

T-14336

Temporary

T-14336

Name Dry Fly management
For Big Falls LLCAddress 70395 NW lower bridge way
Terrebonne Oregon 97146Change in POWDate Filed 10/16/2023Initial notice date 10/10/2023

DPD issued date _____

PD issued date _____

PD notice date _____

Date of FO 9/27/2024 Vol 133 Page 117-120

C-Date _____

COBU due date _____

COBU Received date _____

Certificate issued _____

DESCRIPTION OF WATER RIGHT(S)

Name of Stream wellTrib. of Deschutes river, Deep Canyon, mackenzie
Canyon

Use _____ County _____

Quantity of water (CFS) _____ No. of Acres _____

Name of ditch _____

App# G11423 Per # G1330 Cert # 87558 PR Date _____

App# _____ Per # _____ Cert # _____ PR Date _____

App# _____ Per # _____ Cert # _____ PR Date _____

App# _____ Per # _____ Cert # _____ PR Date _____

App# _____ Per # _____ Cert # _____ PR Date _____

App# _____ Per # _____ Cert # _____ PR Date _____

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App# _____ Per # _____ Cert # _____ PR Date _____

App# _____ Per # _____ Cert # _____ PR Date _____

App# _____ Per # _____ Cert # _____ PR Date _____

App# _____ Per # _____ Cert # _____ PR Date _____

FEES PAID

Date 10/16/2023 Amount \$ 965.93 Receipt # 141737

FEES REFUNDED

Date _____ Amount _____ Receipt # _____

Assignments: _____

Irrigation District _____

Agent John Short water right services

CWRE _____

CC's list Deschutes County

☐ - Oversized map - Location _____



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

www.oregon.gov/owrd

September 27, 2024

Dry Fly Management Co for Big Falls Ranch
70395 NW Lower Bridge Way
Terrebonne, OR 97760

REFERENCE: District Temporary Transfer Application T-14336

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

The temporary change shall be effective at the **beginning of the 2023 irrigation season**. The use shall revert to the original authorized place of use at the **end of the 2027 irrigation season**.

If you have any questions related to the approval of this temporary transfer, you may contact your caseworker, Scott Grew, by telephone at (503) 979-3511 or by e-mail at Scott.a.grew@water.oregon.gov.

Sincerely,

Elyse D. Richman
Water Rights Services Support
Transfers and Conservation Section

cc: Jeremy T. Giffin, Watermaster Dist. # 11 (via email)
John A. Short, Agent
Deschutes County Community Development Department, Local Government

Enclosure

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application)	FINAL ORDER APPROVING A TEMPORARY
T-14336, Deschutes County)	CHANGE IN PLACE OF USE

Authority

Oregon Revised Statute (ORS) 537.705 and 540.505 to 540.580 establish the process in which a water right holder may submit a request to temporarily transfer the place of use and, if necessary to convey the water to the temporary place of use, the point of appropriation authorized under an existing water right. Oregon Administrative Rule (OAR) Chapter 690, Division 380 implements the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

C/O DRY FLY MANAGEMENT CO.
FOR BIG FALLS, LLC
70395 NW LOWER BRIDGE WAY
TERREBONNE, OR 97760

Findings of Fact

1. On October 6, 2023, C/O Dry Fly Management Co. for, Big Falls, LLC filed an application to temporarily change the place of use and under Certificate 87558 for a period of 5 years. The Department assigned the application number T-14336.
2. Notice of the application for transfer was published on October 10, 2023, pursuant to OAR 690-380-4000.
3. The portion of the right to be transferred is as follows:

Certificate:	87558 in the name of BIG FALLS RANCH CO. (perfected under Permit G-13362)
Use:	IRRIGATION of 5.9 ACRES
Priority Date:	MAY 15, 1989
Rate:	0.07 CUBIC FOOT PER SECOND

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Period of Use: APRIL 1 TO OCTOBER 31 OF EACH YEAR

Source: WELL 1, WELL 3, AND WELL 4 in the DESCHUTES RIVER BASIN

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
14 S	12 E	WM	9	SE NW	1571.4 FEET SOUTH AND 2862.3 FEET WEST FROM THE NE CORNER OF SECTION 9
14 S	12 E	WM	17	SW NE	WELL 3: 1772.1 FEET SOUTH AND 1706.6 FEET WEST FROM THE NE CORNER OF SECTION 17
14 S	12 E	WM	17	NW NW	WELL 4: 240.7 FEET SOUTH AND 32.2 FEET EAST FROM THE NW CORNER OF SECTION 17
14 S	12 E	WM	18	SW SE	WELL 1: 1154.2 FEET NORTH AND 1680.6 FEET WEST FROM THE SE CORNER OF SECTION 18

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
14 S	12 E	WM	17	NW NE	5.9

4. Temporary Transfer Application T-14336 proposes to temporarily change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
14 S	12 E	WM	16	NE NW	1.9
14 S	12 E	WM	16	NW NW	4.0
				Total	5.9

5. On August 20, 2024, the Department received correspondence from Josh Newton, Attorney for the Confederated Tribes of the Warm Springs Reservation of Oregon (Tribe). The Tribe does not object to the Department processing the Transfer Application T-14336, in accordance with applicable law, and the Department's customary practice.

Temporary Transfer Review Criteria

6. Water has been used within the last five years according to the terms and conditions of the right. There is no evidence available that would demonstrate that the right is subject to forfeiture under ORS 540.610.
7. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right are present.

8. The proposed change would prevent the lands from which the water right is removed during the period of the temporary transfer from receiving water under the transferred right, as required by ORS 540.523(7).
9. The proposed change would not result in injury to other water rights. This finding is made through an abbreviated review recognizing that the transfer may be revoked under ORS 540.523(5) if the Department later finds that the transfer is causing injury to any existing water right.

Conclusions of Law

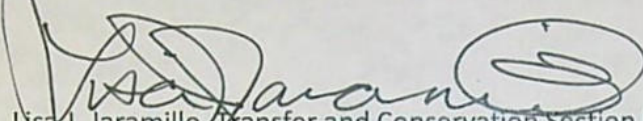
The temporary change in place of use proposed in Temporary Transfer Application T-14336 is consistent with the requirements of ORS 540.523 and OAR 690-380-8000.

Now, therefore, it is ORDERED:

1. The temporary change in place of use proposed in Temporary Transfer Application T-14336 is approved.
2. The former place of use **shall not** be irrigated as part of this water right during the 2023, 2024, 2025, 2026, and 2027 irrigation seasons.
3. The use shall revert to the authorized place of use at the end of the 2027 irrigation season.
4. The approval of this temporary transfer may be revoked or modified if the Department finds the change causes injury to any existing water right.
5. A subsequent application for permanent transfer of Certificate 87558 shall be subject to a full and complete review to determine consistency with the requirements of OAR Chapter 690, Division 380. Approval of this temporary transfer does not establish a precedent for approval of a subsequent application filed for a permanent transfer.
6. The use of water at the temporary place of use authorized by this transfer shall be in accordance with the terms and conditions of Certificate 87558.
7. The time during which water is used under this approved temporary transfer does not apply toward a finding of forfeiture under ORS 540.610.

8. The use of the remaining water right described by Certificate 87558 shall continue to be in accordance with the terms and conditions of Certificate 87558.

Dated in Salem, Oregon on **SEP 27 2024**



Lisa J. Jaramillo, Transfer and Conservation Section Manager for
IVAN GALL, DIRECTOR
Oregon Water Resources Department

Mailing Date: **SEP 30 2024**

WATER RIGHT TRANSFER COVER SHEET

Transfer: T-14336

Transfer Specialist: *Scott*

Transfer Type: Temporary Transfer

DROUGHT? ☐

Applicant: DRY FLY MANAGEMENT CO FOR BIG FALLS RANCH 70395 NW LOWER BRIDGE WAY TERREBONNE, OR 97760	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: Deschutes Co Community Development Dept	Affected Tribal Gov't:	BOR Notified (date):

Water Rights Affected

File Marked	App. File # or Decree Name	Permit	Certificate
<input type="checkbox"/>	G11923	G13362	87558
<input type="checkbox"/>			
<input type="checkbox"/>			

Key Dates & Initial Actions (Support Staff)

Rec'd: October 6, 2023	Proposed Action(s): PLACE OF USE	
Fees Pd: 965.93	Acknowledgement Letter Sent <input checked="" type="checkbox"/>	Basin: 5 Deschutes
Initial Public Notice: 10//10/2023	County sent cc: of Ack Letter <input checked="" type="checkbox"/>	County: DESCHUTES
WM District: 11 Jeremy T. Giffin	WM Review request sent:	WM Review date received:
Groundwater	GW Review sent:	GW Review date received:

Peer Review:

Document	Drafted	Peer Review	Coordinator	Changes Made	Signature Bp	Signature Date
FO	Date: <i>8/30/24</i> Initials: <i>Scott</i>	Date: <i>9/4/24</i> Initials: <i>Jon</i>	Date: <i>OC</i> Initials: <i>9/4/24</i>	Date: <i>9/24/24</i> Initials: <i>Jon</i>	Date: <i>9/24/24</i> No. of docs for sig: <i>1</i> WM Sheet <input type="checkbox"/>	Date: <i>9/27/24</i>

Special Issues: _____

Special Order Volume: Vol. *133* Pages *117-120*

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-14336

Review Due Date: 11/09/2023

Applicant Name: Dry Fly Management Co

Proposed Changes: ☒ POU ☐ POD ☐ POA ☐ USE ☐ OTHER

Reviewer(s): Giffin

Date of Review: 10/13/2023

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:

- 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:

The aerial photos did not show definitive proof of use and I walked the proposed 5.9 Acres of off lands and could not deny that beneficial use had occurred in the last 5 years.

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:

☐ Weir
☐ Parshall Flume
☐ Other: ____

☐ Submerged Orifice
☐ Flow Restrictor

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

GREW Scott A * WRD

From: HENDERSON Sarah A * WRD
Sent: Tuesday, August 20, 2024 1:23 PM
To: REECE Ann L * WRD; DAVIS Arla L * WRD; GREW Scott A * WRD; COURCHANE Corey A * WRD; LUONGO Dante J * WRD; FRENCH Kim R * WRD; SMITH Joan M * WRD
Cc: JARAMILLO Lisa J * WRD; HENDERSON Sarah A * WRD; PHILLIPS Stacy H * WRD; RICHMAN Elyse D * WRD
Subject: Deschutes Basin Transfer - Tribe Letter Received
Attachments: LETTER JN to OWRD re Non-Objection to Sixteen (16) Transfer Applications-c1.pdf
Importance: High

Hi All,

Today we received a letter from the Tribe for 16 transfers applications – FYI – the link in the letter that addresses Appendix A consists of copies of the actual applications, wm/gw/odfw reviews, zone of impact maps. There is no other information in that Appendix A.

1. There will be a “Direction Sheet for Deschutes Transfers” coming soon from Lisa, to specifically call out what needs to happen when you are working with a transfer in the Deschutes Basin.
2. For these transfers, because it is just a basic letter of acceptance, please include a FOF in your document about the letter, FOF language below:
 - a. On August 20, 2024, the Department received correspondence from John Newton, Attorney for the Confederated Tribes of the Warm Springs Reservation of Oregon (Tribe). The Tribe does not object to the Department processing the Transfer Application T-XXXXX, in accordance with applicable law, and the Department’s customary practice.

Here is a list of the transfers - I have put the caseworker name beside the transfer number. I have also already saved the email and letter into the associated transfer e-folders.

Transfer Application	Transfer Applicant
T-14309 sarah	Wanek Ranch LLC
T-14066 arla	Big Falls Ranch Co
T-13939 scott	Oregon Water Utilities Inc.
T-13575 corey	Aspen Valley Ranch; Jim Wood
T-13897 dante	Philip Knight
T-14208 kim	Sigman Ranch LLC
T-13864 joan	Lindberg
T-14214 joan	Idleway Improvement Dist Inc
T-14366 ann	Tumalo Irrigation Dist
T-12698 sarah	Tumalo Irrigation Dist
T-13665 kim	Botug LLC
T-13686 kim	Dice
T-13710 kim	Desert Springs Ranch Lmted Partnership
T-14071 kim	Tumalo Town Dist Improvement Co
T-14283 arla	Crabtree Endersby Ranch LLC
T-14336 scott	Dry Fly Management Co for Big Falls Ranch

Please let me know if you have any questions,

Sarah

Sarah A. Henderson

Flow Restoration Program Coordinator

Transfer and Conservation Section

725 Summer St. NE, Suite A | Salem, OR 97301

Work Cell 503-979-9872

Email: sarah.a.henderson@water.oregon.gov

Work Hours 7:30 AM – 4:00 PM



Integrity | Service | Technical Excellence | Teamwork | Forward-Looking

NOTE: The Salem office is now open to the public. Given that many staff will continue teleworking remotely or have job duties that take them into the field on a regular basis, availability of staff in the office is not guaranteed 8 a.m. - 5 p.m. every day. The Salem office of OWRD is closed for customer service drop-ins from Noon – 1pm. **Customers and visitors are encouraged to schedule an appointment in advance if they wish to meet in person with specific staff members.** Alternative methods for meeting, such as by phone or virtually via Teams, are also available.



BBK

BEST BEST & KRIEGER LLP
ATTORNEYS AT LAW

Josh Newton
Partner
(541) 318-9817
josh.newton@bbklaw.com

August 20, 2024

VIA E-MAIL ONLY:

JEREMY.T.GIFFIN@WATER.OREGON.GOV

ANN.L.REECE@WATER.OREGON.GOV

SARAH.A.HENDERSON@WATER.OREGON.GOV

Jeremy Giffin
Watermaster - District 11
Oregon Water Resources Department
231 SW Scalehouse Loop, Suite 103
Bend, OR 97702

Ann Reece
Sarah A. Henderson
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301

**Re: Confederated Tribes of Warm Springs Letter of Non-Objection to
Sixteen (16) Transfer Applications**

Dear Mr. Giffin, Ms. Reece, and Ms. Henderson:

We represent the Confederated Tribes of the Warm Springs Reservation of Oregon ("Tribe"). The Department of Water Resources ("Department") has provided the Tribe with certain information concerning several transfer applications. This letter pertains to the following transfer applications, which are further identified in **Appendix A** (the "Applications") available at the following link: https://www.imanageshare.com/#hl1ik96vq/folder/4H44IKNWSGw0saldzuMVOpG_Dgqs-17Q5ZaPpL2RaoU

Transfer Application	Transfer Applicant
T-14309	Wanek Ranch LLC
T-14066	Big Falls Ranch Co
T-13939	Oregon Water Utilities Inc.
T-13575	Aspen Valley Ranch; Jim Wood
T-13897	Philip Knight
T-14208	Sigman Ranch LLC
T-13864	Lindberg
T-14214	Idleway Improvement Dist Inc
T-14366	Tumalo Irrigation Dist
T-12698	Tumalo Irrigation Dist
T-13665	Botug LLC
T-13686	Dice
T-13710	Desert Springs Ranch Lmted Partnership
T-14071	Tumalo Town Dist Improvement Co
T-14283	Crabtree Endersby Ranch LLC
T-14336	Dry Fly Management Co for Big Falls Ranch

Best Best & Krieger LLP | 360 SW Bond Street, Suite 400, Bend, Oregon 97702
Phone: (541) 382-3011 | Fax: (541) 388-5410 | bbklaw.com

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Jeremy Giffin
Ann Reece
Sarah A. Henderson
August 20, 2024
Page 2

The Tribe has reviewed the Applications. Based on that information, the Tribe does not object to the Department processing the Applications in accordance with applicable law, and the Department's customary practice. The Tribe expressly reserves, and does not waive, all rights, claims, and defenses that it may possess in connection with the Applications, including, but not limited to, whether the Applications violate the Treaty of June 25, 1855, with the Tribes of Middle Oregon, 12 Stat. 963, or the Confederated Tribes of the Warm Springs Reservation Water Rights Settlement Agreement, dated November 17, 1997, as amended.

Please let us know if you have any questions.

Sincerely,



Josh Newton
of BEST BEST & KRIEGER LLP

JN

cc: Robert A. Brunoe
Austin Smith, Jr.
Brad Houslet
David Filippi, Esq.
Alison K. Toivola, Esq.



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

October 10, 2023

DRY FLY MANAGEMENT CO FOR BIG FALLS RANCH
70395 NW LOWER BRIDGE WAY
TERREBONNE, OR 97760

Reference: Application T-14336

On October 6, 2023, the Department received your water right Temporary Transfer Application. The application was accompanied by \$965.93. Receipt number 141737 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.

Except as provided under ORS 540.510(3) for municipalities, you may not *temporarily* use water at the new place of use or from the new point of diversion/appropriation until a final order approving the temporary transfer application has been issued by the Department. Additionally, pursuant to OAR 690-380-8010, the lands from which an irrigation water right is to be temporarily transferred and the land to which the right is to be temporarily transferred may not both receive water during the same season. If the temporary transfer is approved during an irrigation season and water has already been used at the currently authorized location during that season, then the temporary transfer will not take effect until the following season.

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

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

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

Enclosure

**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 # **141737**

INVOICE # _____

RECEIVED FROM: Reside-Restoration
BY: Project LLC

APPLICATION	
PERMIT	
TRANSFER	<u>T-14336</u>

CASH: ☐ CHECK: # X 1050 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 965.73

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 \$ _____
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 \$ 965.73

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

RECEIPT: **141737**

DATED: 10/6/2013 BY: [Signature]

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



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

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

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

FOR ALL TEMPORARY TRANSFER APPLICATIONS

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

- ☒ Part 1 – Completed Minimum Requirements Checklist.
- ☒ Part 2 – Completed Temporary Transfer Application Map Checklist.
- ☒ Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the online fee calculator at:
http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator.
- ☒ Part 4 – Completed Applicant Information and Signature.
- ☒ Part 5 – Information about Transferred Water Rights: **How many water rights are to be transferred? 1 List them here: 87558**
- Please include a separate Part 5 for each water right. (See instructions on page 6)
- ☒ ☐ N/A For standard Temporary Transfer (one to five years) **Begin Year: 2023 End Year: 2027.**
- ☐ ☒ N/A Temporary Drought Transfer (Only in counties where the Governor has declared drought)

Attachments:

- ☒ Completed Temporary Transfer Application Map.
- ☒ Completed Evidence of Use Affidavit and supporting documentation.
- ☒ Current recorded deed for the land **from** which the authorized place of use is temporarily being moved.
- ☐ ☒ N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land upon which the water right is located.)
- ☐ ☒ N/A Supplemental Form D – For water rights served by or issued in the name of a district. Complete when the temporary transfer applicant is not the district.
- ☒ ☐ N/A Oregon Water Resources Department's Land Use Information Form with approval and signature from each local land use authority in which water is to be diverted, conveyed, and/or used. Not required if water is to be diverted, conveyed, and/or used only on federal lands or if **all** of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone.
- ☐ ☒ N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation (if necessary to convey water to the proposed place of use).

(For Staff Use Only)

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

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

Other/Explanation _____

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

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Part 2 of 5 – Temporary Transfer Application Map Checklist

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

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

- ☐ ☒ N/A If more than three water rights are involved, separate maps are needed for each water right.
- ☒ Permanent quality printed with dark ink on good quality paper.
- ☒ The size of the map can be 8½ x 11 inches, 8½ x 14 inches, 11 x 17 inches, or up to 30 x 30 inches. For 30 x 30 inch maps, one extra copy is required.
- ☒ A north arrow, a legend, and scale.
- ☒ The scale of the map must be: 1 inch = 400 feet, 1 inch = 1,320 feet; the scale of the Final Proof/Claim of Beneficial Use Map (the map used when the permit was certificated); the scale of the county assessor map if the scale is not smaller than 1 inch = 1,320 feet; or a scale that has been pre-approved by the Department.
- ☒ Township, Range, Section, ¼ ¼, DLC, Government Lot, and other recognized public land survey lines.
- ☒ 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 temporary place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions.
- ☒ Existing point(s) of diversion or well(s) with distance and bearing or coordinates from a recognized survey corner. This information can be found in your water right certificate or permit.
- ☐ ☒ N/A If you are proposing a change in point(s) of diversion or well(s) to convey water to the new temporary place of use, show the proposed location and label it clearly with distance and bearing or coordinates. If GPS coordinates are used, latitude-longitude coordinates may be expressed as either degrees-minutes-seconds with at least one digit after the decimal (example – 42°32'15.5") or degrees-decimal with five or more digits after the decimal (example – 42.53764°).

14336 -

[illegible]

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

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

14336 -

Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME In C/O Dry Fly Management Co. for BIG FALLS, LLC		PHONE NO. 541-325-9261	ADDITIONAL CONTACT NO.
ADDRESS 70395 NW Lower Bridge Way		FAX NO.	
CITY Terrebonne	STATE OR	ZIP 97760	E-MAIL ryderredfield@gmail.com cc: bigfalls@cbbmail.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:
The applicant is proposing to temporarily change the place of use for a 5.9 acre/0.074 cfs portion of Certificate 87558 to supply water to a habitat restoration project on a former mine site.

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

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



Applicant signature

Ryder Redfield / Head of Operations

Print Name (and Title if applicable)

Date

10/4/2023

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 landowners (and mailing and/or e-mail addresses if different than the applicant's) or attach affidavits of consent from all landowners or individuals/entities (and mailing and/or e-mail addresses) to which the water right(s) has been conveyed.

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

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 local governments (each county, city, municipal corporation, or tribal government) within whose jurisdiction water will be diverted, conveyed and/or used.

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

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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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 rows to tables within the form.

Water Right Certificate # 87558

Description of Water Delivery System

System capacity: 6.26 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 and 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)
WELL #1	<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	<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	<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	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	DESC 768/ L-122706	" "	" "	9	SE NW	1500	1571.4' S, 2862.6' of NE Cor Sec 9

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

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

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

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

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

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

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

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

Table 2. Description of Temporary Changes to Water Right Certificate # 87558

List only the part of the right that will be changed. For the acreage in each $\frac{1}{4}$ $\frac{1}{4}$, list the change proposed. If more than one change, specify the acreage associated with each change. If more than one POD/POA, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the Certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.										Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.																
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date							
EXAMPLE																											
14	S	12	E	17	NW	NE	1403		5.9	IR	Wells 1, 3, 4, 7	5/15/1989	POU	14	S	12	E	16	NE	NW	1501		1.9	IR	Wells 1, 3, 4, 7	5/15/1989	
														"	"	"	"	"	NW	NW	"		4.0	"	"	"	
TOTAL ACRES									5.9					TOTAL ACRES									5.9				


Additional remarks:

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For Place of Use Changes

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

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

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

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

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

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

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

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Application for Water Right Transfer Evidence of Use Affidavit



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

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

State of Oregon)
) ss

County of DESCHUTES

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:

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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)
87558	14	S	12	E	WM	17	NW	NE		5.9

OR

☐ Confirming Certificate # ____ has been issued within the past five years; OR

☐ Part or all of the water right was leased instream at some time within the last five years. The
instream lease number is: ____ (Note: If the entire right proposed for
transfer was not leased, additional evidence of use is needed for the portion not leased instream.); OR

☐ The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use
would be rebutted under ORS 540.610(2) is attached.

☐ Water has been used at the actual current point of diversion or appropriation for more than
10 years for Certificate # ____ (For Historic POD/POA Transfers)

(continues on reverse side)

14336 -

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

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. L. H.
Signature of Affiant

9-7-2023
Date

Signed and sworn to (or affirmed) before me this 7 day of Sept., 2023.



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

Supporting Documents	Examples
<input type="checkbox"/> Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate)	Copy of confirming water right certificate that shows issue date
<input type="checkbox"/> Copies of receipts from sales of irrigated crops or for expenditures related to use of water	<ul style="list-style-type: none">• Power usage records for pumps associated with irrigation use• Fertilizer or seed bills related to irrigated crops• Farmers Co-op sales receipt
<input type="checkbox"/> Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers	<ul style="list-style-type: none">• District assessment records for water delivered• Crop reports submitted under a federal loan agreement• Beneficial use reports from district• IRS Farm Usage Deduction Report• Agricultural Stabilization Plan• CREP Report
<input checked="" type="checkbox"/> Aerial photos containing sufficient detail to establish location and date of photograph	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. 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
<input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

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BIG FALLS RANCH
MARCH 2020 Google Earth Imagery
Corner is irrigated with impods on grasses.

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QWRD

Legend

08

09

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17

16

Survey
Google Earth
Copyright 2020

BIG FALLS RANCH
MARCH 2020 Google Earth Imagery
Corner is impinged with impacts on grasses.

08

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09

Legend

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17

16

Survey
Google Earth

1000 ft

Return to Western Title & Escrow

WTO246037-YW
AFTER RECORDING, RETURN TO:

Jordan Ramis, P.C.
1211 SW 5th Ave., 27th Floor
Portland, OR 97204

UNTIL A CHANGE IS REQUESTED,
SEND ALL TAX STATEMENTS TO:

Big Falls, LLC
222 N. Pacific Coast Highway, Suite 1400
El Segundo, CA 90245

Deschutes County Official Records **2023-10032**
D-D
Str=1 BN **04/28/2023 03:10 PM**
\$55.00 \$11.00 \$10.00 \$61.00 \$6.00 **\$143.00**

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

STATUTORY WARRANTY DEED

Big Falls Ranch Co., an Oregon corporation ("Grantor"), conveys and warrants to Big Falls, LLC, an Oregon limited liability company, the real property located in Deschutes County, Oregon and described on the attached Exhibit A (the "Property"), free of any deeds of trust, mortgages, liens, and other encumbrances, except those matters shown on attached Exhibit B and those otherwise of record.

Other property or value was either part or the whole consideration for the granting of this Statutory Warranty 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. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, 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.

1 - STATUTORY WARRANTY DEED

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55333-80353 4876-1478-3840.3

14336 -

28 IN WITNESS WHEREOF, Grantor has executed this Statutory Warranty Deed as of this day of April, 2023.

GRANTOR:

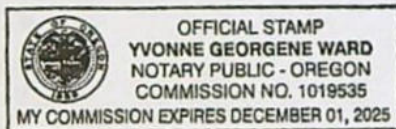
Big Falls Ranch Co., an Oregon corporation

By: [Signature]
Rex Barber, Jr., its President

By: [Signature]
Peter R. Caine, its Secretary

STATE OF OREGON)
COUNTY OF Deschutes) ss.

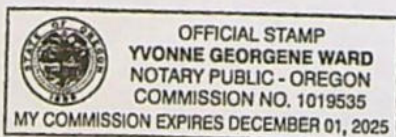
The foregoing instrument is acknowledged before me this 28 day of April, 2023, by Rex Barber, Jr. as President of Big Falls Ranch Co.



[Signature]
Notary Public for Oregon
My commission expires: 12/1/2025

STATE OF OREGON)
COUNTY OF Deschutes) ss.

The foregoing instrument is acknowledged before me this 28 day of April, 2023, by Peter R. Caine as Secretary of Big Falls Ranch Co.



[Signature]
Notary Public for Oregon
My commission expires: 12/1/2025

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55333-80353 4876-1478-3840.3

2 - STATUTORY WARRANTY DEED

14336 -

EXHIBIT A
to Statutory Warranty Deed

Legal Description

Parcel 1:

Parcel 3 of PARTITION PLAT NO. 1999-51, recorded November 3, 1999 in Partition Cabinet 2, Page 12, Deschutes County, Oregon.

Parcel 2:

Parcel 3 of PARTITION PLAT NO. 1999-50, recorded November 3, 1999 in Partition Cabinet 2, Page 10, Deschutes County, Oregon.

Parcel 3:

Parcel 2 of PARTITION PLAT NO. 1999-51, recorded November 3, 1999 in Partition Cabinet 2, Page 12, Deschutes County, Oregon.

Parcel 4:

Parcel 1 of PARTITION PLAT NO. 1999-51, recorded November 3, 1999 in Partition Cabinet 2, Page 12, Deschutes County, Oregon.

Parcel 5:

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 ½" pipe per County Survey No. CS13834 monumenting the East ¼ 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 ¾" 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 ½" 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 ½" pipe per said CS13834 on the right of way 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 point of beginning of a curve of said centerline, a point witnessed by a ½" pipe with cap 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 to a ½" pipe with cap on the right of way 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 the ½" pipe per County Survey No. CS13834 monumenting the East ¼ 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 1048.52 feet (cited in CS13834 as S00°24'37"E) to a ½" 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 ¾" pipe; thence S89°48'14"W and along the South line of the N1/2 NE1/4 of said section – 349.95 feet to a ½" pipe with cap; thence N50°49'01"E and leaving said Parcel 2 boundary – 448.78 feet to the point of beginning.

Parcel 6:

Parcel 1 of PARTITION PLAT NO. 1999-50 located in Sections 17, 18, 19 and 20 of Township 14 South and Range 12 East of the Willamette Meridian, Deschutes County, Oregon, except the following described parcel described as follows:

Beginning at a 5/8" iron rod at the southerly angle point of said Parcel 1 in Section 19; thence North 76°09'18" West 1432.27 feet along the southerly boundary of said Parcel 1 to a 5/8" iron rod; thence leaving said southerly boundary, North 32°30'26" East 300.00 feet; thence South 69°01'15" East 1056.23 feet to a point that is 1.00 feet north of the northeast corner of a concrete slab for pivot irrigation; thence South 67°34'15" East 412.03 feet to the southerly boundary of said Parcel 1; thence South 66°19'04" West 150.29 feet to the point of beginning.

Parcel 7:

Parcel 1 of PARTITION PLAT No. 1996-26, recorded June 4, 1996, in Partition Cabinet 1, page 508, Deschutes County, Oregon.

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55333-80353 4876-1478-3840.3

EXHIBIT B
to Statutory Warranty Deed

Special Exceptions

(Numbered to correspond with the Preliminary Title Report Order No. WT0246037 Revision 9)

6. The Land has been classified as Farm Land, as disclosed by the tax roll. If the Land becomes disqualified, said Land may be subject to additional taxes and/or penalties.

Account No.: 124836, 191152, 199715, 199716, 199772, 199773 and 124835

7. Regulations, including levies, liens, assessments, water and irrigation rights and easements for ditches and canals of the Three Sisters Irrigation District.
8. Rights of the public to any portion of the Land lying within the limits of roads and highways.
9. The existence of roads, railroads, irrigation ditches and canals, telephone, telegraph and power transmission facilities.
10. Any adverse claim based on the assertion that any portion of the subject land has been removed from or brought within the subject land's boundaries by the process of accretion or reliction or any change in the location of Deschutes River.

Any adverse claim based on the assertion that any portion of the subject land has been created by artificial means or has accreted to such portions so created, or based on the provisions of ORS 274.905 through 274.940.

Any adverse claim based on the assertion that any portion of the subject land is now or at any time has been below the ordinary high water line of Deschutes River.

Rights of fishing, navigation, commerce, flood control, propagation of anadromous fish, and recreation, and other rights of the public, Indian tribes or governmental bodies in and to the waters of Deschutes River.

11. The right of way of Kidder Road and Lower Bridge Road, as disclosed by survey by Povey and Associates dated April 18, 2023, document number 22-187-ALTA.
12. Reservations, exceptions and provisions contained in the patent from the United States of America, and in the acts authorizing the issuance thereof.

Recording Date: October 1908
Recording No: 1-458, Patent Records
(Affects Parcels 1 & 7)

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13. Reservations, exceptions and provisions contained in the patent from the United States of America, and in the acts authorizing the issuance thereof.

Recording Date: October 17, 1908
Recording No: 2-11, Patent Records
(Affects Parcels 1, 2, and 3)

14. Reservations, exceptions and provisions contained in the patent from the United States of America, and in the acts authorizing the issuance thereof.

Recording Date: January 11, 1913
Recording No: 2-472, Patent Records
(Affects Parcels 2 & 5)

15. Reservations, exceptions and provisions contained in the patent from the United States of America, and in the acts authorizing the issuance thereof.

Recording Date: August 13, 1917
Recording No: 21-311
(Affects Parcels 2, 5, & 6)

16. Reservations, exceptions and provisions contained in the patent from the United States of America, and in the acts authorizing the issuance thereof.

Recording Date: August 4, 1920
Recording No: 29-165
(Affects Parcels 2, 3, & 4)

17. Reservations, exceptions and provisions contained in the patent from the United States of America, and in the acts authorizing the issuance thereof.

Recording Date: March 8, 1941
Recording No: 59-536
(Affects Parcel 7)

18. Reservation of all iron, oil or other valuable minerals in or upon these lands, together with the right to use so much of the surface as may be necessary in exploring for said minerals, or in mining and removing the same, as disclosed in Deed,

Recording Date: March 4, 1943
Recording No.: 62-319
(Affects Parcels 1, 3 & 7)

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19. Reservation of all oil, gas, minerals, hydrocarbon substances and diatomaceous earth, together with an implied easement for mining and removing the same, as disclosed in Warranty Deed,
- Recording Date: April 10, 1972
Recording No.: 183-698
(Affects Parcels 1, 2, 3, 4, & 7)
20. Road, pipeline easement, and right of way, as disclosed in Warranty Deed,
- Recording Date: July 13, 1977
Recording No.: 253-882
21. Conveyance of 10% interest of all mineral rights, as disclosed in Warranty Deed,
- Recording Date: January 12, 1984
Recording No.: 40-283
(Affects Parcels 1, 2, 3, 4, & 7)
22. Road and pipeline easement, as disclosed in Sheriff's Deed,
- Recording Date: February 8, 1984
Recording No.: 43-110
23. Conservation Agreement, including the terms and provisions thereof,
- Recording Date: May 20, 1996
Recording No: 409-2494
Between: Big Falls Ranch Co., an Oregon corporation
And: Deschutes County, a political subdivision of the State of Oregon
24. Easements, conditions, restrictions and notes as delineated on the recorded Partition Plat 1996-26. (Affects Parcel 7)
25. Waiver of Remonstrance, including the terms and provisions thereof,
- Recording Date: February 26, 1997
Recording No.: 439-857
(Affects Parcel 7)
26. Easements, conditions, restrictions and notes as delineated on the recorded Partition Plat 1999-50. (Affects Parcels 2, 5 & 6)
27. Easements, conditions, restrictions and notes as delineated on the recorded Partition Plat 1999-51. (Affects Parcels 1, 3, & 4)

7 - EXHIBIT B to STATUTORY WARRANTY DEED

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14336 -

28. [Intentionally Deleted]
29. Terms, provisions and conditions, including, but not limited to, maintenance provisions, and a covenant to share the costs of maintenance, contained in Deed of Easement,
- Recording Date: August 17, 2004
Recording No.: 2004-49221
30. [Intentionally Deleted]
31. Terms, provisions and conditions, including, but not limited to, maintenance provisions, and a covenant to share the costs of maintenance, contained in Deed of Easement,
- Recording Date: August 17, 2004
Recording No.: 2004-49222
(Affects Parcels 5 & 6)
32. Restrictions, as disclosed in Warranty Deed,
- Recording Date: May 6, 2005
Recording No.: 2005-28145
(Affects Parcel 5)
33. Three Sisters Irrigation District Order for the Creation of a Subdistrict, including the terms and provisions thereof,
- Recording Date: November 15, 2005
Recording No.: 2005-78593
34. Order No. 2007-075, Order Approving a Waiver of Land Use Regulations, including the terms and provisions thereof,
- Recording Date: July 27, 2007
Recording No.: 2007-41544
35. Effect of designation that any portion of the subject land is within scenic waterway boundaries under Oregon Revised Statutes Chapter 390, as disclosed, in part, by notice or other instrument,
- Recording Date: January 12, 2009
Recording No. : 2009-01059
36. [Intentionally deleted]
37. [Intentionally deleted]

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38. [Intentionally deleted]
39. [Intentionally deleted]
40. [Intentionally deleted]
41. Bargain and Sale Deed (Water Rights Conveyance) including the terms and provisions thereof,
- Recording Date: December 1, 2022
Recording No: 2022-42155
Between: Big Falls Ranch Co., an Oregon corporation
And: Pinnacle Utilities, LLC, an Oregon limited liability company
42. A manufactured home situated on the subject land is classified as personal property, as disclosed by the ownership records of the Building Codes Division. Unless a manufactured home is reclassified from personal to real property, a manufactured housing endorsement (ALTA End. 7-06, 7.1-06 or 7.2-06) is not available until reclassification is completed and an appropriate approval is recorded. NOTE: Depending on circumstances, a manufactured home may be classified as personal property but assessed as real property under ORS 308.875.
(Affects Parcels 5, 6, & 7)
43. [Intentionally deleted]
44. [Intentionally Deleted]
45. License for encroachment including the terms and provisions thereof,
- Entitled: License Agreement Big Falls Ranch Co. to Faltus
In favor of: Eugene S. Faltus and Joyce A. Faltus
Purpose: Encroachment
Recording Date: August 17, 2004
Recording No: 2004-49220
46. [Intentionally deleted]
47. Reservations, exceptions and provisions contained in the patent from the United States of America, and in the acts authorizing the issuance thereof.
- Recording Date: June 10, 1909
Recording No: 2-116, Patent Records
(Affects Parcels 2, 3, and 4)

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48. Right of way, as disclosed in Warranty Deed,

Recording Date: May 21, 1981

Recording No.: 341-381

49. Any easements or rights of way for existing utilities or other rights of way over those portions of said Land lying within the public right of way vacated by resolution or ordinance, Order No. 91-029,

Recording Date: April 11, 1991

Recording No: 232-1127

50. Easement(s) for the purpose(s) shown below and rights incidental thereto as set forth in a document:

Entitled: Power Line Easement

In favor of: Central Electric Cooperative, Inc., a cooperative corporation

Recording Date: April 23, 1991

Recording No: 233-601

(Affects Parcel 6)

51. Easement(s) for the purpose(s) shown below and rights incidental thereto as set forth in a document:

Entitled: Power Line Easement

In favor of: Central Electric Cooperative, Inc., a cooperative corporation

Recording Date: June 28, 1994

Recording No: 344-371

(Affects Parcels 5 & 6)

52. Easement(s) for the purpose(s) shown below and rights incidental thereto as set forth in a document:

Entitled: Power Line Easement

In favor of: Central Electric Cooperative, Inc., a cooperative corporation

Recording Date: June 28, 1994

Recording No: 344-373

(Affects Parcel 6)

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53. Gravel road encroachment, as disclosed by survey by Povey and Associates dated April 18, 2023, document number 22-187-ALTA.
54. Fence encroachments, as disclosed by survey by Povey and Associates dated April 18, 2023, document number 22-187-ALTA.
55. [Intentionally Deleted]
56. [Intentionally Deleted]
57. Unrecorded easement for utilities within the right of way of Lower Bridge Road, as disclosed by survey by Povey and Associates dated April 18, 2023, document number 22-187-ALTA.
58. Right, title and interest of Roger and Cynthia Grossman, due to deed overlap, as disclosed by survey by Povey and Associates dated April 18, 2023, document number 22-187-ALTA.
59. Bureau of Land Management right of way grant serial number 45836, as disclosed by survey by Povey and Associates dated April 18, 2023, document number 22-187-ALTA.

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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): IN CARE OF DRY FLY MANAGEMENT CO. FOR BIG FALLS, LLC

Mailing Address: 70395 NW LOWER BRIDGE WAY

City: TERREBONNE

State: OR

Zip Code: 97760

Daytime Phone: 541-389-2837

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>16</u>		<u>1501</u>	<u>RR10, LM, SMIA</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Irrigation</u>
<u>"</u>	<u>"</u>	<u>3, 4, 9</u>		<u>1500</u>	<u>EFULB</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	<u>Water pumped from well and piped</u>
<u>"</u>	<u>"</u>	<u>8, 9</u>		<u>1400</u>	<u>EFULB</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	<u>Water piped through</u>
<u>"</u>	<u>"</u>	<u>8, 9, 17</u>		<u>1403</u>	<u>EFULB</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	<u>Water piped through</u>
<u>"</u>	<u>"</u>	<u>17</u>		<u>1402</u>	<u>EFULB</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	<u>Water pumped from well and piped</u>
<u>"</u>	<u>"</u>	<u>8, 17</u>		<u>1404</u>	<u>EFULB</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	<u>Water pumped from well and piped</u>
<u>"</u>	<u>"</u>	<u>17, 18, 20</u>		<u>1405</u>	<u>EFULB</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	<u>Water piped through</u>
<u>"</u>	<u>"</u>	<u>18, 19</u>		<u>1406</u>	<u>EFULB</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	<u>Water pumped from well and piped</u>

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

Deschutes County.

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B. Description of Proposed Use

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

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

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

Estimated quantity of water needed: 0.074 ☒ 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 temporarily change the place of use for a 5.9 acre portion of an irrigation use water right to be used on TL 1412000001501 as part of a habitat restoration project, irrigating grasses on a former mine site. The other tax lots are included as they are part of the diversion system, a piped network of 4 wells appurtenant to TL's 1412000001500, 1412000001400, 1412000001403, 14000001402, 1412000001404, 1412000001405, & 1412000001406.

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. →

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For Local Government Use Only

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

Please check the appropriate box below and provide the requested information

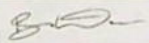
- ☒ Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s):
- ☐ Land uses to be served by the proposed water uses (including proposed construction) involve discretionary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

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

Pursuant to DCC 18.60.020(D), 18.16.020(A), 18.56.040, and 18.88.30, the proposed use(s) are allowed outright in the RR10 and EFU zones, and by extension, in the SMIA and LM Combining Zones.

Name: Ben Wilson Title: Assistant Planner

Signature:  Phone: 541-385-1713 Date: 09/22/2023

Government Entity: Deschutes County Community Development

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

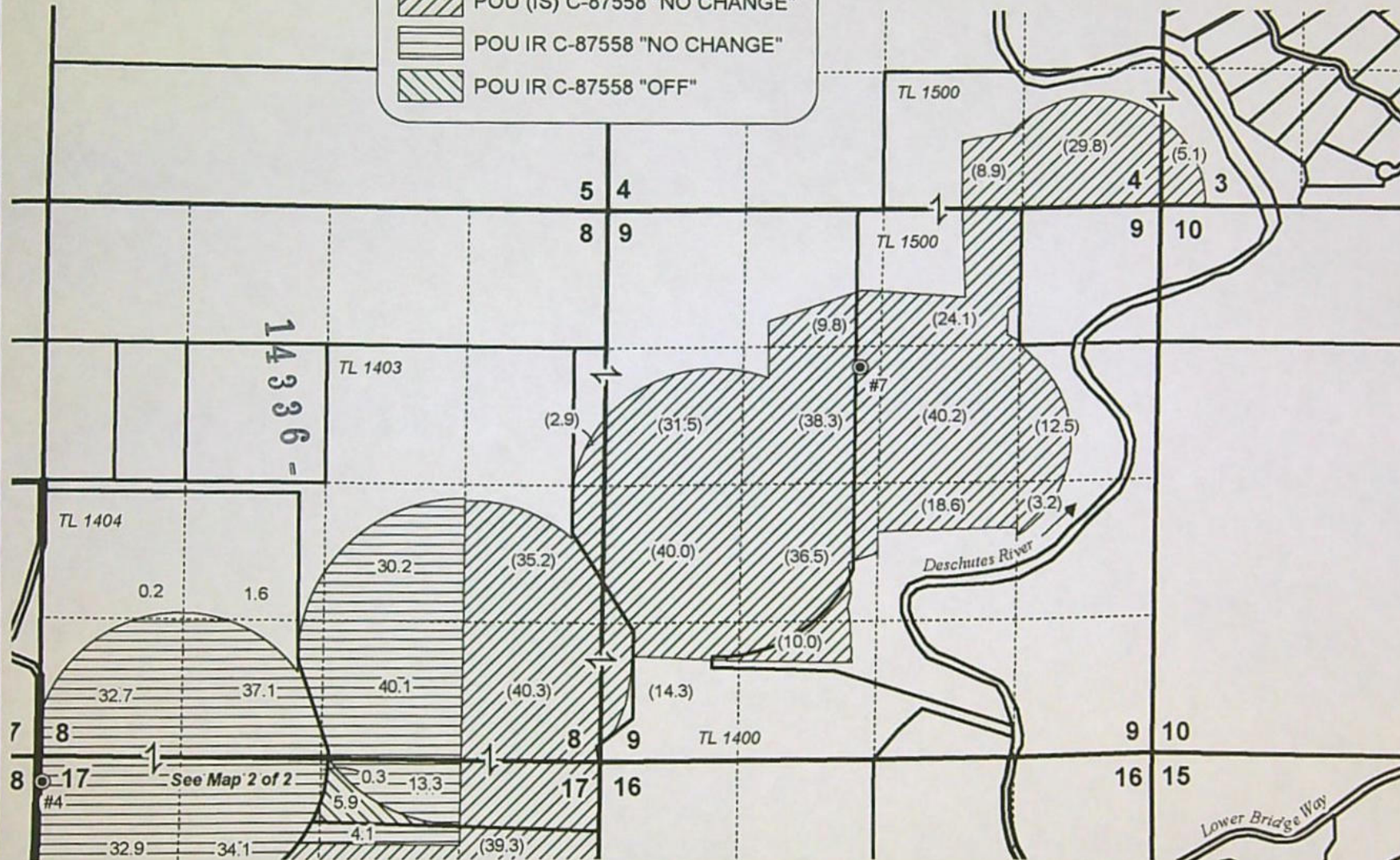
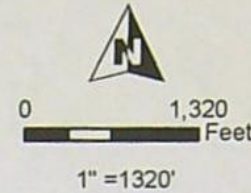
Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

T14S R12E, WM
DESCHUTES COUNTY, OR

● Well
 □ Section
 - - - Quarter Quarter
 □ Tax Lot
 ▨ POU (IS) C-87558 "NO CHANGE"
 ▩ POU IR C-87558 "NO CHANGE"
 ▧ POU IR C-87558 "OFF"



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**TEMPORARY TRANSFER MAP
Big Falls Ranch**

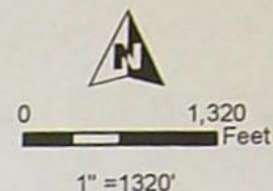
Date: 9/15/2023

Cert: 87558 5/15/1989 Priority ("OFF" MAP 1 OF 2)

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

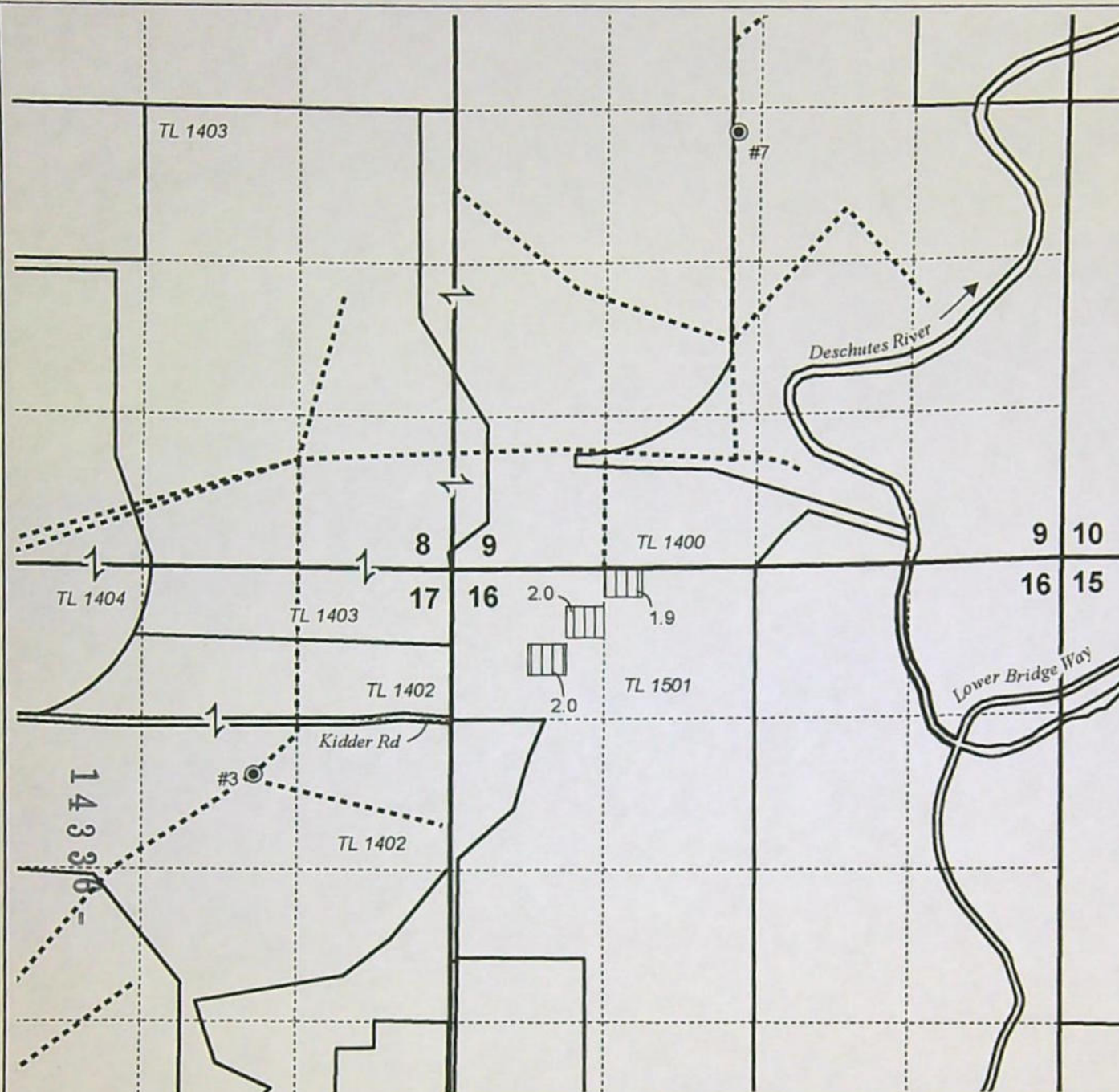
WATER RIGHT SERVICES, LLC
PO BOX 1830, BEND, OR 97709
WWW.OREGONWATER.US CCB # 197121
johnshort@usa.com 541-389-2837

T14S R12E, WM
DESCHUTES COUNTY, OR



- Well
- Pipeline
- Section
- Quarter Quarter
- Tax Lot
- Pipeline
- ▨ POU IR C-87558 "ON"

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TEMPORARY TRANSFER MAP
Big Falls Ranch

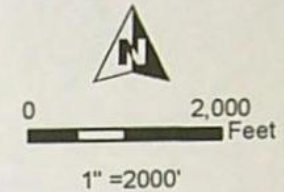
Date: 9/15/2023

Cert: 87558 5/15/1989 Priority ("ON" MAP 1 OF 1)

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

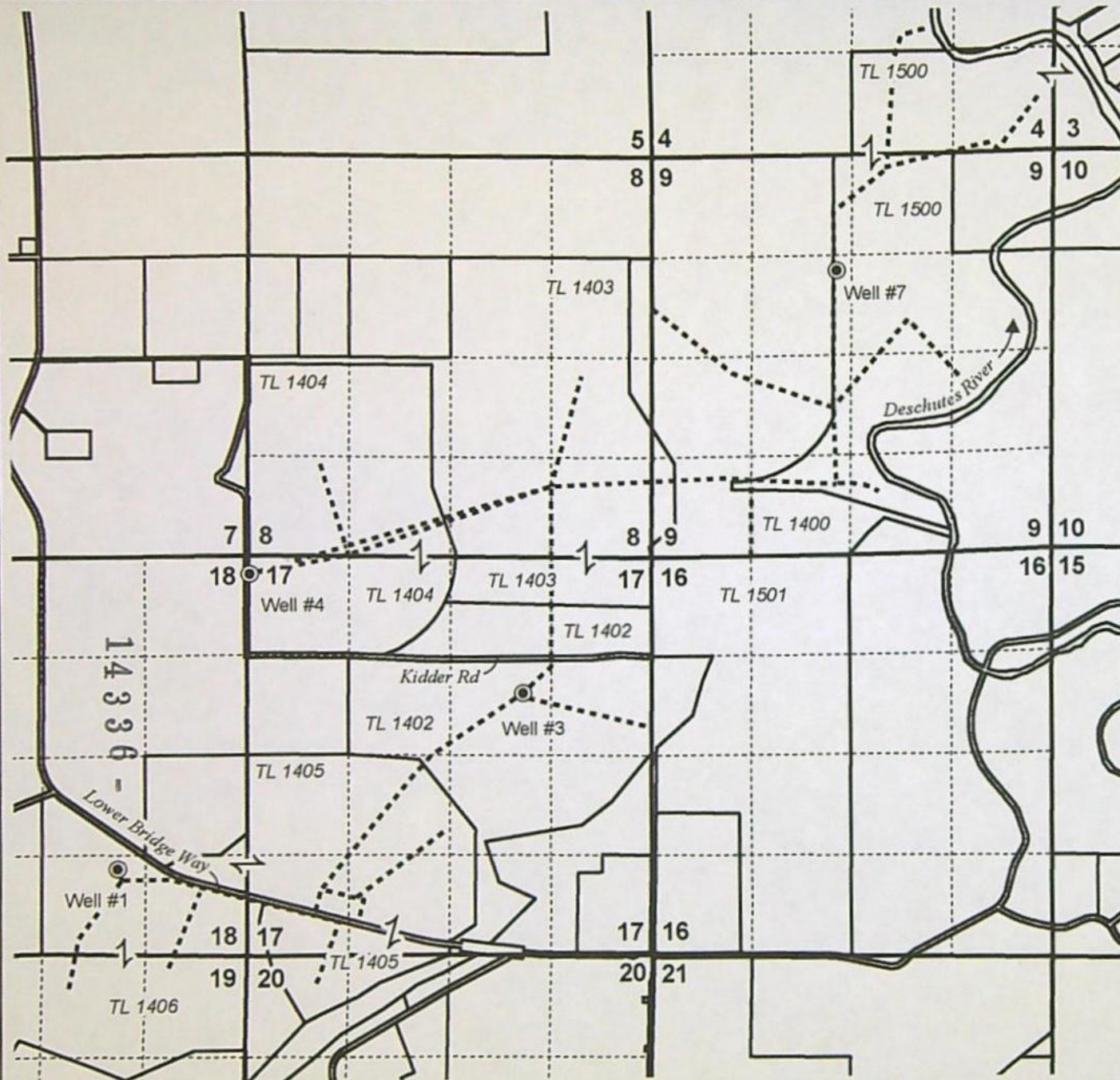
WATER RIGHT SERVICES, LLC
PO BOX 1830, BEND, OR 97709
WWW.OREGONWATER.US CCB # 197121
johnshort@usa.com 541-389-2837

T14S R12E, WM DESCHUTES COUNTY, OR



- Auth. Wells
- Pipeline
- Section
- Quarter Quarter
- Tax Lot

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Well Locations:

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



TEMPORARY TRANSFER MAP Big Falls Ranch

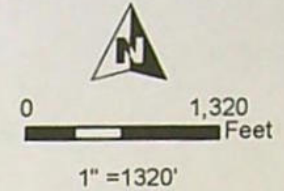
Date: 9/15/2023

Well & Delivery System Map

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

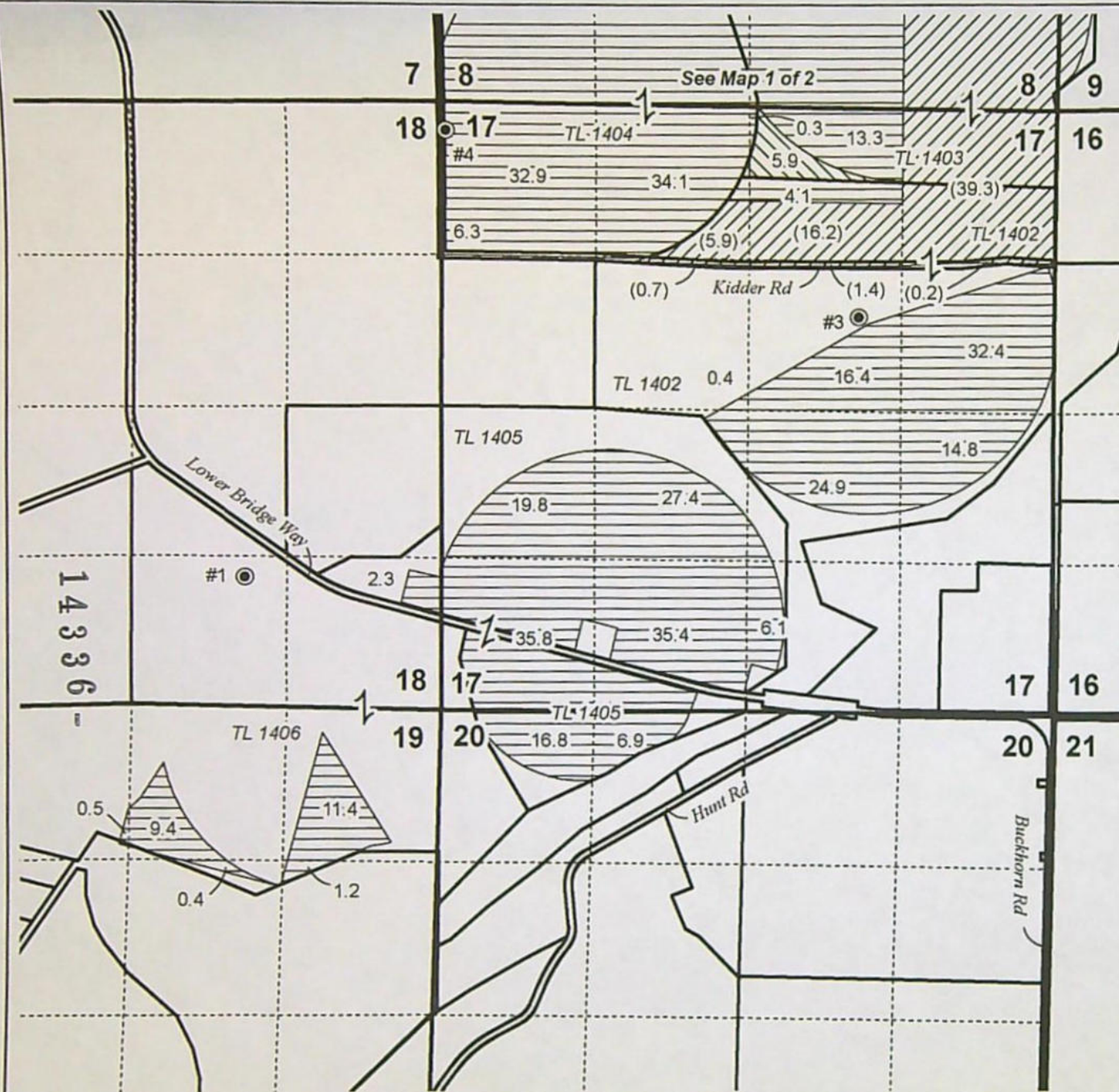
WATER RIGHT SERVICES, LLC
PO BOX 1830, BEND, OR 97709
WWW.OREGONWATER.US CCB # 197121
johnshort@usa.com 541-389-2837

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



- Well
- Section
- Quarter Quarter
- Tax Lot
- ▨ POU IR C-87558 "OFF"
- ▨ POU IR C-87558 "NO CHANGE"
- ▨ POU (IS) C-87558 "NO CHANGE"

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**TEMPORARY TRANSFER MAP
Big Falls Ranch**

Date: 9/15/2023

Cert: 87558 5/15/1989 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

Temporary Transfer Application Checklist

4 year temp trans -
IF drought mark drought here

Check the Certificate(s)

Transfer # T-14336

Checked by: <u>Joan</u>	Type of Change(s) <u>No other changes other than those listed:</u> (Mark the proposed changes)	POU/POD	POU/APOD	POU
Date: <u>10/9/23</u>		POU/POA	POU/APOA	
Fee Received: <u>965.93</u>		How many rights to be Transferred?		
Calculated Fee: <u>965.93</u>		Certificate # <u>07558</u>		
Additional observations: <u>4 year temp trans POU A</u>				

If OK, check box; if not, fill in.

- ☒ 1. Is the applicant information complete? Have all the applicants listed at the top of the page signed at the bottom?
If not, what is missing? Whose signature is missing? _____
- ☒ 2. Has the applicant indicated that the place of use is in or near an irrigation district? Have they included a Form D? ☒ N/A.
Name of the District _____
- ☒ 3. Part 5 of application, have the applicants completed the entire page and does the information match the description of the explanation of the reasons on Part 4 of the application?
If not, you may need to contact the applicant or agent? _____
- ☒ 4. For multiple certificates do each of the certificates listed on Application Page 1 have their own separate completed Part 5 tables 1 & 2?
If no, which certificates are missing a separate Part 5 tables 1 & 2? _____
- ☒ 5. Has the map been completed? Does the map meet the requirements? Can you tell which lands are off and on and where the lands are located? If not, what is missing?

- ☐ 6. If a change in point of appropriation, have the well logs been included? ☒ N/A.
- ☐ 7. If a change in place of use within Umatilla County, have the applicant(s) provided a Supplemental Form U? ☒ N/A.
- ☒ 8. If all boxes on this checklist are checked (with no remaining deficiencies identified), accept the application. Put this check sheet in the transfer folder.

OR:

- ☐ This application is deficient, and **CANNOT** be accepted. It should be returned and the deficiencies listed in the "staff" section at the bottom of Application Page 1, unless the applicant or agent can resolve the deficiencies within 2-3 days.

Actions taken: _____ date _____

14336 -

Temporary Transfer Application Checklist

FEE WORKSHEET for TEMPORARY DROUGHT TRANSFERS			
1	Base Fee (includes drought application and recording fee for up to 1.0 cubic foot per second (cfs))	Line -1	\$200.00
2	Enter the cfs for the portions of the rights to be transferred (see example below*) _____ (2a) Subtract 1.0 from the number in 2a above _____ (2b) If <u>2b</u> is <u>0</u> enter <u>0</u> on line 2 If 2b is greater than 0, round to the nearest whole number: _____ (2c) and mulitpy by \$50.00, then enter on line 2	Line -2	
3	Add entries on lines 1 through 2 above Total Fee	Line -3	

*Example for Line 2a calculation to transfer 45.0 acres of Primary Certificate 12345 (total 1.25 cfs for 100 acres) and 45.0 acres of Supplemental Certificate 87654 (1/80 cfs per acre) on the same land: 1. Divide total authorized cfs by total acres in the water right (for C12345, $1.25 \text{ cfs} \div 100 \text{ ac}$); then multiply by the number of acres to be transferred to get the transfer cfs ($\times 45 \text{ ac} = 0.56 \text{ cfs}$). 2. If the water right certificate does not list total cfs, but identifies the allowable use as 1/40 or 1/80 of a cfs per acre; multiply number of acres proposed for change by either 0.025 (1/40) or 0.0125 (1/80). (For C87654, $45.0 \text{ ac} \times 0.0125 \text{ cfs/ac} = 0.56 \text{ cfs}$) 3. Add cfs for the portions of water rights on all the land included in the transfer; however do not count cfs for supplemental rights on acreage for which you have already calculated the cfs fee for the primary right on the same land. The fee should be assessed only once for each "on the ground" acre included in the transfer. (In this example, blank 2a would be only 0.56 cfs, since both rights serve the same 45.0 acres. Blank 2b would be 0 and Line 2 would then also become 0).

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