

T-14074

Temporary

T-14074

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

Change in POU, POA  
 Date Filed 8-17-2022  
 Initial notice date 8-23-2022  
 DPD issued date \_\_\_\_\_  
 PD issued date \_\_\_\_\_  
 PD notice date \_\_\_\_\_  
 Date of FO \_\_\_\_\_ Vol \_\_\_\_\_ Page \_\_\_\_\_

C-Date \_\_\_\_\_  
 COBU due date \_\_\_\_\_  
 COBU Received date \_\_\_\_\_  
 Certificate issued \_\_\_\_\_

## DESCRIPTION OF WATER RIGHT(s)

Name of Stream A WellTrib. of Deschutes River BasinUse Irrigation: Supplemental IR County Deschutes

Quantity of water (CFS) \_\_\_\_\_ No. of Acres \_\_\_\_\_

Name of ditch \_\_\_\_\_

App# S-43479 Per # S-32049 Cert # 96190 PR Date 4/13/1967App# S-43479 Per # S-32049 Cert # 96192 PR Date 4/13/1967

App# \_\_\_\_\_ Per # \_\_\_\_\_ Cert # \_\_\_\_\_ PR Date \_\_\_\_\_ Date \_\_\_\_\_

App# \_\_\_\_\_ Per # \_\_\_\_\_ Cert # \_\_\_\_\_ PR Date \_\_\_\_\_

App# \_\_\_\_\_ Per # \_\_\_\_\_ Cert # \_\_\_\_\_ PR Date \_\_\_\_\_

## FEES PAID

Date 08/17/22 Amount \$1,674.99 Receipt # 138939

## FEES REFUNDED

Amount \_\_\_\_\_ Receipt # \_\_\_\_\_

Assignments: \_\_\_\_\_

Irrigation District Tumalo Irrigation District; Central Oregon Irrigation DistrictAgent John A. Short - johnashort@usa.com

CWRE \_\_\_\_\_

CC's list Deschutes County☐ - Oversized map - Location \_\_\_\_\_

Deschutes  
 Paused per Lisa



# T15S R12E, WM DESCHUTES COUNTY, OR



1" = 2,000'

● Well "ON"

▨ POU QM "ON"

□ Section

--- Quarter Quarter

□ Tax Lot

Well Locations:

- #1: 2519' S, 578' W of NE Cor Sec 28
- #2: 2958' S, 2316' W of NE Cor Sec 28
- #3: 1752' S, 3044' W of NE Cor Sec 28
- #4: 1677' N, 1466' W of SE Cor Sec 29
- #5: 205' S, 434' W of E 1/4 Cor Sec 20
- #6: 244' N, 1667' W of E 1/4 Cor Sec 20
- #7: 2446' S, 1180' W of N 1/4 Cor Sec 17



Barr Rd

Tumalo Cline Falls Mkt Rd

Cert: 87558 5/15/1989 Priority  
Cert: 96190 4/13/1967 Priority  
Cert: 96192 4/13/1967 Priority

**TEMPORARY TRANSFER "ON" MAP**  
For  
**Pinnacle Utilities, LLC**

Date: 6/17/2022

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

**WATER RIGHT SERVICES, LLC**

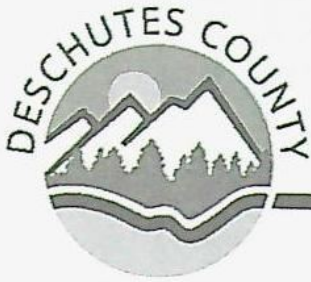
PO BOX 1830, BEND, OR 97709

[WWW.OREGONWATER.US](http://WWW.OREGONWATER.US) 541-389-2837

[johnshort@usa.com](mailto:johnshort@usa.com)

CCB # 197121





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COMMUNITY DEVELOPMENT

OWRD

August 16, 2022

## Thornburgh Destination Resort Land Use Approval Summary

The Thornburgh Destination Resort has a lengthy and complex history that began in 2005, and includes decisions by County Staff, Hearings Officers, the Board of County Commissioners (BOCC), the Land Use Board of Appeals (LUBA), the Oregon Court of Appeals, and the Oregon Supreme Court. Below is a summary of Deschutes County Land Use Approvals for the Thornburgh Destination Resort.

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Conceptual Master Plan (File No. CU-05-20): On February 16, 2005, Thornburgh Resort Company, LLC (TRC) applied for the Resort Conceptual Master Plan (CMP) approval for the Thornburgh Destination Resort. The application was denied by the Hearings Officer on November 9, 2005. The BOCC issued Order Nos. 2005-143 and 2006-016 to call-up the Hearings Officer decision for review. On May 11, 2006, the BOCC approved the CMP. Annunziata Gould ("Gould") and Steve Munson ("Munson") appealed the BOCC decision to the Land Use Board of Appeals (LUBA Nos. 2006-100 and 2006-101). LUBA remanded the BOCC decision on May 14, 2007 (Gould v. Deschutes County, 54 Or LUBA 2005 (2007)). The LUBA decision was appealed to the Court of Appeals. On November 7, 2007, the Court of Appeals reversed and remanded LUBA's decision (Gould v. Deschutes County, 216 Or App 150, 171 P3d 1017 (2007)). The result was the BOCC decision in CU-05-20 approving the CMP was remanded to the County for further proceedings.

On April 15, 2008, the BOCC issued its decision on remand, again approving the CMP (Order No. 2008-151). Gould and Munson appealed the BOCC remand decision to LUBA on May 6, 2008 (LUBA No. 2008-068). On September 11, 2008, LUBA affirmed the BOCC decision (Gould v. Deschutes County, 57 Or LUBA 403 (2008)). That decision was appealed to the Court of Appeals (A140139). On April 22, 2009, the Court affirmed LUBA's decision (Gould v. Deschutes County, 227 Or App 601, 206 P3d 1106 (2009)). On October 9, 2009, the Supreme Court denied review (Gould v. Deschutes County, 347 Or 258, 218 P3d 540 (2009)). On December 9, 2009, the Court of Appeals issued its appellate judgement and the CMP received final approval as of December 9, 2009.

CMP Initiation of Use (File No. DR-11-8): On November 1, 2011, TRC applied for a Declaratory Ruling to demonstrate the CMP had been timely initiated. The Hearings Officer found the CMP was timely initiated. The BOCC declined to hear the appeal and Gould filed a LUBA appeal. On appeal, LUBA



remanded that decision (LUBA No 2012-042). LUBA's decision was affirmed by the Court of Appeals, without opinion (Gould v. Deschutes County, 256 Or App 520, 301 P3d 978 (2013)). On remand, the Hearings Officer found the CMP was not timely initiated. TRC appealed the Hearings Officer's decision to the BOCC. The BOCC issued a decision finding the CMP was "initiated" before the two-year deadline expired. Gould appealed the BOCC decision to LUBA. On appeal, LUBA remanded this decision back to the BOCC decision on January 30, 2015 (LUBA No 2015-080). However, LUBA's decision was appealed and the Court of Appeals reversed and remanded stating that the express language of the County Code requires Defendant to substantially exercise the permit conditions as a whole, and any failure to initiate development by fully complying with the conditions should not be the fault of the applicant, a determination of which must be based on more than just the complexity of the process. The Court also held that the County could not interpret the County Code contrary to a prior LUBA order in this same litigation, as the lower tribunal was bound to follow the appellate Court's Ruling (Gould v Deschutes County, 272 Or App 666 (2015)). Later, as part of the submitted application materials for the Golf Course Site Plan review, the applicant included the following clarification on the status of the remand:

*"Loyal Land has not initiated a review on remand. This application is moot, however, because the Resort's Final Master Plan (FMP) incorporates and satisfies all conditions of the CMP and has received final approval."*

Final Master Plan (File Nos. M-07-2/MA-08-6): Thornburgh Resort Company filed for approval of the Resort Final Master Plan (FMP) in 2007, which was later amended in 2008. The application was approved by the County, appealed by Gould, and subsequently remanded by LUBA to address issues regarding the Thornburgh Wildlife Mitigation Plan (Gould v. Deschutes County, 59 Or LUBA 435 (2009)). The LUBA decision was appealed to the Court of Appeals. The Court affirmed LUBA's decision (Gould v. Deschutes County, 233 Or App 623, 227 P3d 759 (2010)). In 2015, on remand, the County denied approval of the FMP. Central Land and Cattle Company, LLC ("Central")<sup>[1]</sup> successfully appealed the denial and LUBA remanded the County decision (Central Land and Cattle Company v. Deschutes County, 74 Or LUBA 326 (2016)). The Court of Appeals affirmed LUBA's decision without opinion (A163359). On the second remand, the FMP was approved by the County. The County decision was appealed by Gould. The County's approval was affirmed by LUBA (LUBA No. 2018-008, August 21, 2018) and the FMP is now final.

Tentative Plan & Site Plan - Phase A-1 Residential/OLU Lots & Utility Facilities (File Nos. 247-18-000386-TP/247-18-000454-SP/247-18-000592-MA): In May 2018, Central filed for approval of its Phase A-1 Tentative Plan and Site Plan review for utility facilities authorized by the CMP and FMP. The Hearings Officer approved the request with conditions. The BOCC declined review of an appeal (Order No.

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<sup>[1]</sup> In October 2017, Central purchased all of the land within the Resort from TRC.



2018-073). Gould filed an appeal to LUBA (LUBA No. 2018-140). LUBA remanded the County's decision on following issue:

*"On remand, the county must consider whether, without TP Condition 17, the tentative plan for Phase A-1 satisfies the no net loss/degradation standard and whether a change in the source of mitigation water constitutes a substantial change to the FMP approval, requiring a new application, modification of the application, or other further review consistent with FMP and DCC destination resort regulations."*

The LUBA remand decision was appealed to the Court of Appeals (A171603), but the appeal was dismissed based on the filing deadline. The Court of Appeals denied reconsideration of said order of dismissal. The Oregon Supreme Court accepted review of Court of Appeals order denying reconsideration of the order-dismissing petition for review (S067074). The Supreme Court agreed with Gould and instructed the Court of Appeals to hear that matter. The Court of Appeals subsequently affirmed LUBA's decision in LUBA No. 2018-140 (A171603). In August 2021, Central initiated a second a remand application (file no. 247-21-000731-A). The Hearings Officer issued a remand decision approving 247-21-000731-A (the Tentative Plan for Phase A-1 of the Thornburgh Destination Resort), thus clarifying and affirming the county's past approval of 247-18-000386-TP, 18-000454-SP, and 18-000542-MA. The BOCC declined review of an appeal (Order No. 2021-059). The County's decision was appealed to LUBA by Gould and LUBA affirmed the County's decision (LUBA No. 2021-112). A petition for judicial review has been filed to the Oregon Court of Appeals.

Site Plan – Phase A Golf Course (File No. 247-19-000881-SP): In December 2019, Central filed for Site Plan approval for a golf course authorized by the CMP and FMP. In April 2020, the Deschutes County Planning Division administratively approved the application. The BOCC called up an appeal filed by Gould and Central Oregon LandWatch (Order No. 2020-016). The BOCC affirmed the administrative approval on August 31, 2020. The County decision was appealed to LUBA and LUBA affirmed (LUBA No. 2020-095). The LUBA decision was appealed by Gould to the Court of Appeals (A176353). The Court of Appeals affirmed and the Oregon Supreme Court declined review (S069050). Therefore, the Site Plan approval for the golf course is final.

Site Plan – Phase A 80 OLU's (File No. 247-21-000508-SP): In May 2021, Central filed for site plan approval for 80 overnight lodging units authorized under the CMP and FMP. In September 2021, the Deschutes County Planning Division administratively approved the site plan. An appeal was filed by Gould, and the Hearings Officer denied the issues on appeal (file no. 247-21-000849-A) and approved the site plan. The BOCC declined review of an appeal (Order No. 2022-002). The County's decision was appealed to LUBA by Gould and LUBA affirmed the County's decision (LUBA No. 2022-013). A petition for judicial review has been filed to the Oregon Court of Appeals.

2022-01-03

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247-22-000607-PS

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Page 3 of 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): Deschutes County Code (DCC) 18.16.020
- ☒ 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:	
The Thornburgh Destination Resort Final Master Plan (FMP) and Phase A Golf Course Site Plan have received final land use approval. The Phase A-1 and A-2 Tentative Plans are locally approved. Additionally, the Site Plan approvals for 80 Overnight Lodging Units and Resort Facilities in Phase A are also locally approved. There are appeals related to the local approvals above pending review by the Land Use Board of Appeals (LUBA) and/or other State Courts. Additional development reviews for the Resort are pending and anticipated.	DCC 18.113	<input checked="" type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input checked="" 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
Changes to the Resort's approved water source(s) and/or the corresponding Fish & Wildlife Management Plan (FWMP) may require separate land use approval(s).	DCC 18.13.080 & DCC 22.36.040	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input checked="" 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.

Nothing in this LUCS signature should be interpreted to allow uses on the subject properties other than those allowed outright under the DCC 18.16.020 or those uses specifically proposed and approved in the Thornburgh Destination Resort land use decisions listed in the attached summary.

Name: Caroline House Title: Senior Planner

Signature: Caroline House Digitally signed by Caroline House  
DN: E=Caroline.House@deschutes.org,  
CN=Caroline House, OU=Users, OU=M365,  
C=US, DC=Deschutes, DC=org  
Date: 2022.08.16 17:05:46-0700 Phone: 541-388-6667 Date: 8/16/2022

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: \_\_\_\_\_ **RECEIVED**

City or County: \_\_\_\_\_ Staff contact: \_\_\_\_\_ **AUG 19 2022**

Signature: \_\_\_\_\_ Phone: \_\_\_\_\_ Date: \_\_\_\_\_ **OWRD**



**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: 0.079    ☒ 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 character of use, place of use, & the points of appropriation, for a 6.3 acre /0.079 cfs portion of Certificate 87558.**

**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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# 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 DeLashmott / 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	$\frac{1}{4}$ $\frac{1}{4}$	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
<u>15 S</u>	<u>12 E</u>	<u>17 &amp; 20</u>		<u>5000</u>	<u>EFUSC &amp; DR</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>QM</u>
<u>15 S</u>	<u>12 E</u>	<u>20</u>		<u>5001</u>	<u>EFUSC &amp; DR</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>QM</u>
<u>15 S</u>	<u>12 E</u>	<u>20</u>		<u>5002</u>	<u>EFUSC &amp; DR</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>QM</u>
<u>15 S</u>	<u>12 E</u>	<u>20, 21, &amp; 28</u>		<u>7700</u>	<u>EFUSC &amp; DR</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>QM</u>
<u>15 S</u>	<u>12 E</u>	<u>20</u>		<u>7701</u>	<u>EFUSC &amp; DR</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>QM</u>
<u>15 S</u>	<u>12 E</u>	<u>29 &amp; 30</u>		<u>7800</u>	<u>EFUSC &amp; DR</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>QM</u>
<u>15 S</u>	<u>12 E</u>	<u>29</u>		<u>7801</u>	<u>EFUSC &amp; DR</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>QM</u>
<u>15 S</u>	<u>12 E</u>	<u>29</u>		<u>7900</u>	<u>EFUSC &amp; DR</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>QM</u>
<u>15 S</u>	<u>12 E</u>	<u>30</u>		<u>8000</u>	<u>EFUSC &amp; DR</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>QM</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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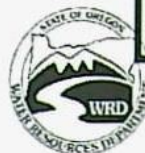
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# Land Use Information Form



Mailing Date:  
Oregon Water Resources Department  
Wednesday, August 17, 2022  
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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**Community Development Department**  
PO Box 6005 • Bend, OR 97708-6005  
117 NW Lafayette Avenue • Bend, OR 97701-1925

082247000019



OREGON WATER RESOURCES DEPARTMENT  
725 SUMMER ST NE STE A  
SALEM, OR 97301-1266

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**AUG 19 2022**

**OWRD**





0165460



**Community Development Department**

PO Box 6005 • Bend, OR 97708-6005  
117 NW Lafayette Avenue • Bend, OR 97701-1925

063247000024



OREGON WATER RESOURCES DEPARTMENT  
725 SUMMER ST NE STE A  
SALEM, OR 97301-1266

**RECEIVED**

**AUG 19 2022**

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

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<u>15 S</u>	<u>12 E</u>	<u>20</u>		<u>5001</u>	<u>EFUSC &amp; DR</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>QM</u>
<u>15 S</u>	<u>12 E</u>	<u>20</u>		<u>5002</u>	<u>EFUSC &amp; DR</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>QM</u>
<u>15 S</u>	<u>12 E</u>	<u>20, 21, &amp; 28</u>		<u>7700</u>	<u>EFUSC &amp; DR</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>QM</u>
<u>15 S</u>	<u>12 E</u>	<u>20</u>		<u>7701</u>	<u>EFUSC &amp; DR</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>QM</u>
<u>15 S</u>	<u>12 E</u>	<u>29 &amp; 30</u>		<u>7800</u>	<u>EFUSC &amp; DR</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>QM</u>
<u>15 S</u>	<u>12 E</u>	<u>29</u>		<u>7801</u>	<u>EFUSC &amp; DR</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>QM</u>
<u>15 S</u>	<u>12 E</u>	<u>29</u>		<u>7900</u>	<u>EFUSC &amp; DR</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>QM</u>
<u>15 S</u>	<u>12 E</u>	<u>30</u>		<u>8000</u>	<u>EFUSC &amp; DR</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>QM</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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**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: 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 temporarily change the character of use, place of use, the points of appropriation for a 47.6 acre/0.548 cfs portion of Certificate 96190 and a 106.1 acre/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. →

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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): Deschutes County Code (DCC) 18.16.020
- ☒ 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:	
The Thornburgh Destination Resort Final Master Plan (FMP) and Phase A Golf Course Site Plan have received final land use approval. The Phase A-1 and A-2 Tentative Plans are locally approved. Additionally, the Site Plan approvals for 80 Overnight Lodging Units and Resort Facilities in Phase A are also locally approved. There are appeals related to the local approvals above pending review by the Land Use Board of Appeals (LUBA) and/or other State Courts. Additional development reviews for the Resort are pending and anticipated.	DCC 18.113	<input checked="" type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input checked="" 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
Changes to the Resort's approved water source(s) and/or the corresponding Fish & Wildlife Management Plan (FWMP) may require separate land use approval(s).	DCC 18.13.080 & DCC 22.36.040	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input checked="" 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.

Nothing in this LUCS signature should be interpreted to allow uses on the subject properties other than those allowed outright under the DCC 18.16.020 or those uses specifically proposed and approved in the Thornburgh Destination Resort land use decisions listed in the attached summary.

Name: Caroline House Title: Senior Planner

Signature: Caroline House Digitally signed by Caroline House  
DN: cn=Caroline House, ou=Users, ou=M365,  
ou=DCIT, dc=deschutes, dc=org  
Date: 2022.08.16 17:57:03-07'00' Phone: 541-388-6667 Date: 8/16/2022

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: RECEIVED

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**T15S R12E, WM  
DESCHUTES COUNTY, OR**



1" = 2,000'

● Well "ON"

▨ POU QM "ON"

□ Section

--- Quarter Quarter

□ Tax Lot

**Well Locations:**

- #1: 2519' S, 578' W of NE Cor Sec 28
- #2: 2958' S, 2316' W of NE Cor Sec 28
- #3: 1752' S, 3044' W of NE Cor Sec 28
- #4: 1677' N, 1466' W of SE Cor Sec 29
- #5: 205' S, 434' W of E 1/4 Cor Sec 20
- #6: 244' N, 1667' W of E 1/4 Cor Sec 20
- #7: 2446' S, 1180' W of N 1/4, Cor Sec 17

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Barr Rd

Tumalo Cline Falls Mkt Rd

Cert: 87558 5/15/1989 Priority  
Cert: 96190 4/13/1967 Priority  
Cert: 96192 4/13/1967 Priority

**TEMPORARY TRANSFER "ON" MAP**  
For  
**Pinnacle Utilities, LLC**

Date: 6/17/2022

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 541-389-2837**

johnshort@usa.com CCB # 197121





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COMMUNITY DEVELOPMENT

08. 138

August 16, 2022

## Thornburgh Destination Resort Land Use Approval Summary

6. 70

The Thornburgh Destination Resort has a lengthy and complex history that began in 2005, and includes decisions by County Staff, Hearings Officers, the Board of County Commissioners (BOCC), the Land Use Board of Appeals (LUBA), the Oregon Court of Appeals, and the Oregon Supreme Court. Below is a summary of Deschutes County Land Use Approvals for the Thornburgh Destination Resort.

---

Conceptual Master Plan (File No. CU-05-20): On February 16, 2005, Thornburgh Resort Company, LLC (TRC) applied for the Resort Conceptual Master Plan (CMP) approval for the Thornburgh Destination Resort. The application was denied by the Hearings Officer on November 9, 2005. The BOCC issued Order Nos. 2005-143 and 2006-016 to call-up the Hearings Officer decision for review. On May 11, 2006, the BOCC approved the CMP. Annunziata Gould ("Gould") and Steve Munson ("Munson") appealed the BOCC decision to the Land Use Board of Appeals (LUBA Nos. 2006-100 and 2006-101). LUBA remanded the BOCC decision on May 14, 2007 (Gould v. Deschutes County, 54 Or LUBA 2005 (2007)). The LUBA decision was appealed to the Court of Appeals. On November 7, 2007, the Court of Appeals reversed and remanded LUBA's decision (Gould v. Deschutes County, 216 Or App 150, 171 P3d 1017 (2007)). The result was the BOCC decision in CU-05-20 approving the CMP was remanded to the County for further proceedings.

On April 15, 2008, the BOCC issued its decision on remand, again approving the CMP (Order No. 2008-151). Gould and Munson appealed the BOCC remand decision to LUBA on May 6, 2008 (LUBA No. 2008-068). On September 11, 2008, LUBA affirmed the BOCC decision (Gould v. Deschutes County, 57 Or LUBA 403 (2008)). That decision was appealed to the Court of Appeals (A140139). On April 22, 2009, the Court affirmed LUBA's decision (Gould v. Deschutes County, 227 Or App 601, 206 P3d 1106 (2009)). On October 9, 2009, the Supreme Court denied review (Gould v. Deschutes County, 347 Or 258, 218 P3d 540 (2009)). On December 9, 2009, the Court of Appeals issued its appellate judgement and the CMP received final approval as of December 9, 2009.

CMP Initiation of Use (File No. DR-11-8): On November 1, 2011, TRC applied for a Declaratory Ruling to demonstrate the CMP had been timely initiated. The Hearings Officer found the CMP was timely initiated. The BOCC declined to hear the appeal and Gould filed a LUBA appeal. On appeal, LUBA



remanded that decision (LUBA No 2012-042). LUBA's decision was affirmed by the Court of Appeals, without opinion (Gould v. Deschutes County, 256 Or App 520, 301 P3d 978 (2013)). On remand, the Hearings Officer found the CMP was not timely initiated. TRC appealed the Hearings Officer's decision to the BOCC. The BOCC issued a decision finding the CMP was "initiated" before the two-year deadline expired. Gould appealed the BOCC decision to LUBA. On appeal, LUBA remanded this decision back to the BOCC decision on January 30, 2015 (LUBA No 2015-080). However, LUBA's decision was appealed and the Court of Appeals reversed and remanded stating that the express language of the County Code requires Defendant to substantially exercise the permit conditions as a whole, and any failure to initiate development by fully complying with the conditions should not be the fault of the applicant, a determination of which must be based on more than just the complexity of the process. The Court also held that the County could not interpret the County Code contrary to a prior LUBA order in this same litigation, as the lower tribunal was bound to follow the appellate Court's Ruling (Gould v Deschutes County, 272 Or App 666 (2015)). Later, as part of the submitted application materials for the Golf Course Site Plan review, the applicant included the following clarification on the status of the remand:

*"Loyal Land has not initiated a review on remand. This application is moot, however, because the Resort's Final Master Plan (FMP) incorporates and satisfies all conditions of the CMP and has received final approval."*

Final Master Plan (File Nos. M-07-2/MA-08-6): Thornburgh Resort Company filed for approval of the Resort Final Master Plan (FMP) in 2007, which was later amended in 2008. The application was approved by the County, appealed by Gould, and subsequently remanded by LUBA to address issues regarding the Thornburgh Wildlife Mitigation Plan (Gould v. Deschutes County, 59 Or LUBA 435 (2009)). The LUBA decision was appealed to the Court of Appeals. The Court affirmed LUBA's decision (Gould v. Deschutes County, 233 Or App 623, 227 P3d 759 (2010)). In 2015, on remand, the County denied approval of the FMP. Central Land and Cattle Company, LLC ("Central")<sup>[1]</sup> successfully appealed the denial and LUBA remanded the County decision (Central Land and Cattle Company v. Deschutes County, 74 Or LUBA 326 (2016)). The Court of Appeals affirmed LUBA's decision without opinion (A163359). On the second remand, the FMP was approved by the County. The County decision was appealed by Gould. The County's approval was affirmed by LUBA (LUBA No. 2018-008, August 21, 2018) and the FMP is now final.

Tentative Plan & Site Plan - Phase A-1 Residential/OLU Lots & Utility Facilities (File Nos. 247-18-000386-TP/247-18-000454-SP/247-18-000592-MA): In May 2018, Central filed for approval of its Phase A-1 Tentative Plan and Site Plan review for utility facilities authorized by the CMP and FMP. The Hearings Officer approved the request with conditions. The BOCC declined review of an appeal (Order No.

<sup>[1]</sup> In October 2017, Central purchased all of the land within the Resort from TRC.

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2018-073). Gould filed an appeal to LUBA (LUBA No. 2018-140). LUBA remanded the County's decision on following issue:

*"On remand, the county must consider whether, without TP Condition 17, the tentative plan for Phase A-1 satisfies the no net loss/degradation standard and whether a change in the source of mitigation water constitutes a substantial change to the FMP approval, requiring a new application, modification of the application, or other further review consistent with FMP and DCC destination resort regulations."*

The LUBA remand decision was appealed to the Court of Appeals (A171603), but the appeal was dismissed based on the filing deadline. The Court of Appeals denied reconsideration of said order of dismissal. The Oregon Supreme Court accepted review of Court of Appeals order denying reconsideration of the order-dismissing petition for review (S067074). The Supreme Court agreed with Gould and instructed the Court of Appeals to hear that matter. The Court of Appeals subsequently affirmed LUBA's decision in LUBA No. 2018-140 (A171603). In August 2021, Central initiated a second a remand application (file no. 247-21-000731-A). The Hearings Officer issued a remand decision approving 247-21-000731-A (the Tentative Plan for Phase A-1 of the Thornburgh Destination Resort), thus clarifying and affirming the county's past approval of 247-18-000386-TP, 18-000454-SP, and 18-000542-MA. The BOCC declined review of an appeal (Order No. 2021-059). The County's decision was appealed to LUBA by Gould and LUBA affirmed the County's decision (LUBA No. 2021-112). A petition for judicial review has been filed to the Oregon Court of Appeals.

Site Plan – Phase A Golf Course (File No. 247-19-000881-SP): In December 2019, Central filed for Site Plan approval for a golf course authorized by the CMP and FMP. In April 2020, the Deschutes County Planning Division administratively approved the application. The BOCC called up an appeal filed by Gould and Central Oregon LandWatch (Order No. 2020-016). The BOCC affirmed the administrative approval on August 31, 2020. The County decision was appealed to LUBA and LUBA affirmed (LUBA No. 2020-095). The LUBA decision was appealed by Gould to the Court of Appeals (A176353). The Court of Appeals affirmed and the Oregon Supreme Court declined review (S069050). Therefore, the Site Plan approval for the golf course is final.

Site Plan – Phase A 80 OLU's (File No. 247-21-000508-SP): In May 2021, Central filed for site plan approval for 80 overnight lodging units authorized under the CMP and FMP. In September 2021, the Deschutes County Planning Division administratively approved the site plan. An appeal was filed by Gould, and the Hearings Officer denied the issues on appeal (file no. 247-21-000849-A) and approved the site plan. The BOCC declined review of an appeal (Order No. 2022-002). The County's decision was appealed to LUBA by Gould and LUBA affirmed the County's decision (LUBA No. 2022-013). A petition for judicial review has been filed to the Oregon Court of Appeals.





Site Plan - Phase A-1 Resort Facilities (File No. 247-21-000537-SP): In May 2021, Central filed for Site Plan approval for a Welcome Center, Gatehouse, Golf Clubhouse and Community Hall authorized under the CMP and FMP. In November 2021, the Deschutes County Planning Division administratively approved the Site Plan. An appeal was filed by Gould, and the Hearings Officer denied the issues on appeal (file no. 247-21-001009-A) and approved the site plan. The BOCC declined review of an appeal (Order No. 2022-012). Gould has filed an appeal to LUBA (pending LUBA No. 2022-026).

Modification of FMP – OLU Ratio (File No. 247-21-000553-MC): In June 2021, Central filed a Modification to amend the ratio of OLUs per single-family dwelling unit (from 2:1 to 2.5:1) and related bonding requirements. In October 2021, the Deschutes County Planning Division administratively approved the modification. An appeal was filed by Gould, and the Hearings Officer denied the issues on appeal (file no. 247-21-000920-A) and approved the Modification. The BOCC declined review of an appeal (Order No. 2022-003). The County's decision was appealed to LUBA by Gould and LUBA affirmed the County's decision (LUBA No. 2022-011). A petition for judicial review has been filed to the Oregon Court of Appeals.

Tentative Plan - Phase A-2 Residential Lots (File No. 247-21-000637-TP): In June 2021, Central filed for Tentative Plan approval for 108 single-family dwelling lots authorized under the CMP and FMP. In October 2021, the Deschutes County Planning Division administratively approved the application. An appeal with filed by Christine Larson, and the Hearings Officer denied the issues on appeal (file no. 247-21-00948-A) and approved the Tentative Plan. The BOCC declined review of an appeal (Order No. 2022-011). Gould has filed an appeal to LUBA (pending LUBA No. 2022-025).

#### **Local Active Applications**

- 247-21-001111-SP – Site Plan approval for 70 Overnight Lodging Units in Phase A (OLUs)
  - A public hearing before a Hearings Officer was held on April 6, 2022. The Applicant requested a continuance and the Hearings Officer granted the request. A second public hearing before a Hearings Officer was held on May 4, 2022. The Applicant requested a second continuance of the public hearing and the Hearings Officer granted this continuance request. Please note the next continued hearing date has not been set at this time. Once a hearing date is set notice will be provided to all parties pursuant to DCC 22.24.030.

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Oregon  
Kate Brown, Governor

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

August 23, 2022

KAMERON DELASHMUTT  
PINNACLE UTILITIES, LLC  
2447 NW CANYON DR  
REDMOND, OR 97756

Reference: Application T-14074

On August 17, 2022, OWRD received your water right Temporary Transfer Application. The application was accompanied by \$1674.99. Our receipt number 138939 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 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) 979-9931.

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

Enclosure



# WATER RIGHT TRANSFER COVER SHEET

Transfer: T- 14074

Transfer Specialist:

Transfer Type: Temporary Transfer

<b>Applicant:</b> KAMERON DELASHMUTT 2447 NW CANYON DR REDMOND, OR 97756 Email: _____ Phone: _____		<b>Agent:</b> <input type="checkbox"/> N/A JOHN A. SHORT PO BOX 1830 BEND, OR 97709 Email: _____ Phone: _____	
<b>Irrigation District:</b> <input type="checkbox"/> N/A Tumalo Irrigation District Email: _____		<b>CWRE:</b> <input type="checkbox"/> N/A Email: _____	
<b>Affected Local Gov'ts:</b> <input type="checkbox"/> N/A Deschutes County Deschutes County Community Development Email: _____		<b>Affected Tribal Gov't:</b> <input type="checkbox"/> N/A UNAVAILABLE Email: _____	
<b>Current Landowner if other than Applicant:</b> <input type="checkbox"/> N/A Email: _____		<b>Receiving Landowner:</b> <input type="checkbox"/> N/A Email: _____	

## Water Rights Affected

File Marked	App. File # or Decree Name	Permit	Certificate	RR/CR Needed	RR/CR Nos.
<input type="checkbox"/>	S43479	S32049	96190	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	S43479	S32049	96192	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	

## Key Dates & Initial Actions:

Rec'd: August 17, 2022	Proposed Action(s): POINT OF APPROPRIATION; PLACE OF USE	
Fees Pd: 1674.99	WM District: 11	ODFW District:
Initial Public Notice: 08/23/2022	WM Review sent:	ODFW Review sent:
Acknowledgement Letter Sent <input checked="" type="checkbox"/>		GW Review sent: <input type="checkbox"/> N/A
County sent cc: of Ack Letter <input type="checkbox"/>	BOR notified (date): <input type="checkbox"/> N/A	
Newspaper quote requested:	Request for news \$ sent:	News \$ received:
Request to publish sent:	Affidavit of publication received:	Last day of publication:

Document	Drafted	Peer Review	Changes Made	Coordinator	Changes Made	Signature Bin	Signature Date
DPD	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	CW Sent: _____	N/A
PD	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____	Date: _____
FO	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____	Date: _____

Special Issues: \_\_\_\_\_

Special Order Volume: Vol. \_\_\_\_\_ Pages \_\_\_\_\_



A  
T  
P

No Character of  
Use change  
Allowed

Transfer



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

Application will be returned if Parts 1 through 5  
elements are not completed and included.  
(503) 986-0900, and ask for Transfer Section.

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### TEMPORARY TRANSFER APPLICATIONS

n. (N/A = Not Applicable)

Requirements Checklist.

y Transfer Application Map Checklist.

ble 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](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? 2 List them here: 96190 & 96192**  
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: 2022 End Year: 2026.**
- ☐ ☒ 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: \_\_\_\_/\_\_\_\_/\_\_\_\_



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.

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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](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? 2 List them here: 96190 & 96192**  
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: 2022 End Year: 2026.**
- ☐ ☒ 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: \_\_\_\_/\_\_\_\_/\_\_\_\_



## Part 2 of 5 – Temporary Transfer Application Map Checklist

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°).



FEE WORKSHEET for TEMPORARY (not drought) TRANSFERS		
1	Base Fee (includes temporary change to one water right for up to 1 cfs)	\$950.00
2	Number of water rights included in transfer: <u>2 (2a)</u> Subtract 1 from the number in 3a above: <u>1 (2b)</u> If only one water right this will be 0 Multiply line 2b by \$310.00 and enter » » » » » » » » » » » » » » » »	\$310
3	Do you propose to change the place of use for a non-irrigation use? <input checked="" type="checkbox"/> No: enter 0 on line 3 » » » » » » » » » » » » » » » » <input type="checkbox"/> Yes: enter the cfs for the portions of the rights to be transferred: _____ (3a) Subtract 1.0 from the number in 3a above: _____ (3b) If 3b is 0, enter 0 on line 3 » » » » » » » » » » » » » » » » If 3b is greater than 0, round up to the nearest whole number: _____ (3c) and multiply 4c by \$210.00, then enter on line 3	0
4	Do you propose to change the place of use for an irrigation use? <input type="checkbox"/> No: enter 0 on line 4 » » » » » » » » » » » » » » » » <input checked="" type="checkbox"/> Yes: enter the number of acres in the footprint of the place of use for the portions of the rights to be transferred: <u>153.7 (4a)</u> Multiply the number of acres in 4a above by \$2.70 and enter on line 4 » »	\$414.99
5	Add entries on lines 1 through 4 above » » » » » » » » » » Subtotal:	\$1,647.99
6	Is this transfer: <input type="checkbox"/> necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? <input type="checkbox"/> endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat? If one or more boxes is checked, multiply line 5 by 0.5 and enter on line 6 » If no box is applicable, enter 0 on line 7» » » » » » » » » » » » » » » »	
7	Subtract line 6 from line 5 » » » » » » » » » » » Transfer Fee:	\$1674.99

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## Part 4 of 5 – Applicant Information and Signature

### Applicant Information

APPLICANT/BUSINESS NAME <b>Kameron DeLashmott / Pinnacle Utilities, LLC</b>			PHONE NO. <b>541-350-8479</b>	ADDITIONAL CONTACT NO.
ADDRESS <b>2477 NW Canyon Drive</b>			FAX NO.	
CITY <b>Redmond</b>	STATE <b>OR</b>	ZIP <b>97756</b>	E-MAIL <b>kameron1959@gmail.com</b>	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				


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

AGENT/BUSINESS NAME <b>John A. Short / Water Right Services, LLC</b>			PHONE NO. <b>541-389-2837</b>	ADDITIONAL CONTACT NO.
ADDRESS <b>PO Box 1830</b>			FAX NO.	
CITY <b>Bend</b>	STATE <b>OR</b>	ZIP <b>97709</b>	E-MAIL <b>johnshort@usa.com</b>	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

Explain in your own words what you propose to accomplish with this transfer application and why:  
The applicant is proposing to temporarily change the character of use, place of use, the points of appropriation for a 47.6 acre/0.548 cfs portion of Certificate 96190 and a 106.1 acre/1.22 cfs portion of Certificate 96192 to meet initial QM demand needs of the "ON" property, pending resolution of protest of OWRD order granting extension of Permit G-17036.

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	<b>Kameron DeLashmott, Manager</b> Print Name (and Title if applicable)	<b>8/1/22</b> 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 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 <b>Tumalo Irrigation District</b>	ADDRESS <b>64697 Cook Avenue</b>	
CITY <b>Bend</b>	STATE <b>OR</b>	ZIP <b>97756</b>
DISTRICT NAME <b>Central Oregon Irrigation District</b>	ADDRESS <b>1055 SW Lake Court</b>	
CITY <b>Redmond</b>	STATE <b>OR</b>	ZIP <b>97756</b>

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☐ 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 <b>Deschutes County Community Development</b>	ADDRESS <b>117 NW Lafayette Avenue</b>	
CITY <b>Bend</b>	STATE <b>OR</b>	ZIP <b>97703</b>

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP



## 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 # 96190

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### Description of Water Delivery System

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System capacity: 1.81 cubic feet per second (cfs) OR

\_\_\_\_\_ gallons per minute (gpm)

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Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. Piped from wells to pivots and wheel lines.

**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 "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
Well #1 "ON"	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		15 S	12 E	28	SE	NE	7700	2519' S, 578' W of NE Cor Sec 28
Well #2 "ON"	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		" "	" "	"	NW	SE	7700	2958' S, 2316' W of NE Cor Sec 28
Well #3 "ON"	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		" "	" "	"	SE	NW	7700	1752' S, 3044' W of NE Cor Sec 28
Well #4 "ON"	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		" "	" "	29	NW	SE	7900	1677' N, 1466' W of SE Cor Sec 29
Well #5 "ON"	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		" "	" "	20	NE	SE	7700	205' S, 434' W of E 1/4 Cor Sec 20
Well #6 "ON"	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		" "	" "	"	SW	NE	5000	244' N, 1667' W of E 1/4 Cor Sec 20
Well #7 "ON"	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		" "	" "	17	SE	NW	5000	2446' S, 1180' W of N 1/4 Cor Sec 17



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 checked="" 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 checked="" 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 # 96190**

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	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		1.4	IR	"OFF" Wells 1, 3, 4, 7	4/13/1967	USE/POU/ POA	15	S	12	E	17	NW	NE	5000				QM	Wells 1-7	5/15/1989
"	"	"	"	4	SW	SE	"		7.7	"	"	"	"	"	"	"	"	"	SW	NE	"				"	"	"
"	"	"	"	9	NW	NE	"		17.3	"	"	"	"	"	"	"	"	"	NE	NW	"				"	"	"
"	"	"	"	"	NE	NW	1400/ 1500		9.8	"	"	"	"	"	"	"	"	"	SE	NW	"				"	"	"
"	"	"	"	"	NE	SW	"		4.8	"	"	"	"	"	"	"	"	"	SW	SW	"				"	"	"
"	"	"	"	17	NE	NE	1402		6.6	"	"	"	"	"	"	"	"	"	SE	SW	"				"	"	"
													"	"	"	"	"	"	NW	SE	"				"	"	"
													"	"	"	"	"	"	SW	SE	"				"	"	"
													"	"	"	"	"	20	NW	NE	"				"	"	"
													"	"	"	"	"	"	SW	NE	"				"	"	"
													"	"	"	"	"	"	NE	NW	"				"	"	"
													"	"	"	"	"	"	NW	NW	"				"	"	"

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										USE/POU/ POA	15	S	12	E	20	SW	NW	5000				QM	Wells 1-7	5/15/1989
										"	"	"	"	"	"	SE	NW	5000/ 5001				"	"	"
										"	"	"	"	"	"	NE	SW	5000/ 5002				"	"	"
										"	"	"	"	"	"	NW	SW	5000				"	"	"
										"	"	"	"	"	"	SW	SW	"				"	"	"
										"	"	"	"	"	"	NE	SE	7700/ 7701				"	"	"
										"	"	"	"	"	"	SW	SE	7700				"	"	"
										"	"	"	"	"	"	SE	SE	"				"	"	"
										"	"	"	"	"	21	SW	SW	"				"	"	"
										"	"	"	"	"	28	NE	NE	"				"	"	"
										"	"	"	"	"	"	NW	NE	"				"	"	"
										"	"	"	"	"	"	SW	NE	"				"	"	"
										"	"	"	"	"	"	SE	NE	"				"	"	"
										"	"	"	"	"	"	NE	NW	"				"	"	"
										"	"	"	"	"	"	NW	NW	"				"	"	"
										"	"	"	"	"	"	SW	NW	"				"	"	"
										"	"	"	"	"	"	SE	NW	"				"	"	"
										"	"	"	"	"	"	NE	SW	"				"	"	"
										"	"	"	"	"	"	NW	SW	"				"	"	"
										"	"	"	"	"	"	NE	SE	"				"	"	"
										"	"	"	"	"	"	NW	SE	"				"	"	"

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										USE/POU/ POA	15	S	12	E	29	NE	NE	7800			QM	Wells 1-7	5/15/1989
										"	"	"	"	"	"	NW	NE	"			"	"	"
										"	"	"	"	"	"	SW	NE	"			"	"	"
										"	"	"	"	"	"	SE	NE	"			"	"	"
										"	"	"	"	"	"	SW	NW	"			"	"	"
										"	"	"	"	"	"	SE	NW	"			"	"	"
										"	"	"	"	"	"	NE	SW	"			"	"	"
										"	"	"	"	"	"	NW	SW	"			"	"	"
										"	"	"	"	"	"	NE	SE	"			"	"	"
										"	"	"	"	"	"	NW	SE	7900			"	"	"
										"	"	"	"	"	"	SE	SE	7801			"	"	"
										"	"	"	"	"	30	NW	NE	8000			"	"	"
										"	"	"	"	"	"	SW	NE	"			"	"	"
										"	"	"	"	"	"	SE	NE	7800			"	"	"
										"	"	"	"	"	"	NE	NW	8000			"	"	"
										"	"	"	"	"	"	SE	NW	"			"	"	"
										"	"	"	"	"	"	NE	SE	7800			"	"	"
TOTAL ACRES										47.6											TOTAL ACRES	N/A	

Additional remarks: The applicant is proposing to temporarily change the character of use to QM, place of use, & the points of appropriation for a 47.6 ac./0.548 cfs portion of Certificate 96190. The proposed place of use is described by the right side of Table 2.

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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: The "ON" lands are associated with Permit G-17036. As noted, this temporary transfer is intended for use while the extension for Permit G-17036 is pending. The "OFF" lands are associated with Certificate 96191, Certificate 96192, & Certificate 87558. Being quasi-municipal rights, the rights are not "layered" as defined in OAR 690-380-0100(4).



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](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.

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**Table 3. Construction of Point(s) of Appropriation**

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

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well, OWRD Well ID Tag No. L-___	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well - specific rate (cfs or gpm). If less than full rate of water right
Well 1 "ON"	No		800-900'	14"	+1-800'	0-20'			Deschutes Formation	
Well 2 "ON"	No		"	"	"	"			Deschutes Formation	
Well 3 "ON"	No		900-1000'	"	+1-900'	"			Deschutes Formation	
Well 4 "ON"	No		"	"	"	"			Deschutes Formation	
Well 5 "ON"	No		800-900'	"	+1-800'	"			Deschutes Formation	
Well 6 "ON"	No		"	"	"	"			Deschutes Formation	
Well 7 "ON"	No		"	"	"	"			Deschutes Formation	

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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 # 96192

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### Description of Water Delivery System

System capacity: 3.69 cubic feet per second (cfs) OR

\_\_\_\_\_ gallons per minute (gpm)

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Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. Piped from wells to pivots and wheel lines.

**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 "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
Well #1 "ON"	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		15 S	12 E	28	SE NE	7700	2519' S, 578' W of NE Cor Sec 28
Well #2 "ON"	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		" "	" "	"	NW SE	7700	2958' S, 2316' W of NE Cor Sec 28
Well #3 "ON"	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		" "	" "	"	SE NW	7700	1752' S, 3044' W of NE Cor Sec 28
Well #4 "ON"	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		" "	" "	29	NW SE	7900	1677' N, 1466' W of SE Cor Sec 29
Well #5 "ON"	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		" "	" "	20	NE SE	7700	205' S, 434' W of E 1/4 Cor Sec 20
Well #6 "ON"	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		" "	" "	"	SW NE	5000	244' N, 1667' W of E 1/4 Cor Sec 20
Well #7 "ON"	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		" "	" "	17	SE NW	5000	2446' S, 1180' W of N 1/4 Cor Sec 17



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 checked="" 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 checked="" 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 # 96192**

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	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	USE/POU/ POA	15	S	12	E	17	NW	NE	5000				QM	Wells 1-7	5/15/1989
"	"	"	"	4	SW	SE	"		1.2	"	"	"	"	"	"	"	"	"	SW	NE	"				"	"	"
"	"	"	"	"	SE	SE	"		29.8	"	"	"	"	"	"	"	"	"	NE	NW	"				"	"	"
"	"	"	"	9	NW	NE	"		3.9	"	"	"	"	"	"	"	"	"	SE	NW	"				"	"	"
"	"	"	"	"	SE	NW	1400		9.8	"	"	"	"	"	"	"	"	"	SW	SW	"				"	"	"
"	"	"	"	"	NE	SW	1500		1.2	"	"	"	"	"	"	"	"	"	SE	SW	"				"	"	"
"	"	"	"	"	SW	SW	1400/ 1500		4.3	"	"	"	"	"	"	"	"	"	NW	SE	"				"	"	"
"	"	"	"	"	SE	SW	"		7.7	"	"	"	"	"	"	"	"	"	SW	SE	"				"	"	"
"	"	"	"	"	NW	SE	1500		1.0	"	"	"	"	"	"	"	"	20	NW	NE	"				"	"	"
"	"	"	"	17	NE	NE	1402/ 1403		19.4	"	"	"	"	"	"	"	"	"	SW	NE	"				"	"	"
"	"	"	"	"	NW	NE	1402		15.9	"	"	"	"	"	"	"	"	"	NE	NW	"				"	"	"
"	"	"	"	"	SW	NE	"		1.4	"	"	"	"	"	"	"	"	"	NW	NW	"				"	"	"

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14	S	12	E	17	SE	NE	1402		0.2	IR	"OFF" Wells 1, 3, 4, 7	4/13/1967	USE/POU/ POA	15	S	12	E	20	SW	NW	5000			QM	Wells 1-7	5/15/1989
"	"	"	"	"	NE	NW	"		5.9	"	"	"	"	"	"	"	"	"	SE	NW	5000/ 5001			"	"	"
"	"	"	"	"	SE	NW	"		0.7	"	"	"	"	"	"	"	"	"	NE	SW	5000/ 5002			"	"	"
													"	"	"	"	"	"	NW	SW	5000			"	"	"
													"	"	"	"	"	"	SW	SW	"			"	"	"
													"	"	"	"	"	"	NE	SE	7700/ 7701			"	"	"
													"	"	"	"	"	"	SW	SE	7700			"	"	"
													"	"	"	"	"	"	SE	SE	"			"	"	"
													"	"	"	"	"	21	SW	SW	"			"	"	"
													"	"	"	"	"	28	NE	NE	"			"	"	"
													"	"	"	"	"	"	NW	NE	"			"	"	"
													"	"	"	"	"	"	SW	NE	"			"	"	"
													"	"	"	"	"	"	SE	NE	"			"	"	"
													"	"	"	"	"	"	NE	NW	"			"	"	"
													"	"	"	"	"	"	NW	NW	"			"	"	"
													"	"	"	"	"	"	SW	NW	"			"	"	"
													"	"	"	"	"	"	SE	NW	"			"	"	"
													"	"	"	"	"	"	NE	SW	"			"	"	"
													"	"	"	"	"	"	NW	SW	"			"	"	"
													"	"	"	"	"	"	NE	SE	"			"	"	"
													"	"	"	"	"	"	NW	SE	"			"	"	"

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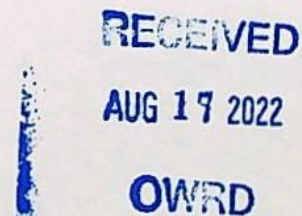
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										USE/POU/ POA	15	S	12	E	29	NE	NE	7800			QM	Wells 1-7	5/15/1989
										"	"	"	"	"	"	NW	NE	"			"	"	"
										"	"	"	"	"	"	SW	NE	"			"	"	"
										"	"	"	"	"	"	SE	NE	"			"	"	"
										"	"	"	"	"	"	SW	NW	"			"	"	"
										"	"	"	"	"	"	SE	NW	"			"	"	"
										"	"	"	"	"	"	NE	SW	"			"	"	"
										"	"	"	"	"	"	NW	SW	"			"	"	"
										"	"	"	"	"	"	NE	SE	"			"	"	"
										"	"	"	"	"	"	NW	SE	7900			"	"	"
										"	"	"	"	"	"	SE	SE	7801			"	"	"
										"	"	"	"	"	30	NW	NE	8000			"	"	"
										"	"	"	"	"	"	SW	NE	"			"	"	"
										"	"	"	"	"	"	SE	NE	7800			"	"	"
										"	"	"	"	"	"	NE	NW	8000			"	"	"
										"	"	"	"	"	"	SE	NW	"			"	"	"
										"	"	"	"	"	"	NE	SE	7800			"	"	"
TOTAL ACRES										106.1	TOTAL ACRES										N/A		

Additional remarks: The applicant is proposing to temporarily change the character of use to QM, place of use, & the points of appropriation for a 106.1 ac./1.22 cfs portion of Certificate 96192. The proposed place of use is described by the right side of Table 2.





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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: The "ON" lands are associated with Permit G-17036. As noted, this temporary transfer is intended for use while the extension for Permit G-17036 is pending. The "OFF" lands are associated with Certificate 96190, Certificate 96191, & Certificate 87558. Being quasi-municipal rights, the rights are not "layered" as defined in OAR 690-380-0100(4).



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](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.



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**Table 3. Construction of Point(s) of Appropriation**

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

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well, OWRD Well ID Tag No. L- ____	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well - specific rate (cfs or gpm). If less than full rate of water right
Well 1 "ON"	No		800-900'	14"	+1-800'	0-20'			Deschutes Formation	
Well 2 "ON"	No		"	"	"	"			Deschutes Formation	
Well 3 "ON"	No		900-1000'	"	+1-900'	"			Deschutes Formation	
Well 4 "ON"	No		"	"	"	"			Deschutes Formation	
Well 5 "ON"	No		800-900'	"	+1-800'	"			Deschutes Formation	
Well 6 "ON"	No		"	"	"	"			Deschutes Formation	
Well 7 "ON"	No		"	"	"	"			Deschutes Formation	



# 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 )  
County of DESCHUTES ) ss

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)

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)



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. Wit

Signature of Affiant

June 14, 2022

Date

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Signed and sworn to (or affirmed) before me this 14 day of JUNE, 2022.



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 <del>confirming</del> water right certificate that shows issue date
<input type="checkbox"/> Copies of receipts from sales of irrigated crops or for expenditures related to use of water	<ul style="list-style-type: none"><li>• Power usage records for pumps associated with irrigation use</li><li>• Fertilizer or seed bills related to irrigated crops</li><li>• Farmers Co-op sales receipt</li></ul>
<input type="checkbox"/> Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers	<ul style="list-style-type: none"><li>• District assessment records for water delivered</li><li>• Crop reports submitted under a federal loan agreement</li><li>• Beneficial use reports from district</li><li>• IRS Farm Usage Deduction Report</li><li>• Agricultural Stabilization Plan</li><li>• CREP Report</li></ul>
<input type="checkbox"/> Aerial photos containing sufficient detail to establish location and date of photograph	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 – <a href="http://www.oregonexplorer.info/imagery">www.oregonexplorer.info/imagery</a> OWRD – <a href="http://www.wrd.state.or.us">www.wrd.state.or.us</a> Google Earth – <a href="http://earth.google.com">earth.google.com</a> TerraServer – <a href="http://www.terra-server.com">www.terra-server.com</a>
<input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number



STATE OF OREGON  
COUNTY OF DESCHUTES  
CERTIFICATE OF WATER RIGHT

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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.

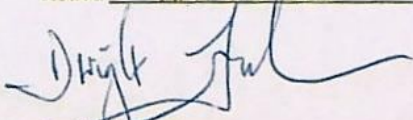
If within five year after approval of the transfer (November 20, 2018), the Department finds that the transfer results in substantial or undue interference with an existing ground water right due to use of the wells, that would not have occurred in the absence of the transfer, the new point of appropriation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



STATE OF OREGON  
COUNTY OF DESCHUTES  
CERTIFICATE OF WATER RIGHT

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THIS CERTIFICATE ISSUED TO

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

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

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

The points of appropriation are located as follows:

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

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

A description of the place of use is as follows:

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

**NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW**

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



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

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

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AUG 17 2022

OWRD

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.

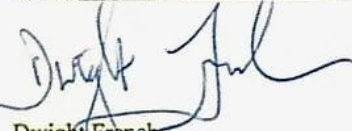
The original point of diversion of surface water shall not be retained as an additional or supplemental point of diversion under the transferred portion of the right. However, if within five year after approval of the transfer (November 20, 2018), the Department receives a transfer application to return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

RECEIVED

AUG 17 2022

OWRD







**BARGAIN AND SALE DEED**

Recording requested by and when recorded return to:

Robert S. Lovlien  
Bryant, Lovlien & Jarvis, PC  
PO Box 880  
Bend, OR 97709

RECEIVED

AUG 17 2022

OWRD

Unless a change is requested,  
all tax statements shall be sent to:

LaFallotte Butte, LLC  
1780 SW Advance Rd.  
West Linn, OR 97068

The true consideration for this transfer is to effectuate that certain lot line adjustment, as approved in Deschutes County Community Development Department File No.: LL-07-92.

BIG FALLS RANCH CO., an Oregon corporation, Grantor, conveys to LA FALLOTTE BUTTE, LLC, an Oregon limited liability company, Grantee, the following described real property:

See Exhibit "A", which is attached hereto and incorporated herein by reference.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. 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 APPROVED USES, 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 197.352.



DATED this 28<sup>th</sup> day of November, 2007.

BIG FALLS RANCH CO.

By: [Signature]  
Its: President

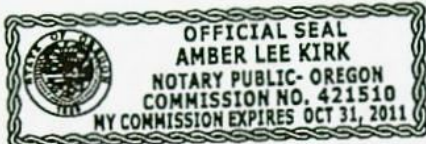
RECEIVED

AUG 17 2022

OWRD

STATE OF OREGON                    )  
  ) ss.  
COUNTY OF DESCHUTES            )

The foregoing instrument was acknowledged before me this 28<sup>th</sup> day of Nov., 2007, by Rex Barber, Jr., who stated that he is the President of Big Falls Ranch Co., and that he is authorized to execute the foregoing instrument on behalf of the corporation.



[Signature]  
Notary Public for Oregon  
My Commission Expires: 10/31/2011





**POVEY & ASSOCIATES—LAND SURVEYORS**

REGISTERED PROFESSIONAL LAND SURVEYORS, OREGON NO. 1652 and 2039  
PARTNERSHIP I.D. #93-0738184

P.O. BOX 131 • OFFICE 338 S.W. 7th • REDMOND, OREGON 97756 • (541) 548-6778  
Fax (541) 548-0478

RECEIVED

AUG 17 2022

OWRD

Exhibit "A"

Description

BIG FALLS RANCH (BARBER) to LA FALLOTTE BUTTE, LLC (SEELY)  
Deschutes County Property Line Adjustment NO. LL-07-92,  
in the SE1/4 of Section 18, T.14S., R.12E., W.M.  
**TRANSFER PARCEL "A"**

Description of 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.

The same containing approximately 1.13 land acres, NOTING  
30-foot wide Lower Bridge Way along the complete length of  
the Southwest line of the above described parcel.

PAGE 1 DESCRIPTION

G:07-016\REX2SELY.WPS

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*Robert R. Povey 10-26-2007*

OREGON  
JULY 14, 1978  
ROBERT R. POVEY  
1652

Renews: 12/31/08





**BARGAIN AND SALE DEED**

Recording requested by and when recorded return to:

Robert S. Lovlien  
Bryant, Lovlien & Jarvis, PC  
PO Box 880  
Bend, OR 97709

**RECEIVED**

**AUG 17 2022**

**OWRD**

Unless a change is requested,  
all tax statements shall be sent to:

Big Falls Ranch Co.  
P.O. Box 434  
Terrebonne, OR 97760

3 The true consideration for this transfer is to effectuate that certain lot line adjustment, as approved in Deschutes County Community Development Department File No.: LL-07-92.

LA FALLOTTE BUTTE, LLC, an Oregon limited liability company, Grantor, conveys to BIG FALLS RANCH CO., an Oregon corporation, Grantee, the following described real property:

See Exhibit "A", which is attached hereto and incorporated herein by reference.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. 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 APPROVED USES, 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 197.352.



DATED this 10<sup>th</sup> day of December, 2007.

LA FALLOTTE BUTTE, LLC

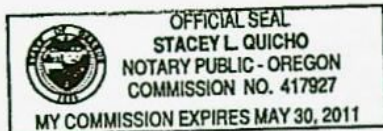
By: [Signature]

Its: Member

STATE OF OREGON

COUNTY OF Clackamas ) ss.

The foregoing instrument was acknowledged before me this 10<sup>th</sup> day of Dec., 2007, by Herb Koss, who stated that he is the member of La Fallotte Butte, LLC, and that he is authorized to execute the foregoing instrument on behalf of the company.



Stacey L. Quicho

Notary Public for Oregon

My Commission Expires: May 30, 2011

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AUG 17 2022  
OWRD





**POVEY & ASSOCIATES—LAND SURVEYORS**

REGISTERED PROFESSIONAL LAND SURVEYORS, OREGON NO. 1652 and 2039  
PARTNERSHIP I.D. #93-0738184

P.O. BOX 131 • OFFICE 338 S.W. 7th • REDMOND, OREGON 97756 • (541) 548-6778  
Fax (541) 548-0478

RECEIVED

AUG 17 2022

OWRD

Exhibit "A"

Description

LA FALLOTTE BUTTE, LLC (SEELY) to BIG FALLS RANCH (BARBER)  
Deschutes County Property Line Adjustment NO. LL-07- 92,  
in the SE1/4 of Section 18, T.14S., R.12E., W.M.  
**TRANSFER PARCEL "B"**

Description of a tract of land situate in the Northeast Quarter of the Southeast Quarter (NE1/4 SE1/4) of Section 18, Township 14 South, Range 12 East of the Willamette Meridian, Deschutes County, Oregon, more particularly described as follows:

Commencing at a 1/2" pipe per County Survey No. CS13834 monumenting the East 1/4 Corner of said Section 18, the Initial Point;  
thence along the boundary of Parcel 2, Partition Plat No. 1999-50 as surveyed by said CS13834 as follows: S00°25'20"E and along the East line of said Section 18 (cited in CS13834 as S00°24'37"E) - 1048.52 feet to a 1/2" pipe with yellow plastic cap marked "Povey & Assoc." (hereafter called "cap") and to the POINT OF BEGINNING;  
thence S00°25'20"E and along the East line of said Section 18 - 282.35 feet to a 3/4" pipe;  
thence S89°48'14"W and along the South line of the NE1/4 of said section - 349.95 feet to a 1/2" pipe with cap;  
thence N50°49'01"E and leaving said Parcel 2 boundary - 448.78 feet to the POINT OF BEGINNING.

The same containing approximately 1.13 land acres.

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*Robert R. Povey 10-26-2007*

OREGON  
JULY 14, 1978  
ROBERT R. POVEY  
1652

*Renews 12/31/08*





**BARGAIN AND SALE DEED**

Recording requested by and when recorded return to:

Robert S. Lovlien  
Bryant, Lovlien & Jarvis, PC  
PO Box 880  
Bend, OR 97709

Unless a change is requested,  
all tax statements shall be sent to:

Big Falls Ranch Co.  
P.O. Box 434  
Terrebonne, OR 97760

RECEIVED

AUG 17 2022

OWRD

The true consideration for this transfer is to effectuate that certain lot line adjustment, as approved in Deschutes County Community Development Department File No.: LL-07-92.

BIG FALLS RANCH CO., an Oregon corporation, Grantor, conveys to BIG FALLS RANCH CO., an Oregon corporation, Grantee, the following described real property:

See Exhibit "A", which is attached hereto and incorporated herein by reference.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. 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 APPROVED USES, 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 197.352.



DATED this 28<sup>th</sup> day of November, 2007.

BIG FALLS RANCH CO.

By: *Rex Barber Jr*  
Its: President

STATE OF OREGON                    )  
  ) ss.  
COUNTY OF DESCHUTES        )

The foregoing instrument was acknowledged before me this 28<sup>th</sup> day of Nov., 2007, by Rex Barber, Jr., who stated that he is the President of Big Falls Ranch Co., and that he is authorized to execute the foregoing instrument on behalf of the corporation.



*Amber Lee Kirk*  
Notary Public for Oregon  
My Commission Expires: 10/31/2011

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AUG 17 2022

OWRD

2 - Bargain and Sale Deed 1635-032 302.doc

BRYANT, LOVLIE & JARVIS, PC  
ATTORNEYS AT LAW, ESTABLISHED 1915  
591 SW Mill View Way PO Box 880 Bend, Oregon 97709-0880 (541) 382-4331 fax (541) 389-3386 WWW.BLJLAWYERS.COM





# POVEY & ASSOCIATES—LAND SURVEYORS

REGISTERED PROFESSIONAL LAND SURVEYORS, OREGON NO. 1652 and 2039  
PARTNERSHIP I.D. #93-0738184

P.O. BOX 131 • OFFICE 338 S.W. 7th • REDMOND, OREGON 97756 • (541) 548-6778  
Fax (541) 548-0478

## Exhibit "A"

### Description

BIG FALLS RANCH CO (REX BARBER JR.)  
Deschutes County Property Line Adjustment NO. LL-07- 92,  
in the SE1/4 of Section 18, T.14S., R.12E., W.M.  
NEW TAX LOT 1405 (PARCEL 2)

Description of a tract of land situate in a portion of  
Parcel 2 of Partition Plat No. 1999-50 and a portion of the  
NE1/4 of the SE1/4 (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:

Parcel 2 of Partition Plat No. 1999-50,  
EXCEPTING Transfer Parcel "A" attached and  
TOGETHER WITH Transfer Parcel "B" attached.

The same resulting tract containing approximately 199.84  
land acres.

RECEIVED

AUG 17 2022

OWRD

PAGE 1 DESCRIPTION

G:07-016\NEWREX.WPS

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*Robert R. Povey* 10-26-2007

OREGON  
JULY 14, 1978  
ROBERT R. POVEY  
1652

Renews: 12/31/08





# POVEY & ASSOCIATES—LAND SURVEYORS

REGISTERED PROFESSIONAL LAND SURVEYORS, OREGON NO. 1852 and 2039  
PARTNERSHIP LD. #93-0738184

P.O. BOX 131 • OFFICE 338 S.W. 7th • REDMOND, OREGON 97756 • (541) 548-6778  
Fax (541) 548-0478

## Description

BIG FALLS RANCH (BARBER) to LA FALLOTTE BUTTE, LLC (SEELY)  
Deschutes County Property Line Adjustment NO. LL-07-\_\_\_\_\_,  
in the SE1/4 of Section 18, T.14S., R.12E., W.M.  
TRANSFER PARCEL "A"

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Description of 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.

The same containing approximately 1.13 land acres, NOTING  
30-foot wide Lower Bridge Way along the complete length of  
the Southwest line of the above described parcel.

PAGE 1 DESCRIPTION

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REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*Robert R. Povey* 10-26-2007

OREGON  
JULY 14, 1978  
ROBERT R. POVEY  
1852

Renews: 12/31/28





# POVEY & ASSOCIATES—LAND SURVEYORS

REGISTERED PROFESSIONAL LAND SURVEYORS, OREGON NO. 1652 and 2039  
PARTNERSHIP I.D. #93-0738184

P.O. BOX 131 • OFFICE 338 S.W. 7th • REDMOND, OREGON 97756 • (541) 548-6778  
Fax (541) 548-0478

## Description

LA FALLOTTE BUTTE, LLC (SEELY) to BIG FALLS RANCH (BARBER)  
Deschutes County Property Line Adjustment NO. LL-07-\_\_\_\_,  
in the SE1/4 of Section 18, T.14S., R.12E., W.M.  
**TRANSFER PARCEL "B"**

Description of a tract of land situate in the Northeast Quarter of the Southeast Quarter (NE1/4 SE1/4) of Section 18, Township 14 South, Range 12 East of the Willamette Meridian, Deschutes County, Oregon, more particularly described as follows:

Commencing at a 1/2" pipe per County Survey No. CS13834 monumenting the East 1/4 Corner of said Section 18, the Initial Point;  
thence along the boundary of Parcel 2, Partition Plat No. 1999-50 as surveyed by said CS13834 as follows: S00°25'20"E and along the East line of said Section 18 (cited in CS13834 as S00°24'37"E) - 1048.52 feet to a 1/2" pipe with yellow plastic cap marked "Povey & Assoc." (hereafter called "cap") and to the POINT OF BEGINNING;  
thence S00°25'20"E and along the East line of said Section 18 - 282.35 feet to a 3/4" pipe;  
thence S89°48'14"W and along the South line of the N1/2 NE1/4 of said section - 349.95 feet to a 1/2" pipe with cap;  
thence N50°49'01"E and leaving said Parcel 2 boundary - 448.78 feet to the POINT OF BEGINNING.

The same containing approximately 1.13 land acres.

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AUG 17 2022

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REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*Robert R. Povey* 10-26-2007

OREGON  
JULY 14, 1978  
ROBERT R. POVEY  
1652

Renews: 12/31/08





BARGAIN AND SALE DEED

Recording requested by and when recorded return to:

Robert S. Lovlien  
Bryant, Lovlien & Jarvis, PC  
PO Box 880  
Bend, OR 97709

Unless a change is requested,  
all tax statements shall be sent to:

La Fallotte Butte, LLC  
1780 SW Advance Rd.  
West Linn, OR 97068

RECEIVED

AUG 17 2022

OWRD

The true consideration for this transfer is to effectuate that certain lot line adjustment, as approved in Deschutes County Community Development Department File No.: LL-07-92.

LA FALLOTTE BUTTE, LLC, an Oregon limited liability company, Grantor, conveys to LA FALLOTTE BUTTE, LLC, an Oregon limited liability company, Grantee, the following described real property:

See Exhibit "A", which is attached hereto and incorporated herein by reference.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. 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 APPROVED USES, 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 197.352.



DATED this 10th day of December, 2007.

LA FALLOTTE BUTTE, LLC

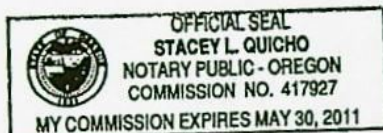
By: [Signature]

Its: Member

STATE OF OREGON )

COUNTY OF Clackamas ) ss.

The foregoing instrument was acknowledged before me this 10th day of Dec., 2007, by Herb Hoss, who stated that he is the member of La Fallotte Butte, LLC and that he is authorized to execute the foregoing instrument on behalf of the company.



[Signature]

Notary Public for Oregon

My Commission Expires: May 30, 2011

RECEIVED

AUG 17 2022

OWRD

2 - Bargain and Sale Deed 1635-032 303.doc

BRYANT, LOVLIE & JARVIS, PC  
ATTORNEYS AT LAW, ESTABLISHED 1915

591 SW Mill View Way PO Box 880 Bend, Oregon 97709-0880 (541) 382-4331 fax (541) 389-3386 WWW.BJLAWYERS.COM





# POVEY & ASSOCIATES—LAND SURVEYORS

REGISTERED PROFESSIONAL LAND SURVEYORS, OREGON NO. 1652 and 2039  
PARTNERSHIP L.D. #93-0738184

P.O. BOX 131 • OFFICE 338 S.W. 7th • REDMOND, OREGON 97756 • (541) 548-6778  
Fax (541) 548-0478

## Exhibit "A"

### Description

LA FALLOTTE BUTTE, LLC (DOUG SEELY)  
Deschutes County Property Line Adjustment NO. LL-07- 92,  
in the SE1/4 of Section 18, T.14S., R.12E., W.M.  
NEW TAX LOT 2000

Description of a tract of land situate in a portion of  
Parcel 2 of Partition Plat No. 1999-50 and a portion of the  
NE1/4 of the SE1/4 (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:

The NE1/4 of the SE1/4 of Section 18, T.14S., R.12E., W.M.,  
TOGETHER WITH Transfer Parcel "A" attached and  
EXCEPTION Transfer Parcel "B" attached.

The same resulting tract containing approximately 40 land  
acres.

RECEIVED

AUG 17 2022

OWRD

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*Robert R. Povey* 10-26-2007

OREGON  
JULY 14, 1978  
ROBERT R. POVEY  
1652

Renews: 12/31/08

PAGE 1 DESCRIPTION

G:07-016\NEWSEELY.WPS





# POVEY & ASSOCIATES—LAND SURVEYORS

REGISTERED PROFESSIONAL LAND SURVEYORS, OREGON NO. 1652 and 2039  
PARTNERSHIP I.D. #93-0738184

P.O. BOX 131 • OFFICE 338 S.W. 7th • REDMOND, OREGON 97756 • (541) 548-6778  
Fax (541) 548-0478

## Description

BIG FALLS RANCH (BARBER) to LA FALLOTTE BUTTE, LLC (SEELY)  
Deschutes County Property Line Adjustment NO. LL-07-\_\_\_\_,  
in the SE1/4 of Section 18, T.14S., R.12E., W.M.  
TRANSFER PARCEL "A"

Description of 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.

The same containing approximately 1.13 land acres, NOTING  
30-foot wide Lower Bridge Way along the complete length of  
the Southwest line of the above described parcel.

PAGE 1 DESCRIPTION

G:07-016\REX2SELY.WPS

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*Robert R. Povey* 10-26-2007

OREGON  
JULY 14, 1978  
ROBERT R. POVEY  
1652

Renews: 12/31/08

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# POVEY & ASSOCIATES—LAND SURVEYORS

REGISTERED PROFESSIONAL LAND SURVEYORS, OREGON NO. 1652 and 2039  
PARTNERSHIP I.D. #93-0738184

P.O. BOX 131 • OFFICE 338 S.W. 7th • REDMOND, OREGON 97756 • (541) 548-6778  
Fax (541) 548-0478

## Description

LA FALLOTTE BUTTE, LLC (SEELY) to BIG FALLS RANCH (BARBER)  
Deschutes County Property Line Adjustment NO. LL-07-\_\_\_\_,  
in the SE1/4 of Section 18, T.14S., R.12E., W.M.  
**TRANSFER PARCEL "B"**

Description of 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 - 1048.52 feet (cited in CS13834 as S00°24'37"E) to a 1/2" pipe with yellow plastic cap marked "Povey & Assoc." (hereafter called "cap") and to the POINT OF BEGINNING;  
thence S00°25'20"E and along the East line of said Section 18 - 282.35 feet to a 3/4" pipe;  
thence S89°48'14"W and along the South line of the N1/2 NE1/4 of said section - 349.95 feet to a 1/2" pipe with cap;  
thence N50°49'01"E and leaving said Parcel 2 boundary - 448.78 feet to the POINT OF BEGINNING.

The same containing approximately 1.13 land acres.

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PROFESSIONAL  
LAND SURVEYOR

*Robert R. Povey* 10-26-2007

OREGON  
JULY 14, 1978  
ROBERT R. POVEY  
1652

Renews: 12/31/08



Application for Water Right  
Transfer  
Consent by Deeded Landowner

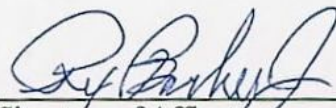


Oregon Water Resources Department  
725 Summer Street NE, Suite A  
Salem, Oregon 97301-1266  
(503) 986-0900  
www.wrd.state.or.us

State of Oregon )  
 )ss  
County of Deschutes )

I REX BARBER JR. in my capacity as PRESIDENT OF BIG FALLS RANCH CO.,  
mailing address PO BOX 434 TERREBONNE, OR 97760,  
telephone number 541-948-6325, duly sworn depose and say that I, upon issuance of a Final  
Order approving the proposed Transfers, consent to the proposed change(s) to Water Right  
Certificate Numbers 87558, 96190, & 96192  
described in a Transfer Application (T-td) submitted by Pinnacle Utilities, LLC,  
(transfer number, if known)

on the property in tax lot number(s): 1412000001500, situs address 70480 NW LOWER  
BRIDGE WAY TERREBONNE, OR 97760; 1412000001400, situs address 70460 NW LOWER  
BRIDGE WAY TERREBONNE, OR 97760; 1412000001403, situs address UNKNOWN;  
1412000001402, situs address 70470 NW LOWER BRIDGE WAY TERREBONNE, OR 97760;  
1412000001404, situs address 70700 NW LOWER BRIDGE WAY TERREBONNE, OR 97760;  
1412000001405, situs address 70504 NW LOWER BRIDGE WAY TERREBONNE, OR 97760;  
1412000001406, situs address 70505 NW LOWER BRIDGE WAY TERREBONNE, OR 97760  
(site address)

  
\_\_\_\_\_  
Signature of Affiant

8/16/2022  
\_\_\_\_\_  
Date

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AUG 17 2022

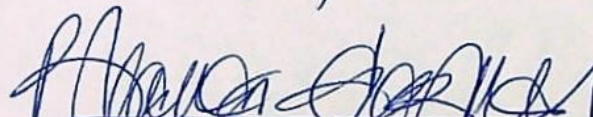
\_\_\_\_\_  
Signature of Affiant

\_\_\_\_\_  
Date

OWRD

Subscribed and Sworn to before me this 16 day of August, 2022



  
\_\_\_\_\_  
Notary Public for Oregon

My commission expires 8/07/2023



## Supplemental Form D

### Water Right Transfers Within the Boundaries of or Served by an Irrigation District or other Water Supplier (Association, Ditch Co., etc.)

[For transfers submitted under OAR Chapter 690 Division 380]



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

The Department requires non-district applicants to communicate with districts/water suppliers during the planning and preparation of transfer applications involving water rights having a point of diversion or appropriation (POD/POA) or place of use (POU) served by or located within the boundaries of an irrigation district, or other type of water supplier to which assessments are paid. In some cases consent will be required from the district or water supplier.

This form must be included with any transfer application that involves rights served by or located within the boundaries of a district or other type of water supplier.

#### 1. APPLICANT INFORMATION

NAME KAMERON DELASHMUTT / PINNACLE UTILITIES, LLC			PHONE (HM)	
PHONE (WK)		CELL 541-350-8479	FAX	
ADDRESS 2447 NW CANYON DRIVE				
CITY REDMOND	STATE OR	ZIP 97756	E-MAIL** kameron1959@gmail.com	

#### 2. DISTRICT or WATER SUPPLIER INFORMATION

DISTRICT/WATER SUPPLIER NAME CENTRAL OREGON IRRIGATION DISTRICT			PHONE (HM)	
PHONE (WK) 541-548-6047		CELL	FAX	
ADDRESS 1055 SW LAKE CT				
CITY REDMOND	STATE OR	ZIP 97756	E-MAIL** LESLIEC@COID.ORG	

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\*\* By providing an e-mail address, the applicant and/or the district/water supplier consents to receive all correspondence from the Department electronically. Copies of final order documents will also be mailed.

#### 3. WATER RIGHTS ISSUED IN THE NAME OF, or LOCATED WITHIN, or SERVED BY AN IRRIGATION DISTRICT, OTHER DISTRICT, OR WATER SUPPLIER

a. List the water right(s) involved in this transfer:

	Application / Decree	Permit / Previous Transfer	Certificate	Is the water right in the name of a district, water supplier, or BOR*?
1.		-	96190	YES <input type="checkbox"/>
2.		-	96192	YES <input type="checkbox"/>
3.		-		YES <input type="checkbox"/>

Attach additional pages for additional water rights if necessary.

\*Bureau of Reclamation



- b. Determine a district's/water supplier's connection to your points of diversion (POD) or appropriation (POA) and places of use (POU). [You may need to consult with your district/water supplier.]

**CURRENT ASSOCIATIONS** Please answer the following "yes" or "no" questions:

- YES ☐ NO ☒ One or more of the current POD(s) / POA(s) involved in the transfer are served by a district/water supplier or rely on BOR water.
- YES ☐ NO ☒ All or a portion of the current POU involved in this proposed transfer receives water for either primary or supplemental irrigation from the district/water supplier; i.e., the POU is currently layered with a district or BOR water supplied water right(s).

**PROPOSED ASSOCIATIONS** Please answer the following "yes" or "no" questions:

- YES ☐ NO ☒ One or more of the proposed POD(s) / POA(s) involved in the transfer are currently served or will be served by a district/water supplier if the transfer is approved, or rely on BOR water.
- YES ☐ NO ☒ All or a portion of the proposed POU involved in this proposed transfer currently receives or will receive either primary or supplemental irrigation from the district/water supplier; i.e., the POU will be layered with a district/water supplier or BOR water supplied water right(s).

COMMENTS OR ADDITIONAL INFORMATION : THE APPLICANT IS PROPOSING TO TEMPORARILY CHANGE THE CHARACTER OF USE, PLACE OF USE, THE POINTS OF APPROPRIATION FOR A 47.6 ACRE/0.548 CFS PORTION OF CERTIFICATE 96190 AND A 106.1 ACRE/1.22 CFS PORTION OF CERTIFICATE 96192 TO MEET INITIAL QM DEMAND NEEDS OF THE "ON" PROPERTY UNDER OAR 690-380-8000.

**4. APPLICANT'S SIGNATURE**

- (1) I certify that I have notified the district/water supplier about the proposed water right transfer application by [check one]:  
☒ email, ☐ phone, ☐ postal mail, ☐ in person, or ☐ other (please specify) \_\_\_\_\_
- (2) I certify that to the best of my knowledge the information contained in this Supplemental Form D is true and accurate.

Applicant Signature  Name (print) Kim DeLasalle Date 8/2/22

**5. (WHEN REQUIRED) DISTRICT or WATER SUPPLIER CONSENT TO THE PROPOSED WATER RIGHT TRANSFER**

District Manager or Water Supplier consent is required if any box on this form is marked "YES."

The district/water supplier certifies the following:

- (1) The district/water supplier has reviewed the applicant's proposed water right transfer application and maps; and
- (2) The district/water supplier consents to the proposed water right transfer application.

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YES ☐ NO ☐

After proof of completion, the confirming water right certificate is to remain in the name of the U.S. Bureau of Reclamation or the district/water supplier.

YES ☐ NO ☐

The district/water supplier will be responsible for submitting the claim of beneficial use prepared by a Certified Water Rights Examiner (CWRE).

\_\_\_\_\_  
Signature of District Manager /Water Supplier

\_\_\_\_\_  
Name (print), Title

\_\_\_\_\_  
Date

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Bryce Withers <brycewrs@gmail.com>

---

## District Notification of Water Right Temporary Transfers

1 message

---

Bryce Withers <brycewrs@gmail.com>

Thu, Jun 16, 2022 at 3:21 PM

To: LeslieClark <Lesliec@coid.org>

Hi Leslie,

Just sending the required notification for two temporary transfers, the "ON" lands are within your boundary, but not currently any water being delivered. Please let me know if you have any questions or concerns or need any additional information. I have also attached a draft "on" map for your reference.

Thank you!

—

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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### 3 attachments

 Supplemental\_Form\_D\_non-district\_transfer\_within\_District\_COID\_87558.pdf  
132K

 Supplemental\_Form\_D\_non-district\_transfer\_within\_District\_COID\_96190\_96192.pdf  
132K

 REX\_BARBER\_WATER\_PINNACLE\_TEMP\_TFR\_MAP\_ON.pdf  
274K



## Supplemental Form D

### Water Right Transfers Within the Boundaries of or Served by an Irrigation District or other Water Supplier (Association, Ditch Co., etc.)

[For transfers submitted under OAR Chapter 690 Division 380]



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

The Department requires non-district applicants to communicate with districts/water suppliers during the planning and preparation of transfer applications involving water rights having a point of diversion or appropriation (POD/POA) or place of use (POU) served by or located within the boundaries of an irrigation district, or other type of water supplier to which assessments are paid. In some cases consent will be required from the district or water supplier.

This form must be included with any transfer application that involves rights served by or located within the boundaries of a district or other type of water supplier.

#### 1. APPLICANT INFORMATION

NAME KAMERON DELASHMUTT / PINNACLE UTILITIES, LLC			PHONE (HM)
PHONE (WK)	CELL 541-350-8479	FAX	
ADDRESS 2447 NW CANYON DRIVE			
CITY REDMOND	STATE OR	ZIP 97756	E-MAIL** kameron1959@gmail.com

#### 2. DISTRICT or WATER SUPPLIER INFORMATION

DISTRICT/WATER SUPPLIER NAME TUMALO IRRIGATION DISTRICT			PHONE (HM)
PHONE (WK) 541-382-3053	CELL	FAX	
ADDRESS 64697 COOK AVE			
CITY BEND	STATE OR	ZIP 97703	E-MAIL** APRIL@TUMALO.ORG

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\*\* By providing an e-mail address, the applicant and/or the district/water supplier consents to receive all correspondence from the Department electronically. Copies of final order documents will also be mailed.

#### 3. WATER RIGHTS ISSUED IN THE NAME OF, or LOCATED WITHIN, or SERVED BY AN IRRIGATION DISTRICT, OTHER DISTRICT, OR WATER SUPPLIER

a. List the water right(s) involved in this transfer:

	Application / Decree	Permit / Previous Transfer	Certificate	Is the water right in the name of a district, water supplier, or BOR*?
1.		-	96190	YES <input type="checkbox"/>
2.		-	96192	YES <input type="checkbox"/>
3.		-		YES <input type="checkbox"/>

Attach additional pages for additional water rights if necessary.

\*Bureau of Reclamation



- b. Determine a district's/water supplier's connection to your points of diversion (POD) or appropriation (POA) and places of use (POU). [You may need to consult with your district/water supplier.]

**CURRENT ASSOCIATIONS** Please answer the following "yes" or "no" questions:

- YES ☐ NO ☒ One or more of the current POD(s) / POA(s) involved in the transfer are served by a district/water supplier or rely on BOR water.
- YES ☐ NO ☒ All or a portion of the current POU involved in this proposed transfer receives water for either primary or supplemental irrigation from the district/water supplier; i.e., the POU is currently layered with a district or BOR water supplied water right(s).

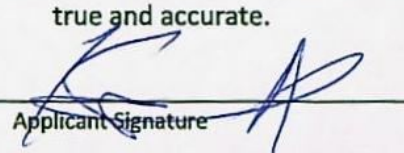
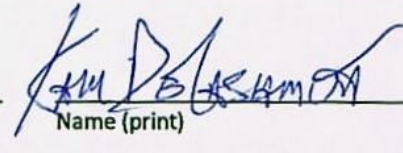

**PROPOSED ASSOCIATIONS** Please answer the following "yes" or "no" questions:

- YES ☐ NO ☒ One or more of the proposed POD(s) / POA(s) involved in the transfer are currently served or will be served by a district/water supplier if the transfer is approved, or rely on BOR water.
- YES ☐ NO ☒ All or a portion of the proposed POU involved in this proposed transfer currently receives or will receive either primary or supplemental irrigation from the district/water supplier; i.e., the POU will be layered with a district/water supplier or BOR water supplied water right(s).

**COMMENTS OR ADDITIONAL INFORMATION:** THE APPLICANT IS PROPOSING TO TEMPORARILY CHANGE THE CHARACTER OF USE, PLACE OF USE, THE POINTS OF APPROPRIATION FOR A 47.6 ACRE/0.548 CFS PORTION OF CERTIFICATE 96190 AND A 106.1 ACRE/1.22 CFS PORTION OF CERTIFICATE 96192 TO MEET INITIAL QM DEMAND NEEDS OF THE "ON" PROPERTY UNDER OAR 690-380-8000.

**4. APPLICANT'S SIGNATURE**

- (1) I certify that I have notified the district/water supplier about the proposed water right transfer application by [check one]:  
☒ email, ☐ phone, ☐ postal mail, ☐ in person, or ☐ other (please specify) \_\_\_\_\_
- (2) I certify that to the best of my knowledge the information contained in this Supplemental Form D is true and accurate.

    
Applicant Signature Name (print) Date

**5. (WHEN REQUIRED) DISTRICT or WATER SUPPLIER CONSENT TO THE PROPOSED WATER RIGHT TRANSFER**

District Manager or Water Supplier consent is required if any box on this form is marked "YES."

The district/water supplier certifies the following:

- (1) The district/water supplier has reviewed the applicant's proposed water right transfer application and maps; and
- (2) The district/water supplier consents to the proposed water right transfer application.

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- YES ☐ NO ☐ After proof of completion, the confirming water right certificate is to remain in the name of the U.S. Bureau of Reclamation or the district/water supplier.
- YES ☐ NO ☐ The district/water supplier will be responsible for submitting the claim of beneficial use prepared by a Certified Water Rights Examiner (CWRE).

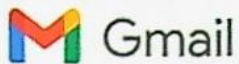
\_\_\_\_\_  
Signature of District Manager /Water Supplier

\_\_\_\_\_  
Name (print), Title

\_\_\_\_\_  
Date

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AUG 17 2022  
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Bryce Withers <brycewrs@gmail.com>

---

## District Notification of Water Right Temporary Transfers

1 message

---

Bryce Withers <brycewrs@gmail.com>

Thu, Jun 16, 2022 at 3:11 PM

To: April Harris <april@tumalo.org>

Hi April,

Just sending the required notification for two temporary transfers, the "ON" lands are within your boundary, but not currently any water being delivered. Please let me know if you have any questions or concerns or need any additional information. I have also attached a draft "on" map for your reference.

Thank you!

--

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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### 3 attachments

 REX\_BARBER\_WATER\_PINNACLE\_TEMP\_TFR\_MAP\_ON.pdf  
274K

 Supplemental\_Form\_D\_non-district\_transfer\_within\_District\_TID\_96190\_96192.pdf  
132K

 Supplemental\_Form\_D\_non-district\_transfer\_within\_District\_TID.pdf  
132K



Site Plan - Phase A-1 Resort Facilities (File No. 247-21-000537-SP): In May 2021, Central filed for Site Plan approval for a Welcome Center, Gatehouse, Golf Clubhouse and Community Hall authorized under the CMP and FMP. In November 2021, the Deschutes County Planning Division administratively approved the Site Plan. An appeal was filed by Gould, and the Hearings Officer denied the issues on appeal (file no. 247-21-001009-A) and approved the site plan. The BOCC declined review of an appeal (Order No. 2022-012). Gould has filed an appeal to LUBA (pending LUBA No. 2022-026).

Modification of FMP – OLU Ratio (File No. 247-21-000553-MC): In June 2021, Central filed a Modification to amend the ratio of OLUs per single-family dwelling unit (from 2:1 to 2.5:1) and related bonding requirements. In October 2021, the Deschutes County Planning Division administratively approved the modification. An appeal was filed by Gould, and the Hearings Officer denied the issues on appeal (file no. 247-21-000920-A) and approved the Modification. The BOCC declined review of an appeal (Order No. 2022-003). The County's decision was appealed to LUBA by Gould and LUBA affirmed the County's decision (LUBA No. 2022-011). A petition for judicial review has been filed to the Oregon Court of Appeals.

Tentative Plan - Phase A-2 Residential Lots (File No. 247-21-000637-TP): In June 2021, Central filed for Tentative Plan approval for 108 single-family dwelling lots authorized under the CMP and FMP. In October 2021, the Deschutes County Planning Division administratively approved the application. An appeal with filed by Christine Larson, and the Hearings Officer denied the issues on appeal (file no. 247-21-00948-A) and approved the Tentative Plan. The BOCC declined review of an appeal (Order No. 2022-011). Gould has filed an appeal to LUBA (pending LUBA No. 2022-025).

### **Local Active Applications**

- 247-21-001111-SP – Site Plan approval for 70 Overnight Lodging Units in Phase A (OLUs)
  - A public hearing before a Hearings Officer was held on April 6, 2022. The Applicant requested a continuance and the Hearings Officer granted the request. A second public hearing before a Hearings Officer was held on May 4, 2022. The Applicant requested a second continuance of the public hearing and the Hearings Officer granted this continuance request. Please note the next continued hearing date has not been set at this time. Once a hearing date is set notice will be provided to all parties pursuant to DCC 22.24.030.

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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

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## NOTE TO APPLICANTS

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

**This form is NOT required if:**

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

## NOTE TO LOCAL GOVERNMENTS

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



# Land Use Information Form



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

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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	$\frac{1}{4}$ $\frac{1}{4}$	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
<u>15 S</u>	<u>12 E</u>	<u>17 &amp; 20</u>		<u>5000</u>	<u>EFUSC &amp; DR</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>QM</u>
<u>15 S</u>	<u>12 E</u>	<u>20</u>		<u>5001</u>	<u>EFUSC &amp; DR</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>QM</u>
<u>15 S</u>	<u>12 E</u>	<u>20</u>		<u>5002</u>	<u>EFUSC &amp; DR</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>QM</u>
<u>15 S</u>	<u>12 E</u>	<u>20, 21, &amp; 28</u>		<u>7700</u>	<u>EFUSC &amp; DR</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>QM</u>
<u>15 S</u>	<u>12 E</u>	<u>20</u>		<u>7701</u>	<u>EFUSC &amp; DR</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>QM</u>
<u>15 S</u>	<u>12 E</u>	<u>29 &amp; 30</u>		<u>7800</u>	<u>EFUSC &amp; DR</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>QM</u>
<u>15 S</u>	<u>12 E</u>	<u>29</u>		<u>7801</u>	<u>EFUSC &amp; DR</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>QM</u>
<u>15 S</u>	<u>12 E</u>	<u>29</u>		<u>7900</u>	<u>EFUSC &amp; DR</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>QM</u>
<u>15 S</u>	<u>12 E</u>	<u>30</u>		<u>8000</u>	<u>EFUSC &amp; DR</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>QM</u>

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) \_\_\_\_\_

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 temporarily change the character of use, place of use, the points of appropriation for a 47.6 acre/0.548 cfs portion of Certificate 96190 and a 106.1 acre/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. →

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## For Local Government Use Only

OWRD

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.

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Signature: \_\_\_\_\_ Phone: \_\_\_\_\_ Date: \_\_\_\_\_

Government Entity: \_\_\_\_\_

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

**Receipt for Request for Land Use Information**

Applicant name: \_\_\_\_\_

City or County: \_\_\_\_\_ Staff contact: \_\_\_\_\_

Signature: \_\_\_\_\_ Phone: \_\_\_\_\_ Date: \_\_\_\_\_





# TRANSACTION RECEIPT

Set Receipt Number: 59634

DESCHUTES COUNTY

117 NW Lafayette Avenue

PO Box 6005

Bend, OR 97703

541-388-6575

Receipt Date: 7/26/22

Office: Bend

Set ID: OWRD LUCS

www.deschutes.org/cd

Cashier: RACHELV

cdd-webmaster@deschutes.org

<b>Record No:</b> 247-22-000607-PS	<b>Record Receipt No:</b> 490166
<b>Parcel No:</b> 1512000005000	
<b>Address:</b> 11800 EAGLE CREST BLVD, REDMOND, OR 97756	

Description	Account Code	Fee Amt	Applied Amt
Permit Sign-Off for Other Agency - LUCS sign off	2956150 341301	\$103.00	\$103.00
		<b>\$103.00</b>	<b>\$103.00</b>

<b>Record No:</b> 247-22-000608-PS	<b>Record Receipt No:</b> 490166
<b>Parcel No:</b> 1512000005000	
<b>Address:</b> 11800 EAGLE CREST BLVD, REDMOND, OR 97756	

Description	Account Code	Fee Amt	Applied Amt
Permit Sign-Off for Other Agency - LUCS sign off	2956150 341301	\$103.00	\$103.00
		<b>\$103.00</b>	<b>\$103.00</b>

Payee	Payment Type	Check/CC Auth	Payment Amount
Kameron K DeLashmutt	Credit Card	071627	\$206.00
Credit Card Transaction Code	260722A43-CEF3ABB8-52B0-49AD-9F9A-4070F7815D3B		

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#11  
STATE OF OREGON  
WATER WELL REPORT  
(as required by ORS 537.765)

Desc 224  
DESC 224

(START CARD) # 24889

145/12/9 ba

(1) OWNER:

Name Rex Barber  
Address 2045 S.W. 21st  
City Redmond State OR Zip 97756

(2) TYPE OF WORK:

☒ New Well ☐ Deepen ☐ Recurdition ☐ Abandon

(3) DRILL METHOD

☒ Rotary Air ☐ Rotary Mud ☐ Cable  
☐ Other

(4) PROPOSED USE:

☐ Domestic ☐ Community ☐ Industrial ☒ Irrigation  
☐ Thermal ☐ Injection ☐ Other

(5) BORE HOLE CONSTRUCTION:

Special Construction approval Yes ☐ No ☐ Depth of Completed Well 340 ft.  
Explosives used Yes ☐ No ☐ Type \_\_\_\_\_ Amount \_\_\_\_\_

HOLE			SEAL			Amount sacks or pounds
Diameter	From	To	Material	From	To	
12	0	18 1/2	Benonite	0	18 1/2	11 sacks
8	18 1/2	340				

How was seal placed: Method ☐ A ☐ B ☒ C ☐ D ☐ E  
☐ Other Paired in

Backfill placed from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Material \_\_\_\_\_  
Gravel placed from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Size of gravel \_\_\_\_\_

(6) CASING/LINER:

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing: 8	+1 1/2	18 1/2	2.50	<input checked="" 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"/>	<input type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Liner:				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final location of sheets: \_\_\_\_\_

(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	5	330	1 hr.

Temperature of water \_\_\_\_\_ Depth Artesian Flow Found \_\_\_\_\_

Was a water analysis done? ☐ Yes By whom \_\_\_\_\_

Did any strata contain water not suitable for intended use? ☐ Too little

☐ Salty ☐ Muddy ☐ Odor ☐ Colored ☐ Other \_\_\_\_\_

Depth of strata: \_\_\_\_\_

(9) LOCATION OF WELL by legal description:

County 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

(10) STATIC WATER LEVEL:

170 ft. below land surface. Date 11-10-90  
Artesian pressure \_\_\_\_\_ lb. per square inch. Date \_\_\_\_\_

(11) WATER BEARING ZONES:

Depth at which water was first found 170

From	To	Estimated Flow Rate	SWL
170	340		

(12) WELL LOG:

Material	From	To	SWL
Sand & gravel	0	60	
Sand Stone	60	62	
Red lava	62	77	
Brown Sand Stone Congl.	77	147	
Red fine Sand Stone	147	213	
lava Broken	213	231	
lava	231	276	
Red Sand Stone	276	280	
Black Sand Stone	280	340	
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NOV 26 1990			
WATER RESOURCES DEPT.			
SALMON DIVISION			

Date started 11-9-90 Completed 11-10-90

(unbonded) Water Well Constructor Certification:

I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon well construction standards. Materials used and information reported above are true to my best knowledge and belief.

Signed \_\_\_\_\_ WWC Number \_\_\_\_\_  
Date \_\_\_\_\_

(bonded) Water Well Constructor Certification:

I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. all work performed during this time is in compliance with Oregon well construction standards. This report is true to the best of my knowledge and belief.

Signed William D. Humpate WWC Number 1255  
Date \_\_\_\_\_

ORIGINAL & FIRST COPY - WATER RESOURCES DEPARTMENT

SECOND COPY - CONSTRUCTOR

THIRD COPY - CUSTOMER

9809C 3/88





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

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

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DEC 11 2017

## 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: \_\_\_\_\_

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SALEM, OREGON

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## 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 DESCHUTES  
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: \_\_\_\_\_

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## 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 - 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.

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 WELL REPORT  
(as required by ORS 537.765)

DESC 768

FEB 13 1991

(START CARD) # 24903

(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 ☒ Depth of Completed Well 340 ft.

Explosives used ☐ Type \_\_\_\_\_ Amount \_\_\_\_\_

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

How was seal placed: Method ☐ A ☐ B ☐ C ☐ D ☐ E

☐ Other Bentonite (granular)

Backfill placed from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Material \_\_\_\_\_

Gravel placed from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Size of gravel \_\_\_\_\_

(6) CASING/LINER:

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

Liner:	Diameter			Gauge	Steel	Plastic	Welded	Threaded
	From	To						
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final location of shoe(s) \_\_\_\_\_

(7) PERFORATIONS/SCREENS:

☐ Perforations Method \_\_\_\_\_  
☐ Screens Type \_\_\_\_\_ Material \_\_\_\_\_

From	To	Slot size	Number	Diameter	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
<u>500</u>	<u>0</u>	<u>320</u>	<u>1 hr.</u>

Temperature of water 51 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: \_\_\_\_\_

WATER RESOURCES DEPT. LOCATION OF WELL by legal description:

County Desch Latitude \_\_\_\_\_ Longitude \_\_\_\_\_  
Township 14 Nor S. Range 12 E or W. WM.  
Section 9 NE  $\frac{1}{4}$  NW  $\frac{1}{4}$   
Tax Lot 1400 Lot \_\_\_\_\_ Block \_\_\_\_\_ Subdivision \_\_\_\_\_  
Street Address of Well (or nearest address) lower bridge

(10) STATIC WATER LEVEL:

170 ft. below land surface. Date 2-7-91

Artesian pressure \_\_\_\_\_ lb. per square inch. Date \_\_\_\_\_

(11) WATER BEARING ZONES:

Depth at which water was first found 213

From	To	Estimated Flow Rate	SWL
<u>213</u>	<u>340</u>	<u>500</u>	<u>170</u>

(12) WELL LOG:

Material	From	To	SWL
<u>Sand &amp; Gravel</u>	<u>0</u>	<u>19</u>	
<u>Brown Sand Stone Congl</u>	<u>19</u>	<u>32</u>	
<u>Cemented Sand &amp; Gravel</u>	<u>32</u>	<u>60</u>	
<u>Brown Sand Stone</u>	<u>60</u>	<u>62</u>	
<u>Red lava</u>	<u>62</u>	<u>77</u>	
<u>Brown Sand Stone Congl</u>	<u>77</u>	<u>147</u>	
<u>Red fine sand Stone</u>	<u>147</u>	<u>213</u>	
<u>(W.B.) Gray lava broken</u>	<u>213</u>	<u>231</u>	
<u>(W.B.) Black Basalt broken</u>	<u>231</u>	<u>276</u>	
<u>(W.B.) Red sand Stone</u>	<u>276</u>	<u>280</u>	
<u>(W.B.) Coarse black Sand</u>	<u>280</u>	<u>340</u>	
<u>Stone Congl</u>			

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Date started 2-4-91 Completed 2-7-91

(unbonded) Water Well Constructor Certification:

I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon well construction standards. Materials used and information reported above are true to my best knowledge and belief.

WWC Number \_\_\_\_\_  
Signed \_\_\_\_\_ Date \_\_\_\_\_

(bonded) Water Well Constructor Certification:

I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. all work performed during this time is in compliance with Oregon well construction standards. This report is true to the best of my knowledge and belief.

WWC Number 1255  
Signed William D. Allen Date \_\_\_\_\_





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

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

RECEIVED

DEC 11 2017

## 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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## 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 DESCHUTES

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.  
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 224 + DESC 768

Well Identification #:

L122706



## State Well No.

А.С.12Е-Пас

DESC 2086

SP\*12658-690





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

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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: \_\_\_\_\_

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AUG 17 2022

OWRD

## 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: \_\_\_\_\_

## 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. NASHUM - 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 2087+2086

Well Identification #:

L122702









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

# Application for Well ID Number

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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: \_\_\_\_\_

RECEIVED

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## 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: \_\_\_\_\_

## 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:

12-11-17

Well Log Number:

DESC 2087 + 2086

Well Identification #:

L122702



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 - 9 1978  
STATE OF OREGON  
WATER RESOURCES DEPT.  
SALEM, OREGON

RECEIVED

State Well No. 4512E-1820

JAN 10 1978

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:

Threaded ☐ Welded ☐

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.

" " " " "

" " " " "

Ballér 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 Driller's well number

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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AUG 17 2022

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] Dele Paul Dumas Date 1-7, 19 78  
(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, 19 78

(USE ADDITIONAL SHEETS IF NECESSARY)

SP\*45658-119



## DESC 2098



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.

WATER RESOURCES DEPT  
SALEM, OREGON

**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: \_\_\_\_\_

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AUG 17 2022

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. NASHAM - 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.

For Official Use Only by the Oregon Water Resources Department:

Received Date:

12-11-17

Well Log Number:

DESC 2098

Well Identification #:

L122703



DESC 2100

#1

## 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

## WATER WELL REPORT

STATE OF OREGON  
(Please type or print)

State Permit No.

14/12-18dea

(1) OWNER: BOB. RIEMENSCHNEIDER

Name DOUBLE R.C. RANCH

Address RT-1 BOX 238

TERREBONNE ORE.

(2) LOCATION OF WELL:

County DESC. Driller's well number

1/4 1/4 Section T. R. W.M.

Bearing and distance from section or subdivision corner

SEC-18-T 14 S- RANGE-12 E

(3) TYPE OF WORK (check):

New Well ☒ Deepening ☐ Reconditioning ☐ Abandon ☐

Abandonment, describe material and procedure in Item 12.

(4) PROPOSED USE (check):

Domestic ☐ Industrial ☐ Municipal ☐ Rotary ☐ Driven ☐  
Irrigation ☒ Test Well ☒ Other ☐ Cable ☒ Jetted ☐  
Dug ☐ Bored ☐

(5) TYPE OF WELL:

(6) CASING INSTALLED:

Threaded ☐ Welded ☒

12" Diam. from 0 ft. to 232 ft. Gage 250

24" Diam. from 8 ft. to 15 ft. Gage 312

" Diam. from ft. to ft. Gage

(7) PERFORATIONS:

Perforated? ☒ Yes ☐ No

Type of perforator used CUTTING TORCH

Size of perforations 1/2 in. by 3 in.

130 perforations from 170 ft. to 232 ft.

perforations from ft. to ft.

perforations from ft. to ft.

perforations from ft. to ft.

perforations from ft. to ft.

perforations from ft. to 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 SET GROOVED

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 DepthWas a drive shoe used? ☒ Yes ☐ NoWas well gravel packed? ☒ Yes ☐ No Size of gravel 4 1/2 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

(USE ADDITIONAL SHEETS IF NECESSARY)

RECEIVED

JUN 20 1967

(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.

Yield: 2000 gal./min. with NO ft. drawdown after 20 hrs.

" " " "

" " " "

Bailer test 100 gal./min. with NO ft. drawdown after 3 hrs.

Artesian flow g.p.m. Date

Temperature of water 56 Was a chemical analysis made? ☐ Yes ☒ No

(12) WELL LOG: Diameter of well below casing CASED TO BOTTOM

Depth drilled 232 ft. Depth of completed well 232 ft.

Formation: Describe by color, character, size of material and structure, and show thickness of aquifers and the kind and nature of the material in each stratum penetrated, with at least one entry for each change of formation.

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AUG 17 2022

OWRD

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 J. Jackson

(Water Well Contractor)

Contractor's License No. 442 Date 11-17 1966

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## 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

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

DEC 11 2017

WATER RESOURCES DEPT  
SALEM, OREGON**I. OWNER INFORMATION**Current Owner Name (please print): BIG FALLS RANCH CO. (REX BARBER)

RECEIVED

Mailing Address: P.O. Box 434City, State, Zip: TERREBONNE, OR 97760

AUG 17 2022

Mail-Well ID Tag to: ☐ SAME AS ABOVE ☐ In Care Of (C/O)

Name &amp; Address:

OWRD

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 1/4Tax Lot (usually last 3-5 numbers of Tax Map #): 1406 County DESCHUTESGPS Coordinates: 44.35252, -121.33788Street 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): IRRIGATIONDate 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 #1SUBMITTED BY (please print): WILLIAM D. Nadeau - Well Inspector - SCIRPHONE: 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 2100

Well Identification #:

#1122705



**T15S R12E, WM  
DESCHUTES COUNTY, OR**



1" = 2,000'

● Well "ON"

▨ POU QM "ON"

□ Section

--- Quarter Quarter

□ Tax Lot

**RECEIVED**

**AUG 17 2022**

**OWRD**

Well Locations:

- #1: 2519' S, 578' W of NE Cor Sec 28
- #2: 2958' S, 2316' W of NE Cor Sec 28
- #3: 1752' S, 3044' W of NE Cor Sec 28
- #4: 1677' N, 1466' W of SE Cor Sec 29
- #5: 205' S, 434' W of E 1/4 Cor Sec 20
- #6: 244' N, 1667' W of E 1/4 Cor Sec 20
- #7: 2446' S, 1180' W of N 1/4 Cor Sec 17



Barr Rd

Tumalo Cline Falls Mkt Rd

Cert: 87558 5/15/1989 Priority  
Cert: 96190 4/13/1967 Priority  
Cert: 96192 4/13/1967 Priority

**TEMPORARY TRANSFER "ON" MAP**  
For  
**Pinnacle Utilities, LLC**

Date: 6/17/2022

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

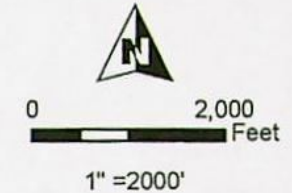
**WWW.OREGONWATER.US 541-389-2837**

johnshort@usa.com

CCB # 197121



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



- Well
- Pipeline
- Section
- Quarter Quarter
- Tax Lot

**RECEIVED**  
**AUG 17 2022**

**OWRD**

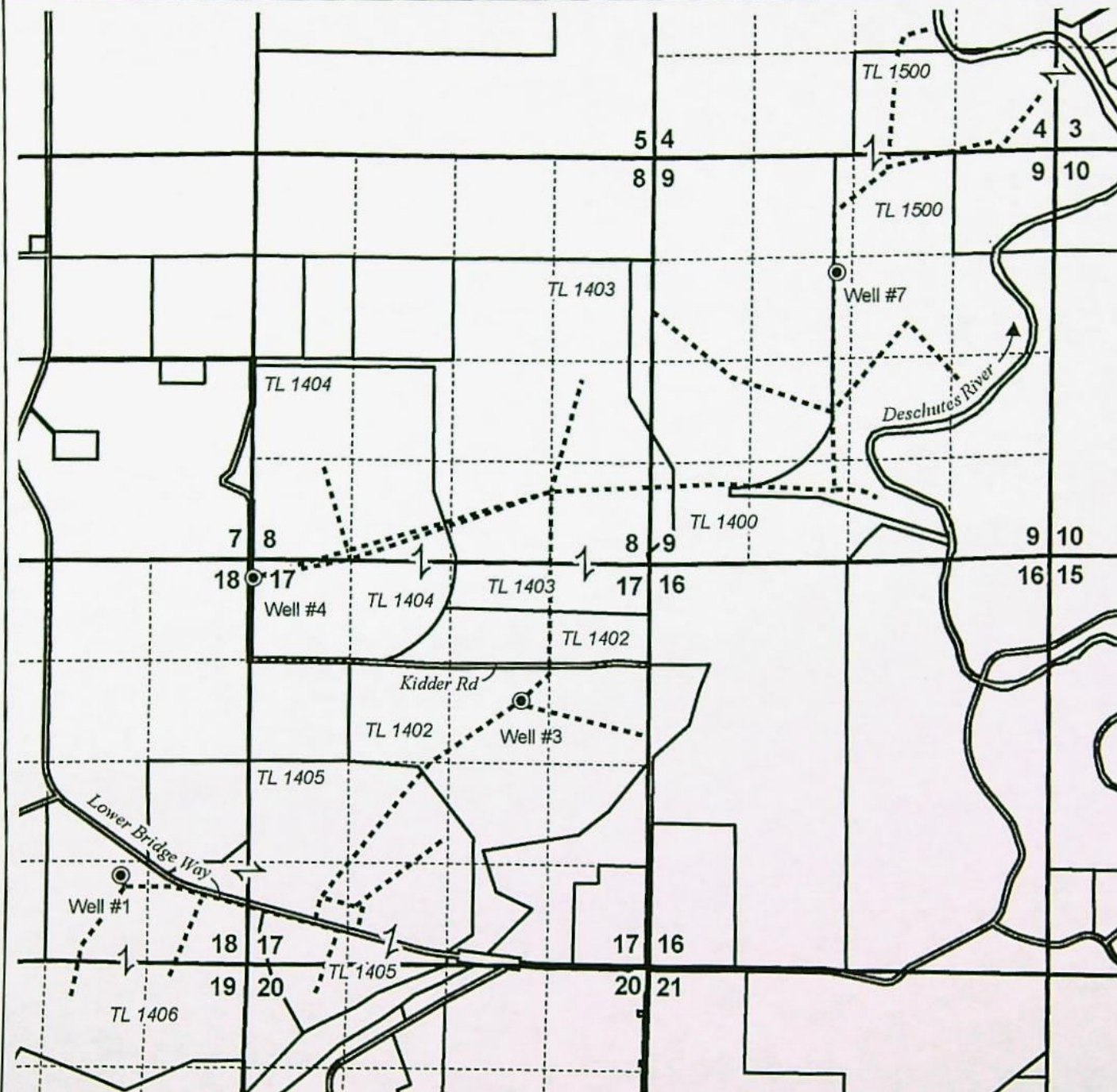
**Well Locations:**

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 Co. / Pinnacle Utilities, LLC**

Date: 7/1/2022

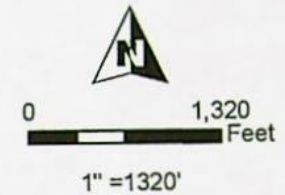
Well & Delivery System Map

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**

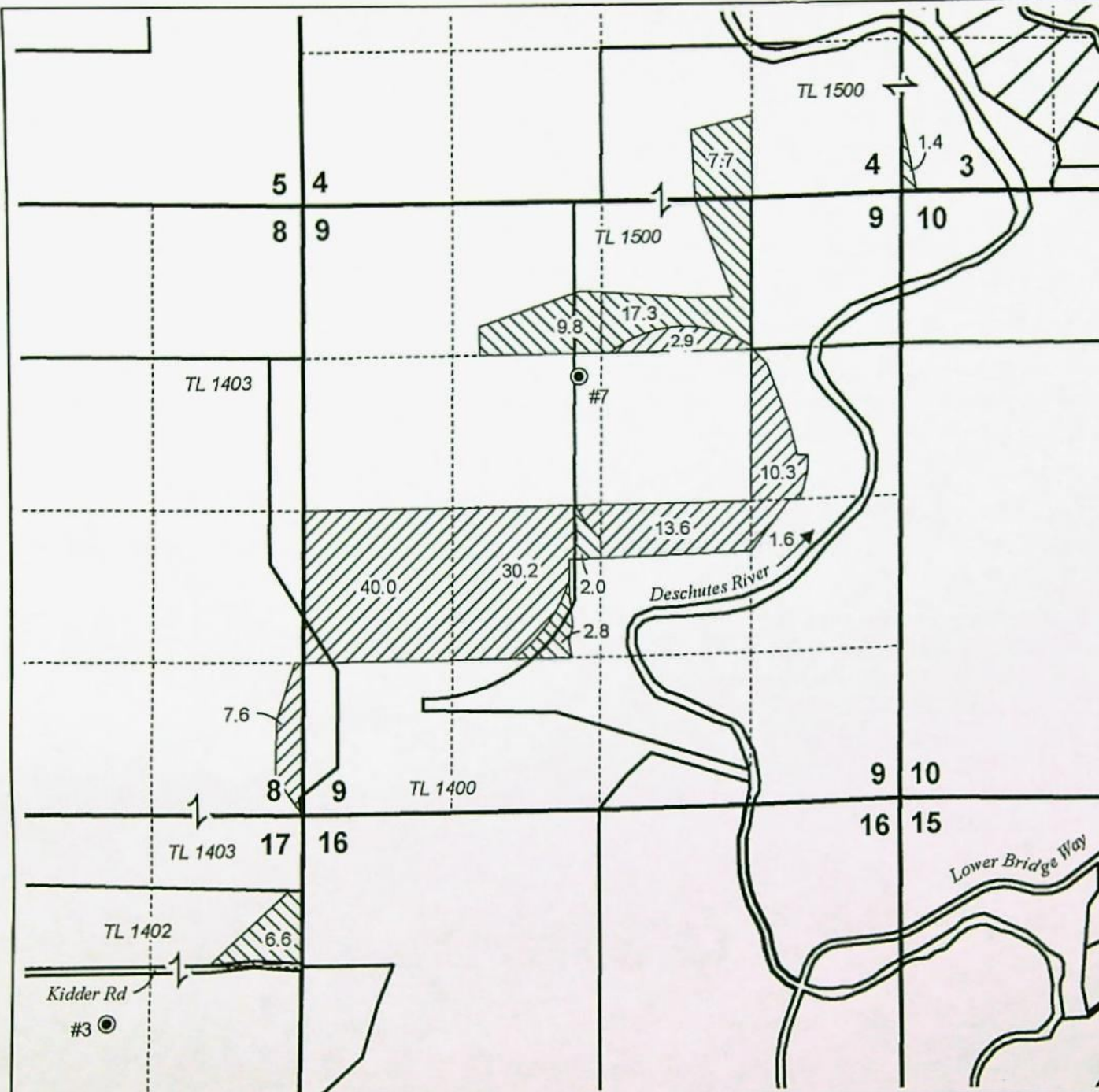


- Well
- POU IR C-96190 "OFF"
- POU IR C-96190 "NO CHANGE"
- Section
- Quarter Quarter
- Tax Lot

**RECEIVED**

**AUG 17 2022**

**OWRD**



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

Date: 7/1/2022






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

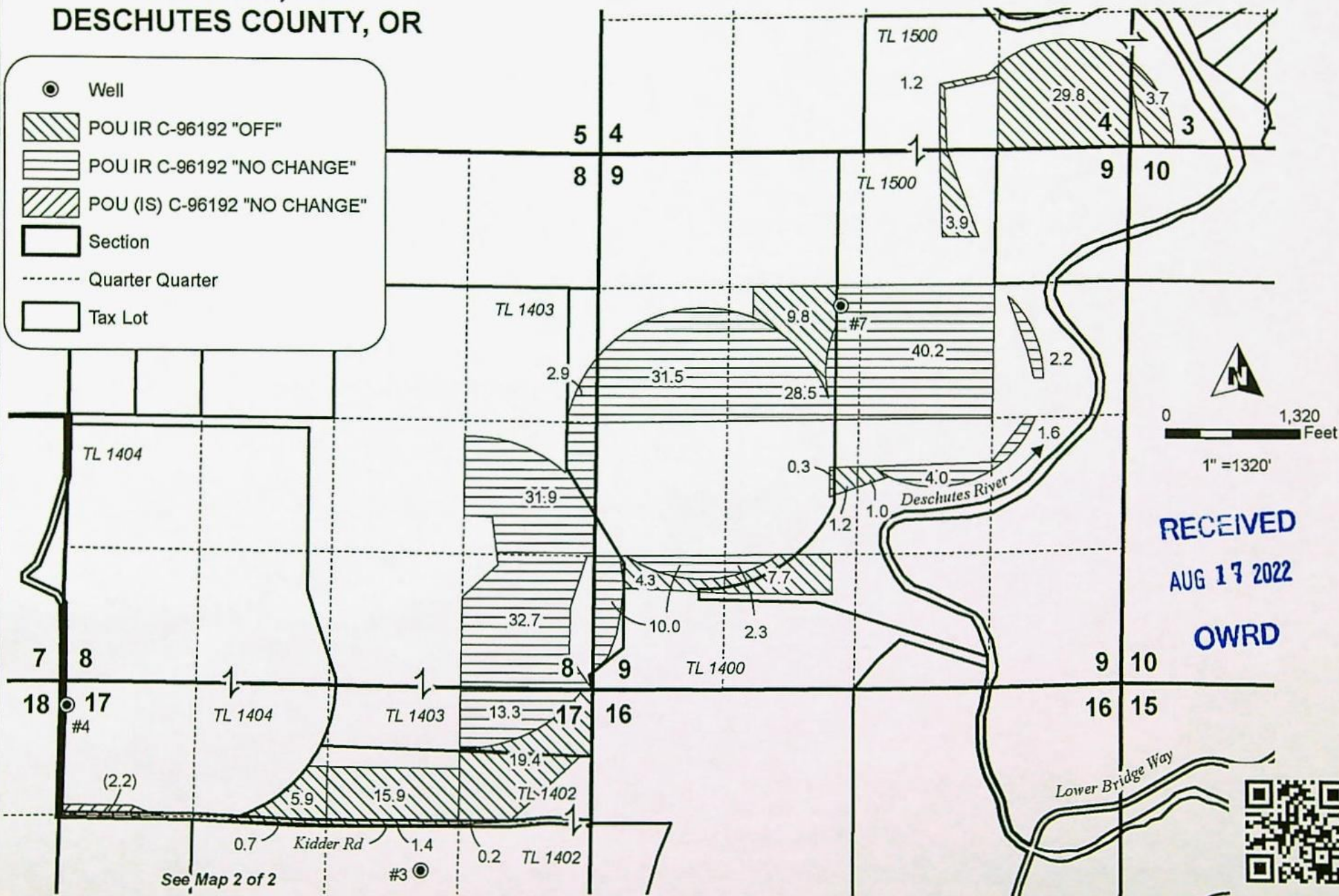
This map is not intended  
to provide legal dimensions  
or locations of property  
ownership lines.

**WATER RIGHT SERVICES, LLC**  
PO BOX 1830, BEND, OR 97709  
[WWW.OREGONWATER.US](http://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



RECEIVED  
 AUG 17 2022  
 OWRD

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

Date: 7/6/2022

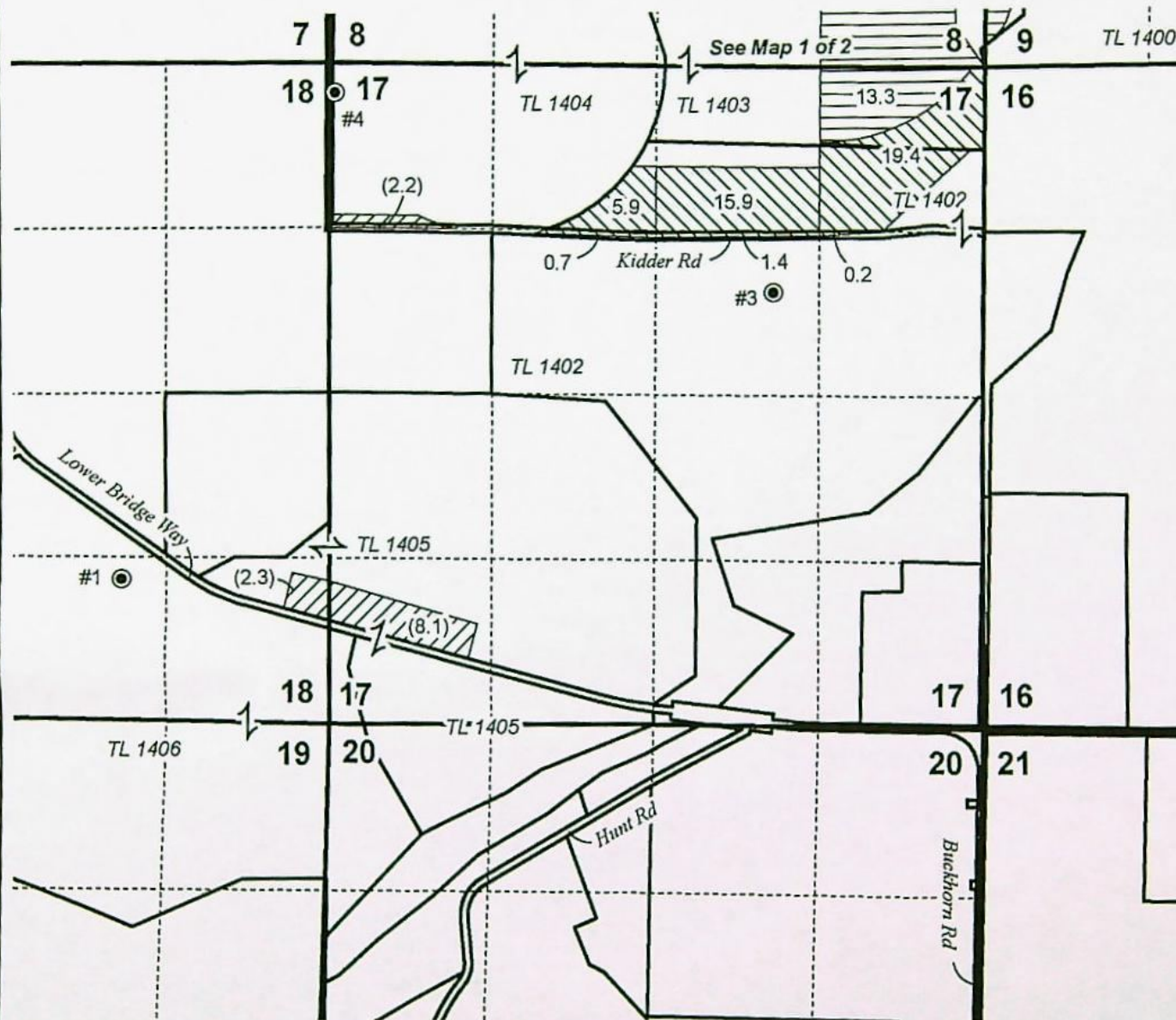
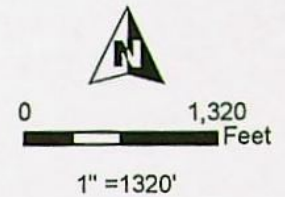
Cert: 96192 4/13/1967 Priority ("OFF" MAP 1 OF 2)

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**



- 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



LOT LINE ADJUSTMENT NO. LL 07-092

FOR: REX BARBER (BIG FALLS RANCH) & DOUG SEELY (LA FALLOTTE BUTTE, LLC)  
BETWEEN PARCEL 2, PARTITION PLAT 1999-50 & NE1/4 SE1/4  
TAX ACCOUNTS 1405 AND 2000 MAP 14-12-INDEX  
LOCATED IN A PORTION OF THE SE1/4 OF SECTION 18,  
TOWNSHIP 14 SOUTH, RANGE 12 EAST, WILLAMETTE MERIDIAN,  
DESCHUTES COUNTY, OREGON

#### LEGEND

- - SET 1/2" PIPE W/ YELLOW CAP MARKED "POVEY & ASSOC."
- - FOUND MONUMENT DESCRIBED AS PER CS13834 & CS12599
- - NOT MONUMENTED
- SF - SQUARE FEET
- INC - NO CAP ON MONUMENT
- (XXX) - RECORD MEASUREMENT PER CS13834 & CS12599
- ↗ - DISTANCE SHOWN IS NOT DRAWN TO SCALE

#### NARRATIVE

WE WERE RETAINED BY REX BARBER (OWNER OF PARCEL 2, PARTITION PLAT NO. 1999-50, AKA TAX LOT 1405) TO ADJUST THE PROPERTY LINE COMMON WITH DOUG SEELY (OWNER OF THE NE1/4 SE1/4 OF SECTION 18, AKA TAX LOT 2000), LOCATED IN THE SE1/4 OF SECTION 18, T.14S., R.12E., W.M., DESCHUTES COUNTY, OREGON. THE TRACTS ARE ALSO KNOWN AS TAX ACCOUNTS 14-12-INDEX-1405 AND 2000.

SAID PARCEL 2 WAS ORIGINALLY ESTABLISHED BY OUR SURVEY OF PARTITION PLAT NO. 1999-26 (CS12599) AND LATER REPLACED BY OUR SURVEY OF PARTITION PLAT NO. 1999-50 (CS13834).

DURING THIS SURVEY, THE MONUMENTS SHOWN HEREON AS FOUND WERE TIED BY SURVEY USING A TRIMBLE 5800 RTK GPS MEASURING INSTRUMENT. THE FOUND MONUMENTS APPLIED TO BE UNDISTURBED, IN THEIR ORIGINAL LOCATION AND WERE HELD AS FOUND.

WITH THE BOUNDARY OF THE PROPOSED ADJUSTED LINES THUS ESTABLISHED AND VERIFIED, THE DESIRED NEW PARCEL LINES WERE COMPUTED, LEGAL DESCRIPTIONS OF THE NEW TRACTS WERE WRITTEN, AND MONUMENTS WERE SET AS SHOWN.

THE BEARINGS OF THIS SURVEY ARE BASED ON THAT PORTION OF THE SOUTH LINE OF THE NORTH HALF OF THE SE1/4 OF SAID SECTION 18 LYING EAST OF LOWER BRIDGE WAY AS PER OUR SURVEY OF C.S. 13834) BEARING S89°48'14"W - 1339.48 FEET.

LA FALLOTTE BUTTE, LLC  
NEW TAX LOT 2000  
WAS NE1/4 SE1/4 SECTION 18  
APX. ± 40 ACRES (BEFORE ADJ)  
APX. ± 40 ACRES (AFTER ADJ)

BASIS OF BEARING  
(S89°48'14"W - 1338.88)  
S89°48'14"W - 1339.48'

#### CURVE DATA

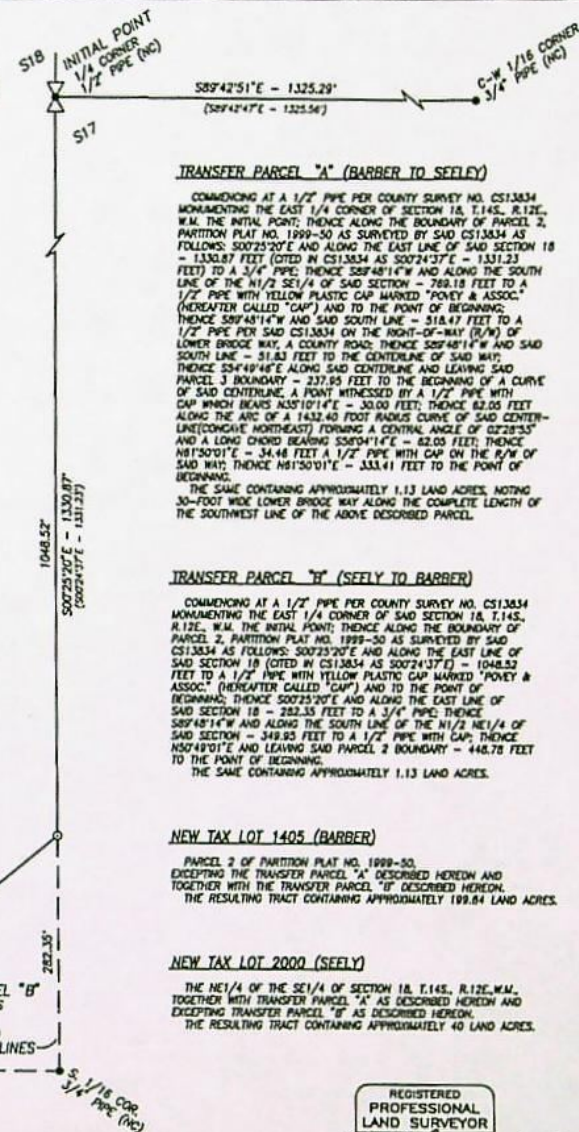
NO.	LENGTH	RADIUS	DELTA	BEARING	CHORD
C1	52.05'	1432.40'	02°28'55"	S56°04'14"E	82.05'
C2	77.54'	1402.40'	03°10'04"	N56°24'48"W	77.54'

DESCHUTES COUNTY SURVEYOR  
FILED 1/29/2008 BY: VIKKI OPE

RECEIVED

AUG 17 2022

OWRD



REGISTERED  
PROFESSIONAL  
LAND SURVEYOR  
Robert R. Povey 1-10-2008  
OREGON  
EXPIRY: 12/31/18  
1852  
Renewal Date: 12/31/08

BIG FALLS RANCH  
NEW TAX LOT 1405  
WAS PARCEL 2, PP 1999-50  
APX. 199.84 ACRES (BEFORE ADJ)  
APX. 199.84 ACRES (AFTER ADJ)

POVEY AND ASSOC., LAND SURVEYORS  
P.O. BOX 131, REDMOND, OR 97754  
(541) 348-8778 070161.DWG

CS17631

CS17631



**LOT LINE ADJUSTMENT NO. LLA-97-70**

**OWNER: BIG FALLS RANCH CO.**

**LOT LINE ADJUSTMENT BETWEEN PARCEL 2 AND PARCEL 3,  
DESCHUTES COUNTY MINOR PARTITION NO. MP-92-60  
LOCATED IN THE SECTIONS 8, 9, 17, 18, 19 AND 20,  
TOWNSHIP 14 SOUTH, RANGE 12 EAST, WILLAMETTE MERIDIAN,  
DESCHUTES COUNTY, OREGON**

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

OREGON  
JULY 15, 1983  
WILLIAM G. BAHRKE  
2039  
Renewed Date: 12/31/99

3-19-98

**LEGAL DESCRIPTIONS:**

**TRANSFER PARCEL**

DESCRIPTION OF A PARCEL OF LAND SITUATE IN A PORTION OF THE NE 1/4 OF SECTION 17, T14S, R12E, W4E, THE INITIAL POINT THENCE S00°41'15"W ALONG THE EAST LINE OF THE NE 1/4 OF SAID SECTION 17 - 656.12 FEET TO A 1/2" PIPE AND THE TRUE POINT OF BEGINNING; THENCE S00°41'15"W ALONG SAID EAST LINE - 682.84 FEET TO THE CENTERLINE OF KIDDER ROAD, A 60 FOOT RIGHT-OF-WAY; THENCE ALONG SAID CENTERLINE AS FOLLOWS: N85°58'23"W - 413.69 FEET; THENCE S84°22'21"W - 418.32 FEET; THENCE N89°50'05"W - 2038.55 FEET; THENCE N86°50'31"W - 825.08 FEET TO A 1/2" PIPE; THENCE LEAVING SAID CENTERLINE - NORTH - 37.05 FEET TO A 1/2" PIPE; THENCE 1068.81 FEET ALONG THE ARC OF A 1384.00 FOOT RADIUS CURVE CONCAVE NORTHWEST (FORMING A CENTRAL ANGLE OF 44°17'35") AND A LONG CHORD BEARING N44°17'56"E - 1043.47 FEET TO A 1/2" PIPE; THENCE S88°30'00"E - 2715.54 FEET TO THE POINT OF BEGINNING.

THE SAME CONTAINING APPROXIMATELY 50.7 ACRES, SUBJECT TO ALL EXISTING EASEMENTS AND RIGHTS-OF-WAY OVER AND ACROSS THE ABOVE DESCRIBED PARCEL OF LAND, NOTING A RIGHT-OF-WAY FOR KIDDER ROAD ACROSS THE SOUTH 30 FEET OF SAID PARCEL, AND NOTING A 60 FOOT ACCESS EASEMENT ACROSS THE EAST 60 FEET OF SAID PARCEL.

THE SAME CONTAINING APPROXIMATELY 50.7 ACRES, SUBJECT TO ALL EXISTING EASEMENTS AND RIGHTS-OF-WAY OVER AND ACROSS THE ABOVE DESCRIBED PARCEL OF LAND, NOTING A RIGHT-OF-WAY FOR KIDDER ROAD ACROSS THE SOUTH 30 FEET OF SAID PARCEL, AND NOTING A 60 FOOT ACCESS EASEMENT ACROSS THE EAST 60 FEET OF SAID PARCEL.

**ADJUSTED PARCEL 2**

DESCRIPTION OF A PARCEL OF LAND SITUATE IN PORTIONS OF SECTIONS 8 & 9 AND 17, TOWNSHIP 14 SOUTH, RANGE 12 EAST, OF THE WILLAMETTE MERIDIAN, DESCHUTES COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL 2, DESCHUTES COUNTY PARTITION PLAT NO. 1896-26, EXCEPTING THEREFROM THE TRANSFER PARCEL DESCRIBED ABOVE.

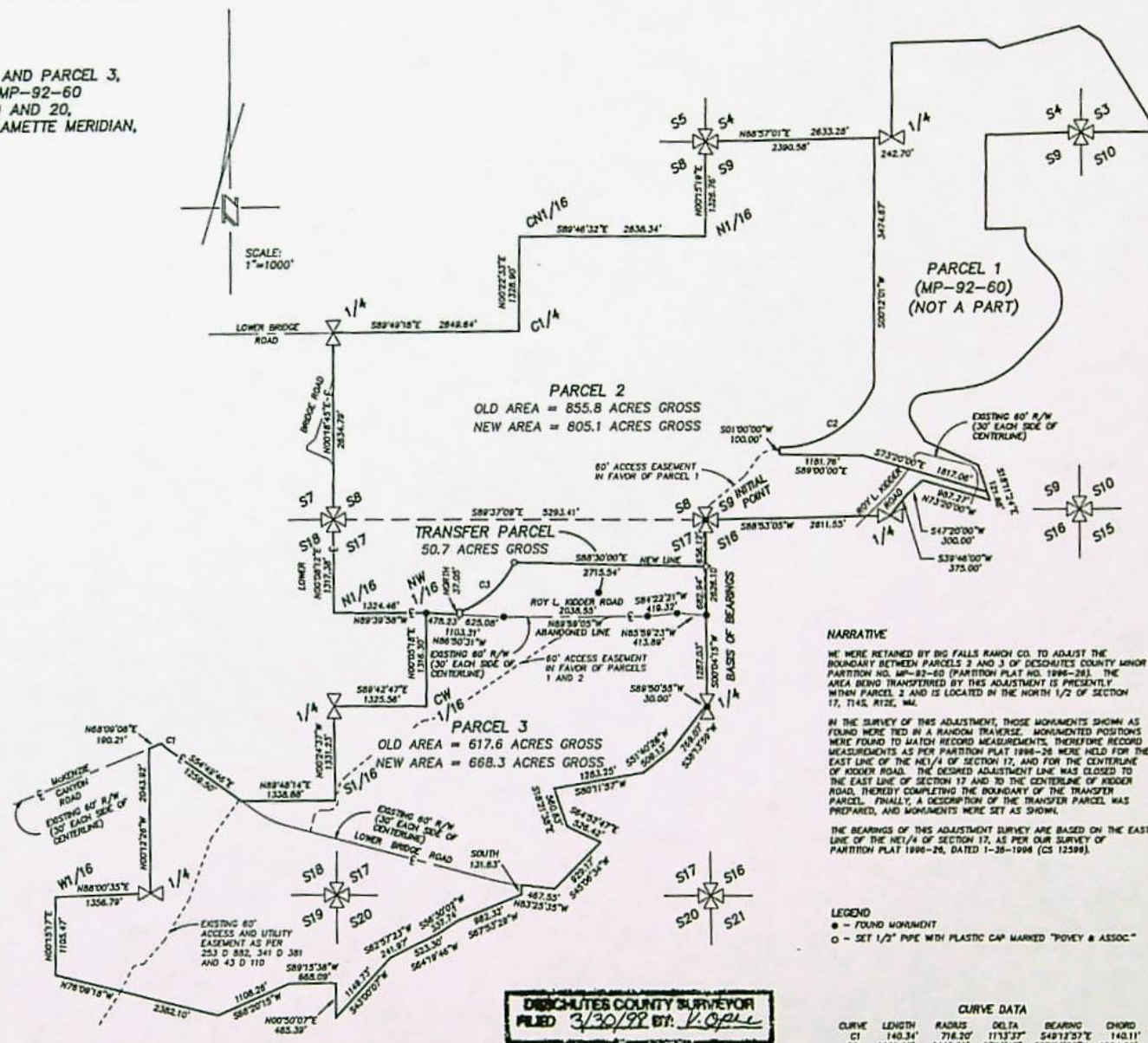
THE SAME CONTAINING APPROXIMATELY 805.1 ACRES, SUBJECT TO ALL EXISTING EASEMENTS AND RIGHTS-OF-WAY OVER AND ACROSS THE ABOVE DESCRIBED PARCEL OF LAND.

**ADJUSTED PARCEL 3**

DESCRIPTION OF A PARCEL OF LAND SITUATE IN PORTIONS OF SECTIONS 17, 18, 19 AND 20, TOWNSHIP 14 SOUTH, RANGE 12 EAST, OF THE WILLAMETTE MERIDIAN, DESCHUTES COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL 3, DESCHUTES COUNTY PARTITION PLAT NO. 1896-26, TOGETHER WITH THE TRANSFER PARCEL DESCRIBED ABOVE.

THE SAME CONTAINING APPROXIMATELY 668.3 ACRES, SUBJECT TO ALL EXISTING EASEMENTS AND RIGHTS-OF-WAY OVER AND ACROSS THE ABOVE DESCRIBED PARCEL OF LAND.



**NARRATIVE**

WE WERE RETAINED BY BIG FALLS RANCH CO. TO ADJUST THE BOUNDARY BETWEEN PARCELS 2 AND 3 OF DESCHUTES COUNTY MINOR PARTITION NO. MP-92-60 (PARTITION PLAT NO. 1896-26). THE AREA BEING TRANSFERRED BY THIS ADJUSTMENT IS PRESENTLY WITHIN PARCEL 3 AND IS LOCATED IN THE NORTH 1/2 OF SECTION 17, T14S, R12E, W4E.

IN THE SURVEY OF THIS ADJUSTMENT, THOSE MONUMENTS SHOWN AS FOUND WERE TIED IN A RANDOM TRAVERSE. MONUMENTED POSITIONS WERE FOUND TO MATCH RECORD MEASUREMENTS. THEREFORE RECORD MEASUREMENTS AS PER PARTITION PLAT 1896-26 WERE HELD FOR THE EAST LINE OF THE NE 1/4 OF SECTION 17, AND FOR THE CENTERLINE OF KIDDER ROAD. THE DESIRED ADJUSTMENT LINE WAS CLOSED TO THE EAST LINE OF SECTION 17 AND TO THE CENTERLINE OF KIDDER ROAD, THEREBY COMPLETING THE BOUNDARY OF THE TRANSFER PARCEL. FINALLY, A DESCRIPTION OF THE TRANSFER PARCEL WAS PREPARED, AND MONUMENTS WERE SET AS SHOWN.

THE BEARINGS OF THIS ADJUSTMENT SURVEY ARE BASED ON THE EAST LINE OF THE NE 1/4 OF SECTION 17, AS PER OUR SURVEY OF PARTITION PLAT 1896-26, DATED 1-28-1994 (CS 12599).

**LEGEND**

● - FOUND MONUMENT  
○ - SET 1/2" PIPE WITH PLASTIC CAP MARKED "POVEY & ASSOC."

**CURVE DATA**

CURVE	LENGTH	RADIUS	DELTA	BEARING	CHORD
C1	140.34'	718.20'	113°33'	S49°12'37"E	140.11'
C2	1689.87'	1440.00'	87°17'47"	S57°23'06"W	1584.35'
C3	1069.91'	1384.00'	44°17'35"	N48°17'56"E	1043.47'

POVEY AND ASSOC., LAND SURVEYORS  
P.O. BOX 131, REDMOND, OR 97756  
(541) 548-8778 897-4151.DWG

CS13236

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PP1999-50

2-10

CS13834

## SURVEYOR'S CERTIFICATE

I, WILLIAM G. BAHRKE, OREGON REGISTERED PROFESSIONAL LAND SURVEYOR NO. 2039, HEREBY CERTIFY THAT I HAVE SURVEYED AND MARKED WITH LEGAL MONUMENTS THE LANDS SHOWN ON THIS DESCHUTES COUNTY MINOR LAND PARTITION NO. MP-98-7, THE BOUNDARY OF WHICH IS DESCRIBED AS FOLLOWS:

COMMENCING AT A 3/4" PIPE MONUMENTING THE EAST QUARTER CORNER OF SECTION 17, TOWNSHIP 14 SOUTH, RANGE 12 EAST, WILLAMETTE MERIDIAN, THE INITIAL POINT, AND THE TRUE POINT OF BEGINNING; THENCE S89°50'55"W - 30.00 FEET; THENCE S38°13'59"W - 769.07 FEET; THENCE S51°40'26"W - 509.13 FEET; THENCE S80°11'57"W - 1283.25 FEET; THENCE S18°21'38"E - 560.63 FEET; THENCE S64°52'47"E - 526.42 FEET; THENCE S45°06'34"W - 929.17 FEET TO THE CENTERLINE OF LOWER BRIDGE ROAD; THENCE N83°25'35"W ALONG SAID CENTERLINE - 467.55 FEET; THENCE SOUTH - 131.63 FEET; THENCE S67°53'29"W - 982.32 FEET; THENCE S56°30'02"W - 337.74 FEET; THENCE S64°19'46"W - 523.30 FEET; THENCE S62°57'23"W - 241.97 FEET; THENCE S43°00'07"W - 1148.73 FEET TO THE EAST LINE OF THE NE1/4 OF SECTION 19 IN SAID TOWNSHIP AND RANGE; THENCE N00°50'07"E ALONG SAID EAST LINE - 485.39 FEET; THENCE S89°15'38"W - 668.09 FEET; THENCE S66°20'15"W - 1108.26 FEET; THENCE N78°09'18"W - 2382.10 FEET TO THE WEST LINE OF THE NE1/4 OF THE NW1/4 OF SAID SECTION 19; THENCE N00°15'17"E ALONG SAID WEST LINE - 1105.47 FEET TO THE NORTH LINE OF SAID NE1/4 NW1/4; THENCE N88°00'35"E ALONG SAID NORTH LINE - 1356.79 FEET TO THE WEST LINE OF THE SE1/4 OF SECTION 18 IN SAID TOWNSHIP AND RANGE; THENCE N00°12'26"W ALONG SAID WEST LINE - 2043.92 FEET TO THE CENTERLINE OF MCKENZIE CANYON ROAD; THENCE N88°09'08"E ALONG SAID CENTERLINE - 190.21 FEET TO THE CENTERLINE OF LOWER BRIDGE ROAD; THENCE ALONG SAID LOWER BRIDGE ROAD CENTERLINE AND 140.34 FEET ALONG THE ARC OF A 716.20 FOOT RADIUS CURVE CONCAVE NORTHEAST (FORMING A CENTRAL ANGLE OF 117°33'37" AND A LONG CHORD BEARING S49°12'57"E - 140.11 FEET); THENCE S54°49'40"E ALONG SAID CENTERLINE - 1259.50 FEET TO THE NORTH LINE OF THE S1/2 OF SAID SE1/4; THENCE N89°48'14"E ALONG SAID NORTH LINE - 1338.88 FEET TO THE EAST LINE OF SAID SE1/4; THENCE N00°24'37"W ALONG SAID EAST LINE - 1331.23 FEET TO THE SOUTH LINE OF THE SW1/4 OF THE NW1/4 OF SAID SECTION 17; THENCE S89°42'47"E ALONG SAID SOUTH LINE - 1325.56 FEET TO THE EAST LINE OF SAID SW1/4 NW1/4; THENCE N00°05'18"E ALONG SAID EAST LINE - 1316.30 FEET TO THE NORTHEAST CORNER OF SAID SW1/4 NW1/4 AND THE CENTERLINE OF KIDDER ROAD, A 60 FOOT RIGHT-OF-WAY; THENCE S88°50'31"E ALONG SAID CENTERLINE - 478.23 FEET; THENCE NORTH - 37.05 FEET; THENCE 1069.91 FEET ALONG THE ARC OF A 1384.00 FOOT RADIUS CURVE CONCAVE NORTHWEST (FORMING A CENTRAL ANGLE OF 44°17'35" AND A LONG CHORD BEARING N48°17'56"E - 1043.47 FEET); THENCE S88°50'00"E - 2715.54 FEET TO THE EAST LINE OF THE NE1/4 OF SAID SECTION 17; THENCE S00°04'15"W ALONG SAID EAST LINE - 1969.98 FEET TO THE TRUE POINT OF BEGINNING.

THE SAME CONTAINING APPROXIMATELY 668.3 ACRES, SUBJECT TO ALL EXISTING EASEMENTS AND RIGHTS-OF-WAY OVER AND ACROSS THE ABOVE DESCRIBED PARCEL OF LAND.

## NARRATIVE

WE WERE RETAINED BY BIG FALLS RANCH CO. TO PARTITION PARCEL 3 OF DESCHUTES COUNTY MINOR PARTITION NO. MP-92-60 (PARTITION PLAT NO. 1996-26), LOCATED IN SECTIONS 17, 18, 19 AND 20, T.14S, R.12E, W.M., AS ADJUSTED BY LOT LINE ADJUSTMENT NO. LLA-97-70.

IN OUR SURVEY OF THIS PARTITION, THOSE MONUMENTS SHOWN AS FOUND WERE TIED IN A RANDOM TRAVERSE. MONUMENTED POSITIONS WERE FOUND TO MATCH RECORD MEASUREMENTS. THEREFORE RECORD MEASUREMENTS AS PER PARTITION PLAT NO. 1996-26 AND LLA-97-70 WERE HELD FOR THE BOUNDARY OF SAID PARCEL 3 AND ITS ADJUSTMENT. WITH THE PARTITION BOUNDARY ESTABLISHED, THE LINES BETWEEN PARCELS WERE COMPUTED AND MONUMENTED AS SHOWN.

THE BEARINGS OF THIS PARTITION ARE BASED ON THE NORTH LINE OF SECTION 17, AS PER OUR SURVEY OF PARTITION PLAT NO. 1996-26, BEARING S89°37'09"E - 5293.41 FEET. SEE THIS SURVEY, AND LLA-97-70, FOR FURTHER INFORMATION ON THIS PARTITION BOUNDARY, AS WELL AS OUR SURVEY FOR BEESLEY DATED 6-4-1980, (CS04903) FOR SECTIONAL BREAKDOWN INFORMATION IN THE AREA.

## DECLARATION

KNOW ALL PEOPLE BY THESE PRESENTS, THAT BIG FALLS RANCH CO., AN OREGON CORPORATION, IS THE OWNER OF THE LANDS SHOWN ON THIS DESCHUTES COUNTY MINOR PARTITION NO. MP-98-7, THE BOUNDARY OF WHICH IS MORE PARTICULARLY DESCRIBED IN THE SURVEYOR'S CERTIFICATE, AND THAT SAID CORPORATION CAUSED THE SAME TO BE SURVEYED AND PARTITIONED INTO PARCELS AND EASEMENTS AND SAID CORPORATION DOES HEREBY SUBMIT FOR RECORD AND APPROVAL SAID PARTITION, AND DOES HEREBY CREATE THOSE EASEMENTS AS SHOWN HEREON.

REX T. BARBER 9/7/99  
REX T. BARBER, PRESIDENT,  
BIG FALLS RANCH CO.  
Peter Robert Caine 9/7/99  
PETER ROBERT CAINE, SECRETARY,  
BIG FALLS RANCH CO.

## ACKNOWLEDGMENT

STATE OF OREGON )  
COUNTY OF DESCHUTES ) S.S.

BEFORE ME, REX T. BARBER AND PETER ROBERT CAINE, BEING FIRST SWORN, DID SAY THAT THEY ARE PRESIDENT AND SECRETARY, RESPECTIVELY, OF BIG FALLS RANCH CO., AN OREGON CORPORATION, AND ACKNOWLEDGED THAT THE FOREGOING INSTRUMENT WAS SAID CORPORATION'S VOLUNTARY ACT AND DEED, ON THIS 7<sup>th</sup> DAY OF September, 1999.

## CONSENT TO DECLARATION

A PARTITION CONSENT AFFIDAVIT FROM NORTHWEST FARM CREDIT SERVICES HAS BEEN RECORDED IN BOOK 1949, PAGE 53381, DESCHUTES COUNTY RECORDS.

## NOTE:

SEPTIC FEASIBILITY, FOR THE PARCELS CREATED HEREON, HAS NOT BEEN APPROVED WITH THIS PARTITION.

## PARTITION PLAT NO.

DESCHUTES COUNTY MINOR PARTITION NO. MP-98-7

OWNER: BIG FALLS RANCH CO.

MINOR LAND PARTITION OF ADJUSTED PARCEL 3, DESCHUTES COUNTY PARTITION PLAT NO. 1996-26, LOCATED IN SECTIONS 17, 18, 19 AND 20, TOWNSHIP 14 SOUTH, RANGE 12 EAST, W.M., DESCHUTES COUNTY, OREGON

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

OREGON  
JULY 15, 1983  
WILLIAM G. BAHRKE  
2039  
Renewal Date: 12/31/00

I HEREBY CERTIFY THIS MYLAR TO BE A TRUE AND EXACT COPY OF DESCHUTES COUNTY MINOR PARTITION NO. MP-98-7.

William G. Bahrke 9/7/99  
WILLIAM G. BAHRKE, LS 2039  
DATE

## TAX COLLECTOR'S CERTIFICATE

I HEREBY CERTIFY THAT ALL TAXES APPURTENANT TO THIS MINOR LAND PARTITION ARE PAID AS OF THIS DATE.

W. G. Bahrke 9-8-99  
DESCHUTES COUNTY TAX COLLECTOR  
DATE

## ASSESSOR'S CERTIFICATE

I HEREBY CERTIFY THAT ALL AD VALOREM TAXES AND SPECIAL ASSESSMENTS, FEES AND OTHER CHARGES REQUIRED BY LAW TO BE PLACED ON THE 1999-2000 TAX ROLL, WHICH BECAME A LIEN ON THIS PARTITION, OR WILL BECOME A LIEN DURING THIS TAX YEAR, HAVE BEEN PAID TO ME.

Tim Harrell 9-8-99  
DESCHUTES COUNTY ASSESSOR  
DATE

## APPROVALS

Kim Melt 10-29-99  
DESCHUTES COUNTY PLANNING DIRECTOR  
DATE  
Karen S. Burt 9-14-99  
DESCHUTES COUNTY ROAD DEPARTMENT DIRECTOR  
DATE  
Jeff Kern by Ken Chantler 9/14/99  
DESCHUTES COUNTY SURVEYOR  
DATE  
Jan Halldman for Joyce Everett 10/29/99  
DESCHUTES COUNTY ENVIRONMENTAL HEALTH DIRECTOR  
DATE  
Mark T. Palachuk 9-7-99  
SQUAW CREEK IRRIGATION DISTRICT  
DATE  
Tim Bahr 9-10-99  
REGIONAL WATER MASTER  
DATE  
William G. Bahrke 10/29/99  
BOARD OF DESCHUTES COUNTY COMMISSIONERS  
DATE

PAGE 1 OF 2

POKEY AND ASSOC. LAND SURVEYORS  
P.O. BOX 131, REDMOND, OR 97754  
(541) 548-6778 802-251897-4153040

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DESCHUTES COUNTY SURVEYOR  
FILED 11/04/99 BY: K. Bahr

CS13834



2-11

CS13834

PARTITION PLAT NO. \_\_\_\_\_  
DESCHUTES COUNTY MINOR PARTITION NO. MP-98-7

OWNER: BIG FALLS RANCH CO.

MINOR LAND PARTITION OF ADJUSTED PARCEL 3,  
DESCHUTES COUNTY PARTITION PLAT NO. 1996-26,  
LOCATED IN SECTIONS 17, 18, 19 AND 20,  
TOWNSHIP 14 SOUTH, RANGE 12 EAST, W.M.,  
DESCHUTES COUNTY, OREGON

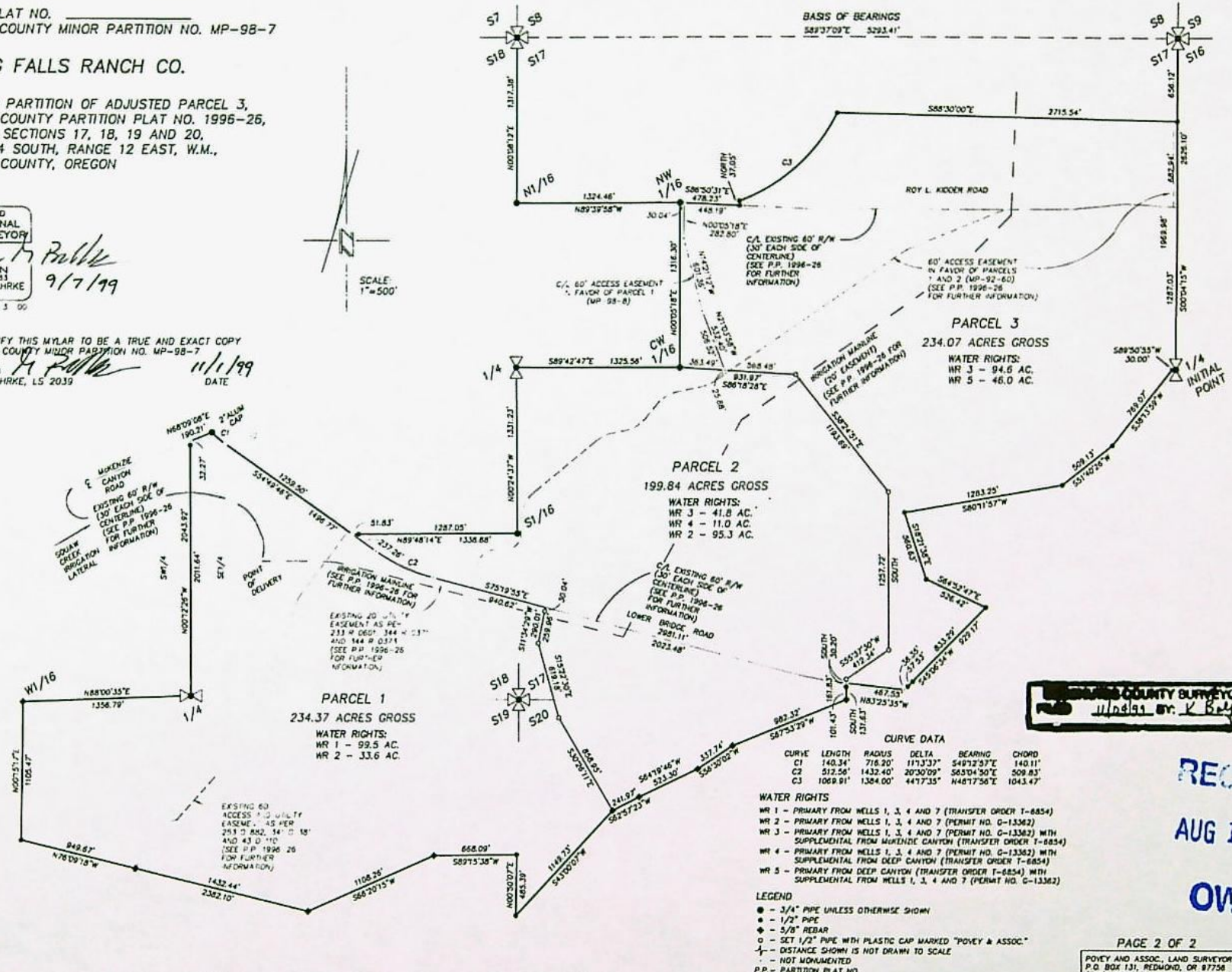
REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

WILLIAM G. BAHRKE  
JULY 15, 1983  
2039  
9/7/99

I HEREBY CERTIFY THIS MYLAR TO BE A TRUE AND EXACT COPY  
OF DESCHUTES COUNTY MINOR PARTITION NO. MP-98-7

WILLIAM G. BAHRKE, LS 2039  
11/1/99  
DATE

SCALE  
1"=500'



DESCHUTES COUNTY SURVEYOR  
11/1/99 BY K. B. L.

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PAGE 2 OF 2

POVEY AND ASSOC., LAND SURVEYORS  
P.O. BOX 131, REDMOND, OR 97758  
(503) 348-6378 (800) 251-0977 4153.040

CS13834



PP1999-51

2-12

## SURVEYOR'S CERTIFICATE

I, WILLIAM G. BAHRKE, OREGON REGISTERED PROFESSIONAL LAND SURVEYOR NO. 2039, HEREBY CERTIFY THAT I HAVE SURVEYED AND MARKED WITH PROPER MONUMENTS, THE LANDS SHOWN ON THIS DESCHUTES COUNTY MINOR PARTITION NO. MP-98-B, THE BOUNDARY OF WHICH IS DESCRIBED AS FOLLOWS:

COMMENCING AT A 1" PIPE MONUMENTING THE NORTHEAST CORNER OF SECTION 17, TOWNSHIP 14 SOUTH, RANGE 12 EAST, WILLAMETTE MERIDIAN, THE INITIAL POINT, AS WELL AS THE TRUE POINT OF BEGINNING, THENCE S00°41'57"W ALONG THE EAST LINE OF THE NE1/4 OF SAID SECTION 17 - 656.12 FEET; THENCE N88°30'00"W - 2715.54 FEET; THENCE 1069.91 FEET ALONG THE ARC OF A 1384.00 FOOT RADIUS CURVE CONCAVE NORTHWEST (FORMING A CENTRAL ANGLE OF 44°17'35" AND A LONG CHORD BEARING S48°17'56"W - 1043.47 FEET); THENCE SOUTH - 37.05 FEET TO THE CENTERLINE OF KIDDER ROAD; THENCE N86°50'31"W ALONG SAID CENTERLINE - 478.23 FEET TO THE NORTHEAST CORNER OF THE SW1/4 NW1/4 OF SAID SECTION 17; THENCE N89°39'58"W ALONG THE NORTH LINE OF SAID SW1/4 NW1/4 - 1324.46 FEET TO THE WEST LINE OF THE NW1/4 OF SAID SECTION 17; THENCE N00°08'12"E ALONG SAID WEST LINE - 1317.38 FEET TO THE WEST LINE OF THE SW1/4 OF SECTION 8 IN SAID TOWNSHIP AND RANGE; THENCE N00°18'45"E ALONG SAID WEST LINE - 2634.79 FEET TO THE NORTH LINE OF SAID SW1/4; THENCE S89°49'18"E ALONG SAID NORTH LINE - 2649.64 FEET TO THE WEST LINE OF THE SW1/2 OF THE NE1/4 OF SAID SECTION 8; THENCE N00°22'33"E ALONG SAID WEST LINE - 1328.90 FEET TO THE NORTH LINE OF SAID SW1/2 NE1/4; THENCE S89°46'32"E ALONG SAID NORTH LINE - 2638.34 FEET TO THE EAST LINE OF SAID NE1/4; THENCE N00°15'19"E ALONG SAID EAST LINE - 1326.76 FEET TO THE NORTH LINE OF THE NW1/4 OF SECTION 9 OF SAID TOWNSHIP AND RANGE; THENCE N88°57'01"E ALONG SAID NORTH LINE - 2390.58 FEET; THENCE S00°12'01"W - 3474.67 FEET; THENCE 1089.67 FEET ALONG THE ARC OF A 1440.00 FOOT RADIUS CURVE CONCAVE NORTHWEST (FORMING A CENTRAL ANGLE OF 67°33'47" AND A LONG CHORD BEARING S57°23'06"W - 1594.39 FEET); THENCE S01°00'00"W - 100.00 FEET; THENCE S89°00'00"E - 1181.76 FEET; THENCE S73°20'00"E - 1817.06 FEET TO THE CENTERLINE OF THE DESCHUTES RIVER; THENCE S18°11'24"E - 121.86 FEET; THENCE LEAVING THE CENTERLINE OF SAID RIVER - N73°20'00"W - 987.27 FEET; THENCE S47°20'00"W - 300.00 FEET; THENCE S39°46'00"W - 375.00 FEET TO THE SOUTH 1/4 CORNER OF SAID SECTION 9; THENCE S88°53'05"W ALONG THE SOUTH LINE OF THE SW1/4 OF SAID SECTION 9 - 2611.55 FEET TO THE TRUE POINT OF BEGINNING.

THE SAME CONTAINING APPROXIMATELY 805.1 ACRES, SUBJECT TO ALL EXISTING EASEMENTS AND RIGHTS-OF-WAY OVER AND ACROSS THE ABOVE DESCRIBED PARCEL OF LAND.

## NARRATIVE

WE WERE RETAINED BY BIG FALLS RANCH CO. TO PARTITION PARCEL 2 OF DESCHUTES COUNTY MINOR PARTITION NO. MP-92-60 (PARTITION PLAT NO. 1996-26), LOCATED IN SECTIONS 8, 9 AND 17, T.14S., R.12E., W.M., AS ADJUSTED BY LOT LINE ADJUSTMENT NO. LLA-97-70.

IN OUR SURVEY OF THIS PARTITION, THOSE MONUMENTS SHOWN AS FOUND WERE TIED IN A RANDOM TRAVERSE. MONUMENTED POSITIONS WERE FOUND TO MATCH RECORD MEASUREMENTS. THEREFORE RECORD MEASUREMENTS AS PER PARTITION PLAT NO. 1996-26 AND LLA-97-70 WERE HELD FOR THE BOUNDARY OF SAID PARCEL 2 AND ITS ADJUSTMENT. WITH THE PARTITION BOUNDARY ESTABLISHED, THE LINES BETWEEN PARCELS WERE COMPUTED AND MONUMENTED AS SHOWN.

THE BEARINGS OF THIS PARTITION ARE BASED ON THE NORTH LINE OF SECTION 17, AS PER OUR SURVEY OF PARTITION PLAT NO. 1996-26, BEARING S89°37'29"E - 5293.41 FEET. SEE THIS SURVEY, AND LLA-97-70, FOR FURTHER INFORMATION ON THIS PARTITION BOUNDARY, AS WELL AS OUR SURVEY FOR BEESLEY DATED 6-4-1980, (CS04903) FOR SECTIONAL BREAKDOWN INFORMATION IN THE AREA.

## DECLARATION

KNOW ALL PEOPLE BY THESE PRESENTS, THAT BIG FALLS RANCH CO., AN OREGON CORPORATION, IS THE OWNER OF THE LANDS SHOWN ON THIS DESCHUTES COUNTY MINOR PARTITION NO. MP-98-B, THE BOUNDARY OF WHICH IS MORE PARTICULARLY DESCRIBED IN THE SURVEYOR'S CERTIFICATE, AND THAT SAID CORPORATION CAUSED THE SAME TO BE SURVEYED AND PARTITIONED INTO PARCELS, AND SAID CORPORATION DOES HEREBY SUBMIT FOR RECORD AND APPROVAL SAID PARTITION, AND DOES HEREBY CREATE THOSE EASEMENTS AS SHOWN HEREON.

Rek T. Barber 9/7/99  
REK T. BARBER, PRESIDENT,  
BIG FALLS RANCH CO.

Peter Robert Caine 9/7/99  
PETER ROBERT CAINE, SECRETARY,  
BIG FALLS RANCH CO.

## ACKNOWLEDGMENT

STATE OF OREGON )  
COUNTY OF DESCHUTES ) S.S.

BEFORE ME, REK T. BARBER AND PETER ROBERT CAINE, BEING FIRST SHOWN, DID SAY THAT THEY ARE PRESIDENT AND SECRETARY, RESPECTIVELY, OF BIG FALLS RANCH CO., AN OREGON CORPORATION, AND ACKNOWLEDGED THAT THE FOREGOING INSTRUMENT WAS SAID CORPORATION'S VOLUNTARY ACT AND DEED, ON THIS 7<sup>TH</sup> DAY OF September, 1999.

## CONSENT TO DEDICATION

A PARTITION CONSENT AFFIDAVIT FROM NORTHWEST FARM CREDIT SERVICES HAS BEEN RECORDED IN BOOK 1999, PAGE 53402, DESCHUTES COUNTY RECORDS.

## NOTE:

SEPTIC FEASIBILITY, FOR THE PARCELS CREATED HEREON, HAS NOT BEEN APPROVED WITH THIS PARTITION.

RECEIVED

AUG 17 2022

OWRD

## PARTITION PLAT NO.

DESCHUTES COUNTY MINOR PARTITION NO. MP-98-B

OWNER: BIG FALLS RANCH CO.

MINOR LAND PARTITION OF ADJUSTED PARCEL 2, DESCHUTES COUNTY PARTITION PLAT NO. 1996-26, LOCATED IN SECTIONS 8, 9 AND 17, TOWNSHIP 14 SOUTH, RANGE 12 EAST, W.M., DESCHUTES COUNTY, OREGON

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

WILLIAM G. BAHRKE  
2039  
RENEWAL DATE: 12/31/00

I HEREBY CERTIFY THIS MYLAR TO BE A TRUE AND EXACT COPY OF DESCHUTES COUNTY MINOR PARTITION NO. MP-98-B.

William G. Bahrke 11/1/99  
WILLIAM G. BAHRKE, LS 2039  
DATE

## TAX COLLECTOR'S CERTIFICATE

I HEREBY CERTIFY THAT ALL TAXES APPURTENANT TO THIS MINOR LAND PARTITION ARE PAID AS OF THIS DATE.

La. B. B. B. 9-8-99  
DESCHUTES COUNTY TAX COLLECTOR  
DATE

## ASSESSOR'S CERTIFICATE

I HEREBY CERTIFY THAT ALL AD VALOREM TAXES AND SPECIAL ASSESSMENTS, FEES AND OTHER CHARGES REQUIRED BY LAW TO BE PLACED ON THE 1999-2000 TAX ROLL, WHICH BECAME A LIEN ON THIS PARTITION, OR WILL BECOME A LIEN DURING THIS TAX YEAR, HAVE BEEN PAID TO ME.

John H. H. 9-8-99  
DESCHUTES COUNTY ASSESSOR  
DATE

## APPROVALS

Kim H. H. 10-27-99  
DESCHUTES COUNTY PLANNING DIRECTOR  
DATE

James H. H. 9-14-99  
DESCHUTES COUNTY ROAD DEPARTMENT DIRECTOR  
DATE

Jeff Kern by Ken Grantham Deputy 9/14/99  
DESCHUTES COUNTY SURVEYOR  
DATE

Robert W. H. 10/23/99  
DESCHUTES COUNTY ENVIRONMENTAL HEALTH DIRECTOR  
DATE

Marion H. H. 9-7-99  
SQUAW CREEK IRRIGATION DISTRICT  
DATE

John H. H. 9-10-99  
REGIONAL WATER MASTER  
DATE

James H. H. 10/29/99  
BOARD OF DESCHUTES COUNTY COMMISSIONERS  
DATE

PAGE 1 OF 2

POVEY AND ASSOC. LAND SURVEYORS  
P.O. BOX 131, REDMOND, OR 97756  
(503) 548-6778 502-251897-4152 DWS

CS13830

CS13830



PARTITION PLAT NO. \_\_\_\_\_  
DESCHUTES COUNTY MINOR PARTITION NO. MP-98-8

OWNER: BIG FALLS RANCH CO.

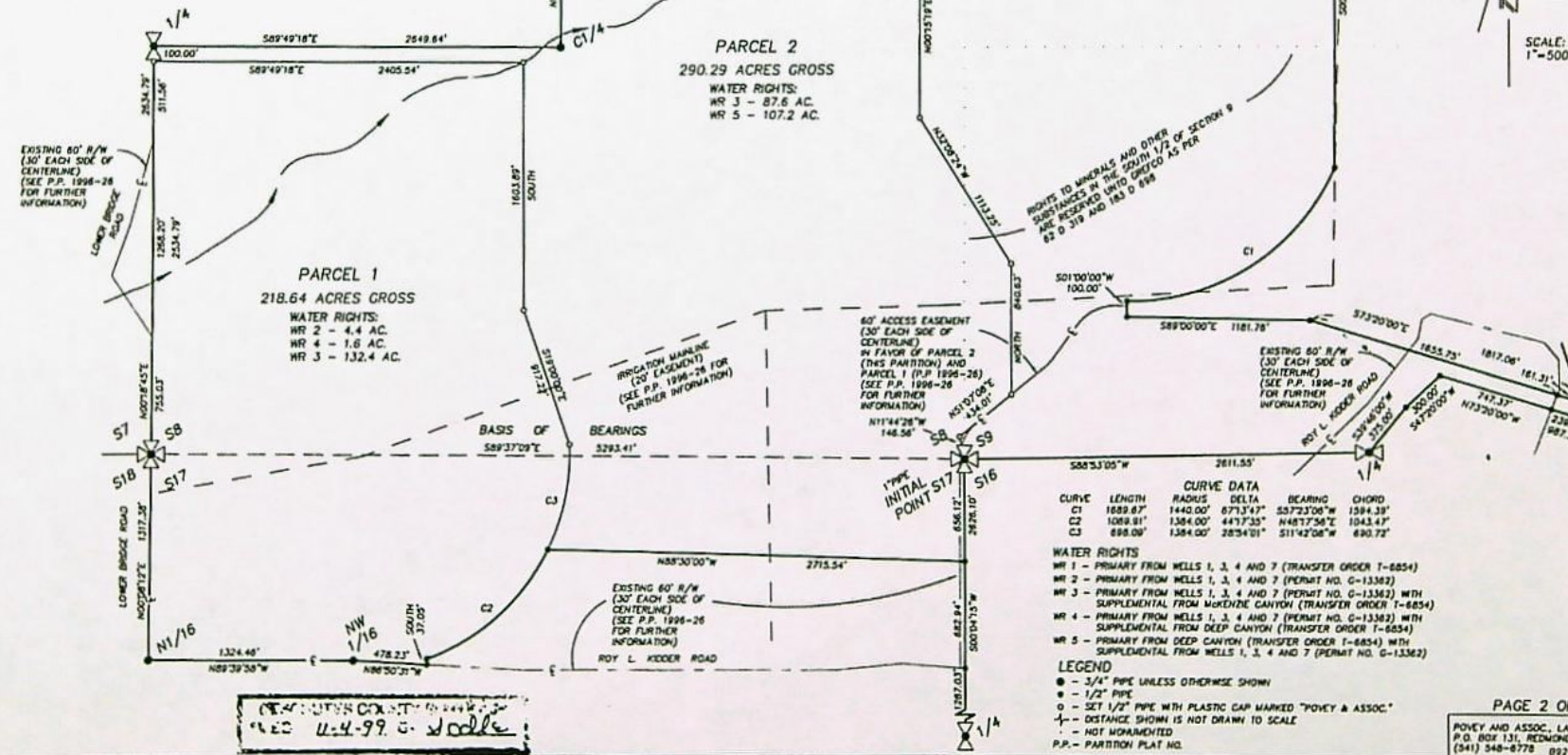
MINOR LAND PARTITION OF ADJUSTED PARCEL 2,  
DESCHUTES COUNTY PARTITION PLAT NO. 1996-26,  
LOCATED IN SECTIONS 8, 9 AND 17,  
TOWNSHIP 14 SOUTH, RANGE 12 EAST, W.M.,  
DESCHUTES COUNTY, OREGON

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

OREGON  
JULY 12, 1983  
WILLIAM G. BAHRKE  
2032  
Renewal Date: 12/31/00

I HEREBY CERTIFY THIS MYLAR TO BE A TRUE AND EXACT COPY  
OF DESCHUTES COUNTY MINOR PARTITION NO. MP-98-8.

WILLIAM G. BAHRKE, LS 2032 DATE 11/1/99



RECEIVED  
AUG 17 2022  
OWRD



96-20185

1-503

## SURVEYOR'S CERTIFICATE

I, WILLIAM G. BARKER, OREGON REGISTERED PROFESSIONAL LAND SURVEYOR NO. 2039, HEREBY CERTIFY THAT I HAVE SURVEYED AND MARKED WITH PROPER MONUMENTS THE LANDS SHOWN ON THIS DESCHUTES COUNTY MINOR PARTITION NO. MP-92-60, THE BOUNDARY OF WHICH IS DESCRIBED AS FOLLOWS:

COMMENCING AT A 1" PIPE MONUMENTING THE NORTHEAST CORNER OF SECTION 17, TOWNSHIP 14 SOUTH, RANGE 12 EAST, WILLAMETTE MERIDIAN, THE INITIAL POINT, AS WELL AS THE TRUE POINT OF BEGINNING, THENCE S00°41'15"W ALONG THE EAST LINE OF THE NE1/4 OF SAID SECTION 17 - 2826.10 FEET TO THE SOUTH LINE OF SAID NE1/4; THENCE S89°50'55"W - 30.00 FEET; THENCE S38°13'57"W - 799.07 FEET; THENCE S51°40'26"W - 509.13 FEET; THENCE S87°11'57"W - 1283.25 FEET; THENCE S18°21'38"E - 560.63 FEET; THENCE S64°52'47"E - 526.42 FEET; THENCE S42°08'04"W - 929.17 FEET TO THE CENTERLINE OF LOWER BRIDGE ROAD; THENCE N82°25'35"W ALONG SAID CENTERLINE - 467.55 FEET; THENCE SOUTH - 131.63 FEET; THENCE S67°33'29"W - 982.32 FEET; THENCE S56°30'02"W - 337.74 FEET; THENCE S64°19'46"W - 523.30 FEET; THENCE S62°57'23"W - 241.97 FEET; THENCE S43°00'07"W - 1149.73 FEET TO THE EAST LINE OF THE NE1/4 OF SECTION 18 IN SAID TOWNSHIP AND RANGE; THENCE N02°50'07"E ALONG SAID EAST LINE - 485.30 FEET; THENCE S87°15'38"W - 668.09 FEET; THENCE S85°20'15"W - 1106.26 FEET; THENCE N76°02'18"W - 2382.10 FEET TO THE WEST LINE OF THE NE1/4 OF THE NW1/4 OF SAID SECTION 18; THENCE N02°15'17"E ALONG SAID WEST LINE - 1105.47 FEET TO THE NORTH LINE OF SAID NE1/4; THENCE N80°02'14"E ALONG SAID NORTH LINE - 1356.79 FEET TO THE WEST LINE OF THE SE1/4 OF SECTION 18 IN SAID TOWNSHIP AND RANGE; THENCE N01°12'26"W ALONG SAID WEST LINE - 2043.92 FEET TO THE CENTERLINE OF WAKENZIE CANYON ROAD; THENCE N68°09'08"E ALONG SAID CENTERLINE - 190.21 FEET TO THE CENTERLINE OF LOWER BRIDGE ROAD; THENCE ALONG SAID LOWER BRIDGE ROAD CENTERLINE AND 140.34 FEET ALONG THE ARC OF A 2140.00 FOOT RADIUS CURVE CONCAVE NORTHEAST (FORMING A CENTRAL ANGLE OF 11°13'37" AND A LONG CHORD BEARING S49°12'57"E - 140.11 FEET); THENCE S54°49'45"E ALONG SAID CENTERLINE - 1259.50 FEET TO THE NORTH LINE OF THE S1/2 OF SAID SECTION 14; THENCE N89°48'14"E ALONG SAID NORTH LINE - 1346.88 FEET TO THE EAST LINE OF SAID SE1/4; THENCE N02°24'37"W ALONG SAID EAST LINE - 1331.23 FEET TO THE SOUTH LINE OF THE NW1/4 OF THE NW1/4 OF SAID SECTION 12; THENCE S89°42'47"E ALONG SAID SOUTH LINE - 1325.56 FEET TO THE EAST LINE OF SAID NW1/4; THENCE N00°05'18"E ALONG SAID EAST LINE - 1316.30 FEET TO THE NORTH LINE OF SAID NW1/4; THENCE N89°39'56"W ALONG SAID NORTH LINE - 1324.46 FEET TO THE WEST LINE OF SAID NW1/4; THENCE N02°08'17"E ALONG SAID WEST LINE - 1317.38 FEET TO THE WEST LINE OF THE NW1/4 OF SECTION 8 IN SAID TOWNSHIP AND RANGE; THENCE N01°18'45"E ALONG SAID WEST LINE - 2634.79 FEET TO THE NORTH LINE OF SAID NW1/4; THENCE S89°49'18"E ALONG SAID NORTH LINE - 2649.64 FEET TO THE WEST LINE OF THE S1/2 OF THE NE1/4 OF SAID SECTION 8; THENCE N02°32'37"E ALONG SAID WEST LINE - 1528.90 FEET TO THE NORTH LINE OF SAID S1/2; THENCE S89°46'32"E ALONG SAID NORTH LINE - 2638.34 FEET TO THE EAST LINE OF SAID NE1/4; THENCE N02°15'19"E ALONG SAID EAST LINE - 1326.76 FEET TO THE NORTH LINE OF THE NW1/4 OF SECTION 9 OF SAID TOWNSHIP AND RANGE; THENCE N88°57'01"E ALONG SAID NORTH LINE - 2633.28 FEET TO THE WEST LINE OF THE S1/2 OF THE SE1/4 OF SECTION 4 IN SAID TOWNSHIP AND RANGE; THENCE N01°12'58"W ALONG SAID WEST LINE - 1319.83 FEET TO THE NORTH LINE OF SAID S1/2; THENCE N88°59'30"E ALONG SAID NORTH LINE - 1333.13 FEET TO THE CENTER OF THE DESCHUTES RIVER; THENCE ALONG THE CENTER OF SAID RIVER AS FOLLOWS: S80°12'18"E - 216.00 FEET; THENCE N75°03'21"E - 1133.00 FEET; THENCE S53°48'31"E - 367.00 FEET; THENCE S31°55'02"E - 1340.00 FEET; THENCE S22°25'02"E - 150.00 FEET TO THE SOUTH LINE OF THE NW1/4 OF SECTION 3 IN SAID TOWNSHIP AND RANGE; THENCE LEAVING THE CENTER OF SAID RIVER - N89°43'14"W ALONG SAID SOUTH LINE - 1034.84 FEET TO THE NORTH LINE OF THE NE1/4 OF THE NE1/4 OF SAID SECTION 8; THENCE S88°53'52"W ALONG SAID NORTH LINE - 1324.69 FEET TO THE WEST LINE OF SAID NE1/4; THENCE S02°24'47"W ALONG SAID WEST LINE - 1318.64 FEET TO THE SOUTH LINE OF SAID NE1/4; THENCE N88°48'38"E ALONG SAID SOUTH LINE - 356.14 FEET TO THE CENTER OF SAID RIVER; THENCE ALONG THE CENTER OF SAID RIVER AS FOLLOWS: S62°65' FEET ALONG THE ARC OF A 381.00 FOOT RADIUS CURVE CONCAVE EAST (FORMING A CENTRAL ANGLE OF 54°32'08" AND A LONG CHORD BEARING S15°46'57"E - 349.11 FEET); THENCE S43°13'01"E - 366.23 FEET; THENCE S13°03' FEET ALONG THE ARC OF A 600.00 FOOT RADIUS CURVE CONCAVE WEST (FORMING A CENTRAL ANGLE OF 87°11'16" AND A LONG CHORD BEARING S02°22'37"W - 827.45 FEET); THENCE S43°58'15"W - 558.54 FEET; THENCE S05.35 FEET ALONG THE ARC OF A 1344.00 FOOT RADIUS CURVE CONCAVE NORTH (FORMING A CENTRAL ANGLE OF 36°33'45" AND A LONG CHORD BEARING S63°16'07"W - 868.33 FEET); THENCE S62°34'07"W - 569.41 FEET; THENCE S17°58' FEET ALONG THE ARC OF A 250.00 FOOT RADIUS CURVE CONCAVE EAST (FORMING A CENTRAL ANGLE OF 114°30'00" AND A LONG CHORD BEARING S25°19'00"W - 435.68 FEET); THENCE S31°56'01"E - 330.15 FEET; THENCE S85°22'22"E - 818.75 FEET; THENCE S18°11'24"E - 518.91 FEET; THENCE LEAVING THE CENTER OF SAID RIVER - N72°20'00"W - 367.27 FEET; THENCE S47°20'00"W - 300.00 FEET; THENCE S39°48'00"W - 375.00 FEET TO THE SOUTH 1/4 CORNER OF SAID SECTION 8; THENCE S88°53'05"W ALONG THE SOUTH LINE OF THE NW1/4 OF SAID SECTION 9 - 2611.55 FEET TO THE POINT OF BEGINNING.

THE SAME CONTAINING APPROXIMATELY 1772 ACRES, SUBJECT TO ALL EXISTING EASEMENTS AND RIGHTS-OF-WAY OVER AND ACROSS THE ABOVE DESCRIBED PARCELS OF LAND.

## NARRATIVE

WE WERE RETAINED BY BIG FALLS RANCH CO. TO PARTITION A TRACT OF LAND LOCATED IN T4S R12E W12E, THIS TRACT ENCOMPASSES NEARLY 1800 ACRES AND IS LOCATED IN EIGHT SECTIONS. IN ADDITION TO THE PARTITIONING OF THIS TRACT, WE ALSO LOCATED THE ROAD RIGHTS-OF-WAY AND UTILITY EASEMENTS CROSSING THESE LANDS AND CREATED A PRIVATE ACCESS EASEMENT ALONG AN EXISTING FARM ROAD CROSSING THROUGH PARCELS 2 AND 3.

IN THE YEARS OF 1979 THROUGH 1982, WE SURVEYED THE LANDS WITHIN AND SURROUNDING THIS PARTITION FOR BOBBY BEASLEY (DESCHUTES VALLEY FARMS), STEVE CLOVER, TERRY MILLS, FRANK NOLAN, FRED GUNZNER, AND OTHERS. DURING THE COURSE OF THESE SURVEYS, ALL ALLOUT SECTIONS LINES WITHIN AND ALONG THE BOUNDARY OF THIS PARTITION WERE SURVEYED AND MONUMENTED. IN ADDITION TO THESE LINES, THE ALIGNMENTS OF LOWER BRIDGE ROAD, WAKENZIE CANYON ROAD, AND THAT PORTION OF KODDER ROAD LOCATED IN SECTION 17 WERE SURVEYED. ALSO THOSE SEGMENTS OF THE PARTITION BOUNDARY ALONG THE DESCHUTES RIVER AND ALONG THE LINES ESTABLISHED BY DEED, AND BY THE KAUFFMAN AND GOODWIN SURVEYS (AS DESCRIBED ON SHEET 5) WERE MEASURED IN OUR PREVIOUS SURVEYS.

INITIALLY, IN THE SURVEY OF THIS PARTITION, WE LOCATED THOSE MONUMENTS THAT PERTAIN TO THE ROADWAYS AND TO THE NEW BOUNDARIES OF THIS PARTITION. MOST ALL MONUMENTS WERE FOUND AS WE HAD SET THEM. A FEW HAD BEEN BENT THROUGH THE YEARS, AND ONLY ONE WAS TOTALLY CORRUPTED (THE EAST CORNER OF THE NORTH LINE OF SECTION 8). RANDOM TRAVELER LINES WERE RUN ALONG LOWER BRIDGE ROAD, ALONG THE ACCESS EASEMENT TO PARCEL 1, ALONG THE COMMON BOUNDARIES BETWEEN PARCELS AND ALONG THE CENTERLINES OF KODDER ROAD IN THE SE1/4 OF SECTION 9 AND THE 1909 LOWER BRIDGE ROAD IN THE SE1/4 OF SECTION 7. FOUND MONUMENTS AND PORTIONS OF OUR ORIGINAL TRAVELER NET WERE TIED INTO THESE NEW TRAVELER LINES. ALL FOUND MONUMENTS FIT REASONABLY WELL WITH OUR RECORD CO-ORDINATE VALUES. CONSIDERING THE VAST AREA OF THIS PARTITION (NO MONUMENT WAS FOUND TO BE MORE THAN 0.3 FEET OUT OF POSITION). WE THEREFORE HELD OUR RECORD MEASUREMENTS FROM OUR PREVIOUS SURVEYS THROUGHOUT THIS PARTITION (NOTE THAT OUR PREVIOUS SURVEYS ARE ON THE SAME BASIS OF BEARING).

USING OUR PREVIOUSLY ESTABLISHED TRAVELER NET, AND THE NEW TRAVELER LINES RUN FOR THIS PARTITION, WE LOCATED AND MONUMENTED THE FOLLOWING LINES AND BOUNDARIES:

- THE CENTERLINES OF KODDER ROAD AND THE 1909 LOWER BRIDGE ROAD WERE MONUMENTED AS SHOWN. THESE CENTERLINES ARE THE ACTUAL ROUTES THESE ROADS ARE TRAVELED. BOTH ROADS WERE FOUND TO HAVE EXISTING 60 FOOT RIGHTS-OF-WAY.
- THE RIGHTS-OF-WAY OF LOWER BRIDGE ROAD AND WAKENZIE CANYON ROAD WERE MONUMENTED AS SHOWN. THE RIGHTS-OF-WAY OF LOWER BRIDGE ROAD IN SECTION 17 WAS BASED ON PERRY'S SURVEY OF THE ROAD'S RE-ALIGNMENT. PERRY'S RECORD STATIONING FROM THE CENTERLINE P.L. WAS HELD IN DETERMINING WHERE THE RIGHT-OF-WAY WIDENS TO 150 FEET. PERRY'S DE FROM THE P.L. TO THE SOUTH 1/4 CORNER OF SECTION 17 REASONABLY CONFIRMS THE LOCATION OF THIS RIGHT-OF-WAY.
- EXISTING UTILITY LINES CROSSING THIS PARTITION WERE LOCATED.
- THE EASEMENTS FOR THESE UTILITIES ARE AS DESCRIBED HEREON.
- A PRIVATE ACCESS EASEMENT CROSSING THROUGH PARCELS 2 AND 3, PROVIDING ADDITIONAL ACCESS TO PARCELS 1 AND 2, WAS SURVEYED AND MONUMENTED AS SHOWN. THIS EASEMENT IS FOR THE SOLE BENEFIT OF PARCELS 1 AND 2.
- AN EXISTING ACCESS EASEMENT CROSSING THROUGH THE SOUTHWEST PORTION OF PARCEL 3 WAS SURVEYED. THE LOCATION OF THIS EASEMENT WAS FIXED BY HOLDING RECORD COURSES ALONG ITS CENTERLINE AND PLACING AN ANGLE POINT IN THE EASEMENT CENTERLINE AT THE REAR FOUND ON THE SOUTH LINE OF PARCEL 3. THIS LOCATION REASONABLY FITS THE ROUTE THIS ACCESS IS PRESENTLY BEING TRAVELED.

SOME MAPPING ERRORS IN OUR SURVEY FOR BEASLEY, DATED 6-4-1980, WERE DISCOVERED DURING THE COURSE OF THIS PARTITION. THESE ERRORS ARE AS FOLLOWS:

- THE TANGENT OF LOWER BRIDGE ROAD BEARING N75°19'53"W - 2981.11 FEET WAS SHOWN AS BEING N75°54'30"W - 1981.27 FEET. THIS COURSE WAS INVERSED FROM THE CENTERLINE END OF CURVE ON THE EAST END TO THE RIGHT-OF-WAY BEGINNING OF CURVE ON THE WEST END.
- THE CENTERLINE RADII FOR CURVES C-8 AND C-10 WERE SHOWN AS BEING 30 FEET LONGER THAN THEIR TRUE VALUES.
- TWO BEARINGS NEAR THE NORTHEAST CORNER OF SECTIONS 9 WERE NOT CORRECTLY HARNED, HOWEVER THE DISTANCES WERE SHOWN CORRECTLY. THESE ERRORS WERE FOUND TO BE ONLY IN THE HARNING OF OUR PREVIOUS SURVEY. THE MONUMENTS ALONG THESE LINES WERE SET IN THEIR PROPER POSITIONS.

WITH THE PARTITION BOUNDARY ESTABLISHED, THE LINES BETWEEN PARCELS WERE COMPUTED AND MONUMENTED AS SHOWN. THE BEARINGS OF THIS PARTITION ARE BASED ON THE NORTH LINE OF SECTION 17, AS PER OUR SURVEY FOR BEASLEY, DATED 6-4-1980, BEARING S87°37'09"E - 5293.41 FEET. SEE THIS SURVEY FOR SECTIONAL BREAKDOWNS IN THE AREA, AS WELL AS FURTHER INFORMATION ON THIS PARTITION BOUNDARY.

SHEET 1 OF 5

## UTILITY EASEMENTS

SEVERAL UTILITY EASEMENTS CROSS THE LANDS WITHIN THIS PARTITION. THESE EASEMENTS ARE 20 FEET IN WIDTH (10 FEET EACH SIDE OF CENTERLINE), THEIR CENTERLINES BEING DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE SOUTH BOUNDARY OF PARCEL 2, FROM WHICH THE MOST EASTERLY CORNER OF PARCEL 2 BEARS S72°00'07"E - 827.74 FEET; THENCE ALONG THE CENTERLINE OF A 20 FOOT UTILITY EASEMENT AS FOLLOWS: N15°06'35"E - 309.50 FEET; THENCE N41°14'22"W - 177.95 FEET; THENCE N76°04'16"W - 1073.22 FEET; THENCE N33°18'22"W - 522.82 FEET; THENCE N00°12'01"E - 413.64 FEET TO THE COMMON BOUNDARY BETWEEN PARCELS 1 AND 2; THENCE N00°12'01"E ALONG SAID COMMON BOUNDARY - 2655.08 FEET; THENCE N49°24'12"E - 953.90 FEET TO THE TERMINUS OF SAID EASEMENT CENTERLINE.

COMMENCING AT A POINT ON THE WEST BOUNDARY OF PARCEL 3, FROM WHICH THE NW1/4 CORNER OF SECTION 12, AS SHOWN HEREON, BEARS N02°05'18"E - 46.77 FEET; THENCE ALONG THE CENTERLINE OF A 20 FOOT UTILITY EASEMENT AS FOLLOWS: S88°34'29"E - 1008.09 FEET TO POINT "A"; THENCE S85°34'29"E - 1381.49 FEET TO POINT "B"; THENCE S85°34'29"E - 757.95 FEET; THENCE N8°43'57"E - 827.37 FEET TO THE NORTHEAST CORNER OF PARCEL 3, AND TO THE TERMINUS OF SAID EASEMENT CENTERLINE.

COMMENCING AT THE ABOVE DESCRIBED POINT "A"; THENCE S03°29'48"W ALONG THE CENTERLINE OF A 20 FOOT UTILITY EASEMENT - 1635.30 FEET TO THE TERMINUS OF SAID EASEMENT CENTERLINE.

COMMENCING AT THE ABOVE DESCRIBED POINT "B"; THENCE S18°45'56"W ALONG THE CENTERLINE OF A 20 FOOT UTILITY EASEMENT - 321.51 FEET TO THE TERMINUS OF SAID EASEMENT CENTERLINE.

COMMENCING AT A POINT ON THE SOUTHEAST BOUNDARY OF PARCEL 3, FROM WHICH THE BOUNDARY CORNER NEAR THE 1/4 CORNER COMMON TO SECTIONS 17 AND 20 BEARS N87°53'29"E - 637.71 FEET; THENCE ALONG THE CENTERLINE OF A 20 FOOT UTILITY EASEMENT AS FOLLOWS: N81°58'05"E - 348.88 FEET; THENCE N37°59'50"E - 220.77 FEET; THENCE N51°18' FEET; THENCE N51°18' FEET; THENCE N30°03'31"W - 308.10 FEET TO THE SOUTHWEST RIGHT-OF-WAY INTERSECTION OF LOWER BRIDGE ROAD AND WAKENZIE CANYON ROAD, AS SHOWN HEREON, AND TO THE TERMINUS OF SAID EASEMENT CENTERLINE.

WHERE THE ABOVE DESCRIBED CENTERLINES COMMENCE AND TERMINATE ON THE PARTITION BOUNDARY, THE SLOPES OF SAID EASEMENTS EXTEND PARALLEL WITH SAID CENTERLINES TO THE PARTITION BOUNDARY. WHERE SAID CENTERLINES TERMINATE WITHIN THE PARTITION BOUNDARY, SAID EASEMENT SLOPES EXTEND AN ADDITIONAL 10 FEET BEYOND THE TERMINUS AND CLOSE TO A POINT ON THE PROLONGATION OF THE CENTERLINE, 10 FEET FROM THE TERMINUS.

## DECLARATION

I, KNOW ALL PEOPLE BY THESE PRESENTS, THAT BIG FALLS RANCH CO., AN OREGON CORPORATION, IS THE OWNER OF THE LANDS SHOWN ON THIS DESCHUTES COUNTY MINOR PARTITION NO. MP-92-60, THE BOUNDARY OF WHICH IS MORE PARTICULARLY DESCRIBED IN THE SURVEYOR'S CERTIFICATE, AND THAT SAID CORPORATION CAUSED THE SAME TO BE SURVEYED AND PARTITIONED INTO PARCELS, AND SAID CORPORATION DOES HEREBY SUBMIT FOR RECORD AND APPROVAL SAID PARTITION, AND DOES HEREBY CREATE THOSE EASEMENTS, BOTH PUBLIC AND PRIVATE, AS SHOWN HEREON.

*Robert P. Poy*  
REX T. BARBER, PRESIDENT,  
BIG FALLS RANCH CO.  
*Peter Robert Caine*  
PETER ROBERT CAINE, SECRETARY,  
BIG FALLS RANCH CO.

## ACKNOWLEDGEMENT

STATE OF OREGON } S.S.  
COUNTY OF DESCHUTES }

BEFORE ME, REX T. BARBER AND PETER ROBERT CAINE, BEING FIRST SWORN, DO SAY THAT THEY ARE PRESIDENT AND SECRETARY, RESPECTIVELY, OF BIG FALLS RANCH CO., AN OREGON CORPORATION, AND ACKNOWLEDGED THAT THE FOREGOING INSTRUMENT WAS SAID CORPORATION'S VOLUNTARY ACT AND DEED, ON THIS 30th DAY OF JANUARY, 1996.

POEY AND ASSOC. LAND SURVEYORS  
P.O. BOX 131, REDMOND OREGON 97756  
(541) 546-6778

RECEIVED

AUG 17 2022

OWRD

PARTITION PLAT NO. 1996-26

DESCHUTES COUNTY MINOR PARTITION NO. MP-92-60

LOCATED IN SECTIONS 3, 4, 8, 9, 17, 18, 19 AND 20

TOWNSHIP 14 SOUTH, RANGE 12 EAST,

WILLAMETTE MERIDIAN, DESCHUTES COUNTY, OREGON

OWNER: BIG FALLS RANCH CO.

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*William G. Barker*  
OREGON  
JULY 13, 1983  
WILLIAM G. BARKER  
2039

EXP. 12-31-1997

I HEREBY CERTIFY THIS PLAT TO BE A TRUE AND EXACT COPY OF  
DESCHUTES COUNTY MINOR PARTITION NO. MP-92-60.

*William G. Barker* 6-2-96  
WILLIAM G. BARKER, LS 2039

## TAX COLLECTOR'S CERTIFICATE

I HEREBY CERTIFY THAT ALL TAXES APPURTINANT TO THIS PARTITION ARE PAID AS OF THIS DATE.

*William G. Barker* 4-4-96  
DESCHUTES COUNTY TAX COLLECTOR

## ASSESSOR'S CERTIFICATE

I HEREBY CERTIFY THAT ALL AD VALOREM TAXES AND SPECIAL ASSESSMENTS, FEES AND OTHER CHARGES REQUIRED BY LAW TO BE PLACED ON THE 1995-1996 TAX ROLL, WHICH BECAME A LIEN ON THIS PARTITION, OR WILL BECOME A LIEN DURING THIS CALENDAR YEAR, HAVE BEEN PAID TO ME.

*Kim Marshall* 4-4-96  
DESCHUTES COUNTY ASSESSOR

## APPROVALS

*Kim Marshall* 5-17-96  
DESCHUTES COUNTY PLANNING DIRECTOR  
*Larry Rice* 3-8-96  
DESCHUTES COUNTY DIRECTOR OF PUBLIC WORKS  
*Jeff Kern* 2-16-96  
DESCHUTES COUNTY SURVEYOR  
*Greg W. Smith* 4-11-96  
DESCHUTES COUNTY ENVIRONMENTAL HEALTH DIRECTOR  
*Alfred J. M. Mulley* 5-21-96  
SQUAM CREDITORS DISTRICT  
*Bob Mann* 3-21-96  
REGIONAL WATER MASTER  
*Barry F. Shuptry* 5-22-96  
DESCHUTES COUNTY COMMISSIONER  
*Nancy Bonebrake* 5-22-96  
DESCHUTES COUNTY COMMISSIONER  
*Michael P. Tappin* 5-22-96  
DESCHUTES COUNTY COMMISSIONER

SIGNATURES OF THE BOARD OF COMMISSIONERS CONSTITUTE ACCEPTANCE BY THE PUBLIC OF THE CONSERVATION EASEMENT SHOWN HEREON.



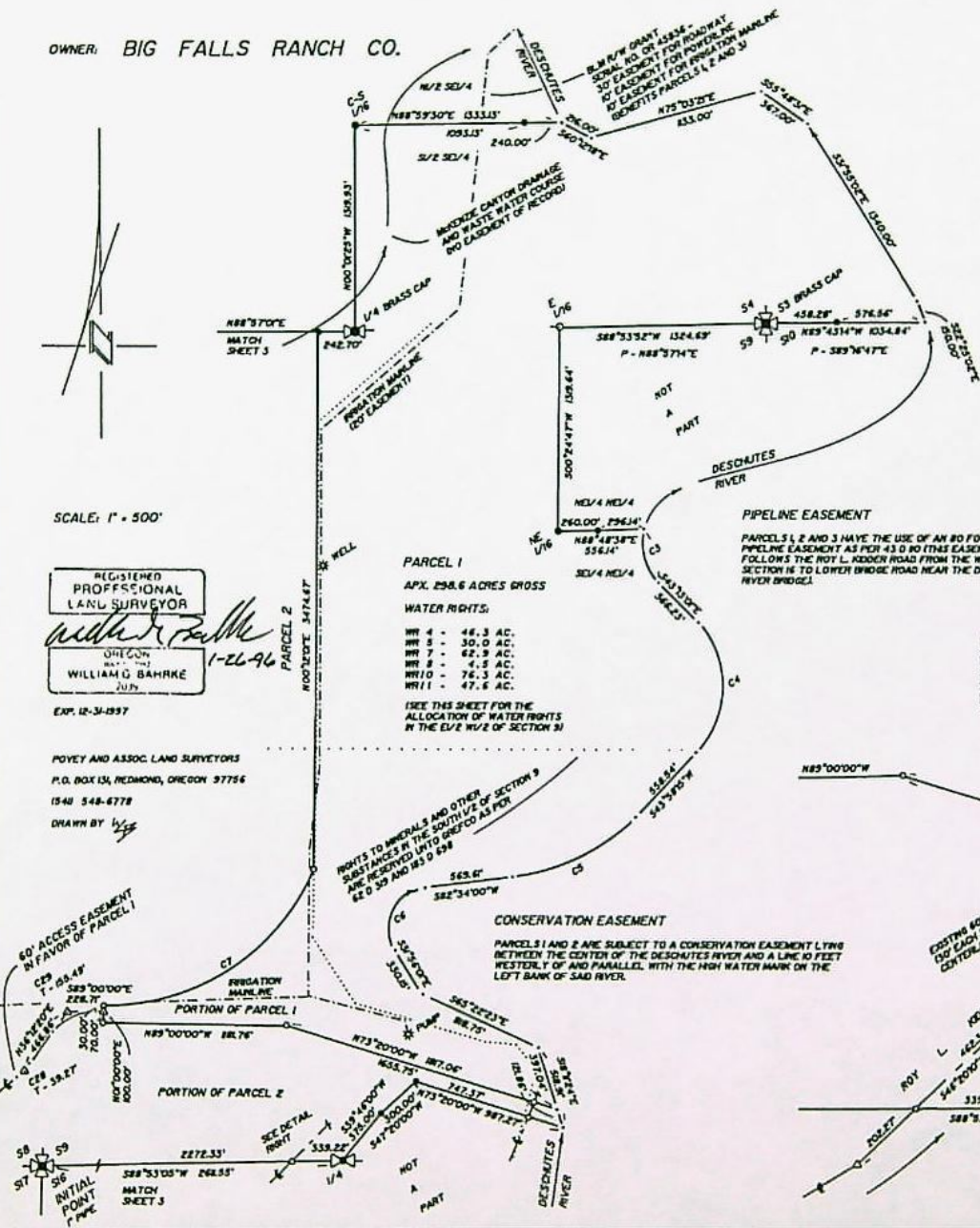
OWNER: BIG FALLS RANCH CO.

SCALE: 1" = 500'

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR  
*William E. Bahrke*  
JULY 1979  
WILLIAM E. BAHRKE  
JULY 1979

EXP. 12-31-2007

POVEY AND ASSOC. LAND SURVEYORS  
P.O. BOX 134, REDMOND, OREGON 97756  
(541) 548-6778  
DRAWN BY *W.E.B.*



SEE SHEET 5 FOR LEGEND AND FOR  
INFORMATION ON RECORD SURVEYS  
AND WATER RIGHTS

ALLOCATION OF  
WATER RIGHTS  
IN THE E1/2 W1/2  
OF SECTION 9

QUARTER- SECTION OF SECTION 9	WATER RIGHT	ACRES APPLICANT TO PARCEL 2	ACRES APPLICANT TO PARCEL 1
NE 1/4	W 7	7.0	2.8
SE 1/4	W 11	7.0	2.8
SW 1/4	W 4	33.7	6.3
SE 1/4	W 10	30.8	6.3
NE 1/4	W 7	31.7	3.3
SE 1/4	W 11	31.7	3.3
SW 1/4	W 8	4.6	4.6

PARTITION PLAT NO. 1996-26  
DESCHUTES COUNTY MINOR PARTITION NO. MP-92-60,  
LOCATED IN SECTIONS 3, 4, 8, 9, 17, 18, 19 AND 20,  
TOWNSHIP 14 SOUTH, RANGE 12 EAST,  
WILLAMETTE MERIDIAN, DESCHUTES COUNTY, OREGON

CURVE DATA

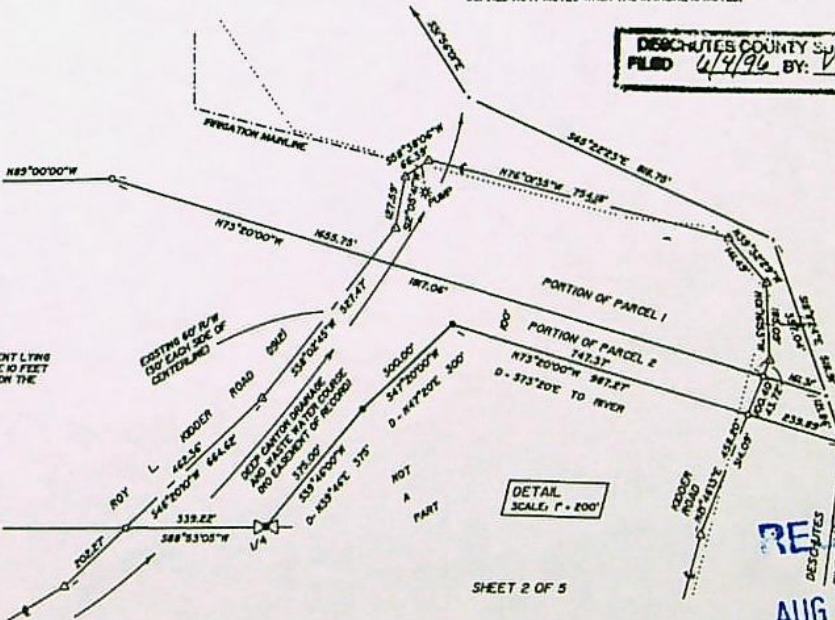
C #	RADIUS	DELTA	LENGTH	LOWE	CHORD
C 3	381.00'	54°32'09"	362.65'	515°54'57"E	349.11'
C 4	600.00'	87°11'16"	913.03'	500°22'37"W	827.45'
C 5	1344.00'	38°38'45"	205.33'	363°16'07"W	888.33'
C 6	259.00'	114°50'00"	517.59'	525°19'00"W	435.66'
C 7	1440.00'	67°13'47"	1489.67'	557°23'04"E	1694.39'
C 28	300.00'	14°54'48"	78.09'	543°39'44"E	77.87'
C 29	300.00'	54°47'40"	286.90'	583°36'10"E	276.09'

I HEREBY CERTIFY THIS MYLAR TO BE A TRUE AND EXACT COPY OF  
DESCHUTES COUNTY MINOR PARTITION NO. MP-92-60.  
*William E. Bahrke* 6-2-96  
WILLIAM E. BAHRKE, L.S. 2033

IRRIGATION EASEMENT

PARCELS 1, 2 AND 3 HAVE THE USE OF AN 80 FOOT ROAD AND  
PIPELINE EASEMENT AS PER 43.0 R (THIS EASEMENT GENERALLY  
FOLLOWS THE RPT L. KODEN ROAD FROM THE WEST LINE OF  
SECTION 16 TO LOWERY BRIDGE ROAD NEAR THE DESCHUTES  
RIVER BRIDGE).

DESCHUTES COUNTY SURVEYOR  
FILED 6/4/96 BY: *V. G. Gage*



SHEET 2 OF 5

RECEIVED  
AUG 17 2022

OWRD



OWNER: BIG FALLS RANCH CO.

CURVE DATA

C #	RADIUS	DELTA	LENGTH	LONG CHORD
C 7	1440.00'	47°13'47"	1489.67'	557°23'06"W 1894.39'
C 25	300.00'	11°59'09"	62.74'	N61°48'23"E 62.84'
C 26	300.00'	28°12'57"	116.32'	N78°54'27"E 115.89'
C 27	300.00'	51°02'54"	267.29'	N25°35'42"E 258.53'
C 28	300.00'	14°54'48"	78.03'	N43°39'44"E 77.87'
C 29	300.00'	54°47'40"	286.90'	N63°56'10"E 276.09'

I HEREBY CERTIFY THIS MYLAR TO BE A TRUE AND EXACT COPY OF  
DESCHUTES COUNTY MINOR PARTITION NO. MP-92-60.

*William G. Bahrick* 6-2-96  
WILLIAM G. BAHRIK, LS 2039

SEE SHEET 5 FOR LEGEND AND FOR  
INFORMATION ON RECORD SURVEYS  
AND WATER RIGHTS

PARTITION PLAT NO. 1996-26  
DESCHUTES COUNTY MINOR PARTITION NO. MP-92-60.  
LOCATED IN SECTIONS 3, 4, 6, 9, 17, 18, 19 AND 20.  
TOWNSHIP 14 SOUTH, RANGE 12 EAST.  
WILLAMETTE MERIDIAN, DESCHUTES COUNTY, OREGON

PARCEL 2

APX. 855.8 ACRES GROSS

WATER RIGHTS:

WR 2 - 16.6 AC.  
WR 3 - 138.4 AC.  
WR 4 - 159.7 AC.  
WR 7 - 96.2 AC.  
WR 8 - 34.3 AC.  
WR 10 - 152.3 AC.  
WR 11 - 270.0 AC.

(SEE SHEET 2 FOR THE  
ALLOCATION OF WATER RIGHTS  
IN THE E1/2 W1/2 OF SECTION 3)

SCALE: 1" = 500'

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*William G. Bahrick*  
OREGON  
JULY 19, 1981  
WILLIAM G. BAHRIK  
2039

EXP. 12-31-97

POVEY AND ASSOC. LAND SURVEYORS

P.O. BOX 13, REDMOND, OREGON 97756

DS44 548-4778

DRAWN BY *WGB*

RECEIVED

AUG 17 2022

OWRD

DESCHUTES COUNTY SURVEYOR  
FILED 6/4/96 BY: *V. G. ...*



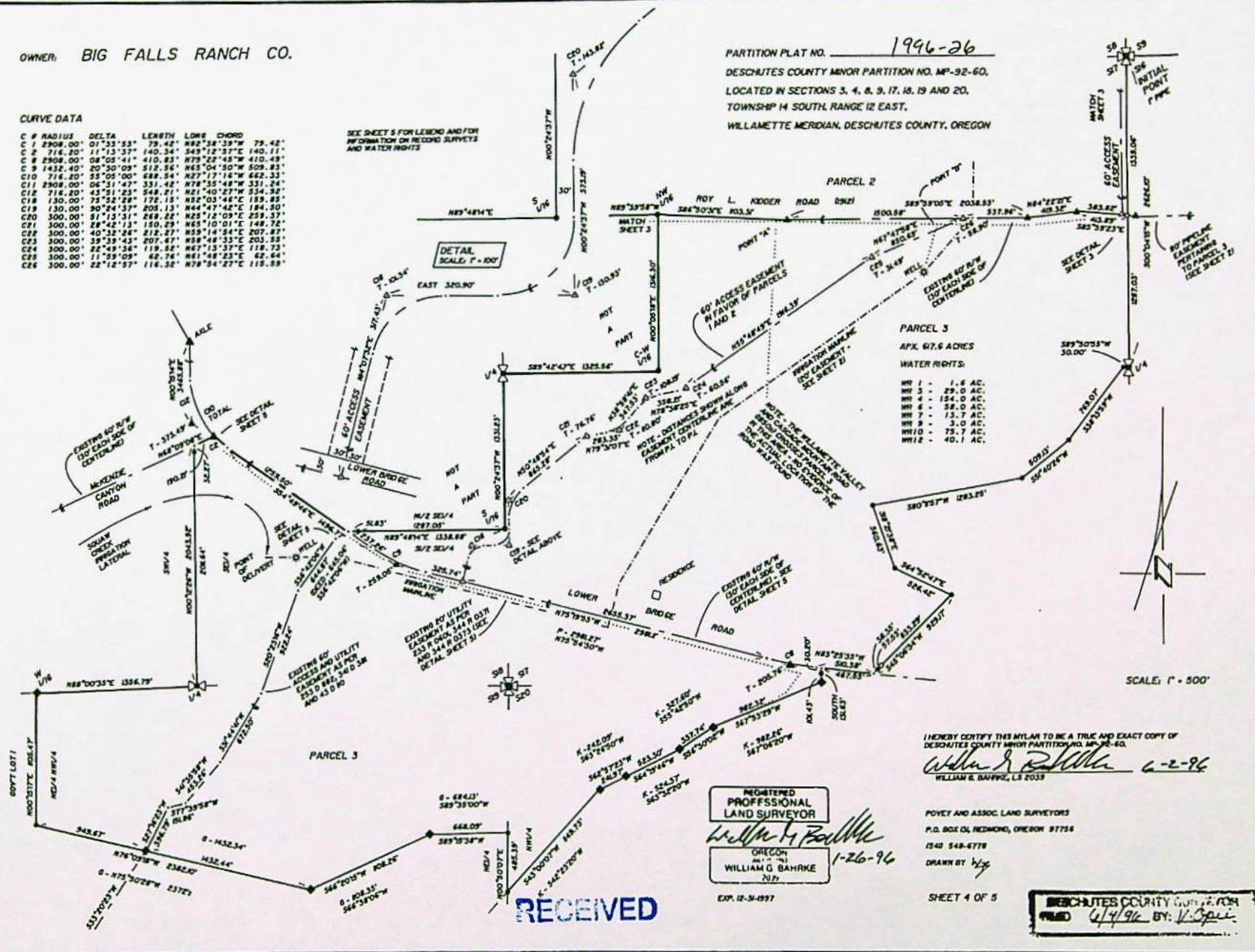
OWNER: BIG FALLS RANCH CO.

# CURVE DATA

C #	RADIUS	DELTA	LENGTH	LOWE	CHORD
C 1	2908.00'	01°33'53"	79.42'	N82°38'35"W	79.42'
C 2	716.20'	11°13'37"	140.34'	S49°12'37"E	140.11'
C 3	2908.00'	08°05'41"	410.25'	N79°22'45"W	410.49'
C 4	1432.40'	20°30'09"	512.56'	N65°04'50"W	509.83'
C 10	716.20'	55°05'00"	688.34'	N27°17'16"W	642.33'
C 11	2908.00'	06°31'47"	331.42'	N78°35'48"W	331.24'
C 12	716.20'	45°51'23"	648.21'	N21°40'27"W	554.52'
C 18	130.00'	75°52'28"	172.15'	N52°03'46"E	159.85'
C 19	130.00'	90°24'37"	209.13'	N44°47'42"E	184.50'
C 20	300.00'	91°15'51"	268.22'	N25°12'09"E	259.37'
C 21	300.00'	28°42'13"	150.29'	N65°10'01"E	148.72'
C 22	300.00'	40°32'28"	212.27'	N59°14'54"E	207.87'
C 23	300.00'	39°59'43"	207.27'	N59°48'35"E	203.18'
C 24	300.00'	22°49'36"	119.52'	N67°13'37"E	118.73'
C 25	300.00'	11°39'09"	62.76'	N61°48'23"E	62.64'
C 26	300.00'	22°12'57"	116.32'	N78°54'27"E	115.59'

SEE SHEET 5 FOR LEGEND AND FOR INFORMATION ON RECORD SURVEYS AND WATER RIGHTS

PARTITION PLAT NO. 1996-26  
 DESCHUTES COUNTY MINOR PARTITION NO. MP-92-60,  
 LOCATED IN SECTIONS 3, 4, 8, 9, 17, 18, 19 AND 20,  
 TOWNSHIP 14 SOUTH, RANGE 12 EAST,  
 WILLAMETTE MERIDIAN, DESCHUTES COUNTY, OREGON



I HEREBY CERTIFY THIS MAP TO BE A TRUE AND EXACT COPY OF  
 DESCHUTES COUNTY MINOR PARTITION NO. MP-92-60.

*William G. Bahreke* 6-2-96  
 WILLIAM G. BAHRKE, L.S. 2035

POYET AND ASSOC. LAND SURVEYORS  
 P.O. BOX 104, REDMOND, OREGON 97754  
 (503) 548-6778  
 DRAWN BY *WJB*

SHEET 4 OF 5

DESCHUTES COUNTY CLERK FOR  
 FILED 6/14/96 BY: *V. Spri*



96-20185

1-507

OWNER: BIG FALLS RANCH CO.

PARTITION PLAT NO. 1996-26  
 DESCHUTES COUNTY MINOR PARTITION NO. MP-92-60,  
 LOCATED IN SECTIONS 3, 4, 8, 9, 17, 18, 19 AND 20,  
 TOWNSHIP 14 SOUTH, RANGE 12 EAST,  
 WILLAMETTE MERIDIAN, DESCHUTES COUNTY, OREGON

## WATER RIGHTS

- WR 1 - PRIMARY FROM SQUAW CREEK 82951  
 WR 2 - PRIMARY FROM SQUAW CREEK 82953  
 WR 3 - PRIMARY FROM SQUAW CREEK 82954  
 WR 4 - PRIMARY FROM SQUAW CREEK 82957  
 WR 5 - PRIMARY FROM SQUAW CREEK 82958  
 WR 6 - PRIMARY FROM WELL 1 - CERTIFICATE 44278  
 WR 7 - PRIMARY FROM DEEP CANYON CREEK - CERTIFICATE 44278  
 WR 8 - PRIMARY FROM MAKENZIE CANYON - CERTIFICATE 44283  
 WR 9 - PRIMARY FROM WELL 1 - CERTIFICATE 44283  
 WR 10 - SUPPLEMENTAL FROM DEEP CANYON CREEK - CERTIFICATE 44283  
 WR 11 - SUPPLEMENTAL FROM MAKENZIE CANYON - CERTIFICATE 44283  
 WR 12 - SUPPLEMENTAL FROM WELL 1 - CERTIFICATE 4390

## LEGEND

- ▲ - 2" ALUMINUM CAP ON CENTERLINE POINT OF INTERSECTION (P.I.)  
 ▲ - 3/4" PIPE ON CENTERLINE P.I.  
 △ - SET 3/4" PIPE WITH PLASTIC CAP MARKED "POVEY & ASSOC." ON CENTERLINE P.I.  
 ○ - SET 604 SPIKE ON CENTERLINE P.I.  
 ● - 5/8" REBAR  
 ● - 3/4" PIPE  
 ○ - SET 3/4" PIPE WITH PLASTIC CAP MARKED "POVEY & ASSOC."  
 ● - 1/2" PIPE  
 ○ - SET 1/2" PIPE WITH PLASTIC CAP MARKED "POVEY & ASSOC."  
 \* - NOT MONUMENTED  
 --- - CENTERLINE OF 20' EASEMENT (SEE SHEET 21)  
 - - - - - CENTERLINE OF 20' UTILITY EASEMENT AS DESCRIBED ON SHEET 1  
 43 D 90 - BOOK AND PAGE OF DESCHUTES COUNTY DEEDS  
 344 R 037 - BOOK AND PAGE OF DESCHUTES COUNTY OFFICIAL RECORDS

## CURVE DATA

C #	RADIUS	DELTA	LENGTH	LOWR	CHORD
C 1	2908.00'	D1°53'53"	79.48'	N82°38'39"W	79.48'
C 2	718.20'	D1°13'37"	140.34'	S49°12'57"E	140.11'
C 3	2908.00'	D8°05'41"	410.93'	N79°22'49"W	410.49'
C 4	1432.40'	D20°30'09"	312.34'	N65°04'50"W	309.83'
C 5	2908.00'	D6°31'47"	331.42'	N78°35'48"W	331.24'
C 6	1402.40'	D20°30'09"	301.93'	S45°04'50"E	299.12'
C 7	2978.00'	D8°05'41"	406.60'	S79°22'45"E	406.24'
C 8	2938.00'	D8°05'41"	415.04'	N79°22'48"W	414.72'
C 9	1462.40'	D20°30'09"	223.30'	N65°04'50"W	220.51'
C 10	746.20'	D9°39'34"	122.77'	N60°00'03"W	122.62'

## RECORD SURVEYS - ALL IN THIS, N2E, WM

PERRY - RECORD MEASUREMENT AS PER PERRY'S SURVEY OF THE RE-ALIGNMENT OF THE LOWER BRIDGE ROAD, DATED 1960 - THIS SURVEY ESTABLISHED THE LOWER BRIDGE ROAD R/W IN THE SE1/4 OF SECTION 17.

K - RECORD MEASUREMENT AS PER KAUFFMAN'S BOUNDARY SURVEY IN SECTIONS 17, 18, 20 AND 30, DATED 10-8-1974 - THIS SURVEY ESTABLISHED THE SOUTHEAST PLAT BOUNDARY IN SECTION 20.

D - RECORD MEASUREMENT AS PER DEED RECORDED IN BOOK 244, PAGE 244, DESCHUTES COUNTY DEEDS, DATED 1-8-1977 - THIS DEED ESTABLISHED THE SOUTH PLAT BOUNDARY IN THE SE1/4 OF SECTION 3.

B - RECORD MEASUREMENT AS PER GOODWIN'S BOUNDARY SURVEY IN SECTION 19, DATED 5-4-1977 - THIS SURVEY ESTABLISHED THE SOUTH PLAT BOUNDARY IN SECTION 19.

ALL MEASUREMENTS ON THE PLAT BOUNDARY, LOWER BRIDGE ROAD, MAKENZIE CANYON ROAD AND KODDER ROAD IN SECTION 17 ARE AS PER OUR PREVIOUS SURVEYS IN THIS PLAT. THESE SURVEYS INCLUDE: OUR SURVEY OF SECTION 8, DATED 6-22-1978, OUR SURVEYS OF SECTIONS 17 AND 18, DATED 2-13-1980, OUR SURVEY OF SECTIONS 3, 4, 5, 6, 7, 8, 9, 17, 18, 19 AND 20, DATED 6-4-1980, AND OUR SURVEY OF AN ADJUSTED BOUNDARY IN THE SE1/4 OF SECTION 17, DATED 2-24-1982. THESE SURVEYS ALSO INCLUDE THOSE BOUNDARIES PREVIOUSLY ESTABLISHED BY KAUFFMAN, BY DEED, AND BY GOODWIN.

P - RECORD MEASUREMENT AS PER OUR PREVIOUS SURVEY THAT IS NOT THE SAME AS THE MEASUREMENT SHOWN ON THIS PLAT - SEE NARRATIVE.

SCALE: 1" = 100'

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

WILLIAM D. BAHRKE  
 OREGON  
 WILLIAM D. BAHRKE  
 2019

EXP. 12-31-2027

DESCHUTES COUNTY SURVEYOR  
 FILED 6/4/22 BY: [Signature]

I HEREBY CERTIFY THIS MAP TO BE A TRUE AND EXACT COPY OF  
 DESCHUTES COUNTY MINOR PARTITION NO. MP-92-60.

WILLIAM D. BAHRKE 6-2-96  
 WILLIAM D. BAHRKE, L.S. 2019

POVEY AND ASSOC. LAND SURVEYORS  
 P.O. BOX 134, REDMOND, OREGON 97756  
 (503) 548-4778  
 DRAWN BY: [Signature]

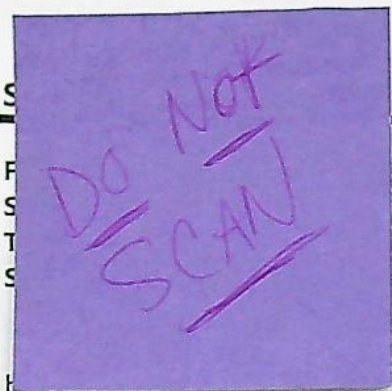
SHEET 5 OF 5

RECEIVED  
 AUG 17 2022  
 OWRD

CS12599

CS12599





Bryce Withers <brycewrs@gmail.com>  
Thursday, August 18, 2022 2:37 PM  
SMITH Joan M \* WRD  
Re: Scan

Kameron DeLashmutt of Pinnacle Utilities, LLC has asked that the letter be omitted from the transfer application, as it was sent to OWRD in error. Thank you.

On Thu, Aug 18, 2022 at 2:24 PM SMITH Joan M \* WRD <[Joan.M.SMITH@water.oregon.gov](mailto:Joan.M.SMITH@water.oregon.gov)> wrote:

Here ya go

**JOAN M. SMITH | TRANSFER SPECIALIST**

TRANSFER & CONSERVATION SECTION

725 Summer Street NE, Suite A Salem, OR 97301 | Phone 503-986-0892

**NOTE:** Many staff continue to work 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. **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.

--  
Bryce Withers

Water Right Specialist  
(541)408-1400 cell

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



**SMITH Joan M \* WRD**

---

**From:** Bryce Withers <brycewrs@gmail.com>  
**Sent:** Thursday, August 18, 2022 2:37 PM  
**To:** SMITH Joan M \* WRD  
**Subject:** Re: Scan

Hi Joan,

Kameron DeLashmutt of Pinnacle Utilities, LLC has asked that the letter be omitted from the transfer application, as it was sent to OWRD in error. Thank you.

On Thu, Aug 18, 2022 at 2:24 PM SMITH Joan M \* WRD <[Joan.M.SMITH@water.oregon.gov](mailto:Joan.M.SMITH@water.oregon.gov)> wrote:

Here ya go

**JOAN M. SMITH | TRANSFER SPECIALIST**

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--

Bryce Withers

Water Right Specialist  
(541)408-1400 cell

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



RECEIVED

AUG 17 2022

OWRD

\_\_\_\_\_, 2022

Via: First Class Mail

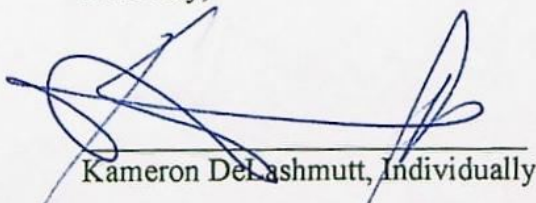
Oregon Water Resources Department  
725 Summer Street NE, Suite A  
Salem, Oregon 97301-1266

Re: Withdrawal of Application

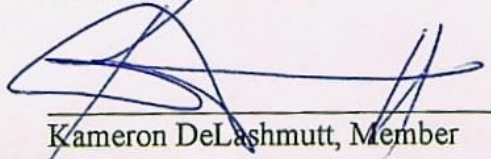
Dear OWRD:

Kameron DeLashmutt/Pinnacle Utilities, LLC ("Applicant") hereby requests that OWRD suspend the processing of the temporary transfer application filed by John A. Short/Water Right Services, LLC on behalf of Kameron DeLashmutt/Pinnacle Utilities, LLC concerning Water Rights Certificates #96190/96192, which was assigned file number \_\_\_\_\_ (the "Application"). The Application is no longer authorized by Big Falls Ranch Co. If an amendment to the Application is not filed within 30 days after the date of this letter, then please consider the Application withdrawn.

Sincerely,

  
Kameron DeLashmutt, Individually

Pinnacle Utilities, LLC

  
Kameron DeLashmutt, Member



# Temporary Transfer Application Checklist

IF drought mark drought here

## Check the Certificate(s)

Transfer # T-14074

Checked by: <u>Jean</u> Date: <u>8/18/2022</u>	Type of Change(s) <u><del>POU/POD</del></u> <u>No other changes other than those listed:</u> (Mark the proposed changes)	POU/POD	POU/APOD <u><del>POU</del></u>
Fee Received: <u>1674.99</u>		<u>POU/POA</u>	POU/APOA
Calculated Fee: <u>1674.99</u> ✓		How many rights to be Transferred?	
Additional observations: <u>5 year temp</u> <u>Δ to QM</u>		Certificate # <u>96190 - 4/13/1967</u> <u>96192 - 4/13/1967</u>	
	<u>See T-14060</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 Pinnacle Utility LLC

- ☒ 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: Called regarding letter / see email date 8/18/22  
Disregard letter  
Jean



# Temporary Transfer Application Checklist

*Drought only*

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 2b is 0 enter 0 on line 2 If 2b is greater than 0, round to the nearest whole number: _____ (2c) and multiply 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).

*Pay close attention to enlargement of this - as QM - cannot be regulated off \**

*Joan*



**STATE OF OREGON  
WATER RESOURCES DEPARTMENT**

RECEIPT # **138939**

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

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

RECEIVED FROM: Central Land Cattle  
BY: Company LLC

APPLICATION	
PERMIT	
TRANSFER	T-14074

CASH: ☐ CHECK: # 8163 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 1,674.97

**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 4640

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 \$ 1674.97

**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: **138939**

DATED: 8-17-2022 BY: \_\_\_\_\_