

Regular

Name Kameron Delashmutt
Pinnacle Utilities, LLC
Address 2477 NW Canyon Dr
Redmond, OR 97756
kameron1959@gmail.com

DESCRIPTION OF WATER RIGHT(S)

Name of Stream A well
Trib. of Deschutes River

Use Irrigation County Deschutes
Quantity of water (CFS) _____ No. of Acres _____

Name of ditch _____
App# S 43479 Per # S 32049 Cert # 96190 PR Date 4-13-1967
App# S 43479 Per # S 32049 Cert # 96192 PR Date 4-13-1967
App# _____ Per # _____ Cert # _____ PR Date _____
App# _____ Per # _____ Cert # _____ PR Date _____

FEES PAID
Date 11-14-23 Amount 1,970.00 Receipt # 141921

Change in POD
Date Filed 11/14/2023
Initial notice date _____
DPD issued date _____
PD issued date _____
PD notice date _____
Date of FO _____ Vol _____ Page _____

FEES REFUNDED
Date _____ Amount _____ Receipt # _____

C-Date _____
COBU due date _____
COBU Received date _____
Certificate issued _____

Assignments: _____

Irrigation District _____

Agent John Short
johnshort@usa.com

CWRE _____
CC's list _____

- Oversized map - Location _____

Oregon Department of Fish and Wildlife
Water Right and Diversion Transfer Comment Form

(ODFW provides this review to WRD so that WRD can make findings according to statutory requirements.)

Reference Transfer #: T-14350, Pinnacle Utilities, LLC

Date of review:01/16/2024

A. The Oregon Department of Fish and Wildlife (ODFW) does not believe this proposed transfer will injure any instream water rights.

B. *Fish screen requirements pursuant to ORS 540.525 or 540.532:*

Screen Now

Finding of Fact: The Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screen is necessary at the new point of diversion to prevent fish from entering the diversion and that the diversion is not currently equipped with an appropriate fish screen. This diversion may be eligible for screening cost-share funds.

Condition: Prior to diverting water, the water user shall install an approved fish screen at the new point of diversion and shall provide to the OWRD a written statement from Oregon Department of Fish and Wildlife (ODFW) that the installed screen meets the state's criteria, or that ODFW has determined a screen is not necessary.

The water user shall operate and maintain the fish screen at the new point of diversion consistent with ODFW's operational and maintenance standards. If ODFW determines the screen is not functioning properly, and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly.

Jorden Smith (541)805-1990

East Region Hydropower and Water Rights Coordinator

Jorden Smith Digitally signed by Jorden Smith
Date: 2024.01.16 11:48:38 -08'00'

Signature

Oregon Department of Fish and Wildlife

Additional Fish Screening and Passage Information for the Applicant

(To be completed by ODFW for WRD to provide to the applicant.)

Transfer #: T-14350, Pinnacle Utilities, LLC

The applicant should be aware that fish screening and passage may be required for certain changes in point of diversion

Fish screening is required as a condition of this transfer. The fish screen must meet ODFW's design, construction, operational and maintenance standards.

Pursuant to ORS 498.306, cost-share funds may be available to assist in the installation of fish screening.

The applicant should contact the ODFW staff member below to obtain additional information on the design, construction, operational, and maintenance standards for the fish screen and to obtain information about ODFW's cost-sharing program for screening.

Prior to installation, the water user must obtain written approval from ODFW that the required screen meets ODFW's criteria.

ODFW staff name: Toby Schuyler

Address: 3561 KLINDT DR

City/State/Zip: The Dalles, OR 97058

Phone: (541)967-2162

This transfer may trigger requirements for fish passage under ORS 509.585 because a new point of diversion will be constructed, an existing point of diversion's capacity will be increased, or an existing point of diversion will be abandoned. The applicant should contact the ODFW staff member below for a determination of whether native migratory fish are or were present at the applicable location, which will determine whether fish passage must be addressed.

ODFW staff name: Jerry George

Address: 61374 Parrell Rd

City/State/Zip: Bend, OR 97702

Phone: (541)388-6363

JARAMILLO Lisa J * WRD

From: Legal Assistant LOKGA <legalsstlokga@integra.net>
Sent: Tuesday, December 19, 2023 10:01 AM
To: DAVIS Arla L * WRD; JARAMILLO Lisa J * WRD
Cc: kga@integra.net; 'Legal Assistant'
Subject: Application: T-14350
Attachments: 12-19-23 Comments T-13450.pdf

Some people who received this message don't often get email from legalsstlokga@integra.net. [Learn why this is important](#)

Good morning –

Attached are Comments submitted on behalf of Ms. Gould. A hard copy will follow through regular mail.

Thank you,

Emily Valeno, Legal Assistant
Law Office of Karl G. Anuta, P.C.
735 SW First Avenue, Second Floor
Portland, Oregon 97204
Phone: (503) 827-0320
Fax: (503) 386-2168

Received by OWRD
OCT 19 2023
Salem, OR

Received by OWRD

OCT 19 2023

Salem, OR

KARL G. ANUTA
LAW OFFICE OF KARL G. ANUTA, P.C.
735 SW FIRST AVENUE, 2ND FLOOR
PORTLAND, OREGON 97204
(503) 827-0320
FACSIMILE (503) 386-2168

TRIAL ATTORNEY
LICENSED IN
OREGON & WASHINGTON

E-MAIL
KGA@INTEGRA.NET

December 19, 2023

VIA ELECTRONIC Arla.L.DAVIS@water.oregon.gov
and Lisa.J.Jaramillo@water.oregon.gov
AND REGULAR MAIL

Oregon Dept of Water Resources
Attn: Lisa J. Jaramillo, Manager
Arla L. Davis, Specialist
Water Rights Transfer and Conservation Section
725 Summer Street NE, Suite A
Salem, OR 97301

RE: Application: T-14350
Transfer Request
Kameron DeLashmutt/Pinnacle Utilities

Dear Ms. Jaramillo/Davis:

This office represents Annunziata Gould, a local public interest advocate and land owner, on water issues. These comments are submitted on behalf of Ms. Gould.

We trust that these Comments will be helpful to the agency analysis and decision making on these two Applications. Please promptly confirm receipt of these Comments.

BACKGROUND

As the Department well knows, the Deschutes Basin groundwater levels are in decline. Scenic Waterway flows in many parts of the Basin are being negatively affected. The ground and surface water resources in the area are being mined and used at a rate that is not sustainable or stable.

The Department is charged with managing and protecting groundwater and surface water. The Department is the trustee of these resources, which are owned by the public. See, ORS 537.110.

Management of groundwater included the obligation to determine and maintain reasonably stable groundwater levels. See, ORS 537.525(7). The Department is also prohibited by law from allowing over appropriation of ground or surface water. See, OAR Chapter 690, Division 410.

In addition, the Department also has an obligation to protect all existing right holders and the State (and Federal) Scenic Waterways in the Basin – such as the Deschutes and Crooked Rivers – from harm or injury by a proposed transfer.

The water proposed for transfer (or more accurately return) is part of what are now Certificates 96190 and 96192. That water was originally part of surface water irrigation rights with Points Of Diversion (POD) on Deep Canyon Creek. In an Order approved in November 2018, for T-12651, the agency approved transferring those rights to four groundwater Points Of Appropriation (POA).

Specifically, T-12651 transferred Certificates 76371 (1.81 CFS irrigation), 87655 (4.5 CFS supplemental irrigation) and 88027 (3.69 CFS irrigation and supplemental irrigation) from POD's to POA's. The resulting rights that allowed the use of groundwater instead of surface water were Certificates 96190 (1.81 CFS), 96191 (4.5 CFS - supplemental) and 96192 (3.6 CFS – including supplemental).

SPECIFIC CONCERNS ABOUT THIS PROPOSED TRANSFER

A return of the entire water rights in 96190, 96190 and 96192 to the last authorized POD would not be objectionable. A return of these water rights to the POD is consistent with governing rules and regulations on changes of surface water PODs to groundwater wells or POA's. These water rights would stay attached to the lands within their POU and retain their Character Of Use (COU) as seasonal irrigation water.

A full "return" of **all** the water rights involved in T-12651 to the last authorized POD is also consistent with ORS 540.531(6)(a) governing the change from a POD for surface water to a POA for groundwater. The language of ORS 540.531(6) is clear in describing the return of water use by the holder of a water use subject to transfer to the last authorized POD for the same POU and COU.

However, of major concern, is the fact that the proposed transfer T-14350 does not request that the Department move all the transferred water rights in T-12651 back to the original POD. Instead, T-14350 only proposes to "return" a small fraction of the water rights originally transferred in T-12651.

T-14350 proposes to return only .548 CFS of Certificate 96190 (which allows 1.81 CFS) and only 1.22 CFS of Certificate 96192 (which allows 3.69 CFS – some of which is supplemental). That sort of "partial" return is not lawful.

The implementation of the statutory authorization for returns is found in Oregon Administrative Rules (OAR) 690-380-2130. Section (3)(a) of that Rule authorizes the movement from a POD to a POA if there will be no injury or enlargement "of **the water right** proposed for transfer." (emphasis added). The Rule does not authorize transfer of

"a portion" of a water right from a POD to a POA. Nor does the statute.¹

Another relevant Rule, OAR 690-380-2130(7), provides and requires that the "original" POD **not** be retained as an additional or supplemental point of diversion. This is a key legal obligation for any transfer to be approved.

Yet what is proposed in T-14350, a "partial" return, will violate that "no retention" obligation. Since only a portion of the original transferred rights are proposed for return, and these rights are co-incident with other rights at those same POAs to the same lands, then there will **still be** water diverted under the rights that remain on the POA. In short, if the requested return is allowed, there would be water rights that allowed diversion from both the wells and from the "returned" POD's for the same lands at the same time.

OAR 690-380-2130(8) governs the return to the last POD within 5 years of the transfer without claim of injury. Section (8) does not provide or keep new POAs for **some** of the water use and returning **some** of the water use to the POD in the original transfer. Instead, the Rule speaks only of the return "of **the** first transfer." (emphasis added). Here, that would be the return of T-12651, not the return of "part" of T-12651.

Interpreting OAR 690-380-2130(8) to allow partial returns would be inherently inconsistent with Section (7) of the same Rule. It would allow a situation where **some** water was being left at the POAs and **some** was being returned to the original POD, with the right to have both irrigate the same land.

The proposed transfer T-14350 is inconsistent technically and legally with the concept of a "return" to the last POD. For instance, T-14350 would enable the landowner of the POU for the water rights, Big Falls Ranch (BFR), to both sell these water rights to another party (as they have done) and but then continue to irrigate the same lands from its other water rights to that POU and COU.

There are, it appears, no lands being proposed to be "dried up" in T-14350. Instead, the "off" lands will continue to be irrigated. As the attached mark ups show, there appear to be multiple supplemental rights still attached to some of the "OFF" lands.

Moreover, a "return" to the last authorized POD for a portion of the water use without a change in POU or COU makes no sense, as the water use as COU cannot be made under T-14350. The applicant cannot physically irrigate the 153.7 acres of water rights from a return to the last authorized POD, as the applicant **does not own** the land where the POD is. Nor is there any mechanism outlined in the transfer materials, for the applicant to divert water at that POD (on land that it does not own) to a POU that is **also** on land that the applicant does not own.

¹ The Legislature knows how to specify when a "portion" of a right can be transferred. See *e.g.* ORS 540.585(1)(authorizing transfer of "...all or a portion of a water right..." (emphasis added). Since ORS 540.531 and OAR 690-380-2130 do not authorize the "return" of only a portion of a prior POD to POA transfer, it would be unlawful for the Department to allow this sort of partial return.

In other words, this does not appear to be an actual "return" to the last authorized POD for the water, as called for under ORS 540.531 and OAR 690-380-2130. An approval of T-14350 would create two water rights, with two different owners, for use on the same lands. That is inconsistent with orderly accountability for water use and it effectively constitutes an enlargement of the existing rights.

Another concern is whether the partial water rights proposed for return in T-14350 may, in fact, not be "subject to transfer" due to potential forfeiture. There is no evidence that the portion of rights proposed for return have been used at all in the last five years. Absent such evidence, those portions of the rights are subject to forfeiture, and should be cancelled.

An additional concern is that the POD to which the return is sought is a concrete irrigation structure, which currently impedes the flow of Deep Canyon Creek. The weir gate on that structure has been removed, but the remaining structure still impounds or stores water because it is higher than the Creek bed. There is, however, as far as we can tell no reservoir or storage Permit for this water impounding structure.

If the water proposed for return was going to be diverted and stored for seasonal irrigation in an off-channel pond, then that storage might at least arguably fall within the "Bulge In the System" concept. However, this instream impoundment does not qualify as such "Bulge." Instead, it constitutes an illegal storage of water, as no reservoir permit or Certificate appears to exist for it.

Moreover, it is not clear that the applicant has any intention of irrigating with the "returned" water. In those circumstances, the storage of water in the existing concrete structure – with or without a weir gate – and without a reservoir/storage permit, is unlawful. To the extent that Deep Canyon Creek has any resident or migratory fish, this structure would also violate the fish passage laws.

Yet another concern is that there is another pending transfer application for the same water rights. The application for T-14350 acknowledges that another pending transfer application - T-14074 – would affect the same rights. T-14074 in fact proposes to dry up the lands covered the portions of the rights sought to be "returned" in T-14350, and to move the water use to a different location for a different use (shifting from irrigation to consumption). The Department cannot continue processing T-14074 at the same time that it considers T-14350. The applicant should be required to withdraw T-14074 before T-14350 is considered further.

A further concern is interference. Of note, T-14074 proposed to convert the priority date for the same Deep Canyon Creek POD surface water rights, to that of the most junior groundwater rights on the same four POA wells. This proposed change of priority for surface water rights in T-14074 seems to acknowledge the water rights interference that OWRD recognized during its groundwater review of and its processing of T-12651.

There appears to be actual physical interference among a number of water rights holders at the POA's from which T-14350 seeks to return to a POD. That is particularly true for Well 1. OWRD's Groundwater Review for T-12651 – which ultimately generated Certificates 96190 and 96192 - found that physical interference would be created at Well 1 between five existing water rights and the group of three water rights be transferred in T-12651.

Once perfected in September 2020, T-12651 created 8 water rights² that have been interfering with one another at the POA's. Those rights are held by at least two or three known owners.

Two of the four POAs in T-14350 are close to their use curtailment conditions. The POAs are curtailed when their individual static water levels have declined more than 10 feet from the 2001 baseline condition set in BFR's Certificate 87558. Well 1 appears to have declined 9.5 feet, as of the March 2023 static water level measurement. Well 3 appears to have declined 9.4 feet, as of March 2023.

In light of the Department's findings of interference in T-12651, the surface water POD's that are sought to be returned under T-14350 should now be junior to the water rights in Certificate 87558. That is because there was interference already caused within 5 years.

Finally, it also is important to note that the long and steady declines in groundwater hydraulic heads at the four POAs involved in this proposed "return" transfer, demonstrate that the groundwater aquifer in this area is being utilized beyond its capacity. It is quite possible, and in fact we think it is even highly likely, that the surface water rights proposed for "return" will have no surface water available at the POD - due to aquifer dehydration and over-appropriation. Thus, even if "returned" to a POD, it is quite likely that there will be no water available for these rights to use (in any form).³

Sincerely,

/s/ Karl G. Anuta

Karl G. Anuta

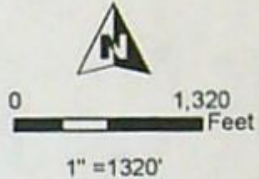
On behalf of Annunziata Gould

C: Client

² Certificates 75762, 76373 belonging to Deschutes Valley Farms; Certificates 87558, 88028, 88224, 96191 belonging to Big Falls Ranch; and Certificates 96190 and 96192 owned in part by BFR and in part by the applicant for T-14350, Pinnacle Utilities.

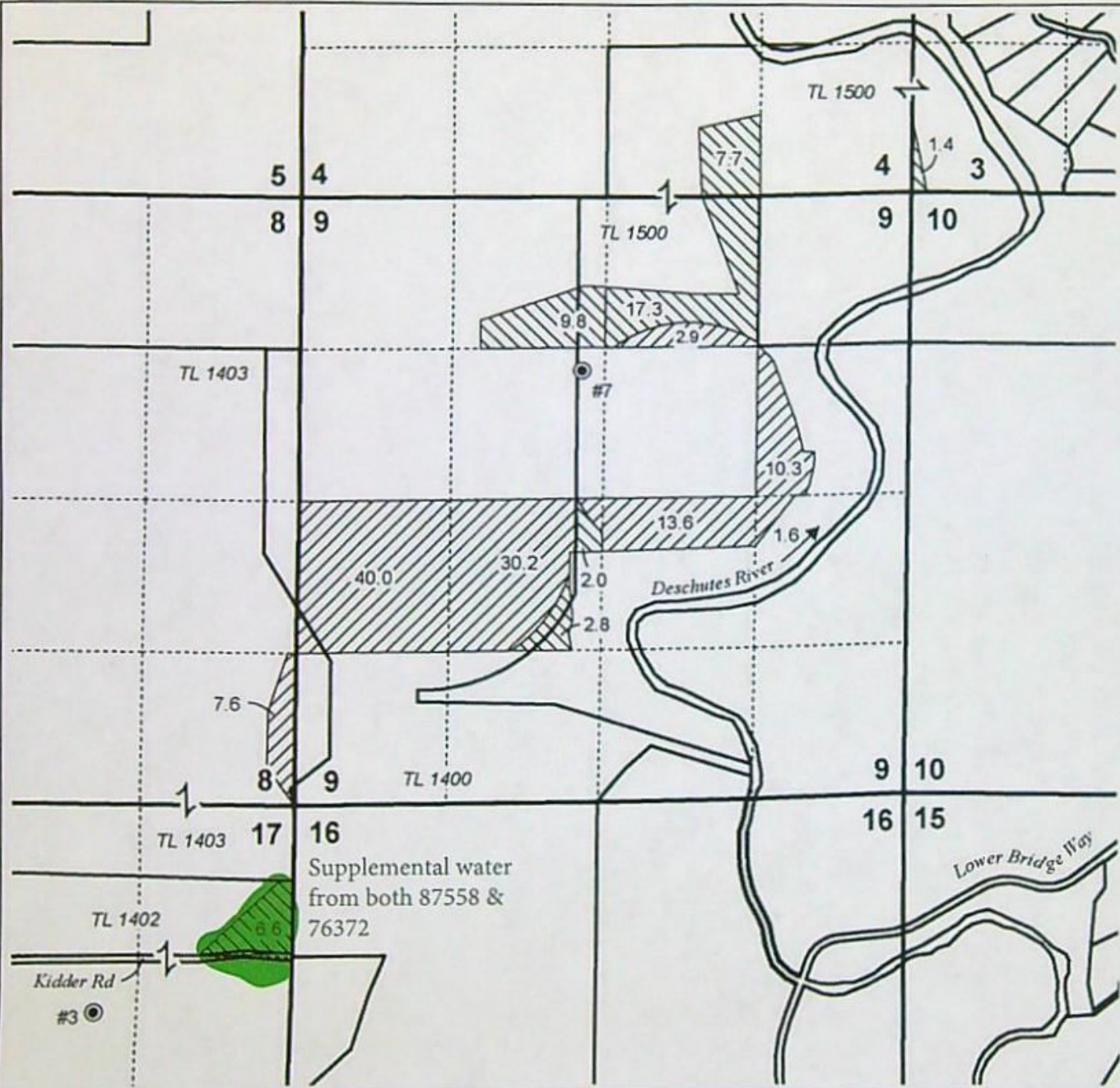
³ The LUCS submission to the County, on November 8, 2023, includes a letter stating that this transfer is intended to return "...irrigation water back in to the applicable stream..." (emphasis added). It is not clear what is intended by that statement. Application T-14350 certainly does not seek a transfer of these rights to Instream Water Right status. And as outlined, it is not clear that there is anything in the way of actual "wet water" that would be available for such a transfer - if one were to be applied for.

T14S R12E, WM
DESCHUTES COUNTY, OR



- Well
- POU IR C-96190 "OFF"
- POU IR C-96190 "NO CHANGE"
- Section
- Quarter Quarter
- Tax Lot

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AUG 17 2022
OWRD








TEMPORARY TRANSFER MAP
Big Falls Ranch Co. / Pinnacle Utilities, LLC

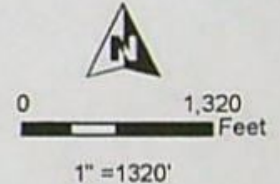
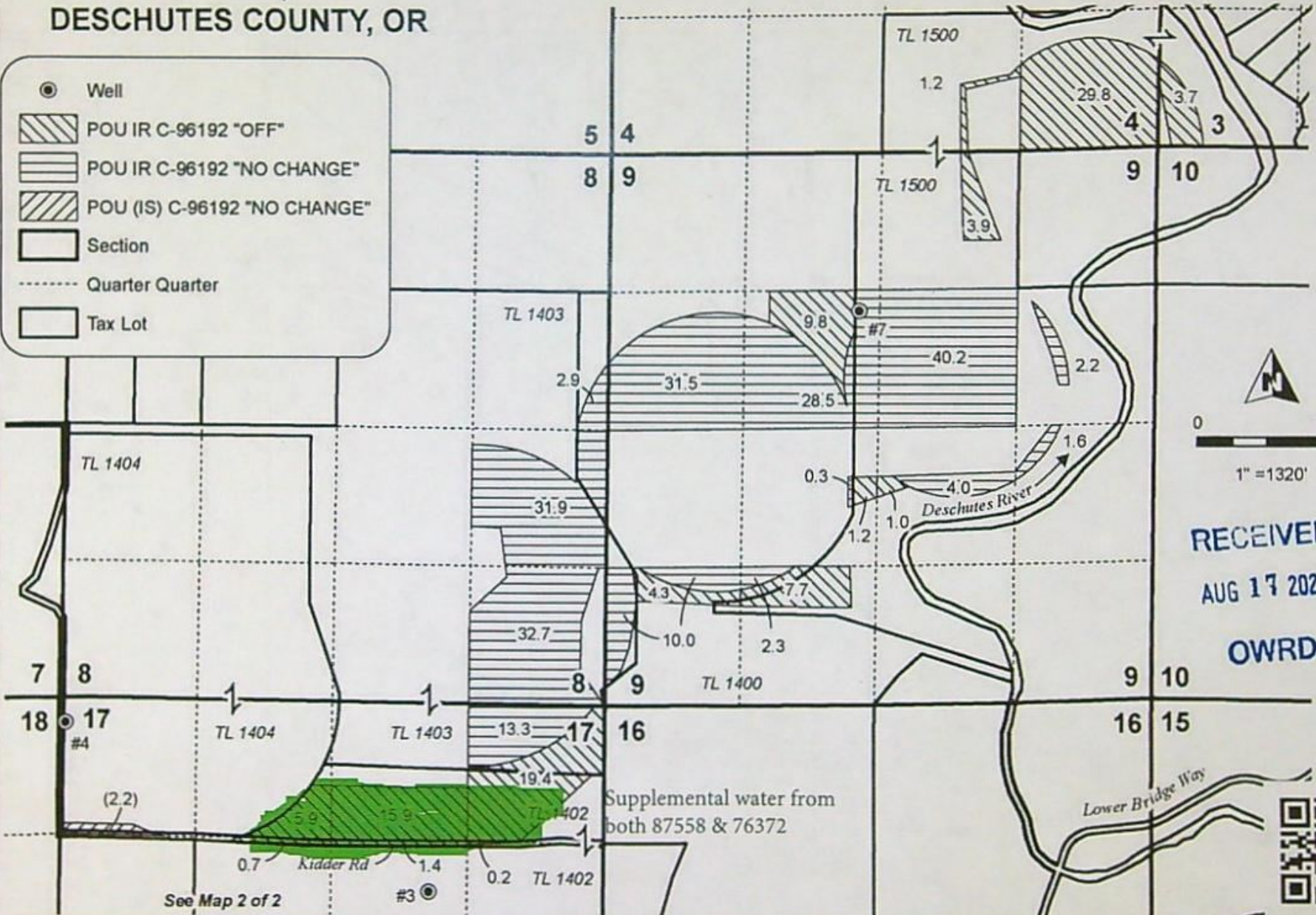
Date: 7/1/2022 Cert: 96190 4/13/1967 Priority ("OFF" MAP 1 OF 1)

This map is not intended to provide legal dimensions or locations of property ownership lines.

WATER RIGHT SERVICES, LLC
PO BOX 1830, BEND, OR 97709
WWW.OREGONWATER.US CCB # 197121
johnshort@usa.com 541-389-2837

**T14S R12E, WM
DESCHUTES COUNTY, OR**

● Well
 POU IR C-96192 "OFF"
 POU IR C-96192 "NO CHANGE"
 POU (IS) C-96192 "NO CHANGE"
 Section
 - - - - - Quarter Quarter
 Tax Lot



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 AUG 17 2022
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TEMPORARY TRANSFER MAP
Big Falls Ranch Co. / Pinnacle Utilities, LLC

Date: 7/6/2022 Cert: 96192 4/13/1967 Priority ("OFF" MAP 1 OF 2)

This map is not intended to provide legal dimensions or locations of property ownership lines.

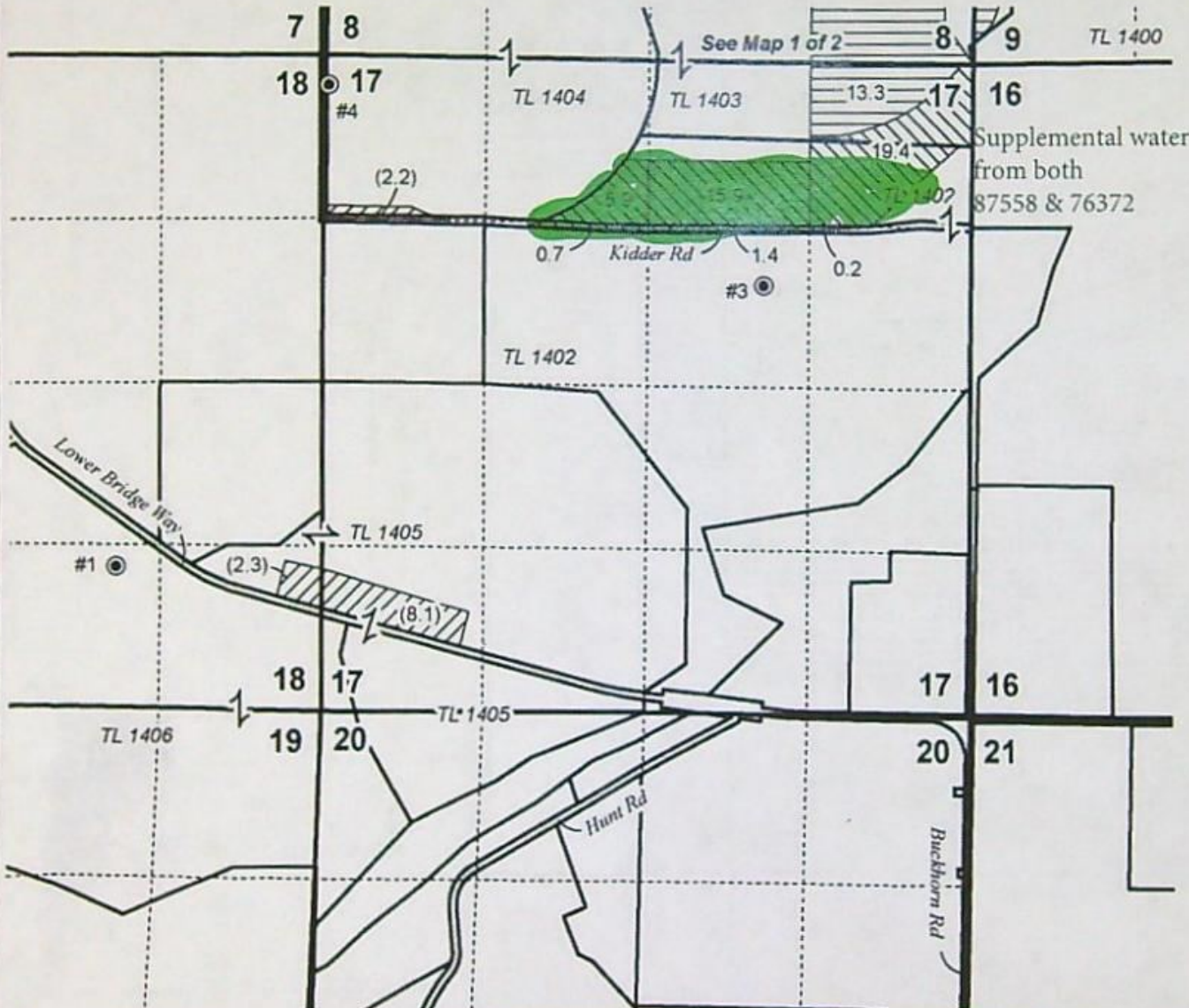
WATER RIGHT SERVICES, LLC
 PO BOX 1830, BEND, OR 97709
WWW.OREGONWATER.US CCB # 197121
 johnshort@usa.com 541-389-2837

T14S R12E, WM
DESCHUTES COUNTY, OR



0 1,320 Feet

1" = 1320'



- Well
- POU IR C-96192 "OFF"
- POU IR C-96192 "NO CHANGE"
- POU (IS) C-96192 "NO CHANGE"
- Section
- Quarter Quarter
- Tax Lot

RECEIVED
AUG 17 2022
OWRD



TEMPORARY TRANSFER MAP
Big Falls Ranch Co. / Pinnacle Utilities, LLC

Date: 7/1/2022 Cert: 96192 4/13/1967 Priority ("OFF" MAP 2 OF 2)

This map is not intended to provide legal dimensions or locations of property ownership lines.

WATER RIGHT SERVICES, LLC
PO BOX 1830, BEND, OR 97709
WWW.OREGONWATER.US CCB # 197121
johnshort@usa.com 541-389-2837

JARAMILLO Lisa J * WRD

From: Kimberley Priestley <kjp@waterwatch.org>
Sent: Tuesday, December 19, 2023 10:55 AM
To: JARAMILLO Lisa J * WRD; FRENCH Dwight W * WRD
Subject: Comments, T-14350 (Thornburgh)
Attachments: Thornburgh Transfer reversion t 14350.pdf

Received by OWRD

OCT 19 2023

Salem, OR

Hi Lisa and Dwight,

Attached please find WaterWatch's comments in opposition to T-14350 (Thornburgh).

There is not a staff person assigned to this transfer yet so I am sending to the two of you in hopes you can get this in the file and/or direct it to the correct staff.

If you have any questions please do not hesitate to call. CELL 503-756-6018

Best, Kimberley

Kimberley Priestley/Senior Policy Analyst
WaterWatch of Oregon
P: 503.295.4039 x107
213 SW Ash St, Suite 208
Portland, OR 97204
www.waterwatch.org

[Join WaterWatch to Protect and Restore Oregon's Rivers](#)

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WaterWatch of Oregon
Protecting Natural Flows In Oregon Rivers

December 19, 2023

Oregon Water Resources Department
Attn: Transfer Section
725 Summer Street NE, Ste A
Salem, OR 97301

Received by OWRD

OCT 19 2023

Salem, OR

RE: Comments in opposition to T-14350, Pinnacle Utilities, LLC

Dear OWRD Transfer Section,

WaterWatch submits these comments in opposition to T-14350 (Pinnacle Utilities, LLC). For the reasons outlined below, the proposed reversion is not allowed by law.

Oregon law does not allow a “partial” reversion of a surface water to groundwater transfer

In transfer application T-14350, Pinnacle Utilities is proposing to unwind a portion of T-12651. T-12651 transferred three surface water rights to three groundwater rights. Specifically, T-12651 transferred certificates 76371 (1.81 cfs irrigation), 87655 (4.5 cfs supplemental irrigation) and 88027 (3.69 cfs irrigation and supplemental irrigation) from a surface water point of diversion to groundwater points of appropriation. The resulting rights that allowed the use of groundwater instead of surface water were certificates 96190 (1.81 cfs), 96191 (4.5 cfs) and 96192 (3.6 cfs).

In transfer application T-14350, the applicant states that it is applying to revert the groundwater points of appropriation (wells 1, 3, 4 and 7) back to the originally authorized surface water point of diversion (Deep Canyon Creek POD). However, the details of the proposed reversion show that the applicant would not in fact revert the groundwater points of appropriation fully. Instead, the applicant is proposing to revert only .548 cfs of cert. 96190 (which allows 1.81 cfs) and 1.22 cfs of cert. 96192 (which allows 3.69 cfs). What this means is that under the applicant's proposal, they would be diverting water from both the wells and the surface water point of diversion.

The transfer statutes and rules do not allow partial reversion, nor the continued use of both surface water and ground water. The construct of ORS 540.531(6)(A) is very clear that it is the whole of the right under the original transfer that must be reverted. The rules are similar in force. See OAR 690-380-2130(8). Importantly, the rules governing the original transfer are very clear that in transferring from surface water to groundwater “the original point of diversion of surface water shall not be retained as an additional or supplemental point of diversion.” OAR 690-380-2130(8). It follows both rule construct, and basic logic, that if an applicant could not hold both a surface water point of diversion and a groundwater point of appropriation under the original surface to groundwater transfer, that the reversion provision must follow suite. In other words, the applicant cannot use the reversion provision of ORS 540.531(6)(A) as a loophole to get around the basic sideboards governing a surface water to groundwater transfer process.

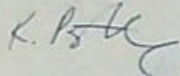
WaterWatch of Oregon
Main Office: 213 SW Ash St. Suite 208 Portland, OR 97204
Southern Oregon Office: PO Box 261, Ashland, OR, 97520

www.waterwatch.org
Main Office: 503.295.4039
S. OR Office: 541.708.0048

Conclusion: Long story short, OWRD does not have the authority to approve a "partial" reversion of a surface water to groundwater transfer, nor can it allow a surface to groundwater transfer to revert back in a way that would maintain both the surface water point of diversion and the groundwater point of appropriation in violation of rule. As such, T-14350 must be denied.

Thank you for your consideration of our comments.

Sincerely,

A handwritten signature in black ink, appearing to read "K. Priestley", with a stylized flourish at the end.

Kimberley Priestley
Senior Policy Analyst
WaterWatch of Oregon

Watermaster Review Form: Water Right Transfer



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

Transfer Application: T-14350

Review Due Date: 12/16/2023

Applicant Name: Kameron Delashmutt

Proposed Changes: POU POD POA USE OTHER

Reviewer(s): Giffin

Date of Review: 11/22/2023

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. For POU changes that involve micro-irrigation: N/A

- a. Has the applicant made changes (absent a transfer) to convert to micro-irrigation within the current place of use boundary of the water right proposed for transfer, and previously demonstrated to the Department through monitoring and site inspections by the Watermaster that the proposed transfer will not result in injury or enlargement?

Yes No If "Yes", explain:

b. Has a temporary transfer of this nature been previously filed and approved on the same lands (or portions thereof) as those lands involved in this transfer?

Yes No If "Yes", answer the following:

i. Were there any problems with more acres being irrigated (or wetted) than were authorized under the temporary transfer? Yes No If "Yes", explain:
There is currently a temp transfer (T-14074) pending on these lands but not of this nature (GW-SW).

ii. Did the designated areas that were to remain dry (or not wetted) under the temporary transfer actually remain dry? Yes No If "No", explain:

iii. Did the applicant comply with and meet all of the conditions of the temporary transfer? Yes No If "No", explain:

iv. Do you have any other observations regarding the temporary transfer?
 Yes No If "Yes", describe:

v. Did the applicant demonstrate to the Department through monitoring and site inspections by the Watermaster that neither injury nor enlargement occurred as a result of the temporary transfer? Yes No If "No", explain:

c. To the best of your knowledge, if this transfer is approved, does it appear that:

i. "Injury" will occur to other water rights that share the same source?
 Yes No If "Yes", explain:

ii. "Enlargement" of the water right being transferred will occur?
 Yes No If "Yes", explain:

12. 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:

13. What alternatives may be available for addressing any issues identified above:

14. 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 and provided below:

For POU changes that involve micro-irrigation, provide the monitoring and reporting conditions necessary to prevent injury/enlargement:

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 4)

*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 with the exception that water rights issued to the Bureau of Reclamation or an irrigation district (or similar entity) are not subject to this condition.*

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 4)

*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:

- | | |
|---|--|
| <input type="checkbox"/> Weir | <input type="checkbox"/> Submerged Orifice |
| <input type="checkbox"/> Parshall Flume | <input type="checkbox"/> Flow Restrictor |
| <input type="checkbox"/> Other: _____ | |

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

Transfer #: T-

[] In order to avoid enlargement of the right or injury to other rights, a [] 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:

District:

Address:

City/State/Zip:

Phone:

Email:

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

WATER RIGHT TRANSFER COVER SHEET

Transfer: T-14350

Transfer Specialist:

Transfer Type: Regular Transfer

Reimbursement Authority?

Applicant: Kameron Delashmutt 2477 NW Canyon Dr Redmond, OR 97756	Agent: John A. Short PO Box 1830 Bend, OR 97709	Receiving Landowner:
Current Landowner if other than Applicant:	CWRE:	Irrigation District:
Affected Local Gov'ts:	Affected Tribal Gov't:	BOR Notified (date):

Water Rights Affected

File Marked	App. File # or Decree Name	Permit	Certificate	RR/CR Needed	RR/CR Nos.
<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	

Key Dates & Initial Actions (Support Staff)

Rec'd: November 14, 2023	Proposed Action(s): POINT OF DIVERSION	
Fees Pd: 1970.00	Acknowledgement Letter Sent <input checked="" type="checkbox"/>	Basin: 5 Deschutes
Initial Public Notice: 11/21/2023	County sent cc: of Ack Letter <input type="checkbox"/>	County: DESCHUTES
WM District: 11 Jeremy T. Giffin	WM Review request sent:	WM Review date received:
ODFW District:	ODFW Review sent:	ODFW Review date received:
Groundwater	GW Review sent:	GW Review date received:

Caseworker Actions: Newspaper & PD Notice:

Newspaper notice needed: <input type="checkbox"/>	Name of Newspaper:
Newspaper notice sent to coordinator:	Newspaper notice quote requested (NRS1):
Request for news \$ sent:	News \$ received:
Affidavit of publication received:	Last day of publication:

Peer Review:

Document	Drafted	Peer Review	Coordinator	Changes Made	Signature Bin	Signature Date
DPD	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	CW Sent: _____ WM Sheet <input type="checkbox"/> ODFW Sheet: <input type="checkbox"/>	N/A
PD	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____ Data Review Date: _____	Date: _____	Date: _____
FO	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ No. of docs for sig: _____	Date: _____

Special Issues: _____

Special Order Volume: Vol. _____ Pages _____



Oregon

Tina Kotek, 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

November 16, 2023

Kameron Delashmutt
2477 NW Canyon DR
Redmond, OR 97756
Reference: Application T-14350

On November 16, 2023, the Department received your water right Permanent Transfer Application. The application was accompanied by \$1970.00. Receipt number 141921 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 Oregon Department of Fish and Wildlife to determine if a fish screen is needed.

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 diversion/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.

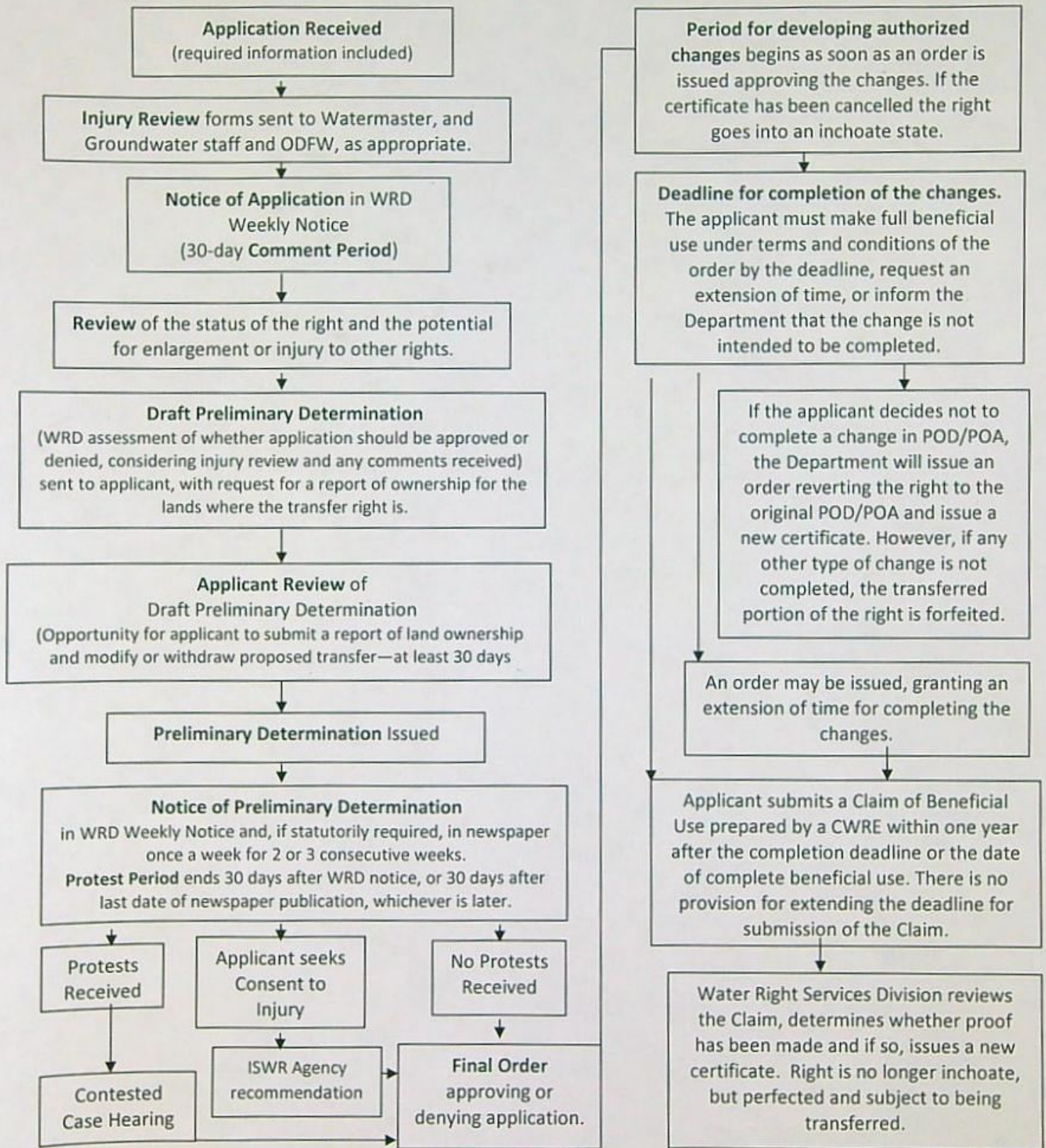
If you have any questions, please contact the Transfer Section at (503) 986-0935.

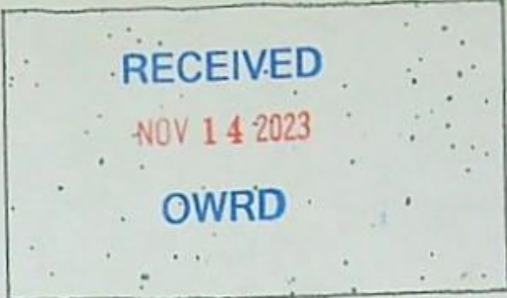
Cc: Watermaster Dist. #11, Jeremy T. Giffin (*via email*)
John A. Short, Agent

Enclosure

Regular Transfer Process (including "Proving Up" on the changes)

OAR 690 Division 380





Date Received (Date Stamp Here)

OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: Kameron Delashmutt/Pinnacle Utilities
2477 NW Canyon Dr, Redmond OR, 97756

Transaction Type: Transfer

Fees Received: \$ 1970.00

Cash Check: Check No. 8560
Name(s) on Check: Central Land Cattle Co.

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: Conie Louven
(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.
- Fold and put one copy of the Submission Receipt with check/cash into the Safe slot. Place the other copy of the Submission Receipt with submission (application/other document) in the top drawer of filing cabinet.

14350 -



RECEIVED
NOV 14 2023
OWRD

Date Received (Date Stamp Here)

OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: Kameron Delashmutt/Pinnacle Utilities
2477 NW Canyon Dr, Redmond OR, 97756

Transaction Type: Transfer

Fees Received: \$ 1970.00

Cash

Check

Check No. 8560

Name(s) on Check: Central Land Cattle Co.

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Sincerely,

OWRD Customer Service Staff

Submission received by:

Corie Lowman

(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).
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- Give this original Submission Receipt to the applicant.
- Record Submission Receipt Information on the "RECEIVED OVER THE COUNTER" log sheet.
- Fold and put one copy of the Submission Receipt with check/cash into the Safe slot. Place the other copy of the Submission Receipt with submission (application/other document) in the top drawer of filing cabinet.

14350 -

Permanent Transfer Application Intake Checklist

Transfer # T-14350

Reviewer Nick Date 11/15/2023	Type of Change(s) Proposed: <input type="checkbox"/> POU <input type="checkbox"/> POD <input type="checkbox"/> APOD <input type="checkbox"/> POA <input type="checkbox"/> APOA <input type="checkbox"/> USE <input type="checkbox"/> Substitution <input type="checkbox"/> Gov't Action <input type="checkbox"/> Sup to Primary <input type="checkbox"/> SW to GW
Calculated Fee \$ Use fee calculator on back of this form	Fee Received \$1970
Certificate(s): 96190, 96192	Check <u>all</u> Certs in WRIS to confirm they are not cancelled
For multiple certificates, does application meet requirement of OAR 690-380-3220? If no, why? Use the flow chart for multiple Certs	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
Notes: Change is reversion from groundwater to surface water. Bargain and Sale Deed included instead of signatures	

Application: OAR 690-380-3000; OAR 690-380-3220				
1.	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	Have ALL of the applicant's signed and dated the application? If no, whose signature is missing?	
2.	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	Part 5 of application: Does the information match the description of the explanation on Part 4 of the application?	
3.	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	For multiple certificates: Each certificate proposed for transfer has their own separate completed Part 5, Tables 1 & 2? If no, which certificate(s) are missing separate Part 5, Tables 1 & 2?

Map Requirements: OAR 690-380-3100				
4.	<input type="checkbox"/> YES	<input type="checkbox"/> NO	Has the map been completed and signed by a CWRE?	
5.	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	Map Waiver? The map waiver must be issued by the Department
Notes:				

Attachments: OAR 690-380-3000				
6.	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	Evidence of Use included, signed, & notarized w/supporting documentation?	
7.	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	Land Use Form included and signed by the County?
8.	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> N/A	Consent Form included, signed, and notarized?
9.	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> N/A	District: Place of use is in <u>or</u> near an irrigation district?
	<input type="checkbox"/> YES	<input type="checkbox"/> NO		If Yes, is Form D included? Name of the District
10.	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	For changes in POA/APOA – are the well logs included?
11.	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> N/A	For change in POU within Umatilla County, Supplemental Form U included?

<input type="checkbox"/>	Application complete: no deficiencies identified, assign a T-number and put this checklist in T-folder.
--------------------------	---

Permanent Transfer Application Intake Checklist

Application DEFICIENT: DO NOT accept - return to applicant with letter explaining deficiencies identified.

Oregon Water Resources Department
Transfer Fee Calculation for Permanent (Non-District) Transfer

- [Main](#) [Help](#)
- [Return](#) [Contact Us](#)

Today's Date: Wednesday, November 15, 2023	Fee Calculation
Base Fee (includes one type of change to one water right for up to 1 cfs)	<input type="text" value="\$1,360.00"/>
Fill in information below-- Check each box that applies.	
Types of Change Proposed:	
<input type="checkbox"/> Place of Use	
<input checked="" type="checkbox"/> Point of Diversion (POD)/Appropriation (POA); and/or Additional POD/POA; and/or SW POD to GW POD	
<input type="checkbox"/> Character of Use	<input type="text" value="\$0.00"/>
Enter total number of water rights included in transfer. <input type="text" value="2"/>	<input type="text" value="\$610.00"/>
<input type="checkbox"/> Check this box if you propose to add or change a well, or change from a surface water POD to a well.	<input type="text"/>
Enter total number of groundwater wells (POAs) included in transfer. <input type="text" value="0"/>	<input type="text" value="\$0.00"/>
<input type="checkbox"/> Check this box if you propose to change the place of use or character of use for a NON-irrigation right.	
<input type="checkbox"/> Check this box if you propose to change the place of use or character of use for an irrigation right.	
Total Transfer CFS(rounded up to the next whole cfs):	<input type="text"/>
Subtotal:	<input type="text" value="\$1,970.00"/>
Check each box that applies.	
<input type="checkbox"/> The transfer is necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932.	
<input type="checkbox"/> The transfer is endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat.	
Discount:	<input type="text"/>
Transfer Fee:	<input type="text" value="\$1,970.00"/>
<input type="button" value="Return to Edit"/> <input type="button" value="Clear"/>	

14350 -

T14S R12E, WM
 DESCHUTES COUNTY, OR

RECEIVED
 NOV 14 2023
 OWRD

● Well

POU IR C-96192 "OFF"

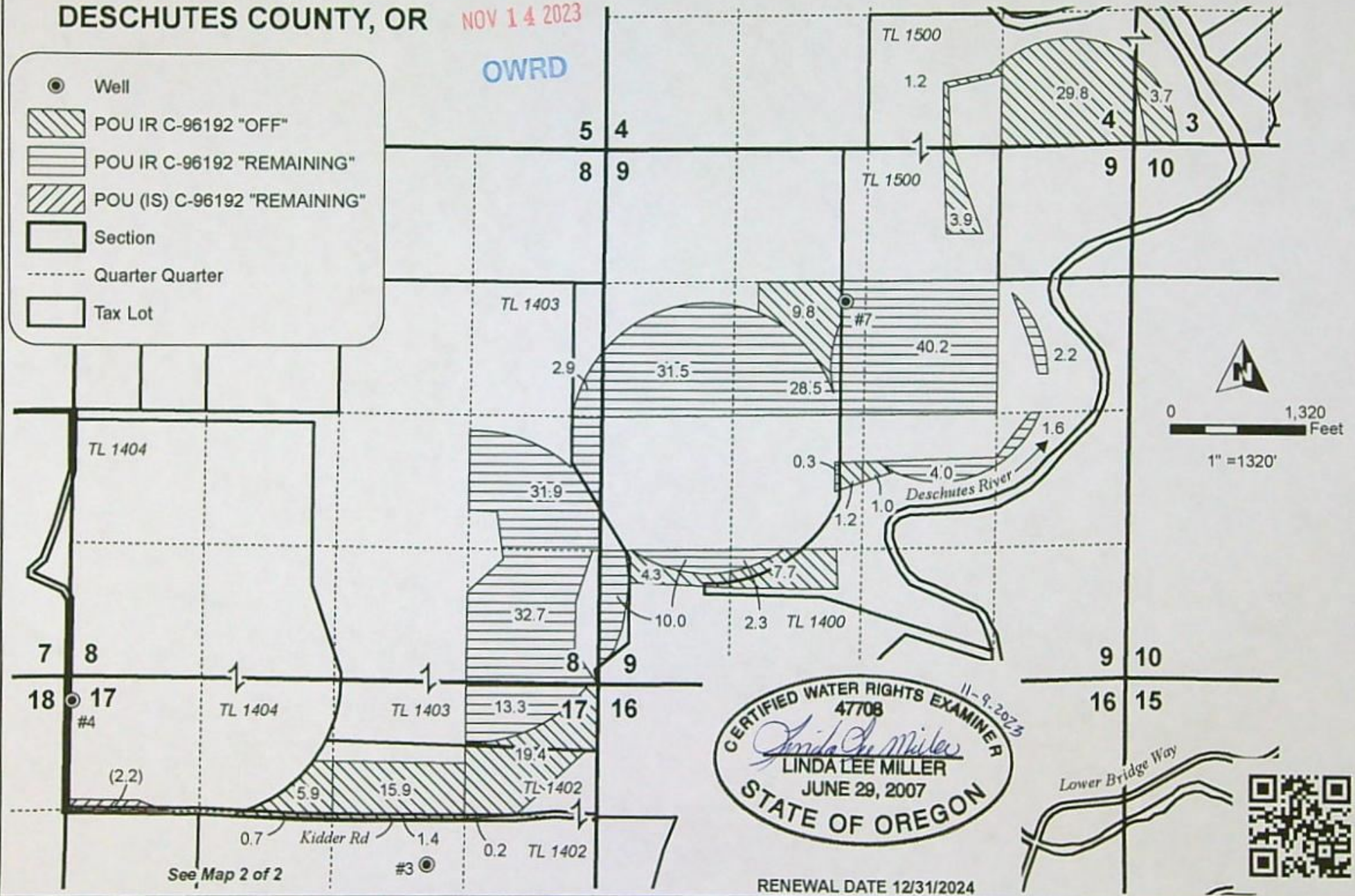
POU IR C-96192 "REMAINING"

POU (IS) C-96192 "REMAINING"

Section

Quarter Quarter

Tax Lot



CERTIFIED WATER RIGHTS EXAMINER
 47708
Linda Lee Miller
 LINDA LEE MILLER
 JUNE 29, 2007
 STATE OF OREGON

RENEWAL DATE 12/31/2024

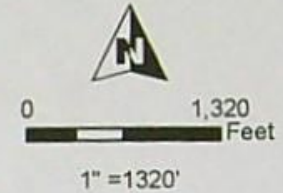


Date: 11/8/2023
PERMANENT TRANSFER MAP
Pinnacle Utilities, LLC (Big Falls Ranch)
 Cert: 96192 4/13/1967 Priority (OFF / REMAINING RIGHT MAP 1 OF 2)

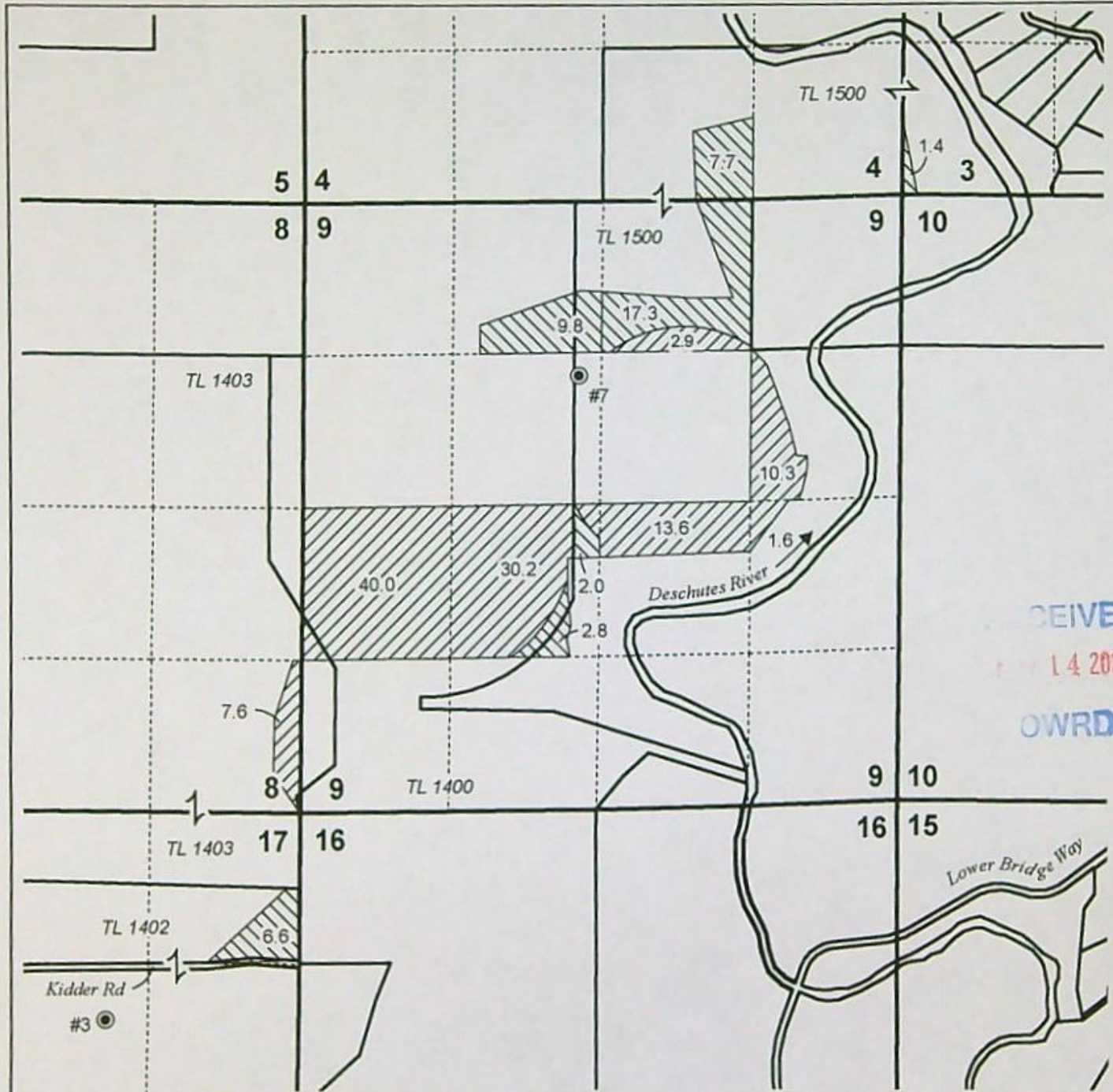
This map is not intended to provide legal dimensions or locations of property ownership lines.

WATER RIGHT SERVICES, LLC
 PO BOX 1830, BEND, OR 97709
WWW.OREGONWATER.US CCB # 197121
 johnshort@usa.com 541-389-2837

T14S R12E, WM
 DESCHUTES COUNTY, OR



- Well
- POU IR C-96190 "OFF"
- POU IR C-96190 "REMAINING"
- Section
- Quarter Quarter
- Tax Lot



RECEIVED
 JUN 14 2023
 OWRD



RENEWAL DATE 12/31/2024



Date: 11/8/2023
PERMANENT TRANSFER MAP
Pinnacle Utilities, LLC (Big Falls Ranch)
 Cert. 96190 4/13/1967 Priority (OFF / REMAINING RIGHT MAP 1 OF 1)

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 WWW.OREGONWATER.US CCB # 197121
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RECEIVED

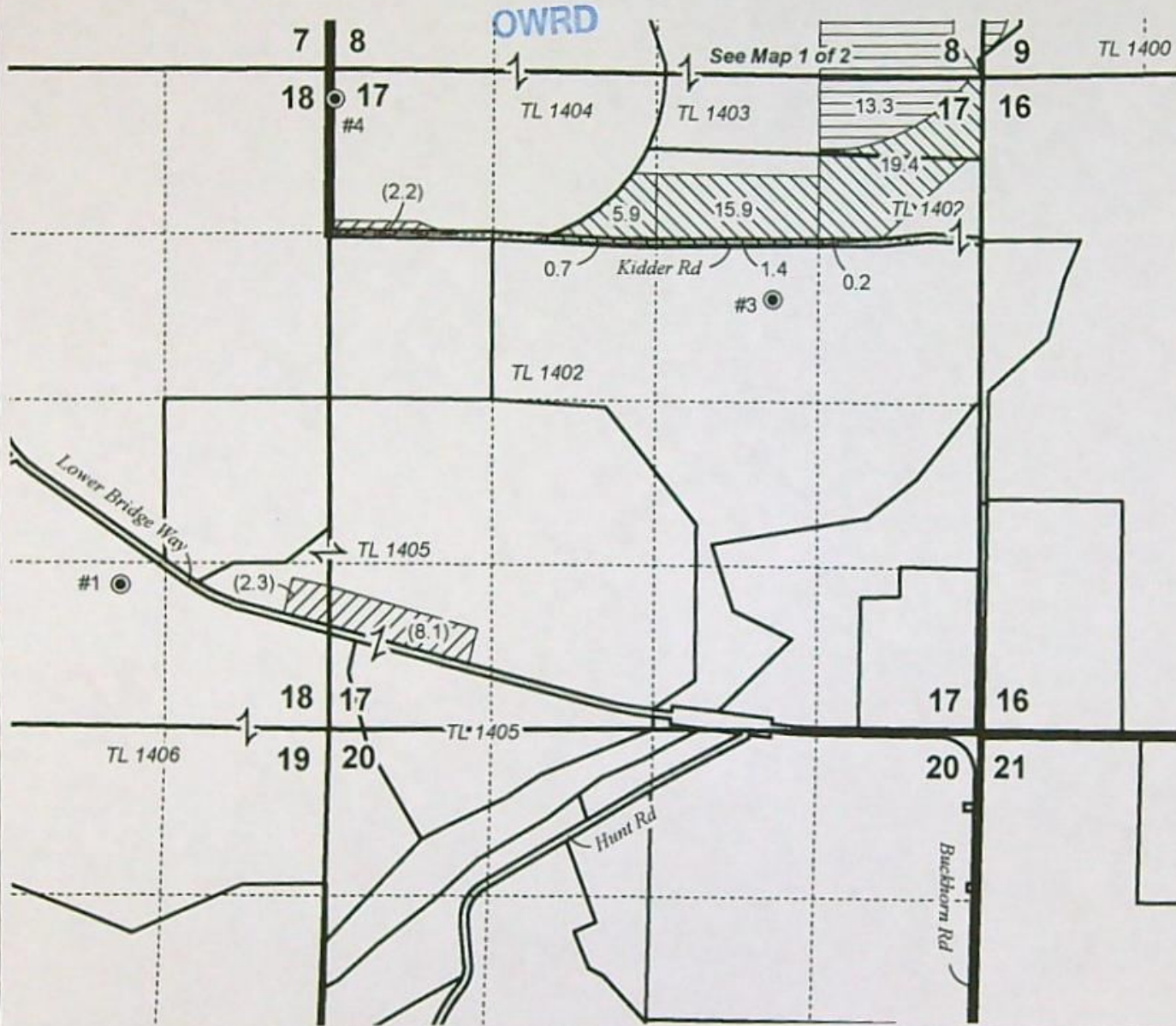
NOV 14 2023

T14S R12E, WM
DESCHUTES COUNTY, OR



0 1,320
Feet

1" = 1320'



- Well
- POU IR C-96192 "OFF"
- POU IR C-96192 "REMAINING"
- POU (IS) C-96192 "REMAINING"
- Section
- Quarter Quarter
- Tax Lot



RENEWAL DATE 12/31/2024



Date: 11/8/2023

PERMANENT TRANSFER MAP
Pinnacle Utilities, LLC (Big Falls Ranch)

Cert: 96192 4/13/1967 Priority (OFF / REMAINING RIGHT MAP 2 OF 2)

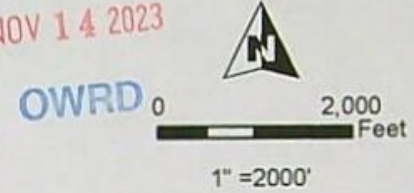
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johnshort@usa.com 541-389-2837

14350 -

T14S R12E, WM
DESCHUTES COUNTY, OR

NOV 14 2023



- ⊙ Deep Canyon Creek POD "ON"
- Well (POA's for Rem. Rights)
- - - - - Deep Canyon Creek
- - - - - Pipeline
- ▭ Section
- - - - - Quarter Quarter
- ▭ Tax Lot



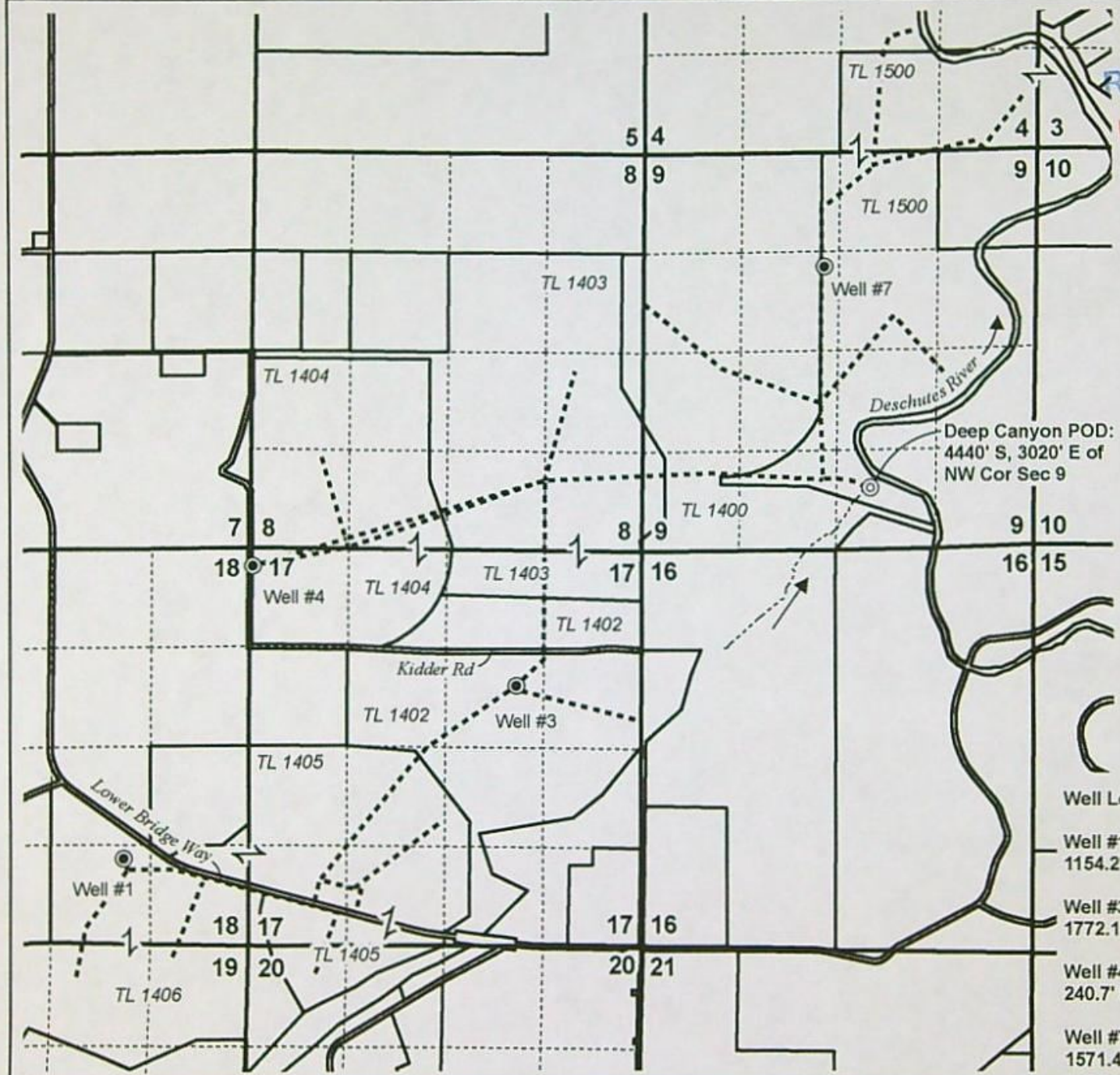
Well Locations: RENEWAL DATE 12/31/2024

Well #1 (DESC 2100):
1154.2' N, 1680.6' W of SE Cor Sec 18

Well #3 (DESC 2087/L-122702):
1772.1' S, 1706.6' W of NE Cor Sec 17

Well #4 (DESC 2098/L-122703):
240.7' S, 32.2' E of NW Cor Sec 17

Well #7 (DESC 768/L-122706):
1571.4' S, 2862.6' W of NE Cor Sec 9



Date: 11/8/2023
PERMANENT TRANSFER MAP
Pinnacle Utilities, LLC (Big Falls Ranch)
POA/POD & Delivery System Map




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WWW.OREGONWATER.US CCB # 197121
johnshort@usa.com 541-389-2837

14350 -

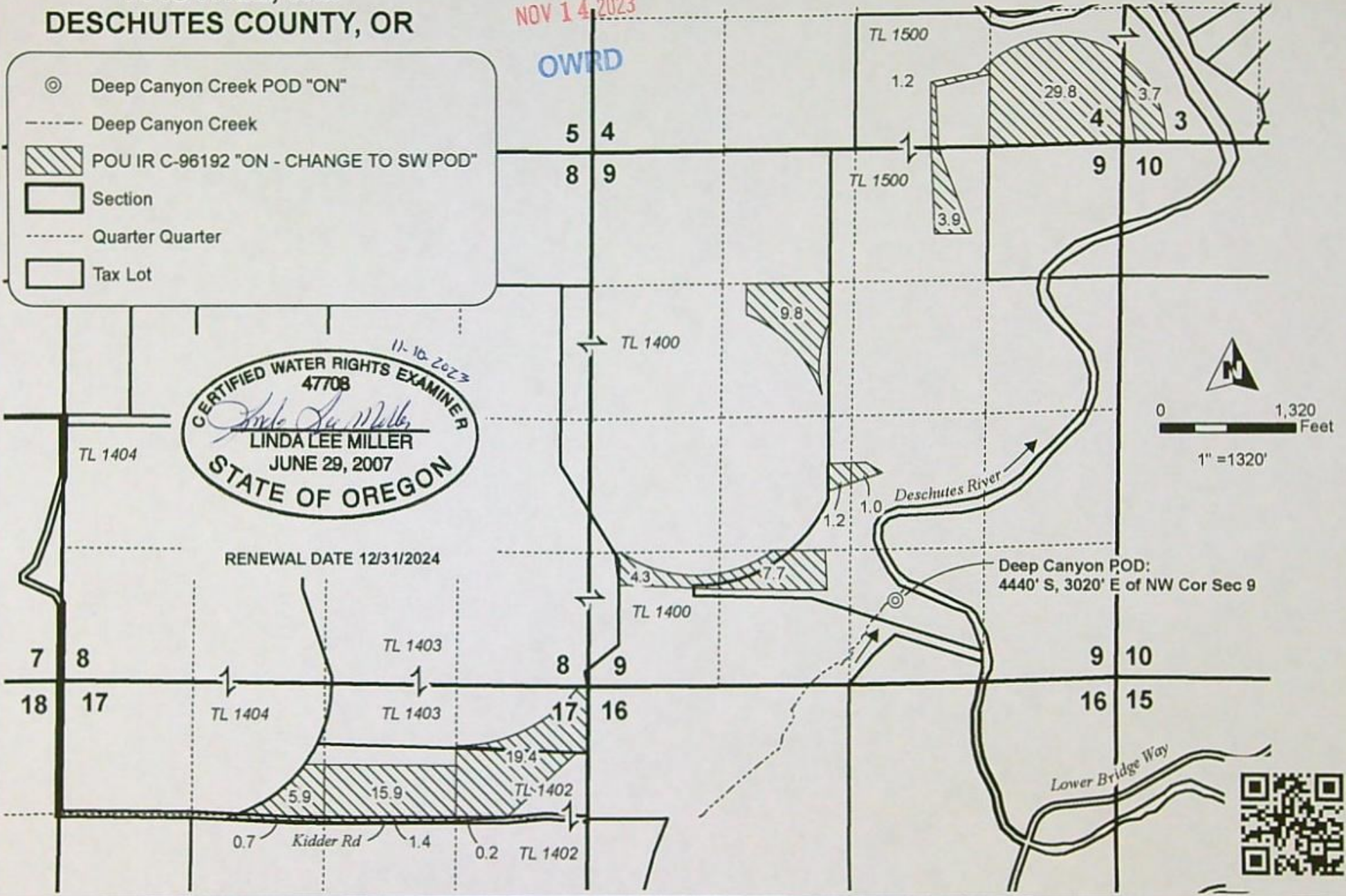
**T14S R12E, WM
DESCHUTES COUNTY, OR**

RECEIVED
NOV 14 2023
OWRD

◎ Deep Canyon Creek POD "ON"
 - - - - - Deep Canyon Creek
 POU IR C-96192 "ON - CHANGE TO SW POD"
 Section
 - - - - - Quarter Quarter
 Tax Lot

11-10-2023
 CERTIFIED WATER RIGHTS EXAMINER
 47708
Linda Lee Miller
 LINDA LEE MILLER
 JUNE 29, 2007
 STATE OF OREGON

RENEWAL DATE 12/31/2024



Date: 11/8/2023	PERMANENT TRANSFER MAP Pinnacle Utilities, LLC (Big Falls Ranch) Cert: 96192 4/13/1967 Priority (ON MAP 1 OF 1)	This map is not intended to provide legal dimensions or locations of property ownership lines.	WATER RIGHT SERVICES, LLC PO BOX 1830, BEND, OR 97709 WWW.OREGONWATER.US CCB # 197121 johnshort@usa.com 541-389-2837
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

14350-

T14S R12E, WM
DESCHUTES COUNTY, OR



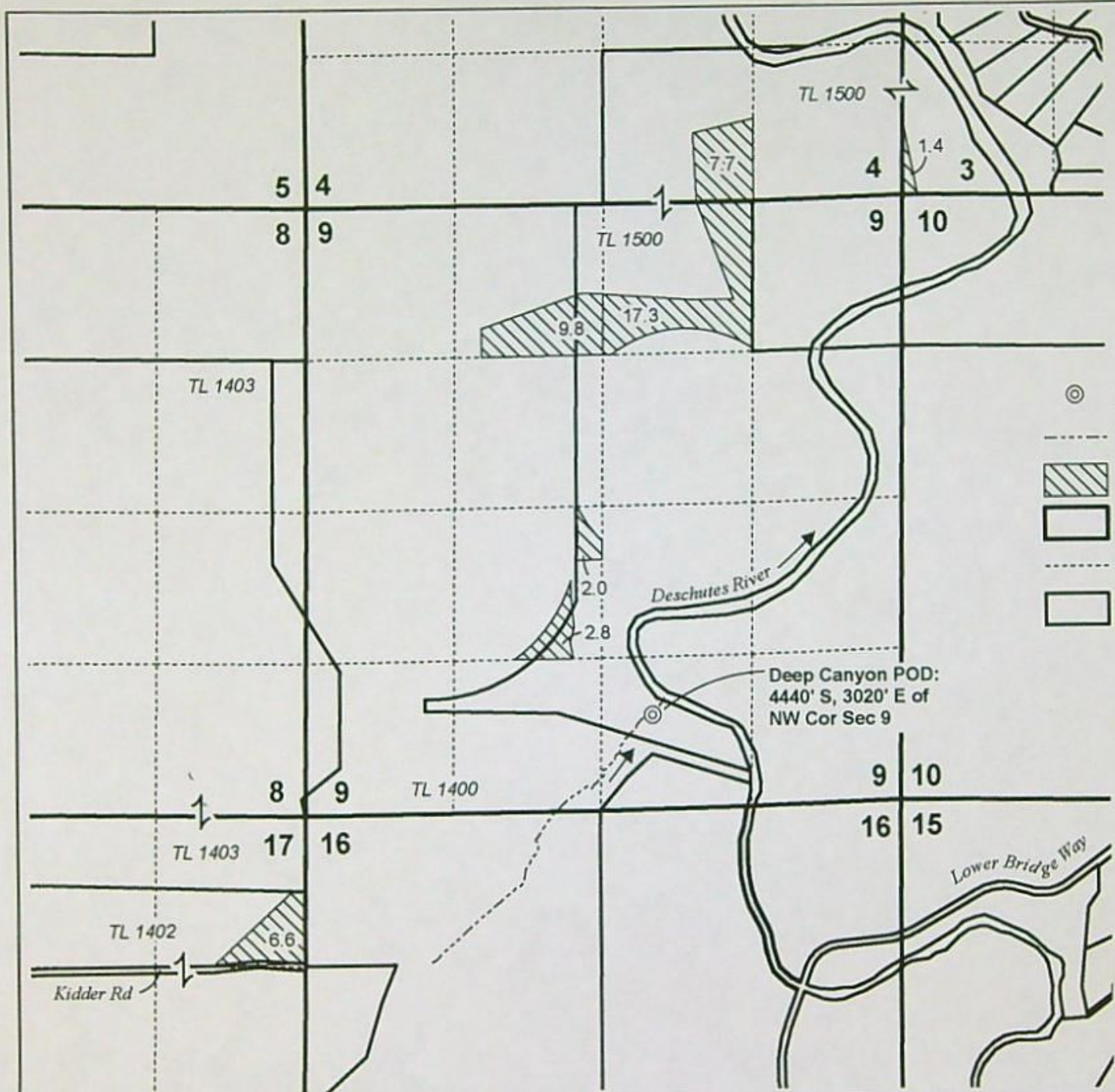
RECEIVED
NOV 14 2023
1" = 1320'

OWRD

- ⊙ Deep Canyon Creek POD "ON"
- Deep Canyon Creek
-  POU IR C-96190 "ON - CHANGE TO SW POD"
-  Section
- Quarter Quarter
-  Tax Lot



RENEWAL DATE 12/31/2024



Date: 11/8/2023
PERMANENT TRANSFER MAP
Pinnacle Utilities, LLC (Big Falls Ranch)
Cert: 96190 4/13/1967 Priority (ON MAP 1 OF 1)


This map is not intended to provide legal dimensions or locations of property ownership lines.

WATER RIGHT SERVICES, LLC
PO BOX 1830, BEND, OR 97709
WWW.OREGONWATER.US CCB # 197121
johnshort@usa.com 541-389-2837

14350 -

Application for Permanent Water Right Transfer

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



Part 1 of 5 – Minimum Requirements Checklist

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

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

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

- Part 1 – Completed Minimum Requirements Checklist.
- Part 2 – Completed Transfer Application Map Checklist.
- Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at: http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator.
- Part 4 – Completed Applicant Information and Signature.
- Part 5 – Information about Water Rights to be Transferred: **How many water rights are to be transferred? 2 List them here: C-96190, C-96192**
 Please include a separate Part 5 for each water right. (See instructions on page 6)
NOTE: A separate transfer application is required for each water right unless the criteria in OAR 690-380-3220 are met.

Attachments:

- Completed Transfer Application Map.
- Completed Evidence of Use Affidavit and supporting documentation.
- N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land the water right is on.) **SEE ATTACHED BARGAIN AND SALE DEED PER DESCHUTES COUNTY OFFICIAL RECORDS NO. 2022-42155**
- N/A Supplemental Form D – For water rights served by or issued in the name of an irrigation district. Complete when the transfer applicant is not the irrigation district.
- N/A Oregon Water Resources Department’s Land Use Information Form with approval and signature from each local land use authority in which water is to be diverted, conveyed, and/or used. Not required if water is to be diverted, conveyed, and/or used only on federal lands or if **all** of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone.
- N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation.
- N/A Geologist Report for a change from a surface water point of diversion to a ground water point of appropriation (well), if the proposed well is more than 500’ from the surface water source and more than 1000’ upstream or downstream from the point of diversion. See OAR 690-380-2130 for requirements and applicability.

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(For Staff Use Only)

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

- Application fee not enclosed/insufficient
- Land Use Form not enclosed or incomplete
- Additional signature(s) required
- Map not included or incomplete
- Evidence of Use Form not enclosed or incomplete
- Part _____ is incomplete

Other/Explanation _____

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

Part 2 of 5 – Transfer Application Map

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

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

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

FEE WORKSHEET for PERMANENT TRANSFER (except Substitution)

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Permanent Transfer Application Form – Page 2 of 13

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Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME KAMERON DELASHMUTT / PINNACLE UTILITIES, LLC		PHONE NO. 541-350-8479	ADDITIONAL CONTACT NO.
ADDRESS 2477 NW CANYON DRIVE			FAX NO.
CITY REDMOND	STATE OR	ZIP 97756	E-MAIL kameron1959@gmail.com
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.			

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

AGENT/BUSINESS NAME JOHN A. SHORT / WATER RIGHT SERVICES, LLC		PHONE NO. 541-389-2837	ADDITIONAL CONTACT NO.
ADDRESS PO BOX 1830			FAX NO.
CITY BEND	STATE OR	ZIP 97709	E-MAIL johnshort@usa.com
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.			

Explain in your own words what you propose to accomplish with this transfer application, and why:

PURSUANT TO ORS 540.531(6)(A), OAR 690-380-2130(8) AND CONDITION #7 (ON PAGE 7) OF THE FINAL ORDER APPROVING T-12651, THE APPLICANT IS PROPOSING TO REVERT THE GROUNDWATER POINTS OF APPROPRIATION (WELLS 1, 3, 4, & 7) BACK TO THE ORIGINALLY AUTHORIZED SURFACE WATER POINT OF DIVERSION (DEEP CANYON CREEK POD), A CHANGE AUTHORIZED BY T-12651. THE CHANGES WILL APPLY TO A 47.6 AC. / 0.548 CFS PORTION OF CERTIFICATE 96190 AND A 106.1 AC. / 1.22 CFS PORTION OF CERTIFICATE 96192, BOTH PORTIONS ARE OWNED BY THE APPLICANT VIA ATTACHED BARGAIN AND SALE DEED PER DESCHUTES COUNTY OFFICIAL RECORDS NO. 2022-42155. THE SAME LANDS PROPOSED FOR CHANGES BY THIS PERMANENT TRANSFER ARE CURRENTLY UNDER REVIEW FOR A TEMPORARY TRANSFER (T-14074). THE APPLICANT PROPOSES TO WITHDRAW T-14074 UPON APPROVAL OF THIS TRANSFER, OR SOONER IF REQUIRED BY OWRD.

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

Check One Box

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

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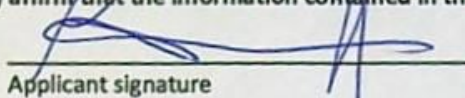
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By my signature below, I confirm that I understand:

- Prior to Department approval of the transfer application, I may be required to submit payment to the Department for publication of a notice in a newspaper with general circulation in the area where the water right is located, once per week for two consecutive weeks. If more than one qualifying newspaper is available, I suggest publishing the notice in the following newspaper: REDMOND SPOKESMAN.
- Amendments to the application may only be made in response to the Department's Draft Preliminary Determination (DPD). The applicant will have a period of at least 30 days to amend the application to address any issues identified by the Department in the DPD, or to withdraw the application. Note that amendments may be subject to additional fees, pursuant to ORS 536.050.
- Failure to complete an approved change in place of use and/or change in character of use, will result in loss of the water right (OAR 690-380-6010).
- Refunds may only be granted upon request and, as set forth in ORS 536.050(4)(a), if the Director determines that a refund of all or part of a fee is appropriate in the interests of fairness to the public or necessary to correct an error of the Department.

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




Applicant signature

KAMERON DELASHMUTT, MANAGER 11/13/23
Print Name (and Title if applicable) Date

Applicant signature

Print Name (and Title if applicable) Date

Is the applicant the sole owner of the land on which the water right, or portion thereof, proposed for transfer is located? Yes No*

*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. SEE ATTACHED BARGAIN AND SALE DEED RECORDED IN DESCHUTES COUNTY OFFICIAL RECORDS (NO. 2022-42155).

Check the following boxes that apply:

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

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

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

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

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

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

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

IRRIGATION DISTRICT NAME	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	ADDRESS	
DESCHUTES COUNTY COMMUNITY DEVELOPMENT	117 NW LAFAYETTE AVE	
CITY	STATE	ZIP
BEND	OR	97703

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Part 5 of 5 – Water Right Information

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

CERTIFICATE # 96190

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. **PIPED FROM WELLS TO PIVOTS, WHEEL LINES, AND IRRIPODS.**

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)
DEEP CANYON CREEK POD "ON"	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		14	S	12	E	9	SW	SE	1500	4440' S, 3020' E OF NW COR SEC 9	
WELL #1 "OFF"	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	DESC 2100	14	S	12	E	18	SW	SE	1406	1154.2' N, 1680.6' W OF SE COR SEC 18	
WELL #3 "OFF"	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	DESC 2087/ L-122702	"	"	"	"	17	SW	NE	1402	1772.1' S, 1706.6' W OF NE COR SEC 17	
WELL #4 "OFF"	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	DESC 2098/ L-122703	"	"	"	"	"	NW	NW	1404	240.7' S, 32.2' E OF NW COR SEC 17	
WELL #7 "OFF"	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	DESC 768/ L-122706	"	"	"	"	9	SE	NW	1500	1571.4' S, 2862.6' W OF NE COR SEC 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"/> Reversion from GW back to SW POD (SW/GW) | <input type="checkbox"/> 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.

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

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

Table 2. Description of Changes to Water Right Certificate # 96190

List the change proposed for the acreage in each ¼ ¼. If more than one change is proposed, specify the acreage associated with each change.
If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.											Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.											
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp		Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date			
EXAMPLE																							
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			
14	S	12	E 3 SW SW	1500		1.4	IR	"OFF" Wells 1, 3, 4, 7	4/13/ 1967	SW/GW	14	S	12	E 3 SW SW	1500		1.4	IR	DEEP CANYON POD "ON"	4/13/ 1967			
"	"	"	" 4 SW SE	"		7.7	"	"	"	"	"	"	"	" 4 SW SE	"		7.7	"	"	"			
"	"	"	" 9 NW NE	"		17.3	"	"	"	"	"	"	"	" 9 NW NE	"		17.3	"	"	"			
"	"	"	" NE NW	1400/ 1500		9.8	"	"	"	"	"	"	"	" NE NW	1400/ 1500		9.8	"	"	"			
"	"	"	" NE SW	"		4.8	"	"	"	"	"	"	"	" NE SW	"		4.8	"	"	"			
"	"	"	" 17 NE NE	1402		6.6	"	"	"	"	"	"	"	" 17 NE NE	1402		6.6	"	"	"			
TOTAL ACRES:						47.6						TOTAL ACRES:						47.6					

Additional remarks: **THE APPLICANT IS PROPOSING TO CHANGE FROM GROUNDWATER POINTS OF APPROPRIATION "WELLS 1, 3, 4, & 7" TO SURFACE WATER POD "DEEP CANYON CREEK" POD, PREVIOUSLY AUTHORIZED FOR THESE LANDS PRIOR TO T-12651. THE FINAL ORDER FOR T-12651 ORDERED THE ALLOWANCE FOR THE PROPOSED CHANGES OUTLINED BY THIS TRANSFER APPLICATION TO BE APPROVED (ORDER NO. 7 ON SPECIAL ORDER VOLUME 109, PAGE 1005).**

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Permanent Transfer Application Form – Page 8 of 13

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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 N/A

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



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 # _____

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For a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation:

Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map.

Tip: You may search for well logs on the Department's web page at:
http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx

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

Part 5 of 5 – Water Right Information

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

CERTIFICATE # 96192

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. **PIPED FROM WELLS TO PIVOTS, WHEEL LINES, AND IRRIPODS.**

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)
DEEP CANYON CREEK POD "ON"	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		14	S	12	E	9	SW	SE	1500	4440' S, 3020' E OF NW COR SEC 9
WELL #1 "OFF"	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	DESC 2100	14	S	12	E	18	SW	SE	1406	1154.2' N, 1680.6' W OF SE COR SEC 18
WELL #3 "OFF"	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	DESC 2087/ L-122702	"	"	"	"	17	SW	NE	1402	1772.1' S, 1706.6' W OF NE COR SEC 17
WELL #4 "OFF"	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	DESC 2098/ L-122703	"	"	"	"	"	NW	NW	1404	240.7' S, 32.2' E OF NW COR SEC 17
WELL #7 "OFF"	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	DESC 768/ L-122706	"	"	"	"	9	SE	NW	1500	1571.4' S, 2862.6' W OF NE COR SEC 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"/> Reversion from GW back to SW POD (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.

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

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

Table 2. Description of Changes to Water Right Certificate # 96192

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the Certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.										Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.									
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acre	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	Acre	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date
EXAMPLE																				
14	S	12	E 3	SW SW	1500	3.7	IR	"OFF" Wells 1, 3, 4, 7	4/13/1967	SW/GW	14	S	12	E 3	SW SW	1500	3.7	IR	DEEP CANYON CREEK POD "ON"	4/13/1967
"	"	"	" 4	SW SE	"	1.2	"	"	"	"	"	"	" 4	SW SE	"	1.2	"	"	"	"
"	"	"	" "	SE SE	"	29.8	"	"	"	"	"	"	" "	SE SE	"	29.8	"	"	"	"
"	"	"	" 9	NW NE	"	3.9	"	"	"	"	"	"	" 9	NW NE	"	3.9	"	"	"	"
"	"	"	" "	SE NW	1400	9.8	"	"	"	"	"	"	" "	SE NW	1400	9.8	"	"	"	"
"	"	"	" "	NE SW	1500	1.2	"	"	"	"	"	"	" "	NE SW	1500	1.2	"	"	"	"
"	"	"	" "	SW SW	1400/ 1500	4.3	"	"	"	"	"	"	" "	SW SW	1400/ 1500	4.3	"	"	"	"
"	"	"	" "	SE SW	"	7.7	"	"	"	"	"	"	" "	SE SW	"	7.7	"	"	"	"
"	"	"	" "	NW SE	1500	1.0	"	"	"	"	"	"	" "	NW SE	1500	1.0	"	"	"	"
"	"	"	" 17	NE NE	1402/ 1403	19.4	"	"	"	"	"	"	" 17	NE NE	1402/ 1403	19.4	"	"	"	"
"	"	"	" "	NW NE	1402	15.9	"	"	"	"	"	"	" "	NW NE	1402	15.9	"	"	"	"
"	"	"	" "	SW NE	"	1.4	"	"	"	"	"	"	" "	SW NE	"	1.4	"	"	"	"

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14	S	12	E	17	SE	NE	1402	0.2	IR	"OFF" Wells 1, 3, 4, 7	4/13/1967	SW/GW	14	S	12	E	17	SE	NE	1402	0.2	IR	DEEP CANYON CREEK POD "ON"	4/13/1967
"	"	"	"	"	NE	NW	"	5.9	"	"	"	"	"	"	"	"	"	NE	NW	"	5.9	"	"	"
"	"	"	"	"	SE	NW	"	0.7	"	"	"	"	"	"	"	"	"	SE	NW	"	0.7	"	"	"
TOTAL ACRES								106.1	TOTAL ACRES								106.1							

Additional remarks: THE APPLICANT IS PROPOSING TO CHANGE FROM GROUNDWATER POINTS OF APPROPRIATION "WELLS 1, 3, 4, & 7) TO SURFACE WATER POD "DEEP CANYON CREEK" POD, PREVIOUSLY AUTHORIZED FOR THESE LANDS PRIOR TO T-12651. THE FINAL ORDER FOR T-12651 ORDERED THE ALLOWANCE FOR THE PROPOSED CHANGES OUTLINED BY THIS TRANSFER APPLICATION TO BE APPROVED (ORDER NO. 7 ON SPECIAL ORDER VOLUME 109, PAGE 1005).

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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 N/A

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 # _____.

For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # _____

For a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation:

Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map.

Tip: You may search for well logs on the Department's web page at:
http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well: OWRD Well ID Tag No. L-_____	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well-specific rate (cfs or gpm). If less than full rate of water right

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TACS

From: STARNES Patrick K * WRD
To: Bryce Withers
Cc: JARAMILLO Lisa J * WRD; Langford, Shonee D.
Subject: RE: TIME SENSITIVE Reversion of Surface Water to Groundwater T-12651
Date: Monday, November 13, 2023 11:27:13 AM
Attachments: [image002.png](#)

Good Morning Bryce,

In answer to your questions regarding a return transfer:

1. You can check the "No" box for the point of appropriation fee. The application is for a return to the last authorized surface water point of diversion, not a change in point of appropriation to another well.
2. You can file the return transfer while the temporary transfer is still pending. However, prior to issuance of a final order for the return transfer, the temporary transfer will have to either be withdrawn or terminated (if the temporary transfer is approved).

Sincerely,

Kelly

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

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

From: JARAMILLO Lisa J * WRD <Lisa.J.JARAMILLO@water.oregon.gov>
Sent: Monday, November 13, 2023 8:45 AM
To: STARNES Patrick K * WRD <Patrick.K.STARNES@water.oregon.gov>
Cc: Bryce Withers <brycewrs@gmail.com>; Langford, Shonee D. <SLangford@schwabe.com>
Subject: RE: TIME SENSITIVE Reversion of Surface Water to Groundwater T-12651
Importance: High

Hi Kelly,

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ARE CURRENTLY UNDER REVIEW FOR A TEMPORARY TRANSFER (T-14074). Can you please confirm whether the department will accept this application while T-14074 is still pending, or should we withdraw T-14074 immediately to avoid the issue?

We just want to make sure that our application is accepted by OWRD due to the issue with the five year deadline. Thank you for your help with this. If you need any other information please let me know.

-

Bryce Withers

Water Right Specialist
(541)408-1400 cell

Water Right Services, LLC
PO Box 1830
Bend, OR 97709
<https://oregonwater.us>

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Return To:
Deschutes County
Title Company
DE17484

Deschutes County Official Records 2022-42155
D-D
Stn=4 SRB 12/01/2022 01:28 PM
\$30.00 \$11.00 \$10.00 \$61.00 \$6.00 \$118.00

I, Steve Dennison, County Clerk for Deschutes County, Oregon,
certify that the instrument identified herein was recorded in the
Official Records.
Steve Dennison - County Clerk

AFTER RECORDING RETURN TO:

Pinnacle Utilities, LLC
2447 NW Canyon Dr.
Redmond, OR 97756

UNTIL A CHANGE IS REQUESTED
SEND TAX STATEMENTS TO:

No change

**BARGAIN AND SALE DEED
(Water Rights Conveyance)**

BIG FALLS RANCH CO., an Oregon corporation ("Grantor") conveys to Pinnacle Utilities, LLC, an Oregon limited liability company ("Grantee") the following described water rights free of encumbrances except as specifically set forth herein:

160 acres of water rights, as further described in Exhibit A attached hereto and incorporated herein by this reference, that are presently appurtenant to the real property owned by Grantor described in Exhibit B attached hereto and incorporated herein by this reference.

The true consideration for this conveyance is \$1,252,222.50.

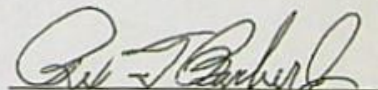
No land is conveyed as part of this Bargain and Sale Deed.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS.

DATED this 30 day of November, 2022.

GRANTOR:

BIG FALLS RANCH CO.


By: Rex T. Barber, Jr., President

[NOTARY PAGE FOLLOWS]

Bargain and Sale Deed
(01635040-01023832;8)

THIS DOCUMENT FILED FOR RECORD BY
DESCHUTES COUNTY TITLE COMPANY AS AN
ACCOMMODATION ONLY. IT HAS NOT
BEEN EXAMINED AS TO ITS EXECUTION OR
AS TO ITS EFFECT UPON THE TITLE

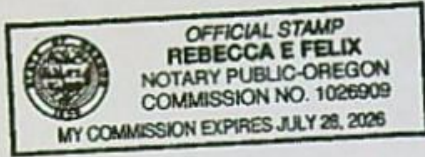
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STATE OF OREGON)
) ss.
County of Deschutes)

This instrument was acknowledged before me this 30th day of November, 2022, by
Rex T. Barber, Jr., as President of Big Falls Ranch Co.



Rebecca E. Felix
NOTARY PUBLIC FOR OREGON
My Commission Expires: July 28, 2026

(Bargain and Sale Deed
(01635040-01023832;8)

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EXHIBIT A

Conveyed Water Rights					
Water Right Certificate	Township	Range	Section	Quarter-Quarter	Acres
87558	14S	17E	17	NWNW	6.3
96190	14S	17E	3	SWSW	1.4
96190	14S	17E	4	SWSE	7.7
96190	14S	17E	9	NWNE	17.3
96190	14S	17E	9	NENW	9.8
96190	14S	17E	9	NESW	4.8
96190	14S	17E	17	NENE	6.6
96192	14S	17E	3	SWSW	3.7
96192	14S	17E	4	SWSE	1.2
96192	14S	17E	4	SESE	29.8
96192	14S	17E	9	NWNE	3.9
96192	14S	17E	9	SENE	9.8
96192	14S	17E	9	NESW	1.2
96192	14S	17E	9	SWSW	4.3
96192	14S	17E	9	SESW	7.7
96192	14S	17E	9	NWSE	1.0
96192	14S	17E	17	NENE	19.4
96192	14S	17E	17	NWNE	15.9
96192	14S	17E	17	SWNE	1.4
96192	14S	17E	17	SENE	.2
96192	14S	17E	17	NENW	5.9
96192	14S	17E	17	SENE	.7
TOTAL					160

Bargain and Sale Deed
 (01635040-01023832;8)

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EXHIBIT B
Legal Description of Grantor Property

[attached]

Bargain and Sale Deed
(01635040-01023832,8)

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LEGAL DESCRIPTION

PARCEL ONE:

Parcels 1, 2 & 3 of Partition Plat 1999-51, recorded November 3, 1999, in Partition Cabinet 2, Page 12, Deschutes County, Oregon.

PARCEL TWO:

Parcel 3 of Partition Plat 1999-50, recorded November 3, 1999, in Partition Cabinet 2, Page 10, Deschutes County, Oregon.

PARCEL THREE:

Parcel 1 of Partition Plat 1996-26, recorded June 4, 1996, in Partition Cabinet 1, Page 508, Deschutes County, Oregon.

PARCEL FOUR:

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 N1/2 SE1/4 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"

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Legal Description cont.

pipe; thence $S89^{\circ}48'14''W$ 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 $N50^{\circ}49'01''E$ and leaving said Parcel 2 boundary - 448.78 feet to the POINT OF BEGINNING.

PARCEL FIVE:

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 $76^{\circ}09'18''$ West 1432.27 feet along the southerly boundary of said Parcel 1 to a $5/8''$ iron rod; thence leaving said southerly boundary, North $32^{\circ}30'26''$ East 300.00 feet; thence South $69^{\circ}01'15''$ 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 $67^{\circ}34'15''$ East 412.03 feet to the southerly boundary of said Parcel 1; thence South $66^{\circ}19'04''$ West 150.29 feet to the point of beginning.

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397 SW Upper Terrace Dr., Bend OR 97702 · 541-389-2120

BUYER'S CLOSING STATEMENT

Buyer: Pinnacle Utilities, LLC
Seller: Big Falls Ranch Co.
Property Address: 70 acres Subsequent Purchase Water Rights, OR
Escrow No.: DE17484
Close Date: 11/30/2022 Proration Date: 11/30/2022 Date Prepared: 12/1/2022

Purchase Price		\$556,972.50
Credits		
Buyer Closing Funds		\$540,201.50
Buyer Down Payment Deposit		\$18,000.00
5th Extension Fee Payment		\$10,000.00
6th Extension Fee Payment		\$10,000.00
Final 2 Extension Fees (7th & 8th) Payment		\$20,000.00
Total Credits		\$598,201.50
Expenses		
5th Extension Fee in addition to Purchase Price		\$10,000.00
6th Extension Fee in addition to Purchase Price		\$10,000.00
2 Final Extension Fees (7th & 8th) in addition to Purchase Price		\$20,000.00
Escrow Fee	To Deschutes Title	\$900.00
Recording Svc Fee (Deed)	To Deschutes Title	\$123.00
Recording Svc Fee (Releases-2)	To Deschutes Title	\$206.00
Total Expenses		\$41,229.00
Balance Due From Purchaser		\$0.00

I have carefully reviewed the Settlement Statement and to the best of my knowledge and belief, it is a true and accurate statement of all receipts and disbursement made on my account or by me in this transaction. I further certify that I have received a copy of the Settlement Statement.

I hereby authorize the Settlement Agent to make expenditures and disbursement as shown on the attached statement and approve same for payment.

Dated: December 1, 2022

Deschutes County Title Company

Rebecca E. Felix
Rebecca E. Felix, Escrow Officer

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Schwabe

November 8, 2023

Kenneth Katzaroff
Admitted in Washington and Oregon
D: 206-405-1985
KKatzaroff@schwabe.com

Deschutes County
117 NW Lafayette Avenue
Bend, OR

RE: Kameron DeLashmutt and Pinnacle Utilities, LLC - LUCS Request

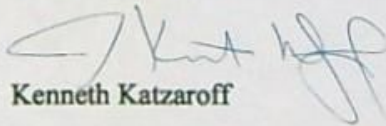
Mr. Groves:

Please find the attached Land Use Compatibility Statement form, which requests that Deschutes County confirm that a transfer of irrigation water back in to the applicable stream is consistent with the County's land use regulations.

Please do not hesitate to contact me if you have questions.

Very truly yours,

SCHWABE, WILLIAMSON & WYATT, P.C.



Kenneth Katzaroff

JKKA:aks

PDX\135849\262760\JKKA\40601986.1

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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

NOTE TO APPLICANTS

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

This form is NOT required if:

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

NOTE TO LOCAL GOVERNMENTS

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

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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(s): Kameron DeLashmutt / Pinnacle Utilities, LLC

Mailing Address: 2477 NW Canyon Drive

City: Redmond State: OR Zip Code: 97756 Daytime Phone: 541-350-8479

A. Land and Location

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
<u>14S</u>	<u>12E</u>	<u>8, 9</u>		<u>1400</u>	<u>EFULB</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Irrigation</u>
--	--	<u>16, 17</u>		<u>1402</u>	--	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	--
--	--	<u>8, 9, 17</u>		<u>1403</u>	--	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	--
--	--	<u>3, 4, 9</u>		<u>1500</u>	--	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	--

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

Deschutes County.

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) DEEP CANYON CREEK

Estimated quantity of water needed: 1.22 / 0.548 cubic feet per second gallons per minute acre-feet

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

Briefly describe:

The applicant is proposing to revert the Groundwater Points of Appropriation (Wells) back to the originally authorized Surface Water Point of Diversion (Deep Canyon Creek), for a 47.6 ac./0.548 cfs portion of Certificate 96190 and a 106.1/1.22 cfs portion of Certificate 96192.

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

See bottom of Page 4. →

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 18.16.020.A, DCC 18.56.040 and DCC 18.88.030.
- 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
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<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.

This request states the intended use of the water is "irrigation". The proposed use is allowed outright in the EFU zones, and by extension, in the SMIA and LM combining zones, see DCC 18.16.020.A, DCC 18.56.040 and DCC 18.88.030.

Name: Will Groves Title: Planning Manager

Signature: *Will Groves* Phone: 541-388-6518 Date: 11/8/23

Government Entity: Deschutes County

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

Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

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Application for Water Right Transfer Evidence of Use Affidavit

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, BRYCE M. WITHERS, in my capacity as WATER RIGHT SPECIALIST,

mailing address PO BOX 1830 BEND, OR 97709

telephone number (541)389-2837, being first duly sworn depose and say:

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

- Personal observation
 Professional expertise

2. I attest that:

- Water was used during the previous five years on the entire place of use for Certificate # ____; OR

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

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

OR

- Confirming Certificate # 96190 & 96192 has been issued within the past five years; OR
 Part or all of the water right was leased instream at some time within the last five years. The instream lease number is: ____ (Note: If the entire right proposed for transfer was not leased, additional evidence of use is needed for the portion not leased instream.); OR
 The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use would be rebutted under ORS 540.610(2) is attached.
 Water has been used at the actual current point of diversion or appropriation for more than 10 years for Certificate # ____ (For Historic POD/POA Transfers)

(continues on reverse side)

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

B. W. H.
 Signature of Affiant

November 08, 2023
 Date

Signed and sworn to (or affirmed) before me this 8 day of November, 2023.



Linda Lee Miller
 Notary Public for Oregon
 My Commission Expires: July 12, 2025

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

RECEIVED

NOV 14 2023

TACS

OWRD

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.

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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.

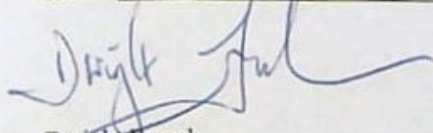
If within five year after approval of the transfer (November 20, 2018), the Department finds that the transfer results in substantial or undue interference with an existing ground water right due to use of the wells, that would not have occurred in the absence of the transfer, the new point of appropriation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

RECEIVED

NOV 14 2023

OWRD

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

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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.

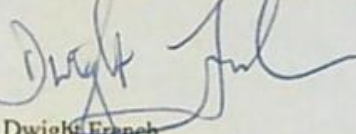
If within five year after approval of the transfer (November 20, 2018), the Department finds that the transfer results in substantial or undue interference with an existing ground water right due to use of the wells, that would not have occurred in the absence of the transfer, the new point of appropriation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



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OWRD

DESC 2100

RECEIVED

JUN 20 1967

#1 14/12-18 Dec

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

STATE ENGINEER, SALEM, OREGON 97310
WATER WELL REPORT
STATE OF OREGON
(Please type or print)

State Well No. 563756
State Permit No. G-4843

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

(2) LOCATION OF WELL:
County DESC. Driller's well number
1/4 Section T. R. W.M.
Bearing and distance from section or subdivision corner
SEC-18-T 14 S-RANGE-12 E.

(3) TYPE OF WORK (check):
New Well Deepening Reconditioning Abandon
Abandonment, describe material and procedure in Item 12.

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

(6) CASING INSTALLED:
12" Diam. from 0 ft. to 232 ft. Gage 250
24" Diam. from 8 ft. to 15 ft. Gage 312

(7) PERFORATIONS:
Type of perforator used CUTTING TORCH
Size of perforations 1/8 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: ~~NOT TESTED (GROUDED)~~
Well seal—Material used in seal _____
Depth of seal _____ ft. Was a packer used? _____
Diameter of well bore to bottom of seal 24 in.
Were any loose strata cemented off? Yes No Depth _____
Was a drive shoe used? Yes No
Was well gravel packed? Yes No Size of gravel 1/4 in. to 3/4
Gravel placed from 160 ft. to 232 ft.
Did any strata contain unusable water? Yes No
Type of water? _____ depth of strata _____
Method of sealing strata off _____

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

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

(12) WELL LOG: Diameter of well below casing CASEY 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.

MATERIAL	FROM	TO
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

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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. 350
[Signed] Thomas D. Jackson
(Water Well Contractor)
Contractor's License No. 442 Date 11-17 1966

(USE ADDITIONAL SHEETS IF NECESSARY)

14350 -

DESC 2100



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

Application for
Well ID Number

POA 1, Well #1

RECEIVED

DEC 11 2017

WATER RESOURCES DEPT
SALEM, OREGON

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

I. OWNER INFORMATION

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

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

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

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

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

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

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

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NOV 14 2017

OWRD

For Official Use Only by the Oregon Water Resources Department:

Received Date: 12-11-17 Well Log Number: DESC 2100 Well Identification #: #L122705



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

Application for Well ID Number

70A2
WELL #3
Cleanout log
DESC 2086

RECEIVED
DEC 11 2017

WATER RESOURCES DEPT
SALEM, OREGON

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

I. OWNER INFORMATION

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

RECEIVED
NOV 14 2023

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

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

OWRD

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

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

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

For Official Use Only by the Oregon Water Resources Department:

Received Date: <u>12-11-17</u>	Well Log Number: <u>DESC 2087+2086</u>	Well Identification #: <u>L122702</u>
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WATER WELL REPORT
STATE OF OREGON

RECEIVED
DESC 2086 JUN 14 1983 State Well No. AS/12E-Mac
WATER RESOURCES DEPT. Permit No. second
SALEM, OREGON

DESC
2086

(1) OWNER:

Name Deschutes Valley Liquidation
 Address P. O. Box 166
 City Culver 97734 State OR

(2) TYPE OF WORK (check):

New Well Deepening Reconditioning Abandon

If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rotary Air Driven Domestic Industrial Municipal
 Rotary Mud Dug Irrigation Test Well Other
 Cable Bored Thermal Withdrawal Reinjection

(4) PROPOSED USE (check):

(5) CASING INSTALLED: Steel Plastic
 Threaded Welded

....." Diam. from ft. to ft. Gauge
 " Diam. from ft. to ft. Gauge

LINER INSTALLED:

12" Diam. from 0 ft. to -232 ft. Gauge .280

(6) PERFORATIONS:

Type of perforator used factory Perforated? Yes No
 Size of perforations 1/4 in. by 6 in.
12 rows perforations from -172 ft. to -232 ft.
 perforations from ft. to ft.
 perforations from ft. to ft.

(7) SCREENS:

Well screen installed? Yes No
 Manufacturer's Name Model No.
 Type 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.
 Air test gal./min. with drill stem at ft. hrs.
 Bailer test gal./min. with ft. drawdown after hrs.
 Artesian flow g.p.m.
 temperature of water Depth artesian flow encountered ft.

(9) CONSTRUCTION:

Special standards: Yes No
 Well seal—Material used
 Well sealed from land surface to ft.
 Diameter of well bore to bottom of seal in.
 Diameter of well bore below seal in.
 Number of sacks of cement used in well seal sacks
 How was cement grout placed? existing grout not disturbed

 Was pump installed? no Type HP Depth ft.
 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 NE 17 Section T. 14S R. 12E W.M.
 Tax Lot # Lot Blk Subdivision
 Address at well location:

(11) WATER LEVEL: Completed well.

Depth at which water was first found ft.
 Static level 135 ft. below land surface. Date 6/3/83
 Artesian pressure lba. per square inch. Date

(12) WELL LOG:

Diameter of well below casing 0
 Depth drilled 232 ft. Depth of completed well 232 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
drilled metal, wood and other			
foreign material in sand and gravel from	193	219 232	

Work started 5/30 19 83 Completed 6/3 1983
 Date well drilling machine moved off of well 6/3 1983

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] [Signature] Date 6/6, 1983
(Drilling Machine Operator)
 Drilling Machine Operator's License No. 678

Water Well Contractor's Certification:
 This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.
 Name Crawford Well Drilling, Inc.
(Person, firm or corporation) (Type or print)
 Address 1245 Lower Bridge Terrebonne, OR
 [Signed] [Signature]
(Water Well Contractor)
 Contractor's License No. 570 Date 6/6, 1983

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. SP*13658-890



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

Application for Well ID Number

POA #2
WELL #3
cleanout log
DESC 2086

RECEIVED

DEC 11 2017

WATER RESOURCES DEPT
SALEM, OREGON

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

I. OWNER INFORMATION

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

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

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

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

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

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

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NOV 14 2017

OWRD

For Official Use Only by the Oregon Water Resources Department:

Received Date: <u>12-11-17</u>	Well Log Number: <u>DESC 2087 + 2086</u>	Well Identification #: <u>L122702</u>
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NOTICE TO WATER WELL CONTRACTOR
The original and first copy of this report
are to be filed with the

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

RECEIVED FEB - 0 1978
WATER WELL REPORT
STATE OF OREGON
WATER RESOURCES DEPT.
SALEM, OREGON

RECEIVED
JAN 10 1978

State Well No. 14512E-1830

State Permit No.

WATER RESOURCES DEPT.

(1) OWNER:

Name Bob Beesley

Address Rt. 1, Box 31

Culver, Ore. 97734

(2) TYPE OF WORK (check):

New Well Deepening Reconditioning Abandon

If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rotary Driven
Cable Jetted
Dug Bored

(4) PROPOSED USE (check):

Domestic Industrial Municipal
Irrigation Test Well Other

CASING INSTALLED:

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

PERFORATIONS:

Perforated? Yes No.

Type of perforator used

Size of perforations in. by in.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.

(7) SCREENS:

Well screen installed? Yes No

Manufacturer's Name

Type Model No.
Diam. Slot size Set from ft. to ft.
Diam. Slot size Set from ft. to ft.

(8) WELL TESTS:

Drawdown is amount water level is lowered below static level

Was a pump test made? Yes No If yes, by whom?

Yield: gal./min. with ft. drawdown after hrs.
" " " " " "
" " " " " "
Ballor test 20 gal./min. with no ft. drawdown after 1 hrs.
Artesian flow g.p.m.

Temperature of water Depth artesian flow encountered ft.

(9) CONSTRUCTION:

Well seal—Material used cement
Well sealed from land surface to 18 ft.
Diameter of well bore to bottom of seal 20 in.
Diameter of well bore below seal 15 in.
Number of sacks of cement used in well seal 11 sacks
How was cement grout placed? gravity flow

Was a drive shoe used? Yes No Plugs Size: location ft.

Did any strata contain unusable water? Yes No

Type of water? depth of strata

Method of sealing strata off

Was well gravel packed? Yes No Size of gravel:

Gravel placed from ft. to ft.

(10) LOCATION OF WELL:

County Jefferson-Deschutes
NE 1/4 NE 1/4 Section 18 T. 14S R. 12 W.M.

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

(11) WATER LEVEL: Completed well.

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

(12) WELL LOG:

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

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

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

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OWRD

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

Drilling Machine Operator's Certification:

This well was constructed under my direct supervision. Materials used and information reported above are true to my best knowledge and belief.

[Signed] Dale Paul Dues Date 1-7, 1978
(Drilling Machine Operator)

Drilling Machine Operator's License No. 934

Water Well Contractor's Certification:

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

Name Crawford Well Drilling
(Person, firm or corporation) (Type or print)

Address 1245 N.W. Lower Bridge Terrebonne, Ore.

[Signed] Larry K. Crawford
(Water Well Contractor)

Contractor's License No. 570 Date 1-7, 1978



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

Application for Well ID Number

POA 3, WELL #4

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DEC 11 2017

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

I. OWNER INFORMATION

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

WATER RESOURCES DEPT
SALEM, OREGON

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NOV 14 2017

OWRD

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

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

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

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

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

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

For Official Use Only by the Oregon Water Resources Department:

Received Date:

12-11-17

Well Log Number:

DESC 2098

Well Identification #:

L122703

#11

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DESC 768
FEB 13 1991

145/125/96a
24903

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

DESC 768

WATER RESOURCES DEPT.
SALEM, OREGON
LOCATION OF WELL by legal description:

(START CARD) # 24903
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

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

(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
Yes No Depth of Completed Well 340 ft.
Explosives used Type _____ Amount _____

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

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

(6) CASING/LINER:

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

Liner: _____

Final location of shaft: _____

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

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

(8) WELL TESTS: Minimum testing time is 1 hour
 Pump Bailer Air Flowing Artesian
Yield gal/min Drawdown Drill stem at Time
500 0 320 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
213	340	500	170

(12) WELL LOG: Ground elevation _____

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

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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 constructor standards. Materials used and information reported above are true to my best knowledge and belief.

Signed _____ Date _____ WWC Number _____

(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 constructor standards. This report is true to the best of my knowledge and belief.

Signed William D. Allen Date _____ WWC Number 1255

14350 -



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

Application for
Well ID Number

bigfalls@cbbmail.com

POA #4
Well #7

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DEC 11 2017

WATER RESOURCES DEPT
SALEM, OREGON

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

I. OWNER INFORMATION

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

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

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

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

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

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

Send application to: Oregon Water Resources Department 725 Summer St NE, Suite A, Salem, Oregon 97301; or fax to (503) 986-0902.
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For Official Use Only by the Oregon Water Resources Department:
Received Date: 12-11-17 Well Log Number: DESC 224 + DESC 768 Well Identification #: L122706

DESC 224



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

Application for
Well ID Number

bigfalls@cbbmail.com

POA 4
Well #7

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

I. OWNER INFORMATION

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

WATER RESOURCES DEPT
SALEM, OREGON

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

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Date Well Constructed (or property built): 11/10/90 Total Well Depth: 340' Casing Diameter: 12"
Owner at time the well was constructed (if known): Rex Barber Well Log # (if known): DESC 224
Other Information: POA #4, WELL #7; WELL ALSO RECONDITIONED IN 1991 -> DESC 768
SUBMITTED BY (please print): WILLIAM D. NASHIM - WELL INSPECTOR - SCR
PHONE: 541/639-4109 EMAIL &/or FAX:

Send application to: Oregon Water Resources Department 725 Summer St NE, Suite A, Salem, Oregon 97301; or fax to (503) 986-0902.
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NOV 14 2023

OWRD

For Official Use Only by the Oregon Water Resources Department:

Received Date:
12-11-17

Well Log Number:
DESC 224 + DESC 768

Well Identification #:
L122706

**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 # **141921**

INVOICE # _____

RECEIVED FROM: Central Land Cattle Company LLC
BY: _____

APPLICATION	
PERMIT	
TRANSFER	T-14350

CASH: CHECK: # 8560 OTHER: (IDENTIFY)

TOTAL REC'D \$ 1,970.00

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

MISCELLANEOUS

0407 COPY & TAPE FEES 46110 \$ _____

0410 RESEARCH FEES \$ _____

0408 MISC REVENUE: (IDENTIFY) \$ _____

TC162 DEPOSIT LIAB. (IDENTIFY) \$ _____

0240 EXTENSION OF TIME \$ _____

WATER RIGHTS:

0201 SURFACE WATER \$ _____ 0202 \$ _____

0203 GROUND WATER \$ _____ 0204 \$ _____

0205 TRANSFER \$ 1970.00

WELL CONSTRUCTION

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 **RECEIVED**

OBJ. CODE _____ VENDOR **OVER THE COUNTER**

DESCRIPTION _____ \$ _____

RECEIPT: **141921**

DATED: 11-14-2023 BY: m-mills

**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 # **141921**

INVOICE # _____

RECEIVED FROM: Central Land Cattle Company LLC
BY: _____

APPLICATION	
PERMIT	
TRANSFER	T-14350

CASH: CHECK: # 8560 OTHER: (IDENTIFY)

TOTAL REC'D \$ 970.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES \$ _____
OTHER: (IDENTIFY) _____ \$ _____

0243 VS Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES 46110 \$ _____
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	\$ <u>1970.00</u>		

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 _____ \$ _____

**RECEIVED
OVER THE COUNTER**

RECEIPT: **141921**

DATED: 11-14-2023 BY: m-mills