signed Wayne T. Bucher WWC Number 6 Date 5-4-9

(bonded) Water Well Constructor Certification:
I accept responsibility for the construction, alteration, or abandonment of this well during the construction dates reported above. All work performed during this time is in compliance with Oregon well construction standards. This is true to the best of my knowledge and belief.
Signed Raymond M. Williams WWC Number 1 Date 5-4

To well # 1

RECEIVED

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

CROO
50081

MAY 20 1996

(START CARD) # 67772

Instructions for completing this report are on the last page of this WATER RESOURCES DEPT.

(1) OWNER: Well Number SALEM, OREGON
Name O'Neil Sand & Gravel
Address P.O. Box 1238
City Redmond, State Ore, Zip 97756

(2) TYPE OF WORK
 New Well Deepening Alteration (repair/recondition) Abandonment

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

(4) PROPOSED USE:
 Domestic Community Industrial Irrigation
 Thermal Injection Livestock Others sand & gravel

(5) BORE HOLE CONSTRUCTION:
Special Construction approval Yes No Depth of Completed Well 155 ft.
Explosives used Yes No Type Amount

HOLE SEAL

Diameter	From	To	Material	From	To	Sacks or pounds
20"	0	49'	Bentonite	0	49'	65 sks
16"	49'	155'				

How was seal placed: Method A B C D E
 Other poured
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
Casing: 16	+2'	94'	.250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Liner: 12"	+3'	151'		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Final location of shoe(s)

(7) PERFORATIONS/SCREENS:

Perforations Method Factory
 Screens Type Material

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
91'	151'	1/8X3	2880	12"		<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

Pump Bailer Air Flowing
 Artesian

Yield gal/min	Drawdown	Drill stem at	Time
570	18"		24hr XXXX

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

(9) LOCATION OF WELL by legal description:
County Crook Latitude Longitude
Township 14S N or S Range 14E E or W. WM.
Section 30 SW 1/4 SE 1/4
Tax Lot 302 Lot Block Subdivision
Street Address of Well (or nearest address)
Q'Neil Way

(10) STATIC WATER LEVEL:
35 ft. below land surface. Date 5-8-96
Artesian pressure lb. per square inch. Date

(11) WATER BEARING ZONES:
Depth at which water was first found 114'

From	To	Estimated Flow Rate	SWI.
114'	145'	800	35'

(12) WELL LOG:
Ground Elevation

Material	From	To	SWL
coarse clay congl	0	31'	
coarse sand & gravel	31'	44'	
brwn clay congl	44'	60'	
black sand	60'	87'	
gray sticky clay	87'	93'	
brwn clay stone	93'	114'	
coarse congl W.B.	114'	145'	35'
brkn gray lava	145'	155'	

Date started 5-2-96 Completed 5-8-96

(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 water supply well construction standards. Materials used and information reported above are true to the best of my 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 water supply well construction standards. This report is true to the best of my knowledge and belief.

Signed *John S. Soble* WWC Number 1658
Date 5-14-96

To well #2

CROO 51925

Received Date: 07-29-2

STATE OF OREGON Water Supply Well Report

CROO

Well ID Tag # L 57222

(as required by ORS 537.765)

Start Card # 142324

Instructions for completing this report are on the last page of this form.

(1) Owner Well Number: Name: HOOKER CREEK SAND AND GRAVEL Street: 63101 NELS ANDERSON RD City: BEND State: OR Zip Code: 97701

(9) Location of Hole by legal description County: CROO Latitude: 44°19'31" Longitude: 121°5'45" Township: 14.00 S Range: 14.00 E Section: 30 SWSE Lot: Block: Tax Lot: 302 Subdivision: Street Address of Well (or nearest address): ONEIL JUNCTION REDMOND MAP, with location identified, must be attached.

(2) Type of Work [X] New [] Alter (Recondition) [] Alter (Repair) [] Deepening [] Abandonment

(10) Static Water Level Feet below land surface: 30.0 Date: 07 / 02 / 2002 Artesian Pressure: Date:

(3) Drill Method [X] Rotary Air [] Rotary Mud [X] Cable [] Auger Other:

(11) Water Bearing Zones Depth at which water was first found: 52.00 ft. Table with columns: From, To, est Flow, swl. Rows: 52.00-60.00 (30.00, 30), 90.00-160.00 (1200.00, 30)

(4) Proposed Use [] Domestic [] Community [X] Industrial [] Irrigation [] Injection [] Livestock [] Thermal Other:

(5) Bore Hole Construction [] Special Standards: Depth of completed well: 175.00 ft. [] Explosives Used: Amount: Type: Table with columns: Hole (Diameter, From, To), Seal (Mtrl, From, To, Sacks/lbs). How was seal placed? C Other: Back fill placed from: Material: Filter pack from: Size:

(12) Well Log Ground Elevation: 2755 ft. Table with columns: Material, From, To, swl. Rows: SANDY CLAY BROWN (0.00-15.00), SAND COARSE (15.00-25.00), CLAY BROWN (25.00-42.00), GRAVELS CLAY COARSE (42.00-52.00), GRAVELS SAND MED GRAY (52.00-60.00, 30), BASALT LAVA CLAY STREAKS (60.00-152.00, 30), LAVA GRAY (152.00-175.00)

(6) Casing / Liner Table with columns: Casing/Liner, Diameter, From, To, Gauge, Mtrl, Weld, Thrd, Shoe at used. Rows: C 16.00-47.00 (.250, S, X, 47 in), C 12.00-175.00 (.250, S, X)

(7) Perforation / Screens Perforations: Table with columns: Mtrl, From, To, Width, Height, #Slots, Dia., tpSize, Casing/Liner, Method. Row: S 135.00-175.00 (0.13, 3.00, 1824, 12.00, C MACHINE) Screens: Table with columns: Mtrl, From, To, S Size, #Slots, Dia., tpSize, Type, Gauge

(8) Well Tests (Minimum testing time is one hour) Table with columns: Type, Yield, Units, Drawdown, Stem at, Duration. Rows: A 1200.00 G 170.00 4.00, P 850.00 G 4.00 2.00

Temperature of Water: 53 F Was water analysis done? [] Depth of artesian flow: by whom? Did any strata contain water unsuitable for use? [] Too Little [] Salty [] Muddy [] Odor [] Colored other: Depth of strata:

Date Started: 06 / 11 / 2002 Date Completed: 07 / 02 / 2002

(unbonded) Water Well Constructor Certification: I certify that the work I perform 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 the best knowledge and belief. Signed by: THOMAS R PECK WWC #: 758

(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 by: JACK ABBAS WWC #: 1720



Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

Commerce Building

158 12th Street NE

Salem, OR 97301-4172

(503) 378-3739

FAX (503) 378-8130

INTEROFFICE MEMO

FORWARD TO: Ben Bishop
FIELD PROCESSOR WORKING ON THIS TRANSFER

DATE: 12-3-01

FROM: _____ WATERMASTER, DISTRICT # _____
✓ GROUNDWATER SECTION

(SIGNATURE) K. Cite
signed by injury reviewer

SUBJECT: WATER RIGHT TRANSFER # 8928

A change in: POU POD POA USE of water.

In the name(s) of Ty Fehrenbacher

In my opinion (assuming the right is valid), the proposed change
Well #1 ONLY - See 12/14/01 memo

MAY BE MADE WITHOUT INJURY WOULD RESULT IN INJURY* to an existing water right.

*The approval of this transfer application would result in injury to other water rights because _____

The existing right may not be valid because _____

Headgate notices HAVE HAVE NOT Been issued for diversion from the source(s) which serve(s) this right.

If for change in point of diversion, is there any intervening point(s) for diversion between the authorized and proposed points of diversion? (Yes or No) _____

In my opinion, the order approving the subject transfer application should include the following in regard to the appropriator installing suitable measuring devices in the diversion works:

_____ (1) PRIOR to the diverting of water at the new point of diversion . . .

_____ (2) WHEN IN the judgement of the watermaster it becomes necessary . . .

The enclosed copy of the transfer application and map(s) is for your records.

T-8928

**Water Right Conditions
Tracking Slip**

Groundwater/Hydrology Section

FILE ## T-8928

ROUTED TO: Ben Bishop

TOWNSHIP/

RANGE-SECTION: 14s/14E-17,30

CONDITIONS ATTACHED? yes no

REMARKS OR FURTHER INSTRUCTIONS:

Transfer can only be made
to proposed well #1 -
See Memo.

Reviewer: K. Lite

Memorandum

December 14, 2001

TO: Ben Bishop

FROM:  Ken Lite, Hydrogeologist

SUBJECT Transfer Application T-8928

Well #2 (proposed POA) in Transfer Application T-8928 proposes a change in POA that would result in a transfer between two different aquifers. OAR 690-15-010 prohibits us from allowing such a transfer.

from G-13984

POD #4

14s/14e/17
40047

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

11
CROO
3173

MAY - 8 1995

(START CARD) # 40047

(1) OWNER:
Name Ty Fehnerbacher
Address Rt. 1, Box 36
City Terrebonne State Ore. Zip 97760

(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 95 ft.
Explosives used Yes No Type _____ Amount _____

HOLE		SEAL		Amount	
Diameter	From To	Material	From To	sacks or pounds	
16"	0 28'	Bentonite	0 28'	44 Sacks	
10"	28 95'				

How was seal placed: Method A B C D E
 Other Poured down dry
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
Casing: 10"	42	28'	250	<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 _____
 Screens Type _____ Material _____

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

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

Pump Bailer Air Flowing Artesian

Yield gal/min	Drawdown	Drill stem at	Time
1150	12"	8.5'	24 hrs

Temperature of Water 55.40 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 Crook Latitude _____ Longitude _____
Township 14 or S. Range 14 E or _____
Section 17 S.E. S.E.
Tax Lot 100 Lot _____ Block _____ Subdivision _____
Street Address of Well (or nearest address) None

(10) STATIC WATER LEVEL:
48 ft. below land surface. Date 4-16
Artesian pressure _____ lb. per square inch. Date _____

(11) WATER BEARING ZONES:
Depth at which water was first found 48'

From	To	Estimated Flow Rate
48	95	3000 GPM

(12) WELL LOG: Ground elevation _____

Material	From	To
Overburden	0	8
Tan Clay	8	22
Black Lava W.B.	22	48
Broken Black Lava	48	70
Hard Black Lava	70	82
Hard Broken Basalt W.B.	82	95

RECEIVED

JUN 20 1995

WATER RESOURCES DEPT.
SALEM, OREGON

Date started 3-13-95 Completed 4-16-95

(unbonded) Water Well Constructor Certification:
I certify that the work I performed on the construction, alteration, or a ment of this well is in compliance with Oregon well construction standards. N used and information reported above are true to my best knowledge and be
Signed Wayne T. Bucher WWC Number 6
Date 5-4-9

(bonded) Water Well Constructor Certification:
I accept responsibility for the construction, alteration, or abandonment w formed on this well during the construction dates reported above. All work pe during this time is in compliance with Oregon well construction standards. Th is true to the best of my knowledge and belief.
Signed Raymond Wilkins WWC Number 1
Date 5-4

T-8928

Well #1

RECEIVED

MAY 20 1996

STATE OF OREGON WATER SUPPLY WELL REPORT

CR00 50081

(START CARD) # 67772

Instructions for completing this report are on the last page of this WATER RESOURCES DEPT.

(1) OWNER: Well Number SALEM, OREGON Name O'Neil Sand & Gravel Address P.O. Box 1238 City Redmond, State Ore. Zip 97756

(2) TYPE OF WORK: [X] New Well [] Deepening [] Alteration (repair/recondition) [] Abandonment

(3) DRILL METHOD: [X] Rotary Air [] Rotary Mud [] Cable [] Auger [] Other

(4) PROPOSED USE: [] Domestic [] Community [] Industrial [] Irrigation [] Thermal [] Injection [] Livestock [X] Other sand & gravel

(5) BORE HOLE CONSTRUCTION: Special Construction approval [] Yes [X] No Depth of Completed Well 155 ft. Explosives used [] Yes [X] No Type Amount

Table with columns: HOLE, SEAL, Diameter, From, To, Material, From, To, Sacks or pounds. Row 1: 20", 0, 49', Bentonite, 0, 49', 65 sks. Row 2: 16", 49', 155'

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

(6) CASING/LINER: Table with columns: Diameter, From, To, Gauge, Steel, Plastic, Welded, Threaded. Casing: 16, +2', 94', 250, [X], [], [], []. Liner: 12", +3', 151', [X], [], [], [].

Final location of shoe(s)

(7) PERFORATIONS/SCREENS: [X] Perforations Method Factory [] Screens Type Material. Table with columns: From, To, Slot size, Number, Diameter, Tele/pipe size, Casing, Liner. Row 1: 91', 151', 1/8X3, 2880, 12", [], [], [], [].

(8) WELL TESTS: Minimum testing time is 1 hour [X] Pump [] Bailer [] Air [] Flowing Artesian Yield gal/min 570 Drawdown 18" Drill stem at 24hr xaxx

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

(9) LOCATION OF WELL by legal description: County Crook Latitude Longitude Township 14S N or S Range 14E E or W. WM. Section 30 SW 1/4 SE 1/4 Tax Lot 302 Lot Block Subdivision Street Address of Well (or nearest address) O'Neil Way

(10) STATIC WATER LEVEL: 35 ft. below land surface. Date 5-8-96 Artesian pressure lb. per square inch. Date

(11) WATER BEARING ZONES: Depth at which water was first found 114'

Table with columns: From, To, Estimated Flow Rate, SWL. Row 1: 114', 145', 800, 35'

(12) WELL LOG: Ground Elevation

Table with columns: Material, From, To, SWL. Row 1: coarse clay congl, 0, 31'. Row 2: coarse sand & gravel, 31', 44'. Row 3: brwn clay congl, 44', 60'. Row 4: black sand, 60', 87'. Row 5: gray sticky clay, 87', 93'. Row 6: brwn clay stone, 93', 114'. Row 7: coarse congl W.B., 114', 145', 35'. Row 8: brkn gray lava, 145', 155'.

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NOV 29 2001

WATER RESOURCES DEPT. SALEM, OREGON

Date started 5-2-96 Completed 5-8-96 (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 water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.

WVC 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 water supply well construction standards. This report is true to the best of my knowledge and belief.

WVC Number 1658 Date 5-14-96

T-8928

Well #2

C200
3026

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JUN 15 1994

14S/15E/23

STATE OF OREGON
WATER WELL REPORT

(As required by ORS 537.765)

WATER RESOURCES DEPT. (START CARD) # 63957

SALEM, OREGON

Instructions for completing this report are on the last page of this form.

(1) OWNER: Well Number # 1

Name Barnard Construction Co. Inc.

Address P.O. Box 99

City Bozeman State Mt. Zip 59771

(2) TYPE OF WORK

New Well Deepening Alteration (repair/recondition) Abandonment

(3) DRILL METHOD:

Rotary Air Rotary Mud Cable Auger

Other

(4) PROPOSED USE:

Domestic Community Industrial Irrigation

Thermal Injection Livestock Other

(5) BORE HOLE CONSTRUCTION:

Special Construction approval Yes No Depth of Completed Well 350 ft.

Explosives used Yes No Type _____ Amount _____

HOLE			SEAL			
Diameter	From	To	Material	From	To	Sacks or pounds
21"	0	350	cement	0	104	4 yds slurry

How was seal placed: Method A B C D E

Other pumped via tremie (3")

Backfill placed from _____ ft. to _____ ft. Material _____

Gravel placed from 104 ft. to 350 ft. Size of gravel 3/8

(6) CASING/LINER:

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing: 10"	+1	350	250	<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 factory

Screens Type _____ Material _____

From	To	Slot size	Number	Diameter	Material	Casing	Liner
290	350	1/8	1200	10"		<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

Pump Bailor Air Flowing

Yield 600 gal/min Drawdown _____ Drill stem at _____ Flow _____ l/hr

Temperature of water 68 Depth Artesian Flow Found 292'

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 Crook Latitude _____ Longitude _____

Township 14 S N or S Range 15 E E or W. WM

Section 23 SW 1/4 SE 1/4

Tax Lot 500 Lot _____ Block _____ Subdivision _____

Street Address of Well (or nearest address) _____

Bug Evans Rd. Prineville, Or. 97754

(10) STATIC WATER LEVEL:

49' ft. below land surface. Date 5-31-94

Artesian pressure 0 lb. per square inch. Date _____

(11) WATER BEARING ZONES:

From	To	Estimated Flow Rate	SY
70	90	50 gpm	70
292	340	600 gpm	49

(12) WELL LOG:

Material	From	To	SWI
top soil	0	4	
med. gravel	4	23	
brown clay	23	36	
med gravel	36	48	
sandy clay	48	68	
brown sand w/b	68	90	
black sticky clay	90	292	
coarse gravel w/b	292	340	49'
brown claystone	340	360	

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NOV 29 2001

WATER RESOURCES DEPT.
SALEM, OREGON

Date started 5-23-94 Completed 5-27-94

(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 water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.

Signed Bill [Signature] WWC Number 1555 Date 6/1/94

(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 water supply well construction standards. This report is true to the best of my knowledge and belief.

Signed [Signature] WWC Number 781 Date 6-1-94

WATER RESOURCES DEPARTMENT MEMORANDUM

DATE 12/14/2001

APPLICATION_NUMBER T 8928
OWNER FEHRENBACHER
AMOUNT_REQUESTED 900 GPM NUMBER_OF_WELLS 1 BASIN DESCHUTES
SUB_BASIN CROOKED RIVER
QUADRANGLE_MAP_1 O'NEIL COUNTY CROOK

WELL_# 1 WELL_LOG_STATUS DRILLED, LOG AVAILABLE
WELL_LOG_NUMBER CROO 3173 DPN_LOG_1
TOWNSHIP 14S RANGE 14E SECTION 17 QQQ ADD
PROPOSED_LEGAL_LOCATION 2170 FEET SOUTH AND 290 FEET WEST FROM NE1/4 CORNER, SECTION 17
DISTANCE_FROM_STREAM_1 4100 FEET STREAM_1 CROOKED RIVER
DISTANCE_FROM_STREAM_2 STREAM_2
PROPOSED_WELL_DEPTH
WELL_ELEV 2820 STREAM_ELEV 2750 WELL_ELEV_minus_STREAM_ELEV 70
WELL_DEPTH 95 SWL 48
SEAL_DEPTH 28 SWL_DATE 4/16/1995
CASING_DEPTH 28 FIRST_WATER_DEPTH 48
LINER_DEPTH WELL_TEST_1_TYPE PUMP
PERFORATIONS_SCREEN_1 YIELD_1 1150 GPM
PERFORATIONS_SCREEN_2 DRAWDOWN_1 12
AQUIFER_TYPE UNCONFINED DURATION_1 24HR

HYDRAULIC_CONNECTION PROBABLY

DIVISION_9_FINDING

CONDITIONED_WATER_RIGHTS_IN_AREA

OTHER_NEARBY_WATER_RIGHTS

DENSITY_OF_NEARBY_WELLS

COMMENTS ORIGINATING WELL IS CONSTRUCTED INTO A WATER-BEARING ZONE WITHIN lava (likely Qb). GROUND WATER FLOW IS PROBABLY TOWARDS THE CROOKED RIVER. WELL IS NUMBER 4 ON APPLICATION G-13984. TRANSFER TO PROPOSED WELL #1 WILL LIKELY BE WITHIN THE SAME AQUIFER UNIT. TRANSFER TO PROPOSED WELL #2 IS NOT WITHIN THE SAME SAME AQUIFER. SEE MEMO TO BEN BISHOP.

REFERENCES USGS / OWRD DATA; APPL. FILE T-8928; APPL. FILE G-13984. WELL REPORT CROO 3173, CROO 50081; O'NEIL TOPO MAP.