

T-12651

Regular

SW-GW Deschutes

T-12651

Name Big Falls Ranch  
Rex Barber  
Address PO Box 434  
Terrebone, OR 97760

DESCRIPTION OF WATER RIGHT(S)

Name of Stream McKenzie Canyon; Deep Canyon  
Trib. of Deschutes R.

FEES PAID		
Date	Amount	Receipt #
4-21-17	2250 <sup>00</sup>	123232
9/4/18	347.44	127891
8-31-2021	240.00	136316

Change in SW/GW  
Date Filed 4-21-17  
Initial notice date \_\_\_\_\_  
DPD issued date \_\_\_\_\_  
PD issued date 9/20/2018  
PD notice date \_\_\_\_\_  
Date of FO 11-20-2018 Vol 109 Page 999

Use Supp. Irrigation, Irigation County Deschutes um 11  
Quantity of water (CFS) \_\_\_\_\_ No. of Acres \_\_\_\_\_

Name of ditch			
App#	Per #	Cert #	PR Date
<u>S-51331</u>	<u>S-37392</u>	<u>87655</u>	<u>1973</u>
<u>S-43479</u>	<u>S-32049</u>	<u>88027</u>	<u>1967</u>
<u>S-43479</u>	<u>S-32049</u>	<u>76371</u>	<u>1967</u>
App#	Per #	Cert #	PR Date
App#	Per #	Cert #	PR Date

FEES REFUNDED		
Date	Amount	Receipt #
<u>10/14/2021</u>	<u>\$120<sup>00</sup></u>	<u>VPO52811</u>

C-Date \_\_\_\_\_  
COBU due date \_\_\_\_\_  
COBU Received date 9.30.2020  
Certificate issued 9/19/0, 9/19/1 + 9/19/2 issued 4/18/22

Assignments: Partial assignment 9/23/2021 Pinnacle Utilities, LLC (Kameron DeLashmutt) 2447 NW Canyon Dr.; Redmond, OR. 97756

Irrigation District \_\_\_\_\_

Agent David Newton, Newton Consultants, Inc.  
PO Box 1728 Redmond, OR 97756

CWRE \_\_\_\_\_  
CC's list \_\_\_\_\_

- Oversized map - Location



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

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

July 6, 2018

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

**TRANSFER APPLICATION T-12651; LAND USE INFORMATION FORM –  
DESCHUTES COUNTY**

Dear Kelly,

Enclosed is the Deschutes County Land Use Information Form approved and signed by Tarik Rawlins, Assistant Planner, with Deschutes County Community Development-Planning Department.

I understand that this Form completes the submittal requirements for Transfer T-12651. This Transfer is to change the source of water for Certificates 87655, 88027 and 76371 from surface water to ground water. This Transfer is authorized under ORS 540.531(3)(a)(b)(c).

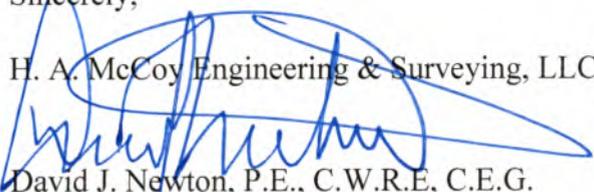
The benefits of the proposed transfer apply to: 1) the public through leaving relatively cold Deep Canyon spring water, otherwise appropriated for irrigation under the above three Certificates, to flow into the middle Deschutes River; and 2) the Big Falls Ranch (Applicant) through improved irrigation system operating efficiencies.

Please contact me if there are any questions regarding this transfer application at (541) 325-3905.

Thank you Kelly, for your help in processing this application and recognizing that time is of the essence in completion of this proposed transfer.

Sincerely,

H. A. McCoy Engineering & Surveying, LLC

  
David J. Newton, P.E., C.W.R.E., C.E.G.

cc: Mr. Rex Barber

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# Land Use Information Form



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

Applicant: BIG FALLS RANCH  
First Last

Mailing Address: P.O. BOX 434

TERREBONNE OR 97760 Daytime Phone: (541) 948-6325  
City State Zip

## A. Land and Location

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:	Proposed Land Use:
<b>SEE ATTACHED TABLE</b>						<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	

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

DESCHUTES COUNTY

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## B. Description of Proposed Use

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

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

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

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

Intended use of water:  Irrigation  Commercial  Industrial  Domestic for \_\_\_\_\_ household(s)  
 Municipal  Quasi-Municipal  Instream  Other \_\_\_\_\_

Briefly describe:  
THE PROPOSED TRANSFER IS TO CHANGE SOURCE OF IRRIGATION WATER FOR EXISTING WATER RIGHTS CERTIFICATES 87655, 88027 AND 76371 TO GROUNDWATER SOURCES. THE CHANGE IN WATER SOURCE FROM SURFACE WATER TO GROUNDWATER IS BEING DONE UNDER AUTHORITY OF ORS 540.531 (TRANSFER OF SURFACE WATER POINT OF DIVERSION TO GROUNDWATER). NO CHANGE IN EXISTING AREAS OF IRRIGATION IS BEING MADE

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

See bottom of Page 3. →

## For Local Government Use Only

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

**Please check the appropriate box below and provide the requested information**

- Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): DCC 18.16 - EFU
- Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	<b>RECEIVED</b>	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	JUL 06 2018	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	<b>OWRD</b>	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued

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

*Irrigation is a use allowed outright in Exclusive Farm Use (EFU) and Rural Residential 10 (RR10) Zones.*

Name: Tarik Rawlings Title: Assistant Planner  
 Signature: [Signature] Phone: 541-317-3148 Date: 6/29/18  
 Government Entity: Deschutes County Community Development - Planning

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



## **247-18-000380-PS**

**Tax Map: 14-12-00, Tax Lot 1400** – The subject property is zoned Exclusive Farm Use – Lower Bridge Subzone (EFU-LB), Flood Plain (FP), and Rural Residential (RR10), and is also in a Surface Mining Impact Area Combining Zone (SMIA), and Landscape Management Combining Zone (LM).

The applicant has requested a “Permit to Transfer Point of Appropriation from Surface Water to Groundwater” for “Irrigation of Agricultural Crops” including but not limited to soft white wheat, dry peas, garbanzo beans, hybrid carrot seed, and native grasses. Staff interprets the applicant’s request as a new proposal for crop irrigation. Farm Use, as defined in DCC 18.04, is allowed outright in this zone.

***“Farm use” means the current employment of land for the primary purpose of obtaining a profit in money by raising, harvesting and selling crops or by the feeding, breeding, management and sale of, or the produce of, livestock, poultry, fur-bearing animals or honeybees or for dairying and the sale of dairy products or any other agricultural or horticultural use or animal husbandry or any combination thereof. “Farm use” includes the preparation, storage and disposal by marketing or otherwise of the products or by-products raised on such land for human or animal use. “Farm Use” also includes the current employment of the land for the primary purpose of obtaining a profit in money by stabling or training equines, including but not limited to, providing riding lessons, training clinics and schooling shows. “Farm use” also includes the propagation, cultivation, maintenance and harvesting of aquatic species and bird and animal species to the extent allowed by the rules adopted by the State Fish and Wildlife Commission. “Farm use” includes the on-site construction and maintenance of equipment and facilities used for the activities described above. “Farm use” does not include the use of land subject to the provisions of ORS chapter 321, except land used exclusively for growing cultured Christmas trees as defined in ORS 215.203(3). Current employment of the land for farm use also includes those uses listed under ORS 215.203(2)(b).***

This LUCS only confirms that the use of irrigation water for “Farm Use” is allowed outright on the subject property.

The applicant did not provide a site plan. Building permits and land use permits may be required for any associated structures. This LUCS does not confirm compliance with wetlands or floodplain regulations if these exist on the property. On-site sales or on-site processing of farm crops may require additional permits.

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To the extent the transferred point of appropriation is providing irrigation to crops including marijuana/cannabis, staff notes this LUCS does not confirm compliance with State or Federal administered regulations for medical or recreational marijuana. Additionally, there are specific County regulations for both medical and recreational marijuana. This LUCS does not expressly or implicitly confirm the subject property could comply with the adopted rules governing medical or recreational marijuana. The applicant/property owner shall comply with all applicable regulations in place at the time of establishment of the use.

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

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Tank,

This application is for a change in the point of appropriation from surface water to ground water, as allowed in ORS 540.531(3)(a)(b)(c). There is no change in the place of use or type of use (still ag irrigation). Therefore, your question is unnecessary.

But to answer, in the hope of completing this in a timely manner, crops grown include but are not limited to: soft white wheat (both winter and spring), dry peas (Maple and Austrian), Garbanzo beans (Kabuli type), hybrid carrot seed, as well as several plantings of native grasses.

If you need more information please let me know.

Rex Barber, President

Big Falls Ranch

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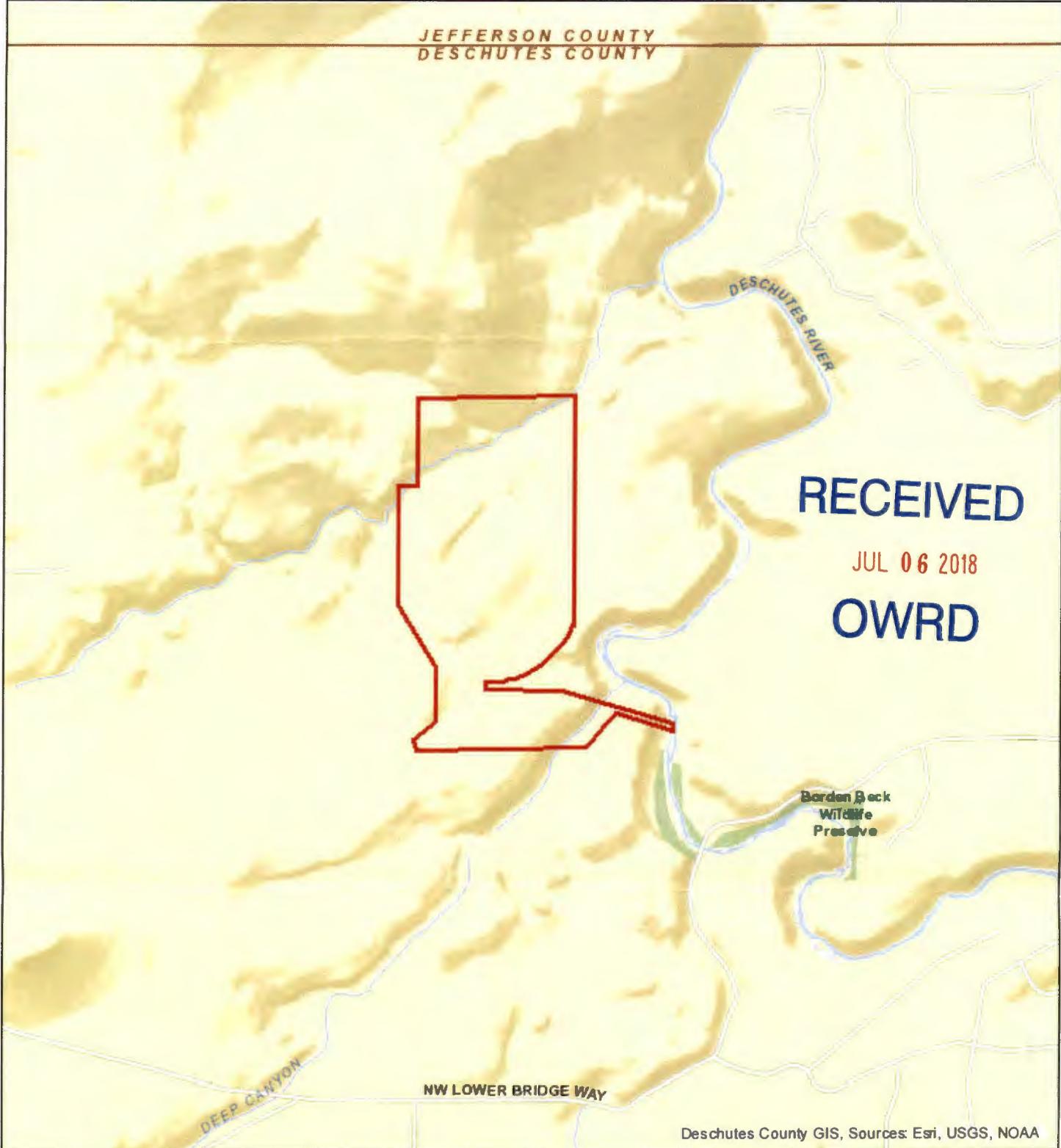
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**247-18-000380-PS**

70460 NW Lower Bridge Way

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DESCHUTES COUNTY



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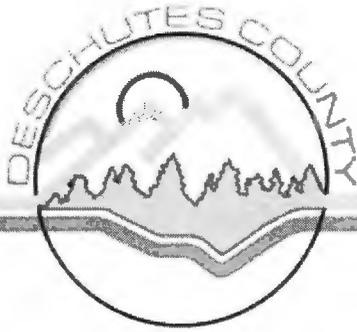
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Borden Beck  
Wildlife  
Preserve

Deschutes County GIS, Sources: Esri, USGS, NOAA





## Community Development Department

Planning Division Building Safety Division Environmental Soils Division

P.O. Box 6005 117 NW Lafayette Avenue Bend, Oregon 97708-6005

Phone: (541) 388-6575 Fax: (541) 385-1764

<http://www.deschutes.org/cd>

### CERTIFICATE OF MAILING

FILE NUMBER: 247-18-000380-PS

DOCUMENT/S MAILED: LUCS

LOOKUP AREA: N/A

MAP/TAX LOT NUMBER: 1412000001400

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I certify that on the 2<sup>nd</sup> day of July, 2018, the attached notice(s)/report(s), dated June 29<sup>th</sup>, 2018, was/were mailed by first class mail, postage prepaid, to the person(s) and address(es) set forth below/on the attached list.

Dated this 2<sup>nd</sup> day of July, 2018

### COMMUNITY DEVELOPMENT DEPARTMENT

By: Tarik Rawlings

Newton Consultants Inc. 2083 Mountain View Court West Linn, OR 97068	
Total mailing: 1	

# Affidavit of Publication

STATE OF OREGON, COUNTY OF DESCHUTES

I, **Shawn Antoni**, 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

## Redmond Spokesman

226 N 6th Street, Redmond OR 97756

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

**Acct Name:** OREGON WATER RESOURCES DEPT

**Case:** T-12651

**Legal Description:** LEGAL NOTICE, Notice of Preliminary , Determination for, Water Right Transfer , T-12651,

T-12651 filed by Big Falls Ranch, Rex Barber, PO

Box 434, Terrebon...

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:

10/3/18 Page 10  
10/10/18 Page 9

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

Dated at Redmond, Oregon, this 10 day of October, 2018.

Shawn Antoni  
Signature

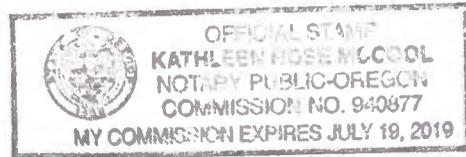
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AdName: 20976663A

State of Oregon, County of Deschutes

Subscribed and Sworn to before me this 10 day of Oct, 20 18 by Shawn Antoni;

KRM  
Notary Public for Oregon



<p>No. _____</p> <p>In the _____ Court of the</p> <p><b>STATE OF OREGON</b> for the <b>COUNTY OF DESCHUTES</b></p>	
<p><b>AFFIDAVIT OF PUBLICATION</b></p> <p>Filed _____</p> <p>By _____</p> <p>From the Office of _____</p> <p>Attorney for _____</p>	



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**Notice of Preliminary Determination for Water Right Transfer T-12651**

T-12651 filed by Big Falls Ranch, Rex Barber, PO Box 434, Terrebonne, OR 97760, proposes a change in surface water points of diversion to groundwater points of appropriation under Certificates (C) 76371, 87655 and 88027. C-76371 allows the use of 1.81 cubic feet per second (cfs) from Deep Canyon Creek in Sec. 9, T14S, R12E, WM for irrigation in Sects. 3, 4, 8, 9 and 17, T14S, R12E, WM. C-87655 allows the use of 4.5 cfs from an unnamed stream (McKenzie Canyon) in Sec. 4, T14S, R12E, WM for supplemental irrigation in Sects. 8 and 17, T14S, R12E, WM. C-88027 allows the use of 3.69 cfs from Deep Canyon Creek in Sec. 9, T14S, R12E, WM for irrigation and supplemental irrigation in Sects. 3, 4, 8, 9, 17 and 18, T14S, R12E, WM. The applicant proposes groundwater points of appropriation in Sects. 9, 17 and 18, T14S, R12E, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000. Any person may file, jointly or severally, a protest or standing statement within 30 days after the last date of newspaper publication of this notice, 10/10/2018. Call (503) 986-0807 to obtain additional information. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.

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**October 18, 2018 - Bidding begins October 11th at 9am at www.ibid4storage.com: 3925 SW 25th Pl., Redmond ends at 9:30am:**  
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**1401 N Hwy 97, Redmond ends at 10am:** #854 Scott Baker, #638 Justin Phelan, #253 Lucus Shellabarger & Crystal Gibson, #957 Tammy Smith, #327 Jeremy Allen, #423 Michael Alger, #325 April Worsham, #1110 Bobbi Fisher, #14 Mason Casper, #726 Kyle Grothen, #1028 Adelina Garcia.  
**1030 B Ave., Terrebonne ends at 11am:** #45 Cory Sammons, #204 Vanessa Bowmen.  
**1600 N Hwy 97, Redmond ends at 11:30am:** #104 Bryan Hobart, #203 Martha Dominguez, #300 Dawn Tabag, #149 Trudy Chamberlen, #172 Kaitlynn Jensen, #17 Ashley Latham, #127 John Swanson.

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Steve Hawes 2677 NW Nordeen Way Bend, OR 97703	
Editor (Name and complete mailing address)	
N/A	
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N/A	
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<input type="checkbox"/> Has Not Changed During Preceding 12 Months	
<input type="checkbox"/> Has Changed During Preceding 12 Months (Publisher must submit explanation of change with this statement)	
PS Form 3526, July 2014 (Page 1 of 4 (see instructions page 4)) PSN: 7530-01-000-993	
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**UNITED STATES POSTAL SERVICE® (All Periodicals Publications Except Requester Publications)**

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Publisher (Name and complete mailing address): Steve Hawes 2877 NW Nordean Way Bend, OR 97703  
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Full Name	Complete Mailing Address
The Redmond Spokesman is wholly owned by	1777 SW Chandler Ave. Bend, OR 97702
Western Communications, Inc.	
Stockholder list attached.	

11. Known Bondholders, Mortgagees, and Other Security Holders Owning or Holding 1 Percent or More of Total Amount of Bonds, Mortgages, or Other Securities. If none, check box  None

Full Name	Complete Mailing Address
N/A	

**RECEIVED**  
**OCT 25 2018**  
**OWRD**



**Oregon**  
Kate Brown, Governor

**Water Resources Department**  
725 Summer St NE, Suite A  
Salem, OR 97301  
(503) 986-0900  
Fax (503) 986-0904

September 11, 2018

**VIA E-MAIL**

**Applicant**

BIG FALLS RANCH  
ATTN: REX BARBER  
PO BOX 434  
TERREBONNE OR 97760

SUBJECT: Water Right Transfer Application T-12651

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-12651. 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 and in the Redmond Spokesman newspaper, simultaneously with issuance of the Preliminary Determination. The notice initiates a 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. The protest period will end 30 days after the last date of newspaper publication.

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 503-986-0886 or [patrick.k.starnes@oregon.gov](mailto:patrick.k.starnes@oregon.gov) if I may be of assistance.

Sincerely,

Kelly Starnes  
Transfer Program Analyst  
Transfer and Conservation Section

cc: Transfer Application file T-12651  
Jeremy T. Giffin, District 11 Watermaster *(via e-mail)*  
David J. Newton, Agent for the applicant *(via e-mail)*

encs

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

In the Matter of Transfer Application	)	PRELIMINARY DETERMINATION
T-12651, Deschutes County	)	PROPOSING APPROVAL OF A
	)	CHANGE FROM A SURFACE WATER
	)	POINT OF DIVERSION TO
	)	GROUNDWATER POINTS OF
	)	APPROPRIATION

**Authority**

Oregon Revised Statutes (ORS) 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of diversion, place of use, or character of use authorized under an existing water right. Oregon Administrative Rules (OAR) Chapter 690, Division 380 implement the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

**Applicant**

BIG FALLS RANCH  
ATTN: REX BARBER  
PO BOX 434  
TERREBONNE OR 97760

**Findings of Fact**

1. On April 21, 2017, BIG FALLS RANCH, ATTN: REX BARBER, filed an application to change the surface water point of diversion to groundwater points of appropriation under Certificates 76371, 87655, and 88027. The Department assigned the application number T-12651.
2. Notice of the application for transfer was published on May 2, 2017, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On April 11, 2018, the Department contacted the applicant and agent regarding a deficiency in the application. The application lacks a completed Land-use form.
4. On July 6, 2018, the applicant's agent submitted a completed Land Use Form that shows that the land use served by the water use from the proposed groundwater points of appropriation is allowed outright.

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.

5. On July 25, 2018, the Department sent a copy of the draft Preliminary Determination proposing to approve Transfer Application T-12651 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of August 23, 2018, 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.
6. The first right to be transferred is as follows:

**Certificate:** 76371 in the name of DESCHUTES VALLEY FARMS (perfected under Permit S-32049)

**Use:** IRRIGATION OF 157.1 ACRES

**Priority Date:** APRIL 13, 1967

**Rate:** 1.81 CUBIC FEET PER SECOND

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

**Source:** DEEP CANYON CREEK, a tributary of the DESCHUTES RIVER

**Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
14 S	12 E	WM	9	SW SE	4440 FEET SOUTH AND 3020 FEET EAST FROM THE NW CORNER OF SECTION 9

**Authorized Place of Use:**

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
14 S	12 E	WM	3	SW SW	1.4
14 S	12 E	WM	4	SW SE	7.7
14 S	12 E	WM	8	NE SE	3.3
14 S	12 E	WM	8	SE SE	7.6
14 S	12 E	WM	9	NW NE	20.2
14 S	12 E	WM	9	SE NE	10.3
14 S	12 E	WM	9	NE NW	9.8
14 S	12 E	WM	9	NE SW	35.0
14 S	12 E	WM	9	NW SW	40.0
14 S	12 E	WM	9	NE SE	1.6
14 S	12 E	WM	9	NW SE	13.6
14 S	12 E	WM	17	NE NE	6.6
Total					157.1

7. Transfer Application T-12651 proposes to move the authorized point of diversion to wells located:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approx. distance from authorized point of diversion (feet)
14 S	12 E	WM	9	SE NW	WELL 7 - 1571.4 FEET SOUTH AND 2862.6 FEET WEST FROM THE NE CORNER OF SECTION 9	2956.8
14 S	12 E	WM	17	SW NE	WELL 3 - 1772.1 FEET SOUTH AND 1706.6 FEET WEST FROM THE NE CORNER OF SECTION 17	5491.2
14 S	12 E	WM	17	NW NW	WELL 4 - 240.7 FEET SOUTH AND 32.2 FEET EAST FROM THE NW CORNER OF SECTION 17	8395.2
14 S	12 E	WM	18	SW SE	WELL 1 - 1154.2 FEET NORTH AND 1680.6 FEET WEST FROM THE SE CORNER OF SECTION 18	11246.4

8. The second right to be transferred is as follows:

**Certificate:** 87655 in the name of BIG FALLS RANCH CO. (perfected under Permit S-37392)

**Use:** SUPPLEMENTAL IRRIGATION OF 206.6 ACRES

**Priority Date:** OCTOBER 23, 1973

**Rate:** 4.5 CUBIC FEET PER SECOND (CFS), PROVIDED THE TOTAL QUANTITY DIVERTED BY ALL RIGHTS PERFECTED UNDER PERMIT S-37392 DOES NOT EXCEED 4.5 CFS.

**Limit/Duty:** 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-FORTIETH 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 4.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

**Source:** AN UNNAMED STREAM (McKENZIE CANYON), a tributary to the DESCHUTES RIVER

**Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
14 S	12 E	WM	4	NW SE	1592.5 FEET NORTH AND 1610.6 FEET WEST FROM THE SE CORNER OF SECTION 4

**Authorized Place of Use:**

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
14 S	12 E	WM	8	NE SW	1.2
14 S	12 E	WM	8	NW SW	0.2
14 S	12 E	WM	8	SW SW	32.7
14 S	12 E	WM	8	SE SW	3.1
14 S	12 E	WM	8	NW SE	2.2
14 S	12 E	WM	8	SW SE	1.1
14 S	12 E	WM	17	NW NE	9.3
14 S	12 E	WM	17	SW NE	16.4
14 S	12 E	WM	17	SE NE	32.4
14 S	12 E	WM	17	NW NW	32.9
14 S	12 E	WM	17	SE NW	0.4
14 S	12 E	WM	17	NE SW	5.1
14 S	12 E	WM	17	SE SW	23.8
14 S	12 E	WM	17	NE SE	14.8
14 S	12 E	WM	17	NW SE	24.9
14 S	12 E	WM	17	SW SE	6.1
Total					206.6

9. Transfer Application T-12651 proposes to move the authorized points of diversion to wells located:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approx. distance from authorized point of diversion (feet)
14 S	12 E	WM	9	SE NW	WELL 7 - 1571.4 FEET SOUTH AND 2862.6 FEET WEST FROM THE NE CORNER OF SECTION 9	2956.8
14 S	12 E	WM	17	SW NE	WELL 3 - 1772.1 FEET SOUTH AND 1706.6 FEET WEST FROM THE NE CORNER OF SECTION 17	5491.2
14 S	12 E	WM	17	NW NW	WELL 4 - 240.7 FEET SOUTH AND 32.2 FEET EAST FROM THE NW CORNER OF SECTION 17	8395.2
14 S	12 E	WM	18	SW SE	WELL 1 - 1154.2 FEET NORTH AND 1680.6 FEET WEST FROM THE SE CORNER OF SECTION 18	11246.4

10. The third right to be transferred is as follows:

**Certificate:** 88027 in the name of BIG FALLS RANCH CO. (perfected under Permit S-32049)  
**Use:** IRRIGATION OF 307.8 ACRES AND SUPPLEMENTAL IRRIGATION OF 12.6 ACRES  
**Priority Date:** APRIL 13, 1967  
**Rate:** 3.69 CUBIC FEET PER SECOND  
**Limit/Duty:** 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-FORTIETH 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 4.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.  
**Source:** DEEP CANYON CREEK, a tributary of the DESCHUTES RIVER

**Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
14 S	12 E	WM	9	SW SE	4440 FEET SOUTH AND 3020 FEET EAST FROM THE NW CORNER OF SECTION 9

**Authorized Place of Use:**

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
14 S	12 E	WM	3	SW SW	3.7
14 S	12 E	WM	4	SW SE	1.2
14 S	12 E	WM	4	SE SE	29.8
14 S	12 E	WM	8	SE NE	2.9
14 S	12 E	WM	8	NE SE	31.9
14 S	12 E	WM	8	SE SE	32.7
14 S	12 E	WM	9	NW NE	3.9
14 S	12 E	WM	9	SW NE	40.2
14 S	12 E	WM	9	SE NE	2.2
14 S	12 E	WM	9	SW NW	31.5
14 S	12 E	WM	9	SE NW	38.3
14 S	12 E	WM	9	NE SW	1.5
14 S	12 E	WM	9	SW SW	14.3
14 S	12 E	WM	9	SE SW	10.0
14 S	12 E	WM	9	NE SE	1.6
14 S	12 E	WM	9	NW SE	5.0
14 S	12 E	WM	17	NE NE	32.7
14 S	12 E	WM	17	NW NE	16.2
14 S	12 E	WM	17	SW NE	1.4
14 S	12 E	WM	17	SE NE	0.2
14 S	12 E	WM	17	NE NW	5.9
14 S	12 E	WM	17	SE NW	0.7
Total					307.8

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
14 S	12 E	WM	17	NW NW	2.2
14 S	12 E	WM	17	SW SW	8.1
14 S	12 E	WM	18	SE SE	2.3
Total					12.6

11. Transfer Application T-12651 proposes to move the authorized points of diversion to wells located:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approx. distance from authorized point of diversion (feet)
14 S	12 E	WM	9	SE NW	WELL 7 - 1571.4 FEET SOUTH AND 2862.6 FEET WEST FROM THE NE CORNER OF SECTION 9	2956.8
14 S	12 E	WM	17	SW NE	WELL 3 - 1772.1 FEET SOUTH AND 1706.6 FEET WEST FROM THE NE CORNER OF SECTION 17	5491.2
14 S	12 E	WM	17	NW NW	WELL 4 - 240.7 FEET SOUTH AND 32.2 FEET EAST FROM THE NW CORNER OF SECTION 17	8395.2
14 S	12 E	WM	18	SW SE	WELL 1 - 1154.2 FEET NORTH AND 1680.6 FEET WEST FROM THE SE CORNER OF SECTION 18	11246.4

***Transfer Review Criteria [OAR 690-380-4010(2)]***

12. Water has been used within the last five years according to the terms and conditions of the rights. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
13. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights was present within the five-year period prior to submittal of Transfer Application T-12651.
14. The proposed wells meet the requirements of ORS 540.531(3a.-c.).
15. The proposed change would not result in enlargement of the rights.
16. The proposed change would not result in injury to other water rights.

**Determination and Proposed Action**

The change from a surface water point of diversion to groundwater points of appropriation proposed in Transfer Application T-12651 appears to be consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-2130 and 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved.

*If Transfer Application T-12651 is approved, the final order will include the following:*

- 1. The change from surface water points of diversion to groundwater points of appropriation proposed in Transfer Application T-12651 is 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 Certificates 87655, 88027, 76371 and any related decree.*
- 3. Water right Certificates 87655, 88027, and 76371 are 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 points of diversion.*
- 5. The use of water under this right shall be subject to regulation consistent with other water rights from the surface water source and to all other applicable conditions and restrictions that existed at the original point of diversion.*
- 6. If, within five years after approval of the transfer, the Department finds that the transfer results in substantial or undue interference with an existing ground water right due to use of the wells, that would not have occurred in the absence of the transfer, the new point of appropriation shall be subordinate to the existing right injured by the transfer.*
- 7. The original point of diversion of surface water shall not be retained as an additional or supplemental point of diversion under the transferred portion of the right. However, if within five years after approval of the transfer, the Department receives a transfer application to return to the last authorized surface water point of diversion, the application shall be approved.*
- 8. 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 proposed well.*
  - 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.*
- 9. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2020**. 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 change and full beneficial use of the water.*

10. *After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.*

Dated at Salem, Oregon this SEP 20 2018,



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

This Preliminary Determination was prepared by Kelly Starnes. If you have questions about the information in this document, you may reach me at 503-986-0886 or [Patrick.K.Starnes@oregon.gov](mailto:Patrick.K.Starnes@oregon.gov)

*Protests should be addressed to the attention of Water Rights Services Division, Water Resources Department, 725 Summer St. NE, Suite A, Salem, OR 97301-1266.*

**Notice Regarding Service Members:** Active duty service members have a right to stay proceedings under the federal Service Members Civil Relief Act. 50 U.S.C. App. §§501-597b. You may contact the Oregon State Bar or the Oregon Military Department for more information. The toll-free telephone number for the Oregon State Bar is: 1 (800) 452-8260. The toll-free telephone number of the Oregon Military Department is: 1 (800) 452-7500. The Internet address for the United States Armed Forces Legal Assistance Legal Services Locator website is: <http://legalassistance.law.af.mil>

**Notice of Preliminary Determination for  
Water Right Transfer T-12651**

T-12651 filed by Big Falls Ranch, Rex Barber, PO Box 434, Terrebonne, OR 97760, proposes a change in surface water points of diversion to groundwater points of appropriation under Certificates (C) 76371, 87655 and 88027. C-76371 allows the use of 1.81 cubic feet per second (cfs) from Deep Canyon Creek in Sec. 9, T14S, R12E, WM for irrigation in Sects. 3, 4, 8, 9 and 17, T14S, R12E, WM. C-87655 allows the use of 4.5 cfs from an unnamed stream (McKenzie Canyon) in Sec. 4, T14S, R12E, WM for supplemental irrigation in Sects. 8 and 17, T14S, R12E, WM. C-88027 allows the use of 3.69 cfs from Deep Canyon Creek in Sec. 9, T14S, R12E, WM for irrigation and supplemental irrigation in Sects. 3, 4, 8, 9, 17 and 18, T14S, R12E, WM. The applicant proposes groundwater points of appropriation in Sects. 9, 17 and 18, T14S, R12E, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

Any person may file, jointly or severally, a protest or *standing* statement within 30 days after the last date of newspaper publication of this notice, **MM/DD/YEAR**. Call (503) 986-0807 to obtain additional information. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.

**STATE OF OREGON  
WATER RESOURCES DEPARTMENT**

RECEIPT # **127891**

725 Summer St. N.E. Ste. A  
SALEM, OR 97301-4172  
(503) 986-0900 / (503) 986-0904 (fax)

INVOICE # \_\_\_\_\_

RECEIVED FROM: Big Falls Ranch Co.  
BY: \_\_\_\_\_

APPLICATION	
PERMIT	
TRANSFER	<u>T-12651</u>

CASH:  CHECK:# X10089 OTHER: (IDENTIFY)

**TOTAL REC'D** \$ 317.44

**1083 TREASURY 4170 WRD MISC CASH ACCT**

0407 COPIES 0207 OTHER: (IDENTIFY) 40117 Newspaper Notice \$ 317.44  
0243 I/S Lease \_\_\_\_\_ 0244 Muni Water Mgmt. Plan \_\_\_\_\_ 0245 Cons. Water \_\_\_\_\_

**4270 WRD OPERATING ACCT**

**MISCELLANEOUS**

0407 COPY & TAPE FEES		\$
0410 RESEARCH FEES		\$
0408 MISC REVENUE: (IDENTIFY) _____		\$
TC162 DEPOSIT LIAB. (IDENTIFY) _____		\$
0240 EXTENSION OF TIME		\$

**WATER RIGHTS:**

0201 SURFACE WATER	EXAM FEE	\$	0202	RECORD FEE	\$
0203 GROUND WATER	EXAM FEE	\$	0204	RECORD FEE	\$
0205 TRANSFER	EXAM FEE	\$			

**WELL CONSTRUCTION**

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

**0536 TREASURY 0437 WELL CONST. START FEE**

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

**0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER**

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

**TREASURY OTHER / RDX**

FUND \_\_\_\_\_ TITLE \_\_\_\_\_  
OBJ. CODE \_\_\_\_\_ VENDOR # \_\_\_\_\_  
DESCRIPTION \_\_\_\_\_ \$ \_\_\_\_\_

RECEIPT: **127891**

DATED: 9/14/18 BY: C. W. [Signature]

**STATE OF OREGON  
WATER RESOURCES DEPARTMENT**

725 Summer St. N.E. Ste. A

SALEM, OR 97301-4172

(503) 986-0900 / (503) 986-0904 (fax)

RECEIPT # **127891**

INVOICE # \_\_\_\_\_

RECEIVED FROM: Big Falls Ranch Co.

APPLICATION	
PERMIT	
TRANSFER	T-12651

BY: \_\_\_\_\_

CASH:  CHECK: # X10089 OTHER: (IDENTIFY) \_\_\_\_\_

**TOTAL REC'D \$ 317.44**

**1083 TREASURY 4170 WRD MISC CASH ACCT**

0407 COPIES		\$
<u>0207</u> OTHER: (IDENTIFY) <u>40117 Newspaper Notice</u>		\$ <u>317.44</u>

0243 I/S Lease \_\_\_\_\_ 0244 Muni Water Mgmt. Plan \_\_\_\_\_ 0245 Cons. Water \_\_\_\_\_

**4270 WRD OPERATING ACCT**

**MISCELLANEOUS**

0407 COPY & TAPE FEES		\$
0410 RESEARCH FEES		\$
0408 MISC REVENUE: (IDENTIFY) _____		\$
TC162 DEPOSIT LIAB. (IDENTIFY) _____		\$
0240 EXTENSION OF TIME		\$

**WATER RIGHTS:**

0201 SURFACE WATER	EXAM FEE	0202	RECORD FEE
0203 GROUND WATER	\$	0204	\$
0205 TRANSFER	\$		

**WELL CONSTRUCTION**

0218 WELL DRILL CONSTRUCTOR	EXAM FEE	0219	LICENSE FEE
LANDOWNER'S PERMIT	\$	0220	\$

OTHER (IDENTIFY) \_\_\_\_\_

**0536 TREASURY 0437 WELL CONST. START FEE**

0211 WELL CONST START FEE	\$	CARD #
0210 MONITORING WELLS	\$	CARD #

OTHER (IDENTIFY) \_\_\_\_\_

**0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER**

0233 POWER LICENSE FEE (FWWRD)		\$
0231 HYDRO LICENSE FEE (FWWRD)		\$
HYDRO APPLICATION		\$

**TREASURY OTHER / RDX**

FUND _____	TITLE _____	
OBJ. CODE _____	VENDOR # _____	
DESCRIPTION _____		\$

RECEIPT: **127891**

DATED: 9/4/18

BY: C. White

**Attached is a check for \$347.44 (PCA #46117) for Newspaper Notice for Transfer T-12651**

- made out to Oregon Water Resources Department ( or WRD)
- **“for T-12651 NOTICE” written on front of check**

Mail to: Oregon Water Resources Department  
725 Summer St. NE, Suite A  
Salem, OR 97301-1266

RECEIVED

SEP 04 2018

OWRD

BIG FALLS RANCH CO.  
P.O. Box 434  
Terrebonne, OR 97760



Oregon Water Resources Dept  
725 Summer St. NE.  
Suite A  
Salem, OR 97301

**STARNES Patrick K \* WRD**

---

**To:** BigFalls@cbbmail.com  
**Cc:** David J Newton (david@ham-engr.com); GIFFIN Jeremy T \* WRD  
**Subject:** Request for Newspaper fees for Transfer Application T-12651

Dear Mr. Barber:

I have received the requested Lot Book report for T-12651. Everything in the Lot Book report checks out, so we are onto the next step in processing:

Your water right transfer is ready for issuance of the Preliminary Determination, once the Department receives payment for publication of the newspaper notice.

**Items needed before the next phase of processing...**

At this time you need to:

1. submit a check for **\$347.44** to cover the cost of publication of the notice, made out to the Oregon Water Resources Department.
2. **write "for T-12651 NOTICE" on the front of your check, and**
3. submit it with the tracking stub found at the bottom of this e-mail.

Mail the check to 725 Summer St. NE, Suite A, Salem, OR 97301-1266, **no later than September 24, 2018.**

**What happens next...**

Shortly after receiving payment, the Department will issue the Preliminary Determination, initiate publication in the Redmond Spokesman newspaper, and also publish the notice in the Department's weekly notice. Publication of the notice will initiate a protest period during which any person may file either a protest opposing the decision proposed by the Department in the Preliminary Determinations or a standing statement supporting the Department's decision.

**If we do not receive payment for newspaper notice by September 24, 2018, a Preliminary Determination shall be issued denying the application as incomplete.**

Please do not hesitate to contact me at 503-986-0886 or [Patrick.K.Starnes@oregon.gov](mailto:Patrick.K.Starnes@oregon.gov) if I may be of assistance.

Sincerely,

Kelly Starnes  
Transfer Program Analyst  
Transfer and Conservation Section

cc: Transfer Application File T-12651  
Jeremy Giffin, District 11 Watermaster *(via e-mail)*  
David J. Newton. H.A. McCoy Engineering & Surveying, LLC, Agent/CWRE for the applicant *(via e-mail)*

✂-----

**Attached** is a check for **\$347.44 (PCA #46117)** for Newspaper Notice for Transfer **T-12651**

- made out to Oregon Water Resources Department ( or WRD)
- **"for T-12651 NOTICE" written on front of check**

Mail to: Oregon Water Resources Department  
725 Summer St. NE, Suite A  
Salem, OR 97301-1266

✂-----

\*\*\*\*\*  
 Kelly Starnes, Transfer Program Analyst  
 Oregon Water Resources Department  
 725 Summer St NE Suite A  
 Salem OR 97301-1271  
 Telephone: 503-986-0886 Fax: 503-986-0903  
 E-mail: [patrick.k.starnes@oregon.gov](mailto:patrick.k.starnes@oregon.gov)

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

\*\*\*\*\*

## STARNEs Patrick K \* WRD

---

**From:** D. Newton <dnewton@newtonconsultants.com>  
**Sent:** Friday, August 10, 2018 7:50 AM  
**To:** STARNEs Patrick K \* WRD  
**Cc:** BigFalls@cbbmail.com  
**Subject:** Transfer T-12651 - POD to Ground Water POA; Corrected Transfer Map  
**Attachments:** Corrected Transfer Map; T-12651.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

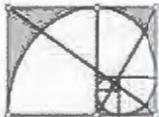
Kelly, attached is the corrected Transfer Map for T-12651 in response to Item #2 of your e-mail dated July 25, 2018; where the original map showed 7.8 acres in the SE1/4SE1/4 Section 8, T14S, R12E, W.M. The acreage on the attached map has been adjusted to the correct amount of 7.6 acres in accordance with Certificate 76371.

Please contact me if you have any questions.

Note the map is with the H. A. McCoy Engineering & Surveying logo, where I am now a part-time employee.

David

**David Newton, P.E., C.E.G, C.W.R.E.**  
H.A. McCoy Engineering & Surveying, LLC



**H.A. M<sup>c</sup>COY**  
ENGINEERING  
& SURVEYING, LLC

1180 SW Lake Road, #201  
Redmond, Oregon 97756  
541 325-3905 *cell*  
541 923-7554 *office*  
[david@ham-engr.com](mailto:david@ham-engr.com)

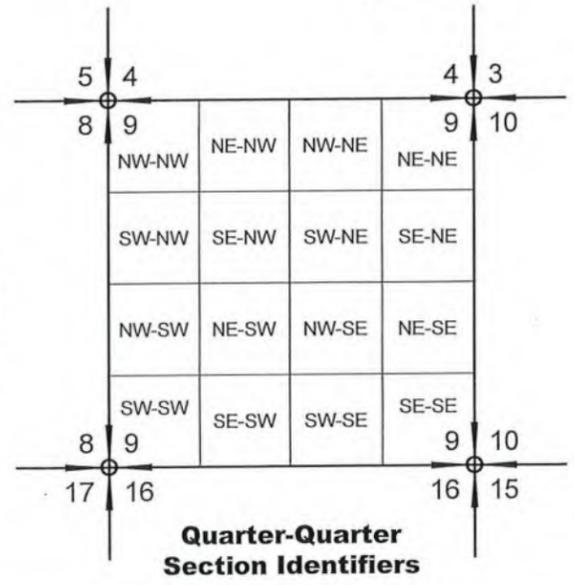
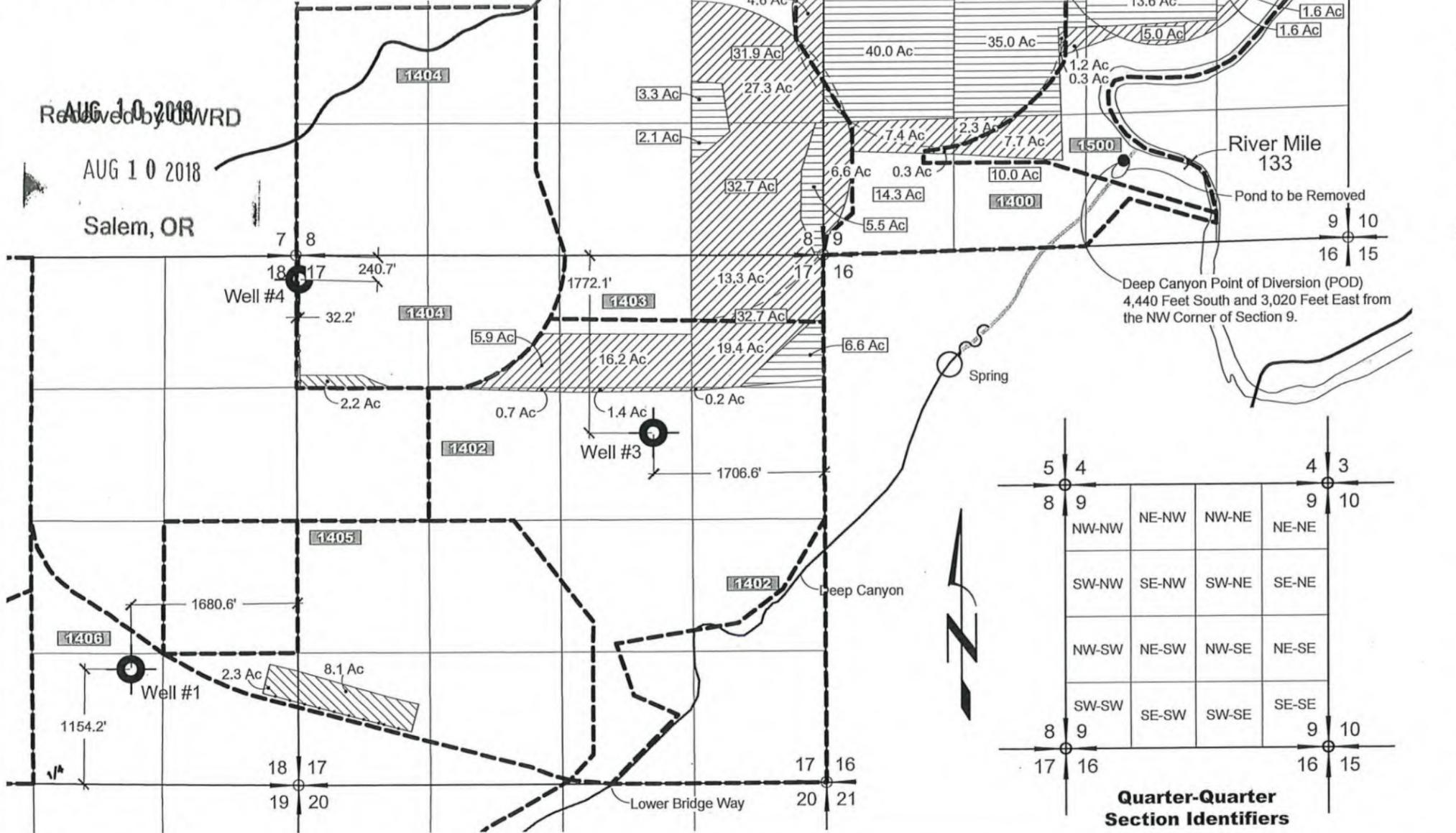
**WATER RIGHT TRANSFER MAP**  
**CHANGE IN POD TO POA**  
 Located in Sections 3, 4, 8, 9, 17, 18, and 20,  
 Township 14 South, Range 12 East, Willamette Meridian  
 Deschutes County, Oregon

**COPY**

- NOTES**
1. This map was prepared for the purpose of identifying the location of water rights only and is not intended to provide legal dimensions or locations of property ownership lines.
  2. This map is based on Claim of Beneficial Use Map submitted with the COBU prepared by Newton Consultants, Inc., May 2012.
  3. Tax lot lines are based on Deschutes County Assessor Maps dated Feb. 2, 2010.
  4. Acres irrigated are identified in each 1/4-1/4 by total acres and by Tax Lot.
  5. Place of Use and Character of Use will not Change.

- Locations Of Proposed Point of Appropriation**
- POA 1 - Well #1**  
1680.6 Ft West and 1154.2 Ft North from the SE Corner of Section 18.
  - POA 2 - Well #3**  
1706.6 Ft West and 1772.1 Ft South from the NE Corner of Section 17.
  - POA 3 - Well #4**  
32.2 Ft East and 240.7 Ft South from the NW Corner of Section 17.
  - POA 4 - Well #7**  
2862.6 Ft West and 1571.4 Ft South from the NE Corner of Section 9.

- LEGEND**
- Primary Certificate 88027, Permit 32049 (307.8 Ac Total) Irrigation: April 13, 1967
  - Supplemental Certificate 88027, Permit 32049 (12.6 Ac Total) Irrigation: April 13, 1967
  - Primary Certificate 76371, Permit 32049 (157.1 Ac Total) Irrigation: April 13, 1967
  - Tax Lot Boundary Line
  - Tax Lot ID Number
  - Location of Areas Not Specified in Permit S-37342, Certificate C-44283
  - Total Number of Acres Irrigated in 1/4-1/4



**Vicinity Map**

**STATE OF OREGON**  
 Certified Water Rights Examiner  
 DAVID J. NEWTON  
 JAN. 16, 1995

EXPIRES:  
 RENEWS:

**COPY**

0' 1,320' 2,640'  
 SCALE: 1" = 1,320'

Received by DWRD  
 AUG 10 2018  
 Salem, OR

**Surface Water POD to Groundwater POA Transfer Map**  
 Big Falls Ranch Co.  
 Deschutes County, Oregon

**H.A. McCOY**  
 ENGINEERING & SURVEYING, LLC  
 1180 SW Lake Road, Suite 201 Redmond, OR 97756  
 Hayes McCoy  
 PE, PLS, CWRE  
 541-923-7554  
 hayes@ham-engr.com

DESIGNED BY: D. Newton  
 DRAWN BY: S. Schenck  
 DATE: Aug 2018  
 PROJECT NO. 556-103  
 FIGURE 2

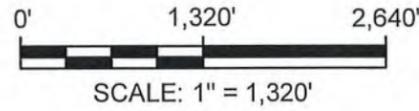
L:\data (newtonsrvr2)\0500\556\103\HMcCoy\W556103\_F2\_COBU\_TB86027 14:18 08/03/2018 SS

**LEGEND**

- H.L. HAND LINE
- W.L.(NO.) WHEEL LINE AND REFERENCE NUMBER
- U.G. UNDER GROUND
- A.G. ABOVE GROUND
- P(NO.) PIVOT AND REFERENCE NUMBER
- EXISTING CROP LINE
- EXISTING FENCE
- IN PLACE TRANSMISSION LINE UNLESS SHOWN OTHERWISE
- LAND SURVEY MONUMENT
- POINT OF DIVERSION AS SHOWN
- TAX LOT ID NUMBER
- TAX LOT BOUNDARY LINE

Located in Sections 4, 8, 9, 17, 18, 19, and 20,  
Township 14 South, Range 12 East, Willamette Meridian  
Deschutes County, Oregon

- NOTES**
- This map was prepared for the purpose of identifying the location of water rights only and is not intended to provide legal dimensions or locations of property ownership lines.
  - This map is based on the Final Proof map originally submitted by Anderson Engineering, Sept. 14, 2001.
  - Tax lot lines are based on Deschutes County Assessor Maps dated Feb. 2, 2010.



RECEIVED  
APR 21 2017  
OWRD

McKenzie Canyon Point of Diversion (POD)  
With Pump and Meter (not installed)  
1,610.6 Feet West and 1,592.5 Feet North  
From the SE Corner of Section 4.

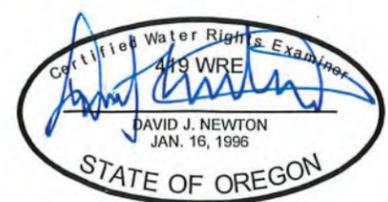
WELL 7 WITH PUMP AND METER (not installed)  
LOCATED: 2862.6 FT WEST AND  
1571.4 FT SOUTH FROM THE NE CORNER OF  
SECTION 9.

Deep Canyon Point of Diversion (POD)  
4,440 Feet South and 3,020 Feet East from  
the NW Corner of Section 9.

WELL 3 WITH PUMP AND METER  
LOCATED: 1706.6 FT WEST AND  
1772.1 FT SOUTH FROM THE NE  
CORNER OF SECTION 17.

WELL 4 WITH PUMP AND METER  
LOCATED: 32.2 FT EAST AND  
240.7 FT SOUTH FROM THE NW  
CORNER OF SECTION 17.

WELL 1 WITH PUMP AND METER  
LOCATED: 1680.6 FT WEST AND  
1154.2 FT NORTH FROM THE SE  
CORNER OF SECTION 18.



COPY

EXPIRES: 31 Dec 2018  
RENEWS: 31 Dec 2018

Surface Water POD to Groundwater POA Transfer Water  
 Delivery System Map  
 Big Falls Ranch Co.  
 Deschutes County, Oregon

DESIGNED BY: <b>J. Bannon</b>	DRAWN BY: <b>S. Schenck</b>	DATE: <b>MAR 2017</b>	PROJECT NO.: <b>556-103</b>	FIGURE <b>1</b>
----------------------------------	--------------------------------	--------------------------	--------------------------------	--------------------

NEWTON  
CONSULTANTS INC.

Earth, Water and Rock Specialists  
Ph: 541 504-9960 Fax: 541 504-9961

12651

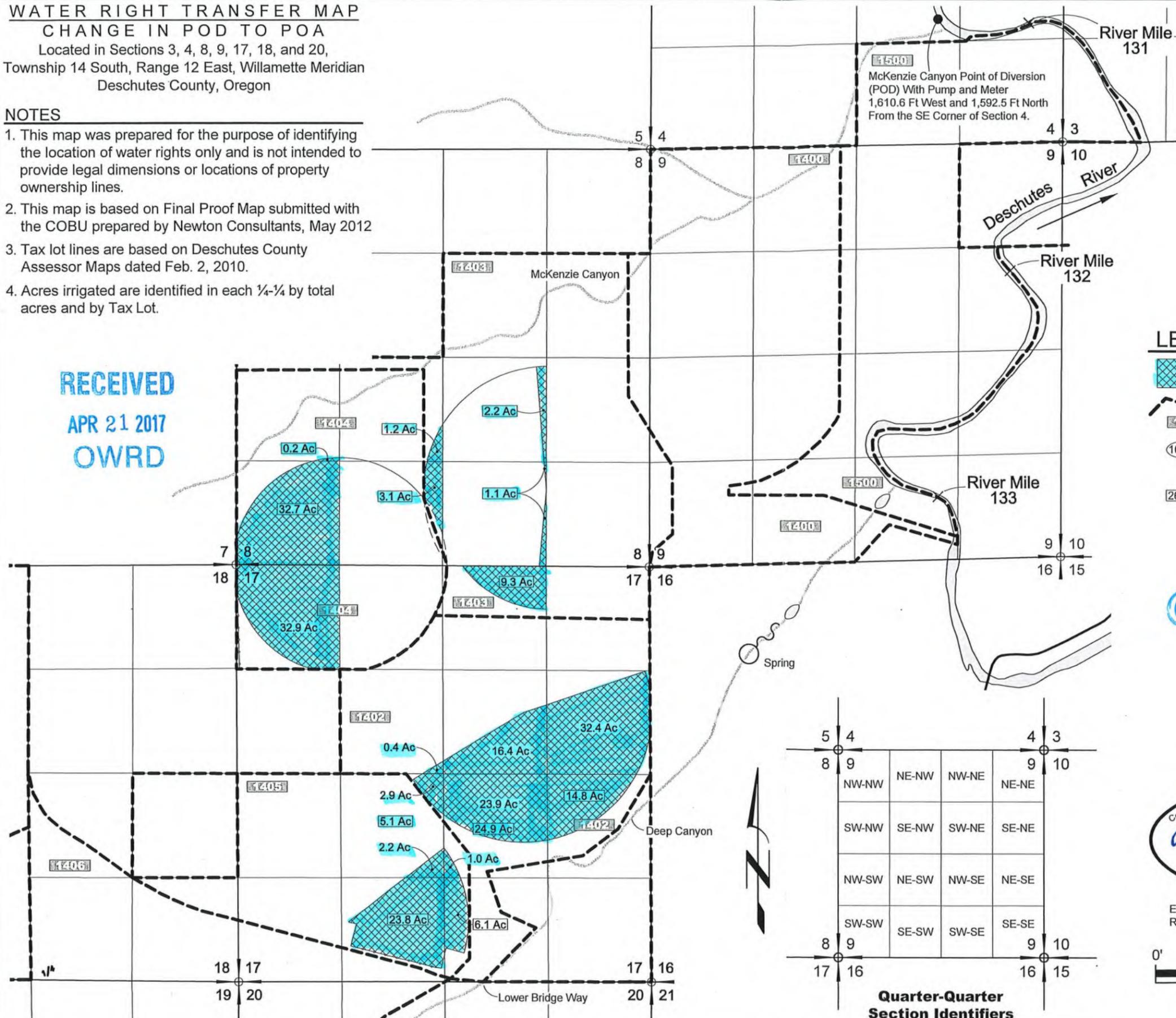
G:\0500\556\103\Cad\Water\W556103\_FL\_COBU IrrSys 08:44 11/15/2016 SS

**WATER RIGHT TRANSFER MAP**  
**CHANGE IN POD TO POA**  
 Located in Sections 3, 4, 8, 9, 17, 18, and 20,  
 Township 14 South, Range 12 East, Willamette Meridian  
 Deschutes County, Oregon

**NOTES**

1. This map was prepared for the purpose of identifying the location of water rights only and is not intended to provide legal dimensions or locations of property ownership lines.
2. This map is based on Final Proof Map submitted with the COBU prepared by Newton Consultants, May 2012
3. Tax lot lines are based on Deschutes County Assessor Maps dated Feb. 2, 2010.
4. Acres irrigated are identified in each 1/4-1/4 by total acres and by Tax Lot.

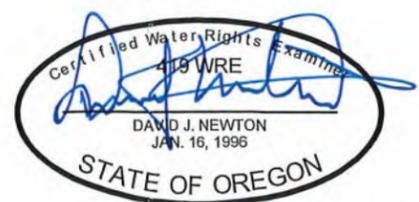
RECEIVED  
 APR 21 2017  
 OWRD



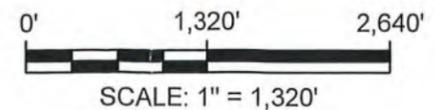
**LEGEND**

- Supplemental Certificate 87655
- Tax Lot Boundary Line
- Tax Lot ID Number
- Location of Areas Not Specified in Permit S-37342, Certificate C-44283
- Total Number of Acres Irrigated in 1/4-1/4

COPY



EXPIRES: 31 DEC 2018  
 RENEWS: 31 DEC 2018



**Quarter-Quarter Section Identifiers**

5	4	4	3
8	9	9	10
NW-NW	NE-NW	NW-NE	NE-NE
SW-NW	SE-NW	SW-NE	SE-NE
NW-SW	NE-SW	NW-SE	NE-SE
SW-SW	SE-SW	SW-SE	SE-SE
8	9	9	10
17	16	16	15

C:\05001\556\103\Cad\Water\556103\_F2\_COBU\_T88027\_10:47\_03/29/2017\_SS

Transfer Map for McKenzie Canyon POD  
 Big Falls Ranch Co.  
 Deschutes County, Oregon

**NEWTON CONSULTANTS INC.**  
 Earth, Water and Rock Specialists  
 Ph: 541 504-9960 Fax: 541 504-9961

DESIGNED BY: J. Bannon  
 DRAWN BY: S. Schenck  
 DATE: MAR 2017  
 PROJECT NO: 556-103  
 FIGURE 3

T: 12651

**WATER RIGHT TRANSFER MAP**  
**CHANGE IN POD TO POA**  
 Located in Sections 3, 4, 8, 9, 17, 18, and 20,  
 Township 14 South, Range 12 East, Willamette Meridian  
 Deschutes County, Oregon

**SUPERSEDED**

**NOTES**

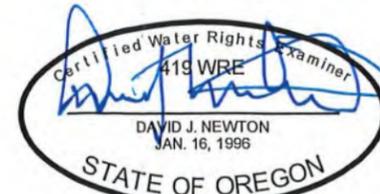
1. This map was prepared for the purpose of identifying the location of water rights only and is not intended to provide legal dimensions or locations of property ownership lines.
2. This map is based on Claim of Beneficial Use Map submitted with the COBU prepared by Newton Consultants, Inc., May 2012.
3. Tax lot lines are based on Deschutes County Assessor Maps dated Feb. 2, 2010.
4. Acres irrigated are identified in each 1/4-1/4 by total acres and by Tax Lot.
5. Place of Use and Character of Use will not Change.

**Locations Of Proposed Point of Appropriation**

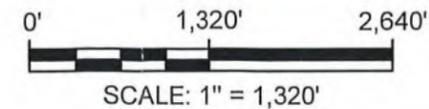
- POA 1 - Well #1  
1680.6 Ft West and 1154.2 Ft North from the SE Corner of Section 18.
- POA 2 - Well #3  
1706.6 Ft West and 1772.1 Ft South from the NE Corner of Section 17.
- POA 3 - Well #4  
32.2 Ft East and 240.7 Ft South from the NW Corner of Section 17.
- POA 4 - Well #7  
2862.6 Ft West and 1571.4 Ft South from the NE Corner of Section 9.

**LEGEND**

- Primary Certificate 88027, Permit 32049 (307.8 Ac Total) Irrigation: April 13, 1967
- Supplemental Certificate 88027, Permit 32049 (12.6 Ac Total) Irrigation: April 13, 1967
- Primary Certificate 76371, Permit 32049 (157.1 Ac Total) Irrigation: April 13, 1967
- Tax Lot Boundary Line
- Tax Lot ID Number
- Location of Areas Not Specified in Permit S-37342, Certificate C-44283
- Total Number of Acres Irrigated in 1/4-1/4

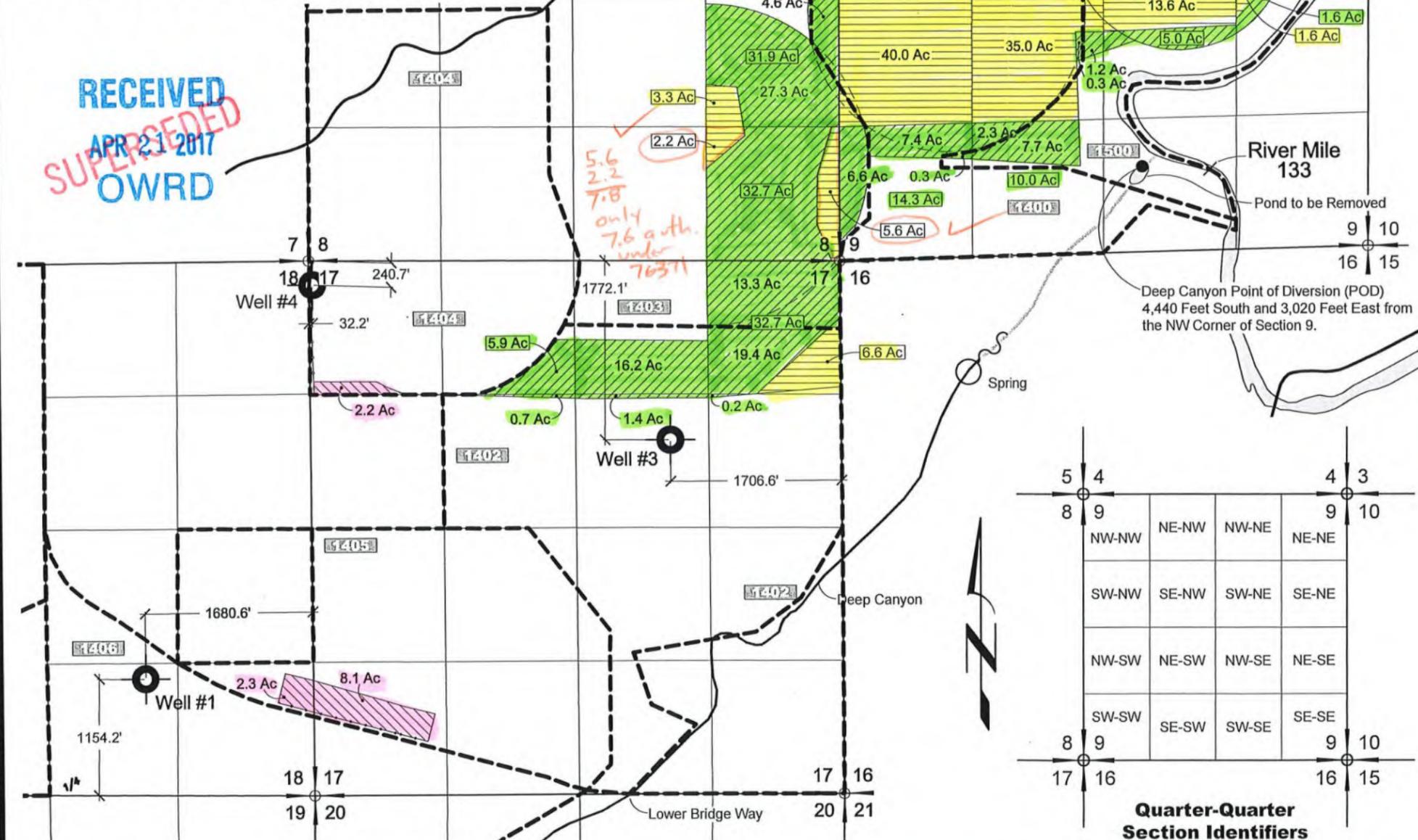


EXPIRES: 31 DEC 2018  
 RENEWS: 31 DEC 2018



**Quarter-Quarter Section Identifiers**

5	4	4	3
8	9	9	10
NW-NW	NE-NW	NW-NE	NE-NE
SW-NW	SE-NW	SW-NE	SE-NE
NW-SW	NE-SW	NW-SE	NE-SE
SW-SW	SE-SW	SW-SE	SE-SE
8	9	9	10
17	16	16	15



RECEIVED  
 APR 21 2017  
 OWRD  
 SUPERSEDED

5.6  
 2.2  
 7.8  
 only  
 7.6 a/c  
 under  
 76371

Surface Water POD to Groundwater POA Transfer Map  
 Big Falls Ranch Co.  
 Deschutes County, Oregon

DESIGNED BY: J. Bannon  
 DRAWN BY: S. Schenck  
 DATE: MAR 2017  
 PROJECT NO: 556-103  
 FIGURE: 2



STATE OF OREGON  
COUNTY OF DESCHUTES  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

DESCHUTES VALLEY FARMS  
PO BOX 166  
CULVER, OREGON 97734

confirms the right to use the waters of DEEP CANYON CREEK, a tributary of THE DESCHUTES RIVER, for IRRIGATING 157.1 ACRES.

This right was perfected under Permit 32049. The date of priority is APRIL 13, 1967. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 1.81 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

SW $\frac{1}{4}$  SE $\frac{1}{4}$ , SECTION 9, T. 14 S., R. 12 E., W.M.; 4440 FEET SOUTH AND 3020 FEET EAST FROM THE NW CORNER OF SECTION 9.

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

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

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

SW $\frac{1}{4}$ SW $\frac{1}{4}$	1.4 acres
Section 3	
SW $\frac{1}{4}$ SE $\frac{1}{4}$	7.7 acres
Section 4	
NE $\frac{1}{4}$ SE $\frac{1}{4}$	3.3 acres
SE $\frac{1}{4}$ SE $\frac{1}{4}$	7.6 acres
Section 8	
NW $\frac{1}{4}$ NE $\frac{1}{4}$	20.2 acres
SE $\frac{1}{4}$ NE $\frac{1}{4}$	10.3 acres
NE $\frac{1}{4}$ NW $\frac{1}{4}$	9.8 acres
NE $\frac{1}{4}$ SW $\frac{1}{4}$	35.0 acres
NW $\frac{1}{4}$ SW $\frac{1}{4}$	40.0 acres
NE $\frac{1}{4}$ SE $\frac{1}{4}$	1.6 acres
NW $\frac{1}{4}$ SE $\frac{1}{4}$	13.6 acres
Section 9	
NE $\frac{1}{4}$ NE $\frac{1}{4}$	6.6 acres
Section 17	

Township 14 South, Range 12 East, W.M.

All

This certificate describes that portion of the water right confirmed by Certificate 44281, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered JAN 11 2000, approving Transfer Application 6854.

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

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

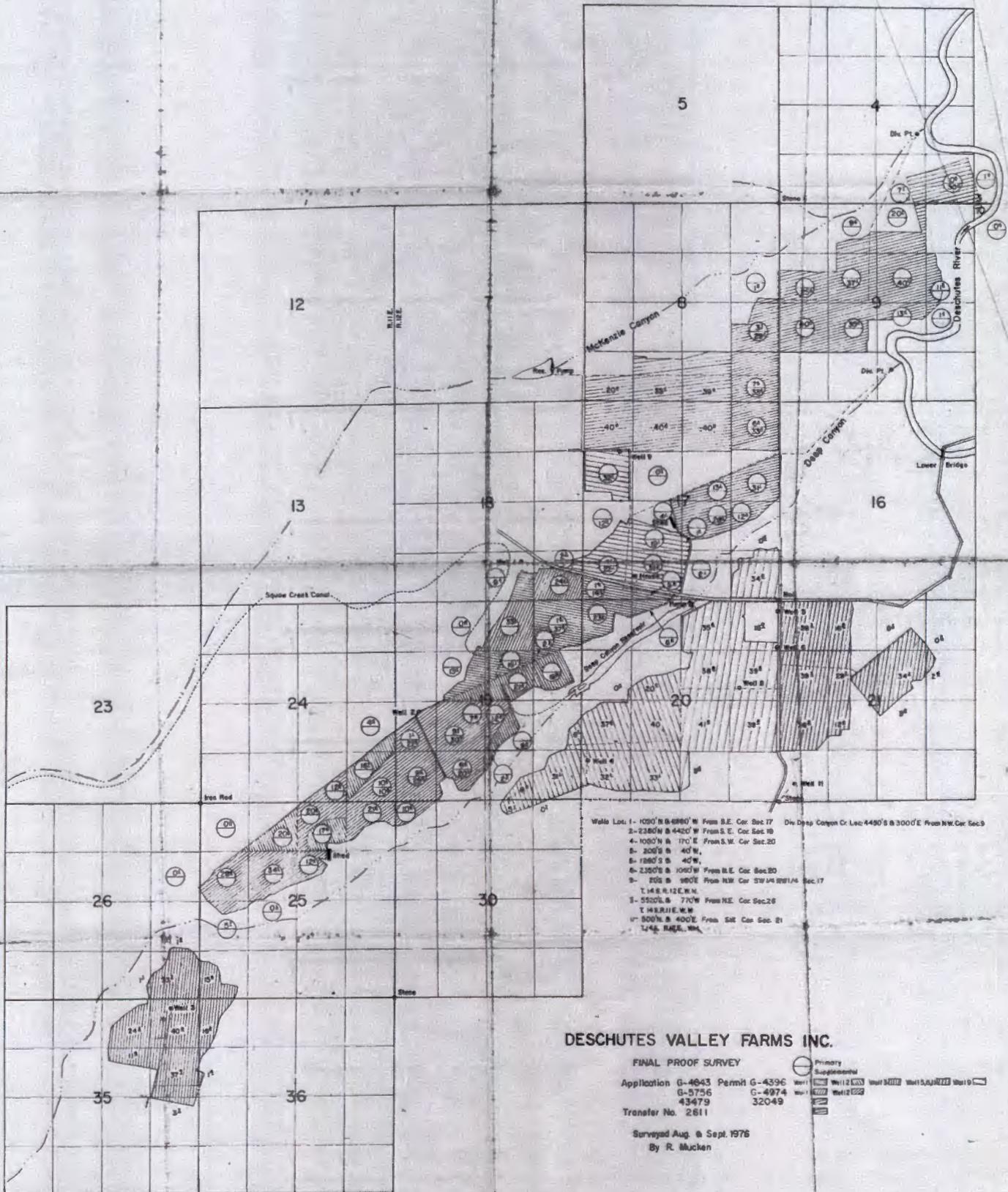
WITNESS the signature of the Water Resources Director, affixed JAN 11 2000.

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

Recorded in State Record of Water Right Certificates numbered 76371.

T-6854.BWB

T14S.R.11&12E.W.M.



STATE OF OREGON  
 COUNTY OF DESCHUTES  
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

BIG FALLS RANCH CO.  
 PO BOX 434  
 TERREBONNE OR 97760

confirms the right to use the waters of DEEP CANYON CREEK, a tributary of the DESCHUTES RIVER, for IRRIGATION of 307.8 ACRES AND SUPPLEMENTAL IRRIGATION OF 12.6 ACRES. *320.4* *01151654*

This right was perfected under Permit 32049. The date of priority is APRIL 13, 1967. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 3.69 CUBIC FEET PER SECOND, or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
14 S	12 E	WM	9	SW SE	4440 FEET SOUTH & 3020 FEET EAST FROM THE NW CORNER, SECTION 9

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-FORTIETH 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 4.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

A description of the place of use to is as follows:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
14 S	12 E	WM	3	SW SW	3.7
14 S	12 E	WM	4	SW SE	1.2
14 S	12 E	WM	4	SE SE	29.8
14 S	12 E	WM	8	SE NE	2.9
14 S	12 E	WM	8	NE SE	31.9
14 S	12 E	WM	8	SE SE	32.7
14 S	12 E	WM	9	NW NE	3.9
14 S	12 E	WM	9	SW NE	40.2
14 S	12 E	WM	9	SE NE	2.2
14 S	12 E	WM	9	SW NW	31.5

*All*

**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 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may petition for judicial review and petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
14 S	12 E	WM	9	SE NW	38.3
14 S	12 E	WM	9	NE SW	1.5
14 S	12 E	WM	9	SW SW	14.3
14 S	12 E	WM	9	SE SW	10.0
14 S	12 E	WM	9	NE SE	1.6
14 S	12 E	WM	9	NW SE	5.0
14 S	12 E	WM	17	NE NE	32.7
14 S	12 E	WM	17	NW NE	16.2
14 S	12 E	WM	17	SW NE	1.4
14 S	12 E	WM	17	SE NE	0.2
14 S	12 E	WM	17	NE NW	5.9
14 S	12 E	WM	17	SE NW	0.7

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
14 S	12 E	WM	17	NW NW	2.2
14 S	12 E	WM	17	SW SW	8.1
14 S	12 E	WM	18	SE SE	2.3

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

This certificate is issued to confirm changes in USE AND PLACE OF USE approved by an order of the Water Resources Director entered January 11, 2000, at Special Order Volume 54, Page 30, approving Transfer Application 6854, and together with Certificate 76371, supersedes Certificate 44281, State Record of Water Right Certificates.

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.

Issued APR 02 2013



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

STATE OF OREGON

COUNTY OF DESCHUTES

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

BIG FALLS RANCH CO.  
PO BOX 434  
TERREBONNE OR 97760

confirms the right to use the waters of AN UNNAMED STREAM (McKENZIE CANYON), a tributary to THE DESCHUTES RIVER, for SUPPLEMENTAL IRRIGATION OF 206.6 ACRES.

This right was perfected under Permit 37392. The date of priority is OCTOBER 23, 1973. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 4.5 CUBIC FEET PER SECOND (CFS), provided the total quantity diverted by all rights perfected under Permit 37392 does not exceed 4.5 cfs, 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	Q-Q	Survey Coordinates
14 S	12 E	WM	4	NW SE	1592.5 FEET NORTH AND 1610.6 FEET WEST FROM THE SE CORNER, SECTION 4

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-FORTIETH 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 4.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

A description of the place is as follows:

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
14 S	12 E	WM	8	NE SW	1.2
14 S	12 E	WM	8	NW SW	0.2
14 S	12 E	WM	8	SW SW	32.7
14 S	12 E	WM	8	SE SW	3.1
14 S	12 E	WM	8	NW SE	2.2
14 S	12 E	WM	8	SW SE	1.1
14 S	12 E	WM	17	NW NE	9.3
14 S	12 E	WM	17	SW NE	16.4

*All*

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 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may petition for judicial review and petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
14 S	12 E	WM	17	SE NE	32.4
14 S	12 E	WM	17	NW NW	32.9
14 S	12 E	WM	17	SE NW	0.4
14 S	12 E	WM	17	NE SW	5.1
14 S	12 E	WM	17	SE SW	23.8
14 S	12 E	WM	17	NE SE	14.8
14 S	12 E	WM	17	NW SE	24.9
14 S	12 E	WM	17	SW SE	6.1

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

This certificate is issued to confirm a CHANGE IN USE AND PLACE OF USE approved by an order of the Water Resources Director entered January 11, 2000, at Special Order Volume 54, Page 30, approving Transfer Application 6854, and together with Certificate 76372, supersedes Certificate 44283, State Record of Water Right Certificates.

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.

Issued JUNE 29 2012

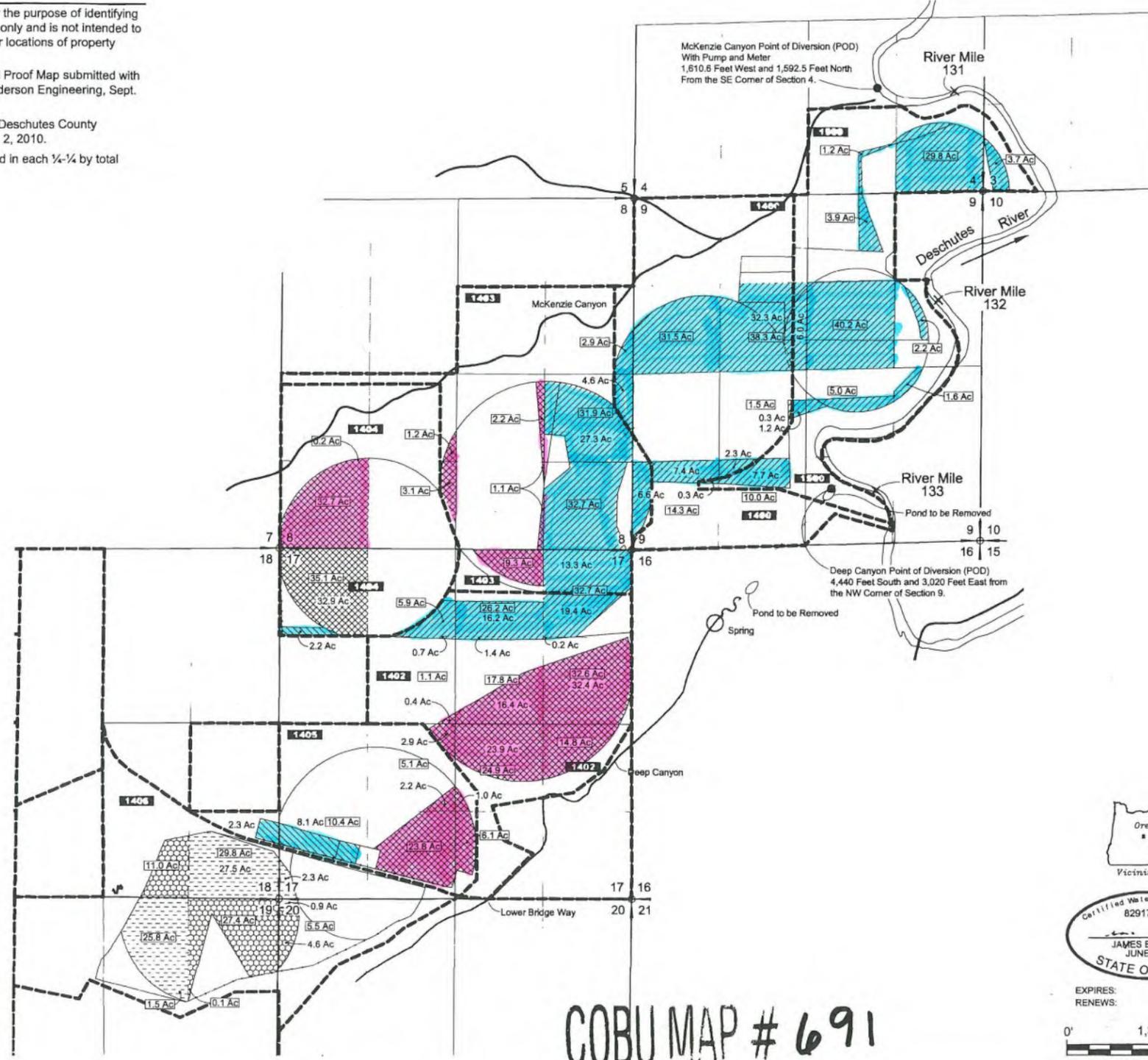
E Timothy Wall for  
 Dwight W. French  
 Water Right Services Administrator for,  
 Phillip C. Ward, Director

**CLAIM OF BENEFICIAL USE**  
**MAP T-6854**

Located in Sections 3, 4, 8, 9, 17, 18, and 20,  
Township 14 South, Range 12 East, Willamette Meridian  
Deschutes County, Oregon

**NOTES**

1. This map was prepared for the purpose of identifying the location of water rights only and is not intended to provide legal dimensions or locations of property ownership lines.
2. This map is based on Final Proof Map submitted with the COBU prepared by Anderson Engineering, Sept. 14, 2001.
3. Tax lot lines are based on Deschutes County Assessor Maps dated Feb. 2, 2010.
4. Acres irrigated are identified in each 1/4-1/4 by total acres and by Tax Lot.



**LEGEND**

- Primary Certificate 44281, Permit 32049 (307.8 Ac Total)
- Supplemental Certificate 44281, Permit 32049 (12.6 Ac Total)
- Supplemental Certificate 44283, Permit 37392 (206.6 Ac Total)
- Primary G-4396 / C-74150 (43.1 Ac Total)
- Primary G-4974 / C-75761 (58.0 Ac Total)
- Tax Lot Boundary Line
- Tax Lot ID Number
- Location of Areas Not Specified in Permit S-37342, Certificate C-44283
- Total Number of Acres Irrigated in 1/4-1/4

JUN 1 2012

Vicinity Map

Certified Water Rights Examiner  
82917 CWRE  
JAMES B. NEWTON  
JUNE 8, 2009  
STATE OF OREGON

EXPIRES:  
RENEWS:

0' 1,320' 2,640'  
SCALE: 1" = 1,320'

5	4		4	3		
8	9	NW-NW	NE-NW	NW-NE	NE-NE	
		SW-NW	SE-NW	SW-NE	SE-NE	
		NW-SW	NE-SW	NW-SE	NE-SE	
8	9	SW-SW	SE-SW	SW-SE	SE-SE	
17	16				16	15

**Quarter-Quarter Section Identifiers**

COBU MAP # 691

NO.	DATE	BY	REVISIONS

PATH: G:\0500\556\102\Cad\Water\W556102\_F1\_COBU\_T6854 10:49 05/25/2012 SS

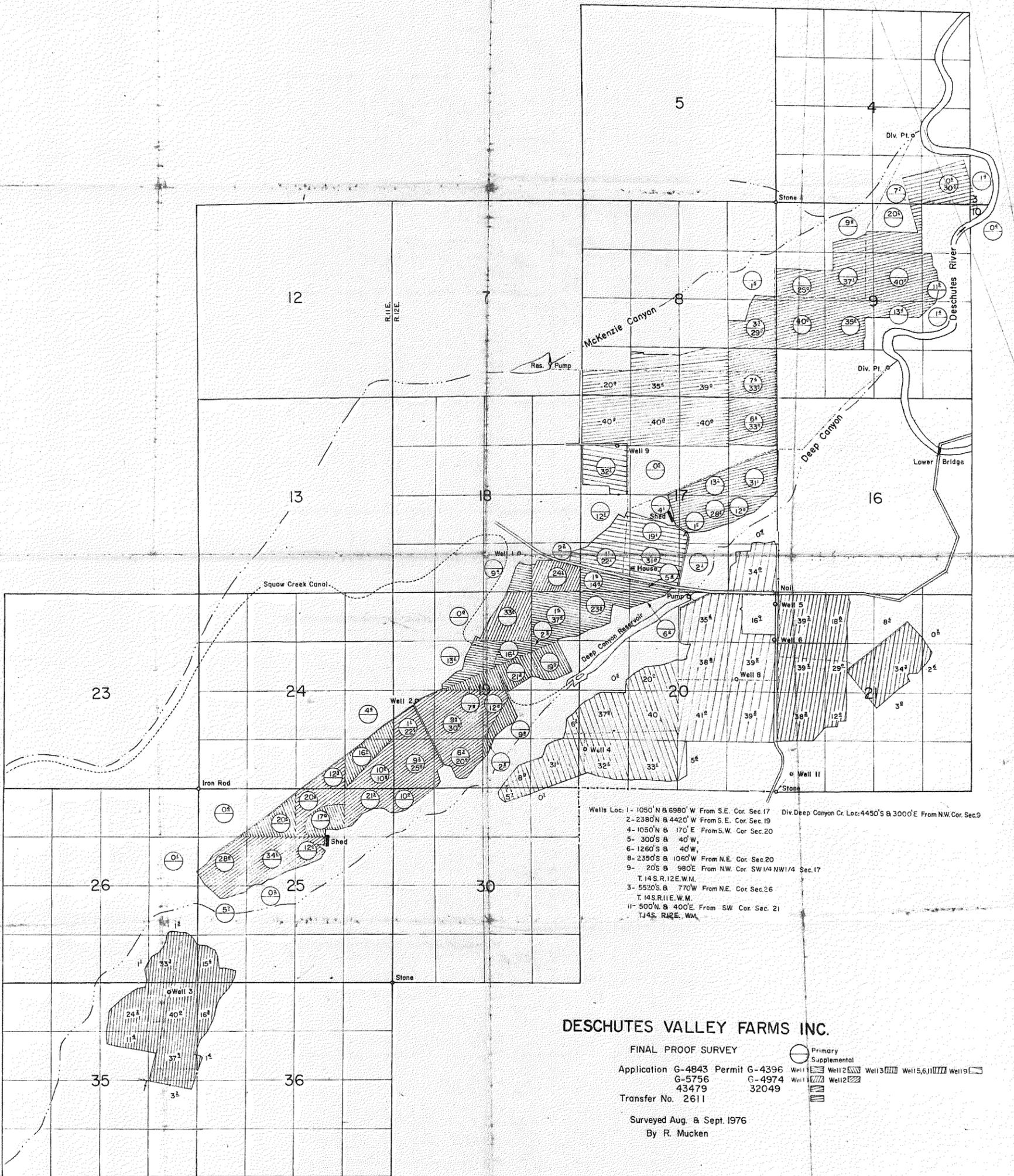
**NEWTON CONSULTANTS INC.**  
Earth, Water and Rock Specialists  
Ph: 541 504-9960 Fax: 541 504-9961



Claim of Beneficial Use Map for T-6854  
Big Falls Ranch Co.  
Deschutes County, Oregon

PROJECT NO: 556-102	DATE: MAY 2012	FIGURE 1
DESIGNED BY: J. Newton	DRAWN BY: S. Schenck	

T.14S.R.11&12E.W.M.



STATE OF OREGON  
COUNTY OF DESCHUTES  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

DESCHUTES VALLEY FARMS  
PO BOX 166  
CULVER, OREGON 97734

confirms the right to use the waters of DEEP CANYON CREEK, a tributary of THE DESCHUTES RIVER, for IRRIGATING 157.1 ACRES.

This right was perfected under Permit 32049. The date of priority is APRIL 13, 1967. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 1.81 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

SW $\frac{1}{4}$  SE $\frac{1}{4}$ , SECTION 9, T. 14 S., R. 12 E., W.M.; 4440 FEET SOUTH AND 3020 FEET EAST FROM THE NW CORNER OF SECTION 9.

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

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

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

SW $\frac{1}{4}$  SW $\frac{1}{4}$  1.4 acres  
Section 3

SW $\frac{1}{4}$  SE $\frac{1}{4}$  7.7 acres  
Section 4

NE $\frac{1}{4}$  SE $\frac{1}{4}$  3.3 acres  
SE $\frac{1}{4}$  SE $\frac{1}{4}$  7.6 acres  
Section 8

NW $\frac{1}{4}$  NE $\frac{1}{4}$  20.2 acres  
SE $\frac{1}{4}$  NE $\frac{1}{4}$  10.3 acres  
NE $\frac{1}{4}$  NW $\frac{1}{4}$  9.8 acres  
NE $\frac{1}{4}$  SW $\frac{1}{4}$  35.0 acres  
NW $\frac{1}{4}$  SW $\frac{1}{4}$  40.0 acres  
NE $\frac{1}{4}$  SE $\frac{1}{4}$  1.6 acres  
NW $\frac{1}{4}$  SE $\frac{1}{4}$  13.6 acres  
Section 9

NE $\frac{1}{4}$  NE $\frac{1}{4}$  6.6 acres  
Section 17

Township 14 South, Range 12 East, W.M.

All

This certificate describes that portion of the water right confirmed by Certificate 44281, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered JAN 11 2000, approving Transfer Application 6854.

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

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

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

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

Recorded in State Record of Water Right Certificates numbered 76371.

T-6854.BWB

# Groundwater Transfer Review Summary Form

Transfer/PA # T- 12651

GW Reviewer Aurora Bouchier Date Review Completed: 9/20/2017

## Summary of Enlargement (Same Source) Review:

The proposed transfer fails to keep the original place of use from receiving water from the same source.

690 - 380 - 2130 (3).

## Summary of Injury Review:

The proposed transfer will result in another, existing water right not receiving previously available water to which it is legally entitled.

## Summary of Well Construction Assessment:

The proposed POA does not have a well log.

The proposed POA does not appear to meet current well construction standards. Route through Well Construction and Compliance Section.

*This is only a summary. Documentation is attached and should be read thoroughly to understand the basis for determinations.*



**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-12651

Applicant Name: Big Falls Ranch

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

Reviewer(s): Aurora C Bouchier

Date of Review: September 20, 2017

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: The applicant wishes to transfer (10.0 cfs) of surface water authorized under Certificates 87655 (McKenzie Canyon > Deschutes River, 4.5 cfs), and 88027 and 76371 (Deep Canyon Creek > Deschutes River, 3.69 and 1.81 cfs respectively) to groundwater out of four existing wells. All four of the wells are authorized as below (total rate includes SW from this transfer):

Water Rights	DESC 2100 (Well 1)	DESC 2087 (Well 3)	DESC 2098 (Well 4)	DESC 768 (Well 7)
Certificate 87558 (not exceed (nte) 12.07 cfs) (Big Falls Ranch)	Included, rate not distributed			
Certificate 88028 (nte 0.54 cfs) (Big Falls Ranch)	Included, rate not distributed	Included, rate not distributed	Included, rate not distributed	--Well not included--
Certificate 88224 (nte 0.73 cfs) (Big Falls Ranch)	Included, rate not distributed	Included, rate not distributed	Included, rate not distributed	--Well not included--
Certificate 75762 (nte 3.86 cfs) (Deschutes Valley Farms)	0.54 cfs (well specific rate)	--Well not included--	--Well not included--	--Well not included--
Certificate 76373 (nte 3.91 cfs) (Deschutes Valley Farms)	0.26 cfs (well specific rate)	--Well not included--	--Well not included--	--Well not included--
Theoretical total rate authorized from well (stacked to include SW)	24.14 cfs	10.73 cfs	10.73 cfs	22.07 cfs

2. Will the proposed POA develop the same aquifer (source) as the existing authorized POA?  
 Yes  No Comments: per 690-380-2130(3).

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: Certificates 75762 and 76373 both authorize production out of Well 1 (DESC 2100) and are both owned by Deschutes Valley Farms. Certificates 87558, 88028, and 7224 also authorize production out of Well 1, but are owned by the applicant (Big Falls Ranch).

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: Well 1 (DESC 2100) has declined by an average of ~0.4 feet per year between 2001 and 2017. The well originally had ~54 feet of water above the bottom of the well. In 2017 there was ~47 feet of water above the bottom of the well. Water use reporting (under Certificate 76373) shows 670.3 AF pumped from April through September 2016. The elevation of the Deschutes River at the nearest reach is ~2520 feet, approximately 20 feet below the current water-level in wells 1, 3 and 4.

Well 3 (DESC 2087) has declined by an average of ~0.4 feet per year between 2001 and 2017. Water use reporting (under Certificate 76373) shows 161.8 AF pumped from June through August 2016.

Well 4 (DESC 2098) has declined by an average of ~0.4 feet per year between 2001 and 2017. Water use reporting (under Certificate 76373) shows 911.2 AF pumped from April through August 2016.

Well 7 (DESC 768) has declined by an average of ~0.5 feet per year between 2001 and 2017. Water use reporting (under Certificate 76373) shows 0 AF pumped from through August 2016. The elevation of the Deschutes River at the nearest reach is ~2455, approximately 25 feet below the current water-level in Well 7.

References:

Application file: T-12651.

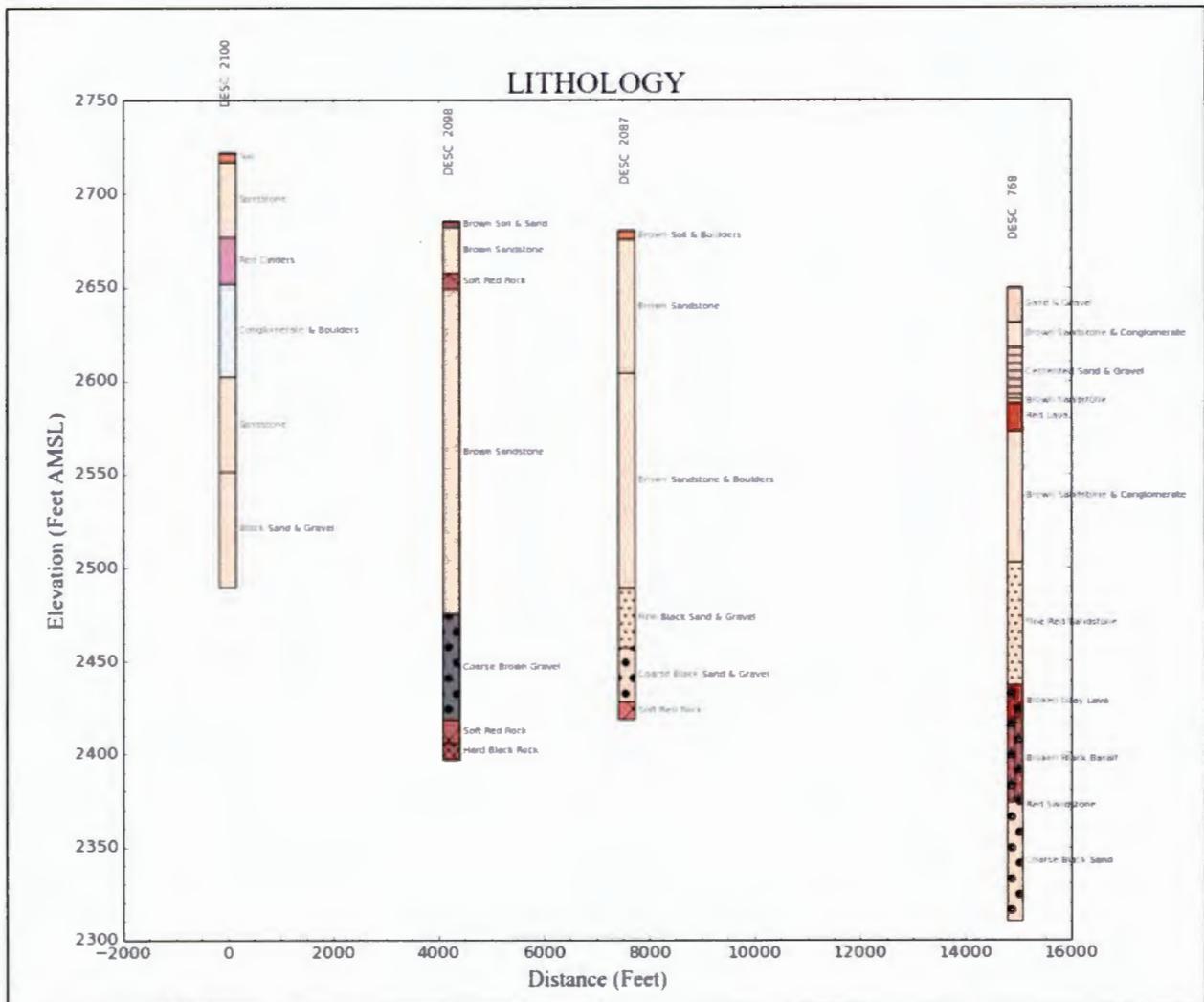
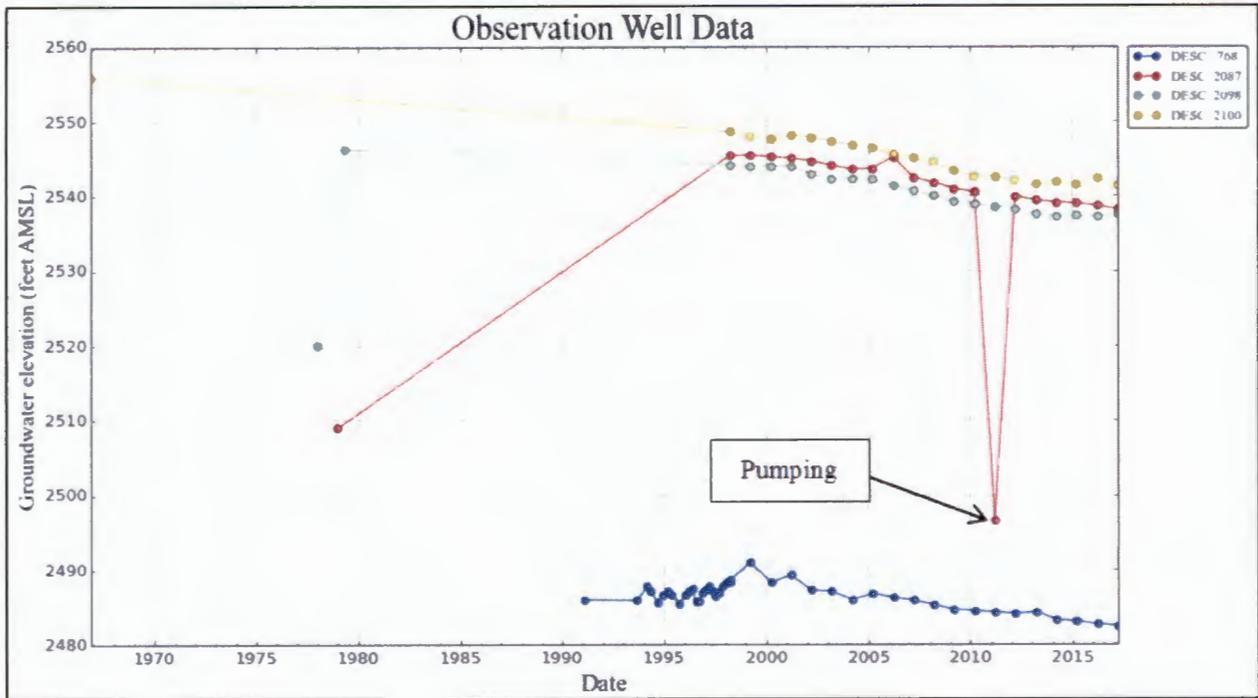
Gannett, Marshall W., Lite, Kenneth E. Jr., Morgan, David S., and Collins, Charles A., 2001, Ground-Water Hydrology of the Upper Deschutes Basin, Oregon; U.S. Geological Survey Water-Resources Investigations Report 00-4162.

Gannett, Marshall W., and Lite, Kenneth E. Jr., 2004, Simulation of the Regional Ground-Water Flow in the Upper Deschutes Basin, Oregon; U.S. Geological Survey Water-Resources Investigations Report 03-4195.

Lite, Kenneth E. Jr., and Gannett, Marshall W., 2002, Geologic Framework of the Regional Ground-Water Flow System in the Upper Deschutes Basin, Oregon; U.S. Geological Survey Water-Resources Investigations Report 02-4015.

OWRD Well Log database and groundwater-level data.







# Oregon

Kate Brown, 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

April 26, 2017

BIG FALLS RANCH  
REX BARBER  
PO BOX 434  
TERREBONE, OR 97760

Reference: Application T- 12651

On April 21, 2017, we received your water right Transfer application. The application was accompanied by \$2250.00. Our receipt number 123232 is enclosed.

By copy of this letter, we are asking the Watermaster for a report regarding the potential for injury to existing water rights which may be caused by the requested change. A review form will also be sent to our groundwater staff to determine whether the proposed well accesses the same source of water as the original well.

Your application will be examined to determine whether additional information is needed. We will notify you if further information or corrections to the application or map are required.

This application may require publication of a notice for two consecutive weeks in a newspaper with general circulation in the area where the water right is located. If it is determined that newspaper notice will be required, the Department will prepare the notice and notify you of the cost. You will be responsible for submitting payment to the Department prior to publication of the notice.

Except as provided under ORS 540.510(3) for municipalities, you may not use water from the new point of appropriation until a final order approving the transfer application has been issued by the Department.

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 application is approved, the buyer's consent to the application will be required unless a recorded deed or other legal document clearly established that the water right was not conveyed in the sale.

Refer to the following page for a chart showing the steps and expected timelines for the processing of your application.

If you have any questions, please contact the Transfer Section at (503) 986-0807.

Cc: Watermaster Dist. #11 (*via email*)  
David J. Newton, Agent

Enclosure



## Transfer Applications: Regular

The holder of a water right may apply to permanently change an existing water use subject to transfer as defined in ORS 540.505(4). An application may involve any of the following changes: Point of diversion or appropriation; Additional point of diversion or appropriation; Historic POD; Place of use; Character of use; Instream; Substitution; or Exchange.

The Department seeks public comment on the recently-filed transfer applications listed below. Any person may comment on a transfer application. Comments must be received by the Department on or before June 01, 2017. Any person who provides comments within the comment period will receive a copy of the Department's preliminary determination of whether the application should be approved or rejected after the Department has completed a review of the application and will be provided an opportunity to protest the application and preliminary determination at that time.

Transfer	<u>T 12651</u>
Water Right	Cert:87655 , Cert:88027 , Cert:76371
County/Basin	Deschutes / Deschutes(5)
Applicant Name	BARBER, REX BIG FALLS RANCH PO BOX 434 TERREBONE, OR 97760
Proposed Change	POINT OF DIVERSION, SURFACE WATER TO GROUND WATER
Sources/TRSQ40Q160	DEEP CAN > DESCHUTES RIVER / 14.00S 12.00E 9 SWSE DEEP CANYON > DESCHUTES RIVER / 14.00S 12.00E 9 SWSE MCKENZIE CANYON > DESCHUTES RIVER / 14.00S 12.00E 4 NWSE
Use/Quantity	IRRIGATION / 1.810 CFS IRRIGATION / 3.690 CFS SUPPLEMENTAL IRRIGATION / 2.610 CFS (est)
Priority Date	10/23/1973, 04/13/1967, 04/13/1967
Transfer	<u>T 12652</u>
Water Right	Cert:92228
County/Basin	Harney / Malheur Lake(12)
Applicant Name	ROBEY, JIM PO BOX 914 HINES, OR 97738
Proposed Change	POINT OF APPROPRIATION, PLACE OF USE
Sources/TRSQ40Q160	A WELL > MALHEUR LAKE BASIN / 25.00S 31.00E 10 SESW A WELL > MALHEUR LAKE BASIN / 25.00S 31.00E 9 NESE A WELL > MALHEUR LAKE BASIN / 25.00S 31.00E 10 NWSW A WELL > MALHEUR LAKE BASIN / 25.00S 31.00E 16 NWNE A WELL > MALHEUR LAKE BASIN / 25.00S 31.00E 9 NENE
Use/Quantity	IRRIGATION / 0.256 CFS (est) IRRIGATION / 0.411 CFS (est) IRRIGATION / 0.320 CFS (est) IRRIGATION / 1.599 CFS (est) IRRIGATION / 0.914 CFS (est)
Priority Date	06/17/2008

**STATE OF OREGON  
WATER RESOURCES DEPARTMENT**

725 Summer St. N.E. Ste. A  
SALEM, OR 97301-4172  
(503) 986-0900 / (503) 986-0904 (fax)

RECEIPT # **123232**

INVOICE # \_\_\_\_\_

RECEIVED FROM: **BIG FALLS RANCH CO**

APPLICATION	
PERMIT	
TRANSFER	<b>T 12651</b>

BY: \_\_\_\_\_

CASH:  CHECK:# **9896** OTHER: (IDENTIFY)

**TOTAL REC'D \$ 2250<sup>00</sup>**

**1083 TREASURY 4170 WRD MISC CASH ACCT**

0407 COPIES		\$
OTHER: (IDENTIFY)		\$

0243 I/S Lease \_\_\_\_\_ 0244 Muni Water Mgmt. Plan \_\_\_\_\_ 0245 Cons. Water \_\_\_\_\_

**4270 WRD OPERATING ACCT**

<b>MISCELLANEOUS</b> <b>46110</b>		
0407 COPY & TAPE FEES		\$
0410 RESEARCH FEES		\$
0408 MISC REVENUE: (IDENTIFY)		\$
TC162 DEPOSIT LIAB. (IDENTIFY)		\$
0240 EXTENSION OF TIME		\$

<b>WATER RIGHTS:</b>		<b>EXAM FEE</b>		<b>RECORD FEE</b>
0201 SURFACE WATER		\$	0202	\$
0203 GROUND WATER		\$	0204	\$

0205 TRANSFER		\$ <b>2250<sup>00</sup></b>		
<b>WELL CONSTRUCTION</b>		<b>EXAM FEE</b>		<b>LICENSE FEE</b>
0218 WELL DRILL CONSTRUCTOR		\$	0219	\$
LANDOWNER'S PERMIT			0220	\$

OTHER (IDENTIFY) \_\_\_\_\_

**0536 TREASURY 0437 WELL CONST. START FEE**

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

**0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER**

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

**TREASURY OTHER / RDX**

FUND \_\_\_\_\_ TITLE \_\_\_\_\_  
 OBJ. CODE \_\_\_\_\_ VENDOR # \_\_\_\_\_  
 DESCRIPTION \_\_\_\_\_ \$ \_\_\_\_\_

**RECEIVED  
OVER THE COUNTER**

RECEIPT: **123232** DATED: **4-21-17** BY: **X Corp**

# Regular Permanent Water Right Transfer Application Checklist

Checked by C. Kowitz Date 4/21/17

(If OK, check box to left; if not, fill in the blank)

1. Page 1 of application: Are all attachments that have been checked actually included?  
If not, what is missing? \_\_\_\_\_

2. Are fees included and correct? Fee paid: 2250  
If not, the correct fee would be: \_\_\_\_\_, so the amount missing is: \_\_\_\_\_

Certs & acres involved	
<u>87455</u>	<u>88027</u>
Changes: <u>76371</u>	
# cfs involved _____	
Source: _____	

▶ If a Substitution (see Page 5 of application)

Base fee for 1 well (POA)		\$725.00
Number of additional wells = _____	x \$350.00 =	
Total =		

▶ If a Government Action POD change (see: Page 5): NO CHARGE

▶ If any other type of "regular permanent" transfer:

Base fee for one water right, one change and first cfs =		\$1,000.00
# of additional water rights beyond the first (see Part 4 of application) = <u>2</u>	x \$450.00 =	<u>\$ 900</u>
Additional fee for groundwater staff review if any number of changes to well location(s), additional well(s) or change from SW diversion point to a well =	\$350.00	<u>\$ 350</u>
1 or 2 additional TYPEs of change* (see Page 5 of application) = _____	x \$800.00 =	
If <i>Place of Use</i> or <i>Character of Use</i> change and transfer involves more than 1 cfs (based on primary acres x rate), # cfs or fraction above the first cfs = _____	x \$300.00 =	
<i>HINT: Total cfs on WR (÷) total # acres on WR (x) # acres involved in transfer = # cfs involved in transfer</i>		
Sub-total =		<u>2250</u>
If a letter from ODFW endorsing this as a "fish-friendly" transfer is included, multiply sub-total by 0.50 =		
Total = sub-total minus 50% "fish-friendly" reduction, if applicable =		

\*NOTE: [POD/APOD, POA/APOA, SW to GW, Gov Action] are all counted as one type  
POU is counted as one type  
[USE or (Supplemental to Primary)] are counted as one type

RECEIVED

APR 21 2017

OWRD

3. Page 3 of application: Have all the applicants listed at the top of the page signed?  
If no, whose signature is missing? \_\_\_\_\_

4. Are all listed certificates or permits shown by WRIS as non-cancelled?  
If no, which are cancelled? \_\_\_\_\_  
For each cancelled certificate, if there has been a remaining right certificate issued that covers the lands in the left side of Table 2, list its number \_\_\_\_\_ and check the #4 box at left on this checklist.

5. If any certificate is in the name of a "district", is a Supplemental Form D from that district enclosed?  
 N/A  Form D needed from \_\_\_\_\_ (district)

6. If all #1-#5 boxes on this checklist are checked (with no remaining deficiencies identified), accept the application and assign it a numbered transfer folder. Put this check sheet in the transfer folder. If #1, #2, #3, #4 or #5 on this checklist is deficient, the application cannot be accepted. It should be returned and the **deficiencies listed in the "staff" section at the bottom of Application Page 1**, unless the applicant or agent can resolve the deficiencies within 2-3 days.

STATE OF OREGON  
 COUNTY OF DESCHUTES  
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

BIG FALLS RANCH CO.  
 PO BOX 434  
 TERREBONNE OR 97760

confirms the right to use the waters of DEEP CANYON CREEK, a tributary of the DESCHUTES RIVER, for IRRIGATION of 307.8 ACRES AND SUPPLEMENTAL IRRIGATION OF 12.6 ACRES.

This right was perfected under Permit 32049. The date of priority is APRIL 13, 1967. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 3.69 CUBIC FEET PER SECOND, or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
14 S	12 E	WM	9	SW SE	4440 FEET SOUTH & 3020 FEET EAST FROM THE NW CORNER, SECTION 9

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-FORTIETH 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 4.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

A description of the place of use to is as follows:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
14 S	12 E	WM	3	SW SW	3.7
14 S	12 E	WM	4	SW SE	1.2
14 S	12 E	WM	4	SE SE	29.8
14 S	12 E	WM	8	SE NE	2.9
14 S	12 E	WM	8	NE SE	31.9
14 S	12 E	WM	8	SE SE	32.7
14 S	12 E	WM	9	NW NE	3.9
14 S	12 E	WM	9	SW NE	40.2
14 S	12 E	WM	9	SE NE	2.2
14 S	12 E	WM	9	SW NW	31.5

**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 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may petition for judicial review and petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
14 S	12 E	WM	9	SE NW	38.3
14 S	12 E	WM	9	NE SW	1.5
14 S	12 E	WM	9	SW SW	14.3
14 S	12 E	WM	9	SE SW	10.0
14 S	12 E	WM	9	NE SE	1.6
14 S	12 E	WM	9	NW SE	5.0
14 S	12 E	WM	17	NE NE	32.7
14 S	12 E	WM	17	NW NE	16.2
14 S	12 E	WM	17	SW NE	1.4
14 S	12 E	WM	17	SE NE	0.2
14 S	12 E	WM	17	NE NW	5.9
14 S	12 E	WM	17	SE NW	0.7

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
14 S	12 E	WM	17	NW NW	2.2
14 S	12 E	WM	17	SW SW	8.1
14 S	12 E	WM	18	SE SE	2.3

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

This certificate is issued to confirm changes in USE AND PLACE OF USE approved by an order of the Water Resources Director entered January 11, 2000, at Special Order Volume 54, Page 30, approving Transfer Application 6854, and together with Certificate 76371, supersedes Certificate 44281, State Record of Water Right Certificates.

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.

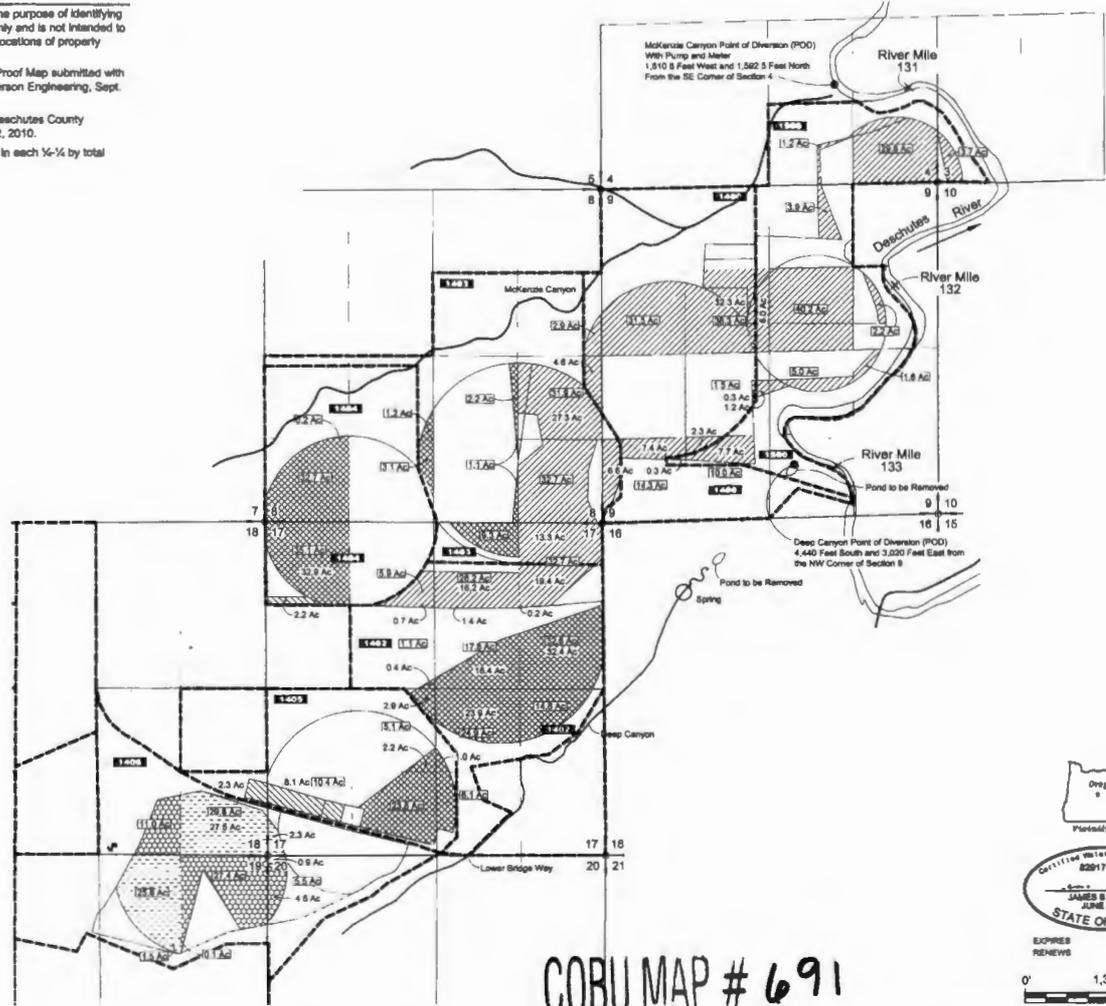
Issued APR 02 2013

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

691

**CLAIM OF BENEFICIAL USE**  
**MAP T-6854**  
 Located in Sections 3, 4, 8, 9, 17, 18, and 20,  
 Township 14 South, Range 12 East, Willamette Meridian  
 Deschutes County, Oregon

- NOTES**
1. This map was prepared for the purpose of identifying the location of water rights only and is not intended to provide legal dimensions or locations of property ownership lines.
  2. This map is based on Final Proof Map submitted with the COBU prepared by Anderson Engineering, Sept. 14, 2001.
  3. Tax lot lines are based on Deschutes County Assessor Maps dated Feb. 2, 2010.
  4. Acres irrigated are identified in each 1/4 by total acres and by Tax Lot.



**LEGEND**

- Primary Certificate 44281, Permit 32049 (207.8 Ac Total)
- Supplemental Certificate 44281, Permit 32048 (12.6 Ac Total)
- Supplemental Certificate 44283, Permit 37382 (208.6 Ac Total)
- Primary G-4388 / C-74190 (43.1 Ac Total)
- Primary G-4874 / C-78761 (88.0 Ac Total)
- Tax Lot Boundary Line
- Tax Lot ID Number
- Location of Areas Not Specified in Permit G-37342, Certificate C-44283
- Total Number of Acres Irrigated in 1/4

JUN 1 2 2012

Oregon  
 Vicinity Map

Certified Survey Right Engineer  
 82817 CPE-03  
 JAMES B. NEWTON  
 JUNE 8, 2009  
 STATE OF OREGON

EXPIRES  
 RENEWS

0' 1,320' 2,640'  
 SCALE: 1" = 1,320'

5	4		4	3	
8	9	NE-NW	NW-NE	SE-NE	
		SW-NW	SE-NW	SE-SE	
		NW-SW	NE-SW	NE-SE	
8	9	SW-SW	SE-SW	SE-SE	
17	18			16	15

Quarter-Quarter  
 Section Identifiers

COBU MAP # 691

NO.	DATE	BY	REVISIONS

PATH: C:\0500\556\102\Cad\Water\W556102\_F1\_COBU\_T6854 10:49 05/25/2012 SS

**NEWTON**  
 CONSULTANTS INC.  
 Earth, Water and Rock Specialists  
 Ph 541 304-8990 Fax 541 304-9981



Claim of Beneficial Use Map for T-6854  
 Big Falls Ranch Co.  
 Deschutes County, Oregon

PROJECT NO 556-102	DATE MAY 2012	FIGURE 1
DESIGNED BY J. Newton	DRAWN BY S. Schenck	

STATE OF OREGON  
 COUNTY OF DESCHUTES  
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

BIG FALLS RANCH CO.  
 PO BOX 434  
 TERREBONNE OR 97760

confirms the right to use the waters of AN UNNAMED STREAM (McKENZIE CANYON), a tributary to THE DESCHUTES RIVER, for SUPPLEMENTAL IRRIGATION OF 206.6 ACRES.

This right was perfected under Permit 37392. The date of priority is OCTOBER 23, 1973. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 4.5 CUBIC FEET PER SECOND (CFS), provided the total quantity diverted by all rights perfected under Permit 37392 does not exceed 4.5 cfs, 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	Q-Q	Survey Coordinates
14 S	12 E	WM	4	NW SE	1592.5 FEET NORTH AND 1610.6 FEET WEST FROM THE SE CORNER, SECTION 4

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-FORTIETH 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 4.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

A description of the place is as follows:

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
14 S	12 E	WM	8	NE SW	1.2
14 S	12 E	WM	8	NW SW	0.2
14 S	12 E	WM	8	SW SW	32.7
14 S	12 E	WM	8	SE SW	3.1
14 S	12 E	WM	8	NW SE	2.2
14 S	12 E	WM	8	SW SE	1.1
14 S	12 E	WM	17	NW NE	9.3
14 S	12 E	WM	17	SW NE	16.4

**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 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may petition for judicial review and petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

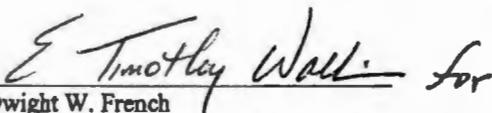
SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
14 S	12 E	WM	17	SE NE	32.4
14 S	12 E	WM	17	NW NW	32.9
14 S	12 E	WM	17	SE NW	0.4
14 S	12 E	WM	17	NE SW	5.1
14 S	12 E	WM	17	SE SW	23.8
14 S	12 E	WM	17	NE SE	14.8
14 S	12 E	WM	17	NW SE	24.9
14 S	12 E	WM	17	SW SE	6.1

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

This certificate is issued to confirm a CHANGE IN USE AND PLACE OF USE approved by an order of the Water Resources Director entered January 11, 2000, at Special Order Volume 54, Page 30, approving Transfer Application 6854, and together with Certificate 76372, supersedes Certificate 44283, State Record of Water Right Certificates.

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.

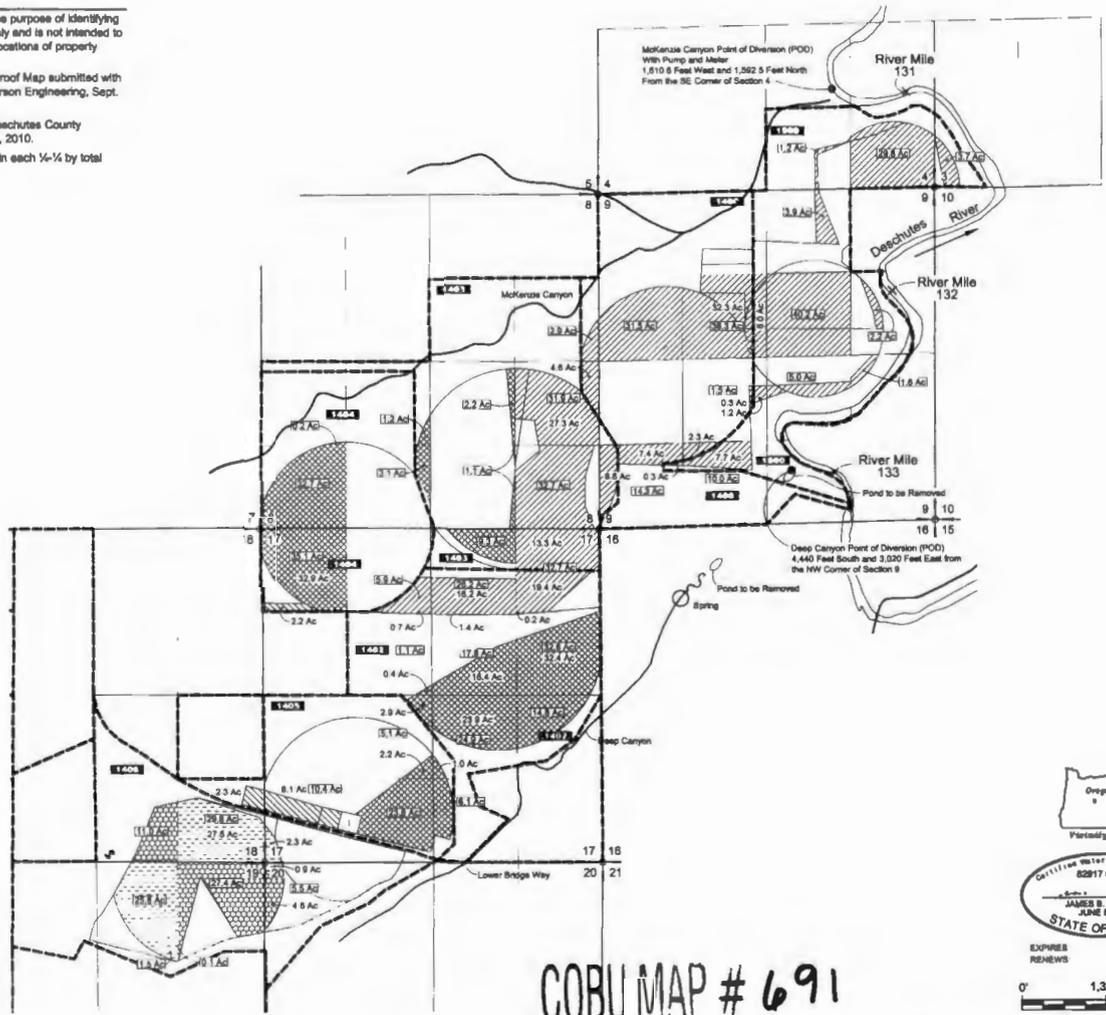
Issued JUNE 29 2012

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

691

**CLAIM OF BENEFICIAL USE**  
**MAP T-8854**  
 Located in Sections 3, 4, 8, 9, 17, 18, and 20,  
 Township 14 South, Range 12 East, Willamette Meridian  
 Deschutes County, Oregon

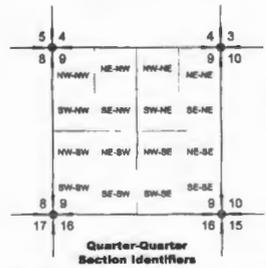
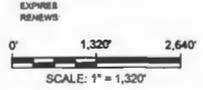
- NOTES**
1. This map was prepared for the purpose of identifying the location of water rights only and is not intended to provide legal dimensions or locations of property ownership lines.
  2. This map is based on Final Proof Map submitted with the COBU prepared by Anderson Engineering, Sept. 14, 2001.
  3. Tax lot lines are based on Deschutes County Assessor Maps dated Feb. 2, 2010.
  4. Acres irrigated are identified in each 1/4-1/4 by total acres and by Tax Lot.



**LEGEND**

- Primary Certificate 44281, Permit 32049 (307.8 Ac Total)
- Supplemental Certificate 44281, Permit 32049 (12.8 Ac Total)
- Supplemental Certificate 44283, Permit 37382 (208.6 Ac Total)
- Primary G-4386 / C-74180 (43.1 Ac Total)
- Primary G-4874 / C-78781 (88.0 Ac Total)
- Tax Lot Boundary Line
- Tax Lot ID Number
- Location of Areas Not Specified in Permit S-37342, Certificate C-4293
- Total Number of Acres Irrigated in 1/4-1/4

JUN 1 2012



COBU MAP # 691

NO.	DATE	BY	REVISIONS

**NEWTON CONSULTANTS INC.**  
 Earth, Water and Rock Specialists  
 Ph 541 504-8880 Fax 541 504-8881



Claim of Beneficial Use Map for T-6854  
 Big Falls Ranch Co.  
 Deschutes County, Oregon

PROJECT NO: 558-102	DATE: MAY 2012	FIGURE 1
DESIGNED BY: J. Newton	DRAWN BY: S. Schenck	

RECEIVED  
SEP 30 2020  
OWRD

**CLAIM OF BENEFICIAL USE MAP**  
**CHANGE IN POD TO POA**  
Located in Sections 3, 4, 8, 9, 17, 18, and 20,  
Township 14 South, Range 12 East, Willamette Meridian  
Deschutes County, Oregon

- NOTES**
1. This map was prepared for the purpose of identifying the location of water rights only and is not intended to provide legal dimensions or locations of property ownership lines.
  2. Tax lot lines are based on Deschutes County Assessor Maps dated Feb. 2, 2010.
  3. Acres irrigated are identified in each 1/4-1/4 by total acres and by Tax Lot.
  4. Place of Use and Character of Use Are not Changed.

**Locations Of Points of Appropriation Established Through Transfer T-12651**

- POA 1 - Well #1**  
1680.6 Ft West and 1154.2 Ft North from the SE Corner of Section 18.
- POA 2 - Well #3**  
1706.6 Ft West and 1772.1 Ft South from the NE Corner of Section 17.
- POA 3 - Well #4**  
32.2 Ft East and 240.7 Ft South from the NW Corner of Section 17.
- POA 4 - Well #7**  
2862.6 Ft West and 1571.4 Ft South from the NE Corner of Section 9.

DATE:	
REVISION:	
NO.	1
DATE:	09/24/20
DRAWING STATUS:	COBU MAP

**H.A. McCoy**  
ENGINEERING & SURVEYING, LLC  
1100 NW 10th Street, Bend, Oregon 97701  
Phone: 531-429-7854  
ha@hacoy.com

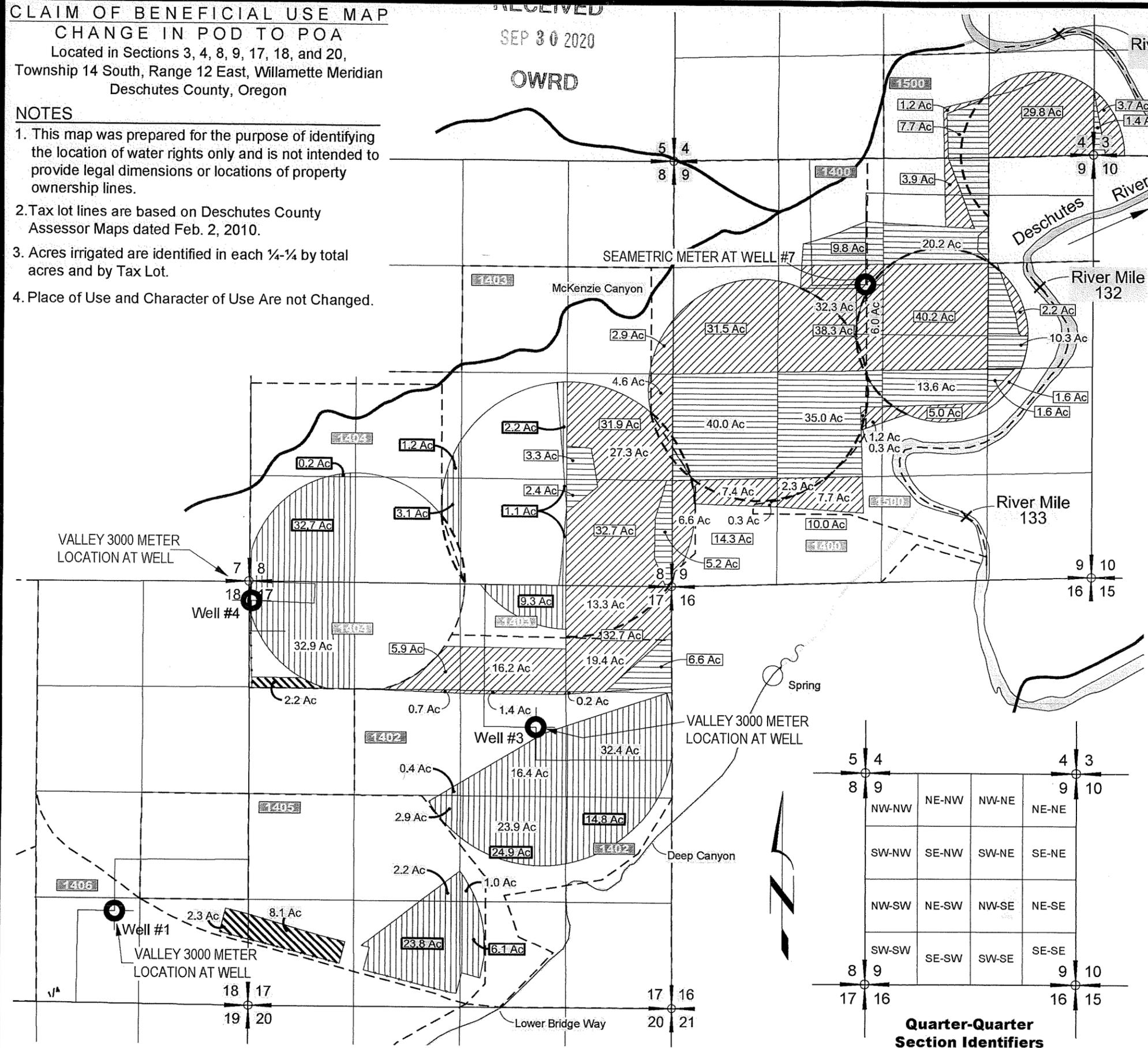
PROJECT: CLAIM OF BENEFICIAL USE MAP  
SURFACE WATER POD TO GROUNDWATER  
POA. TRANSFER T-12651

PROJECT LOCATION: DESCHUTES COUNTY, OR

CLIENT: BIG FALLS RANCH CO.

SHEET TITLE:  
COBU MAP  
TRANSFER T-12651

JOB NO. 556-103  
DRAWN BY: SS / BPL  
DRAWING: 1



**LEGEND**

- Primary Certificate 88027, Permit 32049 (307.8 Ac Total) Irrigation: April 13, 1967
- Supplemental Certificate 88027, Permit 32049 (12.6 Ac Total) Irrigation: April 13, 1967
- Primary Certificate 76371, Permit 32049 (157.1 Ac Total) Irrigation: April 13, 1967
- Supplemental Certificate 87655, Permit 32049 (206.6 Ac Total) Irrigation: Oct. 23, 1973
- Tax Lot Boundary Line
- Tax Lot ID Number
- Total Number of Acres Irrigated in 1/4-1/4



**Quarter-Quarter Section Identifiers**

5	4	4	3
8	9	9	10
NW-NW	NE-NW	NW-NE	NE-NE
SW-NW	SE-NW	SW-NE	SE-NE
NW-SW	NE-SW	NW-SE	NE-SE
SW-SW	SE-SW	SW-SE	SE-SE
8	9	9	10
17	16	16	15

Certified Water Rights Examiner  
419 WRE  
DAVID J. NEWTON  
VAN. 16, 1996  
**STATE OF OREGON**

EXPIRES: 31 DEC 2020  
RENEWS: 31 DEC 2020

0' 1,320' 2,640'

SCALE: 1" = 1,320'

# RA Mailing List for Certificate

Scheduled Mailing Date:

**Application:** T-12651

**Certificate:** 96190 (cf-76371)  
96191 (cf-87655)  
96192 (cf-88027)

Copies Mailed	
by:	<u>TM</u> (STAFF)
on:	<u>4/8/2022</u> (DATE)

Water Right Holder:

BIG FALLS RANCH  
ATTENTION: REX BARBER  
PO BOX 434  
TERREBONNE OREGON 97760

Copies of Final Certificate to be sent to:

1. Watermaster District 17 (include copy of map)
2. Water Availability
3. Vault
4. File

Is the Permit Holder(s) of record currently identified as a landowner of any tax lots involved as confirmed by the County records?

**YES – lands owned by Big Falls Ranch per Deschutes County Assessor**

Other persons to receive copies: (include map):

1. David J Newton, CWRE,  
Newton Consultants, 2083 Mountain View Court, West Linn, OR 97068
2. Three Sisters Irrigation District, 68000 Hwy 20, Bend OR 97703

**Record Marking(s):**

1. Original Application# S-43479
2. Old Certificate# 76371
3. Original Application# S-51331
4. Old Certificate# 87655
5. Original Application# S-43479
6. Old Certificate# 8802



# Oregon

Kate Brown, Governor

**Water Resources Department**

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

Date Mailed: APR 08 2022

## NOTICE OF CERTIFICATE ISSUANCE

Attached are certificates that confirm the water rights established under the terms of a transfer order issued by this Department.

This certificate is an order in order than a contested case. This order is subject to judicial review under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may petition for judicial review and petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

This statement of judicial review rights is required under ORS 536.075; it does not alter or add to existing review rights or create review rights that are not otherwise provided by law.

The water must be controlled and not wasted. To change the location of the point of diversion, the character of use, or the location of use requires the advance approval of the Water Resources Director.

If you have any questions please contact Kerry Kavanagh at 503-979-3208.

STATE OF OREGON  
COUNTY OF DESCHUTES  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

BIG FALLS RANCH  
ATTN: REX BARBER  
PO BOX 434  
TERREBONE OR 97760

confirms the right to use the waters of DEEP CANYON CREEK, TRIBUTARY TO DESCHUTES RIVER for IRRIGATION of 157.1 ACRES.

This right was perfected under Permit S-32049. The date of priority is APRIL 13, 1967. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 1.81 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the points of appropriation.

The wells are located as follows:

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

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

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

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

Twp	Rng	Mer	Sec	Q-Q	Acres
14 S	12 E	WM	3	SW SW	1.4
14 S	12 E	WM	4	SW SE	7.7
14 S	12 E	WM	8	NE SE	3.3
14 S	12 E	WM	8	SE SE	7.6
14 S	12 E	WM	9	NW NE	20.2
14 S	12 E	WM	9	SE NE	10.3
14 S	12 E	WM	9	NE NW	9.8
14 S	12 E	WM	9	NE SW	35.0

**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 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may petition for judicial review and petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

Twp	Rng	Mer	Sec	Q-Q	Acres
14 S	12 E	WM	9	NW SW	40.0
14 S	12 E	WM	9	NE SE	1.6
14 S	12 E	WM	9	NW SE	13.6
14 S	12 E	WM	17	NE NE	6.6

Water use measurement conditions:

- A. The water user shall maintain the totalizing flow meters or other suitable measuring devices as approved by the Director in good working order at each well.
- 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 a private structure, the Watermaster shall request access upon reasonable notice.

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 diversion described as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
14 S	12 E	WM	9	SW SE	ORIGINAL POINT OF DIVERSION - 4440 FEET SOUTH AND 3020 FEET EAST FROM NW CORNER, SECTION 9

The use of water under this right shall be subject to regulation consistent with other water rights from the surface water source and to all other applicable conditions and restrictions that existed at the original point of diversion.

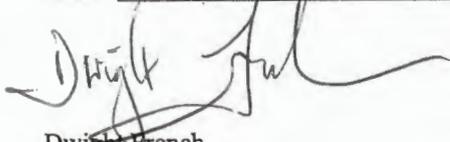
If within five year after approval of the transfer (November 20, 2018), the Department finds that the transfer results in substantial or undue interference with an existing ground water right due to use of the wells, that would not have occurred in the absence of the transfer, the new point of appropriation shall be subordinate to the existing right injured by the transfer.

The original point of diversion of surface water shall not be retained as an additional or supplemental point of diversion under the transferred portion of the right. However, if within five year after approval of the transfer (November 20, 2018), the Department receives a transfer application to return to the last authorized surface water point of diversion, the application shall be approved.

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

This certificate is issued to confirm a change from a SURFACE WATER POINT OF DIVERSION TO GROUNDWATER POINTS OF APPROPRIATION approved by an order of the Water Resources Director entered NOVEMBER 20, 2018, at Special Order Volume 109, Page 999, approving Transfer Application T-12651, supersedes Certificate 76371, State Record of Water Right Certificates.

Issued **APR 08 2022**



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

STATE OF OREGON  
 COUNTY OF DESCHUTES  
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

BIG FALLS RANCH CO.  
 ATTN: REX BARBER  
 PO BOX 434  
 TERREBONE OR 97760

confirms the right to use the waters of AN UNNAMED STREAM (McKENZIE CANYON), a tributary to THE DESCHUTES RIVER, for SUPPLEMENTAL IRRIGATION of 206.6 ACRES.

This right was perfected under Permit S-37392. The date of priority is OCTOBER 23, 1973. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 4.5 CUBIC FEET PER SECOND (CFS) IN ANY COMBINATION FROM THE WELLS, FURTHER LIMITED TO 4.44 CFS FROM WELL #1, 3.33 CFS FROM WELL #3, 4.5 CFS FROM WELL #4, AND 2.23 CFS FROM WELL #7, provided the total quantity diverted by all rights perfected under Permit S-37392 does not exceed 4.5 CFS, or its equivalent in case of rotation, measured at the points of appropriation.

The points of appropriation are located as follows:

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

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-FORTIETH 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 4.0 acre-feet for each acre irrigated during the irrigation season of each year.

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
14 S	12 E	WM	8	NE SW	1.2
14 S	12 E	WM	8	NW SW	0.2
14 S	12 E	WM	8	SW SW	32.7
14 S	12 E	WM	8	SE SW	3.1
14 S	12 E	WM	8	NW SE	2.2
14 S	12 E	WM	8	SW SE	1.1

**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 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may petition for judicial review and petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

Twp	Rng	Mer	Sec	Q-Q	Acres
14 S	12 E	WM	17	NW NE	9.3
14 S	12 E	WM	17	SW NE	16.4
14 S	12 E	WM	17	SE NE	32.4
14 S	12 E	WM	17	NW NW	32.9
14 S	12 E	WM	17	SE NW	0.4
14 S	12 E	WM	17	NE SW	5.1
14 S	12 E	WM	17	SE SW	23.8
14 S	12 E	WM	17	NE SE	14.8
14 S	12 E	WM	17	NW SE	24.9
14 S	12 E	WM	17	SW SE	6.1

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

Water use measurement conditions:

- A. The water user shall maintain the totalizing flow meters or other suitable measuring devices as approved by the Director in good working order at each well.
- 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 a private structure, the Watermaster shall request access upon reasonable notice.

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 diversion described as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
14 S	12 E	WM	4	NW SE	ORIGINAL POINT OF DIVERSION -1592.5 FEET NORTH AND 1610.6 FEET WEST FROM SE CORNER, SECTION 4

The use of water under this right shall be subject to regulation consistent with other water rights from the surface water source and to all other applicable conditions and restrictions that existed at the original point of diversion.

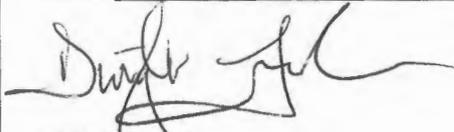
If within five year after approval of the transfer (November 20, 2018), the Department finds that the transfer results in substantial or undue interference with an existing ground water right due to use of the wells, that would not have occurred in the absence of the transfer, the new point of appropriation shall be subordinate to the existing right injured by the transfer.

The original point of diversion of surface water shall not be retained as an additional or supplemental point of diversion under the transferred portion of the right. However, if within five year after approval of the transfer (November 20, 2018), the Department receives a transfer application to return to the last authorized surface water point of diversion, the application shall be approved.

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.

This certificate is issued to confirm a change from a SURFACE WATER POINT OF DIVERSION TO GROUNDWATER POINTS OF APPROPRIATION approved by an order of the Water Resources Director entered NOVEMBER 20, 2018, at Special Order Volume 109, Page 999, approving Transfer Application T-12651, supersedes Certificate 87655, State Record of Water Right Certificates.

Issued APR 08 2022



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

STATE OF OREGON  
COUNTY OF DESCHUTES  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

BIG FALLS RANCH CO.  
ATTN: REX BARBER  
PO BOX 434  
TERREBONE OR 97760

confirms the right to use the waters of DEEP CANYON CREEK, a tributary of the DESCHUTES RIVER, for IRRIGATION of 307.8 ACRES AND SUPPLEMENTAL IRRIGATION OF 12.6 ACRES.

This right was perfected under Permit S-32049. The date of priority is APRIL 13, 1967. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 3.69 CUBIC FEET PER SECOND (CFS) IN ANY COMBINATION FROM THE WELLS, FURTHER LIMITED TO 3.69 CFS FROM WELL #1, 3.33 CFS FROM WELL #3, 3.69 CFS FROM WELL #4, AND 2.23 CFS FROM WELL #7, or its equivalent in case of rotation, measured at the points of appropriation.

The points of appropriation are located as follows:

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

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-FORTIETH 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 4.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

A description of the place of use is as follows:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
14 S	12 E	WM	3	SW SW	3.7
14 S	12 E	WM	4	SW SE	1.2
14 S	12 E	WM	4	SE SE	29.8
14 S	12 E	WM	8	SE NE	2.9
14 S	12 E	WM	8	NE SE	31.9
14 S	12 E	WM	8	SE SE	32.7

**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 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may petition for judicial review and petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
14 S	12 E	WM	9	NW NE	3.9
14 S	12 E	WM	9	SW NE	40.2
14 S	12 E	WM	9	SE NE	2.2
14 S	12 E	WM	9	SW NW	31.5
14 S	12 E	WM	9	SE NW	38.3
14 S	12 E	WM	9	NE SW	1.5
14 S	12 E	WM	9	SW SW	14.3
14 S	12 E	WM	9	SE SW	10.0
14 S	12 E	WM	9	NE SE	1.6
14 S	12 E	WM	9	NW SE	5.0
14 S	12 E	WM	17	NE NE	32.7
14 S	12 E	WM	17	NW NE	16.2
14 S	12 E	WM	17	SW NE	1.4
14 S	12 E	WM	17	SE NE	0.2
14 S	12 E	WM	17	NE NW	5.9
14 S	12 E	WM	17	SE NW	0.7

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
14 S	12 E	WM	17	NW NW	2.2
14 S	12 E	WM	17	SW SW	8.1
14 S	12 E	WM	18	SE SE	2.3

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

Water use measurement conditions:

- A. The water user shall maintain the totalizing flow meters or other suitable measuring devices as approved by the Director in good working order at each well.
- 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 a private structure, the Watermaster shall request access upon reasonable notice.

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 diversion described as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
14 S	12 E	WM	9	SW SE	ORIGINAL POD - 4440 FEET SOUTH AND 3020 FEET EAST FROM NW CORNER, SECTION 9

The use of water under this right shall be subject to regulation consistent with other water rights from the surface water source and to all other applicable conditions and restrictions that existed at the original point of diversion.

If within five year after approval of the transfer (November 20, 2018), the Department finds that the transfer results in substantial or undue interference with an existing ground water right due to use of the wells, that would not have occurred in the absence of the transfer, the new point of appropriation shall be subordinate to the existing right injured by the transfer.

The original point of diversion of surface water shall not be retained as an additional or supplemental point of diversion under the transferred portion of the right. However, if within five year after approval of the transfer (November 20, 2018), the Department receives a transfer application to return to the last authorized surface water point of diversion, the application shall be approved.

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.

This certificate is issued to confirm a change from a SURFACE WATER POINT OF DIVERSION TO GROUNDWATER POINTS OF APPROPRIATION approved by an order of the Water Resources Director entered NOVEMBER 20, 2018, at Special Order Volume 109, Page 999, approving Transfer Application T-12651, supersedes Certificate 88027, State Record of Water Right Certificates.

Issued APR 08 2022



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

BIG FALLS RANCH CO.  
P.O. Box 434  
Terrebonne, OR 97760

PORTLAND OR 972

16 DEC 2021 PM 4 L



Oregon Water Resources Dept  
ATTN: Kerry Kavanagh  
725 Summer St. NE, Ste A  
Salem, OR 97301-1271

97301-126673



BIG FALLS RANCH CO.  
P.O. Box 434  
Terrebonne, OR 97760

PORTLAND OR 972

23 OCT 2021 PM 6 L



Oregon Water Resources Dept  
Transfer Reimbursement Authority Program  
725 Summer St, NE, Suite A  
Salem, OR 97301-1271

97301-126673



**WATER RESOURCES DEPARTMENT**  
**REQUEST FOR DISTRIBUTION OF FUNDS**

TO: Fiscal Services Section

DATE: 10/12/2021

FROM: Mary Bjork

**RE: Request for Refund**

Transfer: T-12651

RECEIPT #: 136316

Please prepare a refund in the amount of \$120.00, made payable to:

Name: Deschutes County Title Company; Escrow Trust Account

Address: 397 SW Upper Terrace Drive

City: Bend, OR 97702

These funds are being paid or refunded as a result of (check one):

Request for file to be Rejected/Withdrawn

Excess fees were collected for application

Protest filing fees

Standing fees

Permit recording fees

Other: Excess fees of were submitted for processing an assignment on a transfer. \$240 was submitted, and only \$120 was needed. A fee is not required for each right that a transfer works on.

46111  
6250

I have reviewed this distribution request and have determined the request to be justified as to the purpose indicated above. Fiscal Services is hereby authorized to process the requested distribution.

Authorized Signature:



Date:

10/14/21



# Oregon

Kate Brown, 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.Oregon.gov/OWRD](http://www.Oregon.gov/OWRD)

October 12, 2021

Deschutes County Title Company  
Escrow Trust Account  
397 SW Upper Terrace Drive  
Bend, OR 97702

Reference: Transfer T-12651

Dear Deschutes County Title Company:

A refund in the amount of \$120 is being processed and will be mailed separately. This refund relates to the extra assignment fee that is not required because only one assignment fee is needed for one transfer, not for each individual water right that the transfer worked on.

If you have any questions, please contact me at [Mary.F.Bjork@oregon.gov](mailto:Mary.F.Bjork@oregon.gov) or 503 979-9895.

Sincerely,

A handwritten signature in black ink, appearing to read "Mary F. Bjork".

Mary F. Bjork  
Water Rights Program Analyst

cc: file



# Oregon

Kate Brown, Governor

## Water Resources Department

North Mall Office Building

725 Summer St NE, Ste A

Salem, OR 97301

Phone: 503-986-0900

Fax: 503-986-0904

[www.Oregon.gov/OWRD](http://www.Oregon.gov/OWRD)

September 23, 2021

Deschutes County Title Company  
Escrow Trust Account  
397 SW Upper Terrace Drive  
Bend, OR 97702

Reference: Transfer T-12651

The partial assignment from Big Falls Ranch to Pinnacle Utilities, LLC (Kameron DeLashmutt, Member) has been recorded in the records of the Water Resources Department.

The Departments records will now show Big Falls Ranch, and Pinnacle Utilities, LLC (Kameron DeLashmutt, Member) as the transfer holders of record.

Our records have been changed accordingly and the original request is enclosed. Receipt number 136316 covering the recording fee is also enclosed.

A transfer is not a perfected water right, and has conditions and timelines that must be satisfied prior to a Certificate of Water Right being issued. Please review the transfer to be familiar with the conditions and timelines contained in the transfer.

Sincerely,

Mary F. Bjork  
Water Rights Program Analyst  
Water Right Services Division

Enclosure: Original Request and Receipt #136316

cc: Pinnacle Utilities, LLC (Kameron DeLashmutt) – 2447 NW Canyon Dr, Redmond, OR 97756  
Big Falls Ranch – PO Box 434, Terrebonne, OR 97760  
Janet E. Neuman, Tonkon Torp – 888 SW Fifth Ave. Suite 1600, Portland, OR 97204  
Data Center, OWRD (cover letter, requests & maps)  
File



# Request for Assignment

OREGON



WATER RESOURCES  
DEPARTMENT

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

If the Department determines that the application is incomplete, fees have not been paid, or the required documents are not acceptable, the application and all fees submitted will be returned to the applicant.

RECEIVED

AUG 31 2021

If for multiple rights, a separate form and fee for each right will be required.

I, Big Falls Ranch Co.  
(Name of Current Holder of Record)  
PO Box 434 Terrebonne, OR 97760 541-948-6325  
(Mailing Address) (City) (State) (Zip) (Phone #)

OWRD

- hereby assign all my interest in and to the entire application/permit/transfer order/limited license/groundwater statement; (example, sold all the land authorized under the right)
- hereby assign all my interest in and to a portion of application/permit/transfer order/limited license/groundwater statement; (*You must include a map showing the portion of the application/permit/transfer order/limited license/groundwater statement to be assigned.* Example, sold a portion of the land authorized under the right)
- hereby assign a portion of my interest in and to the entire application/permit/transfer order/limited license/groundwater statement; (example, adding an additional person)

Application # \_\_\_\_\_; Permit # \_\_\_\_\_; Transfer Order # T-12651 (Cert. 88027)  
Limited License # \_\_\_\_\_; Groundwater Statement # \_\_\_\_\_

as filed in the office of the Water Resources Director, to:

Pinnacle Utilities, LLC (Kameron DeLashmutt, Member)  
(Name of New Owner)  
2447 NW Canyon Drive Redmond, OR 97756 541-350-8479  
(Mailing Address) (City) (State) (Zip) (Phone #)

**Note:** If there are other owners of the property described in the application, permit, transfer order, limited license, or groundwater statement, you must provide a list of all other owners' names and mailing addresses and attach it to this form. Write the initials (first letters) of your first and last names at the spot indicated below.

RB I hereby certify that I have notified all other owners of the property described in this application, permit, transfer order, limited license, or groundwater statement of this Request of Assignment.

Witness my hand this 24 day of August, 2021.  
(Day) (Month) (Year)

Signature of Current Holder of Record [Signature]

**Failure to provide any of the required information will result in the return of your application.**

This certifies assignment and record change at Oregon Water Resources Department effective 8:00 a.m. on date of receipt at Salem, Oregon.

Fee receipt # 136314  
For Director by Mary F. Bjork, Program Analyst in Water Rights Division. MFB

The completed "Request for Assignment" form *must* be submitted to the Department along with the recording fee of \$120.

Part. Ass: RL - Approve  
MFB 9-24-2021

# Request for Assignment

RECEIVED

AUG 31 2021

OREGON



WATER RESOURCES DEPARTMENT

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

OWRD

If the Department determines that the application is incomplete, fees have not been paid, or the required documents are not acceptable, the application and all fees submitted will be returned to the applicant.

If for multiple rights, a separate form and fee for each right will be required.

I, Big Falls Ranch Co. (certificate originally in name of Deschutes Valley Farms)  
(Name of Current Holder of Record)  
PO Box 434 Terrebonne, OR 97760 541-948-6325  
(Mailing Address) (City) (State) (Zip) (Phone #)

hereby assign all my interest in and to the entire application/permit/transfer order/limited license/groundwater statement; (example, sold all the land authorized under the right)

hereby assign all my interest in and to a portion of application/permit/transfer order/limited license/groundwater statement; (*You must include a map showing the portion of the application/permit/transfer order/limited license/groundwater statement to be assigned.* Example, sold a portion of the land authorized under the right)

hereby assign a portion of my interest in and to the entire application/permit/transfer order/limited license/groundwater statement; (example, adding an additional person)

Application # \_\_\_\_\_; Permit # \_\_\_\_\_; Transfer Order # T-12651 (Cert. 76371)  
Limited License # \_\_\_\_\_; Groundwater Statement # \_\_\_\_\_

as filed in the office of the Water Resources Director, to:

Pinnacle Utilities, LLC (Kameron DeLashmutt, Member)  
(Name of New Owner)  
2447 NW Canyon Drive Redmond, OR 97756 541-350-8479  
(Mailing Address) (City) (State) (Zip) (Phone #)

**Note:** If there are other owners of the property described in the application, permit, transfer order, limited license, or groundwater statement, you must provide a list of all other owners' names and mailing addresses and attach it to this form. Write the initials (first letters) of your first and last names at the spot indicated below.

RB I hereby certify that I have notified all other owners of the property described in this application, permit, transfer order, limited license, or groundwater statement of this Request of Assignment.

Witness my hand this 24 day of August, 20 21.  
(Day) (Month) (Year)

Signature of Current Holder of Record [Signature]

**Failure to provide any of the required information will result in the return of your application.**

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Fee receipt # 136314

For Director by Mary F. Bjork, Program Analyst in Water Rights Division. MFB

The completed "Request for Assignment" form *must* be submitted to the Department along with the recording fee of \$120.

Part. Assign. - Approve  
WOB 9-24-2021

RECEIVED

AUG 31 2021

OWRD

**WATER RIGHT TRANSFER MAP  
CHANGE IN POD TO POA**

Located in Sections 3, 4, 8, 9, 17, 18, and 20,  
Township 14 South, Range 12 East, Willamette Meridian  
Deschutes County, Oregon

**NOTES**

1. This map was prepared for the purpose of identifying the location of water rights only and is not intended to provide legal dimensions or locations of property ownership lines.
2. This map is based on Claim of Beneficial Use Map submitted with the COBU prepared by Newton Consultants, Inc., May 2012.
3. Tax lot lines are based on Deschutes County Assessor Maps dated Feb. 2, 2010.
4. Acres irrigated are identified in each 1/4 by total acres and by Tax Lot.
5. Place of Use and Character of Use will not change.

**Locations Of Proposed Point of Appropriation**

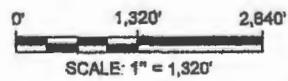
- POA 1 - Well #1**  
1680.6 Ft West and 1154.2 Ft North from the SE Corner of Section 18.
- POA 2 - Well #3**  
1706.6 Ft West and 1772.1 Ft South from the NE Corner of Section 17.
- POA 3 - Well #4**  
32.2 Ft East and 240.7 Ft South from the NW Corner of Section 17.
- POA 4 - Well #7**  
2862.6 Ft West and 1571.4 Ft South from the NE Corner of Section 9.

**LEGEND**

- Primary Certificate 88027, Permit 32049 (307.8 Ac Total) Irrigation April 13, 1967
- Supplemental Certificate 88027 Permit 32049 (12.6 Ac Total) Irrigation April 13, 1967
- Primary Certificate 76371 Permit 32049 (157.1 Ac Total) Irrigation April 13, 1967
- Tax Lot Boundary Line
- Tax Lot ID Number
- Location of Areas Not Specified in Permit S-37342 Certificate C-44283
- Total Number of Acres Irrigated in 1/4

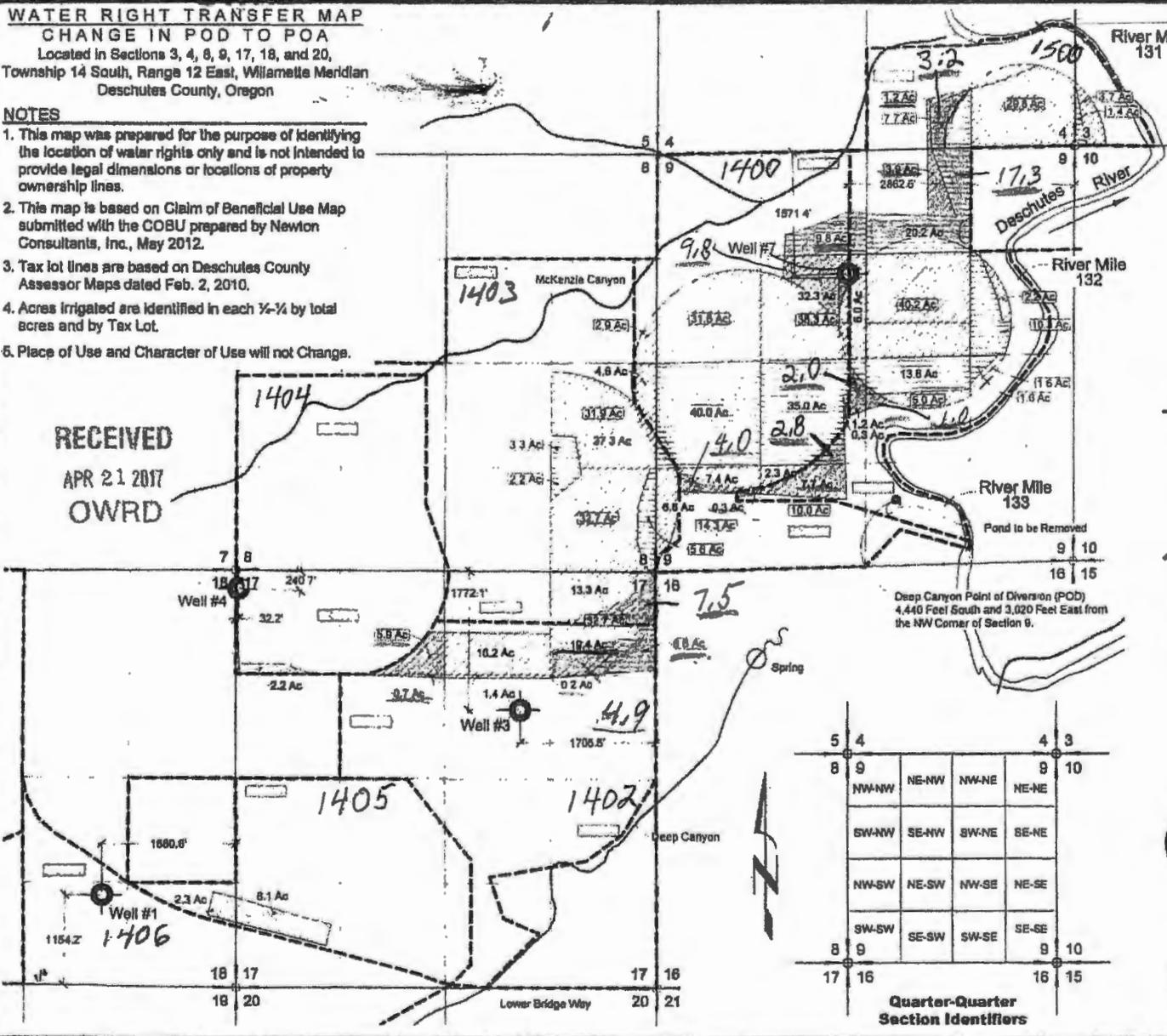


EXPIRES 31 Dec 2018  
RENEWS 31 Dec 2018



5	4		4	3	
8	9	NE-NW	NW-NE	9	10
		SW-NW	SE-NW	SW-NE	SE-NE
		NW-SW	NE-SW	NW-SE	NE-SE
8	9	SE-SW	SW-SE	9	10
17	16		16	15	

Quarter-Quarter Section Identifiers



Surface Water POD to Groundwater POA Transfer Map  
Big Falls Ranch Co.  
Deschutes County, Oregon

FIGURE 2

PROJ. SECT. NO 556-103

MAR 2017

DATE

S. Schenck

DRAWN BY

J. Bammon



**NEWTON CONSULTANTS INC.**  
Earth, Water, and Rock Specialists  
P.O. Box 541, Deschutes County, Oregon 97730  
Ph: 541-334-9920

T 12651

88027

76371

Kam 210819  
90.0 AC

C:\Users\j561\OneDrive\Documents\Folder1\COBU\160327\_10-17\_03/29/2017\_55

**STATE OF OREGON  
WATER RESOURCES DEPARTMENT**

725 Summer St., N.E. Ste. A

SALEM, OR 97301-4172

(503) 986-0900 / (503) 986-0904 (fax)

RECEIPT # **136316**

INVOICE # \_\_\_\_\_

RECEIVED FROM: Deschutes County Title Company  
BY: Escrow Trust Account

APPLICATION	
PERMIT	
TRANSFER	<u>1-12651</u>

CASH:  CHECK # 26260 OTHER: (IDENTIFY) \_\_\_\_\_

TOTAL REC'D \$ 240.00

**1083 TREASURY 4170 WRD MISC CASH ACCT**

0407	COPIES	\$
_____	OTHER: (IDENTIFY) _____	\$
0243 I/S Lease _____	0244 Muni Water Mgmt. Plan _____	0245 Cons. Water _____

**4270 WRD OPERATING ACCT**

<b>MISCELLANEOUS</b>		
0407	COPY & TAPE FEES	\$
0410	RESEARCH FEES	\$
0408	MISC REVENUE: (IDENTIFY) _____	\$
TC162	DEPOSIT LIAB. (IDENTIFY) _____	\$
0240	EXTENSION OF TIME	\$
<b>WATER RIGHTS:</b>		
0201	SURFACE WATER	\$
0203	GROUND WATER	\$
0205	TRANSFER	\$
<b>WELL CONSTRUCTION</b>		
0218	WELL DRILL CONSTRUCTOR	\$
_____	LANDOWNER'S PERMIT	\$
<u>0250</u>	OTHER (IDENTIFY) <u>Assignments</u>	\$ <u>240.00</u>

**0536 TREASURY 0437 WELL CONST. START FEE**

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

**0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER**

0233	POWER LICENSE FEE (FWWRD)	\$
0231	HYDRO LICENSE FEE (FWWRD)	\$
_____	HYDRO APPLICATION	\$

**\_\_\_\_\_ TREASURY OTHER / RDX**

FUND \_\_\_\_\_ TITLE **RECEIVED**  
OBJ. CODE \_\_\_\_\_ VENDOR # **OVER THE COUNTER**  
DESCRIPTION \_\_\_\_\_ \$ \_\_\_\_\_

RECEIPT: **136316** DATED 8-31-2021 BY: Mindy Cudde

RECEIVED

AUG 31 2021

OWRD

Deschutes County Title Company  
Trust Account

Check No.  
26260

Escrow No.: DE6423

Check Date: 08/24/2021

\$240.00

SELLER/BUYER: Barber / DeLashmutt

ADDRESS: Initial Purchase - 90 acres Water Rights,

ESC OFFICER: Rebecca E. Felix

TAX PARCEL ID:

<u>Line #</u>	<u>Description</u>	<u>Amount</u>	<u>Line #</u>	<u>Description</u>	<u>Amount</u>
2521	Transfer Fee	\$120.00	2522	Transfer Fees	\$120.00



Janet E. Neuman  
Senior Counsel  
janet.neuman@tonkon.com

503.802.5722 direct  
503.221.1440 main

RECEIVED

AUG 31 2021

OWRD

August 26, 2021

Mary F. Bjork  
Oregon Water Resources Department  
725 Summer Street NE, Suite A  
Salem, OR 97301

Re: Partial Assignment of Transfer T-12651 (Certificates 76371 and 88027)

Dear Ms. Bjork:

I represent Kameron DeLashmutt and Pinnacle Utilities, LLC ("Pinnacle"). Enclosed with this letter are two assignment forms completed by Big Falls Ranch Co. assigning a portion of Transfer T-12651 to Pinnacle, along with a check for \$240 (\$120 per assignment) payable to the Oregon Water Resources Department to process the two assignments. Thank you and please let me know if you need any further information.

Sincerely,

*s/ Janet E. Neuman*

Janet E. Neuman  
Senior Counsel  
JEN/jw  
Encl.

OREGON



WATER RESOURCES  
DEPARTMENT

RECEIVED

AUG 31 2021

OWRD

Date Received (Date Stamp Here)

## OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: Deschutes County Title Company

397 SW Upper Terrace Drive. Bend, OR 97702

Transaction Type: (2) ASSIGNMENTS

Fees Received: \$ 240.00

Cash

Check:

Check No. 26260

Name(s) on Check: Same

Address on Check: Same

Thank you for your submission. Oregon Water Resources Department (Department) staff will review your submittal as soon as possible.

If your submission is determined to be complete, you will receive a receipt for the fees paid and an acknowledgement letter stating your submittal is complete.

If determined to be incomplete, your submission and the accompanying fees will be returned with an explanation of deficiencies that must be addressed in order for the submittal to be accepted.

If you have any questions, please feel free to contact the Department's Customer Service staff at 503-986-0801 or 503-986-0810.

Sincerely,

OWRD Customer Service Staff

Submission received by: C. Middleton  
(Name of OWRD staff)

### Instructions for OWRD staff:

- Complete this Submission Receipt, and make two (2) copies. Place one copy with the check/cash; and place the other copy with the submission (i.e., the application or other document).
- Date-stamp all pages. (NOTE: Do not stamp check.)
- Give this original Submission Receipt to the applicant.
- Record Submission Receipt information on the "RECEIVED OVER THE COUNTER" log sheet.
- Place the Submission Receipt with check/cash in the small top drawer (i.e., "Fiscal Pick Up Drawer"). Place the Submission Receipt with submission (application/other document) in the large bottom drawer.

OREGON



WATER RESOURCES  
DEPARTMENT

RECEIVED

AUG 31 2021

OWRD

Date Received (Date Stamp Here)

## OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: Deschutes County Title Company

397 SW Upper Terrace Drive. Bend, OR 97702

Transaction Type: (2) ASSIGNMENTS

Fees Received: \$ 240.00

Cash

Check:

Check No. 26260

Name(s) on Check: Same

Address on Check: Same

Thank you for your submission. Oregon Water Resources Department (Department) staff will review your submittal as soon as possible.

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If you have any questions, please feel free to contact the Department's Customer Service staff at 503-986-0801 or 503-986-0810.

Sincerely,

OWRD Customer Service Staff

Submission received by: C. Maddietta  
(Name of OWRD staff)

### Instructions for OWRD staff:

- Complete this Submission Receipt, and make two (2) copies. Place one copy with the check/cash; and place the other copy with the submission (i.e., the application or other document).
- Date-stamp all pages. (NOTE: Do not stamp check.)
- Give this original Submission Receipt to the applicant.
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OREGON



WATER RESOURCES  
DEPARTMENT

Date Received (Date Stamp Here)

## OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: \_\_\_\_\_

Transaction Type: \_\_\_\_\_

Fees Received: \$ \_\_\_\_\_

Cash       Check:      Check No. \_\_\_\_\_

Name(s) on Check: \_\_\_\_\_

Address on Check: \_\_\_\_\_

Thank you for your submission. Oregon Water Resources Department (Department) staff will review your submittal as soon as possible.

If your submission is determined to be complete, you will receive a receipt for the fees paid and an acknowledgement letter stating your submittal is complete.

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If you have any questions, please feel free to contact the Department's Customer Service staff at 503-986-0801 or 503-986-0810.

Sincerely,  
OWRD Customer Service Staff

Submission received by: \_\_\_\_\_  
(Name of OWRD staff)

### Instructions for OWRD staff:

- Complete this Submission Receipt, and make two (2) copies. Place one copy with the check/cash; and place the other copy with the submission (i.e., the application or other document).
- Date-stamp all pages. (NOTE: Do not stamp check.)
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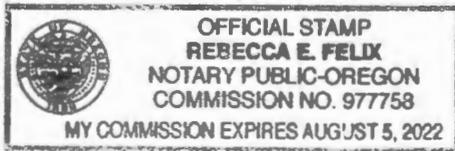


STATE OF OREGON  
COUNTY OF DESCHUTES

} ss

I certify that I know or have satisfactory evidence that **Rex Barber is** the person(s) who appeared before me, and said person(s) acknowledged that **he** signed this instrument, on oath stated that **he is** authorized to execute the instrument and acknowledged it as the **President of Big Falls Ranch Co., an Oregon Corporation**, to be the free and voluntary act of such party for the uses and purposes mentioned in this instrument.

Dated: August 23, 2021



Rebecca E. Felix  
Notary Public in and for the State of Oregon  
Residing at Bend, OR  
My appointment expires: 08/05/2022

RECEIVED  
AUG 31 2021  
OWRD

RECEIVED

AUG 31 2021

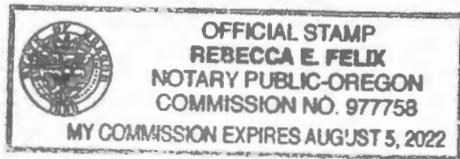
OWRD

STATE OF OREGON  
COUNTY OF DESCHUTES

} ss

I certify that I know or have satisfactory evidence that **Rex Barber is** the person(s) who appeared before me, and said person(s) acknowledged that **he** signed this instrument, on oath stated that **he is** authorized to execute the instrument and acknowledged it as the **President of Big Falls Ranch Co., an Oregon Corporation**, to be the free and voluntary act of such party for the uses and purposes mentioned in this instrument.

Dated: August 23, 2021



Rebecca E. Felix

Notary Public in and for the State of Oregon  
Residing at Bend, OR  
My appointment expires: 08/05/2022

UPS Internet Shipping: View/Print Label

- 1. **Ensure there are no other shipping or tracking labels attached to your package.** Select the Print button on the print dialog box that appears. Note: If your browser does not support this function select Print from the File menu to print the label.
- 2. **Fold the printed label at the solid line below.** Place the label in a UPS Shipping Pouch. If you do not have a pouch, affix the folded label using clear plastic shipping tape over the entire label.
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 Your driver will pickup your shipment(s) as usual.

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Take your package to any location of The UPS Store®, UPS Access Point(TM) location, UPS Drop Box, UPS Customer Center, Staples® or Authorized Shipping Outlet near you. Items sent via UPS Return Services(SM) (including via Ground) are also accepted at Drop Boxes. To find the location nearest you, please visit the 'Find Locations' Quick link at ups.com.

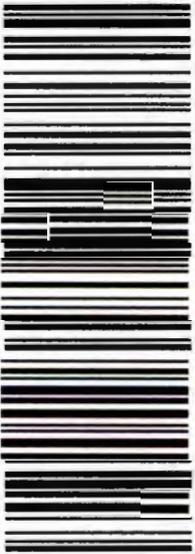
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<p>BECKY 541.389.2120 DESCHUTES COUNTY TITLE 397 SW UPPER TERRACE DR BEND OR 97702</p> <p><b>LTR</b></p> <p style="text-align: right;"><b>1 OF 1</b></p>	<p><b>SHIP TO:</b> MARY F. BJORK 503-802-5722 OREGON WATER RESOURCES DEPARTMENT 725 SUMMER STREET NE, SUITE A <b>SALEM OR 97301-1266</b></p>	<p><b>OR 973 0-02</b></p> 	<p><b>UPS NEXT DAY AIR</b></p> <p>TRACKING #: 1Z 219 E5F 01 9267 6103</p> <p style="text-align: right;"><b>1</b></p>	 <p><b>BILLING: P/P</b></p> <p>Reference#1: DE6423-BF</p> <p style="font-size: small;">UIS 22.0.18. WNTNV50 34-0A 08/2021*</p>
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## CLARK Gerald E \* WRD

---

**From:** John Lambie <jlambie@e-purwater.com>  
**Sent:** Wednesday, August 4, 2021 8:29 AM  
**To:** CLARK Gerald E \* WRD  
**Cc:** JARAMILLO Lisa J \* WRD; STARNES Patrick K \* WRD  
**Subject:** Re: Detailed question or two on T-12651

Thank you Gerry for such a quick and thorough response. You have put each of those questions to rest.

John Lambie, PE, PG, CEG, CWRE  
Principal Groundwater Hydrologist



Stockton Office (209) 451-5933  
Cell (503) 381-6043

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On Wed, Aug 4, 2021 at 7:18 AM CLARK Gerald E \* WRD <[Gerald.E.Clark@oregon.gov](mailto:Gerald.E.Clark@oregon.gov)> wrote:

John,

Hope you are well. In response to your questions:

### Question

One relatively straightforward question is has the CBU been adequately filed? I requested Public Records last week to review the filing of Sept. 30, 2020 and the completeness review. One reason that I requested them is that the webpage suggests that there is a CBU new filing date of Sept. 30, 2021 now. So I requested a deficiency letter if one exists and got nothing. Can you tell me the status here on this transfer?

The Claim was deemed complete enough to meet our filing requirements. At some point in the future, the Claim will be pulled for a complete technical review. The Department may request additional information or clarification if needed to complete the review of the claim.

As it relates to the October 1, 2021 date listed on the WRIS information page, it has been the Department's practice for ages to include various dates related to process steps of our transactions (permits and transfers). In the case of Transfers, at the time that the transfer final order is approved, WRIS is updated to track the Completion Date ("C" Date) and the date that the Claim of Beneficial Use is due to be submitted (one year after the "C" Date). The October 1, 2021 date is nothing more than a process date and does not mean that a Claim has been deemed incomplete.

#### Question

Another question on transfers is that if like this one they are cumulative as to the POAs then is it right to anticipate that the aggregate capacity of the POAs claimed under the transfer has to be demonstrable? These folks state for example in their application of April 2017 that the system capacity will be sufficient to divert the existing water rights appropriations as these locations plus the transfer requested in 12651. Can you help me understand what the requirement here is? The filed CBU of Sept. 30, 2020 provides a certain capacity and it would not be sufficient to encompass all the existing and transferred water rights to these POAs."

A Claim for a transfer is limited only to a review of the change(s) authorized by the transfer as conditioned. In the case of a transfer for a change in POA, the Claim needs to demonstrate only two items, the capacity of the new POA and whether conditions of the transfer final order were met.

The short answer to your question is no. In transfers where multiple rights rely on the same POAs/PODs (POA), POAs do not need to have the capacity to fulfill the total of all the rights that may be associated with that POA. At the time of the Claim review, the Department will look to determine the developed capacity of each individual POA, and then compare that rate to each individual rights in the transfer final order. The Department does not take into account the rate of other water rights that are served by that POA. The scope of the review is limited to whether the change was made for an individual right.

As an example:

A transfer final order is issued to change to a new POA. There are three water rights involved in the transfer. The same, new, single POA will serve each of the three water rights. Each of the water rights is for 1.0 cfs. The Claim is submitted and demonstrates both compliance with conditions and a developed capacity of the new POA as 1.0 cfs. The Department would issue three confirming certificates, one for each of the rights involved in the transfer, for 1.0 cfs each.

Please let me know if you have any additional questions. Please note my new phone number -- 503-979-9103

Gerry

[Gerry Clark](#)

He/Him/His

**Oregon Water Resources Department**

Program Analyst, Certificate Section, Water Right Services Division

725 Summer Street NE, Suite A Salem, OR 97301 | Phone 503-979-9103

**From:** STARNES Patrick K \* WRD <[Patrick.K.Starnes@oregon.gov](mailto:Patrick.K.Starnes@oregon.gov)>

**Sent:** Tuesday, August 3, 2021 3:17 PM

**To:** CLARK Gerald E \* WRD <[Gerald.E.Clark@oregon.gov](mailto:Gerald.E.Clark@oregon.gov)>; John Lambie <[jlambie@e-purwater.com](mailto:jlambie@e-purwater.com)>

**Cc:** JARAMILLO Lisa J \* WRD <[Lisa.J.Jaramillo@oregon.gov](mailto:Lisa.J.Jaramillo@oregon.gov)>

**Subject:** Fwd: Detailed question or two on T-12651

Hi Gerry,

Could you please help Mr. Lambie with his questions in his e-mail as follows:

“One relatively straightforward question is has the CBU been adequately filed? I requested Public Records last week to review the filing of Sept. 30, 2020 and the completeness review. One reason that I requested them is that the webpage suggests that there is a CBU new filing date of Sept. 30, 2021 now. So I requested a deficiency letter if one exists and got nothing. Can you tell me the status here on this transfer?”

Another question on transfers is that if like this one they are cumulative as to the POAs then is it right to anticipate that the aggregate capacity of the POAs claimed under the transfer has to be demonstrable? These folks state for example in their application of April 2017 that the system capacity will be sufficient to divert the existing water rights appropriations as these locations plus the transfer requested in 12651. Can you help me understand what the requirement here is? The filed CBU of Sept. 30, 2020 provides a certain capacity and it would not be sufficient to encompass all the existing and transferred water rights to these POAs.”

Thank you Gerry!

Kelly

Kelly Starnes, Transfer Program Analyst

Oregon Water Resources Department

725 Summer St NE Suite A

Salem OR 97301-1271

Cellphone: 503-979-3511 Fax: 503-986-0903

E-mail: [patrick.k.starnes@oregon.gov](mailto:patrick.k.starnes@oregon.gov)

Please Note: Under Oregon Law, messages to and from

this e-mail address may be available to the public.

---

**From:** John Lambie <[jlambie@e-purwater.com](mailto:jlambie@e-purwater.com)>

**Sent:** Monday, August 2, 2021 10:46 AM

**To:** STARNES Patrick K \* WRD

**Cc:** JARAMILLO Lisa J \* WRD

**Subject:** Detailed question or two on T-12651

Kelly,

I'm writing you thanks to Lisa here on some granular details on this transfer of two PODs over 3 certificates to the same 4 wells as POAs under the same.

One relatively straightforward question is has the CBU been adequately filed? I requested Public Records last week to review the filing of Sept. 30, 2020 and the completeness review. One reason that I requested them is that the webpage suggests that there is a CBU new filing date of Sept. 30, 2021 now. So I requested a deficiency letter if one exists and got nothing. Can you tell me the status here on this transfer?

Another question on transfers is that if like this one they are cumulative as to the POAs then is it right to anticipate that the aggregate capacity of the POAs claimed under the transfer has to be demonstrable? These folks state for example in their application of April 2017 that the system capacity will be sufficient to divert the existing water rights appropriations as these locations plus the transfer requested in 12651. Can you help me understand what the requirement here is? The filed CBU of Sept. 30, 2020 provides a certain capacity and it would not be sufficient to encompass all the existing and transferred water rights to these POAs.

Thanks for your help here.

Please feel free to call and discuss if that's a simpler way to get granular on my questions before you address them in a writing.

Best,

- John

John Lambie, PE, PG, CEG, CWRE

Principal Groundwater Hydrologist



Stockton Office (209) 451-5933

Cell (503) 381-6043

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**Oregon**  
Kate Brown, Governor

**Water Resources Department**

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

October 1, 2020

Big Falls Ranch  
Rex Barber  
PO Box 434  
Terrebonne, OR 97760

RE: Transfer T-12651

Dear Transfer Holder,

On September 30, 2020, the Department received the Claim of Beneficial Use that you submitted for the above referenced file.

Enclosed, you will find as refund check in the amount of \$200.00. You are receiving this check because the right involved in the transfer has a priority date prior to July 9, 1987. Due to the priority date of the right, there was no fee required to submit the Claim.

If you have any additional questions, please feel free to contact me at 503-986-0900.

Sincerely,

Cory Middleton  
Water Rights Customer Service

cc: file  
David Newton, CWRE.

enclosures

# Checklist for Claims of Beneficial Use Received at CSG Counter

Application #	WRD Reviewer <i>Cam M.</i>
Transfer # <i>12651</i>	
Date Received <i>9-30-2020</i>	
CWRE Name <i>David Newton</i>	

Priority Date: 1967 3 19 73 \*Return Fee\*

### Fees Required:

YES NO A fee of \$200 must accompany this form for permits with priority dates of July 9, 1987, or later.

YES **NO** A fee of \$200 must accompany this form for any transfers including a water right with a priority date of July 9, 1987, or later.  
 Example – A transfer involves 5 rights and one of the rights has a priority date of July 9, 1987, or later, the fee is required.

Fill in App or Transfer Number

### Map Review:

- Map on polyester film (OAR 690-014-0170(1) & 310-0050(1)(b))
- Application & permit #; or transfer # (OAR 690-014-0100(1))
- Disclaimer (OAR 690-014-0170(5))
- North arrow (OAR 690-310-0050(2)(c))
- CWRE stamp and signature (OAR 690-014 & 310-0050)
- Appropriate scale (1" = 1320', 1" = 400', or the original full-size scale of the county assessor map) (014 & 310)
- Township, range, section, and tax lot numbers (OAR 690-310-0050(4))

MONEY SLIP

DATE: \_\_\_\_\_ RECEIPT #: \_\_\_\_\_

RECEIVED FROM: \_\_\_\_\_ APPLICATION: \_\_\_\_\_  
 PERMIT # \_\_\_\_\_  
 TRANSFER # \_\_\_\_\_

CASH  CHECK # \_\_\_\_\_ OTHER (IDENTIFY) \_\_\_\_\_ TOTAL RECEIVED \$ \_\_\_\_\_

0407 COPIES \_\_\_\_\_  
 OTHER (IDENTIFY) \_\_\_\_\_

0243 Instream Lease \_\_\_\_\_ 0244 More Yearly Upset Fee \_\_\_\_\_ 0245 Cont. Yielder \_\_\_\_\_

0407 MISCELLANEOUS *4611* \$ \_\_\_\_\_  
 COPY & TAPE FEES \$ \_\_\_\_\_  
 0416 RESEARCH FEES \$ \_\_\_\_\_  
 0408 MISC REVENUE (IDENTIFY) \$ \_\_\_\_\_  
 TC162 DEPOSIT LIAB. (IDENTIFY) \$ \_\_\_\_\_  
 0243 EXTENSION OF TIME \$ \_\_\_\_\_

WATER RIGHTS (SEE GAS FEE) (SEE RECEIVING FEE)  
 0201 SURFACE WATER \$ \_\_\_\_\_ 0202 \$ \_\_\_\_\_  
 0203 GROUND WATER \$ \_\_\_\_\_ 0204 \$ \_\_\_\_\_  
 0205 TRANSFER \$ \_\_\_\_\_

WELL CONSTRUCTION (SEE GAS FEE) (SEE RECEIVING FEE)  
 0218 WELL DRILL CONSTRUCTION \$ \_\_\_\_\_ 0219 \$ \_\_\_\_\_  
 LANDOWNER'S PERMIT \$ \_\_\_\_\_ 0220 \$ \_\_\_\_\_  
 0200 OTHER (IDENTIFY) *COBU* \$ *200.00*

0407 TREASURY \_\_\_\_\_ 0408 HYDROLOGIC \_\_\_\_\_

0203 POWER LICENSE FEE (HYPER) \$ \_\_\_\_\_  
 0201 HYDRO LICENSE FEE (HYPER) \$ \_\_\_\_\_

HYDRO APPLICATION \$ \_\_\_\_\_

SPECIAL INSTRUCTIONS:

RETURN TO APPLICANT - LETTER ATTACHED

### Report Review:

- On form provided by the Department (OAR 690-014-0100(1))
- Application & permit #; or transfer # (OAR 690-014)
- Ownership information (OAR 690-014)
- Date of survey (OAR 690-014)
- Person interviewed (OAR 690-014)
- County (OAR 690-014)
- CWRE stamp and signature (OAR 690-014-0100)
- Signature(s) of all permittee of transfer holder (OAR 690-014-0100)

### Groundwater File Review: *MA*

Pump Test Required? YES NO Pump Test Submitted? YES NO\*

\*If no, include pump test flyer w/acknowledgment letter



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SEP 30 2020

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Date Received (Date Stamp Here)

## OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: Big Falls Ranch Co.Po Box 434 Terrebonne, OR 97760Transaction Type: CobuFees Received: \$ 200.<sup>00</sup> Cash  Check: Check No. 3267Name(s) on Check: SAMEAddress on Check: SAME

Thank you for your submission. Oregon Water Resources Department (Department) staff will review your submittal as soon as possible.

If your submission is determined to be complete, you will receive a receipt for the fees paid and an acknowledgement letter stating your submittal is complete.

If determined to be incomplete, your submission and the accompanying fees will be returned with an explanation of deficiencies that must be addressed in order for the submittal to be accepted.

If you have any questions, please feel free to contact the Department's Customer Service staff at 503-986-0801 or 503-986-0810.

Sincerely,

OWRD Customer Service Staff

Submission received by:   
(Name of OWRD staff)

### Instructions for OWRD staff:

- Complete this Submission Receipt, and make two (2) copies. Place one copy with the check/cash; and place the other copy with the submission (i.e., the application or other document).
- Date-stamp all pages. (NOTE: Do not stamp check.)
- Give this original Submission Receipt to the applicant.
- Record Submission Receipt information on the "RECEIVED OVER THE COUNTER" log sheet.
- Place the Submission Receipt with check/cash in the small top drawer (i.e., "Fiscal Pick Up Drawer"). Place the Submission Receipt with submission (application/other document) in the large bottom drawer.



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Date Received (Date Stamp Here)

## OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: Big Falls Ranch. Co.

Po Box 434 Terrebonne, OR 97760

Transaction Type: Cobu

Fees Received: \$ 200.<sup>00</sup>

Cash       Check:      Check No. 3267

Name(s) on Check: SAME

Address on Check: SAME

Thank you for your submission. Oregon Water Resources Department (Department) staff will review your submittal as soon as possible.

If your submission is determined to be complete, you will receive a receipt for the fees paid and an acknowledgement letter stating your submittal is complete.

If determined to be incomplete, your submission and the accompanying fees will be returned with an explanation of deficiencies that must be addressed in order for the submittal to be accepted.

If you have any questions, please feel free to contact the Department's Customer Service staff at 503-986-0801 or 503-986-0810.

Sincerely,

OWRD Customer Service Staff

Submission received by: C. Mobley

(Name of OWRD staff)

### Instructions for OWRD staff:

- Complete this Submission Receipt, and make two (2) copies. Place one copy with the check/cash; and place the other copy with the submission (i.e., the application or other document).
- Date-stamp all pages. (NOTE: Do not stamp check.)
- Give this original Submission Receipt to the applicant.
- Record Submission Receipt information on the "RECEIVED OVER THE COUNTER" log sheet.
- Place the Submission Receipt with check/cash in the small top drawer (i.e., "Fiscal Pick Up Drawer"). Place the Submission Receipt with submission (application/other document) in the large bottom drawer.

**CLAIM OF  
BENEFICIAL USE  
for Transfer Surface to  
Groundwater POA**



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

**A fee of \$200 must accompany this form for any Transfer final orders including a water right with a priority date of July 9, 1987, or later.**

**Example – A transfer involves 5 rights and one of the rights has a priority date of July 9, 1987, or later, the fee is required.**

**A separate form shall be completed for each transfer.**

This form is subject to revision. **Begin each new claim** by checking for a new version of this form at:

<https://www.oregon.gov/OWRD/Forms/Pages/default.aspx>

The completion of this form is required by OAR 690-014-0100(1) and 690-014-0110(4).

Please type or print in dark ink. If this form is found to contain errors or omissions, it may be returned to you. **Every item must have a response.** If any requested information does not apply to the claim, insert "NA." **Do not delete or alter any section of this form unless directed by the form.** The Department may require the submittal of additional information from any water user or authorized agent.

"Section 8" of this form is intended to aid in the completion of this form and should not be submitted.\

A claim of beneficial use includes both this report and a map. If the map is being mailed separately from this form, please include a note with this form indicating such.

If you have questions regarding the completion of this form, please call 503-986-0900 and ask for the Certificate Section.

The Department has a program that allows it to enter into a voluntary agreement with an applicant for expedited services. Under such an agreement, the applicant pays the cost to hire additional staff that would not otherwise be available. This program means a certificate may be issued in about a month. For more information on this program see:

<https://www.oregon.gov/OWRD/programs/WaterRights/RA/Pages/default.aspx>

**SECTION 1**

**GENERAL INFORMATION**

**Type of Authorized Change**

This Claim is being submitted for a transfer where the only authorized change was a change from surface water point(s) of diversion to groundwater point(s) of appropriation.

**YES NO**

*If additional changes were authorized, you will need to select a different form.*

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**1. File Information:**

APPLICATION # <b>T-12651</b>
---------------------------------

**2. Property Owner (current owner information):**

APPLICANT/BUSINESS NAME <b>BIG FALLS RANCH – REX BARBER</b>		PHONE NO. <b>(541) 948-6325</b>	ADDITIONAL CONTACT NO.
ADDRESS <b>P.O. BOX 434</b>			
CITY <b>TERREBONNE</b>	STATE <b>OR</b>	ZIP <b>97760</b>	E-MAIL <b>bigfalls@cbbmail.com</b>

If the current property owner is not the transfer holder of record, it is recommended that an assignment be filed with the Department. **Each** transfer holder of record must sign this form.

**3. Transfer holder of record (this may, or may not, be the current property owner):**

TRANSFER HOLDER OF RECORD <b>BIG FALLS RANCH</b>			
ADDRESS <b>P.O. BOX 434</b>			
CITY <b>TERREBONNE</b>	STATE <b>OREGON</b>	ZIP <b>97760</b>	

**4. Date of Site Inspection:**

<b>February 27, 2020</b>
--------------------------

**5. Person(s) interviewed and description of their association with the project:**

NAME	DATE	ASSOCIATION WITH THE PROJECT
<b>REX BARBER</b>		<b>OWNER</b>

**6. County:**

<b>DESCHUTES</b>
------------------

**7. If any property described in the place of use of the transfer final order is excluded from this report, identify the owner of record for that property (ORS 537.230(5)):**

OWNER OF RECORD			
ADDRESS			
CITY	STATE	ZIP	

Add additional tables for owners of record as needed

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**SEP 30 2020**  
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**SECTION 2  
SIGNATURES**

CWRE Statement, Seal and Signature

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge.



CWRE NAME <b>DAVID J. NEWTON</b>		PHONE NO. <b>(541) 825-3905</b>	ADDITIONAL CONTACT NO.
ADDRESS <b>2083 MOUNTAIN VIEW COURT</b>			
CITY <b>WEST LINN</b>	STATE <b>OR</b>	ZIP <b>97068</b>	E-MAIL <b>dnewton@newtonconsultants.com</b>

Transfer Holder of Record Signature or Acknowledgement

Each transfer holder of record must sign this form in the space provided below.

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge. I request that the Department issue a water right certificate.

SIGNATURE	PRINT OR TYPE NAME	TITLE	DATE
	Rex Barber	Pres	

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**SEP 30 2020**  
**OWRD**

### SECTION 3

#### CLAIM DESCRIPTION

**Note:** The Claim only needs to describe the new point(s) of appropriation. This Claim does not need to provide information for the original point(s) of diversion involved in the transfer.

**1. New point of appropriation name or number:**

POINT OF APPROPRIATION (POA) NAME OR NUMBER (CORRESPOND TO MAP) WELL OR SUMP	WELL LOG ID # FOR ALL WORK PERFORMED ON THE WELL (IF APPLICABLE)	WELL TAG # (IF APPLICABLE)	SOURCE (IF LISTED IN TRANSFER FINAL ORDER)
WELL #1	DESC 2100		NOT LISTED IN FINAL ORDER
WELL #3	DESC 2087		NOT LISTED IN FINAL ORDER
WELL #4	DESC 2098		NOT LISTED IN FINAL ORDER
WELL #7	DESC 768		NOT LISTED IN FINAL ORDER

Attach each well log available for the well (include the log for the original well and any subsequent alterations, reconstructions, or deepenings)

**2. Variations:**

Was the use developed differently from what was authorized by the transfer final order, or extension final? NO

If yes, describe below.

(e.g. "The order allowed three new points of appropriation. The water user only developed one of the points.")

**3. Claim Summary:**

NEW POA NAME OR #	MAXIMUM RATE AUTHORIZED	CALCULATED THEORETICAL RATE BASED ON SYSTEM	AMOUNT OF WATER MEASURED
WELL #1	10 CFS	4.44 CFS (1993 GPM)	4.44 CFS (1993 GPM)
WELL #3	10 CFS	3.86 CFS (1732 GPM)	3.33 CFS (1495 GPM)
WELL #4	10 CFS	5.59 CFS (2509 GPM)	5.55 CFS (2491 GPM)
WELL #7	10 CFS	2.23 CFS (1001 GPM)	2.23 CFS (1001 GPM)

**NOTE:** All above wells supply other water rights additional to those subject to this COBU.

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SEP 30 2020

**OWRD**

**SECTION 4  
SYSTEM DESCRIPTION**

Are there multiple POAs? YES

If "YES" you will need to copy and complete a separate Section 4 for each POA.

POA Name or Number this section describes (only needed if there is more than one):

**WELL #1**

**A. Groundwater Source Information (Well)**

1. Is the appropriation from a well? YES

If "NO", items 2 through 4 relating to this section may be deleted.

2. Describe the access port (type and location) or other means to measure the water level in the well:

**2-INCH PORT ON THE MOTOR BASE PLATE**

3. If well logs are not available, provide as much of the following information as possible:

CASING DIAMETER	CASING DEPTH	TOTAL DEPTH	COMPLETION DATE OF ORIGINAL WELL	COMPLETION DATES OF ALTERATIONS	WHO THE WELL WAS DRILLED FOR	WELL DRILLED BY
12 INCHES	0-232 FEET	232 FEET	11/12/1966		DOUBLE R.E. RANCH	JACKSON WELL SERVICES
14 INCHES	0-18 FEET					

4. In addition to the information requested in item "3" above, provide any other information which may help the Department locate any well logs associated with this appropriation.

**WELL LOG DESC 2100**

**B. Groundwater Source Information (Sump)**

1. Is the appropriation from a dug well (sump)? NO

If "NO", items 2 through 4 relating to this section may be deleted.

Reminder: Construction standards for sumps can be found in OAR 690-210-0400.

2. If the appropriation involves a SUMP, provide the following information for each SUMP:

LENGTH	WIDTH	AVERAGE DIAMETER	MAXIMUM DEPTH	SURFACE AREA (IN ACRES)	VOLUME IN CUBIC FEET OR ACRE FEET

3. If the sump is curbed constructed with watertight surface curbing, describe the curbing:

CURBING MATERIAL (CONCRETE, CONCRETE TILES, OR STEEL)	IF CONCRETE, PROVIDE THE THICKNESS OF THE WALL

**RECEIVED**

**SEP 30 2020**

**OWRD**

**4. Provide sump volume calculations:**

<p><b>RECEIVED</b> SEP 30 2020</p>
--

**C. POA System Information**

**OWRD**

Provide the following information concerning the point of appropriation. Information provided must describe the equipment used to appropriate water from the point of appropriation.

**1. Pump Information:**

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE
WESTERN LAND ROLLER	NOT AVAILABLE-RECORDS OF APPLICANT ON PUMP MAKE, LONG OPERATING HISTORY	NOT AVAILABLE-RECORDS OF APPLICANT ON PUMP MAKE, LONG OPERATING HISTORY	TURBINE	8-INCH	12-INCH

**2. Motor Information:**

MANUFACTURER	HORSEPOWER
WESTINGHOUSE	200

**3. Theoretical Pump Capacity:**

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP *IF A WELL, THE WATER LEVEL DURING PUMPING	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
200	50	190 FEET	0	4.44

**4. Provide pump calculations:**

<p><math>Q = \text{HORSEPOWER} \times \text{PUMP EFFICIENCY} / \text{TOTAL HEAD IN FEET}</math>  <math>\text{TOTAL HEAD IN FEET} = \text{LIFT} + \text{PRESSURE} = 190 + (50)(2.54) = 190 + 127 = 317 \text{ FEET}</math>  <math>Q = 200 \times 7.04 / 317 = 4.44 \text{ CFS}</math></p>
--

**5. Measured Pump Capacity (using meter if meter was present and system was operating):**

INITIAL METER READING	ENDING METER READING	DURATION OF TIME OBSERVED	TOTAL PUMP OUTPUT (IN CFS)
		INSTANTANEOUS	4.44

Reminder: For pump calculations use the reference information at the end of this document.

**D. Additional notes or comments related to the system:**

--

**SECTION 4  
SYSTEM DESCRIPTION**

Are there multiple POAs?

**YES  
RECEIVED**

If "YES" you will need to copy and complete a separate Section 4 for each POA.

POA Name or Number this section describes (only needed if there is more than one):

**SEP 30 2020**

**WELL #3**

**OWRD**

**A. Groundwater Source Information (Well)**

1. Is the appropriation from a well?

**YES**

If "NO", items 2 through 4 relating to this section may be deleted.

2. Describe the access port (type and location) or other means to measure the water level in the well:

**1-INCH PIPE ON SOUTHWEST SIDE OF WELL HEAD**

3. If well logs are not available, provide as much of the following information as possible:

CASING DIAMETER	CASING DEPTH	TOTAL DEPTH	COMPLETION DATE OF ORIGINAL WELL	COMPLETION DATES OF ALTERATIONS	WHO THE WELL WAS DRILLED FOR	WELL DRILLED BY
<b>16-INCHES</b>	<b>2-19 FEET</b>	<b>262 FEET</b>	<b>1/4/1979</b>		<b>BOBBY BEESLEY</b>	<b>CRAWFORD WELL DRILLING</b>

4. In addition to the information requested in item "3" above, provide any other information which may help the Department locate any well logs associated with this appropriation.

**DESC 2087 WELL LOG**

**B. Groundwater Source Information (Sump)**

**RECEIVED**

1. Is the appropriation from a dug well (sump)?

**SEP 30 2020 NO**

If "NO", items 2 through 4 relating to this section may be deleted.

**OWRD**

Reminder: Construction standards for sumps can be found in OAR 690-210-0400.

2. If the appropriation involves a SUMP, provide the following information for each SUMP:

LENGTH	WIDTH	AVERAGE DIAMETER	MAXIMUM DEPTH	SURFACE AREA (IN ACRES)	VOLUME IN CUBIC FEET OR ACRE FEET

3. If the sump is curbed constructed with watertight surface curbing, describe the curbing:

CURBING MATERIAL (CONCRETE, CONCRETE TILES, OR STEEL)	IF CONCRETE, PROVIDE THE THICKNESS OF THE WALL

**4. Provide sump volume calculations:**

--

**C. POA System Information**

Provide the following information concerning the point of appropriation. Information provided must describe the equipment used to appropriate water from the point of appropriation.

**1. Pump Information:**

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE
AMERICAN MARSH	10ZC 12 STAGE	NOT AVAILABLE	TURBINE	8-INCH	10-INCH

**2. Motor Information:**

MANUFACTURER	HORSEPOWER
WESTINGHOUSE	200

**3. Theoretical Pump Capacity:**

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP *IF A WELL, THE WATER LEVEL DURING PUMPING	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
200	65	200 FEET	0	3.86

**4. Provide pump calculations:**

<p><b>Q = HORSEPOWER X PUMP EFFICIENCY/TOTAL HEAD IN FEET</b>  <b>TOTAL HEAD IN FEET = 200 + (65)(2.54) = 200 + 165 = 365 FEET</b>  <b>Q = 200 X 7.04/365 = 3.86 CFS</b></p>
--

**5. Measured Pump Capacity (using meter if meter was present and system was operating):**

INITIAL METER READING	ENDING METER READING	DURATION OF TIME OBSERVED	TOTAL PUMP OUTPUT (IN CFS)
		INSTANTANEOUS	3.33

Reminder: For pump calculations use the reference information at the end of this document.

**D. Additional notes or comments related to the system:**

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**SECTION 4  
SYSTEM DESCRIPTION**

Are there multiple POAs? YES

If "YES" you will need to copy and complete a separate Section 4 for each POA.

POA Name or Number this section describes (only needed if there is more than one):

WELL #4

**A. Groundwater Source Information (Well)**

1. Is the appropriation from a well? YES

If "NO", items 2 through 4 relating to this section may be deleted.

2. Describe the access port (type and location) or other means to measure the water level in the well:

1 1/2-INCH PIPE ON SOUTH SIDE OF WELL HEAD CASING

3. If well logs are not available, provide as much of the following information as possible:

CASING DIAMETER	CASING DEPTH	TOTAL DEPTH	COMPLETION DATE OF ORIGINAL WELL	COMPLETION DATES OF ALTERATIONS	WHO THE WELL WAS DRILLED FOR	WELL DRILLED BY
16-INCH	1-19 FEET	288 FEET	12/21/1977		BOBBY BEESLEY	CRAWFORD WEL DRILLING

4. In addition to the information requested in item "3" above, provide any other information which may help the Department locate any well logs associated with this appropriation.

DESC 2098 WELL LOG

**RECEIVED**

SEP 30 2020

NO

**B. Groundwater Source Information (Sump)**

1. Is the appropriation from a dug well (sump)?

If "NO", items 2 through 4 relating to this section may be deleted.

**OWRD**

Reminder: Construction standards for sumps can be found in OAR 690-210-0400.

2. If the appropriation involves a SUMP, provide the following information for each SUMP:

LENGTH	WIDTH	AVERAGE DIAMETER	MAXIMUM DEPTH	SURFACE AREA (IN ACRES)	VOLUME IN CUBIC FEET OR ACRE FEET

3. If the sump is curbed constructed with watertight surface curbing, describe the curbing:

CURBING MATERIAL (CONCRETE, CONCRETE TILES, OR STEEL)	IF CONCRETE, PROVIDE THE THICKNESS OF THE WALL

SEP 30 2020

OWRD

4. Provide sump volume calculations:

SEP 30 2020 OWRD
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**C. POA System Information**

Provide the following information concerning the point of appropriation. Information provided must describe the equipment used to appropriate water from the point of appropriation.

**1. Pump Information:**

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE
VALLEY	NOT AVAILABLE- APPLICANT RECORDS ON TYPE, MAKE	NOT AVAILABLE- APPLICANT RECORDS ON TYPE, MAKE	TURBINE	10-INCH	12-INCH

**2. Motor Information:**

MANUFACTURER	HORSEPOWER
US MOTOR	250

**3. Theoretical Pump Capacity:**

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP *IF A WELL, THE WATER LEVEL DURING PUMPING	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
250	55	175	0	5.59

**4. Provide pump calculations:**

<p><b>Q = HORSEPOWER X EFFICIENCY/TOTAL DYNAMIC HEAD</b>  <b>TOTAL DYNAMIC HEAD = 175 + (55)(2.54) = 175 + 140 = 315 FEET</b>  <b>Q = 250 X 7.04/315 = 5.59 CFS</b></p>
---

**5. Measured Pump Capacity (using meter if meter was present and system was operating):**

INITIAL METER READING	ENDING METER READING	DURATION OF TIME OBSERVED	TOTAL PUMP OUTPUT (IN CFS)
		INSTANTANEOUS	5.55

Reminder: For pump calculations use the reference information at the end of this document.

**D. Additional notes or comments related to the system:**

--

**SECTION 4  
SYSTEM DESCRIPTION**

Are there multiple POAs? YES NO

If "YES" you will need to copy and complete a separate Section 4 for each POA.

POA Name or Number this section describes (only needed if there is more than one):

**WELL #7**

**A. Groundwater Source Information (Well)**

1. Is the appropriation from a well? YES

If "NO", items 2 through 4 relating to this section may be deleted.

2. Describe the access port (type and location) or other means to measure the water level in the well:

FUNCTIONAL E-TAPE ACCESS THROUGH TOP OF WELL (SEAL)

3. If well logs are not available, provide as much of the following information as possible:

CASING DIAMETER	CASING DEPTH	TOTAL DEPTH	COMPLETION DATE OF ORIGINAL WELL	COMPLETION DATES OF ALTERATIONS	WHO THE WELL WAS DRILLED FOR	WELL DRILLED BY
16-INCH	0-25 FEET	340 FEET	2/7/1991		REX BARBER	WILLIAM AIKENS

4. In addition to the information requested in item "3" above, provide any other information which may help the Department locate any well logs associated with this appropriation.

DESC 224 ORIGINAL WELL LOG; DESC 768 LOG FOR RECONDITIONED WELL

**B. Groundwater Source Information (Sump)**

**RECEIVED**

1. Is the appropriation from a dug well (sump)? SEP 30 2020 NO

If "NO", items 2 through 4 relating to this section may be deleted.

**OWRD**

Reminder: Construction standards for sumps can be found in OAR 690-210-0400.

2. If the appropriation involves a SUMP, provide the following information for each SUMP:

LENGTH	WIDTH	AVERAGE DIAMETER	MAXIMUM DEPTH	SURFACE AREA (IN ACRES)	VOLUME IN CUBIC FEET OR ACRE FEET

3. If the sump is curbed constructed with watertight surface curbing, describe the curbing:

CURBING MATERIAL (CONCRETE, CONCRETE TILES, OR STEEL)	IF CONCRETE, PROVIDE THE THICKNESS OF THE WALL

**4. Provide sump volume calculations:**

<b>RECEIVED</b>
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**C. POA System Information**

SEP 30 2020

Provide the following information concerning the point of appropriation. Information provided must describe the equipment used to appropriate water from the point of appropriation.

**QWRD**

**1. Pump Information:**

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE
FRANKLIN ELECTRIC	F85STS10010008605	2M11568	SUBMERSIBLE	6-INCH	6-INCH

**2. Motor Information:**

MANUFACTURER	HORSEPOWER
FRANKLIN ELECTRIC	100

**3. Theoretical Pump Capacity:**

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP *IF A WELL, THE WATER LEVEL DURING PUMPING	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
100	35	227	0	2.23

**4. Provide pump calculations:**

<p><b>Q = HORSEPOWER X EFFICIENCY/TOTAL DYNAMIC HEAD</b>  <b>TOTAL DYNAMIC HEAD = 227 + (38)(2.54) = 227 + 96.5 = 323.5 FEET</b>  <b>Q = 100 X 7.04/323.5 = 2.18 CFS</b></p>
--

**5. Measured Pump Capacity (using meter if meter was present and system was operating):**

INITIAL METER READING	ENDING METER READING	DURATION OF TIME OBSERVED	TOTAL PUMP OUTPUT (IN CFS)
2.52 MG	2.76 MG	4 HOURS	2.23 CFS

Reminder: For pump calculations use the reference information at the end of this document.

**D. Additional notes or comments related to the system:**

<p><b>OPERATED TWO PIVOTS AT STATED CAPACITY OF 600 GPM AND 350 GPM, PRESSURE AT EACH PIVOT 35 PSI.</b>  <b>PUMP MODEL F85STS10010008605.</b>  <b>SEAMETRIC FLOW METER USED FOR MEASURING PUMP CAPACITY</b></p>
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SECTION 5  
CONDITIONS

OWRD

All conditions contained in the transfer final order, or any extension final order shall be addressed. Reports that do not address all performance related conditions will be returned.

1. Time Limits:

Describe how the water user has complied with each of the development timelines established in the transfer final order and any extensions of time issued for the transfer:

	DATE FROM TRANSFER	DATE THE NEW POA(S) WERE READY FOR USE *THIS DATE MUST FALL BETWEEN THE "ISSUANCE DATE" AND THE "COMPLETENESS DATE"
ISSUANCE DATE	NOVEMBER 20, 2018	
COMPLETENESS DATE FROM ORDER (C)	OCTOBER 1, 2020	THE POA'S WERE INSTALLED AND READY FOR USE ON WATER RIGHTS SUBJECT TO THIS COBU PRIOR TO NOVEMBER 20, 2018

\* MUST BE WITHIN PERIOD BETWEEN TRANSFER FINAL ORDER, OR ANY EXTENSION FINAL ORDER ISSUANCE AND THE DATE TO COMPLETE THE CHANGE

2. Is there an extension final order(s)?

NO

If "NO", you may delete the following table.

If for a transfer extension order, provide the following information:

VOLUME	PAGE	DATE EXTENDED TO

3. Measurement Conditions:

a. Does the transfer final order, or any extension final order require the installation of a meter or other approved measuring device? YES

If "NO", items b through f relating to this section may be deleted.

Reminder: If a meter or approved measuring device was required, the COBU map must indicate the location of the device in relation to the point of appropriation.

b. Has a meter been installed? YES

c. Meter Information

POA NAME OR #	MANUFACTURER	SERIAL #	CONDITION (WORKING OR NOT)	CURRENT METER READING	DATE INSTALLED
WELL #1	VALLEY (3000)		WORKING	35368551	3/29/2018
WELL #3	VALLEY (3000)		WORKING	0 (REPLACED)	5/22/2019
WELL #4	VALLEY (3000)		WORKING	951475530	6/12/2018
WELL #7	SEAMETRIC		WORKING	2.72 MG	9/2020

If a meter has been installed, items d through f relating to this section may be deleted.

d. If a meter has not been installed, has a suitable measuring device been installed and approved by the Department? NA

e. If "YES", provide a copy of the letter approving the device, if available. If the letter is not available provide the name and title of the Water Resources Department employee approving the measuring device, and the approximate date of the approval:

NAME	TITLE	APPROXIMATE DATE

f. Measurement Device Description

DEVICE DESCRIPTION	CONDITION (WORKING OR NOT)	DATE INSTALLED

**4. Recording and reporting conditions:**

a. Is the water user required to report the water use to the Department? YES

If "NO", item b relating to this section may be deleted.

b. Have the reports been submitted? YES

If the reports have not been submitted, attach a copy of the reports if available.

**5. Other conditions required by the transfer final order or extension final order:**

a. Were there special well construction standards? NO

b. Was submittal of a ground water monitoring plan required? NO

c. Other conditions? NO

If "YES" to any of the above, identify the condition and describe the water user's actions to comply with the condition(s):

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**SECTION 6  
ATTACHMENTS**

Provide a list of any additional documents you are attaching to this report:

	DESCRIPTION
<b>Claim of Beneficial Use Map</b>	<b>Map showing locations of Point of Appropriations approved through Final Order for Transfer T-12651 and acres of irrigated crop lands supplied with water from approved Points of Appropriation</b>
<b>19 Photographs-Sprinkler Systems</b>	<b>Photographs of pivot, wheel line, hand line irrigation systems</b>
<b>6 Photographs-Wells</b>	<b>Photographs of wells 1, 3, 4, 7 and turbine pumps</b>
<b>Well Logs</b>	<b>Logs of wells for each Point of Appropriation subject to this COBU</b>

**SECTION 7  
CLAIM OF BENEFICIAL USE MAP**

The Claim of Beneficial Use Map must be submitted with this claim. Claims submitted without the Claim of Beneficial Use map will be returned. The map shall be submitted on polyester film at a scale of 1" = 1320 feet, 1" = 400 feet, or the original full-size scale of the county assessor map for the location.

For the purpose of this Claim, the map identifying the location of the place of use does not require a new survey. The location of the place of use identified on the Claim map should be based on the original right of record at the time the transfer final order was issued. In transfers approved for additional points of appropriation, the original points must be identified the map based on the original right of record at the time the transfer final order was issued.

Provide a general description of the survey method used to prepare the map. Examples of possible methods include, but are not limited to, a traverse survey, GPS, or the use of aerial photos. If the basis of the survey is an aerial photo, provide the source, date, series and the aerial photo identification number.

**COBU map prepared off prior COBU map prepared by Anderson Engineering. Google Earth imagery also used for this COBU and field checks conducted during site inspections by David Newton summer of 2019 and February 2020.**

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## Map Checklist

Please be sure that the map you submit includes ALL the items listed below.  
(Reminder: Incomplete maps and/or claims may be returned.)

- Map on polyester film
- Appropriate scale (1" = 400 feet, 1" = 1320 feet, or the original full-size scale of the county assessor map)
- Township, Range, Section, Donation Land Claims, and Government Lots
- If irrigation, number of acres irrigated within each projected Donation Land Claims, Government Lots, Quarter-Quarters
- Locations of fish screens and/or fish by-pass devices in relationship to point of diversion (NA)
- Locations of meters and/or measuring devices in relationship to point of diversion or appropriation
- Conveyance structures illustrated (pumps, reservoirs, pipelines, ditches, etc.) **\*Not required for this type of Claim of Beneficial Use**
- Point(s) of diversion or appropriation (illustrated and coordinates)
- Tax lot boundaries and numbers
- Source illustrated if surface water (NOT SURFACE WATER)
- Disclaimer ("This map is not intended to provide legal dimensions or locations of property ownership lines")
- Application and permit number or transfer number
- North arrow
- Legend
- CWRE stamp and signature

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**SECTION 8**  
**REFERENCE INFORMATION FOR CWRE USE**  
*(Please DO NOT submit these pages.)*

Additional information is available at:

<https://www.oregon.gov/OWRD/programs/WaterRights/COBU/Pages/default.aspx>

Go to "Resources for Water Right Examiners (CWRE)" Page

**MS Word Hints**

To add rows to a table, click outside the table on the far right and hit enter.


← Place cursor here and hit return to add a row

If you are having difficulty placing the cursor outside the table, click on the Show/Hide (Paragraph) icon ¶. This is found on the Standard toolbar (View =>Toolbars=>Standard) of some versions of Word.

← Place cursor here and hit return to add a row

To resolve page numbering issues, go to print preview. Page through the entire document (while in print preview), then print from print preview.

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## Common Calculations

The Department typically uses the following calculations to determine system capacities; many of which are available to download from the Department's Web Site.

### Pumps:

$$Q \text{ Pump} = \frac{(\text{horsepower})(\text{pump efficiency})}{(\text{total head in feet})} = Q \text{ in cfs}$$

### Efficiency factors:

NOTE: Pump efficiency factor for centrifugal pump (75%) = 6.61  
 Pump efficiency factor for turbine pump (80%) = 7.04

$$\text{Centrifugal Pump, 75\% eff. } \frac{(550 \text{ ft lb/sec/Hp})(.75)}{(62.4 \text{ lb/cu ft})} = 6.61 \text{ ft}^4/\text{sec/Hp}$$

$$\text{Turbine \& Submersible Pumps, 80\% eff. } \frac{(550 \text{ ft lb/sec/Hp})(.80)}{(62.4 \text{ lb/cu ft})} = 7.04 \text{ ft}^4/\text{sec/Hp}$$

Total head is the sum of suction lift, pressure head, and discharge lift.

If the operating pressure is not measured, varying the assumed operational pressure in the above formulas until the calculated outputs are equal, or nearly so, will generally give the most correct theoretical capacity of the system.

*Efficiencies have been assumed to be 75% for centrifugal pump installations and 80% for turbine or submersible pumps. See the list below of converted psi's to feet of head. These figures account for minor friction losses. If the system involves unusually long pipelines friction losses should be accounted for by using standard charts and formulas.*

**Refer to the conversion table below to compute PSI to head for pump pressure in feet.**

$$[(\text{psi}/.433)(1.1)] = \text{head (in feet/psi)} = 2.54 \text{ feet head/psi}$$

PSI	HEAD	PSI	HEAD
25	63.5	55	139.7
30	76.2	60	152.4
35	88.9	65	165.1
40	101.6	70	177.8
45	114.3	75	190.5
50	127.0	80	203.2

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# **ATTACHMENTS**

**Photographs of pivot, wheel line, hand line irrigation systems**

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**SEP 30 2020**

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**HAND LINE IRRIGATION SYSTEM, BIG FALLS  
RANCH CLAIM OF BENEFICIAL USE,  
TRANSFER T-12651**

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**HAND LINE IRRIGATION SYSTEM, CORNER  
IRRIGATION NEAR PIVOT, BIG FALLS RANCH  
CLAIM OF BENEFICIAL USE, TRANSFER T-  
12651**

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**IRRIGATION PIVOT #3, BIG RALLS RANCH  
CLAIM OF BENEFICIAL USE, TRANSFER T-  
12651**

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**IRRIGATION PIVOT #5, BIG FALLS RANCH  
CLAIM OF BENEFICIAL USE, TRANSFER T-  
12651**

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**SEP 30 2020**

**OWRD**



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**IRRIGATION PIVOT #6, BIG FALLS RANCH CLAIM  
OF BENEFICIAL USE, TRANSFER T-12651**

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SEP 30 2020

**OWRD**



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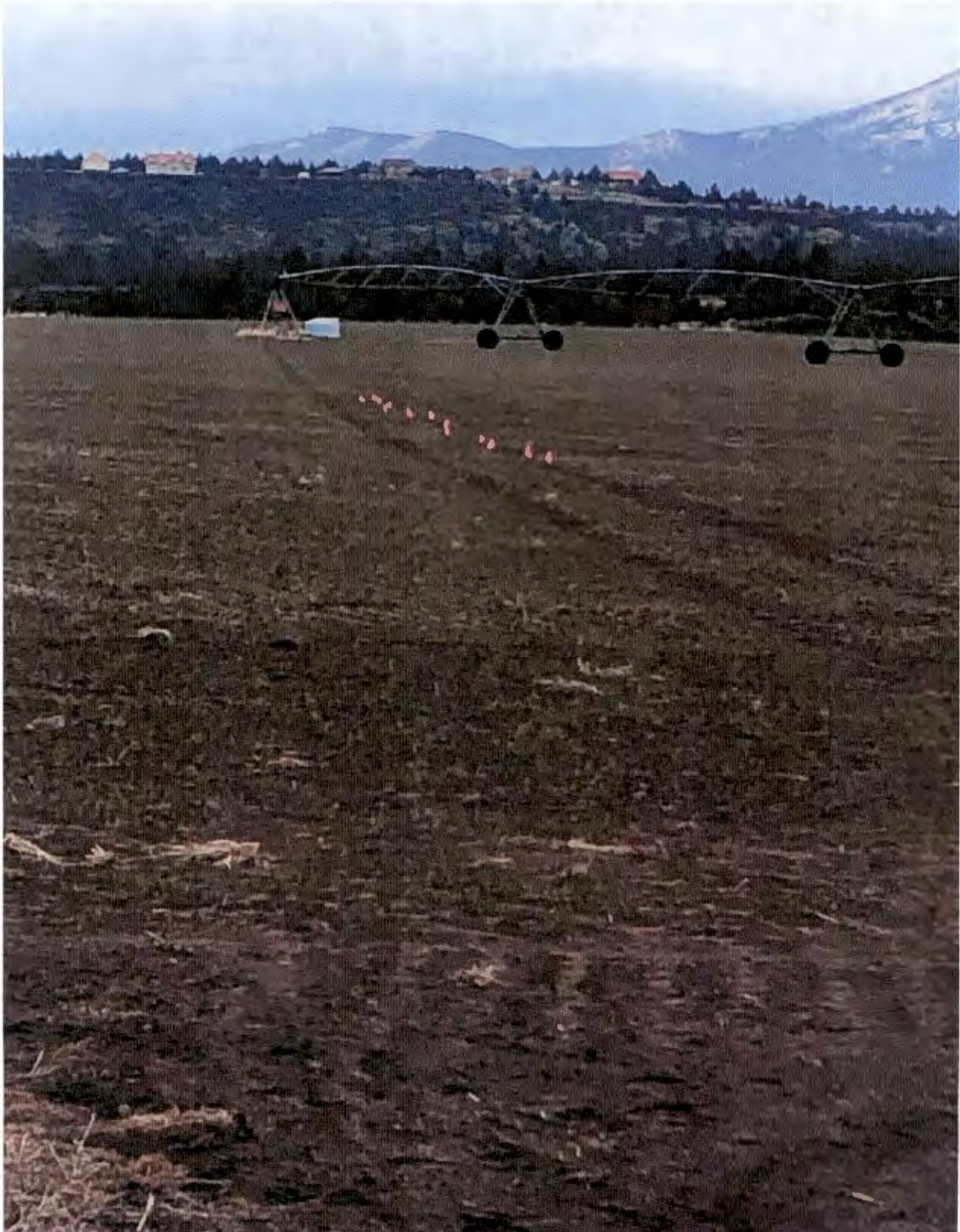
**SEP 30 2020**

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**IRRIGATION PIVOT #7, BIG FALLS RANCH  
CLAIM OF BENEFICIAL USE, TRANSFER T-  
12651**

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**SEP 30 2020**

**OWRD**

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**IRRIGATION PIVOT #9, BIG FALLS RANCH  
CLAIM OF BENEFICIAL USE, TRANSFER T-  
12651**

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SEP 30 2020

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IRRIGATION PIVOT #9, BIG FALLS RANCH  
CLAIM OF BENEFICIAL USE, TRANSFER T-  
12651

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RECEIVED

SEP 30 2020

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**PIVOT IRRIGATION SYSTEM, BIG FALLS  
RANCH CLAIM OF BENEFICIAL USE,  
TRANSFER T-12651**

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RECEIVED

SEP 30 2020

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**IRRIGATION HAND LINE FOR CORNER  
IRRIGATION NEAR PIVOT, BIG FALLS RANCH  
CLAIM OF BENEFICIAL USE, TRANSFER T-  
12651**

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**WHEEL LINE (BACKGROUND, LEFT CENTER)  
IRRIGATION SYSTEM, BIG FALLS RANCH  
CLAIM OF BENEFICIAL USE, TRANSFER T-  
12651**

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**RECEIVED**

**SEP 30 2020**

**OWRD**



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**WHEEL LINE #6 IRRIGATION SYSTEM, BIG  
FALLS RANCH CLAIM OF BENEFICIAL USE**

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**RECEIVED**

**SEP 30 2020**

**OWRD**



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**"GUN" MOBILE SPRINKLER, BIG FALLS  
RANCH CLAIM OF BENEFICIAL USE,  
TRANSFER T-12651**

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**SEP 30 2020**

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**RECEIVED**

SEP 30 2020

**OWRD**

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**PIVOT IRRIGATION SYSTEM, BIG FALLS  
RANCH CLAIM OF BENEFICIAL USE,  
TRANSFER T-12651**

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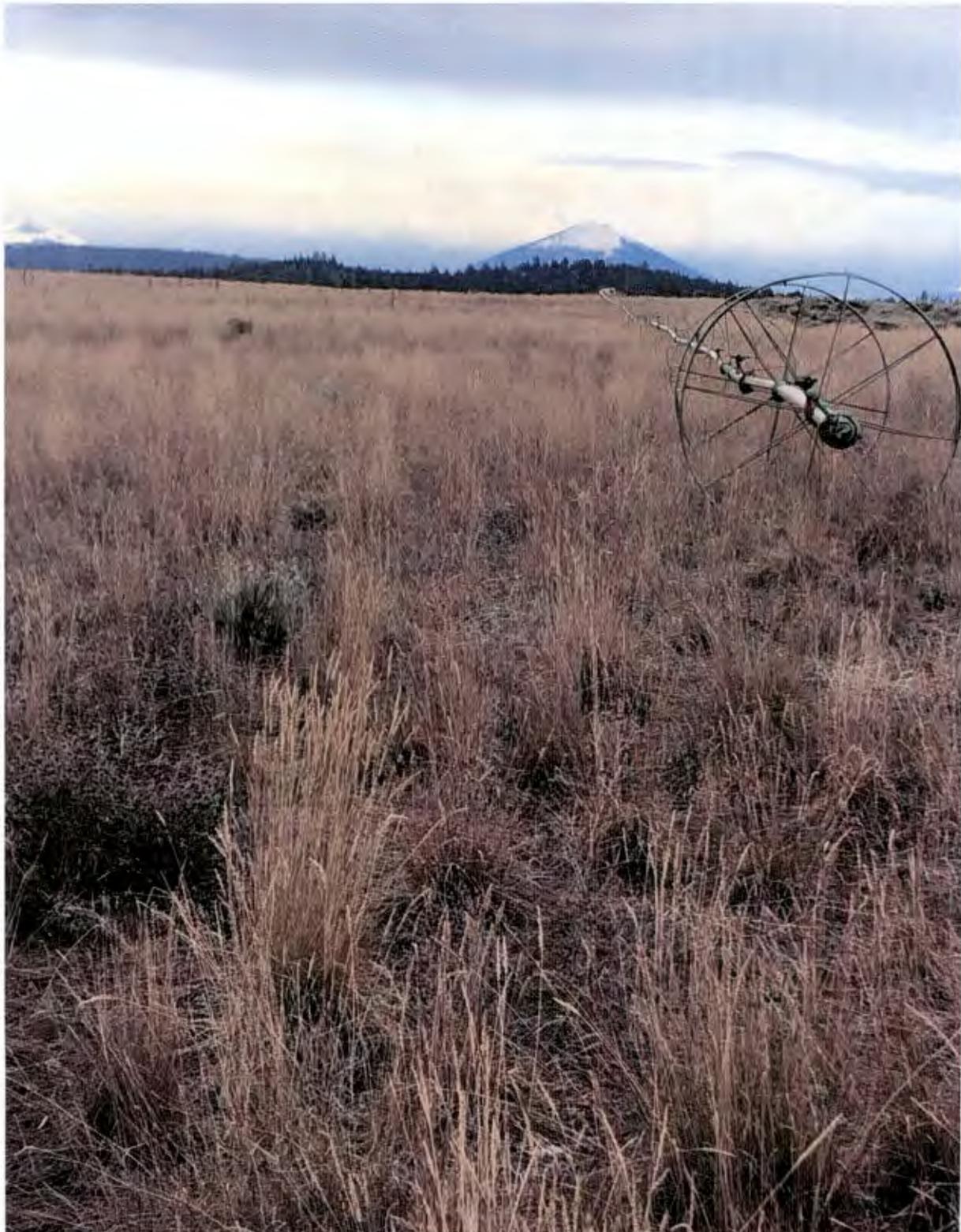
SEP 30 2020

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**WHEEL LINE #7 IRRIGATION SYSTEM, BIG  
FALLS RANCH CLAIM OF BENEFICIAL USE,  
TRANSFER T-12651**

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OWRD

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WHEEL LINE #8 IRRIGATION SYSTEM BIG FALLS  
RANCH COBU

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RECEIVED

SEP 30 2020

OWRD

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WHEEL LINE #9 IRRIGATION SYSTEM BIG FALLS  
RANCH COBU

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RECEIVED

SEP 30 2020

OWRD

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WHEEL LINE IRRIGATION SYSTEM BIG FALLS RANCH  
COBU

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**RECEIVED**

**SEP 30 2020**

**OWRD**

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**WHEEL LINE IRRIGATION SYSTEM BIG FALLS RANCH  
COBU**

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SEP 30 2020

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## ATTACHMENTS

Photographs of wells 1, 3, 4, 7 and turbine pumps

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SEP 30 2020

OWRD

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**POA #1, WELL NO. 1, VERTICAL TURBINE  
PUMP, METER, PRESSURE GAGE, BIG FALLS  
RANCH CLAIM OF BENEFICIAL USE,  
TRANSFER T-12651**

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SEP 30 2020

OWRD

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**POA #2, WELL N0.3, VERTICAL TURBINE  
PUMP, METER, PRESSURE GAGE, BIG FALLS  
RANCH CLAIM OF BENEFICIAL USE,  
TRANSFER T-12651**

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SEP 30 2020

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**POA #3, WELL NO.4, VERTICAL TURBINE  
PUMP, METER, PRESSURE GAGE, BIG FALLS  
RANCH CLAIM OF BENEFICIAL USE,  
TRANSFER T-12651**

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OWR

POA #4, WELL NO. 7, WELL DISCHARGE FROM  
SUBMERSIBLE PUMP TO PIVOT IRRIGATION,  
TRANSFER T-12651



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POA #4, WELL NO. 7, SEAMETRICS METER NEAR WELL  
HEAD ON IRRIGATION DISCHARGE PIPE TO PIVOT  
IRRIGATION

---



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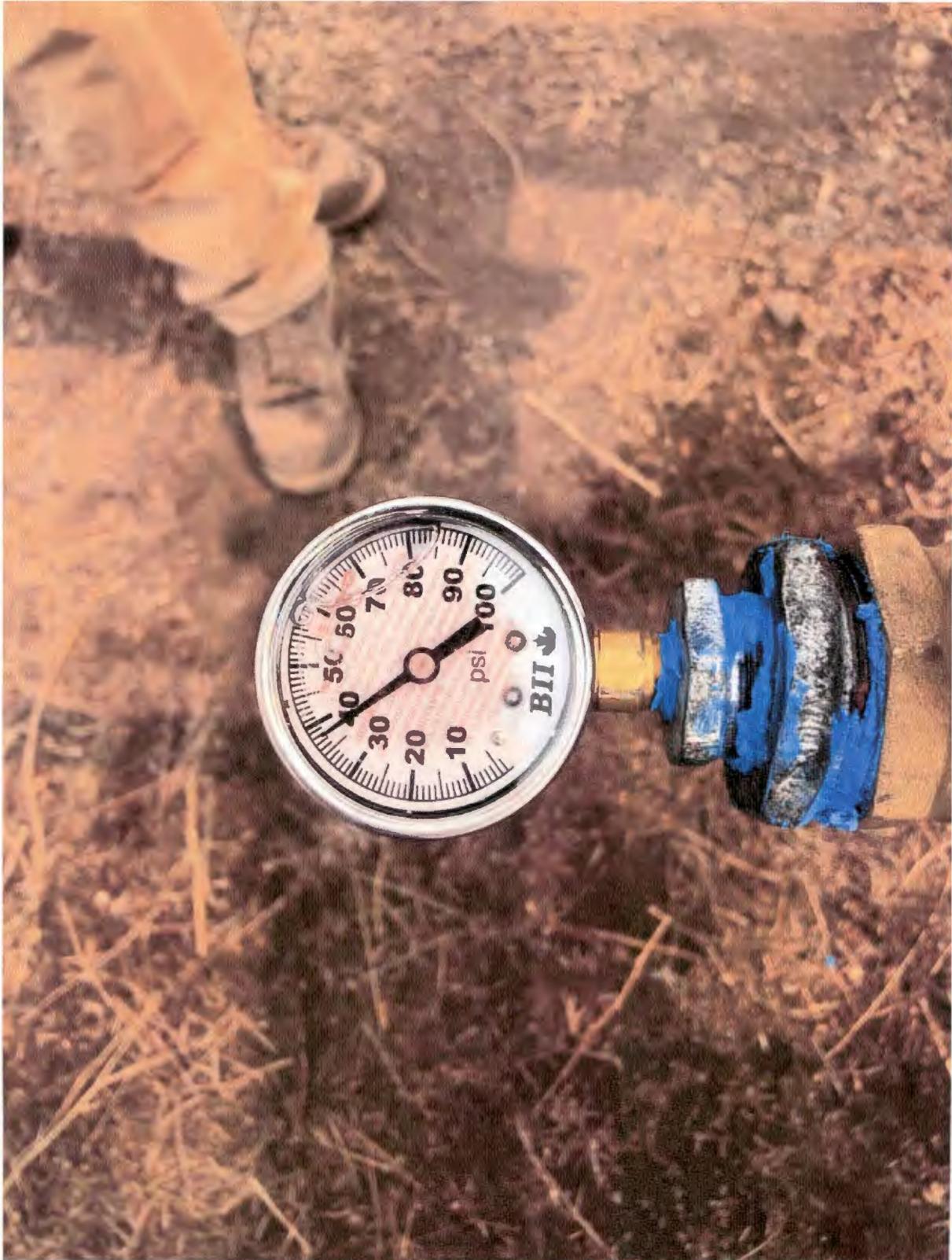
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**POA #4, WELL NO. 7, PRESSURE GAGE NEAR WELL HEAD  
ON IRRIGATION DISCHARGE PIPE TO PIVOT IRRIGATION**

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## ATTACHMENTS

Well Logs

Big Falls Ranch Well #1

DESC 2100

RECEIVED RECEIVED #1

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

NOV 16 WATER WELL REPORT

JUN 20 1967

STATE ENGINEER, SALEM, OREGON 97310 within 30 days from the date of well completion

STATE ENGINEER OF OREGON (Please type or print) OREGON

State Well No. 14/12-18dea State Permit No. G-4843

(1) OWNER: BOB RIEMENSCHNEIDER Name DOUBLE R.C. RANCH Address RT-1 BOX 236 TERRE-BONNE ORE.

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

(2) LOCATION OF WELL: County DESC Driller's well number 1/4 1/4 Section T. R. W.M. Bearing and distance from section or subdivision corner SEC-18-T 14 S-RANGE 12 E

Bailer test 100 gal./min. with NO ft. drawdown after 3 hrs. Artesian flow g.p.m. Date Temperature of water 56 Was a chemical analysis made? Yes No

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

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

(4) PROPOSED USE (check): Domestic Industrial Municipal Irrigation Test Well Other

Table with columns MATERIAL, FROM, TO. Rows: OVER BURDEN (0-5), SANDSTONE (5-45), RED CLINDERS (45-70), BOULDER CONG. (70-120), SANDSTONE (120-171), WATER BEARING BLACK SAND MIXED WITH LARGE RIVER AGGREGATE (171-232)

(5) TYPE OF WELL: Rotary Driven Cable Jugged Dug Bored

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

(7) PERFORATIONS: Perforated? Yes No Type of perforator used CUTTING TORCH Size of perforations 1/2 in. by 3 in. 130 perforations from 170 ft. to 232 ft.

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

(9) CONSTRUCTION: Well seal—Material used in seal Depth of seal Diameter of well bore to bottom of seal Were any loose strata cemented off? Yes No Depth Was a drive shoe used? Yes No Was well gravel packed? Yes No Size of gravel: FULL TO 3/4 Gravel placed from 160 ft. to 232 ft. Did any strata contain unusable water? Yes No Type of water? depth of strata Method of sealing strata off

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

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

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

Water Well Contractor's Certification: This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief. NAME JACKSON DRILLING SERVICE (Person, firm or corporation) (Type or print) Address REDMOND ORE. Drilling Machine Operator's License No. 370 [Signed] Thomas D. Jackson (Water Well Contractor) Contractor's License No. 442 Date 11-17 1966

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

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

WATER WELL REPORT

STATE OF OREGON  
(Please type or print)

FEB 1 1979 Do not write above this line

DESC  
2087

State Well No. 145/12E-17ac  
State Permit No. Big Falls Ranch  
WELL # 3

(1) OWNER: WATER RESOURCES DEPT.  
SALEM, OREGON  
Name Bobby Reesley  
Address Culver, Ore. 97734

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

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

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

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

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

(8) WELL TESTS: Drawdown is amount water level is lowered below static level  
Was a pump test made?  Yes  No If yes, by whom?  
gal./min. with ft. drawdown after hrs.  
Bailer test 8 gal./min. with 10 ft. drawdown after 1 hrs.  
Artesian flow g.p.m.  
Temperature of water Depth artesian flow encountered ft.

(9) CONSTRUCTION:  
Well seal—Material used cement  
Well sealed from land surface to -19 ft.  
Diameter of well bore to bottom of seal 20 in.  
Diameter of well bore below seal 15 in.  
Number of sacks of cement used in well seal 12 sacks  
How was cement grout placed? gravity flow  
Was a drive shoe used?  Yes  No Plugs Size: location ft.  
Did any strata contain unusable water?  Yes  No  
Type of water? depth of strata  
Method of sealing strata off  
Was well gravel packed?  Yes  No Size of gravel:  
Gravel placed from ft. to ft.

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

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

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

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

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

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

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

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

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#11

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

768

RECEIVED Big Falls Ranch  
WELL # 76 (Recondition)  
145/125/9 ba  
FEB 13 1991 (START CARD) # 24903

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

WATER RESOURCES DEPT. LOCATION OF WELL by legal description:  
SALEM, OREGON

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

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

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

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

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

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

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

(6) CASING/LINER:

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

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  Bailor  Air  Flowing Artesian  
Yield gal/min 500 Drawdown 0 Drill stem at 320 Time 1 hr.

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

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

(11) WATER BEARING ZONES:

Depth at which water was first found 213

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

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

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

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

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

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

# **REIMBURSEMENT AUTHORITY TRANSFER**

**T-12651**

**CERTIFICATE 96190 (cf-76371) issued 4-8-2022**

**CERTIFICATE 96191 (cf-87655) issued 4-8-2022**

**CERTIFICATE 96192 (cf-88027) issued 4-8-2022**

Application #                      Permit #                      Transfer #  
 Big Fall Ranch                      RA# R12836-23                      T-12651

**Reimbursement Authority Process  
 Itemized FINAL Sheet**

for  
**Certificates**

	New Est. Time (hr)	Hourly Multiplier	Total Est Hours	Individual	New Hourly Rate	New Est. Cost	Date/Act. Time
1. Review Claim of Beneficial Use report & map	2.50	31%	3.28	Kerry	\$70.16	\$ 229.77	
2. Conflict Check -	0.75	31%	0.98	Kerry	\$70.16	\$ 68.93	
3. Prep of def. letter - contingency time	0.00	31%	0.00	Kerry	\$70.16	\$ -	
4. Prep 3 certs -	6.00	31%	7.86	Kerry	\$70.16	\$ 551.46	
5a. Peer review - consultation	0.00		0.00	Gerry	\$66.64	\$ -	
5b. Peer review	0.50		0.50	Dwight	\$98.86	\$ 49.43	
5c. Peer review - N/A	0.00		0.00	Kerri Cope	\$63.74	\$ -	
5d. Peer reviewer of document (3 certs)	1.25	26%	1.58	Gerry	\$66.64	\$ 104.96	
6. Project Management	7.50	31%	9.83	Kerry	\$70.16	\$ 689.32	
7a. Water right data record update (cert support)	1.50		1.50	Tonya	\$33.45	\$ 50.18	
7b. Water right data record update (data tech)	3.25		3.25	Data Tech Mike	\$47.74	\$ 155.16	
8. Pump test - N/A	0.00		0.00	Thoma	\$0.00	\$ -	
<b>Total</b>	<b>23.25</b>		<b>28.77</b>		<b>Sub Total</b>	<b>\$1,899</b>	

10%  
 Overhead      \$189.92  
**TOTAL      \$2,089**

**\$3 over (estimated cost = \$2086)**

T-12526 issued 11-18-2018. C Date = 10-1-2020. Change from SW to GW - 4 new wells. 3 originating certs  
 Cert 76371 - 1.81 cfs for IR of 157.1 ac  
 Cert 87655 - 4.5 cfs for IS of 206.6 ac  
 Cert 88027 - 3.69 cfs for IR of 307.8 acres and IS of 12.6 acres

COBU rec'd 9-30-2020 CWRE = David Newton

9-23-2021 Partial assignment to Pinnacle Utilities LLC

**Change from SW to GW - TFO conditions:**

- install TFM or OSMD at each well
- quantity of water diverted at the new points of appropriation shall not exceed water lawfully available at original points of diversion (SW to GW)
- use of water under the right shall be subject to regulation consistent with other water rights from SW source ...
- if, within 5 years after approval of transfer, Department finds transfer results in substantial or undue interference with an existing GW right, the new POA will be subordinate to existing
- The original POD of SW shall not be retained as an add'l or suppl POD under the transfer portion of the right. However, if within 5 years after approval of transfer, Department receives a

**ASK GERRY RE: CONDITION ABOUT NEW WELLS SUBORDINATE TO EXISTING GW RIGHTS - TFO PLACED 5 YEAR TIME LIMIT**

## KAVANAGH Kerry L \* WRD

---

**From:** KAVANAGH Kerry L \* WRD  
**Sent:** Friday, January 14, 2022 9:06 AM  
**To:** Rex Barber  
**Cc:** KAVANAGH Kerry L \* WRD  
**Subject:** Certificate RA Agreement R12836-23 for Big Falls Ranch LLC involving Application T-12651  
**Attachments:** RA contract executed\_T-12651.pdf; RA contract receipt\_T-12651.pdf

Hello Rex,

Attached are copies of the fully executed Applicant's Agreement signed by the required parties and a receipt for the monies paid for these expedited services. The agreement details the terms and conditions that a work order was issued for the expedited services you requested.

If you have any questions, please send an email to [kerry.l.kavanagh@water.oregon.gov](mailto:kerry.l.kavanagh@water.oregon.gov)

Thanks,  
Kerry

### ***Kerry Kavanagh***

Certificate Reimbursement Authority Program Coordinator  
Certificate Section, Water Rights Services Division  
725 Summer St NE Suite A | Salem OR 97301 | Direct 503.979.3208  
[kerry.l.kavanagh@water.oregon.gov](mailto:kerry.l.kavanagh@water.oregon.gov) | <https://www.oregon.gov/OWRD>



OREGON  
WATER  
RESOURCES  
DEPARTMENT

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## KAVANAGH Kerry L \* WRD

---

**From:** KAVANAGH Kerry L \* WRD  
**Sent:** Tuesday, February 15, 2022 3:37 PM  
**To:** Rex Barber  
**Cc:** KAVANAGH Kerry L \* WRD  
**Subject:** Certificate RA Project R12836-23 for Big Falls Ranch involving Application T-12651 - please review 3 draft certificates  
**Attachments:** T-12651-cf-76361\_DRAFT-2022-02-15.pdf; T-12651-cf-87655\_DRAFT-2022-02-15.pdf; T-12651-cf-88027\_DRAFT-2022-02-15.pdf

Hello Rex,

Please find attached to this email the 3 draft certificates for transfer application T-12651.

Please review the draft certificates and compare them to the transfer final order for accuracy and completeness.

For your convenience, here is a link to information regarding Application T-12651 in the Department's Water Rights Information System (WRIS) database:

[https://apps.wrd.state.or.us/apps/wr/wrinfo/wr\\_transfer\\_centric.aspx?transfer\\_nbr=12651&transfer\\_char=T](https://apps.wrd.state.or.us/apps/wr/wrinfo/wr_transfer_centric.aspx?transfer_nbr=12651&transfer_char=T)

Click on "109-999" under "Volume-Page" to view the transfer final order.

Please provide me your comments or edits by March 1, 2022, should you have any. Because the claim of beneficial use demonstrated Proof to the Satisfaction of the Director to the full extent described in the transfer order, I will issue the certificates soon. I am providing you this courtesy email with the opportunity to review the draft certificates prior to issuance – if you do see any errors, I would greatly appreciate if you let me know as soon as possible.

Again, if I don't hear from you by March 1, 2022, I will issue the final certificates.

If you have any questions, please send email to [kerry.l.kavanagh@water.oregon.gov](mailto:kerry.l.kavanagh@water.oregon.gov)

Thanks,  
Kerry

### ***Kerry Kavanagh***

Certificate Reimbursement Authority Program Coordinator  
Certificate Section, Water Rights Services Division  
725 Summer St NE Suite A | Salem OR 97301 | Direct 503.979.3208  
[kerry.l.kavanagh@water.oregon.gov](mailto:kerry.l.kavanagh@water.oregon.gov) | <https://www.oregon.gov/OWRD>



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## KAVANAGH Kerry L \* WRD

---

**From:** Rex Barber <bigfalls@cbbmail.com>  
**Sent:** Thursday, February 17, 2022 3:52 PM  
**To:** KAVANAGH Kerry L \* WRD  
**Subject:** RE: Certificate RA Project R12836-23 for Big Falls Ranch involving Application T-12651 - please review 3 draft certificates

Kerry,  
Thanks for getting these to me. Everything looks fine.  
Rex Barber

Sent from Mail for Windows

---

**From:** KAVANAGH Kerry L \* WRD  
**Sent:** Tuesday, February 15, 2022 3:36 PM  
**To:** Rex Barber  
**Cc:** KAVANAGH Kerry L \* WRD  
**Subject:** Certificate RA Project R12836-23 for Big Falls Ranch involving Application T-12651 - please review 3 draft certificates

Hello Rex,

Please find attached to this email the 3 draft certificates for transfer application T-12651.

Please review the draft certificates and compare them to the transfer final order for accuracy and completeness.

For your convenience, here is a link to information regarding Application T-12651 in the Department's Water Rights Information System (WRIS) database:

[https://apps.wrd.state.or.us/apps/wr/wrinfo/wr\\_transfer\\_centric.aspx?transfer\\_nbr=12651&transfer\\_char=T](https://apps.wrd.state.or.us/apps/wr/wrinfo/wr_transfer_centric.aspx?transfer_nbr=12651&transfer_char=T)

Click on "109-999" under "Volume-Page" to view the transfer final order.

Please provide me your comments or edits by March 1, 2022, should you have any. Because the claim of beneficial use demonstrated Proof to the Satisfaction of the Director to the full extent described in the transfer order, I will issue the certificates soon. I am providing you this courtesy email with the opportunity to review the draft certificates prior to issuance – if you do see any errors, I would greatly appreciate if you let me know as soon as possible.

Again, if I don't hear from you by March 1, 2022, I will issue the final certificates.

If you have any questions, please send email to [kerry.l.kavanagh@water.oregon.gov](mailto:kerry.l.kavanagh@water.oregon.gov)

Thanks,  
Kerry

### **Kerry Kavanagh**

Certificate Reimbursement Authority Program Coordinator  
Certificate Section, Water Rights Services Division  
725 Summer St NE Suite A | Salem OR 97301 | Direct 503.979.3208  
[kerry.l.kavanagh@water.oregon.gov](mailto:kerry.l.kavanagh@water.oregon.gov) | <https://www.oregon.gov/OWRD>



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<b>Pump Capacity Calculation Sheet</b>		App T-12651
using Department designed formula:		SW to GW
4 wells - Well 1 (DESC 2100), Well 3 (DESC 2087),		
(hp)(efficiency) / (lift + psi head) = capacity in Well 4 (DESC 2098) & Well 7 (DESC 768)		
Efficiency:		
Centrifugal = 6.61		
Turbine = 7.04		
<b>Data Entry (fill in underlined blanks)</b>		
Well 1 (DESC 2100)		
HP =	<u>200</u>	
Efficiency =	<u>7.04</u>	
Lift =	<u>190</u>	
PSI =	<u>50</u>	
<b>Results Calculated</b>		
(hp)(efficiency) =	<u>1408</u>	
Head based on psi =	<u>127.0</u>	
Total dynamic head =	<u>317.0</u>	
(head + lift)		
<b>Pump Capacity =</b>	<b>4.44 feet per second</b>	

<b>Pump Capacity Calculation Sheet</b>		App T-12651
using Department designed formula:		SW to GW
4 wells - Well 1 (DESC 2100), Well 3 (DESC 2087),		
(hp)(efficiency) / (lift + psi head) = capacity in Well 4 (DESC 2098) & Well 7 (DESC 768)		
Efficiency:		
Centrifugal = 6.61		
Turbine = 7.04		
<b>Data Entry (fill in underlined blanks)</b>		
Well 3 (DESC 2087)		
HP =	<u>200</u>	
Efficiency =	<u>7.04</u>	
Lift =	<u>200</u>	
PSI =	<u>65</u>	
<b>Results Calculated</b>		
(hp)(efficiency) =	<u>1408</u>	
Head based on psi =	<u>165.1</u>	
Total dynamic head =	<u>365.1</u>	
(head + lift)		
<b>Pump Capacity =</b>	<b>3.86 feet per second</b>	

**Pump Capacity Calculation Sheet** App T-12651

using Department designed formula: SW to GW

4 wells - Well 1 (DESC 2100), Well 3 (DESC 2087),  
(hp)(efficiency) / (lift + psi head) = capacity in Well 4 (DESC 2098) & Well 7 (DESC 768)

Efficiency:

Centrifugal = 6.61  
Turbine = 7.04

**Data Entry (fill in underlined blanks)**

Well 4 (DESC 2098)

HP = 250  
Efficiency = 7.04  
Lift = 175  
PSI = 55

**Results Calculated**

(hp)(efficiency) = 1760  
Head based on psi = 139.7  
Total dynamic head = 314.7  
(head + lift)

**Pump Capacity = 5.59 feet per second**

**Pump Capacity Calculation Sheet** App T-12651

using Department designed formula: SW to GW

4 wells - Well 1 (DESC 2100), Well 3 (DESC 2087),  
(hp)(efficiency) / (lift + psi head) = capacity in Well 4 (DESC 2098) & Well 7 (DESC 768)

Efficiency:

Centrifugal = 6.61  
Turbine = 7.04

**Data Entry (fill in underlined blanks)**

Well 7 (DESC 768)

HP = 100  
Efficiency = 7.04  
Lift = 227  
PSI = 35

**Results Calculated**

(hp)(efficiency) = 704  
Head based on psi = 88.9  
Total dynamic head = 315.9  
(head + lift)

**Pump Capacity = 2.23 feet per second**

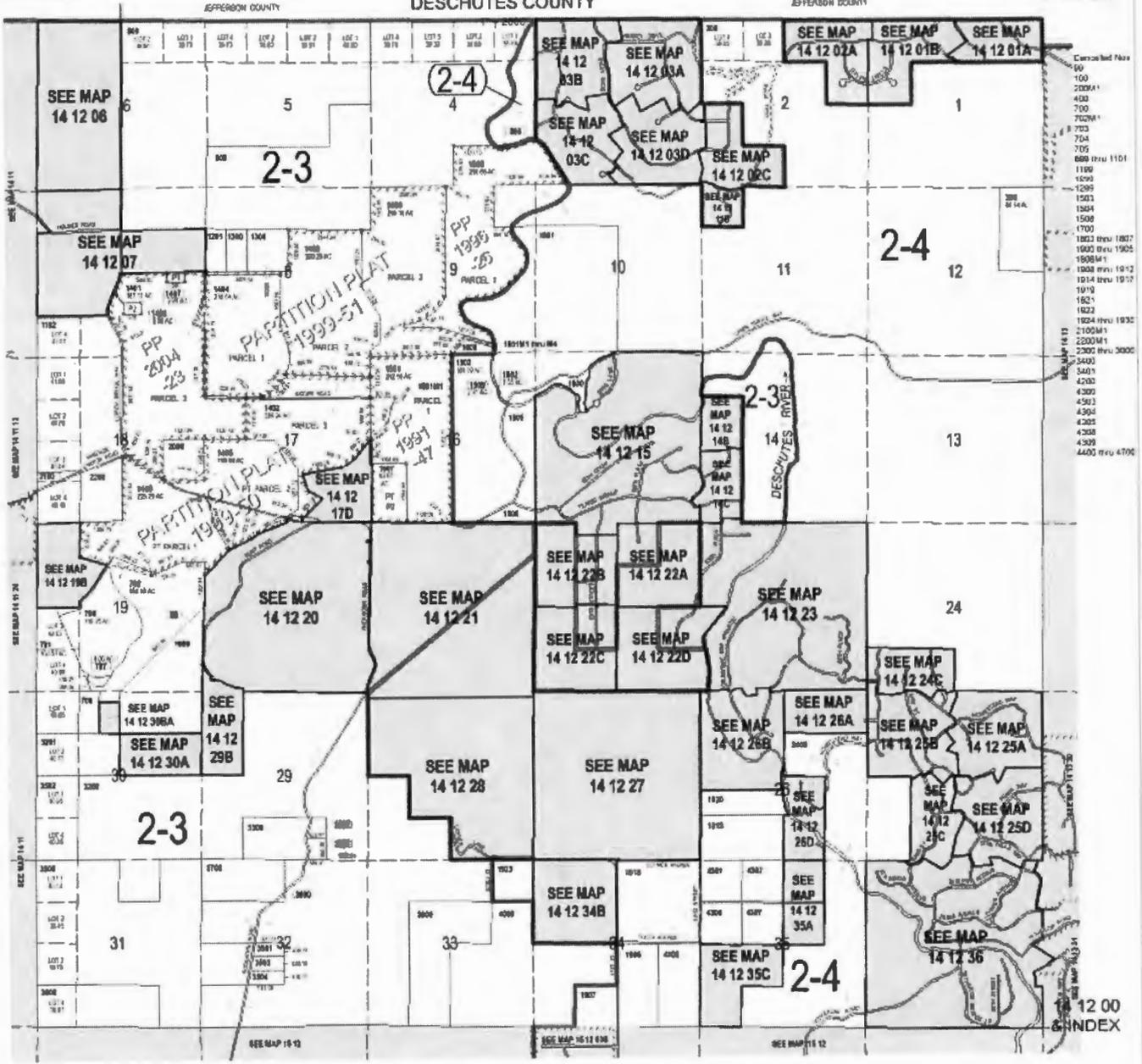


THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY

T.14S. R.12E. W.M. DESCHUTES COUNTY

14 12 00 & INDEX

8/4/2018



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Meridian: Willamette Township: 14 South Range: 12 East Section: 3 Records per Page: 100 Search Platcards Maps! [Learn about](#) [View Map](#)

Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	Q(40)	Q(100)	NE NE	NW NE	SW NE	SE NE	NE NW	NW NW	SW NW	SE NW	NE SW	NW SW	SW SW	SE SW	NE SE	NW SE	SW SE	SE SE	Unknown QQ
<a href="#">Select</a> Cert:76687 CF * <u>Additional Info:</u> OREGON WATER RESOURCES DEPARTMENT Decree: DESCHUTES RIVER (S) MODIFIED, 1933 Cert: 76687		9/1/1899	FISHERY ENHANCEMENT (INSTREAM)																*	*					
<a href="#">Select</a> Cert:80400 CF * <u>Additional Info:</u> OREGON WATER RESOURCES DEPARTMENT Decree: DESCHUTES RIVER (F) Cert: 80400		10/10/1903	FISHERY ENHANCEMENT (INSTREAM)																*	*					
<a href="#">Select</a> Permit: G 13177 CN <u>Additional Info:</u> BIG FALLS RANCH CO. App: G11923 Permit: G13177		5/15/1989	IRRIGATION	CN																					
<a href="#">Select</a> Cert:44281 OR CN <u>Additional Info:</u> DESCHUTES VALLEY FARMS INC. App: S43479 Permit: S32049 Cert: 44281		4/13/1967	IRRIGATION	CN																					
<a href="#">Select</a> Cert:78371 (T 6854 RR) CN <u>Additional Info:</u> DESCHUTES VALLEY FARMS App: S43479 Permit: S32049 Cert: 78371	T12651	4/13/1967	IRRIGATION	CN																					
<a href="#">Select</a> Cert:88027 CF CN <u>Additional Info:</u> BIG FALLS RANCH CO. App: S43479 Permit: S32049 Cert: 88027	T12651	4/13/1967	IRRIGATION	CN																					
<a href="#">Select</a> Inchoate: T 12651 CF (REG) * <u>Additional Info:</u> BIG FALLS RANCH App: S43479 Permit: S32049		4/13/1967	IRRIGATION																						
<a href="#">Select</a> Inchoate: T 12651 CF (REG) * <u>Additional Info:</u> BIG FALLS RANCH App: S43479 Permit: S32049		4/13/1967	IRRIGATION																						
<a href="#">Select</a> Cert:80856 CF * <u>Additional Info:</u> OREGON WATER RESOURCES DEPARTMENT Decree: DESCHUTES RIVER (F) Cert: 80856			MULTIPLE INSTREAM USES																*	*					
<a href="#">Select</a> Cert:81313 OR * <u>Additional Info:</u> OREGON WATER RESOURCES DEPARTMENT App: S20434 Permit: S15920 Cert: 81313		5/12/1944	MULTIPLE INSTREAM USES																*	*					
<a href="#">Select</a> Cert:81314 CF * <u>Additional Info:</u> OREGON WATER RESOURCES DEPARTMENT App: S20434 Permit: S15920 Cert: 81314		5/12/1944	MULTIPLE INSTREAM USES																*	*					
<a href="#">Select</a> Cert:81612 CF * <u>Additional Info:</u> OREGON WATER RESOURCES DEPARTMENT Decree: DESCHUTES RIVER, MODIFY FINDINGS, 1928 Cert: 81612			MULTIPLE INSTREAM USES																*	*					
<a href="#">Select</a> Cert:83519 CF * <u>Additional Info:</u> OREGON WATER RESOURCES DEPARTMENT Decree: DESCHUTES RIVER (F) Cert: 83519		4/1/1885	MULTIPLE INSTREAM USES																*	*					
<a href="#">Select</a> Cert:83652 CF * <u>Additional Info:</u> OREGON WATER RESOURCES DEPARTMENT Decree: DESCHUTES RIVER (F) Cert: 83652		12/31/1900	MULTIPLE INSTREAM USES																*	*					
<a href="#">Select</a> Cert:81553 CF * <u>Additional Info:</u> OREGON WATER RESOURCES DEPARTMENT Decree: DESCHUTES RIVER, 1958		9/1/1899	MULTIPLE INSTREAM USES																*	*					











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Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	00440: 01100	NE	NW	SW	SE	Unknown QQ												
<a href="#">Select</a> Cert:850 OR CN <u>Additional Info:</u> SQUAW CREEK IRRIGATION CO. Decree: SQUAW CREEK [WHYCHUS CREEK] DECREE Cert: 850	T7932, S41	11/11/1895	DOMESTIC	CN																				
<a href="#">Select</a> Cert:76687 CF * <u>Additional Info:</u> OREGON WATER RESOURCES DEPARTMENT Decree: DESCHUTES RIVER (S) MODIFIED, 1933 Cert: 76687		9/1/1899	FISHERY ENHANCEMENT (INSTREAM)					*		*					*	*								
<a href="#">Select</a> Cert:80400 CF * <u>Additional Info:</u> OREGON WATER RESOURCES DEPARTMENT Decree: DESCHUTES RIVER (F) Cert: 80400		10/10/1903	FISHERY ENHANCEMENT (INSTREAM)					*		*					*	*								
<a href="#">Select</a> Permit: G 13177 CN <u>Additional Info:</u> BIG FALLS RANCH CO. App: G11923 Permit: G13177		5/15/1989	IRRIGATION	CN																				-12 -26.6
<a href="#">Select</a> Cert:850 OR CN <u>Additional Info:</u> SQUAW CREEK IRRIGATION CO. Decree: SQUAW CREEK [WHYCHUS CREEK] DECREE Cert: 850	T7932, S41	11/11/1895	IRRIGATION	CN																				-1.8
<a href="#">Select</a> Cert:1353 OR CN <u>Additional Info:</u> JOHN STAPF App: S2753 Permit: S1544 Cert: 1353	T6854	1/24/1913	IRRIGATION	CN																				-30
<a href="#">Select</a> Cert:44281 OR CN <u>Additional Info:</u> DESCHUTES VALLEY FARMS INC. App: S43479 Permit: S32049 Cert: 44281		4/13/1967	IRRIGATION	CN																				-7.7 -9.8
<a href="#">Select</a> Cert:74136 CF CN <u>Additional Info:</u> App: S2753 Permit: S1544 Cert: 74136		1/24/1913	IRRIGATION	CN																				-30
<a href="#">Select</a> Cert:76371 (T 6854 RR) CN <u>Additional Info:</u> DESCHUTES VALLEY FARMS App: S43479 Permit: S32049 Cert: 76371	T12651	4/13/1967	IRRIGATION	CN																				-7.7
<a href="#">Select</a> Cert:88027 CF CN <u>Additional Info:</u> BIG FALLS RANCH CO. App: S43479 Permit: S32049 Cert: 88027	T12651	4/13/1967	IRRIGATION	CN																				-4.2 -29.8
<a href="#">Select</a> Inchoate: T 12651 CF (REG) * <u>Additional Info:</u> BIG FALLS RANCH App: S43479 Permit: S32049		4/13/1967	IRRIGATION																					(1.2) (29.8)
<a href="#">Select</a> Inchoate: T 12651 CF (REG) * <u>Additional Info:</u> BIG FALLS RANCH App: S43479 Permit: S32049		4/13/1967	IRRIGATION																					(7.7)
<a href="#">Select</a> Cert:302 OR CN <u>Additional Info:</u> SQUAW CREEK IRRIGATION CO. Decree: SQUAW CREEK [WHYCHUS CREEK] DECREE Cert: 302	L14, T3706, T5591	11/11/1895	IRRIGATION AND DOMESTIC	CN																				-4.5
<a href="#">Select</a> Cert:80856 CF * <u>Additional Info:</u> OREGON WATER RESOURCES DEPARTMENT Decree: DESCHUTES RIVER (F) Cert: 80856			MULTIPLE INSTREAM USES					*		*					*	*								
<a href="#">Select</a> Cert:81313 OR * <u>Additional Info:</u> OREGON WATER RESOURCES DEPARTMENT App: S20434 Permit: S15920 Cert: 81313		5/12/1944	MULTIPLE INSTREAM USES					*		*					*	*								











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Water Right	Change No Xfers	Priority	Use	Use Status	DLC	Gov't Lot	0040: 0100:	NE NE	NW NE	SW NE	SE NE	NE NW	NW NW	SW NW	SE NW	NE SW	NW SW	SW SW	SE SE	NE SE	NW SE	SW SE	SE SE	Unknown QQ		
<a href="#">Select</a> Cert:850 OR CN  Additional Info: SQUAW CREEK IRRIGATION CO. Decree: SQUAW CREEK [WHYCHUS CREEK] DECREE Cert: 850	T7932, S41	11/11/1895	DOMESTIC	CN																						
<a href="#">Select</a> Permit: G 13177 CN  Additional Info: BIG FALLS RANCH CO. App: G11823 Permit: G13177		5/15/1989	IRRIGATION	CN						-1.4					-0.4			-3.1	-36.4	-33.8	-39.2	-40.6	-40.6			
<a href="#">Select</a> Cert:850 OR CN  Additional Info: SQUAW CREEK IRRIGATION CO. Decree: SQUAW CREEK [WHYCHUS CREEK] DECREE Cert: 850	T7932, S41	11/11/1895	IRRIGATION	CN						-1.6								-11.6	-30	-20			-22			
<a href="#">Select</a> Cert:1194 OR CN  Additional Info: EMMA FULLER App: S3682 Permit: S2050 Cert: 1194		5/26/1916	IRRIGATION	CN																						
<a href="#">Select</a> Cert:44281 OR CN  Additional Info: DESCHUTES VALLEY FARMS INC. App: S43479 Permit: S32049 Cert: 44281		4/13/1967	IRRIGATION	CN																	-3.3			-7.6		
<a href="#">Select</a> Cert:44283 OR CN  Additional Info: DESCHUTES VALLEY FARMS INC. App: S51331 Permit: S37392 Cert: 44283	T6854	10/23/1973	IRRIGATION	CN																						
<a href="#">Select</a> Cert:45616 (RR) *  Additional Info: EMMA FULLER App: S3682 Permit: S2050 Cert: 45616		6/1/1914	IRRIGATION																							
<a href="#">Select</a> Cert:74135 CF *  Additional Info: MARC THALACKER Decree: SQUAW CREEK [WHYCHUS CREEK] DECREE Cert: 74135	T9621, T9309, T8382, T8994, T8743, T7932, T8900, T5830, IL831, SL6, SL7, IL667, IL676, IL701, IL787, IL810, IL499, IL500, IL504, IL416, IL419, IL300, IL323, CW53, SL6, CW30, CW34, CW44, T10487, CW51, CW49, CW56, T10573, IL909, SL9, IL915, CW18, IL932, IL943, T6854, CW50, T10703, IL977, IL1004, T10891, T10900, T10910, T10907, IL1019, CW56, IL1074, IL1076, SL13, IL1088, IL1154, IL1185, CW71, IL1244, IL1251, IL1315, IL1314.	12/31/1903	IRRIGATION																							



Select	Cert: 87558 OR *	5/15/1989	IRRIGATION								1.6	0.2	32.7	37.1		30.2	40.1											
Additional Info: BIG FALLS RANCH CO. App: G11923 Permit: G13362 Cert: 87558																												
Select	Cert: 88027 CF CN	T12651	4/13/1967	IRRIGATION	CN														-2.9	-31.9	-32.7							
Additional Info: BIG FALLS RANCH CO. App: S43479 Permit: S32049 Cert: 88027																												
Select	Inchoate: T 12651 CF (REG) *	4/13/1967	IRRIGATION																(2.9)	(31.9)	(32.7)							
Additional Info: BIG FALLS RANCH App: S43479 Permit: S32049																												
Select	Inchoate: T 12651 CF (REG) *	4/13/1967	IRRIGATION																	(3.3)	(7.6)							
Additional Info: BIG FALLS RANCH App: S43479 Permit: S32049																												
Select	Cert: 302 OR CN	L14, T3706, T5591	11/11/1895	IRRIGATION AND DOMESTIC	CN														-4		-11							
Additional Info: SQUAW CREEK IRRIGATION CO. Decree: SQUAW CREEK (WHYCHUS CREEK) DECREE Cert: 302																												
Select	Cert: 397 CR CN		11/11/1895	IRRIGATION AND DOMESTIC	CN																-27	-8						
Additional Info: SQUAW CREEK IRRIGATION CO. Decree: DESCHUTES RIVER (F) Cert: 397																												
Select	Cert: 2198 OR CN		1/30/1912	IRRIGATION AND DOMESTIC	CN																-16	-5	-30					
Additional Info: FRED WALTER App: S1293 Permit: S987 Cert: 2198																												
Select	App: G 18722 *		8/10/2018	NURSERY USES																	20							
Additional Info: MESA GARDENS LLC App: G18722																												
Select	App: G 18722 *		8/10/2018	POND MAINTENANCE																	*							
Additional Info: MESA GARDENS LLC App: G18722																												
Select	App: G 18722 *		8/10/2018	RECREATION																	*							
Additional Info: MESA GARDENS LLC App: G18722																												
Select	App: G 18722 *		8/10/2018	STORAGE																	*							
Additional Info: MESA GARDENS LLC App: G18722																												
Select	Permit: G 8226 CN		5/25/1978	SUPPLEMENTAL CN IRRIGATION (Suppl'mnt)																		-20	-37	-32.3	-30	-40.6		
Additional Info: ROBERT K BEESLEY App: G8824 Permit: G8226																												
Select	Cert: 44281 OR CN		4/13/1967	SUPPLEMENTAL CN IRRIGATION (Suppl'mnt)																		-1.5		-20	-33			
Additional Info: DESCHUTES VALLEY FARMS INC. App: S43479 Permit: S32049 Cert: 44281																												
Select	Cert: 44283 OR CN	T8854	10/23/1973	SUPPLEMENTAL CN IRRIGATION (Suppl'mnt)																		-5.7	-0.2	-35.4	-30.4	-30		
Additional Info: DESCHUTES VALLEY FARMS INC. App: S51331 Permit: S37392 Cert: 44283																												
Select	Cert: 76372 (T 6854 RR) *	T13749	10/23/1973	SUPPLEMENTAL IRRIGATION (Suppl'mnt)																		0.4		34	28	39		
Additional Info: DESCHUTES VALLEY FARMS INC. App: S51331 Permit: S37392 Cert: 76372																												
Select	Permit: S 29312 *	T10907, T12229, T13082	2/5/1964	SUPPLEMENTAL IRRIGATION (Suppl'mnt)																					29	33		
Additional Info: THREE SISTERS IRRIGATION DISTRICT App: S39486 Permit: S29312																												
Select	Cert: 87558 OR *		5/15/1989	SUPPLEMENTAL IRRIGATION (Suppl'mnt)																		2.9			35.2	40.3		
Additional Info: BIG FALLS RANCH CO. App: G11923 Permit: G13362 Cert: 87558																												
Select	Cert: 87655 CF CN	T12651	10/23/1973	SUPPLEMENTAL CN IRRIGATION (Suppl'mnt)																			-1.2	-0.2	-32.7	-3.1	-2.3	-1.1
Additional Info: BIG FALLS RANCH CO. App: S51331 Permit: S37392 Cert: 87655																												
Select	Inchoate: T 12651 CF (REG) *		10/23/1973	SUPPLEMENTAL IRRIGATION (Suppl'mnt)																			(1.2)	(0.2)	(32.7)	(3.1)	(2.2)	(1.1)
Additional Info: BIG FALLS RANCH App: S51331 Permit: S37392																												



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Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Govt Lot	CC(40): CC(100)	NE NE	NW NE	SW NE	SE NE	NE NW	NW NW	SW NW	SE NW	NE SW	NW SW	SW SW	SE SW	NE SE	NW SE	SW SE	SE SE	Unknown	
<a href="#">Select</a> Cert:850 OR CN  Additional Info: SQUAW CREEK IRRIGATION CO. Decree: SQUAW CREEK [WHYCHUS CREEK] DECREE Cert: 850	T7932, S41	11/11/1895	DOMESTIC	CN				-						-											
<a href="#">Select</a> Permit: G 8226 CN  Additional Info: ROBERT K BEESLEY App: G8624 Permit: G8226		5/25/1978	IRRIGATION	CN				-1.2		-27.8															
<a href="#">Select</a> Permit: G 13177 CN  Additional Info: BIG FALLS RANCH CO. App: G11923 Permit: G13177		5/15/1989	IRRIGATION	CN				-39.8	-40.8	-16.1	-32.7	-40.8	-40		-0.8	-30.8	-17.5	-34.6	-31.2	-16.0	-27.1	-8.8			
<a href="#">Select</a> Cert:850 OR CN  Additional Info: SQUAW CREEK IRRIGATION CO. Decree: SQUAW CREEK [WHYCHUS CREEK] DECREE Cert: 850	T7932, S41	11/11/1895	IRRIGATION	CN				-22						-33											
<a href="#">Select</a> Cert:44277 OR CN  Additional Info: DESCHUTES VALLEY FARMS INC. App: G4843 Permit: G4396 Cert: 44277	T4310	4/15/1989	IRRIGATION	CN																					
<a href="#">Select</a> Cert:44281 OR CN  Additional Info: DESCHUTES VALLEY FARMS INC. App: G43479 Permit: G32049 Cert: 44281		4/13/1967	IRRIGATION	CN				-8.6		-13.2					-0.6										
<a href="#">Select</a> Cert:46146 ( RR) CN  Additional Info: DESCHUTES VALLEY FARMS INC. App: G4843 Permit: G4396 Cert: 46146	T4310	4/15/1989	IRRIGATION	CN																					
<a href="#">Select</a> Cert:49161 ( RR) CN  Additional Info: DESCHUTES VALLEY FARMS INC. App: G4843 Permit: G4396 Cert: 49161	T7352	4/15/1989	IRRIGATION	CN																					
<a href="#">Select</a> Cert:51637 OR CN  Additional Info: HERBERT J HESTER App: G7609 Permit: G7360 Cert: 51637		12/15/1976	IRRIGATION	CN																					
<a href="#">Select</a> Cert:53613 (T 5582 RR) CN  Additional Info: H.J.M. HESTER App: G7609 Permit: G7360 Cert: 53613		12/15/1976	IRRIGATION	CN																					
<a href="#">Select</a> Cert:65128 CF *  Additional Info: FRED GUNZNER App: G7609 Permit: G7360 Cert: 65128		12/15/1976	IRRIGATION																					34	
<a href="#">Select</a> Cert:65151 (T 6005 RR) CN  Additional Info: HERBERT J HESTER App: G7609 Permit: G7360 Cert: 65151	T8026	12/15/1976	IRRIGATION	CN																					
<a href="#">Select</a> Cert:66667 OR *  Additional Info: JAMES DUNN App: G11351 Permit: G10661 Cert: 66667		4/15/1986	IRRIGATION																					9.6 3.2 4.6	
<a href="#">Select</a> Cert:74135 CF *  Additional Info: MARC THALACKER Decree: SQUAW CREEK [WHYCHUS CREEK] DECREE Cert: 74135	T9821, T9308, T8392, T8994, T8743, T7932, T8900, T5830, IL831, SL8, SL7, IL667, IL676, IL701, IL787, IL810, IL499, IL500, IL504, IL418, IL416, IL300, IL323, CW33, SL8,	12/31/1895	IRRIGATION												32.5										



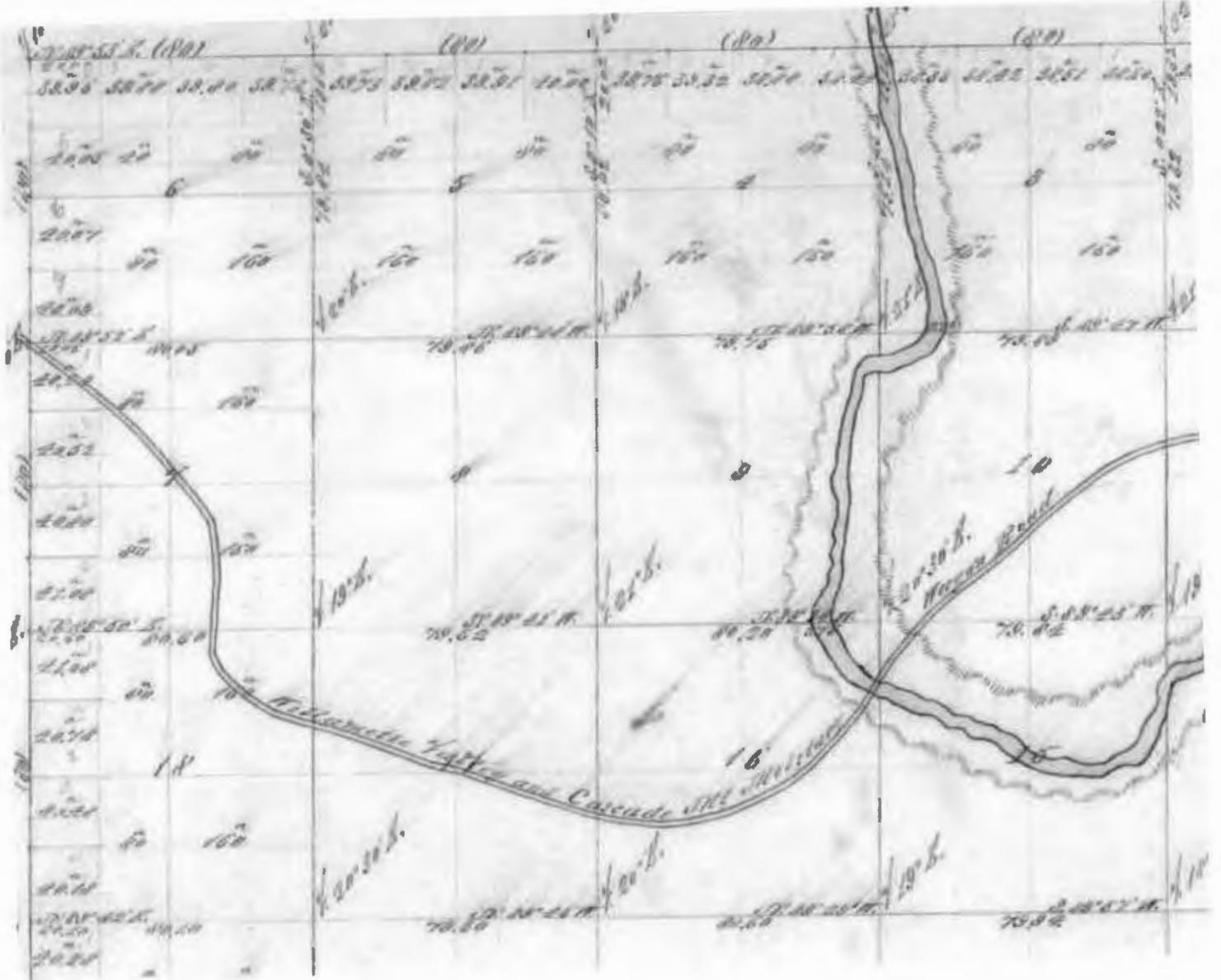




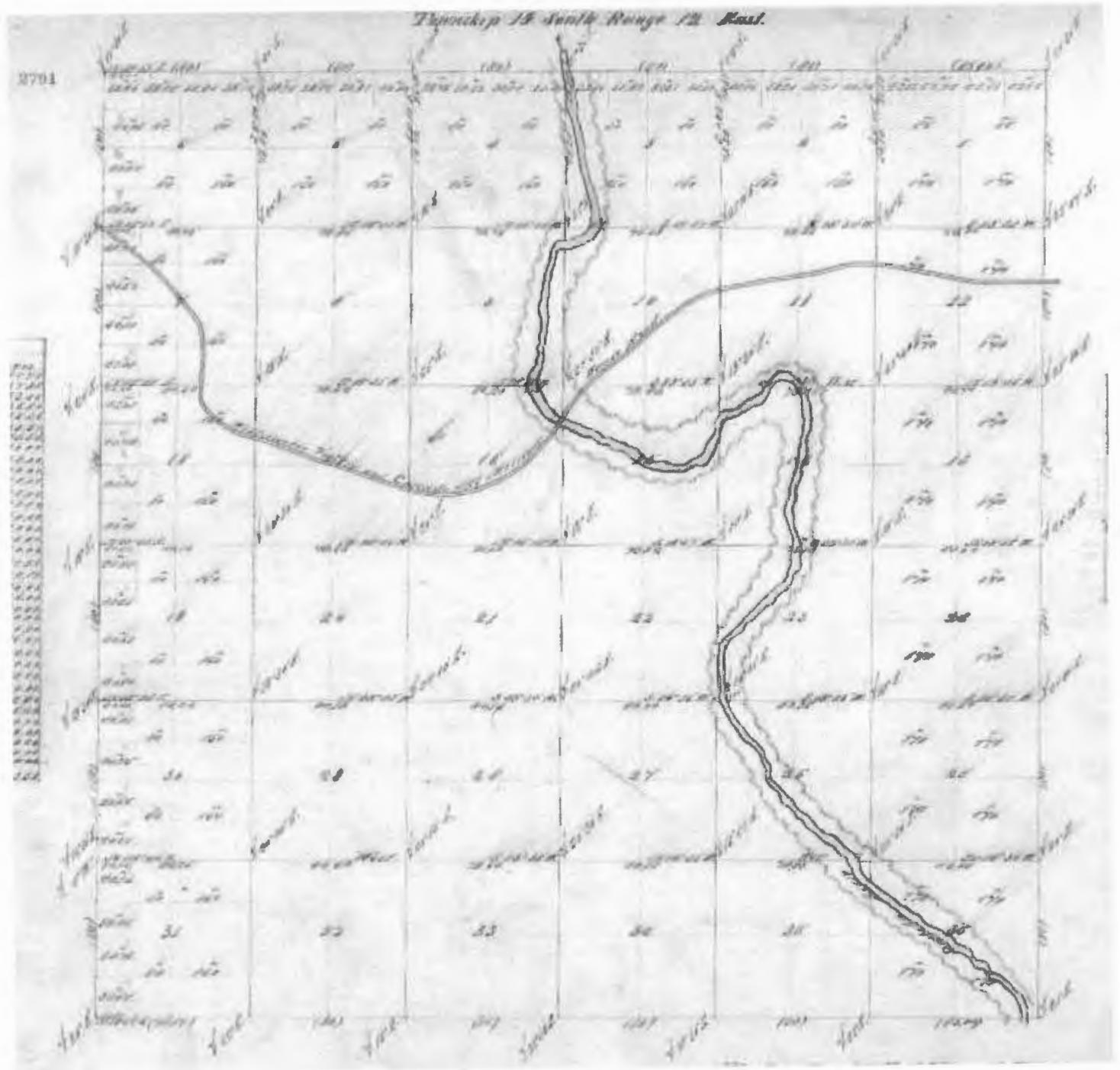


T-12651

Portion cadastral survey T14S, R12E, W.M. - 1872-04-26:



Cadastral survey T14S, R12E, W.M. - 1872-04-26:



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Permit:

Certificate:

Claim:

Transfer:

Snap ID:

POD Source:

Irr. District:

(Draw box on map.)

Points of Diversion: (Count: 51)

Places of Use: (Count: 45)

Identify Non-Water Right Features

Tax Lots

Layers

Tools

POD    POU    Irrigation Districts AOI    MCWC Planned POU

   Search...

#	ID (select)	Organization	Website	Data Source
1	17	THREE SISTERS IRRIGATION DISTRICT	<a href="#">Website</a>	

Three Sisters Irrigation District, 68000 Hwy 20, Bend OR 97703

Search

Search: Water Right by File

Application:

Permit:

Certificate:

Claim:

Transfer: T  12651

Snap ID:

POD Source: Equal

Irr. District:

(Draw box on map.)

Points of Diversion (Count: 16)

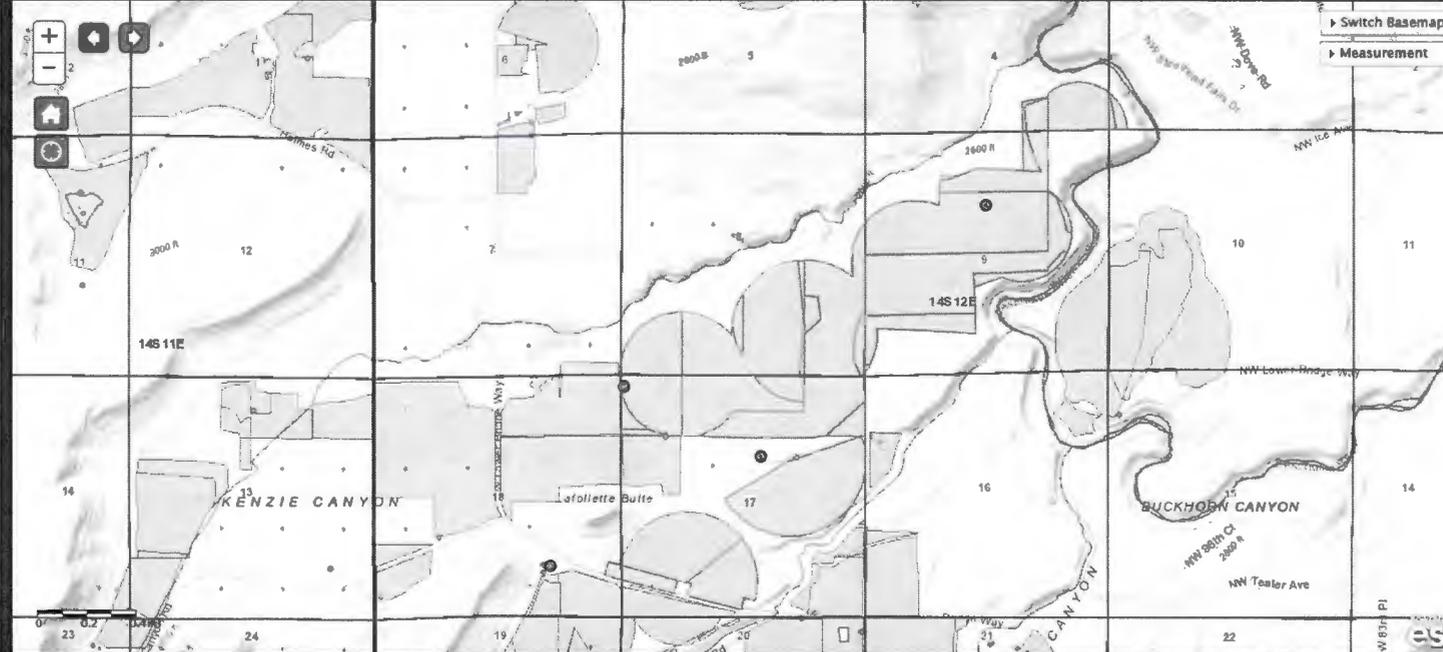
Places of Use (Count: 4)

Identify Non-Water Right Features

Tax Lots

Layers

Tools



POD POU Irrigation Districts AOI MCWC Planned POU

Q: All Fields Search...

#	ID (select)	WRIS	Zoom	Water Right	Water Type	First Name	Last Name	Company	Use Desc.	Priority Date	Supp. Duty	Rate cfs	Rate cfs Est.	Max Rate cfs	Acres ft	Acres ft Est.	Max Rate Acres ft	Stream Name
1	102470	<a href="#">Details</a>	<a href="#">Map WR</a>	Inchoate: T 12651 CF... SW	SW			BIG FALLS RANCH	SUPPLEMENTAL IRRIGATION	10/23/1973	Yes 4	1.125	Yes	4.5	-	-	-	DEEP CAN > DESCHUTES R
2	102471	<a href="#">Details</a>	<a href="#">Map WR</a>	Inchoate: T 12651 CF... SW	SW			BIG FALLS RANCH	SUPPLEMENTAL IRRIGATION	10/23/1973	Yes 4	1.125	Yes	4.5	-	-	-	DEEP CAN > DESCHUTES R
3	102472	<a href="#">Details</a>	<a href="#">Map WR</a>	Inchoate: T 12651 CF... SW	SW			BIG FALLS RANCH	SUPPLEMENTAL IRRIGATION	10/23/1973	Yes 4	1.125	Yes	4.5	-	-	-	MCKENZIE CAN > DESCHUTES R
4	102473	<a href="#">Details</a>	<a href="#">Map WR</a>	Inchoate: T 12651 CF... SW	SW			BIG FALLS RANCH	SUPPLEMENTAL IRRIGATION	10/23/1973	Yes 4	1.125	Yes	4.5	-	-	-	DESCHUTES R > COLUMBIA R

Completion Checklist for Claims of Beneficial Use for POST JULY 1, 2004 Claims

Application #	WRD Reviewer
Transfer # T-12651	Kerry Kavanagh
Date Received 9-30-2020	Claim Logged YES
CWRE Name David Newton	Oversized Map # 1258 (A-B)

Map Review: *COBL submitted prior to partial assignment* *one 4x17 map TFO issued 11-20-2018. Date = 1-1-2020*

- Map on polyester film (OAR 690-014-0170(1) & 310-0050(1)(b)) *Cart 76371 - 1.8 cfs for 12 of 157.1 ac.*
- Application & permit #; or transfer # (OAR 690-014-0100(1)) *one POD to 4 wells*
- Disclaimer (OAR 690-014-0170(5)) *Cart 87655 - 4.5 cfs for 15 of 206.6 ac*
- North arrow (OAR 690-310-0050(2)(c)) *one POD to 4 wells*
- CWRE stamp and signature (OAR 690-014 & 310-0050) *Cart 86027 - 3.69 cfs - 15 of 12.6 ac*
- Appropriate scale (1" = 1320', 1" = 400', or the original full-size scale of the county assessor map) (014 & 310)
- Township, range, section, and tax lot numbers (OAR 690-310-0050(4)) *one POD to 4 wells*
- Source illustrated if surface water (OAR 690-014-0170(3))
- Point(s) of diversion or appropriation (illustrated) (OAR 690-014(4) & 690-310-0050)
- Point(s) of diversion or appropriation (coordinates) (OAR 690-014(4) & 690-310-0050)
- Conveyance structures illustrated (pump, pipelines, ditches, etc.) (OAR 690-310-0050) *PIVOTS*
- Description of the location, in relation to the point of diversion or appropriation, of any fish screens, by-pass devices, and measuring devices required (OAR 690-014-0170(4))
- Place of use (1/4 1/4, or projected 1/4 1/4 lines within DLCs, or Gov Lots; if irrigation, # of acres in each subdivision; if for domestic or human consumption, location of dwelling or spigot) (OAR 690-310-0050, 690-014, 690-380-6010)

Report Review: *COBL*

- Well 1 (DESC 2100) - 4.44 cfs
- Well 2 (DESC 2087) - 3.33 cfs
- Well 4 (DESC 2098) - 5.5 cfs
- Well 7 (DESC 766) - 2.23 cfs

- On form or format provided by the Department (OAR 690-014-0100(1))
- Application & permit #; or transfer # (OAR 690-014)
- Ownership information (OAR 690-014)
- Date of survey (OAR 690-014)
- Person interviewed (OAR 690-014)
- County (OAR 690-014) *DESCHUTES*
- Description of conveyances system (from POD to POU) (OAR 690-014-0100)
- Source(s) of water (OAR 690-014-0100)
- Place of use location (OAR 690-014-0100)
- Type of use (OAR 690-014-0100)
- Extent of use (OAR 690-014-0100)
- Rate and Duty (OAR 690-014-0100)
- Diversion rate for each use (OAR 690-014-0100)
- Diversion works description (pump make, serial model, capacity, and description) (OAR 690-014-0100)
- System capacity (OAR 690-014-0100)
  - Calculated capacity of system (required)
  - Measured amount of use (optional)
- Permit/Transfer Final Order Conditions (OAR 690-014-0100)
  - Time limits
  - Initial water level measurements
  - Annual static water level measurements
  - Measurement, recording, and reporting
    - Meter/measuring device *install TFM or OSMD at each well*
    - Water use reporting
  - Fish screening and/or by-pass
  - Pump test (ground water)
  - Other

Conditions from Extension Final Order and/or Water Management Conservation Plan

CWRE stamp and signature (OAR 690-014-0100)  
 Signature(s) of permittee of transfer holder (OAR 690-014-0100)

DEF = deficient  
 N/A = Not Applicable



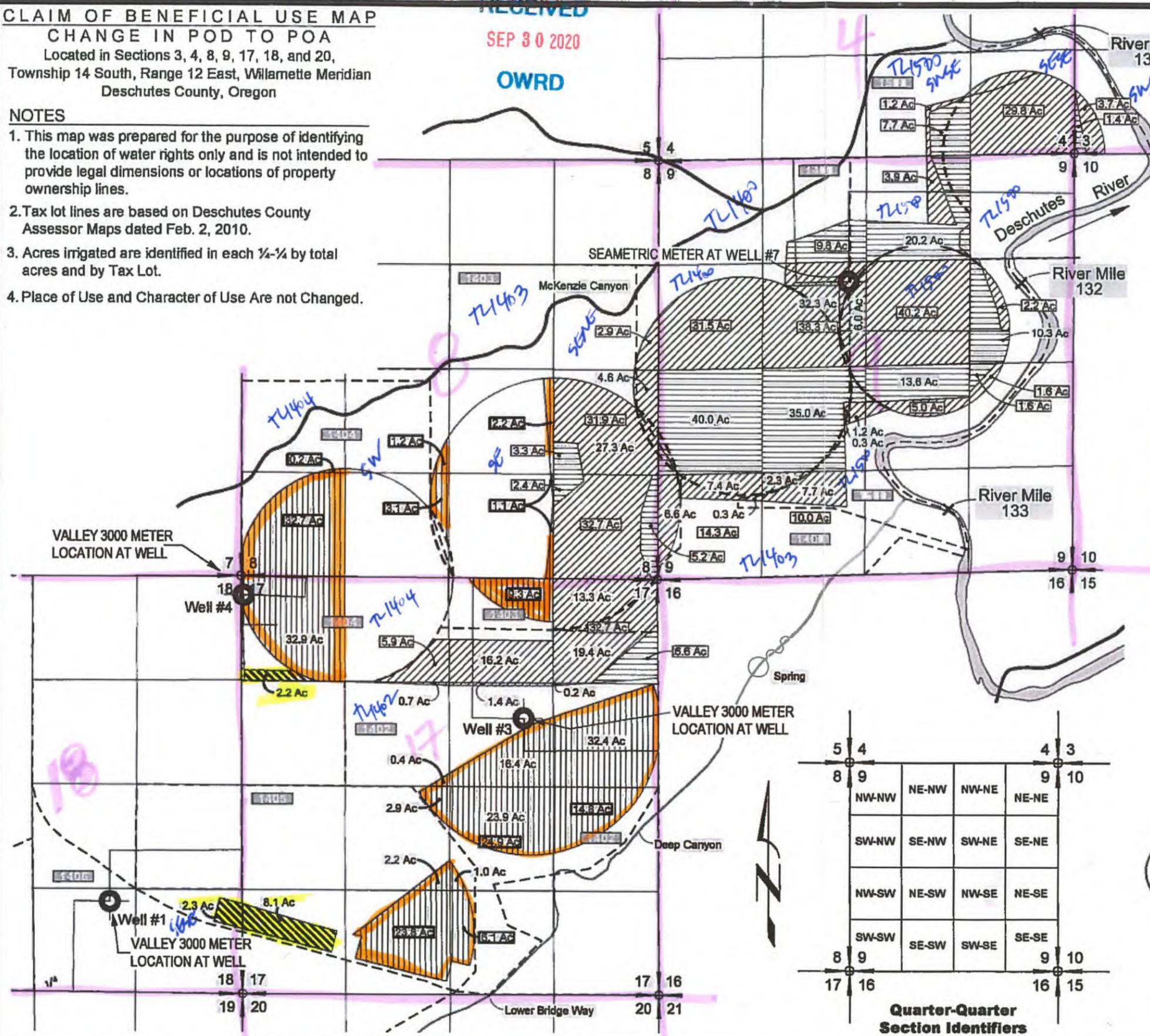
T14S R12E, W.M.

COBU MAP # 1258 A-8

**CLAIM OF BENEFICIAL USE MAP**  
**CHANGE IN POD TO POA**  
 Located in Sections 3, 4, 8, 9, 17, 18, and 20,  
 Township 14 South, Range 12 East, Willamette Meridian  
 Deschutes County, Oregon

- NOTES**
1. This map was prepared for the purpose of identifying the location of water rights only and is not intended to provide legal dimensions or locations of property ownership lines.
  2. Tax lot lines are based on Deschutes County Assessor Maps dated Feb. 2, 2010.
  3. Acres irrigated are identified in each 1/4-1/4 by total acres and by Tax Lot.
  4. Place of Use and Character of Use Are not Changed.

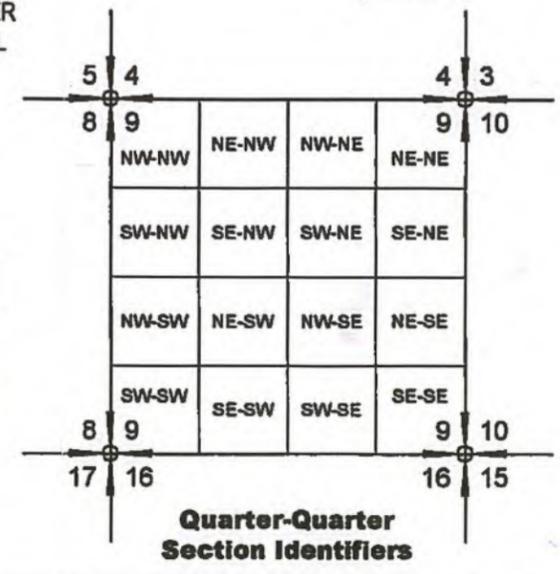
RECEIVED  
 SEP 30 2020  
 OWRD



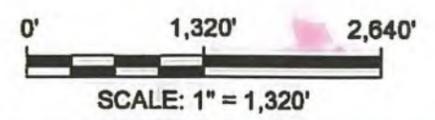
- Locations Of Points of Appropriation Established Through Transfer T-12651**
- POA 1 - Well #1**  
1680.6 Ft West and 1154.2 Ft North from the SE Corner of Section 18.
  - POA 2 - Well #3**  
1706.6 Ft West and 1772.1 Ft South from the NE Corner of Section 17.
  - POA 3 - Well #4**  
32.2 Ft East and 240.7 Ft South from the NW Corner of Section 17.
  - POA 4 - Well #7**  
2862.6 Ft West and 1571.4 Ft South from the NE Corner of Section 9.

**LEGEND**

- Primary Certificate 88027, Permit 32049 (307.8 Ac Total) Irrigation: April 13, 1967
- Supplemental Certificate 88027, Permit 32049 (12.6 Ac Total) Irrigation: April 13, 1967
- Primary Certificate 76371, Permit 32049 (157.1 Ac Total) Irrigation: April 13, 1967
- Supplemental Certificate 87655, Permit 32049 (206.6 Ac Total) Irrigation: Oct. 23, 1973
- Tax Lot Boundary Line
- Tax Lot ID Number
- Total Number of Acres Irrigated in 1/4-1/4



Certified Water Rights Examiner  
 DAVID J. NEWTON  
 JAN. 16, 1998  
 STATE OF OREGON  
 EXPIRES: 31 DEC 2020  
 RENEWS: 31 DEC 2020



DATE	
REVISION	
NO.	
DATE	09/24/20
DRAWING STATUS	COBU MAP



PROJECT: CLAIM OF BENEFICIAL USE MAP SURFACE WATER POD TO GROUNDWATER POA, TRANSFER T-12651  
 PROJECT LOCATION: DESCHUTES COUNTY, OR  
 CLIENT: BIG FALLS RANCH CO.

SHEET TITLE:  
 COBU MAP  
 TRANSFER T-12651

JOB NO. 556-103  
 DRAWN BY: SS / BPL  
 DRAWING: 1

Conflict Check

T145R126, W.M

- Sec 3 ✓
- Sec 4 ✓
- Sec 8 ✓
- Sec 9 ✓
- Sec 17 ✓
- Sec 18 ✓

141200 01500 (Sec 4, 9, 17)

141200 01400 (Sec 9)

141200 01403 (Sec 8, 17)

141200 01404 (Sec 8, 17)

141200 01402 (Sec 17)

141200 ~~01405~~ (Sec 17)

STATE OF OREGON  
 COUNTY OF DESCHUTES  
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

BIG FALLS RANCH CO.  
 PO BOX 434  
 TERREBONNE OR 97760

confirms the right to use the waters of DEEP CANYON CREEK, a tributary of the DESCHUTES RIVER, for IRRIGATION of 307.8 ACRES AND SUPPLEMENTAL IRRIGATION OF 12.6 ACRES.

This right was perfected under Permit 32049. The date of priority is APRIL 13, 1967. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 3.69 CUBIC FEET PER SECOND, or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
14 S	12 E	WM	9	SW SE	4440 FEET SOUTH & 3020 FEET EAST FROM THE NW CORNER, SECTION 9

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-FORTIETH 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 4.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

A description of the place of use to is as follows:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
14 S	12 E	WM	3	SW SW	3.7
14 S	12 E	WM	4	SW SE	1.2
14 S	12 E	WM	4	SE SE	29.8
14 S	12 E	WM	8	SE NE	2.9
14 S	12 E	WM	8	NE SE	31.9
14 S	12 E	WM	8	SE SE	32.7
14 S	12 E	WM	9	NW NE	3.9
14 S	12 E	WM	9	SW NE	40.2
14 S	12 E	WM	9	SE NE	2.2
14 S	12 E	WM	9	SW NW	31.5

**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 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may petition for judicial review and petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
14 S	12 E	WM	9	SE NW	38.3
14 S	12 E	WM	9	NE SW	1.5
14 S	12 E	WM	9	SW SW	14.3
14 S	12 E	WM	9	SE SW	10.0
14 S	12 E	WM	9	NE SE	1.6
14 S	12 E	WM	9	NW SE	5.0
14 S	12 E	WM	17	NE NE	32.7
14 S	12 E	WM	17	NW NE	16.2
14 S	12 E	WM	17	SW NE	1.4
14 S	12 E	WM	17	SE NE	0.2
14 S	12 E	WM	17	NE NW	5.9
14 S	12 E	WM	17	SE NW	0.7

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
14 S	12 E	WM	17	NW NW	2.2
14 S	12 E	WM	17	SW SW	8.1
14 S	12 E	WM	18	SE SE	2.3

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

This certificate is issued to confirm changes in USE AND PLACE OF USE approved by an order of the Water Resources Director entered January 11, 2000, at Special Order Volume 54, Page 30, approving Transfer Application 6854, and together with Certificate 76371, supersedes Certificate 44281, State Record of Water Right Certificates.

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.

Issued APR 02 2013



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

STATE OF OREGON  
 COUNTY OF DESCHUTES  
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

BIG FALLS RANCH CO.  
 PO BOX 434  
 TERREBONNE OR 97760

confirms the right to use the waters of AN UNNAMED STREAM (McKENZIE CANYON), a tributary to THE DESCHUTES RIVER, for SUPPLEMENTAL IRRIGATION OF 206.6 ACRES.

This right was perfected under Permit 37392. The date of priority is OCTOBER 23, 1973. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 4.5 CUBIC FEET PER SECOND (CFS), provided the total quantity diverted by all rights perfected under Permit 37392 does not exceed 4.5 cfs, 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	Q-Q	Survey Coordinates
14 S	12 E	WM	4	NW SE	1592.5 FEET NORTH AND 1610.6 FEET WEST FROM THE SE CORNER, SECTION 4

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-FORTIETH 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 4.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

A description of the place is as follows:

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
14 S	12 E	WM	8	NE SW	1.2
14 S	12 E	WM	8	NW SW	0.2
14 S	12 E	WM	8	SW SW	32.7
14 S	12 E	WM	8	SE SW	3.1
14 S	12 E	WM	8	NW SE	2.2
14 S	12 E	WM	8	SW SE	1.1
14 S	12 E	WM	17	NW NE	9.3
14 S	12 E	WM	17	SW NE	16.4

**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 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may petition for judicial review and petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

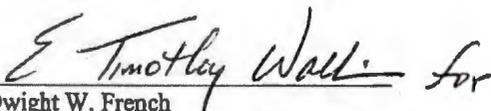
SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
14 S	12 E	WM	17	SE NE	32.4
14 S	12 E	WM	17	NW NW	32.9
14 S	12 E	WM	17	SE NW	0.4
14 S	12 E	WM	17	NE SW	5.1
14 S	12 E	WM	17	SE SW	23.8
14 S	12 E	WM	17	NE SE	14.8
14 S	12 E	WM	17	NW SE	24.9
14 S	12 E	WM	17	SW SE	6.1

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

This certificate is issued to confirm a CHANGE IN USE AND PLACE OF USE approved by an order of the Water Resources Director entered January 11, 2000, at Special Order Volume 54, Page 30, approving Transfer Application 6854, and together with Certificate 76372, supersedes Certificate 44283, State Record of Water Right Certificates.

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.

Issued JUNE 29 2012

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

STATE OF OREGON  
COUNTY OF DESCHUTES  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

DESCHUTES VALLEY FARMS  
PO BOX 166  
CULVER, OREGON 97734

confirms the right to use the waters of DEEP CANYON CREEK, a tributary of THE DESCHUTES RIVER, for IRRIGATING 157.1 ACRES.

This right was perfected under Permit 32049. The date of priority is APRIL 13, 1967. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 1.81 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

SW $\frac{1}{4}$  SE $\frac{1}{4}$ , SECTION 9, T. 14 S., R. 12 E., W.M.; 4440 FEET SOUTH AND 3020 FEET EAST FROM THE NW CORNER OF SECTION 9.

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

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

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

SW $\frac{1}{4}$ SW $\frac{1}{4}$	1.4 acres
Section 3	
SW $\frac{1}{4}$ SE $\frac{1}{4}$	7.7 acres
Section 4	
NE $\frac{1}{4}$ SE $\frac{1}{4}$	3.3 acres
SE $\frac{1}{4}$ SE $\frac{1}{4}$	7.6 acres
Section 8	
NW $\frac{1}{4}$ NE $\frac{1}{4}$	20.2 acres
SE $\frac{1}{4}$ NE $\frac{1}{4}$	10.3 acres
NE $\frac{1}{4}$ NW $\frac{1}{4}$	9.8 acres
NE $\frac{1}{4}$ SW $\frac{1}{4}$	35.0 acres
NW $\frac{1}{4}$ SW $\frac{1}{4}$	40.0 acres
NE $\frac{1}{4}$ SE $\frac{1}{4}$	1.6 acres
NW $\frac{1}{4}$ SE $\frac{1}{4}$	13.6 acres
Section 9	
NE $\frac{1}{4}$ NE $\frac{1}{4}$	6.6 acres
Section 17	
Township 14 South, Range 12 East, W.M.	

This certificate describes that portion of the water right confirmed by Certificate 44281, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered JAN 1 1 2000, approving Transfer Application 6854.

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

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

WITNESS the signature of the Water Resources Director, affixed JAN 1 1 2000.

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

Recorded in State Record of Water Right Certificates numbered 76371.

T-6854.BWB

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

In the Matter of Transfer Application	)	FINAL ORDER
T-12651, Deschutes County	)	APPROVING A CHANGE FROM A
	)	SURFACE WATER POINT OF
	)	DIVERSION TO GROUNDWATER
	)	POINTS OF APPROPRIATION

**Authority**

Oregon Revised Statutes (ORS) 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of diversion, place of use, or character of use authorized under an existing water right. Oregon Administrative Rules (OAR) Chapter 690, Division 380 implement the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

**Applicant**

BIG FALLS RANCH  
ATTN: REX BARBER  
PO BOX 434  
TERREBONNE OR 97760

**Findings of Fact**

1. On April 21, 2017, BIG FALLS RANCH, ATTN: REX BARBER, filed an application to change the surface water point of diversion to groundwater points of appropriation under Certificates 76371, 87655, and 88027. The Department assigned the application number T-12651.
2. Notice of the application for transfer was published on May 2, 2017, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On April 11, 2018, the Department contacted the applicant and agent regarding a deficiency in the application. The application lacks a completed Land-use form.
4. On July 6, 2018, the applicant's agent submitted a completed Land Use Form that shows that the land use served by the water use from the proposed groundwater points of appropriation is allowed outright.

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.

5. On July 25, 2018, the Department sent a copy of the draft Preliminary Determination proposing to approve Transfer Application T-12651 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of August 23, 2018, 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.
6. On September 20, 2018, the Department issued a Preliminary Determination proposing to approve Transfer Application T-12651 and sent a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published in the Department's weekly notice on September 25, 2018, and in the Redmond Spokesman newspaper on October 3 and 10, 2018, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.

7. The first right to be transferred is as follows:

**Certificate:** 76371 in the name of DESCHUTES VALLEY FARMS (perfected under Permit S-32049)  
**Use:** IRRIGATION OF 157.1 ACRES  
**Priority Date:** APRIL 13, 1967  
**Rate:** 1.81 CUBIC FEET PER SECOND  
**Limit/Duty:** The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-FORTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 4.0 acre-feet for each acre irrigated during the irrigation season of each year.  
**Source:** DEEP CANYON CREEK, a tributary of the DESCHUTES RIVER

**Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
14 S	12 E	WM	9	SW SE	4440 FEET SOUTH AND 3020 FEET EAST FROM THE NW CORNER OF SECTION 9

**Authorized Place of Use:**

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
14 S	12 E	WM	3	SW SW	1.4
14 S	12 E	WM	4	SW SE	7.7
14 S	12 E	WM	8	NE SE	3.3
14 S	12 E	WM	8	SE SE	7.6
14 S	12 E	WM	9	NW NE	20.2
14 S	12 E	WM	9	SE NE	10.3
14 S	12 E	WM	9	NE NW	9.8
14 S	12 E	WM	9	NE SW	35.0
14 S	12 E	WM	9	NW SW	40.0
14 S	12 E	WM	9	NE SE	1.6
14 S	12 E	WM	9	NW SE	13.6
14 S	12 E	WM	17	NE NE	6.6
Total					157.1

8. Transfer Application T-12651 proposes to move the authorized point of diversion to wells located:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approx. distance from authorized point of diversion (feet)
14 S	12 E	WM	9	SE NW	WELL 7 - 1571.4 FEET SOUTH AND 2862.6 FEET WEST FROM THE NE CORNER OF SECTION 9	2956.8
14 S	12 E	WM	17	SW NE	WELL 3 - 1772.1 FEET SOUTH AND 1706.6 FEET WEST FROM THE NE CORNER OF SECTION 17	5491.2
14 S	12 E	WM	17	NW NW	WELL 4 - 240.7 FEET SOUTH AND 32.2 FEET EAST FROM THE NW CORNER OF SECTION 17	8395.2
14 S	12 E	WM	18	SW SE	WELL 1 - 1154.2 FEET NORTH AND 1680.6 FEET WEST FROM THE SE CORNER OF SECTION 18	11246.4

9. The second right to be transferred is as follows:

**Certificate:** 87655 in the name of BIG FALLS RANCH CO. (perfected under Permit S-37392)

**Use:** SUPPLEMENTAL IRRIGATION OF 206.6 ACRES

**Priority Date:** OCTOBER 23, 1973

**Rate:** 4.5 CUBIC FEET PER SECOND (CFS), PROVIDED THE TOTAL QUANTITY DIVERTED BY ALL RIGHTS PERFECTED UNDER PERMIT S-37392 DOES NOT EXCEED 4.5 CFS.

**Limit/Duty:** 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-FORTIETH 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 4.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

**Source:** AN UNNAMED STREAM (McKENZIE CANYON), a tributary to the DESCHUTES RIVER

**Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
14 S	12 E	WM	4	NW SE	1592.5 FEET NORTH AND 1610.6 FEET WEST FROM THE SE CORNER OF SECTION 4

**Authorized Place of Use:**

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
14 S	12 E	WM	8	NE SW	1.2
14 S	12 E	WM	8	NW SW	0.2
14 S	12 E	WM	8	SW SW	32.7
14 S	12 E	WM	8	SE SW	3.1
14 S	12 E	WM	8	NW SE	2.2
14 S	12 E	WM	8	SW SE	1.1
14 S	12 E	WM	17	NW NE	9.3
14 S	12 E	WM	17	SW NE	16.4
14 S	12 E	WM	17	SE NE	32.4
14 S	12 E	WM	17	NW NW	32.9
14 S	12 E	WM	17	SE NW	0.4
14 S	12 E	WM	17	NE SW	5.1
14 S	12 E	WM	17	SE SW	23.8
14 S	12 E	WM	17	NE SE	14.8
14 S	12 E	WM	17	NW SE	24.9
14 S	12 E	WM	17	SW SE	6.1
Total					206.6

10. Transfer Application T-12651 proposes to move the authorized points of diversion to wells located:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approx. distance from authorized point of diversion (feet)
14 S	12 E	WM	9	SE NW	WELL 7 - 1571.4 FEET SOUTH AND 2862.6 FEET WEST FROM THE NE CORNER OF SECTION 9	2956.8
14 S	12 E	WM	17	SW NE	WELL 3 - 1772.1 FEET SOUTH AND 1706.6 FEET WEST FROM THE NE CORNER OF SECTION 17	5491.2
14 S	12 E	WM	17	NW NW	WELL 4 - 240.7 FEET SOUTH AND 32.2 FEET EAST FROM THE NW CORNER OF SECTION 17	8395.2
14 S	12 E	WM	18	SW SE	WELL 1 - 1154.2 FEET NORTH AND 1680.6 FEET WEST FROM THE SE CORNER OF SECTION 18	11246.4

11. The third right to be transferred is as follows:

**Certificate:** 88027 in the name of BIG FALLS RANCH CO. (perfected under Permit S-32049)  
**Use:** IRRIGATION OF 307.8 ACRES AND SUPPLEMENTAL IRRIGATION OF 12.6 ACRES  
**Priority Date:** APRIL 13, 1967  
**Rate:** 3.69 CUBIC FEET PER SECOND  
**Limit/Duty:** 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-FORTIETH 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 4.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.  
**Source:** DEEP CANYON CREEK, a tributary of the DESCHUTES RIVER

**Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
14 S	12 E	WM	9	SW SE	4440 FEET SOUTH AND 3020 FEET EAST FROM THE NW CORNER OF SECTION 9

**Authorized Place of Use:**

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
14 S	12 E	WM	3	SW SW	3.7
14 S	12 E	WM	4	SW SE	1.2
14 S	12 E	WM	4	SE SE	29.8
14 S	12 E	WM	8	SE NE	2.9
14 S	12 E	WM	8	NE SE	31.9
14 S	12 E	WM	8	SE SE	32.7
14 S	12 E	WM	9	NW NE	3.9
14 S	12 E	WM	9	SW NE	40.2
14 S	12 E	WM	9	SE NE	2.2
14 S	12 E	WM	9	SW NW	31.5
14 S	12 E	WM	9	SE NW	38.3
14 S	12 E	WM	9	NE SW	1.5
14 S	12 E	WM	9	SW SW	14.3
14 S	12 E	WM	9	SE SW	10.0
14 S	12 E	WM	9	NE SE	1.6
14 S	12 E	WM	9	NW SE	5.0
14 S	12 E	WM	17	NE NE	32.7
14 S	12 E	WM	17	NW NE	16.2
14 S	12 E	WM	17	SW NE	1.4
14 S	12 E	WM	17	SE NE	0.2
14 S	12 E	WM	17	NE NW	5.9
14 S	12 E	WM	17	SE NW	0.7
<b>Total</b>					<b>307.8</b>

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
14 S	12 E	WM	17	NW NW	2.2
14 S	12 E	WM	17	SW SW	8.1
14 S	12 E	WM	18	SE SE	2.3
Total					12.6

12. Transfer Application T-12651 proposes to move the authorized points of diversion to wells located:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approx. distance from authorized point of diversion (feet)
14 S	12 E	WM	9	SE NW	WELL 7 - 1571.4 FEET SOUTH AND 2862.6 FEET WEST FROM THE NE CORNER OF SECTION 9	2956.8
14 S	12 E	WM	17	SW NE	WELL 3 - 1772.1 FEET SOUTH AND 1706.6 FEET WEST FROM THE NE CORNER OF SECTION 17	5491.2
14 S	12 E	WM	17	NW NW	WELL 4 - 240.7 FEET SOUTH AND 32.2 FEET EAST FROM THE NW CORNER OF SECTION 17	8395.2
14 S	12 E	WM	18	SW SE	WELL 1 - 1154.2 FEET NORTH AND 1680.6 FEET WEST FROM THE SE CORNER OF SECTION 18	11246.4

**Transfer Review Criteria [OAR 690-380-4010(2)]**

13. Water has been used within the last five years according to the terms and conditions of the rights. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
14. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights was present within the five-year period prior to submittal of Transfer Application T-12651.
15. The proposed wells meet the requirements of ORS 540.531(3a.-c.).
16. The proposed change would not result in enlargement of the rights.
17. The proposed change would not result in injury to other water rights.

**Conclusions of Law**

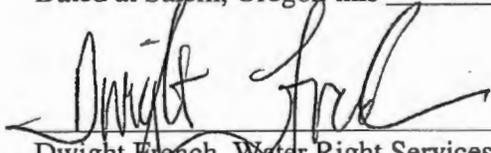
The change from a surface water point of diversion to groundwater points of appropriation proposed in Transfer Application T-12651 appears to be consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-2130 and 690-380-5000.

**Now, therefore, it is ORDERED:**

1. The change from surface water points of diversion to groundwater points of appropriation proposed in Transfer Application T-12651 is 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 Certificates 87655, 88027, 76371 and any related decree.
3. Water right Certificates 87655, 88027, and 76371 are 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 points of diversion.
5. The use of water under this right shall be subject to regulation consistent with other water rights from the surface water source and to all other applicable conditions and restrictions that existed at the original point of diversion.
6. If, within five years after approval of the transfer, the Department finds that the transfer results in substantial or undue interference with an existing ground water right due to use of the wells, that would not have occurred in the absence of the transfer, the new point of appropriation shall be subordinate to the existing right injured by the transfer.
7. The original point of diversion of surface water shall not be retained as an additional or supplemental point of diversion under the transferred portion of the right. However, if within five years after approval of the transfer, the Department receives a transfer application to return to the last authorized surface water point of diversion, the application shall be approved.
8. 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 proposed well.
  - 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.
9. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2020**. 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 change and full beneficial use of the water.

10. After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.

Dated at Salem, Oregon this NOV 20 2018



\_\_\_\_\_

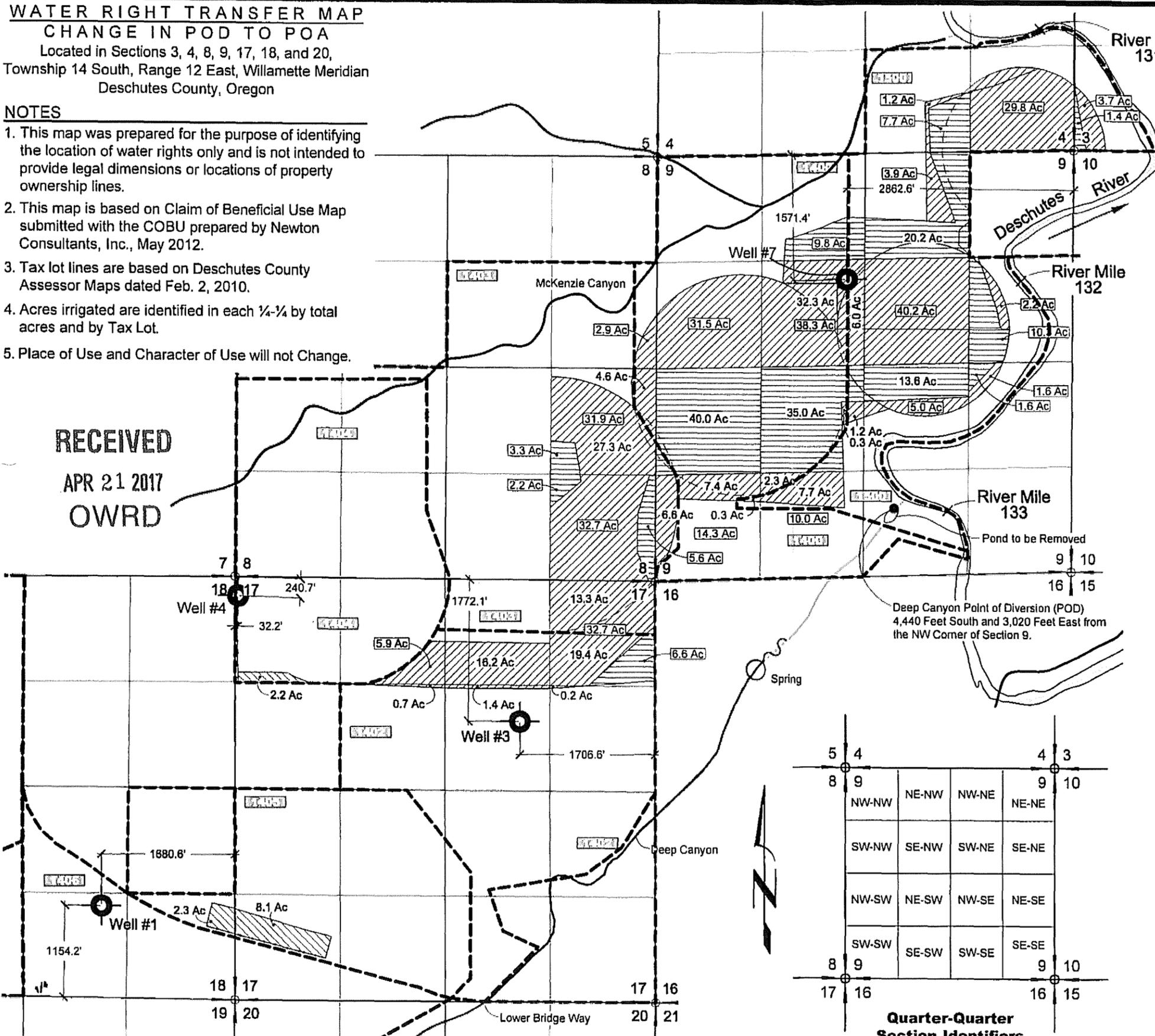
Dwight French, Water Right Services Administrator, for  
Thomas M. Byler, Director  
Oregon Water Resources Department

Mailing date: NOV 21 2018

**WATER RIGHT TRANSFER MAP**  
**CHANGE IN POD TO POA**  
 Located in Sections 3, 4, 8, 9, 17, 18, and 20,  
 Township 14 South, Range 12 East, Willamette Meridian  
 Deschutes County, Oregon

**NOTES**

1. This map was prepared for the purpose of identifying the location of water rights only and is not intended to provide legal dimensions or locations of property ownership lines.
2. This map is based on Claim of Beneficial Use Map submitted with the COBU prepared by Newton Consultants, Inc., May 2012.
3. Tax lot lines are based on Deschutes County Assessor Maps dated Feb. 2, 2010.
4. Acres irrigated are identified in each 1/4-1/4 by total acres and by Tax Lot.
5. Place of Use and Character of Use will not Change.



- Locations Of Proposed Point of Appropriation**
- POA 1 - Well #1**  
1680.6 Ft West and 1154.2 Ft North from the SE Corner of Section 18.
  - POA 2 - Well #3**  
1706.6 Ft West and 1772.1 Ft South from the NE Corner of Section 17.
  - POA 3 - Well #4**  
32.2 Ft East and 240.7 Ft South from the NW Corner of Section 17.
  - POA 4 - Well #7**  
2862.6 Ft West and 1571.4 Ft South from the NE Corner of Section 9.

**LEGEND**

- Primary Certificate 88027, Permit 32049 (307.8 Ac Total) Irrigation: April 13, 1967
- Supplemental Certificate 88027, Permit 32049 (12.6 Ac Total) Irrigation: April 13, 1967
- Primary Certificate 76371, Permit 32049 (157.1 Ac Total) Irrigation: April 13, 1967
- Tax Lot Boundary Line
- Tax Lot ID Number
- Location of Areas Not Specified in Permit S-37342, Certificate C-44283
- Total Number of Acres Irrigated in 1/4-1/4

**Vicinity Map**

**STATE OF OREGON**  
 Certified Water Rights Examiner  
 DAVID J. NEWTON  
 JAN. 16, 1996

EXPIRES: 31 Dec 2018  
 RENEWS: 31 Dec 2012

0' 1,320' 2,640'  
**SCALE: 1" = 1,320'**

**Quarter-Quarter Section Identifiers**

5	4	4	3
8	9	9	10
NW-NW	NE-NW	NW-NE	NE-NE
SW-NW	SE-NW	SW-NE	SE-NE
NW-SW	NE-SW	NW-SE	NE-SE
SW-SW	SE-SW	SW-SE	SE-SE
8	9	9	10
17	16	16	15

**RECEIVED**  
**APR 21 2017**  
**OWRD**

G:\0500\556\103\Cad\Water\W556103\_F2\_COBU\_TB8027 10:47 03/29/2017 55

**Surface Water POD to Groundwater POA Transfer Map**  
 Big Falls Ranch Co.  
 Deschutes County, Oregon

DESIGNED BY: **J. Bannon**  
 DRAWN BY: **S. Schenck**  
 DATE: **MAR 2017**  
 PROJECT NO: **556-103**  
 FIGURE: **2**

**NEWTON CONSULTANTS INC.**  
 Earth, Water and Rock Specialists  
 PFI: 541-504-9960 Fax: 541-504-9961

**WATER RIGHT TRANSFER MAP**

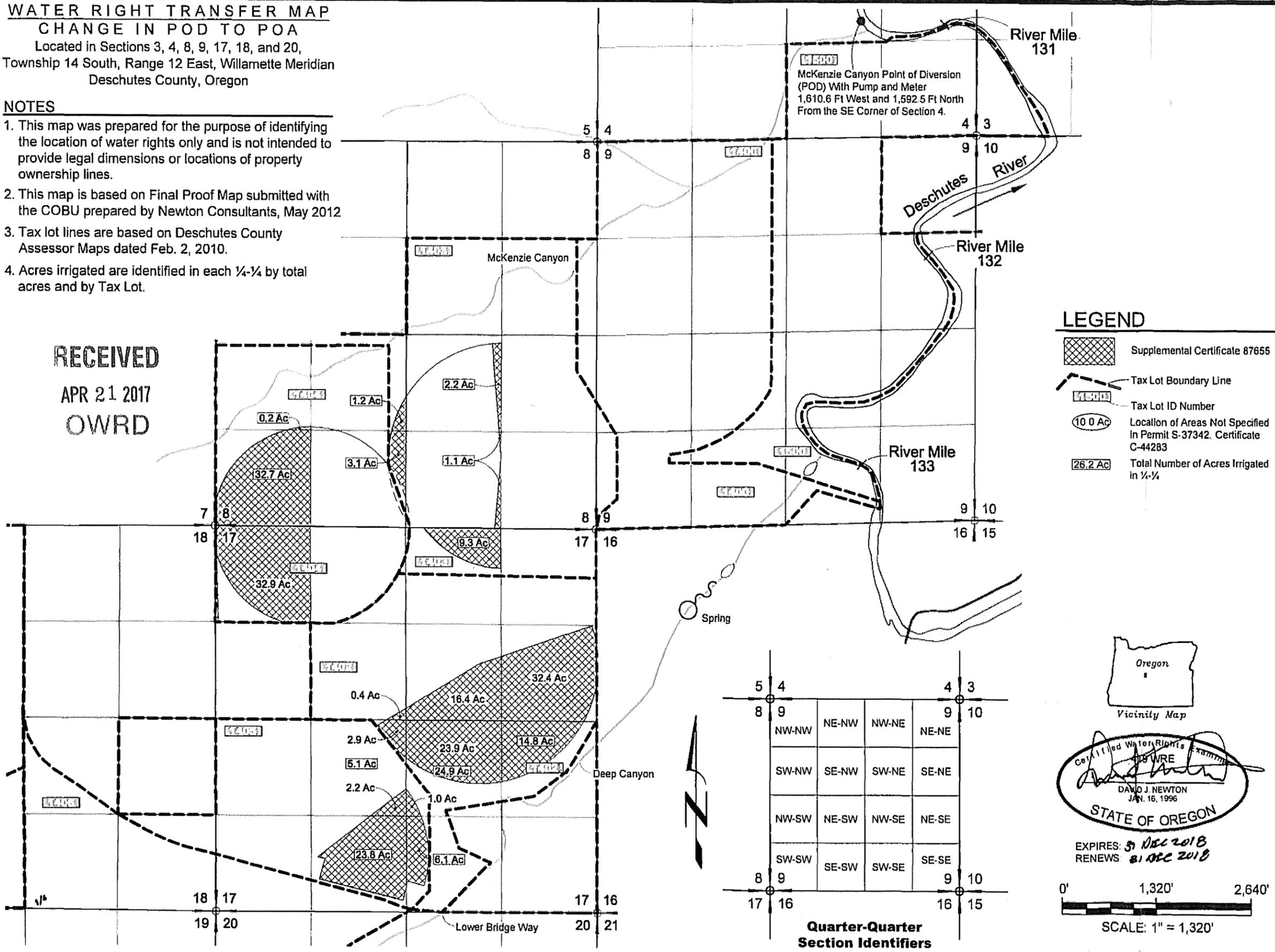
**CHANGE IN POD TO POA**

Located in Sections 3, 4, 8, 9, 17, 18, and 20,  
Township 14 South, Range 12 East, Willamette Meridian  
Deschutes County, Oregon

**NOTES**

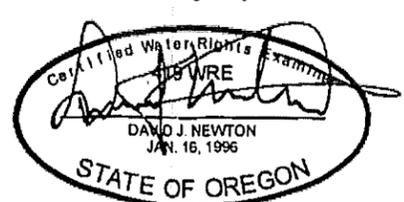
1. This map was prepared for the purpose of identifying the location of water rights only and is not intended to provide legal dimensions or locations of property ownership lines.
2. This map is based on Final Proof Map submitted with the COBU prepared by Newton Consultants, May 2012
3. Tax lot lines are based on Deschutes County Assessor Maps dated Feb. 2, 2010.
4. Acres irrigated are identified in each 1/4-1/4 by total acres and by Tax Lot.

RECEIVED  
APR 21 2017  
OWRD



**LEGEND**

- Supplemental Certificate 87655
- Tax Lot Boundary Line
- Tax Lot ID Number
- Location of Areas Not Specified in Permit S-37342. Certificate C-44283
- Total Number of Acres Irrigated in 1/4-1/4



EXPIRES: 31 Dec 2018  
RENEWS: 31 Dec 2018

0' 1,320' 2,640'  
SCALE: 1" = 1,320'

Transfer Map for McKenzie Canyon POD  
Big Falls Ranch Co.  
Deschutes County, Oregon

DESIGNED BY: J. Bannon  
DRAWN BY: S. Schenck  
DATE: MAR 2017  
PROJECT NO: 556-103  
FIGURE: 3

G:\05000\556\103\Cad\Water\W556103\_F2\_COBU\_TB6027 10:47 03/29/2017 55

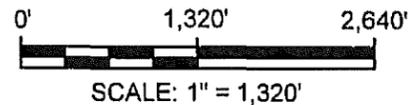
**LEGEND**

- H.L. HAND LINE
- W.L.(NO.) WHEEL LINE AND REFERENCE NUMBER
- U.G. UNDER GROUND
- A.G. ABOVE GROUND
- P(NO.) PIVOT AND REFERENCE NUMBER
- EXISTING CROP LINE
- EXISTING FENCE
- IN PLACE TRANSMISSION LINE UNLESS SHOWN OTHERWISE
- LAND SURVEY MONUMENT
- POINT OF DIVERSION AS SHOWN
- TAX LOT ID NUMBER
- TAX LOT BOUNDARY LINE

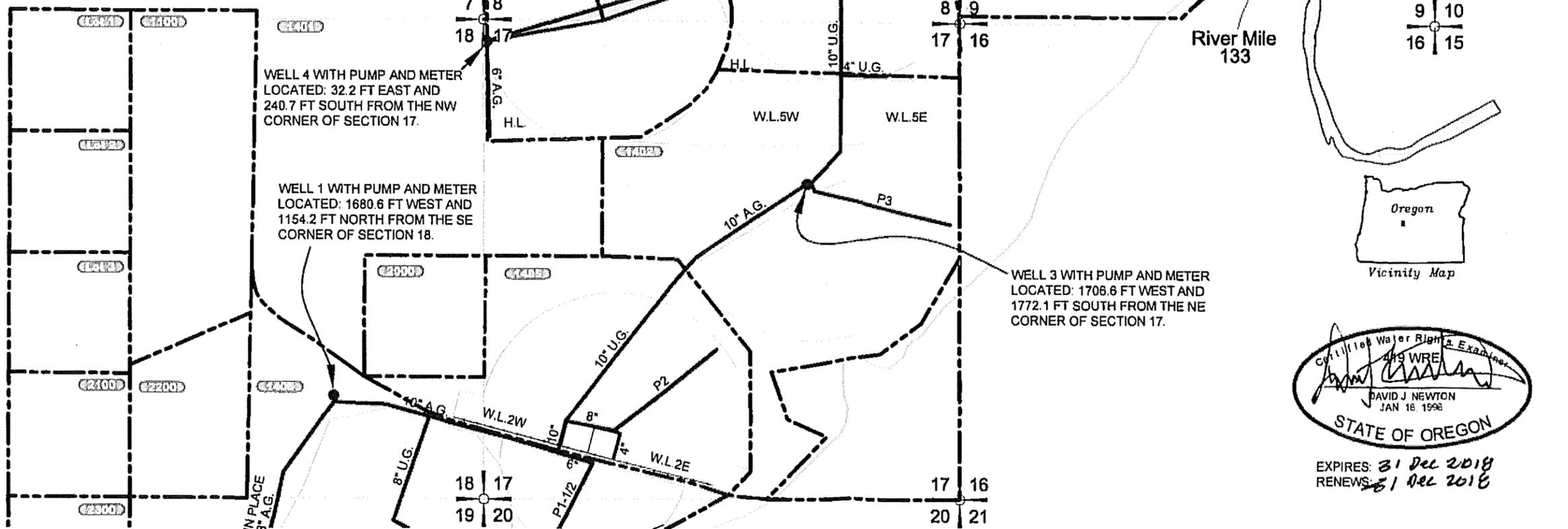
Located in Sections 4, 8, 9, 17, 18, 19, and 20,  
Township 14 South, Range 12 East, Willamette Meridian  
Deschutes County, Oregon

**NOTES**

1. This map was prepared for the purpose of identifying the location of water rights only and is not intended to provide legal dimensions or locations of property ownership lines.
2. This map is based on the Final Proof map originally submitted by Anderson Engineering, Sept. 14, 2001.
3. Tax lot lines are based on Deschutes County Assessor Maps dated Feb. 2, 2010.



RECEIVED  
APR 21 2017  
OWRD



McKenzie Canyon Point of Diversion (POD)  
With Pump and Meter (not Installed)  
1,610.6 Feet West and 1,592.5 Feet North  
From the SE Corner of Section 4.

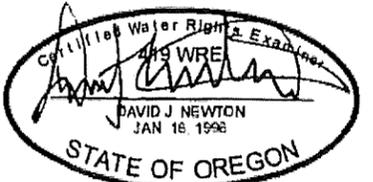
WELL 7 WITH PUMP AND METER (not installed)  
LOCATED: 2862.6 FT WEST AND  
1571.4 FT SOUTH FROM THE NE CORNER OF  
SECTION 9.

Deep Canyon Point of Diversion (POD)  
4,440 Feet South and 3,020 Feet East from  
the NW Corner of Section 9.

WELL 4 WITH PUMP AND METER  
LOCATED: 32.2 FT EAST AND  
240.7 FT SOUTH FROM THE NW  
CORNER OF SECTION 17.

WELL 1 WITH PUMP AND METER  
LOCATED: 1680.6 FT WEST AND  
1154.2 FT NORTH FROM THE SE  
CORNER OF SECTION 18.

WELL 3 WITH PUMP AND METER  
LOCATED: 1706.6 FT WEST AND  
1772.1 FT SOUTH FROM THE NE  
CORNER OF SECTION 17.



EXPIRES: 31 Dec 2018  
RENEWS: 31 Dec 2016

Surface Water POD to Groundwater POA Transfer Water  
Delivery System Map  
Big Falls Ranch Co.  
Deschutes County, Oregon



**NEWTON**  
CONSULTANTS INC.  
Earth, Water and Rock Specialists  
Ph: 541 504-9960 Fax: 541 504-9961

DESIGNED BY: J. Bannon	PROJECT NO: 556-103	FIGURE: 1
DRAWN BY: S. Schenck	DATE: MAR 2017	

G:\0500\556\103\Cad\Water\W556103\_F1\_C08U IrrSys 08-44 11/15/2016 SS

**CLARK Gerald E \* WRD**

---

**From:** John Lambie <jlambie@e-purwater.com>  
**Sent:** Wednesday, August 4, 2021 8:29 AM  
**To:** CLARK Gerald E \* WRD  
**Cc:** JARAMILLO Lisa J \* WRD; STARNES Patrick K \* WRD  
**Subject:** Re: Detailed question or two on T-12651

Thank you Gerry for such a quick and thorough response. You have put each of those questions to rest.

John Lambie, PE, PG, CEG, CWRE  
Principal Groundwater Hydrologist



Stockton Office (209) 451-5933  
Cell (503) 381-6043

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On Wed, Aug 4, 2021 at 7:18 AM CLARK Gerald E \* WRD <[Gerald.E.Clark@oregon.gov](mailto:Gerald.E.Clark@oregon.gov)> wrote:

John,

Hope you are well. In response to your questions:

Question

One relatively straightfoward question is has the CBU been adequately filed? I requested Public Records last week to review the filing of Sept. 30, 2020 and the completeness review. One reason that I requested them is that the webpage suggests that there is a CBU new filing date of Sept. 30, 2021 now. So I requested a deficiency letter if one exists and got nothing. Can you tell me the status here on this transfer?

email from Gerry Clark =

The Claim was deemed complete enough to meet our filing requirements. At some point in the future, the Claim will be pulled for a complete technical review. The Department may request additional information or clarification if needed to complete the review of the claim.

As it relates to the October 1, 2021 date listed on the WRIS information page, it has been the Department's practice for ages to include various dates related to process steps of our transactions (permits and transfers). In the case of Transfers, at the time that the transfer final order is approved, WRIS is updated to track the Completion Date ("C" Date) and the date that the Claim of Beneficial Use is due to be submitted (one year after the "C" Date). The October 1, 2021 date is nothing more than a process date and does not mean that a Claim has been deemed incomplete.

#### Question

Another question on transfers is that if like this one they are cumulative as to the POAs then is it right to anticipate that the aggregate capacity of the POAs claimed under the transfer has to be demonstrable? These folks state for example in their application of April 2017 that the system capacity will be sufficient to divert the existing water rights appropriations as these locations plus the transfer requested in 12651. Can you help me understand what the requirement here is? The filed CBU of Sept. 30, 2020 provides a certain capacity and it would not be sufficient to encompass all the existing and transferred water rights to these POAs."

X [ A Claim for a transfer is limited only to a review of the change(s) authorized by the transfer as conditioned. In the case of a transfer for a change in POA, the Claim needs to demonstrate only two items, the capacity of the new POA and whether conditions of the transfer final order were met. ]

The short answer to your question is no. In transfers where multiple rights rely on the same POAs/PODs (POA), POAs do not need to have the capacity to fulfill the total of all the rights that may be associated with that POA. At the time of the Claim review, the Department will look to determine the developed capacity of each individual POA, and then compare that rate to each individual rights in the transfer final order. The Department does not take into account the rate of other water rights that are served by that POA. The scope of the review is limited to whether the change was made for an individual right.

As an example:

A transfer final order is issued to change to a new POA. There are three water rights involved in the transfer. The same, new, single POA will serve each of the three water rights. Each of the water rights is for 1.0 cfs. The Claim is submitted and demonstrates both compliance with conditions and a developed capacity of the new POA as 1.0 cfs. The Department would issue three confirming certificates, one for each of the rights involved in the transfer, for 1.0 cfs each.

Please let me know if you have any additional questions. Please note my new phone number – 503-979-9103

Gerry

Gerry Clark

He/Him/His

**Oregon Water Resources Department**

Program Analyst, Certificate Section, Water Right Services Division

725 Summer Street NE, Suite A Salem, OR 97301 | Phone 503-979-9103

**From:** STARNES Patrick K \* WRD <[Patrick.K.Starnes@oregon.gov](mailto:Patrick.K.Starnes@oregon.gov)>

**Sent:** Tuesday, August 3, 2021 3:17 PM

**To:** CLARK Gerald E \* WRD <[Gerald.E.Clark@oregon.gov](mailto:Gerald.E.Clark@oregon.gov)>; John Lambie <[jlambie@e-purwater.com](mailto:jlambie@e-purwater.com)>

**Cc:** JARAMILLO Lisa J \* WRD <[Lisa.J.Jaramillo@oregon.gov](mailto:Lisa.J.Jaramillo@oregon.gov)>

**Subject:** Fwd: Detailed question or two on T-12651

Hi Gerry,

Could you please help Mr. Lambie with his questions in his e-mail as follows:

“One relatively straightforward question is has the CBU been adequately filed? I requested Public Records last week to review the filing of Sept. 30, 2020 and the completeness review. One reason that I requested them is that the webpage suggests that there is a CBU new filing date of Sept. 30, 2021 now. So I requested a deficiency letter if one exists and got nothing. Can you tell me the status here on this transfer?”

Another question on transfers is that if like this one they are cumulative as to the POAs then is it right to anticipate that the aggregate capacity of the POAs claimed under the transfer has to be demonstrable? These folks state for example in their application of April 2017 that the system capacity will be sufficient to divert the existing water rights appropriations as these locations plus the transfer requested in 12651. Can you help me understand what the requirement here is? The filed CBU of Sept. 30, 2020 provides a certain capacity and it would not be sufficient to encompass all the existing and transferred water rights to these POAs.”

Thank you Gerry!

Kelly

Kelly Starnes, Transfer Program Analyst

Oregon Water Resources Department

725 Summer St NE Suite A

Salem OR 97301-1271

Cellphone: 503-979-3511 Fax: 503-986-0903

E-mail: [patrick.k.starnes@oregon.gov](mailto:patrick.k.starnes@oregon.gov)

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

---

**From:** John Lambie <[jlambie@e-purwater.com](mailto:jlambie@e-purwater.com)>  
**Sent:** Monday, August 2, 2021 10:46 AM  
**To:** STARNES Patrick K \* WRD  
**Cc:** JARAMILLO Lisa J \* WRD  
**Subject:** Detailed question or two on T-12651

Kelly,

I'm writing you thanks to Lisa here on some granular details on this transfer of two PODs over 3 certificates to the same 4 wells as POAs under the same.

One relatively straightforward question is has the CBU been adequately filed? I requested Public Records last week to review the filing of Sept. 30, 2020 and the completeness review. One reason that I requested them is that the webpage suggests that there is a CBU new filing date of Sept. 30, 2021 now. So I requested a deficiency letter if one exists and got nothing. Can you tell me the status here on this transfer?

Another question on transfers is that if like this one they are cumulative as to the POAs then is it right to anticipate that the aggregate capacity of the POAs claimed under the transfer has to be demonstrable? These folks state for example in their application of April 2017 that the system capacity will be sufficient to divert the existing water rights appropriations as these locations plus the transfer requested in 12651. Can you help me understand what the requirement here is? The filed CBU of Sept. 30, 2020 provides a certain capacity and it would not be sufficient to encompass all the existing and transferred water rights to these POAs.

Thanks for your help here.

Please feel free to call and discuss if that's a simpler way to get granular on my questions before you address them in a writing.

Best,

- John

John Lambie, PE, PG, CEG, CWRE

Principal Groundwater Hydrologist



Stockton Office (209) 451-5933

Cell (503) 381-6043

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STATE OF OREGON  
**WATER RESOURCES DEPARTMENT**

72 1mer St. N.E. Ste. A

SALEM, OR 97301-4172

(503) 986-0900 / (503) 986-0904 (fax)

RECEIPT # **136684**

INVOICE # \_\_\_\_\_

RECEIVED FROM: Big Falls Ranch Co.

APPLICATION	
PERMIT	
TRANSFER	T-12651

BY: \_\_\_\_\_

CASH:  CHECK:#  10476 OTHER: (IDENTIFY)  \_\_\_\_\_

TOTAL REC'D \$ 125.00

**1083 TREASURY 4170 WRD MISC CASH ACCT**

0407 COPIES 47126 R12836-23 \$  
0413 OTHER: (IDENTIFY) Certificate Reimbursement Authority \$ 125.00

0243 I/S Lease \_\_\_\_\_ 0244 Muni Water Mgmt. Plan U 0245 Cons. Water \_\_\_\_\_

**4270 WRD OPERATING ACCT**

**MISCELLANEOUS**

0407 COPY & TAPE FEES \$  
 0410 RESEARCH FEES \$  
 0408 MISC REVENUE: (IDENTIFY) \_\_\_\_\_ \$  
 TC162 DEPOSIT LIAB. (IDENTIFY) \_\_\_\_\_ \$  
 0240 EXTENSION OF TIME \$

**WATER RIGHTS:**

0201 SURFACE WATER \$ EXAM FEE 0202 \$  
 0203 GROUND WATER \$ EXAM FEE 0204 \$

0205 TRANSFER \$

**WELL CONSTRUCTION**

0218 WELL DRILL CONSTRUCTOR \$ EXAM FEE 0219 \$  
 LANDOWNER'S PERMIT 0220 \$

OTHER (IDENTIFY) \_\_\_\_\_

**0536 TREASURY 0437 WELL CONST. START FEE**

0211 WELL CONST START FEE \$ CARD# \_\_\_\_\_  
 0210 MONITORING WELLS \$ CARD# \_\_\_\_\_

OTHER (IDENTIFY) \_\_\_\_\_

**0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER**

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

**TREASURY OTHER / RDX**

FUND \_\_\_\_\_ TITLE \_\_\_\_\_

OBJ. CODE \_\_\_\_\_ VENDOR # \_\_\_\_\_

DESCRIPTION \_\_\_\_\_ \$

RECEIPT: **136684**

DATED: 10-25-2021 BY: Mindy Carlson

**STATE OF OREGON  
WATER RESOURCES DEPARTMENT**

RECEIPT # **136684**

721 mer St. N.E. Ste. A  
SALEM, OR 97301-4172  
(503) 986-0900 / (503) 986-0904 (fax)

INVOICE # \_\_\_\_\_

RECEIVED FROM: Big Falls Ranch Co.

APPLICATION \_\_\_\_\_

BY: \_\_\_\_\_

PERMIT \_\_\_\_\_

CASH:  CHECK: # 10476 OTHER: (IDENTIFY)

TRANSFER T-12651

TOTAL REC'D \$ 125.00

**1083 TREASURY 4170 WRD MISC CASH ACCT**

0407 COPIES 47126 R12836-23 \$  
0413 OTHER: (IDENTIFY) Certificate Reimbursement Authority \$ 125.00

0243 I/S Lease \_\_\_\_\_ 0244 Muni Water Mgmt. Plan \_\_\_\_\_ 0245 Cons. Water \_\_\_\_\_

**4270 WRD OPERATING ACCT**

**MISCELLANEOUS**

0407	COPY & TAPE FEES		\$
0410	RESEARCH FEES		\$
0408	MISC REVENUE: (IDENTIFY)	_____	\$
TC162	DEPOSIT LIAB. (IDENTIFY)	_____	\$
0240	EXTENSION OF TIME		\$

**WATER RIGHTS:**

0201	SURFACE WATER		\$
0203	GROUND WATER		\$
0205	TRANSFER		\$

EXAM FEE	
\$	0202
\$	0204
\$	
EXAM FEE	
\$	0219
\$	0220

RECORD FEE	
\$	
\$	

**WELL CONSTRUCTION**

0218	WELL DRILL CONSTRUCTOR		\$
	LANDOWNER'S PERMIT		\$

LICENSE FEE	
\$	
\$	

OTHER (IDENTIFY) \_\_\_\_\_

**0536 TREASURY 0437 WELL CONST. START FEE**

0211	WELL CONST START FEE	\$	CARD#	
0210	MONITORING WELLS	\$	CARD#	

OTHER (IDENTIFY) \_\_\_\_\_

**0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER**

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

**TREASURY OTHER / RDX**

FUND \_\_\_\_\_ TITLE \_\_\_\_\_  
 OBJ. CODE \_\_\_\_\_ VENDOR # \_\_\_\_\_  
 DESCRIPTION \_\_\_\_\_ \$ \_\_\_\_\_

RECEIPT: **136684**

DATED: 10-25-2021 BY: Mindy Carlson



OREGON  
WATER  
RESOURCES  
DEPARTMENT

OREGON WATER RESOURCES DEPARTMENT  
CERTIFICATE REIMBURSEMENT AUTHORITY  
APPLICANT'S AGREEMENT  
Contract Number: R12836-23

This Agreement is between the Oregon Water Resources Department, hereafter OWRD, and Big Falls Ranch, hereafter Applicant, hereafter known together as the parties.

**OWRD Information**

Project Contact: Kerry Kavanagh  
Reimbursement Authority  
Oregon Water Resources Department  
725 Summer Street NE  
Salem, OR 97301-1271  
Phone: 503-979-3208  
Email: [Kerry.L.Kavanagh@water.oregon.gov](mailto:Kerry.L.Kavanagh@water.oregon.gov)

**Applicant's Information**

Name: Rex Barber  
  
Company: Big Falls Ranch  
Address: PO Box 434  
Terrebonne, OR 97760  
Phone: 541-948-6325  
Email\*: [bigfalls@cbbmail.com](mailto:bigfalls@cbbmail.com)

\*By providing an Email address, consent is given to receive all correspondence electronically. (Paper copies of the certificate and final order documents will also be mailed.)

- 1. Purpose.** The purpose of this Agreement is to expedite the processing of the Claim of Beneficial Use. (Transfer Application Number: T-12651)
- 2. Authority.** ORS 536.055 authorizes the OWRD to enter into a voluntary agreement with any applicant, permittee or regulated entity (collectively Applicant) for expediting or enhancing a regulatory process. In making this agreement, OWRD shall require the applicant to pay the full cost of expedited process.
- 3. Restrictions.** Big Falls Ranch and OWRD agree that this Agreement shall not be construed to restrict in any way the decisions and actions by OWRD. OWRD shall be free to exercise independent judgment consistent with existing laws and regulations.
- 4. Effective Date and Duration.** Unless otherwise terminated by non-deposit of funds by the Applicant, this Agreement shall become effective on the date on which both parties have signed the Agreement and the full deposit of the estimated cost of the proposed service has been received by OWRD.
- 5. Consideration.** Big Falls Ranch shall pay OWRD in advance for actual costs incurred by OWRD. Big Falls Ranch agrees to pay the full amount of **\$2086** to OWRD prior to commencement of any work stated in this Agreement. This payment will be placed in an account administered by OWRD and drawn upon as costs are actually incurred. If the actual cost of performing the work is less than payments received, OWRD will refund the unspent balance. If the actual cost of processing exceeds the estimate, the Applicant can either elect to terminate this Agreement or amend the Agreement to reflect the increase in cost. The costs stated in this Agreement do not include the statutory application processing and filing fees.
- 6. Confidentiality.** Big Falls Ranch agrees that any information provided to or acquired by OWRD under this Agreement will be subject to the Oregon Public Records Law and shall be considered public records.
- 7. Indemnity.** Applicant shall defend, save, hold harmless, and indemnify the State of Oregon, OWRD, and their officers, employees, and agents from and against all claims, suits, actions, losses, damages, liabilities, costs and expenses of any nature resulting from or arising out of, or relating to the activities of Applicant or its representatives, officers, employees, contractors, or agents under this Agreement or with respect to the expedited service. The Applicant acknowledges that the Oregon Water Resources Department cannot and does not guarantee a favorable review under the subject regulatory process.

PCA 47126

APPROVED FOR THE BOARD OF DIRECTORS  
DATE: 12/15/2021

MEMORANDUM FOR THE BOARD OF DIRECTORS

Item	Description
1	...
2	...
3	...
4	...
5	...
6	...
7	...
8	...
9	...
10	...

**RECEIVED**  
**DEC 20 2021**  
**OWRD**

The Board of Directors is hereby notified that the following items have been presented for their consideration:

1. Approval of the minutes of the meeting held on December 15, 2021.

2. Approval of the proposed agenda for the meeting held on December 22, 2021.

3. Approval of the proposed resolution regarding the appointment of a new member to the Board of Directors.

4. Approval of the proposed resolution regarding the appointment of a new member to the Board of Directors.

5. Approval of the proposed resolution regarding the appointment of a new member to the Board of Directors.

6. Approval of the proposed resolution regarding the appointment of a new member to the Board of Directors.

7. Approval of the proposed resolution regarding the appointment of a new member to the Board of Directors.

8. **Termination.** Applicant may request to terminate this agreement only in writing at any time during the process. The Applicant agrees to pay for the work done by the Reimbursement Authority personnel up until the time of the written termination request. OWRD, upon receiving such written termination request from the Applicant, will refund any unspent balance after paying the Reimbursement Authority personnel for the work done.
9. **Funds Authorized and Available.** By its execution of this Agreement, Applicants certifies that sufficient funds are authorized and available to cover the expenditures contemplated by this Agreement.
10. **Duration of Estimate.** The Estimate of Time to complete the work is no later than one hundred and twenty days (120) days once this Agreement has been fully executed and payment of the estimated cost deposited. However, this estimate is contingent on the Applicant's expeditious resolution of any deficiency and may be affected by the Department's work load. This Estimate of Time may become null and void after thirty (30) days from the date the Applicant's Agreement is mailed. If the Applicant's Agreement is not received by the Department within thirty (30) days of mailing the Agreement, the Applicant may need to re-apply for a new estimate.
11. **Completion Date.** OWRD, by the execution of this Agreement does not guarantee the completion date indicated in this Agreement. Completion date is only an estimate and may be affected by the Department's workload, issues arising from the processing of the requested services and Applicant's timely response to requests for additional information.
12. **Captions.** The captions or headings in this Agreement are for the convenience only and in no way define limit or describe the scope or intent of any provision of this Agreement.
13. **Amendment and Merger.** The terms of this Agreement shall not be waived, altered, modified, supplemented or amended in any manner whatsoever, except by written instrument signed by both parties. Such waiver, consent, modification or change, if made, shall be effective only in the specific instance and for the specific purpose given. There are no understandings, agreements or representations, oral or written, not specified herein regarding this Agreement.
14. **Signatures.** All parties, by the authorized representative's signature below, hereby acknowledge that they have read this Agreement, understand it and agree to be bound by its terms and conditions.

Applicant:   
 Name: Rex Barber  
 Company: Big Falls Ranch  
 Date: 12/15/21

For OWRD:   
 Name: Kerry Kavanagh  
 Water Right Services Division  
 Date: 1-4-2022

Mail signed Agreement to:  
**Kerry Kavanagh**  
**Oregon Water Resources Department**  
**725 Summer Street NE, Suite A**  
**Salem, OR 97301-1271**

PCA 47126

**STATE OF OREGON  
WATER RESOURCES DEPARTMENT**

RECEIPT # **136684**

721 Number St. N.E. Ste. A  
Salem, OR 97301-4172  
(503) 986-0900 / (503) 986-0904 (fax)

INVOICE # \_\_\_\_\_

RECEIVED FROM: Big Falls Ranch Co.  
BY: \_\_\_\_\_

APPLICATION	
PERMIT	
TRANSFER	<u>T-12051</u>

CASH:  CHECK: #  10476 OTHER: (IDENTIFY)  \_\_\_\_\_

TOTAL REC'D \$ 125.00

**1083 TREASURY 4170 WRD MISC CASH ACCT**

0407 COPIES	<u>47126</u>	<u>R12836-23</u>	\$
<u>0413</u> OTHER:	(IDENTIFY) <u>Certificate Reimbursement Authority</u>		\$ <u>125.00</u>
0243 I/S Lease	0244 Muni Water Mgmt. Plan	0245 Cons. Water	

**4270 WRD OPERATING ACCT**

MISCELLANEOUS			
0407	COPY & TAPE FEES		\$
0410	RESEARCH FEES		\$
0408	MISC REVENUE: (IDENTIFY)	_____	\$
TC162	DEPOSIT LIAB. (IDENTIFY)	_____	\$
0240	EXTENSION OF TIME		\$
WATER RIGHTS:		EXAM FEE	RECORD FEE
0201	SURFACE WATER	\$ _____	0202 \$ _____
0203	GROUND WATER	\$ _____	0204 \$ _____
0205	TRANSFER	\$ _____	
WELL CONSTRUCTION		EXAM FEE	LICENSE FEE
0218	WELL DRILL CONSTRUCTOR	\$ _____	0219 \$ _____
	LANDOWNER'S PERMIT		0220 \$ _____
	OTHER (IDENTIFY)	_____	

**0536 TREASURY 0437 WELL CONST. START FEE**

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

**0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER**

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

**TREASURY OTHER / RDX**

FUND \_\_\_\_\_ TITLE \_\_\_\_\_  
OBJ. CODE \_\_\_\_\_ VENDOR # \_\_\_\_\_  
DESCRIPTION \_\_\_\_\_ \$ \_\_\_\_\_

RECEIPT: **136684**

DATE: 10-25-2021 BY: Mindy Cadman

**STATE OF OREGON  
WATER RE JRCES DEPARTMENT**

RECEIPT # **136684**

721 mer St. N.E. Ste. A  
SALEM, OR 97301-4172  
(503) 986-0900 / (503) 986-0904 (fax)

INVOICE # \_\_\_\_\_

RECEIVED FROM: Big Falls Ranch Co.  
BY: \_\_\_\_\_

APPLICATION	
PERMIT	
TRANSFER	<u>T-12651</u>

CASH:  CHECK: # 10476 OTHER: (IDENTIFY)

TOTAL REC'D \$ 125.00

**1083 TREASURY 4170 WRD MISC CASH ACCT**

0407 COPIES 47126 12836-23 \$  
0413 OTHER: (IDENTIFY) Certificate Reimbursement Authority \$ 125.00  
 0243 I/S Lease \_\_\_\_\_ 0244 Muni Water Mgmt. Plan \_\_\_\_\_ 0245 Cons. Water \_\_\_\_\_

**4270 WRD OPERATING ACCT**

**MISCELLANEOUS**

0407 COPY & TAPE FEES		\$
0410 RESEARCH FEES		\$
0408 MISC REVENUE: (IDENTIFY) _____		\$
TC162 DEPOSIT LIAB. (IDENTIFY) _____		\$
0240 EXTENSION OF TIME		\$

**WATER RIGHTS:**

0201 SURFACE WATER	EXAM FEE	0202	RECORD FEE
0203 GROUND WATER	\$	0204	\$
0205 TRANSFER	\$		

**WELL CONSTRUCTION**

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

**0536 TREASURY 0437 WELL CONST. START FEE**

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

**0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER**

0233 POWER LICENSE FEE (FW/WRD) \_\_\_\_\_ \$  
 0231 HYDRO LICENSE FEE (FW/WRD) \_\_\_\_\_ \$  
 HYDRO APPLICATION \_\_\_\_\_ \$

**TREASURY OTHER / RDX**

FUND \_\_\_\_\_ TITLE \_\_\_\_\_  
 OBJ. CODE \_\_\_\_\_ VENDOR # \_\_\_\_\_  
 DESCRIPTION \_\_\_\_\_ \$ \_\_\_\_\_

RECEIPT: **136684**

DATE: 10-25-2021 BY: Mindy Carlson



**OREGON WATER RESOURCES DEPARTMENT  
CERTIFICATE REIMBURSEMENT AUTHORITY  
ESTIMATE APPLICATION**

*ORS 536.055 authorizes the Oregon Water Resources Department to expedite or enhance regulatory processes voluntarily requested under the agreement.*

*The purpose of this application is to obtain estimates of the cost and time required to process a Certificate Request. A separate estimate application is required for each application and/or transfer number. There is a non-refundable application fee of \$125.00 per request.*

<u>REQUEST</u>	<u>TYPE</u>	<u>FILE NUMBER</u>
<input checked="" type="checkbox"/>	Certificate Request	Application Number _____ Permit Number _____ Transfer Number/Permit Amendment (if applicable) <u>T-12651</u>

	<u>Applicant Information</u>	<u>Applicant's Representative/Contact</u>
Name:	___ <u>Big Falls Ranch</u>	___ <u>Rex Barber</u>
Address:	___ <u>PO Box 434</u>	___ <u>PO Box 434</u>
	___ <u>Terrebonne, OR 97760</u>	___ <u>Terrebonne, OR 97760</u>
Phone:	___ <u>541-948-6325</u>	___ <u>541-948-6325</u>
Fax:	___	___
E-Mail Address:	___ <u>bigfalls@cbbmail.com</u>	___ <u>bigfalls@cbbmail.com</u>

I certify that I (check one):

- have previously filed a Claim of Beneficial Use
- am attaching the Claim of Beneficial Use with this request and have included the appropriate claim fee.

I understand the following:

- That upon receipt of my non-refundable application fee in the amount of **\$ 125.00**, OWRD will, within fourteen (14) days, notify me in writing of the estimates of cost and time frame for the expedited service.
- That this fee covers the reimbursement authority staff to evaluate and provide the estimate for processing of the request.
- That upon receiving the estimate I may agree or decline to enter into a formal contract to pay the estimated cost in advance to initiate the expedited service.
- An incomplete or inaccurate Claim of Beneficial Use may delay the process and increase the cost to process my request.
- Expedited processing does not guarantee a favorable review of my request.
- Send completed Application and payment to:

**Oregon Water Resources Department  
Certificate Reimbursement Authority Program  
725 Summer St. NE, Suite A  
Salem, OR 97301-1271**

**RECEIVED**

**OCT 25 2021**

**OWRD**

I certify that I am the (check one):

- Applicant  Applicant's Representative  Other (Please specify) \_\_\_\_\_

Name: Rex Barber

Signature: Rex Barber 10/21/21

**OWRD USE ONLY: Reimbursement Authority Number: R12 836-23**



# Oregon

Kate Brown, 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.Oregon.gov/OWRD](http://www.Oregon.gov/OWRD)

November 20, 2018

BIG FALLS RANCH CO.  
ATTN: REX BARBER  
PO BOX 434  
TERREBONNE, OR 97760

REFERENCE: Transfer Application T-12651

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 your caseworker, Kelly Starnes, by telephone at (503) 986-0886 or by e-mail at [Patrick.K.Starnes@oregon.gov](mailto:Patrick.K.Starnes@oregon.gov).

Sincerely,

Stacy H. Phillips  
Water Right Services Support  
Transfers and Conservation Section

cc: Jeremy T. Giffin, Watermaster Dist. #11 (via email)  
David J. Newton, Agent  
Deschutes County

Enclosure



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

In the Matter of Transfer Application	)	FINAL ORDER
T-12651, Deschutes County	)	APPROVING A CHANGE FROM A
	)	SURFACE WATER POINT OF
	)	DIVERSION TO GROUNDWATER
	)	POINTS OF APPROPRIATION

**Authority**

Oregon Revised Statutes (ORS) 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of diversion, place of use, or character of use authorized under an existing water right. Oregon Administrative Rules (OAR) Chapter 690, Division 380 implement the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

**Applicant**

BIG FALLS RANCH  
ATTN: REX BARBER  
PO BOX 434  
TERREBONNE OR 97760

**Findings of Fact**

1. On April 21, 2017, BIG FALLS RANCH, ATTN: REX BARBER, filed an application to change the surface water point of diversion to groundwater points of appropriation under Certificates 76371, 87655, and 88027. The Department assigned the application number T-12651.
2. Notice of the application for transfer was published on May 2, 2017, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On April 11, 2018, the Department contacted the applicant and agent regarding a deficiency in the application. The application lacks a completed Land-use form.
4. On July 6, 2018, the applicant's agent submitted a completed Land Use Form that shows that the land use served by the water use from the proposed groundwater points of appropriation is allowed outright.

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.

5. On July 25, 2018, the Department sent a copy of the draft Preliminary Determination proposing to approve Transfer Application T-12651 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of August 23, 2018, 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.
6. On September 20, 2018, the Department issued a Preliminary Determination proposing to approve Transfer Application T-12651 and sent a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published in the Department's weekly notice on September 25, 2018, and in the Redmond Spokesman newspaper on October 3 and 10, 2018, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.
7. The first right to be transferred is as follows:

**Certificate:** 76371 in the name of DESCHUTES VALLEY FARMS (perfected under Permit S-32049)

**Use:** IRRIGATION OF 157.1 ACRES

**Priority Date:** APRIL 13, 1967

**Rate:** 1.81 CUBIC FEET PER SECOND

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

**Source:** DEEP CANYON CREEK, a tributary of the DESCHUTES RIVER

**Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
14 S	12 E	WM	9	SW SE	4440 FEET SOUTH AND 3020 FEET EAST FROM THE NW CORNER OF SECTION 9

**Authorized Place of Use:**

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
14 S	12 E	WM	3	SW SW	1.4
14 S	12 E	WM	4	SW SE	7.7
14 S	12 E	WM	8	NE SE	3.3
14 S	12 E	WM	8	SE SE	7.6
14 S	12 E	WM	9	NW NE	20.2
14 S	12 E	WM	9	SE NE	10.3
14 S	12 E	WM	9	NE NW	9.8
14 S	12 E	WM	9	NE SW	35.0
14 S	12 E	WM	9	NW SW	40.0
14 S	12 E	WM	9	NE SE	1.6
14 S	12 E	WM	9	NW SE	13.6
14 S	12 E	WM	17	NE NE	6.6
Total					157.1

8. Transfer Application T-12651 proposes to move the authorized point of diversion to wells located:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approx. distance from authorized point of diversion (feet)
14 S	12 E	WM	9	SE NW	WELL 7 - 1571.4 FEET SOUTH AND 2862.6 FEET WEST FROM THE NE CORNER OF SECTION 9	2956.8
14 S	12 E	WM	17	SW NE	WELL 3 - 1772.1 FEET SOUTH AND 1706.6 FEET WEST FROM THE NE CORNER OF SECTION 17	5491.2
14 S	12 E	WM	17	NW NW	WELL 4 - 240.7 FEET SOUTH AND 32.2 FEET EAST FROM THE NW CORNER OF SECTION 17	8395.2
14 S	12 E	WM	18	SW SE	WELL 1 - 1154.2 FEET NORTH AND 1680.6 FEET WEST FROM THE SE CORNER OF SECTION 18	11246.4

9. The second right to be transferred is as follows:

**Certificate:** 87655 in the name of BIG FALLS RANCH CO. (perfected under Permit S-37392)

**Use:** SUPPLEMENTAL IRRIGATION OF 206.6 ACRES

**Priority Date:** OCTOBER 23, 1973

**Rate:** 4.5 CUBIC FEET PER SECOND (CFS), PROVIDED THE TOTAL QUANTITY DIVERTED BY ALL RIGHTS PERFECTED UNDER PERMIT S-37392 DOES NOT EXCEED 4.5 CFS.

**Limit/Duty:** 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-FORTIETH 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 4.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

**Source:** AN UNNAMED STREAM (McKENZIE CANYON), a tributary to the DESCHUTES RIVER

**Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
14 S	12 E	WM	4	NW SE	1592.5 FEET NORTH AND 1610.6 FEET WEST FROM THE SE CORNER OF SECTION 4

**Authorized Place of Use:**

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
14 S	12 E	WM	8	NE SW	1.2
14 S	12 E	WM	8	NW SW	0.2
14 S	12 E	WM	8	SW SW	32.7
14 S	12 E	WM	8	SE SW	3.1
14 S	12 E	WM	8	NW SE	2.2
14 S	12 E	WM	8	SW SE	1.1
14 S	12 E	WM	17	NW NE	9.3
14 S	12 E	WM	17	SW NE	16.4
14 S	12 E	WM	17	SE NE	32.4
14 S	12 E	WM	17	NW NW	32.9
14 S	12 E	WM	17	SE NW	0.4
14 S	12 E	WM	17	NE SW	5.1
14 S	12 E	WM	17	SE SW	23.8
14 S	12 E	WM	17	NE SE	14.8
14 S	12 E	WM	17	NW SE	24.9
14 S	12 E	WM	17	SW SE	6.1
Total					206.6

10. Transfer Application T-12651 proposes to move the authorized points of diversion to wells located:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approx. distance from authorized point of diversion (feet)
14 S	12 E	WM	9	SE NW	WELL 7 - 1571.4 FEET SOUTH AND 2862.6 FEET WEST FROM THE NE CORNER OF SECTION 9	2956.8
14 S	12 E	WM	17	SW NE	WELL 3 - 1772.1 FEET SOUTH AND 1706.6 FEET WEST FROM THE NE CORNER OF SECTION 17	5491.2
14 S	12 E	WM	17	NW NW	WELL 4 - 240.7 FEET SOUTH AND 32.2 FEET EAST FROM THE NW CORNER OF SECTION 17	8395.2
14 S	12 E	WM	18	SW SE	WELL 1 - 1154.2 FEET NORTH AND 1680.6 FEET WEST FROM THE SE CORNER OF SECTION 18	11246.4

11. The third right to be transferred is as follows:

**Certificate:** 88027 in the name of BIG FALLS RANCH CO. (perfected under Permit S-32049)  
**Use:** IRRIGATION OF 307.8 ACRES AND SUPPLEMENTAL IRRIGATION OF 12.6 ACRES  
**Priority Date:** APRIL 13, 1967  
**Rate:** 3.69 CUBIC FEET PER SECOND  
**Limit/Duty:** 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-FORTIETH 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 4.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.  
**Source:** DEEP CANYON CREEK, a tributary of the DESCHUTES RIVER

**Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
14 S	12 E	WM	9	SW SE	4440 FEET SOUTH AND 3020 FEET EAST FROM THE NW CORNER OF SECTION 9

**Authorized Place of Use:**

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
14 S	12 E	WM	3	SW SW	3.7
14 S	12 E	WM	4	SW SE	1.2
14 S	12 E	WM	4	SE SE	29.8
14 S	12 E	WM	8	SE NE	2.9
14 S	12 E	WM	8	NE SE	31.9
14 S	12 E	WM	8	SE SE	32.7
14 S	12 E	WM	9	NW NE	3.9
14 S	12 E	WM	9	SW NE	40.2
14 S	12 E	WM	9	SE NE	2.2
14 S	12 E	WM	9	SW NW	31.5
14 S	12 E	WM	9	SE NW	38.3
14 S	12 E	WM	9	NE SW	1.5
14 S	12 E	WM	9	SW SW	14.3
14 S	12 E	WM	9	SE SW	10.0
14 S	12 E	WM	9	NE SE	1.6
14 S	12 E	WM	9	NW SE	5.0
14 S	12 E	WM	17	NE NE	32.7
14 S	12 E	WM	17	NW NE	16.2
14 S	12 E	WM	17	SW NE	1.4
14 S	12 E	WM	17	SE NE	0.2
14 S	12 E	WM	17	NE NW	5.9
14 S	12 E	WM	17	SE NW	0.7
Total					307.8

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
14 S	12 E	WM	17	NW NW	2.2
14 S	12 E	WM	17	SW SW	8.1
14 S	12 E	WM	18	SE SE	2.3
Total					12.6

12. Transfer Application T-12651 proposes to move the authorized points of diversion to wells located:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approx. distance from authorized point of diversion (feet)
14 S	12 E	WM	9	SE NW	WELL 7 - 1571.4 FEET SOUTH AND 2862.6 FEET WEST FROM THE NE CORNER OF SECTION 9	2956.8
14 S	12 E	WM	17	SW NE	WELL 3 - 1772.1 FEET SOUTH AND 1706.6 FEET WEST FROM THE NE CORNER OF SECTION 17	5491.2
14 S	12 E	WM	17	NW NW	WELL 4 - 240.7 FEET SOUTH AND 32.2 FEET EAST FROM THE NW CORNER OF SECTION 17	8395.2
14 S	12 E	WM	18	SW SE	WELL 1 - 1154.2 FEET NORTH AND 1680.6 FEET WEST FROM THE SE CORNER OF SECTION 18	11246.4

**Transfer Review Criteria [OAR 690-380-4010(2)]**

13. Water has been used within the last five years according to the terms and conditions of the rights. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
14. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights was present within the five-year period prior to submittal of Transfer Application T-12651.
15. The proposed wells meet the requirements of ORS 540.531(3a.-c.).
16. The proposed change would not result in enlargement of the rights.
17. The proposed change would not result in injury to other water rights.

**Conclusions of Law**

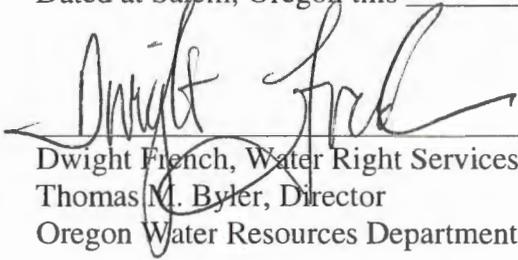
The change from a surface water point of diversion to groundwater points of appropriation proposed in Transfer Application T-12651 appears to be consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-2130 and 690-380-5000.

**Now, therefore, it is ORDERED:**

1. The change from surface water points of diversion to groundwater points of appropriation proposed in Transfer Application T-12651 is 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 Certificates 87655, 88027, 76371 and any related decree.
3. Water right Certificates 87655, 88027, and 76371 are 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 points of diversion.
5. The use of water under this right shall be subject to regulation consistent with other water rights from the surface water source and to all other applicable conditions and restrictions that existed at the original point of diversion.
6. If, within five years after approval of the transfer, the Department finds that the transfer results in substantial or undue interference with an existing ground water right due to use of the wells, that would not have occurred in the absence of the transfer, the new point of appropriation shall be subordinate to the existing right injured by the transfer.
7. The original point of diversion of surface water shall not be retained as an additional or supplemental point of diversion under the transferred portion of the right. However, if within five years after approval of the transfer, the Department receives a transfer application to return to the last authorized surface water point of diversion, the application shall be approved.
8. 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 proposed well.
  - 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.
9. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2020**. 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 change and full beneficial use of the water.

10. After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.

Dated at Salem, Oregon this NOV 20 2018,

A handwritten signature in black ink, appearing to read "Dwight French", is written over a horizontal line. The signature is fluid and cursive.

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

Mailing date: NOV 21 2018

**Water Right Transfer Cover Sheet**

Transfer T-12651

Transfer Specialist: PKS

**BIG FALLS RANCH**  
ATTN

Transfer Type: Regular

Applicant Name/Address: <b>REX BARBER</b> <b>PO BOX 434</b> <b>TERREBONE, OR 97760</b>	Agent Name/Address: <b>DAVID J. NEWTON</b> <b>PO BOX 1728</b> <b>REDMOND, OR 97756</b>	Rec Landowner Name/Address:
CWRE Name/Number:	Irr. District Name/Address:	Affected Gov'ts Name/Address: <b>Deschutes County Planning Department</b>
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"/>	S-43479	S-32049	88027	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	<input type="checkbox"/>	S-43479	S-32049	76371	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	<input type="checkbox"/>	S-51331	S-37392	87655	<input type="checkbox"/> Yes <input type="checkbox"/> No	

**Key Dates & Initial Actions**

Rec'd: April 21, 2017	Proposed Action(s): <b>GROUND WATER</b>	<b>SURFACE WATER TO</b>
Fees Pd: 2250.00	WM District: 11	ODFW District:
Initial Notice: May 2, 2017	WM Review sent: 4/26/17	ODFW Review sent:
Acknowledgement Letter Sent <input checked="" type="checkbox"/>		GW Review sent: 4/26/17

**Processing Dates & Actions**

Deficiency Contacts: \_\_\_\_\_

Newspaper quote requested: \_\_\_\_\_

*Redmond Spokesman*

DPD Mailed: \_\_\_\_\_

not required

ODFW contact sheet sent with DPD, or  N/A

Request for news \$ sent: \_\_\_\_\_

WM measurement contact sheet sent, or  N/A

News \$ received: \_\_\_\_\_

PD Signed: 9-20-18

Request to publish sent to newspaper: 9-20-18

PD Weekly Notice: 9-25-18

Affidavit of publication received: \_\_\_\_\_

DPD Review (Optional)	PD Review (Salem)	Final Order Review (Salem)
Reviewer: <u>Corey</u>	Reviewer: _____	Reviewer: _____
Date: <u>7/17/18</u>	Date: _____	Date: _____
Coordinator: <u>PKS</u>	Coordinator: <u>PKS</u>	Coordinator: <u>PKS</u>
Date: <u>7/24/18</u>	Date: <u>9-6-18</u>	Date: <u>11-14-18</u>
Comments/Special Issues: <u>SW-GW Deschutes Basin</u>		

Special Order Volume: Vol 109 Pages 999-1006 Final Order Signature Date: 11-20-18

Notice of FO email'd to processors 11-21-18

## STARNES Patrick K \* WRD

---

**From:** Rex Barber <bigfalls@cbbmail.com>  
**Sent:** Monday, August 06, 2018 9:04 AM  
**To:** STARNES Patrick K \* WRD  
**Cc:** David J Newton (dnewton@newtonconsultants.com); GIFFIN Jeremy T \* WRD; Bob & Pam Caine  
**Subject:** RE: Water Right Transfer Application T-12651 draft PreliminaryDetermination

Kelly,

Thank you for the clear instructions re this transfer.

The lot book report should be done this week.

The Redmond Spokesman is fine for publication.

Will you adjust the completion date to October 1, 2020.

Dave is working on the small discrepancy in the map.

Rex Barber  
541-948-6325

Sent from [Mail](#) for Windows 10

**From:** [STARNES Patrick K \\* WRD](#)  
**Sent:** Wednesday, July 25, 2018 10:55 AM  
**To:** [BigFalls@cbbmail.com](mailto:BigFalls@cbbmail.com)  
**Cc:** [David J Newton \(dnewton@newtonconsultants.com\)](mailto:David J Newton (dnewton@newtonconsultants.com)); [GIFFIN Jeremy T \\* WRD](#)  
**Subject:** Water Right Transfer Application T-12651 draft PreliminaryDetermination

Dear Mr. Barber

Your water right transfer is in one of three phases of processing. Attached is a draft of our Preliminary Determination regarding Transfer Application T-12651. 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...

1. Please review the draft carefully to see if it accurately reflects the changes you intend to make, and to become familiar with all proposed conditions. **You will need to respond in writing** by the deadline provided below, whether you agree with the proposed action and conditions. Also we will appreciate having you let us know if there are typographical errors that need to be corrected.
2. **NOTE** – The transfer application map contains a discrepancy in the number of acres authorized under Certificate 76371. The map lists 7.8 acres in the SE¼ SE¼, Section 8, T14S, R12E, WM, whereas Certificate 76371 authorizes 7.6 acres in that quarter-quarter. The transfer application map needs to be amended to reflect the correct number of authorized acres under Certificate 76371.

3. A report of landownership for the lands to which the water right(s) are appurtenant (the FROM lands) is required. **The report must be prepared by a title company and meet the criteria below.** (Reports may be called by various names, such as Customer Service Report, Property Analysis Report (PAR), List Pack, Lot Book Report, etc.)
  - a) The title company's report must either be:
    - i. prepared within 3 months of the draft Preliminary Determination showing current ownership, or
    - ii. prepared within 3 months of recording of a water right conveyance agreement, or
    - iii. prepared at any time, but showing ownership at the time a water right conveyance agreement was recorded.
  - b) The ownership report shall include:
    - i. Date reflected by the ownership information
    - ii. List of owners at that time
    - iii. Legal description of the property where the water right to be transferred is currently located.
  - c) 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.
4. Notice of this transfer will need to be published in a local newspaper with general circulation in the area where the water rights are currently located. You will be responsible for the charges. Please confirm the Redmond Spokesman as the local paper you prefer to publish in so we can get an accurate estimate of the cost.

#### Conditions to your water right...

The Watermaster has required water measurement devices at the proposed wells prior to diversion of water. Attached are contact information sheets to assist you in pursuing additional information or approval of the required (or alternate) device(s).

**Please note the proposed date by which all conditions must be met: October 1, 2019.** If the required completion date is insufficient to comply with any of the conditions, 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 there is more than ¼ mile between the new and the authorized points of diversion, the Department will publish notice of the transfer in a local newspaper having a general circulation in the area of the water right at least once per week for two consecutive weeks. You are responsible for sending a check to cover the cost of publication prior to the issuance of the Preliminary Determination and publication of notice.

Issuance of the Preliminary Determination will occur shortly after we receive:

1. your written response to the conditions and proposed action in the draft Preliminary Determination (e-mail is acceptable); and
2. amended transfer application map showing the correct number of acres under Certificate 76371.
3. report of ownership, and affidavits of consent from any landowners shown in the ownership report who have not signed the transfer application; and
4. confirmation of the newspaper you wish the Department to use for publication of the notice of the Preliminary Determination.

**If we do not receive the items listed above by August 23, 2018, a Preliminary Determination may be issued denying the application as incomplete.**

Please do not hesitate to contact me at 503-986-0386 or [Patrick.K.Starnes@wrd.state.or.us](mailto:Patrick.K.Starnes@wrd.state.or.us) if I may be of assistance.

Sincerely,

Kelly Starnes  
Transfer Program Analyst

\*\*\*\*\*

Kelly Starnes, Transfer Program Analyst  
Oregon Water Resources Department  
725 Summer St NE Suite A  
Salem OR 97301-1271  
Telephone: 503-986-0886      Fax: 503-986-0903  
E-mail: [patrick.k.starnes@oregon.gov](mailto:patrick.k.starnes@oregon.gov)

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

\*\*\*\*\*



Virus-free. [www.avg.com](http://www.avg.com)



July 24, 2018

**VIA E-MAIL**

BIG FALLS RANCH  
ATTN: REX BARBER  
PO BOX 434  
TERREBONNE OR 97760

SUBJECT: Water Right Transfer Application T-12651

Your water right transfer is in one of three phases of processing. Enclosed is a draft of our Preliminary Determination regarding Transfer Application T-12651. 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...**

1. Please review the draft carefully to see if it accurately reflects the changes you intend to make, and to become familiar with all proposed conditions. **You will need to respond in writing** by the deadline provided below, whether you agree with the proposed action and conditions. Also we will appreciate having you let us know if there are typographical errors that need to be corrected.
2. **NOTE** – The transfer application map contains a discrepancy in the number of acres authorized under Certificate 76371. The map lists 7.8 acres in the SE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 8, T14S, R12E, WM, whereas Certificate 76371 authorizes 7.6 acres in that quarter-quarter. The transfer application map needs to be amended to reflect the correct number of authorized acres under Certificate 76371.
3. A report of landownership for the lands to which the water right(s) are appurtenant **(the FROM lands)** is required. **The report must be prepared by a title company and meet the criteria below.** (Reports may be called by various names, such as Customer Service Report, Property Analysis Report (PAR), List Pack, Lot Book Report, etc.)
  - a) The title company's report must either be:
    - i) prepared within 3 months of the draft Preliminary Determination showing current ownership, or
    - ii) prepared within 3 months of recording of a water right conveyance agreement, or
    - iii) prepared at any time, but showing ownership at the time a water right conveyance agreement was recorded.
  - b) The ownership report shall include:
    - i) Date reflected by the ownership information
    - ii) List of owners at that time
    - iii) Legal description of the property where the water right to be transferred is currently located.
  - c) 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.

4. Notice of this transfer will need to be published in a local newspaper with general circulation in the area where the water rights are currently located. You will be responsible for the charges. Please confirm the Redmond Spokesman as the local paper you prefer to publish in so we can get an accurate estimate of the cost.

#### **Conditions to your water right...**

The Watermaster has required water measurement devices at the proposed wells prior to diversion of water. Enclosed is a contact information sheet to assist you in pursuing additional information or approval of the required (or alternate) device(s).

**Please note the proposed date by which all conditions must be met: October 1, 2019.** If the required completion date is insufficient to comply with any of the conditions, 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 there is more than ¼ mile between the new and the authorized points of diversion, the Department will publish notice of the transfer in a local newspaper having a general circulation in the area of the water right at least once per week for two consecutive weeks. You are responsible for sending a check to cover the cost of publication prior to the issuance of the Preliminary Determination and publication of notice.

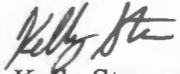
Issuance of the Preliminary Determination will occur shortly after we receive:

1. your written response to the conditions and proposed action in the draft Preliminary Determination (e-mail is acceptable); and
2. amended transfer application map showing the correct number of acres under Certificate 76371.
3. report of ownership, and affidavits of consent from any landowners shown in the ownership report who have not signed the transfer application; and
4. confirmation of the newspaper you wish the Department to use for publication of the notice of the Preliminary Determination.

**If we do not receive the items listed above by August 23, 2018, a Preliminary Determination may be issued denying the application as incomplete.**

Please do not hesitate to contact me at 503-986-0886 or [Patrick.K.Starnes@wrд.state.or.us](mailto:Patrick.K.Starnes@wrд.state.or.us) if I may be of assistance.

Sincerely,



Kelly Starnes  
Transfer Program Analyst  
Transfer and Conservation Section

cc: Transfer Application file T-12651  
Jeremy Giffin, District 11 Watermaster *(via e-mail)*  
David Newton, Agent for the applicant *(via e-mail)*

encs

**Oregon Water Resources Department**

**Measurement Condition Information for the Applicant**

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

Transfer #: T-12651

In order to avoid enlargement of the right or injury to other rights, a totalizing flowmeter will be required to be installed **prior to diversion of water**, as a condition of this transfer:

- at each point of diversion/appropriation (new and existing) **or**
- at each new point of diversion/appropriation.

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: 231 SW Scalehouse lp

City/State/Zip: Bend, OR 97702

Phone: 541-306-6885

Email: Jeremy.T.Giffin@oregon.gov

*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

## How to Select and Install a Suitable Flow Measuring Device

**Note:** Installation of a measuring device is subject to inspection and approval by the Watermaster.

### For Piped Diversions

Diversions of less than or equal to 0.01 cfs (about 4.5 gpm):

- Install a flow regulator or control valve (*commonly called a dole valve*) to allow water to flow at a pre-determined rate, or a flow meter, or other device approved by local Watermaster.

Flow Meter Specifications for total diversions of greater than 0.01 cfs:

- Meter type may be magnetic head, ultrasonic, vortex cone, velocity-propeller, shunt line or venturi.
- The meter must have an accuracy rating within plus or minus 2% of actual flow rate for the full range of flow rates allowed.
- The register face must show a cumulative "totalizer", and have a protective plate or cover.
- The meter must measure the instantaneous rate of flow, either displayed directly with a readout or a dial, or by calculating using the totalizer. To calculate the flow: 1) Record a totalizer reading; 2) Run the system for a set number of minutes; and 3) Record another totalizer reading.

Calculation: (end reading – beginning reading) divided by # of minutes = x measurement units/minute flow rate.

- The units of measure may be in acre-feet, cubic feet or gallons. Any multiplication factor must be clearly indicated on the face of the register.
- Totalizer must have sufficient capacity to record the maximum quantity of water authorized to be pumped over a period of 2 years without "rolling over" to show 0000000.
- Meter may be protected with a locked shelter, provided the Watermaster has a key to the lock.

Flow Meter Installation:

- Match the meter to pipe size according to manufacturer's specifications.
- There must not be any turnouts or diversions between the source of water and the meter.
- Install the meter according to manufacturer's directions, which is typically in-line with a straight, horizontal length of pipe at least 5 pipe diameters upstream and downstream from any valve, elbow or other obstruction.
- Position the meter so that the pipe will be full at all times when water is being measured.
- Note the use of variable speed pump drives, which can pump a wide range of rates, may require a valve installed after the flow meter to obtain a full pipe of water.

### For Ditch or Open Channel Diversions

- To measure only instantaneous flow: Use weirs, submerged orifice devices, Parshall flumes, long-throated or ramp flumes.
- To measure instantaneous flow and volume: Use a method for measurement of diversion discharge. Establish or maintain a rating curve with values for the full range from low to high discharge, conforming to U.S. Geological Survey methods for velocity-area measurements.

### For Reservoirs

- Install a staff gage to measure the full range of storage volume. Establish a rating elevation-capacity table to relate water surface elevation to storage volume. In areas where the reservoir typically ices over during the winter, significant protection of the staff plate is required.

**Contact your local Watermaster for more information, and to obtain approval of your measuring device. If you have any concerns, please contact the Watermaster prior to purchasing and installing your measurement device.**

## How to Read Totalizing Flow Meters

Reading a water meter is similar to reading the odometer in your car. Reading your meter can help you identify leaks, track pumping costs, and discover ways to conserve water. To determine water use for a period of time between two meter readings, subtract the earlier reading from the later reading. (Example: July 31 reading minus June 30 reading = amount of water used in July.) Below are examples of two common types of meters.

If your meter does not look like these examples, contact the manufacturer or the meter installer for information.

### Example 1: Meter Face Shows Only Cumulative Volume—

Totalizer Has 1 or 2 Fixed 0s as Place-holders + Sweep Hand Shows Amounts Represented by Zero Place-holders

Up to 9.9 units (ones and tenths) are read by sweep hand

1.0 unit

Sweep hand here reads 0.8

One Fixed 0  
Totalizer reads to nearest 10 units

Up to 99 units (tens and ones) are read by sweep hand

10 units

Sweep hand here reads 89

Two Fixed 0s  
Totalizer reads to nearest 100 units

1. Read totalizer (including all fixed "0"s) without adding decimal points  
2. Then add amount shown by sweep hand

0	1	5	2	2	5	0
Totalizer reading: 0,152,250						
Sweep hand reading: +0.8						
Amount: = 152,250.8 G						
Unit of measurement = Gallons (G)						

0	0	0	2	2	6	0	0
Totalizer reading: 00,022,600 (not quite to 700)							
Sweep hand reading: + 89							
Amount: = 22,689 G							
Unit of measurement = Gallons (G)							

### Example 2: Meter Face Shows Both Instantaneous Flow Rate and Cumulative Volume—

Sweep Hand Shows Instantaneous Rate, and "Odometer-like" Totalizer Shows Cumulative Volume

**Instantaneous Flow Rate**

Sweep hand shows instantaneous flow rate around the dial from 0 to 2500 gallons per minute (showing 700+ gpm in this example). If water is not flowing, the sweep hand will show "0". Note: This rate of flow is separate, and not to be added to the totalizer reading.

**Cumulative Volume**

Totalizer shows cumulative water volume.

Multiplier to be applied to totalizer reading (0.001 in this example, but it could be 10, 100, 1,000, etc.)

Measurement unit (acre feet in this example, but it could be gallons, cubic feet, etc.) Note: The totalizer unit of volume measurement may be different from the unit of instantaneous flow rate.

0	0	3	2	5	5
---	---	---	---	---	---

Water Volume (read the totalizer numbers from left to right, without any decimal points)	
Totalizer Reading:	003255
Multiplier:	X 0.001
Amount:	= 3.255 AF
Unit of measurement = Acre Feet (AF)	

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

In the Matter of Transfer Application )  
T-12651, Deschutes County )

**D R A F T**

PRELIMINARY DETERMINATION  
PROPOSING APPROVAL OF A  
CHANGE FROM A SURFACE WATER  
POINT OF DIVERSION TO  
GROUNDWATER POINTS OF  
APPROPRIATION

**Authority**

Oregon Revised Statutes (ORS) 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of diversion, place of use, or character of use authorized under an existing water right. Oregon Administrative Rules (OAR) Chapter 690, Division 380 implement the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

**Applicant**

BIG FALLS RANCH  
ATTN: REX BARBER  
PO BOX 434  
TERREBONNE OR 97760

**Findings of Fact**

1. On April 21, 2017, BIG FALLS RANCH, ATTN: REX BARBER, filed an application to change the surface water point of diversion to groundwater points of appropriation under Certificates 76371, 87655, and 88027. The Department assigned the application number T-12651.
2. Notice of the application for transfer was published on May 2, 2017, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On April 11, 2018, the Department contacted the applicant and agent regarding a deficiency in the application. The application lacks a completed Land-use form.
4. On July 6, 2018, the applicant's agent submitted a completed Land Use Form that shows that the land use served by the water use from the proposed groundwater points of appropriation is allowed outright.

5. The first right to be transferred is as follows:

**Certificate:** 76371 in the name of DESCHUTES VALLEY FARMS (perfected under Permit S-32049)  
**Use:** IRRIGATION OF 157.1 ACRES  
**Priority Date:** APRIL 13, 1967  
**Rate:** 1.81 CUBIC FEET PER SECOND  
**Limit/Duty:** The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-FORTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 4.0 acre-feet for each acre irrigated during the irrigation season of each year.  
**Source:** DEEP CANYON CREEK, a tributary of the DESCHUTES RIVER

**Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
14 S	12 E	WM	9	SW SE	4440 FEET SOUTH AND 3020 FEET EAST FROM THE NW CORNER OF SECTION 9

**Authorized Place of Use:**

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
14 S	12 E	WM	3	SW SW	1.4
14 S	12 E	WM	4	SW SE	7.7
14 S	12 E	WM	8	NE SE	3.3
14 S	12 E	WM	8	SE SE	7.6
14 S	12 E	WM	9	NW NE	20.2
14 S	12 E	WM	9	SE NE	10.3
14 S	12 E	WM	9	NE NW	9.8
14 S	12 E	WM	9	NE SW	35.0
14 S	12 E	WM	9	NW SW	40.0
14 S	12 E	WM	9	NE SE	1.6
14 S	12 E	WM	9	NW SE	13.6
14 S	12 E	WM	17	NE NE	6.6
Total					157.1

6. Transfer Application T-12651 proposes to move the authorized point of diversion to wells located:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approx. distance from authorized point of diversion (feet)
14 S	12 E	WM	9	SE NW	WELL 7 - 1571.4 FEET SOUTH AND 2862.6 FEET WEST FROM THE NE CORNER OF SECTION 9	2956.8
14 S	12 E	WM	17	SW NE	WELL 3 - 1772.1 FEET SOUTH AND 1706.6 FEET WEST FROM THE NE CORNER OF SECTION 17	5491.2
14 S	12 E	WM	17	NW NW	WELL 4 - 240.7 FEET SOUTH AND 32.2 FEET EAST FROM THE NW CORNER OF SECTION 17	8395.2
14 S	12 E	WM	18	SW SE	WELL 1 - 1154.2 FEET NORTH AND 1680.6 FEET WEST FROM THE SE CORNER OF SECTION 18	11246.4

7. The second right to be transferred is as follows:

**Certificate:** 87655 in the name of BIG FALLS RANCH CO. (perfected under Permit S-37392)

**Use:** SUPPLEMENTAL IRRIGATION OF 206.6 ACRES

**Priority Date:** OCTOBER 23, 1973

**Rate:** 4.5 CUBIC FEET PER SECOND (CFS), PROVIDED THE TOTAL QUANTITY DIVERTED BY ALL RIGHTS PERFECTED UNDER PERMIT S-37392 DOES NOT EXCEED 4.5 CFS.

**Limit/Duty:** 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-FORTIETH 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 4.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

**Source:** AN UNNAMED STREAM (McKENZIE CANYON), a tributary to the DESCHUTES RIVER

**Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
14 S	12 E	WM	4	NW SE	1592.5 FEET NORTH AND 1610.6 FEET WEST FROM THE SE CORNER OF SECTION 4

**Authorized Place of Use:**

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
14 S	12 E	WM	8	NE SW	1.2
14 S	12 E	WM	8	NW SW	0.2
14 S	12 E	WM	8	SW SW	32.7
14 S	12 E	WM	8	SE SW	3.1
14 S	12 E	WM	8	NW SE	2.2
14 S	12 E	WM	8	SW SE	1.1
14 S	12 E	WM	17	NW NE	9.3
14 S	12 E	WM	17	SW NE	16.4
14 S	12 E	WM	17	SE NE	32.4
14 S	12 E	WM	17	NW NW	32.9
14 S	12 E	WM	17	SE NW	0.4
14 S	12 E	WM	17	NE SW	5.1
14 S	12 E	WM	17	SE SW	23.8
14 S	12 E	WM	17	NE SE	14.8
14 S	12 E	WM	17	NW SE	24.9
14 S	12 E	WM	17	SW SE	6.1
Total					206.6

8. Transfer Application T-12651 proposes to move the authorized points of diversion to wells located:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approx. distance from authorized point of diversion (feet)
14 S	12 E	WM	9	SE NW	WELL 7 - 1571.4 FEET SOUTH AND 2862.6 FEET WEST FROM THE NE CORNER OF SECTION 9	2956.8
14 S	12 E	WM	17	SW NE	WELL 3 - 1772.1 FEET SOUTH AND 1706.6 FEET WEST FROM THE NE CORNER OF SECTION 17	5491.2
14 S	12 E	WM	17	NW NW	WELL 4 - 240.7 FEET SOUTH AND 32.2 FEET EAST FROM THE NW CORNER OF SECTION 17	8395.2
14 S	12 E	WM	18	SW SE	WELL 1 - 1154.2 FEET NORTH AND 1680.6 FEET WEST FROM THE SE CORNER OF SECTION 18	11246.4

9. The third right to be transferred is as follows:

**Certificate:** 88027 in the name of BIG FALLS RANCH CO. (perfected under Permit S-32049)  
**Use:** IRRIGATION OF 307.8 ACRES AND SUPPLEMENTAL IRRIGATION OF 12.6 ACRES  
**Priority Date:** APRIL 13, 1967  
**Rate:** 3.69 CUBIC FEET PER SECOND  
**Limit/Duty:** 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-FORTIETH 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 4.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.  
**Source:** DEEP CANYON CREEK, a tributary of the DESCHUTES RIVER

**Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
14 S	12 E	WM	9	SW SE	4440 FEET SOUTH AND 3020 FEET EAST FROM THE NW CORNER OF SECTION 9

**Authorized Place of Use:**

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
14 S	12 E	WM	3	SW SW	3.7
14 S	12 E	WM	4	SW SE	1.2
14 S	12 E	WM	4	SE SE	29.8
14 S	12 E	WM	8	SE NE	2.9
14 S	12 E	WM	8	NE SE	31.9
14 S	12 E	WM	8	SE SE	32.7
14 S	12 E	WM	9	NW NE	3.9
14 S	12 E	WM	9	SW NE	40.2
14 S	12 E	WM	9	SE NE	2.2
14 S	12 E	WM	9	SW NW	31.5
14 S	12 E	WM	9	SE NW	38.3
14 S	12 E	WM	9	NE SW	1.5
14 S	12 E	WM	9	SW SW	14.3
14 S	12 E	WM	9	SE SW	10.0
14 S	12 E	WM	9	NE SE	1.6
14 S	12 E	WM	9	NW SE	5.0
14 S	12 E	WM	17	NE NE	32.7
14 S	12 E	WM	17	NW NE	16.2
14 S	12 E	WM	17	SW NE	1.4
14 S	12 E	WM	17	SE NE	0.2
14 S	12 E	WM	17	NE NW	5.9
14 S	12 E	WM	17	SE NW	0.7
Total					307.8

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
14 S	12 E	WM	17	NW NW	2.2
14 S	12 E	WM	17	SW SW	8.1
14 S	12 E	WM	18	SE SE	2.3
Total					12.6

10. Transfer Application T-12651 proposes to move the authorized points of diversion to wells located:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approx. distance from authorized point of diversion (feet)
14 S	12 E	WM	9	SE NW	WELL 7 - 1571.4 FEET SOUTH AND 2862.6 FEET WEST FROM THE NE CORNER OF SECTION 9	2956.8
14 S	12 E	WM	17	SW NE	WELL 3 - 1772.1 FEET SOUTH AND 1706.6 FEET WEST FROM THE NE CORNER OF SECTION 17	5491.2
14 S	12 E	WM	17	NW NW	WELL 4 - 240.7 FEET SOUTH AND 32.2 FEET EAST FROM THE NW CORNER OF SECTION 17	8395.2
14 S	12 E	WM	18	SW SE	WELL 1 - 1154.2 FEET NORTH AND 1680.6 FEET WEST FROM THE SE CORNER OF SECTION 18	11246.4

***Transfer Review Criteria [OAR 690-380-4010(2)]***

- 11. Water has been used within the last five years according to the terms and conditions of the rights. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
- 12. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights was present within the five-year period prior to submittal of Transfer Application T-12651.
- 13. The proposed wells meet the requirements of ORS 540.531(3a.-c.).
- 14. The proposed change would not result in enlargement of the rights.
- 15. The proposed change would not result in injury to other water rights.

**Determination and Proposed Action**

The change from a surface water point of diversion to groundwater points of appropriation proposed in Transfer Application T-12651 appears to be consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-2130 and 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved.

*If Transfer Application T-12651 is approved, the final order will include the following:*

- 1. The change from surface water points of diversion to groundwater points of appropriation proposed in Transfer Application T-12651 is 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 Certificates 87655, 88027, 76371 and any related decree.*
- 3. Water right Certificates 87655, 88027, and 76371 are 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 points of diversion.*
- 5. The use of water under this right shall be subject to regulation consistent with other water rights from the surface water source and to all other applicable conditions and restrictions that existed at the original point of diversion.*
- 6. If, within five years after approval of the transfer, the Department finds that the transfer results in substantial or undue interference with an existing ground water right due to use of the wells, that would not have occurred in the absence of the transfer, the new point of appropriation shall be subordinate to the existing right injured by the transfer.*
- 7. The original point of diversion of surface water shall not be retained as an additional or supplemental point of diversion under the transferred portion of the right. However, if within five years after approval of the transfer, the Department receives a transfer application to return to the last authorized surface water point of diversion, the application shall be approved.*
- 8. 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 proposed well.*
  - 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.*
- 9. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2019**. 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 change and full beneficial use of the water.*

10. *After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.*

Dated at Salem, Oregon this \_\_\_\_\_,

## D R A F T

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

This draft Preliminary Determination was prepared by Kelly Starnes. If you have questions about the information in this document, you may reach me at 503-986-0886 or [Patrick.K.Starnes@oregon.gov](mailto:Patrick.K.Starnes@oregon.gov)

Received by OWRD

AUG 20 2018

Salem, OR



15 Oregon Ave., Bend, OR 97703  
PHONE (541)389-7711 FAX (541)389-0506

## LOT BOOK REPORT

FSBO

August 17, 2018

Title Number: 253098AM

Title Officer: Emily Kennedy

ID

Client File #:

Fee: \$200.00

**We have searched our Tract Indices as to the following described property:**

Subject Property Address: 1412000001400, 1402, 1403, 1404, 1405, 1406, 1500, Terrebonne, OR 97760

**Legal Description:**

See attached Exhibit 'A'

**And dated as of: July 25, 2018, at 7:30 a.m.**

**We find that the last deed of record runs to:**

Big Falls Ranch Co., an Oregon Corporation

**We also find the following apparent monetary encumbrances within ten years prior to the effective date hereof and the following unpaid taxes and city liens:**

1. A Deed of Trust, including the terms and provisions thereof, to secure the amount noted below and other amounts secured thereunder, if any:  
Amount: \$1,100,000.00  
Trustor/Grantor: Big Falls Ranch Co., a Corporation  
Trustee: AmeriTitle  
Beneficiary: Northwest Farm Credit Service, FLCA, a corporation organized and existing under the laws of the United States  
Dated: September 14, 2017  
Recorded: September 25, 2017  
Instrument No.: [2017-38360](#)  
(PARCELS 2-3, 5, 6)

2. A Deed of Trust, including the terms and provisions thereof, to secure the amount noted below and other amounts secured thereunder, if any:

Amount: \$750,000.00  
Trustor/Grantor: Big Falls Ranch Co., a Corporation  
Trustee: AmeriTitle  
Beneficiary: Northwest Farm Credit Service, PCA  
Dated: February 11, 2016  
Recorded: February 17, 2016  
Instrument No.: [2016-05477](#)  
(PARCELS 2-3, 5)

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AUG 20 2018

Salem, OR

This Deed of Trust secures an equity line of credit and/or revolving loan. The Company requires satisfactory written statement from the existing lender confirming; (a) the payoff amount, (b) that the line of credit has been closed, and no further draws/advances will be permitted and/or the right to future advances has been terminated, and (c) agreeing to deliver a full satisfaction/release upon payment of the outstanding balance, (d) satisfactory documentation from the borrower to close the account.

The lien of the above Deed of Trust was subordinated to the lien of the Deed of Trust shown as Exception No. 1 above by instrument,  
Dated: September 14, 2017  
Recorded: October 4, 2017  
Instrument No.: [2017-39642](#)

3. A Financing Statement filed in the Office of the County Recorder showing:  
Debtor: Big Falls Ranch Co.  
Secured Party: Northwest Farm Credit Service, FLCA  
Recorded: September 27, 2017  
Instrument No.: [2017-38520](#)  
(PARCELS 1-3, 4, 5, 7)
4. A Deed of Trust, including the terms and provisions thereof, to secure the amount noted below and other amounts secured thereunder, if any:  
Amount: \$600,000.00  
Trustor/Grantor: Big Falls Ranch., a Corporation  
Trustee: AmeriTitle  
Beneficiary: Northwest Farm Credit Service, FLCA, a corporation  
Dated: September 14, 2017  
Recorded: September 25, 2017  
Instrument No.: [2017-38361](#)
5. A Financing Statement filed in the Office of the County Recorder showing:  
Debtor: Big Falls Ranch Co.  
Secured Party: Northwest Farm Credit Service, FLCA  
Recorded: September 27, 2017  
Instrument No.: [2017-38521](#)  
(PARCEL 6)

**We have also searched our General Index for judgments and state and federal tax liens against the above named grantees and find the following:**

1. NONE

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

**NOTE: This Lot Book Report is being made with the understanding that it does not represent any form of title insurance and is not a commitment for a policy of insurance. The information provided herein is not a full examination of the subject property. Further, if any person, corporation or entity of any kind should use this report as a basis to produce a title insurance product, it should be understood that it is clearly outside of Oregon law. Any liability hereunder is limited to the amount paid for said report.**

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 purporting to insure title to the herein described land is prohibited by law.

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

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EXHIBIT 'A'

AUG 20 2018

File No. 253098AM

Salem, OR

PARCEL ONE-THREE

Parcels 1, 2 & 3 of Partition Plat 1999-51, recorded November 3, 1999, in Partition Cabinet 2, Page 12, Deschutes County, Oregon

PARCEL FOUR

Parcel 3 of Partition Plat 1999-50, recorded November 3, 1999, in Partition Cabinet 2, Page 10, Deschutes County, Oregon

PARCEL FIVE

Parcel 2 of Partition Plat No. 1999-50, located in the Southeast Quarter (SE1/4) of Section 18, Township 14 South, Range 12 East of the Willamette Meridian, Deschutes County, Oregon

EXCEPTING THEREFROM

A tract of land situate in Parcel 2 of Partition Plat No. 1999-50, a partition located in the Southeast Quarter (SE1/4) of Section 18, Township 14 South, Range 12 East of the Willamette Meridian, Deschutes County, Oregon, more particularly described as follows:

Commencing at a 1/2" pipe per County Survey No. CS13834 monumenting the East 1/4 Corner of said Section 18, the Initial Point; thence along the boundary of said Parcel 2 as surveyed by said CS13834 as follows: S00°25'20"E and along the East line of said Section 18 - 1330.87 feet (cited in CS13834 as S00°24'37"E - 1331.23 feet) to a 3/4" pipe; thence S89°48'14"W and along the South line of the NE1/4 of said section - 769.18 feet to a 1/2" pipe with yellow plastic cap marked "Povey & Assoc." (hereafter called "cap") and to the POINT OF BEGINNING; thence S89°48'14"W and said South line - 518.47 feet to a 1/2" pipe per said CS13834 on the right-of-way (R/W) of Lower Bridge Way, a County Road; thence S89°48'14"W and said South line - 51.83 feet to the centerline of said way; thence S54°49'46"E along said centerline and leaving said Parcel 3 boundary - 237.95 feet to the beginning of a curve of said centerline, a point witnessed by a 1/2" pipe with cap which bears N35°10'14"E - 30.00 feet; thence 62.05 feet along the arc of a 1432.40 foot radius curve of said centerline, concave Northeast, forming a central angle of 02°28'55" and a long chord bearing S56°04'14"E - 62.05 feet; thence N61°50'01"E - 34.46 feet a 1/2" pipe with cap on the R/W of said way; thence N61°50'01"E - 333.41 feet to the POINT OF BEGINNING

TOGETHER WITH:

A tract of land situate in the Northeast Quarter of the Southeast Quarter (NE1/4 SE1/4) of Section 18, Township 14 South, Range 12 East of the Willamette Meridian, Deschutes County, Oregon, more particularly described as follows:

Commencing at a 1/2" pipe per County Survey No. CS13834 monumenting the East 1/4 Corner of said Section 18, the Initial Point; thence along the boundary of Parcel 2, Partition Plat No. 1999-50 as surveyed by said CS13834 as follows: S00°25'20"E and along the East line of said Section 18 (cited in CS13834 as S00°24'37"E) - 1048.52 feet to a 1/2" pipe with yellow plastic cap marked "Povey & Assoc." (hereafter called "cap") and to the POINT OF BEGINNING; thence S00°25'20"E and along the East line of said Section 18 - 282.35 feet to a 3/4" pipe; thence S89°48'14"W and along the South line of the N1/2 NE1/4 of said section - 349.95 feet to a 1/2" pipe with cap; thence N50°49'01"E and leaving said Parcel 2 boundary - 448.78 feet to the POINT OF BEGINNING.

PARCEL SIX

Parcel 1 of Partition Plat No. 1999-50 located in Sections 17, 18, 19 and 20 of Township 14 South and Range 12 East of the Willamette Meridian, Deschutes County, Oregon, except the following described parcel described as follows:

Beginning at a 5/8" iron rod at the southerly angle point of said Parcel 1 In Section 19; thence North 76°09'18" West 1432.27 feet along the southerly boundary of said Parcel 1 to a 5/8" iron rod; thence leaving said southerly boundary, North 32°30'26" East 300.00 feet; thence South 69°01'15" East 1056.23 feet to a point that is 1.00 feet north of the northeast corner of a concrete slab for pivot irrigation; thence South 67°34'15" East 412.03 feet to the southerly boundary of said Parcel 1; thence South 66°19'04" West 150.29 feet to the point of beginning.

PARCEL SEVEN

Parcel 1 of Partition Plat 1996-26, recorded June 4, 1996, in Partition Cabinet 1, Page 508, Deschutes County, Oregon

Received by OWRD

AUG 20 2018

Salem, OR





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

## Watermaster Review Form: Water Right Transfer

Transfer Application: T-12651

Review Due Date: 5/26/17

Applicant Name: Big Falls Ranch

Proposed Changes:  POU  POD  POA  USE  OTHER

Reviewer(s): Giffin

Date of Review: Apr. 27, 2017

1. Do you have evidence that the right has not been used in the last 5 years and that the presumption of forfeiture would not likely be rebuttable?  Yes  No If "yes", attach evidence (e.g. dated aerial photo showing pavement or building on the land for >5 yrs.)
2. Is there a history of regulation on the source that serves this (or these) right(s) that has involved the transferred right(s) and downstream water rights?  Yes  No  
Generally characterize the frequency of any regulation or explain why regulation has not occurred: \_\_\_\_\_
3. Have headgate notices been issued for the source that serves the transferred right(s)?  
 Yes  No  Records not available.
4. In your estimation, after the proposed change would distribution of water for the right(s) result in regulation of other water rights that would not have occurred if use under the original right(s) was/were maximized?  
 Yes  No If "Yes", explain: \_\_\_\_\_
5. In your estimation, if the proposed change is approved, are there upstream water rights that would be affected?  Yes  No If "Yes", describe how the rights would be affected and list the rights most affected: \_\_\_\_\_
6. Check here  if it appears that downstream water rights benefit from return flows resulting from the current use of the transferred right(s)? If you check the box, generally characterize the locations where the return flows likely occur and list the water rights that benefit most: \_\_\_\_\_  N/A
7. 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: \_\_\_\_\_  N/A
8. For instream transfers that propose protection of a reach beyond the mouth of the source stream:  N/A Would the quantity be measureable into the receiving stream consistent with OAR 690-077-0015(8)?  Yes  No
9. For POU changes:  N/A Is it likely the original place of use would continue to receive water from the same source?  Yes  No If "Yes", explain: \_\_\_\_\_

10. For POU or USE changes:  N/A In your best judgment, 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: \_\_\_\_\_
11. Are there other issues not identified through the above questions that should be considered in determining whether the change "can be effected without injury to other rights"?  
 Yes  No If "Yes", explain: We do not do many surface to groundwater switches in the Deschutes basin so I am interpreting ORS 540.531 to mean that as long as the application complies with 540.531 (3)(a)(b)(c) then they are exempt from the distance requirements in 540.531 (d).
12. What alternatives may be available for addressing any issues identified above: \_\_\_\_\_
13. Do conditions need to be included in the transfer order to avoid enlargement of the right or injury to other rights?  No  Yes, as checked below:
- A Headgate should be required prior to diverting water.
- Measurement Devices for POD or POA: (if this condition is selected, also fill in the top sections of page 3)
- 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 diversion/appropriation (new and existing) or  at each new point of diversion/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.*
- Reservoir water use measurement: (if this condition is selected, also fill in the top sections of page 3)
- a. ***Before water use may begin under this order, the water user shall install staff gages\****, or, with prior approval of the Director, other suitable measuring devices, that measure the entire range and stage between empty and full in each reservoir. Staff gages shall be United States Geological Survey style.
- b. *Before water use may begin under this order, if the reservoir is located in channel, weirs or other suitable measuring devices must be installed upstream and downstream of the reservoir, and, an adjustable outlet valve must be installed. The water user shall maintain such devices in good working order. A written waiver may be obtained, if in the judgment of the Director, the installation of weirs or other suitable measuring devices, or the adjustable outlet valve, will provide no public benefit.*

\* The following alternative device(s) should be substituted for the bold, underlined device in the above selected condition:

- Weir  Submerged Orifice  
 Parshall Flume  Flow Restrictor  
 Other: \_\_\_\_\_

**ANDREWS Marissa L \* WRD**

---

**From:** GIFFIN Jeremy T \* WRD  
**Sent:** Thursday, April 27, 2017 9:11 AM  
**To:** ANDREWS Marissa L \* WRD  
**Cc:** GORMAN Kyle G \* WRD  
**Subject:** FW: OWRD: WR Transfer T 12651 (Regular) has been submitted for your District or Region. [WMR]  
**Attachments:** 12651review.doc  
**Importance:** High  
**Categories:** Action Required

Marissa, Attached is my WM review, we do not do many surface to groundwater switches in the Deschutes basin and this application has been in the works for over a decade of pre application meetings between the District 11 office and the applicant. Please keep us in the loop on the progression of the application.

Thanks,

Jeremy

---

**From:** wrd\_automated\_email@oregon.gov [mailto:wrd\_automated\_email@oregon.gov]  
**Sent:** Wednesday, April 26, 2017 6:00 PM  
**To:** WRD\_DL\_watermaster\_district\_11  
**Subject:** OWRD: WR Transfer T 12651 (Regular) has been submitted for your District or Region. [WMR]  
**Importance:** High

**Water Master Review request for proposed water right transfer T 12651**

**Oregon Water Resources Department - Automated e-mail notice**

Transfer Application Stakeholder(s): \*\* Applicant \*\* BARBER, REX; BIG FALLS RANCH

Transfer Type: Regular  
Notice Number: 1

**Transfer Actions:**

- Surface to Ground change

**Diversion Location:**

County	Deschutes
TRSQQ	14.00S 12.00E 4 NWSE
Basin	Deschutes
Source	MCKENZIE CANYON

Tributary To DESCHUTES RIVER

To view the OWRD Web page for T 12651 please click the following link:

[http://apps.wrd.state.or.us/apps/wr/wrinfo/wr\\_transfer\\_centric.aspx?transfer\\_nbr=12651&transfer\\_char=T](http://apps.wrd.state.or.us/apps/wr/wrinfo/wr_transfer_centric.aspx?transfer_nbr=12651&transfer_char=T)

To view the Pending Reviews for your district or region and obtain Review Forms, click the following link.

[http://apps.wrd.state.or.us/apps/wr/external\\_review/wmr\\_review.aspx?directory\\_id=122809](http://apps.wrd.state.or.us/apps/wr/external_review/wmr_review.aspx?directory_id=122809)

In the case of Instream Leases or Allocations of Conserved Water, please direct all reviews and questions about this request to [WRD\\_DL\\_instreamlease@oregon.gov](mailto:WRD_DL_instreamlease@oregon.gov). All other transfer reviews and questions about this request should be directed to Marissa Andrews at 503 986-0807 or [Marissa.L.Andrews@ wrd.state.or.us](mailto:Marissa.L.Andrews@ wrd.state.or.us) T 12651

**This message has been generated automatically by an unmonitored email account. Please do not "reply" to this message. Thank you.**

# Groundwater Transfer Review Summary Form

Transfer/PA # T- 12651

GW Reviewer Aurora Bouchier Date Review Completed: 9/20/2017

## Summary of Enlargement (Same Source) Review:

The proposed transfer fails to keep the original place of use from receiving water from the same source.

690 - 380 - 2130 (3).

## Summary of Injury Review:

The proposed transfer will result in another, existing water right not receiving previously available water to which it is legally entitled.

## Summary of Well Construction Assessment:

The proposed POA does not have a well log.

The proposed POA does not appear to meet current well construction standards. Route through Well Construction and Compliance Section.

*This is only a summary. Documentation is attached and should be read thoroughly to understand the basis for determinations.*



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-12651

Applicant Name: Big Falls Ranch

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

Reviewer(s): Aurora C Bouchier

Date of Review: September 20, 2017

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: The applicant wishes to transfer (10.0 cfs) of surface water authorized under Certificates 87655 (McKenzie Canyon > Deschutes River, 4.5 cfs), and 88027 and 76371 (Deep Canyon Creek > Deschutes River, 3.69 and 1.81 cfs respectively) to groundwater out of four existing wells. All four of the wells are authorized as below (total rate includes SW from this transfer):

Water Rights	DESC 2100 (Well 1)	DESC 2087 (Well 3)	DESC 2098 (Well 4)	DESC 768 (Well 7)
Certificate 87558 (not exceed (nte) 12.07 cfs) (Big Falls Ranch)	Included, rate not distributed			
Certificate 88028 (nte 0.54 cfs) (Big Falls Ranch)	Included, rate not distributed	Included, rate not distributed	Included, rate not distributed	--Well not included--
Certificate 88224 (nte 0.73 cfs) (Big Falls Ranch)	Included, rate not distributed	Included, rate not distributed	Included, rate not distributed	--Well not included--
Certificate 75762 (nte 3.86 cfs) (Deschutes Valley Farms)	0.54 cfs (well specific rate)	--Well not included--	--Well not included--	--Well not included--
Certificate 76373 (nte 3.91 cfs) (Deschutes Valley Farms)	0.26 cfs (well specific rate)	--Well not included--	--Well not included--	--Well not included--
Theoretical total rate authorized from well (stacked to include SW)	24.14 cfs	10.73 cfs	10.73 cfs	22.07 cfs

2. Will the proposed POA develop the same aquifer (source) as the existing authorized POA?  
 Yes  No Comments: per 690-380-2130(3).
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: Certificates 75762 and 76373 both authorize production out of Well 1 (DESC 2100) and are both owned by Deschutes Valley Farms. Certificates 87558, 88028, and 7224 also authorize production out of Well 1, but are owned by the applicant (Big Falls Ranch).
- 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: Well 1 (DESC 2100) has declined by an average of ~0.4 feet per year between 2001 and 2017. The well originally had ~54 feet of water above the bottom of the well. In 2017 there was ~47 feet of water above the bottom of the well. Water use reporting (under Certificate 76373) shows 670.3 AF pumped from April through September 2016. The elevation of the Deschutes River at the nearest reach is ~2520 feet, approximately 20 feet below the current water-level in wells 1, 3 and 4.
- Well 3 (DESC 2087) has declined by an average of ~0.4 feet per year between 2001 and 2017. Water use reporting (under Certificate 76373) shows 161.8 AF pumped from June through August 2016.
- Well 4 (DESC 2098) has declined by an average of ~0.4 feet per year between 2001 and 2017. Water use reporting (under Certificate 76373) shows 911.2 AF pumped from April through August 2016.
- Well 7 (DESC 768) has declined by an average of ~0.5 feet per year between 2001 and 2017. Water use reporting (under Certificate 76373) shows 0 AF pumped from through August 2016. The elevation of the Deschutes River at the nearest reach is ~2455, approximately 25 feet below the current water-level in Well 7.

References:

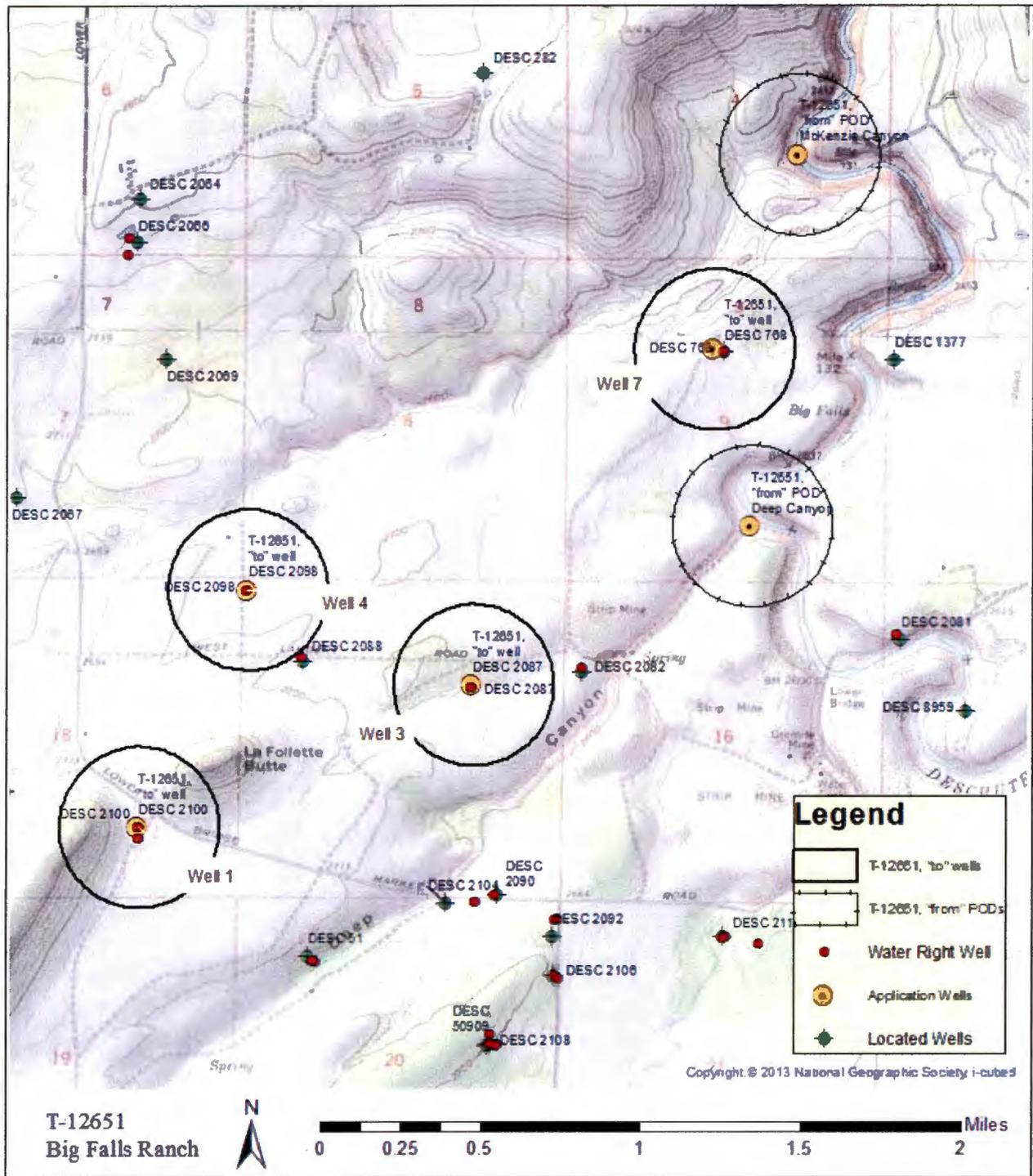
Application file: T-12651.

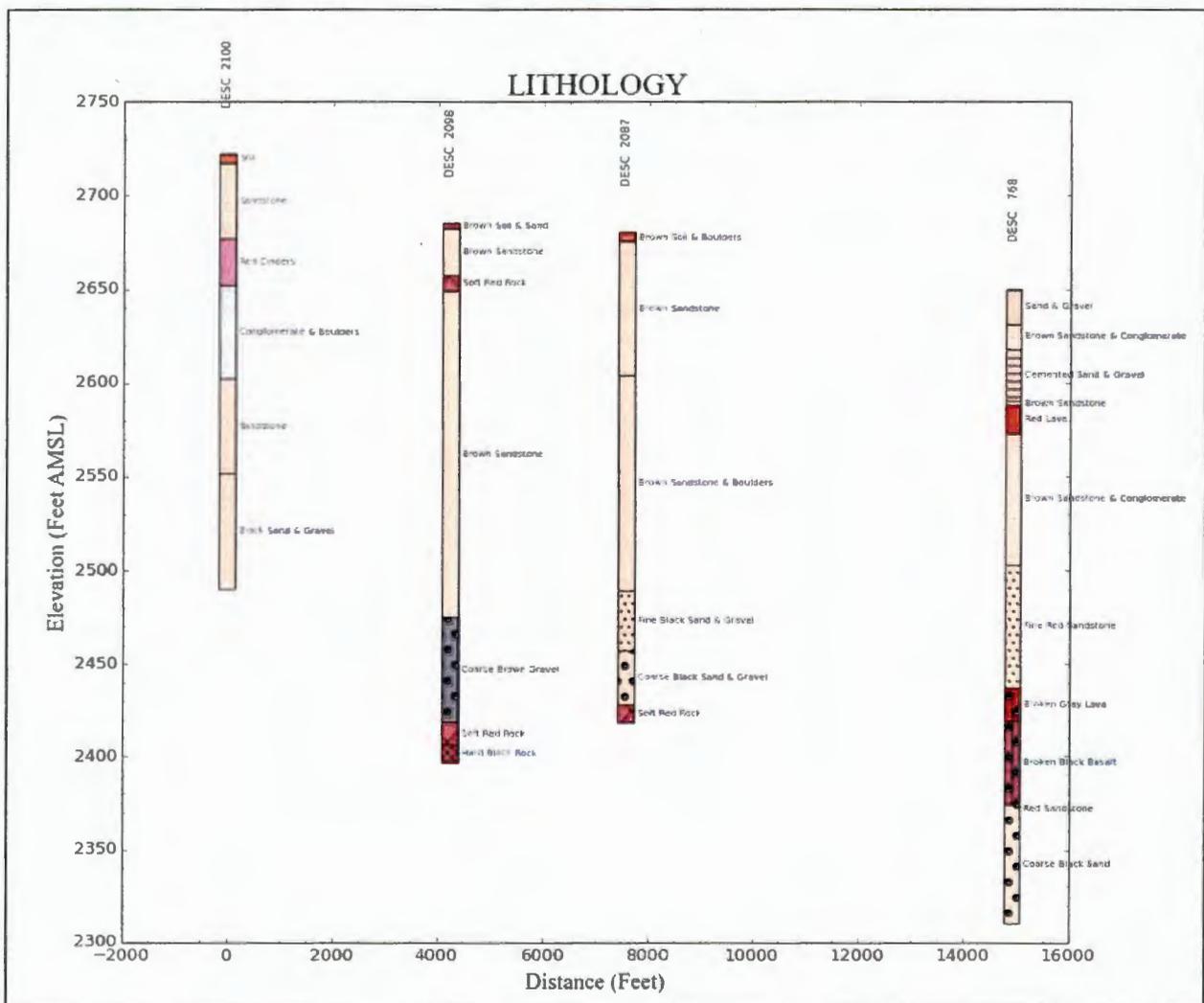
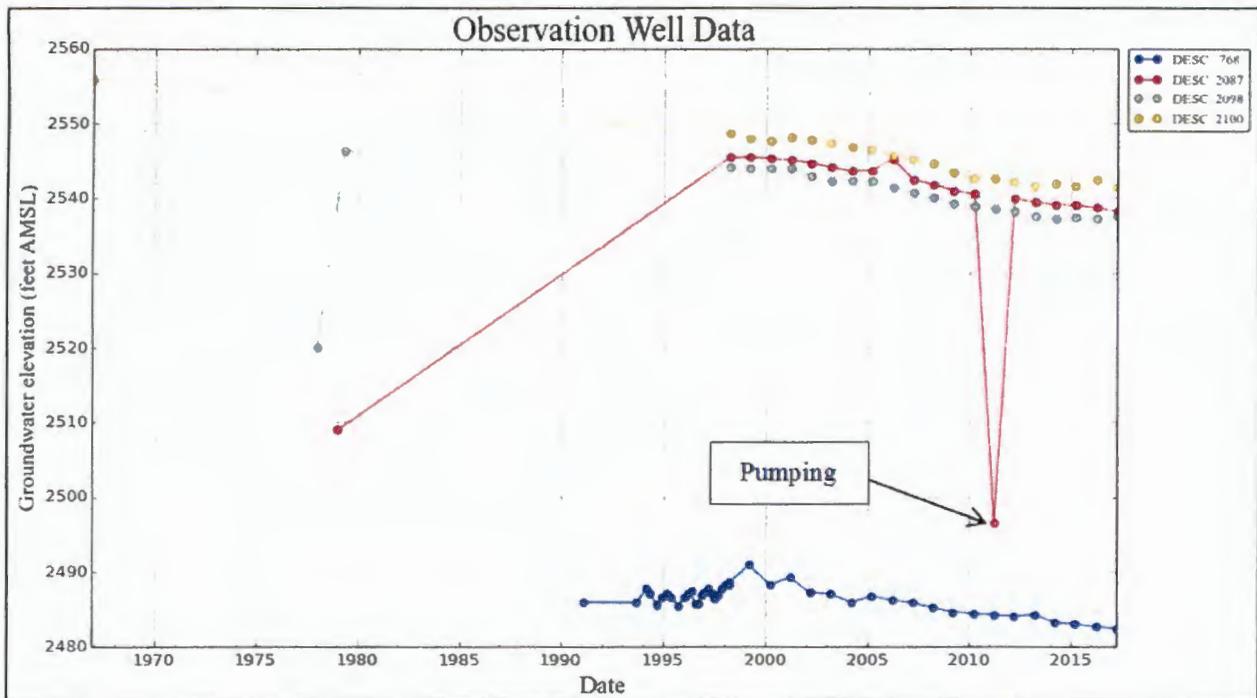
Gannett, Marshall W., Lite, Kenneth E. Jr., Morgan, David S., and Collins, Charles A., 2001, Ground-Water Hydrology of the Upper Deschutes Basin, Oregon; U.S. Geological Survey Water-Resources Investigations Report 00-4162.

Gannett, Marshall W., and Lite, Kenneth E. Jr., 2004, Simulation of the Regional Ground-Water Flow in the Upper Deschutes Basin, Oregon; U.S. Geological Survey Water-Resources Investigations Report 03-4195.

Lite, Kenneth E. Jr., and Gannett, Marshall W., 2002, Geologic Framework of the Regional Ground-Water Flow System in the Upper Deschutes Basin, Oregon; U.S. Geological Survey Water-Resources Investigations Report 02-4015.

OWRD Well Log database and groundwater-level data.







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

# Application for Permanent Water Right Transfer

Part 1 of 5 – Minimum Requirements Checklist

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

- Part 1 – Completed Minimum Requirements Checklist.
- Part 2 – Completed Transfer Application Map Checklist.
- Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at: [http://apps.wrd.state.or.us/apps/misc/wrd\\_fee\\_calculator](http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator). If you have questions, call Customer Service at (503) 986-0801.
- Part 4 – Completed Applicant Information and Signature.
- Part 5 – Information about Water Rights to be Transferred: **How many water rights are to be transferred? THREE List them here: 87655, 88027, 76371**  
 Please include a separate Part 5 for each water right. (See instructions on page 6)

**Attachments:**

- Completed Transfer Application Map. (See Attachment 1; Figures 1, 2 & 3)
- Completed Evidence of Use Affidavit and supporting documentation. (See Attachment 2)
- N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land the water right is on.)
- N/A Supplemental Form D – For water rights served by or issued in the name of an irrigation district. Complete when the transfer applicant is not the irrigation district.
- N/A Land Use Information Form with approval and signature (or signed land use form receipt stub). Not required if water is to be diverted, conveyed, and/or used only on federal lands or if **all** of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone.
- N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation.
- N/A Geologist Report for a change from a surface water point of diversion to a ground water point of appropriation (well), if the proposed well is more than 500' from the surface water source and more than 1000' upstream or downstream from the point of diversion. See OAR 690-380-2130 for requirements and applicability. **Proposed transfer of POD to POA is in upper Deschutes Basin ground water study area; ORS 540.531 (3)(a)(b)(c) applies to this proposed transfer (see Attachment 3).**

**(For Staff Use Only)**  
**WE ARE RETURNING YOUR**

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

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

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



**Applicant Information**

APPLICANT/BUSINESS NAME <b>Big Falls Ranch; Contact: Rex Barber</b>			PHONE NO. <b>541-948-6325</b>	ADDITIONAL CONTACT NO.
ADDRESS <b>PO Box 434</b>			FAX NO.	
CITY <b>Terrebonne</b>	STATE <b>OR</b>	ZIP <b>97760</b>	E-MAIL <b>BIGFALLS@CBBMAIL.COM</b>	
<b>BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.</b>				

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

AGENT/BUSINESS NAME <b>DAVID NEWTON, NEWTON CONSULTANTS, INC.</b>			PHONE NO. <b>541-325-3905</b>	ADDITIONAL CONTACT NO. <b>541-604-5279</b>
ADDRESS <b>PO Box 1728</b>			FAX NO. <b>541-504-9961</b>	
CITY <b>Redmond</b>	STATE <b>OR</b>	ZIP <b>97756</b>	E-MAIL <b>dnewton@newtonconsultants.com</b>	
<b>BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.</b>				

Explain in your own words what you propose to accomplish with this transfer application, and why: Transfer surface water right from Deep Canyon Creek and McKenzie Canyon PODs under Certificates 88027, 76371, and 87655 to a groundwater right with Points of Appropriation at existing well Numbers 1, 3, 4, and 7.

The irrigation system is constructed such that water from any or all wells can deliver water to the Place of Use defined in Certificates 88027, 76371, and 87655. In addition, the well capacity is adequate to provide the water right volume under Certificates 88027, 76371, and 87655, as well as existing Certificates 87558, 88028, and 88224 which also utilize these wells.

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

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

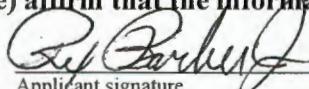
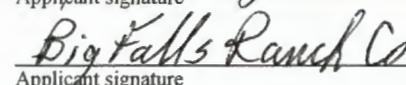
**Check One Box**

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

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I understand that prior to Department approval of the transfer application, I may be required to submit payment to the Department for publication of a notice in a newspaper with general circulation in the area where the water right is located, once per week for two consecutive weeks. If more than one qualifying newspaper is available, I suggest publishing the notice in the following newspaper: Redmond Spokesman.

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

 Applicant signature	Rex Barber Jr (Pres) Print Name (and Title if applicable)	4/12/17 Date
 Applicant signature	_____ Print Name (and Title if applicable)	4/12/17 Date

Is the applicant the sole owner of the land on which the water right, or portion thereof, proposed for transfer is located?  Yes  No *If NO, include signatures of all deeded landowners (and mailing*

and/or e-mail addresses if different than the applicant's) or attach affidavits of consent (and mailing and/or e-mail addresses) from all landowners or individuals/entities to which the water right(s) were conveyed.

Check the following boxes that apply:

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

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

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

If a property sells, the certificated water right(s) located on the land belong to the new owner, unless a sale agreement or other document states otherwise. For more information see: <http://www.oregon.gov/owrd/docs/transfer-propertytransactions.pdf>

RECEIVING LANDOWNER NAME			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS				FAX NO.
CITY	STATE	ZIP	E-MAIL	<b>RECEIVED</b>

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Describe any special ownership circumstances here: NA

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

IRRIGATION DISTRICT NAME <b>NA</b>	ADDRESS		
CITY	STATE	ZIP	

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

ENTITY NAME	ADDRESS		
CITY	STATE	ZIP	

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

ENTITY NAME <b>Deschutes County Community Development Department</b>	ADDRESS <b>PO Box 6005</b>		
CITY <b>Bend</b>	STATE <b>OR</b>	ZIP <b>97708-6005</b>	

NOTE THAT LAND USE FORM IS NOT REQUIRED SINCE THERE IS NO PROPOSED CHANGE TO PLACE OF USE OR CHARACTER OF USE

ENTITY NAME	ADDRESS		
CITY	STATE	ZIP	

no need OPRD

## INSTRUCTIONS for editing the Application Form

To add additional lines to tables within the forms or to copy and paste additional Part 5 pages, please save the **application form to your computer**. Unlock the document by using one of the following instructions for your Microsoft Word software version:

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Once the application has been unlocked, you may:

- add additional rows to tables using the Table tools, and

### Microsoft Word 2003

Unlock the document by one of the following:

- Using the **Tools** menu => click **Unprotect Document**;
- OR**

- Using the **Forms** toolbar => click on the **Protect/Unprotect** icon.

To relock the document to enable the checkboxes to work, you will need to:

- Using the **Tools** menu => click **Protect Document**;
- OR**

- Using the **Forms** toolbar => click on the **Protect/Unprotect** icon.

### Microsoft Word 2007

- Unlock the document by clicking the **Review** tab, then click **Protect Document**, then click **Stop Protect**
- To relock the document, click **Editing Restrictions**, then click **Allow Only This Type of Editing**, select **Filling In Forms** from the drop-down menu, then check **Yes, Start Enforcing Protection**.

### Microsoft Word 2010

- Unlock the document by clicking the **Review** tab, toggle the **Restrict Editing icon** at the upper right, then click **Stop Protect** at the bottom right. Then uncheck the "**Allow only this type of editing in the document: Filling in forms**" in the "Editing restrictions" section on the right-hand list of options.
- To relock the document, check the **Editing Restrictions/Allow Only This Type of Editing/Filling In Forms** box from the drop-down menu, then check **Yes, Start Enforcing Protection**. You do not need to assign a password for the editing restrictions.

### Other Alternatives:

- Photocopy pages or tables in Part 5, ~~mark through~~ any non-applicable information, insert/attach photocopied pages to document in the appropriate location, and manually amend page numbers as necessary (e.g. Page 5 6 of 9 10).
- You may refer to additional attachments that you may include, such as separately produced tables or spreadsheets to convey large numbers of rows of place of use listings, owner/property parcels, etc. You may contact the Department at 503-986-0900 and ask for Transfer Staff if you have questions.

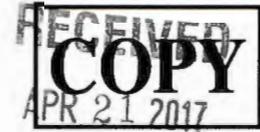
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Please use a separate Part 5 for each water right being changed. See instructions on page 6, to copy and paste

CERTIFICATE # 88027 ✓



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**Description of Water Delivery System**

System capacity: 3.69 cubic feet per second (cfs) OR  
 \_\_\_\_\_ gallons per minute (gpm)

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

**The current point of diversion ponds water from spring discharge within Deep Canyon to allow pump placement. The pump delivers water into the water delivery system. The irrigation water delivery system is constructed so that water from any POA or POD on the property can deliver water to any POU on the property as defined in Certificates 87558, 87655, 88027, 88028, and 88224. In addition, the capacity from Well Numbers 1, 3, 4, and 7 is adequate to provide the water right volume under Certificates 88027 and 76371 as well as from existing Certificates 87558, 88028, and 88224 that also utilize these wells. The water delivery system is shown on the map attached as Figure 1.**

**Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)**

Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
POD 1 Deep Canyon Creek	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		14 S	12 E	9	SW SE	1500	4440 feet south & 3020 feet east from the NW corner of Section 9. ✓
POA 1 Well 1	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	DESC 2100	14 S	12 E	18	SW SE	1406	1680.6 feet west and 1154.2 feet north from the SE corner of Section 18. ✓ 2.13 mi
POA 2 Well 3	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	DESC 2087	14 S	12 E	17	SW NE	1402	1706.6 feet west and 1772.1 feet south from the NE corner of Section 17. ✓ 1.04 mi
POA 3 Well 4	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	DESC 2098	14 S	12 E	17	NW NW	1404	32.2 feet east and 240.7 feet south from the NW corner of Section 17. ✓ 1.59 mi
POA 4 Well 7	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	DESC 226, 768	14 S	12 E	9	SE NW	1500	2862.6 feet west and 1571.4 feet south from the NE corner Section 9. ✓ 0.56 mi

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

- Place of Use (POU)  Supplemental Use to Primary Use (S to P)
- Character of Use (USE)  Point of Appropriation/Well (POA)
- Point of Diversion (POD)  Additional Point of Appropriation (APOA)

- Additional Point of Diversion (APOD)       Substitution (SUB)  
 Surface Water POD to Ground Water POA (SW/GW)       Government Action POD (GOV)

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

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

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Please use and attach additional pages of Table 2 as

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**Table 2 Description of Changes to Water Right Certificate # 88027**

List the change proposed for the acreage in each 1/4 1/4. If more than one change is proposed, specify the acreage associated with each change. If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

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AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.											Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.														
Twp	Rng	Sec	1/4	1/4	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp	Rng	Sec	1/4	1/4	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date				
<b>EXAMPLE</b>																										
2	S	9	E	15	NE	NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0		POD #5	1901
														2	S	9	E	2	SW	NW	500		5.0		POD #6	1901
<b>THERE WILL BE NO CHANGE TO THE PLACE OF USE OR CHARACTER OF USE IN THIS TRANSFER.</b>																										
													SW/GW	14	S	12	E	3	SW	SW					WELL 1,3,4,7	
													SW/GW					4	SW	SE					WELL 1,3,4,7	
													SW/GW					4	SE	SE					WELL 1,3,4,7	
													SW/GW					8	SE	NE					WELL 1,3,4,7	
													SW/GW					8	NE	SE					WELL 1,3,4,7	
													SW/GW					8	SE	SE					WELL 1,3,4,7	
													SW/GW					9	NW	NE					WELL 1,3,4,7	
													SW/GW					9	SW	NE					WELL 1,3,4,7	
													SW/GW					9	SE	NE					WELL 1,3,4,7	
													SW/GW					9	SW	NW					WELL 1,3,4,7	

1 12651

TOTAL ACRES:				TOTAL ACRES:		
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Additional remarks: Since there is no change to the POU or COU, there is also no change in total acres.

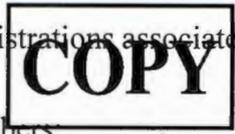
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**For Place of Use or Character of Use Changes**

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



If YES, list the certificate, water use permit, or ground water registration numbers. \_\_\_\_\_

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

**The Supplemental Irrigation POU defined in Certificate 88027 will also be transferred with the Primary Irrigation POU.**

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

Ground water supplemental Permit or Certificate # \_\_\_\_\_;  
Surface water primary Certificate # \_\_\_\_\_.

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

Identify the primary certificate to be cancelled. Certificate # \_\_\_\_\_

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

Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map.

**Tip:** You may search for well logs on the Department's web page at:  
[http://apps.wrd.state.or.us/apps/gw/well\\_log/Default.aspx](http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx)

**AND/OR**

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

**Table 3. Construction of Point(s) of Appropriation**

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

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well: OWRD Well ID Tag No. L-	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well -specific rate (cfs or gpm). If less than full rate of water right
POA 1 Well 1	Yes	DESC 2100	232'	24" 12"	0-18' 0-232'	0-18'	170-232'	170'	Sand and gravel	2000 gpm

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well: OWRD Well ID Tag No. L-	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well in feet	Source aquifer (sand, gravel, basalt, etc.)	Well -specific rate (cfs or gpm). If less than full rate of water right
POA 2 Well 3	Yes	DESC 2087	262'	16"	+2-19'	0-19'	Open hole below 19'	171'	Sand and gravel	2200 gpm
POA 3 Well 4	Yes	DESC 2098	288'	16"	+1-19'	0-19'	Open hole below 19'	163'	Gravel	2750 gpm
POA 4 Well 7	Yes	DESC 224,768	340'	16" 12" 8"	0-25' +2-50' 18-340'	0-25'	Open hole below 25'	170'	Fractured basalt and sand	1500 gpm

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

CERTIFICATE # 76371

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**Description of Water Delivery System**

System capacity: 1.81 cubic feet per second (cfs) OR  
\_\_\_\_\_ gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines and sprinklers used to divert, convey and apply the water at the authorized place of use. **The current point of diversion ponds water from spring discharge within Deep Canyon to allow pump placement. The pump delivers water into the water delivery system. The irrigation water delivery system is constructed so that water from any POA or POD on the property can deliver water to any POU on the property as defined in Certificates 87558, 87655, 88027, 88028, and 88224. In addition, the capacity from Well Numbers 1, 3, 4, and 7 is adequate to provide the water right volume under Certificates 88027 and 76371 as well as from existing Certificates 87558, 88028, and 88224 that also utilize these wells. The water delivery system is shown on the map attached as Figure 1.**

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

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
POD 1 Deep Canyon Creek	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		14 S	12 E	9	SW SE	1500	4440 feet south & 3020 feet east from the NW corner of Section 9.
POA 1 Well 1	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	DESC 2100	14 S	12 E	18	SW SE	1406	1680.6 feet west and 1154.2 feet north from

										the SE corner of Section 18.
POA 2 Well 3	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	DESC 2087	14 S	12 E	17	SW	NE	1402	1706.6 feet west and 172.1 feet south from the NE corner of Section 17.	<b>COPY</b>
POA 3 Well 4	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	DESC 2098	14 S	12 E	17	NW	NW	1404	32.2 feet east and 240.7 feet south from the NW corner of Section 17.	1.59
POA 4 Well 7	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	DESC 226, 768	14 S	12 E	9	SE	NW	1500	2862.6 feet west and 1571.4 feet south from the NE corner Section 9.	0.56

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

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

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

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

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**Table 2. Description of Changes to Water Right Certificate # 76371**

List the change proposed for the acreage in each 1/4 1/4. If more than one change is proposed, specify the acreage associated with each change. If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

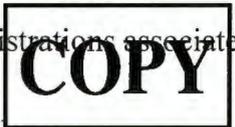
AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.										Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.												
Twp	Rng	Sec	1/4	1/4	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp	Rng	Sec	1/4	1/4	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	PO8D(s)/ POA(s) to be used (from Table 1)	Priority Date		
<b>EXAMPLE</b>																							
2	S	9	E	15			15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0	POD #5	1901
												2	S	9	E	2	SW	NW	500		5.0	POD #6	1901
<b>THERE WILL BE NO CHANGE TO THE PLACE OF USE OR CHARACTER OF USE IN THIS TRANSFER.</b>																							
											SW/GW	14	S	1	E	3	SW	SW				WELL 1,3,4,7	
											SW/GW					4	SW	SE				WELL 1,3,4,7	
											SW/GW					8	NE	SE				WELL 1,3,4,7	
											SW/GW					8	SE	SE				WELL 1,3,4,7	
											SW/GW					9	NW	NE				WELL 1,3,4,7	
											SW/GW					9	SE	NE				WELL 1,3,4,7	
											SW/GW					9	NE	NW				WELL 1,3,4,7	
											SW/GW					9	NE	SW				WELL 1,3,4,7	
											SW/GW					9	NW	SW				WELL 1,3,4,7	
											SW/GW					9	NE	SE				WELL 1,3,4,7	

COPY



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

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



If YES, list the certificate, water use permit, or ground water registration numbers. \_\_\_\_\_.

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

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

Ground water supplemental Permit or Certificate # \_\_\_\_\_;  
Surface water primary Certificate # \_\_\_\_\_.

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

Identify the primary certificate to be cancelled. Certificate # \_\_\_\_\_

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

Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map.

**Tip:** You may search for well logs on the Department's web page at:  
[http://apps.wrd.state.or.us/apps/gw/well\\_log/Default.aspx](http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx)

**Table 3. Construction of Point(s) of Appropriation**

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

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well: OWRD Well ID Tag No. L-_____	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well -specific rate (cfs or gpm). If less than full rate c water right
POA 1 Well 1	Yes	DESC 2100	232'	24" 12"	0-18' 0-232'	0-18'	170-232'	170'	Sand and gravel	2000 gpm
POA 2 Well 3	Yes	DESC 2087	262'	16"	+2-19'	0-19'	Open hole below 19'	171'	Sand and gravel	2200 gpm
POA 3 Well 4	Yes	DESC 2098	288'	16"	+1-19'	0-19'	Open hole below 19'	163'	Gravel	2750 gpm
POA 4 Well 7	Yes	DESC 224,768	340'	16" 12" 8"	0-25' +2-50' 18-340'	0-25'	Open hole below 25'	170'	Fractured basalt and sand	1500 gpm

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**Description of Water Delivery System**

System capacity: 4.5 cubic feet per second (cfs) OR  
 \_\_\_\_\_ gallons per minute (gpm)

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

**The current point of diversion on the Deschutes River pulls water via a metered pumping system. The pump delivers water into the water delivery system. The irrigation water delivery system is constructed so that water from any POA or POD on the property can deliver water to any POU on the property as defined in Certificates 87558, 87655, 88027, 88028, and 88224. In addition, the capacity from Well Numbers 1, 3, 4, and 7 is adequate to provide the water right volume under Certificates 88027 and 76371 as well as from existing Certificates 87558, 88028, and 88224 that also utilize these wells. The water delivery system is shown on the map attached as Figure 1.**

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

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-...)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
POD 1 McKenzie Canyon	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		14 S	12 E	4	NW SE	1500	1593 feet north & 1611 feet west from the SE corner of Section 4.
POA 1 Well 1	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	DESC 2100	14 S	12 E	18	SW SE	1406	1680.6 feet west and 1154.2 feet north from the SE corner of Section 18. <span style="float: right;">2.90</span>
POA 2 Well 3	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	DESC 2087	14 S	12 E	17	SW NE	1402	1706.6 feet west and 1772.1 feet south from the NE corner of Section 17. <span style="float: right;">1.95</span>
POA 3 Well 4	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	DESC 2098	14 S	12 E	17	NW NW	1404	32.2 feet east and 240.7 feet south from the NW corner of Section 17. <span style="float: right;">2.16</span>
POA 4 Well 7	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	DESC 226, 768	14 S	12 E	9	SE NW	1500	2862.6 feet west and 1571.4 feet south from the NE corner Section 9. <span style="float: right;">0.65</span>

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

- |   |   |
|---|---|
| <input type="checkbox"/> Place of Use (POU)                   | <input type="checkbox"/> Supplemental Use to Primary Use (S to P) |
| <input type="checkbox"/> Character of Use (USE)               | <input type="checkbox"/> Point of Appropriation/Well (POA)        |
| <input type="checkbox"/> Point of Diversion (POD)             | <input type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input type="checkbox"/> Additional Point of Diversion (APOD) | <input type="checkbox"/> Substitution (SUB)                       |

Surface Water POD to Ground Water  
POA (SW/GW)

Government Action POD (GOV)

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

**COPY**

Yes Complete only the Proposed ("to" or "on" lands) section of Table 2 on the next page. Use the "CODES" listed above to describe the proposed changes.

No Complete all of Table 2 to describe the portion of the water right to be changed.

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AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.										Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.														
Twp	Rng	Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)		Priority Date	Twp	Rng	Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date			
<b>EXAMPLE</b>																									
2	S	9	E	15	NE	NW	100	15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0	POD #5	1901	
														2	S	9	E	2	SW	NW	500		5.0	POD #6	1901

**THERE WILL BE NO CHANGE TO THE PLACE OF USE OR CHARACTER OF USE IN THIS TRANSFER.**

												SW/GW	14	S	12	E	8	NE	SW				WELL 1,3,4,7	
												SW/GW					8	NW	SW				WELL 1,3,4,7	
												SW/GW					8	SW	SW				WELL 1,3,4,7	
												SW/GW					8	SE	SW				WELL 1,3,4,7	
												SW/GW					8	NW	SE				WELL 1,3,4,7	
												SW/GW					8	SW	SE				WELL 1,3,4,7	
												SW/GW					17	NW	NE				WELL 1,3,4,7	
												SW/GW					17	SW	NE				WELL 1,3,4,7	
												SW/GW					17	SE	NE				WELL 1,3,4,7	
												SW/GW					17	NW	NW				WELL 1,3,4,7	
												SW/GW					17	SE	NW				WELL 1,3,4,7	

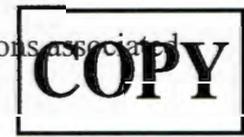


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**For Place of Use or Character of Use Changes**

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



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

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

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

Ground water supplemental Permit or Certificate # \_\_\_\_\_;  
Surface water primary Certificate # \_\_\_\_\_.

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

Identify the primary certificate to be cancelled. Certificate # \_\_\_\_\_

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

Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map.

**Tip:** You may search for well logs on the Department's web page at:  
[http://apps.wrd.state.or.us/apps/gw/well\\_log/Default.aspx](http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx)

**Table 3. Construction of Point(s) of Appropriation**

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

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well: OWRD Well ID Tag No. L-	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well -specific rate (cfs or gpm). If less than full rate of water right
POA 1 Well 1	Yes	DESC 2100	232'	24" 12"	0-18' 0-232'	0-18'	170-232'	170'	Sand and gravel	2000 gpm
POA 2 Well 3	Yes	DESC 2087	262'	16"	+2-19'	0-19'	Open hole below 19'	171'	Sand and gravel	2200 gpm
POA 3 Well 4	Yes	DESC 2098	288'	16"	+1-19'	0-19'	Open hole below 19'	163'	Gravel	2750 gpm
POA 4 Well 7	Yes	DESC 224,768	340'	16" 12" 8"	0-25' +2-50' 18-340'	0-25'	Open hole below 25'	170'	Fractured basalt and sand	1500 gpm

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April 21, 2017

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NEWTON  
CONSULTANTS INC. 

Water Rights Transfer Section  
Oregon Water Resources Department  
725 Summer Street NE, Suite A  
Salem, Oregon 97301-1266

**WATER RIGHT TRANSFER APPLICATION; CERTIFICATES 87655, 88027 AND 76371; BIG FALLS RANCH, TERREBONNE, OREGON; UPPER DESCHUTES BASIN GROUND WATER STUDY AREA.**

To Whom It May Concern:

Enclosed herewith is an Application for Permanent Water Right Transfer applicable to the Certificates 87655, 88027 and 76371. These certificates authorize use of surface waters for irrigation on the Big Falls Ranch.

The intent of the water right transfers is to change the source of water from surface water to ground water, which improves irrigation system operating efficiencies and leaves relatively cold Deep Canyon spring water, otherwise appropriated for irrigation, to flow into the middle Deschutes River.

The three certificates authorize use of the surface water for irrigation in the upper Deschutes Basin ground water study area. Accordingly, the application to transfer water rights from surface water diversion points to ground water points of appropriation is made in the context of ORS 540.531(3)(a)(b)(c).

Enclosed are the following items:

1. Application for Permanent Water Right Transfer;
2. Attachment #1; Surface Water POD to Ground Water POA Transfer Maps, Figures 1, 2 and 3;
3. Attachment #2; Evidence of Use Affidavits and Electric Power Usage Invoice; Certificate 76371, Certificate 87655 and Certificate 88027;
4. Attachment #3; ORS 540.531 – Transfer of Surface Water Point of Diversion to Ground Water; and
5. Check in the amount of \$2,250.00 for the application fee, payable to the Oregon Water Resources Department.

Please contact me if you have any questions regarding this application at (541) 325-3905, or by e-mail at [dnewton@newtonconsultants.com](mailto:dnewton@newtonconsultants.com).

**Thank you for your assistance in processing this application.**

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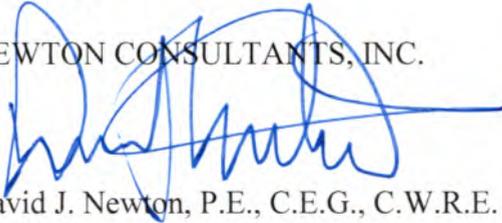
WATER RIGHT TRANSFER APPLICATION - CERTIFICATES  
87655, 88027, 76371 - BIG FALLS RANCH - APRIL 21, 2017

P.O. Box 1728, 1937 N Business 97 ■ Redmond, Oregon 97756 ■ 541 504-9960 ■ fax 541 504-9961 ■ [www.newtonconsultants.com](http://www.newtonconsultants.com)

T 12651

Sincerely,

NEWTON CONSULTANTS, INC.



David J. Newton, P.E., C.E.G., C.W.R.E.  
President

Enclosures

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

# Application for Permanent Water Right Transfer

## Part 1 of 5 – Minimum Requirements Checklist

**This transfer**

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

- Part 1 – Completed Minimum Requirements Checklist.
- Part 2 – Completed Transfer Application Map Checklist.
- Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at: [http://apps.wrd.state.or.us/apps/misc/wrd\\_fee\\_calculator](http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator). If you have questions, call Customer Service at (503) 986-0801.
- Part 4 – Completed Applicant Information and Signature.
- Part 5 – Information about Water Rights to be Transferred: **How many water rights are to be transferred? THREE List them here: 87655, 88027, 76371**  
Please include a separate Part 5 for each water right. (See instructions on page 6)

**Attachments:**

- Completed Transfer Application Map. (See Attachment 1; Figures 1, 2 & 3)
- Completed Evidence of Use Affidavit and supporting documentation. (See Attachment 2)
- N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land the water right is on.)
- N/A Supplemental Form D – For water rights served by or issued in the name of an irrigation district. Complete when the transfer applicant is not the irrigation district.
- N/A Land Use Information Form with approval and signature (or signed land use form receipt stub). Not required if water is to be diverted, conveyed, and/or used only on federal lands or if **all** of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone.
- N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation.
- N/A Geologist Report for a change from a surface water point of diversion to a ground water point of appropriation (well), if the proposed well is more than 500' from the surface water source and more than 1000' upstream or downstream from the point of diversion. See OAR 690-380-2130 for requirements and applicability. **Proposed transfer of POD to POA is in upper Deschutes Basin ground water study area; ORS 540.531 (3)(a)(b)(c) applies to this proposed transfer (see Attachment 3).**

(For Staff Use Only)  
**WE ARE RETURNING YOUR**

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

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

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



**Applicant Information**

APPLICANT/BUSINESS NAME <b>Big Falls Ranch; Contact: Rex Barber</b>			PHONE NO. <b>541-948-6325</b>	ADDITIONAL CONTACT NO.
ADDRESS <b>PO Box 434</b>				FAX NO.
CITY <b>Terrebonne</b>	STATE <b>OR</b>	ZIP <b>97760</b>	E-MAIL <b>BIGFALLS@CBBMAIL.COM</b>	
<b>BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.</b>				

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

AGENT/BUSINESS NAME <b>DAVID NEWTON, NEWTON CONSULTANTS, INC.</b>			PHONE NO. <b>541-325-3905</b>	ADDITIONAL CONTACT NO. <b>541-604-5279</b>
ADDRESS <b>PO Box 1728</b>				FAX NO. <b>541-504-9961</b>
CITY <b>Redmond</b>	STATE <b>OR</b>	ZIP <b>97756</b>	E-MAIL <b>dnewton@newtonconsultants.com</b>	
<b>BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.</b>				

Explain in your own words what you propose to accomplish with this transfer application, and why: Transfer surface water right from Deep Canyon Creek and McKenzie Canyon PODs under Certificates 88027, 76371, and 87655 to a groundwater right with Points of Appropriation at existing well Numbers 1, 3, 4, and 7.

The irrigation system is constructed such that water from any or all wells can deliver water to the Place of Use defined in Certificates 88027, 76371, and 87655. In addition, the well capacity is adequate to provide the water right volume under Certificates 88027, 76371, and 87655, as well as existing Certificates 87558, 88028, and 88224 which also utilize these wells.

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

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

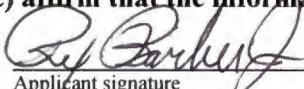
**Check One Box**

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

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I understand that prior to Department approval of the transfer application, I may be required to submit payment to the Department for publication of a notice in a newspaper with general circulation in the area where the water right is located, once per week for two consecutive weeks. If more than one qualifying newspaper is available, I suggest publishing the notice in the following newspaper: Redmond Spokesman.

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

 Applicant signature	<u>Rex Barber Jr (Pres)</u> Print Name (and Title if applicable)	<u>4/12/17</u> Date
<u>Big Falls Ranch Co</u> Applicant signature	_____ Print Name (and Title if applicable)	<u>4/12/17</u> Date

Is the applicant the sole owner of the land on which the water right, or portion thereof, proposed for transfer is located?  Yes  No *If NO, include signatures of all deeded landowners (and mailing*

and/or e-mail addresses if different than the applicant's) or attach affidavits of consent (and mailing and/or e-mail addresses) from all landowners or individuals/entities to which the water right(s) were conveyed.

Check the following boxes that apply:

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

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

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

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

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

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

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Describe any special ownership circumstances here: NA

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

IRRIGATION DISTRICT NAME <b>NA</b>	ADDRESS		
CITY	STATE	ZIP	

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

ENTITY NAME	ADDRESS		
CITY	STATE	ZIP	

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

ENTITY NAME <b>Deschutes County Community Development Department</b>	ADDRESS <b>PO Box 6005</b>		
CITY <b>Bend</b>	STATE <b>OR</b>	ZIP <b>97708-6005</b>	

**NOTE THAT LAND USE FORM IS NOT REQUIRED SINCE THERE IS NO PROPOSED CHANGE TO PLACE OF USE OR CHARACTER OF USE**

ENTITY NAME	ADDRESS		
CITY	STATE	ZIP	

## INSTRUCTIONS for editing the Application Form

To add additional lines to tables within the forms or to copy and paste additional Part 5 pages, please **save the application form to your computer**. Unlock the document by using one of the following instructions for your Microsoft Word software version:

### Microsoft Word 2003

Unlock the document by one of the following:

- Using the **Tools** menu => click **Unprotect Document**;  
**OR**

- Using the **Forms** toolbar => click on the **Protect/Unprotect** icon.

To relock the document to enable the checkboxes to work, you will need to:

- Using the **Tools** menu => click **Protect Document**;  
**OR**

- Using the **Forms** toolbar => click on the **Protect/Unprotect** icon.

### Microsoft Word 2007

- Unlock the document by clicking the **Review** tab, then click **Protect Document**, then click **Stop Protect**
- To relock the document, click **Editing Restrictions**, then click **Allow Only This Type of Editing**, select **Filling In Forms** from the drop-down menu, then check **Yes, Start Enforcing Protection**.

### Microsoft Word 2010

- Unlock the document by clicking the **Review** tab, toggle the **Restrict Editing icon** at the upper right, then click **Stop Protect** at the bottom right. Then uncheck the "Allow only this type of editing in the document: **Filling in forms**" in the "Editing restrictions" section on the right-hand list of options.
- To relock the document, check the **Editing Restrictions/Allow Only This Type of Editing/Filling In Forms** box from the drop-down menu, then check **Yes, Start Enforcing Protection**. You do not need to assign a password for the editing restrictions.

### Other Alternatives:

- Photocopy pages or tables in Part 5, ~~mark-through~~ any non-applicable information, insert/attach photocopied pages to document in the appropriate location, and manually amend page numbers as necessary (e.g. Page 5 of 10).
- You may refer to additional attachments that you may include, such as separately produced tables or spreadsheets to convey large numbers of rows of place of use listings, owner/property parcels, etc. You may contact the Department at 503-986-0900 and ask for Transfer Staff if you have questions.

Once the application has been unlocked, you may:

- add additional rows to tables using the Table tools, and

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Please use a separate Part 5 for each water right being changed. See instructions on page 6, to copy and paste

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**CERTIFICATE # 88027**

**Description of Water Delivery System**

System capacity: 3.69 cubic feet per second (cfs) OR  
 \_\_\_\_\_ gallons per minute (gpm)

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

**The current point of diversion ponds water from spring discharge within Deep Canyon to allow pump placement. The pump delivers water into the water delivery system. The irrigation water delivery system is constructed so that water from any POA or POD on the property can deliver water to any POU on the property as defined in Certificates 87558, 87655, 88027, 88028, and 88224. In addition, the capacity from Well Numbers 1, 3, 4, and 7 is adequate to provide the water right volume under Certificates 88027 and 76371 as well as from existing Certificates 87558, 88028, and 88224 that also utilize these wells. The water delivery system is shown on the map attached as Figure 1.**

**Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)**

Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twsp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
POD 1 Deep Canyon Creek	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		14 S	12 E	9	SW SE	1500	4440 feet south & 3020 feet east from the NW corner of Section 9.
POA 1 Well 1	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	DESC 2100	14 S	12 E	18	SW SE	1406	1680.6 feet west and 1154.2 feet north from the SE corner of Section 18.
POA 2 Well 3	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	DESC 2087	14 S	12 E	17	SW NE	1402	1706.6 feet west and 1772.1 feet south from the NE corner of Section 17.
POA 3 Well 4	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	DESC 2098	14 S	12 E	17	NW NW	1404	32.2 feet east and 240.7 feet south from the NW corner of Section 17.
POA 4 Well 7	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	DESC 226, 768	14 S	12 E	9	SE NW	1500	2862.6 feet west and 1571.4 feet south from the NE corner Section 9.

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

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

- Additional Point of Diversion (APOD)       Substitution (SUB)  
 Surface Water POD to Ground Water POA (SW/GW)       Government Action POD (GOV)

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

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

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Please use and attach additional pages of Table 2 as

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**Table 2. Description of Changes to Water Right Certificate # 88027**

List the change proposed for the acreage in each 1/4 1/4. If more than one change is proposed, specify the acreage associated with each change. If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.										Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.									
Twp	Rng	Sec	1/4 1/4	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp	Rng	Sec	1/4 1/4	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/POA(s) to be used (from Table 1)	Priority Date
<b>EXAMPLE</b>																				
2	S	9	E 15 NE NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E 1	NW NW	500	1	10.0	POD #5	1901
											2	S	9	E 2	SW NW	500		5.0	POD #6	1901
<b>THERE WILL BE NO CHANGE TO THE PLACE OF USE OR CHARACTER OF USE IN THIS TRANSFER.</b>																				
										SW/GW	14	S	12	E 3	SW SW				WELL 1,3,4,7	
										SW/GW				4	SW SE				WELL 1,3,4,7	
										SW/GW				4	SE SE				WELL 1,3,4,7	
										SW/GW				8	SE NE				WELL 1,3,4,7	
										SW/GW				8	NE SE				WELL 1,3,4,7	
										SW/GW				8	SE SE				WELL 1,3,4,7	
										SW/GW				9	NW NE				WELL 1,3,4,7	
										SW/GW				9	SW NE				WELL 1,3,4,7	
										SW/GW				9	SE NE				WELL 1,3,4,7	
										SW/GW				9	SW NW				WELL 1,3,4,7	

1 12651

TOTAL ACRES:				TOTAL ACRES:		
--------------	--	--	--	--------------	--	--

Additional remarks: Since there is no change to the POU or COU, there is also no change in total acres.

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

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

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

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

**The Supplemental Irrigation POU defined in Certificate 88027 will also be transferred with the Primary Irrigation POU.**

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

Ground water supplemental Permit or Certificate # \_\_\_\_\_;  
Surface water primary Certificate # \_\_\_\_\_.

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

Identify the primary certificate to be cancelled. Certificate # \_\_\_\_\_

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

Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map.

**Tip:** You may search for well logs on the Department's web page at:  
[http://apps.wrd.state.or.us/apps/gw/well\\_log/Default.aspx](http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx)

**AND/OR**

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

**Table 3. Construction of Point(s) of Appropriation**

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

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well: OWRD Well ID Tag No. L-	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well -specific rate (cfs or gpm). If less than full rate of water right
POA 1 Well 1	Yes	DESC 2100	232'	24" 12"	0-18' 0-232'	0-18'	170-232'	170'	Sand and gravel	2000 gpm

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well: OWRD Well ID Tag No. L-	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well -specific rate (cfs or gpm). If less than full rate of water right
POA 2 Well 3	Yes	DESC 2087	262'	16"	+2-19'	0-19'	Open hole below 19'	171'	Sand and gravel	2200 gpm
POA 3 Well 4	Yes	DESC 2098	288'	16"	+1-19'	0-19'	Open hole below 19'	163'	Gravel	2750 gpm
POA 4 Well 7	Yes	DESC 224,768	340'	16" 12" 8"	0-25' +2-50' 18-340'	0-25'	Open hole below 25'	170'	Fractured basalt and sand	1500 gpm

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

CERTIFICATE # 76371

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**Description of Water Delivery System**

System capacity: 1.81 cubic feet per second (cfs) OR \_\_\_\_\_ gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines and sprinklers used to divert, convey and apply the water at the authorized place of use. **The current point of diversion ponds water from spring discharge within Deep Canyon to allow pump placement. The pump delivers water into the water delivery system. The irrigation water delivery system is constructed so that water from any POA or POD on the property can deliver water to any POU on the property as defined in Certificates 87558, 87655, 88027, 88028, and 88224. In addition, the capacity from Well Numbers 1, 3, 4, and 7 is adequate to provide the water right volume under Certificates 88027 and 76371 as well as from existing Certificates 87558, 88028, and 88224 that also utilize these wells. The water delivery system is shown on the map attached as Figure 1.**

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

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp	Rng	Sec	¼	¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
POD 1 Deep Canyon Creek	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		14 S	12 E	9	SW	SE	1500	4440 feet south & 3020 feet east from the NW corner of Section 9.
POA 1 Well 1	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	DESC 2100	14 S	12 E	18	SW	SE	1406	1680.6 feet west and 1154.2 feet north from

									the SE corner of Section 18.
POA 2 Well 3	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	DESC 2087	14 S	12 E	17	SW	NE	1402	1706.6 feet west and 1772.1 feet south from the NE corner of Section 17.
POA 3 Well 4	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	DESC 2098	14 S	12 E	17	NW	NW	1404	32.2 feet east and 240.7 feet south from the NW corner of Section 17.
POA 4 Well 7	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	DESC 226, 768	14 S	12 E	9	SE	NW	1500	2862.6 feet west and 1571.4 feet south from the NE corner Section 9.

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

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

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

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

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**Table 2. Description of Changes to Water Right Certificate # 76371**

List the change proposed for the acreage in each 1/4 1/4. If more than one change is proposed, specify the acreage associated with each change. If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.										Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.												
Twp	Rng	Sec	1/4	1/4	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp	Rng	Sec	1/4	1/4	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	PO8D(s)/ POA(s) to be used (from Table 1)	Priority Date		
<b>EXAMPLE</b>																							
2	S	9	E	15			15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0	POD #5	1901
												2	S	9	E	2	SW	NW	500		5.0	POD #6	1901
<b>THERE WILL BE NO CHANGE TO THE PLACE OF USE OR CHARACTER OF USE IN THIS TRANSFER.</b>																							
											SW/GW	14	S	1	E	3	SW	SW				WELL 1,3,4,7	
											SW/GW				4	SW	SE					WELL 1,3,4,7	
											SW/GW				8	NE	SE					WELL 1,3,4,7	
											SW/GW				8	SE	SE					WELL 1,3,4,7	
											SW/GW				9	NW	NE					WELL 1,3,4,7	
											SW/GW				9	SE	NE					WELL 1,3,4,7	
											SW/GW				9	NE	NW					WELL 1,3,4,7	
											SW/GW				9	NE	SW					WELL 1,3,4,7	
											SW/GW				9	NW	SW					WELL 1,3,4,7	
											SW/GW				9	NE	SE					WELL 1,3,4,7	



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

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

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

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

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

Ground water supplemental Permit or Certificate # \_\_\_\_\_;  
Surface water primary Certificate # \_\_\_\_\_.

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

Identify the primary certificate to be cancelled. Certificate # \_\_\_\_\_

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

Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map.

**Tip:** You may search for well logs on the Department’s web page at:  
[http://apps.wrd.state.or.us/apps/gw/well\\_log/Default.aspx](http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx)

**Table 3. Construction of Point(s) of Appropriation**

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

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well: OWRD Well ID Tag No. L-	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well -specific rate (cfs or gpm). If less than full rate of water right
POA 1 Well 1	Yes	DESC 2100	232'	24" 12"	0-18' 0-232'	0-18'	170-232'	170'	Sand and gravel	2000 gpm
POA 2 Well 3	Yes	DESC 2087	262'	16"	+2-19'	0-19'	Open hole below 19'	171'	Sand and gravel	2200 gpm
POA 3 Well 4	Yes	DESC 2098	288'	16"	+1-19'	0-19'	Open hole below 19'	163'	Gravel	2750 gpm
POA 4 Well 7	Yes	DESC 224,768	340'	16" 12" 8"	0-25' +2-50' 18-340'	0-25'	Open hole below 25'	170'	Fractured basalt and sand	1500 gpm

**Description of Water Delivery System**

System capacity: 4.5 cubic feet per second (cfs) OR  
 \_\_\_\_\_ gallons per minute (gpm)

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

**The current point of diversion on the Deschutes River pulls water via a metered pumping system. The pump delivers water into the water delivery system. The irrigation water delivery system is constructed so that water from any POA or POD on the property can deliver water to any POU on the property as defined in Certificates 87558, 87655, 88027, 88028, and 88224. In addition, the capacity from Well Numbers 1, 3, 4, and 7 is adequate to provide the water right volume under Certificates 88027 and 76371 as well as from existing Certificates 87558, 88028, and 88224 that also utilize these wells. The water delivery system is shown on the map attached as Figure 1.**

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

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twps	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
<b>POD 1 McKenzie Canyon</b>	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		14 S	12 E	4	NW SE	1500	1593 feet north & 1611 feet west from the SE corner of Section 4.
<b>POA 1 Well 1</b>	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	DESC 2100	14 S	12 E	18	SW SE	1406	1680.6 feet west and 1154.2 feet north from the SE corner of Section 18.
<b>POA 2 Well 3</b>	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	DESC 2087	14 S	12 E	17	SW NE	1402	1706.6 feet west and 1772.1 feet south from the NE corner of Section 17.
<b>POA 3 Well 4</b>	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	DESC 2098	14 S	12 E	17	NW NW	1404	32.2 feet east and 240.7 feet south from the NW corner of Section 17.
<b>POA 4 Well 7</b>	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	DESC 226, 768	14 S	12 E	9	SE NW	1500	2862.6 feet west and 1571.4 feet south from the NE corner Section 9.

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

- |   |   |
|---|---|
| <input type="checkbox"/> Place of Use (POU)                   | <input type="checkbox"/> Supplemental Use to Primary Use (S to P) |
| <input type="checkbox"/> Character of Use (USE)               | <input type="checkbox"/> Point of Appropriation/Well (POA)        |
| <input type="checkbox"/> Point of Diversion (POD)             | <input type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input type="checkbox"/> Additional Point of Diversion (APOD) | <input type="checkbox"/> Substitution (SUB)                       |

- Surface Water POD to Ground Water POA (SW/GW)       Government Action POD (GOV)

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

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

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AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.											Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.															
Twp	Rng	Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp	Rng	Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	Ne w Typ e of US E	POD(s)/ POA(s) to be used (from Table 1)	Priority Date					
<b>EXAMPLE</b>																											
2	S	9	E	15	NE	NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0		POD #5	1901	
															2	S	9	E	2	SW	NW	500		5.0		POD #6	1901
<b>THERE WILL BE NO CHANGE TO THE PLACE OF USE OR CHARACTER OF USE IN THIS TRANSFER.</b>																											
													SW/GW	14	S	12	E	8	NE	SW					WELL 1,3,4,7		
													SW/GW					8	NW	SW					WELL 1,3,4,7		
													SW/GW					8	SW	SW					WELL 1,3,4,7		
													SW/GW					8	SE	SW					WELL 1,3,4,7		
													SW/GW					8	NW	SE					WELL 1,3,4,7		
													SW/GW					8	SW	SE					WELL 1,3,4,7		
													SW/GW					17	NW	NE					WELL 1,3,4,7		
													SW/GW					17	SW	NE					WELL 1,3,4,7		
													SW/GW					17	SE	NE					WELL 1,3,4,7		
													SW/GW					17	NW	NW					WELL 1,3,4,7		
													SW/GW					17	SE	NW					WELL 1,3,4,7		

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

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

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

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

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

Ground water supplemental Permit or Certificate # \_\_\_\_\_;

Surface water primary Certificate # \_\_\_\_\_.

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

Identify the primary certificate to be cancelled. Certificate # \_\_\_\_\_

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

Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map.

**Tip:** You may search for well logs on the Department’s web page at:

[http://apps.wrd.state.or.us/apps/gw/well\\_log/Default.aspx](http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx)

**Table 3. Construction of Point(s) of Appropriation**

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

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well: OWRD Well ID Tag No. L-	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well -specific rate (cfs or gpm). If less than full rate of water right
POA 1 Well 1	Yes	DESC 2100	232'	24" 12"	0-18' 0-232'	0-18'	170-232'	170'	Sand and gravel	2000 gpm
POA 2 Well 3	Yes	DESC 2087	262'	16"	+2-19'	0-19'	Open hole below 19'	171'	Sand and gravel	2200 gpm
POA 3 Well 4	Yes	DESC 2098	288'	16"	+1-19'	0-19'	Open hole below 19'	163'	Gravel	2750 gpm
POA 4 Well 7	Yes	DESC 224,768	340'	16" 12" 8"	0-25' +2-50' 18-340'	0-25'	Open hole below 25'	170'	Fractured basalt and sand	1500 gpm

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**ATTACHMENT 1**

**FIGURES 1, 2 & 3**

**SURFACE WATER POD TO GROUND WATER POA TRANSFER MAPS**

T 12651

# Application for Water Right Transfer

## Evidence of Use Affidavit



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

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

State of Oregon )  
 ) ss  
 County of DESCHUTES)

I, REX BARBER, in my capacity as OWNER/OPERATOR,  
 mailing address PO BOX 434 TERREBONNE, OR, 97760

telephone number (541)948.6325, being first duly sworn depose and say:



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

- Personal observation                       Professional expertise

**RECEIVED**  
**APR 21 2017**  
**OWRD**

2. I attest that:

Water was used during the previous five years on the **entire** place of use for Certificate # 76371; **OR**

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

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

**OR**

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

(continues on reverse side)

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

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

[Signature]  
Signature of Affiant

4/12/17  
Date

**RECEIVED**  
**APR 21 2017**  
**OWRD**

Signed and sworn to (or affirmed) before me this 12 day of April, 2017.



[Signature]  
Notary Public for Oregon

My Commission Expires: 5/31/2020

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

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

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Date

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<input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

# Application for Water Right Transfer

## Evidence of Use Affidavit



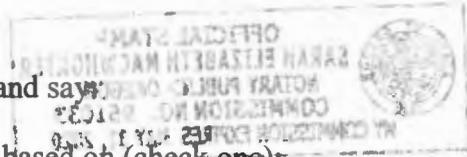
Oregon Water Resources Department  
 725 Summer Street NE, Suite A  
 Salem, Oregon 97301-1266  
 (503) 986-0900  
 www.wrd.state.or.us

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

State of Oregon )  
 ) ss  
 County of DESCHUTES)

I, REX BARBER, in my capacity as OWNER/OPERATOR,  
 mailing address PO BOX 434 TERREBONNE, OR, 97760

telephone number (541)948.6325, being first duly sworn depose and say:



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

- Personal observation                       Professional expertise

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2. I attest that:

Water was used during the previous five years on the **entire** place of use for Certificate # 87655; **OR**

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

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

**OR**

- Confirming Certificate # 87655 has been issued within the past five years; **OR**
- Part or all of the water right was leased instream at some time within the last five years. The instream lease number is: \_\_\_\_\_ (Note: If the entire right proposed for transfer was not leased, additional evidence of use is needed for the portion not leased instream.); **OR**
- The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use would be rebutted under ORS 540.610(2) is attached.
- Water has been used at the actual current point of diversion or appropriation for more than 10 years for Certificate # \_\_\_\_\_ (For Historic POD/POA Transfers)

(continues on reverse side)

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

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[Signature]  
Signature of Affiant

4/12/17  
Date

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APR 21 2017  
OWRD

Signed and sworn to (or affirmed) before me this 12 day of April, 2020.



[Signature]  
Notary Public for Oregon

My Commission Expires: 5/31/2020

Supporting Documents	Examples
<input checked="" type="checkbox"/> Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate)	Copy of <b>confirming</b> water right certificate that shows issue date
<input type="checkbox"/> Copies of receipts from sales of irrigated crops or for expenditures related to use of water	<ul style="list-style-type: none"> <li>• Power usage records for pumps associated with irrigation use</li> <li>• Fertilizer or seed bills related to irrigated crops</li> <li>• Farmers Co-op sales receipt</li> </ul>
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<input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

# Application for Water Right Transfer

## Evidence of Use Affidavit



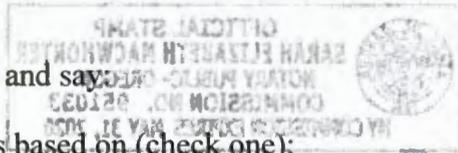
Oregon Water Resources Department  
 725 Summer Street NE, Suite A  
 Salem, Oregon 97301-1266  
 (503) 986-0900  
 www.wrd.state.or.us

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

State of Oregon )  
 ) ss  
 County of DESCHUTES)

I, REX BARBER, in my capacity as OWER/OPERATOR,  
 mailing address PO BOX 434 TERREBONNE, OR, 97760

telephone number (541)948.6325, being first duly sworn depose and say:



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

- Personal observation       Professional expertise

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2. I attest that:

- Water was used during the previous five years on the **entire** place of use for Certificate # 88027; **OR**
- My knowledge is specific to the use of water at the following locations within the last five years:

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

- OR**
- Confirming Certificate # 88027 has been issued within the past five years; **OR**
- Part or all of the water right was leased instream at some time within the last five years. The instream lease number is: \_\_\_\_ (Note: If the entire right proposed for transfer was not leased, additional evidence of use is needed for the portion not leased instream.); **OR**
- The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use would be rebutted under ORS 540.610(2) is attached.
- Water has been used at the actual current point of diversion or appropriation for more than 10 years for Certificate # \_\_\_\_ (For Historic POD/POA Transfers)

(continues on reverse side)

27276 01 AT 0.416 68-3  
 BIG FALLS RANCH  
 REX & SHELLY BARBER  
 PO BOX 434  
 TERREBONNE OR 97760-0434



Questions: Call  
**1-888-221-7070**  
 24 hours a day,  
 7 days a week  
[pacificpower.net](http://pacificpower.net)

**PACIFIC POWER**

BILLING DATE: Jul 10, 2015  
 ACCOUNT NUMBER: 25175151-001 6  
 DATE DUE: Jul 29, 2015  
 AMOUNT DUE: \$2,978.01



**Your Balance With Us**

Previous Account Balance	38.02
Payments/Credits	-38.02
New Charges	+2,978.01
<b>Current Account Balance</b>	<b>\$ 2,978.01</b>

**Payments Received**

DATE	DESCRIPTION	AMOUNT
Jun 26, 2015	Payment Received - Thank you	38.02
<b>Total Payments</b>		<b>\$ 38.02</b>

Want to learn more about renewable energy? Join our Blue Sky hosted renewable energy project tour on October 3. Visit [pacificpower.net/tour](http://pacificpower.net/tour) for details.

Fuel source, environmental impact and price comparison information is available on our website at [pacificpower.net](http://pacificpower.net).

**Summary of Account Activity**

<b>ITEM 1</b> ELECTRIC SERVICE	70480 Lower Bridge Nr/dacalit Terrebonne OR 100hp + 75hp Oregon Agricultural Pumping Schedule 41L METER # 3770766	2,899.54
<b>ITEM 2</b> ELECTRIC SERVICE	70480 NW Lower Bridge Road # Irrig2 Terrebonne OR Horse Power Rating : 0005.0 Schedule 41 METER # 1127349	77.41
<b>ITEM 3</b> ELECTRIC SERVICE	70480 NW Lower Bridge Road # Irrig1 Terrebonne OR Horse Power Rating : 0005.0 Schedule 41 METER # 57356593	1.06

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See reverse

Write account number on check & mail to: Pacific Power, PO Box 26000, Portland, OR 97256-0001

RETAIN THIS PORTION FOR YOUR RECORDS.  
 RETURN THIS PORTION WITH YOUR PAYMENT.

**PACIFIC POWER**  
 PO BOX 400  
 PORTLAND OR 97207

↑ INSERT THIS  
 EDGE FIRST ↑

**Late Payment Charge for Oregon**  
 A late payment charge of 1.8% may be charged on any balance not paid in full each month.

**Change of Mailing Address or Phone?**  
 Check here & provide information on back.

Account Number: 25175151-001 6  
 Date Due: Jul 29, 2015

**AMOUNT DUE \$2,978.01**

Please enter the amount enclosed.

PACIFIC POWER  
 PO BOX 26000  
 PORTLAND OR 97256-0001



BIG FALLS RANCH  
 REX & SHELLY BARBER  
 PO BOX 434  
 TERREBONNE OR 97760-0434

H 25175151 001 615 000297801

T 12651

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**ATTACHMENT 3**

**ORS 540.531 – Transfer of surface water point of diversion to ground water  
with reference to:**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(4) All applicable restrictions that existed at the original point of diversion shall apply at the new point of diversion allowed under this section.

(5) The new point of diversion shall retain the original date of priority. However, if within five years after approving the transfer, the department finds that the transfer results in substantial interference with existing ground water rights that would not have occurred in the absence of the transfer, the new point of diversion shall be subordinate to any existing right injured by the transferred water right or permit.

(6)(a) The department shall approve an application to return to the last authorized surface water point of diversion if a holder of a water use subject to transfer submits an application to the department within five years after the department approves a transfer under this section.

(b) The department shall approve an application to return to the last authorized surface water point of diversion after five years of the date the department allows a transfer under subsection (3) of this section if a holder of a water use subject to transfer submits an application to the department, and the return will not result in injury to an existing water right.

(7) For transfers allowed under this section, the department shall require mitigation measures to prevent depletion from any surface water source not specified in the permit or certificated or decreed water right, except that the department may not require mitigation measures if the transfer complies with subsection (3) of this section.

(8) The Water Resources Commission shall adopt rules that prescribe:

(a) The process for reviewing applications submitted under this section;

(b) The persons to whom the department shall provide notice of the receipt of an application submitted under this section; and

(c) The persons who may participate in the process of reviewing applications submitted under this section.

(9) As used in this section:

(a) "Deschutes Basin ground water study area" means the part of the Deschutes River Basin that is designated by the Water Resources Commission by rule.

(b) "Similarly" means that the use of ground water at the new point of diversion affects the surface water source specified in the permit or certificated or decreed water right and would result in stream depletion of at least 50 percent of the rate of appropriation within 10 days of continuous pumping. [1995 c.274 §4; 1999 c.555 §5; 2003 c.705 §1;

subsection (9) of 2003 Edition enacted as 2003 c.705 §3; 2005 c.614 §2]

**540.532 Request for change in point of diversion to reflect historical use; requirements.** (1) Notwithstanding ORS 537.797, 540.510, 540.520 and 540.530, an individual may request a change in the point of diversion to reflect the historical use of water at a point of diversion other than that described in the water right certificate or decree if the individual complies with the provisions of subsection (2) of this section.

(2) An individual may request a change in the point of diversion under subsection (1) of this section if:

(a) The actual, current point of diversion has been in use for more than 10 years;

(b) The Water Resources Department has received no claim of injury as a result of the use of water from the current point of diversion prior to the request for the change of diversion;

(c) The individual requesting the change provides written notice to any other affected water right holder, as identified by the Water Resources Department, and the Water Resources Department provides notice of the request in the department's public notice of water right applications; and

(d) The individual provides a map of sufficient detail and clarity to identify the true point of diversion including but not limited to:

(A) The county tax lot number, township, range and section, and to the nearest quarter-quarter section or latitude and longitude as established by a global positioning system; and

(B) The locations of the point of diversion as specified in the water right certificate or decree and the actual, current point of diversion.

(3) Upon receipt of a request for a change in the point of diversion under subsection (1) of this section, the Water Resources Department shall consult with the State Department of Fish and Wildlife to determine whether the historical point of diversion is:

(a) Equipped with an appropriate fish screening or by-pass device; or

(b) Included on the priority list of screening projects established pursuant to section 8, chapter 933, Oregon Laws 1989.

(4) If the historical point of diversion is included in the priority list of screening projects established pursuant to section 8, chapter 933, Oregon Laws 1989, the Water Resources Department, after consulting with the State Department of Fish and Wildlife, may require the installation of an appropri-

**STATE OF OREGON  
WATER RESOURCES DEPARTMENT**

RECEIPT # **35204**

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

INVOICE # \_\_\_\_\_

RECEIVED FROM: Squaw Creek Irr. Dist  
BY: \_\_\_\_\_

APPLICATION	
PERMIT	
TRANSFER	

CASH:  CHECK # 3422 OTHER: (IDENTIFY)

TOTAL REC'D \$ 200.00

**0417 WRD MISC CASH ACCT**

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

**REDUCTION OF EXPENSE**

CASH ACCT. \$

PCA AND OBJECT CLASS \_\_\_\_\_ VOUCHER # \_\_\_\_\_

**0427 WRD OPERATING ACCT**

*PCA # 66111*

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

**WATER RIGHTS:**

0201 SURFACE WATER	EXAM FEE	0202	RECORD FEE
0203 GROUND WATER	\$	0204	\$
0205 TRANSFER	\$	0206	\$
	EXAM FEE		LICENSE FEE
0218 WELL CONSTRUCTION	\$	0219	\$
WELL DRILL CONSTRUCTION	\$	0220	\$
LANDOWNER'S PERMIT			

OVER RECEIVED AT THE COUNTER

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 # **35204**

DATED: 12-30-99 BY: K. Jacobson

**ATTACHMENT 2**

**EVIDENCE OF USE AFFIDAVITS**

**Certificate 76371**

**Certificate 87655**

**Certificate 88027**

**RECEIVED**

**APR 21 2017**

**OWRD**

**PACIFIC POWER – POWER USAGE RECORD (INVOICE) FOR PUMPS  
AT DEEP CANYON POINT OF DIVERSION (see Transfer Maps, Figures 1  
and 2) WHICH SUPPLY WATER TO ALL PLACES OF USE UNDER THE  
ABOVE CERTIFICATES**

**SUPERSEDED**

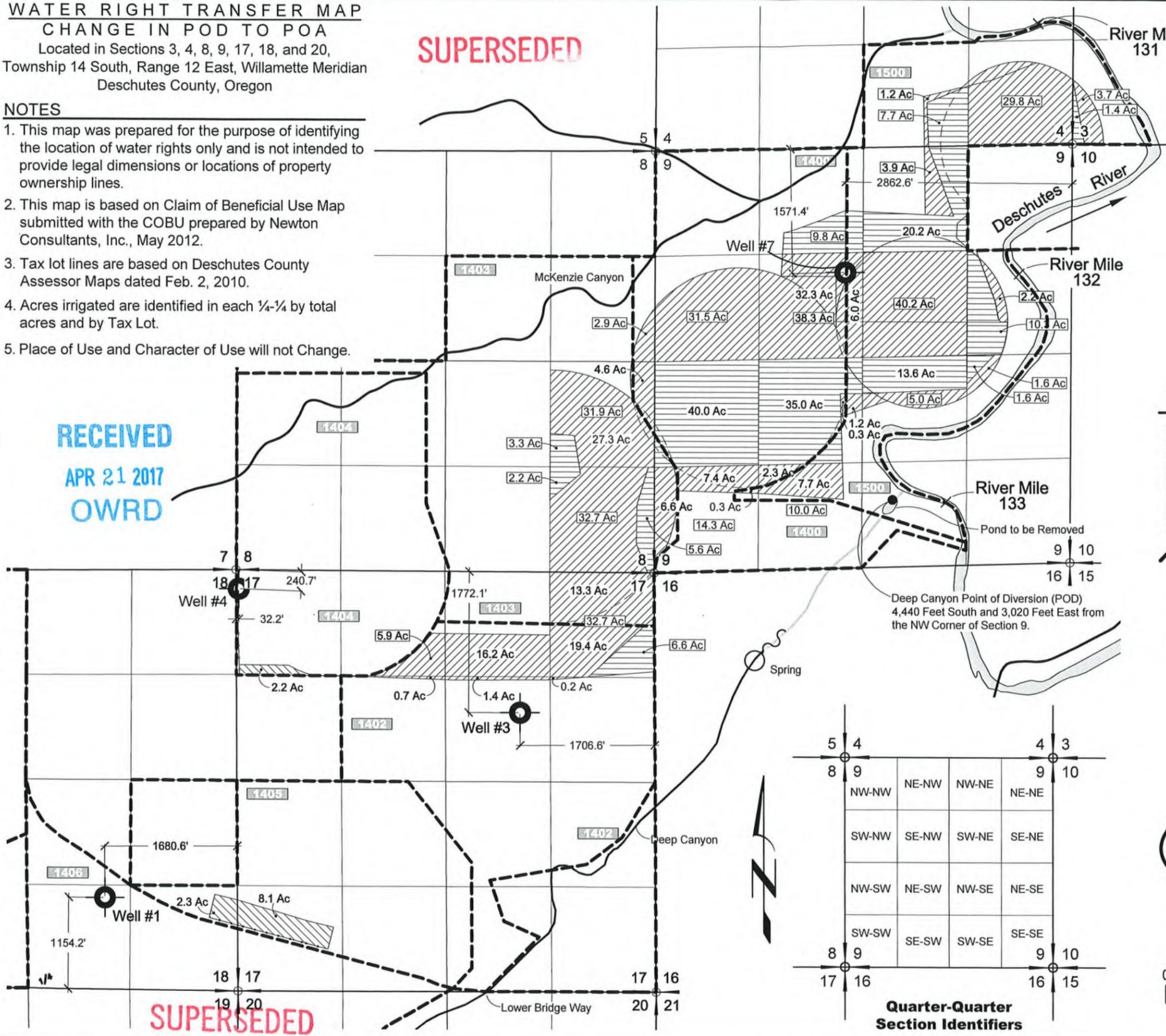
**WATER RIGHT TRANSFER MAP**  
**CHANGE IN POD TO POA**  
 Located in Sections 3, 4, 8, 9, 17, 18, and 20,  
 Township 14 South, Range 12 East, Willamette Meridian  
 Deschutes County, Oregon

**NOTES**

1. This map was prepared for the purpose of identifying the location of water rights only and is not intended to provide legal dimensions or locations of property ownership lines.
2. This map is based on Claim of Beneficial Use Map submitted with the COBU prepared by Newton Consultants, Inc., May 2012.
3. Tax lot lines are based on Deschutes County Assessor Maps dated Feb. 2, 2010.
4. Acres irrigated are identified in each 1/4-1/4 by total acres and by Tax Lot.
5. Place of Use and Character of Use will not Change.

RECEIVED  
APR 21 2017  
OWRD

**SUPERSEDED**



- Locations Of Proposed Point of Appropriation**
- POA 1 - Well #1  
1680.6 Ft West and 1154.2 Ft North from the SE Corner of Section 18.
  - POA 2 - Well #3  
1706.6 Ft West and 1772.1 Ft South from the NE Corner of Section 17.
  - POA 3 - Well #4  
32.2 Ft East and 240.7 Ft South from the NW Corner of Section 17.
  - POA 4 - Well #7  
2862.6 Ft West and 1571.4 Ft South from the NE Corner of Section 9.

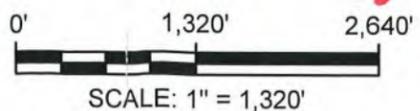
**LEGEND**

- Primary Certificate 88027, Permit 32049 (307.8 Ac Total) Irrigation: April 13, 1967
- Supplemental Certificate 88027, Permit 32049 (12.6 Ac Total) Irrigation: April 13, 1967
- Primary Certificate 76371, Permit 32049 (157.1 Ac Total) Irrigation: April 13, 1967
- Tax Lot Boundary Line
- Tax Lot ID Number
- Location of Areas Not Specified in Permit S-37342, Certificate C-44283
- Total Number of Acres Irrigated in 1/4-1/4



Certified Water Rights Examiner  
 419 WRE  
 DAVID J. NEWTON  
 JAN. 16, 1996  
 STATE OF OREGON

EXPIRES: 31 Dec 2018  
 RENEWS: 31 Dec 2018



**Quarter-Quarter Section Identifiers**

5	4	4	3
8	9	9	10
NW-NW	NE-NW	NW-NE	NE-NE
SW-NW	SE-NW	SW-NE	SE-NE
NW-SW	NE-SW	NW-SE	NE-SE
SW-SW	SE-SW	SW-SE	SE-SE
8	9	9	10
17	16	16	15

Surface Water POD to Groundwater POA Transfer Map  
 Big Falls Ranch Co.  
 Deschutes County, Oregon



**NEWTON CONSULTANTS INC.**  
 Earth, Water and Rock Specialists  
 Ph: 541 504-9960 Fax: 541 504-9961

DESIGNED BY: J. Bannon  
 DRAWN BY: S. Schenck  
 DATE: MAR 2017  
 PROJECT NO. 556-103  
 FIGURE 2

**SUPERSEDED**

G:\05001\556\103\Cad\Water\W556103\_F2\_COBU\_T88027 10:47 03/29/2017 SS

**WATER RIGHT TRANSFER MAP**  
**CHANGE IN POD TO POA**  
 Located in Sections 3, 4, 8, 9, 17, 18, and 20,  
 Township 14 South, Range 12 East, Willamette Meridian  
 Deschutes County, Oregon

- NOTES**
1. This map was prepared for the purpose of identifying the location of water rights only and is not intended to provide legal dimensions or locations of property ownership lines.
  2. This map is based on Claim of Beneficial Use Map submitted with the COBU prepared by Newton Consultants, Inc., May 2012.
  3. Tax lot lines are based on Deschutes County Assessor Maps dated Feb. 2, 2010.
  4. Acres irrigated are identified in each ¼-¼ by total acres and by Tax Lot.
  5. Place of Use and Character of Use will not Change.

- Locations Of Proposed Point of Appropriation**
- POA 1 - Well #1**  
1680.6 Ft West and 1154.2 Ft North from the SE Corner of Section 18.
  - POA 2 - Well #3**  
1706.6 Ft West and 1772.1 Ft South from the NE Corner of Section 17.
  - POA 3 - Well #4**  
32.2 Ft East and 240.7 Ft South from the NW Corner of Section 17.
  - POA 4 - Well #7**  
2862.6 Ft West and 1571.4 Ft South from the NE Corner of Section 9.

- LEGEND**
- Primary Certificate 88027, Permit 32049 (307.8 Ac Total) Irrigation: April 13, 1967
  - Supplemental Certificate 88027, Permit 32049 (12.6 Ac Total) Irrigation: April 13, 1967
  - Primary Certificate 76371, Permit 32049 (157.1 Ac Total) Irrigation: April 13, 1967
  - Tax Lot Boundary Line
  - Tax Lot ID Number
  - Location of Areas Not Specified in Permit S-37342, Certificate C-44283
  - Total Number of Acres Irrigated in ¼-¼



EXPIRES:  
 RENEWS:  
  
 SCALE: 1" = 1,320'

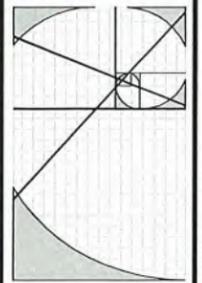


AUG 10 2018  
 Received by WWRD  
 AUG 10 2018  
 Salem, OR

L:\data (newtonsrvr2)\0500\556\103\HMcCo\W556103\_F2\_COBU\_TB8027\_14:18\_08/03/2018\_SS

Surface Water POD to Groundwater POA Transfer Map  
 Big Falls Ranch Co.  
 Deschutes County, Oregon

**H.A. McCOY**  
**ENGINEERING & SURVEYING, LLC**  
 1180 SW Lake Road, Suite 201, Redmond, OR 97756  
 Hayes McCoy  
 PE, PLS, CWRE  
 541-923-7554  
 hayes@ham-enr.com



DESIGNED BY: **D. Newton**  
 DRAWN BY: **S. Schenck**  
 DATE: **Aug 2018**  
 PROJECT NO. **556-103**  
 FIGURE **2**

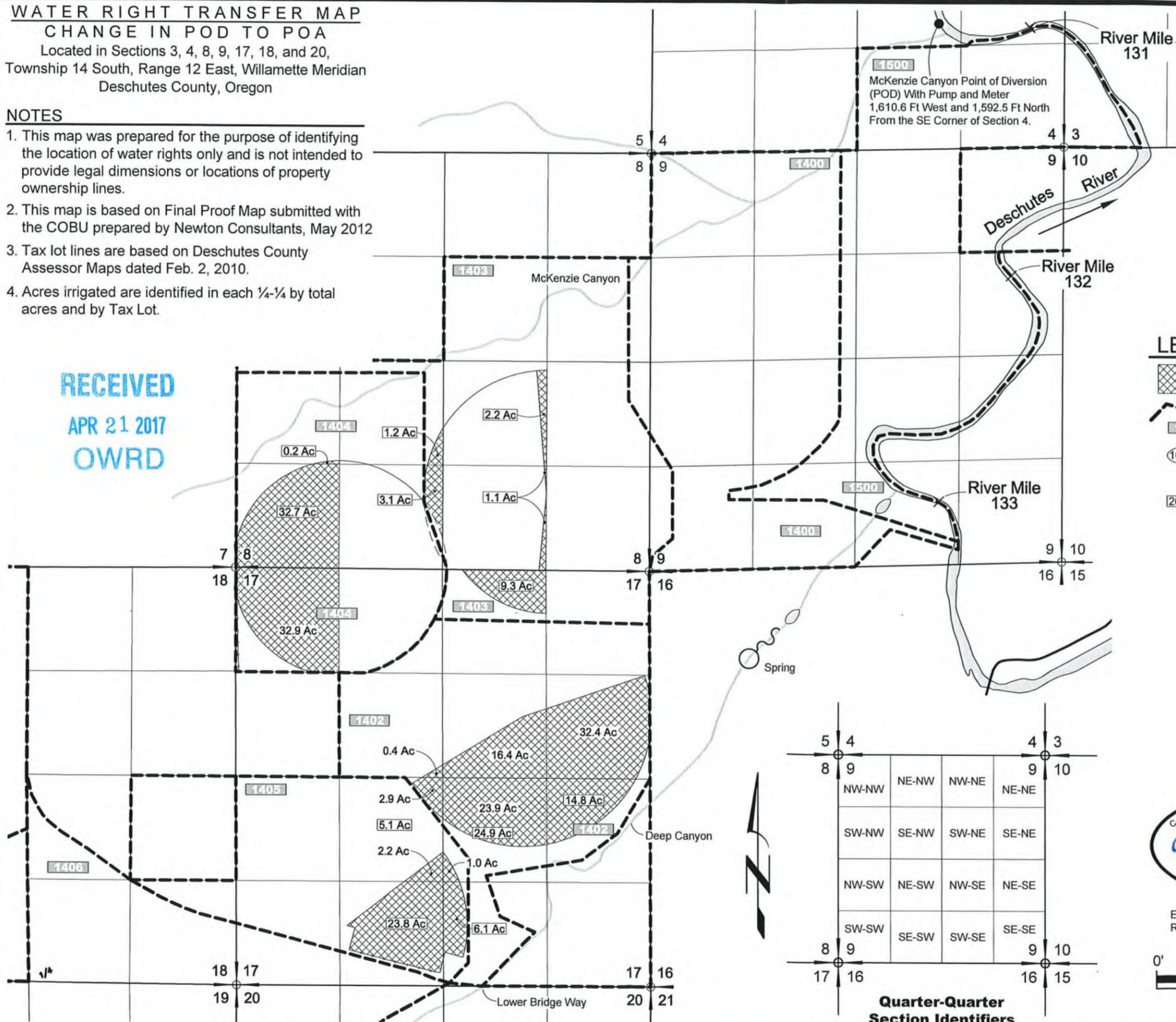
**Amended**

**WATER RIGHT TRANSFER MAP**  
**CHANGE IN POD TO POA**  
 Located in Sections 3, 4, 8, 9, 17, 18, and 20,  
 Township 14 South, Range 12 East, Willamette Meridian  
 Deschutes County, Oregon

**NOTES**

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2. This map is based on Final Proof Map submitted with the COBU prepared by Newton Consultants, May 2012
3. Tax lot lines are based on Deschutes County Assessor Maps dated Feb. 2, 2010.
4. Acres irrigated are identified in each 1/4-1/4 by total acres and by Tax Lot.

RECEIVED  
 APR 21 2017  
 OWRD



1500  
 McKenzie Canyon Point of Diversion (POD) With Pump and Meter  
 1,610.6 Ft West and 1,592.5 Ft North  
 From the SE Corner of Section 4.

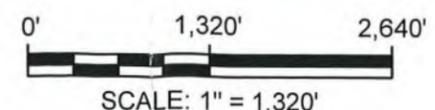
**LEGEND**

- Supplemental Certificate 87655
- Tax Lot Boundary Line
- Tax Lot ID Number
- Location of Areas Not Specified in Permit S-37342, Certificate C-44283
- Total Number of Acres Irrigated in 1/4-1/4



Certified Water Rights Examiner  
 419 WRE  
  
 DAVID J. NEWTON  
 JAN. 16, 1996  
 STATE OF OREGON

EXPIRES: 31 DEC 2018  
 RENEWS: 31 DEC 2018



**Quarter-Quarter Section Identifiers**

5	4	4	3
8	9	9	10
NW-NW	NE-NW	NW-NE	NE-NE
SW-NW	SE-NW	SW-NE	SE-NE
NW-SW	NE-SW	NW-SE	NE-SE
SW-SW	SE-SW	SW-SE	SE-SE
8	9	9	10
17	16	16	15

G:\0500\556\103\Cad\Water\W556103\_F2\_COBU\_TB8027\_10-47\_03/29/2017\_SS

Transfer Map for McKenzie Canyon POD  
 Big Falls Ranch Co.  
 Deschutes County, Oregon

**NEWTON CONSULTANTS INC.**  
 Earth, Water and Rock Specialists  
 Ph: 541 504-9960 Fax: 541 504-9961

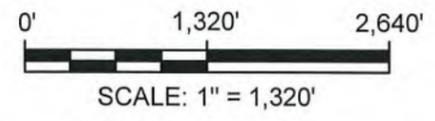
DESIGNED BY: J. Bannon  
 DRAWN BY: S. Schenck  
 DATE: MAR 2017  
 PROJECT NO: 556-103  
 FIGURE 3

**LEGEND**

- H.L. HAND LINE
- W.L.(NO.) WHEEL LINE AND REFERENCE NUMBER
- U.G. UNDER GROUND
- A.G. ABOVE GROUND
- P(NO.) PIVOT AND REFERENCE NUMBER
- EXISTING CROP LINE
- EXISTING FENCE
- IN PLACE TRANSMISSION LINE UNLESS SHOWN OTHERWISE
- LAND SURVEY MONUMENT
- POINT OF DIVERSION AS SHOWN
- TAX LOT ID NUMBER
- TAX LOT BOUNDARY LINE

Located in Sections 4, 8, 9, 17, 18, 19, and 20,  
Township 14 South, Range 12 East, Willamette Meridian  
Deschutes County, Oregon

- NOTES**
- This map was prepared for the purpose of identifying the location of water rights only and is not intended to provide legal dimensions or locations of property ownership lines.
  - This map is based on the Final Proof map originally submitted by Anderson Engineering, Sept. 14, 2001.
  - Tax lot lines are based on Deschutes County Assessor Maps dated Feb. 2, 2010.



RECEIVED  
APR 21 2017  
OWRD

C:\05000\556\103\Cad\Water\W556103\_F1\_COBU IrrSys 08:44 11/15/2016 SS

McKenzie Canyon Point of Diversion (POD)  
With Pump and Meter (not installed)  
1,610.6 Feet West and 1,592.5 Feet North  
From the SE Corner of Section 4.

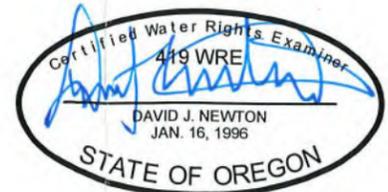
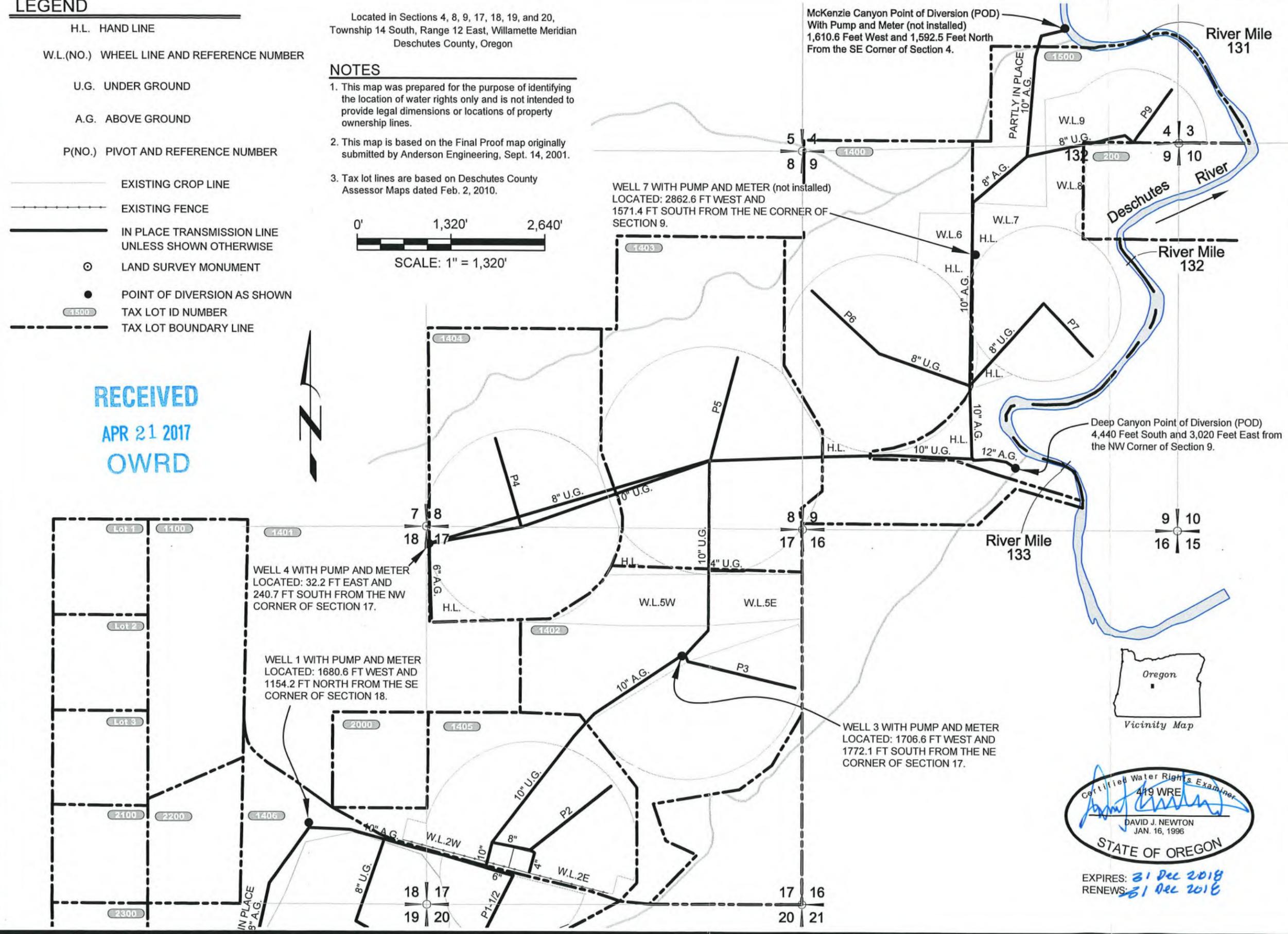
WELL 7 WITH PUMP AND METER (not installed)  
LOCATED: 2862.6 FT WEST AND  
1571.4 FT SOUTH FROM THE NE CORNER OF  
SECTION 9.

Deep Canyon Point of Diversion (POD)  
4,440 Feet South and 3,020 Feet East from  
the NW Corner of Section 9.

WELL 3 WITH PUMP AND METER  
LOCATED: 1706.6 FT WEST AND  
1772.1 FT SOUTH FROM THE NE  
CORNER OF SECTION 17.

WELL 4 WITH PUMP AND METER  
LOCATED: 32.2 FT EAST AND  
240.7 FT SOUTH FROM THE NW  
CORNER OF SECTION 17.

WELL 1 WITH PUMP AND METER  
LOCATED: 1680.6 FT WEST AND  
1154.2 FT NORTH FROM THE SE  
CORNER OF SECTION 18.



EXPIRES: 31 Dec 2018  
RENEWS: 31 Dec 2018

Surface Water POD to Groundwater POA Transfer Water  
Delivery System Map  
Big Falls Ranch Co.  
Deschutes County, Oregon



**NEWTON**  
CONSULTANTS INC.  
Earth, Water and Rock Specialists  
Ph: 504-990-9990 Fax: 504-990-9981

DESIGNED BY: J. Bannon	DRAWN BY: S. Schenck	DATE: MAR 2017	PROJECT NO. 556-103	FIGURE 1
---------------------------	-------------------------	-------------------	------------------------	-------------

1. 12651