

CONSERVED WATER APP. CW-44
DESCHUTES / JEFFERSON

Peel here
Démoulez ici
peel here

OREGON WATER RESOURCES DEPARTMENT
ACCOUNT ACTIVITY RECORD

Account Name: DRC - Deschutes Resource Conservancy

Activity Date: April 18, 2006

Please complete and leave at the WRIG counter.

Transaction Description	Number of items or hours	Project Name	Customer contact name	Department personnel providing service	Amount of Activity
Deposit to account					
Copying					
Faxing					
Research					
Other:					
Other: Conserved Water App	1	CW-44	Scott McCaulou	Sarah Henderson for Bob Rice	\$350.00

Your account may be required to provide an account project number per your accounting department. If required, please have your project number ready upon any service request.

Applications for Allocation Of Conserved Water

The following applications for allocation of conserved water have been received pursuant to ORS 537.455 to 537.500 and OAR Chapter 690, Division 18. In reviewing the applications, the Department will consider whether the diversion for the uses allowed under the original water right will be reduced by the conservation project, whether existing water rights will be protected from injury, and whether the project is in compliance with local comprehensive land use plans.

NOTICE OF APPLICATION FOR ALLOCATION OF CONSERVED WATER

The Oregon Water Resources Department has received an application for an allocation of conserved water under ORS 537.470.

The application was filed by Lower Bridge Subdistrict #2 of Three Sister Irrigation District, and the following landowners: Baker, Brandon, Burdick, Calavan, Cooper, DiPaolo, Dutson, Dykes, Emmett Ranch LLC, Gibbs, Giegerich, Kelley, Kidson, Lawrence, Long Hollow Ranch, McKenzie Canyon, McKibbin, Mulkey, Parks, Powers, Shirazi, Simpson, Sparks, Spears, Taylor, Thalacker, and Vejrostek.

The Department assigned this application number CW-44. The project anticipates replacing a portion of the Black Butte Canal by burying 7,166 feet of 18inch HDPE pipe and 6,244 feet of 24inch HDPE pipe.

The project is expected to yield approximately 1.45 cfs of conserved water from Wychus Creek, formerly known as Squaw Creek, under water right Certificate 74135 (priority dates of 1895, 1899, and 1904). Approximately 83% of the conserved water is proposed to be dedicated to instream use in Wychus Creek and the Deschutes River from the original point of diversion to Lake Billy Chinook. The remaining 17% would go to Lower Bridge Subdistrict #2 and is proposed to be leased instream.

Any interested person may comment in writing on this application. Comments must be received on or before June 30, 2006, or within 30 days of the last date of publication in the newspaper, whichever is later. Comments should be sent to Bob Rice, Water Resources Department, 725 Summer Street NE, Suite A, Salem, OR 97301-1271. Comments may be faxed to 503-986-0903. The Department will review all comments received when determining whether to approve the proposed allocation of conserved water.

A copy of the application and other information on the allocation and use of conserved water may be obtained from the Department by contacting Bob Rice at 503-986-0885 or Robert.D.Rice@wrđ.state.or.us.

Affidavit of Publication

STATE OF OREGON, COUNTY OF DESCHUTES

I, LAURIE MORIN, a citizen of the United states and a resident of the county aforesaid; I am over the age of eighteen years, and not party to or interested in the above-entitled matter. I am the principal clerk of the printer of



The Bulletin

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

that DESCHUTES RIVER CONSERVANCY, NOTICE OF APPLICATION FOR ALLOCATION OF CONSERVED WATER, CW-44. a printed copy of which is hereto affixed was published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

5/12, 5/19 AND 5/26/2006

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

Dated at Bend, Oregon, this 3 day of JULY, 2006

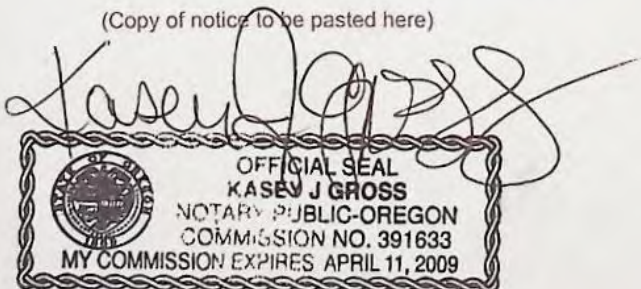
[Handwritten Signature]
Signature

RECEIVED

JUL 05 2006

WATER RESOURCES DEPT
SALEM, OREGON

(Copy of notice to be pasted here)



No. _____

In the _____ Court of the

STATE OF OREGON

for the

COUNTY OF DESCHUTES

AFFIDAVIT OF PUBLICATION

Filed _____

Clerk.

By _____

Deputy.

From the Office of

Attorney for _____

time for summer, it's air conditioned. Also added was high efficiency gas furnace to keep you toasty next winter.
GILEAD COCHRAN, Broker, 419-6311



propertyinbendoregon.com

\$289,900. 3 bdrm., 2 bath, 1056 sq. ft., 14,375 sq. ft. lot, cul-de-sac, vinyl windows, fixer upper. 389-8204 or 420-1270.

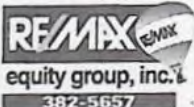
\$299,900. 3 bdrm., 2 bath, 1120 sq. ft., like brand new, 14,375 sq. ft. lot, cul-de-sac, vinyl windows, new stove. 389-8204 or 420-1270.

\$324,900
FEATURES AN OPEN FLOOR PLAN that "Lives Big." 3 bedrooms, 2 baths, 1484 sq. ft. Ideal for entertaining or staying connected with family. Maple cabinets, stainless steel appliances, gas fireplace, air conditioning, security system, pre-wired for hot tub, BBQ stub, completely landscaped, mostly fenced. KT135

KRISTY TITUS, Broker, ABR, CSP, E-Pro 312-9984



\$399,000
ONE-OF-A-KIND home in Desert Skies. This home may look like others on the outside, but inside you'll find beautiful custom juniper wood flooring in the great room, a large slab granite island in the kitchen, and amazing faux walls throughout. Bonus room upstairs with mountain views. Much more! Come see the difference today! LC318 DAVID FOSTER, GRI, CSP, Broker, 322-9934 david@davidfoster.biz



\$399,900. 3 bdrm., 2 bath, custom built home, pellet stove, NE Bend, 1719 sq. ft., mt. views, .70 acres. 389-8204 or 420-1270.

\$414,000
BEAUTIFUL 2-year-old Pahlisch built home in immaculate condition. Large bonus/family room upstairs with great room main level. Oversized wrap-around front porch. Stainless steel Kenmore appliances and custom alder cabinets in the kitchen. Come with the upgraded designer package and accent painted walls. Oversized patio in fenced backyard. Gas forced heat and central AC. Gas fireplace in the great room. BV308

BILL VANDERPOOL, Broker, 322-9953



so much more! LC106
COLE CLEMENS, Broker, 390-1874



\$659,000
Wonderful home in North West Crossing! 2634 sq. ft., 3 bedrooms, master on the main level. Large corner lot, beautifully landscaped. Granite tile countertops, stainless steel appliances, tile and hardwood flooring. SB37
SHEILA BALYEAT, Broker, 280-5964



\$725,000
INCREDIBLE SETTING IN LANE KNOLLS, open floor plan designed by architect and built by top builder this 2 bedroom with den (or 3rd bedroom) is multi-level with good separation of living areas. Overlooks the grassy common area with pond as well as the Cascade Mountains. Triple car garage. Enjoy peace of 225 acres of common area with paved trails. TH190



\$795,000
HARD-TO-FIND small acreage 6 miles outside Bend. Beautiful irrigated property. Custom single-level home, mahogany wrap-around porch. Cherry cabinets and built-ins in kitchen. Sauna and soaking tub in master, skylights and incredible views. RF109
RANDALL & LEIGHSA FRANCIS, Brokers 541-419-7297 or 541-419-2883



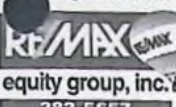
Look at Bendhomes.com for Complete Listings of Area Real Estate for Sale

7 Yrs. Young, 1500 sq. ft., 3 bdrm., 2 bath single level immaculate home w/office & deck. New Carpet, tile & fresh contemporary paint. Pergo floors. Appl. Prineville, \$219,900. 541-390-3378.

At www.FSBobend.com, view Hundreds of properties For Sale, By Owner in Bend and Central Oregon.

BURNS, OR: CUSTOM BUILT 1997, 3 bdrm., 2 bath, 1200 sq. ft. w/vaulted ceilings in living room. Attached single car garage, 100x100 corner lot. Close to downtown & city park. \$120,000. 541-573-1852.

KARI KRYDER Broker, 610-9754
w.agentkari.com



PUBLISHER'S NOTICE

All real estate advertising in this newspaper is subject to the Fair Housing Act which makes it illegal to advertise "any preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, marital status or national origin, or an intention to make any such preference, limitation or discrimination." Familial status includes children under the age of 18 living with parents or legal custodians, pregnant women, and people securing custody of children under 18. This newspaper will not knowingly accept any advertising for real estate which is in violation of the law. Our readers are hereby informed that all dwellings advertised in this newspaper are available on an equal opportunity basis. To complain of discrimination call HUD toll-free at 1-800-877-0246. The toll free telephone number for the hearing impaired is 1-800-927-9275.

River front home \$539,900 Big Deschutes River with a boat slip. Wrap around deck, hot tub, great-room, study, 1/2 acre lot, paved road.

River View Home \$349,650 2001 3 Bdrm, 2 bath 1759 sq. ft. amenities include pool, tennis courts, bike paths, boat launch on Big Deschutes River.

Fenced 2 Acres House & Shop Built in 2002 3 Bdrm 2 Bath 1832 sq. ft. Hardwood floors, Vaulted ceilings, Living-room, family-room.

Contact Dan Cook Broker 541-280-5303 RE/MAX Sunset Realty 593-2122

TERREBONNE ESTATES 3 bdrms., 2 baths, 1560 sq. ft., 2-car garage, mountain views, Good Landscape Potential. \$249,900. 548-0971

WESTBROOK HOMES Westbrook Village phase II now open. 34 additional homes starting in the low \$300,000s. Please contact Darrick for availability. DARRICK WYLLIE, Broker 419-8138



746 Northwest Bend Homes

1380 NW City Heights Drive. 2553 sq. ft., 3 bdrm/2bath home on .59acre w/views of the Old Mill District and the Paulinas. Community Tennis Courts. \$749,000. Visit www.fsbobend.com/details.asp?ID=1974 or call 541-330-8978 for a showing.

form, and complete information concerning the timber, the conditions of sale, and submission of bids is available to the public from the Bend/Fort Rock Ranger Station, 1230 NE Third Street, Suite A-262, Bend, OR 97701, 541-383-4000; or the Deschutes National Forest Supervisor's Office, 1001 Emkay Drive Bend, OR 97701, 541-383-5496. The USDA is an equal opportunity provider and employer.

LEGAL NOTICE
NATIONAL FOREST TIMBER FOR SALE
DESCHUTES NATIONAL FOREST

The Leftovers SBA Sale is located within T.13S., R.9E. The Forest Service will receive sealed and oral bids in public at Deschutes National Forest Supervisor's Office, 1001 SW Emkay Drive, Bend, OR 97702 at 11:00 AM local time on 06/27/2006 for an estimated volume of 326 CCF of Douglas-fir and Western Larch sawtimber, 418 CCF of Ponderosa Pine sawtimber, 278 CCF of White Fir and Other Coniferous species sawtimber, and 70 CCF of All species non-saw marked or otherwise designated for cutting. In addition, there is within the sale area an unestimated volume of Slash piles/3-6.9 dbh gm bio cy that the bidder may agree to remove at a fixed rate. This is a small business set-aside sale. If no self-certifying small business concern makes a valid bid, the Forest Service will readvertise this sale without restrictions on bidder size. The Forest Service reserves the right to reject any and all bids. Interested parties may obtain a prospectus from the office listed below. A prospectus, bid form, and complete information concerning the timber, the conditions of sale, and submission of bids is available to the public from the Bend/Fort Rock Ranger Station, 1230 NE Third Street, Bend, OR 97701, 541-383-4770; or the Deschutes National Forest Supervisor's Office, 1001 Emkay Drive, Bend, Oregon 97701, 541-383-5496. The USDA is an equal opportunity provider and employer.

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The Department assigned this application number CW-44. The project anticipates replacing a portion of the Black Butte Canal by burying 7,166 feet of 18-inch HDPE pipe and 6,244 feet of 24-inch HDPE pipe. The project is expected to yield approximately 1.45 cfs

541-385-0563

LEGAL NOTICE
NOTICE OF PUBLIC HEARING BY THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON

A public hearing regarding a proposed annexation, Nelson Family Trust Annexation, to the Lapine Rural Fire Protection District, will be held on June 12, 2006, at 10:00 a.m. in the Board of County Commissioners' Hearing Room, First Floor, 1300 NW Wall Street, Bend, Oregon. To view the boundaries of the proposed annexation, contact the Deschutes County Counsel's Office at 388-6624.

The purpose of the proposed annexation is to provide fire protection services for the inhabitants of the proposed area to be annexed. All interested persons may appear and be heard. Deschutes County conducts public meetings in locations which are wheelchair accessible. Deschutes County also provides reasonable accommodations for persons with disabilities. For persons who are deaf, or who have hearing or speech impairments, dial 7-1-1 to access the State transfer relay service for TTY. At meetings of the Board of County Commissioners the county will provide an interpreter for hearing impaired persons who give at least 48 hours notice of the request. Written information will be made available in large print or audio format. To request these services, please call (541) 388-6671.

BOARD OF COUNTY COMMISSIONERS FOR DESCHUTES COUNTY, OREGON
Dennis F Luke, Chair

Find It in
The Bulletin Classifieds! 381-5809

LEGAL NOTICE
NOTICE OF PUBLIC HEARING BY THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON

A public hearing regarding a proposed ward of sole source contracts for animal control shear facilities and services to the Humane Society of Centri Oregon and the Humane Society of Redmond will be held on June 12, 2006, at 10:00 a.m. in the Board of County Commissioners' Hearing Room, First Floor, 1300 NW Wall Street, Bend, Oregon. To view the draft Resolution, Findings at contract, contact the Deschutes County Legal Counsel's Office at 388-6624.

Deschutes County conducts public meetings in locations which are wheelchair accessible. Deschutes County also provides reasonable accommodations for persons with disabilities or persons who are deaf, or who have hearing or speech impairments, dial 7-1-1 to access the State transfer relay service for TTY. At meetings of the Board of County Commissioners the county will provide an interpreter for hearing impaired persons who give at least 48

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BOARD OF COUNTY COMMISSIONERS FOR DESCHUTES COUNTY, OREGON
Dennis R. Luke, Chair

LEGAL NOTICE
NOTICE OF PUBLIC HEARING BY THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON

A public hearing regarding a proposed annexation, Breeze Annexation to the Deschutes County Rural Fire Protection District #2, will be held on June 12, 2006, at 10:00 a.m. in the Board of County Commissioners' Hearing Room, First Floor, 1300 NW Wall Street, Bend, Oregon. To view the boundaries of the proposed annexation, contact the Deschutes County Counsel's Office at 388-6624.

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BOARD OF COUNTY COMMISSIONERS FOR DESCHUTES COUNTY, OREGON
Dennis R. Luke, Chair

LEGAL NOTICE
Oregon Men's Prison Madras, Oregon
Bid Package #4 - Ashwood Road Improvements
Pre-Bid Meeting: June 5, 2006 at 10:30am

Bids Due: June 15, 2006 at 2:00pm
Hoffman Construction Company of Oregon, as Construction Manager/General Contractor ("CM/GC"), requests sub-bids for the above on behalf of the Owner, State of Oregon Department of Corrections. A single lump sum bid is requested to perform all work for the above, including but not limited to roadway widening and realignment, wastewater system improvements, force main and sanitary sewer, asphalt concrete paving, striping and signage, guardrail, fence, conduits and vaults.

A non-mandatory, but strongly encouraged, pre-bid meeting and site visit has been scheduled for 10:30am, June 5, 2006 at the Oregon Men's Prison jobsite. Bidders should meet at CM/GC's Field Office located at 3920 E Ashwood Road, Madras, Or-

or jobsite within 30 days of the bid opening. Shipping costs are non-refundable. We are an equal opportunity employer and request bids from all interested firms including disadvantaged, minority, women, disabled veterans and emerging small business enterprises. CCB License # 28417.

LEGAL NOTICE
POWELL BUTTE VIEW ESTATES WATER DISTRICT NOTICE OF BUDGET COMMITTEE MEETING

The Budget Committee of Powell Butte View Estates Water District, Crook County, State of Oregon, will meet a 7:00 p.m. on Tuesday, June 6, 2006 at 8900 SW Reif Road (Powell Butte Fire Station) Powell Butte, OR. Purpose is to receive the budget message and comments from the public on the 2006-2007 Budget. A copy of the budget document may be inspected or obtained on or after May 23, 2006 at Basic Books Bookkeeping Service, 2669 NE Twin Knolls Dr. Suite 202, Bend, OR between the hours of 8 a.m. and 5 p.m.

This is a public meeting where deliberation of the Budget Committee will take place. Any person may appear at the meeting and discuss the proposed programs with the Budget Committee. G. J. Skidgel, Budget Officer

LEGAL NOTICE
The State of Oregon, by and through its Department of Transportation, is offering for sale a 9,476 sq. ft. parcel in Deschutes County on the corner of Greenwood Avenue and 12th Avenue. The property is being sold through the sealed bid process with a minimum bid of \$150,000.00. Bids are due by 5:00PM Monday June 5, 2006. Public comment is open until Wednesday, June 7, 2006. Property is sold "AS IS" and the State of Oregon has the right to reject any and all bids. To submit public comment or to obtain a bid packet contact, Gail Harbert, Property Agent, 355 Capitol Street NE, Room 420, Salem, OR 97301 or call 503-986-3619. For more information, visit our web site at <http://egov.oregon.gov/ODOT/HWY/PROPMGT/prop4sa le.shtml>

LEGAL NOTICE
TRUSTEE'S NOTICE OF SALE Loan No: XXXXXXXX2424 T.S. No: 1082253-09 Reference is made to that certain deed made by, Mark W. Leneer and Ann M. Leneer, as Grantor to Geoffrey Chang/Keybank, USA, NA, as Trustee, in favor of Judson Enterprises, Inc. D.b.a. K-designers, as Beneficiary, dated August 15, 2003, recorded September 26, 2003, in official records of Deschutes County, Oregon in book/reel/volume No. xx at page No. xx, fee/file/Instrument/microfilm/recap-tion No. 2003-67009 covering the following described real property situated in said County and State, to-wit: That certain real property situated in the County of Deschutes, State of Oregon, described as follows, to-wit: Lot 3, block 3, Holiday Park. Commonly known as: 2436 N.E. Ocker Bend Or 97701

highest bidder for cash the interest in the said described real property which the grantor had or had power to convey at the time of the execution by him of the said trust deed, together with any interest which the grantor or his successors in interest

1000
Legal Notices

Need to get an ad in ASAP? You can place it online
www.bendbulletin.com
385-5809

1000
Legal Notices

TRUSTEE'S NOTICE OF SALE Pursuant to O.R.S. 86.705 et seq. and O.R.S. 79.5010, et seq. Trustee's Sale No. 09-MS-42282 Notice to Borrower: You should be aware that the undersigned is attempting to collect a debt and that any information obtained will be used for that purpose. Reference is made to that certain Deed of Trust made by, Eric G. Smith, a single man, as grantor, to Lindsay Harte Law Office, as Trustee, in favor of AAMES Funding Corporation DBA AAMES Home Loan, as beneficiary, dated 2/24/2004, recorded 2/27/2004, under Instrument No. 2004-10374, records of Deschutes County, Oregon. The beneficial interest under said Trust Deed and the obligations secured thereby are presently held by Deutsche Bank National Trust Company as Trustee under Pooling and Servicing Agreement dated as of June 1, 2004 Morgan Stanley ABS Capital I Inc. Trustee 2004-HE4 Mortgage Pass-Through Certificates, Series 2004-HE4. Said Trust Deed encumbers the following described real property situated in said county and state, to-wit: Lot 9, Block 2, Starwood, Deschutes County, Oregon. The street address or other common designation, if any, of the real property described above is purported to be: 20750 North Star Way Bend, OR 97701 The undersigned Trustee disclaims any liability for any incorrectness of the above street address or other common designation. Both the beneficiary and the trustee have elected to sell the said real property to satisfy the obligations secured by said trust deed and a notice of default has been recorded pursuant to Oregon Revised Statutes 86.735(3); the default for which the foreclosure is made is grantor's failure to pay when due, the following sums: Amount due as of April 25, 2006 Delinquent Payments from February 01, 2006 2 payments at \$1,058.83 each \$2,117.66 1 payments at \$1,337.26 each 1,337.26 (02-01-06 through 04-25-06) Late Charges: \$56.29 Beneficiary Advances: \$181.55 Suspense Credit: \$0.00 Total: \$3,692.76 Also, if you have failed to pay taxes on the property, provide insurance on the property or pay other senior liens or encumbrances as required in the note and deed of trust, the beneficiary may insist that you do so in order to reinstate your account in good standing. The beneficiary may require as a condition to reinstatement that you provide reliable written evidence that you have paid all senior liens or encumbrances, property taxes, and hazard insurance premiums. These requirements for reinstatement should be confirmed by contacting the undersigned Trustee. By reason of said default, the beneficiary has declared all sums owing on the obligation secured by said trust deed immediately due and payable, said sums being the following: Unpaid Principal Balance of \$140,310.87, Plus interest thereon at 5.83% per annum from 01/01/06 to 4/1/2006, 5.83% per annum from 4/1/2006, until paid, together with escrow advances, foreclosure costs, trustee fees, attorney fees, sums required for the protection of the property and additional sums secured by the Deed of Trust. Wherefore, notice hereby is given that the undersigned trustee, will on August 28, 2006, at the hour of 11:00 AM, in accord with the standard of time established by ORS 187.110, at Front entrance to the Deschutes County Courthouse, 1164 NW Bond Street, Bend, County of Deschutes, State of Oregon, sell at public auction to the highest bidder for cash, the interest in the said described property which the grantor had, or had the power to convey, at the time of the execution by him of the said trust deed, together with any interest which the grantor or his successors in interest acquired after the execution of said trust deed, to satisfy the foregoing obligations thereby secured and the costs and expenses of sale, including a reasonable charge by the trustee. Notice is further given that any person named in ORS 86.753 has the right, at any time prior to five days before the date last set for the sale, to have this foreclosure proceeding dismissed and the trust deed reinstated by payment to the beneficiary of the entire amount then due (other than such portion of the principal as would not then be due had no default occurred) and by curing any other default complained of herein that is capable of being cured by tendering the performance required under the obligation or trust deed, and in addition to paying said sums or tendering the performance necessary to cure the default, by paying all costs and expenses actually incurred in enforcing the obligation and trust deed, together with trustee's and attorney's fees not exceeding the amounts provided by said ORS 86.753. In construing this notice, the masculine gender includes the feminine and the neuter, the singular includes the plural, the word "grantor" includes any successor in interest to the grantor as well as any other person owing an obligation, the performance of which is secured by said trust deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any. Anyone having any objection to the sale on any grounds whatsoever will be afforded an opportunity to be heard as to those objections if they bring a lawsuit to restrain the same. Dated: 4/25/2006 Regional Trustee Services Corporation Trustee by Nanci Lambert, Authorized Agent 616 1st Avenue, Suite 500, Seattle, WA 98104 Phone: (206) 340-2550 Sale Information: <http://www.trustee.com> ASP# 767868 05/12/2006, 05/19/2006, 05/26/2006, 06/02/2006

744
Open Houses

OPEN SUNDAY 1-4
3.5-YEAR-OLD, 3 bedroom, 2.5 bath, 2275 sq. ft. townhome located in Copperstone at Awbrey Glen. Master on the main level, gourmet kitchen and tons of upgrades. Enjoy the amenities Awbrey Glen and close to clubhouse.
DM101
Directions: Mt. Washington, right Regency, right on Locke
BILL MILLS, Broker, 610-9729

RE/MAX
equity group, inc.
382-5657

Sat. & Sun. 1pm-4pm
FSSO, completely upgraded, 4 bdrm, 2 bath, very desirable area. 1643 NE 13th St., off Neff Rd.
\$478,500. 503-307-6925
503-267-2255

Sat. & Sun. 1pm-4pm
SW RIVER CANYON ESTATES
4 bdrm, 2.5 bath, 1863 sq.ft., Clubhouse, pool, tennis court, & park.
19581 Salmonberry Ct.
Courtesy to Brokers, \$384,500.
388-4485

745
Homes for Sale

17160 Wood Duck Ct.
WATERFRONT HOME
Immaculate 2003 mfd. home w/full foundation & hardi plank siding on 1/3 acre lot w/boat dock. Row your fishing boat to Big Deschutes River 3 bdrm., 2 bath 1296 sq. ft. spacious MBR suite, Computer Nook, vaulted ceilings & much more \$269,900

Becky Breeze
Principal Broker
541-617-5700

BECKY BREEZE & COMPANY
Real Estate
384 SW Upper Terrace
Bend, Oregon 97702

2141 NW Nickernut
Beautiful 3 bdrm., 2 bath one level home w/ 1852 sq. ft., gourmet kitchen, 9 & 10 foot ceilings, MBR with separate Tub & Shower, stone floors, custom wood cabinetry, 13,939 sq. ft. lot, triple car garage, fenced back yard & much much more \$344,900

Becky Breeze
Principal Broker
541-617-5700

BECKY BREEZE & COMPANY
Real Estate
384 SW Upper Terrace
Bend, Oregon 97702

\$259,000
Built in NE Bend in 2005 this single-level home is 1343 sq. ft. Vaulted ceilings, 3 bed-

745
Homes for Sale

\$449,900
IMMACULATE 4 bedroom, 2334 sq. ft. home on huge cul-de-sac lot with RV parking, shop/storage, fenced yard with large Trex deck, and some Cascade Mountain views. Family room plus large loft, 2.5 baths, gas fireplace, AC, security system. Close to medical, schools and Forum Center shopping and restaurants. Room for you and your toys! MD2209
DENNY OSBORN, Broker,
771-1578

RE/MAX
equity group, inc.
382-5657

\$465,000
CLOSE-IN WEST SIDE LOCATION! Brand new home close to everything! Light and bright with vaulted ceilings throughout. 2 bedrooms, 1.75 baths upstairs. Guest suite on the main level with kitchenette and separate entrance. More photos/visual tour at
www.equitygroup.com/mls=2602484
JULIE MULLER, Broker,
420-4503

RE/MAX
equity group, inc.
382-5657

\$539,900
IMMACULATE 2744 sq. ft. contemporary-style home in Williamsburg Park. Features include master on main, cherry hardwood floors, slate entry, gas fireplace with slate, stainless steel appliances, tile countertops with slate backsplash, large deck, landscaped with sprinkler system, and much more. MB101
LINDSAY CARLSON, Broker,
312-9990

RE/MAX
equity group, inc.
382-5657

\$549,000
NEW LISTING IN SE BEND!
Custom built energy efficient. 2304 sq. ft., 4 bedroom, 2.5 bath on .47 acres on corner cul-de-sac lot. RV hookup, storage buildings, vaulted ceilings, big windows, open great room, radiant floor heat and UV protective windows. Mountain views. Too many extras to list.
\$549,000. LH126
JIM BRENNAN, Broker,
322-1226

RE/MAX
equity group, inc.
382-5657

\$599,000
THIS IS THE PERFECT HOME for the buyer who is looking for a shared family situation. This large home has 2 kitchens, 2 family rooms, 2 double garages, 2 electric meters, some common areas and lots of storage. Gorgeous views, 1.29 acres, close to town and

745
Homes for Sale

CHECK YOUR AD
Please check your ad on the first day it runs to make sure it is correct. Sometimes instructions over the phone are misunderstood and an error can occur in your ad. If this happens to your ad, please contact us the first day your ad appears and we will be happy to fix it as soon as we can. Deadlines are: Weekdays 12:00 noon for next day, Sat. 11:00 a.m. for Sunday; Sat. 12:00 for Monday. If we can assist you, please call us:
385-5809
The Bulletin Classified

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In Central Oregon. Buyers Agent avail. Average Prices \$80,000-\$200,000
Michael James 541-948-4397.
michaeljames2000@yahoo.com
Linda Kinville Realty

Handyman Special,
local area house.
Cheap, Cash.
415-420-1180.

Investor's Special.
Thousands Below
Market.
Won't last!!
541-279-1122.

LIKE NEW 4 BEDROOM
Classy cozy 4 bed., 2 ba, 1546 sq. ft., custom colors, vaulted ceilings, arched doorways, master bedroom has walk-in closet and is split from other rooms. Tri Peaks II.
\$339,900. Call Kip Virgin,
Virgin Realty, LLC.
610-7034

Find exactly what
you are looking for in the
CLASSIFIEDS

Looking to sell
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Check out
Classification 713
"Real Estate Wanted"

NEEDS TLC, just under 5 acres in Tualo, 3 bdrm. w/large dbl. garage, separate 24x36 studio w/5 bath, barn, fenced, 1 acre irrigation \$605,000. 541-480-2233.

NE Oregon Home For Sale
Rat Race? Go! Leave It! Check This URL Now!
<http://tinyurl.com/gedf4>
541-573-6848/208-871-4214

NEW LISTING!
BEAUTIFUL HOME set on just over a half acre surrounded by mature pines. For more information call
1-800-290-9513, Ext. 2119.
JG108
JOSHUA GROSSMAN, Broker,
541-788-4017

RE/MAX
equity group, inc.
382-5657

NEW PRICE! \$825,000
THIS IS A MUST SEE HOME of quality and style! Beautifully and tastefully remodeled. This West Hills home is on a .5 acre lot. Just lovely! Come see for yourself! More pictures at
www.equitygroup.com/MLS

746
Northwest Bend Homes

\$469,000
WONDERFUL CRAFTSMAN home in new neighborhood in NW Bend. Blocks from the river with neighborhood terrain views of the West Hills. Rough hewn log and river rock accents adorn the facade lending a cottage feel. Gorgeous river rock fireplace with rough hewn log accents, oil rubbed fixtures, bronze Moen plumbing fixtures and much more! KW119
JOHNEA' M. KIRBY, Broker,
322-9946

RE/MAX
equity group, inc.
382-5657

Just bought a new boat?
Sell your old one in the classifieds! Ask about our Super Seller rates!
385-5809

746
Northwest Bend Homes

\$839,000
Mountain views! The NW section of Bend is where you will find this new construction quality home on a large lot. 4 bedroom, 3 bath, 3557 sq. ft. home, with an oversized 3-car garage! Custom cabinetry throughout, granite counters, and much more, still time to pick colors! Call to see the plans and list of features! MS135
MARY STRATTON, Broker,
419-6340

RE/MAX
equity group, inc.
382-5657

AN ORIGINAL 1920 CRAFTSMAN IN THE HEART OF BEND. 521 NW Georgia Ave. This 1+ bdrm., 1.5 bath home is located just 2 blocks from downtown & a short walking distance to Drake Park & Old Mill. \$389,900. Details: www.fsobend.com #2014 or call 318-1986.

746
Northwest Bend Homes

AWBREY GLEN-\$775,000
3548 NW Conrad Dr. Beautiful 3 bdrm., 2.5 bath, 2000 sq. ft. custom home, mtn. views, on .45 acre. See pictures/details at www.fsobend.com/details.asp?id=2000
Call 598-5400

Awbrey Village • \$1,895,000
Huge Cascade Mountain views • 4300 sq. ft. NW-style home with Tuscan influences • 4 bedrooms, 4 full baths, 2 half baths • Gourmet kitchen, huge pantry with desk • Separate living quarters with views • Extensive wood details, slab granite, marble • 4 water features, many outdoor living spaces • #1339
SHELLY HUMMEL, Broker
383-4361

GOLDWELL BANKER
MORRIS REAL ESTATE

746
Northwest Bend Homes

Awbrey Village - \$625,000
3146 NW Craftsman Dr. 2600 sq. ft., built 2002, incredible mt. views, 3 bdrm., 2.5 bath plus office & bonus room, 2 fireplaces, granite & hardwood floors, stainless steel appl., lots of storage, 3 car garage, fully irrigated landscape, A/C, .21 acres, quiet & private neighborhood. Move-in ready.
View photos at fsobend.com ID#2018. 389-6873

Beautiful west side location. Near Shevlin Park, 4 bdrm., 2.5 bath with bonus room. 2080 Sq. Ft. Great for investor or family.
Wayne Harvey, Broker
541.480.2610

BIG REAL ESTATE GROUP
541-389-2440
BendBrokers.com

746
Northwest Bend Homes

Best Deal in Starwood!
20784 Arago Circle, 3 bdrm. 2 bath, 1600 sq. ft., .25 acre, huge garage, \$329,900.
800-486-9960.

FSBO, \$370,000. Great location downtown Bend, exc. investment property, multiple family zone, includes separate rental property, 252 NW Georgia Ave. 541-350-4450

Get your
business
GROWING
with an ad in
The Bulletin's "Call
A Service
Professional"
Directory

746
Northwest Bend Homes

FSBO, beautiful, custom built home, on .38 acres, in gated community of River's Edge. 4 bdrm., 2.5 bath, granite, tile & hardwood throughout, on 5th tee box, close to River Trail & Sawyer Park. 3150 NW Clubhouse Dr. \$659,900. 541-322-0445. 3% Courtesy to Broker.

FSBO: Great home. 4 bdrm., 3.5 bath, 2750 sq. ft., 1 level, 1/2 acre lot, fenced, upgrades, \$440,000. 20268 Morgan Ln. 390-1594.

FSBO: RIVER'S EDGE, immaculate home on .45 acre, wonderful Pilot Butte, Butte Vistas & beyond. Quality built 2128 sq.ft., 3 bdrm., 2.5 bath, open great room, master on main, family room/2 bdrms. upstairs. 2863 NW Fairway Hts. \$649,900 541-389-6461.

The Bulletin
To Subscribe call
385-5800 or go to
www.bendbulletin.com

Personals, Announcements & Notices

997
Personals

Gay and Bisexual Rural Community Information.
312-8881.

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Legal Notices

LEGAL NOTICE
FORECLOSURE NOTICE
ACE STORAGE
15767 BURGESS RD.
LA PINE OR 97739
Notice of Foreclosure Sale to satisfy lien against the following units:
Barkhimer, Crystal F21
Clark, Brandy B27
Crump, Steve E24
Culbertson, Kevin D21/6
Gillen, C.E. B9/20
Pressley, Megan B3/26
Roach-Jerome, Tessa B30/31
Roach-Jerome, Tessa C30/31

LEGAL NOTICE
NATIONAL FOREST TIMBER FOR SALE
DESCHUTES NATIONAL FOREST
The C3 Sale is located within Section 16, T.21S., R.8E., WM, Deschutes County, Oregon. The Forest Service will receive sealed bids in public at Deschutes National Forest Supervisor's Office, 1001 SW Emka Drive, Bend, OR 97702 at 11:00 AM local time on 06/27/2006 for an estimated volume of 129 CCF of Lodgepole Pine sawtimber, 656 CCF of White Fir and Other Coniferous species sawtimber, and 166 CCF of All species non-saw marked or otherwise designated for cutting. The Forest Service reserves the right to reject any and all bids. Interested parties may obtain a prospectus from the office listed

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Legal Notices

of conserved water from Wychus Creek, formerly known as Squaw Creek, under water right Certificate 74135 (priority dates of 1895, 1899, and 1904). Approximately 83% of the conserved water is proposed to be dedicated to instream use in Wychus Creek and the Deschutes River from the original point of diversion to Lake Billy Chinook. The remaining 17% would go to Lower Bridge Sub-district #2 and is proposed to be leased instream. Any interested person may comment in writing on this application. Comments must be received on or before June 30, 2006, or within 30 days of the last date of publication in the newspaper, whichever is later. Comments should be sent to Bob Rice, Water Resources Department, 725 Summer Street NE, Suite A, Salem, OR 97301-1271. Comments may be faxed to 503-986-0903. The Department will review all comments received when determining whether to approve the proposed allocation of conserved water. A copy of the application and other information on the allocation and use of conserved water may be obtained from the Department by contacting Bob Rice at 503-986-0885 or Robert.D.Rice@wrds.state.or.us.

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Legal Notices

hours notice of the request. Written information will be made available in large print or audio format. To request these services, please call (541) 388-6571.
BOARD OF COUNTY COMMISSIONERS FOR DESCHUTES COUNTY, OREGON
Dennis R. Luke, Chair

LEGAL NOTICE
NOTICE OF PUBLIC HEARING BY THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON
A public hearing regarding a proposed annexation, Haner Park LLC Annexation, to the LaPine Rural Fire Protection District, will be held on June 12, 2006, at 10:00 a.m. in the Board of County Commissioners' Hearing Room, First Floor, 1300 NW Wall Street, Bend, Oregon.
To view the boundaries of the proposed annexation, contact the Deschutes County Counsel's Office at 388-6624.
The purpose of the proposed annexation is to provide fire protection services for the inhabitants of the proposed area to be annexed. All interested persons may appear and be heard.
Deschutes County conducts public meetings in locations which are wheelchair accessible. Deschutes County also provides reasonable accommodations for persons with disabilities. For persons who are deaf, or who have hearing or speech impairments, dial 7-1-1 to access the State transfer relay service for TTY. At meetings of the Board of

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Legal Notices

egon. All bidders are encouraged to attend in order to acquaint themselves with the local conditions under which the work is to be performed and to correlate personal observations with the requirements of the contract documents.
Bids must utilize the specified PROPOSAL FORM and be delivered or faxed to arrive at Hoffman Construction Company, 805 SW Broadway, Suite 2100, Portland, Oregon 97205. Bid Fax 503/221-8888 no later than 2:00pm, June 15, 2006. A completed Subcontractor/Vendor questionnaire must accompany the bid, unless it was previously submitted within the last 12 months. Bids received after the bid deadline will not be considered.
Bidders must be licensed by the Oregon Construction Contractors Board at the time of submission of their bids. This is a prevailing wage project with a Contractor Controlled Insurance Program (CCIP). Refer to bid documents for complete bidding requirements and additional information.
Bid documents may be examined at local plan centers, viewed on-line at http://www.bxwa.com/bxwa_toc/generals/hoffman.html (Be sure to "Register as a Bidder" at the website to receive notification of new documents) or obtained with a refundable deposit from Willamette Print Reprint, 503/223-5011. A refundable deposit will be refunded providing bid documents and all addendums are returned in

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Legal Notices

Both the beneficiary and the trustee have elected to sell the said real property to satisfy the obligations secured by said trust deed and notice has been recorded pursuant to Section 86.735(3) of Oregon Revised Statutes; the default for which the foreclosure is made is the grantor's: Failure to pay the monthly payment due April 22, 2005 of principal, interest and impounds and subsequent installments due thereafter; plus late charges; together with all subsequent sums advanced by beneficiary pursuant to the terms and conditions of said deed of trust. Monthly payment \$110.95 Monthly Late Charge \$5.54. By this reason of said default the beneficiary has declared all obligations secured by said Deed of Trust immediately due and payable, said sums being the following, to-wit; The sum of \$9,297.37 together with interest thereon at the rate of 11.490% per annum from March 22, 2005 until paid; plus all accrued late charges thereon; and all trustee's fees, foreclosure costs and any sums advanced by the beneficiary pursuant to the terms and conditions of the said deed of trust. Whereof, notice hereby is given that, Cal-Western Reconveyance Corporation the undersigned trustee will on August 10, 2006 at the hour of 1:00pm, Standard of Time, as established by Section 187.110, Oregon Revised Statutes, At the Bond Street entrance to Deschutes County Courthouse 1164 NW Bond, City of Bend, County of Deschutes, State of Oregon,

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Legal Notices

acquired after the execution of said trust deed, to satisfy the foregoing obligations thereby secured and the costs and expense of sale, including a reasonable charge by the trustee. Notice is further given that any person named in Section 86.753 of Oregon Revised Statutes has the right to have the foreclosure proceeding dismissed and the trust deed reinstated by payment to the beneficiary of the entire amount then due (other than such portion of said principal as would not then be due had no default occurred), together with the costs, trustee's and attorney's fees and curing any other default complained of in the Notice of Default by tendering the performance required under the obligation or trust deed, at any time prior to five days before the date last set for sale. In construing this notice, the masculine gender includes the feminine and the neuter, the singular includes plural, the word "grantor" includes any successor in interest to the grantor as well as any other persons owing an obligation, the performance of which is secured by said trust deed, the words "trustee" and "beneficiary" includes their respective successors in interest, if any. Dated: April 04, 2006. Cal-Western Reconveyance Corporation 525 East Main Street P.O. Box 22004 El Cajon, Ca 92022-9004 Cal-Western Reconveyance Corporation
Lorrie Womack, A.V.P. R-126633

Bob Rice

From: Scott McCaulou [scott@deschutesrc.org]
Sent: Wednesday, May 10, 2006 8:39 AM
To: Bob Rice
Subject: FW: Public Notice

-->

fyi...

From: Debbie Conners
Sent: Wednesday, May 10, 2006 8:36 AM
To: Scott McCaulou
Subject: FW: Public Notice

Per your request.

Thank you,

Debbie Conners

Deschutes River Conservancy

541-382-4077 Ext. 10

debbie@deschutesrc.org

-----Original Message-----

From: legals [mailto:legals@bendbulletin.com]
Sent: Tuesday, May 09, 2006 1:15 PM
To: Debbie Conners
Subject: Re: Public Notice

Hi Debbie,

Notice will run 5/12, 5/19, and 5/26. Cost is \$311.55 and will be billed.

Thanks

Laurie Morin
Legal Specialist

5/10/2006

The Bulletin
Direct Phone #: 617-7856
legals@bendbulletin.com

Legal Notices Deadlines:
4:00 pm Monday for Thursday Publication
4:00 pm Tuesday for Friday and Saturday Publication
4:00 pm Wednesday for Sunday and Monday Publication
4:00 pm Thursday for Tuesday Publication
4:00 pm Friday for Wednesday Publication

AFFIDAVITS WILL BE MAILED OUT 10 DAYS AFTER LAST RUN DATE.

In addition - please know that daily - we must have all ads entered and saved in the system by 12:00 on the day before (Monday-Saturday, we are closed Sunday) for the next days publication.

----- Original Message -----

From: [Debbie Conners](#)

To: legals@bendbulletin.com

Sent: Tuesday, May 09, 2006 11:16 AM

Subject: Public Notice

Good Morning-

Per my conversation with Laurie in your department this morning:

Please place the attached public notice once a week for three consecutive weeks in your paper. Hopefully, we can start this week. Also we will need the original affidavit of the public notice to forward to the Water Resources Department in Salem. If you send this affidavit to me then I will forward it to the Water Resources Department. The billing notice goes to Deschutes River Conservancy P.O. Box 1560 Bend, OR 97709.

If you have any questions, feel free to call or email.

Thank you for your assistance with this matter.

Debbie Conners

Deschutes River Conservancy

5/10/2006

541-382-4077 Ext. 10

debbie@deschutesrc.org

4/14

Sarah,

- Please debit \$350 from the DRG account. **Done**
- ~~Assign~~ this file # CW-44 **Done**
- Put in a blue CW folder **Done**
- Copy the cover letter + first 6 pages of application **Done**
- Send copy to Jeremy
- cc me ~~if~~ if e-mailed or notify me if mailed. **Done**

Thanks!

Bob

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

In the Matter of Proposed Allocation of) FINAL ORDER APPROVING
Conserved Water Application) ALLOCATION OF CONSERVED
CW-44, Deschutes and Jefferson Counties) WATER

ORS 537.455 to 537.500 as amended by 2003 HB 2456, authorize and establish the process in which a water right holder may submit a request for an allocation of conserved water. OAR Chapter 690, Division 18 implements the statutes and provides the Department's procedures and criteria for evaluating allocation of conserved water applications.

Applicant

LOWER BRIDGE SUB-DISTRICT #2
OF THREE SISTER IRRIGATION DISTRICT and LANDOWNERS
PO BOX 2230
SISTERS OR 97759

Findings of Fact

1. On April 13, 2006, Lower Bridge Sub-District #2 of Three Sister Irrigation District and the landowners listed below filed an allocation of conserved water application. Supplemental information needed to complete the application was received on September 28, 2006. The Department assigned the application number CW-44.

Randy & Mary Burdick
P.O. Box 944
Sisters, Oregon 97759
(541) 923-1371

William & Pamela Brandon
31323 NE 111th Place
Carnation, Washington 98014
(253) 564-9371

Steve Calavan
70345 McKenzie Canyon Rd.
Terrebonne, Oregon 97760
(541) 383-1733

Glenn Cooper
15000 Lower Bridge Rd.
Terrebonne, Oregon 97760
(541) 548-4681

Tim DiPaolo
P.O. Box 724
Bolinas, California 94924
(415) 868-0239

Thayne & Margaret Dutson
4306 Arrowhead Circle
Corvallis, Oregon 97330
(541) 752-8183

Dana & Evelyn Dykes
70520 McKenzie Canyon
Terrebonne, Oregon 97760
(541) 548-6360

Emmett Ranch, LLC
Attn: John Short
P.O. Box 1830
Bend, Oregon 97709
(541) 322-9528

Ken & Jacqueline Gibbs
70177 McKenzie Canyon
Terrebonne, Oregon 97760
(541) 923-6247

NOTICE OF RIGHT TO PETITION FOR JUDICIAL REVIEW OR RECONSIDERATION

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.

Joseph & Dana Giegerich
P.O. Box 341
Silverton, Oregon 97381
(503) 931-7824

William Kelley
P.O. Box 545
Sisters, Oregon 97759
(541) 923-0509

Don Kidson
1457 12th Street
Santa Monica, CA 90401
(310) 395-6337

David & Chris Lawrence
Route 1, Box 246
Terrebonne, Oregon 97760
(541) 548-6870

Long Hollow Ranch
Attn: Richard Bloomfeldt
71105 Holmes Road
Sisters, Oregon 97759
(541) 923-5540

McKenzie Canyon Group
Attn: John Ferara
70105 Holmes Road
Sisters, Oregon 97759
(541) 548-5470

Darwin & Josephine
McKibbin
P.O. Box 81
Terrebonne, Oregon 97760
(541) 548-2116

David & Phyllis Mulkey
501 Delay Drive
Eugene, Oregon 97404
(541) 688-1447

David & Ruth Parks
70425 McKenzie Canyon
Terrebonne, Oregon 97760
(541) 420-4637

Mostafa & Naoko Shirazi
2125 NW Jackson Creek
Corvallis, Oregon 97330
(541) 754-4656

Steve & Kathy Simpson
71300 NW Lower Bridge
Terrebonne, Oregon 97760
(541) 548-5800

Stephen & Elizabeth Sparks
12021 Wetherfield Lane
Potomac, Maryland 20854
(301) 869-1842

Stephen Spears
70915 Lower Bridge
Terrebonne, Oregon 97760
(541) 548-7612

Kenneth Taylor
70290 McKenzie Canyon Rd.
Sisters, Oregon 97759
(541) 548-1981

Marc & Pamela Thalacker
70625 Lower Bridge
Terrebonne, Oregon 97760
(541) 419-5850

Jaqueline A. Thomas
DeeAnn R. McCoy
911 SW 57th Avenue
Portland, Oregon 97221
(503) 973-7700

William F. Vejrostek
70481 McKenzie Canyon Rd.
Terrebonne, Oregon 97760
(360) 894-2165

2. The McKenzie Canyon Group is composed of land owned by the following individuals:

John Ferara
70105 Holmes Road
Sisters, Oregon 97759
(541) 548-5470

Monte L. Kline Family
Limited Partnership
70090 Holmes Road
Sisters, Oregon 97759

John Barry
70104 Running Horse Ct.
Sisters, Oregon 97759
(541) 923-8792

Clive Bigelow
 18630 McSwain Drive
 Sisters, Oregon 97759
 (541) 504-1672

R. Hunter Leigh
 515 S McLoughlin Blvd.
 Oregon City, Oregon 97045
 (503) 803-1222

3. The land owned by Emmett Ranch, LLC involved in this allocation of conserved water application has been sold to the following individuals:

David Ludi
 19595 SE Martin Road
 Sandy, Oregon 97055
 (503) 668-5280

Steven and Linda Mohr
 3133 Belle River Drive
 Hacienda Heights, CA 91745
 (626) 961-0115

Sherode & Susan Powers
 70466 McKenzie Canyon
 Terrebonne, Oregon 97760
 (541) 548-5204

Kenneth R. Tisher
 2044 NW Trenton
 Bend, Oregon 97701

4. The application requests an allocation of conserved water under Certificate 74135, in the name of Squaw Creek Irrigation District. Squaw Creek Irrigation District has changed its name, and is now know as Three Sisters Irrigation District (TSID).
5. TSID operates and maintains the water delivery system for the benefit of the landowners in the area.
6. TSID has an allocation of conserved water policy pursuant to OAR 690-018-0025.
7. Water has been used within the last five years according to the terms and conditions of the right, and no evidence is available that would demonstrate that the right is subject to forfeiture under ORS 540.610.
8. A diversion structure and ditch or a pump, pipeline and sprinkler system sufficient to use the full amount of water allowed under the existing right are present.
9. The portion of Certificate 74135 involved in the allocation of conserved water is as follows:
 Source: WYCHUS CREEK (formerly known as Squaw Creek)

Priority Date	Irrigation Acres	Pond Equivalent Acres	Total Equivalent Acres	Irrigation Maximum Rate (cfs)	Pond Maximum Rate (cfs)	Total Maximum Rate (cfs)
1895	1581.05	4.50	1585.55	31.62	0.09	31.71
1899	39.00	0.00	39.00	0.78	0.00	0.78
1904	359.10	19.00	378.10	7.18	0.38	7.56
<i>Total</i>	<i>1979.15</i>	<i>23.50</i>	<i>2002.65</i>	<i>39.58</i>	<i>0.47</i>	<i>40.05</i>

On-Farm Rate: ONE-FIFTIETH cfs per acre
 Type of Use: IRRIGATION and POND MAINTENANCE

Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
15 S	10 E	WM	21	SW SW	998 FEET NORTH AND 1211 FEET EAST FROM THE SW CORNER OF SECTION 21

10. The conservation project involves replacing a portion of the Black Butte Canal by burying 7,166 feet of 18-inch HDPE pipe and 6,244 feet of 24-inch HDPE pipe. The replacement of open, unlined ditches with pipelines is a proven technology for conserving water.
11. Public notice was published in the Department's weekly notice on May 16, 2006, and in the Bend Bulletin on May 12, 19 and 26, 2006, as required under OAR 690-018-0050. No comments were received in response to the notice.
12. Pursuant ORS 537.485, the applicant requests that the priority dates of the conserved water be the same as the originating right.
13. The proposed allocation of conserved water, once complete, will result in the conservation of 1.51 cfs. The quantity of water allowed for diversion under Certificate 74135 will be reduced by this quantity, as described below:

Priority Date	Rate (cfs)
1895	1.20
1899	0.03
1904	0.28
<i>Total</i>	1.51
14. Pursuant to OAR 690-077-0015, the proposed instream right is not a measurable portion of the Deschutes River and therefore cannot be extended from Wychus Creek, the source stream, into the receiving stream, the Deschutes River.
15. The proposed allocation of conserved water will not harm existing rights because the instream reach is limited to Wychus Creek, and there are no return flows to Wychus Creek. The return flows begin to enter the Deschutes River at approximately River Mile 130.8.
16. The application includes land use information forms completed and signed by representatives of Deschutes and Jefferson Counties planning departments demonstrating that the application is compatible with the local comprehensive land use plan.
17. Since no harm will occur to other water rights, no reduction in the quantity of conserved water to be allocated is required to mitigate for effects on other water rights.
18. After the allocation of conserved water, the water right held by the applicant will allow use of the following quantities of water:

Certificate	Originating Right Priority Date	Before Project Maximum Rate (cfs)	After Project Maximum Rate (cfs)	Conserved Water Rate (cfs)
74135	1895	31.71	30.51	1.20
	1899	0.78	0.75	0.03
	1904	7.56	7.28	0.28
	<i>Subtotal</i>	<i>40.05</i>	<i>38.54</i>	<i>1.51</i>

19. In consultation with the Oregon Department of Fish and Wildlife, Department of Environmental Quality, and Oregon Parks and Recreation Department, the Department has determined that conserved water is needed to support instream uses in Wychus Creek to provide for the conservation, maintenance and enhancement of aquatic and fish life, wildlife, fish and wildlife habitat and other ecological values.

20. Pursuant to OAR 690-018-0012(1), the applicant's propose that 80 percent of the conserved water be allocated to the State for an instream water right and that 20 percent be reserved for use by the Lower Bridge Sub-District #2 of Three Sister Irrigation District. The applicant further requests that 100 percent of the 1895 conserved water be allocated to the State for an instream water right and that 100 percent of the 1899 and 1904 conserved water be allocated to the Lower Bridge Sub-District #2 of Three Sister Irrigation District.

21. The amounts of water to be allocated to the applicant for new out-of-stream use, and the amount of water to be allocated to the State for an instream water right are:

Certificate	Priority Date	Conserved Water Rate (cfs)	New Lands Out-of-Stream Rate (cfs)	Instream Water Right Rate (cfs)
74135	1895	1.20	0.00	1.20
	1899	0.03	0.03	0.00
	1904	0.28	0.28	0.00
	<i>Subtotal</i>	<i>1.51</i>	<i>0.31</i>	<i>1.20</i>

22. The applicant's conserved water may be used for irrigation, pond maintenance, industrial use, and stock water within the Lower Bridge Sub-District #2 of Three Sister Irrigation District.

23. The stream reach for state's instream water right is from the previously authorized point of diversion, being:

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
15 S	10 E	WM	21	SW SW	998 FEET NORTH AND 1211 FEET EAST FROM THE SW CORNER OF SECTION 21

to the mouth of Wychus Creek, at River Mile 0.0.

24. The instream use shall allow the use and protection of flows from April 1 through October 31, and at other times when TSID is diverting water.

25. The applicant has not completed the project. Upon filing notice of completion of the conservation measures, the applicant request that the project be finalized pursuant to OAR 690-018-0062.

26. No other conditions or limitations are needed to prevent or mitigate for harm to existing water rights.

Conclusion of Law

The project described in the application CW-44 for allocation of conserved water is consistent with the criteria in ORS 537.455 to 537.500, as amended by 2003 HB 2456, and OAR Chapter 690, Division 18. Water will be conserved that can be allocated without harming other water rights.

Now, therefore, it is **ORDERED**:

1. The applicant has until December 31, 2009, to file a notice of completion of the conservation measures, unless the Director grants an extension of time.
2. When the applicant files the notice of completion, the project will be finalized, unless the applicant requests additional time to finalize the project and the Director grants an extension of time for the purposes of finalization.

On submittal of notice of completion the conservation project described in the application for allocation of conserved water, the Department shall:

3. Modify Certificate 74135. A new superseding certificate shall be issued to Three Sisters Irrigation District for the remaining portion of Certificate 74135 upon a determination that it is necessary to produce a certificate to confirm that remaining portion of the water right. Approval of this allocation of conserved water reduces the amount of water lawfully available under the remaining portion of Certificate 74135 as described below:

Priority Date	Rate (cfs)
1895	1.20
1899	0.03
1904	0.28
<i>Total</i>	1.51

The acreage, rate, duty, and priority dates are subject to modification by any previously approved transfers, cancellations, corrections, allocation of conserved water, or other prior modification to Certificate 74135. The associated priority date and rate of the remaining right shall be approximately:

Priority	Maximum CFS
1869	0.96
1885	1.58
1887	3.00
1889	4.03
1893	0.79
1895	113.14
1899	2.15
1900	1.08
1901	0.45
1903	7.21
1904	17.13

The maximum per acre rate of the acres affected by this allocation of conserved water, described below, is reduced from 1/50 cfs per acre to 1/52 cfs per acre.

<u>Lot</u>	<u>qQ</u>	<u>Tax lot</u>	<u>Acres</u>	<u>Type</u>	<u>Priority</u>	<u>Owner as listed on Certificate 74135</u>
	SE¼ SE¼	1300	34.00	IRR	1904	Cooper, Glenn
				Section 19		
	SW¼ NE¼	1401	17.50	IRR	1895	Cooper, Glenn
	SW¼ NE¼	1401	23.50	IRR	1904	Cooper, Glenn
	SE¼ NE¼	1401	8.50	IRR	1904	Cooper, Glenn
	NE¼ NW¼	1401	22.00	IRR	1904	Cooper, Glenn
	SW¼ NW¼	1401	8.50	IRR	1904	Cooper, Glenn
	SE¼ NW¼	1401	17.00	IRR	1895	Cooper, Glenn
	SE¼ NW¼	1401	23.00	IRR	1904	Cooper, Glenn
	NW¼ SW¼	1401	18.00	IRR	1904	Cooper, Glenn
	NW¼ SW¼	1401	4.00	POND	1904	Cooper, Glenn
	SW¼ SW¼	1401	30.00	IRR	1904	Cooper, Glenn
	NE¼ SE¼	1401	4.00	IRR	1904	Cooper, Glenn
	NW¼ SE¼	1401	6.00	IRR	1904	Cooper, Glenn
				Section 20		
	NW¼ NW¼	1401	39.00	IRR	1895	Cooper, Glenn
	SW¼ NW¼	1900	37.00	IRR	1895	Mulkey, David & Phyllis
	NW¼ SW¼	1900	21.00	IRR	1895	Mulkey, David & Phyllis
	NW¼ SW¼	1900	8.00	IRR	1899	Mulkey, David & Phyllis
	NW¼ SW¼	1900	11.00	IRR	1904	Mulkey, David & Phyllis
	SW¼ SW¼	2000	16.00	IRR	1895	Kidson, Don
				Section 29		
	NE¼ NE¼	1401	11.00	IRR	1895	Cooper, Glenn
	NE¼ NE¼	1401	30.00	IRR	1904	Cooper, Glenn
	SW¼ NE¼	1900	2.00	IRR	1895	Mulkey, David & Phyllis
	SW¼ NE¼	1900	14.00	IRR	1904	Mulkey, David & Phyllis
	SE¼ NE¼	1900	38.00	IRR	1895	Mulkey, David & Phyllis
	SE¼ NE¼	1900	1.00	POND	1895	Mulkey, David & Phyllis
	NE¼ SE¼	1900	40.00	IRR	1904	Mulkey, David & Phyllis
	NW¼ SE¼	1900	20.00	IRR	1904	Mulkey, David & Phyllis
	SW¼ SE¼	2000	6.00	IRR	1895	Kidson, Don
	SW¼ SE¼	2000	0.50	POND	1895	Kidson, Don
	SE¼ SE¼	2000	9.00	IRR	1895	Kidson, Don
	SE¼ SE¼	2000	5.00	IRR	1904	Kidson, Don
				Section 30		
	NE¼ NE¼	2000	9.00	IRR	1895	Kidson, Don
	NW¼ NE¼	2000	6.00	IRR	1895	Kidson, Don
	SW¼ NE¼	2000	8.00	IRR	1895	Kidson, Don
	SE¼ NE¼	2000	13.50	IRR	1895	Kidson, Don
	NE¼ SW¼	2100	3.50	IRR	1895	Page, Richard

SE $\frac{1}{4}$ SW $\frac{1}{4}$	2100	25.00	IRR	1895	Page, Richard
Section 31					
NW $\frac{1}{4}$ NW $\frac{1}{4}$	2000	1.00	IRR	1895	Kidson, Don
Section 32					
Township 13 South, Range 12 East, W.M.					
NE $\frac{1}{4}$ SW $\frac{1}{4}$	101	5.00	IRR	1895	Long Hollow Ranch
SW $\frac{1}{4}$ SW $\frac{1}{4}$	101	18.00	IRR	1895	Long Hollow Ranch
SW $\frac{1}{4}$ SW $\frac{1}{4}$	101	4.00	IRR	1904	Long Hollow Ranch
SE $\frac{1}{4}$ SW $\frac{1}{4}$	101	32.00	IRR	1895	Long Hollow Ranch
SE $\frac{1}{4}$ SW $\frac{1}{4}$	101	2.00	IRR	1904	Long Hollow Ranch
NW $\frac{1}{4}$ SE $\frac{1}{4}$	101	16.00	IRR	1895	Long Hollow Ranch
SW $\frac{1}{4}$ SE $\frac{1}{4}$	101	36.50	IRR	1895	Long Hollow Ranch
SE $\frac{1}{4}$ SE $\frac{1}{4}$	101	26.00	IRR	1895	Long Hollow Ranch
Section 1					
SE $\frac{1}{4}$ SE $\frac{1}{4}$	101	11.00	IRR	1895	Long Hollow Ranch
Section 2					
NE $\frac{1}{4}$ NE $\frac{1}{4}$	101	25.50	IRR	1895	Long Hollow Ranch
NE $\frac{1}{4}$ NE $\frac{1}{4}$	101	1.00	IRR	1904	Long Hollow Ranch
NW $\frac{1}{4}$ NE $\frac{1}{4}$	101	17.50	IRR	1895	Long Hollow Ranch
NW $\frac{1}{4}$ NE $\frac{1}{4}$	101	2.50	IRR	1904	Long Hollow Ranch
NE $\frac{1}{4}$ NW $\frac{1}{4}$	101	4.00	IRR	1895	Long Hollow Ranch
Section 11					
NE $\frac{1}{4}$ NE $\frac{1}{4}$	103	23.50	IRR	1895	Long Hollow Ranch
NW $\frac{1}{4}$ NE $\frac{1}{4}$	103	8.50	IRR	1895	Long Hollow Ranch
NW $\frac{1}{4}$ NW $\frac{1}{4}$	100	6.00	IRR	1895	Long Hollow Ranch
NW $\frac{1}{4}$ NW $\frac{1}{4}$	100	3.00	IRR	1904	Long Hollow Ranch
Section 12					
NW $\frac{1}{4}$ NE $\frac{1}{4}$	200	5.00	IRR	1895	Simon, Jim
SW $\frac{1}{4}$ NE $\frac{1}{4}$	300	0.68	IRR	1895	Friend, Chester & Pamela
SE $\frac{1}{4}$ NE $\frac{1}{4}$	401	14.00	IRR	1895	Friend, Chester & Pamela
NE $\frac{1}{4}$ NW $\frac{1}{4}$	200	19.50	IRR	1904	Simon, Jim
SW $\frac{1}{4}$ NW $\frac{1}{4}$	500	13.50	IRR	1895	Simon, Jim
SE $\frac{1}{4}$ NW $\frac{1}{4}$	500	5.50	IRR	1895	Simon, Jim
NE $\frac{1}{4}$ SW $\frac{1}{4}$	500	8.00	IRR	1895	Simon, Jim
NW $\frac{1}{4}$ SW $\frac{1}{4}$	500	33.00	IRR	1895	Simon, Jim
SW $\frac{1}{4}$ SW $\frac{1}{4}$	700	21.50	IRR	1895	Kavanagh, Geraldine
SW $\frac{1}{4}$ SW $\frac{1}{4}$	700	0.50	IRR	1904	Kavanagh, Geraldine
SW $\frac{1}{4}$ SW $\frac{1}{4}$	800	4.00	IRR	1895	Kavanagh, Geraldine
SE $\frac{1}{4}$ SW $\frac{1}{4}$	600	5.87	IRR	1895	Sanders, Ed & Betty
NE $\frac{1}{4}$ SE $\frac{1}{4}$	401	37.00	IRR	1895	Friend, Chester & Pamela
NW $\frac{1}{4}$ SE $\frac{1}{4}$	300	1.50	IRR	1895	Friend, Chester & Pamela
SW $\frac{1}{4}$ SE $\frac{1}{4}$	400	22.00	IRR	1895	Sanders, Ed & Betty
SE $\frac{1}{4}$ SE $\frac{1}{4}$	400	12.00	IRR	1895	Sanders, Ed & Betty
SE $\frac{1}{4}$ SE $\frac{1}{4}$	401	12.00	IRR	1895	Friend, Chester & Pamela
Section 13					

SE¼ SE¼	700	3.50	IRR	1895	Kavanagh, Geraldine
SE¼ SE¼	700	3.10	IRR	1904	Kavanagh, Geraldine
SE¼ SE¼	800	2.00	IRR	1895	Kavanagh, Geraldine

Section 14

NE¼ SW¼	600	2.10	IRR	1895	Elmore, Michael
NE¼ SW¼	700	2.10	IRR	1895	Elmore, Michael
SE¼ SW¼	600	2.90	IRR	1895	Elmore, Michael
SE¼ SW¼	900	9.00	IRR	1895	Elmore, Michael
NW¼ SE¼	700	2.90	IRR	1895	Elmore, Michael

Section 22

NE¼ NE¼	100	6.00	IRR	1895	Kavanagh, Geraldine
NE¼ NE¼	100	1.50	IRR	1904	Kavanagh, Geraldine
NE¼ NE¼	200	15.00	IRR	1895	Helikson, Paul & Sherry
NE¼ NE¼	400	1.50	IRR	1895	Kavanagh, Geraldine
SE¼ NE¼	300	19.80	IRR	1895	Helikson, Paul & Sherry
SW¼ SW¼	1400	6.80	IRR	1899	Burdick, Robert R.
SE¼ SW¼	1200	4.20	IRR	1895	Kelley, William & Mildred
SE¼ SW¼	1300	7.50	IRR	1899	Burdick, Robert R.
NE¼ SE¼	800	8.00	IRR	1895	Vestal, William & Victoria
NW¼ SE¼	400	8.00	IRR	1895	Volz, Charles & Jan
NW¼ SE¼	700	6.50	IRR	1895	Volz, Charles & Jan
SW¼ SE¼	1000	1.80	IRR	1895	Shirazi, Mostafa & Naoko
SW¼ SE¼	1100	5.00	IRR	1895	Burdick, Joyce G.
SW¼ SE¼	1100	5.20	IRR	1899	Burdick, Joyce G.

Section 23

NE¼ NE¼	100	2.70	IRR	1895	Sanders, Ed & Betty
NW¼ NE¼	100	1.50	IRR	1895	Sanders, Ed & Betty
NW¼ NW¼	400	6.00	IRR	1895	Kavanagh, Geraldine
NW¼ NW¼	500	1.50	IRR	1895	Kavanagh, Geraldine

Section 24

NW¼ NE¼	300	5.00	IRR	1895	Elmore, Michael
NW¼ NE¼	400	4.00	IRR	1895	Elmore, Michael

Section 27

Township 13 South, Range 11 East, W.M.

1	NE¼ NE¼	800	15.50	IRR	1895	Williams, Don & Myrtle
2	NW¼ NE¼	800	27.00	IRR	1895	Williams, Don & Myrtle
	SW¼ NE¼	800	25.00	IRR	1895	Williams, Don & Myrtle
	SE¼ NE¼	800	10.00	IRR	1895	Williams, Don & Myrtle
3	NE¼ NW¼	800	10.50	IRR	1895	Williams, Don & Myrtle
	SE¼ NW¼	800	7.00	IRR	1895	Williams, Don & Myrtle

Section 5

3	NE¼ NW¼	902	40.00	IRR	1895	Page, Richard
	SE¼ NW¼	902	1.50	IRR	1895	Page, Richard

	SE $\frac{1}{4}$ NW $\frac{1}{4}$	902	6.00	IRR	1904	Page, Richard
6	NE $\frac{1}{4}$ SW $\frac{1}{4}$	900	5.00	IRR	1895	Wallace, Al
6	NW $\frac{1}{4}$ SW $\frac{1}{4}$	1000	2.50	IRR	1895	Wallace, Al
7	NW $\frac{1}{4}$ SW $\frac{1}{4}$	1000	6.00	IRR	1904	Wallace, Al
7	SW $\frac{1}{4}$ SW $\frac{1}{4}$	1000	35.00	IRR	1895	Wallace, Al
	SW $\frac{1}{4}$ SW $\frac{1}{4}$	1000	5.00	IRR	1904	Wallace, Al
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	900	25.50	IRR	1895	Wallace, Al
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	900	6.00	IRR	1904	Wallace, Al
	SW $\frac{1}{4}$ SE $\frac{1}{4}$	800	18.00	IRR	1895	Williams, Don & Myrtle

Section 6

	NW $\frac{1}{4}$ NE $\frac{1}{4}$	800	11.00	IRR	1895	Williams, Don & Myrtle
	NW $\frac{1}{4}$ NE $\frac{1}{4}$	800	11.50	IRR	1899	Williams, Don & Myrtle
	NE $\frac{1}{4}$ NW $\frac{1}{4}$	999	17.50	IRR	1895	Wallace, Al
1	NW $\frac{1}{4}$ NW $\frac{1}{4}$	1000	31.00	IRR	1895	Wallace, Al
1	NW $\frac{1}{4}$ NW $\frac{1}{4}$	1000	0.50	POND	1895	Wallace, Al
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	1199	27.00	IRR	1895	Lawrence, David & Chris
4	SW $\frac{1}{4}$ SW $\frac{1}{4}$	1102	6.00	IRR	1895	Powers, Sherode & Susan
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	1102	2.50	IRR	1895	Powers, Sherode & Susan
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	1102	2.50	POND	1895	Powers, Sherode & Susan
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	1401	1.00	POND	1904	Thalacker, Marc & Pamela
	SW $\frac{1}{4}$ SE $\frac{1}{4}$	1401	4.00	IRR	1895	Thalacker, Marc & Pamela
	SW $\frac{1}{4}$ SE $\frac{1}{4}$	1401	8.00	POND	1904	Thalacker, Marc & Pamela
	SE $\frac{1}{4}$ SE $\frac{1}{4}$	1401	11.50	IRR	1895	Thalacker, Marc & Pamela
	SE $\frac{1}{4}$ SE $\frac{1}{4}$	1401	6.00	POND	1904	Thalacker, Marc & Pamela

Section 7

	SW $\frac{1}{4}$ NW $\frac{1}{4}$	1401	32.50	IRR	1895	Thalacker, Marc & Pamela
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Section 17

	NE $\frac{1}{4}$ NE $\frac{1}{4}$	1401	40.50	IRR	1895	Thalacker, Marc & Pamela
	NW $\frac{1}{4}$ NE $\frac{1}{4}$	1401	29.50	IRR	1895	Thalacker, Marc & Pamela
	SW $\frac{1}{4}$ NE $\frac{1}{4}$	1401	37.00	IRR	1895	Thalacker, Marc & Pamela
	SE $\frac{1}{4}$ NE $\frac{1}{4}$	1401	32.50	IRR	1895	Thalacker, Marc & Pamela
	NE $\frac{1}{4}$ NW $\frac{1}{4}$	1102	27.50	IRR	1895	Powers, Sherode & Susan
1	NW $\frac{1}{4}$ NW $\frac{1}{4}$	1102	32.00	IRR	1895	Powers, Sherode & Susan
2	SW $\frac{1}{4}$ NW $\frac{1}{4}$	1102	38.50	IRR	1895	Powers, Sherode & Susan
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	1102	38.00	IRR	1895	Powers, Sherode & Susan
	NE $\frac{1}{4}$ SW $\frac{1}{4}$	1102	23.00	IRR	1895	Powers, Sherode & Susan
	NE $\frac{1}{4}$ SW $\frac{1}{4}$	2200	5.50	IRR	1895	Peterson, Robert & Paula
3	NW $\frac{1}{4}$ SW $\frac{1}{4}$	1102	34.00	IRR	1895	Powers, Sherode & Susan
3	NW $\frac{1}{4}$ SW $\frac{1}{4}$	2100	5.00	IRR	1895	Peterson, Robert & Paula
4	SW $\frac{1}{4}$ SW $\frac{1}{4}$	2100	19.50	IRR	1895	Peterson, Robert & Paula
	NW $\frac{1}{4}$ SE $\frac{1}{4}$	1401	15.00	IRR	1895	Thalacker, Marc & Pamela
	NW $\frac{1}{4}$ SE $\frac{1}{4}$	1401	1.50	IRR	1904	Thalacker, Marc & Pamela

Section 18

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

Additionally, lands involved in transfer applications T-8392, T-8994, T-9621 are part of this allocation of conserved water project. The authorized place of use ("FROM" lands) as described in these transfer applications and as listed on Certificate 74135 are:

Transfer T-8392:

<u>qQ</u>	<u>Tax lot</u>	<u>Acres</u>	<u>Type</u>	<u>Priority</u>	<u>Owner as listed on Certificate 74135</u>
SW¼ NE¼	100	4.50	IRR	1895	Simon, Cheryle
SE¼ NW¼	101	1.00	IRR	1895	Simon, Cheryle

Section 5

Township 15 South, Range 11 East, W.M.

Transfer T-8994:

<u>qQ</u>	<u>Tax lot</u>	<u>Acres</u>	<u>Type</u>	<u>Priority</u>	<u>Owner as listed on Certificate 74135</u>
SE¼ SE¼	700	5.00	IRR	1895	Tumalo Farms

Section 8

Township 15 South, Range 11 East, W.M.

Transfer T-9621:

<u>qQ</u>	<u>Tax lot</u>	<u>Acres</u>	<u>Type</u>	<u>Priority</u>	<u>Owner as listed on Certificate 74135</u>
NE¼ SE¼	100	2.00	IRR	1895	Tumalo Farms

Section 8

Township 15 South, Range 11 East, W.M.

The proposed place of use ("TO" lands) which shall have the maximum per acre rate of 1/50 cfs reduced to 1/52 cfs per acre are:

Transfer T-8392:

<u>qQ</u>	<u>Tax lot</u>	<u>Acres</u>	<u>Type</u>	<u>Priority</u>
NE¼ NE¼	406	5.50	IRR	1895

Section 24

Township 14 South, Range 11 East, W.M.

Transfer T-8994:

<u>qQ</u>	<u>Tax lot</u>	<u>Acres</u>	<u>Type</u>	<u>Priority</u>
NE¼ SE¼	3000	2.10	IRR	1895
SE¼ SE¼	3000	2.90	IRR	1895

Section 12

Township 14 South, Range 11 East, W.M.

Transfer T-9621:

<u>qQ</u>	<u>Tax lot</u>	<u>Acres</u>	<u>Type</u>	<u>Priority</u>
NE¼ SW¼	2200	2.00	IRR	1895

Section 18

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

The place of use shall be those lands described under Certificate 74135, as modified by any transfers completed pursuant to ORS 540.580 or other prior modifications.

All other conditions and limitations of the existing water right and any related decree shall be included in the superseding certificate.

4. The conserved water held by Lower Bridge Sub-District #2 of Three Sister Irrigation District may be used to irrigate a maximum of 16.11 acres of new land, being 1.56 equivalent-acres with a 1899 priority date and 14.55 equivalent-acres with a 1904 priority date, within Lower Bridge Sub-District #2 of Three Sister Irrigation District that are served by the Three Sisters Irrigation District point of diversion for Certificate 74135, being:

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
15 S	10 E	WM	21	SW SW	998 FEET NORTH AND 1211 FEET EAST FROM THE SW CORNER OF SECTION 21

The maximum rate for the lands shall be 1/52 cfs per acre-equivalent.

5. The conserved water held by Lower Bridge Sub-District #2 of Three Sister Irrigation District shall be reserved instream until a permanent place of use is determined. The priority date and rate that shall be reserved instream are:

Priority Date	Rate (cfs)
1899	0.03
1904	0.28
<i>Total</i>	0.31

This water will be protected in Wychus Creek from the authorized point of diversion (approximately River Mile 23.5) for Certificate 74135 at:

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
15 S	10 E	WM	21	SW SW	998 FEET NORTH AND 1211 FEET EAST FROM THE SW CORNER OF SECTION 21

to the mouth of the Wychus Creek, at River Mile 0.0.

6. Once a permanent place of use is determined for the applicant's share of the conserved water, Lower Bridge Sub-District #2 of Three Sister Irrigation District shall submit a statement consistent with OAR 690-018-0062 (3)(a) that identifies:
- The name and address of the person using the water;
 - A description of the type of beneficial use of the water;
 - A legal description of the place of use; and
 - A map that meets the standards in OAR 690-310-0050.

Prior to water being used at the new location, approval must be obtained from the Department. Once water has been used at the new location, if the applicant notifies the Department that the respective right has become appurtenant to the specified lands and provides satisfactory proof, the Department shall issue a certificate for the use of water at the identified location. If the water is to be permanently protected instream at the location described in #5 above, then the applicant does not need to submit proof that the water right has become appurtenant to the "specified lands." Instead, the applicant must notify the Department in writing of their desire to permanently have the water protected instream.

When required by the Department, the water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

All other conditions and limitations of the existing water right, Certificate 74135, and any related decree shall be included in the new certificate.

7. A new instream certificate shall be issued for conservation, maintenance and enhancement of aquatic and fish life, wildlife, fish and wildlife habitat and other ecological values in Wychus Creek from the authorized point of diversion (approximately River Mile 23.5) for Certificate 74135 at:

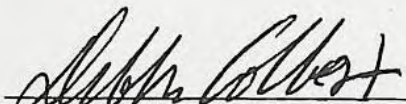
Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
15 S	10 E	WM	21	SW SW	998 FEET NORTH AND 1211 FEET EAST FROM THE SW CORNER OF SECTION 21

to the mouth of the Wychus Creek, at River Mile 0.0.

The instream water right shall be for a total of 1.20 cfs, with a 1895 priority date, and shall replace a portion of instream water rights established pursuant to ORS 537.341 or 537.346 and shall be in addition to any instream water rights established pursuant to ORS 537.348 or 537.470, unless otherwise specified by a subsequent order establishing a new instream water right. The rights shall allow for the use and protection of flows from April 1 through October 31 and at other times when Three Sisters Irrigation District, or its successor, is diverting water.

Dated at Salem, Oregon this 15th day of December, 2006.


 Phillip C. Ward
 Director

Date of Mailing: DEC 19 2006

STATE OF OREGON
COUNTY OF DESCHUTES
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

STATE OF OREGON
WATER RESOURCES DEPARTMENT

confirms the right to use the waters of WHYCHUS CREEK, a tributary of the DESCHUTES RIVER, for instream use for conservation, maintenance and enhancement of aquatic and fish life, wildlife, fish and wildlife habitat and other ecological values.

This right was confirmed by decree of the Circuit Court of the State of Oregon for CROOK COUNTY. The decree is of record at Salem, in the Order Record of the Water Resources Director, in Volume 1, at Pages 121, 122, 123, 124, 435, 438, 445, 472, and 473. The date of priority is 1895. The amount of water to which this right is entitled is limited to an amount actually beneficially used, and shall not exceed 1.20 cfs from April 1 through October 31 and at other times when Three Sisters Irrigation District, or its successor, is diverting water.

The description of the stream reach in which flows are to be maintained is as follows:

From the location of the diversion authorized previously under Certificate 74135, located at:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
15 S	10 E	WM	21	SW SW	998 FEET NORTH & 1211 FEET EAST FROM SW CORNER OF SECTION 21

To the MOUTH OF WHYCHUS CREEK, at River Mile 0.0.

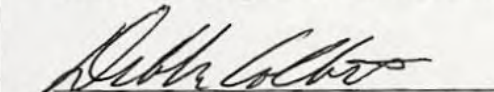
The instream right established by this allocation of conserved water shall replace a portion of instream water rights established pursuant to ORS 537.341 or 537.346 and shall be in addition to instream water rights established pursuant to ORS 537.348 or 537.470, unless otherwise specified by a subsequent order establishing a new instream water right.

This certificate is issued to confirm an ALLOCATION OF CONSERVED WATER approved by an order of the Water Resources Director recorded in Special Order Volume 71, Page 489, finalizing conserved water application CW-44, and together with the remaining right and the applicant's portion of the conserved water, supercedes Certificate 74135, State Record of Water Right Certificates.

The right is subject to all other terms and conditions of Certificate 74135, and any related decree.

WITNESS the signature of the Water Resources Director, affixed

APR 13 2007


Phillip C. Ward, Director

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.

Bob Rice

From: Andy Fischer [andy@deschutesriver.org]
Sent: Tuesday, April 24, 2007 1:57 PM
To: Bob Rice
Subject: McKenzie Canyon Taylor Contact info

Bob,
Apparently we had the city and zipcode incorrect.

Taylor	Kenneth	70290 McKenzie Canyon	Sisters, OR 97759	(541) 548-1981
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-Andy

Andy Fischer
Conservation Program Manager
The Deschutes River Conservancy
700 NW Hill St.
Bend, OR 97709-1560
541-382-4077, x13
andy@deschutesrc.org

*Reset FO to this address on 4/25/07
BR*



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

April 18, 2007

Lower Bridge Sub-District #2 of Three Sister Irrigation District
PO Box 2230
Sisters OR 97759

SUBJECT: Allocation of Conserved Water Application, CW-44
McKenzie Canyon Project, Phase V

The order finalizing the approving application CW-44 is attached along with a copy of the instream water right created from the project. The Sub-District's portion of the conserved water will be reserved instream until a permanent place of use is determined. As described in the order, once a permanent place of use is determined the Sub-District will need to receive approval from the Department before using water at the new location.

Sincerely,

Bob Rice
Field Services Division

C: See attached Distribution List

Sent Copies
E-mailed

Distribution List

Andy Fischer and Scott McCaulou, Deschutes River Conservancy

Jeremy Giffin, Kyle Gorman, and Laura Snedaker, OWRD

Randy & Mary Burdick	William & Pamela Brandon	Steve Calavan
Glenn Cooper	Tim DiPaolo	Thayne & Margaret Dutson
Dana & Evelyn Dykes	Emmett Ranch, LLC	Ken & Jacqueline Gibbs
Joseph & Dana Giegerich	William Kelley	Don Kidson
David & Chris Lawrence	Long Hollow Ranch	McKenzie Canyon Group
Darwin & Josephine McKibbin	David & Phyllis Mulkey	David & Ruth Parks
Mostafa & Naoko Shirazi	Steve & Kathy Simpson	Stephen & Elizabeth Sparks
Stephen Spears	Kenneth Taylor	Marc & Pamela Thalacker
Jaqueline A. Thomas DeeAnn R. McCoy	William F. Vejrostek	
John Ferara	Monte L. Kline Family Limited Partnership	John Barry
Clive Bigelow	R. Hunter Leigh	
David Ludi	Steven and Linda Mohr	Sherode & Susan Powers
Kenneth R. Tisher		

Distribution List

Lower Bridge Sub-District #2 of TSID PO Box 2230 Sisters, Oregon 97759	Randy & Mary Burdick P.O. Box 944 Sisters, Oregon 97759	William & Pamela Brandon 31323 NE 111 th Place Carnation, Washington 98014
Steve Calavan 70345 McKenzie Canyon Terrebonne, Oregon 97760	Glenn Cooper Route 1, Box 252 Terrebonne, Oregon 97760	Tim DiPaolo P.O. Box 724 Bollinas, California 94924
Thayne & Margaret Dutson 4306 Arrowhead Circle Corvallis, Oregon 97330	Dana & Evelyn Dykes 70520 McKenzie Canyon Terrebonne, Oregon 97760	Emmett Ranch, LLC Attn: John Short P.O. Box 1830 Bend, Oregon 97709
Ken & Jacqueline Gibbs 70177 McKenzie Canyon Terrebonne, Oregon 97760	Joseph & Dana Giegerich P.O. Box 341 Silverton, Oregon 97381	William Kelley P.O. Box 545 Sisters, Oregon 97759
Don Kidson 1457 12 th Street Santa Monica, CA 90401	David & Chris Lawrence Route 1, Box 246 Terrebonne, Oregon 97760	Long Hollow Ranch Attn: Richard Bloomfeldt 71105 Holmes Road Sisters, Oregon 97759
McKenzie Canyon Group Attn: John Ferara 70105 Holmes Road Sisters, Oregon 97759	Darwin & Josephine McKibbin P.O. Box 81 Terrebonne, Oregon 97760	David & Phyllis Mulkey 501 Delay Drive Eugene, Oregon 97404
David & Ruth Parks 70425 McKenzie Canyon Terrebonne, Oregon 97760	Mostafa & Naoko Shirazi 2125 NW Jackson Creek Corvallis, Oregon 97330	Steve & Kathy Simpson 16600 NW Lower Bridge Terrebonne, Oregon 97760
Stephen & Elizabeth Sparks 12021 Wetherfield Lane Potomac, Maryland 20854	Stephen Spears 70915 Lower Bridge Terrebonne, Oregon 97760	Kenneth Taylor 70290 McKenzie Canyon Terrebonne, Oregon 97760
Marc & Pamela Thalacker 70625 Lower Bridge Terrebonne, Oregon 97760	Jaqueline Thomas DeeAnn McCoy 911 SW 57 th Avenue Portland, Oregon 97221	William F. Vejrostek P.O. Box 335 Terrebonne, Oregon 97760
John Ferara 70105 Holmes Road Sisters, Oregon 97759	Monte L. Kline Family Limited Partnership 70090 Holmes Road Sisters, Oregon 97759	John Barry 70104 Running Horse Ct. Sisters, Oregon 97759

Clive Bigelow 18630 McSwain Drive Sisters, Oregon 97759	R. Hunter Leigh 515 S McLoughlin Blvd. Oregon City, Oregon 97045	Clive Bigelow 18630 McSwain Drive Sisters, Oregon 97759
David Ludi 19595 SE Martin Road Sandy, Oregon 97055	Steven and Linda Mohr 9497 SW Meadow Road Terrebonne, Oregon 97760	Sherode & Susan Powers 70466 McKenzie Canyon Terrebonne, Oregon 97760
Kenneth R. Tisher 2044 NW Trenton Bend, Oregon 97701		

Allocation of Conserved Water Completion Checklist

CW-44

Transfer Specialist: _____

Water Rights Affected

App File No.	Permit No.	Certificate No.	RR/CR Needed	RR/CR Nos.
		74135	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	83302 (ISWR)
			<input type="checkbox"/> Yes <input type="checkbox"/> No	
			<input type="checkbox"/> Yes <input type="checkbox"/> No	

Copies Needed

Watermaster District: _____

Irrig Dist Name/Address: _____

Commentors Name/Address: _____

See Distribution list for hard copies

E-mail to: Jeremy Giffin, Kyle Gorman, scott@deschutesrc.org, andy@deschutesrc.org, tsid@my180.net, Laura Snedaker

Preliminary Determination

- | | | |
|---|---|---|
| <input type="checkbox"/> PFO Mailed _____ | <input type="checkbox"/> Electronic Files uploaded | <input type="checkbox"/> File Folder updated |
| <input type="checkbox"/> PFO Response _____ | <input type="checkbox"/> Preliminary Determination | <input type="checkbox"/> Fee Refund Due |
| <input type="checkbox"/> Workflow | <input type="checkbox"/> PD Cover letter | <input type="checkbox"/> Remaining Rights |
| | <input type="checkbox"/> Newspaper Notice (if required) | <input type="checkbox"/> Public Notice, Salem |
| | <input type="checkbox"/> Workflow/Date Sent to Salem | <input type="checkbox"/> Audit Sheet |

Comments/Special Issues: This is Phase 5 of the McKenzie Canyon, TSID/DRC, project. The project has previously been approved. We have been notified that the project is complete and they have requested finalization. The applicant's share of the CW is being temporarily reserved instream.

PFO Review (Salem)	Final Order Review (Salem)
Reviewer: _____ Date: _____	Reviewer: Date: 7/12
Coordinator: _____ Date: _____	Coordinator: _____ Date: _____

Comments/Special Issues: Sarah, Please put a copy of this order in T-8392, T-8994, and T-9621. Thanks! ✓

Special Order Volume: _____, Pages _____ Final Order Signature Date: _____

WRIS clone correction needed

Bob Rice

From: Andy Fischer [andy@deschutesriver.org]
Sent: Tuesday, April 10, 2007 10:26 AM
To: Bob Rice
Cc: Scott McCaulou; tsid@uci.net
Subject: CW-44 Notice of Project Completion

Bob,

Serving as the agent on CW-44 (TSID-McKenzie V), the applicant requests that the conserved water be finalized. Construction is complete on this project and has performed as expected; yielding a total of 1.20 cfs to the State for an instream water right and 0.31 cfs to the Lower Bridge Sub-District #2 of TSID (leased temporarily instream). Please issue a Final Order and Certificate consistent with this notice.

Sincerely,

Andy Fischer

Andy Fischer
Conservation Program Manager
The Deschutes River Conservancy
700 NW Hill St.
Bend, OR 97709-1560
541-382-4077, x13

Bob Rice

From: Bob Rice [Robert.D.RICE@wrđ.state.or.us]
Sent: Monday, December 18, 2006 4:00 PM
To: 'Scott McCaulou'
Cc: 'Andy Fischer'
Subject: RE: Allocation Conserved Water CW-44

When finalizing
project & issuing
ISWR's correct
spelling of "Whychus"
- Bob

Scott,

You're correct, the official spelling of "Whychus" is as you described it. We just made a typo - repeatedly, and no one in the peer review or review of the PFO caught it. I appreciate you pointing this out - so that we make sure we get it correct when we issue the ISWRs.

Cheers,

--Bob

From: Scott McCaulou [mailto:scott@deschutesrc.org]
Sent: Monday, December 18, 2006 3:12 PM
To: Bob Rice
Cc: Andy Fischer
Subject: FW: Allocation Conserved Water CW-44

-->
Bob,

We spell "Whychus" differently over here. Any particular reason you guys have dropped the first 'h'?

Thanks for all your hard work!

Scott

From: Sarah Henderson [mailto:Sarah.A.HENDERSON@wrđ.state.or.us]
Sent: Monday, December 18, 2006 1:23 PM
To: 'Jeremy Giffin'; Kyle.G.GORMAN@wrđ.state.or.us; Laura.K.SNEAKER@wrđ.state.or.us; Scott McCaulou; Andy Fischer; tsid@my180.net
Cc: 'Bob Rice'
Subject: Allocation Conserved Water CW-44

Attached is the scanned letter and order approving Allocation of Conserved Water App CW-44.

If you have problems with the opening of the attachments please let me know.

If you have questions about the documents please contact Bob Rice at Robert.D.RICE@wrđ.state.or.us.

Thank You.

Sarah Henderson
OWRD

12/18/2006



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

December 12, 2006

Lower Bridge Sub-District #2 Of Three Sister Irrigation District
PO Box 2230
Sisters OR 97759

SUBJECT: Allocation of Conserved Water Application, CW-44

The final order approving application CW-44 is attached. The District has until December 31, 2009, to file a notice of completion of the conservation measures. Once the Department receives satisfactory notice, the Department will issue an order describing that the project has been completed, modify the District's water right, issue an instream certificate, and reserve the District's portion of the conserved water instream until a permanent place of use is determined. Once a permanent place of use is determined, the District will need to receive approval from the Department before using water at the new location. Additionally, the District will need to submit a statement and map as described in the order.

Sincerely,

Sarah Henderson

for
D Bob Rice
Field Services Division

C: See attached Distribution List

Distribution List

Andy Fischer and Scott McCaulou, Deschutes River Conservancy

Randy & Mary Burdick	William & Pamela Brandon	Steve Calavan
Glenn Cooper	Tim DiPaolo	Thayne & Margaret Dutson
Dana & Evelyn Dykes	Emmett Ranch, LLC	Ken & Jacqueline Gibbs
Joseph & Dana Giegerich	William Kelley	Don Kidson
David & Chris Lawrence	Long Hollow Ranch	McKenzie Canyon Group
Darwin & Josephine McKibbin	David & Phyllis Mulkey	David & Ruth Parks
Mostafa & Naoko Shirazi	Steve & Kathy Simpson	Stephen & Elizabeth Sparks
Stephen Spears	Kenneth Taylor	Marc & Pamela Thalacker
Jaqueline A. Thomas DeeAnn R. McCoy	William F. Vejrostek	
John Ferara	Monte L. Kline Family Limited Partnership	John Barry
Clive Bigelow	R. Hunter Leigh	
David Ludi	Steven and Linda Mohr	Sherode & Susan Powers
Kenneth R. Tisher		

Memo

To: Bob DeVyldere
From: Bob Harmon
Date: May 17, 2006
Re: Approved stream name changes involving "Squaw"

Per Debbie's email of April 7th I have compiled a listing of the recently approved stream name changes in Oregon. The first five are from the 12/5/2005 meeting of the U.S. Board on Geographic Names and the last one is from its 1/12/2006 meeting.

"Previous" stream name	New stream name	WRD stream code	Admin basin
Squaw Flat Canyon	Carcass Canyon (trib of Deschutes River)	0519801200	Deschutes (5)
Squaw Creek	Whychus Creek (trib of Deschutes River)	0519801220	Deschutes (5)
North Fork Squaw Creek	North Fork Whychus Creek (trib of Whychus Creek)	05198012200120	Deschutes (5)
South Fork Squaw Creek	South Fork Whychus Creek (trib of Whychus Creek)	05198012200140	Deschutes (5)
Squaw Creek	Podo Creek (trib of Rock Creek)	06216015800340	John Day (6)
Squaw Creek	Congleton Creek (trib of North Fork Wind Creek)	06216016800320040020	John Day (6)

45
Oregon

Water Resources Department
725 Summer St NE Suite A
Salem, OR 97301-1266

ADDRESS SERVICE REQUESTED



UNITED STATES
PITNEY BOWES
02 1A \$ 00.63⁰
0004628598 DEC 19 2006
MAILED FROM ZIP CODE 97309

RETURN TO
SENDER
NOT DELIVERABLE
AS ADDRESSEE
UNABLE TO FORWARD

1/2/07

New mailing address

P.O. Box 335

Terrebonne, LA 77760

(A) 541-504-0029

Forwarded on 4/3/07

William F Verjrostek
7048 McKenzie Canyon Road
Terrebonne, LA 77760

RECEIVED

DEC 28 2006

WATER RESOURCES DEPT
SALEM, OREGON

VERJ481 977602006 IN 14 12/22/06
UNABLE TO FORWARD

NO FORWARD ORDER ON FILE

RETURN TO POSTMASTER
OF ADDRESSEE FOR REVIEW



New Address:

4/17/07

4/17/07

Steven and Linda Mehr
9479 SW Meadow Road
Terrebonne, OR 97760
(541) 514-0177

Allocation of Conserved Water Completion Checklist

CW-44

Specialist: Bob

Water Rights Affected

App File No.	Cert or Permit No.
	74135

Final Order Review

Peer Reviewer: _____ Date: _____

Comments/Special Issues: This is the FO for TSID's McKenzie Canyon Project (Phase V). Susan Reviewed the PFO and FO, as well as sorted through the ownership issues. No comments were received.

Special Order Volume: _____, Page _____

Final Order Signature Date: _____

Mail hard copies of cover letter and order to:

- Applicant #1 _____
- All landowners in Finding of Facts 1, 2 and 3. Labels are in Exchange\Rice\CW-44 Labels
- _____

Scanning:

- Order to Vault
- Order to Lease Specialist Exchange Drive (e.g. L-###-ord-approval-MP##)
- Cover letter Lease Specialist Exchange Drive (e.g. L-###-ltr-approval-MP##)
- E-mail Lease Specialist when scanned copies are available

E-mail Order and Cover letter to:

E-mail by: Support Person Lease Specialist

Jeremy Giffin

Kyle Gorman

Laura Snedaker

scott@deschutesrc.org

andy@deschutesrc.org

tsid@my180.net

Order:

- File original in order book
- File copy of order and letter in instream lease folder
- Send data processing a copy of the order
- Send Water Availability a copy of the order (Primarily Deschutes)

Bob Rice

From: Marc Thalacker [tsid@uci.net]
Sent: Tuesday, November 28, 2006 11:41 AM
To: Bob Rice
Subject: RE: McKenzie Canyon, CW-44

Hi Bob
The project will not be completed by Dec 31 Weather delays will push us into Jan Feb
We will file a notice of completion then.

Thankyou
Marc

-----Original Message-----
From: Bob Rice [mailto:Robert.D.RICE@wrд.state.or.us]
Sent: Wednesday, November 22, 2006 4:15 PM
To: Marc Thalacker
Cc: 'Andy Fischer'; 'Scott McCaulou'
Subject: McKenzie Canyon, CW-44

Hi Mark,

I was looking over the application and PFO and for CW-44, and was wondering if the project has been completed. The application indicates that the project will be completed in December, 2006. The PFO indicates that the project has not been completed (Finding of Fact #25) and we proposed to allow you until December 31, 2009 to file a notification of completing the project.

If you have completed the project, and file a notification to the Department, then when we issue the FO, we can reflect that, and we'll also be able to issue the Instream Certificates. If the project is not yet completed, then we will require the applicant to file a notice of completion, and the Dept. will not be able to issue the instream certificates.

Please let me know how you'd like to proceed. Thanks!

--Bob

Bob Rice
Field Services Division
Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1271
(503) 986-0885
Fax: 503.986.0903
www.wrd.state.or.us

Bob Rice

From: Bob Rice [Robert.D.RICE@wrд.state.or.us]
Sent: Wednesday, November 22, 2006 4:15 PM
To: Marc Thalacker
Cc: 'Andy Fischer'; 'Scott McCaulou'
Subject: McKenzie Canyon, CW-44

Hi Mark,

I was looking over the application and PFO and for CW-44, and was wondering if the project has been completed. The application indicates that the project will be completed in December, 2006. The PFO indicates that the project has not been completed (Finding of Fact #25) and we proposed to allow you until December 31, 2009 to file a notification of completing the project.

If you have completed the project, and file a notification to the Department, then when we issue the FO, we can reflect that, and we'll also be able to issue the Instream Certificates. If the project is not yet completed, then we will require the applicant to file a notice of completion, and the Dept. will not be able to issue the instream certificates.

Please let me know how you'd like to proceed. Thanks!

--Bob

Bob Rice
Field Services Division
Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1271
(503) 986-0885
Fax: 503.986.0903
www.wrd.state.or.us

Allocation of Conserved Water Completion Checklist

CW-44

Specialist: Bob

Water Rights Affected

App File No.	Cert or Permit No.
	74135

DB ✓

Final Order Review

Peer Reviewer: _____ Date: _____

Comments/Special Issues: This is the PFO for the TSID CWA's. We received the Kelley affidavit today. This made the application complete.

We're proposing to send the PFO (and FO) to all landowners associated with the project.

Susan peer reviewed the PFO.

Special Order Volume: _____, Page _____

Final Order Signature Date: _____

Mail hard copies of cover letter and order to:

- Done*
- Applicant #1 _____
 - See list of landowners being copied -- Bob will get the addresses for everybody. *- e-mailed to you.*
 - _____

Scanning:

- Done*
- Order to Vault
 - Order to Lease Specialist Exchange Drive (e.g. L-###-ord-approval-MP##)
 - Cover letter Lease Specialist Exchange Drive (e.g. L-###-ltr-approval-MP##)
 - E-mail Lease Specialist when scanned copies are available

E-mail Order and Cover letter to:

E-mail by: Support Person Lease Specialist

Jeremy Giffin

Kyle Gorman

scott@deschutesrc.org

Order:

- Done*
- File original in order book
 - File copy of order and letter in instream lease folder
 - Send data processing a copy of the order
 - Send Water Availability a copy of the order (Primarily Deschutes)

to ★ Debbie too



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

October 2, 2006

Lower Bridge Sub-District #2 Of Three Sister Irrigation District
PO Box 2230
Sisters OR 97759

SUBJECT: Allocation of Conserved Water Application, CW-44

Please find enclosed the Notice of Determination and Proposed Final Order indicating that, based on the information available, the Department intends to approve application CW-44.

Pursuant to OAR 690-018-0050(5), any person objecting to the proposed allocation may protest this Notice of Determination and Proposed Final Order to the Water Resources Commission within 60 days of the mailing of this determination.

If no protest is filed, the Department will issue a Final Order consistent with the Proposed Final Order. You should receive a copy of the Final Order about 30 days after the close of the protest period.

If a protest is filed, the Director may work with the applicant and any protestant to determine whether the issues can be resolved through mutually agreeable conditions, or by modifying the application. If protests are received raising issues that cannot be resolved, the Director shall present the application, all protests, and a recommendation for action to the Commission for review and action.

Sincerely,

Bob Rice
Field Services Division

C: See attached List

Scott McCaulou, Deschutes River Conservancy

Randy & Mary Burdick

William & Pamela Brandon

Steve Calavan

Glenn Cooper

Tim DiPaolo

Thayne & Margaret Dutson

Dana & Evelyn Dykes

Emmett Ranch, LLC

Ken & Jacqueline Gibbs

Joseph & Dana Giegerich

William Kelley

Don Kidson

David & Chris Lawrence

Long Hollow Ranch

McKenzie Canyon Group

Darwin & Josephine
McKibbin

David & Phyllis Mulkey

David & Ruth Parks

Mostafa & Naoko Shirazi

Steve & Kathy Simpson

Stephen & Elizabeth Sparks

Stephen Spears

Kenneth Taylor

Marc & Pamela Thalacker

Jaqueline A. Thomas
DeeAnn R. McCoy

William F. Vejrostek

John Ferara

Monte L. Kline Family
Limited Partnership

John Barry

Clive Bigelow

R. Hunter Leigh

David Ludi

Steven and Linda Mohr

Sherode & Susan Powers

Kenneth R. Tisher

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

In the Matter of Proposed Allocation of)
Conserved Water Application)
CW-44, Deschutes and Jefferson Counties)
)

NOTICE OF DETERMINATION and
PROPOSED FINAL ORDER
APPROVING ALLOCATION OF
CONSERVED WATER

ORS 537.455 to 537.500 as amended by 2003 HB 2456, authorize and establish the process in which a water right holder may submit a request for an allocation of conserved water. OAR Chapter 690, Division 18 implements the statutes and provides the Department's procedures and criteria for evaluating allocation of conserved water applications.

Applicant

LOWER BRIDGE SUB-DISTRICT #2
OF THREE SISTER IRRIGATION DISTRICT and LANDOWNERS
PO BOX 2230
SISTERS OR 97759

Findings of Fact

1. On April 13, 2006, Lower Bridge Sub-District #2 of Three Sister Irrigation District and the landowners listed below filed an allocation of conserved water application. Supplemental information needed to complete the application was received on September 28, 2006. The Department assigned the application number CW-44.

Randy & Mary Burdick
P.O. Box 944
Sisters, Oregon 97759
(541) 923-1371

William & Pamela Brandon
31323 NE 111th Place
Carnation, Washington 98014
(253) 564-9371

Steve Calavan
70345 McKenzie Canyon Rd.
Terrebonne, Oregon 97760
(541) 383-1733

Glenn Cooper
15000 Lower Bridge Rd.
Terrebonne, Oregon 97760
(541) 548-4681

Tim DiPaolo
P.O. Box 724
Bollinas, California 94924
(415) 868-0239

Thayne & Margaret Dutson
4306 Arrowhead Circle
Corvallis, Oregon 97330
(541) 752-8183

Dana & Evelyn Dykes
70520 McKenzie Canyon
Terrebonne, Oregon 97760
(541) 548-6360

Emmett Ranch, LLC
Attn: John Short
P.O. Box 1830
Bend, Oregon 97709
(541) 322-9528

Ken & Jacqueline Gibbs
70177 McKenzie Canyon
Terrebonne, Oregon 97760
(541) 923-6247

Pursuant to OAR 690-180-0050, any person objecting to the proposed allocation may file protest this notice of determination and proposed final order to the Water Resources Commission within 60 days of the mailing of this determination.

Joseph & Dana Giegerich
P.O. Box 341
Silverton, Oregon 97381
(503) 931-7824

David & Chris Lawrence
Route 1, Box 246
Terrebonne, Oregon 97760
(541) 548-6870

Darwin & Josephine
McKibbin
P.O. Box 81
Terrebonne, Oregon 97760
(541) 548-2116

Mostafa & Naoko Shirazi
2125 NW Jackson Creek
Corvallis, Oregon 97330
(541) 754-4656

Stephen Spears
70915 Lower Bridge
Terrebonne, Oregon 97760
(541) 548-7612

Jaqueline A. Thomas
DeeAnn R. McCoy
911 SW 57th Avenue
Portland, Oregon 97221
(503) 973-7700

William Kelley
P.O. Box 545
Sisters, Oregon 97759
(541) 923-0509

Long Hollow Ranch
Attn: Richard Bloomfeldt
71105 Holmes Road
Sisters, Oregon 97759
(541) 923-5540

David & Phyllis Mulkey
501 Delay Drive
Eugene, Oregon 97404
(541) 688-1447

Steve & Kathy Simpson
71300 NW Lower Bridge
Terrebonne, Oregon 97760
(541) 548-5800

Kenneth Taylor
70290 McKenzie Canyon Rd.
Sisters, Oregon 97759
(541) 548-1981

William F. Vejrostek
70481 McKenzie Canyon Rd.
Terrebonne, Oregon 97760
(360) 894-2165

Don Kidson
1457 12th Street
Santa Monica, CA 90401
(310) 395-6337

McKenzie Canyon Group
Attn: John Ferara
70105 Holmes Road
Sisters, Oregon 97759
(541) 548-5470

David & Ruth Parks
70425 McKenzie Canyon
Terrebonne, Oregon 97760
(541) 420-4637

Stephen & Elizabeth Sparks
12021 Wetherfield Lane
Potomac, Maryland 20854
(301) 869-1842

Marc & Pamela Thalacker
70625 Lower Bridge
Terrebonne, Oregon 97760
(541) 419-5850

2. The McKenzie Canyon Group is composed of land owned by the following individuals:

John Ferara
70105 Holmes Road
Sisters, Oregon 97759
(541) 548-5470

Monte L. Kline Family
Limited Partnership
70090 Holmes Road
Sisters, Oregon 97759

John Barry
70104 Running Horse Ct.
Sisters, Oregon 97759
(541) 923-8792

Clive Bigelow
 18630 McSwain Drive
 Sisters, Oregon 97759
 (541) 504-1672

R. Hunter Leigh
 18623 McSwain Drive
 Sisters, Oregon 97759

3. The land owned by Emmett Ranch, LLC involved in this allocation of conserved water application has been sold to the following individuals:

David Ludi
 19595 SE Martin Road
 Sandy, Oregon 97055
 (503) 668-5280

Steven and Linda Mohr
 3133 Belle River Drive
 Hacienda Heights, CA 91745
 (626) 961-0115

Sherode & Susan Powers
 70466 McKenzie Canyon
 Terrebonne, Oregon 97760
 (541) 548-5204

Kenneth R. Tisher
 2044 NW Trenton
 Bend, Oregon 97701

4. The application requests an allocation of conserved water under Certificate 74135, in the name of Squaw Creek Irrigation District. Squaw Creek Irrigation District has changed its name, and is now know as Three Sisters Irrigation District (TSID).
5. TSID operates and maintains the water delivery system for the benefit of the landowners in the area.
6. TSID has an allocation of conserved water policy pursuant to OAR 690-018-0025.
7. Water has been used within the last five years according to the terms and conditions of the right, and no evidence is available that would demonstrate that the right is subject to forfeiture under ORS 540.610.
8. A diversion structure and ditch or a pump, pipeline and sprinkler system sufficient to use the full amount of water allowed under the existing right are present.
9. The portion of Certificate 74135 involved in the allocation of conserved water is as follows:
 Source: WYCHUS CREEK (formerly known as Squaw Creek)

Priority Date	Irrigation Acres	Pond Equivalent Acres	Total Equivalent Acres	Irrigation Maximum Rate (cfs)	Pond Maximum Rate (cfs)	Total Maximum Rate (cfs)
1895	1581.05	4.50	1585.55	31.62	0.09	31.71
1899	39.00	0.00	39.00	0.78	0.00	0.78
1904	359.10	19.00	378.10	7.18	0.38	7.56
<i>Total</i>	<i>1979.15</i>	<i>23.50</i>	<i>2002.65</i>	<i>39.58</i>	<i>0.47</i>	<i>40.05</i>

On-Farm Rate: ONE-FIFTIETH cfs per acre
 Type of Use: IRRIGATION and POND MAINTENANCE

Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
15 S	10 E	WM	21	SW SW	998 FEET NORTH AND 1211 FEET EAST FROM THE SW CORNER OF SECTION 21

10. The conservation project involves replacing a portion of the Black Butte Canal by burying 7,166 feet of 18-inch HDPE pipe and 6,244 feet of 24-inch HDPE pipe. The replacement of open, unlined ditches with pipelines is a proven technology for conserving water.
11. Public notice was published in the Department's weekly notice on May 16, 2006 and in the Bend Bulletin on May 12, 19 and 26, 2006, as required under OAR 690-018-0050. No comments were received in response to the notice.
12. Pursuant ORS 537.485, the applicants request that the priority dates of the conserved water be the same as the originating right.
13. The proposed allocation of conserved water, once complete, will result in the conservation of 1.51 cfs. The quantity of water allowed for diversion under Certificate 74135 will be reduced by this quantity, as described below:

Priority Date	Rate (cfs)
1895	1.20
1899	0.03
1904	0.28
<i>Total</i>	1.51

14. Pursuant to OAR 690-077-0015, the proposed instream right is not a measurable portion of the Deschutes River and therefore cannot be extended from Wychus Creek, the source stream, into the receiving stream, the Deschutes River.
15. The proposed allocation of conserved water will not harm existing rights because the instream reach is limited to Wychus Creek, and there are no return flows to Wychus Creek. The return flows begin to enter the Deschutes River at approximately River Mile 130.8.
16. The application includes land use information forms completed and signed by representatives of Deschutes and Jefferson Counties planning departments demonstrating that the application is compatible with the local comprehensive land use plan.
17. Since no harm will occur to other water rights, no reduction in the quantity of conserved water to be allocated is required to mitigate for effects on other water rights.
18. After the allocation of conserved water, the water right held by the applicant will allow use of the following quantities of water:

Certificate	Originating Right Priority Date	Before Project Maximum Rate (cfs)	After Project Maximum Rate (cfs)	Conserved Water Rate (cfs)
74135	1895	31.71	30.51	1.20
	1899	0.78	0.75	0.03
	1904	7.56	7.28	0.28
	<i>Subtotal</i>	<i>40.05</i>	<i>38.54</i>	<i>1.51</i>

19. In consultation with the Oregon Department of Fish and Wildlife, Department of Environmental Quality, and Oregon Parks and Recreation Department, the Department has determined that conserved water is needed to support instream uses in Wychus Creek to provide for the conservation, maintenance and enhancement of aquatic and fish life, wildlife, fish and wildlife habitat and other ecological values.

20. Pursuant to OAR 690-018-0012(1), the applicant's propose that 80 percent of the conserved water be allocated to the State for an instream water right and that 20 percent be reserved for use by the Lower Bridge Sub-District #2 of Three Sister Irrigation District. The applicant further requests that 100 percent of the 1895 conserved water be allocated to the State for an instream water right and that 100 percent of the 1899 and 1904 conserved water be allocated to the Lower Bridge Sub-District #2 of Three Sister Irrigation District.

21. The amounts of water to be allocated to the applicant for new out-of-stream use, and the amount of water to be allocated to the State for an instream water right are:

Certificate	Priority Date	Conserved Water Rate (cfs)	New Lands Out-of-Stream Rate (cfs)	Instream Water Right Rate (cfs)
74135	1895	1.20	0.00	1.20
	1899	0.03	0.03	0.00
	1904	0.28	0.28	0.00
	<i>Subtotal</i>	<i>1.51</i>	<i>0.31</i>	<i>1.20</i>

22. The applicant's conserved water may be used for irrigation, pond maintenance, industrial use, and stock water within the Lower Bridge Sub-District #2 of Three Sister Irrigation District.

23. The stream reach for state's instream water right is from the previously authorized point of diversion, being:

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
15 S	10 E	WM	21	SW SW	998 FEET NORTH AND 1211 FEET EAST FROM THE SW CORNER OF SECTION 21

to the mouth of Wychus Creek being:

Twp	Rng	Mer	Sec	Q-Q
13 S	12 E	WM	7	SE NE

24. The instream use shall allow the use and protection of flows from April 1 through October 31, and at other times when TSID is diverting water.

25. The applicants have not completed the project and have until December 31, 2009, to file a notice of completion of the conservation measures. Upon filing notice of completion of the conservation measures, the applicants request that the project be finalized pursuant to OAR 690-018-0062.
26. No other conditions or limitations are needed to prevent or mitigate for harm to existing water rights.

Determination and Proposed Action

The project described in the application CW-44 for allocation of conserved water is consistent with the criteria in ORS 537.455 to 537.500, as amended by 2003 HB 2456, and OAR Chapter 690, Division 18. Water will be conserved that can be allocated without harming other water rights.

If approved, the change and subsequent use of water shall be subject to the following conditions:

On submittal of notice of completion the conservation project described in the application for allocation of conserved water, the Department shall:

1. Certificate 74135 shall be modified and a new superseding certificate shall be issued to Three Sisters Irrigation District for the remaining portion of Certificate 74135 upon a determination that it is necessary to produce a certificate to confirm that remaining portion of the water right. Approval of this allocation of conserved water reduces the amount of water lawfully available under the remaining portion of Certificate 74135 as described below:

Priority Date	Rate (cfs)
1895	1.20
1899	0.03
1904	0.28
<i>Total</i>	1.51

The acreage, rate, duty, and priority dates are subject to modification by any previously approved transfers, cancellations, corrections, allocation of conserved water, or other prior modification to Certificate 74135. The associated priority date and rate of the remaining right shall be approximately:

Priority	Maximum CFS
1869	0.96
1885	1.58
1887	3.00
1889	4.03
1893	0.79
1895	113.14
1899	2.15
1900	1.08
1901	0.45
1903	7.21
1904	17.13

The maximum per acre rate of the acres affected by this allocation of conserved water, described below, is reduced from 1/50 cfs per acre to 1/52 cfs per acre.

<u>Lot</u>	<u>qQ</u>	<u>Tax lot</u>	<u>Acres</u>	<u>Type</u>	<u>Priority</u>	<u>Owner as listed on Certificate 74135</u>
	SE¼ SE¼	1300	34.00	IRR	1904	Cooper, Glenn
				Section 19		
	SW¼ NE¼	1401	17.50	IRR	1895	Cooper, Glenn
	SW¼ NE¼	1401	23.50	IRR	1904	Cooper, Glenn
	SE¼ NE¼	1401	8.50	IRR	1904	Cooper, Glenn
	NE¼ NW¼	1401	22.00	IRR	1904	Cooper, Glenn
	SW¼ NW¼	1401	8.50	IRR	1904	Cooper, Glenn
	SE¼ NW¼	1401	17.00	IRR	1895	Cooper, Glenn
	SE¼ NW¼	1401	23.00	IRR	1904	Cooper, Glenn
	NW¼ SW¼	1401	18.00	IRR	1904	Cooper, Glenn
	NW¼ SW¼	1401	4.00	POND	1904	Cooper, Glenn
	SW¼ SW¼	1401	30.00	IRR	1904	Cooper, Glenn
	NE¼ SE¼	1401	4.00	IRR	1904	Cooper, Glenn
	NW¼ SE¼	1401	6.00	IRR	1904	Cooper, Glenn
				Section 20		
	NW¼ NW¼	1401	39.00	IRR	1895	Cooper, Glenn
	SW¼ NW¼	1900	37.00	IRR	1895	Mulkey, David & Phyllis
	NW¼ SW¼	1900	21.00	IRR	1895	Mulkey, David & Phyllis
	NW¼ SW¼	1900	8.00	IRR	1899	Mulkey, David & Phyllis
	NW¼ SW¼	1900	11.00	IRR	1904	Mulkey, David & Phyllis
	SW¼ SW¼	2000	16.00	IRR	1895	Kidson, Don
				Section 29		
	NE¼ NE¼	1401	11.00	IRR	1895	Cooper, Glenn
	NE¼ NE¼	1401	30.00	IRR	1904	Cooper, Glenn
	SW¼ NE¼	1900	2.00	IRR	1895	Mulkey, David & Phyllis
	SW¼ NE¼	1900	14.00	IRR	1904	Mulkey, David & Phyllis
	SE¼ NE¼	1900	38.00	IRR	1895	Mulkey, David & Phyllis
	SE¼ NE¼	1900	1.00	POND	1895	Mulkey, David & Phyllis
	NE¼ SE¼	1900	40.00	IRR	1904	Mulkey, David & Phyllis
	NW¼ SE¼	1900	20.00	IRR	1904	Mulkey, David & Phyllis
	SW¼ SE¼	2000	6.00	IRR	1895	Kidson, Don
	SW¼ SE¼	2000	0.50	POND	1895	Kidson, Don
	SE¼ SE¼	2000	9.00	IRR	1895	Kidson, Don
	SE¼ SE¼	2000	5.00	IRR	1904	Kidson, Don
				Section 30		
	NE¼ NE¼	2000	9.00	IRR	1895	Kidson, Don
	NW¼ NE¼	2000	6.00	IRR	1895	Kidson, Don
	SW¼ NE¼	2000	8.00	IRR	1895	Kidson, Don
	SE¼ NE¼	2000	13.50	IRR	1895	Kidson, Don
	NE¼ SW¼	2100	3.50	IRR	1895	Page, Richard

SE $\frac{1}{4}$ SW $\frac{1}{4}$	2100	25.00	IRR	1895	Page, Richard
Section 31					
NW $\frac{1}{4}$ NW $\frac{1}{4}$	2000	1.00	IRR	1895	Kidson, Don
Section 32					
Township 13 South, Range 12 East, W.M.					
NE $\frac{1}{4}$ SW $\frac{1}{4}$	101	5.00	IRR	1895	Long Hollow Ranch
SW $\frac{1}{4}$ SW $\frac{1}{4}$	101	18.00	IRR	1895	Long Hollow Ranch
SW $\frac{1}{4}$ SW $\frac{1}{4}$	101	4.00	IRR	1904	Long Hollow Ranch
SE $\frac{1}{4}$ SW $\frac{1}{4}$	101	32.00	IRR	1895	Long Hollow Ranch
SE $\frac{1}{4}$ SW $\frac{1}{4}$	101	2.00	IRR	1904	Long Hollow Ranch
NW $\frac{1}{4}$ SE $\frac{1}{4}$	101	16.00	IRR	1895	Long Hollow Ranch
SW $\frac{1}{4}$ SE $\frac{1}{4}$	101	36.50	IRR	1895	Long Hollow Ranch
SE $\frac{1}{4}$ SE $\frac{1}{4}$	101	26.00	IRR	1895	Long Hollow Ranch
Section 1					
SE $\frac{1}{4}$ SE $\frac{1}{4}$	101	11.00	IRR	1895	Long Hollow Ranch
Section 2					
NE $\frac{1}{4}$ NE $\frac{1}{4}$	101	25.50	IRR	1895	Long Hollow Ranch
NE $\frac{1}{4}$ NE $\frac{1}{4}$	101	1.00	IRR	1904	Long Hollow Ranch
NW $\frac{1}{4}$ NE $\frac{1}{4}$	101	17.50	IRR	1895	Long Hollow Ranch
NW $\frac{1}{4}$ NE $\frac{1}{4}$	101	2.50	IRR	1904	Long Hollow Ranch
NE $\frac{1}{4}$ NW $\frac{1}{4}$	101	4.00	IRR	1895	Long Hollow Ranch
Section 11					
NE $\frac{1}{4}$ NE $\frac{1}{4}$	103	23.50	IRR	1895	Long Hollow Ranch
NW $\frac{1}{4}$ NE $\frac{1}{4}$	103	8.50	IRR	1895	Long Hollow Ranch
NW $\frac{1}{4}$ NW $\frac{1}{4}$	100	6.00	IRR	1895	Long Hollow Ranch
NW $\frac{1}{4}$ NW $\frac{1}{4}$	100	3.00	IRR	1904	Long Hollow Ranch
Section 12					
NW $\frac{1}{4}$ NE $\frac{1}{4}$	200	5.00	IRR	1895	Simon, Jim
SW $\frac{1}{4}$ NE $\frac{1}{4}$	300	0.68	IRR	1895	Friend, Chester & Pamela
SE $\frac{1}{4}$ NE $\frac{1}{4}$	401	14.00	IRR	1895	Friend, Chester & Pamela
NE $\frac{1}{4}$ NW $\frac{1}{4}$	200	19.50	IRR	1904	Simon, Jim
SW $\frac{1}{4}$ NW $\frac{1}{4}$	500	13.50	IRR	1895	Simon, Jim
SE $\frac{1}{4}$ NW $\frac{1}{4}$	500	5.50	IRR	1895	Simon, Jim
NE $\frac{1}{4}$ SW $\frac{1}{4}$	500	8.00	IRR	1895	Simon, Jim
NW $\frac{1}{4}$ SW $\frac{1}{4}$	500	33.00	IRR	1895	Simon, Jim
SW $\frac{1}{4}$ SW $\frac{1}{4}$	700	21.50	IRR	1895	Kavanagh, Geraldine
SW $\frac{1}{4}$ SW $\frac{1}{4}$	700	0.50	IRR	1904	Kavanagh, Geraldine
SW $\frac{1}{4}$ SW $\frac{1}{4}$	800	4.00	IRR	1895	Kavanagh, Geraldine
SE $\frac{1}{4}$ SW $\frac{1}{4}$	600	5.87	IRR	1895	Sanders, Ed & Betty
NE $\frac{1}{4}$ SE $\frac{1}{4}$	401	37.00	IRR	1895	Friend, Chester & Pamela
NW $\frac{1}{4}$ SE $\frac{1}{4}$	300	1.50	IRR	1895	Friend, Chester & Pamela
SW $\frac{1}{4}$ SE $\frac{1}{4}$	400	22.00	IRR	1895	Sanders, Ed & Betty
SE $\frac{1}{4}$ SE $\frac{1}{4}$	400	12.00	IRR	1895	Sanders, Ed & Betty
SE $\frac{1}{4}$ SE $\frac{1}{4}$	401	12.00	IRR	1895	Friend, Chester & Pamela

Section 13

SE $\frac{1}{4}$ SE $\frac{1}{4}$	700	3.50	IRR	1895	Kavanagh, Geraldine
SE $\frac{1}{4}$ SE $\frac{1}{4}$	700	3.10	IRR	1904	Kavanagh, Geraldine
SE $\frac{1}{4}$ SE $\frac{1}{4}$	800	2.00	IRR	1895	Kavanagh, Geraldine

Section 14

NE $\frac{1}{4}$ SW $\frac{1}{4}$	600	2.10	IRR	1895	Elmore, Michael
NE $\frac{1}{4}$ SW $\frac{1}{4}$	700	2.10	IRR	1895	Elmore, Michael
SE $\frac{1}{4}$ SW $\frac{1}{4}$	600	2.90	IRR	1895	Elmore, Michael
SE $\frac{1}{4}$ SW $\frac{1}{4}$	900	9.00	IRR	1895	Elmore, Michael
NW $\frac{1}{4}$ SE $\frac{1}{4}$	700	2.90	IRR	1895	Elmore, Michael

Section 22

NE $\frac{1}{4}$ NE $\frac{1}{4}$	100	6.00	IRR	1895	Kavanagh, Geraldine
NE $\frac{1}{4}$ NE $\frac{1}{4}$	100	1.50	IRR	1904	Kavanagh, Geraldine
NE $\frac{1}{4}$ NE $\frac{1}{4}$	200	15.00	IRR	1895	Helikson, Paul & Sherry
NE $\frac{1}{4}$ NE $\frac{1}{4}$	400	1.50	IRR	1895	Kavanagh, Geraldine
SE $\frac{1}{4}$ NE $\frac{1}{4}$	300	19.80	IRR	1895	Helikson, Paul & Sherry
SW $\frac{1}{4}$ SW $\frac{1}{4}$	1400	6.80	IRR	1899	Burdick, Robert R.
SE $\frac{1}{4}$ SW $\frac{1}{4}$	1200	4.20	IRR	1895	Kelley, William & Mildred
SE $\frac{1}{4}$ SW $\frac{1}{4}$	1300	7.50	IRR	1899	Burdick, Robert R.
NE $\frac{1}{4}$ SE $\frac{1}{4}$	800	8.00	IRR	1895	Vestal, William & Victoria
NW $\frac{1}{4}$ SE $\frac{1}{4}$	400	8.00	IRR	1895	Volz, Charles & Jan
NW $\frac{1}{4}$ SE $\frac{1}{4}$	700	6.50	IRR	1895	Volz, Charles & Jan
SW $\frac{1}{4}$ SE $\frac{1}{4}$	1000	1.80	IRR	1895	Shirazi, Mostafa & Naoko
SW $\frac{1}{4}$ SE $\frac{1}{4}$	1100	5.00	IRR	1895	Burdick, Joyce G.
SW $\frac{1}{4}$ SE $\frac{1}{4}$	1100	5.20	IRR	1899	Burdick, Joyce G.

Section 23

NE $\frac{1}{4}$ NE $\frac{1}{4}$	100	2.70	IRR	1895	Sanders, Ed & Betty
NW $\frac{1}{4}$ NE $\frac{1}{4}$	100	1.50	IRR	1895	Sanders, Ed & Betty
NW $\frac{1}{4}$ NW $\frac{1}{4}$	400	6.00	IRR	1895	Kavanagh, Geraldine
NW $\frac{1}{4}$ NW $\frac{1}{4}$	500	1.50	IRR	1895	Kavanagh, Geraldine

Section 24

NW $\frac{1}{4}$ NE $\frac{1}{4}$	300	5.00	IRR	1895	Elmore, Michael
NW $\frac{1}{4}$ NE $\frac{1}{4}$	400	4.00	IRR	1895	Elmore, Michael

Section 27

Township 13 South, Range 11 East, W.M.

1	NE $\frac{1}{4}$ NE $\frac{1}{4}$	800	15.50	IRR	1895	Williams, Don & Myrtle
2	NW $\frac{1}{4}$ NE $\frac{1}{4}$	800	27.00	IRR	1895	Williams, Don & Myrtle
	SW $\frac{1}{4}$ NE $\frac{1}{4}$	800	25.00	IRR	1895	Williams, Don & Myrtle
	SE $\frac{1}{4}$ NE $\frac{1}{4}$	800	10.00	IRR	1895	Williams, Don & Myrtle
3	NE $\frac{1}{4}$ NW $\frac{1}{4}$	800	10.50	IRR	1895	Williams, Don & Myrtle
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	800	7.00	IRR	1895	Williams, Don & Myrtle

Section 5

3	NE $\frac{1}{4}$ NW $\frac{1}{4}$	902	40.00	IRR	1895	Page, Richard
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	902	1.50	IRR	1895	Page, Richard
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	902	6.00	IRR	1904	Page, Richard
	NE $\frac{1}{4}$ SW $\frac{1}{4}$	900	5.00	IRR	1895	Wallace, Al
6	NW $\frac{1}{4}$ SW $\frac{1}{4}$	1000	2.50	IRR	1895	Wallace, Al
6	NW $\frac{1}{4}$ SW $\frac{1}{4}$	1000	6.00	IRR	1904	Wallace, Al
7	SW $\frac{1}{4}$ SW $\frac{1}{4}$	1000	35.00	IRR	1895	Wallace, Al
7	SW $\frac{1}{4}$ SW $\frac{1}{4}$	1000	5.00	IRR	1904	Wallace, Al
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	900	25.50	IRR	1895	Wallace, Al
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	900	6.00	IRR	1904	Wallace, Al
	SW $\frac{1}{4}$ SE $\frac{1}{4}$	800	18.00	IRR	1895	Williams, Don & Myrtle

Section 6

	NW $\frac{1}{4}$ NE $\frac{1}{4}$	800	11.00	IRR	1895	Williams, Don & Myrtle
	NW $\frac{1}{4}$ NE $\frac{1}{4}$	800	11.50	IRR	1899	Williams, Don & Myrtle
	NE $\frac{1}{4}$ NW $\frac{1}{4}$	999	17.50	IRR	1895	Wallace, Al
1	NW $\frac{1}{4}$ NW $\frac{1}{4}$	1000	31.00	IRR	1895	Wallace, Al
1	NW $\frac{1}{4}$ NW $\frac{1}{4}$	1000	0.50	POND	1895	Wallace, Al
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	1199	27.00	IRR	1895	Lawrence, David & Chris
4	SW $\frac{1}{4}$ SW $\frac{1}{4}$	1102	6.00	IRR	1895	Powers, Sherode & Susan
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	1102	2.50	IRR	1895	Powers, Sherode & Susan
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	1102	2.50	POND	1895	Powers, Sherode & Susan
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	1401	1.00	POND	1904	Thalacker, Marc & Pamela
	SW $\frac{1}{4}$ SE $\frac{1}{4}$	1401	4.00	IRR	1895	Thalacker, Marc & Pamela
	SW $\frac{1}{4}$ SE $\frac{1}{4}$	1401	8.00	POND	1904	Thalacker, Marc & Pamela
	SE $\frac{1}{4}$ SE $\frac{1}{4}$	1401	11.50	IRR	1895	Thalacker, Marc & Pamela
	SE $\frac{1}{4}$ SE $\frac{1}{4}$	1401	6.00	POND	1904	Thalacker, Marc & Pamela

Section 7

	SW $\frac{1}{4}$ NW $\frac{1}{4}$	1401	32.50	IRR	1895	Thalacker, Marc & Pamela
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Section 17

	NE $\frac{1}{4}$ NE $\frac{1}{4}$	1401	40.50	IRR	1895	Thalacker, Marc & Pamela
	NW $\frac{1}{4}$ NE $\frac{1}{4}$	1401	29.50	IRR	1895	Thalacker, Marc & Pamela
	SW $\frac{1}{4}$ NE $\frac{1}{4}$	1401	37.00	IRR	1895	Thalacker, Marc & Pamela
	SE $\frac{1}{4}$ NE $\frac{1}{4}$	1401	32.50	IRR	1895	Thalacker, Marc & Pamela
	NE $\frac{1}{4}$ NW $\frac{1}{4}$	1102	27.50	IRR	1895	Powers, Sherode & Susan
1	NW $\frac{1}{4}$ NW $\frac{1}{4}$	1102	32.00	IRR	1895	Powers, Sherode & Susan
2	SW $\frac{1}{4}$ NW $\frac{1}{4}$	1102	38.50	IRR	1895	Powers, Sherode & Susan
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	1102	38.00	IRR	1895	Powers, Sherode & Susan
	NE $\frac{1}{4}$ SW $\frac{1}{4}$	1102	23.00	IRR	1895	Powers, Sherode & Susan
	NE $\frac{1}{4}$ SW $\frac{1}{4}$	2200	5.50	IRR	1895	Peterson, Robert & Paula
3	NW $\frac{1}{4}$ SW $\frac{1}{4}$	1102	34.00	IRR	1895	Powers, Sherode & Susan
3	NW $\frac{1}{4}$ SW $\frac{1}{4}$	2100	5.00	IRR	1895	Peterson, Robert & Paula
4	SW $\frac{1}{4}$ SW $\frac{1}{4}$	2100	19.50	IRR	1895	Peterson, Robert & Paula
	NW $\frac{1}{4}$ SE $\frac{1}{4}$	1401	15.00	IRR	1895	Thalacker, Marc & Pamela
	NW $\frac{1}{4}$ SE $\frac{1}{4}$	1401	1.50	IRR	1904	Thalacker, Marc & Pamela

Section 18

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

Additionally, lands involved in transfer applications T-8392, T-8994, T-9621 are part of this allocation of conserved water project. The authorized place of use ("FROM" lands) as described in these transfer applications and as listed on Certificate 74135 are:

Transfer T-8392:

<u>qQ</u>	<u>Tax lot</u>	<u>Acres</u>	<u>Type</u>	<u>Priority</u>	<u>Owner as listed on Certificate 74135</u>
SW¼ NE¼	100	4.50	IRR	1895	Simon, Cheryle
SE¼ NW¼	101	1.00	IRR	1895	Simon, Cheryle

Section 5
Township 15 South, Range 11 East, W.M.

Transfer T-8994:

<u>qQ</u>	<u>Tax lot</u>	<u>Acres</u>	<u>Type</u>	<u>Priority</u>	<u>Owner as listed on Certificate 74135</u>
SE¼ SE¼	700	5.00	IRR	1895	Tumalo Farms

Section 8
Township 15 South, Range 11 East, W.M.

Transfer T-9621:

<u>qQ</u>	<u>Tax lot</u>	<u>Acres</u>	<u>Type</u>	<u>Priority</u>	<u>Owner as listed on Certificate 74135</u>
NE¼ SE¼	100	2.00	IRR	1895	Tumalo Farms

Section 8
Township 15 South, Range 11 East, W.M.

The proposed place of use ("TO" lands) which shall have the maximum per acre rate of 1/50 cfs reduced to 1/52 cfs per acre are:

Transfer T-8392:

<u>qQ</u>	<u>Tax lot</u>	<u>Acres</u>	<u>Type</u>	<u>Priority</u>
NE¼ NE¼	406	5.50	IRR	1895

Section 24
Township 14 South, Range 11 East, W.M.

Transfer T-8994:

<u>qQ</u>	<u>Tax lot</u>	<u>Acres</u>	<u>Type</u>	<u>Priority</u>
NE¼ SE¼	3000	2.10	IRR	1895
SE¼ SE¼	3000	2.90	IRR	1895

Section 12
Township 14 South, Range 11 East, W.M.

Transfer T-9621:

<u>qQ</u>	<u>Tax lot</u>	<u>Acres</u>	<u>Type</u>	<u>Priority</u>
NE¼ SW¼	2200	2.00	IRR	1895

Section 18
Township 14 South, Range 12 East, W.M.

The place of use shall be those lands described under Certificate 74135, as modified by any transfers completed pursuant to ORS 540.580 or other prior modifications.

All other conditions and limitations of the existing water right shall be included in the superseding certificate.

2. The conserved water held by Lower Bridge Sub-District #2 of Three Sister Irrigation District may be used to irrigate a maximum of 16.11 acres of new land, being 1.56 equivalent-acres with a 1899 priority date and 14.55 equivalent-acres with a 1904 priority date, within Lower Bridge Sub-District #2 of Three Sister Irrigation District that are served by the Three Sisters Irrigation District point of diversion for Certificate 74135, being:

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
15 S	10 E	WM	21	SW SW	998 FEET NORTH AND 1211 FEET EAST FROM THE SW CORNER OF SECTION 21

The maximum rate for the lands shall be 1/52 cfs per acre-equivalent.

3. The conserved water held by Lower Bridge Sub-District #2 of Three Sister Irrigation District shall be reserved instream until a permanent place of use is determined. The priority date and rate that shall be reserved instream are:

Priority Date	Rate (cfs)
1899	0.03
1904	0.28
<i>Total</i>	0.31

This water will be protected in Wychus Creek from the authorized point of diversion (approximately River Mile 23.5) for Certificate 74135 at:

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
15 S	10 E	WM	21	SW SW	998 FEET NORTH AND 1211 FEET EAST FROM THE SW CORNER OF SECTION 21

to the mouth of the Wychus Creek being:

Twp	Rng	Mer	Sec	Q-Q
13 S	12 E	WM	7	SE NE

4. Once a permanent place of use is determined for the applicant's share of the conserved water, Lower Bridge Sub-District #2 of Three Sister Irrigation District shall submit a statement consistent with OAR 690-018-0062 (3)(a) that identifies:
 - a. The name and address of the person using the water;
 - b. A description of the type of beneficial use of the water;
 - c. A legal description of the place of use; and
 - d. A map that meets the standards in OAR 690-310-0050.

Prior to water being used at the new location, approval must be obtained from the Department. Once water has been used at the new location, if the applicant notifies the Department that the respective right has become appurtenant to the specified lands and provides satisfactory proof, the Department shall issue a certificate for the use of water at the identified location.

When required by the Department, the water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

All other conditions and limitations of the existing water right, Certificate 74135, and any related decree shall be included in the new certificate.

5. A new instream certificate shall be issued for conservation, maintenance and enhancement of aquatic and fish life, wildlife, fish and wildlife habitat and other ecological values in Wychus Creek from the authorized point of diversion (approximately River Mile 23.5) for Certificate 74135 at:

Authorized Point of Diversion:

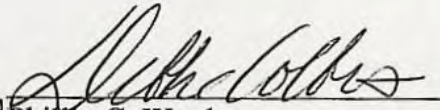
Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
15 S	10 E	WM	21	SW SW	998 FEET NORTH AND 1211 FEET EAST FROM THE SW CORNER OF SECTION 21

to the mouth of the Wychus Creek being:

Twp	Rng	Mer	Sec	Q-Q
13 S	12 E	WM	7	SE NE

The instream water right shall be for a total of 1.20 cfs, with a 1895 priority date, and shall replace a portion of instream water rights established pursuant to ORS 537.341 or 537.346 and shall be in addition to any instream water rights established pursuant to ORS 537.348 or 537.470, unless otherwise specified by a subsequent order establishing a new instream water right. The rights shall allow for the use and protection of flows from April 1 through October 31 and at other times when Three Sisters Irrigation District, or its successor, is diverting water.

Dated at Salem, Oregon this 28th day of September, 2006.


 Phillip C. Ward
 Director

Date of Mailing: OCT 06 2006

Protest Rights:

Under the provisions of OAR 690-018-0050, any person may protest this order by filing a protest with the Department within 60 days of the mailing of the determination.

If no protests are received the Director shall issue an order consistent with this determination.

Protests should be addressed to the attention of Bob Rice, Water Resources Department, 725 Summer St., NE Salem, OR 97301-1271.

This Notice of Determination and Proposed Final Order was prepared by Bob Rice. If you have questions about the information in this document, you may reach me at 503-986-0885 or Robert.D.Rice@wrp.state.or.us.

Bob Rice

From: Andy Fischer [andy@deschutesrc.org]
Sent: Thursday, October 26, 2006 1:43 PM
To: Bob Rice; Marc Thalacker
Cc: Scott McCaulou
Subject: RE: CW-44: P.O. Box needed for R. Hunter Leigh

I talked with R. Hunter Leigh today and this should be the correct mailing address:

R. Hunter Leigh
515 S McLoughlin Blvd.
Oregon City, OR 97045

If you need to contact him, his phone # is (503)803-1222

-Andy

Andy Fischer
Program Associate
Deschutes River Conservancy
700 NW Hill St
Bend, OR 97709-1560
541-382-4077, x13
andy@deschutesrc.org

-----Original Message-----

From: Bob Rice [mailto:Robert.D.RICE@wrд.state.or.us]
Sent: Thursday, October 26, 2006 11:41 AM
To: Marc Thalacker; Andy Fischer
Cc: Scott McCaulou
Subject: CW-44: P.O. Box needed for R. Hunter Leigh
Importance: High

Marc and Andy,

I'm still in need of a street mailing address for R. Hunter Leigh.

Please

send me this information as soon as possible, so that I can mail Leigh the PFO associated with CW-44.

Many thanks!

--Bob

-----Original Message-----

From: Bob Rice [mailto:Robert.D.RICE@wrд.state.or.us]
Sent: Wednesday, October 18, 2006 12:24 PM
To: Marc Thalacker (tsid@myl80.net)
Cc: 'Scott McCaulou'; 'andy@deschutesrc.org'
Subject: P.O. Box needed for R. Hunter Leigh

Hi Marc,

The PFO for CW-44, McKenzie Project, was returned for one of the McKenzie Group members. The Post Office indicated that there is "No Street Delivery" "Must Have P.O. Box#." Since the application didn't include a phone number for Leigh, I can't call them either.

If you could get me their P.O. Box mailing address it'd be appreciated.

Thanks!

*Forwarded information
(PFO) to Leigh on
10/26/06.*

--Bob

P.S. This is the only envelope that we've had returned, and I haven't heard from anyone about the project.

Bob Rice
Field Services Division
Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1271
(503) 986-0885
Fax: 503.986.0903
www.wrd.state.or.us

LOWER BRIDGE SUB-DISTRICT
#2 OF TSID
PO BOX 2230
SISTERS OR 97759

STEVE CALAVAN
70345 MCKENZIE CANYON RD.
TERREBONNE, OR 97760

THAYNE & MARGARET DUTSON
4306 ARROWHEAD CIRCLE
CORVALLIS, OR 97330

RANDY & MARY BURDICK
P.O. BOX 944
SISTERS, OR 97759

GLENN COOPER
15000 LOWER BRIDGE RD.
TERREBONNE, OR 97760

DANA & EVELYN DYKES
70520 MCKENZIE CANYON
TERREBONNE, OR 97760

WILLIAM & PAMELA BRANDON
31323 NE 111TH PLACE
CARNATION, WASHINGTON 98014

TIM DIPAOLO
P.O. BOX 724
BOLINAS, CALIFORNIA 94924

EMMETT RANCH, LLC
ATTN: JOHN SHORT
P.O. BOX 1830
BEND, OR 97709

KEN & JACQUELINE GIBBS
70177 MCKENZIE CANYON
TERREBONNE, OR 97760

JOSEPH & DANA GIEGERICH
P.O. BOX 341
SILVERTON, OR 97381

WILLIAM KELLEY
P.O. BOX 545
SISTERS, OR 97759

LONG HOLLOW RANCH
ATTN: RICHARD BLOOMFELDT
71105 HOLMES ROAD
SISTERS, OR 97759

DAVID & CHRIS LAWRENCE
ROUTE 1, BOX 246
TERREBONNE, OR 97760

DON KIDSON
1457 12TH STREET
SANTA MONICA, CA 90401

MCKENZIE CANYON GROUP
ATTN: JOHN FERARA
70105 HOLMES ROAD
SISTERS, OR 97759

DARWIN & JOSEPHINE MCKIBBIN
P.O. BOX 81
TERREBONNE, OR 97760

DAVID & PHYLLIS MULKEY
501 DELAY DRIVE
EUGENE, OR 97404

DAVID & RUTH PARKS
70425 MCKENZIE CANYON
TERREBONNE, OR 97760

MOSTAFA & NAKO SHIRAZI
2125 NW JACKSON CREEK
CORVALLIS, OR 97330

STEVE & KATHY SIMPSON
71300 NW LOWER BRIDGE
TERREBONNE, OR 97760

KENNETH TAYLOR
70290 MCKENZIE CANYON RD.
SISTERS, OR 97759

STEPHEN SPEARS
70915 LOWER BRIDGE
TERREBONNE, OR 97760

STEPHEN & ELIZABETH SPARKS
12021 WETHERFIELD LANE
POTOMAC, MARYLAND 20854

MARC & PAMELA THALACKER
70625 LOWER BRIDGE
TERREBONNE, OR 97760

JAQUELINE A. THOMAS
DEEANN R. MCCOY
911 SW 57TH AVENUE
PORTLAND, OR 97221

WILLIAM F. VEJROSTEK
70481 MCKENZIE CANYON RD.
TERREBONNE, OR 97760

MONTE L. KLINE FAMILY LTD
70090 HOLMES ROAD
SISTERS, OR 97759


JOHN FERARA
70105 HOLMES ROAD
SISTERS, OR 97759

JOHN BARRY
70104 RUNNING HORSE CT.
SISTERS, OR 97759

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TERREBONNE, OR 97760

CLIVE BIGELOW
18630 MCSWAIN DRIVE
SISTERS, OR 97759

KENNETH R. TISHER
2044 NW TRENTON
BEND, OR 97701

DAVID LUDI
19595 SE MARTIN ROAD
SANDY, OR 97055

Updated address =
R. Hunter Leigh
515 S. McLoughlin Blvd.
Oregon City, OR
97045



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

State of Oregon)
) ss
 County of Deschutes)

I, Marc Thalacker, in my capacity as Manager of TSID,
 mailing address P.O. Box 2230 Sisters, OR 97759
 telephone number (541) 549-8815, 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 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	11	WM	23	SE SW	1200	4.2

(continues on reverse side)

RECEIVED
 SEP 28 2006
 WATER RESOURCES DEPT
 SALEM, OREGON

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

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

5. The water delivery system used to apply water as authorized by the right is described below:
Metered 10" turnout off the Black Butte canal to a 6" mainline and handlines

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,
- Other: TSID delivery billings

Anna Thalacher
Signature of Affiant

9/25/2006
Date

Signed and sworn to (or affirmed) before me this 25th day of Sept., 2006.

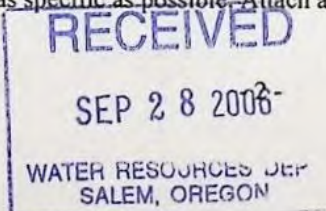


Rochelle A. Johnson
Notary Public for Oregon

My Commission Expires: 4/23/2009

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

Supplemental Form A



Affidavit Attesting to the Use of Water

THREE SISTERS IRRIGATION DISTRICT
P. O. BOX 2230, 68000 HWY. 20 W.
SISTERS, OREGON 97759
541-549-8815 FAX: 541-549-8070

STATEMENT DATE: October 31, 2005

CUSTOMER NAME & ADDRESS:

William & Mildred Kelley
P.O. Box 545
Bend OR 97701

CUSTOMER ACCOUNT NUMBER:

1036

WATER DELIVERY YEAR: 2005

DESCRIPTION:	RATE:	AMOUNT BILLED:
--------------	-------	----------------

2004 IRRIGATION WATER DELIVERY:

<u>BBm002</u>	12.60 Total Acre Feet Delivered	
4.20	Acres Prior & 1895@ \$15 per acre	\$63.00
	Additional Acre feet delivered after 2 ft/acre @ \$7.50/ac/ft	\$31.50
TOTAL DUE		\$94.50

TERMS:

1. The first one half (1/2) payment is due within thirty (30) days of the statement date. Subject to interest as of the thirty first (31) day.
2. The second half (1/2) payment is due on or before March 1st. Subject to interest as of March 2nd.
3. Interest charged is 1.33% per month.
4. If you have any questions or believe there is a mistake on your bill, please contact the office.
5. If we can't solve your problem, you will have the opportunity to contest your bill in front of the Board of Equalization, which will meet February 7, 2006. You must notify the office and make an appointment by January 27, 2006 at 5:00pm.

Your prompt payment saves time and money. Thank you in advance.



Requested
original
9/26

Three Sisters Irrigation District
P.O. Box 2230
68000 Hwy 20 West
Sisters, Oregon 97759
Tel (541) 549-8815
Fax (541) 549-8070



Fax

To: Bob Rice From: Mare Thelaker

Fax: _____ Pages: _____

Phone: _____ Date: _____

Company: _____ RE: _____

- Urgent
- For Review
- Please Comment
- Please Reply
- Please Recycle

★ Comments:

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

State of Oregon)
County of Deschutes) ss

I, Marc Thalacker, in my capacity as Manager of TSID,
mailing address P.O. Box 2230 Sisters, OR 97759
telephone number (541) 549-8815, 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 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:

Table with 8 columns and 13 rows. The first row contains the values: 14, 11, WM, 23, SE SW, 1200, 4.2.

(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.

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

5. The water delivery system used to apply water as authorized by the right is described below:
Metered 10" turnout off the Black Butte canal to a 6" mainline and handlines

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,
- Other: TSID delivery billings

[Signature]
Signature of Affiant

9/25/2006
Date

Signed and sworn to (or affirmed) before me this 25th day of Sept., 2006.



[Signature]
Notary Public for Oregon

My Commission Expires: 4/23/2009

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

THREE SISTERS IRRIGATION DISTRICT
 P. O. BOX 2230, 68000 HWY. 20 W.
 SISTERS, OREGON 97759
 541-549-8815 FAX: 541-549-8070

STATEMENT DATE: October 31, 2005

CUSTOMER NAME & ADDRESS:

William & Mildred Kelley
 P.O. Box 545
 Bend OR 97701

CUSTOMER ACCOUNT NUMBER:

1036

WATER DELIVERY YEAR: 2005

DESCRIPTION:	RATE:	AMOUNT BILLED:
--------------	-------	----------------

2004 IRRIGATION WATER DELIVERY:

<u>BBm002</u>	12.60 Total Acre Feet Delivered	
4.20	Acres Prior & 1895 @ \$15 per acre	\$63.00
	Additional Acre feet delivered after 2 ft/acre @ \$7.50/ac/ft	\$31.50
TOTAL DUE		\$94.50

TERMS:

1. The first one half (1/2) payment is due within thirty (30) days of the statement date, Subject to interest as of the thirty first (31) day.
2. The second half (1/2) payment is due on or before March 1st. Subject to interest as of March 2nd.
3. Interest charged is 1.33% per month.
4. If you have any questions or believe there is a mistake on your bill, please contact the office.
5. If we can't solve your problem, you will have the opportunity to contest your bill in front of the Board of Equalization, which will meet February 7, 2006. You must notify the office and make an appointment by January 27, 2006 at 5:00pm.

Your prompt payment saves time and money. Thank you in advance.

Bob Rice

From: Scott McCaulou [scott@deschutesrc.org]
Sent: Monday, September 18, 2006 9:01 AM
To: Bob Rice
Cc: tsid@my180.net
Subject: RE: CW-44 Confirmation of Changes

Bob,

This looks fine to me.

Scott

From: Bob Rice [mailto:Robert.D.RICE@wrld.state.or.us]
Sent: Friday, September 15, 2006 3:38 PM
To: Scott McCaulou
Subject: RE: CW-44 Confirmation of Changes

Scott,

Would you confirm the modification to the 1899 CW amount? Thanks!

Certificate	Originating Right Priority Date	Before Project Maximum Rate (cfs)	After Project Maximum Rate (cfs)	Conserved Water Rate (cfs)
74135	1895	31.71	30.51	1.20
	1899	0.78	0.75	0.03
	1904	7.56	7.28	0.28
	<i>Subtotal</i>	<i>40.05</i>	<i>38.54</i>	<i>1.51</i>

--Bob

From: Scott McCaulou [mailto:scott@deschutesrc.org]
Sent: Tuesday, August 29, 2006 3:00 PM
To: Bob Rice
Subject: RE: CW-44 Confirmation of Changes

Bob,

I concur with your description. Thanks.

Scott

From: Bob Rice [mailto:Robert.D.RICE@wrld.state.or.us]
Sent: Tuesday, August 29, 2006 2:54 PM
To: Scott McCaulou
Subject: CW-44 Confirmation of Changes

Hi Scott,

9/18/2006

As the agent for CW-44, I'm asking you to confirm (e-mail is OK) some information we've discussed, which would modify the original application.

1. Pursuant to OAR 690-018-0012(1), the applicant's propose that 80 percent of the conserved water be allocated to the State for an instream water right and that 20 percent be reserved for use by the Lower Bridge Sub-District #2 of Three Sister Irrigation District. The applicant further requests that 100 percent of the 1895 conserved water be allocated to the State for an instream water right and that 100 percent of the 1899 and 1904 conserved water be allocated to the Lower Bridge Sub-District #2 of Three Sister Irrigation District.

2. The amounts of water to be allocated to the applicant for new out-of-stream use, and the amount of water to be allocated to the state for an instream water right are:

Certificate	Priority Date	Conserved Water Rate (cfs)	New Lands Out-of-Stream Rate (cfs)	Instream Water Right Rate (cfs)
74135	1895	1.20	0.00	1.20
	1899	0.02	0.02	0.00
	1904	0.28	0.28	0.00
	<i>Subtotal</i>	<i>1.50</i>	<i>0.30</i>	<i>1.20</i>

3. The maximum per acre rate associated with the new lands should be the same as the maximum per rate associated with the conserved lands, being 1/52 cfs/acre.

Please give me a call if you have any questions.

Thanks!

--Bob

Bob Rice
 Field Services Division
 Water Resources Department
 725 Summer Street NE, Suite A
 Salem, Oregon 97301-1271
 (503) 986-0885
 Fax: 503.986.0903
 www.wrd.state.or.us



September 11, 2006

TO: Bob Rice, OWRD
FROM: Scott McCaulou, Deschutes River Conservancy
RE: TSID McKenzie Canyon Conserved Water Application

Included in this correspondence are copies of the three transfers in that we discussed relating to the McKenzie Canyon CWA. Please see the notes in the margins and let me know if you have any questions. Thanks.

700 NW Hill Street • Bend, Oregon 97701
(P.O. Box 11560 • 97709)
541.382.4077 • Fax 541.382.4078
www.deschutesrc.org / info@deschutesrc.org

BETTER STREAMS BELOW AND IMPROVING WATER QUALITY IN THE DESCHUTES BASIN

STATE OF OREGON
COUNTY OF DESCHUTES
ORDER APPROVING A CHANGE IN PLACE OF USE
IN AN IRRIGATION DISTRICT

Pursuant to ORS 540.580 (District Transfer of place of use of water within a district), after notice was given and no objections were filed, and finding that no injury to existing water rights would result, this order approves, as conditioned or limited herein, TRANSFER 8392 submitted by

SQUAW CREEK IRRIGATION DISTRICT
P.O. BOX 2230
SISTERS, OREGON 97759

The rights to be modified were confirmed by decree of the Circuit Court of the State of Oregon for DESCHUTES County as evidenced by PORTIONS of Certificate 74135. The decree is recorded in the Order Record of the Water Resources Director in Volume 1, at Pages 121, 122, 123, 124, 435, 438, 445, 472, and 473. The dates of priority are 1869, 1885, 1887, 1889, 1893, 1895, 1899, 1900, 1901, 1903, and 1904.

The rights allow the use of SQUAW CREEK, a tributary of THE DESCHUTES RIVER, for IRRIGATION OF 33.3 ACRES, being 8.5 acres with an 1893 priority and 24.8 acres with an 1895 priority. The amount of water to which these rights are entitled is limited to an amount actually beneficially used and shall not exceed 0.67 cubic foot per second (cfs), being 0.17 cfs for the 1893 priority and 0.50 cfs for the 1895 priority, or its equivalent in case of rotation, measured at the point of diversion from the source.

Notice: 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 137-004-080 and OAR 690-01-005, you may either petition for judicial review or petition the Director for reconsideration of this order.

The amount of water used for irrigation, together with the amount secured under any other right for the same lands, is limited to ONE-FIFTIETH of one cubic foot per second per acre, or its equivalent: for each acre irrigated during the irrigation season of each year.

The authorized places of use are located as follows:

TWP	RNG	SEC	QTR/QTR	TAX LOT	ACRES	PRIORITY
Powers — Powers —	15S	11E	5 SW¼ NE¼	100	4.50	1895
	15S	11E	5 SE¼ NW¼	101	1.00	1895
	15S	11E	8 SE¼ SE¼	700	4.00	1895
	15S	10E	12 NW¼ NE¼	302	4.10	1895
	15S	10E	12 NE¼ NW¼	303	3.90	1895
	15S	10E	24 NE¼ NE¼	406	5.50	1895
	15S	10E	24 NE¼ NE¼	406	8.50	1893
	15S	11E	18 SW¼ SW¼	2000	1.40	1895
	15S	11E	18 SE¼ SW¼	2000	0.40	1895

The right to use water for the above purposes is restricted to beneficial use on the lands or place of use described and is subject to all other conditions and limitations contained in the decree.

The district holds supplemental permits G-11378 and 29312.

The district proposes to change the places of use to:

TWP	RNG	SEC	QTR/QTR	TAX LOT	ACRES	PRIORITY
	14S	11E	33 SE¼ SW¼	3400	4.00	1895
	14S	11E	13 SE¼ SW¼	402	1.70	1895
	14S	11E	24 NE¼ NE¼	100	3.80	1895
	15S	10E	12 NE¼ NW¼	304	8.00	1895

ch for map

TWP	RNG	SEC	QTR/OTR	TAX LOT	ACRES	PRIORITY
15S	10E	24	NE¼ NE¼	406	5.50	1895
15S	10E	24	NE¼ NE¼	406	8.50	1893
15S	11E	18	SE¼ SW¼	2100	1.80	1895

- Powers

THESE CHANGES TO EXISTING WATER RIGHTS MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

1. The proposed changes shall be completed on or before October 1, 2001.
2. The former places of use shall no longer be irrigated as a part of these water rights.
3. Proof, to the satisfaction of the Director, that the changes approved by this order have been completed must be submitted by SQUAW CREEK IRRIGATION DISTRICT, on or before October 1, 2002.

Except as modified herein, all other conditions and restrictions on Certificate 74135 and supplemental permits G-11378 and 29312 remain in effect.

When the Director determines that it is necessary, or to facilitate records keeping, new certificates will be issued to confirm all completed changes for which satisfactory proof has been made and to confirm that portion of the right not modified by this or any other order.

WITNESS the signature of the Water Resources Director, affixed MAY 04 2000

Martha O. Pagel
 Martha O. Pagel, Director

STATE OF OREGON
COUNTY OF DESCHUTES
ORDER APPROVING A CHANGE IN PLACE OF USE
IN AN IRRIGATION DISTRICT

Pursuant to ORS 540.580 (District Transfer of place of use of water within a district), after notice was given and no objections were filed, and finding that no injury to existing water rights would result, this order approves, as conditioned or limited herein, TRANSFER 8994 submitted by

SQUAW CREEK IRRIGATION DISTRICT
P.O. BOX 2230
SISTERS, OREGON 97759.

The rights to be modified were confirmed by decree of the Circuit Court of the State of Oregon for DESCHUTES County as evidenced by PORTIONS of Certificate 74135. The decree is recorded in the Order Record of the Water Resources Director in Volume 1, at Pages 121, 122, 123, 124, 435, 438, 445, 472, and 473. The dates of priority are 1895 and 1899.

The rights allow the use of SQUAW CREEK, a tributary of THE DESCHUTES RIVER, for IRRIGATION OF 23.0 acres with an 1895 priority and IRRIGATION OF 7.0 acres with an 1899 priority. The amount of water to which these rights are entitled is limited to an amount actually beneficially used and shall not exceed 0.60 cubic foot per second, being 0.46 cfs for the 1895 priority and 0.14 cfs for the 1899 priority, or its equivalent in case of rotation, measured at the point of diversion from the source.

The amount of water used for irrigation, together with the amount secured under any other right for the same lands, is limited to ONE-FIFTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated during the irrigation season of each year.

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

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 137-004-080 and OAR 690-01-005, you may either petition for judicial review or petition the Director for reconsideration of this order.

The authorized places of use are located as follows:

TWP	RNG	SEC	QTR/QTR	TL	AC	APPLICANT	PRIORITY
14S	10E	36	NW¼ SE¼	2000	2.50	STOUT, JOHN	1895
14S	10E	36	SW¼ SE¼	2000	1.50	STOUT, JOHN	1895
14S	10E	36	SE¼ SE¼	2500	1.80	HURTLEY, DAVID	1895
14S	10E	36	SE¼ SE¼	2503	0.53	HURTLEY, DAVID	1895
14S	11E	30	NE¼ SW¼	4701	7.00	LEASON, JOHN	1889
14S	11E	31	SW¼ SW¼	200	1.67	HURTLEY, DAVID	1895
15S	11E	6	SW¼ NE¼	101	4.00	LESTER, DON	1895
15S	11E	8	SE¼ SE¼	700	11.00	TUMALO FARMS	1895

Spears —

The right to use water for the above purposes is restricted to beneficial use on the lands or place of use described and is subject to all other conditions and limitations contained in the decree.

The district holds supplemental permits G-11378 and 29312 for the use of water on the lands described by the authorized places of use.

The district proposes to change the places of use to:

TWP	RNG	SEC	QTR/QTR	TL	AC	RECIPIENT	PRIORITY
14S	11E	29	SW¼ SW¼	5800	10.00	PAULUS, TOM	1895
14S	11E	12	NE¼ SE¼	3000	2.10	SPEAR, STEVE	1895
14S	11E	12	SE¼ SE¼	3000	2.90	SPEAR, STEVE	1895
14S	11E	30	SE¼ SW¼	4800	7.00	LEASON, JOHN	1899
15S	11E	6	SW¼ NE¼	101	4.00	LESTER, DON	1895
14S	10E	36	SW¼ SE¼	1800	2.00	HURTLEY, DAVID	1895
14S	10E	36	SW¼ SE¼	1700	2.00	HURTLEY, DAVID	1895

Spears {


THESE CHANGES TO EXISTING WATER RIGHTS MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

1. The proposed changes shall be completed on or before October 1, 2004.
2. The former places of use shall no longer be irrigated as a part of these water rights.
3. Proof, to the satisfaction of the Director, that the changes approved by this order have been completed must be submitted by SQUAW CREEK IRRIGATION DISTRICT, on or before October 1, 2004.

Except as modified herein, all other conditions and restrictions on Certificate 74135 and supplemental permits G-11378 and 29312 remain in effect.

When the Director determines that it is necessary, or to facilitate records keeping, new certificates will be issued to confirm all completed changes for which satisfactory proof has been made and to confirm that portion of the right not modified by this or any other order.

WITNESS the signature of the Water Resources Director, affixed OCT 30 2002



For Paul R. Cleary, Director

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

In the Matter of Transfer Application T-9621, Deschutes County)))	F I N A L O R D E R A P P R O V I N G A D I S T R I C T P E R M A N E N T T R A N S F E R
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ORS 540.570 to 540.580 establishes the process in which a district may submit a request to transfer a water right within district boundaries. OAR Chapter 690, Division 385 implements the statutes and provides the Department's procedures and criteria for evaluating district transfer applications.

Applicant

THREE SISTERS IRRIGATION DISTRICT
68000 HIGHWAY 20 W
SISTERS, OREGON 97759

Findings of Fact

1. On December 31, 2003, Three Sisters Irrigation District filed a district transfer application to permanently change the place of use under Certificates 74135. The Department assigned the application number T-9621.
2. Associated with the above certificate are permitted supplemental rights, G-11378 and S-29312. The appurtenant supplemental rights will be transferred concurrently with their associated primary right(s).
3. Notice of the application for transfer was published pursuant to ORS 540.580 and OAR 690-385-4400. No comments were filed in response to the notice.
4. The portion of the first right to be transferred is as follows:
Certificate: 74135, issued in the name of Squaw Creek Irrigation District
Use: Irrigation
Priority Date: December 31, 1885, December 31, 1895, and December 31, 1904.
Rate & Duty: Maximum of 1/50 cfs per acre
Source: Squaw Creek, tributary to Deschutes River.

This is a final order in other than 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 Place of Use:

PRIORITY	TWP	RNG	MER	SEC	1/4	1/4	TL	USER	AC		
12/31/1895	14	S	11	E	WM	32	NW	NE	100	GARY ANDERSEN	10.50
12/31/1895	15	S	10	E	WM	24	SW	NW	200	KAY PATTERSON	7.72
12/31/1895	15	S	10	E	WM	24	NW	SW	200	KAY PATTERSON	2.28
12/31/1885	15	S	10	E	WM	26	NW	NE	600	WELDON WANKIER	10.00
12/31/1895	15	S	10	E	WM	26	NW	NE	600	WELDON WANKIER	3.60
12/31/1904	15	S	10	E	WM	26	NW	NE	600	WELDON WANKIER	7.00
12/31/1895	15	S	10	E	WM	26	SW	NE	600	WELDON WANKIER	10.00
12/31/1904	15	S	10	E	WM	26	NE	NW	600	WELDON WANKIER	2.10
12/31/1904	15	S	10	E	WM	26	NW	SE	600	WELDON WANKIER	6.00
12/31/1895	15	S	11	E	WM	4	NE	SW	402	EUGENE BALDWIN	0.29
12/31/1895	15	S	11	E	WM	4	SE	SW	402	EUGENE BALDWIN	4.71
12/31/1895	15	S	11	E	WM	8	NE	SE	100	TUMALO FARMS	2.00
TOTAL										66.20	

5. Application T-9621 proposes to change the place of use to:

PRIORITY	TWP	RNG	MER	SEC	1/4	1/4	TL	USER	AC		
12/31/1895	14	S	11	E	WM	34	SW	SW	6100	EUGENE BALDWIN	5.00
12/31/1895	14	S	12	E	WM	18	NE	SW	2200	DANA&EVELYN DYKES	2.00
12/31/1895	15	S	10	E	WM	15	NE	SE	1500	DAVID HERMAN	10.50
12/31/1895	15	S	10	E	WM	24	SW	SW	900	SISTERS RODEO ASSOC	10.00
12/31/1895	15	S	10	E	WM	26	NW	NE	600	WELDON WANKIER	5.50
12/31/1904	15	S	10	E	WM	26	NW	NE	600	WELDON WANKIER	15.10
12/31/1885	15	S	10	E	WM	26	SW	NE	600	WELDON WANKIER	10.0
12/31/1895	15	S	10	E	WM	26	NE	NW	600	WELDON WANKIER	6.00
12/31/1985	15	S	10	E	WM	26	SE	NW	600	WELDON WANKIER	2.10
TOTAL										66.20	

6. The portion of the second right to be transferred is as follows:

Permit: G-11378, issued in the name of Squaw Creek Irrigation District

Use: Supplemental Irrigation

Priority Date: October 8, 1984.

Rate & Duty: Maximum of 1/80 cfs and 3.0 acre-feet for each acre irrigated during the season

Source: Squaw Creek, tributary to Deschutes River.

Authorized Place of Use:

TWP	RNG	MER	SEC	1/4	1/4	TL	USER	AC		
14	S	11	E	WM	32	NW	NE	100	GARY ANDERSEN	10.50
15	S	10	E	WM	24	SW	NW	200	KAY PATTERSON	1.00
15	S	10	E	WM	24	NW	SW	200	KAY PATTERSON	2.28
15	S	10	E	WM	26	NW	NE	600	WELDON WANKIER	10.00

TWP	RNG	MER	SEC	1/4	1/4	TL	USER	AC	
15	S	10	E	WM	26	SW NE	600	WELDON WANKIER	10.00
15	S	10	E	WM	26	NE NW	600	WELDON WANKIER	2.10
15	S	10	E	WM	26	NW SE	600	WELDON WANKIER	5.00
15	S	11	E	WM	4	NE SW	402	EUGENE BALDWIN	0.29
15	S	11	E	WM	4	SE SW	402	EUGENE BALDWIN	4.71
15	S	11	E	WM	8	NE SE	100	TUMALO FARMS	2.00
TOTAL								47.88	

7. Application T-9621 proposes to change the place of use to:

TWP	RNG	MER	SEC	1/4	1/4	TL	USER	AC	
14	S	11	E	WM	34	SW SW	6100	EUGENE BALDWIN	5.00
14	S	12	E	WM	18	NE SW	2200	DANA&EVELYN DYKES	2.00
15	S	10	E	WM	15	NE SE	1500	DAVID HERMAN	10.50
15	S	10	E	WM	24	SW SW	900	SISTERS RODEO ASSOC	3.28
15	S	10	E	WM	26	NW NE	600	WELDON WANKIER	12.60
15	S	10	E	WM	26	SW NE	600	WELDON WANKIER	10.00
15	S	10	E	WM	26	NE NW	600	WELDON WANKIER	4.50
TOTAL								47.88	

8. The portion of the third right to be transferred is as follows:

Permit: S-29312, issued in the name of Squaw Creek Irrigation District

Use: Supplemental Irrigation

Priority Date: February 5, 1964.

Rate & Duty: Limited to 500 acre feet stored water only and a diversion of 4 1/2 acre feet for each acre irrigated during the irrigation season of each year; and, shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed.

Source: Squaw Creek Reservoir

Authorized Place of Use:

TWP	RNG	MER	SEC	1/4	1/4	TL	USER	AC	
15	S	11	E	WM	4	NE SW	402	EUGENE BALDWIN	0.29
15	S	11	E	WM	4	SE SW	402	EUGENE BALDWIN	4.71
15	S	11	E	WM	8	NE SE	100	TUMALO FARMS	2.00
TOTAL								7.00	

9. Application T-9621 proposes to change the place of use to:

TWP	RNG	MER	SEC	1/4	1/4	TL	USER	AC	
14	S	11	E	WM	34	SW SW	6100	EUGENE BALDWIN	5.00
14	S	12	E	WM	18	NE SW	2200	DANA&EVELYN DYKES	2.00
TOTAL								7.00	

10. The district permanent transfer application satisfies the criteria of OAR 690-385-4000, contains the information required under OAR 690-385-2000, and includes maps meeting the requirements of OAR 690-385-2200.
11. The water rights are subject to transfer as defined in OAR 690-385-0100(17).
12. The proposed change in place of use would not result in enlargement of the rights.
13. The proposed change in place of use would not result in injury to other water rights

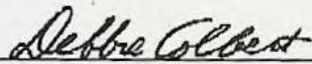
Conclusions of Law

The proposed changes in place of use in Transfer Application T-9621 satisfy the requirements of ORS 540.574(3) and 540.580.

Now, therefore, it is ORDERED:

1. The proposed changes to the water rights evidenced by Certificates 74135, G-11378, and S-29312 are approved.
2. The right to the use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Certificates 74135, G-11378, S-29312 and any related decree.
3. The former place of use shall no longer be irrigated as part of this water right.
4. The proposed change shall be completed on or before October 1, 2006.
5. A Claim of Beneficial Use shall be submitted by the applicant to the Department by October 1, 2007.
6. The Department shall issue a water right certificate on a determination that it is necessary to produce a certificate describing the water right.

Dated at Salem, Oregon this 16th day of August, 2005.


for Phillip C. Ward, Director

Bob Rice

From: Jonathan La Marche [jon.l.lamarche@wrd.state.or.us]
Sent: Thursday, August 17, 2006 7:52 AM
To: 'Bob Rice'
Cc: 'Laura Snedaker'
Subject: RE: CW-44

This section of the McKenzie Canyon lies in the arc-adjacent plain of the Deschutes Formation (Lite and Gannett, 2002), which has moderate to high permeability. The piping project extends from roughly 0 to 2.5 miles from the Deschutes River and McKenzie canyon "enters" the Deschutes canyon on roughly RM 130.8. Our seepage runs show the Deschutes river starts to gain water around this RM and even larger springs just downstream 129. The head gradient is towards this discharge area. So yes, generally speaking, any canal leakage would show up in this area.

-Jonathan

Jonathan La Marche
Hydrologist, P.E.
Oregon Water Resources Department
1128 NW Harriman St.,
Bend OR, 97701

tel: 541-330-4659
fax:541-388-5101
email: jon.l.lamarche@wrd.state.or.us

-----Original Message-----

From: Bob Rice [mailto:Robert.D.RICE@wrd.state.or.us]
Sent: Friday, August 04, 2006 4:13 PM
To: 'Jonathan La Marche'
Cc: 'Jeremy Giffin'; 'Laura Snedaker'
Subject: CW-44

Jonathan

On the McKenzie Canyon, TSID, allocation of conserved water application, Jeremy flagged an issue that you might want to weigh in on.

Jeremy states:

"There may be undetectable return flows through the groundwater system, an analysis may have to be done by our groundwater department."

Jeremy has (a portion of) the application file.

I think this issue may have arisen from discussion Laura had with Jeremy regarding a Deschutes Mitigation Project where you indicated that some return flows in the Deschutes may start occurring around RM 138.

If you want to give me information on this, it'd be great to have it when I'm back from vacation on the 23rd. Thanks!

--Bob

P.S. The proposed instream reach is from the TSID POD to the mouth of Wychus Creek.

Bob Rice
Field Services Division
Water Resources Department
725 Summer Street NE, Suite A

ATTN: Bob Rice

January 10, 2006



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

Watermaster Review Form: Allocation of Conserved Water Application

Conserved Water Application #: CW-44
Involving Certificate(s) #: 74135

Pre-Project Water Right

1. In my opinion, the water right is valid and not subject to forfeiture.
 Yes No Don't Know Explain if needed: _____

Do you want to pursue cancellation?
 Yes No Explain, if needed: _____

2. Is there evidence to suggest that the applicant is NOT ready, willing, and able to use the full rate associated with this water right?
 Yes No Don't Know Explain, if needed: _____

Do you have concerns over whether the applicant is ready, willing, and able to use the full rate associated with this water right?
 Yes No Explain, if needed: _____

Issues Associated with Injury and Mitigation (See ORS 537.470 and OAR 690-018-0012(1): "After determining the quantity of conserved water, if any, required to mitigate the effects on other water rights ...")

3. In my opinion, this water right could be beneficially used at maximum rate and duty without having return flows. (Note: The question is not asking whether there have historically been return flows).
 Yes No Don't Know

There are visible, above ground return flows coming from the place of use of the subject water right.
 Yes No Don't Know

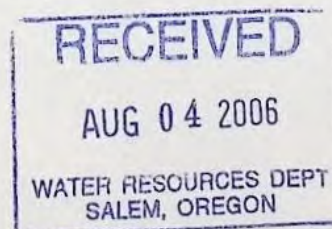
Explain, if needed: _____

4. In my opinion, the proposed project,
 MAY BE MADE WITHOUT HARM (e.g. Injury) (See OAR 690-018-0050(4)(b))
Please explain: As long as the instream water right reach created is only maintained to the mouth of Wychus Creek and not further into the Deschutes River. The new instream water right created is not a measureable portion of the flow in the receiving stream as required by OAR 690-077-0015 (7).

WOULD RESULT IN HARM (e.g. Injury, considering return flows, etc.)
Please explain: _____

The project could be modified to avoid harm by (suggestions may include possible mitigation measures) _____.

Instream Water Right to be Created by the Project



5. In my opinion, the proposed instream reach(es), instream rate and duty, any instream loss factor, and time-period to be protected instream are appropriate.

Yes No Explain, if needed: See comment under #4 and the new instream water right would have to be prorated back with the other 1895 water rights on the creek.

Measuring Devices

In my opinion, the order approving the allocation of conserved water application should include the following in regard to the appropriator installing suitable measuring devices in the diversion works and/or at a lateral.

Post-Project Water Right (Existing lands)

6. Specify when and where (POD or lateral) the measuring devices should be required and explain if needed. _____

- (1) PRIOR to using the conserved water for instream purposes or new out-of-stream purposes ...
 (2) WHEN IN the judgment of the watermaster it becomes necessary ...
 (3) Not needed

New Out-of-Stream Water Right to be Created by the Project (New lands)

7. Specify when and where (POD or lateral) the measuring devices should be required and explain, if needed. _____

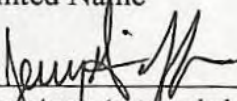
- (1) PRIOR using the conserved water ...
 (2) WHEN IN the judgment of the watermaster it becomes necessary ...
 (3) Not needed

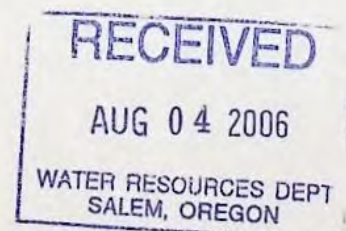
Other Comments

8. There may be undetectible return flows through the groundwater system, an analysis may have to be done by our groundwater department. The new instream water rights are to be the same priority as the majority of water rights along the creek and therefore will be proportionatly available throughout the season and may occasionally be at full face value. The new instream water right will be released by TSID and regulated by OWRD gage 14076050.

Jeremy Giffin
Printed Name

Date: 8/1/06


Signature (not needed if review sheet is returned via e-mail)



Bob Rice

From: Scott McCaulou [scott@deschutesrc.org]
Sent: Thursday, August 31, 2006 3:21 PM
To: Bob Rice
Subject: RE: TSID CW-44

According to Marc, Baker was mistakenly included in the original agreement. He is not a part of the project.

The Steve Spears question can probably be answered by looking at the transfer associated with him. Let me know if you need the transfer number again.

Scott

-----Original Message-----

From: Bob Rice [mailto:Robert.D.RICE@wrд.state.or.us]
Sent: Thursday, August 31, 2006 1:30 PM
To: Scott McCaulou
Cc: Danielle MacBain
Subject: TSID CW-44

Hi Scott,

Upon further review there appears to be a couple other items missing from the above referenced application. First, the application contains a signature for Craig Baker but does not contain an affidavit of use or deed nor were his lands marked on the certificate. We're not sure if this gentlemen's lands are affected by this application. Second, the application contains an affidavit of use and deed for Stephen Spears but the lands listed don't seem to be listed on the certificate.

On the bright side of things, maybe these questions will help solve the acreage dilemma. Please let me know how we should proceed. If you have any questions, please let me know.

Thanks!!

--Bob

Bob Rice
Field Services Division
Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1271
(503) 986-0885
Fax: 503.986.0903
www.wrd.state.or.us

Owner	1895 IRR	1895 Pond	1899 IRR	1904 IRR	1904 Pond	Total	Comments
McKenzie Canyon Group	28					28	
Gieggerich			6.8			6.8	
Brandon			7.5			7.5	
Kelley	4.2					4.2	
Burdkick, R & M	5		5.2			10.2	
Shirazi	1.8					1.8	
Gibbs	14.5					14.5	
Thomas/McCoy	8					8	
K Taylor	19.8					19.8	
Calavan	15					15	
DiPaulo	14.5			3.5		18	Purchased from Short
Ludi	8			1.1		9.1	Purchased from Short
Mohr	0.5					0.5	Purchased from Short
Tisher	23			0.5		23.5	Purchased from Short
Powers II	49.57					49.57	See T8392 V54 p328
McKibbin	24.5					24.5	
Dykes	7.5					7.5	See T8994 V56 p201 202 2021
Vejrosteck	65.18					65.18	
Parks	65			19.5		84.5	
Sparks	201.5	2.5				204	
Thalacker	202.5			1.5	15	219	
Spears	5					5	See T9621 8994 V.56 p2021
Lawrence	27					27	
Simpson	124		11.5			135.5	
Dutson	116.5	0.5		17		134	
Long Hollow Ranch	229.5			12.5		242	
Simpson (Page)	70			6		76	
Kidson	69	0.5		4.5	0.5	74	
Mulkey	98	1	8	85		192	
Cooper	84.5			207.5	4	296	
	1581.55	4	39	358.6	19.5	2002.65	
		4.5			19.0		

Priority Dates	1895	1899	1904	
Total Acres	1585.55	39	378.1	2002.65
Total CFS	31.711	0.78	7.562	40.053
Total CFS rounded	31.71	0.78	7.56	40.05

<u>Lot</u>	<u>qQ</u>	<u>Tl</u>	<u>Acres</u>	<u>Type</u>	<u>Prior.</u>	<u>Owner</u>
	SE¼ SE¼	1300	34.00	IRR	1904	Cooper, Glenn
						Section 19
	SW¼ NE¼	1401	17.50	IRR	1895	Cooper, Glenn
	SW¼ NE¼	1401	23.50	IRR	1904	Cooper, Glenn
	SE¼ NE¼	1401	8.50	IRR	1904	Cooper, Glenn
	NE¼ NW¼	1401	22.00	IRR	1904	Cooper, Glenn
	SW¼ NW¼	1401	8.50	IRR	1904	Cooper, Glenn
	SE¼ NW¼	1401	17.00	IRR	1895	Cooper, Glenn
	SE¼ NW¼	1401	23.00	IRR	1904	Cooper, Glenn
	NW¼ SW¼	1401	18.00	IRR	1904	Cooper, Glenn
	NW¼ SW¼	1401	4.00	POND	1904	Cooper, Glenn
	SW¼ SW¼	1401	30.00	IRR	1904	Cooper, Glenn
	NE¼ SE¼	1401	4.00	IRR	1904	Cooper, Glenn
	NW¼ SE¼	1401	6.00	IRR	1904	Cooper, Glenn
						Section 20
	NW¼ NW¼	1401	39.00	IRR	1895	Cooper, Glenn
	SW¼ NW¼	1900	37.00	IRR	1895	Mulkey, David & Phyllis
	NW¼ SW¼	1900	21.00	IRR	1895	Mulkey, David & Phyllis
	NW¼ SW¼	1900	8.00	IRR	1899	Mulkey, David & Phyllis
	NW¼ SW¼	1900	11.00	IRR	1904	Mulkey, David & Phyllis
	SW¼ SW¼	2000	16.00	IRR	1895	Kidson, Don
						Section 29
	NE¼ NE¼	1401	11.00	IRR	1895	Cooper, Glenn
	NE¼ NE¼	1401	30.00	IRR	1904	Cooper, Glenn
	SW¼ NE¼	1900	2.00	IRR	1895	Mulkey, David & Phyllis
	SW¼ NE¼	1900	14.00	IRR	1904	Mulkey, David & Phyllis
	SE¼ NE¼	1900	38.00	IRR	1895	Mulkey, David & Phyllis
	SE¼ NE¼	1900	1.00	POND	1895	Mulkey, David & Phyllis
	NE¼ SE¼	1900	40.00	IRR	1904	Mulkey, David & Phyllis
	NW¼ SE¼	1900	20.00	IRR	1904	Mulkey, David & Phyllis
	SW¼ SE¼	2000	6.00	IRR	1895	Kidson, Don
	SW¼ SE¼	2000	0.50	POND	1895	Kidson, Don
	SE¼ SE¼	2000	9.00	IRR	1895	Kidson, Don
	SE¼ SE¼	2000	5.00	IRR	1904	Kidson, Don
						Section 30
	NE¼ NE¼	2000	9.00	IRR	1895	Kidson, Don
	NW¼ NE¼	2000	6.00	IRR	1895	Kidson, Don
	SW¼ NE¼	2000	8.00	IRR	1895	Kidson, Don
	SE¼ NE¼	2000	13.50	IRR	1895	Kidson, Don
	NE¼ SW¼	2100	3.50	IRR	1895	Page, Richard
	SE¼ SW¼	2100	25.00	IRR	1895	Page, Richard
						Section 31
	NW¼ NW¼	2000	1.00	IRR	1895	Kidson, Don
						Section 32
						Township 13 South, Range 12 East, W.M.
	SW¼ NE¼	2400	2.50	IRR	1895	Hurtley, David & Judy

NE$\frac{1}{4}$ SE$\frac{1}{4}$	200	2.00	IRR	1895	Hurtley, David & Judy
NE$\frac{1}{4}$ SE$\frac{1}{4}$	800	1.50	IRR	1895	Hurtley, David & Judy
NE$\frac{1}{4}$ SE$\frac{1}{4}$	900	1.50	IRR	1895	Hurtley, David & Judy
NW$\frac{1}{4}$ SE$\frac{1}{4}$	2000	2.50	IRR	1895	Hurtley, David & Judy
NW$\frac{1}{4}$ SE$\frac{1}{4}$	2400	1.50	IRR	1895	Hurtley, David & Judy
NW$\frac{1}{4}$ SE$\frac{1}{4}$	500	2.00	IRR	1895	Hurtley, David & Judy
NW$\frac{1}{4}$ SE$\frac{1}{4}$	600	4.00	IRR	1895	Hurtley, David & Judy
SW$\frac{1}{4}$ SE$\frac{1}{4}$	1900	2.00	IRR	1895	Hurtley, David & Judy
SW$\frac{1}{4}$ SE$\frac{1}{4}$	2000	1.50	IRR	1895	Hurtley, David & Judy
SE$\frac{1}{4}$ SE$\frac{1}{4}$	2500	12.00	IRR	1895	Hurtley, David & Judy
SE$\frac{1}{4}$ SE$\frac{1}{4}$	2501	4.00	IRR	1895	Hurtley, David & Judy
SE$\frac{1}{4}$ SE$\frac{1}{4}$	2502	5.00	IRR	1895	Hurtley, David & Judy
SE$\frac{1}{4}$ SE$\frac{1}{4}$	2503	3.00	IRR	1895	Hurtley, David & Judy
SE$\frac{1}{4}$ SE$\frac{1}{4}$	2504	4.00	IRR	1895	Hurtley, David & Judy

Section 36

~~Township 14 South, Range 10 East, W.M.~~

NE $\frac{1}{4}$ SW $\frac{1}{4}$	101	5.00	IRR	1895	Long Hollow Ranch
SW $\frac{1}{4}$ SW $\frac{1}{4}$	101	18.00	IRR	1895	Long Hollow Ranch
SW $\frac{1}{4}$ SW $\frac{1}{4}$	101	4.00	IRR	1904	Long Hollow Ranch
SE $\frac{1}{4}$ SW $\frac{1}{4}$	101	32.00	IRR	1895	Long Hollow Ranch
SE $\frac{1}{4}$ SW $\frac{1}{4}$	101	2.00	IRR	1904	Long Hollow Ranch
NW $\frac{1}{4}$ SE $\frac{1}{4}$	101	16.00	IRR	1895	Long Hollow Ranch
SW $\frac{1}{4}$ SE $\frac{1}{4}$	101	36.50	IRR	1895	Long Hollow Ranch
SE $\frac{1}{4}$ SE $\frac{1}{4}$	101	26.00	IRR	1895	Long Hollow Ranch

Section 1

SE $\frac{1}{4}$ SE $\frac{1}{4}$	101	11.00	IRR	1895	Long Hollow Ranch
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Section 2

NE $\frac{1}{4}$ NE $\frac{1}{4}$	101	25.50	IRR	1895	Long Hollow Ranch
NE $\frac{1}{4}$ NE $\frac{1}{4}$	101	1.00	IRR	1904	Long Hollow Ranch
NW $\frac{1}{4}$ NE $\frac{1}{4}$	101	17.50	IRR	1895	Long Hollow Ranch
NW $\frac{1}{4}$ NE $\frac{1}{4}$	101	2.50	IRR	1904	Long Hollow Ranch
NE $\frac{1}{4}$ NW $\frac{1}{4}$	101	4.00	IRR	1895	Long Hollow Ranch

Section 11

NE $\frac{1}{4}$ NE $\frac{1}{4}$	103	23.50	IRR	1895	Long Hollow Ranch
NW $\frac{1}{4}$ NE $\frac{1}{4}$	103	8.50	IRR	1895	Long Hollow Ranch
NW $\frac{1}{4}$ NW $\frac{1}{4}$	100	6.00	IRR	1895	Long Hollow Ranch
NW $\frac{1}{4}$ NW $\frac{1}{4}$	100	3.00	IRR	1904	Long Hollow Ranch

Section 12

NW $\frac{1}{4}$ NE $\frac{1}{4}$	200	5.00	IRR	1895	Simon, Jim
SW $\frac{1}{4}$ NE $\frac{1}{4}$	300	0.68	IRR	1895	Friend, Chester & Pamela
SE $\frac{1}{4}$ NE $\frac{1}{4}$	401	14.00	IRR	1895	Friend, Chester & Pamela
NE $\frac{1}{4}$ NW $\frac{1}{4}$	200	19.50	IRR	1904	Simon, Jim
SW $\frac{1}{4}$ NW $\frac{1}{4}$	500	13.50	IRR	1895	Simon, Jim
SE $\frac{1}{4}$ NW $\frac{1}{4}$	500	5.50	IRR	1895	Simon, Jim
NE $\frac{1}{4}$ SW $\frac{1}{4}$	500	8.00	IRR	1895	Simon, Jim
NW $\frac{1}{4}$ SW $\frac{1}{4}$	500	33.00	IRR	1895	Simon, Jim
SW $\frac{1}{4}$ SW $\frac{1}{4}$	700	21.50	IRR	1895	Kavanagh, Geraldine
SW $\frac{1}{4}$ SW $\frac{1}{4}$	700	0.50	IRR	1904	Kavanagh, Geraldine
SW $\frac{1}{4}$ SW $\frac{1}{4}$	800	4.00	IRR	1895	Kavanagh, Geraldine

SE $\frac{1}{4}$ SW $\frac{1}{4}$	600	5.87	IRR	1895	Sanders, Ed & Betty
NE $\frac{1}{4}$ SE $\frac{1}{4}$	401	37.00	IRR	1895	Friend, Chester & Pamela
NW $\frac{1}{4}$ SE $\frac{1}{4}$	300	1.50	IRR	1895	Friend, Chester & Pamela
SW $\frac{1}{4}$ SE $\frac{1}{4}$	400	22.00	IRR	1895	Sanders, Ed & Betty
SE $\frac{1}{4}$ SE $\frac{1}{4}$	400	12.00	IRR	1895	Sanders, Ed & Betty
SE $\frac{1}{4}$ SE $\frac{1}{4}$	401	12.00	IRR	1895	Friend, Chester & Pamela
Section 13					
SE $\frac{1}{4}$ SE $\frac{1}{4}$	700	3.50	IRR	1895	Kavanagh, Geraldine
SE $\frac{1}{4}$ SE $\frac{1}{4}$	700	3.10	IRR	1904	Kavanagh, Geraldine
SE $\frac{1}{4}$ SE $\frac{1}{4}$	800	2.00	IRR	1895	Kavanagh, Geraldine
Section 14					
NE $\frac{1}{4}$ SW $\frac{1}{4}$	600	2.10	IRR	1895	Elmore, Michael
NE $\frac{1}{4}$ SW $\frac{1}{4}$	700	2.10	IRR	1895	Elmore, Michael
SE $\frac{1}{4}$ SW $\frac{1}{4}$	600	2.90	IRR	1895	Elmore, Michael
SE $\frac{1}{4}$ SW $\frac{1}{4}$	900	9.00	IRR	1895	Elmore, Michael
NW $\frac{1}{4}$ SE $\frac{1}{4}$	700	2.90	IRR	1895	Elmore, Michael
Section 22					
NE $\frac{1}{4}$ NE $\frac{1}{4}$	100	6.00	IRR	1895	Kavanagh, Geraldine
NE $\frac{1}{4}$ NE $\frac{1}{4}$	100	1.50	IRR	1904	Kavanagh, Geraldine
NE $\frac{1}{4}$ NE $\frac{1}{4}$	200	15.00	IRR	1895	Helikson, Paul & Sherry
NE $\frac{1}{4}$ NE $\frac{1}{4}$	400	1.50	IRR	1895	Kavanagh, Geraldine
SE $\frac{1}{4}$ NE $\frac{1}{4}$	300	19.80	IRR	1895	Helikson, Paul & Sherry
SW $\frac{1}{4}$ SW $\frac{1}{4}$	1400	6.80	IRR	1899	Burdick, Robert R.
SE $\frac{1}{4}$ SW $\frac{1}{4}$	1200	4.20	IRR	1895	Kelley, William & Mildred
SE $\frac{1}{4}$ SW $\frac{1}{4}$	1300	7.50	IRR	1899	Burdick, Robert R.
NE $\frac{1}{4}$ SE $\frac{1}{4}$	800	8.00	IRR	1895	Vestal, William & Victoria
NW $\frac{1}{4}$ SE $\frac{1}{4}$	400	8.00	IRR	1895	Volz, Charles & Jan
NW $\frac{1}{4}$ SE $\frac{1}{4}$	700	6.50	IRR	1895	Volz, Charles & Jan
SW $\frac{1}{4}$ SE $\frac{1}{4}$	1000	1.80	IRR	1895	Shirazi, Mostafa & Naoko
SW $\frac{1}{4}$ SE $\frac{1}{4}$	1100	5.00	IRR	1895	Burdick, Joyce G.
SW $\frac{1}{4}$ SE $\frac{1}{4}$	1100	5.20	IRR	1899	Burdick, Joyce G.
Section 23					
NE $\frac{1}{4}$ NE $\frac{1}{4}$	100	2.70	IRR	1895	Sanders, Ed & Betty
NW $\frac{1}{4}$ NE $\frac{1}{4}$	100	1.50	IRR	1895	Sanders, Ed & Betty
NW $\frac{1}{4}$ NW $\frac{1}{4}$	400	6.00	IRR	1895	Kavanagh, Geraldine
NW $\frac{1}{4}$ NW $\frac{1}{4}$	500	1.50	IRR	1895	Kavanagh, Geraldine
Section 24					
NW $\frac{1}{4}$ NE $\frac{1}{4}$	300	5.00	IRR	1895	Elmore, Michael
NW $\frac{1}{4}$ NE $\frac{1}{4}$	400	4.00	IRR	1895	Elmore, Michael
Section 27					
SE$\frac{1}{4}$ SW$\frac{1}{4}$	500	6.00	IRR	1895	Jeffers, Donald & Gail
Section 28					
SE$\frac{1}{4}$ SW$\frac{1}{4}$	5800	8.00	IRR	1895	Paulus, Tom
SW$\frac{1}{4}$ SE$\frac{1}{4}$	5802	3.00	IRR	1895	Wilson, Aaron & Helen
SW$\frac{1}{4}$ SE$\frac{1}{4}$	5802	11.00	IRR	1904	Wilson, Aaron & Helen
Section 29					

NE $\frac{1}{4}$ SW $\frac{1}{4}$	4701	40.00	IRR	1899	Leason, Catherine
SE $\frac{1}{4}$ SW $\frac{1}{4}$	4800	6.80	IRR	1895	Leason, John
SE $\frac{1}{4}$ SW $\frac{1}{4}$	4800	19.60	IRR	1899	Leason, John
NE $\frac{1}{4}$ SE $\frac{1}{4}$	4700	16.50	IRR	1895	Richardson, Reece & Lorene
NE $\frac{1}{4}$ SE $\frac{1}{4}$	4700	0.50	POND	1895	Richardson, Reece & Lorene
NE $\frac{1}{4}$ SE $\frac{1}{4}$	4704	3.00	IRR	1895	Richardson, Reece & Lorene
SW $\frac{1}{4}$ SE $\frac{1}{4}$	4800	30.90	IRR	1895	Leason, John
SW $\frac{1}{4}$ SE $\frac{1}{4}$	4800	8.60	IRR	1899	Leason, John
SE $\frac{1}{4}$ SE $\frac{1}{4}$	4800	36.70	IRR	1895	Leason, John

Section 30

NE $\frac{1}{4}$ NE $\frac{1}{4}$	4800	37.30	IRR	1895	Leason, John
NW $\frac{1}{4}$ NE $\frac{1}{4}$	4800	40.00	IRR	1895	Leason, John
SW $\frac{1}{4}$ NE $\frac{1}{4}$	4800	30.40	IRR	1895	Leason, John
SE $\frac{1}{4}$ NE $\frac{1}{4}$	4800	31.90	IRR	1895	Leason, John
NE $\frac{1}{4}$ NW $\frac{1}{4}$	4800	9.70	IRR	1895	Leason, John
SE $\frac{1}{4}$ NW $\frac{1}{4}$	5200	0.70	IRR	1895	Leason, John
3 NW $\frac{1}{4}$ SW $\frac{1}{4}$	1000	4.00	IRR	1895	Hurtley, David & Judy
3 NW $\frac{1}{4}$ SW $\frac{1}{4}$	300	4.00	IRR	1895	Hurtley, David & Judy
3 NW $\frac{1}{4}$ SW $\frac{1}{4}$	500	3.00	IRR	1895	Hurtley, David & Judy
3 NW $\frac{1}{4}$ SW $\frac{1}{4}$	600	2.00	IRR	1895	Hurtley, David & Judy
3 NW $\frac{1}{4}$ SW $\frac{1}{4}$	700	4.00	IRR	1895	Hurtley, David & Judy
3 NW $\frac{1}{4}$ SW $\frac{1}{4}$	800	2.50	IRR	1895	Hurtley, David & Judy
3 NW $\frac{1}{4}$ SW $\frac{1}{4}$	900	2.00	IRR	1895	Hurtley, David & Judy
4 SW $\frac{1}{4}$ SW $\frac{1}{4}$	200	22.00	IRR	1895	Hurtley, David & Judy
4 SW $\frac{1}{4}$ SW $\frac{1}{4}$	201	6.00	IRR	1895	Hurtley, David & Judy
NE $\frac{1}{4}$ SE $\frac{1}{4}$	5300	36.60	IRR	1895	Leason, John
NW $\frac{1}{4}$ SE $\frac{1}{4}$	5300	16.10	IRR	1895	Leason, John
NW $\frac{1}{4}$ SE $\frac{1}{4}$	5300	1.60	IRR	1899	Leason, John
SW $\frac{1}{4}$ SE $\frac{1}{4}$	5400	12.20	IRR	1895	Leason, John
SE $\frac{1}{4}$ SE $\frac{1}{4}$	5500	39.10	IRR	1895	Leason, John

Section 31

NE $\frac{1}{4}$ NE $\frac{1}{4}$	100	29.00	IRR	1895	Lengley, Tom
NW $\frac{1}{4}$ NE $\frac{1}{4}$	100	32.50	IRR	1895	Lengley, Tom
SW $\frac{1}{4}$ NE $\frac{1}{4}$	100	7.00	IRR	1895	Lengley, Tom
SE $\frac{1}{4}$ NE $\frac{1}{4}$	100	11.00	IRR	1895	Lengley, Tom
SW $\frac{1}{4}$ SW $\frac{1}{4}$	1200	16.00	IRR	1895	King, Robert & Nancy
SE $\frac{1}{4}$ SE $\frac{1}{4}$	1700	6.00	IRR	1895	Hicks, John & Barbara
SE $\frac{1}{4}$ SE $\frac{1}{4}$	1701	12.50	IRR	1895	Russell, Gordon
SE $\frac{1}{4}$ SE $\frac{1}{4}$	1702	1.50	IRR	1895	Hicks, John & Barbara

Section 32

NW $\frac{1}{4}$ NW $\frac{1}{4}$	400	20.00	IRR	1895	Lengley, Tom
NW $\frac{1}{4}$ NW $\frac{1}{4}$	400	1.00	POND	1895	Lengley, Tom
SE $\frac{1}{4}$ NW $\frac{1}{4}$	500	5.00	IND	1904	S.C.I.D., Mac. Pond
NE $\frac{1}{4}$ SW $\frac{1}{4}$	3600	8.50	IRR	1895	Carmell, John P. & Ramona J
NE $\frac{1}{4}$ SW $\frac{1}{4}$	3600	0.50	POND	1895	Carmell, John P. & Ramona J
NW $\frac{1}{4}$ SW $\frac{1}{4}$	1300	2.50	IRR	1895	Nicholson, Brad & Molly
SW $\frac{1}{4}$ SW $\frac{1}{4}$	1300	0.50	IRR	1895	Nicholson, Brad & Molly
SW $\frac{1}{4}$ SW $\frac{1}{4}$	1400	7.00	IRR	1895	Johnson, Den
SW $\frac{1}{4}$ SW $\frac{1}{4}$	1500	5.00	IRR	1895	Mason, Don R. & Willadean
SW $\frac{1}{4}$ SW $\frac{1}{4}$	1600	8.00	IRR	1895	Johnson, Den
SW $\frac{1}{4}$ SW $\frac{1}{4}$	1700	6.00	IRR	1895	Stephenson, Robert & Patricia

SW$\frac{1}{4}$ SW$\frac{1}{4}$	3500	1.00	IRR	1895	Jewett, Daniel & Jeanne
SE$\frac{1}{4}$ SW$\frac{1}{4}$	1700	1.00	IRR	1895	Stephenson, Robert & Patricia
SE$\frac{1}{4}$ SW$\frac{1}{4}$	1800	5.00	IRR	1895	Sage, L. Gordon & Linda
SE$\frac{1}{4}$ SW$\frac{1}{4}$	3500	4.00	IRR	1895	Jewett, Daniel & Jeanne
NW$\frac{1}{4}$ SE$\frac{1}{4}$	500	9.10	POND	1895	S.C.I.D., Mae. Pond
SE$\frac{1}{4}$ SE$\frac{1}{4}$	2400	8.00	IRR	1895	McCullough, William & Shirley
SE$\frac{1}{4}$ SE$\frac{1}{4}$	2500	7.50	IRR	1895	Gerland, Jacqueline
SE$\frac{1}{4}$ SE$\frac{1}{4}$	2600	7.50	IRR	1895	Gerland, Jacqueline

Section 33

~~Township 14 South, Range 11 East, W.M.~~

1	NE $\frac{1}{4}$ NE $\frac{1}{4}$	800	15.50	IRR	1895	Williams, Don & Myrtle
2	NW $\frac{1}{4}$ NE $\frac{1}{4}$	800	27.00	IRR	1895	Williams, Don & Myrtle
	SW $\frac{1}{4}$ NE $\frac{1}{4}$	800	25.00	IRR	1895	Williams, Don & Myrtle
	SE $\frac{1}{4}$ NE $\frac{1}{4}$	800	10.00	IRR	1895	Williams, Don & Myrtle
3	NE $\frac{1}{4}$ NW $\frac{1}{4}$	800	10.50	IRR	1895	Williams, Don & Myrtle
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	800	7.00	IRR	1895	Williams, Don & Myrtle

Section 5

3	NE $\frac{1}{4}$ NW $\frac{1}{4}$	902	40.00	IRR	1895	Page, Richard
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	902	1.50	IRR	1895	Page, Richard
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	902	6.00	IRR	1904	Page, Richard
	NE $\frac{1}{4}$ SW $\frac{1}{4}$	900	5.00	IRR	1895	Wallace, Al
6	NW $\frac{1}{4}$ SW $\frac{1}{4}$	1000	2.50	IRR	1895	Wallace, Al
6	NW $\frac{1}{4}$ SW $\frac{1}{4}$	1000	6.00	IRR	1904	Wallace, Al
7	SW $\frac{1}{4}$ SW $\frac{1}{4}$	1000	35.00	IRR	1895	Wallace, Al
7	SW $\frac{1}{4}$ SW $\frac{1}{4}$	1000	5.00	IRR	1904	Wallace, Al
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	900	25.50	IRR	1895	Wallace, Al
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	900	6.00	IRR	1904	Wallace, Al
	SW $\frac{1}{4}$ SE $\frac{1}{4}$	800	18.00	IRR	1895	Williams, Don & Myrtle

Section 6

	NW $\frac{1}{4}$ NE $\frac{1}{4}$	800	11.00	IRR	1895	Williams, Don & Myrtle
	NW $\frac{1}{4}$ NE $\frac{1}{4}$	800	11.50	IRR	1899	Williams, Don & Myrtle
	NE $\frac{1}{4}$ NW $\frac{1}{4}$	999	17.50	IRR	1895	Wallace, Al
1	NW $\frac{1}{4}$ NW $\frac{1}{4}$	1000	31.00	IRR	1895	Wallace, Al
1	NW $\frac{1}{4}$ NW $\frac{1}{4}$	1000	0.50	POND	1895	Wallace, Al
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	1199	27.00	IRR	1895	Lawrence, David & Chris
4	SW $\frac{1}{4}$ SW $\frac{1}{4}$	1102	6.00	IRR	1895	Powers, Sherode & Susan
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	1102	2.50	IRR	1895	Powers, Sherode & Susan
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	1102	2.50	POND	1895	Powers, Sherode & Susan
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	1401	1.00	POND	1904	Thalacker, Marc & Pamela
	SW $\frac{1}{4}$ SE $\frac{1}{4}$	1401	4.00	IRR	1895	Thalacker, Marc & Pamela
	SW $\frac{1}{4}$ SE $\frac{1}{4}$	1401	8.00	POND	1904	Thalacker, Marc & Pamela
	SE $\frac{1}{4}$ SE $\frac{1}{4}$	1401	11.50	IRR	1895	Thalacker, Marc & Pamela
	SE $\frac{1}{4}$ SE $\frac{1}{4}$	1401	6.00	POND	1904	Thalacker, Marc & Pamela

Section 7

SE$\frac{1}{4}$ SW$\frac{1}{4}$	1400	15.40	IRR	1903	Barber, Rex
SE$\frac{1}{4}$ SW$\frac{1}{4}$	1400	20.00	IRR	1904	Barber, Rex
NE$\frac{1}{4}$ SE$\frac{1}{4}$	1400	29.00	IRR	1904	Barber, Rex
SW$\frac{1}{4}$ SE$\frac{1}{4}$	1400	39.00	IRR	1904	Barber, Rex

Section 8

NW¼ NE¼	1400	0.40	IRR	1903	Barber, Rex
NW¼ NE¼	1400	10.40	IRR	1904	Barber, Rex
NE¼ NW¼	1400	0.80	IRR	1903	Barber, Rex
NE¼ NW¼	1400	40.00	IRR	1904	Barber, Rex
SW¼ NW¼	1401	32.50	IRR	1895	Thalacker, Marc & Pamela

Section 17

	NE¼ NE¼	1401	40.50	IRR	1895	Thalacker, Marc & Pamela
	NW¼ NE¼	1401	29.50	IRR	1895	Thalacker, Marc & Pamela
	SW¼ NE¼	1401	37.00	IRR	1895	Thalacker, Marc & Pamela
	SE¼ NE¼	1401	32.50	IRR	1895	Thalacker, Marc & Pamela
	NE¼ NW¼	1102	27.50	IRR	1895	Powers, Sherode & Susan
1	NW¼ NW¼	1102	32.00	IRR	1895	Powers, Sherode & Susan
2	SW¼ NW¼	1102	38.50	IRR	1895	Powers, Sherode & Susan
	SE¼ NW¼	1102	38.00	IRR	1895	Powers, Sherode & Susan
	NE¼ SW¼	1102	23.00	IRR	1895	Powers, Sherode & Susan
	NE¼ SW¼	2200	5.50	IRR	1895	Peterson, Robert & Paula
3	NW¼ SW¼	1102	34.00	IRR	1895	Powers, Sherode & Susan
3	NW¼ SW¼	2100	5.00	IRR	1895	Peterson, Robert & Paula
4	SW¼ SW¼	2100	19.50	IRR	1895	Peterson, Robert & Paula
	NW¼ SE¼	1401	15.00	IRR	1895	Thalacker, Marc & Pamela
	NW¼ SE¼	1401	1.50	IRR	1904	Thalacker, Marc & Pamela

SW¼ SE¼	1400	18.50	IRR	1904	Barber, Rex
SE¼ SE¼	1400	1.60	IRR	1895	Barber, Rex

Section 18

SW¼ NE¼	1400	7.90	IRR	1904	Barber, Rex
SE¼ NE¼	1400	2.20	IRR	1904	Barber, Rex
SE¼ NW¼	1400	0.40	IRR	1904	Barber, Rex

Section 19

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

Lot	sq	Tax Lot	Acres	Type	Priority	Owner
SEX	SEX	1300	34.00	IRR	1904	Cooper, Glenn

Section 19

SWX	NEX	1401	17.50	IRR	1895	Cooper, Glenn
SWX	NEX	1401	23.50	IRR	1904	Cooper, Glenn
SEX	NEX	1401	8.50	IRR	1904	Cooper, Glenn
NEX	NWX	1401	22.00	IRR	1904	Cooper, Glenn
SWX	NWX	1401	8.50	IRR	1904	Cooper, Glenn
SEX	NWX	1401	17.00	IRR	1895	Cooper, Glenn
SEX	NWX	1401	23.00	IRR	1904	Cooper, Glenn
NWX	SWX	1401	18.00	IRR	1904	Cooper, Glenn
NWX	SWX	1401	4.00	POND	1904	Cooper, Glenn
SWX	SWX	1401	30.00	IRR	1904	Cooper, Glenn
NEX	SEX	1401	4.00	IRR	1904	Cooper, Glenn
NWX	SEX	1401	6.00	IRR	1904	Cooper, Glenn

Section 20

NWX	NWX	1401	39.00	IRR	1895	Cooper, Glenn
SWX	NWX	1900	37.00	IRR	1895	Mulkey, David & Phyllis
NWX	SWX	1900	21.00	IRR	1895	Mulkey, David & Phyllis
NWX	SWX	1900	8.00	IRR	1899	Mulkey, David & Phyllis
NWX	SWX	1900	11.00	IRR	1904	Mulkey, David & Phyllis
SWX	SWX	2000	16.00	IRR	1895	Kidson, Don

Section 29

NEX	NEX	1401	11.00	IRR	1895	Cooper, Glenn
NEX	NEX	1401	30.00	IRR	1904	Cooper, Glenn
SWX	NEX	1900	2.00	IRR	1895	Mulkey, David & Phyllis
SWX	NEX	1900	14.00	IRR	1904	Mulkey, David & Phyllis
SEX	NEX	1900	38.00	IRR	1895	Mulkey, David & Phyllis
SEX	NEX	1900	1.00	POND	1895	Mulkey, David & Phyllis
NEX	SEX	1900	40.00	IRR	1904	Mulkey, David & Phyllis
NWX	SEX	1900	20.00	IRR	1904	Mulkey, David & Phyllis
SWX	SEX	2000	6.00	IRR	1895	Kidson, Don
SWX	SEX	2000	0.50	POND	1895	Kidson, Don
SEX	SEX	2000	9.00	IRR	1895	Kidson, Don
SEX	SEX	2000	5.00	IRR	1904	Kidson, Don

Section 30

NEX	NEX	2000	9.00	IRR	1895	Kidson, Don
NWX	NEX	2000	6.00	IRR	1895	Kidson, Don
SWX	NEX	2000	8.00	IRR	1895	Kidson, Don
SEX	NEX	2000	13.50	IRR	1895	Kidson, Don
NEX	SWX	2100	3.50	IRR	1895	Page, Richard
SEX	SWX	2100	25.00	IRR	1895	Page, Richard

Section 31

NWX	NWX	2000	1.00	IRR	1895	Kidson, Don
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Section 32

Township 13 South, Range 12 East, W.M.

SWX	NEX	2400	2.50	IRR	1895	Hurtley, David & Judy
NEX	SEX	200	2.00	IRR	1895	Hurtley, David & Judy
NEX	SEX	800	1.50	IRR	1895	Hurtley, David & Judy
NEX	SEX	900	1.50	IRR	1895	Hurtley, David & Judy
NWX	SEX	2000	2.50	IRR	1895	Hurtley, David & Judy
NWX	SEX	2400	1.50	IRR	1895	Hurtley, David & Judy
NWX	SEX	500	2.00	IRR	1895	Hurtley, David & Judy
NWX	SEX	600	4.00	IRR	1895	Hurtley, David & Judy
SWX	SEX	1900	2.00	IRR	1895	Hurtley, David & Judy
SWX	SEX	2000	1.50	IRR	1895	Hurtley, David & Judy
SEX	SEX	2500	12.00	IRR	1895	Hurtley, David & Judy

Simpson, Steve + Kathy
~~Page, Richard~~ Simpson, Steve + Kathy

Lot	qQ	Tax lot	Acres	Type	Priority	Owner
NE¼ NE¼	100		6.00	IRR	1895	Kavanagh, Geraldine
NE¼ NE¼	100		1.50	IRR	1904	Kavanagh, Geraldine
NE¼ NE¼	200		15.00	IRR	1895	Helikson, Paul & Sherry
NE¼ NE¼	400		1.50	IRR	1895	Kavanagh, Geraldine
SE¼ NE¼	300		19.80	IRR	1895	Helikson, Paul & Sherry
SW¼ SW¼	1400		6.80	IRR	1899	Burdick, Robert R.
SE¼ SW¼	1200		4.20	IRR	1895	Kelley, William & Mildred
SE¼ SW¼	1300		7.50	IRR	1899	Burdick, Robert R.
NE¼ SE¼	800		8.00	IRR	1895	Vestal, William & Victoria
NW¼ SE¼	400		8.00	IRR	1895	Volz, Charles & Jan
NW¼ SE¼	700		6.50	IRR	1895	Volz, Charles & Jan
SW¼ SE¼	1000		1.80	IRR	1895	Shirazi, Mostafa & Naoko
SW¼ SE¼	1100		5.00	IRR	1895	Burdick, Joyce G.
SW¼ SE¼	1100		5.20	IRR	1899	Burdick, Joyce G.
Section 23						
NE¼ NE¼	100		2.70	IRR	1895	Sanders, Ed & Betty
NW¼ NE¼	100		1.50	IRR	1895	Sanders, Ed & Betty
NW¼ NW¼	400		6.00	IRR	1895	Kavanagh, Geraldine
NW¼ NW¼	500		1.50	IRR	1895	Kavanagh, Geraldine
Section 24						
NW¼ NE¼	300		5.00	IRR	1895	Elmore, Michael
NW¼ NE¼	400		4.00	IRR	1895	Elmore, Michael
Section 27						
SE¼ SW¼	500		6.00	IRR	1895	Jeffers, Donald & Gail
Section 28						
SE¼ SW¼	5800		8.00	IRR	1895	Paulus, Tom
SW¼ SE¼	5802		3.00	IRR	1895	Wilson, Aaron & Helen
SW¼ SE¼	5802		11.00	IRR	1904	Wilson, Aaron & Helen
Section 29						
NE¼ SW¼	4701		40.00	IRR	1899	Leason, Catherine
SE¼ SW¼	4800		6.80	IRR	1895	Leason, John
SE¼ SW¼	4800		19.60	IRR	1899	Leason, John
NE¼ SE¼	4700		16.50	IRR	1895	Richardson, Reece & Lorene
NE¼ SE¼	4700		0.50	POND	1895	Richardson, Reece & Lorene
NE¼ SE¼	4704		3.00	IRR	1895	Richardson, Reece & Lorene
SW¼ SE¼	4800		30.90	IRR	1895	Leason, John
SW¼ SE¼	4800		8.60	IRR	1899	Leason, John
SE¼ SE¼	4800		36.70	IRR	1895	Leason, John
Section 30						
NE¼ NE¼	4800		37.30	IRR	1895	Leason, John
NW¼ NE¼	4800		40.00	IRR	1895	Leason, John
SW¼ NE¼	4800		30.40	IRR	1895	Leason, John
SE¼ NE¼	4800		31.90	IRR	1895	Leason, John
NE¼ NW¼	4800		9.70	IRR	1895	Leason, John
SE¼ NW¼	5200		0.70	IRR	1895	Leason, John
3 NW¼ SW¼	1000		4.00	IRR	1895	Hurtley, David & Judy
3 NW¼ SW¼	300		4.00	IRR	1895	Hurtley, David & Judy
3 NW¼ SW¼	500		3.00	IRR	1895	Hurtley, David & Judy
3 NW¼ SW¼	600		2.00	IRR	1895	Hurtley, David & Judy
3 NW¼ SW¼	700		4.00	IRR	1895	Hurtley, David & Judy
3 NW¼ SW¼	800		2.50	IRR	1895	Hurtley, David & Judy
3 NW¼ SW¼	900		2.00	IRR	1895	Hurtley, David & Judy
4 SW¼ SW¼	200		22.00	IRR	1895	Hurtley, David & Judy
4 SW¼ SW¼	201		6.00	IRR	1895	Hurtley, David & Judy
NE¼ SE¼	5300		36.60	IRR	1895	Leason, John
NW¼ SE¼	5300		16.10	IRR	1895	Leason, John

Lot	qQ	Tax lot	Acres	Type	Priority	Owner
SE¼ SE¼		2501	4.00	IRR	1895	Hurtley, David & Judy
SE¼ SE¼		2502	5.00	IRR	1895	Hurtley, David & Judy
SE¼ SE¼		2503	3.00	IRR	1895	Hurtley, David & Judy
SE¼ SE¼		2504	4.00	IRR	1895	Hurtley, David & Judy
Section 36						
Township 14 South, Range 10 East, W.M.						
NE¼ SW¼		101	5.00	IRR	1895	Long Hollow Ranch
SW¼ SW¼		101	18.00	IRR	1895	Long Hollow Ranch
SW¼ SW¼		101	4.00	IRR	1904	Long Hollow Ranch
SE¼ SW¼		101	32.00	IRR	1895	Long Hollow Ranch
SE¼ SW¼		101	2.00	IRR	1904	Long Hollow Ranch
NW¼ SE¼		101	16.00	IRR	1895	Long Hollow Ranch
SW¼ SE¼		101	36.50	IRR	1895	Long Hollow Ranch
SE¼ SE¼		101	26.00	IRR	1895	Long Hollow Ranch
Section 1						
SE¼ SE¼		101	11.00	IRR	1895	Long Hollow Ranch
Section 2						
NE¼ NE¼		101	25.50	IRR	1895	Long Hollow Ranch
NE¼ NE¼		101	1.00	IRR	1904	Long Hollow Ranch
NW¼ NE¼		101	17.50	IRR	1895	Long Hollow Ranch
NW¼ NE¼		101	2.50	IRR	1904	Long Hollow Ranch
NE¼ NW¼		101	4.00	IRR	1895	Long Hollow Ranch
Section 11						
NE¼ NE¼		103	23.50	IRR	1895	Long Hollow Ranch
NW¼ NE¼		103	8.50	IRR	1895	Long Hollow Ranch
NW¼ NW¼		100	6.00	IRR	1895	Long Hollow Ranch
NW¼ NW¼		100	3.00	IRR	1904	Long Hollow Ranch
Section 12						
NW¼ NE¼		200	5.00	IRR	1895	Simon, Jim
SW¼ NE¼		300	0.68	IRR	1895	Friend, Chester & Pamela
SE¼ NE¼		401	14.00	IRR	1895	Friend, Chester & Pamela
NE¼ NW¼		200	19.50	IRR	1904	Simon, Jim
SW¼ NW¼		500	13.50	IRR	1895	Simon, Jim
SE¼ NW¼		500	5.50	IRR	1895	Simon, Jim
NE¼ SW¼		500	8.00	IRR	1895	Simon, Jim
NW¼ SW¼		500	33.00	IRR	1895	Simon, Jim
SW¼ SW¼		700	21.50	IRR	1895	Kavanagh, Geraldine
SW¼ SW¼		700	0.50	IRR	1904	Kavanagh, Geraldine
SW¼ SW¼		800	4.00	IRR	1895	Kavanagh, Geraldine
SE¼ SW¼		600	5.87	IRR	1895	Sanders, Ed & Betty
NE¼ SE¼		401	37.00	IRR	1895	Friend, Chester & Pamela
NW¼ SE¼		300	1.50	IRR	1895	Friend, Chester & Pamela
SW¼ SE¼		400	22.00	IRR	1895	Sanders, Ed & Betty
SE¼ SE¼		400	12.00	IRR	1895	Sanders, Ed & Betty
SE¼ SE¼		401	12.00	IRR	1895	Friend, Chester & Pamela
Section 13						
SE¼ SE¼		700	3.50	IRR	1895	Kavanagh, Geraldine
SE¼ SE¼		700	3.10	IRR	1904	Kavanagh, Geraldine
SE¼ SE¼		800	2.00	IRR	1895	Kavanagh, Geraldine
Section 14						
NE¼ SW¼		600	2.10	IRR	1895	Elmore, Michael
NE¼ SW¼		700	2.10	IRR	1895	Elmore, Michael
SE¼ SW¼		600	2.90	IRR	1895	Elmore, Michael
SE¼ SW¼		900	9.00	IRR	1895	Elmore, Michael
NW¼ SE¼		700	2.90	IRR	1895	Elmore, Michael
Section 22						

SQUAW CREEK IRRIGATION DISTRICT
 SECTION 27 T.14S. R.11E.W.M.
 DESCHUTES COUNTY

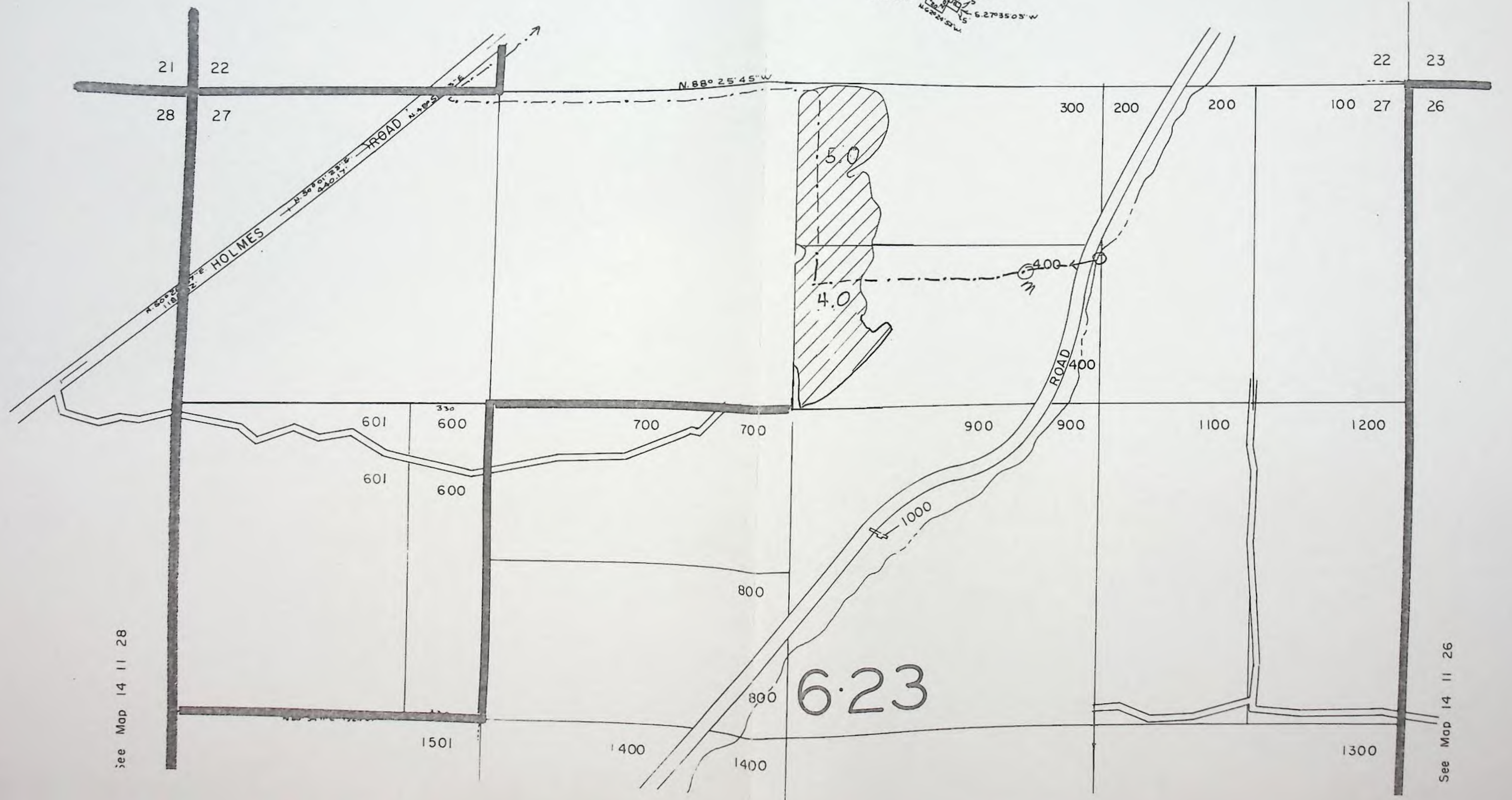
dead numbers 500
 501

14 11 27

FMS

1"=400'

(detail for tax lot 1000)



See Map 14 11 28

See Map 14 11 26

See Map 14 11

See Map 14 11

See Map 14 11 23

See Map 14 11 27



22 23
27 26

22
27
28

14 11 22

Lot	q0	Tax lot	Acres	Type	Priority	Owner
SEX SEX	2501	4.00	IRR	1895	Hurtley, David & Judy	
SEX SEX	2502	5.00	IRR	1895	Hurtley, David & Judy	
SEX SEX	2503	3.00	IRR	1895	Hurtley, David & Judy	
SEX SEX	2504	4.00	IRR	1895	Hurtley, David & Judy	

Section 36

Township 14 South, Range 10 East, W.M.

NEX SWX	101	5.00	IRR	1895	Long Hollow Ranch
SWX SWX	101	18.00	IRR	1895	Long Hollow Ranch
SWX SWX	101	4.00	IRR	1904	Long Hollow Ranch
SEW SWX	101	32.00	IRR	1895	Long Hollow Ranch
SEW SWX	101	2.00	IRR	1904	Long Hollow Ranch
NWX SEX	101	16.00	IRR	1895	Long Hollow Ranch
SWX SEX	101	36.50	IRR	1895	Long Hollow Ranch
SEW SEX	101	26.00	IRR	1895	Long Hollow Ranch

Section 1

SEW SEX	101	11.00	IRR	1895	Long Hollow Ranch
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Section 2

NEX NEX	101	25.50	IRR	1895	Long Hollow Ranch
NEX NEX	101	1.00	IRR	1904	Long Hollow Ranch
NWX NEX	101	17.50	IRR	1895	Long Hollow Ranch
NWX NEX	101	2.50	IRR	1904	Long Hollow Ranch
NEX NWX	101	4.00	IRR	1895	Long Hollow Ranch

Section 11

NEX NEX	103	23.50	IRR	1895	Long Hollow Ranch
NWX NEX	103	8.50	IRR	1895	Long Hollow Ranch
NWX NWX	100	6.00	IRR	1895	Long Hollow Ranch
NWX NWX	100	3.00	IRR	1904	Long Hollow Ranch

Section 12

NWX NEX	200	5.00	IRR	1895	Simon, Jim Parks, David & Ruth
SWX NEX	300	0.68	IRR	1895	Friend, Chester & Pamela
SEW NEX	401	14.00	IRR	1895	Friend, Chester & Pamela
NEX NWX	200	19.50	IRR	1904	Simon, Jim
SWX NWX	500	13.50	IRR	1895	Simon, Jim
SEW NWX	500	5.50	IRR	1895	Simon, Jim
NEX SWX	500	8.00	IRR	1895	Simon, Jim
NWX SWX	500	33.00	IRR	1895	Simon, Jim
SWX SWX	700	21.50	IRR	1895	Kavanagh, Geraldine
SWX SWX	700	0.50	IRR	1904	Kavanagh, Geraldine
SWX SWX	800	4.00	IRR	1895	Kavanagh, Geraldine
SEW SWX	600	5.87	IRR	1895	Sanders, Ed & Betty
NEX SEX	401	37.00	IRR	1895	Friend, Chester & Pamela
NWX SEX	300	1.50	IRR	1895	Friend, Chester & Pamela
SWX SEX	400	22.00	IRR	1895	Sanders, Ed & Betty
SEW SEX	400	12.00	IRR	1895	Sanders, Ed & Betty
SEW SEX	401	12.00	IRR	1895	Friend, Chester & Pamela

Section 13

SEW SEX	700	3.50	IRR	1895	Kavanagh, Geraldine
SEW SEX	700	3.10	IRR	1904	Kavanagh, Geraldine
SEW SEX	800	2.00	IRR	1895	Kavanagh, Geraldine

Section 14

NEX SWX	600	2.10	IRR	1895	Elmore, Michael
NEX SWX	700	2.10	IRR	1895	Elmore, Michael
SEW SWX	600	2.90	IRR	1895	Elmore, Michael
SEW SWX	900	9.00	IRR	1895	Elmore, Michael
NWX SEX	700	2.90	IRR	1895	Elmore, Michael

Section 22

> Vejorstek, William
 > Parks, David & Ruth
 > Short, John
 Di Paolo, Tom
 > Powers
 > Vejorstek, William
 > Short, John
 > McKenzie Canyon Group

Lot	q0	Tax lot	Acres	Type	Priority	Owner
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NE¼ NE¼	100	6.00	IRR	1895	Kavanagh, Geraldine	Short, John Calavan, Steve Short, John Taylor, Kenneth Joseph + Dawn Brandon, William + Pamela Thomas
NE¼ NE¼	100	1.50	IRR	1904	Kavanagh, Geraldine	
NE¼ NE¼	200	15.00	IRR	1895	Hollikson, Paul & Sherry	
NE¼ NE¼	400	1.50	IRR	1895	Kavanagh, Geraldine	
SE¼ NE¼	300	19.80	IRR	1895	Hollikson, Paul & Sherry	
SW¼ SW¼	1400	6.80	IRR	1899	Burdick, Robert R.	
SE¼ SW¼	1200	4.20	IRR	1895	Kelley, William & Mildred	
SE¼ SW¼	1300	7.50	IRR	1899	Burdick, Robert R.	
NE¼ SE¼	800	8.00	IRR	1895	Wostal, William & Victoria	
NW¼ SE¼	400	8.00	IRR	1895	Wols, Charles & Jan	
NW¼ SE¼	700	6.50	IRR	1895	Wols, Charles & Jan	
SW¼ SE¼	1000	1.80	IRR	1895	Shirazi, Mostafa & Naoko	
SW¼ SE¼	1100	5.00	IRR	1895	Burdick, Joyce G.	
SW¼ SE¼	1100	5.20	IRR	1899	Burdick, Joyce G.	

Section 23

NE¼ NE¼	100	2.70	IRR	1895	Sanders, Ed & Betty
NW¼ NE¼	100	1.50	IRR	1895	Sanders, Ed & Betty
NW¼ NW¼	400	6.00	IRR	1895	Kavanagh, Geraldine
NW¼ NW¼	500	1.50	IRR	1895	Kavanagh, Geraldine

Section 24

NW¼ NE¼	300	5.00	IRR	1895	Elmore, Michael
NW¼ NE¼	400	4.00	IRR	1895	Elmore, Michael

Section 27

SE¼ SW¼	500	6.00	IRR	1895	Jeffers, Donald & Gail
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Section 28

SE¼ SW¼	5800	2.00	IRR	1895	Paulus, Tom
SW¼ SE¼	5802	3.00	IRR	1895	Wilson, Aaron & Helen
SW¼ SE¼	5802	11.00	IRR	1904	Wilson, Aaron & Helen

Section 29

NE¼ SW¼	4701	40.00	IRR	1899	Leason, Catherine
SE¼ SW¼	4800	6.80	IRR	1895	Leason, John
SE¼ SW¼	4800	19.60	IRR	1899	Leason, John
NE¼ SE¼	4700	16.50	IRR	1895	Richardson, Reece & Lorene
NE¼ SE¼	4700	0.50	POND	1895	Richardson, Reece & Lorene
NE¼ SE¼	4704	3.00	IRR	1895	Richardson, Reece & Lorene
SW¼ SE¼	4800	30.90	IRR	1895	Leason, John
SW¼ SE¼	4800	8.60	IRR	1899	Leason, John
SW¼ SE¼	4800	36.70	IRR	1895	Leason, John

Section 30

NE¼ NE¼	4800	37.30	IRR	1895	Leason, John
NW¼ NE¼	4800	40.00	IRR	1895	Leason, John
SW¼ NE¼	4800	30.40	IRR	1895	Leason, John
SE¼ NE¼	4800	31.90	IRR	1895	Leason, John
NE¼ NW¼	4800	3.70	IRR	1895	Leason, John
SE¼ NW¼	5200	0.70	IRR	1895	Leason, John
NW¼ SW¼	1000	4.00	IRR	1895	Hurtley, David & Judy
NW¼ SW¼	300	4.00	IRR	1895	Hurtley, David & Judy
NW¼ SW¼	500	3.00	IRR	1895	Hurtley, David & Judy
NW¼ SW¼	600	2.00	IRR	1895	Hurtley, David & Judy
NW¼ SW¼	700	4.00	IRR	1895	Hurtley, David & Judy
NW¼ SW¼	800	2.50	IRR	1895	Hurtley, David & Judy
NW¼ SW¼	900	2.00	IRR	1895	Hurtley, David & Judy
SW¼ SW¼	200	22.00	IRR	1895	Hurtley, David & Judy
SW¼ SW¼	201	6.00	IRR	1895	Hurtley, David & Judy
NE¼ SE¼	5300	36.60	IRR	1895	Leason, John
NW¼ SE¼	5300	16.10	IRR	1895	Leason, John

Lot ID Pass Lot Acres Type Priority Owner

NW1/4	SEX	5300	1.60	IRR	1899	Leason, John
SW1/4	SEX	5400	12.20	IRR	1895	Leason, John
SE1/4	SEX	5500	39.10	IRR	1895	Leason, John

Section 31

NE1/4	NE1/4	100	29.00	IRR	1895	Longley, Tom
NW1/4	NE1/4	100	32.50	IRR	1895	Longley, Tom
SW1/4	NE1/4	100	7.00	IRR	1895	Longley, Tom
SE1/4	NE1/4	100	11.00	IRR	1895	Longley, Tom
SW1/4	SW1/4	1200	16.00	IRR	1895	King, Robert & Nancy
SE1/4	SE1/4	1700	6.00	IRR	1895	Hicks, John & Barbara
SE1/4	SE1/4	1701	12.50	IRR	1895	Russell, Gordon
SE1/4	SE1/4	1702	1.50	IRR	1895	Hicks, John & Barbara

Section 32

NW1/4	NW1/4	400	20.00	IRR	1895	Longley, Tom
NW1/4	NW1/4	400	1.00	POND	1895	Longley, Tom
SE1/4	NW1/4	900	5.00	IND	1904	S.C.I.D., Mac. Pond
NE1/4	SW1/4	3600	8.50	IRR	1895	Carmell, John P. & Ramona J
NE1/4	SW1/4	3600	0.50	POND	1895	Carmell, John P. & Ramona J
NW1/4	SW1/4	1300	2.50	IRR	1895	Nicholson, Brad & Molly
SW1/4	SW1/4	1300	0.50	IRR	1895	Nicholson, Brad & Molly
SW1/4	SW1/4	1400	7.00	IRR	1895	Johnson, Don
SW1/4	SW1/4	1500	5.00	IRR	1895	Mason, Don R. & Willadean
SW1/4	SW1/4	1600	8.00	IRR	1895	Johnson, Don
SW1/4	SW1/4	1700	6.00	IRR	1895	Stephenson, Robert & Patricia
SW1/4	SW1/4	3500	1.00	IRR	1895	Jewett, Daniel & Jeanne
SE1/4	SW1/4	1700	1.00	IRR	1895	Stephenson, Robert & Patricia
SE1/4	SW1/4	1800	5.00	IRR	1895	Sage, L. Gordon & Linda
SE1/4	SW1/4	3500	4.00	IRR	1895	Jewett, Daniel & Jeanne
NW1/4	SE1/4	500	9.10	POND	1895	S.C.I.D., Mac. Pond
SE1/4	SE1/4	2400	8.00	IRR	1895	McCullough, William & Shirley
SE1/4	SE1/4	2500	7.50	IRR	1895	Gerland, Jacqueline
SE1/4	SE1/4	2600	7.50	IRR	1895	Gerland, Jacqueline

Section 33

Township 14 South, Range 11 East, W.M.

1	NE1/4	NE1/4	800	15.50	IRR	1895	Williams, Don & Myrtle
2	NW1/4	NE1/4	800	27.00	IRR	1895	Williams, Don & Myrtle
	SW1/4	NE1/4	800	25.00	IRR	1895	Williams, Don & Myrtle
	SE1/4	NE1/4	800	10.00	IRR	1895	Williams, Don & Myrtle
3	NE1/4	NW1/4	800	10.50	IRR	1895	Williams, Don & Myrtle
	SE1/4	NW1/4	800	7.00	IRR	1895	Williams, Don & Myrtle

Section 5

3	NE1/4	NW1/4	902	40.00	IRR	1895	Page, Richard
	SE1/4	NW1/4	902	1.50	IRR	1895	Page, Richard
	SE1/4	NW1/4	902	6.00	IRR	1904	Page, Richard
	NE1/4	SW1/4	900	5.00	IRR	1895	Wallace, Al
6	NW1/4	SW1/4	1000	2.50	IRR	1895	Wallace, Al
6	NW1/4	SW1/4	1000	6.00	IRR	1904	Wallace, Al
7	SW1/4	SW1/4	1000	35.00	IRR	1895	Wallace, Al
7	SW1/4	SW1/4	1000	5.00	IRR	1904	Wallace, Al
	SE1/4	SW1/4	900	25.50	IRR	1895	Wallace, Al
	SE1/4	SW1/4	900	6.00	IRR	1904	Wallace, Al
	SW1/4	SE1/4	800	18.00	IRR	1895	Williams, Don & Myrtle

Section 6

	NW1/4	NE1/4	800	11.00	IRR	1895	Williams, Don & Myrtle
	NW1/4	NE1/4	800	11.50	IRR	1899	Williams, Don & Myrtle
	NE1/4	NW1/4	999	17.50	IRR	1895	Wallace, Al
1	NW1/4	NW1/4	1000	31.00	IRR	1895	Wallace, Al

Simpson, Steve
Kathy

Simpson, Steve + Kathy

Dutson

Simpson, Steve + Kathy

Simpson, Steve + Kathy

Dutson

Lot	q0	Tax lot	Acres	Type	Priority	Owner
1	NW¼ NW¼	1000	0.50	POND	1895	Wallace, Ar Dutson
	SE¼ NW¼	1199	27.00	IRR	1895	Lawrence, David & Chris
4	SW¼ SW¼	1102	6.00	IRR	1895	Powers, Sherode & Susan
	SE¼ SW¼	1102	2.50	IRR	1895	Powers, Sherode & Susan
	SE¼ SW¼	1102	2.50	POND	1895	Powers, Sherode & Susan
	SE¼ SW¼	1401	1.00	POND	1904	Thalacker, Marc & Pamela
	SW¼ SE¼	1401	4.00	IRR	1895	Thalacker, Marc & Pamela
	SW¼ SE¼	1401	8.00	POND	1904	Thalacker, Marc & Pamela
	SE¼ SE¼	1401	11.50	IRR	1895	Thalacker, Marc & Pamela
	SE¼ SE¼	1401	6.00	POND	1904	Thalacker, Marc & Pamela

Sparks

Section 7

SE¼ SW¼	1400	15.40	IRR	1903	Barber, Rex
SE¼ SW¼	1400	20.00	IRR	1904	Barber, Rex
NE¼ SE¼	1400	29.00	IRR	1904	Barber, Rex
SW¼ SE¼	1400	39.00	IRR	1904	Barber, Rex

Section 8

NW¼ NE¼	1400	0.40	IRR	1903	Barber, Rex
NW¼ NE¼	1400	10.40	IRR	1904	Barber, Rex
NE¼ NW¼	1400	0.80	IRR	1903	Barber, Rex
NE¼ NW¼	1400	40.00	IRR	1904	Barber, Rex

SW¼ NW¼	1401	32.50	IRR	1895	Thalacker, Marc & Pamela
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Section 17

	NE¼ NE¼	1401	40.50	IRR	1895	Thalacker, Marc & Pamela
	NW¼ NE¼	1401	29.50	IRR	1895	Thalacker, Marc & Pamela
	SW¼ NE¼	1401	37.00	IRR	1895	Thalacker, Marc & Pamela
	SE¼ NE¼	1401	32.50	IRR	1895	Thalacker, Marc & Pamela
	NE¼ NW¼	1102	27.50	IRR	1895	Powers, Sherode & Susan
1	NW¼ NW¼	1102	32.00	IRR	1895	Powers, Sherode & Susan
2	SW¼ NW¼	1102	38.50	IRR	1895	Powers, Sherode & Susan
	SE¼ NW¼	1102	38.00	IRR	1895	Powers, Sherode & Susan
	NE¼ SW¼	1102	23.00	IRR	1895	Powers, Sherode & Susan
	NE¼ SW¼	2200	5.50	IRR	1895	Peterson, Robert & Paula
3	NW¼ SW¼	1102	34.00	IRR	1895	Powers, Sherode & Susan
3	NW¼ SW¼	2100	5.00	IRR	1895	Peterson, Robert & Paula
4	SW¼ SW¼	2100	19.50	IRR	1895	Peterson, Robert & Paula
	NW¼ SE¼	1401	15.00	IRR	1895	Thalacker, Marc & Pamela
	NW¼ SE¼	1401	1.50	IRR	1904	Thalacker, Marc & Pamela
	SW¼ SE¼	1400	18.50	IRR	1904	Barber, Rex Cancelled
	SE¼ SE¼	1400	1.00	IRR	1895	Barber, Rex

Sparks

Dykes Sparks

McKibbin

Section 18

SW¼ NE¼	1400	7.90	IRR	1904	Barber, Rex
SE¼ NE¼	1400	2.20	IRR	1904	Barber, Rex
SE¼ NW¼	1400	0.40	IRR	1904	Barber, Rex

Cancelled

Section 19

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

NE¼ SE¼	400	10.00	IRR	1895	Cyrus, Keith & Connie
NE¼ SE¼	500	1.50	IRR	1895	Christeson, Lee
NE¼ SE¼	500	0.30	POND	1895	Christeson, Lee
SE¼ SE¼	500	37.00	IRR	1895	Christeson, Lee
SE¼ SE¼	500	1.20	POND	1895	Christeson, Lee

Section 1

1	NE¼ NE¼	100	33.70	IRR	1885	Thompson, Opal
2	NW¼ NE¼	100	13.30	IRR	1885	Thompson, Opal
2	NW¼ NE¼	100	14.30	IRR	1900	Thompson, Opal
	SW¼ NE¼	100	3.70	IRR	1900	Thompson, Opal
	SE¼ NE¼	100	5.00	IRR	1885	Thompson, Opal

STATE OF OREGON
 COUNTY OF DESCHUTES
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

SQUAW CREEK IRRIGATION DISTRICT
 PO BOX 2230
 SISTERS, OREGON 97759

confirms the right to use the waters of SQUAW CREEK, a tributary of THE DESCHUTES RIVER, for IRRIGATING 7,567.76 ACRES, POND MAINTENANCE, INDUSTRIAL USE, AND STOCK WATER.

This right was confirmed by decree of the Circuit Court of the State of Oregon for CROOK County. The decree is of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 1, at Pages 121, 122, 123, 124, 435, 438, 445, 472, and 473. The dates of priority are 1869, 1885, 1887, 1889, 1893, 1895, 1899, 1900, 1901, 1903, and 1904.

The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 153.02 CUBIC FEET PER SECOND, BEING 151.35 CFS FOR IRRIGATION, 1.57 CFS FOR POND MAINTENANCE AND 0.10 CFS FOR INDUSTRIAL USE, or its equivalent in case of rotation, measured at the point of diversion from the source. The maximum diversion rate by priority date is:

Priority	Acres (equivalent)	Maximum CFS
1869	48.00	0.96
1885	79.05	1.58
1887	150.00	3.00
1889	201.50	4.03
1893	39.50	0.79
1895	5716.75	114.34 - 1.20 = 113.14
1899	108.80	2.18 - 0.02 = 2.15
1900	54.00	1.08
1901	22.30	0.45
1903	360.60	7.21
1904	870.60	17.41 - 0.28 = 17.13

The point of diversion is located as follows:

SW¼SW¼, SECTION 21, T. 15 S., R. 10 E., W.M.; 998 FEET NORTH AND 1211 FEET EAST FROM THE SW CORNER OF SECTION 21.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-FIFTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated during the irrigation season of each year.

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

SEE NEXT PAGE

Corrected Op. Or. Vol. 53 p. 888

T-8392



August 25, 2006

TO: Bob Rice, OWRD
 FROM: Scott McCaulou, Deschutes River Conservancy
 RE: McKenzie Canyon CWA

This correspondence contains:

1. Marked up TSID certificate identifying the acres NOT involved in the project. All acres not crossed out with an "x" are affected by the project. (6 pages)
2. Deed for Taylor (2 pages)
3. Deed for Calavan (2 pages)
4. Deed for Sparks (2 pages)

Please give me a call at your soonest convenience at 541.382.4077 x17

700 NW Hill Street • Bend, Oregon 97701
 (P.O. Box 1560 • 97709)
 541.382.4077 • Fax 541.382.4078
www.deschutesrc.org / info@deschutesrc.org

RESTORING STREAMFLOW AND IMPROVING WATER QUALITY IN THE DESCHUTES BASIN

AUG-24-2006 03:43 PM THE SISTERS, IRRIGATION 541 8870
08/24/2006 10:44 FAX 041 008 0108 WESTERN TITLE

003

26 160396 MW/DJ3066 MW

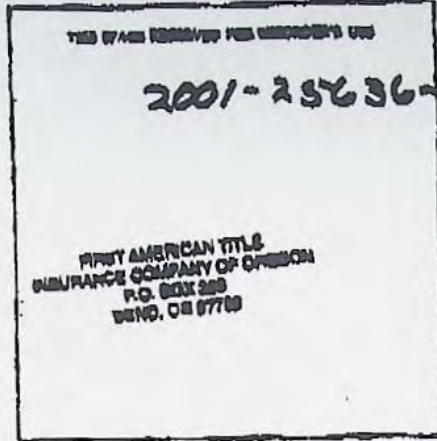


After recording return to:
JOHN R. TAYLOR
2001-25636-1
WENDEN, OR 97789

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

JOHN R. TAYLOR
2001-25636-1
WENDEN, OR 97789

Invoice No. 019064
File No. 160396-ME



STATUTORY SPECIAL WARRANTY DEED

THOMAS B. NORTON and CYNTHIA J. NORTON, husband and wife, Grantor, c/o/w/s and special
warranty to JOHN R. TAYLOR, Grantee, the following described real property free of
encumbrances created or suffered by the grantor except as specifically set forth herein:

AS DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

THIS INSTRUMENT WILL 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 PER 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 20.500.

The true consideration for this conveyance is the fulfillment of Contract

Deed this 24 day of May, 2001.

Thomas B. Norton
THOMAS B. NORTON

Cynthia J. Norton
CYNTHIA J. NORTON

STATE OF OREGON
County of Deschutes 1st.

This instrument was acknowledged before me on this 24 day of May, 2001
by THOMAS B. NORTON and CYNTHIA J. NORTON

Kathleen Morris
Notary Public for Oregon

My commission expires: 4-1-2002

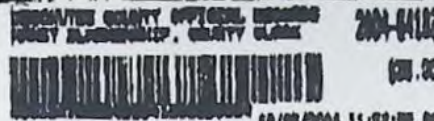


2001-25636-2

LEGAL DESCRIPTION

A parcel of land situated in a portion of the East Half of the Northeast Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$) of section 23, TOWNSHIP 14 SOUTH, RANGE 11 EAST OF THE WILLAMETTE MERIDIAN, Deschutes County, Oregon, more particularly described as follows: Commencing at a 3/8" re-bar monumenting the Northeast corner of section 23, TOWNSHIP 14 SOUTH, RANGE 11 EAST OF THE WILLAMETTE MERIDIAN, the initial point, thence South 00° 18' 31" East along the East line of the Northeast Quarter (NE $\frac{1}{4}$) of said section 23, 1321.10 feet to a 3/4" pipe monumenting the Northeast corner of the Southeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$) of said section and the true POINT OF BEGINNING; thence South 64° 20' 41" West, 153.73 feet to a 3/4" pipe; thence North 30° 21' 19" West, 200.33 feet to a 3/4" pipe; thence South 88° 45' 07" West, 1013.56 feet to a 3/4" pipe monumenting the Northwest corner of the Southeast Quarter of the Northeast Quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$) of said section 23; thence South 00° 21' 07" East along the West line of said Southeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$) 1322.37 feet to a 3/4" pipe on the south line of said Southeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$); thence South 88° 12' 54" East along said south line, 1522.40 feet to a 3/4" pipe monumenting the East quarter corner of said section 23; thence North 00° 18' 31" West along the East line of said Southeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$), 1321.10 feet to the true POINT OF BEGINNING.

This Deed is being given in fulfillment of that Contract of Sale between the parties dated October 18, 2000, recorded October 19, 2000 in Book 2000, Page 61254 and the warranties hereof shall be construed as of the date of said Contract.



THIS SPACE IS NOT TO BE USED FOR ANY OTHER PURPOSES
010.00 011.00 012.00 013.00

10/20/2004 11:02:00 AM

After recording send to:

Steve Calvan
1157 Camp Park Rd
Hills, OR 97123

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

Steve Calvan
1157 Camp Park Rd
Hills, OR 97123

Enroll No. 8706021CTV

STATUTORY WARRANTY DEED

Mark J. Lewis and Megan J. Lewis, as tenants by the entirety, Grantor(s) hereby convey and warrant to Steve Calvan and Linda Calvan, husband and wife, Grantee(s) the following described real property in the County of Deschutes and State of Oregon, free of encumbrances except as specifically set forth herein:

LEGAL DESCRIPTION

A parcel of land situated in a portion of the Northwest Quarter (NW1/4) of Section Twenty-four (24) and the Northeast Quarter (NE1/4) of Section Twenty-three (23), Township Fourteen (14) North, Range Eleven (11), East of the Willamette Meridian, Deschutes County, Oregon, more particularly described as follows:

Commencing at a 5/8" re-bar monumenting the Northwest corner of Section 24, Township Fourteen (14) North, Range Eleven (11), East of the Willamette Meridian, the initial point thence South 00°15'31" East along the West line of the NW 1/4 of said Section 24, 870.55 feet to a 1/2" pipe on the prolongation of a fence from the West end of the West point of beginning; thence South 68°03'24" East along said fence prolongation 427.12 feet to a 1/2" pipe; thence South 00°03'24" East approximately 460 feet to the North line of the NW 1/4 NW 1/4 of said Section 24; thence Westward along said North line approximately 1124 feet to a 3/4" pipe monumenting the North 1/2 of corner of said Sections 23 and 24; thence South 68°20'43" West 153.73 feet to a 3/4" pipe; thence North 59°21'19" West 206.00 feet to a 3/4" pipe; thence South 28°57'01" West 1013.95 feet to a 3/4" pipe monumenting the Southwest corner of NW 1/4 NE 1/4 of Section 23, Township Fourteen (14) North, Range Eleven (11), East of the Willamette Meridian, thence North 00°21'00" West along the West line of said NW 1/4 NE 1/4, 159.35 feet to the prolongation of an existing fence; thence North 65°24'53" East along said prolongation 338.17 feet to a 1/2" pipe in said fence, from which the corner(s) of an irrigation canal bears South 81°24'53" West approximately 13 feet; thence North 67°20'23" East along said fence 502.00 feet to a 1/2" pipe; thence South 00°03'24" East along said fence 651.77 feet to the west point of beginning.

134784
184801

14112300 000 00
14112400 000 01

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

The tax and special consideration for this conveyance is \$314,978.00.

THIS INSTRUMENT WILL 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 TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUTS REGARDING FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.020.

Dated this 23rd day of October, 2004

Mark J. Lewis

Megan J. Lewis

WESTERN TITLE, NAME TO
AMERICA
16 CRENSHAW AVENUE, SUITE 200

08/25/2006 11:14 541-382-4078

UDWC & DRC

AUG-24-2006 03:45 PM THREE SISTERS IRRIGATION 541 5 8070

PAGE 05
P. 04

08/24/2006 10:40 FAX 541 868 8108

WESTERN TITLE

6008

State of Oregon
County of DESCHUTES

This instrument was acknowledged before me on October 22 2006 by Mark J. Lewis and Megan J. Lewis.

Shelley Cristiano
(Notary Public for Oregon)

My commission expires 07-22-07



08/24/2000 10:40 FAX 541 382 0102

WESTERN TITLE

0007

WASCO COUNTY OFFICIAL RECORDS
COUNTY CLERK, COUNTY CLERK 2004-7700



12/27/2004 03:20:12 PM

After recording return to:
WESTERN TITLE & TRUST COMPANY
PO BOX 1043
SEASIDE, OR 97138

P-O Credit Card DEBIT
010.00 011.00 012.00 00.00

2
30

Orbit a change is requested all tax statements
shall be sent to the following address:
STEPHEN H. SPARKS and ELIZABETH H. SPARKS, TRUSTEES
15001 WESTMONTGOMERY ROAD
PORTLAND, OR 97063-4113

STATUTORY BACKGROUND AND SALE TERMS

STEPHEN H. SPARKS and ELIZABETH H. SPARKS, TRUSTEES OF THE STEPHEN H. SPARKS
REVOCABLE TRUST, Grantor, convey to ELIZABETH H. SPARKS or STEPHEN H. SPARKS
Trustees of the ELIZABETH H. SPARKS REVOCABLE TRUST dated June 7, 1998,
GRANTEE, the following described real property:

THE APPLICABLE EASEMENT "A"

Together with 204 Acres of 1998 Spoke Creek Irrigation District Water Rights,
and 100 Acres of supplemental ground water rights

San Account No(s): 165000, CODE 8-000
Map/Tax Lot No(s): 101000 00 0110

The true consideration for this conveyance is to change vesting.

THIS INSTRUMENT WILL NOW 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 THE TITLE TO THE PROPERTY SHOULD CHECK WITH THE
APPLICABLE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED
USES AND TO DETERMINE ANY LIMITS ON LANDUSES INCLUDING FARMING OR
FOREST PRACTICES AS IMPOSED IN ORS 90.030.

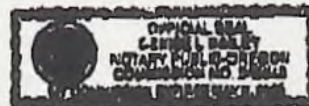
Noted this 24th day of December, 2004.

Stephen H. Sparks
STEPHEN H. SPARKS, TRUSTEE
Elizabeth H. Sparks
ELIZABETH H. SPARKS, TRUSTEE

STATE OF OREGON, COUNTY OF DESSAVERE; SS.

This instrument was acknowledged before me on December 24, 2004 by STEPHEN H.
SPARKS and ELIZABETH H. SPARKS AS TRUSTEES OF THE STEPHEN H. SPARKS REVOCABLE
TRUST.

Denise L. Bailey
DENISE L. BAILEY, Notary Public
My commission expires 12/31/08



Forwarded by Western Title as an
accommodation only. No liability
accepted for condition of title or
validity, sufficiency or effect of
document.

EXHIBIT "A"

beginning at the southwest corner of Section 7, Township 16 South, Range 12, East of the Willamette Meridian, Deschutes County, Oregon, said corner being corner to Sections 7 and 10, thence North 00°31'07" West along the West line of said Section 7, a distance of 1,872.64 feet, more or less, to the South Right-of-way line of the road created by Deschutes County Major Land Partition Number 02-7, dated November 4, 1981, thence North 08°10'36" East along said South right-of-way line, a distance of 2,237.06 feet, more or less, to the westerly right-of-way line of Lower Bridge Market Road as it now exists; thence along the arc of a 400.00-foot radius curve to the left on the (westerly) right-of-way line of said Lower Bridge Road, a distance of 117.86 feet, whose long chord bears South 84°46'18" East, a distance of 111.60 feet; thence continuing along said westerly right-of-way line South 30°20'16" East, a distance of 843.49 feet; thence along the arc of a 524.93-foot radius curve to the right, a distance of 481.78 feet, whose long chord bears South 19°00'09" East, a distance of 476.33 feet; thence South 09°17'46" West, a distance of 227.43 feet along said westerly right-of-way line to the West line of Section 10, Township 16 South, Range 12, East of the Willamette Meridian, Deschutes County, Oregon; thence continuing along said westerly right-of-way line South 00°14'10" East, a distance of 2,636.36 feet; thence along the arc of a 776.20-foot radius curve to the left, a distance of 476.81 feet, whose long chord bears South 17°24'43" East, a distance of 471.39 feet to the point of intersection with the northerly right-of-way line of Middleasin Canyon Road; thence South 67°20'17" West along said northerly right-of-way line, a distance of 1,381.00 feet, more or less, to the point of intersection with the East line of the Northwest Quarter of the Southwest Quarter (NW/4 SW/4), Section 10, Township 16 South, Range 12, East of the Willamette Meridian, Deschutes County, Oregon; thence leaving said northerly right-of-way line South 00°07'10" West, a distance of 1,327.25 feet to the West line of said Section 10; thence North 00°00'32" West along the West line, a distance of 1,043.70 feet to the West Quarter (W/4) corner of said Section 10; thence continuing along the West line of said Section 10, North 00°00'32" East, a distance of 2,636.47 feet to the northwest corner of said Section 10, said point being the point of beginning.



FAX COVER

Date: 8/24/06

TO: Bob Rice

Fax: _____

Phone: _____

FROM: Danielle MacBain

Phone: _____

Fax: _____

No. of Pages: 2 (Including Cover)

RE: McKenzie CWA - addresses

Urgent For Review Please Comment Please Reply Please Recycle

Bob,

Email me that you

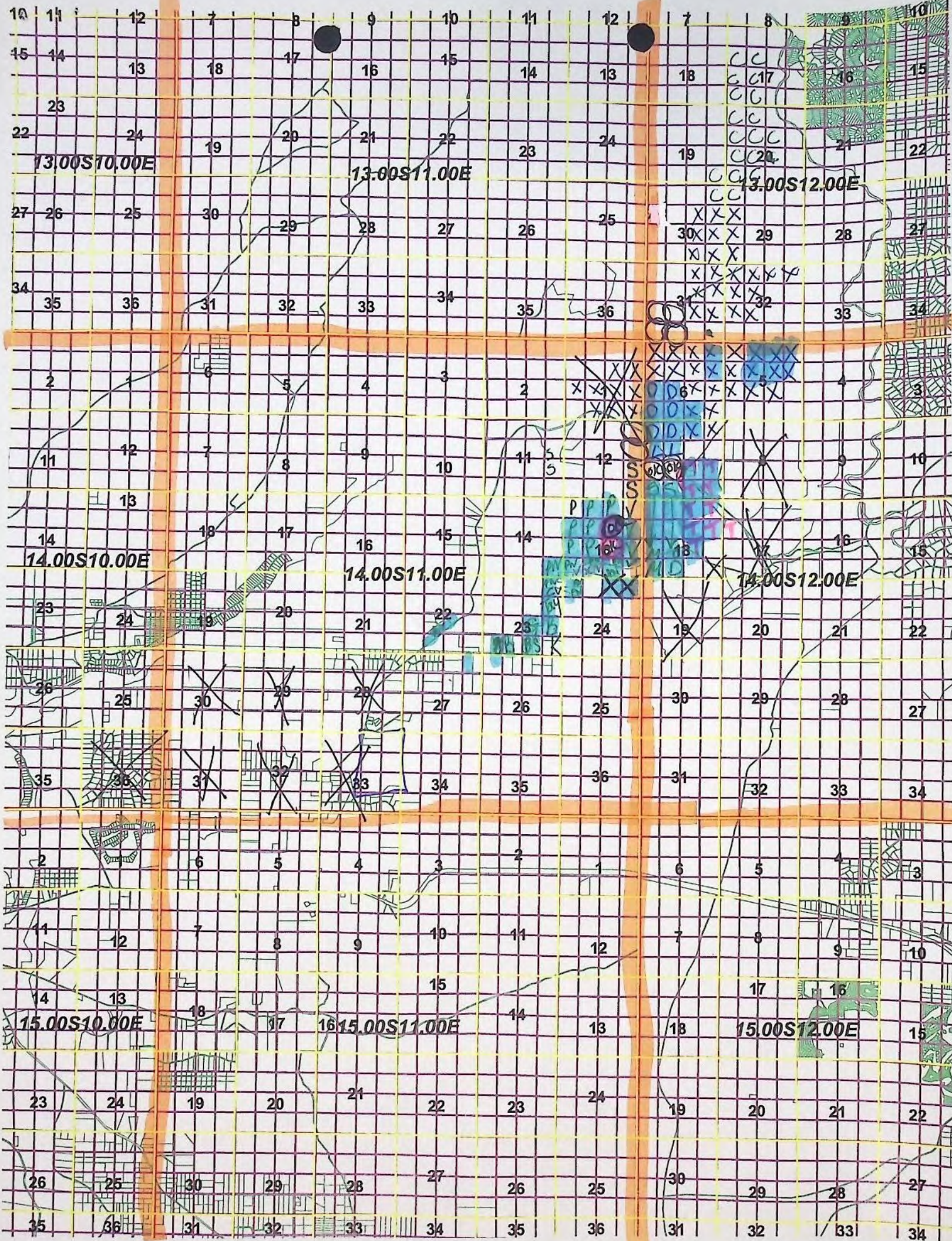
received this.

Thanks,

Danielle

• Craig Baker P.O. Box 100 PMB 355 Mammoth Lakes, CA 93546	• Randy & Mary Burdick P.O. Box 944 Sisters, Oregon 97759	• William & Pamela Brandon 31323 NE 111th Place Carnation, WA 98014
• Steve Calavan 70345 McKenzie Canyon Terrebonne, Oregon 97760	• Glenn Cooper Route 1, Box 252 Terrebonne, Oregon 97760	• Tim DiPaolo PO Box 724 Bolinas, CA 94924
• Thayne & Margaret Dutton 4306 Arrowhead Circle Corvallis, Oregon 97330	• Dana & Evelyn Dykes 70520 McKenzie Canyon Terrebonne, Oregon 97760	• Bennett Ranch, LLC (John Short) PO Box 1830 Bend, OR 97709
• Ken & Jacqueline Gibbs 70177 McKenzie Canyon Terrebonne, Oregon 97760	• Joseph & Dana Giegerich PO Box 341 Silverton, OR 97381	• William Kelley P.O. Box 545 Sisters, Oregon 97759
• Don Kidson 1457 12th Street Santa Monica, CA 90401	• David & Chris Lawrence Route 1, Box 246 Terrebonne, Oregon 97760	• Long Hollow Ranch (Richard Bloomfeldt) 71105 Holmes Rd. Sisters, OR 97759
• David Lodi 19595 SE Martin Rd. Sandy, OR 97055	• McKenzie Canyon Group 70105 Holmes Road Sisters, Oregon 97759 (John Ferrara)	• Darwin & Josephine McKibbin P.O. Box 81 Terrebonne, Oregon 97760
Steven • Linda Mohr 3133 Belle River Dr. Hacienda Heights, CA 91745	• David & Phyllis Mulkey 501 Delay Drive Eugene, Oregon 97404	• David & Ruth Parks 70425 McKenzie Canyon Terrebonne, Oregon 97760
• Sherode & Susan Powers 70466 McKenzie Canyon Terrebonne, Oregon 97760	• Mostafa & Naoko Shirazi 2125 NW Jackson Creek Corvallis, OR 97330	• Steve & Kathy Simpson 16600 NW Lower Bridge Terrebonne, Oregon 97760
• Stephen & Elizabeth Sparks 12021 Wetherfield Lane Potomac, Maryland 20854	• Stephen Spears 70915 Lower Bridge Terrebonne, Oregon 97760	• Kenneth Taylor 70290 McKenzie Canyon Terrebonne, Oregon 97760
• Marc & Pamela Thalacker 70625 Lower Bridge Terrebonne, Oregon 97760	• William F. Vejrostek 70481 McKenzie Canyon Terrebonne, Oregon 97760	• Kenneth R. Tisher 2044 NW Trenton Bend, OR 97701

Jaqueline Thomas
DeeAnn McCoy
911 SW 57th Ave.
Portland, OR
97221



13.00S10.00E

13.00S11.00E

13.00S12.00E

14.00S10.00E

14.00S11.00E

14.00S12.00E

15.00S10.00E

15.00S11.00E

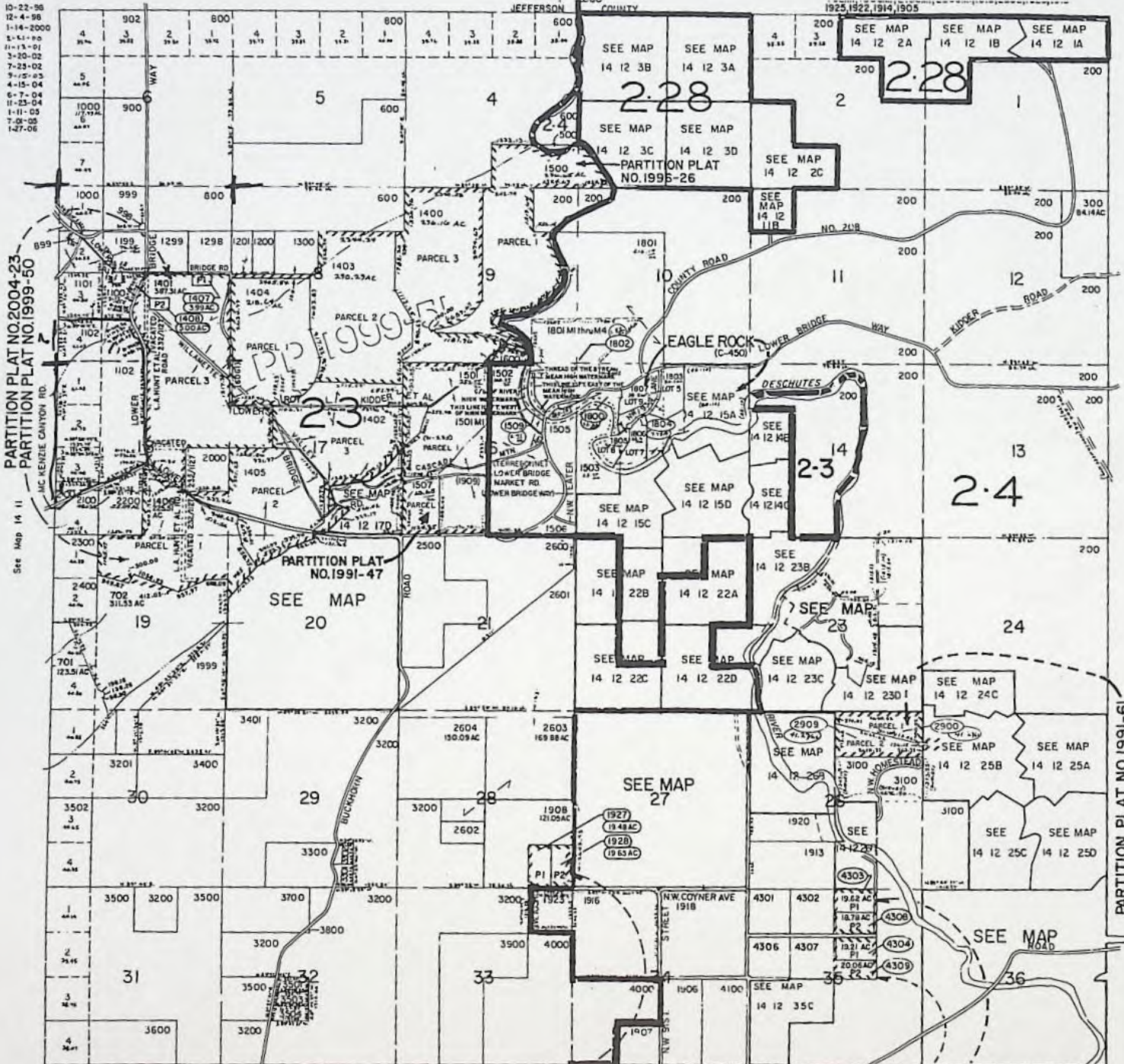
15.00S12.00E

Handwritten annotations including 'X' marks, 'C' marks, and colored shaded areas (blue, purple, pink) on the grid.

Handwritten annotations including 'P P P P P' and 'S S S' on the grid.

10-23-98
12-4-98
1-14-2000
2-11-01
3-20-02
7-23-02
9-15-03
4-15-04
6-7-04
11-23-04
1-11-05
7-28-05
12-7-06

145
123



PARTITION PLAT NO. 2004-23
PARTITION PLAT NO. 1999-50
See Map 14 11
McKENZIE CANYON RD.

PARTITION PLAT NO. 2004-10

See Map 15 12

PARTITION PLAT NO. 2004-42

PARTITION PLAT NO. 2004-43

14 12
& INDEX

PARTITION PLAT NO. 1991-61

See Map 14 13

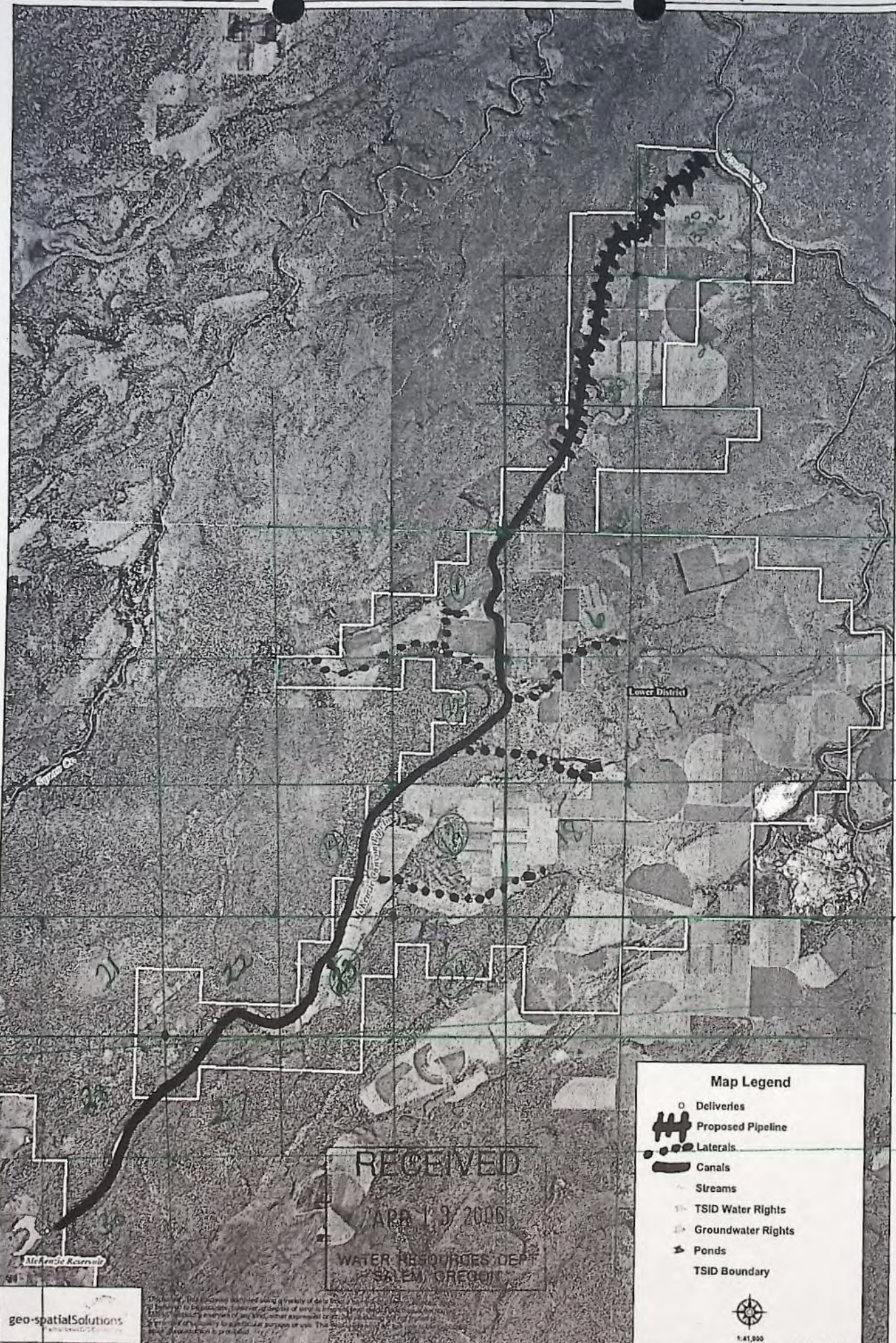
McKenzie Canyon Irrigation Project Map

copy

135
12E

145
12E

145
12E



RECEIVED
 APR 13 2006
 WATER RESOURCES DEPT
 SALEM, OREGON

Map Legend

- Deliveries
- ▣ Proposed Pipeline
- ▤ Laterals
- ▬ Canals
- ~ Streams
- ▧ TSID Water Rights
- ▨ Groundwater Rights
- ⊠ Ponds
- ▭ TSID Boundary

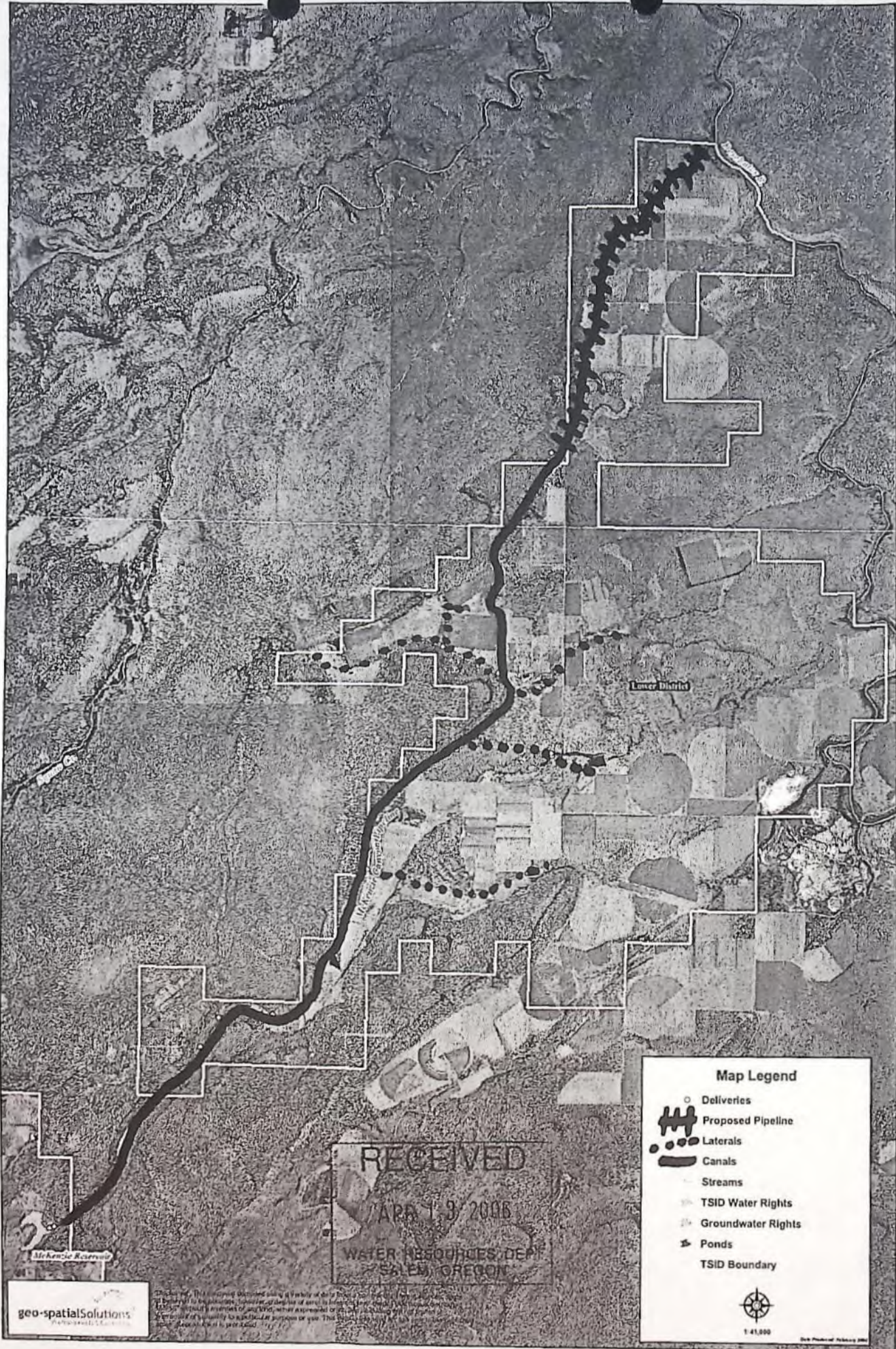
1:41,500

Geo-Spatial Solutions
 1000 NE Oregon Street, Suite 200
 Portland, OR 97232
 Phone: 503.253.8800
 Fax: 503.253.8801
 Email: info@geospatial-solutions.com
 Website: www.geospatial-solutions.com

geo-spatial Solutions
 1000 NE Oregon Street, Suite 200
 Portland, OR 97232
 Phone: 503.253.8800
 Fax: 503.253.8801
 Email: info@geospatial-solutions.com
 Website: www.geospatial-solutions.com

McKenzie Canyon Irrigation Project Map

copy



geo-spatialSolutions
Professional Services

Disclaimer: This document is provided as a service to the client and is not intended to be used as a substitute for professional engineering or other services. The user assumes all liability for any use of this information. This document is provided for informational purposes only. The user assumes all liability for any use of this information. This document is provided for informational purposes only. The user assumes all liability for any use of this information.

RECEIVED
APR 13 2006
WATER RESOURCES DEPT.
SALEM, OREGON

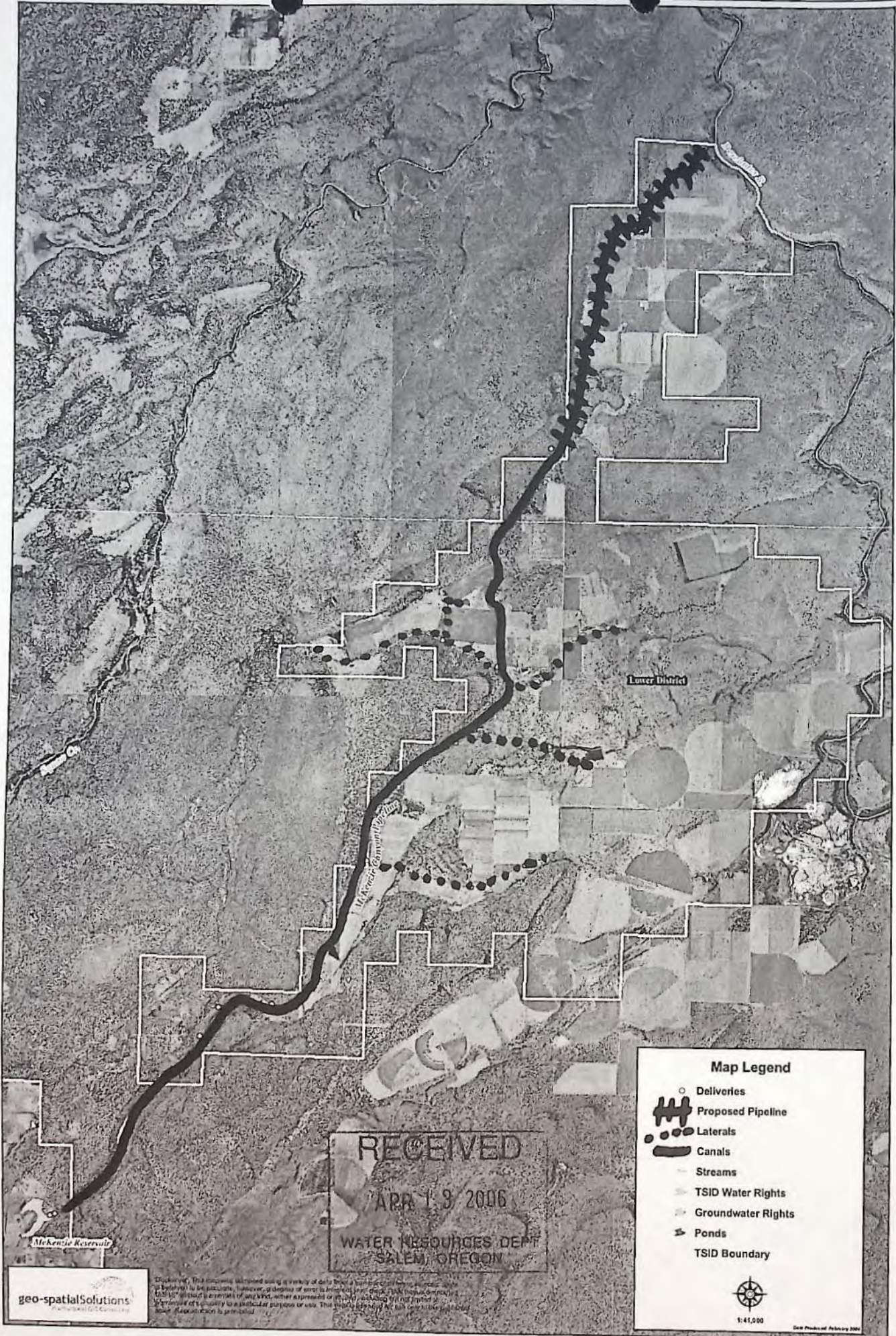
Map Legend

- Deliveries
- Proposed Pipeline
- Laterals
- Canals
- Streams
- TSID Water Rights
- Groundwater Rights
- Ponds
- TSID Boundary

1:41,000
North Arrow

McKenzie Canyon Irrigation Project Map

Copy



geo-spatialSolutions
 Environmental Consulting

Disclaimer: This map was prepared using a variety of data from a number of sources and is intended to be accurate, however, no warranty is made by the provider of the data or the user of the map. The user of the map is responsible for the accuracy of the data and for the use of the map. The user of the map is responsible for the accuracy of the data and for the use of the map. The user of the map is responsible for the accuracy of the data and for the use of the map.

Map Legend

- Deliveries
- Proposed Pipeline
- Laterals
- Canals
- Streams
- TSID Water Rights
- Groundwater Rights
- ★ Ponds
- TSID Boundary

1:41,000
 Date Printed: February 2004

RESTORING
STREAMFLOW
AND IMPROVING
WATER QUALITY
IN THE
DESCHUTES
BASIN



BOARD OF
DIRECTORS

Rick Allen
Recreation & Tourism

Robert A. Brunoe
Confederated Tribes
of Warm Springs

Beverly Clarno
Grazing

Ron Eggers
U.S. Department
of the Interior

Kyle Gorman
Oregon Water
Resources Department

Mike Hollern
Deschutes County

Steve Johnson
Irrigation Districts

Julie Keil
Hydroelectric

Clair Kunkel
Oregon Department of
Fish and Wildlife

Bob Main
At Large

Jim Manion, Chair
Confederated Tribes
of Warm Springs

Gregory McClarren
Environment

Tom Norton
Jefferson County

Jim Noteboom, Secretary
(non-board officer)

Bob Ringering
Irrigation Districts

Dan Roberts
Crook County

John Shelk
Timber

William Smith
Land Development

Leslie Weldon
U.S. Department
of Agriculture

Zach Willey, Treasurer
Environment

August 10, 2006

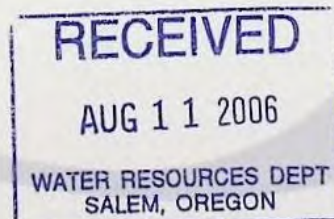
Bob Rice
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301

Dear Bob:

Enclosed please find most of the additional documents you requested in connection with the Deschutes River Conservancy's McKenzie Canyon Conserved Water Project (#44). Three Sisters Irrigation District will be faxing the remaining documents to your office on Monday, August 14.

Thanks,

Scott McCaulou
DRC Program Director



700 NW Hill Street • Bend, Oregon 97701
(P.O. Box 1560 • 97709)
541.382.4077 • Fax 541.382.4078
www.deschutesrc.org / info@deschutesrc.org

SB083986LH-36



DESCHUTES COUNTY OFFICIAL RECORDS
NANCY BLANKENSHIP, COUNTY CLERK

2005-06497



\$36.00

THRU: 00438684200500084970020027

12/23/2005 04:05:54 PM

D=0 Cnt=1 Str=3 PAM
\$10.00 \$11.00 \$10.00 \$5.00

After recording return to:
David Ludi
19595 SE Martin Road
Sandy, OR 97055

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

David Ludi
19595 SE Martin Road
Sandy, OR 97055

Escrow No. SB083986LH
Title No. 083986

STATUTORY WARRANTY DEED

Emmett Ranch, LLC, an Oregon Limited Liability Company, Grantor(s) hereby convey and warrant to David Ludi and Marlene Ludi, husband and wife, Grantee(s) the following described real property in the County of DESCHUTES and State of Oregon free of encumbrances except as specifically set forth herein:

LEGAL DESCRIPTION PER EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

Tax Acct. #124765 14 11 23 00 00100
Tax Acct. #124785 14 11 24 00 00500

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 PURSUANT TO AN IRC 1031 TAX DEFERRED EXCHANGE ON BEHALF OF GRANTOR/GRANTEE.

THIS INSTRUMENT WILL 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 30.910.

Dated this 23rd day of Dec, 2005

Emmett Ranch, LLC, an Oregon Limited Liability Company

BY: John Short, Manager

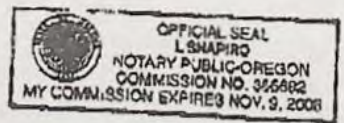
BY: Brian Stevens, Manager

State of Oregon
County of DESCHUTES

This instrument was acknowledged before me on Dec 23, 2005 by John Short and Brian Stevens, Managers of Emmett Ranch, LLC, an Oregon Limited Liability Company.

L Shapiro
(Notary Public for Oregon)
My commission expires 11/9/08

After recording, return to
AmeriTitle
15 OREGON AVENUE, BEND



LEGAL DESCRIPTION: EXHIBIT "A"

LEGAL DESCRIPTION

A portion of the Northeast Quarter of the Northeast Quarter (NE1/4 NE1/4) of Section Twenty-three (23) and a portion of the Northwest Quarter of the Northwest Quarter (NW1/4 NW1/4) of Section Twenty-four (24) of Township Fourteen (14) South, Range Eleven (11), East of the Willamette Meridian, Deschutes County, Oregon, more particularly described as commencing at a 5/8" re-bar monumenting the Northeast corner of Section 23 of Township 14 South, Range 11 East of the Willamette Meridian, the initial point; thence South 00°18'31" East along the East line of the Northeast Quarter of said Section 23, 660.55 feet to a 1/2" pipe monumenting the Northeast corner of the South One-half (S1/2) of the Northeast Quarter of the Northeast Quarter of said section 23; thence South 00°18'31" East along said East line, 210.00 feet to a 1/2" pipe on the prolongation of a fence and the true point of beginning; thence North 68°05'36" West along said fence and its prolongation, 495.77 feet to a 1/2" pipe; thence South 85°38'53" West, along said fence, 502 feet to a 1/2" pipe, from which the centerline of an irrigation lateral bears South 05°38'53" West, approximately 13 feet; thence South 85°38'53" West, 368.77 feet to the West line of said Northeast Quarter of the Northeast Quarter of Section 23; thence North 00°21'06" West along said West line approximately 772.64 feet to the Northwest Corner of the Northeast Quarter of the Northeast Quarter of said Section 23; thence East along the North line of the Northeast Quarter of the Northeast Quarter of said section, 515.80 feet; thence South 62°52'39" East approximately 1306 feet to centerline of McKenzie Canyon Road easement 186/676; thence Southerly along centerline of said road easement approximately 382.9 feet to fence prolongation; thence North 68°05'24" West along said fence prolongation, approximately 188 feet to point of beginning.

expressly reserving onto Grantor any and all surface water rights appurtenant to said property, including but not limited to those from Certificate 74135 and all supplemental water rights under Permits S-29312 and G-11378 and conveying to Grantee permitted groundwater rights under Permit G-9841 (evidenced in the Assignment of Permit 9841, Exhibit B, attached hereto and incorporated herein).



After recording return to

STEVEN A. MOHR

3133 Belle River Drive

Hacienda Heights, CA 91745

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

STEVEN A. MOHR

3133 Belle River Drive

Hacienda Heights, CA 91745

Escrow No. SB0861421.H

Title No. 086142

SWD

STATUTORY WARRANTY DEED

EMMETT RANCH, LLC, an Oregon Limited Liability Company, Grantor(s) hereby convey and warrant to STEVEN A. MOHR and LINDA M. MOHR, husband and wife, Grantee(s) the following described real property in the County of DESCHUTES and State of Oregon free of encumbrances except as specifically set forth herein

LEGAL DESCRIPTION PER EXHIBIT 'A' ATTACHED HERETO AND MADE A PART HEREOF.

Tax Acct. No. 124787

14 11 24 00 00300

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 PURSUANT TO AN IRC 1031 TAX DEFERRED EXCHANGE ON BEHALF OF GRANTOR/GRANTEE.

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)).

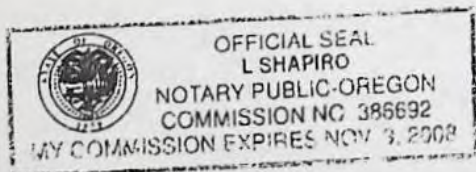
Dated this 17th day of February, 2006

EMMETT RANCH, LLC, an Oregon Limited Liability Company

BY: [Signature] John Short, Manager

State of Oregon County of DESCHUTES

This instrument was acknowledged before me on Feb. 17, 2006 by John Short, Manager of EMMETT RANCH, LLC, an Oregon Limited Liability Company

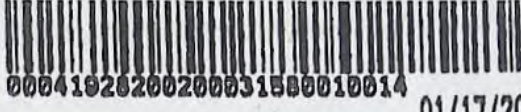


[Signature] (Notary Public for Oregon) My commission expires 11/9/08

AMERICAN STATES TITLE COMPANY AS AN ACCOMMODATION ONLY. IT HAS NOT BEEN EXAMINED AS TO ITS EXECUTION OR AS TO ITS EFFECT UPON THE TITLE.

DESCHUTES COUNTY OFFICIAL RECORDS
MARY SUE PENHOLLOW, COUNTY CLERK

2002-03158



\$31.00

01/17/2002 02:42:35 PM

D-D Cnt=1 Stn=11 JEFF
\$5.00 \$11.00 \$10.00 \$5.00

After recording, return to:

RANDALL W. BURDICK, et al
PO Box 944
Sisters, OR 97759

Until change, tax statement shall be sent to:

(SAME AS ABOVE)

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

BARGAIN AND SALE DEED

AMERICAN STATES TITLE COMPANY
1245 SE 3RD ST. STE A-1
BEND, OREGON 97702

RANDALL W. BURDICK and MARY T. CANTU-BURDICK,

hereinafter called grantor, does hereby grant, bargain, sell and convey unto

RANDALL W. BURDICK and MARY T. CANTU-BURDICK, as tenants by the entirety; and JOYCE G. BURDICK, reserving a Life Estate,

hereinafter called grantee, unto grantee's heirs, successors and assigns, all of that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, situated in the County of Deschutes, State of Oregon, described as follows, to-wit:

The West Half of the Southwest Quarter of the Southeast Quarter (W 1/2 SW 1/4 SE 1/4) of Section 23, Township 14 South, Range 11 East of the Willamette Meridian, Deschutes County, Oregon.

Serial #124793 Account #141123 OO 01100

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever.

The true and actual consideration for this conveyance is NONE.

In construing this deed and where the context so requires, the singular includes plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

In Witness Whereof, the grantor has executed this instrument this 2ND day of January, 2002.

THIS INSTRUMENT WILL 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.

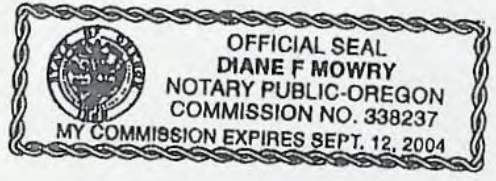
Randall W. Burdick
RANDALL W. BURDICK

Mary T. Cantu-Burdick
MARY T. CANTU-BURDICK

STATE OF OREGON, County of Deschutes) ss.

This instrument was acknowledged before me on January 2ND, 2002, by RANDALL W. BURDICK and MARY T. CANTU-BURDICK.

Diane F. Mowry
Notary Public for Oregon
My commission expires: 9/12/04



RECEIVED
AUG 11 2006
WATER RESOURCES DEPT
SALEM, OREGON

01-12-02

NoteWorld Servicing Center
PO Box 6898
Bend, OR 97708

NoteWorld Servicing Center

July 29, 2004

EMERALD EXCHANGE CO
C/O KEARNEY SIMPSON
16600 SW LOWER BRIDGE RD
TERREBONNE, OR 97760

VIA CERTIFIED MAIL 7004 1160 0001 7238 9579

RE: 9900550000790

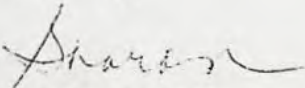
This account has been paid. Accordingly, we are returning documents we held as follows:

Original	Copy	Document Name	Dated
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Memorandum of Contract of Sale	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Real Estate Contract	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Warranty Deed	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Bill of Sale	

**THE ORIGINAL SPECIAL STATUTORY WARRANTY DEED WILL NEED TO BE RECORDED
IN DESCHUTES COUNTY TO CHANGE THE VESTING ON THE PROPERTY.**

We have appreciated your business. Please call us again if we can be of future assistance.

Sincerely,



Sharon Rodgers
NoteWorld Servicing Center

320 SW Upper Terrace DR
Bend · OR 97702
541-388-3367 · 541-382-9430 Fax

SPECIAL STATUTORY WARRANTY DEED

DONALD D. WILLIAMS and MYRTLE MAE WILLIAMS, husband and wife, Grantors, convey and specially warrant to KEARNEY STEVEN SIMPSON, Grantee, for and in consideration of the sum of \$600,000, the following described real property, free of encumbrances created or suffered by the Grantors except as specifically set forth herein:

In Township Fourteen (14) South, Range Twelve (12) East of the Willamette Meridian, Deschutes County, Oregon.

Section Five (5): Lots 1, 2, 3 and 4 in the South Half of the Northeast Quarter (S1/2NE1/4); the South half of the Northwest Quarter (S1/2NW1/4); the North Half of the Southwest Quarter (N1/2SW1/4); and the Northwest Quarter of the Southeast Quarter (NW1/4SE1/4).

Section Six (6): The East one-half (E1/2).

Section Seven (7): The North one-half of the Northeast Quarter (N1/2 NE1/4). (Serial No. 124843, Account No. 02-03 14 12 00 00 00800)

TOGETHER WITH all appurtenant water rights.

TOGETHER WITH:

8 Wheel lines - with 4" tubes, movers, 5' and 6' wheels
100 3" x 40' Aluminum laterals with risers, heads and couplers

1 30 H. P. Centrifugal pump, motor and panel
1 30 H. P. Centrifugal pump, motor and panel
1 150 H. P. Turbine pump, motor and panel

2,000 feet 5" Aluminum mainline with risers and couplers
4,100 feet 6" Aluminum mainline with risers and couplers
5,800 feet 8" - 10" Aluminum mainline with couplers

All respective T's, elbows, reducers, hoses, etc.

John Deere 348 PTO baler, Serial No. E00348X883637
John Deere Land Plane, Model 930
New Holland Swather Model 1495, Serial No. 465187
Powder River cattle squeeze chute
Irrigation Pipe Trailer
Eversman V-Ditcher, Serial No. 19735

SUBJECT TO:

1. The premises herein have been zoned or classified for farm use. At any time that said land is disqualified for such use, the property will be subject to additional taxes and interest thereon.
2. The premises fall within the boundaries of the Squaw Creek Irrigation District and are subject to rules and regulations, including levies, assessments, water and irrigation rights and easements for ditches and canals thereof.
3. The rights of the public in and to that portion of the premises herein described lying within the limits of public road and highways.
4. Any improvement located upon the insured property, which is described or defined as a mobile home under the provisions of Chapter 820, Oregon Revised Statutes, is subject to registration as therein provided.

ADDRESS FOR TAX STATEMENTS:

AFTER RECORDING RETURN TO:

KEARNEY STEVEN and KATHY T. SIMPSON
Route 1, Box 247
Terrebonne, OR 97760

This instrument will 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.

DATED this 2nd day of May, 1995.

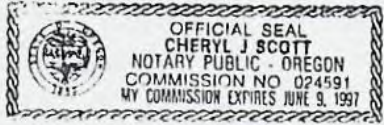
Donald D. Williams
DONALD D. WILLIAMS

Myrtle Mae Williams
MYRTLE MAE WILLIAMS

STATE OF OREGON)
 : ss.
County of Deschutes)

May 2, 1995

Personally appeared before me the above-named DONALD D. WILLIAMS and MYRTLE MAE WILLIAMS and acknowledged the foregoing instrument to be their voluntary act and deed.



Cheryl J. Scott
Notary Public for Oregon
My Commission Expires: 6-9-97
*\ep\coalest.ate\williams.nw?

BRYANT, EMERSON, FITCH & McCORD
Attorneys at Law
P. O. Box 457
888 West Evergreen
Redmond, OR 97756
(503) 548-2151

BILL OF SALE

KNOW ALL MEN BY THESE PRESENTS, that DONALD D. WILLIAMS and MYRTLE M. WILLIAMS, husband and wife, the parties of the first part, for good and valuable consideration paid by KEARNEY STEVEN SIMPSON, the party of the second part, the receipt whereof is hereby acknowledged, do by these presents, bargain, sell and deliver unto the party of the second part, his executors, administrators and assigns, all of the following described personal property, to wit:

SEE EXHIBIT "A" ATTACHED HERETO

To have and to hold the same unto the party of the second part, his executors, administrators and assigns forever.

And we hereby covenant with the party of the second part that we are the lawful owners of said goods and chattels; that they are free from all encumbrances and that we have good right to sell the same as aforesaid, and that we will and our executors and administrators shall warrant and defend the title thereto unto the parties of the second part, their executors, administrators, and assigns against the lawful claims and demands of all persons whomsoever.

DATED this 2nd day of May, 1995.

Donald D. Williams
DONALD D. WILLIAMS

Myrtle M. Williams
MYRTLE M. WILLIAMS

STATE OF OREGON)
: ss.
County of Deschutes)

May 2nd, 1995

We, DONALD D. WILLIAMS and MYRTLE M. WILLIAMS, being first duly sworn, depose and say that we are the sole owners of the property described in the foregoing bill of sale, and that the same is free and clear of liens and encumbrances of every kind and nature, at date of execution of said bill of sale, and the same have been paid in full.

Donald D. Williams
DONALD D. WILLIAMS
STATE OF OREGON)

Myrtle M. Williams
MYRTLE M. WILLIAMS

: ss.
County of Deschutes)

BE IT REMEMBERED, that on this 2nd day of May, 1995, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named DONALD D. WILLIAMS and MYRTLE M. WILLIAMS, known to me to be the identical individuals described in and who executed the within instrument and acknowledged to me that they executed the same freely and voluntarily.


IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

Cheryl J. Scott
Notary Public for Oregon
My Commission Expires: 6-9-97

SECURITY INTEREST

The undersigned, KEARNEY STEVEN SIMPSON, hereby grants a security interest in the property described on EXHIBIT "A" to secure the payments due on the Contract of Sale dated May 1, 1995, between Seller and EMERALD EXCHANGE CO.

DATED this 2nd day of May, 1995.


KEARNEY STEVEN SIMPSON
*\realest.ato\williams.bs2



WESTERN TITLE & ESCROW COMPANY

160 South Oak Street, Suite #300 - PO Box 1963, Sisters, OR 97759
Phone: (541) 549-4118 Fax: (541) 549-4121

February 17, 2006

Three Sisters Irrigation District
PO Box 2230
Sisters, OR 97759

RE: 11-0074705

Dear Irrigation District:

Hello:

In connection to the above referenced file, enclosed you will find our check(s), if applicable, which are for payment of fees and/or assessments, as indicated on the check(s) stub(s).

Please be advised the new owner(s) of 70150 McKenzie Canyon Rd., are:

Jacqueline A. Thomas & Deeann R. McCoy
(Austin Mtn. Development, LLC)
911 SW 57th Ave.
Portland, OR 97221

Attached is a copy of the recorded deed for your records.

If you have any questions, please feel free to contact us.

Sincerely,

Tiana L. Van Landuyt
Sisters Branch Manager
Certified Escrow Officer

TVL/ks
enc./



00432371200600044980020029

01/23/2006 01:58:21 PM

D-D Cnt=1 Stn=4 TRACY
\$10.00 \$11.00 \$10.00 \$5.00

RECORDED BY:
WESTERN TITLE & ESCROW CO.

11-0074705

After recording return to:
WESTERN TITLE & ESCROW COMPANY
PO BOX 1963
SISTERS, OR 97759

Until a change is requested all tax statements
shall be sent to the following address:
AUSTIN MTN. DEVELOPMENT, L.L.C.
1567 SW CHANDLER, SUITE 10
BEND, OR 97702

WARRANTY DEED -- STATUTORY FORM

CRAIG J. BAKER, Grantor, conveys and warrants to AUSTIN MTN. DEVELOPMENT,
L.L.C., AN OREGON LIMITED LIABILITY COMPANY, Grantee, the following described
real property, free of encumbrances except as specifically set forth herein, to
wit:

The Northeast Quarter of the Southeast Quarter (NE 1/4 SE 1/4) of Section
23, Township 14 South, Range 11 East of the Willamette Meridian,
Deschutes County, Oregon,

EXCEPTING THEREFROM the right of way of McKenzie Canyon Road.

ALSO EXCEPTING that portion described in Bargain and Sale Deed recorded
June 11, 2003 in Volume 2003, Page 39189, more particularly described as
follows:

A parcel of land located in the Northeast Quarter of the Southeast
Quarter (NE1/4 SE1/4) of Section 23, Township 14 South, Range 11 East,
Willamette Meridian, Deschutes County, Oregon, being more particularly
described as follows:

Beginning at the Center-East sixteenth corner of said Section 23; thence
along the East-West centerline of said Section 23, South 89°13'41" East,
403.26 feet to the centerline of the existing McKenzie Canyon Road;
thence along said existing centerline of McKenzie Canyon Road, South
34°02'46" West, 465.02 feet; thence South 32°04'56" West, 262.84 feet to
the North-South centerline of the Southeast Quarter of said Section 23;
thence along said North-South centerline, North 00°18'19" West, 613.45
feet to the point of beginning.

TOGETHER WITH 5.8 ACRES OF THREE SISTERS IRRIGATION DISTRICT WATER RIGHTS

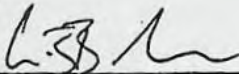
Tax Account No(s): 124778
Map/Tax Lot No(s): 14-11-23-00-00800

This property is free from encumbrances, EXCEPT: All those items of record, if
any, as of the date of this deed, including any real property taxes due, but
not yet payable.

The true consideration for this conveyance is \$620,000.00.

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)).

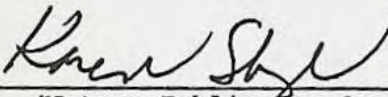
Dated this 23 day of January, 2006.



CRAIG J. BAKER

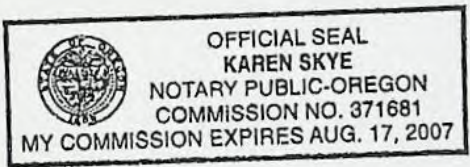
STATE OF OREGON, COUNTY OF DESCHUTES) SS.

This instrument was acknowledged before me on January 23, 2006 by CRAIG J. BAKER.



(Notary Public for Oregon)
My commission expires 8-17-07

TITLE NO. 11-0074705
ESCROW NO. 11-0074705





THIS SPACE

DESCHUTES COUNTY OFFICIAL RECORDS
NANCY BLANKENSHIP, COUNTY CLERK

2006-29867



\$41.00

05/01/2006 03:04:07 PM

D-D Cntol Stmtl DECKEY
035.00 011.00 010.00 003.00

After recording return to:
KENNETH R. TISHER
2044 NW TRENTON
Bend, OR 97701

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

KENNETH R. TISHER
2044 NW TRENTON
Bend, OR 97701

Estraw No. S8097143LH
Title No. 087143

SWD

STATUTORY WARRANTY DEED

VSN PROPERTIES, LLC and JOHN A. SHORT, each as to an undivided 50% interest, as tenants in common, Grantor(s) hereby convey and warrant to KENNETH R. TISHER and DEBORAH A. TISHER, husband and wife, Grantee(s) the following described real property in the County of DESCHUTES and State of Oregon free of encumbrances except as specifically set forth herein:

LEGAL DESCRIPTION PER EXHIBIT 'A' ATTACHED HERETO AND MADE A PART HEREOF.

Tax Acct. No. 124751 14 11 13 00 00760

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 PURSUANT TO AN IRC 1031 TAX DEFERRED EXCHANGE ON BEHALF OF GRANTOR/GRANTEE.

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 57 (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 26th day of April, 2006

VSN PROPERTIES, LLC, Exchanger

BY: [Signature], Member

[Signature]
JOHN A. SHORT, Exchanger

State of Oregon
County of DESCHUTES

This instrument was acknowledged before me on April 26, 2006 by Mark A. Neumann, Member of VSN PROPERTIES, LLC and John A. Short.

[Signature]
(Notary Public for Oregon)

My commission expires 11/9/08



After recording, return to
AmeriTitle
15 OREGON AVENUE, BEND

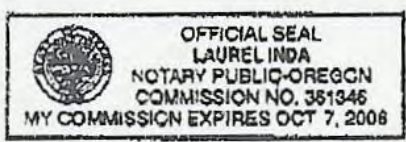
LIMITED LIABILITY COMPANY ACKNOWLEDGEMENT

STATE OF OREGON
COUNTY OF DESCHUTES

On this 2nd day of March, 2006, before me, the undersigned Notary Public, personally appeared Mark A Newman, Member and known to me to be members or designated agent of the limited liability company that executed this instrument, and acknowledge this instrument to be the free and voluntary act of the limited liability company, by authority of statute, its articles of organization or its operating agreement, for the uses and purposes therein mentioned, and on oath stated that they are authorized to execute this instrument and in fact executed this instrument on behalf of the limited liability company.

Laurelinda
Notary Public in and for the State of OREGON

My commission expires: 10/7/06



Order No. 087143

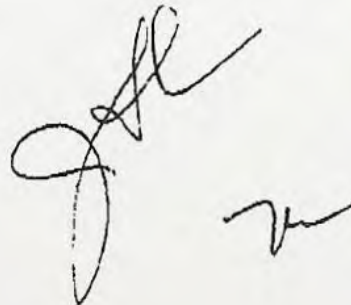
Page 4

EXHIBIT "A"
LEGAL DESCRIPTION

A portion of the Southwest Quarter of the Southwest Quarter (SW1/4 SW1/4) of Section 13, and a portion of the Southeast Quarter of the Southeast Quarter (SE1/4 SE1/4) of Section 14, Township 14 South, Range 11 East of the Willamette Meridian, Deschutes County, Oregon, more particularly described as:

Commencing at a 5/8" re-bar monumenting the Southeast corner of Section 14, Township 14 South, Range 11 East of the Willamette Meridian, the initial point; thence West to the Southwest corner of the Southeast Quarter of the Southeast Quarter of Section 14; thence North along the West line of the Southeast Quarter of the Southeast Quarter of Section 14 - 599.81 feet and the true point of beginning; thence South $89^{\circ}07'39''$ East, 1094.72 feet; thence South $60^{\circ}37'35''$ East - approximately 1041 feet to centerline of McKenzie Canyon Road easement 186/676; thence Northerly along centerline of said road easement to East line of the southwest Quarter of the Southwest Quarter of Section 13; thence North along the East line of the Southwest Quarter of the Southwest Quarter of Section 13 to the Northeast corner of said quarter quarter section; thence West along the North line of said quarter quarter section and the North line of the Southeast Quarter of the Southeast Quarter of Section 14 to the Northwest corner of said quarter quarter section; thence South along the West line of said quarter quarter section approximately 704 feet to the point of beginning.

expressly reserving onto Grantor 3.0 acres of surface water rights appurtenant to said property from Certificate 74135 along with underlying supplemental water rights under Permits S-29312, G-11378 and G-9841 and conveying to Grantee 20 acres of surface water rights appurtenant to said property from Certificate 74135 along with underlying supplemental water rights under Permits S-29312, G-11378 and G-9841.

A large, stylized handwritten signature is written in the lower center of the page. To its right, there are smaller, less distinct handwritten initials or marks.

79016-41



DESCHUTES COUNTY OFFICIAL RECORDS
NANCY BLANKENSHIP, COUNTY CLERK

2005-09548



\$41.00

003044442000040040000032

07/29/2005 04:21:25 PM

TR D-D Cnt=1 Str=4 JUDYMC
\$15.00 \$11.00 \$10.00 \$5.00

After recording return to:
TIM DIPAOLO

79 Moss Rd P O BOX 724
Bolinas, CA 94924

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

TIM DIPAOLO
79 Moss Rd P O BOX 724
Bolinas, CA 94924

Escrow No. SB079016LH
Title No. 079016

SWD

STATUTORY WARRANTY DEED

EMMETT RANCH, LLC, an Oregon Limited Liability Company, Grantor(s) hereby convey and warrant to ~~wendy~~
~~TIM/DIPAOLO and WENDY/DIPAOLO, husband and wife~~ Grantee(s) the following described real property
in the County of ~~DESCHUTES~~ and State of Oregon free of encumbrances except as specifically set forth herein:
EMMETT RANCH, LLC, an Oregon Limited Liability Company, Grantor(s) hereby convey and warrant to
Timothy J. Dipaolo and Wendy Lucas Dipaolo, Trustees of the Dipaolo Family Revocable Trust

LEGAL DESCRIPTION PER EXHIBIT 'A' ATTACHED HERETO AND MADE A PART
HEREOF.

Tax Acct. No. 124750 14 11 13 00 00800
Tax Acct. No. 124786 14 11 24 00 00400

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 \$338,500.00.

THIS INSTRUMENT WILL 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.

Dated this 22 day of July, 2005

EMMETT RANCH, LLC, an Oregon Limited Liability Company

BY: [Signature]
John Short, Manager

BY: [Signature]
Brian Stevens, Manager

State of Oregon
County of DESCHUTES

This instrument was acknowledged before me on July 22, 2005 by EMMETT RANCH, LLC, an Oregon Limited
Liability Company.

[Signature]
(Notary Public for Oregon)

My commission expires 11/9/08

After recording, return to
AmeriTitle
15 OREGON AVENUE, BEND

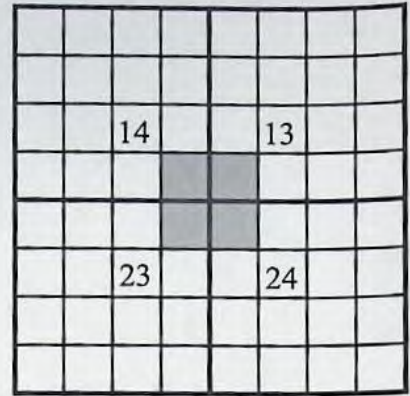
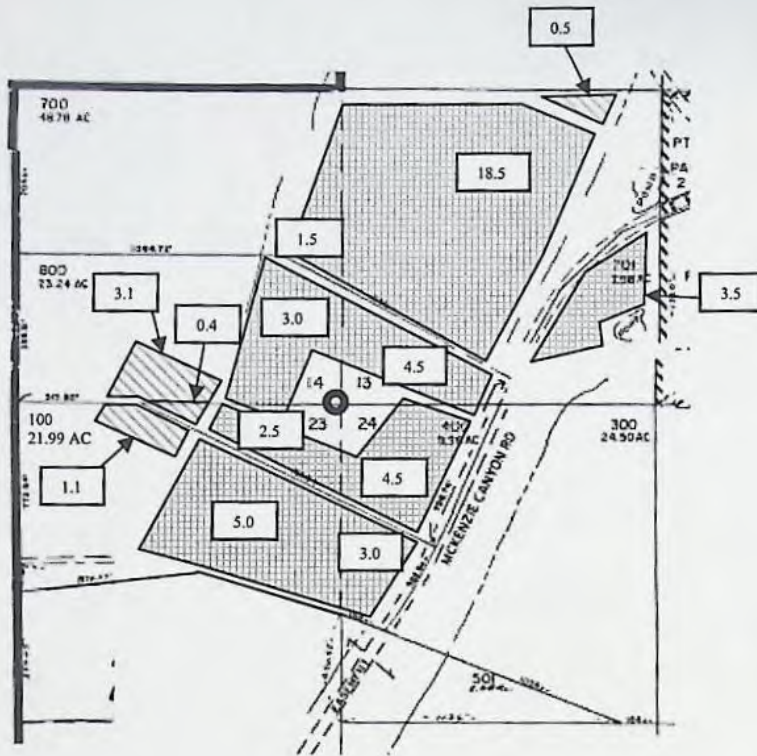


EXHIBIT 'A'

A portion of the Northeast Quarter of the Northeast Quarter (NE1/4NE1/4) of Section Twenty-three (23), and a portion of the Northwest Quarter of the Northwest Quarter (NW1/4NW1/4) of Section Twenty-four (24), and a portion of the Southwest Quarter of the Southwest Quarter (SW1/4SW1/4) of Section Thirteen (13), and a portion of the Southeast Quarter of the Southeast Quarter (SE1/4SE1/4) of Section Fourteen (14) of Township Fourteen (14) South, Range Eleven (11), East of the Willamette Meridian, Deschutes County, Oregon, more particularly described as commencing at a 5/8" re-bar monumenting the Northeast corner of Section 23, of Township 14 South, Range 11, East of the Willamette Meridian, Deschutes County, Oregon, the initial point; thence West to the Northwest corner of the Northeast Quarter of the Northeast Quarter (NE1/4NE1/4) and the true point of beginning; thence North along the West line of the Southeast Quarter of the Southeast Quarter (SE1/4SE1/4) of Section 14, 599.81 feet; thence South $89^{\circ}07'39''$ East, 1094.72 feet; thence South $69^{\circ}37'35''$ East, approximately 1041 feet to centerline of McKenzie Canyon Road easement 186/676; thence Southerly along centerline of said road easement, 796.74 feet; thence North $62^{\circ}15'39''$ West to the South line of the Northeast Quarter of the Northeast Quarter (NE1/4NE1/4) of Section 14; thence West along said South line, 515.00 feet to point of beginning.

Expressly reserving onto Grantor any and all surface water rights appurtenant to said property, including but not limited to those from Certificate No. 74135 and conveying to Grantee permitted groundwater rights appurtenant to said property under Permit G-5841.

Township 14 South
Range 11 East



- Section 13 SWSW**
 TL 700, 1895, 18.5 Acres
 TL 700, 1904, 0.5 Acres
 TL 701, 1895, 3.5 Acres
 TL 800, 1895, 4.5 Acres
- Section 14, SESE**
 TL 700, 1895, 1.5 Acres
 TL 800, 1895, 3.0 Acres
 TL 800, 1904, 3.1 Acres
- Section 23, NENE**
 TL 100, 1895, 5.0 Acres
 TL 100, 1904, 1.1 Acres
 TL 400, 1895, 2.5 Acres
 TL 400, 1904, 0.4 Acres
- Section 24, NWNW**
 TL 400, 1895, 4.5 Acres
 TL 100, 1895, 3.0 Acres
- Total 1895 – 46.0 Acres**
Total 1904 – 5.1 Acres

Water Right Map For McKenzie Canyon Road
Certificate 74135 After Transfer

1895 Place of Use 1904 Place of Use ● Section Corner Marker Location

T14S R11E Sections 13, 14, 23 & 24

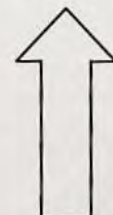
1 inch equals 800 feet

August 8, 2006

Deschutes Irrigation, LLC

P.O. Box 1830
 Bend, OR 97709
 541-389-2857
 waterrights@usa.com

NORTH



ATTN: Bob Rice

January 10, 2006



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

Watermaster Review Form: Allocation of Conserved Water Application

Conserved Water Application #: CW-44
Involving Certificate(s) #: 74135

Pre-Project Water Right

1. In my opinion, the water right is valid and not subject to forfeiture.
 Yes No Don't Know Explain if needed: _____

Do you want to pursue cancellation?
 Yes No Explain, if needed: _____

2. Is there evidence to suggest that the applicant is NOT ready, willing, and able to use the full rate associated with this water right?
 Yes No Don't Know Explain, if needed: _____

Do you have concerns over whether the applicant is ready, willing, and able to use the full rate associated with this water right?
 Yes No Explain, if needed: _____

Issues Associated with Injury and Mitigation (See ORS 537.470 and OAR 690-018-0012(1): "After determining the quantity of conserved water, if any, required to mitigate the effects on other water rights ...")

3. In my opinion, this water right could be beneficially used at maximum rate and duty without having return flows. (Note: The question is not asking whether there have historically been return flows).
 Yes No Don't Know

There are visible, above ground return flows coming from the place of use of the subject water right.
 Yes No Don't Know

Explain, if needed: _____

4. In my opinion, the proposed project,
 MAY BE MADE WITHOUT HARM (e.g. Injury) (See OAR 690-018-0050(4)(b))
Please explain: As long as the instream water right reach created is only maintained to the mouth of Wychus Creek and not further into the Deschutes River. The new instream water right created is not a measureable portion of the flow in the receiving stream as required by OAR 690-077-0015 (7).

WOULD RESULT IN HARM (e.g. Injury, considering return flows, etc.)
Please explain: _____
The project could be modified to avoid harm by (suggestions may include possible mitigation measures) _____.

Instream Water Right to be Created by the Project

5. In my opinion, the proposed instream reach(es), instream rate and duty, any instream loss factor, and time-period to be protected instream are appropriate.
 Yes No Explain, if needed: See comment under #4 and the new instream water right would have to be prorated back with the other 1895 water rights on the creek.

Measuring Devices

In my opinion, the order approving the allocation of conserved water application should include the following in regard to the appropriator installing suitable measuring devices in the diversion works and/or at a lateral.

Post-Project Water Right (Existing lands)

6. Specify when and where (POD or lateral) the measuring devices should be required and explain if needed. _____
 (1) PRIOR to using the conserved water for instream purposes or new out-of-stream purposes ...
 (2) WHEN IN the judgment of the watermaster it becomes necessary ...
 (3) Not needed

New Out-of-Stream Water Right to be Created by the Project (New lands)

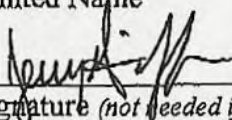
7. Specify when and where (POD or lateral) the measuring devices should be required and explain, if needed. _____
 (1) PRIOR using the conserved water ...
 (2) WHEN IN the judgment of the watermaster it becomes necessary ...
 (3) Not needed

Other Comments

8. There may be undetectable return flows through the groundwater system, an analysis may have to be done by our groundwater department. The new instream water rights are to be the same priority as the majority of water rights along the creek and therefore will be proportionately available throughout the season and may occasionally be at full face value. The new instream water right will be released by TSID and regulated by OWRD gage 14076050.

Jeremy Giffin
Printed Name

Date: 8/1/06


Signature (not needed if review sheet is returned via e-mail)

RESTORING
STREAMFLOW
AND IMPROVING
WATER QUALITY
IN THE
DESCHUTES
BASIN



BOARD OF
DIRECTORS

Rick Allen
Recreation & Tourism

Robert A. Brunoe
Confederated Tribes
of Warm Springs

Beverly Clarno
Grazing

Ron Eggers
U.S. Department
of the Interior

Kyle Gorman
Oregon Water
Resources Department

Mike Hollern
Deschutes County

Steve Johnson
Irrigation Districts

Julie Keil
Hydroelectric

Clair Kunkel
Oregon Department of
Fish and Wildlife

Bob Main
At Large

Jim Manion, Chair
Confederated Tribes
of Warm Springs

Gregory McClarren
Environment

Tom Norton
Jefferson County

Jim Noteboom, Secretary
(non-board officer)

Bob Ringering
Irrigation Districts

Dan Roberts
Crook County

John Shelk
Timber

William Smith
Land Development

Leslie Weldon
U.S. Department
of Agriculture

Zach Willey, Treasurer
Environment

June 26, 2006

Bob Rice
Water Resources Department
725 Summer Street NE, Suite "A"
Salem, OR 97301-1271

RE: McKenzie Canyon Black Butte and Association Canal Conserved Water Project

Dear Bob:

Enclosed please find an additional Evidence of Use Affidavit to go with CW-44 (McKenzie CWA). This should be the final affidavit.

Sincerely,

Danielle MacBain
DRC Program Manager

RECEIVED

JUN 28 2006

WATER RESOURCES DEPT
SALEM, OREGON

700 NW Hill Street • Bend, Oregon 97701
(P.O. Box 1560 • 97709)
541.382.4077 • Fax 541.382.4078
www.deschutesrc.org / info@deschutesrc.org

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

State of Oregon)
County of _____) ss

I, William & Pamela Brandon, in my capacity as owner,
mailing address _____
telephone number (253) 564-9371, 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 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:

14	S	23	E	WM	23	SW/SW	Tx lot 1300	7.5 acres

(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.

RECEIVED
JUN 28 2006
WATER RESOURCES DEPT
SALEM, OREGON

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

Livestock and grass feed

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

2-5 hp gas pump with 10 pieces of hand line

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,

Other: Recently purchased land and in the process of planting oats for beneficial use of livestock & feeding

Brandon A. Brandon
Signature of Affiant

6/20/06
Date



Signed and sworn to (or affirmed) before me this 20th day of June, 2006.

Susan M. Johnson
Notary Public for Oregon

My Commission Expires: 9/19/09

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

RECEIVED
JUN 28 2006 TOTAL P.03
WATER RESOURCES DEPT
SALEM, OREGON

Three Sisters Irrigation District
P.O. Box 2230
68000 Hwy 20 West
Sisters, Oregon 97759
Tel (541) 549-8815
Fax (541) 549-8070



Fax

To: <u>Rob Rice</u>	From: <u>Marc Thalacker</u>
Fax: <u>986-0902</u>	Pages: <u>10</u>
Phone: <u>986-0885</u>	Date: <u>5-31-06</u>
Company: _____	RE: _____

Urgent For Review Please Comment Please Reply Please Recycle

★ **Comments:**

Attn: Rob Rice

RECEIVED

JUN 01 2006

WATER RESOURCES DEPT.
SALEM, OREGON

DESCHUTES COUNTY OFFICIAL RECORDS
NANCY BLANKENSHIP, COUNTY CLERK

2005-78593



\$76.00

11/15/2005 02:37:28 PM

D-OL Cntal Strs23 BECKEY
\$50.00 \$11.00 \$10.00 \$5.00

AFTER RECORDING RETURN TO:

TSID
P. O. BOX 2230
SISTERS, OREGON 97759

**THREE SISTERS IRRIGATION DISTRICT
ORDER FOR THE CREATION OF A SUBDISTRICT**

WHEREAS, Steve & Kathy Simpson; Richard Bloomfeldt; Glenn Cooper; David & Phyllis Mulkey; Don Kidson; Thayne & Margaret Dutson; David & Chris Lawrence; Marc & Pamela Thalacker; Stephen & Elizabeth Sparks; David & Ruth Parks; Dana & Evelyn Dykes; Sherode & Susan Powers; Kenneth Taylor; Ken & Jaqueline Gibbs; Randy & Mary Burdick; William Kelley; John Ferera; Steve Calavan; Craig Baker; William F. Vejorstek; Stephen Spears, have filed with the Board of Directors of the Three Sisters Irrigation District a petition praying for the creation of a sub district of the following described land to-wit:

Exhibit A (attached)

And further request the irrigation works, which the Petitioners desire to have constructed or provided, is the piping of said ditch for the purpose of decreasing water loss due to seepage

WITHIN the District.

AND WHEREAS, the Board of Directors of the District has heretofore heard and approved the sub district petition in the manner prescribed by the law that said petition at a special meeting of the Board held in the District office at 68000 Highway 20 West, Sisters, Oregon, on October 18th, 2005.

IT IS HEREBY ORDERED that the above-described lands on exhibit A become the Lowerbridge Sub-district #2 of Three Sisters Irrigation District.

IT IS FURTHER ORDERED, that this order be filed forthwith in the County records of Deschutes, Oregon and Jefferson County, Oregon.

Dated and signed at Sisters, Oregon, this 18th day of October 2005.

THREE SISTERS IRRIGATION DISTRICT

BOARD OF DIRECTORS:

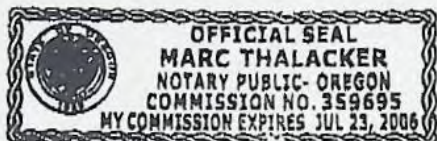
Karen Friend, President

Glenn F. Cooper

Glenn Cooper, Vice President

Don Boyer

Don Boyer



State of Oregon _____)

County of Deschutes _____) ss

On this 18th day of October, 2005

The signers of this document did personally appear before me: *Marc Thalacker*

Exhibit A

THREE SISTERS IRRIGATION DISTRICT**LEGAL DESCRIPTION****LOWER BRIDGE SUB-DISTRICT NO. 2 OF THE THREE SISTERS IRRIGATION DISTRICT**

SITUATED IN TOWNSHIP 13 SOUTH, RANGE 12 EAST, WILLAMETTE MERIDIAN, JEFFERSON COUNTY, OREGON AND TOWNSHIP 14 SOUTH, RANGE 11 EAST AND TOWNSHIP 14 SOUTH, RANGE 12 EAST, WILLAMETTE MERIDIAN, DESCHUTES COUNTY, OREGON.

BOUNDARY OF SAID LOWER BRIDGE SUB-DISTRICT NO. 2 IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE CORNER COMMON TO TOWNSHIPS 13 AND 14 SOUTH, RANGES 11 AND 12 EAST, ON THE JEFFERSON - DESCHUTES COUNTY LINE;

THENCE, ON THE BOUNDARY OF OR WITHIN SAID TOWNSHIP 13 SOUTH, RANGE 12 EAST, THE FOLLOWING DESCRIBED COURSES:

NORTHERLY, ON THE WEST LINE OF SECTION 31, TO THE WEST QUARTER CORNER OF SAID SECTION;

THENCE EASTERLY, ON THE EAST-WEST CENTERLINE OF SAID SECTION 31, TO THE CENTER QUARTER CORNER;

THENCE NORTHERLY, ON THE NORTH-SOUTH CENTERLINE OF SAID SECTION 31, TO THE NORTH QUARTER CORNER OF SAID SECTION;

THENCE NORTHERLY, ON THE NORTH-SOUTH CENTER LINE OF SECTION 30, TO THE NORTH QUARTER CORNER OF SAID SECTION;

THENCE NORTHERLY, ON THE NORTH-SOUTH CENTERLINE OF SECTION 19, TO THE CENTER QUARTER CORNER OF SAID SECTION;

THENCE EASTERLY, ON THE EAST-WEST CENTERLINE OF SAID SECTION 19, TO THE EAST QUARTER CORNER OF SAID SECTION;

THENCE NORTHERLY, ON THE EAST LINE OF SAID SECTION 19, TO THE NORTHEAST CORNER THEREOF;

THENCE EASTERLY, ON THE NORTH LINE OF SECTION 20, TO THE INTERSECTION WITH THE THREAD OF THE DESCHUTES RIVER;

THENCE SOUTHEASTERLY, ALONG THE THREAD OF THE DESCHUTES RIVER, TO THE INTERSECTION WITH THE EAST LINE OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 21;

THENCE SOUTHERLY, ON SAID EAST LINE, TO THE WEST SIXTEENTH CORNER ON THE SOUTH LINE OF SAID SECTION 21;

THENCE WESTERLY, ON SAID SOUTH LINE, TO THE SOUTHWEST CORNER THEREOF;

THENCE WESTERLY, ON THE SOUTH LINE OF SECTION 20, TO THE SOUTH QUARTER CORNER OF SAID SECTION;

THENCE SOUTHERLY, ON THE NORTH-SOUTH CENTERLINE OF SECTION 29, TO THE CENTER QUARTER CORNER OF SAID SECTION;

THENCE WESTERLY, ON THE EAST -WEST CENTERLINE OF SAID SECTION 29, TO THE CENTER-WEST SIXTEENTH CORNER OF SAID SECTION;

THENCE SOUTHERLY, ON THE EAST LINE OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 29, TO THE WEST SIXTEENTH CORNER ON THE SOUTH LINE OF SAID SECTION;

THENCE EASTERLY, ON THE SOUTH LINE OF SAID SECTION 29, TO THE SOUTHEAST CORNER THEREOF;

THENCE SOUTHERLY, ON THE EAST LINE OF SECTION 32, TO THE NORTH SIXTEENTH CORNER OF SAID SECTION;

THENCE WESTERLY, ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 32, TO THE NORTHEAST SIXTEENTH CORNER OF SAID SECTION;

THENCE SOUTHERLY, ON THE EAST LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 32, TO THE CENTER-EAST SIXTEENTH CORNER OF SAID SECTION;

THENCE WESTERLY, ON THE EAST-WEST CENTERLINE OF SAID SECTION 32, TO THE EAST QUARTER CORNER OF SECTION 31;

THENCE WESTERLY, ON THE EAST-WEST CENTERLINE OF SAID SECTION 31, TO THE CENTER-EAST SIXTEENTH CORNER OF SAID SECTION;

THENCE SOUTHERLY, ON THE EAST LINE OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 31, TO THE EAST SIXTEENTH CORNER COMMON TO SECTION 31, OF SAID TOWNSHIP 13 SOUTH, RANGE 12 EAST AND SECTION 6, TOWNSHIP 14 SOUTH, RANGE 12 EAST, WILLAMETTE MERIDIAN, ON THE LINE COMMON TO SAID JEFFERSON AND DESCHUTES COUNTIES;

THENCE CONTINUING ON THE BOUNDARY OF OR WITHIN SAID TOWNSHIP 14 SOUTH, RANGE 12 EAST, WILLAMETTE MERIDIAN, DESCHUTES COUNTY, OREGON, THE FOLLOWING DESCRIBED COURSES:

EASTERLY, FROM THE EAST SIXTEENTH CORNER ON THE NORTH LINE OF SAID SECTION 6, TO THE NORTHEAST CORNER THEREOF;

THENCE EASTERLY, ON THE NORTH LINE OF SECTION 5, TO THE NORTHEAST CORNER THEREOF;

THENCE SOUTHERLY, ON THE WEST LINE OF SECTION 4, TO THE NORTH SIXTEENTH CORNER OF SAID SECTION;

THENCE EASTERLY, ON THE NORTH LINE OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF SAID SECTION 4, TO THE CENTER NORTH-SIXTEENTH CORNER OF SAID SECTION;

THENCE SOUTHERLY, ON THE NORTH-SOUTH CENTERLINE OF SAID SECTION 4, TO THE CENTER QUARTER CORNER;

THENCE EASTERLY, ON THE EAST-WEST CENTERLINE OF SAID SECTION 4, TO THE CENTER-EAST SIXTEENTH CORNER OF SAID SECTION;

THENCE SOUTHERLY, ON THE EAST LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 4, TO THE SOUTHEAST SIXTEENTH CORNER OF SAID SECTION;

THENCE EASTERLY, ON THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 4, TO THE SOUTH SIXTEENTH CORNER ON THE EAST LINE OF SAID SECTION;

THENCE SOUTHERLY, ON THE EAST LINE OF SECTION 4, TO THE SOUTHEAST CORNER THEREOF;

THENCE SOUTHERLY, ON THE EAST LINE OF SECTION 9, TO THE EAST QUARTER CORNER OF SAID SECTION;

THENCE WESTERLY, ON THE EAST-WEST CENTERLINE OF SAID SECTION 9, TO THE CENTER-EAST SIXTEENTH CORNER OF SAID SECTION;

THENCE SOUTHERLY, ON THE EAST LINE OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 9, TO THE EAST SIXTEENTH CORNER OF SAID SECTION;

THENCE WESTERLY, ON THE SOUTH LINE OF SAID SECTION 9, TO THE SOUTH QUARTER CORNER OF SAID SECTION;

THENCE SOUTHERLY, ON THE NORTH-SOUTH CENTERLINE OF SECTION 16, TO THE CENTER-NORTH SIXTEENTH CORNER OF SAID SECTION;

THENCE WESTERLY, ON THE SOUTH LINE OF THE NORTH HALF OF THE NORTHWEST QUARTER OF SAID SECTION 16, TO THE NORTH SIXTEENTH CORNER ON THE WEST LINE OF SAID SECTION;

THENCE SOUTHERLY, ON THE WEST LINE OF SAID SECTION 16, TO THE SOUTHWEST CORNER THEREOF;

THENCE WESTERLY, ON THE SOUTH LINE OF SECTION 17, TO THE SOUTH QUARTER CORNER OF SAID SECTION;

THENCE SOUTHERLY, ON THE NORTH-SOUTH CENTERLINE OF SECTION 20, TO THE CENTER-NORTH SIXTEENTH CORNER OF SAID SECTION;

THENCE WESTERLY, ON THE SOUTH LINE OF THE NORTH HALF OF THE NORTHWEST QUARTER OF SAID SECTION 20, TO THE NORTH SIXTEENTH CORNER ON THE WEST LINE OF SAID SECTION;

THENCE SOUTHERLY, ON THE WEST LINE OF SAID SECTION 20, TO THE SOUTH SIXTEENTH CORNER ON SAID WEST LINE;

THENCE WESTERLY, ON THE SOUTH LINE OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 19, TO THE CENTER-SOUTH SIXTEENTH CORNER OF SAID SECTION;

THENCE WESTERLY, ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 19, TO THE SOUTHWEST SIXTEENTH CORNER OF SAID SECTION;

THENCE NORTHERLY, ON THE WEST LINE OF SAID NORTHEAST QUARTER OF THE SOUTHWEST QUARTER, TO THE CENTER-WEST SIXTEENTH CORNER OF SAID SECTION 19; THENCE NORTHERLY, ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 19, TO THE NORTHWEST SIXTEENTH CORNER OF SAID SECTION;

THENCE WESTERLY, ON THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 19, TO THE NORTH SIXTEENTH CORNER ON THE WEST LINE OF SAID SECTION;

THENCE SOUTHERLY, ON THE WEST LINE OF SAID SECTION 19, TO THE WEST QUARTER CORNER OF SAID SECTION;

THENCE ON THE BOUNDARY OF OR WITHIN TOWNSHIP 14 SOUTH, RANGE 11 EAST, THE FOLLOWING DESCRIBED COURSES:

WESTERLY, ON THE EAST-WEST CENTERLINE OF SECTION 24, TO THE CENTER QUARTER CORNER OF SAID SECTION;

THENCE NORTHERLY, ON THE EAST LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 24, TO THE CENTER-NORTH SIXTEENTH CORNER OF SAID SECTION;

THENCE WESTERLY, ON THE NORTH LINE OF SAID SOUTHEAST QUARTER OF THE NORTHWEST QUARTER, TO THE NORTHWEST SIXTEENTH CORNER OF SAID SECTION 24;

THENCE SOUTHERLY ON THE WEST LINE OF SAID SOUTHEAST QUARTER OF THE NORTHWEST QUARTER, TO THE CENTER-WEST SIXTEENTH CORNER OF SAID SECTION 24;

THENCE WESTERLY, ON THE EAST-WEST CENTERLINE OF SAID SECTION 24, TO THE WEST QUARTER CORNER OF SAID SECTION;

THENCE SOUTHERLY, ON THE EAST LINE OF SECTION 23, TO THE SOUTHEAST CORNER THEREOF;

THENCE SOUTHERLY, ON THE EAST LINE OF SECTION 26, TO THE NORTH SIXTEENTH CORNER ON SAID EAST LINE;

THENCE WESTERLY, ON THE SOUTH LINE OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SAID SECTION 26, TO THE CENTER-NORTH SIXTEENTH CORNER OF SAID SECTION;

THENCE WESTERLY, ON THE SOUTH LINE OF THE NORTH HALF OF THE NORTHWEST QUARTER OF SAID SECTION 26, TO THE NORTH SIXTEENTH CORNER ON THE WEST LINE OF SAID SECTION;

THENCE WESTERLY, ON THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 27, TO THE NORTHEAST SIXTEENTH CORNER OF SAID SECTION;

THENCE SOUTHERLY, ON THE WEST LINE OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER, TO THE CENTER-EAST SIXTEENTH CORNER;

THENCE WESTERLY, ON THE EAST-WEST CENTERLINE OF SAID SECTION 27, TO THE CENTER-WEST SIXTEENTH CORNER OF SAID SECTION;

THENCE NORTHERLY, ON THE WEST LINE OF THE EAST HALF OF THE NORTHWEST QUARTER OF SAID SECTION 27, TO THE WEST SIXTEENTH CORNER ON THE NORTH LINE OF SAID SECTION;

THENCE NORTHERLY, ON THE WEST LINE OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 22, TO THE CENTER-WEST SIXTEENTH CORNER OF SAID SECTION;

THENCE EASTERLY, ON THE EAST-WEST CENTERLINE OF SAID SECTION 22, TO THE CENTER-EAST SIXTEENTH CORNER OF SAID SECTION;

THENCE SOUTHERLY, ON THE WEST LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 22, TO THE SOUTHEAST SIXTEENTH CORNER OF SAID SECTION;

THENCE EASTERLY, ON THE SOUTH LINE OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER, TO THE SOUTH SIXTEENTH CORNER ON THE EAST LINE OF SAID SECTION 22;

THENCE EASTERLY, ON THE NORTH LINE OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 23, TO THE CENTER-SOUTH SIXTEENTH CORNER OF SAID SECTION;

THENCE NORTHERLY, ON THE NORTH-SOUTH CENTERLINE OF SAID SECTION 23, TO THE CENTER-NORTH SIXTEENTH CORNER OF SAID SECTION;

THENCE EASTERLY, ON THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 23, TO THE NORTHEAST SIXTEENTH CORNER OF SAID SECTION;

THENCE NORTHERLY, ON THE EAST LINE OF SAID NORTHWEST QUARTER OF THE NORTHEAST QUARTER, TO THE EAST SIXTEENTH CORNER ON THE NORTH LINE OF SAID SECTION 23;

THENCE NORTHERLY, ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 14, TO THE SOUTHEAST SIXTEENTH CORNER OF SAID SECTION;

THENCE EASTERLY, ON THE NORTH LINE OF SAID SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER, TO THE SOUTH SIXTEENTH CORNER ON THE EAST LINE OF SAID SECTION 14;

THENCE NORTHERLY, ON THE EAST LINE OF SAID SECTION 14, TO THE NORTHEAST CORNER THEREOF;

THENCE EASTERLY, ON THE SOUTH LINE OF SECTION 12, TO THE WEST SIXTEENTH CORNER ON THE SOUTH LINE OF SAID SECTION;

THENCE NORTHERLY, ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 12, TO THE SOUTHWEST SIXTEENTH CORNER OF SAID SECTION;

THENCE EASTERLY, ON THE NORTH LINE OF SAID SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER, TO THE CENTER-SOUTH SIXTEENTH CORNER OF SAID SECTION 12;

THENCE NORTHERLY, ON THE NORTH-SOUTH CENTERLINE OF SAID SECTION 12, TO THE CENTER QUARTER CORNER OF SAID SECTION;

THENCE EASTERLY, ON THE EAST-WEST CENTERLINE OF SAID SECTION 12, TO THE CENTER-EAST SIXTEENTH CORNER OF SAID SECTION;

THENCE NORTHERLY, ON THE EAST LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 12, TO THE NORTHEAST SIXTEENTH CORNER OF SAID SECTION;

THENCE WESTERLY, ON THE NORTH LINE OF SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 12, TO THE CENTER-NORTH SIXTEENTH CORNER OF SAID SECTION;

THENCE NORTHERLY, ON THE NORTH-SOUTH CENTERLINE OF SAID SECTION 12, TO THE NORTH QUARTER CORNER OF SAID SECTION;

THENCE WESTERLY, ON THE NORTH LINE OF SAID SECTION 12, TO THE WEST SIXTEENTH CORNER OF SAID SECTION;

THENCE SOUTHERLY, ON THE EAST LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 12, TO THE NORTHWEST SIXTEENTH CORNER OF SAID SECTION;

THENCE WESTERLY, ON THE SOUTH LINE OF SAID NORTHWEST QUARTER OF THE NORTHWEST QUARTER, TO THE NORTH SIXTEENTH CORNER ON THE WEST LINE OF SAID SECTION 12;

THENCE WESTERLY, ON THE SOUTH LINE OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 11, TO THE CENTER-NORTH SIXTEENTH CORNER OF SAID SECTION;

THENCE WESTERLY, ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 11, TO THE NORTHWEST SIXTEENTH CORNER OF SAID SECTION;

THENCE NORTHERLY, ON THE WEST LINE OF SAID NORTHEAST QUARTER OF THE NORTHWEST QUARTER, TO THE WEST SIXTEENTH CORNER ON THE NORTH LINE OF SAID SECTION 11;

THENCE EASTERLY, ON THE NORTH LINE OF SAID SECTION 11, TO THE EAST SIXTEENTH CORNER ON SAID NORTH LINE;

THENCE NORTHERLY, ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 2, TO THE SOUTHEAST SIXTEENTH CORNER OF SAID SECTION;

THENCE EASTERLY, ON THE NORTH LINE OF SAID SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER, TO THE SOUTH SIXTEENTH CORNER ON THE EAST LINE OF SAID SECTION 2;

THENCE NORTHERLY, ON THE EAST LINE OF SAID SECTION 2, TO THE EAST QUARTER CORNER OF SAID SECTION;

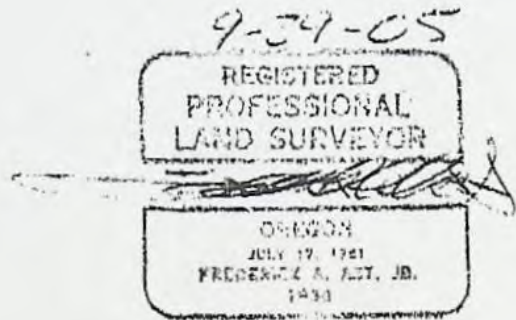
THENCE EASTERLY, ON THE EAST-WEST CENTERLINE OF SECTION 1, TO THE CENTER QUARTER CORNER OF SAID SECTION;

THENCE NORTHERLY, ON THE NORTH-SOUTH CENTERLINE OF SAID SECTION 1, TO THE CENTER-NORTH SIXTEENTH CORNER OF SAID SECTION;

THENCE EASTERLY, ON THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE
NORTHEAST QUARTER OF SAID SECTION 1, TO THE NORTHEAST SIXTEENTH CORNER OF
SAID SECTION;

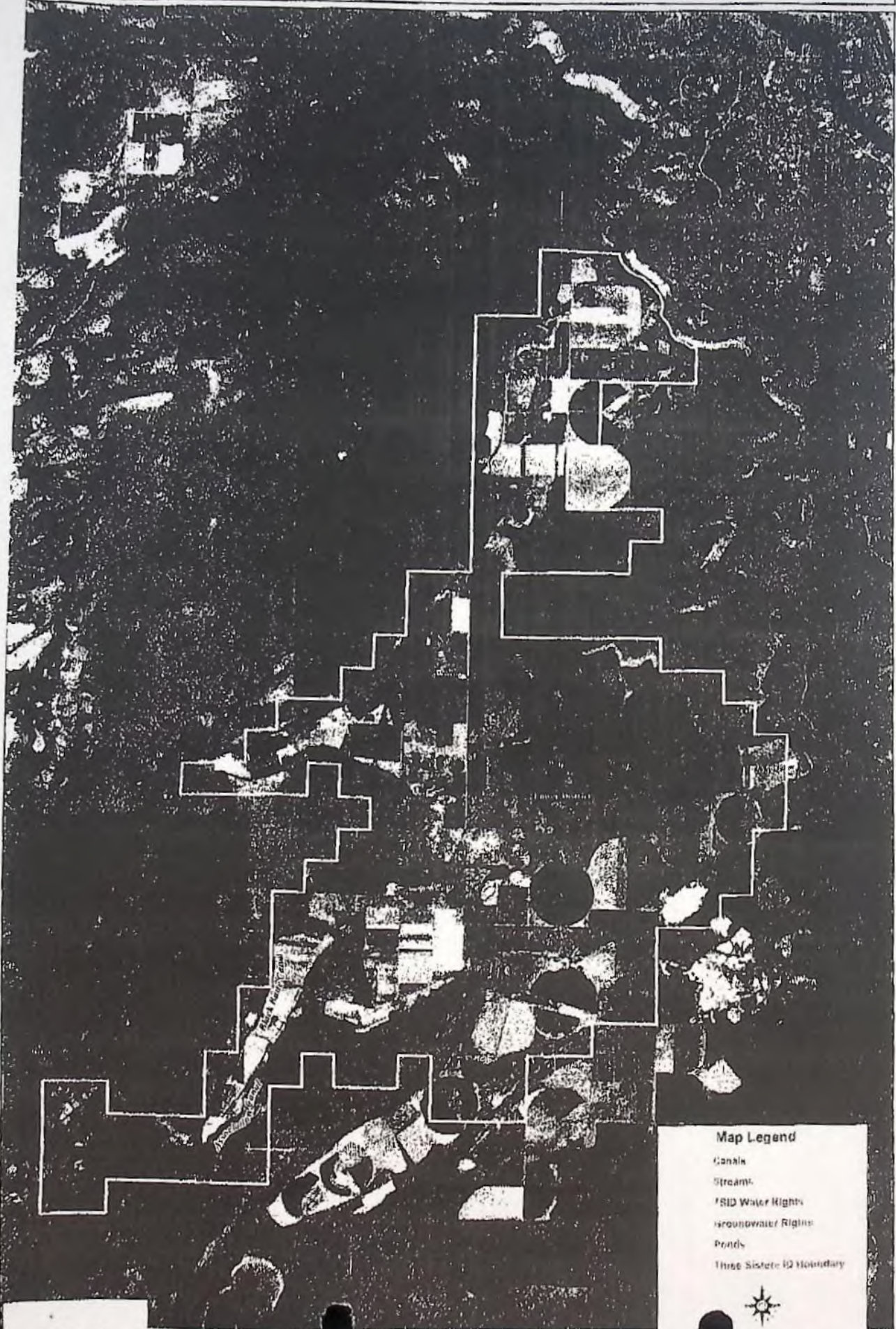
THENCE NORTHERLY, ON THE EAST LINE OF SAID NORTHWEST QUARTER OF THE
NORTHEAST QUARTER, TO THE EAST SIXTEENTH CORNER ON THE NORTH LINE OF SAID
SECTION 1;

THENCE EASTERLY, ON THE NORTH LINE OF SAID SECTION 1, TO THE POINT OF
BEGINNING, BEING THE NORTHEAST CORNER OF SAID SECTION 1.



Lower Bridge Subdistrict #2 of TSID

Exhibit
A



DOCUMENT POOR QUALITY
AT TIME OF RECORDING.

Map Legend

- Canals
- Streams
- TSID Water Rights
- Groundwater Rights
- Ponds
- Three Sisters ID Boundary



Bob Rice

From: Jonathan La Marche [jon.l.lamarche@wrdd.state.or.us]
Sent: Thursday, August 17, 2006 7:52 AM
To: 'Bob Rice'
Cc: 'Laura Snedaker'
Subject: RE: CW-44

This section of the McKenzie Canyon lies in the arc-adjacent plain of the Deschutes Formation (Lite and Gannett, 2002), which has moderate to high permeability. The piping project extends from roughly 0 to 2.5 miles from the Deschutes River and McKenzie canyon "enters" the Deschutes canyon on roughly RM 130.8. Our seepage runs show the Deschutes river starts to gain water around this RM and even larger springs just downstream 129. The head gradient is towards this discharge area. So yes, generally speaking, any canal leakage would show up in this area.

-Jonathan

Jonathan La Marche
Hydrologist, P.E.
Oregon Water Resources Department
1128 NW Harriman St.,
Bend OR, 97701

tel: 541-330-4659
fax:541-388-5101
email: jon.l.lamarche@wrdd.state.or.us

-----Original Message-----

From: Bob Rice [mailto:Robert.D.RICE@wrdd.state.or.us]
Sent: Friday, August 04, 2006 4:13 PM
To: 'Jonathan La Marche'
Cc: 'Jeremy Giffin'; 'Laura Snedaker'
Subject: CW-44

Jonathan

On the McKenzie Canyon, TSID, allocation of conserved water application, Jeremy flagged an issue that you might want to weigh in on.

Jeremy states:

"There may be undetectable return flows through the groundwater system, an analysis may have to be done by our groundwater department."

Jeremy has (a portion of) the application file.

I think this issue may have arisen from discussion Laura had with Jeremy regarding a Deschutes Mitigation Project where you indicated that some return flows in the Deschutes may start occurring around RM 138.

If you want to give me information on this, it'd be great to have it when I'm back from vacation on the 23rd. Thanks!

--Bob

P.S. The proposed instream reach is from the TSID POD to the mouth of Wychus Creek.

Bob Rice
Field Services Division
Water Resources Department
725 Summer Street NE, Suite A

Salem, Oregon 97301-1271
(503) 986-0885
Fax: 503.986.0903
www.wrd.state.or.us

Bob Rice

From: Jonathan La Marche [jon.l.lamarche@wrд.state.or.us]
Sent: Tuesday, August 08, 2006 7:51 AM
To: 'Bob Rice'
Cc: 'Laura Snedaker'; Ken Lite (Ken Lite)
Subject: RE: CW-44

Bob,

There are groundwater inflows that occur around RM 138, but these springs are small. Any influence from canal leakage would have to be pretty close to these springs to have an influence on them. Nonetheless, I'll take a look at the application before you get back. I'll bug Ken Lite if I see anything complicated in the application.

-Jonathan

Jonathan La Marche
Hydrologist, P.E.
Oregon Water Resources Department
1128 NW Harriman St.,
Bend OR, 97701

tel: 541-330-4659
fax:541-388-5101
email: jon.l.lamarche@wrд.state.or.us

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STATE OF OREGON
COUNTY OF DESCHUTES
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

SQUAW CREEK IRRIGATION DISTRICT
PO BOX 2230
SISTERS, OREGON 97759

confirms the right to use the waters of SQUAW CREEK, a tributary of THE DESCHUTES RIVER, for IRRIGATING 7,567.76 ACRES, POND MAINTENANCE, INDUSTRIAL USE, AND STOCK WATER.

This right was confirmed by decree of the Circuit Court of the State of Oregon for CROOK County. The decree is of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 1, at Pages 121, 122, 123, 124, 435, 438, 445, 472, and 473. The dates of priority are 1869, 1885, 1887, 1889, 1893, 1895, 1899, 1900, 1901, 1903, and 1904.

The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 153.02 CUBIC FEET PER SECOND, BEING 151.35 CFS FOR IRRIGATION, 1.57 CFS FOR POND MAINTENANCE AND 0.10 CFS FOR INDUSTRIAL USE, or its equivalent in case of rotation, measured at the point of diversion from the source. The maximum diversion rate by priority date is:

Priority	Acres (equivalent)	Maximum CFS
1869	48.00	0.96
1885	79.05	1.58
1887	150.00	3.00
1889	201.50	4.03
1893	39.50	0.79
1895	5716.75	114.34
1899	108.80	2.18
1900	54.00	1.08
1901	22.30	0.45
1903	360.60	7.21
1904	870.60	17.41

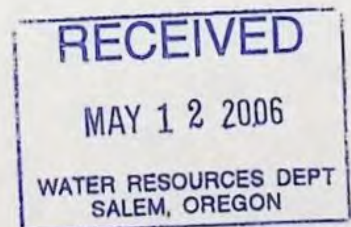
The point of diversion is located as follows:

SW $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 21, T. 15 S., R. 10 E., W.M.; 998 FEET NORTH AND 1211 FEET EAST FROM THE SW CORNER OF SECTION 21.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE- FIFTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated during the irrigation season of each year.

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

SEE NEXT PAGE



Lot	qQ	Tax lot	Acres	Type	Priority	Owner
SE¼ SE¼		1300	34.00	IRR	1904	Cooper, Glenn
Section 19						
SW¼ NE¼		1401	17.50	IRR	1895	Cooper, Glenn
SW¼ NE¼		1401	23.50	IRR	1904	Cooper, Glenn
SE¼ NE¼		1401	8.50	IRR	1904	Cooper, Glenn
NE¼ NW¼		1401	22.00	IRR	1904	Cooper, Glenn
SW¼ NW¼		1401	8.50	IRR	1904	Cooper, Glenn
SE¼ NW¼		1401	17.00	IRR	1895	Cooper, Glenn
SE¼ NW¼		1401	23.00	IRR	1904	Cooper, Glenn
NW¼ SW¼		1401	18.00	IRR	1904	Cooper, Glenn
NW¼ SW¼		1401	4.00	POND	1904	Cooper, Glenn
SW¼ SW¼		1401	30.00	IRR	1904	Cooper, Glenn
NE¼ SE¼		1401	4.00	IRR	1904	Cooper, Glenn
NW¼ SE¼		1401	6.00	IRR	1904	Cooper, Glenn
Section 20						
NW¼ NW¼		1401	39.00	IRR	1895	Cooper, Glenn
SW¼ NW¼		1900	37.00	IRR	1895	Mulkey, David & Phyllis
NW¼ SW¼		1900	21.00	IRR	1895	Mulkey, David & Phyllis
NW¼ SW¼		1900	8.00	IRR	1899	Mulkey, David & Phyllis
NW¼ SW¼		1900	11.00	IRR	1904	Mulkey, David & Phyllis
SW¼ SW¼		2000	16.00	IRR	1895	Kidson, Don
Section 29						
NE¼ NE¼		1401	11.00	IRR	1895	Cooper, Glenn
NE¼ NE¼		1401	30.00	IRR	1904	Cooper, Glenn
SW¼ NE¼		1900	2.00	IRR	1895	Mulkey, David & Phyllis
SW¼ NE¼		1900	14.00	IRR	1904	Mulkey, David & Phyllis
SE¼ NE¼		1900	38.00	IRR	1895	Mulkey, David & Phyllis
SE¼ NE¼		1900	1.00	POND	1895	Mulkey, David & Phyllis
NE¼ SE¼		1900	40.00	IRR	1904	Mulkey, David & Phyllis
NW¼ SE¼		1900	20.00	IRR	1904	Mulkey, David & Phyllis
SW¼ SE¼		2000	6.00	IRR	1895	Kidson, Don
SW¼ SE¼		2000	0.50	POND	1895	Kidson, Don
SE¼ SE¼		2000	9.00	IRR	1895	Kidson, Don
SE¼ SE¼		2000	5.00	IRR	1904	Kidson, Don
Section 30						
NE¼ NE¼		2000	9.00	IRR	1895	Kidson, Don
NW¼ NE¼		2000	6.00	IRR	1895	Kidson, Don
SW¼ NE¼		2000	8.00	IRR	1895	Kidson, Don
SE¼ NE¼		2000	13.50	IRR	1895	Kidson, Don
NE¼ SW¼		2100	3.50	IRR	1895	Page, Richard Simpson, Steve and Kathy
SE¼ SW¼		2100	25.00	IRR	1895	Page, Richard Simpson, Steve and Kathy
Section 31						
NW¼ NW¼		2000	1.00	IRR	1895	Kidson, Don
Section 32						
Township 13 South, Range 12 East, W.M.						
SW¼ NE¼		2400	2.50	IRR	1895	Hurtley, David & Judy
NE¼ SE¼		200	2.00	IRR	1895	Hurtley, David & Judy
NE¼ SE¼		800	1.50	IRR	1895	Hurtley, David & Judy
NE¼ SE¼		900	1.50	IRR	1895	Hurtley, David & Judy
NW¼ SE¼		2000	2.50	IRR	1895	Hurtley, David & Judy
NW¼ SE¼		2400	1.50	IRR	1895	Hurtley, David & Judy
NW¼ SE¼		500	2.00	IRR	1895	Hurtley, David & Judy
NW¼ SE¼		600	4.00	IRR	1895	Hurtley, David & Judy
SW¼ SE¼		1900	2.00	IRR	1895	Hurtley, David & Judy
SW¼ SE¼		2000	1.50	IRR	1895	Hurtley, David & Judy
SE¼ SE¼		2500	12.00	IRR	1895	Hurtley, David & Judy

Lot	qQ	Tax lot	Acres	Type	Priority	Owner
1	NW¼ NW¼	1000	0.50	POND	1895	Wallace, Al Dutson, Trayne and margarete
	SE¼ NW¼	1199	27.00	IRR	1895	Lawrence, David & Chris
4	SW¼ SW¼	1102	6.00	IRR	1895	Powers, Sherode & Susan
	SE¼ SW¼	1102	2.50	IRR	1895	Powers, Sherode & Susan
	SE¼ SW¼	1102	2.50	POND	1895	Powers, Sherode & Susan
	SE¼ SW¼	1401	1.00	POND	1904	Thalacker, Marc & Pamela
	SW¼ SE¼	1401	4.00	IRR	1895	Thalacker, Marc & Pamela
	SW¼ SE¼	1401	8.00	POND	1904	Thalacker, Marc & Pamela
	SE¼ SE¼	1401	11.50	IRR	1895	Thalacker, Marc & Pamela
	SE¼ SE¼	1401	6.00	POND	1904	Thalacker, Marc & Pamela
Section 7						
	SE¼ SW¼	1400	15.40	IRR	1903	Barber, Rex
	SE¼ SW¼	1400	20.00	IRR	1904	Barber, Rex
	NE¼ SE¼	1400	29.00	IRR	1904	Barber, Rex
	SW¼ SE¼	1400	39.00	IRR	1904	Barber, Rex
Section 8						
	NW¼ NE¼	1400	0.40	IRR	1903	Barber, Rex
	NW¼ NE¼	1400	10.40	IRR	1904	Barber, Rex
	NE¼ NW¼	1400	0.80	IRR	1903	Barber, Rex
	NE¼ NW¼	1400	40.00	IRR	1904	Barber, Rex
	SW¼ NW¼	1401	32.50	IRR	1895	Thalacker, Marc & Pamela
Section 17						
	NE¼ NE¼	1401	40.50	IRR	1895	Thalacker, Marc & Pamela
	NW¼ NE¼	1401	29.50	IRR	1895	Thalacker, Marc & Pamela
	SW¼ NE¼	1401	37.00	IRR	1895	Thalacker, Marc & Pamela
	SE¼ NE¼	1401	32.50	IRR	1895	Thalacker, Marc & Pamela
	NE¼ NW¼	1102	27.50	IRR	1895	Powers, Sherode & Susan
1	NW¼ NW¼	1102	32.00	IRR	1895	Powers, Sherode & Susan
2	SW¼ NW¼	1102	38.50	IRR	1895	Powers, Sherode & Susan
	SE¼ NW¼	1102	38.00	IRR	1895	Powers, Sherode & Susan
	NE¼ SW¼	1102	23.00	IRR	1895	Powers, Sherode & Susan
	NE¼ SW¼	2200	5.50	IRR	1895	Peterson, Robert & Paula
3	NW¼ SW¼	1102	34.00	IRR	1895	Powers, Sherode & Susan
3	NW¼ SW¼	2100	5.00	IRR	1895	Peterson, Robert & Paula
4	SW¼ SW¼	2100	19.50	IRR	1895	Peterson, Robert & Paula
	NW¼ SE¼	1401	15.00	IRR	1895	Thalacker, Marc & Pamela
	NW¼ SE¼	1401	1.50	IRR	1904	Thalacker, Marc & Pamela
	SW¼ SE¼	1400	18.50	IRR	1904	Barber, Rex
	SE¼ SE¼	1400	1.60	IRR	1895	Barber, Rex
Section 18						
	SW¼ NE¼	1400	7.90	IRR	1904	Barber, Rex
	SE¼ NE¼	1400	2.20	IRR	1904	Barber, Rex
	SE¼ NW¼	1400	0.40	IRR	1904	Barber, Rex
Section 19						
Township 14 South, Range 12 East, W.M.						
	NE¼ SE¼	400	10.00	IRR	1895	Cyrus, Keith & Connie
	NE¼ SE¼	500	1.50	IRR	1895	Christeson, Lee
	NE¼ SE¼	500	0.30	POND	1895	Christeson, Lee
	SE¼ SE¼	500	37.00	IRR	1895	Christeson, Lee
	SE¼ SE¼	500	1.20	POND	1895	Christeson, Lee
Section 1						
1	NE¼ NE¼	100	33.70	IRR	1885	Thompson, Opal
2	NW¼ NE¼	100	13.30	IRR	1885	Thompson, Opal
2	NW¼ NE¼	100	14.30	IRR	1900	Thompson, Opal
	SW¼ NE¼	100	3.70	IRR	1900	Thompson, Opal
	SE¼ NE¼	100	5.00	IRR	1885	Thompson, Opal

Wallace, Al Dutson, Trayne and margarete
Sparks, Stephen and Elizabeth

Sparks, Stephen and Elizabeth
Dykes, Dana & Evelyn

Sparks, Stephen and Elizabeth
McKrain, Darwin and Josephine

Cancelled

Lot	qQ	Tax lot	Acres	Type	Priority	Owner
	NW¼ SE¼	5300	1.60	IRR	1899	Leason, John
	SW¼ SE¼	5400	12.20	IRR	1895	Leason, John
	SE¼ SE¼	5500	39.10	IRR	1895	Leason, John
Section 31						
	NE¼ NE¼	100	29.00	IRR	1895	Longley, Tom
	NW¼ NE¼	100	32.50	IRR	1895	Longley, Tom
	SW¼ NE¼	100	7.00	IRR	1895	Longley, Tom
	SE¼ NE¼	100	11.00	IRR	1895	Longley, Tom
	SW¼ SW¼	1200	16.00	IRR	1895	King, Robert & Nancy
	SE¼ SE¼	1700	6.00	IRR	1895	Hicks, John & Barbara
	SE¼ SE¼	1701	12.50	IRR	1895	Russell, Gordon
	SE¼ SE¼	1702	1.50	IRR	1895	Hicks, John & Barbara
Section 32						
	NW¼ NW¼	400	20.00	IRR	1895	Longley, Tom
	NW¼ NW¼	400	1.00	POND	1895	Longley, Tom
	SE¼ NW¼	500	5.00	IND	1904	S.C.I.D., Mac. Pond
	NE¼ SW¼	3600	8.50	IRR	1895	Carmell, John P. & Ramona J
	NE¼ SW¼	3600	0.50	POND	1895	Carmell, John P. & Ramona J
	NW¼ SW¼	1300	2.50	IRR	1895	Nicholson, Brad & Molly
	SW¼ SW¼	1300	0.50	IRR	1895	Nicholson, Brad & Molly
	SW¼ SW¼	1400	7.00	IRR	1895	Johnson, Don
	SW¼ SW¼	1500	5.00	IRR	1895	Mason, Don R. & Willadean
	SW¼ SW¼	1600	8.00	IRR	1895	Johnson, Don
	SW¼ SW¼	1700	6.00	IRR	1895	Stephenson, Robert & Patricia
	SW¼ SW¼	3500	1.00	IRR	1895	Jewett, Daniel & Jeanne
	SE¼ SW¼	1700	1.00	IRR	1895	Stephenson, Robert & Patricia
	SE¼ SW¼	1800	5.00	IRR	1895	Sage, L. Gordon & Linda
	SE¼ SW¼	3500	4.00	IRR	1895	Jewett, Daniel & Jeanne
	NW¼ SE¼	500	9.10	POND	1895	S.C.I.D., Mac. Pond
	SE¼ SE¼	2400	8.00	IRR	1895	McCullough, William & Shirley
	SE¼ SE¼	2500	7.50	IRR	1895	Gerland, Jacqueline
	SE¼ SE¼	2600	7.50	IRR	1895	Gerland, Jacqueline
Section 33						
Township 14 South, Range 11 East, W.M.						
1	NE¼ NE¼	800	15.50	IRR	1895	Williams, Don & Myrtle
2	NW¼ NE¼	800	27.00	IRR	1895	Williams, Don & Myrtle
	SW¼ NE¼	800	25.00	IRR	1895	Williams, Don & Myrtle
	SE¼ NE¼	800	10.00	IRR	1895	Williams, Don & Myrtle
3	NE¼ NW¼	800	10.50	IRR	1895	Williams, Don & Myrtle
	SE¼ NW¼	800	7.00	IRR	1895	Williams, Don & Myrtle
Section 5						
3	NE¼ NW¼	902	40.00	IRR	1895	Page, Richard Simpson
	SE¼ NW¼	902	1.50	IRR	1895	Page, Richard Simpson
	SE¼ NW¼	902	6.00	IRR	1904	Page, Richard Simpson
	NE¼ SW¼	900	5.00	IRR	1895	Wallace, Al Dutton, Thayne and Margie
6	NW¼ SW¼	1000	2.50	IRR	1895	Wallace, Al Dutton, Thayne and Margie
6	NW¼ SW¼	1000	6.00	IRR	1904	Wallace, Al Dutton, Thayne and Margie
7	SW¼ SW¼	1000	35.00	IRR	1895	Wallace, Al Dutton, Thayne and Margie
7	SW¼ SW¼	1000	5.00	IRR	1904	Wallace, Al Dutton, Thayne and Margie
	SE¼ SW¼	900	25.50	IRR	1895	Wallace, Al Dutton, Thayne and Margie
	SE¼ SW¼	900	6.00	IRR	1904	Wallace, Al Dutton, Thayne and Margie
	SW¼ SE¼	800	18.00	IRR	1895	Williams, Don & Myrtle Simpson, Steve and Kathy
Section 6						
	NW¼ NE¼	800	11.00	IRR	1895	Williams, Don & Myrtle
	NW¼ NE¼	800	11.50	IRR	1899	Williams, Don & Myrtle
	NE¼ NW¼	999	17.50	IRR	1895	Wallace, Al
1	NW¼ NW¼	1000	31.00	IRR	1895	Wallace, Al

SIMPSON
Steve
and
Kathy

SIMPSON, Steve and Kathy
Dutton, Thayne + Margie

RECEIVED
MAY 12 2006
WATER RESOURCES DEPT
SALEM, OREGON

Lot	q0	Tax lot	Acres	Type	Priority	Owner
	NE¼ NE¼	100	6.00	IRR	1895	Kavanagh, Geraldine Short, John
	NE¼ NE¼	100	1.50	IRR	1904	Kavanagh, Geraldine Short, John
	NE¼ NE¼	200	15.00	IRR	1895	Helikson, Paul & Sherry Calavan, Steve
	NE¼ NE¼	400	1.50	IRR	1895	Kavanagh, Geraldine Short, John
	SE¼ NE¼	300	19.80	IRR	1895	Helikson, Paul & Sherry Taylor, Kenneth
	SW¼ SW¼	1400	6.80	IRR	1899	Burdick, Robert R. Graigrich, Joseph and Dana
	SE¼ SW¼	1200	4.20	IRR	1895	Kelley, William & Mildred
	SE¼ SW¼	1300	7.50	IRR	1899	Burdick, Robert R. Brandon, William and Pamela
	NE¼ SE¼	800	8.00	IRR	1895	Vestal, William & Victoria Thomas, Jacqueline and McEly Deann
	NW¼ SE¼	400	8.00	IRR	1895	Volz, Charles & Jan Gibbs, Kenneth and Jacqueline
	NW¼ SE¼	700	6.50	IRR	1895	Volz, Charles & Jan Gibbs, Kenneth and Jacqueline
	SW¼ SE¼	1000	1.80	IRR	1895	Shirazi, Mostafa & Naoko
	SW¼ SE¼	1100	5.00	IRR	1895	Burdick, Joyce G.
	SW¼ SE¼	1100	5.20	IRR	1899	Burdick, Joyce G.
Section 23						
	NE¼ NE¼	100	2.70	IRR	1895	Sanders, Ed & Betty Powers, Sherock and Susan
	NW¼ NE¼	100	1.50	IRR	1895	Sanders, Ed & Betty Powers, Sherock and Susan
	NW¼ NW¼	400	6.00	IRR	1895	Kavanagh, Geraldine Di Paolo, Tim
	NW¼ NW¼	500	1.50	IRR	1895	Kavanagh, Geraldine Short, John
Section 24						
	NW¼ NE¼	300	5.00	IRR	1895	Elmore, Michael McKencie Canyon Group
	NW¼ NE¼	400	4.00	IRR	1895	Elmore, Michael McKencie Canyon Group
Section 27						
	SE¼ SW¼	500	6.00	IRR	1895	Jeffers, Donald & Gail
Section 28						
	SE¼ SW¼	5800	8.00	IRR	1895	Paulus, Tom
	SW¼ SE¼	5802	3.00	IRR	1895	Wilson, Aaron & Helen
	SW¼ SE¼	5802	11.00	IRR	1904	Wilson, Aaron & Helen
Section 29						
	NE¼ SW¼	4701	40.00	IRR	1899	Leason, Catherine
	SE¼ SW¼	4800	6.80	IRR	1895	Leason, John
	SE¼ SW¼	4800	19.60	IRR	1899	Leason, John
	NE¼ SE¼	4700	16.50	IRR	1895	Richardson, Reece & Lorene
	NE¼ SE¼	4700	0.50	POND	1895	Richardson, Reece & Lorene
	NE¼ SE¼	4704	3.00	IRR	1895	Richardson, Reece & Lorene
	SW¼ SE¼	4800	30.90	IRR	1895	Leason, John
	SW¼ SE¼	4800	8.60	IRR	1899	Leason, John
	SE¼ SE¼	4800	36.70	IRR	1895	Leason, John
Section 30						
	NE¼ NE¼	4800	37.30	IRR	1895	Leason, John
	NW¼ NE¼	4800	40.00	IRR	1895	Leason, John
	SW¼ NE¼	4800	30.40	IRR	1895	Leason, John
	SE¼ NE¼	4800	31.90	IRR	1895	Leason, John
	NE¼ NW¼	4800	9.70	IRR	1895	Leason, John
	SE¼ NW¼	5200	0.70	IRR	1895	Leason, John
3	NW¼ SW¼	1000	4.00	IRR	1895	Hurtley, David & Judy
3	NW¼ SW¼	300	4.00	IRR	1895	Hurtley, David & Judy
3	NW¼ SW¼	500	3.00	IRR	1895	Hurtley, David & Judy
3	NW¼ SW¼	600	2.00	IRR	1895	Hurtley, David & Judy
3	NW¼ SW¼	700	4.00	IRR	1895	Hurtley, David & Judy
3	NW¼ SW¼	800	2.50	IRR	1895	Hurtley, David & Judy
3	NW¼ SW¼	900	2.00	IRR	1895	Hurtley, David & Judy
4	SW¼ SW¼	200	22.00	IRR	1895	Hurtley, David & Judy
4	SW¼ SW¼	201	6.00	IRR	1895	Hurtley, David & Judy
	NE¼ SE¼	5300	36.60	IRR	1895	Leason, John
	NW¼ SE¼	5300	16.10	IRR	1895	Leason, John

Lot	q0	Tax lot	Acres	Type	Priority	Owner
SE¼ SE¼		2501	4.00	IRR	1895	Hurtley, David & Judy
SE¼ SE¼		2502	5.00	IRR	1895	Hurtley, David & Judy
SE¼ SE¼		2503	3.00	IRR	1895	Hurtley, David & Judy
SE¼ SE¼		2504	4.00	IRR	1895	Hurtley, David & Judy

Section 36
Township 14 South, Range 10 East, W.M.

NE¼ SW¼		101	5.00	IRR	1895	Long Hollow Ranch
SW¼ SW¼		101	18.00	IRR	1895	Long Hollow Ranch
SW¼ SW¼		101	4.00	IRR	1904	Long Hollow Ranch
SE¼ SW¼		101	32.00	IRR	1895	Long Hollow Ranch
SE¼ SW¼		101	2.00	IRR	1904	Long Hollow Ranch
NW¼ SE¼		101	16.00	IRR	1895	Long Hollow Ranch
SW¼ SE¼		101	36.50	IRR	1895	Long Hollow Ranch
SE¼ SE¼		101	26.00	IRR	1895	Long Hollow Ranch

Section 1

SE¼ SE¼		101	11.00	IRR	1895	Long Hollow Ranch
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Section 2

NE¼ NE¼		101	25.50	IRR	1895	Long Hollow Ranch
NE¼ NE¼		101	1.00	IRR	1904	Long Hollow Ranch
NW¼ NE¼		101	17.50	IRR	1895	Long Hollow Ranch
NW¼ NE¼		101	2.50	IRR	1904	Long Hollow Ranch
NE¼ NW¼		101	4.00	IRR	1895	Long Hollow Ranch

Section 11

NE¼ NE¼		103	23.50	IRR	1895	Long Hollow Ranch
NW¼ NE¼		103	8.50	IRR	1895	Long Hollow Ranch
NW¼ NW¼		100	6.00	IRR	1895	Long Hollow Ranch
NW¼ NW¼		100	3.00	IRR	1904	Long Hollow Ranch

Section 12

NW¼ NE¼		200	5.00	IRR	1895	Simon, Jim Parks, David & Ruth
SW¼ NE¼		300	0.68	IRR	1895	Friend, Chester & Pamela } <i>Veyros</i>
SE¼ NE¼		401	14.00	IRR	1895	Friend, Chester & Pamela } <i>Wullen</i>
NE¼ NW¼		200	19.50	IRR	1904	Simon, Jim Parks, David and Ruth
SW¼ NW¼		500	13.50	IRR	1895	Simon, Jim Parks, David and Ruth
SE¼ NW¼		500	5.50	IRR	1895	Simon, Jim Parks, David and Ruth
NE¼ SW¼		500	8.00	IRR	1895	Simon, Jim Parks, David and Ruth
NW¼ SW¼		500	33.00	IRR	1895	Simon, Jim Parks, David and Ruth
SW¼ SW¼		700	21.50	IRR	1895	Kavanagh, Geraldine Short, John
SW¼ SW¼		700	0.50	IRR	1904	Kavanagh, Geraldine Short, John
SW¼ SW¼		800	4.00	IRR	1895	Kavanagh, Geraldine D. Park, Tom
SE¼ SW¼		600	5.87	IRR	1895	Sanders, Ed & Betty Powers, S. S. S. S.
NE¼ SE¼		401	37.00	IRR	1895	Friend, Chester & Pamela } <i>Veyros</i>
NW¼ SE¼		300	1.50	IRR	1895	Friend, Chester & Pamela } <i>Wullen</i>
SW¼ SE¼		400	22.00	IRR	1895	Sanders, Ed & Betty } <i>Powers, S. S. S. S.</i>
SE¼ SE¼		400	12.00	IRR	1895	Sanders, Ed & Betty
SE¼ SE¼		401	12.00	IRR	1895	Friend, Chester & Pamela } <i>Veyros</i>

Section 13

SE¼ SE¼		700	3.50	IRR	1895	Kavanagh, Geraldine Short, John
SE¼ SE¼		700	3.10	IRR	1904	Kavanagh, Geraldine Short, John
SE¼ SE¼		800	2.00	IRR	1895	Kavanagh, Geraldine Short, John

Section 14

NE¼ SW¼		600	2.10	IRR	1895	Elmore, Michael
NE¼ SW¼		700	2.10	IRR	1895	Elmore, Michael } <i>McKenzie</i>
SE¼ SW¼		600	2.90	IRR	1895	Elmore, Michael } <i>Canyon</i>
SE¼ SW¼		900	9.00	IRR	1895	Elmore, Michael } <i>Group</i>
NW¼ SE¼		700	2.90	IRR	1895	Elmore, Michael

Section 22

RECEIVED
MAY 12 2006
WATER RESOURCES DEPT
SALEM, OREGON

Three Sisters Irrigation District
P.O. Box 2230
68000 Hwy 20 West
Sisters, Oregon 97759
Tel (541) 549-8815
Fax (541) 549-8070



Fax

To: <u>Bob Rice</u>	From: <u>Laura</u>
Fax: <u>503-986-0903</u>	Pages: <u>7 w/cover</u>
Phone:	Date: <u>8/25/06</u>
Company:	RE: <u>Requested Deeds</u>

Urgent For Review Please Comment Please Reply Please Recycle

★ Comments:

Feel free to call if you need anything else.

Laura

DESCHUTES COUNTY OFFICIAL RECORDS
NANCY BLANKENSHIP, COUNTY CLERK

2004-77084



\$30.00

12/27/2004 09:20:02 PM

After recording return to:
WESTERN TITLE & RECORD COMPANY
PO BOX 1963
SISTERS, OR 97759

U-S Cntcl Stmt DEBIT
010.00 011.00 010.00 00.00

2
36

Until a change is requested all tax statements shall be sent to the following address:
STEPHEN M. SPARKS and ELIZABETH B. SPARKS, TRUSTEES
12021 WETHERBYLAKES LANE
FOTCHAM, MD 20843-1123

STATUTORY BARGAIN AND SALE DEED

STEPHEN M. SPARKS and ELIZABETH B. SPARKS, TRUSTEES OF THE STEPHEN M. SPARKS REVOCABLE TRUST, Grantor, conveys to ELIZABETH B. SPARKS or STEPHEN M. SPARKS Trustees of the ELIZABETH B. SPARKS REVOCABLE TRUST dated June 7, 1998, GUARANTEE, the following described real property:

SEE ATTACHED EXHIBIT "A"

Together with 294 Acres of 1898 Squaw Creek Irrigation District Water Rights, and 180 Acres of supplemental ground water rights

Tax Account No(s): 165022, COCH 2-003
Map/Tax Lot No(a): 141300 00 0102

The true consideration for this conveyance is to change vesting.

THIS INSTRUMENT WILL 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.

Dated this 23rd day of December, 2004.

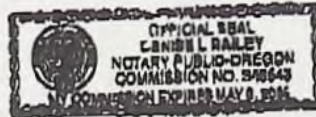
Stephen M. Sparks
STEPHEN M. SPARKS, TRUSTEE

Elizabeth B. Sparks
ELIZABETH B. SPARKS, TRUSTEE

STATE OF OREGON, COUNTY OF DESCHUTES) SS.

This instrument was acknowledged before me on December 23, 2004 by STEPHEN M. SPARKS AND ELIZABETH B. SPARKS AS TRUSTEES OF THE STEPHEN M. SPARKS REVOCABLE TRUST.

Denise L. Bailey
(Notary Public for Oregon)
My commission expires 3/3/05



Recorded by Western Title as an accommodation only. No liability accepted for condition of title or validity, sufficiency or effect of document.

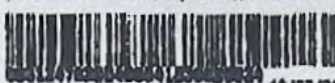
EXHIBIT "A"

Beginning at the Southwest corner of Section 7, Township 14 South, Range 12, East of the Willamette Meridian, Deschutes County, Oregon, said corner being common to Sections 7 and 18; thence North $00^{\circ}31'07''$ West along the West line of said Section 7, a distance of 1,272.64 feet, more or less, to the South right-of-way line of the road created by Deschutes County Major Land Partition Number 81-7, dated November 8, 1981; thence North $89^{\circ}10'26''$ East along said South right-of-way line, a distance of 1,237.86 feet, more or less, to the Westerly right-of-way line of Lower Bridge Market Road as it now exists; thence along the arc of a 602.95-foot radius curve to the left on the Westerly right-of-way line of said Lower Bridge Road, a distance of 111.86 feet, whose long chord bears South $24^{\circ}46'15''$ East, a distance of 111.40 feet; thence continuing along said Westerly right-of-way line South $30^{\circ}04'16''$ East, a distance of 842.02 feet; thence along the arc of a 984.93-foot radius curve to the right, a distance of 481.76 feet, whose long chord bears South $18^{\circ}08'59''$ East, a distance of 476.23 feet; thence South $00^{\circ}17'44''$ East, a distance of 227.42 feet along said Westerly right-of-way line to the North line of Section 18, Township 14 South, Range 12, East of the Willamette Meridian, Deschutes County, Oregon; thence continuing along said Westerly right-of-way line South $00^{\circ}14'10''$ East, a distance of 2,626.26 feet; thence along the arc of a 776.20-foot radius curve to the left, a distance of 479.51 feet, whose long chord bears South $17^{\circ}54'43''$ East, a distance of 471.35 feet to the point of intersection with the Northerly right-of-way line of McKensia Canyon Road; thence South $67^{\circ}25'17''$ West along said Northerly right-of-way line, a distance of 1,361.84 feet, more or less, to the point of intersection with the East line of the Northwest Quarter of the Southwest Quarter (NW1/4 SW1/4), Section 18, Township 14 South, Range 12, East of the Willamette Meridian, Deschutes County, Oregon; thence leaving said Northerly right-of-way line South $66^{\circ}27'35''$ West, a distance of 1,367.35 feet to the West line of said Section 18; thence North $00^{\circ}05'35''$ West along the West line, a distance of 2,043.20 feet to the West Quarter (W1/4) corner of said Section 18; thence continuing along the West line of said Section 18, North $00^{\circ}05'32''$ East, a distance of 2,638.47 feet to the Northwest corner of said Section 18, said point being the point of beginning.



DESCHUTES COUNTY OFFICIAL RECORDS
NANCY BLANCHARD, COUNTY CLERK

2004-01183



\$38.00

10/25/2004 11:08:58 AM

THIS SPACE: 0-0 011.00 010.00 00.00

After recording return to:

Steve Calavan

69672 Camp Polk Rd.

Sisters, OR 97759

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

Steve Calavan

69672 Camp Polk Rd.

Sisters, OR 97759

Escrow No. ST069317CW

STATUTORY WARRANTY DEED

Mark J. Lewis and Megan J. Lewis, as tenants by the entirety, Grantor(s) hereby convey and warrant to Steve Calavan and Linda Calavan, husband and wife, Grantee(s) the following described real property in the County of Deschutes and State of Oregon, free of encumbrances except as specifically set forth herein:

LEGAL DESCRIPTION

A parcel of land situated in a portion of the Northwest Quarter (NW1/4) of Section Twenty-four (24) and the Northeast Quarter (NE1/4) of Section Twenty-three (23), Township Fourteen (14) South, Range Eleven (11), East of the Willamette Meridian, Deschutes County, Oregon, more particularly described as follows:

Commencing at a 5/8" re-bar monumenting the Northwest corner of Section 24, Township Fourteen (14) South, Range Eleven (11), East of the Willamette Meridian, the initial point; thence South 00°18'31" East along the West line of the NW 1/4 of said Section 24, 870.55 feet to a 1/2" pipe on the prolongation of a fence from the West and the true point of beginning; thence South 68°05'24" East along said fence prolongation 827.12 feet to a 1/2" pipe; thence South 68°05'24" East, approximately 400 feet to the South line of the NW 1/4 NW 1/4 of said Section 24; thence West along said South line approximately 1136 feet to a 3/4" pipe monumenting the North 1/16 corner common to said Sections 23 and 24; thence South 64°20'41" West 153.75 feet to a 3/4" pipe; thence North 56°21'19" West 206.03 feet to a 3/4" pipe; thence South 88°46'03" West 1013.36 feet to a 3/4" pipe monumenting the Southwest corner of NE 1/4 NW 1/4 of Section 23, Township Fourteen (14) South, Range Eleven (11), East of the Willamette Meridian, thence North 00°21'05" West along the West line of said NE 1/4 NW 1/4, 550.05 feet to the prolongation of an existing fence; thence North 85°34'53" East along said prolongation 352.17 feet to a 1/2" pipe in said fence, from which the centerline of an irrigation lateral bears South 85°38'53" West approximately 13 feet; thence North 85°38'53" East along said fence 502.00 feet to a 1/2" pipe; thence South 68°05'24" West along said fence 495.77 feet to the true point of beginning.

124784
194581

14112300 002 00
14112400 005 01

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 \$214,975.00.

THIS INSTRUMENT WILL 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 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 90.930.

Dated this 22nd day of October, 2004

Mark J. Lewis

Megan J. Lewis

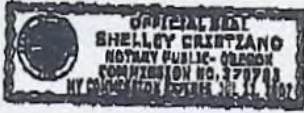
AFTER RECORDING, RETURN TO
AMERITITLE
1609 REGON AVENUE, SEASD

State of Oregon
County of DESCHUTES

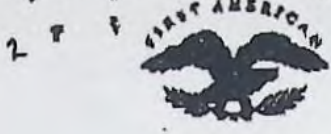
This instrument was acknowledged before me on October 12 2004 by Mark J. Lewis and Meghan J. Lewis.

Shelley Cristiano
(Notary Public for Oregon)

My commission expires 01-22-07



36 160395 MP / 013066 MP



THIS SPACE RESERVED FOR RECORDING USE
2001-25636-1
FIRST AMERICAN TITLE
INSURANCE COMPANY OF OREGON
P.O. BOX 323
BEND, OR 97709

After recording please mail to:
KENNETH K. TAYLOR
7020 MCKENZIE CANYON
SISTERS, OR 97739

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

KENNETH K. TAYLOR
7020 MCKENZIE CANYON
SISTERS, OR 97739

Map No. 013066
Title No. 160395-MP

STATUTORY SPECIAL WARRANTY DEED

THOMAS B. NORTON and CYNTHIA J. NORTON, husband and wife, Grantor, conveys and specially warrants to KENNETH K. TAYLOR, Grantee, the following described real property free of encumbrances created or suffered by the grantor except as specifically set forth herein:

AS DESCRIBED IN EXHIBIT 'A' ATTACHED HERETO AND MADE A PART HEREOF.

THIS INSTRUMENT WILL 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 90.930.

The true consideration for this conveyance is Fullfillment of Contract

Dated this 24 day of May, 2001.

Thomas B. Norton
THOMAS B. NORTON

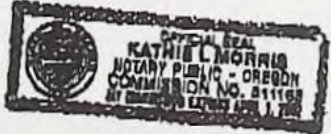
Cynthia J. Norton
CYNTHIA J. NORTON

STATE OF OREGON
County of Deschutes) ss.

This instrument was acknowledged before me on this 24 day of May, 2001
by THOMAS B. NORTON and CYNTHIA J. NORTON

Kathie L. Morris
Notary Public for Oregon

My commission expires: 4-1-2002



2001-25636-2

LEGAL DESCRIPTION

A parcel of land situated in a portion of the East Half of the Northeast Quarter (E $\frac{1}{2}$ NE $\frac{1}{4}$) of Section 23, TOWNSHIP 14 SOUTH, RANGE 11 EAST OF THE WILLAMETTE MERIDIAN, Deschutes County, Oregon, more particularly described as follows: Commencing at a 5/8" re-bar monumenting the Northeast corner of Section 23, TOWNSHIP 14 SOUTH, RANGE 11 EAST OF THE WILLAMETTE MERIDIAN, the Initial Point, thence South 00° 18' 31" East along the East line of the Northeast Quarter (NE $\frac{1}{4}$) of said Section 23, 1321.10 feet to a 3/4" pipe monumenting the Northeast corner of the Southeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$) of said section and the true POINT OF BEGINNING; thence South 64° 20' 41" West, 153.73 feet to a 3/4" pipe; thence North 38° 21' 19" West, 206.03 feet to a 3/4" pipe; thence South 88° 45' 07" West, 1013.58 feet to a 3/4" pipe monumenting the Northwest corner of the Southeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$) of said Section 23; thence South 00° 21' 07" East along the West line of said Southeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$) 1322.37 feet to a 3/4" pipe on the South line of said Southeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$); thence South 89° 12' 54" East along said South line, 1526.40 feet to a 3/4" pipe monumenting the East Quarter corner of said Section 23; thence North 00° 18' 31" West along the East line of said Southeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$), 1321.10 feet to the true POINT OF BEGINNING.

This Deed is being given in fulfillment of that Contract of Sale between the parties dated October 18, 2000, recorded October 19, 2000 in Book 2000, Page 42254 and the warranties hereof shall be construed as of the date of said Contract.

Bob Rice

From: Scott McCaulou [scott@deschutesrc.org]
Sent: Wednesday, April 26, 2006 10:58 AM
To: Bob Rice
Subject: RE: McKenzie Canyon CWA

great. thanks

From: Bob Rice [mailto:Robert.D.RICE@wrld.state.or.us]
Sent: Wednesday, April 26, 2006 10:51 AM
To: Scott McCaulou
Subject: RE: McKenzie Canyon CWA

Scott,

OK, I'll write the notice to show that approximately 80% is going instream and 20% is going to the district.

--Bob

From: Scott McCaulou [mailto:scott@deschutesrc.org]
Sent: Wednesday, April 26, 2006 10:47 AM
To: Bob Rice
Subject: RE: McKenzie Canyon CWA

Bob,

It is set in stone between DRC and the District; 1.20 cfs instream permanently and another .25 cfs instream on a temporary lease basis. If you need something additional, let me know.

Ok?

Scott

From: Bob Rice [mailto:Robert.D.RICE@wrld.state.or.us]
Sent: Wednesday, April 26, 2006 10:34 AM
To: Scott McCaulou
Subject: RE: McKenzie Canyon CWA

Scott,

I'd like to get this application public noticed soon, but until we have an understanding of what percentage is going instream (permanently), I don't think its appropriate to notice it. Please let me know when you get this figured out.

--Bob

From: Scott McCaulou [mailto:scott@deschutesrc.org]
Sent: Wednesday, April 26, 2006 10:18 AM
To: Bob Rice
Subject: RE: McKenzie Canyon CWA

5/8/2006

Let me know what Jeremy has to say. I am especially interested in the enlargement issue as my evolving understanding of return flows in Whychus leads me to believe that enlargement should not be an issue given the location of the project. In the meantime, I'll get caught up with Bruce on the RAC discussion.

Marc Thalacker is out of the office this week but I'll try to have the Cert and LBS paperwork for you at the QLE meeting.

Thanks again,
Scott

From: Bob Rice [mailto:Robert.D.RICE@wrd.state.or.us]
Sent: Tuesday, April 25, 2006 9:23 AM
To: Scott McCaulou
Subject: RE: McKenzie Canyon CWA

Scott,

Thanks for the update. I appreciate you ID'ing the acres and getting the LBS district paperwork.

Regarding the reach, this is not theoretical, and is taken on an application by application basis. Bruce and Danielle have participated in RAC discussions on this. I'll need to confer with Jeremy, but I expect that we may have two problems with taking the reach into the Deschutes: 1) Enlargement, and 2) That the flow is not measurable.

--Bob

From: Scott McCaulou [mailto:scott@deschutesrc.org]
Sent: Monday, April 24, 2006 4:59 PM
To: Bob Rice
Subject: RE: McKenzie Canyon CWA

Bob,

Thanks for the clarification. I'm working on sending you a marked up certificate identifying the participating acres and the copy of the Lower Bridge Sub district paperwork.

I don't have any information as to the measurability of the CW in the Deschutes River. If this is a theoretical question, then yes, you could conceivably measure the water in the Deschutes. This is especially true when you consider the cumulative total of this project and others. As you explore this issue with your colleagues at WRD, please keep me apprised.

Let me know if you have other questions or information needs.

Thanks for your help.

Scott

From: Bob Rice [mailto:Robert.D.RICE@wrd.state.or.us]
Sent: Monday, April 24, 2006 10:26 AM
To: Scott McCaulou
Subject: RE: McKenzie Canyon CWA

5/8/2006

Scott,

Thanks for your response. I've replied below. Please call me if you have any questions.

--Bob

From: Scott McCaulou [mailto:scott@deschutesrc.org]
Sent: Wednesday, April 19, 2006 4:07 PM
To: Bob Rice
Subject: RE: McKenzie Canyon CWA

-->
Bob,

See my responses below.

Thanks,
Scott

From: Bob Rice [mailto:Robert.D.RICE@wrd.state.or.us]
Sent: Friday, April 14, 2006 3:29 PM
To: Scott McCaulou
Subject: McKenzie Canyon CWA

Scott,

Many thanks for the McKenzie Canyon CWA. It looks like a lot of work.

In order to complete the application, I'll need the original signatures on Exhibit L.

I'm working on this – I'll send it along as soon as possible

Also, I'd appreciate it if you'd help me understand the project a little better.

- Section 5B states that there is 1.45 cfs of CW and that 100% of it is going instream. This seems to be contradicted by Section 6.C and F. I'd appreciate it if you'd clarify your intent.

The way I read 6.C and 6.F is that 100% of the conserved water is going instream. 1.2 cfs is going instream through a conserved water application and 0.25 cfs is going instream through an instream lease. Let me know if I misunderstood the question.

CW = Before project – After project. Therefore, 1.45 cfs is CW. The 0.25 cfs is temporarily being leased instream, but goes to the applicant, and could be put on new lands.

- In Section 7B, the POD needs to be clarified. I'd appreciate it if you'd reference the POD to the POD descriptions the certificate.

How would you like me to clarify this? Should I send you a letter?

Either e-mail or a letter would be fine.

■ Is there some information that you can send me (perhaps its in the application packet and you can tell me where to find it) describing the legal relationship between the landowners and the Lower Bridge Subdistrict? This will be particularly important if less than 100% of the water right is going instream.

The Lower Bridge Subdistrict encompasses all of the landowners and irrigated acres in the project area. The Subdistrict has an elected board that makes management decisions for the patrons of TSID within the Subdistrict's borders. I'll send you a copy of the Subdistrict's charter which explains in great detail its statutory authority and relationship to TSID.

Thanks.

■ In Section 7B, you've requested to protect the CW into the Deschutes River and onto LBC. I have not discussed this yet with field staff, but anticipate two issues arising. First, do you have information showing that the CW is a measurable portion of the Deschutes River? See OAR 690077-0015(7). Second, where do you anticipate the return flows coming back to the system? In Section 8A you indicate that the water will not be available to other Squaw Cr appropriators, but since you're proposing to take it into the Deschutes River, we need to also consider Deschutes River water rights.

There are no out of stream rights on the Deschutes River below the mouth of Whychus Creek.

- 1) Do you have information on the CW being a measurable portion of the Deschutes River?
- 2) If there are no out of stream rights on the Deschutes River below the mouth of Whychus Creek then the injury concern may be diminished, but you still can't have enlargement.

■ How do you propose that the existing water rights be reduced? Based on our previous discussions, and given that specific landowners are the applicants, it's my understanding that the per acre rates should be reduced. Is this correct? If so, please provide me with a list of the specific acreage that should have its rate reduced. A marked up certificate might be the easiest way to do this.

I'll send you a marked up certificate next week

Thanks!

Many thanks for your hard work, and thanks in advance for responding to these questions. If we need to discuss the application in person, we might have an opportunity at the upcoming QLE meeting.

--Bob

Bob Rice

Field Services Division

Water Resources Department

725 Summer Street NE, Suite A

Salem, Oregon 97301-1271

(503) 986-0885

5/8/2006

Fax: 503.986.0903

www.wrd.state.or.us

Bob Rice

From: Scott McCaulou [scott@deschutesrc.org]
Sent: Tuesday, August 29, 2006 3:00 PM
To: Bob Rice
Subject: RE: CW-44 Confirmation of Changes

Bob,

I concur with your description. Thanks.

Scott

From: Bob Rice [mailto:Robert.D.RICE@wrd.state.or.us]
Sent: Tuesday, August 29, 2006 2:54 PM
To: Scott McCaulou
Subject: CW-44 Confirmation of Changes

Hi Scott,

As the agent for CW-44, I'm asking you to confirm (e-mail is OK) some information we've discussed, which would modify the original application.

1. Pursuant to OAR 690-018-0012(1), the applicant's propose that 80 percent of the conserved water be allocated to the State for an instream water right and that 20 percent be reserved for use by the Lower Bridge Sub-District #2 of Three Sister Irrigation District. The applicant further requests that 100 percent of the 1895 conserved water be allocated to the State for an instream water right and that 100 percent of the 1899 and 1904 conserved water be allocated to the Lower Bridge Sub-District #2 of Three Sister Irrigation District.

2. The amounts of water to be allocated to the applicant for new out-of-stream use, and the amount of water to be allocated to the state for an instream water right are:

Certificate	Priority Date	Conserved Water Rate (cfs)	New Lands Out-of-Stream Rate (cfs)	Instream Water Right Rate (cfs)
74135	1895	1.20	0.00	1.20
	1899	0.02	0.02	0.00
	1904	0.28	0.28	0.00
	<i>Subtotal</i>	<i>1.50</i>	<i>0.30</i>	<i>1.20</i>

3. The maximum per acre rate associated with the new lands should be the same as the maximum per rate associated with the conserved lands, being 1/52 cfs/acre.

Please give me a call if you have any questions.

Thanks!

--Bob

Bob Rice
 Field Services Division
 Water Resources Department
 725 Summer Street NE, Suite A

8/29/2006

Salem, Oregon 97301-1271
(503) 986-0885
Fax: 503.986.0903
www.wrd.state.or.us

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

In the Matter of Transfer Application) **F I N A L O R D E R**
T-9621, Deschutes County) **APPROVING A DISTRICT**
) **PERMANENT TRANSFER**

ORS 540.570 to 540.580 establishes the process in which a district may submit a request to transfer a water right within district boundaries. OAR Chapter 690, Division 385 implements the statutes and provides the Department's procedures and criteria for evaluating district transfer applications.

Applicant

THREE SISTERS IRRIGATION DISTRICT
68000 HIGHWAY 20 W
SISTERS, OREGON 97759

Findings of Fact

1. On December 31, 2003, Three Sisters Irrigation District filed a district transfer application to permanently change the place of use under Certificates 74135. The Department assigned the application number T-9621.
2. Associated with the above certificate are permitted supplemental rights, G-11378 and S-29312. The appurtenant supplemental rights will be transferred concurrently with their associated primary right(s).
3. Notice of the application for transfer was published pursuant to ORS 540.580 and OAR 690-385-4400. No comments were filed in response to the notice.
4. The portion of the first right to be transferred is as follows:
Certificate: 74135, issued in the name of Squaw Creek Irrigation District
Use: Irrigation
Priority Date: December 31, 1885, December 31, 1895, and December 31, 1904.
Rate & Duty: Maximum of 1/50 cfs per acre
Source: Squaw Creek, tributary to Deschutes River.

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MAY 12 2006
WATER RESOURCES DEPT
SALEM, OREGON

This is a final order in other than 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 Place of Use:

PRIORITY	TWP	RNG	MER	SEC	1/4	1/4	TL	USER	AC		
12/31/1895	14	S	11	E	WM	32	NW	NE	100	GARY ANDERSEN	10.50
12/31/1895	15	S	10	E	WM	24	SW	NW	200	KAY PATTERSON	7.72
12/31/1895	15	S	10	E	WM	24	NW	SW	200	KAY PATTERSON	2.28
12/31/1885	15	S	10	E	WM	26	NW	NE	600	WELDON WANKIER	10.00
12/31/1895	15	S	10	E	WM	26	NW	NE	600	WELDON WANKIER	3.60
12/31/1904	15	S	10	E	WM	26	NW	NE	600	WELDON WANKIER	7.00
12/31/1895	15	S	10	E	WM	26	SW	NE	600	WELDON WANKIER	10.00
12/31/1904	15	S	10	E	WM	26	NE	NW	600	WELDON WANKIER	2.10
12/31/1904	15	S	10	E	WM	26	NW	SE	600	WELDON WANKIER	6.00
12/31/1895	15	S	11	E	WM	4	NE	SW	402	EUGENE BALDWIN	0.29
12/31/1895	15	S	11	E	WM	4	SE	SW	402	EUGENE BALDWIN	4.71
12/31/1895	15	S	11	E	WM	8	NE	SE	100	TUMALO FARMS	2.00
TOTAL										66.20	

5. Application T-9621 proposes to change the place of use to:

PRIORITY	TWP	RNG	MER	SEC	1/4	1/4	TL	USER	AC		
12/31/1895	14	S	11	E	WM	34	SW	SW	6100	EUGENE BALDWIN	5.00
12/31/1895	14	S	12	E	WM	18	NE	SW	2200	DANA&EVELYN DYKES	2.00
12/31/1895	15	S	10	E	WM	15	NE	SE	1500	DAVID HERMAN	10.50
12/31/1895	15	S	10	E	WM	24	SW	SW	900	SISTERS RODEO ASSOC	10.00
12/31/1895	15	S	10	E	WM	26	NW	NE	600	WELDON WANKIER	5.50
12/31/1904	15	S	10	E	WM	26	NW	NE	600	WELDON WANKIER	15.10
12/31/1885	15	S	10	E	WM	26	SW	NE	600	WELDON WANKIER	10.0
12/31/1895	15	S	10	E	WM	26	NE	NW	600	WELDON WANKIER	6.00
12/31/1985	15	S	10	E	WM	26	SE	NW	600	WELDON WANKIER	2.10
TOTAL										66.20	

6. The portion of the second right to be transferred is as follows:

Permit: G-11378, issued in the name of Squaw Creek Irrigation District

Use: Supplemental Irrigation

Priority Date: October 8, 1984.

Rate & Duty: Maximum of 1/80 cfs and 3.0 acre-feet for each acre irrigated during the season

Source: Squaw Creek, tributary to Deschutes River.

Authorized Place of Use:

TWP	RNG	MER	SEC	1/4	1/4	TL	USER	AC		
14	S	11	E	WM	32	NW	NE	100	GARY ANDERSEN	10.50
15	S	10	E	WM	24	SW	NW	200	KAY PATTERSON	1.00
15	S	10	E	WM	24	NW	SW	200	KAY PATTERSON	2.28
15	S	10	E	WM	26	NW	NE	600	WELDON WANKIER	10.00

TWP	RNG	MER	SEC	1/4	1/4	TL	USER	AC		
15	S	10	E	WM	26	SW	NE	600	WELDON WANKIER	10.00
15	S	10	E	WM	26	NE	NW	600	WELDON WANKIER	2.10
15	S	10	E	WM	26	NW	SE	600	WELDON WANKIER	5.00
15	S	11	E	WM	4	NE	SW	402	EUGENE BALDWIN	0.29
15	S	11	E	WM	4	SE	SW	402	EUGENE BALDWIN	4.71
15	S	11	E	WM	8	NE	SE	100	TUMALO FARMS	2.00
TOTAL									47.88	

7. Application T-9621 proposes to change the place of use to:

TWP	RNG	MER	SEC	1/4	1/4	TL	USER	AC		
14	S	11	E	WM	34	SW	SW	6100	EUGENE BALDWIN	5.00
14	S	12	E	WM	18	NE	SW	2200	DANA&EVELYN DYKES	2.00
15	S	10	E	WM	15	NE	SE	1500	DAVID HERMAN	10.50
15	S	10	E	WM	24	SW	SW	900	SISTERS RODEO ASSOC	3.28
15	S	10	E	WM	26	NW	NE	600	WELDON WANKIER	12.60
15	S	10	E	WM	26	SW	NE	600	WELDON WANKIER	10.00
15	S	10	E	WM	26	NE	NW	600	WELDON WANKIER	4.50
TOTAL									47.88	

8. The portion of the third right to be transferred is as follows:

Permit: S-29312, issued in the name of Squaw Creek Irrigation District

Use: Supplemental Irrigation

Priority Date: February 5, 1964.

Rate & Duty: Limited to 500 acre feet stored water only and a diversion of 4 ½ acre feet for each acre irrigated during the irrigation season of each year; and, shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed.

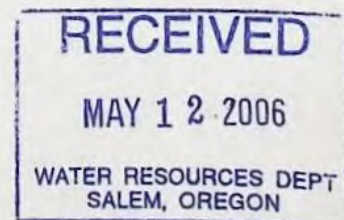
Source: Squaw Creek Reservoir

Authorized Place of Use:

TWP	RNG	MER	SEC	1/4	1/4	TL	USER	AC		
15	S	11	E	WM	4	NE	SW	402	EUGENE BALDWIN	0.29
15	S	11	E	WM	4	SE	SW	402	EUGENE BALDWIN	4.71
15	S	11	E	WM	8	NE	SE	100	TUMALO FARMS	2.00
TOTAL									7.00	

9. Application T-9621 proposes to change the place of use to:

TWP	RNG	MER	SEC	1/4	1/4	TL	USER	AC		
14	S	11	E	WM	34	SW	SW	6100	EUGENE BALDWIN	5.00
14	S	12	E	WM	18	NE	SW	2200	DANA&EVELYN DYKES	2.00
TOTAL									7.00	



10. The district permanent transfer application satisfies the criteria of OAR 690-385-4000, contains the information required under OAR 690-385-2000, and includes maps meeting the requirements of OAR 690-385-2200.
11. The water rights are subject to transfer as defined in OAR 690-385-0100(17).
12. The proposed change in place of use would not result in enlargement of the rights.
13. The proposed change in place of use would not result in injury to other water rights

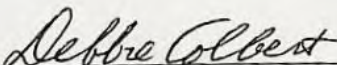
Conclusions of Law

The proposed changes in place of use in Transfer Application T-9621 satisfy the requirements of ORS 540.574(3) and 540.580.

Now, therefore, it is ORDERED:

1. The proposed changes to the water rights evidenced by Certificates 74135, G-11378, and S-29312 are approved.
2. The right to the use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Certificates 74135, G-11378, S-29312 and any related decree.
3. The former place of use shall no longer be irrigated as part of this water right.
4. The proposed change shall be completed on or before October 1, 2006.
5. A Claim of Beneficial Use shall be submitted by the applicant to the Department by October 1, 2007.
6. The Department shall issue a water right certificate on a determination that it is necessary to produce a certificate describing the water right.

Dated at Salem, Oregon this 16th day of August, 2005.


For Phillip C. Ward, Director



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

October 7, 2005

Three Sisters Irrigation District
(Squaw Creek Irrigation District)
PO Box 2230
Sisters, Oregon 97759

REFERENCE: Transfer File T-8994

We have received your application for extension of the time limit to make complete application of water under Transfer T-8994. We also have your check in the amount of \$250.00. Our receipt number 77765 is enclosed.

The application indicates reasonable diligence toward completion of the proposed project. The time limit to make complete application of water is extended to October 1, 2006. The order approving the extension was entered October 7, 2005, at Volume 67, Page 250.

If you have any questions, please contact the transfer section at 503-986-0900.

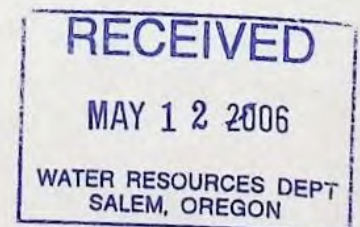
Sincerely,

for Doug Parrow
Field Services Division

DP:sh

enclosure

cc: Fred Ast Jr., CWRE
 Jeremy Giffin, Watermaster



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

In the Matter of Application for Extension) FINAL ORDER APPROVING AN
of Time for Transfer of Water Right) EXTENSION OF TIME
Authorized by T-8994, Deschutes County,)
Oregon)

Applicant

Three Sisters Irrigation District
(Squaw Creek Irrigation District)
PO Box 2230
Sisters, Oregon 97759

Findings of Fact

1. On September 30, 2005, the Department received an application for extension of time for transfer of water right from Marc Thalacker, Manager of Three Sisters Irrigation District.
2. The Water Resources Department issued an order approving Transfer Application T-8994 on October 30, 2002. The order was recorded in Special Order Volume 56, at Page 2021. The order set a transfer completion date of October 1, 2004.
3. The Water Resources Department issued an order approving an extension of time dated October 18, 2004. The order was recorded in Special Order Volume 62, at Page 72. The order set a transfer completion date of October 1, 2005.
4. The applicant has proved up on irrigation of 19.0 acres. The remaining 11.0 acres will be planted next year. The applicant was unable to complete development of the 11.0 acres because of drought conditions during the 2005 irrigation season and irrigation system improvements.
5. The applicant has requested that the time for completion be extended again, to October 1, 2006.

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MAY 12 2006

WATER RESOURCES DEPT
SALEM, OREGON

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 137-004-080 and OAR 690-01-005 you may either petition for judicial review or petition the Director for reconsideration of this order.

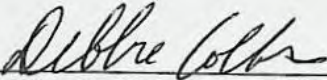
Conclusions of Law

Pursuant to OAR 690-380-6020, the Director of the Water Resources Department concludes the applicant has shown reasonable diligence to complete the transfer within the time period established by the order approving Transfer Application T-8994.

Now, therefore, it is ORDERED:

The time for completion of the change in place of use, authorized by T-8994, shall be extended to October 1, 2006.

Dated at Salem, Oregon this 7th day of October, 2005



For Phillip C. Ward
Director

Mailing date: 10-10-2005

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OCT 11 10 11 AM
DEPARTMENT OF WATER RESOURCES
SALMON DIVISION



Last revised: Nov 20, 2003

Transfer 8994

APPLICATION FOR EXTENSION OF TIME FOR TRANSFER OF WATER RIGHT

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

To the WATER RESOURCES DIRECTOR OF OREGON: I/We, Three Sisters Irrigation District

(Name of Applicant) of P.O. Box 2230, Sisters, (Mailing Address) (City) state of Oregon, 97759, 541-549-8815 (Zip Code) (Phone Number)

do hereby make application for an extension of time within which to complete a change in: point of diversion/appropriation place of use character of use of water under the terms of an order of the Water Resources Director entered on October, 2002, approving Transfer 8994, in the name of Squaw Creek Irrigation District for see attached

(Give location of your property, as shown on the order approving the transfer)

THE FOLLOWING HAS BEEN accomplished toward completion of the change within the time allowed, which expired on October 1, 2005:

14-11-29 SE SW Tx lot 5800-10 acres is proved up

14-11-11 NE SE Tx lot 3000-2.1 acres is proved up

14-11-11 SE SE Tx lot 3000-2.9 acres is proved up

(If for irrigation, how many acres total are now irrigated)

15-11-6 SW NE Tx lot 101 - 4 acres is proved up

TO FULLY COMPLETE the change, it will be necessary to accomplish the following:

Finish planting next year

I AM UNABLE TO COMPLETE the change under the terms of the order, within the time allowed, because Irrigation system improvements and 30% water availability in August, September, & October of 2002, 2003, 2004, and 2005. (2005 was a very bad drought year

Currently we are only diverting 20%)

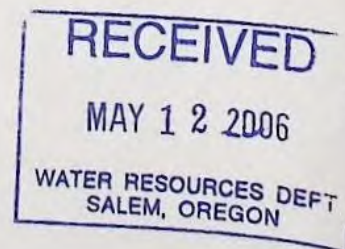
And request that the time for completion be extended to October 1, 2006.

[Signature]
(Signature of applicant)

In order for an application to be complete, it must be accompanied by the required fee. See the Department's fee schedule at www.wrd.state.or.us or call (503) 986-0900.

MAIL COMPLETED APPLICATION AND FEE TO:

Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1271



THREE SISTERS IRRIGATION DISTRICT

We The Signatories Below

)

)

)

)PETITION FOR CREATION OF
)AN IRRIGATION SUBDISTRICT
)

Petitioners

Petitioners are served by Three Sisters Irrigation District ("TSID"), they desire to have TSID undertake the construction of works for irrigation of their land, they petition the Board of Directors of TSID for the creation of a subdistrict pursuant to ORS 545.093-545.095, and state as follows:

1.

The boundaries proposed for the subdistrict are those which encompass the parcels of land described in the attached Exhibit A, which is incorporated herein by this reference. Exhibit A is certified as a complete and sufficient legal description by Fred Ast, who is a qualified land surveyor.

2.

The names and addresses of the Petitioners are as follows:

Glenn Cooper
RT 1 Box 252
Terrebonne, OR 97760

David & Phyllis Mulkey
501 Delay Dr
Eugene, OR 97404

Don Kidson
1457 12th Street
Santa Monica, CA 90401

Randy & Mary Burdick
P.O. Box 944
Sisters, OR 97759

William Kelley
P.O. Box 545
Sisters, OR 97759

John Ferera
McKenzie Canyon Group
70105 Holmes Rd
Sisters, OR 97759

Steve Calavan
70345 McKenzie Canyon
Terrebonne, OR 97760

Craig Baker
P.O. Box 100 PMB 355
Mammoth Lakes, CA 93546

William F. Vejrostek
70481 McKenzie Canyon
Terrebonne, OR 97760

Stephen Spears
70915 Lower Bridge
Terrebonne, OR 97760

The irrigation works which the Petitioners desire to have constructed or provided are the replacement of approximately 55,450 feet of open ditch, known as the Black Butte Canal, with pipe for the purpose of decreasing water loss due to seepage.

WHEREAS TSID and The Lower Bridge Subdistrict #2 of the Three Sisters Irrigation District served by the Black Butte and Association canals will be bound by the attached agreement (attached hereto as Exhibit B), once the newly elected board of the subdistrict is elected and signs the agreement to accommodate and facilitate the construction and provision of irrigation works described above and in the agreement.

WHEREFORE, Petitioners request that the lands described in Exhibit A be organized as

Steve & Kathy Simpson
16600 NW Lower Bridge
Terrebonne, OR 97760

Richard Bloomfeldt
DbA LHR, Ltd
71105 Holmes Rd
Sisters, OR 97759

Thayne & Margaret Dutson
4306 Arrowhead Circle
Corvallis, OR 97330

David & Chris Lawrence
RT 1 Box 246
Terrebonne, OR 97760

Marc & Pamela Thalacker
70625 Lower Bridge
Terrebonne, OR 97760

Stephen & Elizabeth Sparks
12021 Wetherfield Lane
Potomac, MD 20854

David & Ruth Parks
70425 McKenzie Canyon
Terrebonne, OR 97760

Dana & Evelyn Dykes
70520 McKenzie Canyon
Terrebonne, OR 97760

Sherode & Susan Powers
70466 McKenzie Canyon
Terrebonne, OR 97760

Kenneth Taylor
70290 McKenzie Canyon
Terrebonne, OR 97760

Ken & Jaqueline Gibbs
70177 McKenzie Canyon
Terrebonne, OR 97760

a subdistrict of TSID pursuant to ORS 545.093 .545.095.

DATED this 11th day of October, 2005.

PETITIONERS:

Glenn L. Cooper
Glenn Cooper
RT 1 Box 252
Terrebonne, OR 97760

10-11-05
Date

David Mulkey
David Mulkey
501 Delay Dr
Eugene, OR 97404

10-11-05
Date

Phyllis Mulkey
Phyllis Mulkey
501 Delay Dr
Eugene, OR 97404

10-11-05
Date

Don Kidson
1457 12th Street
Santa Monica, CA 90401

Date

Steve Simpson
Steve Simpson
16600 NW Lower Bridge
Terrebonne, OR 97760

10-11-05
Date

Kathy Simpson
Kathy Simpson
16600 NW Lower Bridge
Terrebonne, OR 97760

10-11-05
Date

Dick Bloomfeldt
Dick Bloomfeldt
Long Hollow Ranch
71105 Holmes Rd
Sisters, OR 97759

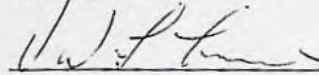
Date

Thayne Dutson
4306 Arrowhead Circle
Corvallis, OR 97330

Date

Margaret Dutson
4306 Arrowhead Circle
Corvallis, OR 97330

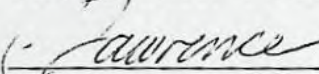
Date



10/11/05

David Lawrence
RT 1 Box 246
Terrebonne, OR 97760

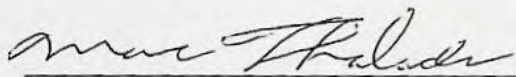
Date



10/11/05

Chris Lawrence
RT 1 Box 246
Terrebonne, OR 97760

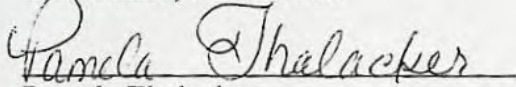
Date



10/11/05

Marc Thalacker
70625 Lower Bridge
Terrebonne, OR 97760

Date



10-11-05

Pamela Thalacker
70625 Lower Bridge
Terrebonne, OR 97760

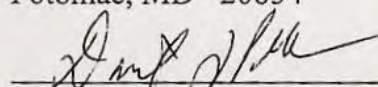
Date

Stephen Sparks
12021 Wetherfield Lane
Potomac, MD 20854

Date

Elizabeth Sparks
12021 Wetherfield Lane
Potomac, MD 20854

Date



10-11-05

David Parks
70425 McKenzie Canyon
Terrebonne, OR 97760

Date

Ruth Parks
70425 McKenzie Canyon
Terrebonne, OR 97760

Date
10/11/05

Dana Dykes
70520 McKenzie Canyon
Terrebonne, OR 97760

Date
10/11/05

Evelyn Dykes
Evelyn Dykes
70520 McKenzie Canyon
Terrebonne, OR 97760

~~Darwin McKibbin
P.O. Box 81
Terrebonne, OR 97760~~

~~Date~~

~~Josephine McKibbin
P.O. Box 81
Terrebonne, OR 97760~~

~~Date~~

Sherode Powers
Sherode Powers
70466 McKenzie Canyon
Terrebonne, OR 97760

10-11-05
Date

Susan Coy Powers
Susan Powers
70466 McKenzie Canyon
Terrebonne, OR 97760

10/11/05
Date

Kenneth Taylor
Kenneth Taylor
70290 McKenzie Canyon
Terrebonne, OR 97760

10-11-05
Date

K.C. Gibbs
Ken Gibbs
70177 McKenzie Canyon
Terrebonne, OR 97760

10/15/05
Date

Jacqueline Gibbs
Jacqueline Gibbs
70177 McKenzie Canyon
Terrebonne, OR 97760

10-15-05
Date

Randy Burdick
P.O. Box 944
Sisters, OR 97759

Date

Mary Burdick
P.O. Box 944
Sisters, OR 97759

Date

William J. Kelley
William Kelley
P.O. Box 545
Sisters, OR 97759

10-13-05
Date

John Ferera
McKenzie Canyon Group
70105 Holmes Rd
Sisters, OR 97759

Date

Steve Calavan
70345 McKenzie Canyon
Terrebonne, OR 97760

Date

12
Craig Baker
P.O. Box 100 PMB 355
Mammoth Lakes, CA 93546

10-15-05
Date

William F. Vejrostek
70481 McKenzie Canyon
Terrebonne, OR 97760

Date

[Signature]
Stephen Spears
70915 Lower Bridge
Terrebonne, OR 97760

10-13-05
Date

Ruth Parks

Ruth Parks
70425 McKenzie Canyon
Terrebonne, OR 97760

10/18/05
Date

Dana Dykes

Dana Dykes
70520 McKenzie Canyon
Terrebonne, OR 97760

10/11/05
Date

Evelyn Dykes

Evelyn Dykes
70520 McKenzie Canyon
Terrebonne, OR 97760

10/11/05
Date

Darwin McKibbin
P.O. Box 81
Terrebonne, OR 97760

Date

Josephine McKibbin
P.O. Box 81
Terrebonne, OR 97760

Date

Sherode Powers

Sherode Powers
70466 McKenzie Canyon
Terrebonne, OR 97760

10-11-05
Date

Susan Powers

Susan Powers
70466 McKenzie Canyon
Terrebonne, OR 97760

10/11/05
Date

Kenneth Taylor

Kenneth Taylor
70290 McKenzie Canyon
Terrebonne, OR 97760

10-11-05
Date

Ken Gibbs

Ken Gibbs
70177 McKenzie Canyon
Terrebonne, OR 97760

10/15/05
Date

Jacqueline Gibbs

Jacqueline Gibbs
70177 McKenzie Canyon
Terrebonne, OR 97760

10-15-05
Date

Randy Burdick

Randy Burdick
P.O. Box 944
Sisters, OR 97759

10-18/05
Date

Mary Burdick

Mary Burdick
P.O. Box 944
Sisters, OR 97759

10/18/05
Date

William G. Kelley

William Kelley
P.O. Box 545
Sisters, OR 97759

10-13-05
Date

John Ferera

John Ferera
McKenzie Canyon Group
70105 Holmes Rd
Sisters, OR 97759

10-17-05
Date

Steve Calavan
70345 McKenzie Canyon
Terrebonne, OR 97760

Date

Craig Baker

Craig Baker
P.O. Box 100 PMB 355
Mammoth Lakes, CA 93546

10-15-05
Date

William F. Vejrostek
70481 McKenzie Canyon
Terrebonne, OR 97760

Date

Stephen Spears

Stephen Spears
70915 Lower Bridge
Terrebonne, OR 97760

10-13-05
Date

Jacqueline Gibbs
70177 McKenzie Canyon
Terrebonne, OR 97760

Date

Randy Burdick
P.O. Box 944
Sisters, OR 97759

Date

Mary Burdick
P.O. Box 944
Sisters, OR 97759

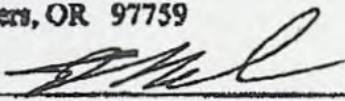
Date

William Kelley
P.O. Box 545
Sisters, OR 97759

Date

John Ferera
McKenzie Canyon Group
70105 Holmes Rd
Sisters, OR 97759

Date



Steve Calavan
70345 McKenzie Canyon
Terrebonne, OR 97760

Date

10-12-05

Craig Baker
P.O. Box 100 PMB 355
Mammoth Lakes, CA 93546

Date

William F. Vejrostek
70481 McKenzie Canyon
Terrebonne, OR 97760

Date

Stephen Spears
70915 Lower Bridge
Terrebonne, OR 97760

Date

Thayne Dutton
4306 Arrowhead Circle
Corvallis, OR 97330

Date

Margaret Dutton
4306 Arrowhead Circle
Corvallis, OR 97330

Date

[Signature]
David Lawrence
RT 1 Box 246
Terrebonne, OR 97760

10/11/05
Date

[Signature]
Chris Lawrence
RT 1 Box 246
Terrebonne, OR 97760

10/11/05
Date

[Signature]
Marc Thalacker
70625 Lower Bridge
Terrebonne, OR 97760

10/11/05
Date

[Signature]
Pamela Thalacker
70625 Lower Bridge
Terrebonne, OR 97760

10-11-05
Date

Stephen Sparks
12021 Wetherfield Lane
Potomac, MD 20854

Date

[Signature]
Misspahn Sparks, Trustee
12021 Wetherfield Lane
Potomac, MD 20854

10/12/05
Date

[Signature]
David Parks
70425 McKenzie Canyon
Terrebonne, OR 97760

10-11-05
Date

Thayne Dutton

Thayne Dutton
4306 Arrowhead Circle
Corvallis, OR 97330

10-13-05
Date

Margaret Dutton

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4306 Arrowhead Circle
Corvallis, OR 97330

10-13-05
Date

David Lawrence

David Lawrence
RT 1 Box 246
Terrebonne, OR 97760

10/11/05
Date

Chris Lawrence

Chris Lawrence
RT 1 Box 246
Terrebonne, OR 97760

10/11/05
Date

Marc Thalacker

Marc Thalacker
70625 Lower Bridge
Terrebonne, OR 97760

10/11/05
Date

Pamela Thalacker

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Terrebonne, OR 97760

10-11-05
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Stephen Sparks
12021 Wetherfield Lane
Potomac, MD 20854

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Elizabeth Sparks
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Potomac, MD 20854

Date

David Parks

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70425 McKenzie Canyon
Terrebonne, OR 97760

10-11-05
Date

Jacqueline Gibbs
70177 McKenzie Canyon
Terrebonne, OR 97760

Date

Randy Burdick
P.O. Box 944
Sisters, OR 97759

Date

Mary Burdick
P.O. Box 944
Sisters, OR 97759

Date

William H. Kelley

William Kelley
P.O. Box 545
Sisters, OR 97759

10-13-05
Date

John Perera
McKenzie Canyon Group
70105 Holmes Rd
Sisters, OR 97759

Date

Steve Calavan
70345 McKenzis Canyon
Terrebonne, OR 97760

Date

Craig Baker
P.O. Box 100 PMB 355
Mammoth Lakes, CA 93546

Date

William F. Vejrostek

William F. Vejrostek
70481 McKenzie Canyon
Terrebonne, OR 97760

10/14/05
Date

Stephan Spear

Stephan Spear
70915 Lower Bridge
Terrebonne, OR 97760

10-13-05
Date

THREE SISTERS IRRIGATION DISTRICT

LEGAL DESCRIPTION

LOWER BRIDGE SUB-DISTRICT NO. 2 OF THE THREE SISTERS IRRIGATION DISTRICT

SITUATED IN TOWNSHIP 13 SOUTH, RANGE 12 EAST, WILLAMETTE MERIDIAN, JEFFERSON COUNTY, OREGON AND TOWNSHIP 14 SOUTH, RANGE 11 EAST AND TOWNSHIP 14 SOUTH, RANGE 12 EAST, WILLAMETTE MERIDIAN, DESCHUTES COUNTY, OREGON.

BOUNDARY OF SAID LOWER BRIDGE SUB-DISTRICT NO. 2 IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE CORNER COMMON TO TOWNSHIPS 13 AND 14 SOUTH, RANGES 11 AND 12 EAST, ON THE JEFFERSON – DESCHUTES COUNTY LINE;

THENCE, ON THE BOUNDARY OF OR WITHIN SAID TOWNSHIP 13 SOUTH, RANGE 12 EAST, THE FOLLOWING DESCRIBED COURSES:

NORTHERLY, ON THE WEST LINE OF SECTION 31, TO THE WEST QUARTER CORNER OF SAID SECTION;

THENCE EASTERLY, ON THE EAST-WEST CENTERLINE OF SAID SECTION 31, TO THE CENTER QUARTER CORNER;

THENCE NORTHERLY, ON THE NORTH-SOUTH CENTERLINE OF SAID SECTION 31, TO THE NORTH QUARTER CORNER OF SAID SECTION;

THENCE NORTHERLY, ON THE NORTH-SOUTH CENTER LINE OF SECTION 30, TO THE NORTH QUARTER CORNER OF SAID SECTION;

THENCE NORTHERLY, ON THE NORTH-SOUTH CENTERLINE OF SECTION 19, TO THE CENTER QUARTER CORNER OF SAID SECTION;

THENCE EASTERLY, ON THE EAST-WEST CENTERLINE OF SAID SECTION 19, TO THE EAST QUARTER CORNER OF SAID SECTION;

THENCE NORTHERLY, ON THE EAST LINE OF SAID SECTION 19, TO THE NORTHEAST CORNER THEREOF;

THENCE EASTERLY, ON THE NORTH LINE OF SECTION 20, TO THE INTERSECTION WITH THE THREAD OF THE DESCHUTES RIVER;

THENCE SOUTHEASTERLY, ALONG THE THREAD OF THE DESCHUTES RIVER, TO THE INTERSECTION WITH THE EAST LINE OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 21;

THENCE SOUTHERLY, ON SAID EAST LINE, TO THE WEST SIXTEENTH CORNER ON THE SOUTH LINE OF SAID SECTION 21;

THENCE WESTERLY, ON SAID SOUTH LINE, TO THE SOUTHWEST CORNER THEREOF;

THENCE WESTERLY, ON THE SOUTH LINE OF SECTION 20, TO THE SOUTH QUARTER CORNER OF SAID SECTION;

THENCE SOUTHERLY, ON THE NORTH-SOUTH CENTERLINE OF SECTION 29, TO THE CENTER QUARTER CORNER OF SAID SECTION;

THENCE WESTERLY, ON THE EAST -WEST CENTERLINE OF SAID SECTION 29, TO THE CENTER-WEST SIXTEENTH CORNER OF SAID SECTION;

THENCE SOUTHERLY, ON THE EAST LINE OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 29, TO THE WEST SIXTEENTH CORNER ON THE SOUTH LINE OF SAID SECTION;

THENCE EASTERLY, ON THE SOUTH LINE OF SAID SECTION 29, TO THE SOUTHEAST CORNER THEREOF;

THENCE SOUTHERLY, ON THE EAST LINE OF SECTION 32, TO THE NORTH SIXTEENTH CORNER OF SAID SECTION;

THENCE WESTERLY, ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 32, TO THE NORTHEAST SIXTEENTH CORNER OF SAID SECTION;

THENCE SOUTHERLY, ON THE EAST LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 32, TO THE CENTER-EAST SIXTEENTH CORNER OF SAID SECTION;

THENCE WESTERLY, ON THE EAST-WEST CENTERLINE OF SAID SECTION 32, TO THE EAST QUARTER CORNER OF SECTION 31;

THENCE WESTERLY, ON THE EAST-WEST CENTERLINE OF SAID SECTION 31, TO THE CENTER-EAST SIXTEENTH CORNER OF SAID SECTION;

THENCE SOUTHERLY, ON THE EAST LINE OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 31, TO THE EAST SIXTEENTH CORNER COMMON TO SECTION 31, OF SAID TOWNSHIP 13 SOUTH, RANGE 12 EAST AND SECTION 6, TOWNSHIP 14 SOUTH, RANGE 12 EAST, WILLAMETTE MERIDIAN, ON THE LINE COMMON TO SAID JEFFERSON AND DESCHUTES COUNTIES;

THENCE CONTINUING ON THE BOUNDARY OF OR WITHIN SAID TOWNSHIP 14 SOUTH, RANGE 12 EAST, WILLAMETTE MERIDIAN, DESCHUTES COUNTY, OREGON, THE FOLLOWING DESCRIBED COURSES:

EASTERLY, FROM THE EAST SIXTEENTH CORNER ON THE NORTH LINE OF SAID SECTION 6, TO THE NORTHEAST CORNER THEREOF;

THENCE EASTERLY, ON THE NORTH LINE OF SECTION 5, TO THE NORTHEAST CORNER THEREOF;

THENCE SOUTHERLY, ON THE WEST LINE OF SECTION 4, TO THE NORTH SIXTEENTH CORNER OF SAID SECTION;

THENCE EASTERLY, ON THE NORTH LINE OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF SAID SECTION 4, TO THE CENTER NORTH-SIXTEENTH CORNER OF SAID SECTION;

THENCE SOUTHERLY, ON THE NORTH-SOUTH CENTERLINE OF SAID SECTION 4, TO THE CENTER QUARTER CORNER;

THENCE EASTERLY, ON THE EAST-WEST CENTERLINE OF SAID SECTION 4, TO THE CENTER-EAST SIXTEENTH CORNER OF SAID SECTION;

THENCE SOUTHERLY, ON THE EAST LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 4, TO THE SOUTHEAST SIXTEENTH CORNER OF SAID SECTION;

THENCE EASTERLY, ON THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 4, TO THE SOUTH SIXTEENTH CORNER ON THE EAST LINE OF SAID SECTION;

THENCE SOUTHERLY, ON THE EAST LINE OF SECTION 4, TO THE SOUTHEAST CORNER THEREOF;

THENCE SOUTHERLY, ON THE EAST LINE OF SECTION 9, TO THE EAST QUARTER CORNER OF SAID SECTION;

THENCE WESTERLY, ON THE EAST-WEST CENTERLINE OF SAID SECTION 9, TO THE CENTER-EAST SIXTEENTH CORNER OF SAID SECTION;

THENCE SOUTHERLY, ON THE EAST LINE OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 9, TO THE EAST SIXTEENTH CORNER OF SAID SECTION;

THENCE WESTERLY, ON THE SOUTH LINE OF SAID SECTION 9, TO THE SOUTH QUARTER CORNER OF SAID SECTION;

THENCE SOUTHERLY, ON THE NORTH-SOUTH CENTERLINE OF SECTION 16, TO THE CENTER-NORTH SIXTEENTH CORNER OF SAID SECTION;

THENCE WESTERLY, ON THE SOUTH LINE OF THE NORTH HALF OF THE NORTHWEST QUARTER OF SAID SECTION 16, TO THE NORTH SIXTEENTH CORNER ON THE WEST LINE OF SAID SECTION;

THENCE SOUTHERLY, ON THE WEST LINE OF SAID SECTION 16, TO THE SOUTHWEST CORNER THEREOF;

THENCE WESTERLY, ON THE SOUTH LINE OF SECTION 17, TO THE SOUTH QUARTER CORNER OF SAID SECTION;

THENCE SOUTHERLY, ON THE NORTH-SOUTH CENTERLINE OF SECTION 20, TO THE CENTER-NORTH SIXTEENTH CORNER OF SAID SECTION;

THENCE WESTERLY, ON THE SOUTH LINE OF THE NORTH HALF OF THE NORTHWEST QUARTER OF SAID SECTION 20, TO THE NORTH SIXTEENTH CORNER ON THE WEST LINE OF SAID SECTION;

THENCE SOUTHERLY, ON THE WEST LINE OF SAID SECTION 20, TO THE SOUTH SIXTEENTH CORNER ON SAID WEST LINE;

THENCE WESTERLY, ON THE SOUTH LINE OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 19, TO THE CENTER-SOUTH SIXTEENTH CORNER OF SAID SECTION;

THENCE WESTERLY, ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 19, TO THE SOUTHWEST SIXTEENTH CORNER OF SAID SECTION;

THENCE NORTHERLY, ON THE WEST LINE OF SAID NORTHEAST QUARTER OF THE SOUTHWEST QUARTER, TO THE CENTER-WEST SIXTEENTH CORNER OF SAID SECTION 19; THENCE NORTHERLY, ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 19, TO THE NORTHWEST SIXTEENTH CORNER OF SAID SECTION;

THENCE WESTERLY, ON THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 19, TO THE NORTH SIXTEENTH CORNER ON THE WEST LINE OF SAID SECTION;

THENCE SOUTHERLY, ON THE WEST LINE OF SAID SECTION 19, TO THE WEST QUARTER CORNER OF SAID SECTION;

THENCE ON THE BOUNDARY OF OR WITHIN TOWNSHIP 14 SOUTH, RANGE 11 EAST, THE FOLLOWING DESCRIBED COURSES:

WESTERLY, ON THE EAST-WEST CENTERLINE OF SECTION 24, TO THE CENTER QUARTER CORNER OF SAID SECTION;

THENCE NORTHERLY, ON THE EAST LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 24, TO THE CENTER-NORTH SIXTEENTH CORNER OF SAID SECTION;

THENCE WESTERLY, ON THE NORTH LINE OF SAID SOUTHEAST QUARTER OF THE NORTHWEST QUARTER, TO THE NORTHWEST SIXTEENTH CORNER OF SAID SECTION 24;

THENCE SOUTHERLY ON THE WEST LINE OF SAID SOUTHEAST QUARTER OF THE NORTHWEST QUARTER, TO THE CENTER-WEST SIXTEENTH CORNER OF SAID SECTION 24;

THENCE WESTERLY, ON THE EAST-WEST CENTERLINE OF SAID SECTION 24, TO THE WEST QUARTER CORNER OF SAID SECTION;

THENCE SOUTHERLY, ON THE EAST LINE OF SECTION 23, TO THE SOUTHEAST CORNER THEREOF;

THENCE SOUTHERLY, ON THE EAST LINE OF SECTION 26, TO THE NORTH SIXTEENTH CORNER ON SAID EAST LINE;

THENCE WESTERLY, ON THE SOUTH LINE OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SAID SECTION 26, TO THE CENTER-NORTH SIXTEENTH CORNER OF SAID SECTION;

THENCE WESTERLY, ON THE SOUTH LINE OF THE NORTH HALF OF THE NORTHWEST QUARTER OF SAID SECTION 26, TO THE NORTH SIXTEENTH CORNER ON THE WEST LINE OF SAID SECTION;

THENCE WESTERLY, ON THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 27, TO THE NORTHEAST SIXTEENTH CORNER OF SAID SECTION;

THENCE SOUTHERLY, ON THE WEST LINE OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER, TO THE CENTER-EAST SIXTEENTH CORNER;

THENCE WESTERLY, ON THE EAST-WEST CENTERLINE OF SAID SECTION 27, TO THE CENTER-WEST SIXTEENTH CORNER OF SAID SECTION;

THENCE NORTHERLY, ON THE WEST LINE OF THE EAST HALF OF THE NORTHWEST QUARTER OF SAID SECTION 27, TO THE WEST SIXTEENTH CORNER ON THE NORTH LINE OF SAID SECTION;

THENCE NORTHERLY, ON THE WEST LINE OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 22, TO THE CENTER-WEST SIXTEENTH CORNER OF SAID SECTION;

THENCE EASTERLY, ON THE EAST-WEST CENTERLINE OF SAID SECTION 22, TO THE CENTER-EAST SIXTEENTH CORNER OF SAID SECTION;

THENCE SOUTHERLY, ON THE WEST LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 22, TO THE SOUTHEAST SIXTEENTH CORNER OF SAID SECTION;

THENCE EASTERLY, ON THE SOUTH LINE OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER, TO THE SOUTH SIXTEENTH CORNER ON THE EAST LINE OF SAID SECTION 22;

THENCE EASTERLY, ON THE NORTH LINE OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 23, TO THE CENTER-SOUTH SIXTEENTH CORNER OF SAID SECTION;

THENCE NORTHERLY, ON THE NORTH-SOUTH CENTERLINE OF SAID SECTION 23, TO THE CENTER-NORTH SIXTEENTH CORNER OF SAID SECTION;

THENCE EASTERLY, ON THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 23, TO THE NORTHEAST SIXTEENTH CORNER OF SAID SECTION;

THENCE NORTHERLY, ON THE EAST LINE OF SAID NORTHWEST QUARTER OF THE NORTHEAST QUARTER, TO THE EAST SIXTEENTH CORNER ON THE NORTH LINE OF SAID SECTION 23;

THENCE NORTHERLY, ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 14, TO THE SOUTHEAST SIXTEENTH CORNER OF SAID SECTION;

THENCE EASTERLY, ON THE NORTH LINE OF SAID SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER, TO THE SOUTH SIXTEENTH CORNER ON THE EAST LINE OF SAID SECTION 14;

THENCE NORTHERLY, ON THE EAST LINE OF SAID SECTION 14, TO THE NORTHEAST CORNER THEREOF;

THENCE EASTERLY, ON THE SOUTH LINE OF SECTION 12, TO THE WEST SIXTEENTH CORNER ON THE SOUTH LINE OF SAID SECTION;

THENCE NORTHERLY, ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 12, TO THE SOUTHWEST SIXTEENTH CORNER OF SAID SECTION;

THENCE EASTERLY, ON THE NORTH LINE OF SAID SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER, TO THE CENTER-SOUTH SIXTEENTH CORNER OF SAID SECTION 12;

THENCE NORTHERLY, ON THE NORTH-SOUTH CENTERLINE OF SAID SECTION 12, TO THE CENTER QUARTER CORNER OF SAID SECTION;

THENCE EASTERLY, ON THE EAST-WEST CENTERLINE OF SAID SECTION 12, TO THE CENTER-EAST SIXTEENTH CORNER OF SAID SECTION;

THENCE NORTHERLY, ON THE EAST LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 12, TO THE NORTHEAST SIXTEENTH CORNER OF SAID SECTION;

THENCE WESTERLY, ON THE NORTH LINE OF SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 12, TO THE CENTER-NORTH SIXTEENTH CORNER OF SAID SECTION;

THENCE NORTHERLY, ON THE NORTH-SOUTH CENTERLINE OF SAID SECTION 12, TO THE NORTH QUARTER CORNER OF SAID SECTION;

THENCE WESTERLY, ON THE NORTH LINE OF SAID SECTION 12, TO THE WEST SIXTEENTH CORNER OF SAID SECTION;

THENCE SOUTHERLY, ON THE EAST LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 12, TO THE NORTHWEST SIXTEENTH CORNER OF SAID SECTION;

THENCE WESTERLY, ON THE SOUTH LINE OF SAID NORTHWEST QUARTER OF THE NORTHWEST QUARTER, TO THE NORTH SIXTEENTH CORNER ON THE WEST LINE OF SAID SECTION 12;

THENCE WESTERLY, ON THE SOUTH LINE OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 11, TO THE CENTER-NORTH SIXTEENTH CORNER OF SAID SECTION;

THENCE WESTERLY, ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 11, TO THE NORTHWEST SIXTEENTH CORNER OF SAID SECTION;

THENCE NORTHERLY, ON THE WEST LINE OF SAID NORTHEAST QUARTER OF THE NORTHWEST QUARTER, TO THE WEST SIXTEENTH CORNER ON THE NORTH LINE OF SAID SECTION 11;

THENCE EASTERLY, ON THE NORTH LINE OF SAID SECTION 11, TO THE EAST SIXTEENTH CORNER ON SAID NORTH LINE;

THENCE NORTHERLY, ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 2, TO THE SOUTHEAST SIXTEENTH CORNER OF SAID SECTION;

THENCE EASTERLY, ON THE NORTH LINE OF SAID SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER, TO THE SOUTH SIXTEENTH CORNER ON THE EAST LINE OF SAID SECTION 2;

THENCE NORTHERLY, ON THE EAST LINE OF SAID SECTION 2, TO THE EAST QUARTER CORNER OF SAID SECTION;

THENCE EASTERLY, ON THE EAST-WEST CENTERLINE OF SECTION 1, TO THE CENTER QUARTER CORNER OF SAID SECTION;

THENCE NORTHERLY, ON THE NORTH-SOUTH CENTERLINE OF SAID SECTION 1, TO THE CENTER-NORTH SIXTEENTH CORNER OF SAID SECTION;

THENCE EASTERLY, ON THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE
NORTHEAST QUARTER OF SAID SECTION 1, TO THE NORTHEAST SIXTEENTH CORNER OF
SAID SECTION;

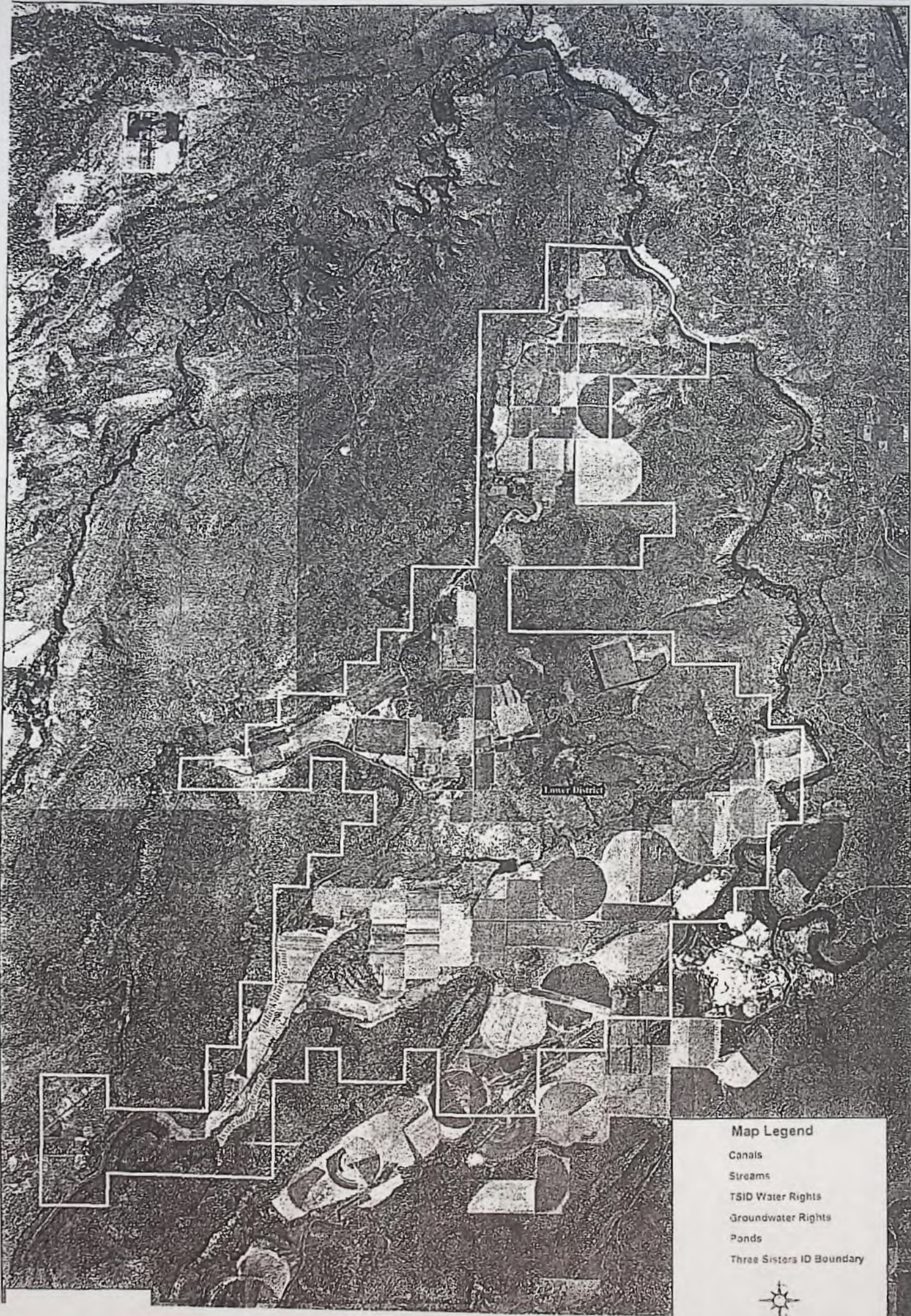
THENCE NORTHERLY, ON THE EAST LINE OF SAID NORTHWEST QUARTER OF THE
NORTHEAST QUARTER, TO THE EAST SIXTEENTH CORNER ON THE NORTH LINE OF SAID
SECTION 1;

THENCE EASTERLY, ON THE NORTH LINE OF SAID SECTION 1, TO THE POINT OF
BEGINNING, BEING THE NORTHEAST CORNER OF SAID SECTION 1.

9-29-05
REGISTERED
PROFESSIONAL
LAND SURVEYOR
[Signature]
OREGON
JULY 17, 1981
FREDERICK A. AST, JR.
1959

Lower Bridge Subdistrict #2 of TSID

Exhibit
A



AFTER RECORDING RETURN TO:

TSID

P. O. BOX 2230

SISTERS, OREGON 97759

DESCHUTES COUNTY OFFICIAL RECORDS
NANCY BLANKENSHIP, COUNTY CLERK

2005-78593



\$76.00

00415233200500785930100100

11/15/2005 02:37:28 PM

D-OL Cnt=1 Stn=23 BECKEY

\$50.00 \$11.00 \$10.00 \$5.00

10

**THREE SISTERS IRRIGATION DISTRICT
ORDER FOR THE CREATION OF A SUBDISTRICT**

WHEREAS, Steve & Kathy Simpson; Richard Bloomfeldt; Glenn Cooper; David & Phyllis Mulkey; Don Kidson; Thayne & Margaret Dutson; David & Chris Lawrence; Marc & Pamela Thalacker; Stephen & Elizabeth Sparks; David & Ruth Parks; Dana & Evelyn Dykes; Sherode & Susan Powers; Kenneth Taylor; Ken & Jaqueline Gibbs; Randy & Mary Burdick; William Kelley; John Ferera; Steve Calavan; Craig Baker; William F. Vejorstek; Stephen Spears, have filed with the Board of Directors of the Three Sisters Irrigation District a petition praying for the creation of a sub district of the following described land to-wit:

Exhibit A (attached)

And further request the irrigation works, which the Petitioners desire to have constructed or provided, is the piping of said ditch for the purpose of decreasing water loss due to seepage

WITHIN the District.

AND WHEREAS, the Board of Directors of the District has heretofore heard and approved the sub district petition in the manner prescribed by the law that said petition at a special meeting of the Board held in the District office at 68000 Highway 20 West, Sisters, Oregon, on October 18th, 2005.

IT IS HEREBY ORDERED that the above-described lands on exhibit A become the Lowerbridge Sub-district #2 of Three Sisters Irrigation District.

IT IS FURTHER ORDERED, that this order be filed forthwith in the County records of Deschutes, Oregon and Jefferson County, Oregon.

Dated and signed at Sisters, Oregon, this 18th day of October 2005.

THREE SISTERS IRRIGATION DISTRICT

BOARD OF DIRECTORS:

Karen Friend, President

Glenn L. Cooper
Glenn Cooper, Vice President

Don Boyer
Don Boyer



State of Oregon _____)

County of Deschutes _____) ss

On this 18th day of October, 2005

The signers of this document did personally appear before
me:

Marc Thalacker

Bob Rice

From: Scott McCaulou [scott@deschutesrc.org]
Sent: Monday, April 24, 2006 4:47 PM
To: Bob Rice
Subject: McKenzie CWA

-->

Dear Bob,

Regarding your question about Section 7B of the McKenzie Canyon Conserved Water Application, please see the POD description below taken from TSID's certificate.

Thanks,

Scott McCaulou

TSID POD ON WHYCHUS CREEK AT RIVER MILE 23.5: NWSW, SECTION 21, T15S, R10W, WM,
998 FEET NORTH & 1211 FEET EAST FROM SW CORNER, SECTION 21

4/24/2006



DESCHUTES RIVER
CONSERVANCY

February 26, 2007

Mr. Bob Rice
Water Resources Department
725 Summer Street NE, Suite "A"
Salem, OR 97301-1271

RE: McKenzie Canyon Black Butte and Association Canal Conserved Water
Project (Phase III)

Dear Mr. Rice:

Enclosed please find an application for an Allocation and Use of Conserved Water. The Deschutes River Conservancy (DRC) is the Agent for the Three Sisters Irrigation District (TSID) for this application and is acting as the primary point of contact for comments and questions that you may have. In addition to the complete application, I have enclosed the following exhibits for your information.

- Exhibit A: Evidence of Use Affidavits
(Refer to Phase IV Exhibit: A or CW-44 Exhibit: A)
- Exhibit B: Map of McKenzie Piping Project
- Exhibit E: Confirmation of District Approval
(Signed minutes will be sent upon receiving from TSID)
- Exhibit F: TSID Conserved Water Policy
- Exhibit G: Land-Use Information Form
- Exhibit H: Ownership and Lien Information
(Refer to Phase IV Exhibit: H or CW-44 Exhibit: H)
- Exhibit I: Agency Support Letters
- Exhibit L: Water Right Holders Signature Pages
(Key provided and signatures sorted alphabetically)

Please deduct the \$350 fee from our account with OWRD. If you have any questions about the application please feel free to contact me at 541.382.4077 ext. 13, or andy@deschutesrc.org

Sincerely,

Andy Fischer
DRC Program Associate

700 NW Hill Street • Bend, Oregon 97701
(P.O. Box 1560 • 97709)
541.382.4077 • Fax 541.382.4078
www.deschutesrc.org / info@deschutesrc.org

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

Phase III

Application for Allocation and Use of Conserved Water

Please type or print in dark ink. If your application is found to be incomplete, inaccurate or does not include the required fees, we will return it to you. If any requested information does not apply to your application, insert "n/a." If you need additional space to answer any of the questions, attach a separate sheet of writing paper and reference the section number and question. A summary of review criteria and procedures that are generally applicable to these applications is available at www.wrd.state.or.us/publications/report/index.shtml.

1. APPLICANT INFORMATION

Name: Landowners and the Lower Bridge Sub-district #2 of TSID
 Address: (Landowners see Exhibit L) (Lower Bridge Sub-district #2 of TSID see address in question #3)
 Phone(s): _____
 *Fax: _____ *E-Mail address: _____
 *Optional information

2. AGENT INFORMATION

(The agent listed is authorized to represent the applicant in all matters relating to this allocation of conserved water application)

Name: Deschutes River Conservancy
 Address: PO Box 1560 Bend, OR 97709
 Phone(s): 541-382-4077 ext. 13 or ext. 17
 *Fax: 541-382-4078 *E-Mail address: andy@deschutesrc.org or scott@deschutesrc.org
 *Optional information

3. IRRIGATION & WATER CONTROL DISTRICTS

Is the project within the boundaries of an irrigation district or water control district?

Yes No

If yes, include Exhibit E and list the name and mailing address of the district: **RECEIVED**

Lower Bridge Sub-district #2 of TSID

PO Box 2230

Sisters, OR 97759

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Did an irrigation district organized under ORS Chapter 545 or a water control district organized under ORS Chapter 553 file this allocation of conserved water?

Yes No

If yes, when was the District's OAR 690-018-0025 allocation of conserved water policy adopted? 7/12/05

4. CURRENT WATER RIGHT INFORMATION

A separate page providing the information in Section 4 must be completed for each certificate, permit, decree, or other right involved in the proposed allocation of conserved water

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

<input checked="" type="checkbox"/> Certificated Right	74135	Squaw Creek Decree
--	-------	--------------------

	Certificate Number	Permit Number or Decree Name
<input type="checkbox"/> Adjudicated, Un-certificated Right	_____	_____
	Name of Decree	Page Number
<input type="checkbox"/> Permit for which Proof has been Approved	_____	_____
	Permit Number	Date Claim of Beneficial Use Submitted
<input type="checkbox"/> Transferred Right for which Proof has been Filed	_____	_____
	Previous Transfer Number	Date Claim of Beneficial Use Submitted

Name on Permit, Certificate, or Decree: Squaw Creek Irrigation District

County: Deschutes & Jefferson

Provide the following information about the water right of record:

1. Priority Date: 1895, 1899, & 1904
2. Source of Water: Whychus (formerly Squaw) Creek
3. Type of Use: irrigation, pond maintenance, and stock water

Does the application involve a water right on lands under more than one ownership?

Yes No

If yes, are all owners applicants to this allocation of conserved water?

Yes No. If no, see Exhibit J

A) What is the maximum rate and annual duty (volume) of water that may be diverted as stated on the water right of record? (If the water right is only limited by rate, do not list a duty, and conversely, if the water is only limited by duty, do not list a rate.)

1. Rate* (cfs): 37.03 (29.31 cfs 1895, 0.72 cfs 1899, 7.00 cfs 1904)

Note: 1 miner's inch = 1/40 cfs; 1 cfs = 448.8 gpm

2. Duty* (acre feet): _____

Note: 1 cfs = 1.98 ac-ft/day

* If there are multiple Priority Dates on the water right, list the rate and duty by priority date.

B) What is the maximum amount of water that can be diverted using the pre-project facilities? (If the water right is only limited by rate, do not list a duty, and conversely, if the water is only limited by duty, do not list a rate.)

1. Rate (cfs): 37.03

2. Duty (acre feet): _____

C) Describe the pre-project water delivery system. Include information on the diversion structure, pumps, and conveyance facilities (including canals, pipelines and sprinklers used to divert, convey and apply the water at the authorized place of use). Provide sufficient detail to confirm that the applicant is ready, willing, and able to exercise the right.

The total project (phases I-V) will affect only the lower portion of the TSID delivery system which provides water to irrigate 2002.65 acres on 31 farms. Phase III, of which this application pertains to, will pipe 8,125 ft. of the McKenzie Canyon Black Butte Canal; the existing canal is currently an open lateral ditch. Water rights served by the BBC total 37.03 cfs.

Water is diverted from Squaw Creek and then passed through McKenzie Reservoir and released through a Broad Crested Weir (designed by BOR) into the BBC. Over the last ten years TSID has released an average of 7,860 AF of water into the BBC, of **RECEIVED**

AF (average) have been delivered to farm take-outs. All on-farm deliveries are measured with a weir or meter and are measured daily during the irrigation season.

5. CONSERVATION MEASURES

A) Describe the type of project, check all that apply:

- On-Farm efficiency project
 Distribution project, such as a ditch piping or lining project
 Other, _____

B) Describe the proposed changes to the physical system, operations and application methods that will result in the conservation of water. If these proposed changes will change the point of diversion, see point of diversion requirement for Exhibit B. *Provide sufficient detail for public noticing of the project.*

During the construction of this project 8,125 ft. of 36" HDPE pipe will be buried in place of an open ditch, the Black Butte Canal, that serves 2002.65 acres in the Three Sisters Irrigation District. The project is expected to yield 1.51 cfs of conserved water, 100% (79.5% 1895, 2% 1899, 18.5% 1904) will be dedicated to instream use. The POD will remain the same, the water savings will come from reduced seepage due to piping an open ditch.

C) Place of Use*: See "Exhibit M"

Township	Range	Section	Quarter/Quarter	Total No. Acres
* Not required for a distribution project that does not propose to affect the on-farm rate or duty. If the entire water right is being affected, just state "entire right affected."				

6. CONSERVED WATER

A) What amount of water will be needed for the existing, authorized use after implementing conservation measures? *(If the water right is only limited by rate, do not list a duty, and conversely, if the water is only limited by duty, do not list a rate.)*

1. Rate* (cfs): 35.52 (28.11 cfs 1895, 0.69 cfs 1899, 6.72 cfs 1904)
2. Duty* (acre feet): _____

* If there are multiple **Priority Dates** on the water right, list the rate and duty by priority date.

B) What amount of water will be conserved as a result of the implementation of the conservation measures? Subtract 6A from the smaller of 4A or 4B under "irrigation system" above.

1. Rate* (cfs): 1.20 (1895), 0.03 (1904), .28 (1899)
2. Duty* (acre feet): _____

* If there are multiple **Priority Dates** on the water right, list the rate and duty by priority date.

C) What portions of the conserved water will be allocated to the state and applicant?

1. Portion going to the state (list by percent, rate and duty):
79.5%(1895) Percent 1.20 (1895, protected instream from April 1st to November 1st and all other times when TSID is diverting) Rate (cfs) n/a Duty (AF)
2. Portion going to the applicant (list by percent, rate and duty):
20.5% (2% 1899, 18.5% 1904) Percent 0.31 cfs total (0.03 1899, 0.28 1904)
Rate (cfs) n/a Duty (AF)

D) The priority for the conserved water is requested to be:

- The same as the original right, or

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One minute junior to the original right.

E) If all or part of the applicants' portion of the conserved water is to be used for an out-of-stream use at an identified location:

1. Name and address of the person using the water: _____
2. Description of the type of beneficial use of the water: _____
3. Legal description of the place of use: _____

F) If all or part of the applicants' portion of the conserved water is to be leased*, dedicated or temporarily reserved instream, a statement identifying the quantity of water to be managed as an instream water right: 0.28 cfs (1904) and 0.03 cfs (1899) will be leased instream by Lower Bridge Sub-district #2 of TSID

* Water can be temporarily protected instream without filing an OAR 690-077 Short-Term Instream Lease application.

7. LOCATION OF PROPOSED USE

A) For new out-of-stream uses, describe the boundaries of the expected area within which the diversion structures and places of use of the applicants' conserved water right would be located. This is land other than that to which this water right is appurtenant. See Exhibit B.

B) For instream uses, to the extent possible, identify the stream reach(es) for which the state's portion of the conserved water should be managed under an instream water right. Be as explicit as possible, by giving river miles, or other identifying information that might be included in the instream certificate.

From the Three Sisters Irrigation District diversion on Whychus Creek (approx. RM 23.5) to the mouth of Whychus Creek (RM 0) and to RM 120 near Lake Billy Chinook on the Deschutes River.

C) Describe the proposed benefit to instream uses.

for instream use for conservation, maintenance and enhancement of aquatic and fish life, wildlife, fish and wildlife habitat and other ecological values.

other, please describe: _____

8. MITIGATION

A) Describe any expected effects on other water rights from the proposed allocation of conserved water. Identify what currently happens to the water that is proposed to be conserved.

No effects to other appropriators are expected from the proposed allocation of conserved water. The water to be conserved is lost from the system through seepage and evaporation and is not available to other appropriators on Whychus Creek.

B) Describe any mitigation or other measures that are planned to avoid harm to other water rights.

No harm to other water rights will occur from this project.

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9. FUNDING

If more than 25% of the conserved water is proposed to be allocated to the applicant then provide Exhibit C and identify what portion of project funds (expressed as a percentage) come from federal or state public sources that are not subject to repayment. n/a

Does the Oregon Watershed Enhancement Board (OWEB) have a contractual interest in this project?

Yes No

If yes, what is the OWEB project number? 207-105

10. PROJECT SCHEDULE

If project is not yet complete:

Proposed date construction has/will begin: December 2007

Proposed date construction will be completed and notice of project completion will be filed: April 2008

Proposed date the project will be finalized: upon completion

If project is already complete:

Date it was implemented: _____ (Provide Exhibit K)

The applicant requests:

That the allocation be finalized, or

Additional time be granted to prove that the project worked to the applicant's satisfaction before finalizing the allocation of conserved water. Indicate the amount of time desired 2 years (up to five years after completion of the project may be allocated).

11. ACKNOWLEDGMENT OF FORFEITURE

Complete this if the Certified Water Right Examiner's map shows less acreage has been irrigated over the past five years than allowed under the right.

I am aware that _____ acre(s) have not been irrigated for the last five years and I am abandoning that portion of the water right and make no further claim for the water. I ask that this _____ acre(s) portion of the right be permanently canceled.

12. EXHIBITS

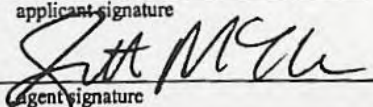
Check each of the following attachments included with this application. All attachments are required unless otherwise noted. The application will be returned if all required attachments are not included.

<p>Exhibit (Form) A – Evidence of Use Affidavits</p> <p><input checked="" type="checkbox"/> 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. The form is available at http://www1.wrd.state.or.us/pdfs/TransferAffidavit-2003.pdf</p>	<p>Exhibit H - Ownership & Lien Information</p> <p><input checked="" type="checkbox"/> Provide if application involves:</p> <ul style="list-style-type: none">• on-farm efficiency project, and/or• distribution project affecting specified lands. <p>Provide a report of ownership and lien information or a current recorded deed to the subject lands.</p> <p>Exhibit I – Support Letters from ODFW DEQ and OP&RD</p>
---	--

<p>Exhibit B – Map <input checked="" type="checkbox"/> See OAR 690-018-0040(17) and 690-018-0062(3)(a) and additional information page.</p> <p>Exhibit C - Project Funding Description <input type="checkbox"/> Provide if more than 25% of water goes to applicant. See OAR 690-018-0040(18).</p> <p>Exhibit D – Identification and Resolution of Water Right Conflicts <input type="checkbox"/> Provide if construction has begun or been completed and if more than 25% of the project costs have been expended prior to filing this application. See OAR 690-018-0040(19).</p> <p>Exhibit E – Letter of Approval from the Irrigation District <input checked="" type="checkbox"/> Provide if project is located within boundaries of an irrigation district and the district is not the applicant. See OAR 690-018-0040(20).</p> <p>Exhibit F – District Conserved Water Policy <input type="checkbox"/> Provide if applicant is an Irrigation District or Water Control District. See OAR 690-018-0040(21) & 690-018-0025.</p> <p>Exhibit G - Land Use Information Form <input checked="" type="checkbox"/> See OAR 690-018-0040(22). The land use form is available at: http://www1.wrd.state.or.us/pdfs/landuseform.pdf</p>	<p><input checked="" type="checkbox"/> Letters from ODFW, DEQ, and OP&RD indicating that they have been consulted and indicating that at least one of the agencies attests that conserved water is needed to support instream uses. See OAR 690-018-0050(4)(f).</p> <p>Exhibit J –Water Right Clarification & Notification of Affected Persons <input type="checkbox"/> Provide if the application involves water rights for <ul style="list-style-type: none"> lands under multiple ownerships and not all of the owners are applicants, <u>and</u> the project is not being submitted by a District as a distribution project and/or which the current final proof survey maps for lands involved in the application do not adequately describe the location of the place of use or the associated priority dates of the associated water rights See additional information page. <i>Consult with Department staff if there is any question regarding the need for submittal</i></p> <p>Exhibit K –Evidence that the Project was Implemented Within 5 Years. <input type="checkbox"/> Provide if project was completed before application submittal. See OAR 690-018-0040(12)(a).</p> <p>Fees: <input checked="" type="checkbox"/> Amount enclosed: \$ 350.00 See OAR 690-018-0040(25) and the Department's Fee Schedule at http://oregon.gov/OWRD/PUBS/forms.shtml#fees or call (503) 986-0900.</p>
---	--

13. SIGNATURE

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

	Landowners -- see Exhibit L	
applicant signature	name (print)	date
	Scott McCaulou, DRC Senior Program Director	2-27-07
agent signature	name (print)	date

Before submitting your application, be sure you have:

- answered each question completely;
- included the required attachments;
- provided original signatures for all owners of record holding an interest in the right in interest affected by the Oregon Water Resources Department for the appropriate amount;

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Exhibit A: Evidence of Use Affidavits
(refer to Phase IV Exhibit: A or CW-44 Exhibit: A)

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SALEM, OREGON**

TSID Piping- McKenzie Canyon Phases 2, 3 & 4 Conserved Water Checklist

Landowner		Mailing Address			Landowner Checklist		
Last	First	Address	City, State, Zip	Phone Number	Deed	Affadavit	Water Right Holder Signature
Brandon	William & Pamela	31325 NE 111th Place	Carnation, WA 98014	(253) 564-9371	X	X	X
Burdick	Randy & Mary	P.O. Box 944	Sisters, OR 97759	(541) 923-1371	X	X	X
Calavan	Steve	70345 McKenzie Canyon	Terrebonne, OR 97760	(541) 383-1733	X	X	X
Cooper	Glen	1500 Lower Bridge Rd.	Terrebonne, OR 97760	(541) 548-4681	X	X	X
DiPaolo	Tim	P.O. Box 724	Bolinas, CA 94924	(415) 868-0239	X	X	X
Dutson	Thayne & Margaret	4306 Arrowhead Circle	Corvallis, OR 97330	(541) 740-6781	X	X	X
Dykes	Dana & Evelyn	70520 McKenzie Canyon	Terrebonne, OR 97760	(541) 548-6360	X	X	X
Gibbs	Ken & Jacqueline	70177 McKenzie Canyon	Terrebonne, OR 97760	(541) 923-6247	X	X	X
Giegerich	Joseph & Dana	P.O. Box 341	Silverton, OR 97381	(503) 931-7824	X	X	X
Kelley	William	70105 Holmes Rd.	Sisters, OR 97759	(541) 923-0509	X	X	X
Kidson	Don	1457 12th Street	Santa Monica, CA 90401	(310) 395-6337	X	X	X
Ludi	David	19595 SE Martin Road	Sandy, OR 97055	(503) 668-5280	X	X	X
Lawrence	Chris & David	RT 1 Box 246	Terrebonne, OR 97760	(541) 548-6870	X	X	X
Long Hollow Ranch	c/o Richard Bloomfeldt	71105 Holmes Rd.	Sisters, OR 97759	(541) 923-5540	X	X	X
McKibbin	Darwin & Josephine	P.O. Box 81	Terrebonne, OR 97760	(541) 548-2116	X	X	X
Mohr	Steven and Linda	9479 SW Meadow Road	Terrebonne, OR 97760	(541) 514-0177	X	X	X
Mulkey	David & Phyllis	501 Delay Dr.	Eugene, OR 97404	(541) 688-1447	X	X	X
Parks	David & Ruth	70425 McKenzie Canyon	Terrebonne, OR 97760	(541) 420-4637	X	X	X
Powers	Sherode & Susan	70466 McKenzie Canyon	Terrebonne, OR 97760	(541) 548-5204	X	X	X
Shirazi	Mostafa & Shirazi	2125 NW Jackson Creek	Corvallis, OR 97330	(541) 754-4656	X	X	X
Simpson	Steve & Kathy	16600 NW Lower Bridge	Terrebonne, OR 97760	(541) 548-5800	X	X	X
Sparks	Stephen & Elisabeth	12021 Wetherfield Lane	Potomac, MD 20854	(301) 869-1842	X	X	X
Spear	Stephen	70915 Lower Bridge	Terrebonne, OR 97760	(541) 548-7612	X	X	Awaiting signature
Taylor	Kenneth	70290 McKenzie Canyon	Terrebonne, OR 97760	(541) 548-1981	X	X	X
Thalacker	Marc & Pamela	70625 Lower Bridge	Terrebonne, OR 97760	(541) 419-5850	X	X	X
Tisher	Kenneth R.	2044 NW Trenton	Bend, OR 97701		X	X	X
Thomas & McCoy	Jaqueline & Dee Ann	911 SW 57th Ave	Portland, OR 97221	(503) 671-2651	X	X	X
Vejrostek	William	P.O. Box 335	Terrebonne, OR 97760	(541) 501-0029	X	X	X
McKenzie Canyon Group: John Ferera (Representative)							
Ferera	John	70105 Holmes Rd.	Sisters, OR 97759	(541) 548-5470	X	X	X Signed For Entire Group
Barry	John	70104 Running Horse Ct.	Sisters, OR 97759	(541) 923-8792	X	X	
Bigney	Clive	18630 McSwain Drive	Sisters, OR 97759	(541) 504-1672	X	X	
Leig	R. Hunter	515 S. McLoughlin Blvd	Oregon City, OR 97045	(503) 803-1222	X	X	
Mon	L. Kline Family Limited Partnership	70090 Holmes Rd.	Sisters, OR 97759		X	X	
Low	Bridge Sub-District #2 of TSID	P.O. Box 2230	Sisters, OR 97759	(541) 549-8815	X		X

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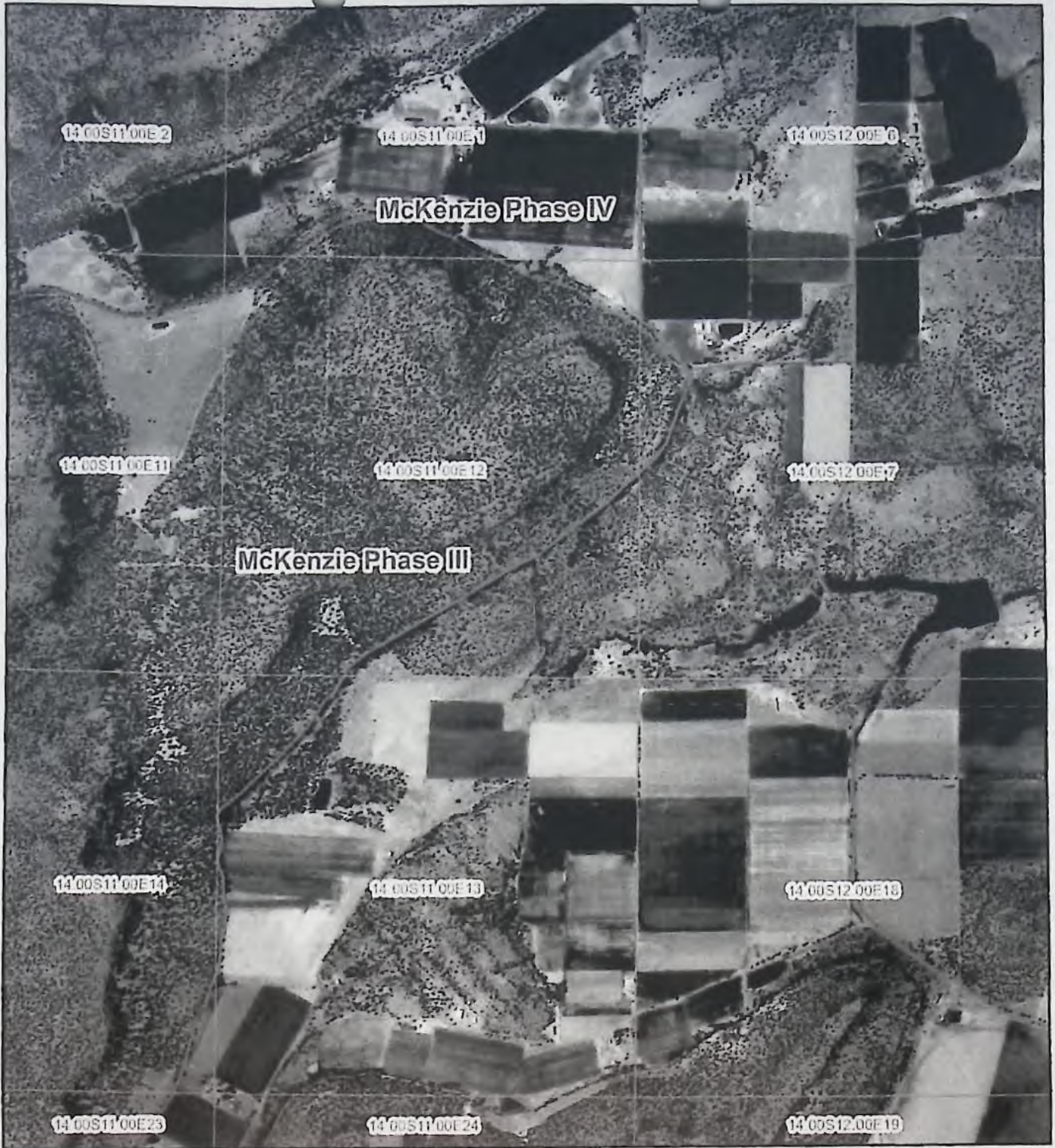
Exhibit B: Map of McKenzie Piping Project

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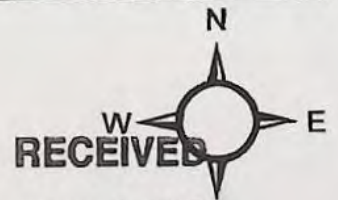
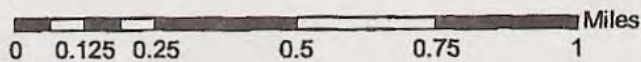
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**WATER RESOURCES DEPT
SALEM, OREGON**

TSID McKenzie Piping Project



- McKenzie Canyon Pipeline
- Streams
- + Division Between Phases



FEB 28 2007S

WATER RESOURCES DEPT
SALEM, OREGON

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

In the Matter of the Allocation of Conserved) ORDER FINALIZING THE
Water Application CW-44 for Certificate) ALLOCATION OF CONSERVED
74135, Deschutes and Jefferson Counties) WATER

ORS 537.455 to 537.500 as amended by 2003 HB 2456, authorize and establish the process in which a water right holder may submit a request for an allocation of conserved water. OAR Chapter 690, Division 018 implements the statutes and provides the Department's procedures and criteria for evaluating allocation of conserved water applications.

Findings of Fact

1. On April 13, 2006, Lower Bridge Sub-District #2 of Three Sisters Irrigation District and the landowners listed below filed an allocation of conserved water application. The Department assigned the application number CW-44.

Randy & Mary Burdick	William & Pamela Brandon	Steve Calavan
Glenn Cooper	Tim DiPaolo	Thayne & Margaret Dutson
Dana & Evelyn Dykes	Emmett Ranch, LLC	Ken & Jacqueline Gibbs
Joseph & Dana Giegerich	William Kelley	Don Kidson
David & Chris Lawrence	Long Hollow Ranch	McKenzie Canyon Group
Darwin & Josephine McKibbin	David & Phyllis Mulkey	David & Ruth Parks
Mostafa & Naoko Shirazi	Steve & Kathy Simpson	Stephen & Elizabeth Sparks
Stephen Spears	Kenneth Taylor	Marc & Pamela Thalacker
Jaqueline A. Thomas DeeAnn R. McCoy	William F. Vejrostek	

NOTICE OF RIGHT TO PETITION FOR JUDICIAL REVIEW OR RECONSIDERATION

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.

2. On December 15, 2006, the Department issued Special Order Volume 70, Page 656 approving the allocation of conserved water.
3. On April 10, 2007, applicant indicated that the conservation project has been completed and requested that the project be finalized.

Now, therefore, it is ORDERED:

Consistent with Special Order Volume 70, Page 656, the Department takes the following actions:

1. Certificate 74135 shall be modified. A new superseding certificate shall be issued to Three Sisters Irrigation District for the remaining portion of Certificate 74135 upon a determination that it is necessary to produce a certificate to confirm that remaining portion of the water right. Approval of this allocation of conserved water reduces the amount of water lawfully available under the remaining portion of Certificate 74135 as described below:

Priority Date	Rate (cfs)
1895	1.20
1899	0.03
1904	0.28
<i>Total</i>	<i>1.51</i>

The acreage, rate, duty, and priority dates are subject to modification by any previously approved transfers, cancellations, corrections, allocation of conserved water, or other prior modification to Certificate 74135. The associated priority date and rate of the remaining right shall be approximately:

Priority	Maximum CFS
1869	0.96
1885	1.58
1887	3.00
1889	4.03
1893	0.79
1895	113.14
1899	2.15
1900	1.08
1901	0.45
1903	7.21
1904	17.13

The maximum per acre rate of the acres affected by this allocation of conserved water, described below, is reduced from 1/50 cfs per acre to 1/52 cfs per acre.

<u>Lot</u>	<u>qQ</u>	<u>Tax lot</u>	<u>Acres</u>	<u>Type</u>	<u>Priority</u>	<u>Owner as listed on Certificate 74135</u>
	SE¼ SE¼	1300	34.00	IRR	1904	Cooper, Glenn
				Section 19		
	SW¼ NE¼	1401	17.50	IRR	1895	Cooper, Glenn
	SW¼ NE¼	1401	23.50	IRR	1904	Cooper, Glenn
	SE¼ NE¼	1401	8.50	IRR	1904	Cooper, Glenn

<u>Lot</u>	<u>gQ</u>	<u>Tax lot</u>	<u>Acres</u>	<u>Type</u>	<u>Priority</u>	<u>Owner as listed on Certificate 74135</u>
	NE $\frac{1}{4}$ NW $\frac{1}{4}$	1401	22.00	IRR	1904	Cooper, Glenn
	SW $\frac{1}{4}$ NW $\frac{1}{4}$	1401	8.50	IRR	1904	Cooper, Glenn
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	1401	17.00	IRR	1895	Cooper, Glenn
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	1401	23.00	IRR	1904	Cooper, Glenn
	NW $\frac{1}{4}$ SW $\frac{1}{4}$	1401	18.00	IRR	1904	Cooper, Glenn
	NW $\frac{1}{4}$ SW $\frac{1}{4}$	1401	4.00	POND	1904	Cooper, Glenn
	SW $\frac{1}{4}$ SW $\frac{1}{4}$	1401	30.00	IRR	1904	Cooper, Glenn
	NE $\frac{1}{4}$ SE $\frac{1}{4}$	1401	4.00	IRR	1904	Cooper, Glenn
	NW $\frac{1}{4}$ SE $\frac{1}{4}$	1401	6.00	IRR	1904	Cooper, Glenn
Section 20						
	NW $\frac{1}{4}$ NW $\frac{1}{4}$	1401	39.00	IRR	1895	Cooper, Glenn
	SW $\frac{1}{4}$ NW $\frac{1}{4}$	1900	37.00	IRR	1895	Mulkey, David & Phyllis
	NW $\frac{1}{4}$ SW $\frac{1}{4}$	1900	21.00	IRR	1895	Mulkey, David & Phyllis
	NW $\frac{1}{4}$ SW $\frac{1}{4}$	1900	8.00	IRR	1899	Mulkey, David & Phyllis
	NW $\frac{1}{4}$ SW $\frac{1}{4}$	1900	11.00	IRR	1904	Mulkey, David & Phyllis
	SW $\frac{1}{4}$ SW $\frac{1}{4}$	2000	16.00	IRR	1895	Kidson, Don
Section 29						
	NE $\frac{1}{4}$ NE $\frac{1}{4}$	1401	11.00	IRR	1895	Cooper, Glenn
	NE $\frac{1}{4}$ NE $\frac{1}{4}$	1401	30.00	IRR	1904	Cooper, Glenn
	SW $\frac{1}{4}$ NE $\frac{1}{4}$	1900	2.00	IRR	1895	Mulkey, David & Phyllis
	SW $\frac{1}{4}$ NE $\frac{1}{4}$	1900	14.00	IRR	1904	Mulkey, David & Phyllis
	SE $\frac{1}{4}$ NE $\frac{1}{4}$	1900	38.00	IRR	1895	Mulkey, David & Phyllis
	SE $\frac{1}{4}$ NE $\frac{1}{4}$	1900	1.00	POND	1895	Mulkey, David & Phyllis
	NE $\frac{1}{4}$ SE $\frac{1}{4}$	1900	40.00	IRR	1904	Mulkey, David & Phyllis
	NW $\frac{1}{4}$ SE $\frac{1}{4}$	1900	20.00	IRR	1904	Mulkey, David & Phyllis
	SW $\frac{1}{4}$ SE $\frac{1}{4}$	2000	6.00	IRR	1895	Kidson, Don
	SW $\frac{1}{4}$ SE $\frac{1}{4}$	2000	0.50	POND	1895	Kidson, Don
	SE $\frac{1}{4}$ SE $\frac{1}{4}$	2000	9.00	IRR	1895	Kidson, Don
	SE $\frac{1}{4}$ SE $\frac{1}{4}$	2000	5.00	IRR	1904	Kidson, Don
Section 30						
	NE $\frac{1}{4}$ NE $\frac{1}{4}$	2000	9.00	IRR	1895	Kidson, Don
	NW $\frac{1}{4}$ NE $\frac{1}{4}$	2000	6.00	IRR	1895	Kidson, Don
	SW $\frac{1}{4}$ NE $\frac{1}{4}$	2000	8.00	IRR	1895	Kidson, Don
	SE $\frac{1}{4}$ NE $\frac{1}{4}$	2000	13.50	IRR	1895	Kidson, Don
	NE $\frac{1}{4}$ SW $\frac{1}{4}$	2100	3.50	IRR	1895	Page, Richard
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	2100	25.00	IRR	1895	Page, Richard
Section 31						
	NW $\frac{1}{4}$ NW $\frac{1}{4}$	2000	1.00	IRR	1895	Kidson, Don
Section 32						
Township 13 South, Range 12 East, W.M.						
	NE $\frac{1}{4}$ SW $\frac{1}{4}$	101	5.00	IRR	1895	Long Hollow Ranch
	SW $\frac{1}{4}$ SW $\frac{1}{4}$	101	18.00	IRR	1895	Long Hollow Ranch
	SW $\frac{1}{4}$ SW $\frac{1}{4}$	101	4.00	IRR	1904	Long Hollow Ranch

<u>Lot</u>	<u>qQ</u>	<u>Tax lot</u>	<u>Acres</u>	<u>Type</u>	<u>Priority</u>	<u>Owner as listed on Certificate 74135</u>
	SE¼ SW¼	101	32.00	IRR	1895	Long Hollow Ranch
	SE¼ SW¼	101	2.00	IRR	1904	Long Hollow Ranch
	NW¼ SE¼	101	16.00	IRR	1895	Long Hollow Ranch
	SW¼ SE¼	101	36.50	IRR	1895	Long Hollow Ranch
	SE¼ SE¼	101	26.00	IRR	1895	Long Hollow Ranch
Section 1						
	SE¼ SE¼	101	11.00	IRR	1895	Long Hollow Ranch
Section 2						
	NE¼ NE¼	101	25.50	IRR	1895	Long Hollow Ranch
	NE¼ NE¼	101	1.00	IRR	1904	Long Hollow Ranch
	NW¼ NE¼	101	17.50	IRR	1895	Long Hollow Ranch
	NW¼ NE¼	101	2.50	IRR	1904	Long Hollow Ranch
	NE¼ NW¼	101	4.00	IRR	1895	Long Hollow Ranch
Section 11						
	NE¼ NE¼	103	23.50	IRR	1895	Long Hollow Ranch
	NW¼ NE¼	103	8.50	IRR	1895	Long Hollow Ranch
	NW¼ NW¼	100	6.00	IRR	1895	Long Hollow Ranch
	NW¼ NW¼	100	3.00	IRR	1904	Long Hollow Ranch
Section 12						
	NW¼ NE¼	200	5.00	IRR	1895	Simon, Jim
	SW¼ NE¼	300	0.68	IRR	1895	Friend, Chester & Pamela
	SE¼ NE¼	401	14.00	IRR	1895	Friend, Chester & Pamela
	NE¼ NW¼	200	19.50	IRR	1904	Simon, Jim
	SW¼ NW¼	500	13.50	IRR	1895	Simon, Jim
	SE¼ NW¼	500	5.50	IRR	1895	Simon, Jim
	NE¼ SW¼	500	8.00	IRR	1895	Simon, Jim
	NW¼ SW¼	500	33.00	IRR	1895	Simon, Jim
	SW¼ SW¼	700	21.50	IRR	1895	Kavanagh, Geraldine
	SW¼ SW¼	700	0.50	IRR	1904	Kavanagh, Geraldine
	SW¼ SW¼	800	4.00	IRR	1895	Kavanagh, Geraldine
	SE¼ SW¼	600	5.87	IRR	1895	Sanders, Ed & Betty
	NE¼ SE¼	401	37.00	IRR	1895	Friend, Chester & Pamela
	NW¼ SE¼	300	1.50	IRR	1895	Friend, Chester & Pamela
	SW¼ SE¼	400	22.00	IRR	1895	Sanders, Ed & Betty
	SE¼ SE¼	400	12.00	IRR	1895	Sanders, Ed & Betty
	SE¼ SE¼	401	12.00	IRR	1895	Friend, Chester & Pamela
Section 13						
	SE¼ SE¼	700	3.50	IRR	1895	Kavanagh, Geraldine
	SE¼ SE¼	700	3.10	IRR	1904	Kavanagh, Geraldine
	SE¼ SE¼	800	2.00	IRR	1895	Kavanagh, Geraldine
Section 14						
	NE¼ SW¼	600	2.10	IRR	1895	Elmore, Michael

<u>Lot</u>	<u>qQ</u>	<u>Tax lot</u>	<u>Acres</u>	<u>Type</u>	<u>Priority</u>	<u>Owner as listed on Certificate 74135</u>
	NE¼ SW¼	700	2.10	IRR	1895	Elmore, Michael
	SE¼ SW¼	600	2.90	IRR	1895	Elmore, Michael
	SE¼ SW¼	900	9.00	IRR	1895	Elmore, Michael
	NW¼ SE¼	700	2.90	IRR	1895	Elmore, Michael

Section 22

	NE¼ NE¼	100	6.00	IRR	1895	Kavanagh, Geraldine
	NE¼ NE¼	100	1.50	IRR	1904	Kavanagh, Geraldine
	NE¼ NE¼	200	15.00	IRR	1895	Helikson, Paul & Sherry
	NE¼ NE¼	400	1.50	IRR	1895	Kavanagh, Geraldine
	SE¼ NE¼	300	19.80	IRR	1895	Helikson, Paul & Sherry
	SW¼ SW¼	1400	6.80	IRR	1899	Burdick, Robert R.
	SE¼ SW¼	1200	4.20	IRR	1895	Kelley, William & Mildred
	SE¼ SW¼	1300	7.50	IRR	1899	Burdick, Robert R.
	NE¼ SE¼	800	8.00	IRR	1895	Vestal, William & Victoria
	NW¼ SE¼	400	8.00	IRR	1895	Volz, Charles & Jan
	NW¼ SE¼	700	6.50	IRR	1895	Volz, Charles & Jan
	SW¼ SE¼	1000	1.80	IRR	1895	Shirazi, Mostafa & Naoko
	SW¼ SE¼	1100	5.00	IRR	1895	Burdick, Joyce G.
	SW¼ SE¼	1100	5.20	IRR	1899	Burdick, Joyce G.

Section 23

	NE¼ NE¼	100	2.70	IRR	1895	Sanders, Ed & Betty
	NW¼ NE¼	100	1.50	IRR	1895	Sanders, Ed & Betty
	NW¼ NW¼	400	6.00	IRR	1895	Kavanagh, Geraldine
	NW¼ NW¼	500	1.50	IRR	1895	Kavanagh, Geraldine

Section 24

	NW¼ NE¼	300	5.00	IRR	1895	Elmore, Michael
	NW¼ NE¼	400	4.00	IRR	1895	Elmore, Michael

Section 27

Township 13 South, Range 11 East, W.M.

1	NE¼ NE¼	800	15.50	IRR	1895	Williams, Don & Myrtle
2	NW¼ NE¼	800	27.00	IRR	1895	Williams, Don & Myrtle
	SW¼ NE¼	800	25.00	IRR	1895	Williams, Don & Myrtle
	SE¼ NE¼	800	10.00	IRR	1895	Williams, Don & Myrtle
3	NE¼ NW¼	800	10.50	IRR	1895	Williams, Don & Myrtle
	SE¼ NW¼	800	7.00	IRR	1895	Williams, Don & Myrtle

Section 5

3	NE¼ NW¼	902	40.00	IRR	1895	Page, Richard
	SE¼ NW¼	902	1.50	IRR	1895	Page, Richard
	SE¼ NW¼	902	6.00	IRR	1904	Page, Richard
	NE¼ SW¼	900	5.00	IRR	1895	Wallace, Al
6	NW¼ SW¼	1000	2.50	IRR	1895	Wallace, Al
6	NW¼ SW¼	1000	6.00	IRR	1904	Wallace, Al

<u>Lot</u>	<u>qQ</u>	<u>Tax lot</u>	<u>Acres</u>	<u>Type</u>	<u>Priority</u>	<u>Owner as listed on Certificate 74135</u>
7	SW¼ SW¼	1000	35.00	IRR	1895	Wallace, Al
7	SW¼ SW¼	1000	5.00	IRR	1904	Wallace, Al
	SE¼ SW¼	900	25.50	IRR	1895	Wallace, Al
	SE¼ SW¼	900	6.00	IRR	1904	Wallace, Al
	SW¼ SE¼	800	18.00	IRR	1895	Williams, Don & Myrtle
Section 6						
	NW¼ NE¼	800	11.00	IRR	1895	Williams, Don & Myrtle
	NW¼ NE¼	800	11.50	IRR	1899	Williams, Don & Myrtle
	NE¼ NW¼	999	17.50	IRR	1895	Wallace, Al
1	NW¼ NW¼	1000	31.00	IRR	1895	Wallace, Al
1	NW¼ NW¼	1000	0.50	POND	1895	Wallace, Al
	SE¼ NW¼	1199	27.00	IRR	1895	Lawrence, David & Chris
4	SW¼ SW¼	1102	6.00	IRR	1895	Powers, Sherode & Susan
	SE¼ SW¼	1102	2.50	IRR	1895	Powers, Sherode & Susan
	SE¼ SW¼	1102	2.50	POND	1895	Powers, Sherode & Susan
	SE¼ SW¼	1401	1.00	POND	1904	Thalacker, Marc & Pamela
	SW¼ SE¼	1401	4.00	IRR	1895	Thalacker, Marc & Pamela
	SW¼ SE¼	1401	8.00	POND	1904	Thalacker, Marc & Pamela
	SE¼ SE¼	1401	11.50	IRR	1895	Thalacker, Marc & Pamela
	SE¼ SE¼	1401	6.00	POND	1904	Thalacker, Marc & Pamela
Section 7						
	SW¼ NW¼	1401	32.50	IRR	1895	Thalacker, Marc & Pamela
Section 17						
	NE¼ NE¼	1401	40.50	IRR	1895	Thalacker, Marc & Pamela
	NW¼ NE¼	1401	29.50	IRR	1895	Thalacker, Marc & Pamela
	SW¼ NE¼	1401	37.00	IRR	1895	Thalacker, Marc & Pamela
	SE¼ NE¼	1401	32.50	IRR	1895	Thalacker, Marc & Pamela
	NE¼ NW¼	1102	27.50	IRR	1895	Powers, Sherode & Susan
1	NW¼ NW¼	1102	32.00	IRR	1895	Powers, Sherode & Susan
2	SW¼ NW¼	1102	38.50	IRR	1895	Powers, Sherode & Susan
	SE¼ NW¼	1102	38.00	IRR	1895	Powers, Sherode & Susan
	NE¼ SW¼	1102	23.00	IRR	1895	Powers, Sherode & Susan
	NE¼ SW¼	2200	5.50	IRR	1895	Peterson, Robert & Paula
3	NW¼ SW¼	1102	34.00	IRR	1895	Powers, Sherode & Susan
3	NW¼ SW¼	2100	5.00	IRR	1895	Peterson, Robert & Paula
4	SW¼ SW¼	2100	19.50	IRR	1895	Peterson, Robert & Paula
	NW¼ SE¼	1401	15.00	IRR	1895	Thalacker, Marc & Pamela
	NW¼ SE¼	1401	1.50	IRR	1904	Thalacker, Marc & Pamela

Section 18

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

Additionally, lands involved in transfer applications T-8392, T-8994, T-9621 are part of this allocation of conserved water project. The authorized place of use ("FROM" lands) as described in these transfer applications and as listed on Certificate 74135 are:

Transfer T-8392:

<u>qQ</u>	<u>Tax lot</u>	<u>Acres</u>	<u>Type</u>	<u>Priority</u>	<u>Owner as listed on Certificate 74135</u>
SW¼ NE¼	100	4.50	IRR	1895	Simon, Cheryle
SE¼ NW¼	101	1.00	IRR	1895	Simon, Cheryle

Section 5

Township 15 South, Range 11 East, W.M.

Transfer T-8994:

<u>qQ</u>	<u>Tax lot</u>	<u>Acres</u>	<u>Type</u>	<u>Priority</u>	<u>Owner as listed on Certificate 74135</u>
SE¼ SE¼	700	5.00	IRR	1895	Tumalo Farms

Section 8

Township 15 South, Range 11 East, W.M.

Transfer T-9621:

<u>qQ</u>	<u>Tax lot</u>	<u>Acres</u>	<u>Type</u>	<u>Priority</u>	<u>Owner as listed on Certificate 74135</u>
NE¼ SE¼	100	2.00	IRR	1895	Tumalo Farms

Section 8

Township 15 South, Range 11 East, W.M.

The proposed place of use ("TO" lands) which shall have the maximum per acre rate of 1/50 cfs reduced to 1/52 cfs per acre are:

Transfer T-8392:

<u>qQ</u>	<u>Tax lot</u>	<u>Acres</u>	<u>Type</u>	<u>Priority</u>
NE¼ NE¼	406	5.50	IRR	1895

Section 24

Township 14 South, Range 11 East, W.M.

Transfer T-8994:

<u>qQ</u>	<u>Tax lot</u>	<u>Acres</u>	<u>Type</u>	<u>Priority</u>
NE¼ SE¼	3000	2.10	IRR	1895
SE¼ SE¼	3000	2.90	IRR	1895

Section 12

Township 14 South, Range 11 East, W.M.

Transfer T-9621:

<u>qQ</u>	<u>Tax lot</u>	<u>Acres</u>	<u>Type</u>	<u>Priority</u>
NE¼ SW¼	2200	2.00	IRR	1895

Section 18

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

The place of use shall be those lands described under Certificate 74135, as modified by any transfers completed pursuant to ORS 540.580 or other prior modifications.

All other conditions and limitations of the existing water right and any related decree shall be included in the superseding certificate.

2. The conserved water held by Lower Bridge Sub-District #2 of Three Sister Irrigation District may be used to irrigate a maximum of 16.11 acres of new land, being 1.56 equivalent-acres with a 1899 priority date and 14.55 equivalent-acres with a 1904 priority date, within Lower Bridge Sub-District #2 of Three Sister Irrigation District that are served by the Three Sisters Irrigation District point of diversion for Certificate 74135, being:

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
15 S	10 E	WM	21	SW SW	998 FEET NORTH AND 1211 FEET EAST FROM THE SW CORNER OF SECTION 21

The maximum rate for the lands shall be 1/52 cfs per acre-equivalent.

3. The conserved water held by Lower Bridge Sub-District #2 of Three Sister Irrigation District shall be reserved instream until a permanent place of use is determined. The priority date and rate that shall be reserved instream are:

Priority Date	Rate (cfs)
1899	0.03
1904	0.28
<i>Total</i>	<i>0.31</i>

This water will be protected in Whychus Creek from the authorized point of diversion (approximately River Mile 23.5) for Certificate 74135 at:

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
15 S	10 E	WM	21	SW SW	998 FEET NORTH AND 1211 FEET EAST FROM THE SW CORNER OF SECTION 21

to the mouth of the Whychus Creek, at River Mile 0.0.

4. Once a permanent place of use is determined for the applicant's share of the conserved water, Lower Bridge Sub-District #2 of Three Sister Irrigation District shall submit a statement consistent with OAR 690-018-0062 (3)(a) that identifies:
- The name and address of the person using the water;
 - A description of the type of beneficial use of the water;
 - A legal description of the place of use; and
 - A map that meets the standards in OAR 690-310-0050.

Prior to water being used at the new location, approval must be obtained from the Department. Once water has been used at the new location, if the applicant notifies the Department that the respective right has become appurtenant to the specified lands and provides satisfactory proof, the Department shall issue a certificate for the use of water at the identified location. If the water is to be permanently protected instream at the location described in #3 above, then the applicant does not need to submit proof that the water right

has become appurtenant to the "specified lands." Instead, the applicant must notify the Department in writing of their desire to permanently have the water protected instream.

When required by the Department, the water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

All other conditions and limitations of the existing water right, Certificate 74135, and any related decree shall be included in the new certificate.

5. A new instream certificate shall be issued for conservation, maintenance and enhancement of aquatic and fish life, wildlife, fish and wildlife habitat and other ecological values in Whychus Creek from the authorized point of diversion (approximately River Mile 23.5) for Certificate 74135 at:

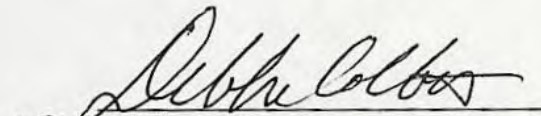
Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
15 S	10 E	WM	21	SW SW	998 FEET NORTH AND 1211 FEET EAST FROM THE SW CORNER OF SECTION 21

to the mouth of the Whychus Creek, at River Mile 0.0.

The instream water right shall be for a total of 1.20 cfs, with a 1895 priority date, and shall replace a portion of instream water rights established pursuant to ORS 537.341 or 537.346 and shall be in addition to any instream water rights established pursuant to ORS 537.348 or 537.470, unless otherwise specified by a subsequent order establishing a new instream water right. The rights shall allow for the use and protection of flows from April 1 through October 31 and at other times when Three Sisters Irrigation District, or its successor, is diverting water.

Dated at Salem, Oregon this 13th day of April, 2007.


Phillip C. Ward
Director

Date of Mailing: APR 17 2007

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

In the Matter of Proposed Allocation of) **FINAL ORDER APPROVING**
Conserved Water Application) **ALLOCATION OF CONSERVED**
CW-44, Deschutes and Jefferson Counties) **WATER**

ORS 537.455 to 537.500 as amended by 2003 HB 2456, authorize and establish the process in which a water right holder may submit a request for an allocation of conserved water. OAR Chapter 690, Division 18 implements the statutes and provides the Department's procedures and criteria for evaluating allocation of conserved water applications.

Applicant

**LOWER BRIDGE SUB-DISTRICT #2
OF THREE SISTER IRRIGATION DISTRICT and LANDOWNERS
PO BOX 2230
SISTERS OR 97759**

Findings of Fact

1. On April 13, 2006, Lower Bridge Sub-District #2 of Three Sister Irrigation District and the landowners listed below filed an allocation of conserved water application. Supplemental information needed to complete the application was received on September 28, 2006. The Department assigned the application number CW-44.

Randy & Mary Burdick
P.O. Box 944
Sisters, Oregon 97759
(541) 923-1371

William & Pamela Brandon
31323 NE 111th Place
Carnation, Washington 98014
(253) 564-9371

Steve Calavan
70345 McKenzie Canyon Rd.
Terrebonne, Oregon 97760
(541) 383-1733

Glenn Cooper
15000 Lower Bridge Rd.
Terrebonne, Oregon 97760
(541) 548-4681

Tim DiPaolo
P.O. Box 724
Bollinas, California 94924
(415) 868-0239

Thayne & Margaret Dutson
4306 Arrowhead Circle
Corvallis, Oregon 97330
(541) 752-8183

Dana & Evelyn Dykes
70520 McKenzie Canyon
Terrebonne, Oregon 97760
(541) 548-6360

Emmett Ranch, LLC
Attn: John Short
P.O. Box 1830
Bend, Oregon 97709
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NOTICE OF RIGHT TO PETITION FOR JUDICIAL REVIEW OR RECONSIDERATION

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.