

T-10492

WITHDRAWN

Permit A

Name Cline Butte Utility CompanyAddress 1230 Golden Pheasant
Redmond, OR 97756
541-504-3110 541-923-6881 FaxChange in APOA POU
Date Filed 11/29/07
Initial notice date 12-26-07
DPD issued date _____
PD issued date _____
PD notice date _____
Date of FO 3-5-10 Vol 80 Page 407C-Date _____
COBU due date _____
COBU Received date _____
Certificate issued _____

DESCRIPTION OF WATER RIGHT(S)

Name of Stream WellsTrib. of Deschutes RiverUse Q-mu County Deschutes
Quantity of water (CFS) _____ No. of Acres _____

Name of ditch _____

App #	Per #	Cert #	PR Date
<u>612905</u>	<u>G11762</u>	<u>85471</u>	<u>1992</u>
App #	Per #	Cert #	PR Date
App #	Per #	Cert #	PR Date
App #	Per #	Cert #	PR Date
App #	Per #	Cert #	PR Date

Date 11/29/07 FE
An 12Date 3/22/10 FE
An 100

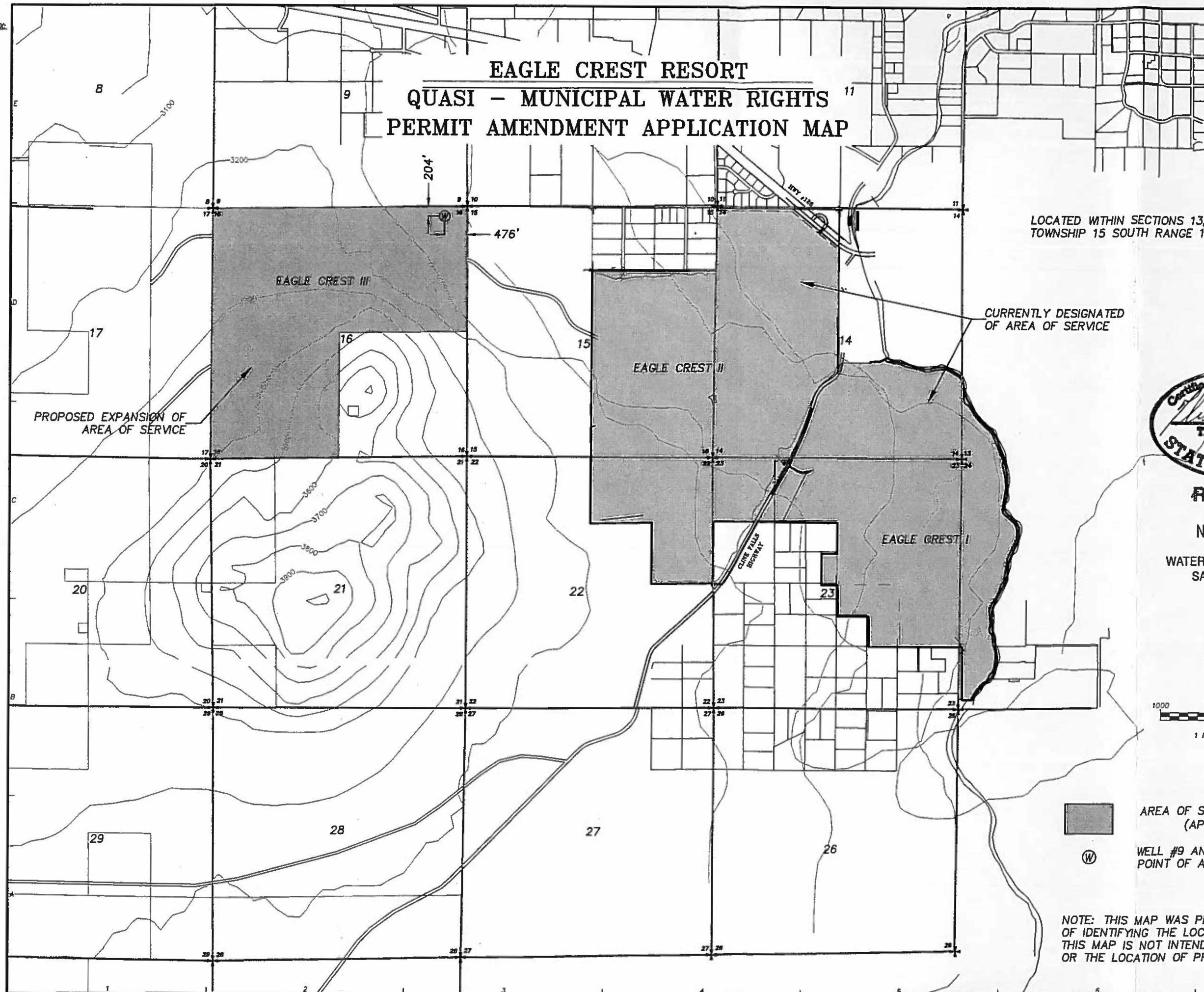
Assignments: _____

Irrigation District _____

Agent Thomas Walker of W+H Pacific 920 SW EmKay Drive, Suite C-100 Bend, OR
97702 541-388-4255 541-388-4229 FaxCWRE Thomas WalkerCC's list Deschutes County 117 NW Lafayette, Bend, OR 97701☐ - Oversized map - Location _____

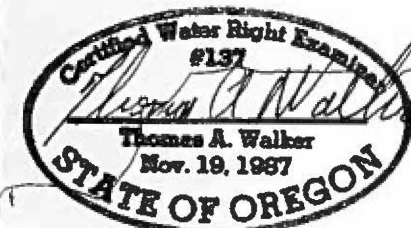
EAGLE CREST RESORT QUASI - MUNICIPAL WATER RIGHTS PERMIT AMENDMENT APPLICATION MAP

LOCATED WITHIN SECTIONS 13, 14, 15, 16, 22, 23 & 24
TOWNSHIP 15 SOUTH RANGE 12 EAST



CURRENTLY DESIGNATED
OF AREA OF SERVICE

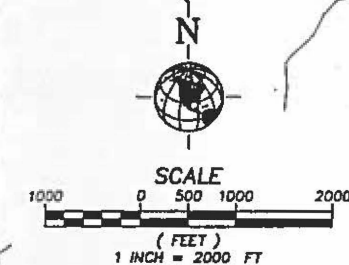
PROPOSED EXPANSION OF
AREA OF SERVICE



RECEIVED 08

NOV 29 2007

WATER RESOURCES DEPT
SALEM, OREGON



AREA OF SERVICE FOR PERMIT G-11762
(APPLICATION #G-12905)

WELL #9 AND PROPOSED ADDITIONAL
POINT OF APPROPRIATION.

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

10492

920 Emory, Suite C-100
Bend, Oregon 97703-1041
(503) 338-4255
(503) 338-4250 Fax
w&h@pacific.net



Planners • Engineers • Surveyors • Landscape Architects

CLINE BUTTE UTILITY COMPANY
GROUNDWATER PERMIT AMENDMENT
APPLICATION MAP
APPLICATION: G-12905 PERMIT: G-11762

SCALE: 1"=2000' PROJECT NO. 031250 DRAWING FILE NAME: EAGLE CREST h2o RIGHTS.DWG OREGON

CHECKED BY:	APPROVED BY:	TW
SKS	5/22/2006	05/22/06
DATE	BY	REVISION
DATE	BY	REVISION
DATE	BY	REVISION
DATE	BY	REVISION
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DATE	BY	REVISION
DATE	BY	REVISION
DATE	BY	REVISION

SHEET
1

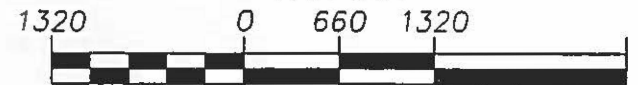
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NOV 29 2007

WATER RESOURCES DEPT.
SALEM, OREGON



SCALE

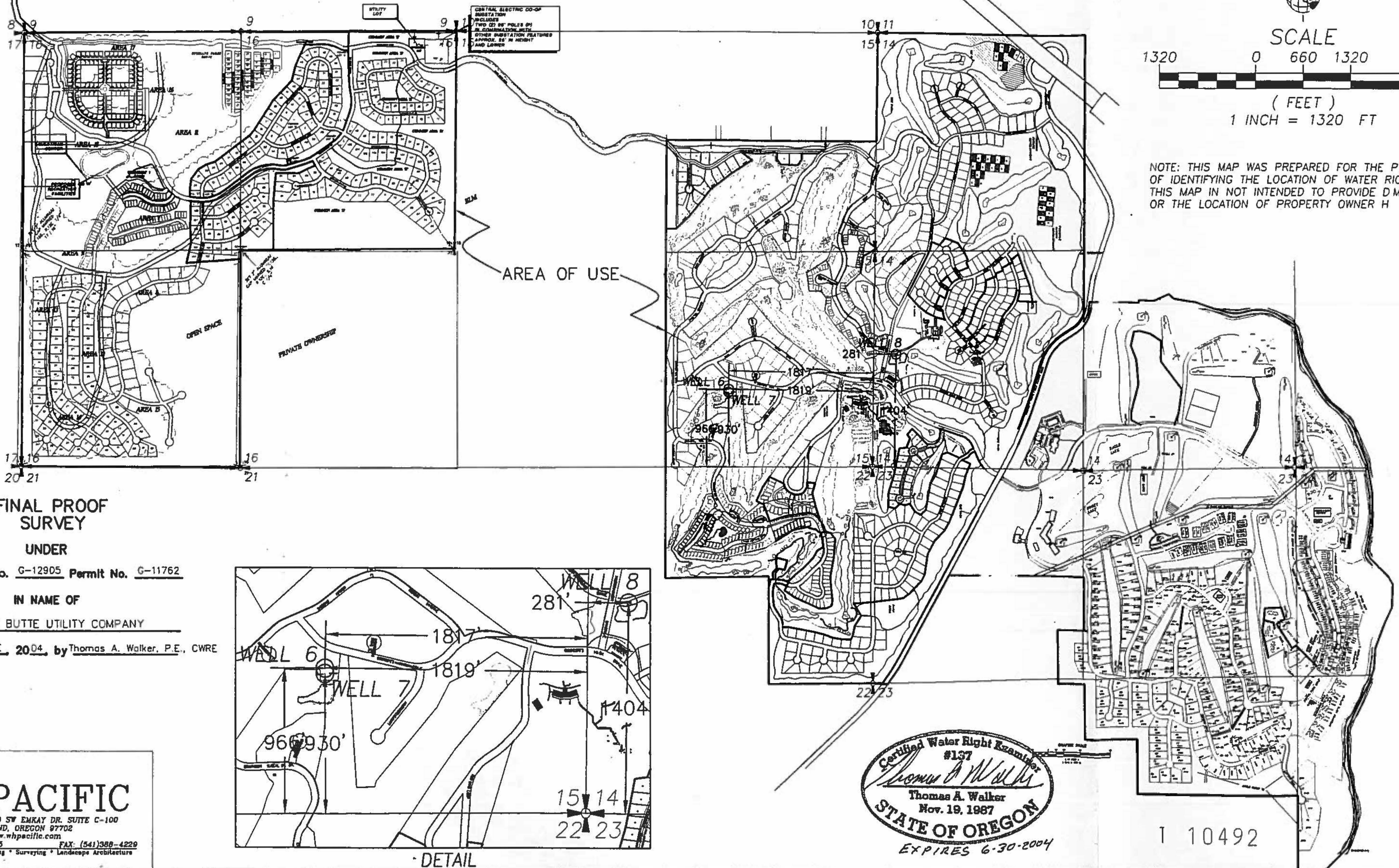


(FEET)

1 INCH = 1320 FT

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

EAGLE CREST DESTINATION RESORT
WATER RIGHTS MAP
FINAL PROOF SURVEY
JUNE, 2004



FINAL PROOF
SURVEY

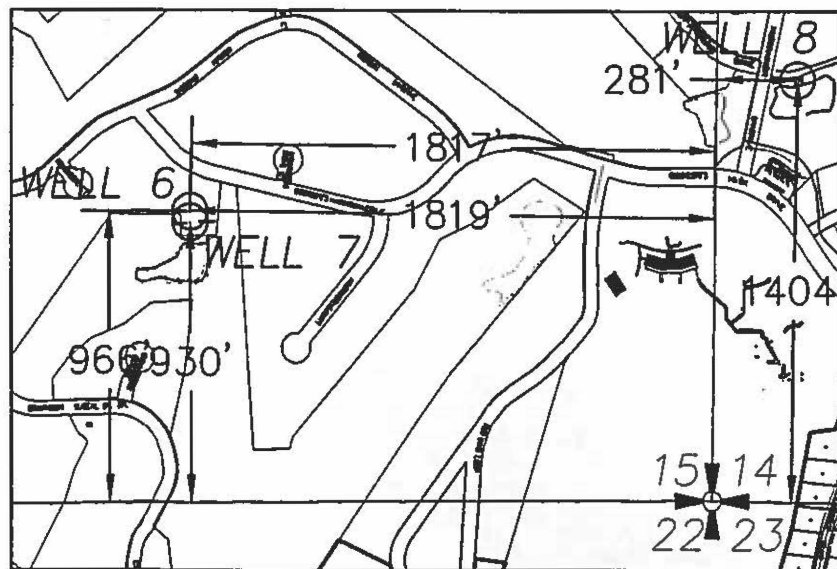
UNDER

Application No. G-12905 Permit No. G-11762

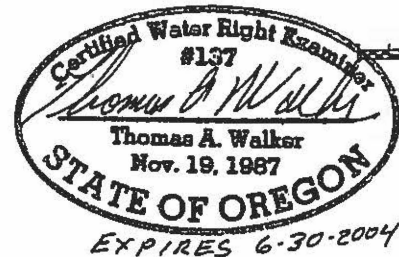
IN NAME OF

CLINE BUTTE UTILITY COMPANY

Surveyed JUNE, 2004 by Thomas A. Walker, P.E., CWRE



DETAIL



1 10492

EC041ps.dwg
05/09/04

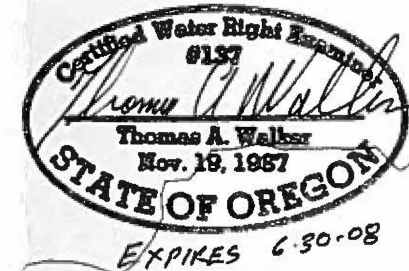
W&HPACIFIC
920 SW EMKAY DR. SUITE C-100
BEND, OREGON 97702
www.whpacific.com
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EAGLE CREST RESORT QUASI - MUNICIPAL WATER RIGHTS PERMIT AMENDMENT APPLICATION MAP

LOCATED WITHIN SECTIONS 14, 15, 16, 22, & 23
TOWNSHIP 15 SOUTH RANGE 12 EAST

AREA OF SERVICE
CURRENTLY DESIGNATED

PROPOSED EXPANSION
OF AREA SERVICE



RECEIVED

NOV 29 2007

WATER RESOURCES DEPT
SALEM, OREGON



SCALE
(FEET)
1 INCH = 2000 FT

AREA OF SERVICE FOR PERMIT G-13856
(APPLICATION #G-14857)

NOTE: THIS MAP WAS PREPARED FOR THE PURPOSE
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1 10492

CLINE BUTTE UTILITY COMPANY
GROUNDWATER PERMIT AMENDMENT
APPLICATION MAP

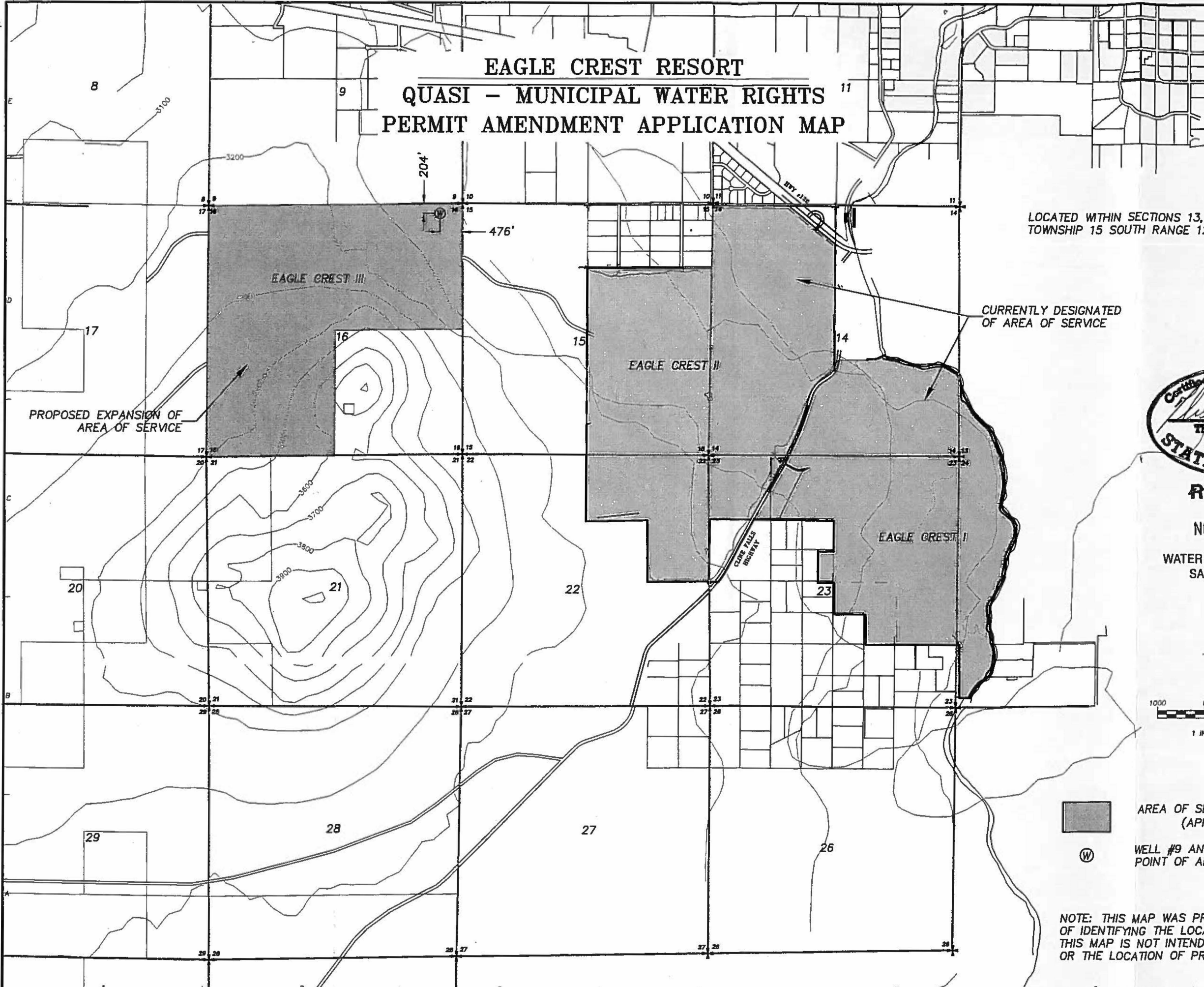
APPLICATION: G-14857 PERMIT: G-13856
PROJECT NO. 031250
SCALE: 1"=2000'
DRAWING FILE NAME: EAGLE CREST h2o RIGHTS.DWG
OREGON

CHECKED BY:	SKS	APPROVED BY:	TW
DRAWN BY:	SKS	LAST EDIT:	05/22/06
DATE:	05/22/06	BY:	REV
DATE:	05/22/06	BY:	REV
DATE:	05/22/06	BY:	REV
DATE:	05/22/06	BY:	REV
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DATE:	05/22/06	BY:	REV
DATE:	05/22/06	BY:	REV
DATE:	05/22/06	BY:	REV

DWG INDEX

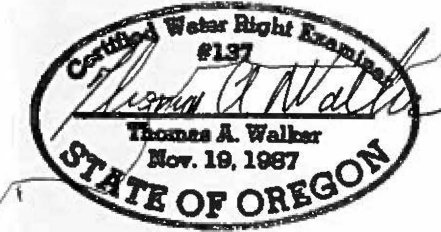
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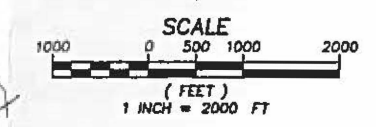
PROPOSED EXPANSION OF
AREA OF SERVICE



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WATER RESOURCES DEPT
SALEM, OREGON



AREA OF SERVICE FOR PERMIT G-11762
(APPLICATION #G-12905)



WELL #9 AND PROPOSED ADDITIONAL
POINT OF APPROPRIATION.

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10492

920 Emkey, Suite C-100
Bend, Oregon 97703-1041
(503) 336-4265
(503) 336-4269 Fax
whepacific.com



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CLINE BUTTE UTILITY COMPANY
GROUNDWATER PERMIT AMENDMENT
APPLICATION MAP
APPLICATION: G-12905 PERMIT: G-11762

SCALE: 1" = 2000' PROJECT NO. 031250 DRAWING FILE NAME: EAGLE CREST h2o RIGHTS.DWG OREGON

DRAWN BY:	SKS	CHECKED BY:	TW
LAST EDIT:	5/22/2006	APPROVED BY:	TW
DATE	BY	REVISION	CK'D/APP'D

RECEIVED

NOV 29 2007

WATER RESOURCES DEP.
SALEM, OREGON



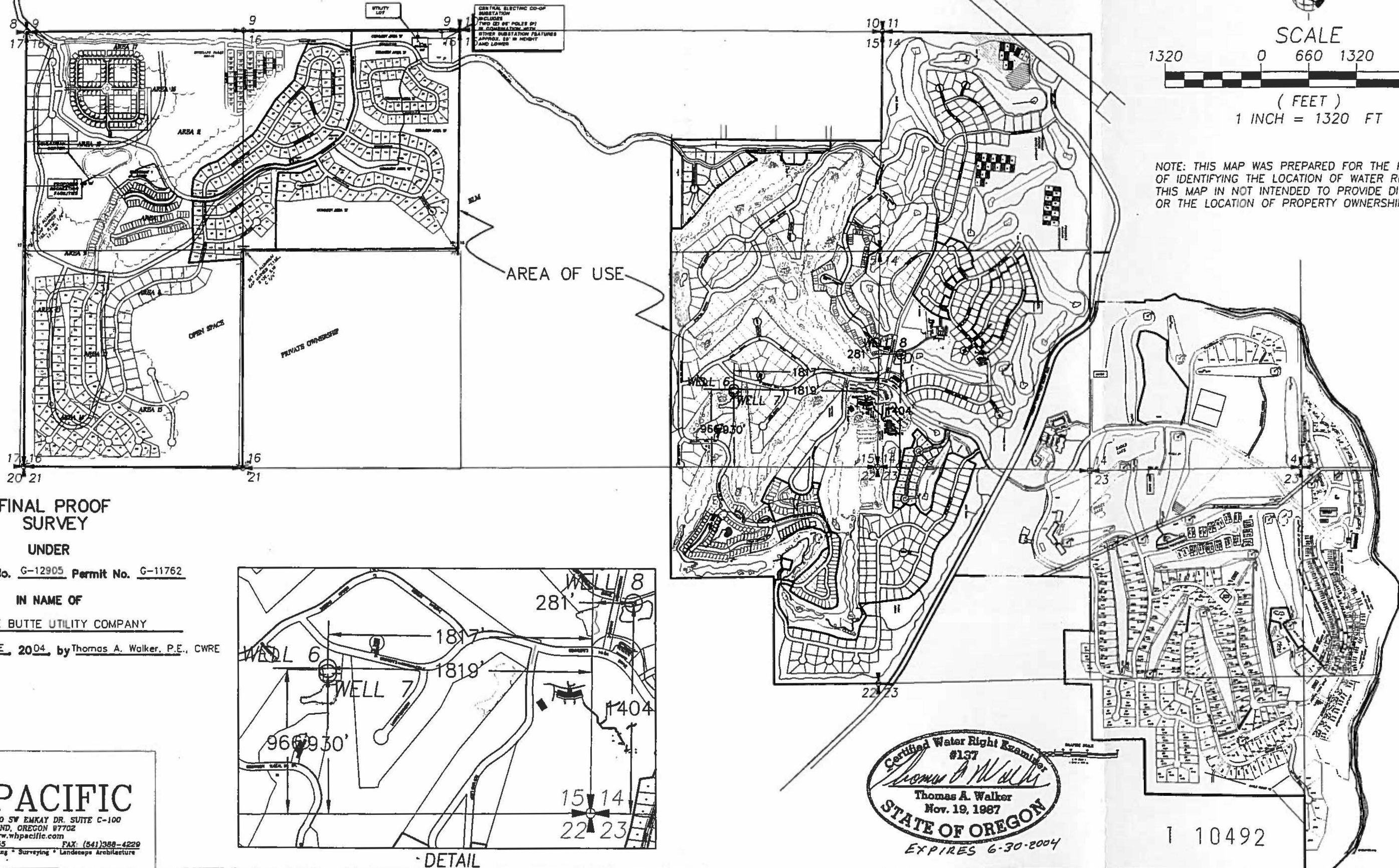
SCALE



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EAGLE CREST DESTINATION RESORT
WATER RIGHTS MAP
FINAL PROOF SURVEY
JUNE, 2004



CENTRAL ELECTRIC CO-OP
SUBSTATION
ENCLOSURE
TWO 30' POLES (P)
IN COMBINATION WITH
OTHER SUBSTATION FEATURES
APPROX. 50' IN HEIGHT
AND LOWER

AREA OF USE

PRIVATE OWNERSHIP

OPEN SPACE

FINAL PROOF
SURVEY

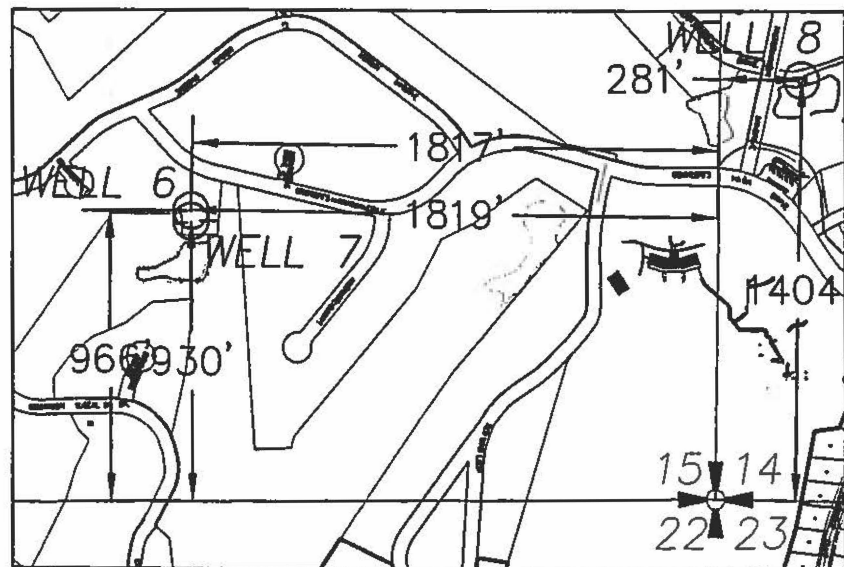
UNDER

Application No. G-12905 Permit No. G-11762

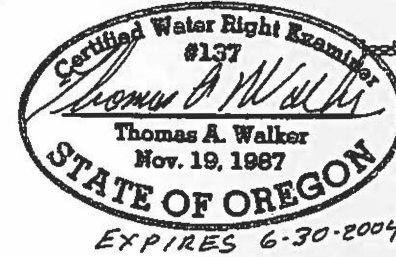
IN NAME OF

CLINE BUTTE UTILITY COMPANY

Surveyed JUNE, 2004, by Thomas A. Walker, P.E., CWRE



DETAIL



1 10492

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05/09/04

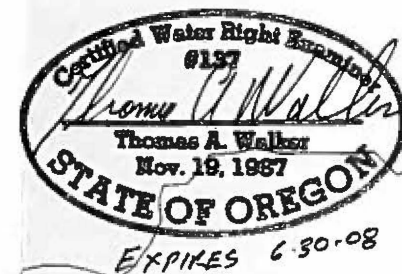
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BEND, OREGON 97702
www.whpacific.com
TEL: (541)388-4255 FAX: (541)388-4220
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EAGLE CREST RESORT QUASI - MUNICIPAL WATER RIGHTS PERMIT AMENDMENT APPLICATION MAP

LOCATED WITHIN SECTIONS 14, 15, 16, 22, & 23
TOWNSHIP 15 SOUTH RANGE 12 EAST

AREA OF SERVICE
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PROPOSED EXPANSION
OF AREA SERVICE



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WATER RESOURCES DEPT
SALEM, OREGON



SCALE
1000 0 500 1000 2000
(FEET)
1 INCH = 2000 FT

AREA OF SERVICE FOR PERMIT G-13856
(APPLICATION #G-14857)

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

1 10492

CLINE BUTTE UTILITY COMPANY
GROUNDWATER PERMIT AMENDMENT
APPLICATION MAP

APPLICATION: G-14857 PERMIT: G-13856

SCALE: 1"=2000' PROJECT NO. 031250 DRAWING FILE NAME: EAGLE CREST h2o RIGHTS.DWG

DRAWN BY:	SKS	CHECKED BY:	TW
DATE:	5/22/2006	APPROVED BY:	05/22/06
BY:	REV	REVISION	OK/DMPR

NOV 29 2007

WATER RESOURCES DEPT
SALEM, OREGON

N

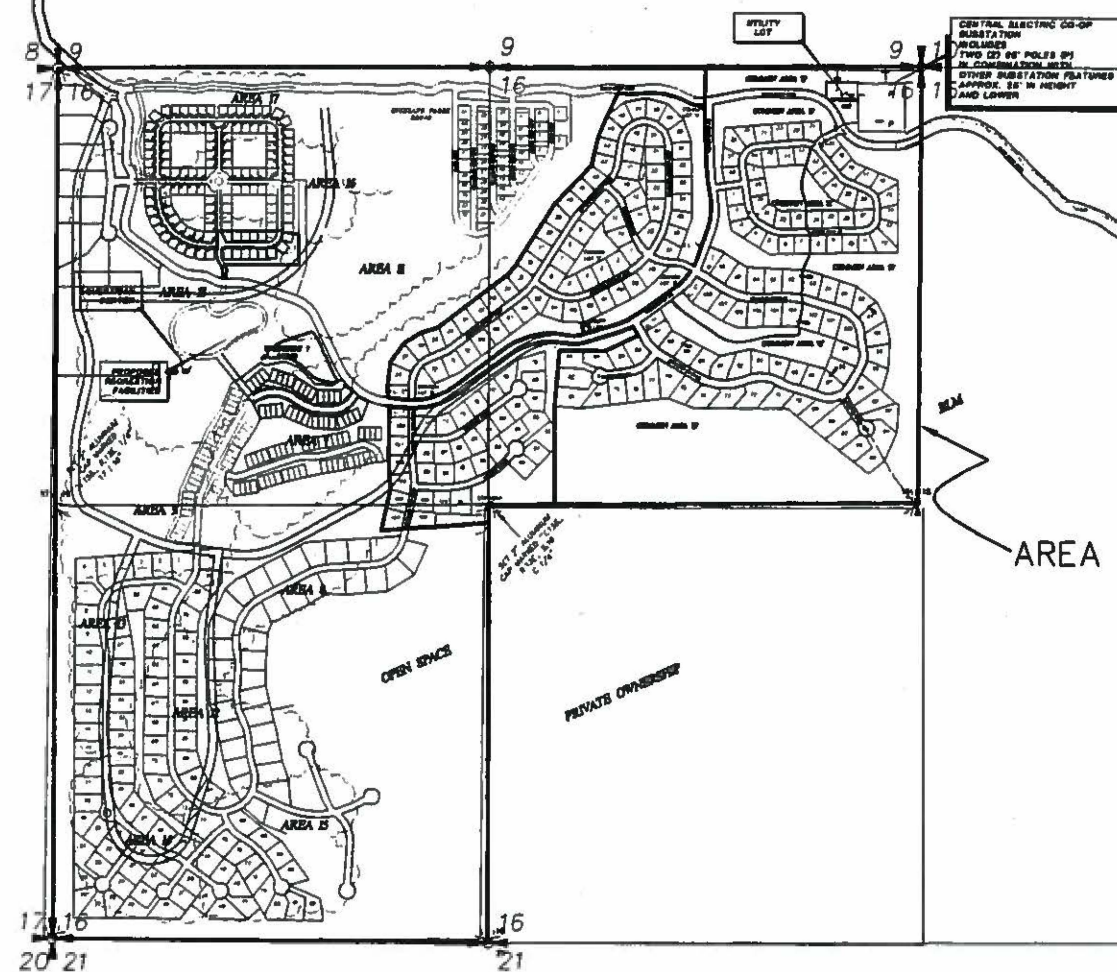
SCALE

1320 0 660 1320 2640

(FEET)

1 INCH = 1320 FT

NOTE: THIS MAP WAS PREPARED FOR THE PURPOSE
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AREA OF USE-

FINAL PROOF
SURVEY

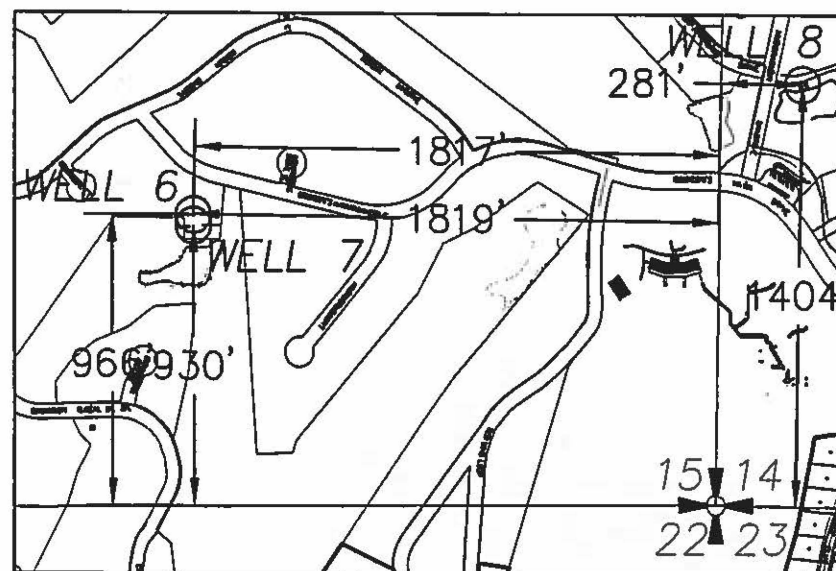
UNDER

Application No. G-12905 Permit No. G-11762

IN NAME OF

CLINE BUTTE UTILITY COMPANY

Surveyed JUNE, 2004, by Thomas A. Walker, P.E., CWRE



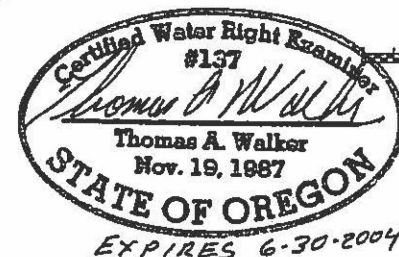
- DETAIL

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05/09/04



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T 10492



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

March 29, 2010

CLINE BUTTE UTILITY COMPANY
1230 GOLDEN PHEASANT
REDMOND OR 97756

Reference: Transfer Application T-10492

The above referenced transfer application was withdrawn from the record of the Water Resources Department on March 5, 2010, by Special Order Volume 80, Page 407 (copy enclosed).

The unearned fees are being refunded to Jeld Wen Development, Eagle Crest Inc.

The transfer application is no further force or effect.

If you have any questions, you may contact me by telephone at (503) 986-0883 or be e-mail at Sarah.A.Henderson@wrд.state.or.us.

Sincerely,

Sarah Henderson
Executive Support
Field Services Division

cc: Watermaster Dist. # 11
W & H Pacific, Niall Boggs, Agent
Jeld Wen Development, Eagle Crest Inc. (PO Box 1215, Redmond, OR 97756)
Fiscal

Enclosure



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

In the Matter of Permit Amendment	)	FINAL ORDER WITHDRAWING
Application T-10492, Deschutes County	)	AN APPLICATION FOR A WATER
	)	RIGHT PERMIT AMENDMENT

Authority

ORS 537.211 establishes the process in which a water right permit holder may submit a request to change the point of appropriation and/or place of use authorized under an existing water right permit.

Applicant

Cline Butte Utility Company
1230 Golden Pheasant Drive
Redmond, OR 97756

Agent

W & H Pacific
Attn: Niall Boggs
920 SW Emkay Drive, Suite C-100
Bend, OR 97702

Findings of Fact

1. Permit Amendment Application T-10492, in the name of Cline Butte Utility Company, was filed on November 29, 2007.
2. On March 3, 2010, Niall Boggs of W & H Pacific submitted a written request on behalf of the applicant asking that Permit Amendment Application T-10492 be withdrawn.

Now, therefore, it is ORDERED:

Permit Amendment Application T-10492, in the name of Cline Butte Utility Company, is withdrawn and of no further force or effect. Any unearned fees will be refunded.

Dated at Salem, Oregon this 5th day of March, 2010.


for Phillip C. Ward, Director

Mailing date: MAR 30 2010

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

Permit Amendment Checklist

Permit Amendment: **T- 10492**

Transfer Specialist: **Lisa Jaramillo**

Permit Amendment Type: APOA & POU

Applicant Name/Address: Cline Butte Utility Co., 1230 Golden Pheasant Dr., Redmond, OR 97756

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

CWRE Name/Number:

Rec Landowner Name/Address:

Irr. District Name/Address:

Affected Govt's Name/Address:

Commentors Name/Address:

Permits Affected

Records Marked	Records Copied	App File No. or Decree Name	Permit No.	Certificate No.	Permit "B" and/or "C" Date(s)
☐	☐	G-12905	G-11762	85471	N/A

Key Dates & Initial Actions

Rec'd: 11-29-2007	Proposed Action(s): POU & APOA	
Fees Pd: \$1200	WM District: 11	ODFW District: N/A
Initial Notice: 12-26-2007	WM Review sent: 12-17-07	ODFW Review sent: N/A
Acknowledgement Letter Sent: ☒		GW Review sent: 12-17-07

Processing Dates & Actions

Deficiency Contacts:	Newspaper Publication Required? YES NO Affidavit of Publication Due:
Affidavit of Publication Rec'd: Last Day Published:	Affidavit Reminder Sent:
Reminder Deadline:	

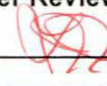
Final Order

- ☒ Electronic Files uploaded
☐ Newspaper Notice Cover letter
☐ Newspaper Notice

☒ File Assigned/ ModPod updated

☒ **Fee Refund Due - \$1,000**

(all but \$200 refunded)

Draft Order Review (Optional) Reviewer: _____ Date: _____ Coordinator: _____ Date: _____	Final Order Review (Salem) Reviewer: <u></u> Date: <u>3-3-10</u> Coordinator: _____ Date: _____
Comments/Special Issues: Received request on March 3, 2010 to WITHDRAW Permit Amendment Applications T-10492 and T-10493 from applicant's agent (W & H Pacific). (Transfer T-10929 has been filed to replace Permit Amendments T-10492 and T-10493.)	

Special Order Volume: Vol: 80, Pages 407

Final Order Signature Date: 3-5-10

Notice of FO e-mailed to processors: Lisa

Lisa Jaramillo

From: Lisa Jaramillo
Sent: Wednesday, March 03, 2010 1:38 PM
To: Boggs, Niall
Cc: Walker, Tom; Frost, Jim
Subject: RE: Permit Amendment withdrawals
Niall,

Thank you for the e-mail requesting to withdraw Permit Amendment Applications T-10492 and T-10493. I will begin processing the withdrawal orders for these permit amendments. You should expect to see something on these in the next couple of weeks.

Thanks again for your follow-up on this,
Lisa

Lisa J. Jaramillo
Water Management and Conservation Analyst
Field Services Division

Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1266
Phone: 503-986-0880
Fax: 503-986-0903

From: Boggs, Niall [mailto:NBoggs@whpacific.com]
Sent: Wednesday, March 03, 2010 1:35 PM
To: Lisa Jaramillo
Cc: Walker, Tom; Frost, Jim
Subject: Permit Amendment withdrawals

Lisa-

Thank you for your continuing assistance with the complex water rights at Eagle Crest. Per our conversation today, we would like to keep pursuing Transfer T-10929. This transfer will eliminate the need for previous permit amendments (T-10492 and T-10493), so these can be withdrawn. I spoke with Tom Walker and he thought those P.A.s had been withdrawn previously. Sorry for any confusion. Once again, we are only currently pursuing T-10929, of which we are at the Preliminary Determination stage. As always feel free to call with any questions.

Sincerely,

Niall Boggs, PE, CWRE

WHPacific

123 SW Columbia Street

Bend, OR 97702

Office: (541) 388-4255

Direct: (541) 312-2540

3/3/2010

File T-10492

WATER RESOURCES DEPARTMENT
REQUEST FOR DISTRIBUTION OF FUNDS

TO: **Fiscal Services Section**

DATE: March 3, 2010

FROM: Lisa Jaramillo, Transfer Specialist
Phone: 503-986-0880

SUBJECT: **TRANSFER FILE - Request for Payment or Refund**

TRANSFER FILE #: T-10492

RECEIPT #: 90766 (written 11-29-2007)

Please prepare payment in the amount of \$1,000.00, made payable to:

Name: Jeld Wen Development
Organization: Eagle Crest, Inc.
Address: PO Box 1215
City: Redmond, OR 97756

These funds are being paid or refunded as a result of (check one):

- ☒ Request for file to be Rejected/Withdrawn/Misfiled
- ☐ Excess fees were collected for application/PON
- ☐ Payment of PON
- ☐ Protest filing fee
- ☐ Other:

I have reviewed this distribution request and have determined the request to be justified as to the purpose indicated above. Fiscal Services is hereby authorized to process the requested distribution.

Authorized Signature: _____

Date: _____

Lisa Jaramillo

From: Lisa Jaramillo
Sent: Wednesday, March 03, 2010 1:38 PM
To: Boggs, Niall
Cc: Walker, Tom; Frost, Jim
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Water Management and Conservation Analyst
Field Services Division

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725 Summer Street NE, Suite A
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Niall Boggs, PE, CWRE

WHPacific

123 SW Columbia Street

Bend, OR 97702

Office: (541) 388-4255

Direct: (541) 312-2540

3/3/2010

STATE OF OREGON

COUNTY OF DESCHUTES

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CLINE BUTTE UTILITY CO.
1230 GOLDEN PHEASANT DRIVE
REDMOND OR 97756

confirms the right to use the waters of THREE WELLS (WELLS 6, 7 AND 8) in the Deschutes Basin for QUASI-MUNICIPAL USE.

This right was perfected under Permit G-11762. The date of priority is MAY 4, 1992. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 3.0 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the well.

The wells are located as follows:

Well	Twp	Rng	Mer	Sec	Q-Q	Measured Distances
8	15 S	12 E	WM	14	NW SW	1404 FEET NORTH & 281 FEET EAST FROM SW CORNER, SECTION 14
6	15 S	12 E	WM	15	SW SE	966 FEET NORTH & 1817 FEET WEST FROM SE CORNER, SECTION 15
7	15 S	12 E	WM	15	SW SE	930 FEET NORTH & 1819 FEET WEST FROM SE CORNER, SECTION 15

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

Twp	Rng	Mer	Sec	Q-Q
15 S	12 E	WM	13	SW SW
15 S	12 E	WM	14	NE NW
15 S	12 E	WM	14	NW NW
15 S	12 E	WM	14	SW NW
15 S	12 E	WM	14	SE NW
15 S	12 E	WM	14	NE SW
15 S	12 E	WM	14	NW SW
15 S	12 E	WM	14	SW SW
15 S	12 E	WM	14	SE SW

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate at any time before it has issued, and after the time has expired for the completion of the appropriation under the permit, or within three months after issuance of the certificate.

Twp	Rng	Mer	Sec	Q-Q
15 S	12 E	WM	14	NE SE
15 S	12 E	WM	14	NW SE
15 S	12 E	WM	14	SW SE
15 S	12 E	WM	14	SE SE
15 S	12 E	WM	15	SW NE
15 S	12 E	WM	15	SE NE
15 S	12 E	WM	15	NE SE
15 S	12 E	WM	15	NW SE
15 S	12 E	WM	15	SW SE
15 S	12 E	WM	15	SE SE
15 S	12 E	WM	22	NE NE
15 S	12 E	WM	22	NW NE
15 S	12 E	WM	22	SE NE
15 S	12 E	WM	23	NE NE
15 S	12 E	WM	23	NW NE
15 S	12 E	WM	23	SW NE
15 S	12 E	WM	23	SE NE
15 S	12 E	WM	23	NE NW
15 S	12 E	WM	23	NW NW
15 S	12 E	WM	23	SW NW
15 S	12 E	WM	23	SE NW
15 S	12 E	WM	23	NE SE
15 S	12 E	WM	23	NW SE
15 S	12 E	WM	24	NW NW
15 S	12 E	WM	24	SW NW
15 S	12 E	WM	24	NW SW
15 S	12 E	WM	24	SW SW

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

Measurement, recording and reporting conditions:

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

The Department requires the water user to measure and report annual static water levels for each well on the right. Or the water user can measure other wells in close proximity to the wells, if the Department's Groundwater Staff determines that the substitute observation wells will provide adequate data to assess the impacts from the wells. The static water level shall be measured in the month of March. Reports shall be submitted to the Department within 30 days of measurement.

The water user shall submit annual measurements. Annual measurements are required whether or not the well is used. Reference water-level measurements for determining water level declines on this right are as follows: Well #6: 518 feet;

Well #7: 518 feet; and Well #8: 312 feet. Or, the first annual measurement at the substitute observation wells will establish the reference levels against which future measurements will be compared. The Director may require the user to measure and report additional water levels each year if more data is needed to evaluate the aquifer system.

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor, or pump installer licensed by the Construction Contractors Board.. Measurements shall be submitted on forms provided by, or specified by, the Department. Measurements shall only be made using an electric tape or steel tape that is accurate to at least the standards specified in OAR 690-217-0045. The Department requires the individual performing the measurement to:

- A. Associate each measurement with an owner's well name or number and a Department well log; and
- B. Report water levels to at least the nearest tenth of a foot as depth-to-water below ground surface; and
- C. Specify the method of measurement; and
- D. Certify the accuracy of all measurements and calculations submitted to the Department.

The water user shall discontinue use of, or reduce the rate of volume of withdrawal from the wells if annual water-level measurements decline of 10 or more feet.

The period of restricted use shall continue until the water level rises above the decline level which triggered the action or the Department determines, based on the water user's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or causing substantial interference with senior water rights. The water user shall not allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit.

In the event of a request for a change in point of appropriation, an additional point of appropriation or alternation of the appropriation facility associated with this authorized diversion, the quantity of water allowed herein, together with any other right, shall not exceed the capacity of the facility at the time of perfection of this right.

This right is limited to any deficiency in the available supply of any prior right existing for the same land.

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

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

This right is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

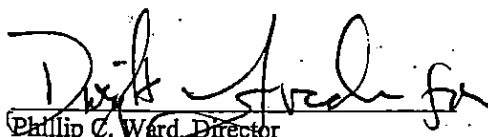
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

Water may be applied to lands which are not specifically described above, provided the holder of this right complies with ORS 540.510(3).

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

Issued MAY 08 2009


Phillip C. Ward, Director
Water Resources Department

lisa



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

Watermaster Review Form: Water Right Transfer

Transfer Application: T-10492

Review Due Date: 1/15/08

Applicant Name: Cline butte Utility Co.

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

Reviewer(s): Giffin

Date of Review: Dec. 24, 2007

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

Water Right Transfer Checklist

Transfer T-10492

Transfer Specialist: Permit Amendment Drawer

Transfer Type: Permit Amendment

Applicant Name/Address: Cline Butte Utility Company, 1230 Golden Pheasant, Redmond, OR 97756

Agent Name/Address: Thomas Walker, W & H Pacific, 920 SW Emay Drive Suite C-100, Bend, OR 97702

CWRE Name/Number: Same as Agent

Rec Landowner Name/Address: NONE

Irr. District Name/Address: NONE

Affected Gov'ts Name/Address: NONE

Commentors: Name/Address: NONE

Water Rights Affected

Records Marked	Records Copied	App File No. or Decree Name	Permit No.	Certificate No.	RR/CR Needed	RR/CR Nos.
☒	☒	G 12905	G 11762		☐ Yes ☐ No	
☐	☐				☐ Yes ☐ No	
☐	☐				☐ Yes ☐ No	

Key Dates & Initial Actions

Rec'd: <u>11/29/07</u>	Proposed Action(s): POU POD HST APOD USE OTHER: POU/APOA	
Fees Pd: <u>1200.00</u>	WM District: <u>11</u>	ODFW District: <u>NONE</u>
Initial Notice: <u>12/26/07</u>	WM Review sent: <u>12/17/07</u>	ODFW Review sent: <u>NONE</u>
Acknowledgement Letter Sent ☒		GW Review sent: <u>12/17/07</u>

Processing Dates & Actions

Deficiency Contacts: _____

Newspaper Pub Affid Due: _____

☐ not required

DPD Mailed: _____

Affid of Pub Rec'd: _____

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

Last Day Published: _____

PD Mailed: _____

Affidavit Reminder Sent: _____

PD Weekly Notice: _____

Reminder Deadline: _____

Preliminary Determination

☐ Electronic Files uploaded

☐ Preliminary Determination

☐ PD Cover letter

☐ Fee Refund Due

☐ PD Notice

☐ Remaining Rights

☐ File Assigned/ ModPod updated

DPD Review (Optional)	PD Review (Salem)	Final Order Review (Salem)
Reviewer: _____	Reviewer: _____	Reviewer: _____
Date: _____	Date: _____	Date: _____
Coordinator: _____	Coordinator: _____	Coordinator: _____
Date: _____	Date: _____	Date: _____
Comments/Special Issues:		

Special Order Volume: Vol _____ Pages _____

Final Order Signature Date: _____

Notice of FO email'd to processors _____

Application

- ☐ The type of change is clearly indicated.
☐ The application is appropriately signed.
☐ Appropriate fees were paid. ☐ If overpayment, Refund Request to be sent with FO
☐ Land use form matches affected tax lots and is signed by proper official. (*from ALL affected Govt's*)
☐ Ditch company, district and/or BOR, sent a copy of the application and map, if appropriate.
☐ All required attachments received.

Water right subject to transfer

- ☐ Certificated right or Proof accepted "to the satisfaction..."
☐ The right been exercised according to terms & conditions of certificate.
☐ Delivery system has the capacity to fully divert the rate/duty of the right.
☐ No information in record that suggests forfeiture.
☐ No conflicts identified on the plat cards and plat card reports printed.
☐ Affidavits prepared for rights that need to be canceled or diminished.

Application Map

- ☐ The map has an original CWRE signature.
☐ The map size and scale accurate and appropriate per OAR 690-380-3100(1)(b)(c)&(d).
☐ All authorized and proposed POD's/POA's and POU's shown and clearly labeled.
☐ Metes and bounds for the POD's/POA's are properly described on the map.
☐ The POD/POA dimensions & ¼ ¼ on map match the transfer application and certificate descriptions.
☐ Map acres match the tabulation on the certificate.
☐ Have final proof maps/deed maps for the rights. ☐ Application map matches certificate FPS.
☐ Have necessary aerial photos.

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

- ☐ Only the authorized POD's/POA's and POU's to be transferred are listed.
☐ Application & certificate tabulations match. (*Mark on appl. and cert. copies and note corrections needed*)
☐ Marked on certificate the acreage being transferred, cancelled and remaining by ¼ ¼.

Ownership

- ☐ The deed/ROLI matches the "from" lands. (Don't need to check "to" lands.)
☐ Have current tax lot map. (*If transfer application is several years old, contact assessor's office*)
☐ The applicant is the owner of the "from" lands.
☐ All owners on the deed/ROLI have signed the application.
☐ If necessary, there is a notarized, signed statement of consent from landowners other than applicant.
☐ If necessary, there is a copy of written notification to each lien holder identified on ROLI.
☐ Agent has authorization to make decisions.

Evaluation (materials needed for peer reviewer in bold)

- | | | | | |
|---|--------------------------------------|------------------------------------|--|--|
| ☐ application complete | ☐ map | ☐ FPS | ☐ evidence of use | ☐ land-use form |
| ☐ deed/ROLI | ☐ certificate | ☐ fees paid | ☐ well logs | ☐ plat card |
| ☐ audit | ☐ dpd | | | |

Reviews/comments/conditions received?

☐ Watermaster☐ ODFW☐ GW

Headgate

☐ When in the judgment☐ Prior to diverting☐ Existing and maintain

Measuring Devices

☐ When in the judgment☐ Prior to diverting☐ Existing and maintain

Fish Screen Devices

☐

Injury: Y N

Enlargement: Y N

Conditions to avoid enlargement/injury –



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

December 17, 2007

CLINE BUTTE UTILITY COMPANY
1230 GOLDEN PHEASANT
REDMOND OR 97756

Reference: Permit Amendment T- 10492

On November 29, 2007 we received your request for permit amendment. The application was accompanied by \$1200.00. Our receipt 90766 is enclosed.

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

Except as provided under ORS 540.510(3) for municipalities, you may not use water in the new place of use, or from the new point of appropriation, until we issue a final order approving the application.

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

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

cc: Watermaster #11
Thomas Walker, Agent
Groundwater

enclosure



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

725 Summer Street NE, Suite A

Salem, OR 97301-1271

503-986-0900

FAX 503-986-0904

Notice of Application for Water Right Transfer, Temporary Transfer, or Permit Amendment 12/11/2007

The Department seeks comment on the recently-filed application listed below. Any person may comment on the application. Comments must be received by the Department within 30 days of the date of this notice. The Director may presume that the transfer would be allowed by, and compatible with comprehensive plans unless an affected local government informs the Director otherwise within 30 days of this notice.

County: DESCHUTES
Transfer: 10492
Water Right: PERMIT G 11762
Priority Date: 1992
Name: CLINE BUTTE UTILITY COMPANY
Address: 1230 GOLDEN PHEASANT, REDMOND, OR 97756
Change: APOA, POU
Source: WELLS
AUTHORIZED POA: T15S R12E 14,15
PROPOSED POA: T15S R12E 16
Authorized POU: T15S R12E 11,13,14,15,22,23,24
Proposed POU: T15S R12E 16

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

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

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

Any person who provides comments within the comment period will receive a copy of the Department's preliminary determination of whether the application should be approved or rejected after the Department has completed a review of the application and will be provided an opportunity to protest the application and preliminary determination at that time. Comments should be sent to the Transfers Section at the Department's Salem office.



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

November 26, 2007

Mr. Dwight French
Water Rights/Adjudications Division Manager
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1271

**Re: Cline Butte Utility Company
Permit G-11762 (Application G-12905)
Permit G-13856 (Application G-14857)
Permit Amendment Applications
WHP File No.: 31250.1005**

Dear Dwight:

I have enclosed two executed water right permit amendment applications and a number of related attachments for your review and approval. Permit amendment applications are intended to enhance the production and delivery of water throughout the existing Eagle Crest destination resort. Your direction and assistance over many years have been extremely helpful and greatly appreciated by the management of the Eagle Crest Resort. Your continued reviews, comments, and assistance will again be appreciated.

Fees for the two permit amendment applications were calculated as shown below:

Fees for Amendment of Permit G-11762 (Well Nos. 6, 7, and 8):

- Minimum Fee and Additional Point of Appropriation - \$400.00
- Change Place of Use - \$400.00
- Additional Fee for the Maximum Diversion Rate of 3.0 cfs - \$400.00
- Total: \$1,200.00

Fees for Amendment of Permit G-13856 (Well No. 9):

- Minimum Fee and Change Place of Use - \$400.00
- Additional Fee for Maximum Diversion Rate of 3.4 cfs - \$600.00
- Total: \$1,000.00

Attachments:

The following documents have been compiled, prepared, and attached for your review and use in processing the enclosed applications:

- Executed Permit G-11762 Amendment Application
- Executed Permit G- 13856 Amendment Application
- Checks in the amount of \$1,200.00 and \$1,000.00
- Well Logs (Existing Wells 6, 7, 8, and 9)
- Tax Lot Maps for the Proposed Area of Use

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NOV 29 2007

**WATER RESOURCES DEPT
SALEM, OREGON**

26401

NOV 29 2007

WATER RESOURCES DEPT
SALEM, OREGON

W&H Pacific, Inc.
November 26, 2007
Page 2

- Land Use Form, Executed by Deschutes County
- Permit G-11762
- Permit G-13856
- Correspondence Confirming Permit Assignments
- Application Maps
- December 12, 2006 OWRD Correspondence relating to Permits G-11762 & G-13856
- Final Order for Permit G-11762 and Permit G-13856 Time Extensions
- W&H Pacific Correspondence relating to Conditions of Approval for Time Extensions

Eagle Crest Water Distribution System:

Eagle Crest is a successful destination resort in Deschutes County, spanning nearly 2,000 acres. Cline Butte Utility Company, a subsidiary of Eagle Crest, Inc. (the developer), is responsible for quasi-municipal water service throughout the community. The needs of water users at the Eagle Crest Resort cover a broad range and include domestic, irrigation, construction, fire protection, recreation, commercial, industrial, and other uses typical and ordinary for a municipality.

The very complex and extensive piped water distribution system has been extended throughout the resort, providing service to each individual unit and customer. The piped water distribution system incorporates numerous groundwater wells, multiple pressure levels, a storage reservoir, fire hydrants throughout the resort, and numerous specialty valves and appurtenances. The enclosed permit amendment applications are intended to enhance water production and delivery throughout the existing Eagle Crest Resort. The applications were compiled after very close cooperation and collaboration with you and members of your staff.

Three existing groundwater wells under Permit G-11762 were developed as the Eagle Crest Resort expanded. The three wells are interconnected with wells from the original resort development and contribute directly to a large storage reservoir and/or customer demand throughout the project. The three wells concurrently serve irrigation demands in a separate golf course irrigation system through electronic controls and automatic valves.

Well No. 9, perfected under Permit G-13856, is located in Section 16 and serves the same broad water distribution piping system, and conveys water directly to the same large storage facility and/or customer demand. The multiple interconnected wells at Eagle Crest provide needed redundancy, emergency backup, and fire protection by contributing to the same common distribution system and common storage reservoir.

Anticipated Benefits from Permit Amendments:

These permit amendments will change the designated Area of Use under each permit so that all wells can continue to contribute to the overall system. The Area of Use amendments may not be necessary, but these applications are intended to assure full and proper authority for the desired service throughout the resort.

In addition to the Area of Use Amendment, Cline Butte Utility Company is requesting that existing Well No. 9 be added as an additional point of appropriation under Permit G-11762. All the Eagle Crest wells draw from the same regional aquifer and waters are comingled in the extensive water distribution system. The permit amendment will allow all the wells to contribute under either applicable permit, which complies precisely with the way the system is most efficiently operated. Formal authorization for the

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WATER RESOURCES DEPT
SALEM, OREGON

W&H Pacific, Inc.
November 26, 2007
Page 3

additional point of appropriation under Permit G-11762 will allow Cline Butte Utility Company to manage lead and lag well pumps in the most efficient manner.

For Example, Well No. 8 has a significant production capacity, but also produces air. Well No. 8 can very efficiently serve irrigation needs because air is dispelled in surface irrigation reservoirs. If Well No. 8 is used extensively in the domestic water distribution system, then entrained air creates significant delivery and customer service problems throughout the resort. This permit amendment application will allow use of other wells, including Well No. 9 to meet domestic needs and allow Well No. 8 to continue to contribute to irrigation needs. This permit amendment will therefore allow the most efficient use of each of the existing production wells and most efficient use of the extensive water distribution system. Further, these permit amendments will enhance customer service throughout the resort.

Water Right Permit History at Eagle Crest:

The Eagle Crest Resort was originally approved for development in the early 1980s. At that time, the resort included only those lands easterly of the Cline Butte Highway, or approximately one-third of the current project. Additional groundwater permits were approved as Eagle Crest grew into its Phase 2 expansion on the westerly side of the Cline Falls Highway and ultimately to its Phase III expansion in Section 16.

Cline Butte Utility Company managed the multiple water rights, the interconnected water distribution system, and the broad range of customer needs as the resort successfully matured. As you know, water right rules and regulations have changed significantly from the early 1980s.

Cline Butte Utility Company has worked very closely and collaboratively with the Oregon Water Resources Department on the proper management of its water rights. We have applied for time extensions, reported water use, perfected water right permits, and even filed Claims of Beneficial Use under Permits G-11762 and G-13856. Those Claims of Beneficial Use were believed to be fully in compliance with requirements and in the best interest of the State of Oregon and the Eagle Crest Resort. Each of those original Claims of Beneficial Use demonstrated full perfection of the water rights in compliance with terms of the water rights.

After careful scrutiny by you and your staff, it became apparent that permit amendments for these two water rights could enhance the overall efficiency of water production and delivery at the resort. We subsequently withdrew the Claims of Beneficial Use, applied for time extensions for each permit, and now filed water right permit amendments. This brief history is not necessarily applicable to the pending applications, but hopefully demonstrates the Cline Butte Utility commitment to enhanced efficiencies and continued collaboration with the Department.

An expanded groundwater static water level monitoring program is a condition of the two permit time extensions. My attached letter of July 11, 2007 outlines a proposed water level measurement program. The proposed program has not been approved but received favorable informal comments from your Groundwater Department.

Summary:

In summary, Cline Butte Utility Company is the utility district that provides quasi-municipal service throughout the Eagle Crest Resort. The Cline Butte Utility Company is soliciting an additional point of appropriation (existing Well No. 9) under Permit G- 11762. In addition, Cline Butte Utility Company is requesting your approval of an expanded Area of Use for both permits G-11762 and G-13856. The

NOV 29 2007



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

Application for **WATER RESOURCES DEPT
SALEM, OREGON**

Permit Amendment or Ground Water Registration Modification

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

1. TYPE OF APPLICATION

Please check **one** of the following:

☒ Permit Amendment

☐ Ground Water Registration Modification

2. APPLICANT INFORMATION

Name: Cline Butte Utility Company _____
First Last

Address: 1230 Golden Pheasant _____
Redmond OR 97756
City State Zip

Phone: 541-504-3110 _____
Home Work Other

Fax: 541-923-0881 _____ E-Mail address: todds@eagle-crest.com _____

3. AGENT INFORMATION

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

Name: Thomas A. Walker, P.E., C.W.R.E. of W & H Pacific _____
First Last

Address: 920 SW Emkay Drive, Suite C-100 _____
Bend OR 97702
City State Zip

Phone: 541-388-4255 _____
Home Work Other

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

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

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

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

Permit Amendments

- If you propose to amend multiple permits under this application, a separate set of pages 3 through 7 must be provided for each permit. (**NOTE: Concurrent changes to a water right must be filed separately on a transfer application.**)

Ground Water Registration Modifications

- You may propose modification of only one ground water registration per application, unless in accordance with OAR 690-382-0300(2), the ground water registrations to be modified are layered. (**NOTE: Concurrent changes to a water right must be filed separately on a transfer application.**)

4. TYPE OF AMENDMENT OR MODIFICATION PROPOSED

Please check **all** of the following that apply:

Point of Diversion or Appropriation	Place of Use	Character of Use
☐ Change (The old point of diversion or appropriation will not be used for the portion of the water right affected by the amendment or modification.) ☒ Additional (Both the old <u>and</u> new points of diversion or appropriation will be used for the portion of the water right affected by the amendment or modification.) <u>Not Available for Ground Water Registrations</u> ☐ Surface Water to Ground Water (A new point of appropriation will be used instead of the old point of diversion. The old point of diversion will not be used.)	☐ All of the Permit or Registration will be exercised at a different location than currently authorized (Use of water at the current authorized location will be discontinued.) ☒ Only a <u>portion</u> of the Permit or Registration will be exercised at a different location than currently authorized (Use of water at a <u>portion</u> of the current authorized location will be discontinued.)	<u>Not Available for Permit Amendments</u> Change existing authorized use to the following proposed <u>new</u> use: ☐ Irrigation ☐ Municipal ☐ Quasi-municipal ☐ Commercial ☐ Industrial ☐ Domestic (indicate number of households): _____ ☐ Other _____

- Reason(s) for amendment/modification(s): An additional point of appropriation for permit G-11762 and changing the place of use for the existing quasi-municipal right will enhance production and delivery of water throughout the existing Eagle Crest resort.

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5. CURRENT PERMIT OR REGISTRATION INFORMATION

Permit or Registration to be Amended/Modified (*check and complete one of the following*):

X Permit to be Amended:	G-11762	10/01/2008 Current Completion Date of Permit
Ground Water Registration to be Modified:	Ground Water Registration Number	<i>NOTE: Concurrent changes to a water right must be filed separately on a transfer application.</i>

- Name on Permit or Registration: Cline Butte Utility Company_____
- County: Deschutes_____
- Authorized Use(s) to be affected by this Amendment/Modification: No change is proposed
_____for the quasi-municipal use authorized for permit G-11762.

- Priority Date(s): May 4, 1992_____
- If there are **multiple Priority Dates** identified on the Permit or Registration, any information provided on **pages 4 through 7** must identify which priority date is associated with each of the authorized and proposed points of diversion or appropriation and places of use.*

- All Source(s) of Water to be affected by this Amendment/Modification: Existing well number 9 is proposed as a forth point of appropriation under permit G-11762. The permit currently authorizes service from three wells (wells 6, 7 & 8).

Tributary to: Deschutes River_____

*If there are **multiple Sources** listed on the Permit or Registration, any information provided on **pages 4 through 7** must identify which source is associated with each of the authorized and proposed points of diversion or appropriation and places of use.*

For an application proposing a Change in Place of Use or Character of Use:

- Are there any other “Layered” Water Rights, Permits, or Ground Water Registrations issued for **Irrigation** purposes that are appurtenant to the same place of use as the Permit or Registration being Amended/Modified? ☐ Yes ☒ No ☐ N/A -No Change in Use or Place of Use

If “Yes”, pursuant to ORS 540.510, OAR 690-380-2240 and OAR 690-382-0200, **the other “layered” water uses subject to transfer must either change concurrently or be cancelled**, except as provided in OAR 690-380-2240(5).

- Remarks: No changes to irrigation water rights are proposed with this amendment application._____

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- The following information **must be provided** only for those points of diversion or appropriation that **are involved in the permit amendment or ground water registration modification** (i.e., list only the portion of the permit/registration you propose to amend/modify.) Attach additional pages as necessary.

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

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

(i.e., the allowed point(s) of diversion/appropriation that will be affected by the proposed amendment/modification, the "FROM" point(s) of diversion/appropriation)

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

- Does the permit/registration being amended/modified involve a ground water source(s)?
☒ Yes ☐ No (Surface water source only.)

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

- Supply a copy of the well log(s) for each point of appropriation that is **clearly labeled** and associated with the corresponding well in the table above and on the accompanying application map.

(NOTE: You may search for well logs on the Department's website at: www.wrd.state.or.us)

or

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

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

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

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

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

(i.e., the allowed lands that will be affected by the proposed amendment/modification, the "FROM" lands)

[illegible]

WATER RESOURCES DEPT
SALEM, OREGON

6. PROPOSED PERMIT AMENDMENT OR REGISTRATION MODIFICATION

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

Location of Proposed Point(s) of Diversion or Appropriation: (i.e., the "TO" point(s) of diversion/appropriation)
(NOTE: Complete this table **only** if a Change in Point of Diversion or Appropriation is being proposed.)

Source	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
Existing Well #9	15 S	12 E	WM	16	NE NE	TL 300	204' S and 476' W from the NE Corner of Section 16

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

If "Yes", attach and **clearly label** the corresponding well log(s) for each proposed well, **or** if well log(s) are **not** available, describe the construction of the well(s) using the table below.

(NOTE: You may search for well logs on the Department's website at: www.wrd.state.or.us)

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

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

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

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

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- *Describe proposed changes to the permit or registration involving place of use. Information described below should accurately correspond to the proposed place of use shown on the accompanying application map. Attach additional pages as necessary.*

Location of Proposed Place of Use: *(i.e., the "TO" lands)*

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

[illegible]

Remarks: The place of use for quasi-municipal permit G-11762 is proposed to be expanded to include all of the existing Eagle Crest destination resort, which is served by an extensive interconnected water distribution piping system. Reference the attached tax lot maps for the proposed expansion of the area of use.

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7. AFFECTED DISTRICTS AND LOCAL GOVERNMENTS

- Are any of the Permit(s) or Registration(s) proposed for amendment/modification located within or served by an irrigation or other water district? ☐ Yes ☒ No
- Will any of the Permit(s) or Registration(s) be located within or served by an irrigation or other water district after the proposed amendment/modification? ☐ Yes ☒ No
- Is water for any of the Permit(s) or Registration(s) supplied under a water service agreement or other contract for stored water with a federal agency? ☐ Yes ☒ No

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

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

Deschutes County, 117 NW Lafayette, Bend, OR 97701

8. PERMIT HOLDER OF RECORD

This section is to be completed only for Permit Amendment applications.

☐ *N/A – This is a Ground Water Registration Modification application.*

- Is the applicant the permit holder of record? ☒ Yes ☐ No

If "No", the applicant must either:

A. *Be assigned as a permit holder of record by submitting a completed **Request for Assignment** form and the required statutory fee for an assignment;*

or

B. *Submit an **Affidavit of Consent** from the permit holder of record that gives permission for the applicant to amend the permit.*

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WATER RESOURCES DEPT
SALEM, OREGON

9. LAND OWNERSHIP

If for a Permit Amendment proposing a Change in Place of Use:

- Does the permit holder of record own or control the land **TO** which the place of use is being moved? ☒ Yes ☐ No

*If "No", the owner of the land **TO** which the place of use is being moved **must be assigned to the permit as a permit holder of record** by submitting a completed **Request for Assignment** form and the required statutory fee for an assignment.*

- Check **one** of the following:
 - ☒ The permit holder of record will be responsible for completion of the proposed changes after the final order is issued. All notices and correspondence should be sent to the permit holder of record.
 - ☒ The applicant will remain responsible for completion of changes. Notices and correspondence should continue to be sent to the applicant and applicant's agent.

If for a Ground Water Registration Modification:

- Does the applicant own the lands **FROM** which the registration is being moved? ☐ Yes ☐ No

If "No", provide the following information:

Names of Current Landowner(s): _____
First Last

Address: _____

City State Zip

- Does the applicant own the lands **TO** which the registration is being moved? ☐ Yes ☐ No

If "No", provide the following information:

Names of Receiving Landowner(s): _____
First Last

Address: _____

City State Zip

- Check **one** of the following:
 - ☐ The receiving landowner will be responsible for completion of the proposed changes after the final order is issued. All notices and correspondence should be sent to this landowner.
 - ☐ The applicant will remain responsible for completion of changes. Notices and correspondence should continue to be sent to the applicant and applicant's agent.

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10. ATTACHMENTS

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

Map:

- X A map meeting the requirements of OAR 690-380-3100 must be included but need **not** be prepared by a Certified Water Right Examiner.

Land Use Information Form:

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

Water Well Reports/Well Logs:

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

Fees:

- X Amount enclosed: \$ \$1200
See the Department's Fee Schedule at www.wrd.state.or.us/OWRD/PUBS/forms.shtml or call (503) 986-0900.

For Permit Amendments Only...

Request for Assignment:

- ☐ Enclosed. The applicant is **NOT** the permit holder of record and needs to be assigned to the permit; OR the landowner of the proposed place of use is **NOT** the permit holder of record and needs to be assigned to the permit.
The Request for Assignment form is available online at: www.wrd.state.or.us/OWRD/PUBS/forms.shtml ; or
- X N/A. The applicant is the permit holder of record and owns or controls the proposed place of use; OR the applicant is **not** the permit holder of record but is supplying an Affidavit of Consent from the permit holder.

Affidavit of Consent:

- ☐ Enclosed. Because the applicant is **NOT** the permit holder of record, an Affidavit of Consent is being supplied that gives permission for the applicant to amend the permit; or
- X N/A. Not required because the applicant is the permit holder of record.

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NOV 29 2007

WATER RESOURCES DEPT
SALEM, OREGON

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

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

11. SIGNATURES

- ***For Ground Water Registration Modification Applications only, check the appropriate one and sign the application in the signature box below:***

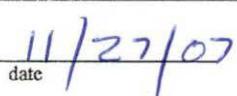
- ☐ In accordance with OAR 690-382-0400(16)(a), I (we) understand that prior to Department approval of a permanent modification and upon my receipt of a draft Preliminary Determination for the proposed modification, I (we) will be required [pursuant to OAR 690-382-0700(5)] to provide the following landownership information and evidence demonstrating that I (we) are authorized to pursue the modification:

- (a) A report of ownership and lien information that has been prepared by a title company *within the last three months*; -
- (b) A copy of written notification of the proposed modification provided by the applicant to all lien holders on the subject lands unless the report of ownership and lien information shows that a water right conveyance agreement has been recorded for the subject lands. *If a water right conveyance agreement has been recorded for the subject lands, a copy of the recorded agreement and a listing of the owner(s) of the lands at the time the agreement was recorded must be submitted; and*
- (c) If the applicant is not both the person named on the ground water registration or the assignee and the owner of the lands to which the registration is appurtenant, as identified in the report of ownership and lien information, then either of the following must be provided:
- A) Notarized statements consenting to the modification by all persons, other than the applicant, who are named on the ground water registration or identified as landowners in the report of ownership and lien information or who are authorized representatives of an entity to whom the interest in the water right has been conveyed as identified in a water right conveyance agreement; or
- B) Documentation demonstrating that the applicant is authorized to pursue the modification in the absence of consent of the persons named on the ground water registration or the assignee and the owner of the lands to which the registration is appurtenant.

- X I (we) affirm that the applicant is a municipality, as defined in ORS 540.510(3)(b), and that the right is in the name of the municipality or a predecessor. Therefore, pursuant to OAR 690-382-0400(16)(b), the applicant is NOT required to provide the above described report of ownership and lien information.

- ☐ I (we) affirm that the applicant is an entity with the authority to condemn property and is acquiring the property to which the ground water registration proposed for modification is appurtenant by condemnation. Documentation is provided with this application supporting this statement. Therefore, pursuant to OAR 690-382-0400(16)(c), the applicant is NOT required to provide the above described report of ownership and lien information. (NOTE: Such an entity may only apply for recognition of a modification under this subsection if it has filed a condemnation action to acquire the property and deposited the funds with the court as required by ORS 35.265.)

- ***For both Permit Amendment and Ground Water Registration Modification Applications, I (we) affirm that the information contained in this application is true and accurate.***

 applicant signature	 name (print)	 date
 applicant signature	 name (print)	 date

RECEIVED

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

Desc
1198

EAGLE CREST WELL #6

155/12E/15dc

(START CARD) # 36697

(1) OWNER:

Well Number: PW #1
Name Eagle Ridge Development Corporation
Address P.O. Box 1215
City Redmond State OR Zip 97756

(2) TYPE OF WORK:

☒ New Well ☐ Deepen ☐ Recondition ☐ Abandon

(3) DRILL METHOD

☒ Rotary Air ☐ Rotary Mud ☐ Cable
☐ Other

(4) PROPOSED USE:

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

(5) BORE HOLE CONSTRUCTION:

Special Construction approval Yes No ☒ Depth of Completed Well 800 ft.
Explosives used ☐ ☒ Type Amount

HOLE			SEAL			Amount sacks or pounds
Diameter	From	To	Material	From	To	
24	0	47	cement	0	47	80 sacks
17	47	800				

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

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

(6) CASING/LINER:

	Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing	18	+1	47	.250	☒	☐	☒	☐
					☐	☐	☐	☐
					☐	☐	☐	☐
Liner	14"	+2	800	.375	☒	☐	☒	☐
					☐	☐	☐	☐

Final location of shoe(s) 800'

(7) PERFORATIONS/SCREENS:

☒ Perforations Method Factory perforated
☐ Screens Type Material

From	To	Slot size	Number	Diameter	Tela/pipe size	Casing	Liner
510	790	1/8X3	7000	14"		☐	☒
						☐	☐
						☐	☐
						☐	☐
						☐	☐

(8) WELL TESTS: Minimum testing time is 1 hour

☐ Pump ☐ Bailor ☒ Air ☐ Flowing ☐ Artesian

Yield gal/min	Drawdown	Drill stem at	Time
800 (est.)		750	1 hr.

Temperature of water 52° Depth Artesian Flow Found

Was a water analysis done? ☐ Yes By whom

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

☐ Salty ☐ Muddy ☐ Odor ☐ Colored ☐ Other

Depth of strata:

(9) LOCATION OF WELL by legal description:

County Deschutes Latitude Longitude
Township 15 S Nor S. Range 12 E E or W. WM.
Section 15 SW 1/4 SE 1/4
Tax Lot 1500 Lot Block Subdivision
Street Address of Well (or nearest address) N/A

(10) STATIC WATER LEVEL:

518 ft. below land surface. Date 2/20/92
Artesian pressure lb. per square inch. Date

(11) WATER BEARING ZONES:

Depth at which water was first found 540

From	To	Estimated Flow Rate	SWL
540	800	800	518

(12) WELL LOG:

Material	From	To	SWL
Sand & cobbles	1	4	
Broken lava red and brown	4	40	
Basalt gray hard	40	55	
Lava cinders red	55	68	
Lava brown	68	80	
Basalt gray and brown hard	80	85	
Basalt softer	85	93	
Lava red & brown broken soft	93	111	
Basalt gray hard	111	157	
Basalt gray softer w/ red cinder	157	162	
Lava red	162	185	
Lava brown w/sandstone	185	299	
Lava dark brown w/pumice	299	330	
Andacite brown hard	330	375	
Andacite gray	375	400	
Andacite Gray & brown hard	400	469	
Andacite gray softer	469	502	
Andacite hard brown	502	524	
Andacite light brown softer	524	568	
Rock black and red	568	600	
Andacite brown hard	600	608	
Red cinder	608	612	
Andacite brown hard	612	620	

Date started 1/30/92 Completed 2/20/92

(unbonded) Water Well Constructor Certification:

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

Signed [Signature] WWC Number 1358
Date 2/4/92

(bonded) Water Well Constructor Certification:

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

Signed [Signature] WWC Number 723
Date 2/4/92

STATE OF OREGON
WATER WELL REPORT
(as required by ORS 537.785)

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OCT 28 1991

(START CARD) # 34267

EAGLE CREST WELL #1

15S/12E-22a

(1) OWNER:

Name Eagle Ridge Development
Address P.O. Box 1215
City Redmond State OR Zip 97756

(2) TYPE OF WORK:

☒ New Well ☐ Deepen ☐ Recondition ☐ Abandon

(3) DRILL METHOD

☒ Rotary Air ☐ Rotary Mud ☐ Cable
☐ Other

(4) PROPOSED USE:

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

(5) BORE HOLE CONSTRUCTION:

Special Construction approval Yes ☐ No ☒ Depth of Completed Well 800 ft.
Explosives used ☐ Yes ☒ No ☐ Type _____ Amount _____

HOLE			SEAL			Amount sacks or pounds
Diameter	From	To	Material	From	To	
13	0	50	cement	18	50	60
10	50	100	cement	0	18	15
8	100	800	bentonite	90	100	

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

☒ Other bentonite dry in top 18'

Backfill placed from _____ ft. to _____ ft. Material _____

Gravel placed from _____ ft. to _____ ft. Size of gravel _____

(6) CASING/LINER:

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing: 8"	±2	98'	250	☒	☐	☒	☐
				☐	☐	☐	☐
				☐	☐	☐	☐
				☐	☐	☐	☐
Liner: 6"	0	800		☐	☐	☐	☐
				☐	☐	☐	☐

Final location of shoe(s) 800

(7) PERFORATIONS/SCREENS:

☒ Perforations Method air perf
☐ Screens Type _____ Material _____

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
600	620	1X1/8	400	6"		☐	☒
700	800	1X1/8	2000	6"		☐	☒
						☐	☐
						☐	☐
						☐	☐

(8) WELL TESTS: Minimum testing time is 1 hour

☐ Pump ☐ Bailor ☒ Air ☐ Flowing ☐ Artesian

Yield gal/min	Drawdown	Drill stem at	Time
30		800	1 hr.

Temperature of water 54 Depth Artesian Flow Found _____

Was a water analysis done? ☐ Yes By whom _____

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

☐ Salty ☐ Muddy ☐ Odor ☐ Colored ☐ Other _____

Depth of strata: _____

(9) LOCATION OF WELL by legal description:

County DESC Latitude _____ Longitude _____
Township 15S Nor S, Range 12E E or W, WM.
Section 22 SE 14 NE 14
Tax Lot _____ Lot _____ Block _____ Subdivision _____

Street Address of Well (or nearest address) _____

Chase Falls Hwy

(10) STATIC WATER LEVEL:

528 ft. below land surface. Date 10/11/91

Artesian pressure _____ lb. per square inch. Date _____

(11) WATER BEARING ZONES:

Depth at which water was first found 608

From	To	Estimated Flow Rate	SWI
608	615		
720	735		

(12) WELL LOG:

Ground elevation _____

Material	From	To	SWI
dirt	0	2	
broken rock	2	12	
sand black coarse dry	12	25	
broken rock red & grey	25	36	
Rock harder	36	42	
sandstone soft brown	42	48	
lava porous grey & brown	48	55	
broken lava red & grey	55	83	
lava harder red & grey	83	132	
basalt grey hard	132	160	
lava red med	160	185	
lava red w/white pumice	185	203	
multi colored lava brn/red/gr	203	310	
broken lava red/brown	310	375	
rock brn med	375	392	
rock grey w/some pumice	392	400	
rock grey and white	400	435	
rock brn/grey/white	435	442	
basalt grey hard	442	461	
andacite grey/brn hard	461	608	
cinders or pumice	608	615	
quartzite/andacite wthered	615	720	
brown andacite weathered	720	735	H ₂ O

Date started 9/18/91 Completed 10/11/91

(unbonded) Water Well Constructor Certification:

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

Signed Dyan B. State WWC Number 1358
Date 10/24/91

(bonded) Water Well Constructor Certification:

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

Signed [Signature] WWC Number 723
Date 10/24/91

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

Desc
1083

RECEIVED RECEIVED S/12E/220

MAR - 9 1993

MAR 24 1993

(START CARD) #

34267

Page 1 of 2

(1) OWNER: Well Number _____
Name Eagle Ridge Development
Address P.O. Box 1215
City Redmond State OR Zip 97756

(2) TYPE OF WORK:
☒ New Well ☐ Deepen ☐ Recondition ☐ Abandon

(3) DRILL METHOD:
☒ Rotary Air ☐ Rotary Mud ☐ Cable
☐ Other _____

(4) PROPOSED USE:
☒ Domestic ☐ Community ☐ Industrial ☒ Irrigation
☐ Thermal ☐ Injection ☐ Other _____

(5) BORE HOLE CONSTRUCTION:
Special Construction approval ☐ Yes ☒ No Depth of Completed Well 800 ft.
Explosives used ☐ Yes ☒ No Type _____ Amount _____

HOLE		SEAL		Amount	
Diameter	From To	Material	From To	sacks or pounds	
13	0 50	Bentonite	0 18	15	
10	50 100	Cement	18 100	60	
8	100 800				

How was seal placed: Method ☐ A ☐ B ☒ C ☐ D ☐ E
☒ Other Bentonite dry in top 18'

Backfill placed from _____ ft. to _____ ft. Material _____
Gravel placed from _____ ft. to _____ ft. Size of gravel _____

Diameter		From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing:								
8		+2	98	.250	☒	☐	☒	☐
Liner:								
6		0	800		☐	☐	☐	☐

Final location of shoe(s) 800

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

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
600	620	1x1/8	400	6		☐	☒
700	800	1x1/8	2000	6		☐	☒

(8) WELL TESTS: Minimum testing time is 1 hour

☐ Pump	☐ Bailer	☒ Air	☐ Flowing Artesian
Yield gal/min	Drawdown	Drill stem at	Time
30		800	1 hr.
			0.492

Temperature of Water 54 Depth Artesian Flow Found _____
Was a water analysis done? ☐ Yes By whom _____
Did any strata contain water not suitable for intended use? ☐ Too little
☐ Salty ☐ Muddy ☐ Odor ☐ Colored ☐ Other _____
Depth of strata: _____

WATER RESOURCES DEPT
(9) LOCATION OF WELL by legal description:

County OREGON Latitude _____ Longitude _____
Township 15 S N or S. Range 12 E E or W. WM. _____
Section 22 SE 1/4 NE 1/4 _____
Tax Lot _____ Lot _____ Block _____ Subdivision _____
Street Address of Well (or nearest address) Cline Falls Hwy

(10) STATIC WATER LEVEL:
528 ft. below land surface. Date 10-11-91

Artesian pressure _____ lb. per square inch. Date _____

(11) WATER BEARING ZONES:

Depth at which water was first found		608	
From	To	Estimated Flow Rate	SWL
608	615		
720	735		

(12) WELL LOG:
Ground elevation _____

Material	From	To	SWL
Dirt	0	2	
Broken rock	2	12	
Sand black coarse dry	12	25	
Broken rock red & gray	25	36	
Rock harder	36	42	
Sandstone soft brown	42	48	
Lava porous gray & brown	48	55	
Broken lava red & gray	55	83	
Lava harder red & gray	83	132	
Basalt gray hard	132	160	
Lava red medium	160	185	
Lava red with white pumice	185	203	
Multi-colored lava brown red	203		
gray		310	
Broken lava red brown	310	375	
Rock medium brown	375	392	
Rock gray with some pumice	392	400	
Rock gray and white	400	435	
Rock brown gray white	435	442	
Basalt gray hard	442	461	

AMENDED LOG
CONTINUED

Date started 9-18-91 Completed 10-11-91

(unbonded) Water Well Constructor Certification:
I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon well construction standards. Material used and information reported above are true to my best knowledge and belief.

Signed [Signature] WWC Number 135
Date 3-8-93

(bonded) Water Well Constructor Certification:
I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon well construction standards. This report is true to the best of my knowledge and belief.

Signed [Signature] WWC Number 22
Date 3-8-93

STATE OF OREGON WATER RESOURCES DEPT.
WATER WELL REPORT SALEM, OREGON
(as required by ORS 537.765)

RECEIVED

JUL - 7 1998

(START CARD) # 89252

EAGLE CREST WELL #8

T.D.# L22893

(1) OWNER:
Name Eagle Crest

Well Number: 8

Address po box 1215

City Redmond State OR Zip 97756

(2) TYPE OF WORK:

☒ New Well ☐ Deepen ☐ Recondition ☐ Abandon

(3) DRILL METHOD

☒ Rotary Air ☐ Rotary Mud ☐ Cable

☐ Other

(4) PROPOSED USE:

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

(5) BORE HOLE CONSTRUCTION:

Special Construction approval Yes No ☐ Depth of Completed Well 600 ft.

Explosives used ☐ Yes ☒ No ☐ Type Amount

HOLE			SEAL			Amount sacks or pounds
Diameter	From	To	Material	From	To	
23"	0	60	cement	0	24	44
19"	60	65	bent	24	40	48
17"	65	600	cement	40	60	282

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

☐ Other chips poured

Backfill placed from ft. to ft. Material

Gravel placed from ft. to ft. Size of gravel

(6) CASING/LINER:

	Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing:	18	+15	60	.375	☒	☐	☒	☐
					☐	☐	☐	☐
					☐	☐	☐	☐
					☐	☐	☐	☐
Liner:	14	-5	600	.375	☒	☐	☒	☐
					☐	☐	☐	☐

Final location of sheets)

(7) PERFORATIONS/SCREENS:

☒ Perforations Method factory - swift
☐ Screens Type Material

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
390	600	1/8x3	8000	14"		☐	☒
						☐	☐
						☐	☐
						☐	☐
						☐	☐

(8) WELL TESTS: Minimum testing time is 1 hour

☐ Pump ☐ Bailer ☒ Air ☐ Flowing
☐ Artesian

Yield gal/min Drawdown Drill stem at Time

1000 N/A 600 1 hr.

Temperature of water 52 degrees Depth Artesian Flow Found

Was a water analysis done? ☐ Yes By whom

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

☐ Salty ☐ Muddy ☐ Odor ☐ Colored ☐ Other

Depth of strata:

(9) LOCATION OF WELL by legal description:

County DeScha County Latitude Longitude

Township 15S Nor S. Range 12E E or W. WM.

Section 14 NW 1/4 SW 1/4

Tax Lot 15-12-1500 Lot Block Subdivision

Street Address of Well (or nearest address)

cline falls hwy

(10) STATIC WATER LEVEL:

312 ft. below land surface. Date 4-22-98

Artesian pressure lb. per square inch. Date

(11) WATER BEARING ZONES:

Depth at which water was first found 350'

From	To	Estimated Flow Rate	SWL
350	600		312

(12) WELL LOG:

Ground elevation

Material	From	To	SWL
soil	0	.5	
basalt grey fractured	.5	8	
wthrd rock soft grey	8	13	
grey harder	13	32	
lava red hard	32	38	
lava red hard	38	40	
basalt grey very hard	40	100	
basalt grey & brown hard	127	141	
lava grey & red med	127	141	
lava brn hard	141	155	
basalt fractures bent red	155	174	
andacite basalt grey hard	174	177	
cinders red tan grey	177		
with pumice		210	
red cinder with grey liner	210		
white pumice		220	
brown sandstone	220	260	
brown sandstone	260	280	
conglomerate brown & black	280	290	
conglomerate brown bounded	280	290	
conglomerate moneangular	480	551	
ansacite white hard	551	560	
plumice white	560	567	

Date started 3-19-98 Completed 4-22-98

(unbonded) Water Well Constructor Certification:

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

WWC Number

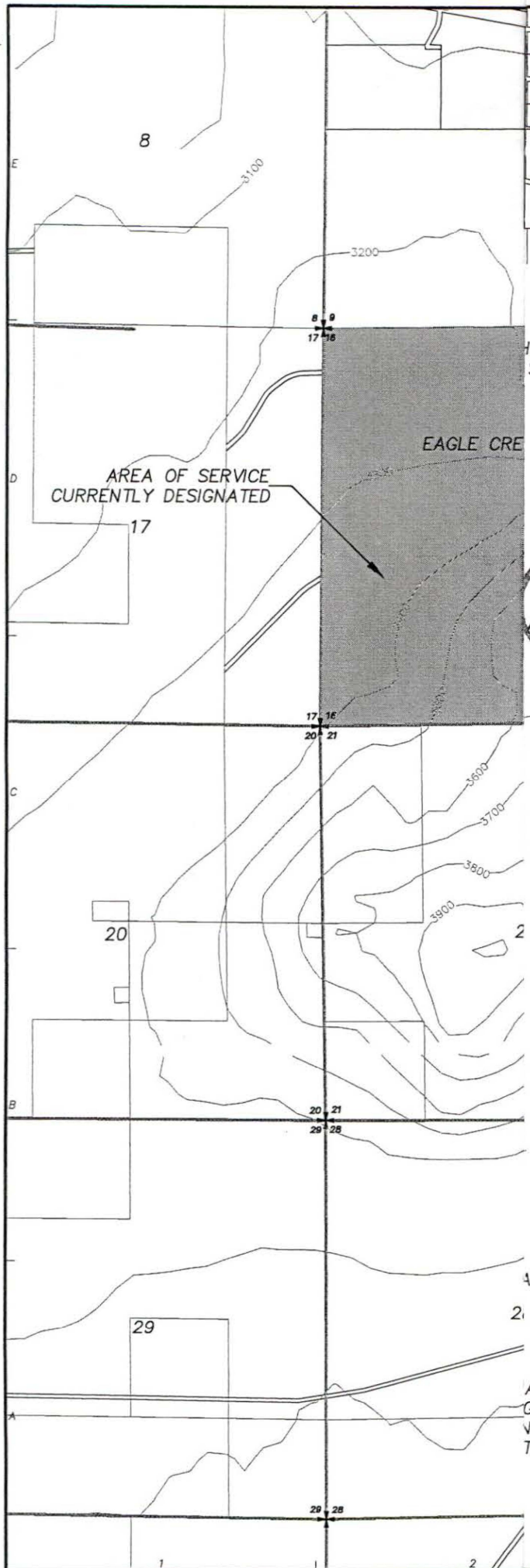
Signed Date

(bonded) Water Well Constructor Certification:

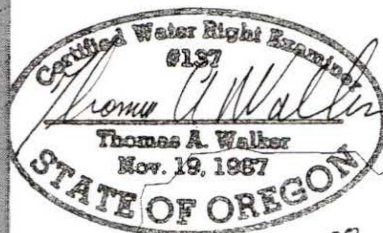
I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. all work performed during this time is in compliance with Oregon well construction standards. This report is true to the best of my knowledge and belief.

WWC Number 1358

Signed Date 5/4/98



IN SECTIONS 14, 15, 16, 22, & 23
SOUTH RANGE 12 EAST

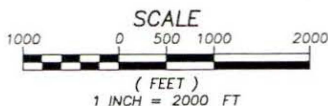


EXPIRES 6-30-08

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SALEM, OREGON



AREA OF SERVICE FOR PERMIT G-13856
(APPLICATION #G-14857)

THIS MAP WAS PREPARED FOR THE PURPOSE
OF SHOWING THE LOCATION OF WATER RIGHTS.
IT WAS NOT INTENDED TO PROVIDE DIMENSIONS
OR DEFINITION OF PROPERTY OWNERSHIP LINES.

1 10492

920 Emkey, Suite C-100
Bend, Oregon 97702-1041
(541) 386-4265
(541) 386-4269 Fax
whpacific.com



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CLINE BUTTE UTILITY COMPANY GROUNDWATER PERMIT AMENDMENT APPLICATION MAP

APPLICATION: G-14857 PERMIT: G-13856

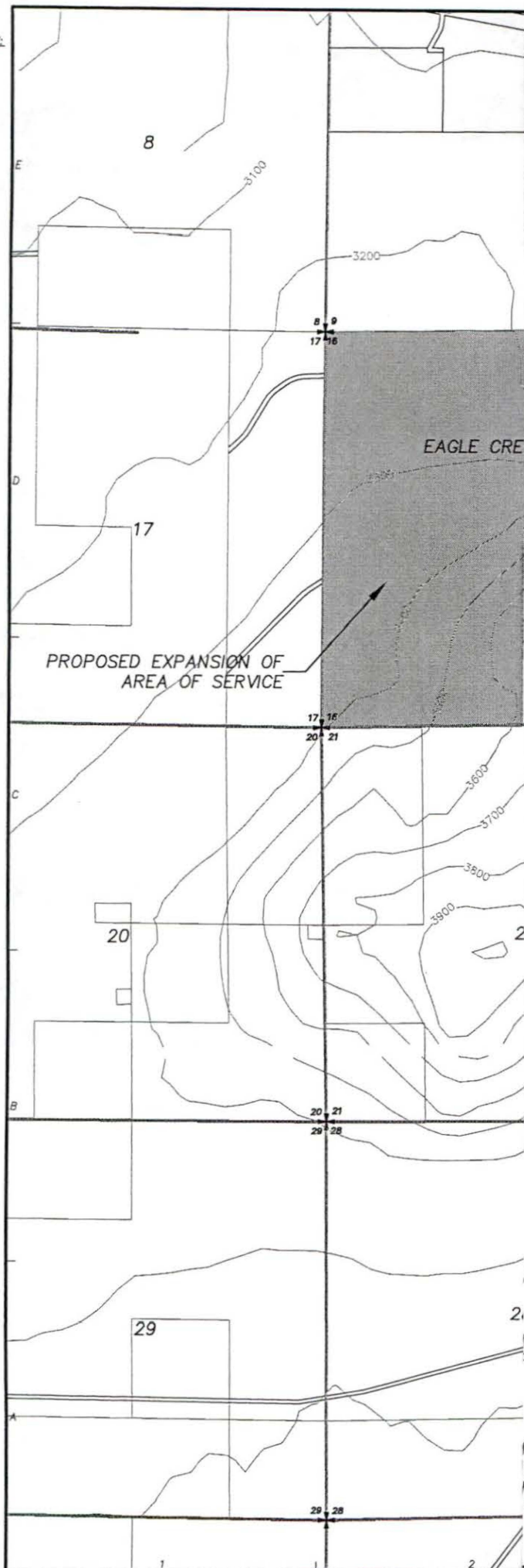
OREGON

DRAWING FILE NAME:
EAGLE CREST 120 RIGHTS.DWG

PROJECT NO.
031250

SCALE:
1" = 2000'

CHECKED BY:	SKS	TW
APPROVED BY:	5/22/2006	05/22/06
DATE:	BY REV	REVISION
		CK'D/MPPR



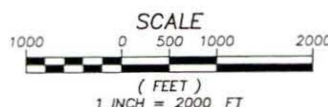
CTIONS 13, 14, 15, 16, 22, 23 & 24
H RANGE 12 EAST



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AREA OF SERVICE FOR PERMIT G-11762
(APPLICATION #G-12905)

WELL #9 AND PROPOSED ADDITIONAL
POINT OF APPROPRIATION.

MAP WAS PREPARED FOR THE PURPOSE
OF THE LOCATION OF WATER RIGHTS.
NOT INTENDED TO PROVIDE DIMENSIONS
OR LOCATION OF PROPERTY OWNERSHIP LINES.

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920 Emkay, Suite C-100
Bend, Oregon 97702-1041
(541) 398-4255
(541) 398-4229 Fax
wheofflo.com



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CLINE BUTTE UTILITY COMPANY
GROUNDWATER PERMIT AMENDMENT
APPLICATION MAP
APPLICATION: G-12905 PERMIT: G-11762
DRAWING FILE NAME: EAGLE CREST h2o RIGHTS.DWG
PROJECT NO. 031250
SCALE: 1"=2000'

CHECKED BY:	SKS	APPROVED BY:	TW
DRAWN BY:	5/22/2006	PLOT DATE:	05/22/06
DATE	BY REV	REVISION	CK'D APPR



Oregon Water Resources Department Land Use Information Form

THIS FORM IS NOT REQUIRED IF: 1) water is to be diverted, conveyed, and/or used only on federal lands; or 2) the application is for a water-right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and all of the following apply: a) only the place of use is proposed for change, b) there are no structural changes, c) the use of water is for irrigation, and d) the use is located in an irrigation district or exclusive farm-use zone.

Applicant Name: Cline Butte Utility Company
Mailing Address: 1230 Golden Pheasant
City: Redmond State: OR Zip: 97756 Day Phone: 541-504-3110

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

A. Land and Location

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

Township	Range	Section	1/4 1/4	Tax Lot #	Plan Designation (e.g. Rural Residential/RR-5)	Water to be:	Proposed Land Use:
15 S	12 E	13,14,15,			DRO	☒ Diverted ☒ Conveyed ☒ Used	Resort
15 S	12 E	16,22,23,			DRO	☒ Diverted ☒ Conveyed ☒ Used	Resort
15 S	12 E	24			DRO	☒ Diverted ☒ Conveyed ☒ Used	Resort
						☐ Diverted ☐ Conveyed ☐ Used	

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

B. Description of Proposed Use

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

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

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

Estimated quantity of water needed: 6.34 ☒ cubic feet per second ☐ gallons per minute ☐ acre-feet

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

Briefly describe: Cline Butte Utility Company, a subsidiary of Eagle Crest, Inc has worked carefully with the Oregon Water Resources Department on a proposed permit amendment to improve the management and efficiency of water use at the existing resort. No new water rights are proposed. This land use form is a required element of the desired permit amendment application.

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

Receipt for Request for Land Use Information

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

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SALEM, OREGON

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For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form.

This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

Please check the appropriate box below and provide the requested information

☐ Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): _____.

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

Type of Land-Use Approval Needed (e.g. plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
Master Plan + Tentative Plan approvals		☒ Obtained	☐ Being pursued
		☐ Denied	☐ Not being pursued
		☐ Obtained	☐ Being pursued
		☐ Denied	☐ Not being pursued
		☐ Obtained	☐ Being pursued
		☐ Denied	☐ Not being pursued
		☐ Obtained	☐ Being pursued
		☐ Denied	☐ Not being pursued
		☐ Obtained	☐ Being pursued
		☐ Denied	☐ Not being pursued

Local governments are invited to express special land-use concerns or make recommendations to the Water Resources Department regarding this proposed use of water below, or on a separate sheet.

Eagle Crest has previously obtained master plan approval for Phases 2 and 3 of the resort. Individual subdivision and site plan approvals have been granted for the lots and buildings at the resort.

Name: Paul Blikstad Title: Senior Planner
Signature: Paul Blikstad Phone: 388-6564 Date: 11-20-07
Government Entity: Deschutes County

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

Receipt for Request for Land Use Information

Applicant name: _____

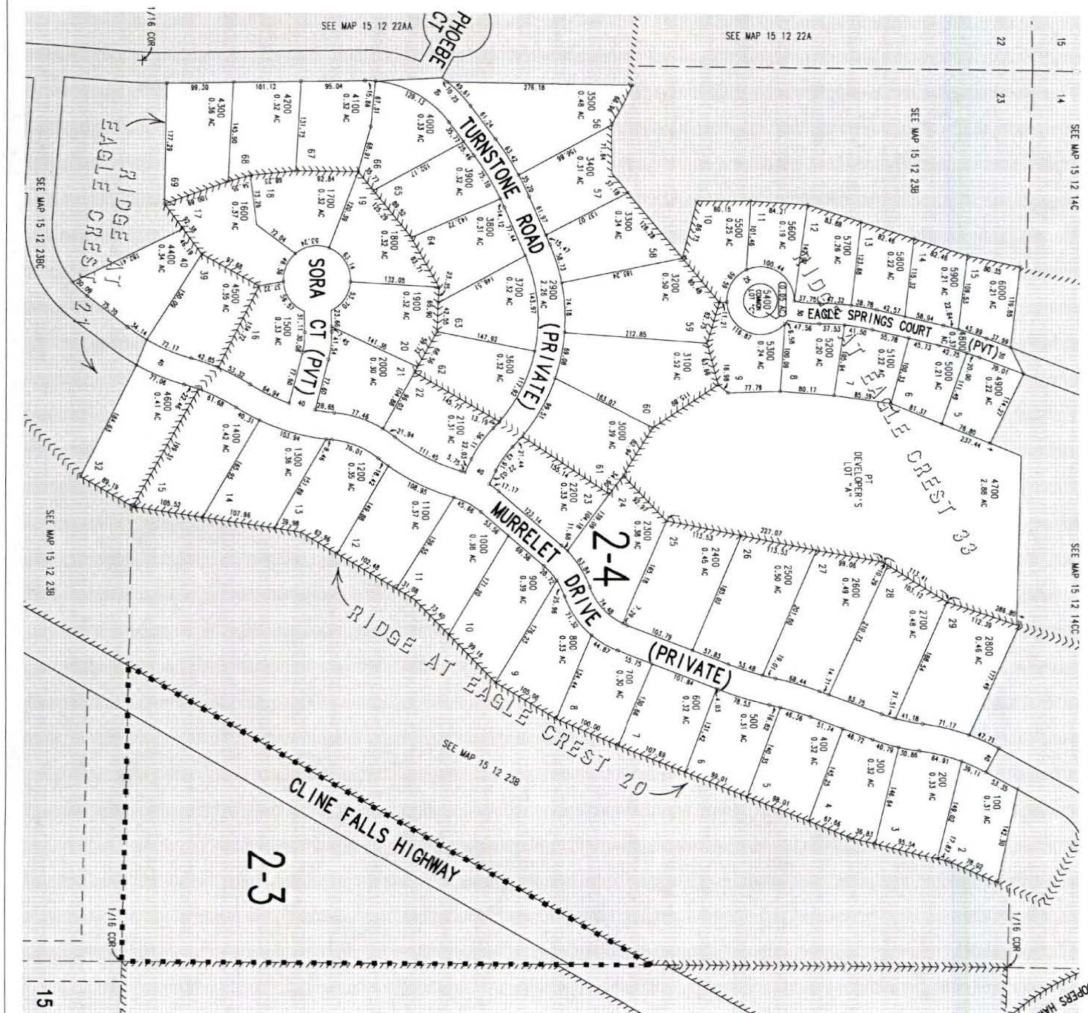
City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

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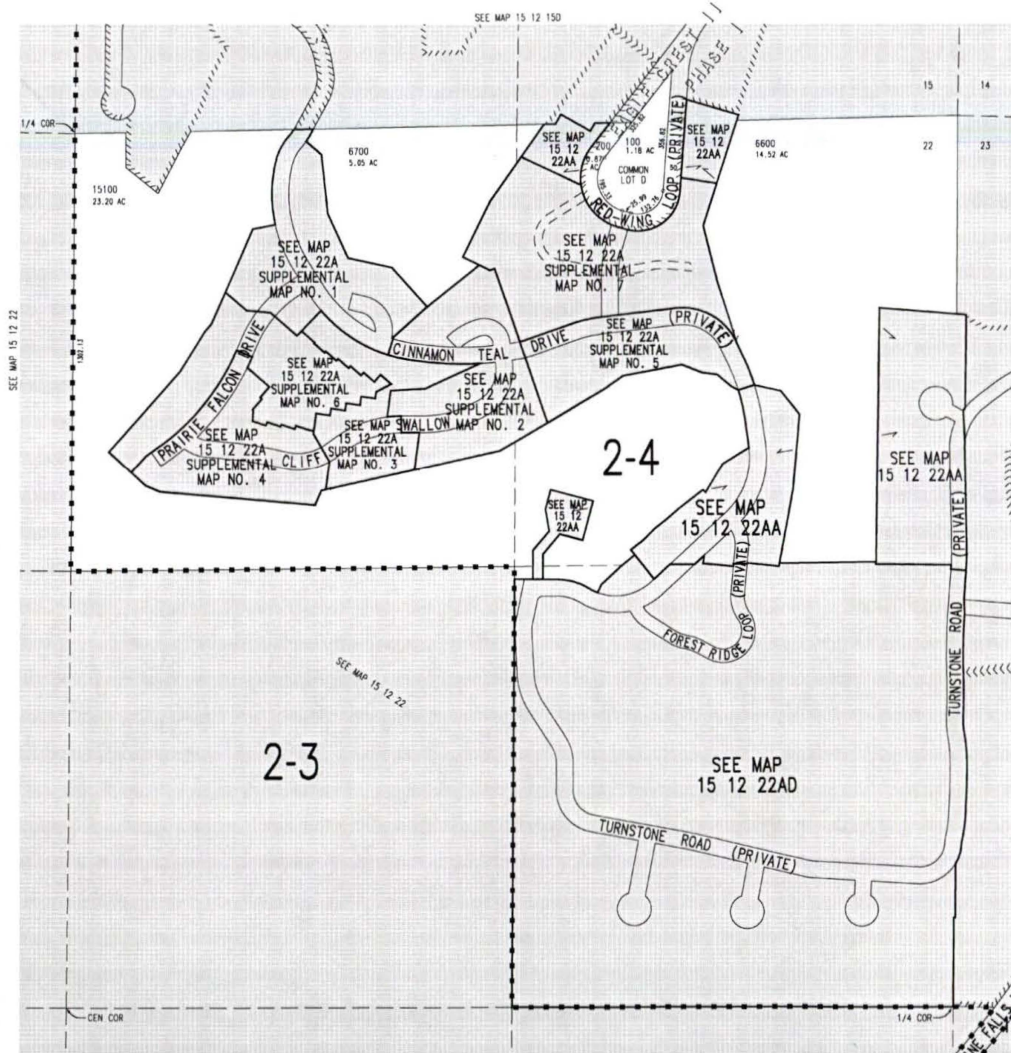


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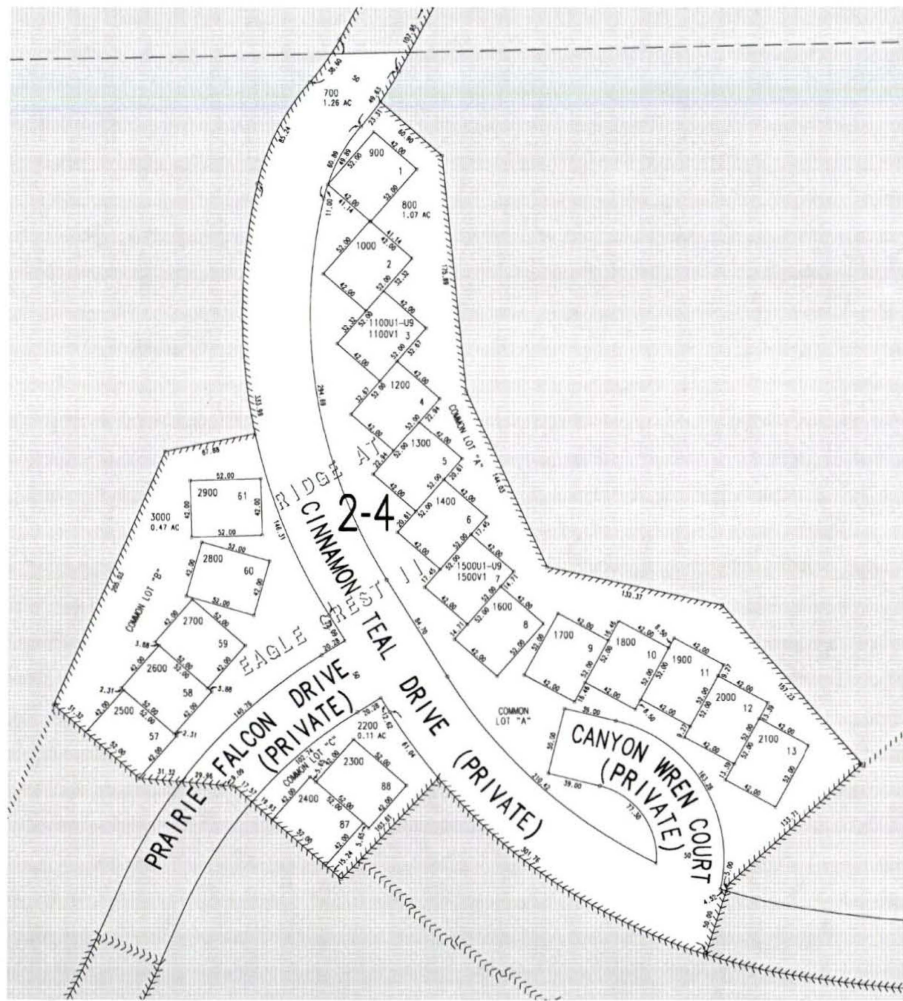
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SALEM, OREGON

T 10492

15 12 22A
& INDEX



Cancelled No.s
1100
1500

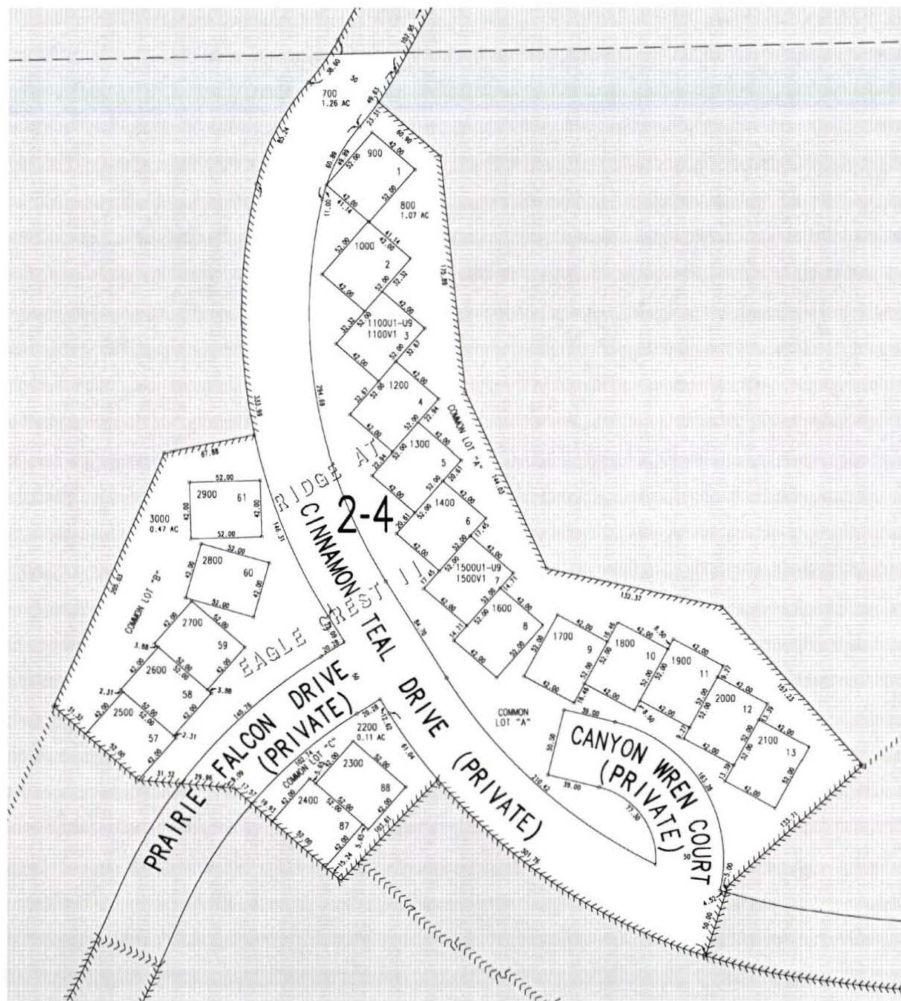
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T 10492

15 12 22A
SUPPLEMENTAL
MAP NO. 1



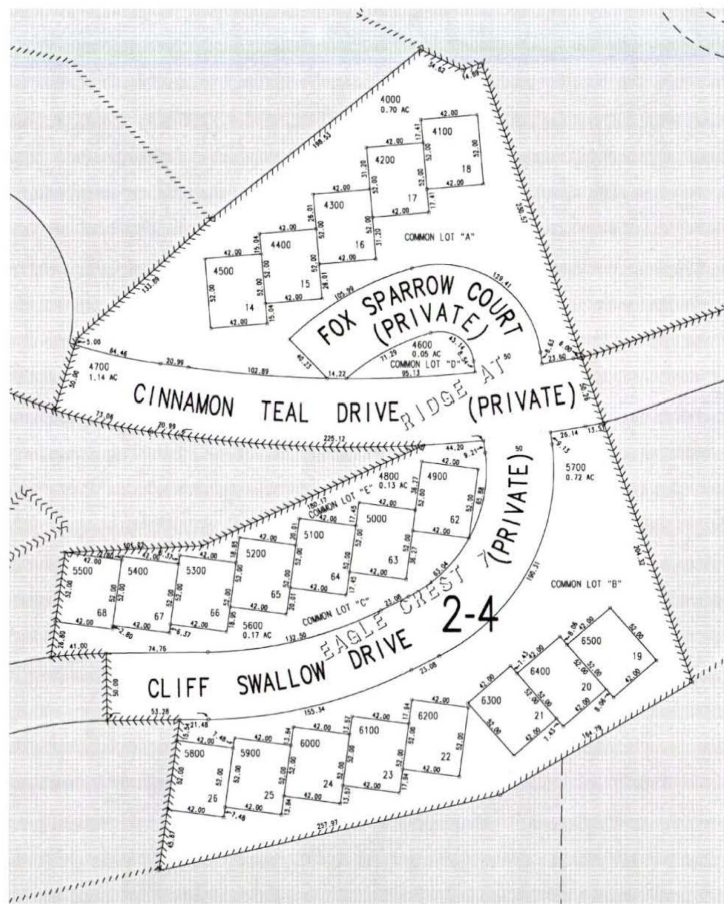
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SUPPLEMENTAL
MAP NO. 1

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1500

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T 10492



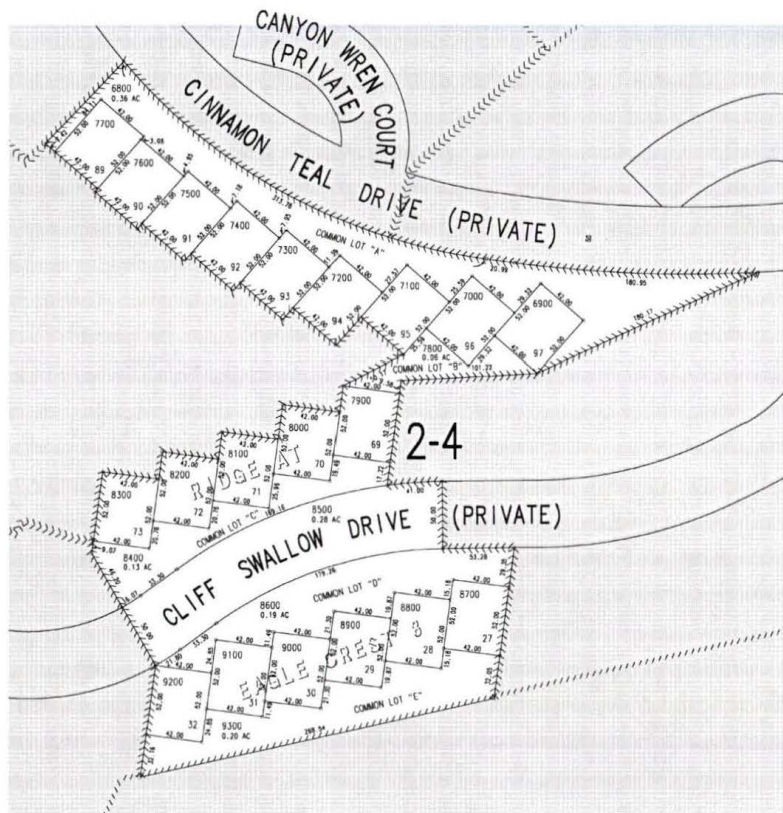
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SALEM, OREGON

T 30492

15 12 22A
SUPPLEMENTAL
MAP NO. 2

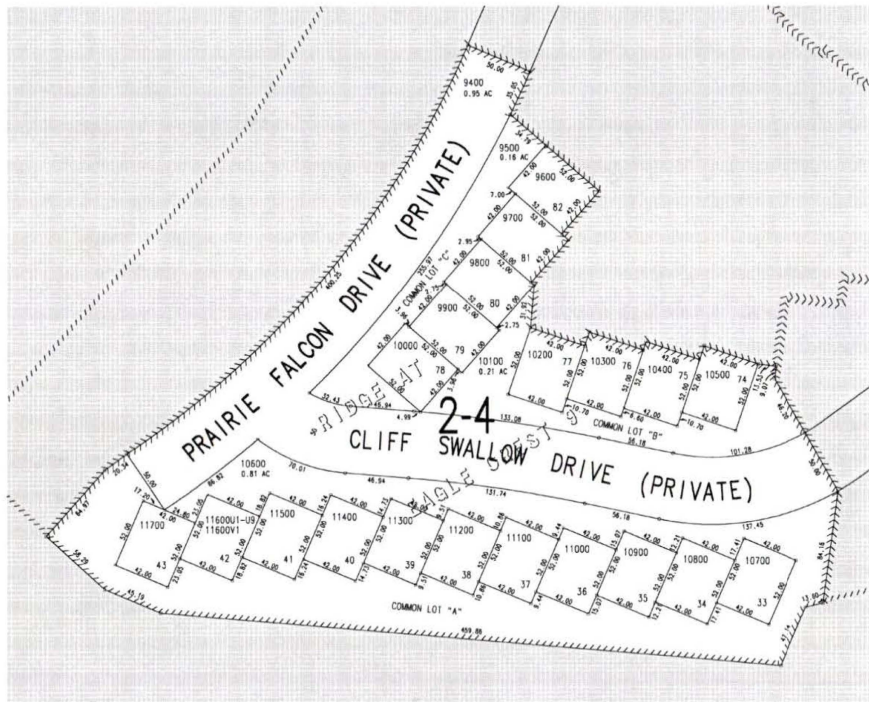


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T 104 WATER RESOURCES DEPT
SALEM, OREGON

15 12 22A
SUPPLEMENTAL
MAP NO. 3



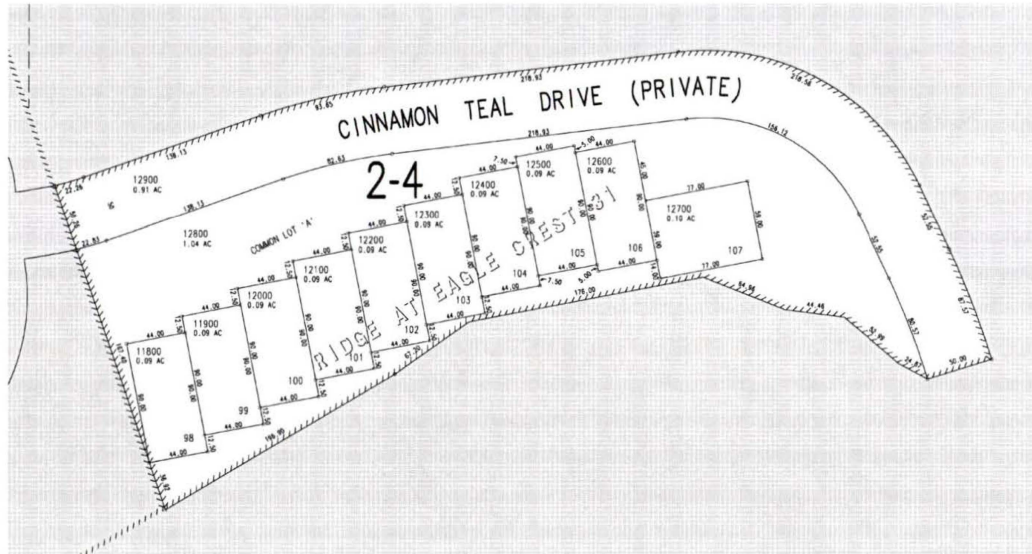
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MAP NO. 4

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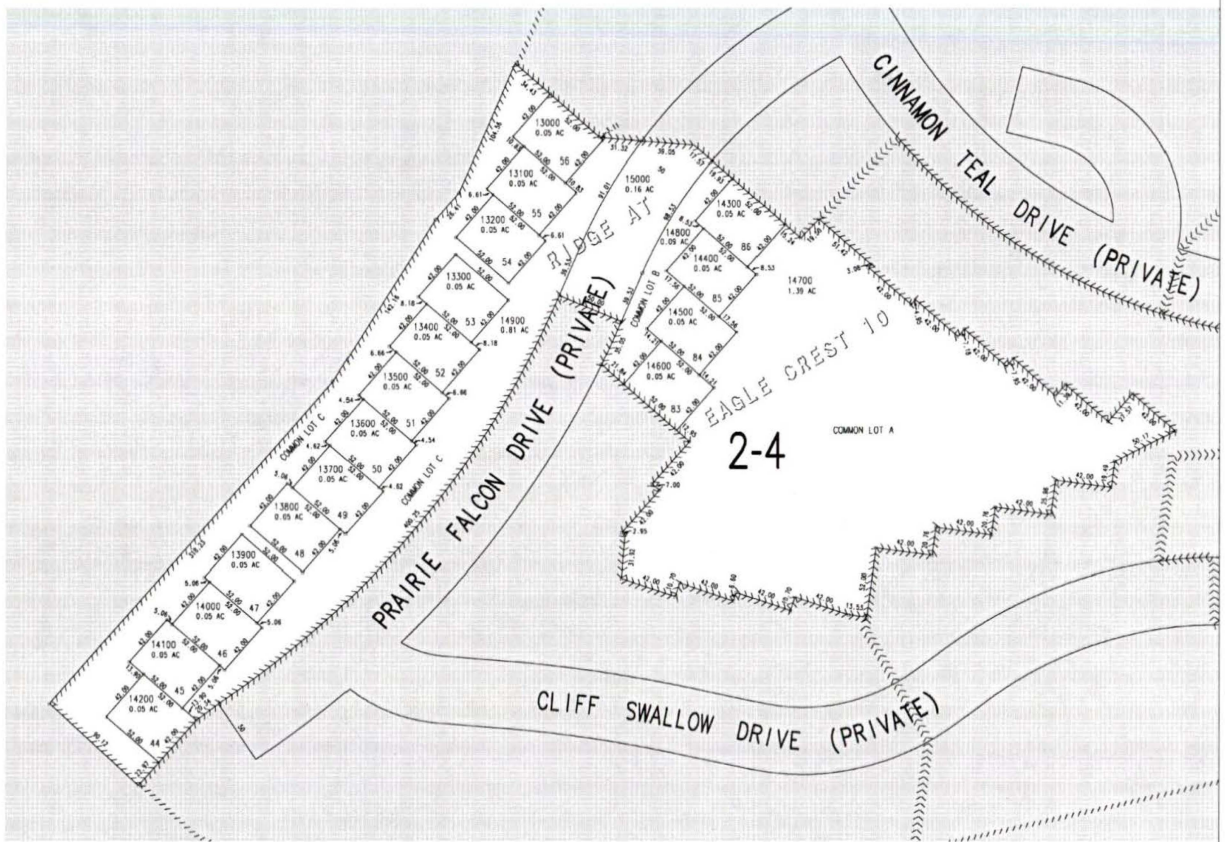
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MAP NO. 5

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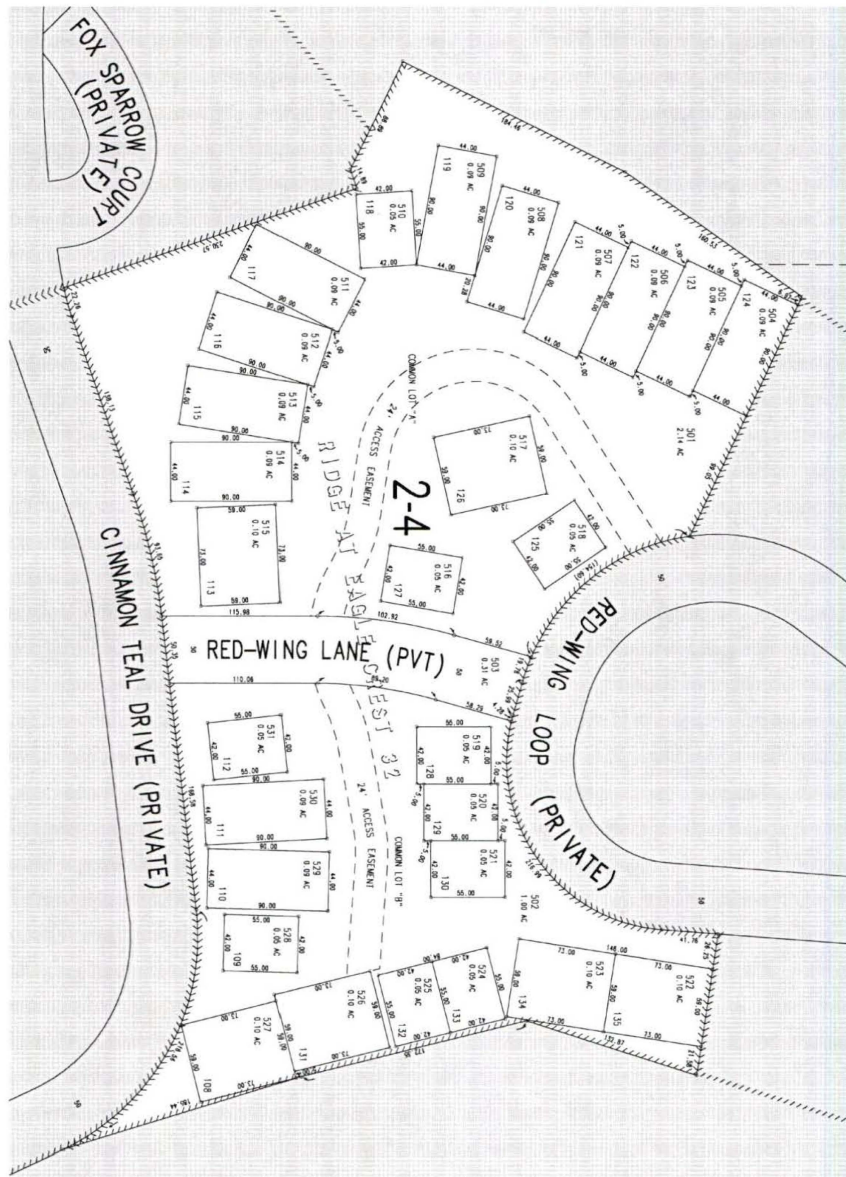
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15 12 22A
SUPPLEMENTAL
MAP NO. 6

15 12 22A
SUPPLEMENTAL
MAP NO. 7



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2-4



PT COMMON LOT "C"

SEE MAP 15 12 23B

SEE MAP 15 12 238C

SEE MAP 15 12 23B

SEE MAP 15 12 23BC

SEE MAP 15 12 22AA

SEE MAP 15 12 22A

SEE MAP 15 12 22MA

SEE MAP 15 12 22A

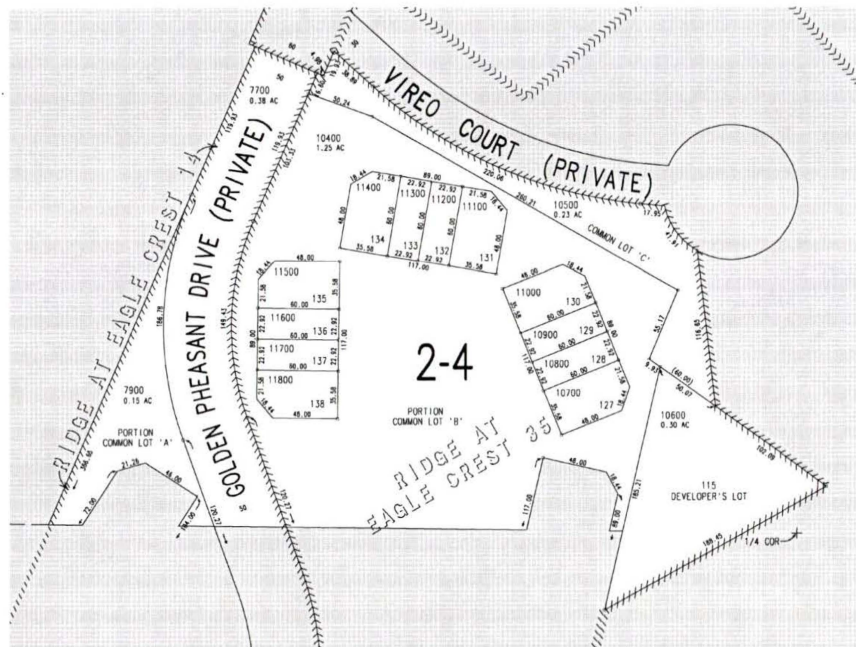
SEE MAP 15 12 22MA

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Cancelled No.s
6700 thru 7600
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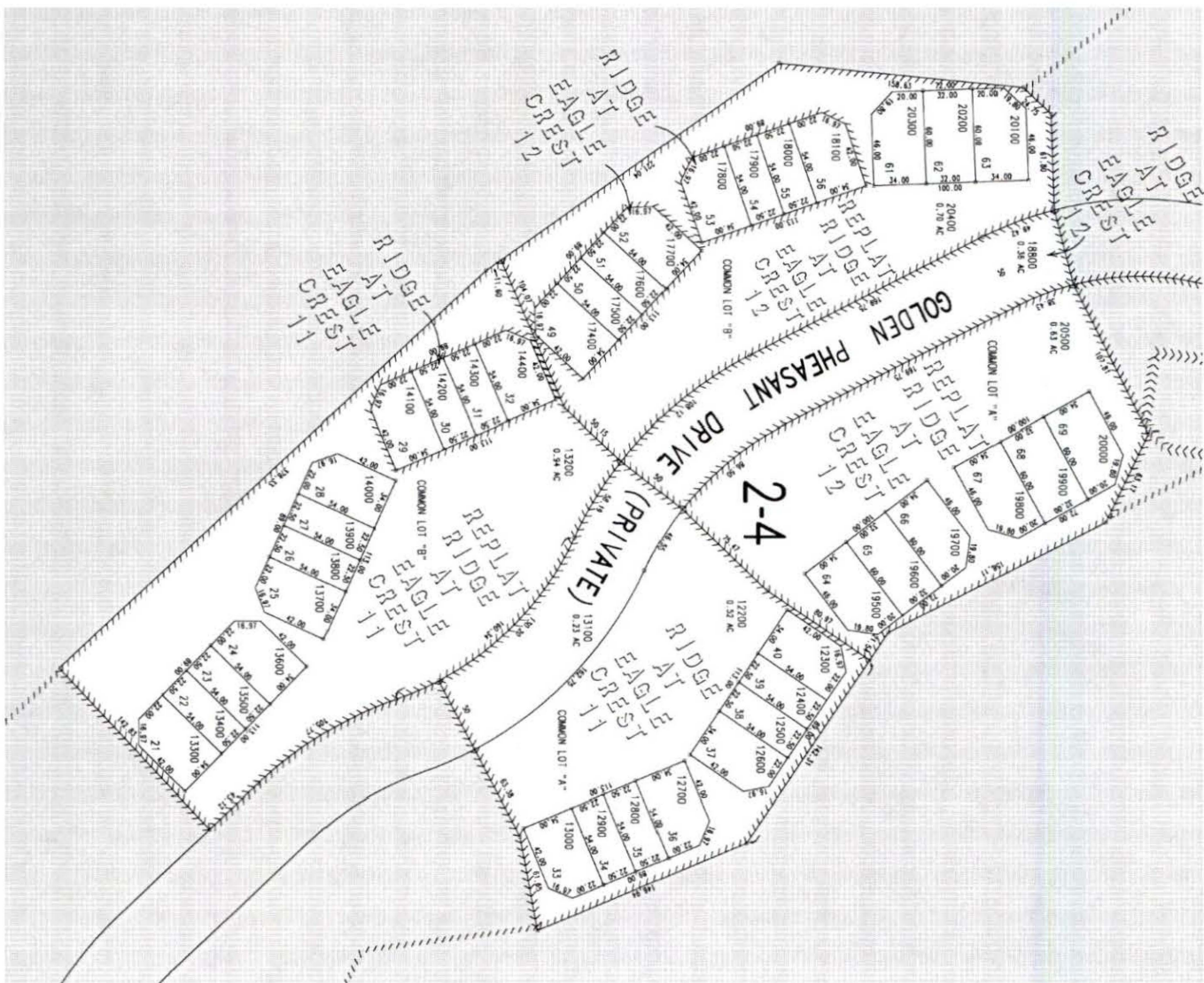
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15 12 15A
SUPPLEMENTAL
MAP NO. 1



Consolidated No. 3
16600 thru 17300
18200 thru 18700

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15 12 150
SUPPLEMENTAL
MAP NO. 2

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY.
COORDINATES SHOWN IN PARENTHESES ARE
FOR MAP PREPARATION PURPOSE ONLY.
REVISED: 11/23/1999

SUPPLEMENTAL MAP NO. 3
SE1/4 SEC. 15 T.15S. R.12E. W.M.
DESCHUTES COUNTY

1" = 50'

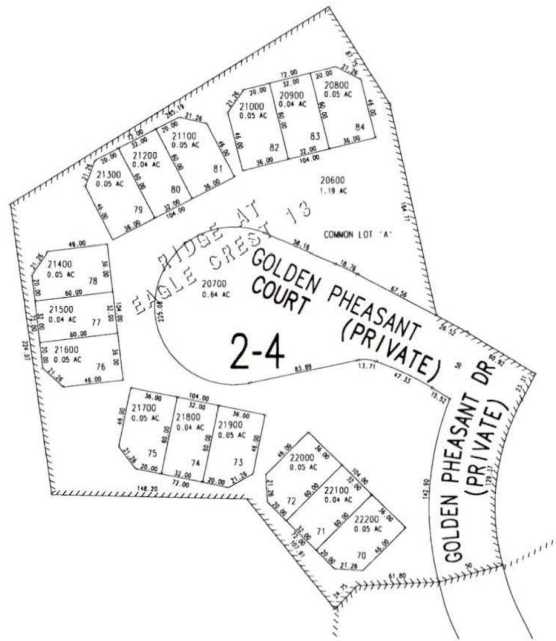
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MAP NO. 3

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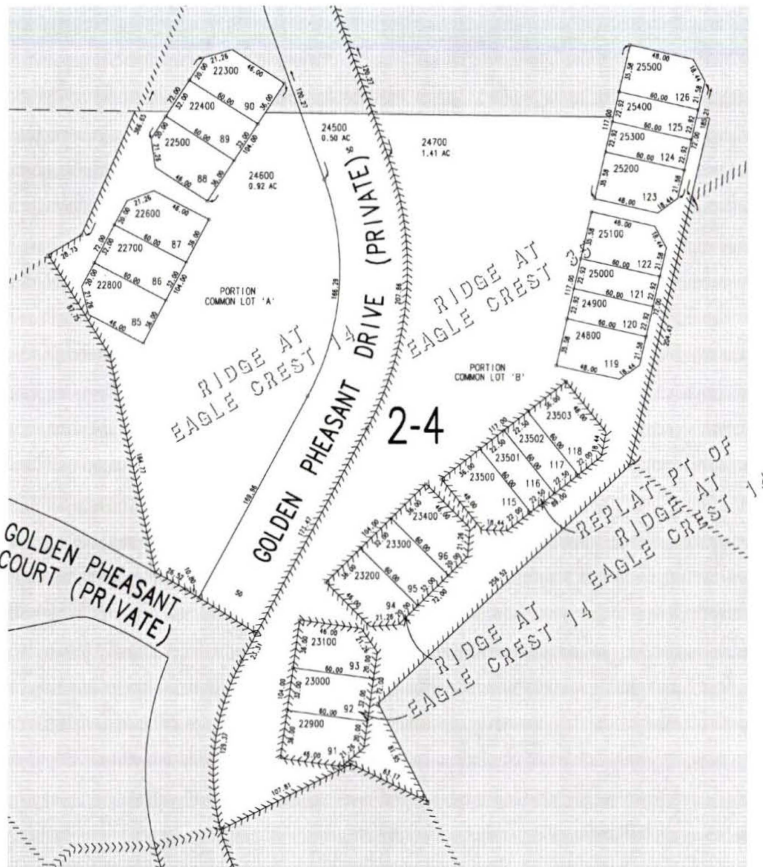
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15 12 15D
SUPPLEMENTAL
MAP NO. 3



Cancelled No.s
23600 thru 24400

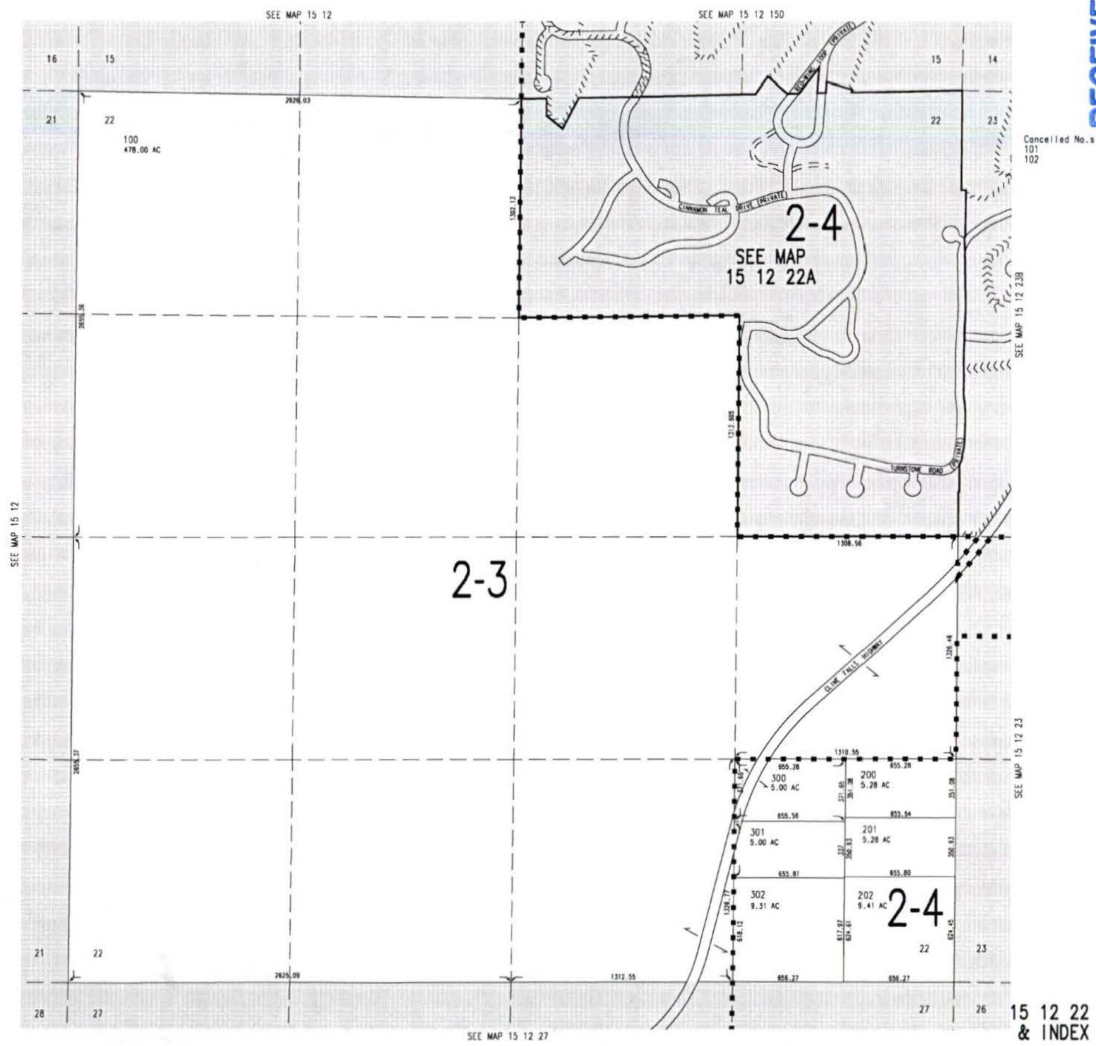
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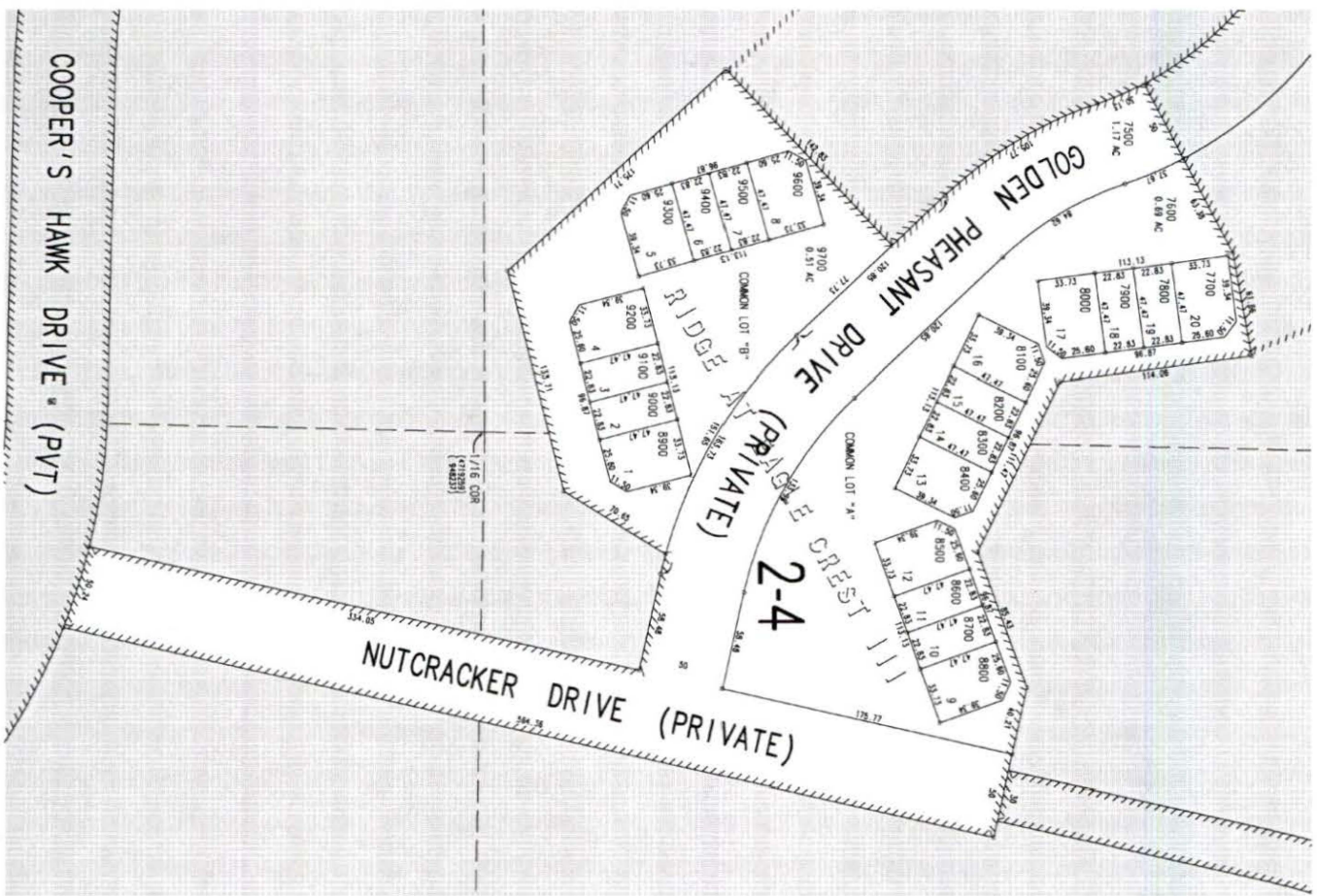
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SUPPLEMENTAL
MAP NO. 4

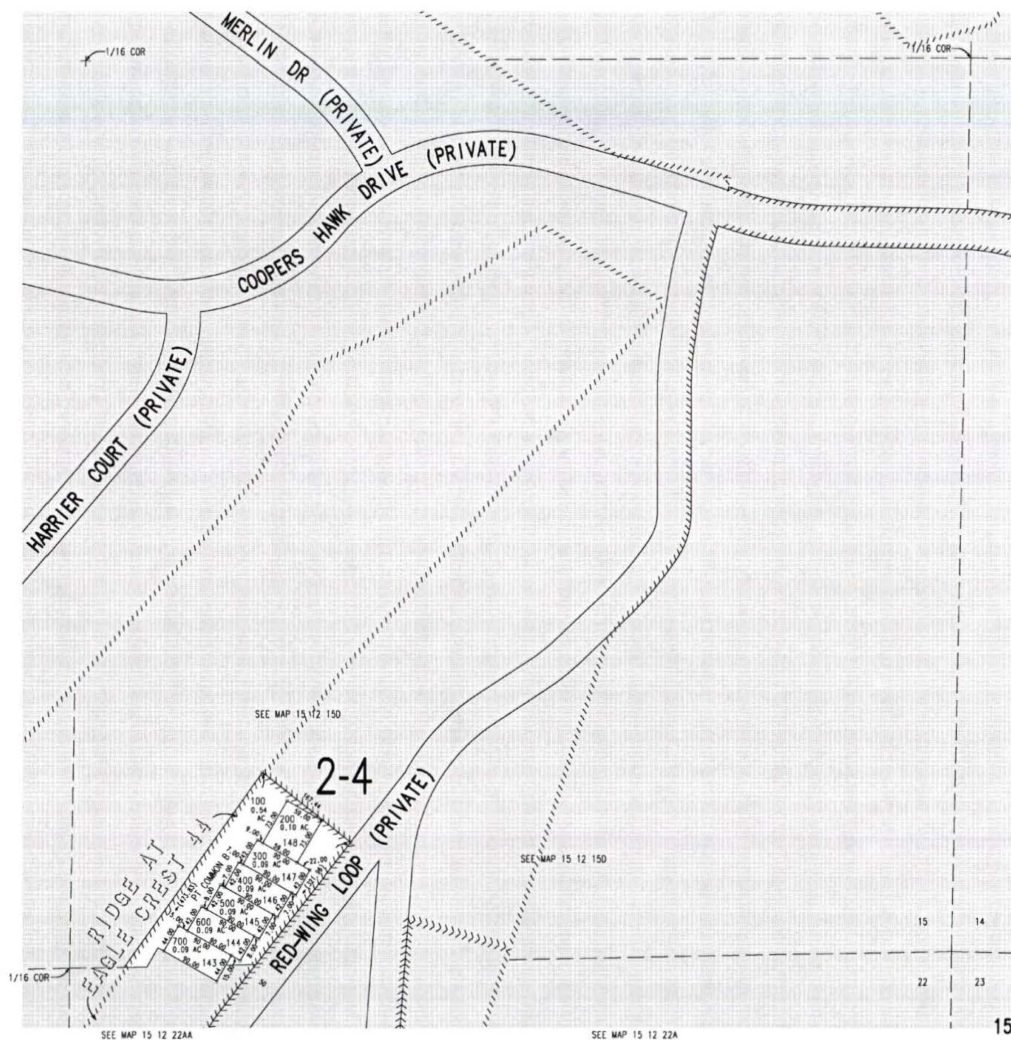


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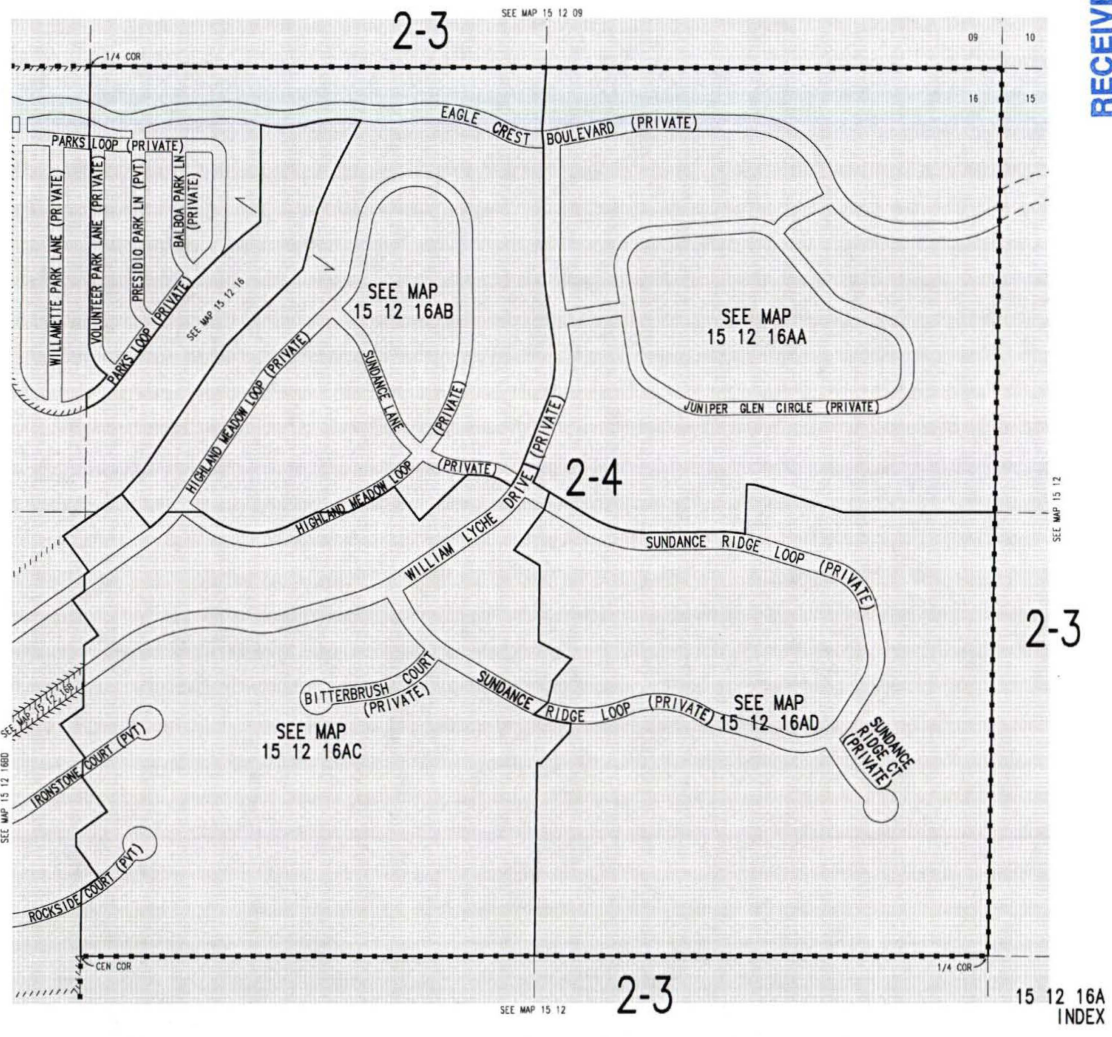
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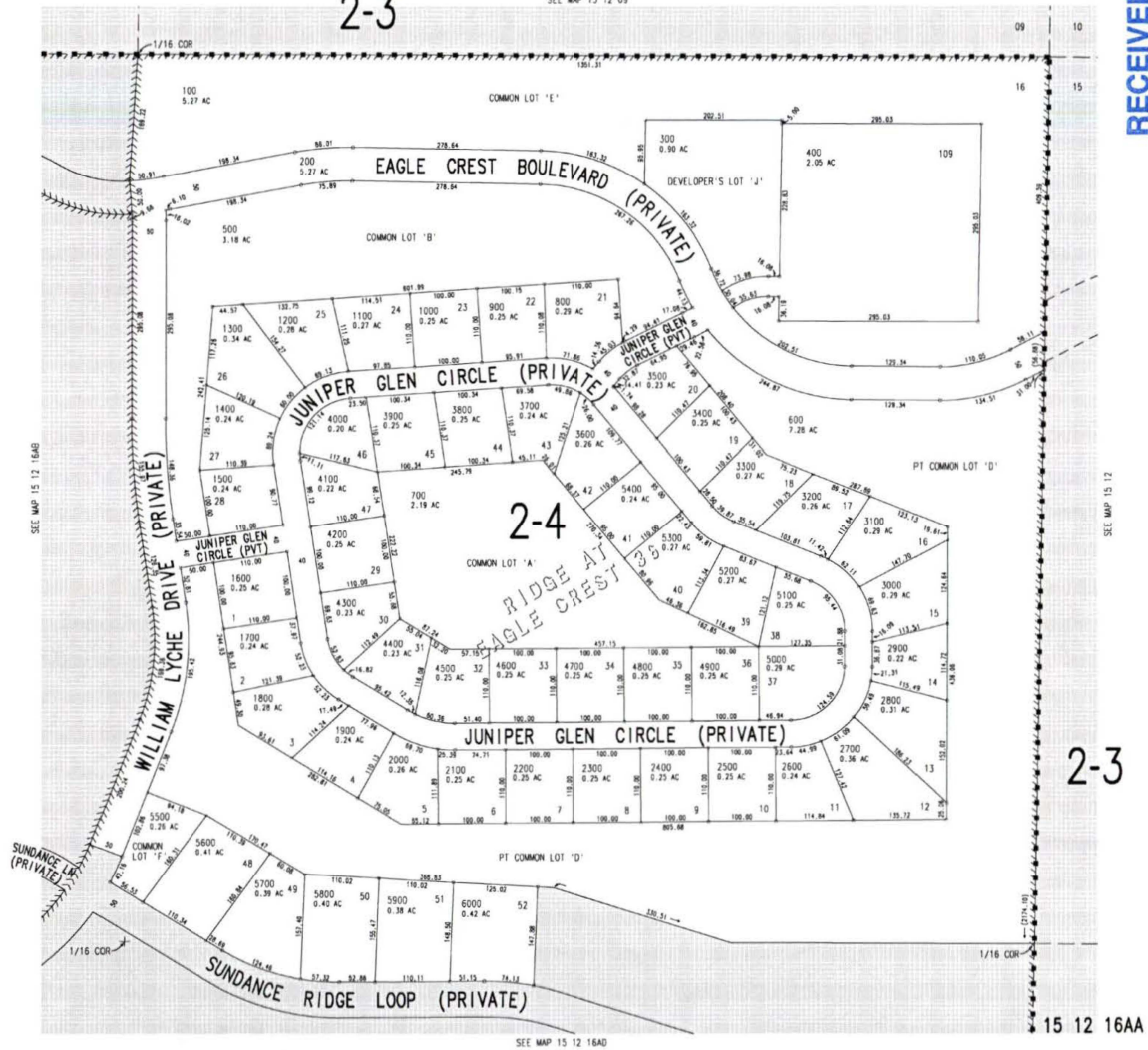
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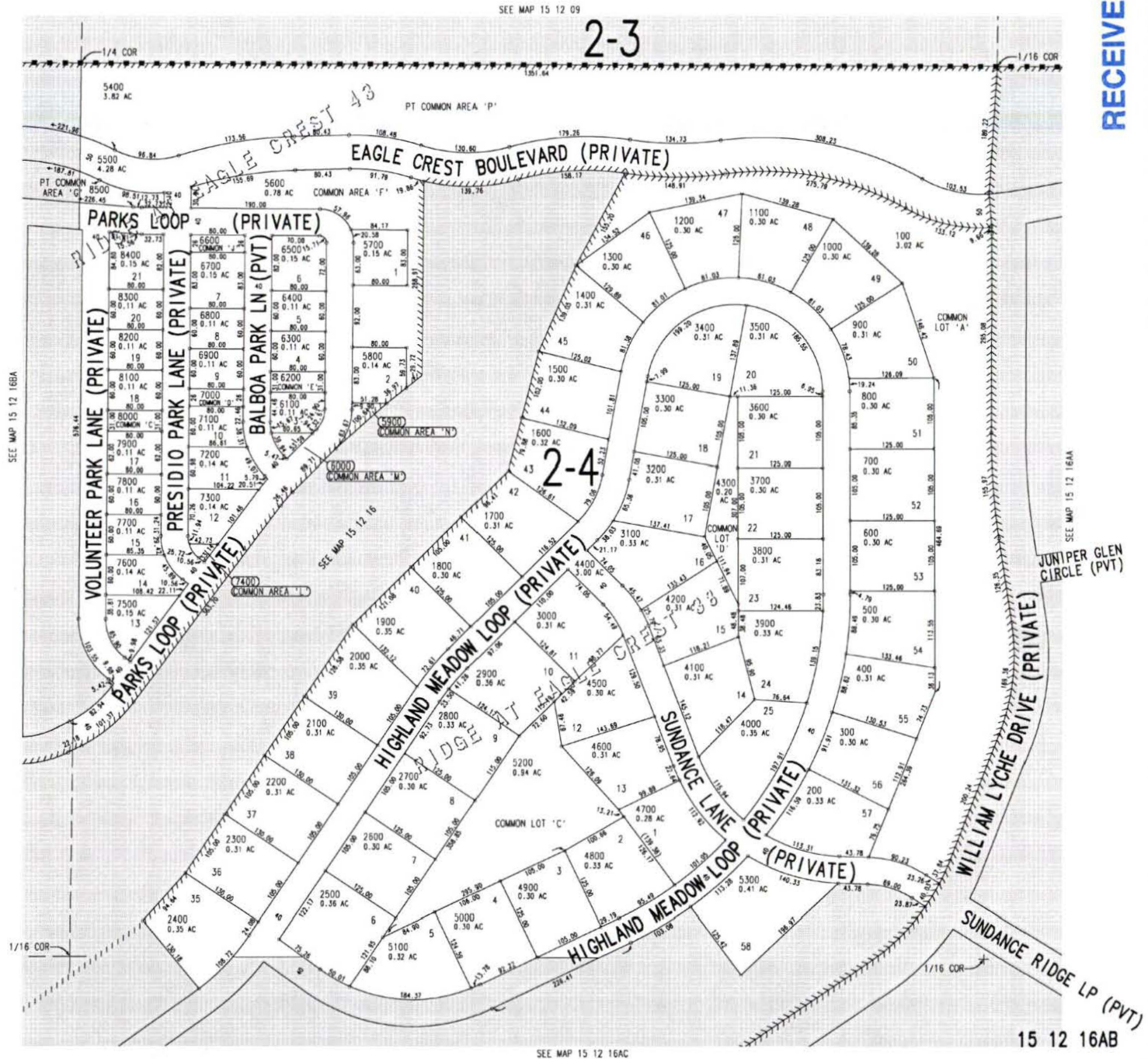
SEE MAP 15 12 09



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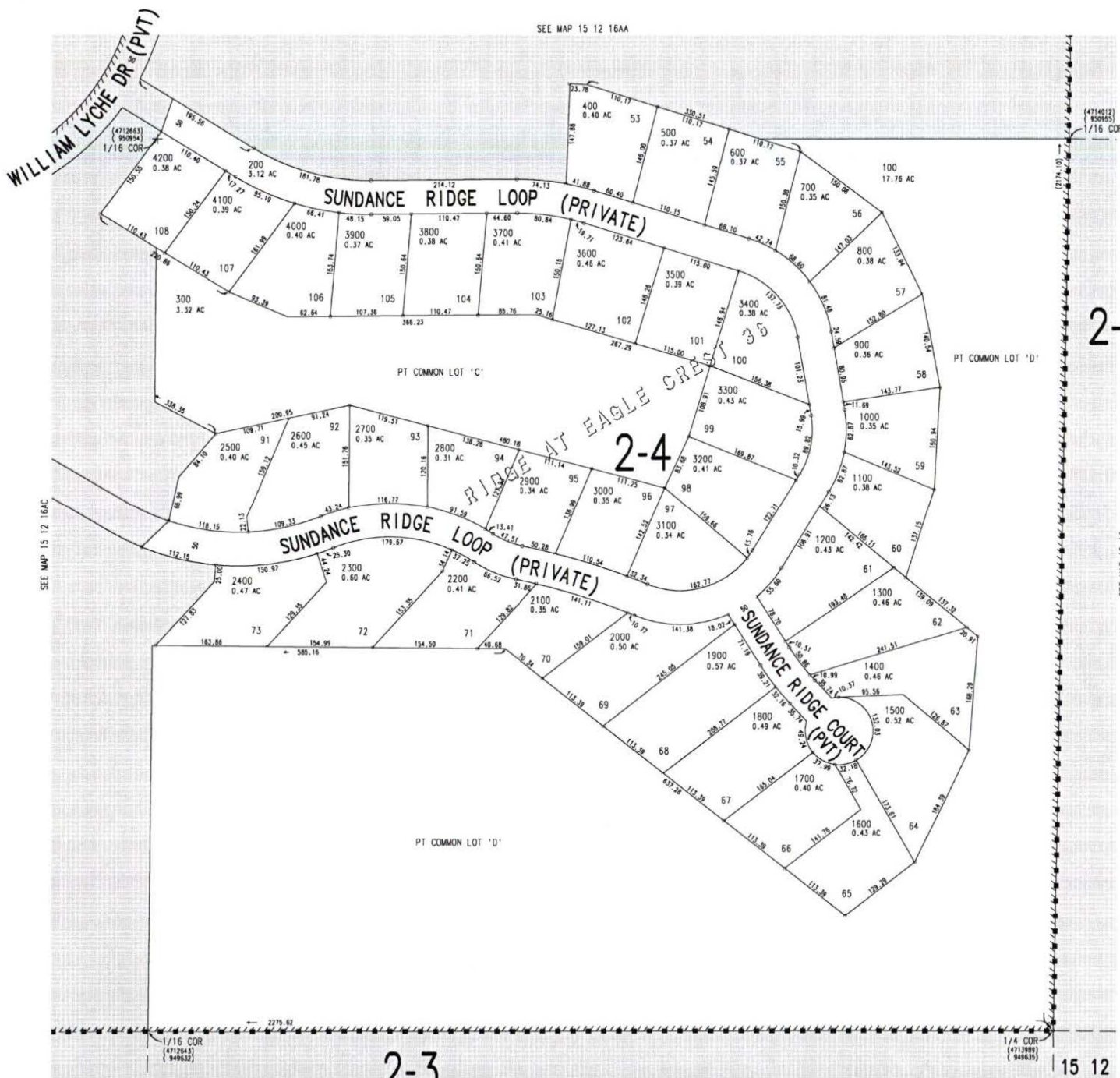
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15 12 16AB



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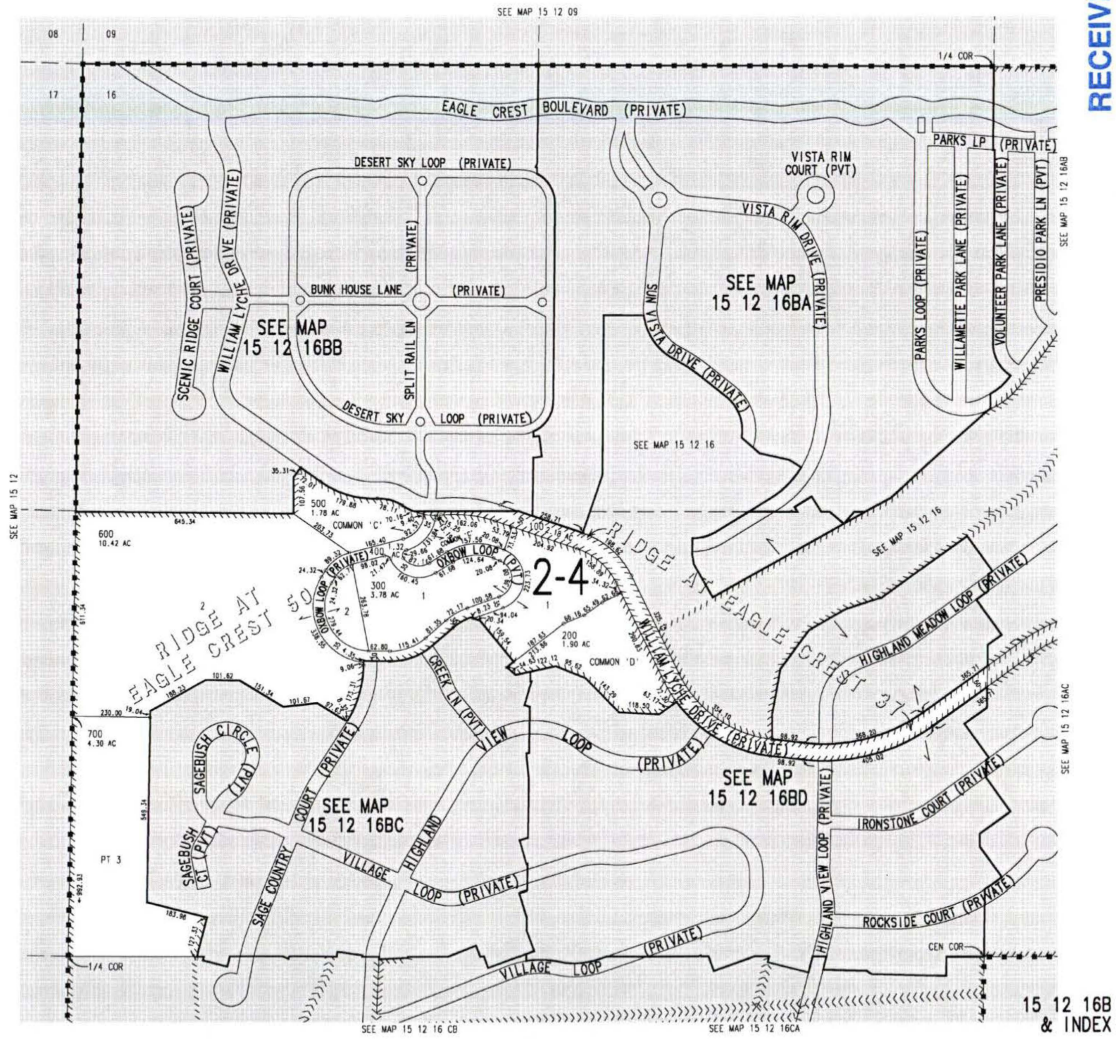
2-3

SEE MAP 15 12

2-3

SEE MAP 15 12

15 12 16AD

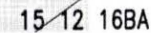


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2-3



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100

WATER RESOURCES DEPT
SALEM, OREGON

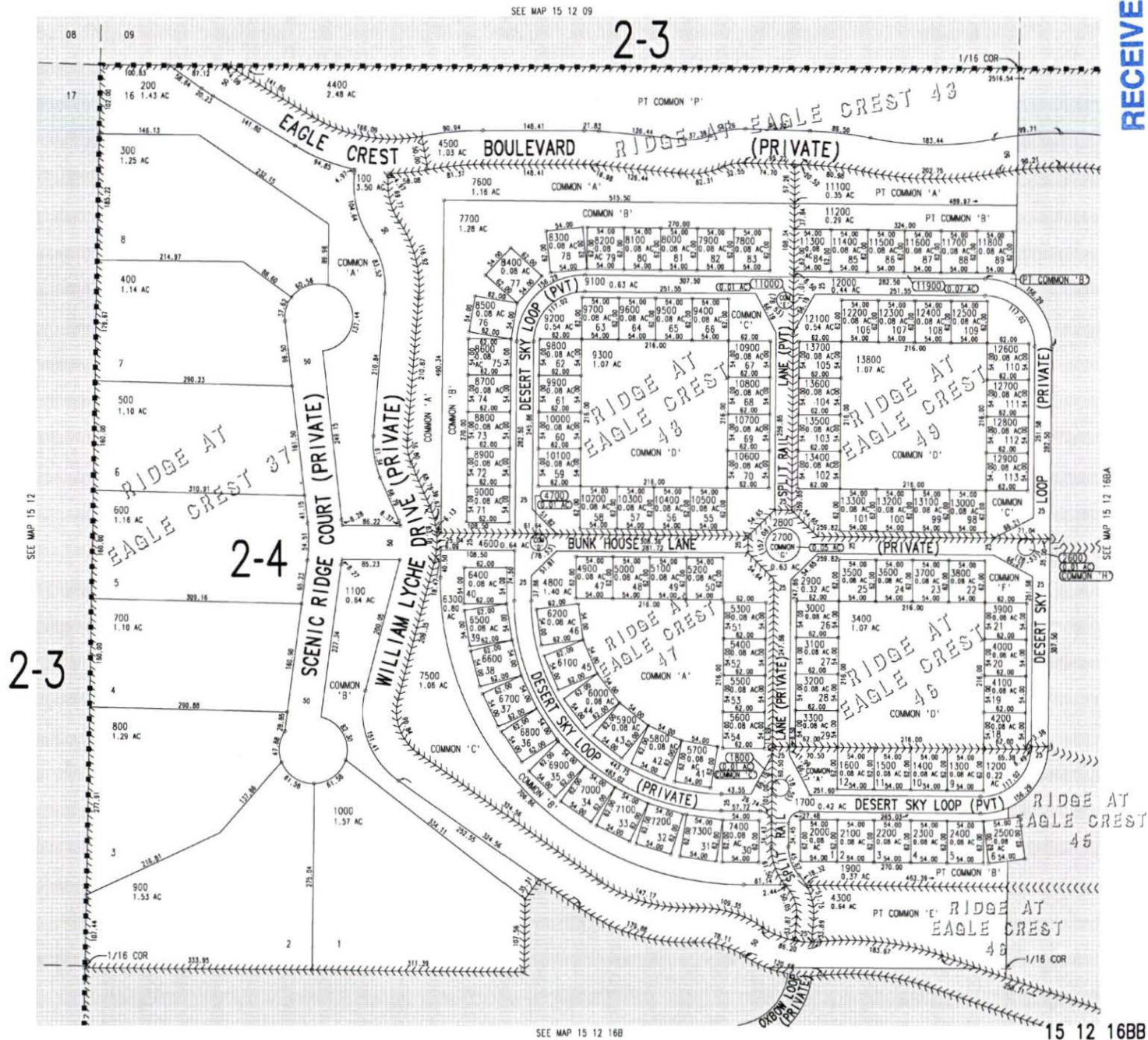
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SALEM, OREGON

T 10492



15 12 16BB

SEE MAP 15 12 16B

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WATER RESOURCES DEPT
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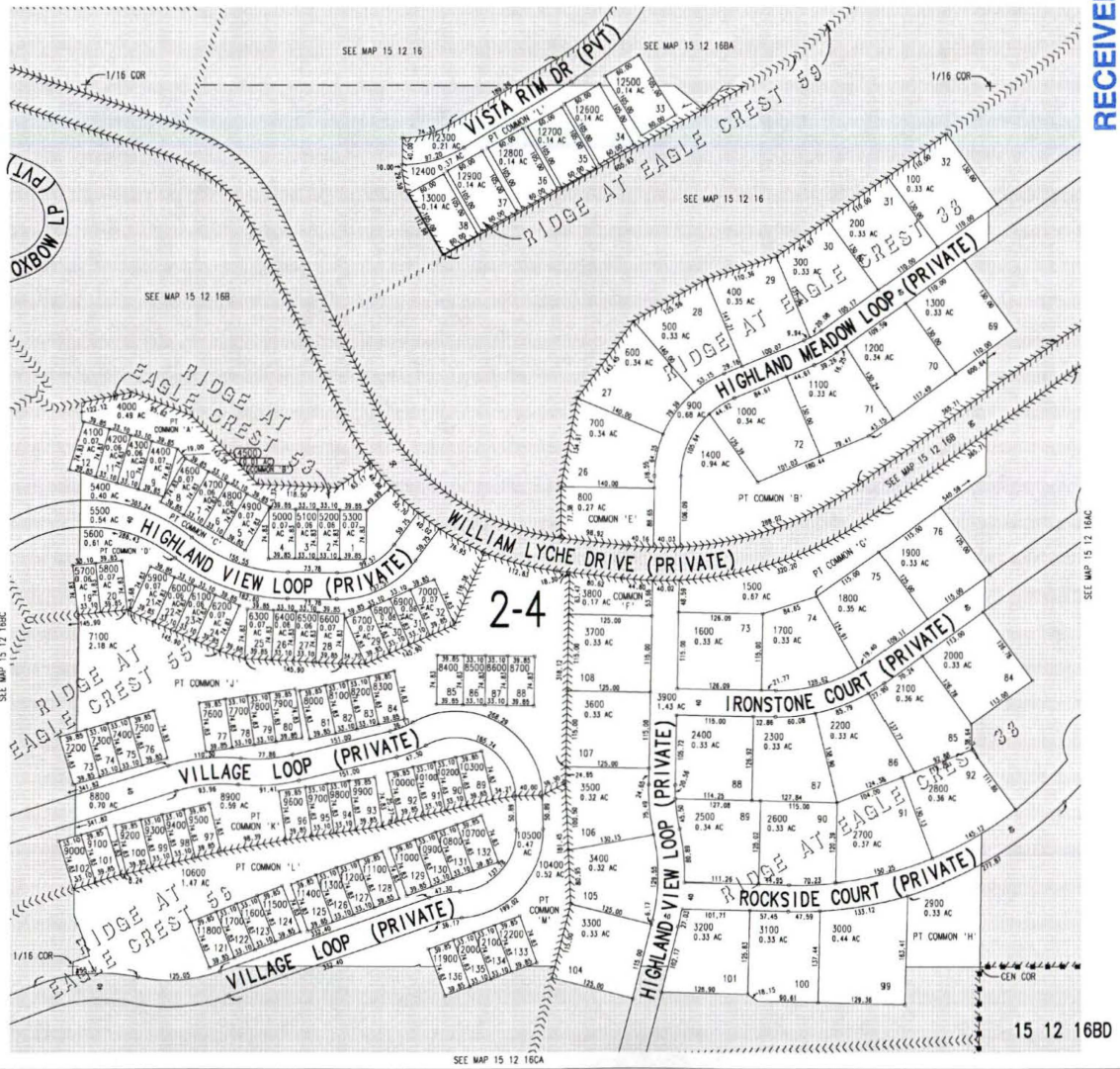
T 10492

Cancelled Nos.
11100

✓

15 12 16BC

SEE MAP 15 12 16CB



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WATER RESOURCES DEPT
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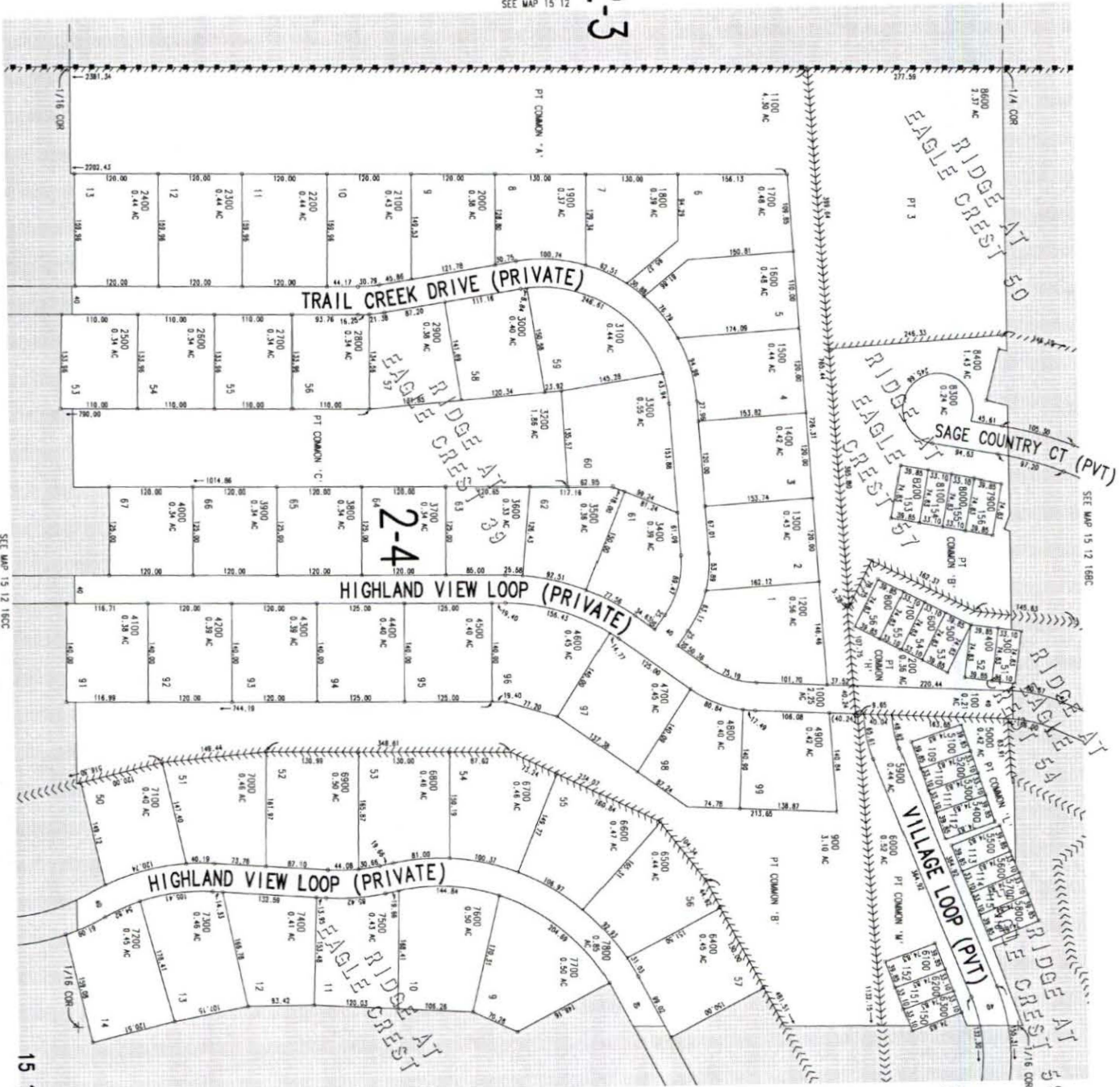
110492

15 12 16BD

WATER RESOURCES DEPT
SALEM, OREGON

SEE MAP 15 12

2-3



SEE MAP 15 12 16CA

Cancelled Nos.
8500

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WATER RESOURCES DEPT
SALEM, OREGON

10492

2-3

SEE MAP 15 12

SEE MAP 15 12 16CB

SEE MAP 15 12 16CD

SEE MAP 15 12

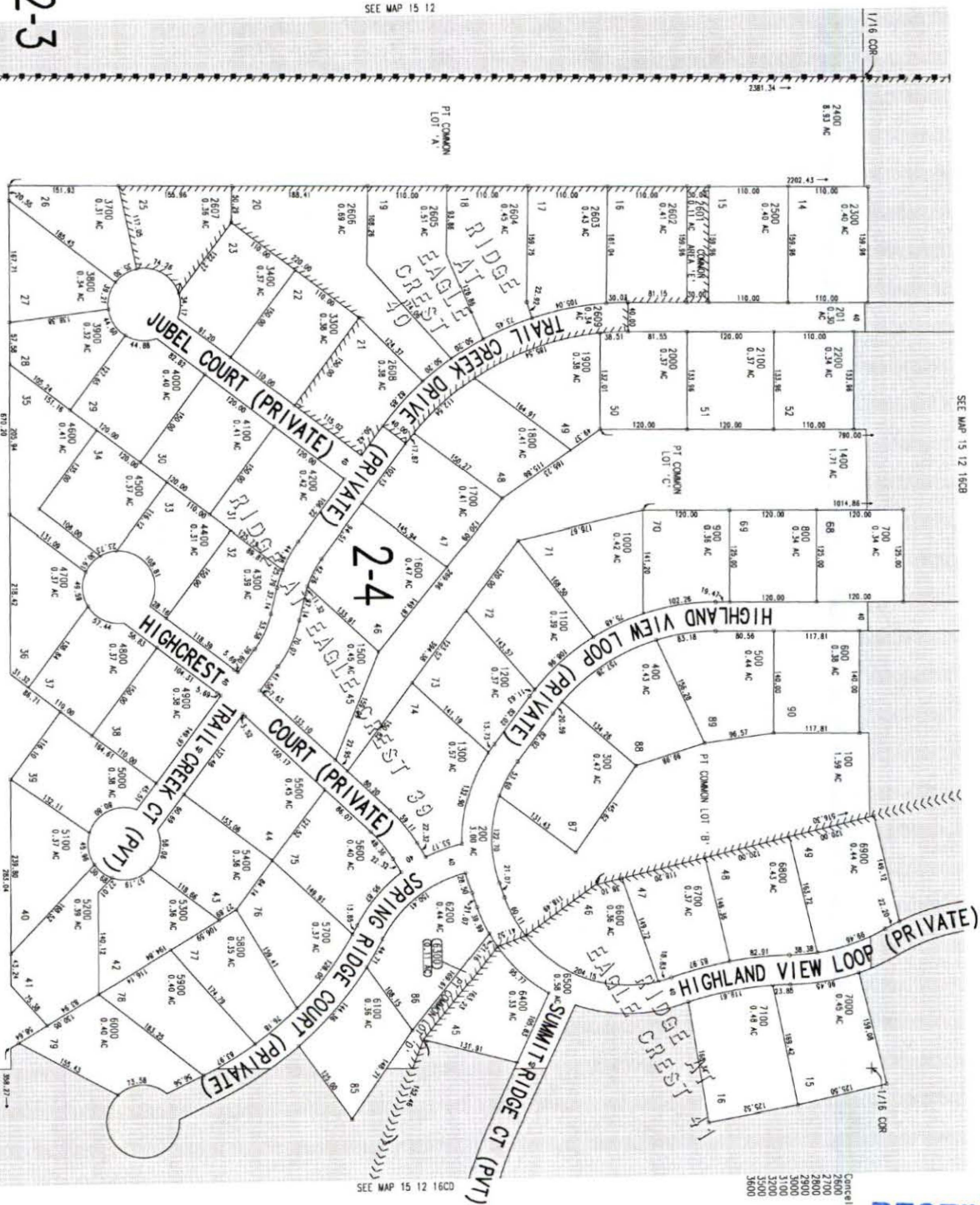
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PT COMMON LOT 'A'

PT COMMON LOT 'A'

PT COMMON LOT 'C'

PT COMMON LOT 'B'

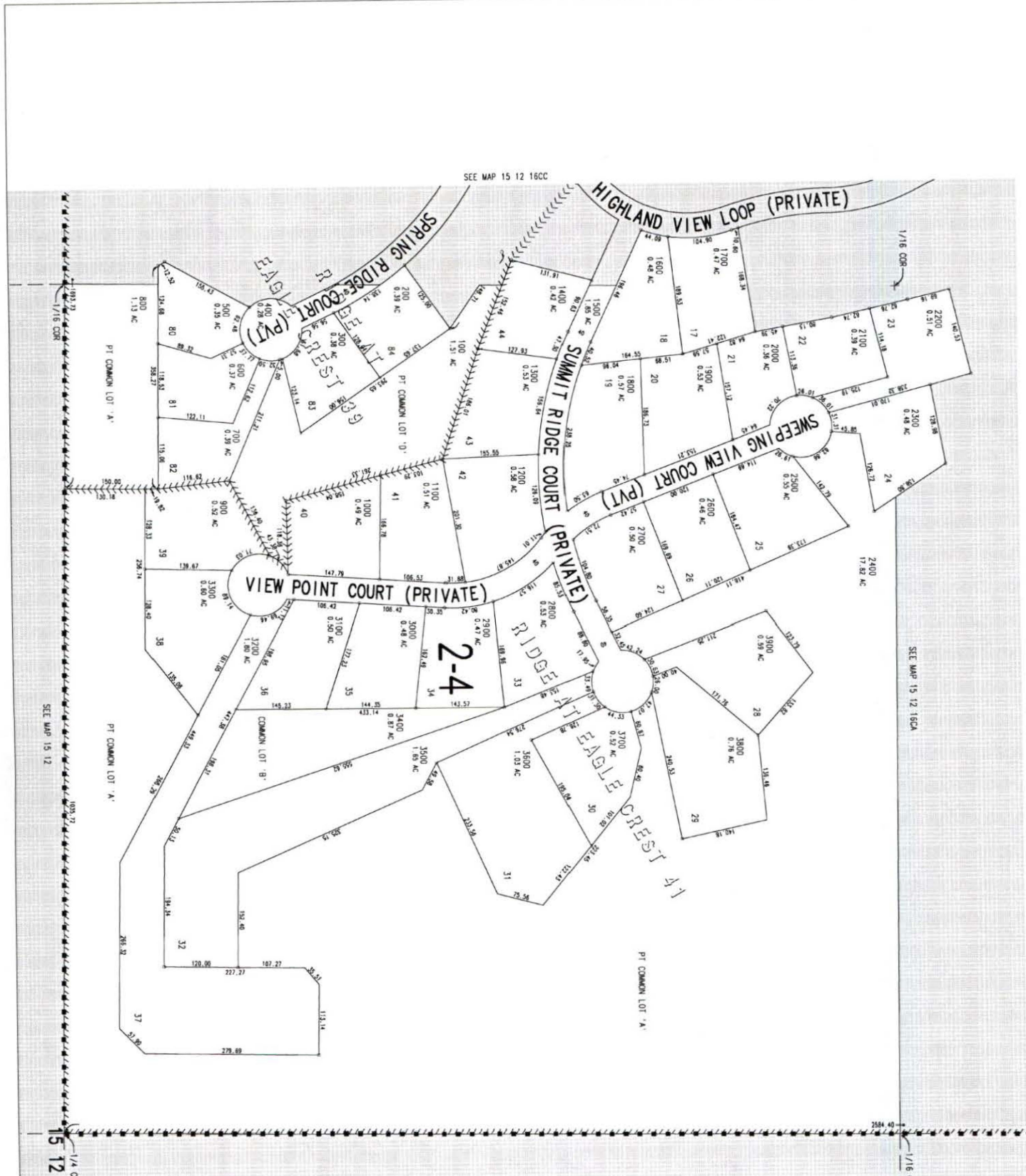


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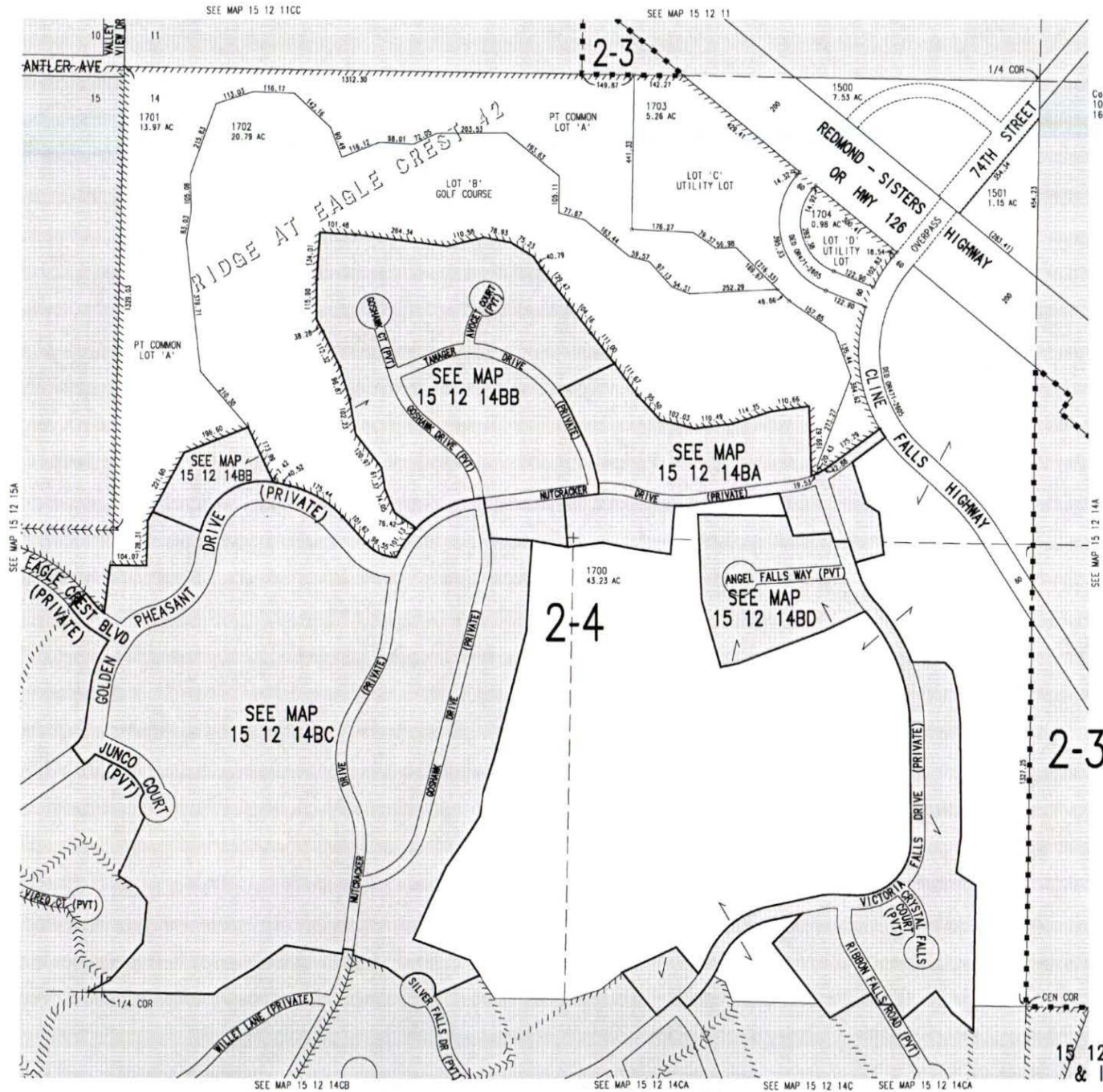


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SALEM, OREGON

10492



Canceled Res.
100 thru 1480
1600

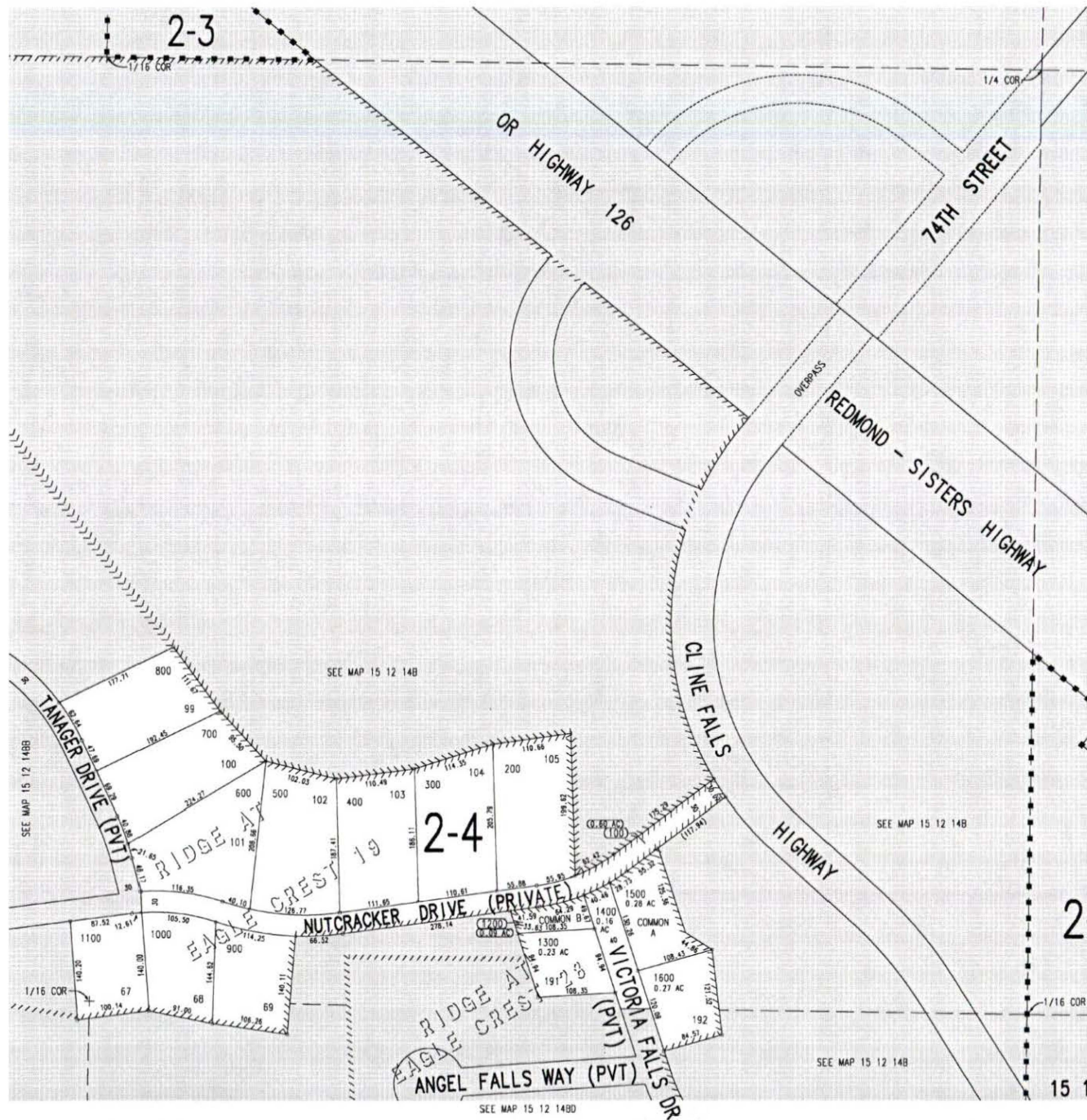
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WATER RESOURCES DEPT
SALEM, OREGON

T 10492

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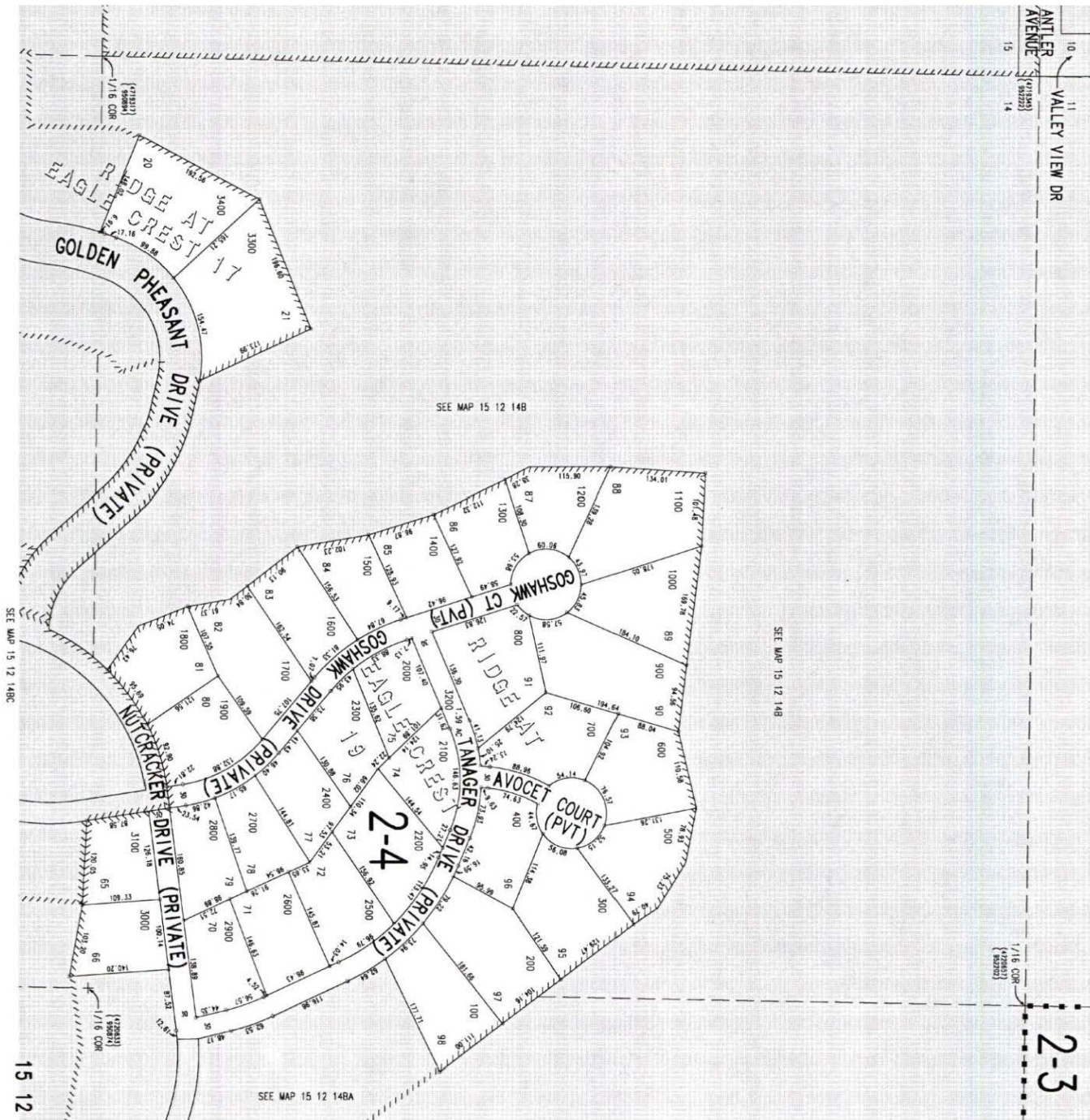
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WATER RESOURCES DEPT
SALEM, OREGON

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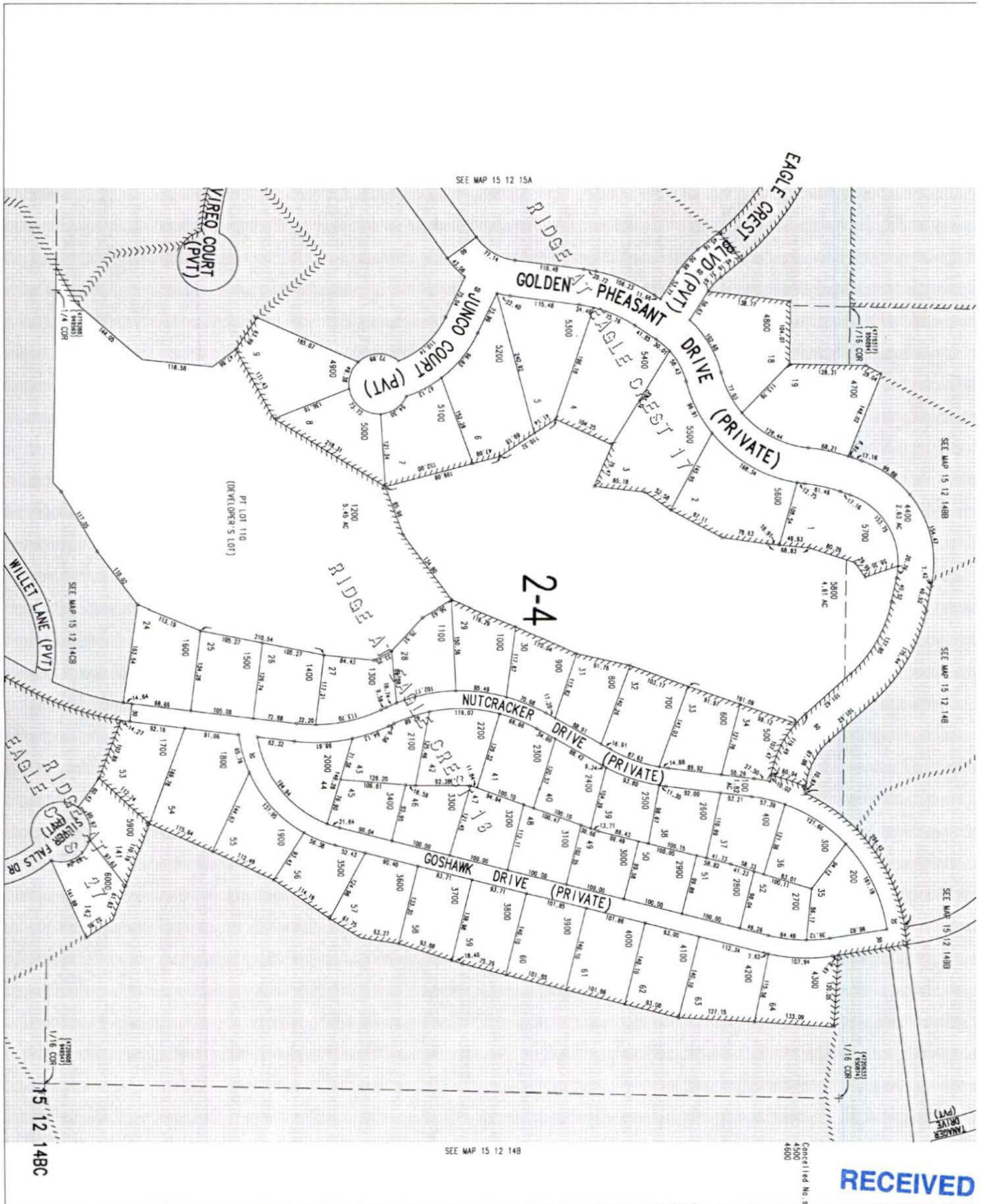


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WATER RESOURCES DEPT
SALEM, OREGON

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SEE MAP 15 12 14C

SEE MAP 15 12 14B

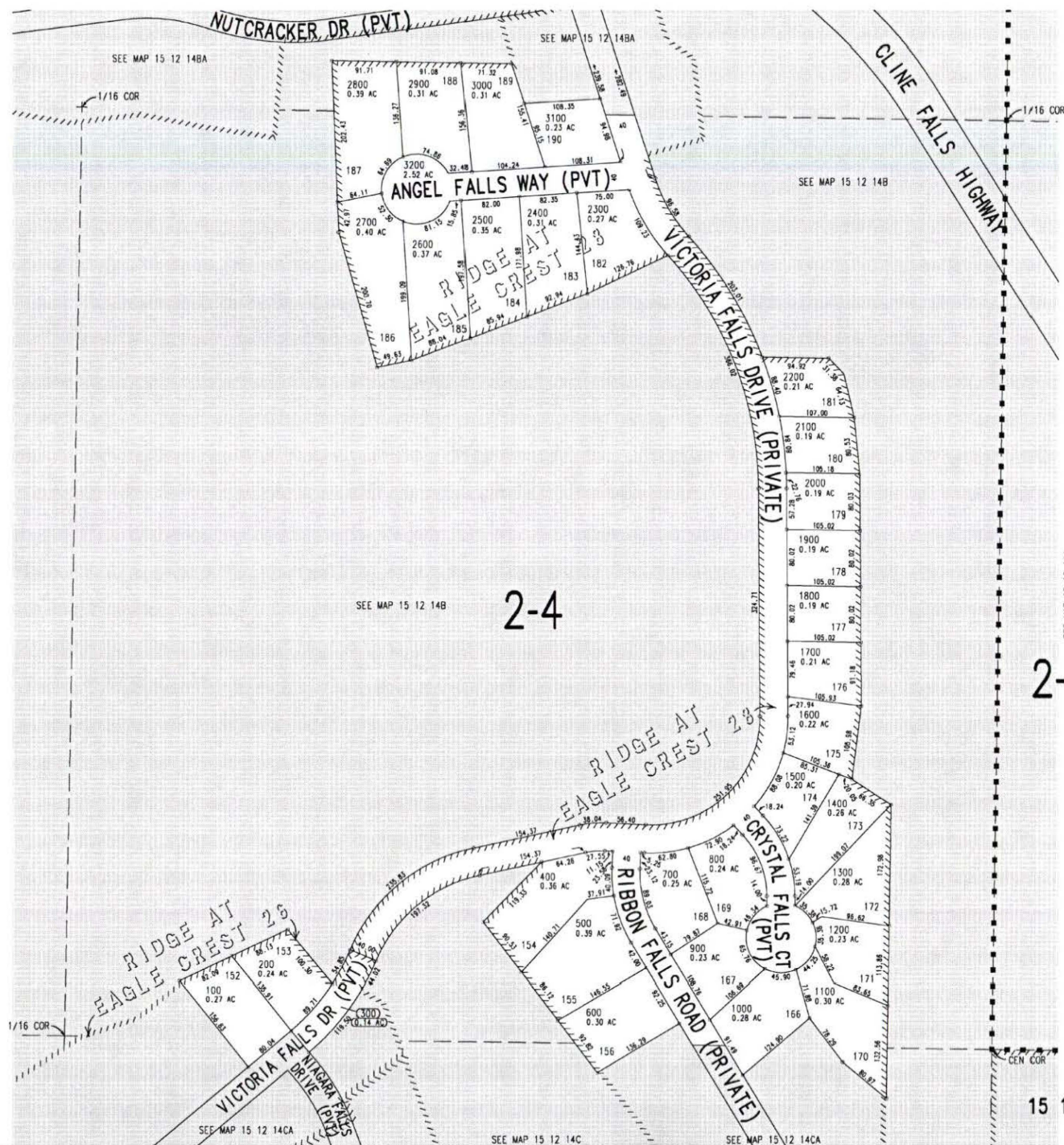
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SALEM, OREGON



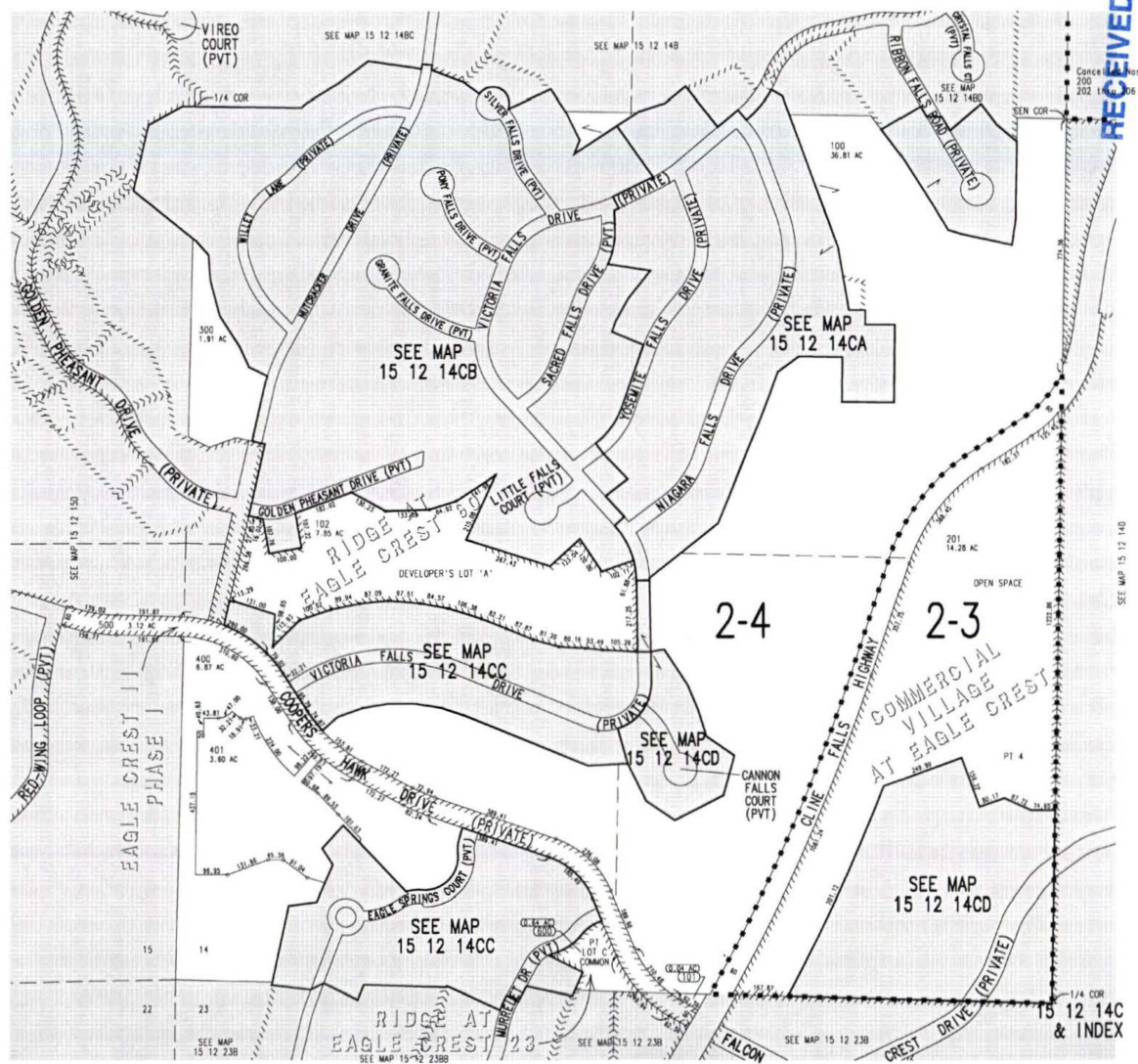
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WATER RESOURCES DEPT
SALEM, OREGON

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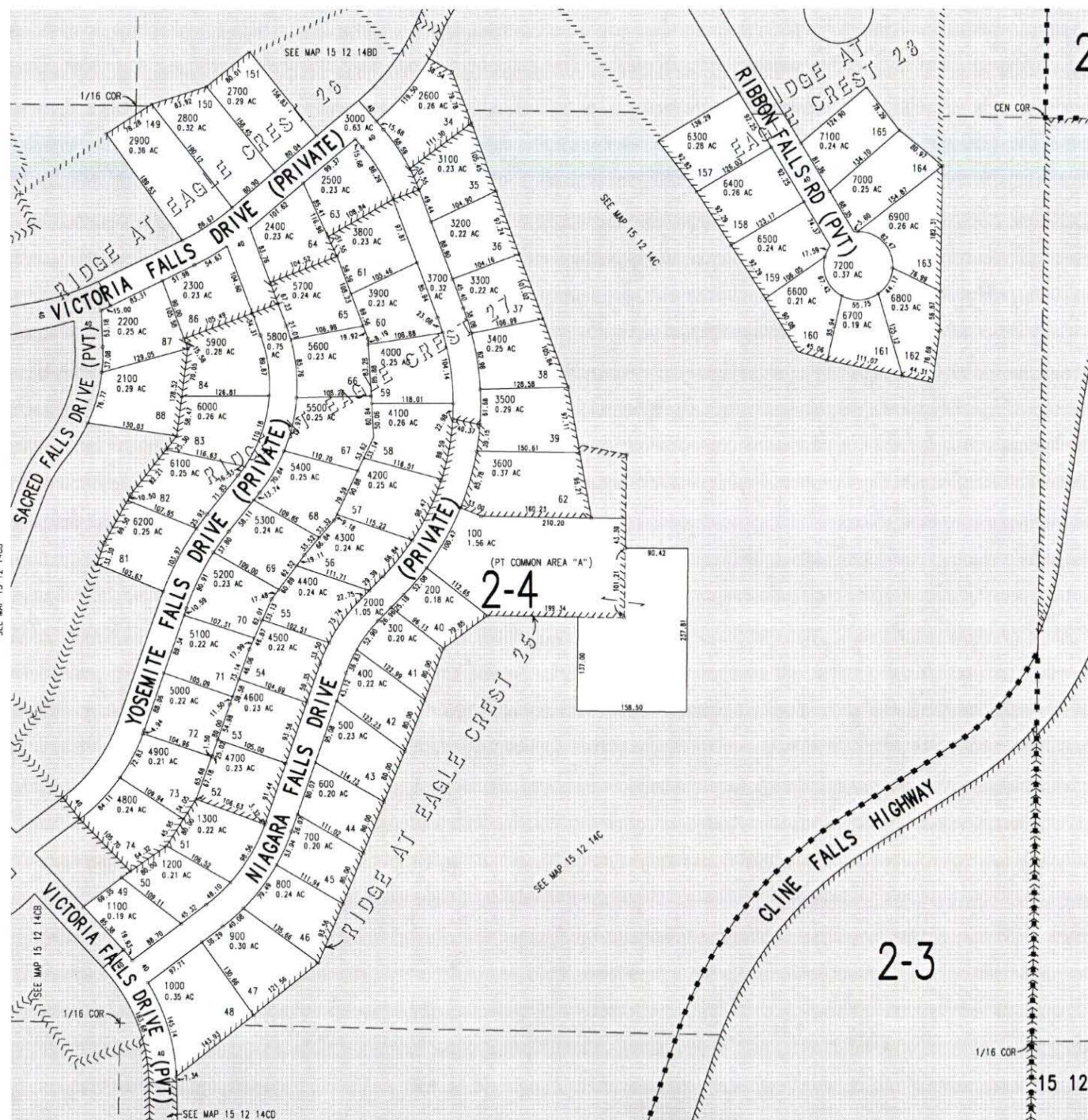
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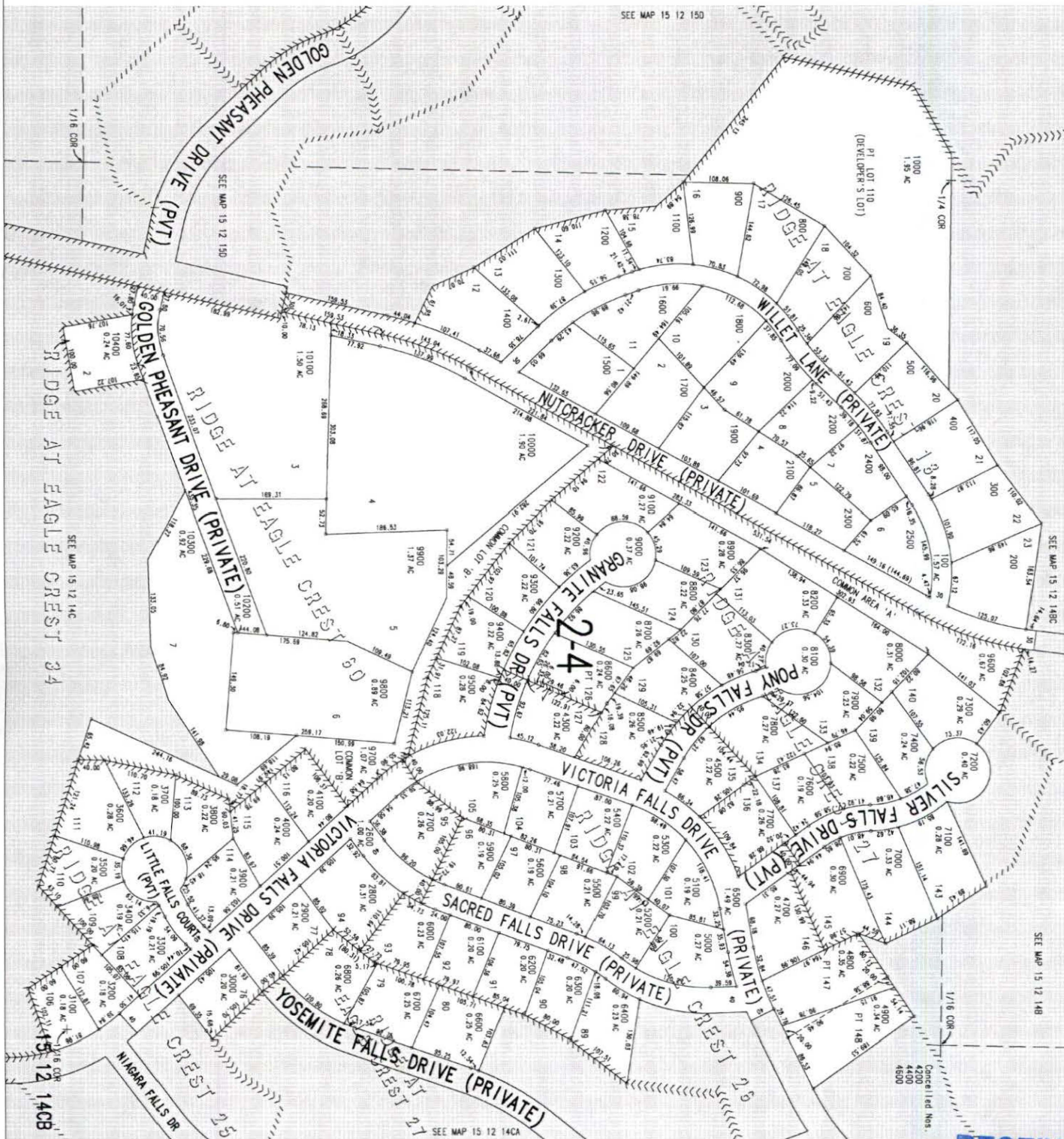
WATER RESOURCES DEPT
SALEM, OREGON

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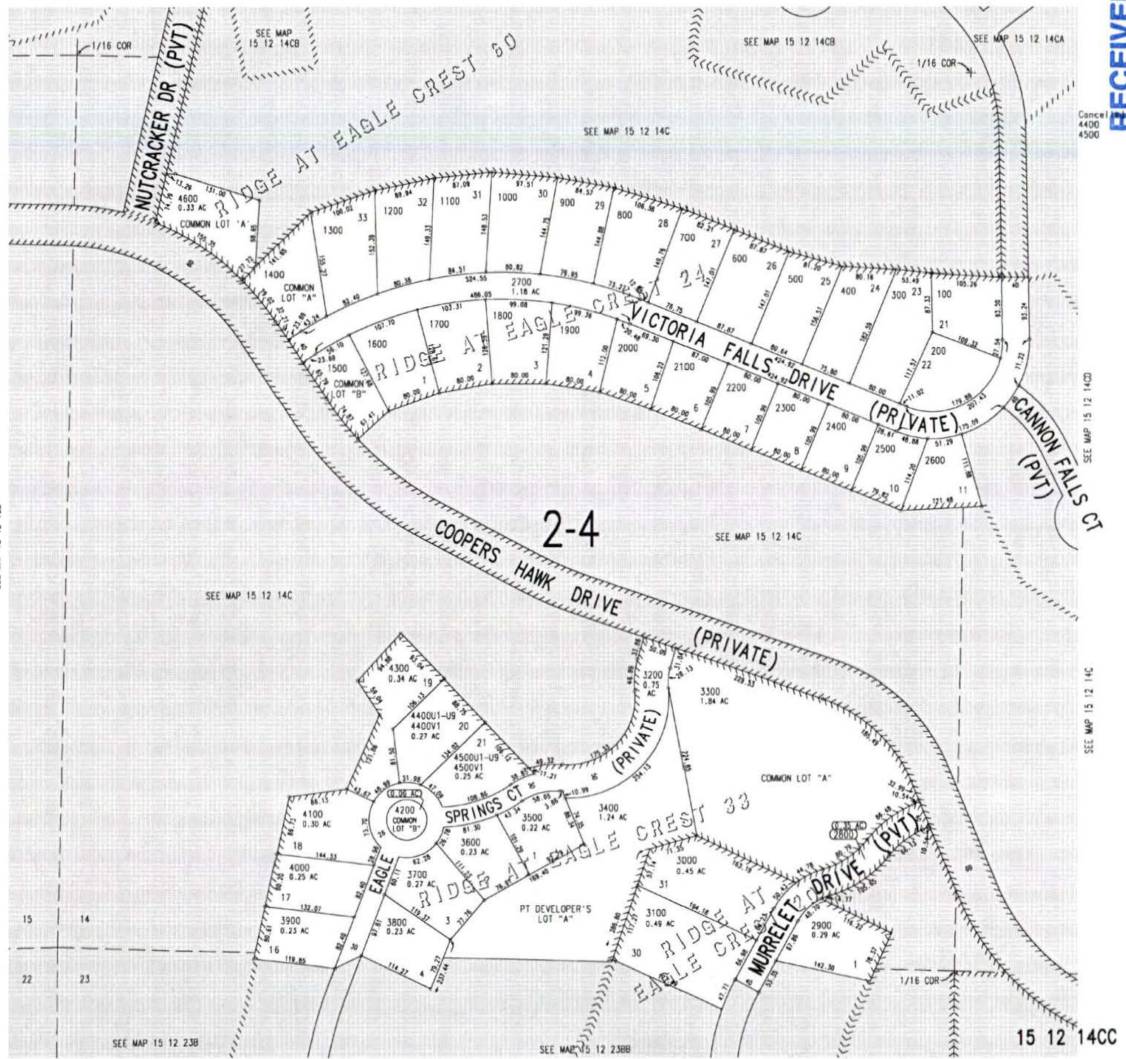




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WATER RESOURCES DEPT
SALEM, OREGON



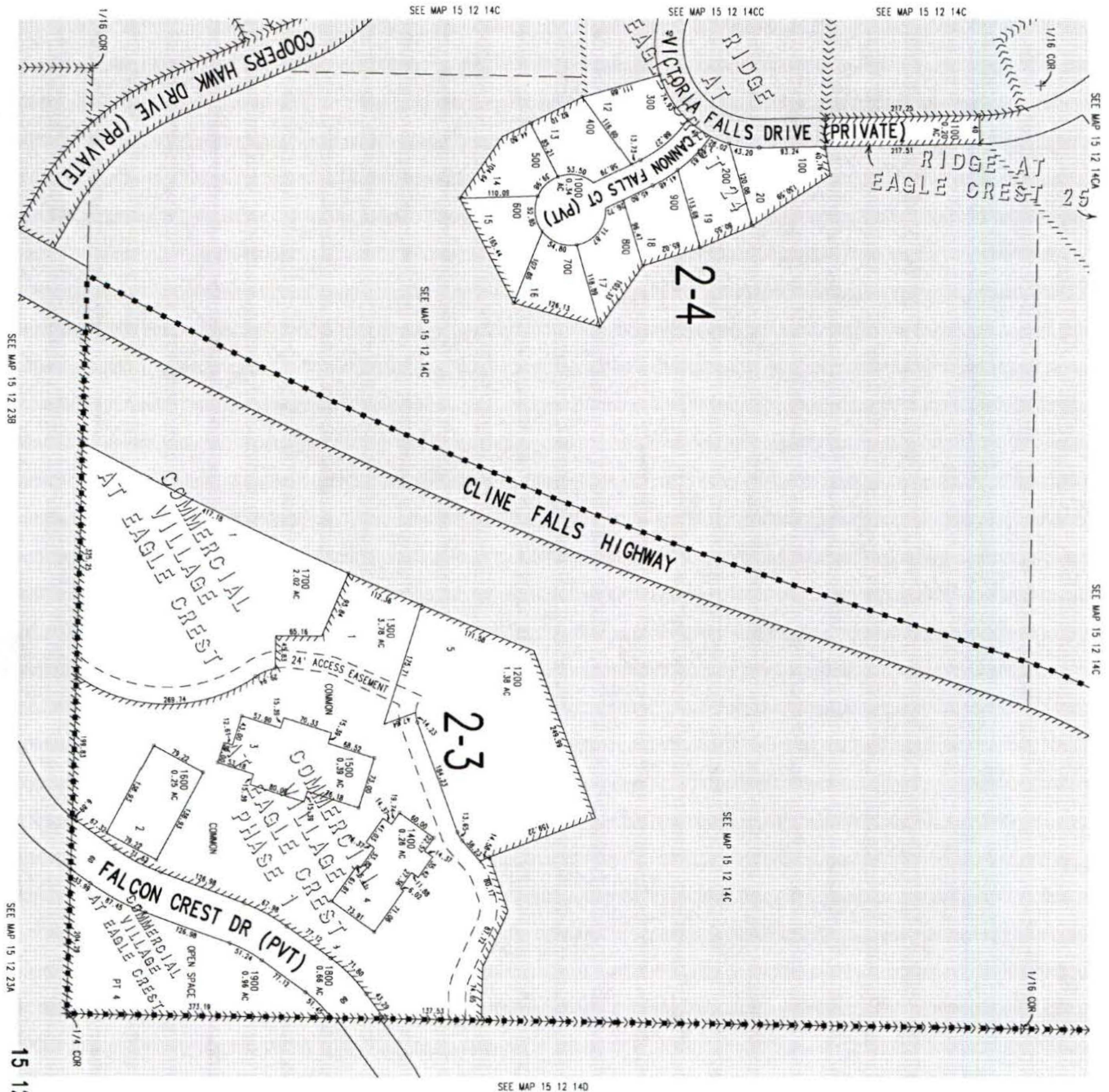
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4400
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NOV 29 2007

WATER RESOURCES DEPT
SALEM, OREGON

T 10492



SEE MAP 15 12 23A

SEE MAP 15 12 23A

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SEE MAP 15 12 14C

SEE MAP 15 12 14CC

SEE MAP 15 12 14C

SEE MAP 15 12 14C

SEE MAP 15 12 14C

SEE MAP 15 12 14D

SEE MAP 15 12 14CA

SEE MAP 15 12 14C

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WATER RESOURCES DEPT
SALEM, OREGON

T 10492

BEFORE THE OREGON WATER RESOURCES DEPARTMENT

OCT 2 2000

W & H PACIFIC, INC.

In the Matter of Water Right)
Application G 14857 in the Name)
of William D. Lyche, for Eagle Crest)
Inc.,)
Applicant)

ORDER ON RECONSIDERATION

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WATER RESOURCES DEPT
SALEM, OREGON

Appeal Rights

This is a final order in other than contested case. Pursuant to ORS 536.075 and OAR 137-004-080 and OAR 690-001-005 you may either petition the Director for reconsideration of this order or petition for judicial review of this order. As provided in ORS 536.075, this order is subject to judicial review under ORS 183.484. Any petition for judicial review of the order must be filed within the 60 day time period specified by ORS 183.484(2).

Background

On May 26, 2000, the Oregon Water Resources Department ("Department") through its Director, Martha Pagel, issued its Final Order Approving Application and Denying Protest for Application G 14857.

On September 19, 2000, the Department on its own motion issued an Order Allowing Reconsideration of its May 26, 2000 order.

Findings of Fact and Conclusions of Law

Under ORS 390.835 the "highest and best uses of the waters within scenic waterways are recreation, fish and wildlife uses," and the "free-flowing character of these waters shall be maintained in quantities necessary for recreation, fish and wildlife uses." Accordingly, no new water diversion may be constructed or used unless permitted by the Water Resources Commission upon a finding that such diversion is necessary to uses designated in ORS 536.310(12) and in a manner consistent with the policies set to preserve the free-flowing character of scenic waterways in quantities necessary for recreation, fish and wildlife uses. ORS 390.805 to 390.925.

Each water right permit and certificate for appropriation of ground water issued after July 19, 1995, for which a source of appropriation is within or above a scenic waterway must be conditioned to allow the regulation of the use if analysis of data available after the permit or

certificate is issued discloses that "the appropriation will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife in effect as of the priority date of the right or as those quantities may be subsequently reduced." ORS 390.835(9)(g).

The priority date for this permit is November 2, 1998, thus the permit for this use must contain the following condition:

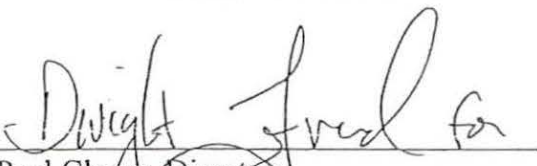
Use of water under authority of this permit may be regulated if analysis of data available after the permit is issued discloses that the appropriation will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation,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

The use as conditioned under the amended permit for this application is consistent with the policies set forth under ORS 390.805 to 390.925 to preserve the free-flowing character of scenic waterways in quantities necessary for recreation, fish and wildlife uses.

Order

The Final Order Approving Application and Denying Protest is amended by this order. Permit G 13819 is superceded by Permit G13856 issued herein.

DATED this 17 day of October, 2000


Paul Cleary, Director
Oregon Water Resources Department

Service List

I certify that on October 19, 2000, a copy of this notice was served by first class mail, postage prepaid upon the persons listed below, by depositing same in the United States Post Office at Salem, Oregon.

W&H Pacific
920 S.W. Emkay Dr., Suite C-100
Bend, OR 97702

William D. Lyche
Eagle Crest Inc.
P.O. Box 1215
Redmond, OR 97756

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**WATER RESOURCES DEPT
SALEM, OREGON**


Renee Moulun

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WATER RESOURCES DEPT
SALEM, OREGON

STATE OF OREGON

COUNTY OF DESCHUTES

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

EAGLE CREST INC.
WILLIAM D. LYCHE
PO BOX 1215
REDMOND, OREGON 97756

The limits and conditions of the use are listed below.

SPECIFIC LIMITS AND CONDITIONS

APPLICATION FILE NUMBER: G-14857

SOURCE OF WATER: A WELL IN THE DESCHUTES RIVER BASIN

PURPOSE OR USE: QUASI-MUNICIPAL USE

MAXIMUM RATE: 3.34 CUBIC FEET PER SECOND, further limited to a maximum diversion of 252 acre-feet each year and shall result in consumption of no more than 115 acre-feet each year, once sewage contribution is subtracted from the amount diverted, unless the mitigation plan is modified and approved by the Department as described below.

If the reporting, as required below, demonstrates the mitigation plan is not sufficient to mitigate for the amount of water actually consumed, the use will be further restricted to limit the total consumed water to 115 acre-feet, or the Department may approve an additional and equivalent water right to be leased to instream use, to maintain an acre-foot balance between the amount of water consumed to the amount of water provided to instream use. An equivalent water right must, at a minimum, be from a water right with a diversion point at or near the diversion authorized by the lease of certificate 74145.

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: NOVEMBER 2, 1998

POINT OF DIVERSION LOCATION: NE 1/4 NE 1/4, SECTION 16, T15S, R12E, W.M.; 150 FEET SOUTH AND 150 FEET WEST FORM THE NE CORNER, SECTION 16, T15S, R12E, W.M.

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THE PLACE OF USE IS LOCATED AS FOLLOWS:

NE QUARTER ALL
NW QUARTER ALL
SW QUARTER ALL
SECTION 16

TOWNSHIP 15 SOUTH, RANGE 12 EAST, W.M.

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WATER RESOURCES DEPT
SALEM, OREGON

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director, at both the diversion from the well and at a point where sewage, that is actually discharged to the ground, may be measured. The permittee shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.
- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

This permit will expire in 2 years from permit issuance unless the 2 year lease of the water right authorized under certificate 74145 to instream purposes is replaced by a permanent transfer of water right certificate 74145, filed as transfer application T 8519, or an equivalent water right as determined by the Department, to instream use.

Within one year of permit issuance, the permittee shall submit a Water Management and Conservation Plan consistent with OAR Chapter 690, Division 86. The Director may approve an extension of this timeline to complete the required Water Management Conservation Plan.

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

NOV 29 2007

WATER RESOURCES DEPT
SALEM, OREGON

PAGE 3

the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences. Use of water under authority of this permit may be regulated if analysis of data available after the permit is issued discloses that the appropriation will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife in effect as of the priority date of the right or as those quantities may be subsequently reduced.

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

STANDARD CONDITIONS

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

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the department's standards, to the Water Resources Department. The Director may require water level or pump test results every ten years thereafter.

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

This permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

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

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

The Director finds that the proposed use(s) of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

Actual construction of the well shall begin by May , 2001. Complete application of the water to the use shall be made on or before October 1, 2005. Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

Issued October 17, 2000


Paul R. Cleary, Director
Water Resources Department

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WATER RESOURCES DEPT
SALEM, OREGON

NOTE: Pursuant to ORS 537.330, in any transaction for the conveyance of real estate that includes any portion of the lands described in this permit, the seller of the real estate shall, upon accepting an offer to purchase that real estate, also inform the purchaser in writing whether any permit, transfer approval order, or certificate evidencing the water right is available and that the seller will deliver any permit, transfer approval order or certificate to the purchaser at closing, if the permit, transfer approval order or certificate is available.

Tom Walker

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number G-14857

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W & H PACIFIC, INC.

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WATER RESOURCES DEPT
SALEM, OREGON

Final Order
Extension of Time for Permit Number G-13856

Appeal Rights

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.

Application History

The Department issued Permit G-13856 on October 17, 2000. The permit called for complete application of water to the full beneficial use by October 1, 2005. On April 3, 2007, Cline Butte Utility Company submitted to the Department an Application for an Extension of Time for Permit G-13856. In accordance with OAR 690-315-0050(2), on September 4, 2007, the Department issued a Proposed Final Order proposing to extend the time to fully apply water to beneficial use to October 1, 2008. The protest period closed October 19, 2007, in accordance with OAR 690-315-0060(1). No protest was filed.

At time of issuance of the Proposed Final Order the Department concluded that, based on the factors demonstrated by the applicant, the permit may be extended subject to the following conditions:

CONDITIONS

1. **Static Water Level Measurement and Reporting Condition**

The Department requires the water user to measure and report annual static water levels for each well on the permit. Or, the water user can measure other wells in close proximity to the permitted wells, if the Department's Groundwater Staff determines that the substitute observation wells will provide adequate data to assess the impacts from the permitted wells. The static water level shall be measured in the month of March, beginning in the year **2008**, using manual measurement equipment, such as an electric tape or steel tape. Reports shall be submitted to the Department within 30 days of measurement.

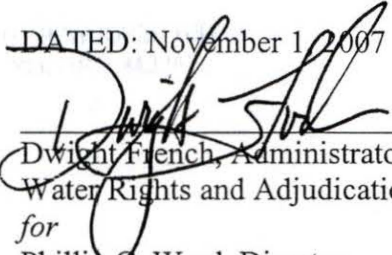
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The applicant has demonstrated good cause for the permit extension pursuant to ORS 537.630, 539.010(5) and OAR 690-315-0080(3).

Order

The extension of time for Application Number G-14857, Permit Number G-13856, therefore, is approved subject to conditions contained herein. The deadline for applying water to full beneficial use is extended to October 1, 2008.

DATED: November 1, 2007


Dwight French, Administrator of
Water Rights and Adjudications
for
Phillip C. Ward, Director

-
- If you have any questions about statements contained in this document, please contact Kim French at (503) 986-0813.
 - If you have other questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at (503) 986-0900.
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WATER RESOURCES DEPT
SALEM, OREGON

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STATE OF OREGON

COUNTY OF DESCHUTES

WATER RESOURCES DEPT
SALEM, OREGON

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

EAGLE RIDGE DEVELOPMENT CORPORATION
P.O. BOX 1215
REDMOND, OREGON 97756

503-923-0807

to use the waters of THREE WELLS in the DESCHUTES RIVER BASIN for QUASI-MUNICIPAL USE.

This permit is issued approving Application G-12905. The date of priority is MAY 4, 1992. The use is limited to not more than 3.0 CUBIC FEET PER SECOND, or its equivalent in case of rotation, measured at the wells.

The wells are located as follows:

SW 1/4 NW 1/4, SECTION 14, SW 1/4 SE 1/4, SECTION 15, T 15 S, R 12 E, W.M.; WELL 1 - 120 FEET NORTH AND 980 FEET EAST FROM THE W 1/4 CORNER OF SECTION 14, WELL 2 - 962 FEET NORTH AND 823 FEET EAST, WELL 3 - 1009 FEET NORTH AND 802 FEET EAST, BOTH FROM THE S 1/4 CORNER OF SECTION 15.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the proposed place of use under this permit is as follows:

SW 1/4 SW 1/4
SECTION 11
SW 1/4 SW 1/4
SECTION 13
W 1/2
SE 1/4
SECTION 14
E 1/2
SECTION 15
N 1/2 NE 1/4
SE 1/4 NE 1/4
SECTION 22
N 1/2
N 1/2 SE 1/4
SECTION 23
W 1/2 W 1/2
SECTION 24

TOWNSHIP 15 SOUTH, RANGE 12 EAST, W.M.

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

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director.

Application G-12905

Water Resources Department

PERMIT G-11762

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WATER RESOURCES DEPT
SALEM, OREGON

PAGE TWO

Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.

- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

The PERMIT HOLDER shall obtain a static water-level measurement for each well during MARCH of each year and report the measurement to the Department within thirty days. The measurement shall be made by a certified water-rights examiner, registered professional geologist, or professional engineer. Water levels shall be reported as depth-to-water below ground level and shall be accompanied by supporting calculations. If a well listed on this permit displays a total static water-level decline of 10 or more feet over any period of years, when compared to the reference level, then the PERMIT HOLDER shall discontinue use of, or reduce the rate or volume of withdrawal, from the well(s). Such action shall be taken until the water level recovers to above the 10-foot decline level or until the Department determines, based on the PERMIT HOLDER'S or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The reference level for water-level declines shall be the first (March 1995) or second annual (March 1996), whichever is higher, measurement taken after water use begins under the terms of this permit. The PERMIT HOLDER shall in no instance allow excessive decline to occur within the aquifer as a result of use under this permit.

In the event of a request for a change in point of appropriation, an additional point of appropriation or alteration of the appropriation facility associated with this authorized diversion, the quantity of water allowed herein, together with any other right, shall not exceed the capacity of the facility at the time of perfection of this right.

This right is limited to any deficiency in the available supply of any prior right existing for the same land.

Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the department's standards, to the Water Resources Department. The Director may require water level or pump test results every ten years thereafter.

Actual construction work shall begin on or before May 31, 1995 and shall be completed on or before October 1, 1997. Complete application of water shall be made on or before October 1, 1998.

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

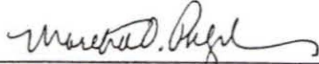
This permit is for beneficial use of water without waste. The water user is advised that new regulations may require use of best practical technologies or conservation practices to achieve this end.

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

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

The Water Resources Commission has found that the proposed use of water described by this permit, as conditioned, will not impair or be detrimental to the public interest on April 20, 1994.

Issued this date, May 3/ , 1994.



Water Resources Department
Martha O. Pagel
Director

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WATER RESOURCES DEPT
SALEM, OREGON

Application G-12905 Water Resources Department
Basin 5 Volume 1 Deschutes River & Misc.
MGMT.CODE 4GG

PERMIT G-11762
District 11



Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97301-4172
(503) 378-3739
FAX (503) 378-8130

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MAY 14 2001

W & H PACIFIC, INC.

May 8, 2001

Cline Butt Utility Company
1140 Nutcracker
Redmond, OR 97756

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WATER RESOURCES DEPT
SALEM, OREGON

REFERENCE: File G-14857

The assignment of Permit G-13856 from Jerol Andres, President Of Eagle Crest, Inc to you has been recorded in the records of the Water Resources Department.

Our records have been changed accordingly and the original is enclosed. Receipt number 43400 covering the recording fee of \$25 you submitted has already been sent to you.

Sincerely,

DALLAS S. MILLER
Water Rights Specialist

DSM:jh

Enclosure

cc: Watermaster # 11
Data Center, OWRD
Thomas Walker, CWRE
Jerol Andres, President of Eagle Creek, PO Box 1215, Redmond, OR 97756

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Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97301-4172
(503) 378-3739
FAX (503) 378-8130

April 17, 2001

Cline Butte Utility Co.
1140 Nutcracker Rd
Redmond, OR 97756

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WATER RESOURCES DEPT
SALEM, OREGON

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APR 23 2001
W & H PACIFIC, INC.

Reference: File G-12905

The assignment by deed to you of Permit G-11762 has been filed in the records of the Water Resources Department. Our records have been changed accordingly.

Receipt number 43400 covering the \$50 recording fee has been sent to W & H Pacific Inc.

Sincerely,

Dallas S. Miller
Water Rights Specialist

Enclosure

cc: Watermaster #11
Data Center/OWRD
Jerol Andres, President if Eagle Ridge, PO Box 1215, Redmond, OR 97756
W & H Pacific Inc., 920 SW Emkay, Suite C100, Bend, OR 97702

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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

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DEC 15 2006

W & H PACIFIC, INC.

December 12, 2006

Tom Walker, P.E., C.W.R.E.
Vice President
W&H Pacific
920 SW Emkay, Suite C100
Bend, Oregon 97702-1041

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WATER RESOURCES DEPT
SALEM, OREGON

Re: Ground Water Permit G-13856 for Cline Butte Utility Company

Dear Tom:

Thank you for your inquiry regarding the amount of water that may be diverted under the above referenced ground water permit.

On October 17, 2000, the Department issued permit G-13856 to Eagle Crest Inc. This permit was later assigned to Cline Butte Utility Company. Permit G-13856 is a superseding permit that was issued following a reconsideration request submitted to the Department after the issuance of a Final Order approving the application, denying a protest, and issuing permit G-13819.

In your letter of November 16, 2006, addressed to Laura Snedaker, you requested confirmation of the intent of the permit conditions addressing the quantity of water that may be used under the terms of the permit. In your letter you identify that it is the permit holders understanding that the amount of water, the volume, that may be diverted may also be adjusted by modifying the mitigation plan and amount of mitigation provided to reflect the quantities of water that are actually used.

I, along with Laura Snedaker, have reviewed the permit and application file. The permit identifies that the water user may divert up to 3.34 Cubic Feet per Second (CFS) further limited to a maximum annual volume of 252.0 Acre-Feet (AF). The permit also identifies that the consumptive portion of the authorized use is 115.0 AF. The Department agrees that the quantity of water provided to mitigate for the amount consumed may be adjusted by modifying the mitigation plan with approval from the Department. However, the Department does not agree that the maximum annual volume allowed by the permit may be enlarged. The condition in the permit addressing modifications to the mitigation plan does contemplate that additional mitigation may be provided to offset the amount of water actually consumed. However, the rate and maximum annual volume limits on the permit may not be exceeded.

This permit is consistent with other permits issued since the adoption of the Deschutes Ground Water Mitigation Rules and with other permits issued elsewhere in the state. Many permits are issued with a "shaped" water use, which may include a maximum volume that can be diverted monthly or annually. The extent to which a water use may be developed is based upon the maximum quantities (rate and volume in this case) allowed by the permit. A subsequent certificate would be limited to these amounts. In the Deschutes Basin, there is an extra element on the permits, being the mitigation obligation (the amount consumed). The amount identified as needed for mitigation purposes (consumptive use portion) is based on the maximum volume that may be diverted. However, under very limited circumstances, the amount provided for mitigation may be adjusted (up or down) after the permit is issued. For example, if the Department identifies that more mitigation is needed or if the permit holder identifies that less mitigation is needed because the full amount allowed by the permit was not developed and this is demonstrated at time of proof.

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WATER RESOURCES DEPT
SALEM, OREGON

We have identified several possible options that may help meet the water needs of Cline Butte Utility. Options may include:

- Another permit for the additional quantity needed.
- A permit amendment (or transfer) to add well #9 as an additional well to an existing permit(s) and to add the Eagle Crest III area to another permit(s). Or even a permit amendment to add the Eagle Crest II area (and/or other areas) to permit G-13856. (I noticed when briefly looking at the Claim of Beneficial Use (CBU) for this permit that the area of use is larger than that on the original permit. While quasi-municipal water may be delivered to other areas without a permit amendment, if you would like this are recognized on any subsequent certificate, a permit amendment to include the Eagle Crest II area may be necessary.)
- Transfer of another existing use to quasi-municipal water use.

It's also possible, depending on how Cline Butte Utility decides to proceed, that they may need to file for an extension of time for permit G-13856. If you and/or Cline Butte Utility Company would like to meet with Department staff to discuss these potential options and what steps may need to be taken from here, let me know. Discussion could also include any questions you may have with regard to the current CBU for permit G-13856 and modifications to the mitigation plan within the constraints of permit G-13856. In your letter, you also requested that the Department review Allocation of Conserved Water CW-13 as mitigation for permit G-13856 and convert the applicant's portion of conserved water to an instream water right. Please let Laura Snedaker know by January 15, 2007, how you would like to proceed with CW-13. Laura Snedaker can be reached at (503) 986-0884.

Please do not hesitate to contact me if you have any questions. I can be reached at (503) 986-0819.

Sincerely,



Dwight French
Water Rights/Adjudications Div. Manager

cc: Jerol Andres, Cline Butte Utility Company
Alan VanVliet, Eagle Crest
Laura Snedaker, Sr. Water Resources Coordinator
Kyle Gorman, SCR Manager
Jeremy Giffin, District 11 Watermaster
File G-14857

T 10492

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number G-12905

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NOV 29 2007

WATER RESOURCES DEPT
SALEM, OREGON

Final Order
Extension of Time for Permit Number G-11762

Appeal Rights

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.

Application History

The Department issued Permit G-11762 on May 31, 1994. The permit called for completion of construction by October 1, 1997, and complete application of water to beneficial use by October 1, 1998. On April 3, 2007, the Cline Butte Utility Company submitted an application to the Department for an extension of time for Permit G-11762. In accordance with OAR 690-315-0050(2), on September 4, 2007, the Department issued a Proposed Final Order proposing to extend the time to fully apply water to beneficial use to October 1, 2008. The protest period closed October 19, 2007, in accordance with OAR 690-315-0060(1). No protest was filed.

At time of issuance of the Proposed Final Order the Department concluded that, based on the factors demonstrated by the applicant, the permit may be extended subject to the following conditions:

CONDITIONS

1. **Static Water Level Measurement and Reporting Condition**

The Department requires the water user to measure and report annual static water levels for each well on the permit. Or the water user can measure other wells in close proximity to the permitted wells, if the Department's Groundwater Staff determines that the substitute observation wells will provide adequate data to assess the impacts from the permitted wells. The static water level shall be measured in the month of March, beginning in the year **2008**. Reports shall be submitted to the Department within 30 days of measurement.

The permittee shall submit an initial March static water-level measurement once well construction is complete and annual measurements thereafter. Annual measurements are required whether or not the well is used. Reference water-level measurements for determining water-level declines on this permit are as follows: Well #6: 518'; Well #7: 518'; and Well #8 312'. Or, the first annual measurement at the substitute observation wells will establish the reference levels against which future measurements will be compared. The Director may require the user to measure and report additional water levels each year if more data is needed to evaluate the aquifer system.

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor, or pump installer licensed by the Construction Contractors Board. Measurements shall be submitted on forms provided by, or specified by, the Department. Measurements shall only be made using an electric tape or steel tape that is accurate to at least the standards specified in OAR 690-217-0045. The Department requires the individual performing the measurement to:

- A. Associate each measurement with an owner's well name or number and a Department well log ID; and
- B. Report water levels to at least the nearest tenth of a foot as depth-to-water below ground surface; and
- C. Specify the method of measurement; and
- D. Certify the accuracy of all measurements and calculations submitted to the Department.

The water user shall discontinue use of, or reduce the rate of volume of withdrawal from the well if annual water-level measurements reveal a water-level decline of 10 or more feet.

The period of restricted use shall continue until the water level rises above the decline level which triggered the action or the Department determines, based on the permittee's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or causing substantial interference with senior water rights. The water use shall not allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit

The applicant has demonstrated good cause for the permit extension pursuant to ORS 537.630, 539.010(5) and OAR 690-315-0080(3).

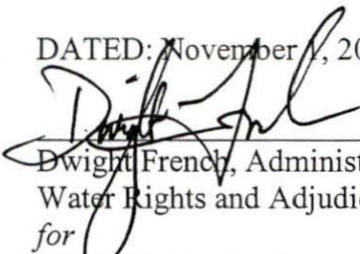
Order

The extension of time for Application G-12905, Permit G-11762, therefore, is approved subject to conditions contained herein. The deadline for applying water to full beneficial use is extended to October 1, 2008.

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DATED: November 1, 2007

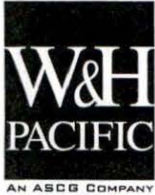

Dwight French, Administrator of
Water Rights and Adjudications
for
Phillip C. Ward, Director

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WATER RESOURCES DEPT
SALEM, OREGON

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- If you have any questions about statements contained in this document, please contact Kim French at (503) 986-0813.
 - If you have other questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at (503) 986-0900.
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920 SW Emkay, Suite C100
Bend, Oregon 97702-1041
541.388.4255
Fax 541.388.4229

July 11, 2007

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WATER RESOURCES DEPT
SALEM, OREGON

Mr. Kenneth E. Lite
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1271

**Re: Eagle Crest Resort
Static Water Level Monitoring Plan
WHP File No.: 31250.1005**

Dear Ken:

Thank you for your recent call regarding static water level measurements at the Eagle Crest Resort. Eagle Crest, Inc. recognizes the importance of your work in monitoring groundwater conditions in Central Oregon and has developed the following groundwater monitoring plan to assist you.

In 2006, you observed an apparent difference in static water levels in Eagle Crest wells as compared to Department monitoring wells. Because of your comments, we conducted significant research and worked carefully to confirm static water levels throughout the resort. For example, we conducted independent water level measurements, confirmed airline lengths for each well with pump installers, and we summarized historical trends for all static water level measurements. Eagle Crest, Inc. will continue to assist you in any way possible.

Your review and comments on our expanded monitoring program are respectfully requested.

CURRENTLY MONITORED EAGLE CREST WELLS:

Eagle Crest currently monitors the water level in six existing wells, all in use. The wells have typically been equipped with an air tube and pressure gauges to monitor the water level. Eagle Crest has compiled and submitted water level records in conformance with permit requirements since water rights were issued for the resort.

As you and I discussed, electronic probe measurements are desirable and generally more accurate than air tube readings. All of the in-use wells utilize turbine or submersible pumps and all wells pump from depth. The annular space in the wells must accommodate electrical conductors, couplers, the air tube, and any irregularity in the alignment between the casing and the column. I have attempted many times to obtain electric probe measurements for the in-use wells, without success.

For newer wells, we have specified the installation of a probe tube on the outside of the pump column, in an effort to provide a redundant means for static water level measurements. However, installation of the probe tube has not been successful on each installation due to the restricted annular space. We must often rely upon the installed air tube for static water level measurements. In some cases, we have encountered problems with the air tubes and are unable to obtain reliable readings on each of the existing in-use wells.

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WATER RESOURCES DEPT
SALEM, OREGON

PROPOSED ADDITIONAL STATIC WATER LEVEL MONITORING:

Eagle Crest, Inc. has always strived to cooperate fully in support of the efforts of the Oregon Water Resources Department. As you suggested, we have researched our records and compiled a program to accommodate additional electronic probe measurements throughout the resort. Our objective is to provide you with additional information on the static water level in the area through use of additional existing wells. We propose to collect electronic probe measurements from each of the following wells, in addition to continued monitoring and reporting of static water level conditions for in-use wells (including Wells 2, 3, 6, 7, 8, and 9).

Eagle Crest II – Fairway No. 2 Monitoring Well:

A pilot well was constructed during the initial development of Eagle Crest II at the southerly end of the project. The well did not produce as desired and was capped for future use as a monitoring well. We propose to collect static water level measurements in the existing well with an electronic probe. We can initiate the static water level measurements at your request.

Eagle Crest I – Entry Area Monitoring Well:

OWRD collected static water levels in an existing well near the entry to Eagle Crest I. The well has never been utilized and can be monitored with an electronic probe. Again, we propose to collect annual static water level measurements in the existing well. If you have an identification number for the existing well, we can assure coordination between future readings and your past readings.

COID Monitoring Well:

As a part of our sewage disposal monitoring program, we constructed a monitoring well northerly of Highway 126. The well was designed to obtain groundwater samples under the direction of the DEQ. The well is equipped with various samplers and monitoring equipment, but we believe electronic probe measurements for static water levels may be possible. If you agree the static water level measurements would be valuable, Eagle Crest, Inc. will attempt to obtain static water level measurements in the well with an electronic probe.

Eagle Crest I – Well No. 1:

An existing agricultural irrigation well exists at Eagle Crest I. We believe the formation around the well bore collapsed, significantly reducing production. The well pump has been removed and the well is no longer in use. Static water level measurements with an electronic probe can be obtained at Well No. 1 at any desired time.

Eagle Crest I – Well No. 2:

The Eagle Crest Homeowner's Association recently constructed a replacement well for our old existing Well No. 2. Upon completion of the new construction (projected for the fall of 2007), we can utilize the old well for monitoring of the static water level with an electronic probe. Based upon conversations with the Watermaster's Office, we intended to utilize the old well for static water level monitoring.

NOV 29 2007

WATER RESOURCES DEPT
SALEM, OREGON

W&H Pacific, Inc.
July 11, 2007
Page 3

Please consider the additional static water level monitoring that we have described and proposed. Eagle Crest, Inc. remains eager to assist you and cooperate with your Department in the on-going evaluation of groundwater conditions in the Deschutes Basin. We look forward to your review, comments, and any additional recommendations. Thank you for your assistance.

Very truly yours,

W&H Pacific, Inc.



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

Cc: Alan VanVliet
Todd Samples
Erica Black

T 10492

Indicate in this column whether or not the item is satisfied.

Permit Amendment Application – ORS 537.211

Completeness Checklist

Applicant's Name: Cline Butte Utility Company (Form last revised: October 30, 2006)

Section A – Status of Permit

Is this a permit that can be amended?

NOTE: The Department **CANNOT** accept a Permit Amendment application for any permit that has:

- ___ 1) a permit completion date that has expired; **or**
- ___ 2) a pending permit extension of time application on file with the Department; **or**
- ___ 3) a pending claim of beneficial use report on file with the Department.

If the subject permit falls into **any** of the above categories, **RETURN** the application & fee to the applicant.

Section B – Type of Change

Is the proposed change(s) allowed under the Permit Amendment process?

[ORS 537.211(4)]

NOTE: Only **POD, POA or POU** changes are allowed on Permit Amendments.

If the application proposes a change **other** than those listed above, **RETURN** the application & fee to the applicant.

Section C - Fees

Have the appropriate fees been paid?

Total Required Fees: _____

Fee Schedule – ORS 536.050(1)(h)

Total Fees Paid: _____

\$350 - Base fee (1st change and 1st CFS of water)

+ \$350 - Each additional type of change requested

Fees Due (if any): _____

+ \$175 - For each CFS, or fraction thereof, requested beyond 1st CFS
(for POU, Type of Use, or Exchange)

Refund Due (if any): _____

If the applicant has **NOT** submitted the total fees required, **RETURN** the application & deficient fee to the applicant.

Section D – Completeness

Indicate in this column whether an item is incomplete, and if so, identify the deficiency.

Is the Permit Amendment application complete?

All required elements necessary for a complete permit amendment application are listed below.

Indicate whether or not the applicant has answered and/or supplied attachments to adequately address each of the following items. If any one of the items is deficient, then the application is incomplete.

NOTE: For reference, the application page number upon which each item is requested is identified.

If the application is **NOT** complete, **RETURN** the application & fee to the applicant.

- Applicant's name, mailing address and contact information.

(Page 1)

- Agent's name, mailing address and contact information, if applicable.

(Page 1)

- Are multiple permits being amended? **YES** NO

(Page 2)

If **YES**..... the applicant must supply a **separate "set"** of pages 3 through 7 of the application form for **each** permit to be amended.

- The type of amendment being proposed.

(Page 2)

- Reason for the permit amendment.

(Page 2)

- Current permit information – permit number, use, priority date, source(s), etc.

(Page 3)

<i>JK</i>	• If for a change in POU.....Are there any "layered" irrigation rights, permits, or GR registrations appurtenant to the same place of use as the permit proposed to be amended? YES NO (Page 3) If YES..... the other "layered" water uses subject to transfer must either change concurrently or be cancelled, except as provided in OAR 690-380-2240(5).
<i>JK</i>	• Location description of the authorized POA/POD to be amended. (Page 4) NOTE: Ensure that the location coordinates listed in the application match the point and location coordinates illustrated on the application map. Additionally, if the existing authorized source is ground water (POA), the applicant must either: ☒ 1) supply a copy of the well log(s), <u>or</u> ☐ 2) if well logs are not available, describe the construction of the well(s) in the table provided on page 4 of the application.
<i>JK</i>	• Location description of the existing authorized POU and associated acres (if applicable). (Page 5) NOTE: Ensure that the location and number of acres listed per ¼ ¼ in the application match those illustrated on the application map.
<i>yes</i>	• Location description of the proposed POA/POD. (Page 6) NOTE: Ensure that the proposed location coordinates listed in the application match the proposed point and location coordinates illustrated on the application map. Additionally, if the proposed source is ground water (POA), the applicant must either: ☐ 1) supply a copy of the well log(s), <u>or</u> ☐ 2) if well logs are not available <u>or</u> the well is not yet constructed, describe the construction of the well(s) in the table provided on page 6 of the application.
<i>OK</i>	• Location description of the proposed POU and associated acres (if applicable). (Page 7) NOTE: Ensure that the location and number of acres listed per ¼ ¼ in the application match those illustrated on the application map.
<i>NO</i>	• Affected districts and local governments. (Page 8) If within a district/local government jurisdiction, ensure that name & mailing address is provided.
<i>-</i>	• Is the applicant the permit holder of record? YES NO (Page 8) If NO..... the applicant must either submit: ☐ 1) a Request for Assignment form & fee in order to be assigned to the permit, <u>or</u> ☐ 2) an Affidavit of Consent from the permit holder giving permission for the amendment.
<i>NA</i>	• If the permit holder of record does not own or control the land TO which the place of use is being moved, has a Request for Assignment form been submitted to assign the owner of the TO land to the permit? YES NO (Page 9)
<i>OK</i>	• Map..... (NOT required to be prepared by a CWRE). (Page 10) ☒ north arrow ☒ size & scale ☐ other: _____ ☐ authorized acreage per ¼ ¼ matches the permit ☐ authorized POD/POA and POU (<i>clearly shown, labeled & matches application listing</i>) ☐ point plotted for the authorized POD/POA agrees with location coordinates ☐ proposed POD/POA and/or POU (<i>clearly shown, labeled & matches application "proposed" listing</i>) ☒ location coordinates accurately describe the point identified as the proposed POD/POA
<i>yes</i>	• Land Use form, <i>if applicable</i>. (Page 10) May be needed if the POD/POA or POU is moving a great distance and off of land originally involved in permit.
	• Signature(s) of applicant(s): (Page 11) <u>All</u> applicants listed on page 1 of the application must sign the application.
WRD Completeness Reviewer's Name: <u>Lisa Pasolunhe</u> Date: <u>11/30/07</u>	

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # 90766

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

INVOICE # _____

RECEIVED FROM: LEID WEY Development
BY: _____

APPLICATION	
PERMIT	
TRANSFER	<u>T-104192</u>

CASH: ☐ CHECK:# 604270 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 1200.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES	\$
OTHER: (IDENTIFY)	\$

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

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES	\$
0410 RESEARCH FEES	\$
0408 MISC REVENUE: (IDENTIFY)	\$
TC162 DEPOSIT LIAB. (IDENTIFY)	\$
0240 EXTENSION OF TIME	\$

WATER RIGHTS:

0201 SURFACE WATER	\$	0202	\$
0203 GROUND WATER	\$	0204	\$
0205 TRANSFER	\$ <u>1000.00</u>		

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR	\$	0219	\$
LANDOWNER'S PERMIT		0220	\$

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE	\$	CARD #	
0210 MONITORING WELLS	\$	CARD #	
OTHER (IDENTIFY)			

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD)	\$
0231 HYDRO LICENSE FEE (FW/WRD)	\$
HYDRO APPLICATION	\$

TREASURY OTHER / RDX

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

RECEIPT: 90766

DATED: 11/29/07 BY: J. P. ...