

T-10335

T-10335

TEMPORARY

Name Remington Ranch

By _____

Address 247 Main Street, Suite BPrineville, OR 97754760-799-7756Change in POU ~~use~~Date filed 3-12-07

Date of hearing _____

Place of hearing _____

Date of order 5-24-07 Vol. 72, page 125

Date for application of water _____

Proof mailed _____

Proof received _____

Certificate issued _____ Vol. _____, page _____

DESCRIPTION OF WATER RIGHT

Name of stream Well 2E Well 4ETrib. of Dry River County of Crook ~~Deschutes~~Use IR

Quantity of water _____ No. of acres _____

Name of ditch _____

Date of priority 8/9/1996In name of Red Rock LLC

_____ Adjudication, Vol. _____, page _____

App. No. G-14365 Per. No. G-13237 Cert. No. 82659

Certificate cancelled _____

Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>3-12-07</u>	<u>519.50</u>	<u>86577</u>
TOTAL . . .		
	Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

REMARKS

Agent: W+H Pacific 920 SW EmKay, Suite C-100 Bend OR 97702 541-388-4255LOTO 1055 SW Lake Court Redmond, OR 97756CROOK County 300 NE 3rd St, Rm 11 Prineville, OR 97754CWRE: Thomas Walker #137



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department
North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266
503-986-0900
FAX 503-986-0904

April 11, 2007

REMINGTON RANCH
247 MAIN STREET SUITE B
PRINEVILLE, OR 97754

Reference: Temporary Transfer 10335

On March 12, 2007 we received your water right transfer application requesting change in place of use for use of water from WELLS, tributary to DRY RIVER. The application was accompanied by \$519.50. Our receipt 86577 is enclosed.

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

Pursuant to OAR 690-380-8010, the lands from which an irrigation water right is to be transferred and the land to which the right is to be 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.

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

If you have any questions, please call the Transfer Section, (503)986-0900.

cc: Watermaster #11
Thomas Walker, CWRE
W & H Pacific, Agent
Central Oregon Irrigation District

enclosure



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

725 Summer Street NE, Suite A

Salem, OR 97301-1271

503-986-0900

FAX 503-986-0904

Notice of Application for Water Right Transfer, Temporary Transfer, or Permit Amendment 04/10/2007

The Department seeks comment on the recently-filed application listed below. Any person may comment on the application. Comments must be received by the Department within 30 days of the date of this notice.

County: DESCHUTES
Transfer: 10335
Water Right: CERT 82659
Priority Date: 1996
Name: REMINGTON RANCH
Address: 247 MAIN ST SUTIE B; PRINEVILLE OR 97754
Change: POU
Source: WELL
Authorized POU: T14S R14E 33, 34
Proposed POU: T14S R14E 34
T15S R14E 4, 5, 9

The holder of a water right may apply to permanently change an existing water use subject to transfer. A transfer application may involve any of the following changes: Point of diversion or appropriation (POD; POA); Additional point of diversion or appropriation (APOD; APOA); Historic POD (HIST); Place of use (POU); Character of use (USE); Instream (ISWR); Substitution (SUB); or Exchange (EXCH).

The holder of a water right subject to transfer may request to temporarily change the place of use of the water for up to 5 years and, if necessary to convey the water, to temporarily change the point of diversion or appropriation.

The holder of a water right permit may apply to change a point of diversion (POD) or appropriation (POA) or to change the place of use (POU).

Any person who provides comments within the comment period will receive a copy of the Department's preliminary determination of whether the application should be approved or rejected after the Department has completed a review of the application and will be provided an opportunity to protest the application and preliminary determination at that time. The Director may presume that the transfer would be allowed by, and compatible with comprehensive plans unless an affected local government informs the Director otherwise within 30 days of this notice. Comments should be sent to the Transfers Section at the Department's Salem office.



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266
503-986-0900
FAX 503-986-0904

May 29, 2007

REMINGTON RANCH LLC
ATTN: JOHN SHAW
247 MAIN STREET SUITE B
PRINEVILLE, OR 97754

Reference: Temporary Transfer 10335

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

The change shall be effective at the end of the 2006 irrigation season. The use shall revert to the authorized place of use at the end of the 2008 irrigation season.

Sincerely,

Sarah Henderson

for

Doug Parrow
Natural Resource Specialist

DP:sh

cc: Watermaster #11
Central Oregon Irrigation District (1055 SW Lake Ct, Redmond OR 97756)
Crook County (300 NE 3rd St Rm11, Prineville, Oregon 97754)
W & h Pacific, Tom Walker (920 SW Emkay, Suite C-100, Bend, OR 97702)

Enclosure



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

In the Matter of Transfer Application	)	FINAL ORDER APPROVING A
T-10335, Crook County	)	TEMPORARY CHANGE IN PLACE OF
	)	USE

Authority

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

Applicant

Remington Ranch LLC
Attn: John Shaw
247 Main Street Suite B,
Prineville, OR 97754

Agent

W & H Pacific
Attn: Tom Walker
920 SW Emkay, Suite C-100
Bend, OR 97702

Findings of Fact

1. On April 4, 2007, Remington Ranch, LLC filed an application to temporarily change the place of use under Certificate 82659 for a period of two years. The Department assigned the application number T-10335.
2. On April 23, 2007, the Department received an amended application map clarifying the authorized place of use proposed to be affected by transfer application T-10353.
3. The portion of the right to be transferred is as follows:

Certificate: 82659 in the name of Red Rock, LLC (perfected under Permit G-13237)

Use: IRRIGATION of 114.9 ACRES

Priority Date: AUGUST 9, 1996

Rate: 1.43 CUBIC FEET PER SECOND (cfs)

Limit/Duty: ONE-EIGHTIETH cfs per acre, not to exceed 3.0 acre-feet per acre during the irrigation season of each year

Source: Well 2E in the CROOKED RIVER BASIN

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

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

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
14 S	14 E	WM	34	SE NW	2140 FEET SOUTH AND 1900 FEET EAST FROM THE NW CORNER OF SECTION 34

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
14 S	14 E	WM	33	NE NE	35.3
14 S	14 E	WM	33	NW NE	1.5
14 S	14 E	WM	33	SW NE	1.6
14 S	14 E	WM	33	SE NE	35.8
14 S	14 E	WM	33	NE SE	1.4
14 S	14 E	WM	34	NE NW	0.2
14 S	14 E	WM	34	NW NW	3.4
14 S	14 E	WM	34	SW NW	34.2
14 S	14 E	WM	34	SE NW	0.3
14 S	14 E	WM	34	NW SW	1.2

4. Application T-10335 proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
14 S	14 E	WM	34	NE SE	12.1
14 S	14 E	WM	34	SE SE	28.9
15 S	14 E	WM	4	NW SW	7.1
15 S	14 E	WM	4	SW SW	13.6
15 S	14 E	WM	4	SE SW	2.6
15 S	14 E	WM	5	NE SE	2.8
15 S	14 E	WM	5	SE SE	11.0
15 S	14 E	WM	9	NW NE	1.7
15 S	14 E	WM	9	SW NE	7.9
15 S	14 E	WM	9	SE NE	0.7
15 S	14 E	WM	9	NE NW	10.9
15 S	14 E	WM	9	NW NW	4.2
15 S	14 E	WM	9	SW NW	4.4
15 S	14 E	WM	9	SE NW	7.0

5. Notice of the application for temporary transfer was published on April 10, 2007, pursuant to ORS 540.520 and OAR 690-380-4000. No comments were filed in response to the notice.
6. Water has been used within the last five years according to the terms and conditions of the right, and there is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
7. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right are present within the five-year period prior to submittal of Application T-10335.

8. The proposed change would not result in enlargement of the right.
9. The proposed change would not result in injury to other water rights. This finding is made through an abbreviated review recognizing that the transfer may be revoked under ORS 540.523(6) if the Department later finds that the transfer is causing injury to any existing water right.

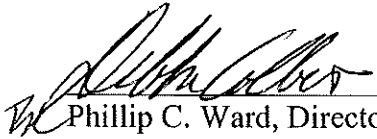
Conclusions of Law

The temporary change in place of use proposed in application T-10335 is consistent with the requirements of ORS 540.523 and OAR 690-380-8000.

Now, therefore, it is ORDERED:

1. The temporary change in place of use proposed in application T-10335 is approved.
2. The former place of use **shall not** be irrigated as part of this water right during the 2007 or 2008 irrigation seasons.
3. The use shall revert to the authorized place of use at the end of the 2008 irrigation season.
4. The approval of this temporary transfer may be revoked or modified if the Department finds the change causes injury to any existing water right.
5. A subsequent application for permanent transfer of Certificate 82659 shall be subject to a full and complete review to determine consistency with the requirements of OAR Chapter 690, Division 380. Approval of this temporary transfer does not establish a precedent for approval of a subsequent application filed for a permanent transfer.
6. The use of water at the temporary place of use authorized by this transfer shall be in accordance with the terms and conditions of Certificate 82659.
7. The time during which water is used under this approved temporary transfer does not apply toward a finding of forfeiture under ORS 540.610.
8. Prior to diverting water, the water user shall install an in-line flow meter or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department. The water user shall maintain and operate the measuring device as required by the Department.
9. The use of the remaining water right described by Certificate 82659 shall continue to be in accordance with the terms and conditions of Certificate 82659.

Dated at Salem, Oregon this 24th day of May 2007.


Phillip C. Ward, Director

Mailing Date: MAY 29 2007

Water Right Transfer Checklist

Transfer T-10335

Transfer Specialist: Sue

Transfer Type: Temp

Applicant Name/Address: Remington Ranch LLC Attn: John Shaw 247 Main Street Suite B, Prineville, OR 97754

Agent Name/Address: W & H Pacific Attn: Tom Walker 920 SW Emkay, Suite C-100 Bend, OR 97702

CWRE Name/Number: NA

Rec Landowner Name/Address: NA

Irr. District Name/Address: COID, 1055 SW Lake Ct, Redmond OR 97756

Affected Gov'ts Name/Address: Crook Co. 300 NE 3rd St Rm 11, Prineville OR 97754

Commentors Name/Address: no comments

Water Rights Affected

Records Marked	Records Copied	App File No. or Decree Name	Permit No.	Certificate No.	RR/CR Needed	RR/CR Nos.
☐	☐	G 14365	g-13237	82659	☒ Yes ☐ No	na

Key Dates & Initial Actions

Rec'd: <u>4/4/2007</u>	Proposed Action(s): POU	
Fees Pd: 519. <u>50</u>	WM District: <u>11</u>	ODFW District: <u>✓</u>
Initial Notice: <u>4/10/07</u>	WM Review sent: <u>✓</u>	ODFW Review sent: <u>✓</u>
Acknowledgement Letter Sent ☒		GW Review sent: <u>NA</u>

Processing Dates & Actions

Deficiency Contacts: via telephone 4/23/07 rec'd email clarification

Newspaper Pub Affid Due: not required

DPD Mailed: not required

Affid of Pub Rec'd: not required

☐ ODFW contact sheet sent with DPD, or ☐ N/A

Last Day Published: not required

PD Mailed: not required

Affidavit Reminder Sent: not required

PD Weekly Notice: not required

Reminder Deadline: not required

Preliminary Determination

☐ Electronic Files uploaded

☐ Preliminary Determination

☐ PD Cover letter

☐ Fee Refund Due

☐ PD Notice

☐ Remaining Rights

☐ File Assigned/ ModPod updated

DPD Review (Optional)	PD Review (Salem)	Final Order Review (Salem)
Reviewer: <u>not required</u>	Reviewer: <u>not required</u>	Reviewer: <u>ADP</u>
Date: <u>not required</u>	Date: <u>not required</u>	Date: <u>5/21/07</u>
Coordinator: <u>not required</u>	Coordinator: <u>not required</u>	Coordinator: <u>ADP</u>
Date: <u>not required</u>	Date: <u>not required</u>	Date: <u>5/21/07</u>
Comments/Special Issues: <u>temp - 15 pon of 114.9 acres</u>		

Special Order Volume: Vol 72 Pages 125

Final Order Signature Date: 5-24-07

Notice of FO email'd to processors Susan

DB Done

Transfer Processing Log (Div 380)

Reviewer's Name: Sue

Date: 4/23/07

Transfer #:	<u>10335</u>	Type of Change:	<u>Apou</u>		
Originating Certificate:	<u>82659</u>	(Appl #:	<u>g 14365</u>	Permit #:	<u>g 13238</u>
Date filed:	<u>4-4-07</u>	County:	<u>CR001C</u>	WM District:	<u>11 - Jeremy Griffen</u>
Applicant's Name & Mailing Address: <u>Remington Ranch LLC</u> <u>247 Main St. Suite B</u> <u>Prineville, OR 97754</u>					
CWRE: <u>na</u> <u>Agent - W+t Pacific</u> <u>920 SW Emkay Suite C-100</u> <u>Bend, OR 97702</u>					

IPN
4-10-07

2 year
2007, 2008

Transfer Workflow Maintenance: Has file been assigned to me? Y ☐ N ☐ (If No, Update Transfer Workflow.)

Check Application

- ☒ Type of change indicated clearly?
- ☒ Signed by applicants?
- ☒ Are fees due or to be refunded? ☐ If to be refunded, generate Request for Refund to be sent to WRD with Final Order.
- ☒ Does the land use form match affected tax lots and is it signed by proper official?
- ☒ If a ditch company or district is involved, send them a copy of the application and map.
- ☒ If a POD is moving to a ditch owned by a company or organization, applicant may need to show permission from the ditch owner.

Check Ownership

- ☒ Check that deed/lot book report matches the "from" land
- ☒ Get current tax lot map. (If transfer application is a
- ☒ Is the applicant the owner of the "from" lands? (Up
- ☒ Have all owners on the deed/lot book report signed to
- ☒ Is there a notarized, signed statement of consent from
- ☒ Is there a copy of written notification of transfer to each
- ☒ Verify agent authority if applicant has not specifically

Signed by John Shaw

office for current landowner)
ner if needed)

?
ook report?
on for agent to work on his behalf.

Check Application Map

- ☒ Does it have an original CWRE signature?
- ☒ Is the size and scale accurate and appropriate as per OAR (c)&(d)?
- ☒ Are all authorized and proposed POD's/POA's and POU's shown and clearly labeled?
- ☒ Do the metes and bounds for the POD's/POA's properly describe the location on the map?
- ☒ Do map acres match the tabulation on the certificate?
- ☒ Pull final proof maps for the rights. Does application map match certificate FPS maps?
- ☒ Pull aerial photos, if needed (and available).
- ☒ Do the POD/POA dimensions match the location on map?
- ☒ Do the POD/POA dimensions & 1/4 1/4 on map match the transfer application and certificate descriptions?

Is Application complete?

- ☒ application form
- ☒ map
- ☒ evidence of use
- ☒ land-use form
- ☒ deed
- ☒ certificate
- ☒ fees paid
- ☒ well logs

Reviews/comments received?

☒ Watermaster ☒ ODFW ☒ GW

ΔPOU
114.9

Δ 114.9 IR

Amended
4-23

which
114.9
called on
agent on
4-23

→ w/amendment via phone

Determining the "From" and "To" Lands (make working copy of application and certificates to mark on)

- ☐ Are *only* the authorized POD's/POA's and POUs to be transferred listed?
- ☐ Do application & certificate tabulations match? (check off on application and certificate copies and note corrections needed)
- ☐ Mark on certificate copy which acreage is being transferred and what will remain in each 1/4 1/4.

Is right valid and subject to transfer by applicant?

- ☐ Certificate _____ -or- Proof accepted "to the satisfaction...." _____
- ☐ Has the right been exercised according to terms & conditions of certificate?
- ☐ Compare delivery system capacity against with the rate/duty of the right.
- ☐ Print plat card report. Are there conflicting water rights? _____
- ☐ Is newspaper notice required? If so, generate a draft of the notice.
- ☐ Are there any rights that need to be canceled or diminished to supplemental? If so prepare an affidavit.

Deficiencies to be resolved:

☐
☐

Injury Determination

- | | | |
|--------------------------------------|---|---|
| ☐ Watermaster | Injury: Y ☐ N ☐ | Conditions: Y ☐ N ☐ |
| ☐ ODFW | Injury: Y ☐ N ☐ | Conditions: Y ☐ N ☐ |
| ☐ GW | Injury: Y ☐ N ☐ | Conditions: Y ☐ N ☐ |

- ☐ Will the "from" lands be able to be dried up? Yes ☐ No ☐
- ☐ Use Interactive Mapping to check for intervening PODs: No ☐ Yes ☐
- ☐ Check relation to instream water rights: ☐ Moves into or within ISWR ☐ No problem
- ☐ Check movement related to reduction of flows to junior rights

- Determination: Enlargement? ☐ Yes ☐ No
Injury? ☐ Yes ☐ No
- ☐ Approve -or- ☐ Reject

Conditions requested:

- Measurement devices: ☐ Required prior to use -or- ☐ "When in the judgment..."
- ☐ Fish screen (see ODFW comments)
- ☐ Other:

Remarks:

nw 1/4
sw 1/2 } S
send
E 1/2 SE
NW-9 15, 14

Susan Douthit

From: Walker, Tom [TWalker@whpacific.com]
Sent: Monday, April 23, 2007 2:19 PM
To: Susan Douthit
Cc: John Shaw; Christopher Pippin
Subject: Remington Ranch, LLC Temporary Transfer

Susan,

Thank you very much for your work and assistance on the pending Remington Ranch temporary water right transfer. As requested, I have summarized the "off lands" for the proposed 114.9 acres of temporary transfer.

- NE NE Section 33 T 14 S, R 14 E 35.3 acres
- NW NE Section 33 T 14 S, R 14 E 1.5 acres
- SW NE Section 33 T 14 S, R 14 E 1.6 acres
- SE NE Section 33 T 14 S, R 14 E 35.8 acres
- NE SE Section 33 T 14 S, R 14 E 1.4 acres
- NW SW Section 34 T 14 S, R 14 E 1.2 acres
- SW NW Section 34 T 14 S, R 14 E 34.2 acres
- SE NW Section 34 T 14 S, R 14 E 0.3 acres
- NE NW Section 34 T 14 S, R 14 E 0.2 acres
- NW NW Section 34 T 14 S, R 14 E 3.4 acres

We appreciate the chance to clarify our pending application by email and your efforts to expedite the process. Please consider my summary and never hesitate to contact me with any further questions or comments.

Water Rights Platcard Report

Meridian: WILLAMETTE Township: 14 South Range: 14 East Section: 34 Records per Page: 100 Search

Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	QQ(40): Q(160):	NE NE	NW NE	SW NE	SE NE	NE NW	NW NW	SW NW	SE NW	NE SW	NW SW	SW SW	SE SW	NE SE	NW SE	SW SE	SE SE	Unknown QQ
Select Cert:32528 OR * Additional Info: GEORGE T HIGGINS App: S31832 Permit: S25467 Cert: 32528		9/3/1957	IRRIGATION						1.6															
Select Cert:48937 OR * Additional Info: SMITHWOOD NORTH RANCH App: S41133 Permit: S30666 Cert: 48937		7/23/1965	IRRIGATION						0.2															
Select Cert:82659 OR * Additional Info: RED ROCK LLC App: G14365 Permit: G13237 Cert: 82659	T10335	8/9/1996	IRRIGATION							32	8.5	0.2	33	34.2	2.1		1.2			2.3	11.2	22.2	1.7	
Select App:LL 1044 * Additional Info: REMINGTON RANCH LLC App: LL1044		3/27/2007	IRRIGATION																	12.1			28.9	
Select App:G 16546 * Additional Info: JOHN SHAW App: G16546		10/3/2005	QUASI-MUNICIPAL USES					*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	
Select Inchoate: T 10205 CF (REG) * Additional Info: AVION WATER CO. INC. App: G10184 Permit: G9946			QUASI-MUNICIPAL USES							(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	
Select Permit:G 16025 * Additional Info: AVION WATER CO. INC. App: G15851 Permit: G16025		10/9/2002	QUASI-MUNICIPAL USES							*	*	*	*	*	*	*	*	*	*	*	*	*	*	
Select Permit:G 16026 * Additional Info: AVION WATER CO. INC. App: G16060 Permit: G16026		7/28/2003	QUASI-MUNICIPAL USES							*	*	*	*	*	*	*	*	*	*	*	*	*	*	

Select	Inchoate: T 10205 CF (REG) *	7/2/1981	QUASI-MUNICIPAL USES			(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)
	Additional Info: AVION WATER CO. INC. Permit: G9948																		
Select	Inchoate: T 10205 CF (REG) *	6/16/1981	QUASI-MUNICIPAL USES			(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)
	Additional Info: AVION WATER CO. INC. App: G10378 Permit: G9975																		
Select	Inchoate: T 10205 CF (REG) *	2/11/1981	QUASI-MUNICIPAL USES			(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)
	Additional Info: AVION WATER CO. INC. Permit: G9217																		
Select	Inchoate: T 10205 CF (REG) *	4/1/1981	QUASI-MUNICIPAL USES			(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)
	Additional Info: AVION WATER CO. INC. Permit: G9269																		
Select	Inchoate: T 10205 CF (REG) *	5/11/1981	QUASI-MUNICIPAL USES			(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)
	Additional Info: AVION WATER CO. INC.																		
Select	Inchoate: T 10205 CF (REG) *	7/13/1981	QUASI-MUNICIPAL USES			(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)
	Additional Info: AVION WATER CO. INC. Permit: G9976																		
Select	Permit: G 11277 *	3/8/1991	SUPPLEMENTAL IRRIGATION (Suppl'mtl)	0.2	1.6														
	Additional Info: TEDDY G HULL App: G12442 Permit: G11277																		
Select	Inchoate: T 9423 (DRO) WD	2/28/1913	SUPPLEMENTAL IRRIGATION (Suppl'mtl) WD	(33.4)	(31.0)	(10.6)	(9.4)	(9.0)	(3.5)	(10.5)									
	Additional Info: CENTRAL OREGON IRRIGATION DISTRICT App: S13180 Permit: S23256																		
Select	Inchoate: T 9424 (DRO) WD	2/28/1913	SUPPLEMENTAL IRRIGATION (Suppl'mtl) WD	(33.4)	(31.0)	(10.6)	(9.4)	(9.0)	(3.5)	(10.5)									
	Additional Info: CENTRAL OREGON IRRIGATION DISTRICT App: S13180																		
Select	Inchoate: T 9553 (IS) WD	2/28/1913	SUPPLEMENTAL IRRIGATION (Suppl'mtl) WD	(33.4)	(31.0)	(10.6)	(9.4)	(9.0)	(3.5)	(10.5)									
	Additional Info: BRIAN STEVENS App: S13180																		
Select	Inchoate: T 9555 (IS) WD	2/28/1913	SUPPLEMENTAL IRRIGATION (Suppl'mtl) WD	(33.4)	(31.0)	(10.6)	(9.4)	(9.0)	(3.5)	(10.5)									
	Additional Info: BRIAN STEVENS App: S13180 Permit: S23256																		

Select	Inchoate: T 9214 (REG) WD	2/28/1913	SUPPLEMENTAL WD IRRIGATION (Suppl'mtl)	(33.4)	(31.8)	(10.6)	(9.4)	(9.8)	(3.5)	(18.5)							
	Additional Info: CENTRAL OREGON IRRIGATION DISTRICT App: S13180																
Select	Cert:76174 CF *	2/28/1913	SUPPLEMENTAL IRRIGATION (Suppl'mtl)	33.4	31.8	10.6	9.4	9.8	3.5	18.5							
	Additional Info: CENTRAL OREGON IRRIGATION DISTRICT App: S13180 Permit: S23256 Cert: 76174																
Acreage Legend: 12.25 Regular acreage				12.25 Acreage is on a canceled right				(12.25) Acreage is part of a transfer and has not been proven up on yet (inchoate)				* Acreage is not specified					

Water Rights Platcard Report

Meridian: WILLAMETTE Township: 14 South Range: 14 East Section: 33 Records per Page: 100 Search

Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	QQ(40):	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Unknown QQ
<u>Select</u> Cert:82659 OR * Additional Info: RED ROCK LLC App: G14365 Permit: G13237 Cert: 82659	T10335	8/9/1996	IRRIGATION				Q(160):	35.3	1.5	1.6	35.8																	
<u>Select</u> App:G 16546 * Additional Info: JOHN SHAW App: G16546		10/3/2005	QUASI-MUNICIPAL USES					*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
<u>Select</u> Inchoate: T 10205 CF (REG) * Additional Info: AVION WATER CO. INC. App: G10184 Permit: G9946			QUASI-MUNICIPAL USES					(*)	(*)	(*)	(*)									(*)	(*)	(*)	(*)					
<u>Select</u> Permit:G 16025 * Additional Info: AVION WATER CO. INC. App: G15851 Permit: G16025		10/9/2002	QUASI-MUNICIPAL USES					*	*	*	*									*	*	*	*					
<u>Select</u> Permit:G 16026 * Additional Info: AVION WATER CO. INC. App: G16060 Permit: G16026		7/28/2003	QUASI-MUNICIPAL USES					*	*	*	*									*	*	*	*					
<u>Select</u> Inchoate: T 10205 CF (REG) * Additional Info: AVION WATER CO. INC. Permit: G9948		7/2/1981	QUASI-MUNICIPAL USES					(*)	(*)	(*)	(*)									(*)	(*)	(*)	(*)					
<u>Select</u> Inchoate: T 10205 CF (REG) * Additional Info: AVION WATER CO. INC. App: G10378		6/16/1981	QUASI-MUNICIPAL USES					(*)	(*)	(*)	(*)									(*)	(*)	(*)	(*)					

Permit: G9975																				
Select	Inchoate: T 10205 CF (REG) *	2/11/1981	QUASI-MUNICIPAL USES	(*)	(*)	(*)	(*)										(*)	(*)	(*)	(*)
Additional Info: AVION WATER CO. INC. Permit: G9217																				
Select	Inchoate: T 10205 CF (REG) *	4/1/1981	QUASI-MUNICIPAL USES	(*)	(*)	(*)	(*)										(*)	(*)	(*)	(*)
Additional Info: AVION WATER CO. INC. Permit: G9269																				
Select	Inchoate: T 10205 CF (REG) *	5/11/1981	QUASI-MUNICIPAL USES	(*)	(*)	(*)	(*)										(*)	(*)	(*)	(*)
Additional Info: AVION WATER CO. INC.																				
Select	Inchoate: T 10205 CF (REG) *	7/13/1981	QUASI-MUNICIPAL USES	(*)	(*)	(*)	(*)										(*)	(*)	(*)	(*)
Additional Info: AVION WATER CO. INC. Permit: G9976																				

Acreage Legend: 12.25 Regular
acres

~~12.25~~ Acreage is on a
canceled right

(12.25) Acreage is part of a transfer and has not been
proven up on yet (inchoate)

* Acreage is not
specified

Water Rights Platcard Report

Meridian: WILLAMETTE

Township: 15

South Range: 14

East Section: 4 Records per Page: 100

Search

Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	QQ(40): Q(160):	NE NE	NW NE	SW NE	SE NE	NE NW	NW NW	SW NW	SE NW	NE SW	NW SW	SW SW	SE SW	NE SE	NW SE	SW SE	SE SE	Unknwn QQ
Select App:LL 1044 * Additional Info: REMINGTON RANCH LLC App: LL1044		3/27/2007	IRRIGATION															7.1	13.6	2.6				
Select App:G 16546 * Additional Info: JOHN SHAW App: G16546		10/3/2005	QUASI-MUNICIPAL USES					*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	
Select Inchoate: T 10205 CF (REG) * Additional Info: AVION WATER CO. INC. App: G10184 Permit: G9946			QUASI-MUNICIPAL USES					(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	
Select Permit:G 16025 * Additional Info: AVION WATER CO. INC. App: G15851 Permit: G16025		10/9/2002	QUASI-MUNICIPAL USES					*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	
Select Permit:G 16026 * Additional Info: AVION WATER CO. INC. App: G16060 Permit: G16026		7/28/2003	QUASI-MUNICIPAL USES					*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	
Select Inchoate: T 10205 CF (REG) * Additional Info: AVION WATER CO. INC. Permit: G9948		7/2/1981	QUASI-MUNICIPAL USES					(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	
Select Inchoate: T 10205 CF (REG) * Additional Info: AVION WATER CO. INC. App: G10378 Permit: G9975		6/16/1981	QUASI-MUNICIPAL USES					(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	

5/21/2007

Water Rights Platcard Report

Meridian: WILLAMETTE Township: 15 South Range: 14 East Section: 5 Records per Page: 100 Search

Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	QQ(40): Q(160):	NE	NE	SW	SE	NE	NW	NW	SW	SE	NE	NW	SW	SW	SE	SE	NE	NW	SW	SE	SE	Unkown QQ
Select App:LL 1044 *		3/27/2007	IRRIGATION																			2.8				11		
Additional Info: REMINGTON RANCH LLC App: LL1044																												
Select App:G 16546 *		10/3/2005	QUASI-MUNICIPAL USES					*			*											*				*		
Additional Info: JOHN SHAW App: G16546																												
Select Inchoate: T 10205 CF (REG) *			QUASI-MUNICIPAL USES					(*)			(*)											(*)				(*)		
Additional Info: AVION WATER CO. INC. App: G10184 Permit: G9946																												
Select Permit:G 16025 *		10/9/2002	QUASI-MUNICIPAL USES					*			*											*				*		
Additional Info: AVION WATER CO. INC. App: G15851 Permit: G16025																												
Select Permit:G 16026 *		7/28/2003	QUASI-MUNICIPAL USES					*			*											*				*		
Additional Info: AVION WATER CO. INC. App: G16060 Permit: G16026																												
Select Inchoate: T 10205 CF (REG) *		7/2/1981	QUASI-MUNICIPAL USES					(*)			(*)											(*)				(*)		
Additional Info: AVION WATER CO. INC. Permit: G9948																												
Select Inchoate: T 10205 CF (REG) *		6/16/1981	QUASI-MUNICIPAL USES					(*)			(*)											(*)				(*)		
Additional Info: AVION WATER CO. INC. App: G10378 Permit: G9975																												

Select Inchoate: T 10205 CF (REG) * Additional Info: AVION WATER CO. INC. Permit: G9217	2/11/1981	QUASI-MUNICIPAL USES	(*)			(*)									(*)		(*)	
Select Inchoate: T 10205 CF (REG) * Additional Info: AVION WATER CO. INC. Permit: G9269	4/1/1981	QUASI-MUNICIPAL USES	(*)			(*)									(*)		(*)	
Select Inchoate: T 10205 CF (REG) * Additional Info: AVION WATER CO. INC.	5/11/1981	QUASI-MUNICIPAL USES	(*)			(*)									(*)		(*)	
Select Inchoate: T 10205 CF (REG) * Additional Info: AVION WATER CO. INC. Permit: G9976	7/13/1981	QUASI-MUNICIPAL USES	(*)			(*)									(*)		(*)	

Acreage Legend: 12.25 Regular
acreage~~12.25~~ Acreage is on a
canceled right(12.25) Acreage is part of a transfer and has not been
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specified

Water Rights Platcard Report

Meridian: WILLAMETTE

Township: 15

South Range: 14

East

Section: 9

Records per Page: 100

Search

Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	QQ(40): Q(160):	NE NE	NW NE	SW NE	SE NE	NE NW	NW NW	SW NW	SE NW	NE SW	NW SW	SW SW	SE SW	NE SE	NW SE	SW SE	SE SE	Unkown QQ
Select App:LL 1044 * Additional Info: REMINGTON RANCH LLC App: LL1044		3/27/2007	IRRIGATION						1.7	7.9	0.7	10.9	4.2	4.4	7									
Select Cert:29056 CF CN Additional Info: CITY OF REDMOND Decree: CROOKED RIVER Cert: 29056	R69	9/1/1899	MUNICIPAL USES	CN																				*
Select App:G 16546 * Additional Info: JOHN SHAW App: G16546		10/3/2005	QUASI-MUNICIPAL USES					*	*	*	*	*	*	*	*									
Select Inchoate: T 10205 CF (REG) * Additional Info: AVION WATER CO. INC. App: G10184 Permit: G9946			QUASI-MUNICIPAL USES					(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)									
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Select Permit:G 16026 * Additional Info: AVION WATER CO. INC. App: G16060 Permit: G16026		7/28/2003	QUASI-MUNICIPAL USES					*	*	*	*	*	*	*	*									
Select Inchoate: T 10205 CF (REG) * Additional Info: AVION WATER CO. INC. Permit: G9948		7/2/1981	QUASI-MUNICIPAL USES					(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)									

Select	Inchoate: T 10205 CF (REG) *	6/16/1981	QUASI-MUNICIPAL USES	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)								
	Additional Info: AVION WATER CO. INC. App: G10378 Permit: G9975																		
Select	Inchoate: T 10205 CF (REG) *	2/11/1981	QUASI-MUNICIPAL USES	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)								
	Additional Info: AVION WATER CO. INC. Permit: G9217																		
Select	Inchoate: T 10205 CF (REG) *	4/1/1981	QUASI-MUNICIPAL USES	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)								
	Additional Info: AVION WATER CO. INC. Permit: G9269																		
Select	Inchoate: T 10205 CF (REG) *	5/11/1981	QUASI-MUNICIPAL USES	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)								
	Additional Info: AVION WATER CO. INC.																		
Select	Inchoate: T 10205 CF (REG) *	7/13/1981	QUASI-MUNICIPAL USES	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)								
	Additional Info: AVION WATER CO. INC. Permit: G9976																		
Acreage Legend: 12.25 Regular acreage				12.25 Acreage is on a canceled right				(12.25) Acreage is part of a transfer and has not been proven up on yet (inchoate)				* Acreage is not specified							

Susan



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

Watermaster Review Form: Water Right Transfer

Transfer Application: T-10335

Review Due Date: 5/10/7

Applicant Name: Remington Ranch

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

Reviewer(s): Giffin

Date of Review: Apr. 18, 2007

1. Do you have information suggesting that the water rights may be subject to forfeiture?
☐ Yes ☒ No If "Yes", describe the information and indicate if you intend to file a cancellation affidavit or if you need additional time to determine if a cancellation affidavit should be filed: _____
2. Is there a history of regulation on the source that serves the right proposed for transfer that has involved the right and downstream water rights? ☐ Yes ☒ No Generally characterize the frequency of any regulation or explain why regulation has not occurred: _____
3. Check here if it appears that downstream water rights benefit from return flows resulting from the current use of the right? ☐ If you check the box, generally characterize the locations where the return flows likely occur and list the water rights that benefit most: _____
4. Are there upstream water rights that would be affected by the proposed change?
☐ Yes ☒ No If "Yes", describe how the rights would be affected and list the rights most affected: _____
5. For POD changes and instream transfers, check here if there are channel losses between the old and new PODs or within the proposed instream reach? ☐ If you check the box, describe and, if possible, estimate the losses: _____
6. Would distribution of water for the right after the proposed change result in regulation of other water rights that would not have occurred if use of the existing right was maximized?
☐ Yes ☒ No If "Yes", explain: _____
7. For POU changes, would the original place of use continue to receive water from the same source? ☐ Yes ☒ No ☐ N/A If "Yes", explain: _____
8. For POU or USE changes, would use of the existing right at "full face value," result in the diversion of more water than can be used beneficially and without waste? ☐ Yes ☒ No If "Yes", explain: _____
9. Are there other issues not identified through the above questions? ☐ Yes ☒ No If "Yes", explain: _____
10. What alternatives may be available for addressing any issues identified above: _____

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SALEM, OREGON

11. Have headgate notices been issued for the source that serves the right? ☐ Yes ☒ No
12. What water control and measurement conditions should be included in the transfer:

Measurement Devices	☐ Present and should be maintained.	☒ Should be required prior to diverting water.	☐ May be required in the future.
Headgates	☐ Present and should be maintained.	☐ Should be required prior to diverting water.	☐ May be required in the future.

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TRANCHK10/25

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

Application for Water Right Transfer

Please type or print legibly in dark ink. If your application is incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "N/A" to indicate "Not Applicable." As you complete this form, please refer to notes and guidance included on the application. A summary of review criteria and procedures that are generally applicable to these applications is available at www.wrd.state.or.us/OWRD/PUBS/forms.shtml.

1. TYPE OF TRANSFER APPLICATION

Please check one	
☐ Permanent Transfer	☐ Instream Transfer
☒ Temporary Transfer	☐ Permanent
• total number of years: <u>2</u>	☐ Time-Limited
(begin year: <u>2007</u>)	☐ Drought Transfer
(end year: <u>2009</u>)	☐ Other

2. APPLICANT INFORMATION

Name: Remington Ranch, LLC _____
First Last

Address: 247 Main Street, Suite B _____

Prineville, OR _____ 97754
City State Zip

Phone: 760-799-7756 _____
Home Work Other

Fax: _____ E-Mail address:
pippin@winchesterdevelopment.com

3. AGENT INFORMATION

(The agent listed is authorized to represent the applicant in all matters relating to this transfer application.)

Name: W & H Pacific _____
First Last

Address: 920 SW Emkay, Suite C-100 _____

Bend, OR _____ 97702
City State Zip

Phone: 541-388-4255 _____
Home Work Other

Fax: 541-388-4229 _____ E-Mail address: twalker@whpacific.com _____

▪ If an agent is listed above, please check one of the following:

☐ Please send all correspondence to Agent. Send *copies* of correspondence to Applicant; or

☒ Please send all correspondence to Applicant. Send *copies* of correspondence to Agent.

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4. PROPOSED CHANGE(S) TO WATER RIGHT(S)

- List **all** water rights to be affected by this transfer. Indicate the certificate, permit, decree or other identifying number(s) in the table below: (*Attach additional pages as necessary.*)

	Application / Decree	Permit / Previous Transfer	Certificate
1.	G-14365	G-13237	82659
2.			
3.			
4.			
5.			
6.			

- Attach a **separate Supplemental Form A** (*Description of Proposed Change(s) to a Water Right*) for **each** water right listed above.
- Check **all** proposed change(s) included in this transfer application:
- ☒ Place of Use ☐ Point of Diversion ☐ Additional Point of Diversion
- ☐ Character of Use ☐ Point of Appropriation ☐ Additional Point of Appropriation
- ☐ Instream Transfer ☐ Surface Water source to Ground Water source
- Reason(s) for change(s): Existing irrigation water rights are needed for golf course and water feature development.

5. WATER DELIVERY SYSTEM

- Describe the **current** water delivery system **or** the system that **was in place** at some time **within the last 5 years**. Include information on the pumps, canals, pipelines and sprinklers used to divert, convey and apply the water at the authorized place of use. If the transfer involves multiple rights that have independent systems, describe each system separately.

The description must be sufficient to demonstrate that the full quantity of water to be transferred can be conveyed from the authorized source and applied at the authorized location and that the applicant is ready, willing, and able to exercise the right.

A 200 horsepower turbine well pump and a 25 horsepower submersible pump deliver groundwater from two wells to underground piping and three center pivot sprinkler systems.

- System capacity: 2.80 cubic feet per second (cfs). If the transfer involves multiple rights that have independent systems, describe the capacity for each system separately.

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6. EVIDENCE OF BENEFICIAL WATER USE

- Attach one or more **Evidence of Use Affidavits** (Supplemental Form B) demonstrating that each of the right(s) involved in the transfer have been exercised in the last five years in accordance with the terms and conditions of the right or that a presumption of forfeiture for non-use could be rebutted. The Evidence of Use Affidavit(s) **must include supporting documentation** such as the following:
- ▶ Copies of receipts from sales of irrigated crops or for expenditures relating to use of water;
 - ▶ Records such as Farm Service Agency crop reports, irrigation district records, an NRCS farm management plan, or records of other water suppliers;
 - ▶ Dated aerial photographs of the lands or other photographs containing sufficient detail to establish location and date of the photograph; *or*
 - ▶ If the right has **not** been used during the past five years, documentation that the presumption of forfeiture would be rebutted under ORS 540.610(2).

7. AFFECTED DISTRICTS AND LOCAL GOVERNMENTS

- Are any of the water rights proposed for transfer located within or served by an irrigation or other water district? ☒ Yes ☐ No
- Will any of the water rights be located within or served by an irrigation or other water district after the proposed transfer? ☒ Yes ☐ No
- Is 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? ☐ Yes ☒ No

If "Yes", for any of the above, list the name and mailing address of the district, agency and/or entity:

Central Oregon Irrigation District

1055 SW Lake Court

Redmond, OR 97756

- List the name and mailing address of all affected local governments (e.g., county, city, municipal corporation, and tribal governments within whose jurisdiction the rights are located).

Crook County

300 NE 3rd Street, Room 11

Prineville, OR 97754

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8. LAND OWNERSHIP

- Does the applicant own the lands **FROM** which the right is being transferred? ☒ Yes ☐ No

If "No", provide the following information. For Temporary Transfers, also include a notarized statement granting consent to the transfer from each of the landowners:

Names of Current Landowner(s): _____

First

Last

Address: _____

City

State

Zip

- Does the applicant own the lands **TO** which the right is being transferred?

☒ Yes

☐ No

☐ N/A - NOT APPLICABLE TO INSTREAM TRANSFERS

If "No", provide the following information:

Names of Receiving Landowner(s): _____

First

Last

Address: _____

City

State

Zip

- Check one of the following:

☐ The receiving landowner will be responsible for completion of the proposed changes after the final order is issued. All notices and correspondence should be sent to this landowner.

☒ The applicant will remain responsible for completion of changes. Notices and correspondence should continue to be sent to the applicant and applicant's agent.

☐ N/A. (Not applicable. Application is for an Instream Water Right Transfer.)

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9. ATTACHMENTS

Check each of the following attachments included with this application.
The application will be returned if all required attachments are not included.

Supplemental Form A –

Description of Proposed Change(s) to a Water Right

- ☐ A separate Supplemental Form A is enclosed for each water right to be affected by this transfer.

Supplemental Form B –

Evidence of Use Affidavit(s)

- ☐ At least one Evidence of Use Affidavit documenting that the right has been used during the last five years or that the right is not subject to forfeiture under ORS 540.610 is attached. The affidavit provided must be the original (not a copy), and
- ☐ The Evidence of Use Affidavit must be accompanied by supporting documentation.

Map

- ☐ *Water Right Transfer*
The map must be prepared by a Certified Water Right Examiner and meet the requirements of OAR 690-380-3100 unless a waiver has been granted. The map provided must be the original, not a copy.
- ☐ *Temporary Transfer or Historical POD Change*
A map meeting the requirements of OAR 690-380-3100 must be included but need not be prepared by a Certified Water Right Examiner.

Water Well Report(s)/Well Log(s):

- ☐ The application is for a change in point of appropriation or change from surface water to ground water and copies of all water well reports are attached.
- ☐ Water well reports are not available and a description of construction details including well depth, static water level, and information necessary to establish the ground water body developed or proposed to be developed is attached.
- ☒ N/A. The application does not involve a change in point of appropriation or a change from surface water to ground water, so water well reports are not required.)

Land Use Information Form:

- ☐ Enclosed; *or*
- ☐ Not Required if all of the following are met:
- ① In EFU zone or irrigation district,
 - ② Change in place of use only,
 - ③ No structural changes needed, including diversion works, delivery facilities, other structures, *and*
 - ④ Irrigation only.

Fees:

- ☐ Amount enclosed: \$ _____
See the Department's Fee Schedule at www.wrd.state.or.us or call (503) 986-0900.

Instream Water Right Transfers, also include:

Supplemental Form C –

Instream Water Right Transfer

- ☐ Complete this form to describe the desired nature and attributes for the proposed instream water right.

Temporary Transfers, also include:

Recorded Deed:

- ☐ The applicant must submit a copy of the current deed of record for the land from which the authorized place of use or point of diversion/appropriation is being moved.

Affidavit of Consent:

- ☐ If the applicant is NOT the owner of record for the land from which the authorized place of use or point of diversion/appropriation is being moved, a notarized statement from the actual owner of record consenting to the proposed transfer must be submitted.

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WATER RESOURCES DEPT
SALEM, OREGON

Before submitting your application to the Department, be sure you have:

- Answered each question completely.
- Included all the required attachments.
- Provided original signatures for all named deed holders, or other parties, with an interest in the water right.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount.

10. SIGNATURES

▪ Check one of the following, as appropriate, and sign the application in the signature box below:

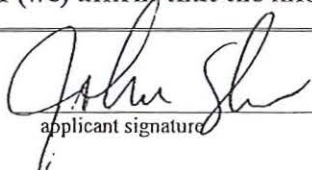
☒ In accordance with OAR 690-380-3000(13)(a), I (we) understand that prior to Department approval of a permanent transfer and upon my receipt of a draft Preliminary Determination for the proposed transfer, I (we) will be required [pursuant to OAR 690-380-4010(5)] to provide the following landownership information and evidence demonstrating that I (we) are authorized to pursue the transfer:

- (a) A report of ownership and lien information that has been prepared by a title company *within the last three months*;
- (b) A copy of written notification of the proposed transfer provided by the applicant to all lien holders on the subject lands unless the report of ownership and lien information shows that a water right conveyance agreement has been recorded for the subject lands. *If a water right conveyance agreement has been recorded for the subject lands, a copy of the agreement and identification of the owner of the lands at the time the agreement was recorded must be submitted; and*
- (c) If the landowner identified in the report of ownership and lien information is not the applicant, a **notarized statement consenting to the transfer (attached)** signed by the landowner identified in the report or an authorized representative of the entity to whom the interest in the water right has been conveyed as identified in a water right conveyance agreement or other documentation demonstrating that the applicant is authorized to pursue the transfer in the absence of the consent of the landowner.

☐ I (we) affirm that the applicant is a municipality, as defined in ORS 540.510(3)(b), and that the right is in the name of the municipality or a predecessor. Therefore, pursuant to OAR 690-380-3000(13)(b), the applicant is NOT required to provide the above described report of ownership and lien information.

☐ I (we) affirm that the applicant is an entity with the authority to condemn property and is acquiring the property to which the water right proposed for transfer is appurtenant by condemnation. Documentation is provided with this application supporting this statement. Therefore, pursuant to OAR 690-380-3000(13)(c), the applicant is NOT required to provide the above described report of ownership and lien information. (NOTE: Such an entity may only apply for a transfer under this subsection if it has filed a condemnation action to acquire the property.)

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

 applicant signature	<u>John Shaw</u> name (print)	<u>3-6-07</u> date
 applicant signature	 name (print)	 date

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WATER RESOURCES DEPT
SALEM, OREGON
FS

T 10335

Water Right Transfer Supplemental Form A

DESCRIPTION OF PROPOSED CHANGE(S) TO A WATER RIGHT

List only one water right per page. A separate Supplemental Form A must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Attach additional copies of Supplemental Form A as needed to describe other certificates, permits, decrees or other rights involved in this transfer.

▪ Certificate Number or other identifying number: 82659 _____

1. TYPE OF CHANGE(S) PROPOSED

(Check *all* that apply.)

Point of Diversion or Appropriation	Place of Use	Character of Use
☐ Change (The old point of diversion or appropriation will <u>not</u> be used for the portion of the water right affected by the transfer.)	☐ All of the right will be exercised at a different location than currently authorized (Use of water at the current location will be discontinued.)	Proposed new use: ☒ Irrigation
☐ Additional (Both the old <u>and</u> new points of diversion or appropriation will be used for the portion of the water right affected by the transfer.)	☒ Only a portion of the right will be exercised at a different location than currently authorized (Use of water at the current location will be discontinued.)	☐ Municipal
☐ Historic Point of Diversion or Appropriation Change (Unauthorized point of diversion or appropriation used for more than 10 years.)		☐ Quasi-municipal
☐ Surface Water to Ground Water (A new point of appropriation will be used instead of the old point of diversion. The old point of diversion will <u>not</u> be used.)		☐ Commercial
☐ Point of Diversion Change due to Government Action (The old point of diversion or appropriation can no longer be used due to government action.)		☐ Industrial
☐ Exchange (Water from another source will be used in exchange for supplying an equal amount of replacement water to that source.)		☐ Instream (complete and attach Supplemental Form C)
		☐ Domestic (indicate number of households) _____
		☐ Other
		☐ Substitution (A supplemental ground water right will be substituted for a primary surface water right.)
		☐ Supplemental Use to Primary Use (Primary water right shall be cancelled and the supplemental water right will change to primary use.)

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OREGON

I 10335

2. CURRENT WATER RIGHT INFORMATION

Water Right Subject to Transfer (check and complete one of the following):

☒ Certificated Right	82659	G-13237
	Certificate Number	Permit Number or Decree Name
☐ Adjudicated, Non-certificated Right	Name of Decree	Page Number
☐ Permit for which Proof has been Approved	Permit Number	Date Claim of Beneficial Use Submitted
☐ Transferred Right for which Proof has been Filed	Previous Transfer Number	Date Claim of Beneficial Use Submitted

- Name on Permit, Certificate, or Decree: Red Rock, LLC _____
- County: Deschutes _____
- Authorized Use(s) to be Affected by Transfer: Irrigation _____
- Priority Date(s): August 9, 1996 _____

If there are multiple Priority Dates identified on the water right, any information provided on pages 3 through 6 of this form must identify which priority date is associated with each of the authorized and proposed points of diversion or appropriation and places of use.

- Source(s) of Water to be Affected by Transfer: Two wells located in the Crooked River Basin
- Tributary to: _____

If there are multiple Sources listed on the water right, any information provided on pages 3 through 6 of this form must identify which source is associated with each of the authorized and proposed points of diversion or appropriation and places of use.

For applications proposing a Change in Place of Use or Character of Use:

- Are there Other Water Rights, Permits or Ground Water Registrations associated with this land?

☐ Yes
 ☒ No
 ☐ N/A – No Change in Place of Use or Character of Use

If "Yes", what are the Permit, Registration or Certificate Numbers? _____

Pursuant to ORS 540.510, any "layered" water use or a right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled, except as provided in OAR 690-380-2240(5).

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WATER RESOURCES DEPT
SWAN RIVER

10335

■ Certificate Number or other identifying number: 82659

The following information **must be provided** only for those points of diversion or appropriation that are involved in the transfer (i.e., list only the portion of the water right you propose to transfer.) Attach additional pages as necessary.

Government lot and donation land claim numbers must be included in the tables below only if the information is reflected on the existing water right.

Location of Existing Authorized Point(s) of Diversion or Appropriation to be Changed:

(i.e., the allowed point(s) of diversion or appropriation listed on the water right that will be affected by the proposed transfer, the "FROM" point(s) of diversion or appropriation)

If Ground Water, OWRD Well Log ID No. (or Well ID Tag No. L-)	Source and Priority Date	Township	Range	Mer	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)

■ Does the water right being transferred involve a ground water source(s)?

☐ Yes ☐ No (Surface water source only.)

If "Yes", for each authorized point of appropriation (well) involved, you must either:

A. Supply a copy of the well log(s) for each point of appropriation that is **clearly labeled** and associated with the corresponding well in the table above and on the accompanying application map. (NOTE: You may search for well logs on the Department's web page at: <http://www.wrd.state.or.us>)

or

B. If a well log is **not** available, you must describe the construction of the authorized point of appropriation by completing the table below. Attach additional copies as necessary.

Construction of Existing Authorized Point(s) of Appropriation – (Only needed if no well log is available.)

Wells in this listing must be clearly tied to corresponding well location(s) described in the table above and shown on the accompanying application map.

OWRD Well No. as identified in table above	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
1 10335									

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■ Certificate Number or other identifying number: 82659

The following information must be provided only for those places of use that are involved in the transfer (i.e., list only the portion of the water right you propose to transfer.) Attach additional pages as necessary.

Government lot and donation land claim numbers must be included in the tables below only if the information is reflected on the existing water right.

Location of Existing Authorized Place of Use to be Affected:

(i.e., the allowed lands listed on the water right that will be affected by the proposed transfer, the "FROM" lands)

[illegible]

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■ Certificate Number or other identifying number: 82659

3. PROPOSED CHANGES TO THE WATER RIGHT

Describe proposed changes to the water right involving point(s) of diversion and/or appropriation. Survey coordinates described below should accurately correspond to the points shown on the accompanying application map. Attach additional pages as necessary.

Location of Proposed Point(s) of Diversion or Appropriation:

(i.e., the "TO" point(s) of diversion or appropriation)

☐ N/A – Instream Water Right Transfer

(NOTE: Complete this table only if a Change in Point of Diversion or Appropriation is being proposed.)

Source	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)

- If there are proposed point(s) of appropriation (wells) listed in the table above, are the well(s) already constructed? ☐ Yes ☐ No ☐ N/A - No proposed well(s) listed above.

If "Yes", attach and clearly label the corresponding well log(s) for each proposed well, or if well log(s) are not available, describe the construction of the well(s) using the table below. (NOTE: You may search for well logs on the Department's web page at: <http://www.wrd.state.or.us>)

If "No", describe the anticipated construction for the proposed well(s) in the following table:

Construction of Proposed Point(s) of Appropriation or Well(s)

Well numbers in this listing must be clearly tied to corresponding well location(s) described in the table above and shown on the accompanying application map.

Well already built? (Yes/No)	If an existing well, OWRD Well Log ID No. (or Well ID Tag No. L-)	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth

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▪ Certificate Number or other identifying number: _____

Describe proposed changes to the water right involving place of use. Information described below should accurately correspond to the proposed place of use shown on the accompanying application map. Attach additional pages as necessary.

Location of Proposed Place of Use: (i.e., the "TO" lands) ☐ N/A – Instream Water Right Transfer

(NOTE: Complete this table only if a Change in Place of Use is being proposed.)

Source	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)
Well 2 E	14 S	14 E		34	NE SE		12.1
Well 2 E	14 S	14 E		34	SE SE		28.9
Well 2 E	15 S	14 E		4	NW SW		7.1
Well 2 E	15 S	14 E		4	SW SW		13.6
Well 2 E	15 S	14 E		4	SE SW		2.6
Well 2 E	15 S	14 E		5	NE SE		2.8
Well 2 E	15 S	14 E		5	SE SE		11.0
Well 2 E	15 S	14 E		9	NW NE		1.7
Well 2 E	15 S	14 E		9	SW NE		7.9
Well 2 E	15 S	14 E		9	SE NE		0.7
Well 2 E	15 S	14 E		9	NE NW		10.9
Well 2 E	15 S	14 E		9	NW NW		4.2
Well 2 E	15 S	14 E		9	SW NW		4.4
Well 2 E	15 S	14 E		9	SE NW		7.0

Remarks: _____

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T 10335

Water Right Transfer Supplemental Form B **AFFIDAVIT ATTESTING TO THE USE OF WATER**

State of Oregon)

County of _____) ss

I, John Shaw, P.E. of Remington Ranch, LLC, in my capacity as managing member and property owner, mailing address 247 Main Street, Suite B, Prineville, OR 97754, telephone number (760)574-4134, being first duly sworn depose and say:

1. I attest that:

- ☒ Water was used during the previous five years on the entire authorized place of use of the water right proposed for transfer as described on the accompanying transfer application; **or**
- ☐ The water right was leased instream at some time within the last five years. The instream lease number is as follows: _____; **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.

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

☐ Personal observation☒ Professional expertise

3. My knowledge is specific to the use of water at the following locations:

Township		Range		Mer	Sec	¼ ¼ Section	Gov't Lot or DLC	Acres (if applicable)
14	S	14	E		33	NE NE	1800	35.3
14	S	14	E		33	NW NE	1800	1.5
14	S	14	E		33	SW NE	1800	1.6
14	S	14	E		33	SE NE	1800	35.8
14	S	14	E		33	NE SE	1800	1.4
14	S	14	E		34	NE NW	1800	0.2
14	S	14	E		34	NW NW	1800 & 1802	33.0
14	S	14	E		34	SW NW	1800	34.2
14	S	14	E		34	SE NW	1800	0.3
14	S	14	E		34	NW SW	1800	1.2

4. The water right was exercised for the authorized purpose described below (e.g., crops grown):

T 10335

(continues on reverse side)

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

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WATER RESOURCES DEPT
SALEM, OREGON

Irrigation of pasture and other crops. _____

5. The water delivery system used to apply water as authorized by the right is described below:

A 200 horsepower turbine pump in well 2E conveys groundwater through a buried mainline to a center pivot sprinkler system. _____

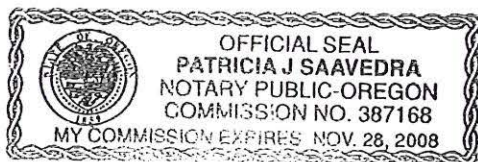
6. One or more of the following documentation supporting the above statements is attached:

- ☒ Copy of a water right certificate that was issued within the last five years (not a remaining right certificate),
- ☐ Copies of receipts from sales of irrigated crops or for expenditures relating to the use of water,
- ☐ Records such as Farm Service Agency crop reports, irrigation district records, an NRCS farm management plan, or records of other water suppliers,
- ☐ Dated aerial photographs of the lands or other photographs containing sufficient detail to establish the location and date of the photograph,
- ☐ Dedicated power usage records or receipts,
- ☐ Instream lease number _____,
- ☐ Other: _____


Signature of Affiant

3-6-07
Date

Signed and sworn to (or affirmed) before me this 6th day of March, 2007 pb




Notary Public for Oregon

My Commission Expires: November 28, 2008

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



920 SW Emkay, Suite C100
Bend, Oregon 97702-1041
541.388.4255
Fax 541.388.4229

April 3, 2007

Ms. Sarah A. Henderson
Mr. Jerald K. Sauter
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266

**Re: Remington Ranch, LLC
Limited License Application
Temporary Transfer Application
Certificate 82659
WHP File No.: 32901.1000**

Dear Sarah and Jerry:

I have enclosed applications for a limited license and a temporary transfer and respectfully request your review and approval. Our situation is somewhat unique and I have worked with Mr. Jeremy Giffin, District 11 Watermaster, on the enclosed applications. My objective is to comply with his recommendations. A number of supporting documents and exhibits are attached for your review and use.

Remington Ranch, LLC is proposing development of their Crook County lands. A portion of existing irrigation water rights under Certificate 82659 are proposed to be utilized for golf course irrigation at a different place of use. In addition, a large proposed water feature will be maintained with the existing water rights. The water feature will facilitate the storage, delivery and re-pumping of the irrigation water. The proposed water feature requires a change in the character of use.

The exact location of irrigated lands and the final configuration of the water feature will be determined over the next two years as construction proceeds. The limited license is intended to accommodate the desired lake maintenance and the temporary transfer is intended to accommodate irrigation during the required construction. Following construction, Remington Ranch, LLC proposes a permanent transfer for certificate 82659.

The following documents are enclosed for your review and use:

- Executed Updated Application for a Limited Water Use License.
- Executed Updated Application for a Temporary Water Right Transfer.
- Water Right Certificate 82659 (submitted previously).
- A check in the Amount of \$150.00 for the Limited License Application Fee was submitted earlier.
- A check for Application Fees for the Temporary Transfer was Submitted on March 8, 2007.
- Application Map for the Proposed Temporary Transfer for Irrigation and the Proposed Limited License for Pond Maintenance.
- Water Right Map Showing Off-lands.
- Land Use Information Form (submitted previously).

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W&H Pacific, Inc.

April 3, 2007

Page 2

- Recorded Deed (submitted previously).

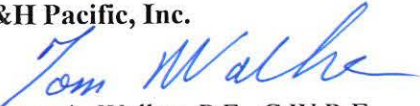
By copy, I am inviting Mr. Jeremy Giffin to review our application and provide his required Water Availability Statement for the Limited License. Mr. Giffin has advised Remington Ranch, LLC of the need to mitigate the proposed withdrawal of groundwater under the limited license. Remington Ranch, LLC is prepared to work with the Deschutes Resources Conservancy (DRC) to purchase temporary mitigation credits for the term of the limited license. Concurrently, I am requesting Jeremy's review and approval of the Temporary Transfer application.

My prior application transmittal of March 8, 2007 for a temporary transfer included a Reimbursement Authority Estimate Application. Expedited processing of the applications is respectfully requested under any means available.

Please consider the enclosed applications, attachments, and information provided in this letter. The limited license and temporary transfer are very important to on-going operations and we are eager to assist you in any way. Please direct questions or needs for additional information to me. I look forward to your review and response.

Very truly yours,

W&H Pacific, Inc.



Thomas A. Walker, P.E., C.W.R.E.
Vice President

Cc: Jeremy Giffin
John Shaw
Chris Pippin
Jim Pippin
Jan Wick

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APR 04 2007



State of Oregon
Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1271
(503) 986-0900

Application for Limited Water Use License

A summary of review criteria and procedures that are generally applicable to these applications is available at
www.wrd.state.or.us/OWRD/PUBS/forms.shtml.

License No. _____

Applicant(s): Remington Ranch, LLC

Contact Person: John Shaw

Mailing Address: 247 Main Street, Suite B Prineville, OR 97754

Telephone No: 760-799-7756

I (We) make application for a Limited License to use or store the following described surface waters or groundwater-not otherwise exempt, or to use stored water of the State of Oregon for a use of a short-term or fixed duration:

1. SOURCE(S) OF WATER for the proposed use: existing groundwater well 2E a tributary of the Crooked River.
2. TOTAL AMOUNT OF WATER to be diverted: 1.80 cubic feet per second, or 811 gallons per minute. If water is to be used from more than one source, give the quantity from each: _____.
3. INTENDED USE(S) OF WATER: (check all that apply)
 - ☐ Road construction or maintenance;
 - ☐ General construction;
 - ☐ Forestland and rangeland management; or
 - ☒ Other: and lake maintenance
4. DESCRIPTION OF PROPOSED PROJECT: Include a description of the intended place of use as shown on the accompanying site map, the method of water diversion, the type of equipment to be used (including pump horsepower, if applicable), length and dimensions of supply ditches and pipelines:
Remington Ranch, LLC intends to use the water from an existing groundwater well (reference certificate 82659) for irrigation of approximately 114.9 acres and lake maintenance for a lake surface area of approximately 29.6 acres. The requested limited license will accomodate the development of a golf course water feature. Following development and identification of the benefited property, a permanent transfer is proposed.

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5. PROJECT SCHEDULE: (List day, month, and year)

Date water use will begin April 15, 2007

Date project will be completed October 31, 2007

Date water use will be completed October 31, 2008

PLEASE READ CAREFULLY

NOTE: A completed water availability statement from the local watermaster, Land Use Information Form completed by the local Planning Department, fees and site map meeting the requirements of OAR 690-340-030 must accompany this request. The fee for this request is \$150 for the first point of diversion plus \$15 for each additional point of diversion. *Failure to provide any of the required information will result in return of your application.* The license, if granted, will not be issued or replaced by a new license for a period of more than five consecutive years. The license, if granted, will be subordinate to all other authorized uses that rely upon the same source, or water affected by the source, and may be revoked at any time it is determined the use causes injury to any other water right or minimum perennial streamflow.

If water source is a well, well logs or adequate information for the Department to determine aquifer, well depth, well seal and open interval, etc. are required. The licensee shall indicate the intended aquifer. If for multiple wells, each map location shall be clearly tied to a well log.

If a limited license is approved, the licensee shall give notice to the Department (Watermaster) at least 15 days in advance of using the water under the Limited License and shall maintain a record of use. The record of use shall include, but need not be limited to, an estimate of the amount of water used, the period of use and the categories of beneficial use to which the water is applied. During the period of the Limited License, the record of use shall be available for review by the Department upon request.

REMARKS: Water use from the existing well 2 E will be metered and records maintained for the
Watermaster's review, upon request. Please reference the cover letter for this application for
additional information.

SIGNATURE of Applicant: 

Title: Managing Member

DATE: 3-26-07

Mapping Requirements (OAR 690-340-0030):

(1) A request for a limited license shall be submitted on a form provided by the Water Resources Department, and shall be accompanied by the following:

(c) A site map of reproducible quality, drawn to a standard, even scale of not less than 2 inches = 1 mile, showing:

(A) The locations of all proposed points of diversion referenced by coordinates or by bearing and distance to the nearest established or projected public land survey corner;

(B) The general course of the source for the proposed use, if applicable;

(C) Other topographical features such as roads, streams, railroads, etc., which may be helpful in locating the diversion points in the field.

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Application for Limited Water Use License/2

APR 04 2007

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**WATER RESOURCES DEPT
SALEM, OREGON**

This page to be completed by the local Watermaster.

WATER AVAILABILITY STATEMENT

Name of Applicant: _____ Limited License Number: _____

1. To your knowledge, has the stream or basin that is the source for this application ever been regulated for prior rights?

☐ Yes ☐ No

If yes, please explain:

2. Based on your observations, would there be water available in the quantity and at the times needed to supply the use proposed by this application?

☐ Yes ☐ No

3. Do you observe this stream system during regular fieldwork?

☐ Yes ☐ No

If yes, what are your observations for the stream?

4. If the source is a well and if WRD were to determine that there is the potential for substantial interference with nearby surface water sources, would there still be ground water and surface water available during the time requested and in the amount requested without injury to existing water rights?

☐ Yes ☐ No ☐ N/A

What would you recommend for conditions on a limited license that may be issued approving this application?

5. Any other recommendations you would like to make?

Signature _____ WM District #: _____ Date: _____

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Application for Limited Water Use License/3

APR 04 2007

**WATER RESOURCES DEPT
SALEM, OREGON**



920 SW Emkay, Suite C100
Bend, Oregon 97702-1041
541.388.4255
Fax 541.388.4229

March 26, 2007

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

**Re: Remington Ranch, LLC
Temporary Transfer Application
Certificate 82659
WHP File No.: 32901.1000**

Dear Sarah:

On March 8, 2007, I submitted an application for the temporary transfer of water rights on behalf of Remington Ranch, LLC. Following reviews with you and Mr. Jeremy Giffin, District 11 Watermaster, I am respectfully withdrawing the temporary transfer application. In addition, I would like to withdraw the associated reimbursement authority estimate application.

Remington Ranch, LLC would like to change the place of use for a portion of their existing water right, which is accommodated by the temporary transfer process. Remington Ranch, LLC also needed to accommodate pond maintenance. After careful review of the ponds, a bulge on the system classification is not applicable. Therefore, a change in the character of use was also needed, which cannot be accommodated by a temporary transfer.

Mr. Jeremy Giffin suggested a limited license application may be the most effective means to accommodate the desired change in place of use and change in character of use. We will immediately submit a limited license application to accommodate our desired changes.

Thank you for your review and your assistance. If you have any questions about our desired withdrawal of the temporary transfer application and the reimbursement authority estimate application, please contact me directly.

Very truly yours,

W&H Pacific, Inc.

Thomas A. Walker, P.E., C.W.R.E.
Vice President

Cc: John Shaw
Chris Pippin
Jim Pippin

T 10335



920 SW Emkay, Suite C100
Bend, Oregon 97702-1041
541.388.4255
Fax 541.388.4229

March 8, 2007

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

**Re: Remington Ranch, LLC
Temporary Transfer Application
Certificate 82659
WHP File No.: 32901.1000**

Gentlemen/Ladies:

I have enclosed an application for the temporary transfer of a water right and respectfully request your review and approval. A number of supporting documents and exhibits are attached for your review and use. In addition, we are soliciting expedited processing through a Reimbursement Authority Estimate Application.

Remington Ranch, LLC is proposing development of their Crook County lands. Existing irrigation water rights under Certificate 82659 are proposed to be utilized for golf course irrigation at a different place of use. In addition, a large proposed water feature will be maintained with the existing water rights. The water feature will facilitate the storage, delivery and re-pumping of the irrigation water. The proposed water feature could be considered a bulge on the system, without the need for a change in the character of use. However, the Applicant wants to be certain that all aspects of the temporary transfer are disclosed and accommodated. Our application therefore includes a change in the character of use from irrigation to lake maintenance.

The following documents are enclosed for your review and use:

- Executed Application for Water Right Transfer.
- Water Right Certificate 82659.
- Reimbursement Authority Estimate Application.
- Check in the Amount of \$519.50 for Application Fees.
- Supplemental Form A Describing the Proposed Change in a Water Right.
- Supplemental Form B Providing Evidence of Use.
- Water Right Transfer Map Showing Proposed Irrigated Lands.
- Water Right Transfer Map Showing Off-lands.
- Land Use Information Form.
- Recorded Deed.

The fee for the enclosed application was calculated as demonstrated below:

- Temporary Transfer Base Fee: \$175.00.
- Irrigation Use on 144.5 Acres: \$144.50.
- Non-Irrigation Use: \$75.00.

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MAR 12 2007

**WATER RESOURCES DEPT
SALEM, OREGON**

W&H Pacific, Inc.

March 8, 2007

Page 2

- Reimbursement Authority Estimate Application Fee: \$125.00.
- Total: \$519.50

Please consider the enclosed application, attachments, and information provided in this letter. A temporary transfer is very important to on-going operations and we eager to assist you in any way. Please direct questions or needs for additional information to me. I look forward to your review and response.

Very truly yours,

W&H Pacific, Inc.



Thomas A. Walker, P.E., C.W.R.E.
Vice President

Cc: John Shaw
Chris Pippin
Jim Pippin
Jan Wick

T 10335

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MAR 12 2007

**WATER RESOURCES DEPT
SALEM, OREGON**



TRANSMITTAL

To: Mr. Bill Zelenka
Company: Crook County Planning Director
Address
City/State
Phone:
Fax:

Date: March 7, 2007
Project Number: 32901.1000
Project Name Remington Ranch
Re: Water Right Transfer
Land Use Form

From: Thomas A. Walker, P.E.

Phone: (541) 388-4255

Fax: (541) 388-4229

Confidentiality Notice: This facsimile is intended only for the use of the individual and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, you are hereby notified that the unauthorized dissemination, distribution or copying of this communication, or the taking of any action in reliance on the contents of this information is strictly prohibited. If you have received this facsimile in error, please notify us immediately by telephone (collect). Thank you.

We are sending:

☒ Attached

☐ Facsimile

Of Pages Including Cover

These Are Transmitted:

☐ For Your Info/File

☐ As Requested

☒ For Review & Comment

Copied To:

Copies	Description
1	Oregon Water Resources Department Land Use Form

Bill,

We need to transfer the existing groundwater and COID irrigation water rights to the proposed golf courses. Your review, execution, and return of the attached Land Use Form will be greatly appreciated.

Civil and Structural Engineering ♦ Landscape Architecture
Planning ♦ Surveying and Mapping

Washington ♦ Oregon ♦ Idaho

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MAR 12 2007

WATER RESOURCES DEPT
SALEM, OREGON

T 10335



Oregon Water Resources Department Land Use Information Form

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) only the place of use is proposed for change, b) there are no structural changes, c) the use of water is for irrigation, and d) the use is located in an irrigation district or exclusive farm-use zone.

Applicant Name: Remington Ranch, LLC
Mailing Address: 247 Main Street, Suite B
City: Prineville State: OR Zip: 97754 Day Phone: 760-799-7756

This application is related to a Measure 37 claim. ☐ Yes ☐ No

A. Land and Location

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g. Rural Residential/RR-5)	Water to be:	Proposed Land Use:
14S	14E	33	NE & SE	1800	EFU/DRO	☒ Diverted ☒ Conveyed ☒ Used	DRO
14S	14E	33	NW	1805	EFU	☒ Diverted ☒ Conveyed ☒ Used	EFU
14S	14E	33	SW	1806	EFU/DRO	☒ Diverted ☒ Conveyed ☒ Used	DRO
14S	14E	34		1800,1801,1802	EFU/DRO	☒ Diverted ☒ Conveyed ☒ Used	DRO

List all counties and cities where water is proposed to be diverted, conveyed, or used. Crook 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 ☐ Exchange of Water
☐ Allocation of Conserved Water ☐ Limited Water Use License
☐ Permit Amendment or Ground Water Registration Modification

Source of water: ☐ Reservoir/Pond ☒ Ground Water ☒ Surface Water (name) Central Oregon Irrigation District

Estimated quantity of water needed: 2.80 ☒ 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: Remington Ranch, LLC intends to transfer the place of use for existing groundwater irrigation rights and surface water rights of the Central Oregon Irrigation District to support irrigation of proposed golf courses.

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

Receipt for Request for Land Use Information

1 10335

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

RECEIVED

MAR 12 2007

WATER RESOURCES DEPT
SALEM, OREGON



Oregon Water Resources Department Land Use Information Form

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) only the place of use is proposed for change, b) there are no structural changes, c) the use of water is for irrigation, and d) the use is located in an irrigation district or exclusive farm-use zone.

Applicant Name: Remington Ranch, LLC
Mailing Address: 247 Main Street, Suite B
City: Prineville State: OR Zip: 97754 Day Phone: 760-799-7756

This application is related to a Measure 37 claim. ☐ Yes ☐ No

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g. Rural Residential/RR-5)	Water to be:	Proposed Land Use:
15S	14E	3		201	EFU/DRO	☒ Diverted ☒ Conveyed ☒ Used	DRO
15S	14E	4		201,207,209,210	EFU/DRO	☒ Diverted ☒ Conveyed ☒ Used	DRO
15S	14E	4		204,205,211	EFU/DRO	☒ Diverted ☒ Conveyed ☒ Used	DRO
15S	14E	5		204,205,211	EFU/DRO	☒ Diverted ☒ Conveyed ☒ Used	DRO

List all counties and cities where water is proposed to be diverted, conveyed, or used. Crook 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 ☐ Exchange of Water
☐ Allocation of Conserved Water ☐ Limited Water Use License
☐ Permit Amendment or Ground Water Registration Modification

Source of water: ☐ Reservoir/Pond ☒ Ground Water ☒ Surface Water (name) Central Oregon Irrigation District

Estimated quantity of water needed: 2.80 ☒ 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: Remington Ranch, LLC intends to transfer the place of use for existing groundwater irrigation rights and surface water rights of the Central Oregon Irrigation District to support irrigation of proposed golf courses.

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RECEIVED

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WATER RESOURCES DEPT
SALEM, OREGON

T 10335



Oregon Water Resources Department Land Use Information Form

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Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g. Rural Residential/RR-5)	Water to be:	Proposed Land Use:
15S	14E	9		206,208	EFU/DRO	☒ Diverted ☒ Conveyed ☒ Used	DRO
						☐ Diverted ☐ Conveyed ☐ Used	
						☐ Diverted ☐ Conveyed ☐ Used	
						☐ Diverted ☐ Conveyed ☐ Used	

List all counties and cities where water is proposed to be diverted, conveyed, or used. Crook County

B. Description of Proposed Use

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☐ Municipal ☐ Quasi-municipal ☐ Instream ☐ Other

Briefly describe: Remington Ranch, LLC intends to transfer the place of use for existing groundwater irrigation rights and surface water rights of the Central Oregon Irrigation District to support irrigation of proposed golf courses.

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

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WATER RESOURCES DEPT
SALEM, OREGON

T 10335

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 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 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:	
CUP C-CU-DES-002-06 REC 18.116		☒ Obtained	☐ Being pursued
		☐ Denied	☐ Not being pursued
		☐ Obtained	☐ Being pursued
		☐ Denied	☐ Not being pursued
		☐ Obtained	☐ Being pursued
		☐ Denied	☐ Not being pursued
		☐ Obtained	☐ Being pursued
		☐ Denied	☐ Not being pursued
		☐ Obtained	☐ Being pursued
		☐ Denied	☐ 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: WILLIAM P. ZELEŃKA Title: PLANNING DIRECTOR
Signature: WILLIAM P. ZELEŃKA Phone: 447-8156 Date: 3/7/07
Government Entity: CROOK COUNTY PLANNING

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

Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

Last updated 12/22/06 WR

RECEIVED

MAR 12 2007

WATER RESOURCES DEPT
SALEM, OREGON

THIS SPACE RESERVED FOR RECORDER'S USE



After recording return to:
 Remington Ranch LLC
 4949 SW Meadows Road Ste 260
 Lake Oswego, OR 97035

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

Remington Ranch LLC
 4949 SW Meadows Road Ste 260
 Lake Oswego, OR 97035

SWP



KEY PUNCHED

JUN 14 2006

Crook County Official Records 2006-212066
 DEED-D 06/14/06 03:14 PM
 Cnt=1 Sta=6 CCOUNTER \$10.00 \$11.00 \$5.00 \$10.00 \$38.00



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

Deanna Barron



STATUTORY WARRANTY DEED

Seven Peaks LLC, Grantor(s) hereby convey and warrant to Remington Ranch LLC, Grantee(s) the following
 described real property in the County of CROOK and State of Oregon free of encumbrances except as specifically set forth
 herein:

Located in CROOK COUNTY, OREGON:

See Attached Exhibit "A" attached hereto and made a part hereof

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

The true and actual consideration for this conveyance is Other

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD
 INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER CHAPTER 1, OREGON LAWS 2005 (BALLOT MEASURE
 37 (2004)). 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 AND 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 CHAPTER 1, OREGON
 LAWS 2005 (BALLOT MEASURE 37 (2004)).

Dated this 14th day of June 2006

Seven Peaks LLC

BY *James M. Pippin*
 James M. Pippin, Managing Member

State of Oregon
 County of CROOK

On this 14 day of June, 2006, before me, April E. Hensley the undersigned, a Notary Public in and
 for said State, personally appeared James M. Pippin, Managing Member of Seven Peaks LLC as Manager of Seven Peaks LLC a
 Limited Liability Company, known to me to be the person whose name is subscribed to the foregoing instrument, and
 acknowledged to me that he executed the same in such capacity.

IN WITNESS WHEREOF, I have herunto set my hand and affixed my official seal, the day and year in this instrument first
 above written.

April E. Hensley
 Notary Public for
 Residing at:
 Commission Expires: 9-5-06

AMERITITLE orb11



RECEIVED

MAY 12 2007

(2pgs)

RESOURCES DEPT
SALEM, OREGON

Exhibit "A"

Located in CROOK COUNTY, OREGON:

TRACT I:

Parcels One (1) and Three (3) of Partition Plat No. 1999-31 Recorded December 17, 1999, in Partitions MF No. 152743, Records of Crook County, Oregon, Located in a portion of the NW ¼ and the SW ¼ of Section 4, Government Lot 1, the SE ¼ NE ¼ and the E ¼ SE ¼ of Section 5 and the NW ¼ of Section 9, Township 15 South, Range 14 East of the Willamette Meridian, Crook County, Oregon.

TRACT II:

Parcel One (1) and Two (2) of Partition Plat No. 2000-22, Recorded June 30, 2000 in Partitions MF No. 156385, Records of Crook County, Oregon, Located in the W½W½ of Section 3, in Section 4, and in the NE¼ of Section 9, Township 15 South, Range 14 East of the Willamette Meridian, Crook County, Oregon.

TRACT III:

Parcel One (1) and Two (2) of Partition Plat No. 2001-21, Recorded June 29, 2001 in Partitions MF No. 163559, Records of Crook County, Oregon, Located in the SW¼ of Section 4 and in the E½SE¼ of Section 5, Township 15 South, Range 14 East of the Willamette Meridian, Crook County, Oregon.

TRACT IV:

Parcels One (1) and Two (2) of Partition Plat No. 2001-23, Recorded June 29, 2001 in Partitions MF No. 163587, Records of Crook County, Oregon, Located in Section 4, Township 15 South, Range 14 East of the Willamette Meridian, Crook County, Oregon.

TRACT V:

Parcel Three (3) of Partition Plat No. 2001-23, Recorded June 29, 2001 in Partitions MF No. 163587, Records of Crook County, Oregon, Located in the W½W½ of Section 3, in Section 4, in the NE¼ of Section 9 and in the SW¼NW¼ of Section 10, Township 15 South, Range 14 East of the Willamette Meridian, Crook County, Oregon.

TRACT VI:

Parcel Three (3) of Partition Plat No. 2001-39, Recorded December 11, 2001 in Partitions MF No. 167111, Records of Crook County, Oregon, Located in Section 33 and a portion of Section 34, Township 14 South, Range 14 East of the Willamette Meridian, Crook County, Oregon.

TRACT VII:

In Township 14 South, Range 14 East of the Willamette Meridian:
Section 34: The SW ¼ of the NW ¼ of the NW ¼

Seven Peaks LLC to Remington Ranch LLC

RECEIVED**MAR 12 2007****SOURCES DEPT
SALEM, OREGON
TOTAL P.03**

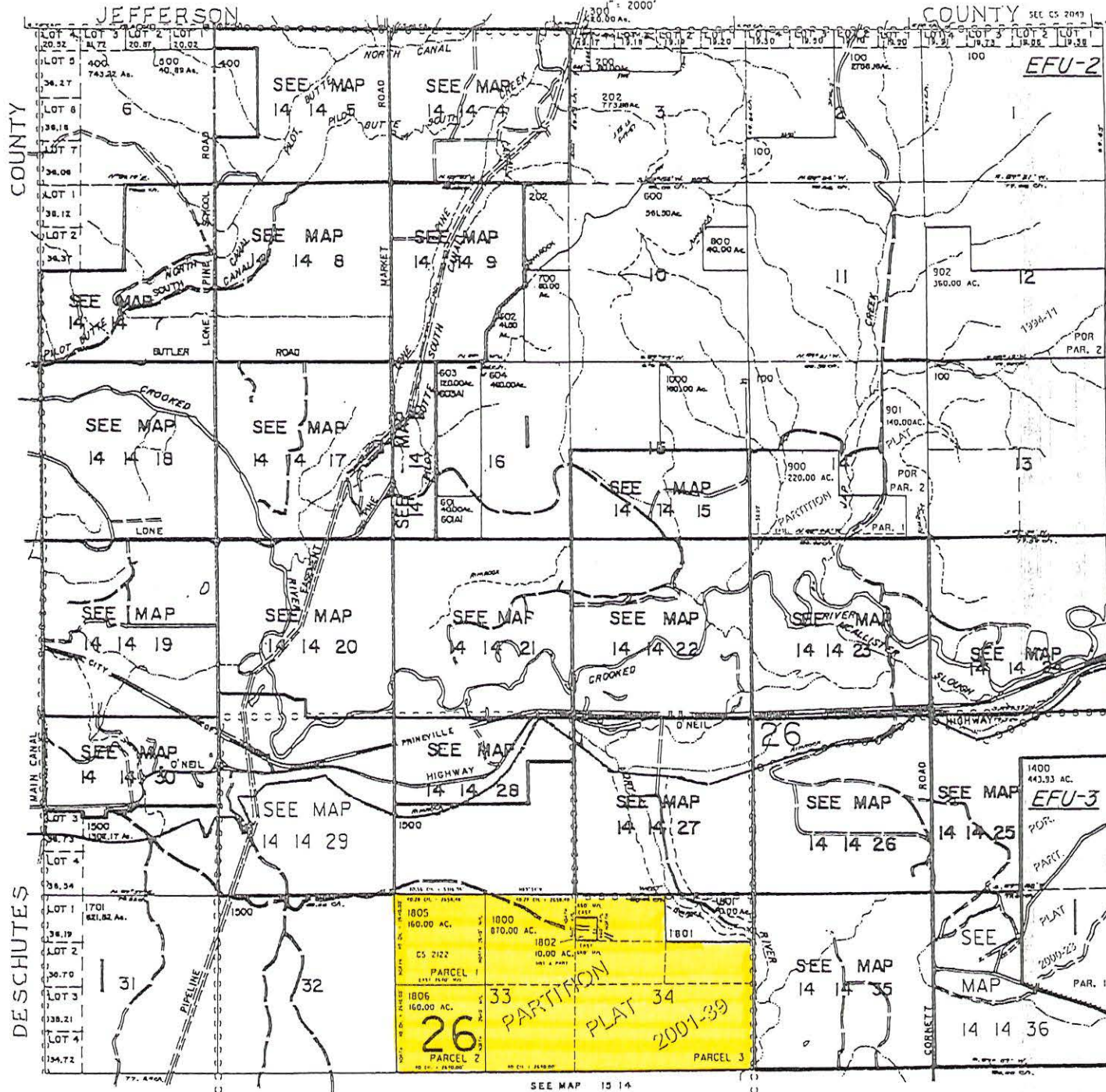
T 10335

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY

T 14S. R. 14E. W.M.
ROOK COUNTY

14 14
& INC

SCALE IN FEET
0 1000 2000 3000



CANCELLED NO.
101
201
600A1
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1602

SEE MAP 14 15

Revised
1/7/2003. JD
14 14
& INDEX

RECEIVED

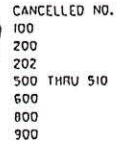
MAR 1 2 2007

WATER RESOURCES DEPT
SALEM OREGON

15 14
&IND

ROOK COUNTY

17, 2000



Revised
6/25/2002. 9C
15 14
& INDEX

WATER RESOURCES DEPT
SALEM, OREGON



920 SW Emkay, Suite C100
Bend, Oregon 97702-1041
541.388.4255
Fax 541.388.4229

March 26, 2007

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

**Re: Remington Ranch, LLC
Temporary Transfer Application
Certificate 82659
WHP File No.: 32901.1000**

Dear Sarah:

On March 8, 2007, I submitted an application for the temporary transfer of water rights on behalf of Remington Ranch, LLC. Following reviews with you and Mr. Jeremy Giffin, District 11 Watermaster, I am respectfully withdrawing the temporary transfer application. In addition, I would like to withdraw the associated reimbursement authority estimate application.

Remington Ranch, LLC would like to change the place of use for a portion of their existing water right, which is accommodated by the temporary transfer process. Remington Ranch, LLC also needed to accommodate pond maintenance. After careful review of the ponds, a bulge on the system classification is not applicable. Therefore, a change in the character of use was also needed, which cannot be accommodated by a temporary transfer.

Mr. Jeremy Giffin suggested a limited license application may be the most effective means to accommodate the desired change in place of use and change in character of use. We will immediately submit a limited license application to accommodate our desired changes.

Thank you for your review and your assistance. If you have any questions about our desired withdrawal of the temporary transfer application and the reimbursement authority estimate application, please contact me directly.

Very truly yours,

W&H Pacific, Inc.

Thomas A. Walker, P.E., C.W.R.E.
Vice President

Cc: John Shaw
Chris Pippin
Jim Pippin

RECEIVED

MAR 28 2007

**WATER RESOURCES DEPT
SALEM, OREGON**

10335

Sarah Henderson

From: Walker, Tom [TWalker@whpacific.com]
Sent: Wednesday, March 28, 2007 6:09 AM
To: Sarah.A.Henderson@state.or.us
Subject: FW: Letter regarding Remington Ranch, LLC Temporary Transfer Application Certificate 82659 is attached for your review/use
Attachments: 20070326124857221.pdf

Sarah,
We sent the attached letter withdrawing the Temporary Transfer for Remington Ranch, LLC. I also prepared and submitted a Limited License application to accomodate our desired water use. Mr. Jeremy Giffin, District 11 Watermaster, subsequently explained a combination of the Limited License and Temporary Transfer may be needed to accomplish our desired water use.

If not too late, could you please hold the Temporary Transfer application for a few days? I would like to confirm with Jeremy exactly what we need and then amend the applications accordingly.

Jeremy briefly explained the interpretation of rules on a Limited License have changed recently, which requires the combination of the two applications.

I am working away from my office for a few days and have very limited access to the internet. However, I think we can amend the two applications, talk with Jeremy, and resolve pending issues by the end of the week. Again, your help in holding the Temporary Transfer for a few days would be very helpful and appreciated.

Thank you very much for your consideration and assistance.

Tom Walker

From: Saavedra, Pat
Sent: Mon 3/26/2007 1:53 PM
To: Sarah.A.Henderson@state.or.us
Cc: Walker, Tom; John Shaw; Christopher Pippin; Jim Pippin
Subject: Letter regarding Remington Ranch, LLC Temporary Transfer Application Certificate 82659 is attached for your review/use

Per Tom Walker

<<20070326124857221.pdf>>

1 10335

3/28/2007

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **86577**

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

INVOICE # _____

RECEIVED FROM: Remington Ranch

BY: _____

APPLICATION	
PERMIT	
TRANSFER	10335

CASH: ☐ CHECK: # 1578 OTHER: (IDENTIFY) ☐ _____

TOTAL REC'D \$ 519.50

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES \$ _____

OTHER: (IDENTIFY) \$ _____

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

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES \$ _____

0410 RESEARCH FEES \$ _____

0408 MISC REVENUE: (IDENTIFY) \$ _____

TC162 DEPOSIT LIAB. (IDENTIFY) \$ _____

0240 EXTENSION OF TIME \$ _____

WATER RIGHTS:

0201 SURFACE WATER \$ _____ 0202 \$ _____

0203 GROUND WATER \$ _____ 0204 \$ _____

0205 TRANSFER \$ 519.50

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR \$ _____ 0219 \$ _____

LANDOWNER'S PERMIT 0220 \$ _____

OTHER (IDENTIFY) _____

**RECEIVED
OVER THE COUNTER**

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:

86577

DATED: 3-12-07 BY: [Signature]

Superseded + Amended on 4-4-07

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

Application for Water Right Transfer

Please type or print legibly in dark ink. If your application is incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "N/A" to indicate "Not Applicable." As you complete this form, please refer to notes and guidance included on the application. A summary of review criteria and procedures that are generally applicable to these applications is available at www.wrd.state.or.us/OWRD/PUBS/forms.shtml.

1. TYPE OF TRANSFER APPLICATION

Please check one	
☐ Permanent Transfer	☐ Instream Transfer
☒ Temporary Transfer	☐ Permanent
• total number of years: <u>2</u>	☐ Time-Limited
(begin year: <u>2007</u>)	☐ Drought Transfer
(end year: <u>2009</u>)	☐ Other

2. APPLICANT INFORMATION

Name: Remington Ranch, LLC _____
First Last

Address: 247 Main Street, Suite B _____

Prineville, OR _____ 97754
City State Zip

Phone: 760-799-7756 _____
Home Work Other

Fax: _____ E-Mail address:
pippin@winchesterdevelopment.com

3. AGENT INFORMATION

(The agent listed is authorized to represent the applicant in all matters relating to this transfer application.)

Name: W & H Pacific _____
First Last

Address: 920 SW Emkay, Suite C-100 _____

Bend, OR _____ 97702
City State Zip

Phone: 541-388-4255 _____
Home Work Other

Fax: 541-388-4229 _____ E-Mail address: twalker@whpacific.com _____

- If an agent is listed above, please check one of the following:

☐ Please send all correspondence to Agent. Send *copies* of correspondence to Applicant; or

☒ Please send all correspondence to Applicant. Send *copies* of correspondence to Agent.

RECEIVED

MAR 12 2007

WATER RESOURCES DEPT
SALEM, OREGON

10335
Last revised: 1/4/2007

Transfer Application/1

4. PROPOSED CHANGE(S) TO WATER RIGHT(S)

- List **all** water rights to be affected by this transfer. Indicate the certificate, permit, decree or other identifying number(s) in the table below: *(Attach additional pages as necessary.)*

	Application / Decree	Permit / Previous Transfer	Certificate
1.	G-14365	G-13237	82659
2.			
3.			
4.			
5.			
6.			

- Attach a **separate Supplemental Form A** (*Description of Proposed Change(s) to a Water Right*) for **each** water right listed above.
- Check **all** proposed change(s) included in this transfer application:
 - ☒ Place of Use ☐ Point of Diversion ☐ Additional Point of Diversion
 - ☒ Character of Use ☐ Point of Appropriation ☐ Additional Point of Appropriation
 - ☐ Instream Transfer ☐ Surface Water source to Ground Water source
- Reason(s) for change(s): Existing irrigation water rights are needed for golf course and water feature development.

5. WATER DELIVERY SYSTEM

- Describe the **current** water delivery system or the system that **was in place** at some time within the last 5 years. Include information on the pumps, canals, pipelines and sprinklers used to divert, convey and apply the water at the authorized place of use. If the transfer involves multiple rights that have independent systems, describe each system separately.

The description must be sufficient to demonstrate that the full quantity of water to be transferred can be conveyed from the authorized source and applied at the authorized location and that the applicant is ready, willing, and able to exercise the right.

A 200 horsepower turbine well pump and a 25 horsepower submersible pump deliver groundwater from two wells to underground piping and three center pivot sprinkler systems.

- System capacity: 2.80 cubic feet per second (cfs). If the transfer involves multiple rights that have independent systems, describe the capacity for each system separately.

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MAR 12 2007

**WATER RESOURCES DEPT
SALEM, OREGON**

6. EVIDENCE OF BENEFICIAL WATER USE

- Attach one or more **Evidence of Use Affidavits** (Supplemental Form B) demonstrating that each of the right(s) involved in the transfer have been exercised in the last five years in accordance with the terms and conditions of the right or that a presumption of forfeiture for non-use could be rebutted. The Evidence of Use Affidavit(s) **must include supporting documentation** such as the following:
 - ▶ Copies of receipts from sales of irrigated crops or for expenditures relating to use of water;
 - ▶ Records such as Farm Service Agency crop reports, irrigation district records, an NRCS farm management plan, or records of other water suppliers;
 - ▶ Dated aerial photographs of the lands or other photographs containing sufficient detail to establish location and date of the photograph; *or*
 - ▶ If the right has **not** been used during the past five years, documentation that the presumption of forfeiture would be rebutted under ORS 540.610(2).

7. AFFECTED DISTRICTS AND LOCAL GOVERNMENTS

- Are any of the water rights proposed for transfer located within or served by an irrigation or other water district? ☒ Yes ☐ No
- Will any of the water rights be located within or served by an irrigation or other water district after the proposed transfer? ☒ Yes ☐ No
- Is 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? ☐ Yes ☒ No

If "Yes", for any of the above, list the name and mailing address of the district, agency and/or entity:

Central Oregon Irrigation District

1055 SW Lake Court

Redmond, OR 97756

- List the name and mailing address of all affected local governments (e.g., county, city, municipal corporation, and tribal governments within whose jurisdiction the rights are located).

Crook County

300 NE 3rd Street, Room 11

Prineville, OR 97754

RECEIVED

MAR 12 2007

**WATER RESOURCES DEPT
SALEM, OREGON**

T 10335

8. LAND OWNERSHIP

- Does the applicant own the lands **FROM** which the right is being transferred? ☒ Yes ☐ No

If "No", provide the following information. For Temporary Transfers, also include a notarized statement granting consent to the transfer from each of the landowners:

Names of Current Landowner(s): _____
First Last

Address: _____

City State Zip

- Does the applicant own the lands **TO** which the right is being transferred?

☒ Yes ☐ No ☐ N/A - NOT APPLICABLE TO INSTREAM TRANSFERS

If "No", provide the following information:

Names of Receiving Landowner(s): _____
First Last

Address: _____

City State Zip

- Check one of the following:

☐ The receiving landowner will be responsible for completion of the proposed changes after the final order is issued. All notices and correspondence should be sent to this landowner.

☒ The applicant will remain responsible for completion of changes. Notices and correspondence should continue to be sent to the applicant and applicant's agent.

☐ N/A. (Not applicable. Application is for an Instream Water Right Transfer.)

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9. ATTACHMENTS

Check each of the following attachments included with this application.
The application will be returned if all required attachments are not included.

Supplemental Form A –

Description of Proposed Change(s) to a Water Right

- ☐ A separate Supplemental Form A is enclosed for each water right to be affected by this transfer.

Supplemental Form B –

Evidence of Use Affidavit(s)

- ☐ At least one Evidence of Use Affidavit documenting that the right has been used during the last five years or that the right is not subject to forfeiture under ORS 540.610 is attached. The affidavit provided must be the original (not a copy), and
- ☐ The Evidence of Use Affidavit must be accompanied by supporting documentation.

Map

- ☐ *Water Right Transfer*
The map must be prepared by a Certified Water Right Examiner and meet the requirements of OAR 690-380-3100 unless a waiver has been granted. The map provided must be the original, not a copy.
- ☐ *Temporary Transfer or Historical POD Change*
A map meeting the requirements of OAR 690-380-3100 must be included but need not be prepared by a Certified Water Right Examiner.

Water Well Report(s)/Well Log(s):

- ☐ The application is for a change in point of appropriation or change from surface water to ground water and copies of all water well reports are attached.
- ☐ Water well reports are not available and a description of construction details including well depth, static water level, and information necessary to establish the ground water body developed or proposed to be developed is attached.
- ☒ N/A. The application does not involve a change in point of appropriation or a change from surface water to ground water, so water well reports are not required.)

Land Use Information Form:

- ☐ Enclosed; *or*
- ☐ Not Required if all of the following are met:
- ① In EFU zone or irrigation district,
 - ② Change in place of use only,
 - ③ No structural changes needed, including diversion works, delivery facilities, other structures, *and*
 - ④ Irrigation only.

Fees:

- ☐ Amount enclosed: \$ _____
See the Department's Fee Schedule at www.wrd.state.or.us or call (503) 986-0900.

Instream Water Right Transfers, also include:

Supplemental Form C –

Instream Water Right Transfer

- ☐ Complete this form to describe the desired nature and attributes for the proposed instream water right.

Temporary Transfers, also include:

Recorded Deed:

- ☐ The applicant must submit a copy of the current deed of record for the land **from** which the authorized place of use or point of diversion/appropriation is being moved.

Affidavit of Consent:

- ☐ If the applicant is **NOT** the owner of record for the land **from** which the authorized place of use or point of diversion/appropriation is being moved, a notarized statement from the actual owner of record consenting to the proposed transfer must be submitted.

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Before submitting your application to the Department, be sure you have:

- Answered each question completely.
- Included all the required attachments.
- Provided original signatures for all named deed holders, or other parties, with an interest in the water right.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount.

10. SIGNATURES

▪ Check one of the following, as appropriate, and sign the application in the signature box below:

- ☐ In accordance with OAR 690-380-3000(13)(a), I (we) understand that prior to Department approval of a permanent transfer and upon my receipt of a draft Preliminary Determination for the proposed transfer, I (we) will be required [pursuant to OAR 690-380-4010(5)] to provide the following landownership information and evidence demonstrating that I (we) are authorized to pursue the transfer:
- (a) A report of ownership and lien information that has been prepared by a title company *within the last three months*;
- (b) A copy of written notification of the proposed transfer provided by the applicant to all lien holders on the subject lands unless the report of ownership and lien information shows that a water right conveyance agreement has been recorded for the subject lands. *If a water right conveyance agreement has been recorded for the subject lands, a copy of the agreement and identification of the owner of the lands at the time the agreement was recorded must be submitted; and*
- (c) If the landowner identified in the report of ownership and lien information is not the applicant, a notarized statement consenting to the transfer (*attached*) signed by the landowner identified in the report or an authorized representative of the entity to whom the interest in the water right has been conveyed as identified in a water right conveyance agreement or other documentation demonstrating that the applicant is authorized to pursue the transfer in the absence of the consent of the landowner.
- ☐ I (we) affirm that the applicant is a municipality, as defined in ORS 540.510(3)(b), and that the right is in the name of the municipality or a predecessor. Therefore, pursuant to OAR 690-380-3000(13)(b), the applicant is NOT required to provide the above described report of ownership and lien information.
- ☐ I (we) affirm that the applicant is an entity with the authority to condemn property and is acquiring the property to which the water right proposed for transfer is appurtenant by condemnation. Documentation is provided with this application supporting this statement. Therefore, pursuant to OAR 690-380-3000(13)(c), the applicant is NOT required to provide the above described report of ownership and lien information. (*NOTE: Such an entity may only apply for a transfer under this subsection if it has filed a condemnation action to acquire the property.*)

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

 applicant signature	 name (print)	3-6-07 date
 applicant signature	 name (print)	 date

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Water Right Transfer Supplemental Form A

DESCRIPTION OF PROPOSED CHANGE(S) TO A WATER RIGHT

List only one water right per page. A separate Supplemental Form A must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Attach additional copies of Supplemental Form A as needed to describe other certificates, permits, decrees or other rights involved in this transfer.

▪ Certificate Number or other identifying number: 82659 _____

1. TYPE OF CHANGE(S) PROPOSED

(Check *all* that apply.)

Point of Diversion or Appropriation	Place of Use	Character of Use
☐ Change (The old point of diversion or appropriation will <u>not</u> be used for the portion of the water right affected by the transfer.) ☐ Additional (Both the old <u>and</u> new points of diversion or appropriation will be used for the portion of the water right affected by the transfer.) ☐ Historic Point of Diversion or Appropriation Change (Unauthorized point of diversion or appropriation used for more than 10 years.) ☐ Surface Water to Ground Water (A new point of appropriation will be used <u>instead</u> of the old point of diversion. The old point of diversion will <u>not</u> be used.) ☐ Point of Diversion Change due to Government Action (The old point of diversion or appropriation can no longer be used due to government action.) ☐ Exchange (Water from another source will be used in exchange for supplying an equal amount of replacement water to that source.)	☐ All of the right will be exercised at a different location than currently authorized (Use of water at the current location will be discontinued.) ☒ Only a portion of the right will be exercised at a different location than currently authorized (Use of water at the current location will be discontinued.)	Proposed new use: ☒ Irrigation ☐ Municipal ☐ Quasi-municipal ☐ Commercial ☐ Industrial ☐ Instream (complete and attach <i>Supplemental Form C</i>) ☐ Domestic (indicate number of households) _____ ☒ Other Lake Maintenance ☐ Substitution (A supplemental ground water right will be substituted for a primary surface water right.) ☐ Supplemental Use to Primary Use (Primary water right shall be cancelled and the supplemental water right will change to primary use.)

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Supplemental Form A

- 1 -

Description of Proposed Change(s) to a Water Right

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2. CURRENT WATER RIGHT INFORMATION

Water Right Subject to Transfer (*check and complete one of the following*):

☒ Certificated Right	82659 Certificate Number	G-13237 Permit Number or Decree Name
☐ Adjudicated, Non-certificated Right	Name of Decree	Page Number
☐ Permit for which Proof has been Approved	Permit Number	Date Claim of Beneficial Use Submitted
☐ Transferred Right for which Proof has been Filed	Previous Transfer Number	Date Claim of Beneficial Use Submitted

- Name on Permit, Certificate, or Decree: Red Rock, LLC _____
- County: Deschutes _____
- Authorized Use(s) to be Affected by Transfer: Irrigation _____
- Priority Date(s): August 9, 1996 _____

*If there are **multiple Priority Dates** identified on the water right, any information provided on **pages 3 through 6** of this form **must identify** which priority date is associated with each of the authorized and proposed points of diversion or appropriation and places of use.*

- Source(s) of Water to be Affected by Transfer: Two wells located in the Crooked River Basin
- Tributary to: _____

*If there are **multiple Sources** listed on the water right, any information provided on **pages 3 through 6** of this form **must identify** which source is associated with each of the authorized and proposed points of diversion or appropriation and places of use.*

For applications proposing a Change in Place of Use or Character of Use:

- Are there **Other Water Rights**, Permits or Ground Water Registrations associated with this land?

☐ Yes ☒ No ☐ N/A – No Change in Place of Use or Character of Use

If "Yes", what are the Permit, Registration or Certificate Numbers? _____

Pursuant to ORS 540.510, any "layered" water use or a right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled, except as provided in OAR 690-380-2240(5).

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■ Certificate Number or other identifying number: 82659

The following information **must be provided only** for those points of diversion or appropriation that are involved in the transfer (i.e., list only the portion of the water right you propose to transfer.) Attach additional pages as necessary.

Government lot and donation land claim numbers must be included in the tables below only if the information is reflected on the existing water right.

Location of Existing Authorized Point(s) of Diversion or Appropriation to be Changed:

(i.e., the allowed point(s) of diversion or appropriation listed on the water right that will be affected by the proposed transfer, the "FROM" point(s) of diversion or appropriation)

If Ground Water, OWRD Well Log ID No. (or Well ID Tag No. L-___)	Source and Priority Date	Township	Range	Mer	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)

■ Does the water right being transferred involve a ground water source(s)?

☐ Yes ☐ No (Surface water source only.)

If "Yes", for each authorized point of appropriation (well) involved, you must either:

A. Supply a copy of the well log(s) for each point of appropriation that is **clearly labeled** and associated with the corresponding well in the table above and on the accompanying application map. (NOTE: You may search for well logs on the Department's web page at: <http://www.wrd.state.or.us>)

or

B. If a well log is **not** available, you must describe the construction of the authorized point of appropriation by completing the table below. Attach additional copies as necessary.

Construction of Existing Authorized Point(s) of Appropriation – (Only needed if no well log is available.)

Wells in this listing must be **clearly tied** to corresponding well location(s) described in the table above and shown on the accompanying application map.

OWRD Well No. as identified in table above	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth

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▪ Certificate Number or other identifying number: 82659 _____

*The following information **must be provided** only for those places of use that **are involved in the transfer** (i.e., list only the portion of the water right you propose to transfer.) Attach additional pages as necessary.*

*Government lot and donation land claim numbers must be included in the tables below **only** if the information is reflected on the existing water right.*

Location of Existing Authorized Place of Use to be Affected:

(i.e., the allowed lands listed on the water right that will be affected by the proposed transfer, the "FROM" lands)

[illegible]

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▪ Certificate Number or other identifying number: 82659

3. PROPOSED CHANGES TO THE WATER RIGHT

Describe proposed changes to the water right involving point(s) of diversion and/or appropriation. Survey coordinates described below should accurately correspond to the points shown on the accompanying application map. Attach additional pages as necessary.

Location of Proposed Point(s) of Diversion or Appropriation:

(i.e., the "TO" point(s) of diversion or appropriation)

☐ N/A – Instream Water Right Transfer

(NOTE: Complete this table only if a Change in Point of Diversion or Appropriation is being proposed.)

Source	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)

- If there are proposed point(s) of appropriation (wells) listed in the table above, are the well(s) already constructed? ☐ Yes ☐ No ☐ N/A - No proposed well(s) listed above.

If "Yes", attach and clearly label the corresponding well log(s) for each proposed well, or if well log(s) are not available, describe the construction of the well(s) using the table below. (NOTE: You may search for well logs on the Department's web page at: <http://www.wrd.state.or.us>)

If "No", describe the anticipated construction for the proposed well(s) in the following table:

Construction of Proposed Point(s) of Appropriation or Well(s)

Well numbers in this listing must be clearly tied to corresponding well location(s) described in the table above and shown on the accompanying application map.

Well already built? (Yes/No)	If an existing well, OWRD Well Log ID No. (or Well ID Tag No. L-)	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
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▪ Certificate Number or other identifying number: 82659

Describe proposed changes to the water right involving place of use. Information described below should accurately correspond to the proposed place of use shown on the accompanying application map. Attach additional pages as necessary.

Location of Proposed Place of Use: (i.e., the "TO" lands) ☐ N/A – Instream Water Right Transfer
(NOTE: Complete this table only if a Change in Place of Use is being proposed.)

Source	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)
Well 2 E	14 S	14 E		34	NE SE		12.1 Irr
Well 2 E	14 S	14 E		34	SE SE		28.9 Irr
Well 2 E	15 S	14 E		4	SE NE		1.0 P
Well 2 E	15 S	14 E		4	SW NE		1.8 P
Well 2 E	15 S	14 E		4	SE NW		1.8 P
Well 2 E	15 S	14 E		4	NE SE		5.3 P
Well 2 E	15 S	14 E		4	NW SE		1.7 P
Well 2 E	15 S	14 E		4	SW SE		3.0 P
Well 2 E	15 S	14 E		4	SE SE		6.6 P
Well 2 E	15 S	14 E		4	NE SW		0.8 P
Well 2 E	15 S	14 E		4	NW SW		7.1 Irr
Well 2 E	15 S	14 E		4	SW SW		13.6 Irr
Well 2 E	15 S	14 E		4	SE SW		0.3 P/2.6 Irr
Well 2 E	15 S	14 E		5	NE SE		2.8 Irr
Well 2 E	15 S	14 E		5	SE SE		11.0 Irr
Well 2 E	15 S	14 E		9	NE NE		1.6 P
Well 2 E	15 S	14 E		9	NW NE		3.5 P/1.7 Irr
Well 2 E	15 S	14 E		9	SW NE		7.9 Irr

Remarks: _____

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▪ Certificate Number or other identifying number: 82659

Describe proposed changes to the water right involving place of use. Information described below should accurately correspond to the proposed place of use shown on the accompanying application map. Attach additional pages as necessary.

Location of Proposed Place of Use: (i.e., the "TO" lands) ☐ N/A – Instream Water Right Transfer
(NOTE: Complete this table only if a Change in Place of Use is being proposed.)

Source	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)
Well 2 E	15 S	14 E		9	SE NE		0.7 Irr
Well 2 E	15 S	14 E		9	NE NW		2.2 P/10.9 Irr
Well 2 E	15 S	14 E		9	NW NW		4.2 Irr
Well 2 E	15 S	14 E		9	SW NW		4.4 Irr
Well 2 E	15 S	14 E		9	SE NW		7.0 Irr

Remarks: _____

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Water Right Transfer Supplemental Form B

AFFIDAVIT ATTESTING TO THE USE OF WATER

State of Oregon)
) ss
 County of _____)

I, John Shaw, P.E. of Remington Ranch, LLC, in my capacity as managing member and property owner, mailing address 247 Main Street, Suite B, Prineville, OR 97754, telephone number (760)574-4134, being first duly sworn depose and say:

1. I attest that:

- ☒ Water was used during the previous five years on the entire authorized place of use of the water right proposed for transfer as described on the accompanying transfer application; **or**
- ☐ The water right was leased instream at some time within the last five years. The instream lease number is as follows: _____; **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.

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

- ☐ Personal observation ☒ Professional expertise

3. My knowledge is specific to the use of water at the following locations:

Township		Range		Mer	Sec	¼ ¼ Section	Gov't Lot or DLC	Acres (if applicable)
14	S	14	E		33	NE NE	1800	35.3
14	S	14	E		33	NW NE	1800	1.5
14	S	14	E		33	SW NE	1800	1.6
14	S	14	E		33	SE NE	1800	35.8
14	S	14	E		33	NE SE	1800	1.4
14	S	14	E		34	NE NW	1800	0.2
14	S	14	E		34	NW NW	1800 & 1802	33.0
14	S	14	E		34	SW NW	1800	34.2
14	S	14	E		34	SE NW	1800	0.3
14	S	14	E		34	NW SW	1800	1.2

4. The water right was exercised for the authorized purpose described below (e.g., crops grown):

(continues on reverse side)

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

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Irrigation of pasture and other crops. _____

5. The water delivery system used to apply water as authorized by the right is described below:
A 200 horsepower turbine pump in well 2E conveys groundwater through a buried mainline to a center pivot sprinkler system. _____

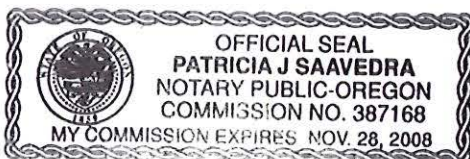
6. One or more of the following documentation supporting the above statements is attached:

- ☒ Copy of a water right certificate that was issued within the last five years (not a remaining right certificate),
- ☐ Copies of receipts from sales of irrigated crops or for expenditures relating to the use of water,
- ☐ Records such as Farm Service Agency crop reports, irrigation district records, an NRCS farm management plan, or records of other water suppliers,
- ☐ Dated aerial photographs of the lands or other photographs containing sufficient detail to establish the location and date of the photograph,
- ☐ Dedicated power usage records or receipts,
- ☐ Instream lease number _____,
- ☐ Other: _____

John Sh
Signature of Affiant

3-6-07
Date

Signed and sworn to (or affirmed) before me this 6th day of March, 2007 ph



Patricia J. Saavedra
Notary Public for Oregon

My Commission Expires: November 28, 2008

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

David C. Gage
DWEE

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

In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate at any time before it has issued, and after the time has expired for the completion of the appropriation under the permit, or within three months after issuance of the certificate.

STATE OF OREGON

COUNTY OF CROOK

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

RED ROCK, LLC
385 1ST ST., STE 215
LAKE OSWEGO, OR 97034

This Certificate confirms the right to use the waters perfected under the terms of the Permit. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed the amount described, or its equivalent in case of rotation, measured at the point of diversion from the source. The specific limits and conditions of this right are listed below.

APPLICATION FILE NUMBER: G-14365

PERMIT NUMBER: G-13237

SOURCE OF WATER: 2 WELLS LOCATED IN CROOKED RIVER BASIN

PURPOSE OR USE: IRRIGATION OF 224.2 ACRES

MAXIMUM RATE ALLOWED: 2.80 CUBIC FOOT PER SECOND BEING 2.50 CFS FROM WELL 2E, AND 0.30 CFS FROM WELL 4E.

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: AUGUST 9, 1996

G-14365.RA

Certificate Number 82659

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THE POINTS OF APPROPRIATION ARE LOCATED AS FOLLOWS: SE $\frac{1}{4}$ NW $\frac{1}{4}$, and SW $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 34 TOWNSHIP 14 SOUTH, RANGE 14 EAST, W.M.; WELL 2E - 2140 FEET SOUTH & 1900 FEET EAST, FROM NW CORNER OF SECTION 34; WELL 4E - 620 FEET NORTH & 2810 FEET EAST FROM SW CORNER OF SECTION 34.

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH one cubic foot per second (or its equivalent) and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

WELL 2E

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 35.3 ACRES
 NW $\frac{1}{4}$ NE $\frac{1}{4}$ 1.5 ACRES
 SW $\frac{1}{4}$ NE $\frac{1}{4}$ 1.6 ACRES
 SE $\frac{1}{4}$ NE $\frac{1}{4}$ 35.8 ACRES
 NE $\frac{1}{4}$ SE $\frac{1}{4}$ 1.4 ACRES
 SECTION 33

SW $\frac{1}{4}$ NE $\frac{1}{4}$ 32.0 ACRES
 SE $\frac{1}{4}$ NE $\frac{1}{4}$ 8.5 ACRES
 NE $\frac{1}{4}$ NW $\frac{1}{4}$ 0.2 ACRE
 NW $\frac{1}{4}$ NW $\frac{1}{4}$ 33.0 ACRES
 SW $\frac{1}{4}$ NW $\frac{1}{4}$ 34.2 ACRES
 SE $\frac{1}{4}$ NW $\frac{1}{4}$ 2.1 ACRES
 NW $\frac{1}{4}$ SW $\frac{1}{4}$ 1.2 ACRES
 NE $\frac{1}{4}$ SE $\frac{1}{4}$ 2.3 ACRES
 NW $\frac{1}{4}$ SE $\frac{1}{4}$ 11.2 ACRES
 SECTION 34

Well 4E

SW $\frac{1}{4}$ SE $\frac{1}{4}$ 22.2 ACRES
 SE $\frac{1}{4}$ SE $\frac{1}{4}$ 1.7 ACRES

SECTION 34

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

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the water user to report general water use information, including the place and nature of use of water under the right.
- B. The water user shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

G-14365.RA

Certificate Number 82659

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 SALEM, OREGON

The reference level against which future annual measurement will be compared is 266 feet below ground surface (bgs) for Well 2E and 265 bgs for Well 4E.

The Director may require the water user to obtain additional measurements. The additional measurements may be required in a different month. If the measurement requirement is stopped, the director may restart it at any time.

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board and be submitted to the Department on forms provided by the Department. The Department requires the individual performing the measurement to:

- (A) Identify each well with its associated measurement; and
- (B) Measure and report water levels to the nearest tenth of a foot as depth-to-water below ground surface; and
- (C) Specify the method used to obtain each well measurement; and
- (D) Certify the accuracy of all measurements and calculations submitted to the Department.

The water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well if annual water level measurements reveal any of the following events:

- (A) An average water level decline of three or more feet per year for five consecutive years; or
- (B) A water level decline of 15 or more feet in fewer than five consecutive years; or
- (C) A water level decline of 25 or more feet; or
- (D) Hydraulic interference leading to a decline of 25 or more feet in any neighboring well with senior priority.

The period of non or restricted use shall continue until the annual water level rises above the decline level which triggered the action or until the Department determines, based on the water users and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this certificate. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

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

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

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

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

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

The right to the use of the water for the above purpose is restricted to beneficial use without waste on the lands or place of use described. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

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

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

SEP 20 2006

Issued _____.


Phillip C. Ward, Director
Water Resources Department

Recorded in State Record of Water Right Certificates Number 82659.
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**WATER RESOURCES DEPARTMENT
REIMBURSEMENT AUTHORITY ESTIMATE APPLICATION**

House Bill 2551(2003 Oregon Laws) authorizes the Oregon Water Resources Department to expedite or enhance regulatory processes voluntarily requested under the agreement. The voluntary agreement can be entered into with any person requesting services and agreeing to pay the Department's costs of providing the service.

The Department has established a pool of qualified contractors to perform expedited services for water right transfers, water right permits extensions, and water right certificates.

The purpose of this application is to obtain an estimate from the next qualified contractor in the appropriate pool. There is a non-refundable application fee of \$125.00 per request. The contractor will provide an estimate of the cost and of the time required to process and develop a recommendation on the request of a: (check one):

<u>REQUEST</u>	<u>TYPE</u>	<u>FILE NUMBER</u>
☒	Transfer Application	_____
☐	Certificate Request	_____
☐	Extension of Time Request	_____

<u>Applicant Information</u>		<u>Applicant's Representative/Contact</u>
Name: (Please Print)	Remington Ranch, LLC	W & H Pacific
Address:	247 Main Street, Suite B	920 SW Emkay, Suite C-100
	Prineville, OR 97754	Bend, OR 97702
Phone:	760-799-7756	541-388-4255
Fax		541-388-4229
E-Mail Address:	pippin@winchesterdevelopment.com	twalker@whpacific.com

I understand the following:

- There is a non-refundable application fee of \$125.00 per request.
- That upon receipt of my non-refundable application fee in the amount of \$ 125.00, OWRD will assign my request to the next contractor in the pool of contractors performing expedited services.
- That this fee covers the copying, the mailing cost, as well as the cost for the contractor to evaluate and provide the estimate for processing of the request.
- That OWRD will provide all pertinent information to the assigned contractor within three (3) business days.
- That OWRD will, within fourteen (14) days, notify me in writing of the estimates of costs and time frame for the expedited service.
- That upon receiving the estimates I may agree or decline to enter into a formal contract to pay the estimated cost in advance to initiate the expedited service.
- An incomplete or inaccurate application may delay the process and increase the cost to process my request.
- Expedited processing does not guarantee a favorable review of my request.
- Send completed Application and payment to:

OWRD – Reimbursement Authority Program
725 Summer St. NE, Suite A
Salem, OR 97301-1266.

I certify that I am the (check one) ☐ Applicant ☐ Applicant's Representative ☐ Other (Please specify) _____

Signature: _____

Name: _____

John Shaw

OWRD USE ONLY

Contractor Assigned:	Total Amount Paid: \$
OWRD Approval:	

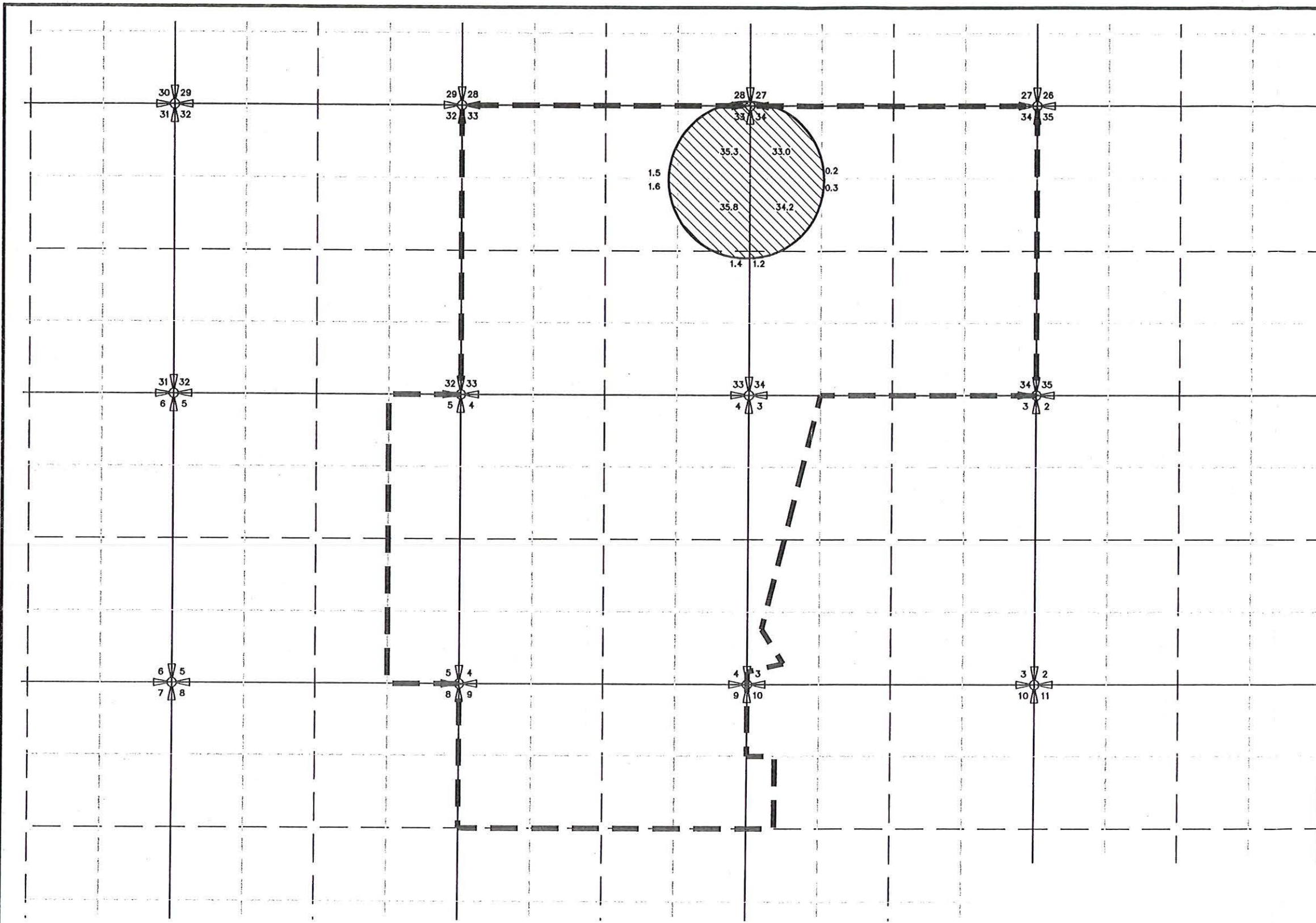
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Revised: 6/21/2004

MAR 12 2007

**WATER RESOURCES DEPT
SALEM, OREGON**

T 10335



SCALE
2000 0 1000 2000 4000
(FEET)
1 INCH = 2000 FT



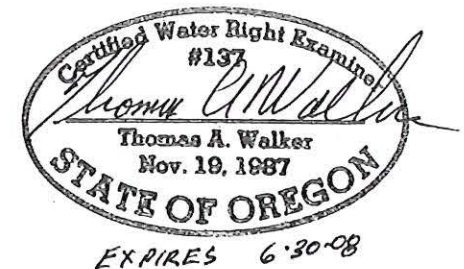
PROPERTY OWNER & APPLICANT:

REMINGTON RANCH LLC
247 MAIN STREET, SUITE B
PRINEVILLE OR 97754

REQUEST:

TEMPORARY TRANSFER (144.5 AC)

 EXISTING IRRIGATION WATER RIGHTS TO BE TEMPORARILY TRANSFERRED

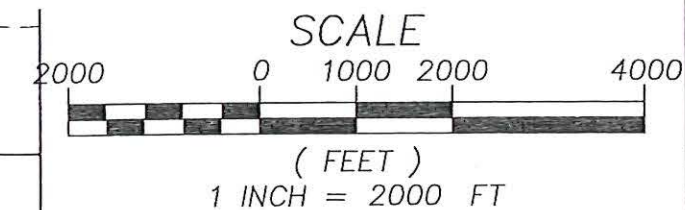


REMINGTON RANCH, LLC
GROUNDWATER TRANSFER APPLICATION MAP—"OFF LANDS"
TOWNSHIP 14 SOUTH, RANGE 14 EAST & TOWNSHIP 15 SOUTH, RANGE 14 EAST

NOTE: THIS MAP WAS PREPARED FOR THE PURPOSE OF IDENTIFYING THE LOCATION OF WATER RIGHTS. THIS MAP IS NOT INTENDED TO PROVIDE DIMENSIONS OR THE LOCATION OF PROPERTY OWNERSHIP LINES. **RECEIVED**

MAP 12 2007

WATER RESOURCES DEP
SALEM, OREGON



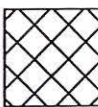
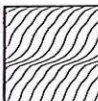
PROPERTY OWNER & APPLICANT:

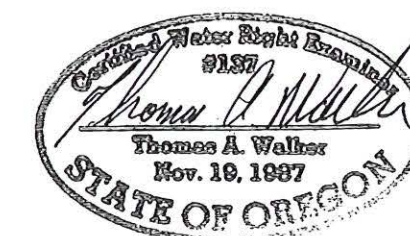
REMINGTON RANCH LLC
247 MAIN STREET, SUITE B
PRINEVILLE OR 97754

REQUEST:

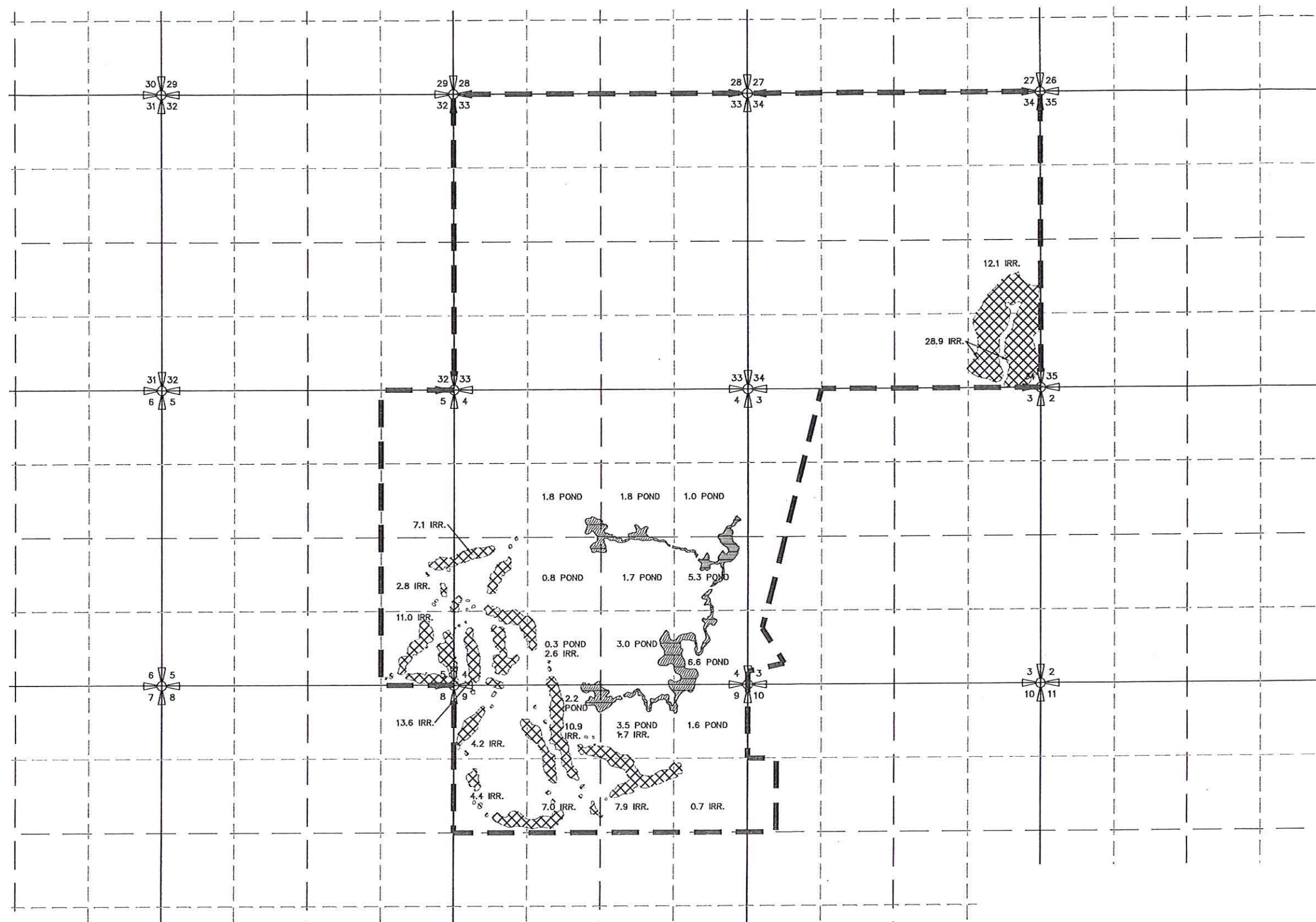
TEMPORARY TRANSFER FOR PROPOSED
IRRIGATION (114.9 AC)

LIMITED LICENSE FOR PROPOSED POND
MAINTENANCE (29.6 AC)

-  114.9 ACRES
PROPOSED
IRRIGATION
-  29.6 ACRES
PROPOSED POND
MAINTENANCE



EXPIRES 6-30-08

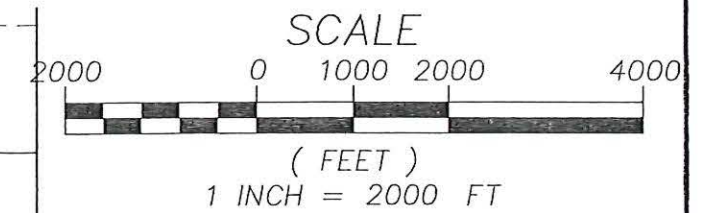


REMINGTON RANCH, LLC
GROUNDWATER TRANSFER APPLICATION MAP
TOWNSHIP 14 SOUTH, RANGE 14 EAST & TOWNSHIP 15 SOUTH, RANGE 14 EAST

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LINES.

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WATER RESOURCES DEPT
SALEM, OREGON



PROPERTY OWNER & APPLICANT:

REMINGTON RANCH LLC
247 MAIN STREET, SUITE B
PRINEVILLE OR 97754

REQUEST:

LIMITED LICENSE (29.6 AC)
TEMPORARY TRANSFER (114.9 AC)

 EXISTING IRRIGATION WATER RIGHTS TO BE TEMPORARILY DRIED



REMINGTON RANCH, LLC
GROUNDWATER APPLICATION MAP—"OFF LANDS"
TOWNSHIP 14 SOUTH, RANGE 14 EAST & TOWNSHIP 15 SOUTH, RANGE 14 EAST

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APR 04 2007

WATER RESOURCES DEPT
SALEM, OREGON