

T-10502

T-10502

Name Eric Vetterlein  
Desert Springs Ranch  
Address 1100 SW Sixth Ave. #120D  
Portland, OR 97204  
503 226-1371 503 226-3574 Fax

Change in POU, POA  
Date Filed 12/10/07  
Initial notice date 12/25/2007  
DPD issued date \_\_\_\_\_  
PD issued date \_\_\_\_\_  
PD notice date \_\_\_\_\_  
Date of FO 12-17-09 Vol 79 Page 377

C-Date \_\_\_\_\_  
COBU due date \_\_\_\_\_  
COBU Received date 10/3/14  
Certificate issued 12/22/17 93494  
85977

DESCRIPTION OF WATER RIGHT(S)

Name of Stream Well  
Trib. of Deep Canyon  
Use Ir County Deschutes  
Quantity of water (CFS) \_\_\_\_\_ No. of Acres \_\_\_\_\_  
Name of ditch \_\_\_\_\_  
App # 69587 Per # 68846 Cert # 61097 PR Date 1980  
App # \_\_\_\_\_ Per # \_\_\_\_\_ Cert # \_\_\_\_\_ PR Date \_\_\_\_\_  
App # \_\_\_\_\_ Per # \_\_\_\_\_ Cert # \_\_\_\_\_ PR Date \_\_\_\_\_  
App # \_\_\_\_\_ Per # \_\_\_\_\_ Cert # \_\_\_\_\_ PR Date \_\_\_\_\_

FEES PAID  
Date 12-17-07 Amount 800.00 Receipt # 90966

FEES REFUNDED  
Date \_\_\_\_\_ Amount \_\_\_\_\_ Receipt# \_\_\_\_\_

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

Irrigation District Three Sisters Irrigation Dist. PO Box 2230 Sisters To be done w/ T-10503  
OR 97759  
Agent \_\_\_\_\_

CWRE Michele Sims 60068  
CC's list Deschutes County Community Development Dept. 117 NW Lafayette, Astor Bend OR 97701  
KLO: Stephen King 3655 NW Thurman Portland OR 97210

- Oversized map - Location

# Mailing List for Transfer Certificate

Transfer Application: T-10502

Certificate: 93494 (C-61097)

Certificate/Transfer Holder: (include copy of map)

STEPHEN KING  
68767 QUAIL TREE DRIVE  
SISTERS OR 97759

<b>Copies Mailed</b>	
by:	<u>CH</u> (STAFF)
on:	<u>12/22/19</u> (DATE)

## Copies of Final Certificate to be sent to:

- ✓ 1. Watermaster District #: 11
- ✓ 2. Water Availability
- ✓ 3. Vault
- ✓ 4. File

## Other persons to receive copies: (include map):

- ✓ 1. MICHELE WRIGHT SIMS CONSULTANT, LLC  
MICHELE SIMS  
14865 CHECKREIN  
SISTERS, OR 97759

- ✓ 2. Current Landowner Tax Lot 1511040000103  
NICOLE HANDLEY  
1900 NE 3<sup>RD</sup> ST #106-127  
BEND OR 97701

## Record Marking(s):

- 1. Original Application# G-9587
- 2. Old Certificate# 61097



**Oregon**  
Kate Brown, Governor

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

**DATE MAILED: December 22, 2017**

**NOTICE OF CERTIFICATE ISSUANCE**

The attached certificate confirms the water right established under the terms of a permit issued by this Department. The water right is now appurtenant to the specific place where the use was established as described by the certificate. The water right is limited to a specific amount of water, but not more than can be beneficially used for the purposes stated within the certificate.

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

Oregon law does not allow the Director to reissue a certificate because of a change in the ownership of the appurtenant place of use. The water must be controlled and not wasted. To change the location of the point of diversion, the character of use, or the location of use requires the advance approval of the Water Resources Director.

If any portion of this water right is not used for five or more consecutive years that portion of the right may be subject to forfeiture according to ORS 540.610. Land enrolled in a Federal Reserve Program is not subject to forfeiture during the period of enrollment. Other exceptions to forfeiture are explained in ORS 540.610.

If you have any questions please contact Gerry Clark at 503-986-0811.

STATE OF OREGON  
 COUNTY OF DESCHUTES  
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

STEPHEN KING  
 68767 QUAIL TREE DRIVE  
 SISTERS OR 97759

confirms the right to the use of water perfected under the terms of Permit G-8846. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of diversion from the source. The specific limits and conditions of the use are listed below.

SOURCE OF WATER: A WELL IN THE DEEP CANYON BASIN

PURPOSE OR USE: IRRIGATION OF 5.0 ACRES

MAXIMUM RATE: 0.06 CUBIC FOOT PER SECOND

DATE OF PRIORITY: MARCH 4, 1980

The point of appropriation is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
15 S	11 E	WM	4	SE SE	990 FEET NORTH AND 362 FEET WEST FROM SE CORNER, SECTION 4

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

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
15 S	11 E	WM	4	NE SE	0.27
15 S	11 E	WM	4	SE SE	4.73

The quantity of water diverted at the new point of appropriation shall not exceed the quantity of water lawfully available at the original point of diversion described as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
15 S	11 E	WM	19	SW SW	1200 FEET NORTH AND 450 FEET EAST FROM SW CORNER, SECTION 19

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

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

Water use measurement conditions:

- a. The water user shall maintain, in good working order, a totalizing flow meter or other suitable measuring device as approved by the Director at each point of appropriation.
- b. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.

Water shall be acquired from the same aquifer (water source) as the original point of appropriation.

The right to the use of the water is restricted to beneficial use on the place of use described, and is subject to all other conditions and limitations contained in Certificate 61097 and any related decree.

This certificate is issued to confirm a change in POINT OF APPROPRIATION and PLACE OF USE approved by an order of the Water Resources Director entered December 17, 2009, at Special Order Volume 79, Page 377, approving Transfer Application T-10502, and together with Certificate 85977, supercedes Certificate 61097, State record of Water Right Certificates.

Issued DEC 22 2017.



\_\_\_\_\_  
Dwight French  
Water Right Services Division Administrator, for  
Thomas M. Byler, Director  
Oregon Water Resources Department



# 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

## INTEROFFICE MEMO

FORWARD TO:  Kelly Starnes DATE: 9/3/2008

FIELD PROCESSOR WORKING ON THIS TRANSFER

FROM: \_\_\_\_\_ WATERMASTER, DISTRICT # \_\_\_\_\_  
X \_\_\_\_\_ GROUNDWATER SECTION

(SIGNATURE) K. Lite date signed 9/3/2008  
signed by injury reviewer

SUBJECT: WATER RIGHT TRANSFER # 10503

A change in: POU POD POA USE of water.

In the name(s) of Eric Vetterlein (Desert Springs Ranch)

In my opinion (assuming the right is valid), the proposed change

MAY BE MADE WITHOUT INJURY WOULD RESULT IN INJURY\* to an existing water right.

\*The approval of this transfer application would result in injury to other water rights because

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The existing right may not be valid because \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Headgate notices HAVE HAVE NOT Been issued for diversion from the source(s) which serve(s) this right.

If for change in point of diversion, is there any intervening point(s) for diversion between the authorized and proposed points of diversion? (Yes or No) \_\_\_\_\_

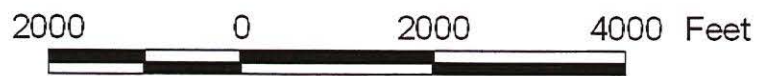
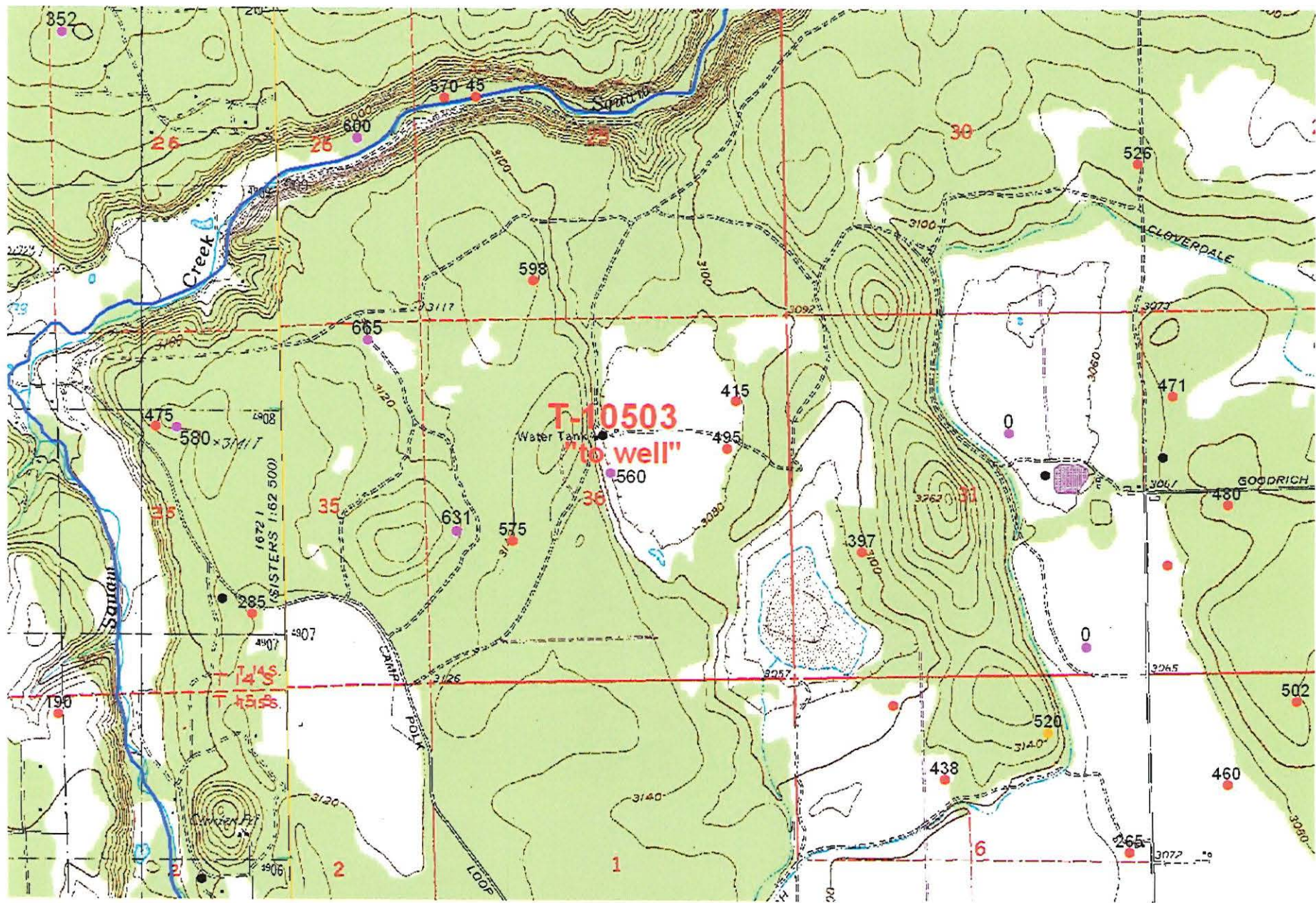
In my opinion, the order approving the subject transfer application should include the following in regard to the appropriator installing suitable measuring devices in the diversion works:

\_\_\_\_\_ (1) PRIOR to the diverting of water at the new point of diversion . . .

\_\_\_\_\_ (2) WHEN IN the judgement of the watermaster it becomes necessary . . .

The enclosed copy of the transfer application and map(s) is for your records.

# T-10503: Henkle Butte and Sisters Quadrangles



**WATER RESOURCES DEPARTMENT MEMORANDUM**

DATE 9/3/2008

APPLICATION\_NUMBER T 10503  
 OWNER VETTERLEIN  
 AMOUNT\_REQUESTED 11 GPM NUMBER\_OF\_WELLS 1 BASIN DESCHUTES  
 SUB\_BASIN WHYCHUS  
 QUADRANGLE\_MAP\_1 HENKLE BUTTE COUNTY DESCHUTES

WELL\_# 1 WELL\_LOG\_STATUS DRILLED, LOG AVAILABLE POA\_AMOUNT 11 GPM  
 WELL\_LOG\_NUMBER DESC 9921 DPN\_LOG\_1  
 TOWNSHIP 14S RANGE 10E SECTION 36 QQQ ACC

PROPOSED\_LEGAL\_LOCATION 429 FEET NORTH AND 65 FEET EAST FROM THE C1/4 CORNER, SECTION 36

DISTANCE\_FROM\_STREAM\_1 5200 FEET STREAM\_1 WHYCHUS CREEK  
 DISTANCE\_FROM\_STREAM\_2 STREAM\_2

PROPOSED\_WELL\_DEPTH

WELL\_ELEV 3080 STREAM\_ELEV 2900 WELL\_ELEV\_minus\_STREAM\_ELEV 180  
 WELL\_DEPTH 560 SWL 400  
 SEAL\_DEPTH 29 SWL\_DATE 6/1/1995

CASING\_DEPTH 29 FIRST\_WATER\_DEPTH 400  
 LINER\_DEPTH 560 WELL\_TEST\_1\_TYPE AIR

PERFORATIONS\_SCREEN\_1 540-560 YIELD\_1 15 GPM  
 PERFORATIONS\_SCREEN\_2 DRAWDOWN\_1

AQUIFER\_TYPE UNCONFINED DURATION\_1 1 HR

HYDRAULIC\_CONNECTION NOT AT NEAREST REACHES

DIVISION\_9\_FINDING

ZONE\_OF\_IMPACT N/A

CONDITIONED\_WATER\_RIGHTS\_IN\_AREA YES

OTHER\_NEARBY\_WATER\_RIGHTS G-9961, G-16296, G-16448.

DENSITY\_OF\_NEARBY\_WELLS RURAL RESIDENTIAL, IRRIGATION

COMMENTS APPLICANT PROPOSES TO TRANSFER 11 GPM FROM WELL DESC 3273 TO DESC 9921, A  
 DISTANCE OF 4.4 MILES. BOTH WELLS ARE CONSTRUCTED INTO THE SAME REGIONAL SOURCE  
 (DESCHUTES FM.) GROUND WATER FLOW IS TOWARDS THE NORTHEAST WITH THE NEAREST  
 DOWN-GRADIENT DISCHARGE AREA ABOUT 11 MILES DISTANCE (ALDER SPRINGS).  
 GROUND-WATER LEVELS IN THE WELL ARE WELL BELOW SURFACE WATER AT THE NEAREST  
 REACHES (WHYCHUS CREEK).

REFERENCES USGS WRI REPORT 00-4162; USGS WRI REPORT 02-4015; HENKLE BUTTE AND SISTERS  
 QUADRANGLE MAPS; APPL. FILE T-10503; WELL REPORTS DESC 3273, AND DESC 9921.

**MEMO –Proof to Satisfaction** (March 17, 2014)

Application #	Permit # <u>G-8846</u>	Transfer # <u>T-10502</u>
WRD Reviewer <u>Mary Bjork</u>	Date <u>11-20-17</u>	
WRD Peer Reviewer <u>J Skaug</u>	Date <u>11-29-17</u>	

Research

- Organize file in chronological order
- Pull CBU Report & Map(s), Application Map, relevant Permit, Certificate, or Transfer Order, most recent Assignments, Extension Orders, SWL Measurements, Fish Screen Certification Documents, Water Use Reports & Pump Tests
- Search for Water Right Location using Interactive Mapper. Identify Tax Lots & check for Area of Interest (AOI)
- Water Organization identified using AOI?  No  Yes  
If "Yes" cc: \_\_\_\_\_ & Add to Mailing List
- Print Tax Lot Map from ormap.net for the original Place of Use, and confirm Current Ownership & Address with County Assessor TL 103 - N. Handley (CC)  
If there is a new owner, Add to Mailing List, including the owner(s) name & tax lot number
- Print Platcard & check for Place of Use Conflict?  No  Yes  
If "Yes", provide copy of certificate & relevant map
- Print BLM Cadastral Survey
- Does Claim Map identify correct DLC, Gov't Lots, QQ's?  No  Yes  
If "No", either \_\_\_\_\_ WRD amend map OR \_\_\_\_\_ prepare Order of Certification

Reviewing Claim

Have conditions on relevant permit, certificate, or transfer order been complied with? Yes, No, OR N/A

- N/A Fish Conditions
- Meter/measuring device shall TFM - installed 2010
- Water Use Reporting
- Pump Test (post December 19, 1988)
- Other Conditions \_\_\_\_\_
- SWL
- C-Date 10-1-11 Accomplished 6-1-10 → see printouts system capable
- Run Capacity Calculator and Print Findings (for pump, sprinklers, pipes, ditches, as appropriate)

NOTES:

A POA + POU on C-61097 via SPORV 79 P 377  
(12-17-09) for 5.0 AC @ 0.04 cfs. (RRC-85977)  
system by drip + sprinklers - capable  
slightly diff. footprint developed - same TL  
CAUSE - Michele Sims

**Determination**

I've determined that the permit/transfer was fully developed as authorized and that a **FINAL** Certificate should be issued.

*fully developed*



I've determined that the permit/transfer was not fully developed as authorized and that a **PROPOSED** Certificate should be issued. A proposed Certificate should be issued for the following reason(s):

I've determined that beneficial use was NOT made within the terms and conditions and that a **Proposed Order of Certification** (denial) should be issued. A proposed Order of Certification should be issued for the following reason(s):

**Processing**

Stamp PROPOSED or Assign CERT# \_\_\_\_\_ or ORDER OF CERTIFICATION (circle one)

Draft Certificates or Proposed Order of Certifications are available in the Application directory.

Prepare Mailing List. Include Applicant(s); Receiving Landowner(s); Current Owner(s); Water Organizations; CWRE. Indicate records to be marked.

<input type="checkbox"/> Record marking:	App _____	Permit _____	Cert _____
	App _____	Permit _____	Cert _____
	App _____	Permit _____	Cert _____
	App _____	Permit _____	Cert _____

**NOTES:**

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

In the Matter of Transfer Application )  
T-10502, Deschutes County ) FINAL ORDER APPROVING A  
) CHANGE IN POINT OF  
) APPROPRIATION AND PLACE OF  
) USE

**Authority**

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

**Applicant**

Eric Vetterlein  
1100 SW Sixth Avenue #1200  
Portland OR 97204

**Receiving Landowner**

Stephen King  
3655 NW Thurman  
Portland, OR 97210

**Findings of Fact**

**Background**

1. On December 10, 2007, Eric Vetterlein (Desert Springs Ranch) filed an application to change the point of appropriation and place of use under Certificate 61097. The Department assigned the application number T-10502.
2. The portion of the right to be transferred is as follows:

**Certificate:** 61097 in the name of DONALD H. VETTERLEIN (perfected under Permit G-8846)

**Use:** IRRIGATION of 5.0 ACRES

**Priority Date:** MARCH 4, 1980

**Rate:** 0.06 CUBIC FOOT PER SECOND

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

This final order is subject to judicial review by the Court of Appeals under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482(1). Pursuant to ORS 536.075 and OAR 137-003-0675, 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.

acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: A WELL within the DEEP CANYON BASIN

**Authorized Point of Appropriation:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
15 S	11 E	WM	19	SW SW	1200 FEET NORTH AND 450 FEET EAST FROM SW CORNER OF SECTION 19

**Authorized Place of Use:**

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
15 S	11 E	WM	19	SW SW	4	5.0

3. Transfer Application T-10502 proposes to move the authorized point of appropriation approximately 3 miles from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
15 S	11 E	WM	4	SE SE	990 FEET NORTH AND 362 FEET WEST FROM SE CORNER OF SECTION 4

4. Transfer Application T-10502 also proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
15 S	11 E	WM	4	SE SE	5.0

Handwritten calculation:  $4.73 - 0.27 = 5.0$   
 NESE

5. Stephen King is the receiving landowner and will be responsible for completion of the proposed changes after the final order is issued.
6. Notice of the application for transfer was published on December 25, 2007, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
7. On May 19, 2009, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-10502 to the applicant. The cover letter that accompanied the draft Preliminary Determination set forth a deadline of June 22, 2009, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.
8. On August 6, 2009, the Department issued a Preliminary Determination proposing to approve Transfer Application T-10502 and mailed a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published on the Department's weekly notice on August 11, 2009, and in The Bulletin newspaper on September 16, 23 and 30, 2009, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.

9. This transfer application is being processed concurrently with transfer applications T-10503, T-10791 and T-10806 which all propose changes to Certificate 61097.

***Transfer Review Criteria (OAR 690-380-4010)***

10. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
11. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Transfer Application T-10502.
12. The proposed change would not result in enlargement of the right.
13. The proposed change would not result in injury to other water rights.

**Conclusions of Law**

The change in point of appropriation and change in place of use proposed in Transfer Application T-10502 are consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000.

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

1. The change in point of appropriation and change in place of use proposed in Transfer Application T-10502 are approved.
2. The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificate 61097 and any related decree.
3. Water right certificate 61097 is cancelled. A new certificate will be issued describing the portion of the right not affected by this transfer or Transfer Applications T-10503, T-10791, and T-10806.
4. The quantity of water diverted at the new point of appropriation, shall not exceed the quantity of water lawfully available at the original point of appropriation.
5. Water use measurement conditions:
  - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of appropriation.
  - b. The water user shall maintain the meters or measuring devices in good working order.

c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.

6. Water shall be acquired from the same aquifer (water source) as the original point of appropriation.
7. The former place of use of the transferred right shall no longer receive water under the right.
8. The approved changes shall be completed and full beneficial use of the water shall be made on or before **October 1, 2011**. A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.
9. When satisfactory proof of the completed changes is received, a new certificate confirming the right transferred will be issued.

Dated at Salem, Oregon this 17<sup>th</sup> day of December 2009.

  
Phillip C. Ward, Director

Mailing date: DEC 22 2009

STATE OF OREGON  
COUNTY OF DESCHUTES  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

DONALD H. VETTERLEIN, DESERT SPRINGS RANCH  
17830 FORKED HORN ROAD  
SISTERS, OREGON 97759

confirms the right to use the waters of A WELL in the DEEP CANYON BASIN for the purpose of IRRIGATING 109.1 ACRES.

The right has been perfected under Permit G-8846. The date of priority is MARCH 4, 1980. The right is limited to not more than 1.36 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the well.

The well is located as follows:

LOT 4(SW 1/4 SW 1/4), SECTION 19, T 15 S, R 11 E, W.M.; 1200 FEET NORTH AND 450 FEET EAST FROM SW CORNER SECTION 19.

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

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

A description of the place of use under the right, and to which such right is appurtenant, is as follows:

	LOT 4(SW 1/4 SW 1/4)	28.4 ACRES
	SE 1/4 SW 1/4	24.0 ACRES
	SW 1/4 SE 1/4	13.3 ACRES
	SE 1/4 SE 1/4	10.4 ACRES
	SECTION 19	
Cancelled due to T-10202; Sp. Or. Vol. 79 P. 327		
Cancelled due to T-10203; Sp. Or. Vol. 79 P. 381	NE 1/4 NE 1/4	18.7 ACRES
	NW 1/4 NE 1/4	14.3 ACRES
	SECTION 30	
Cancelled due to T-10291; Sp. Or. Vol. 79 P. 385		
Cancelled due to T-10806; Sp. Or. Vol. 79 P. 390		
	TOWNSHIP 15 SOUTH, RANGE 11 EAST, W.M.	

SUPERSEDED BY  
CERT. NO. 88533

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.

WITNESS the signature of the Water Resources Director, affixed this date MAY 19, 1989.

Superseded by  
Cert. No. 85977

/s/ WILLIAM H. YOUNG  
Water Resources Director

Recorded in State Record of Water Right Certificates numbered 61097

G-9587.TES

STATE OF OREGON  
 COUNTY OF DESCHUTES  
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

DONALD H. VETTERLEIN, DESERT SPRINGS RANCH  
 17830 FORKED HORN ROAD  
 SISTERS, OR 97759

confirms the right to use the waters of a WELL in the DEEP CANYON BASIN for IRRIGATION of 97.1 ACRES.

This right was perfected under Permit G-8846. The date of priority is MARCH 4, 1980. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 1.20 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the well.

The well is located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
15 S	11 E	WM	19	SW SW	4	1200 FEET NORTH AND 450 FEET EAST FROM THE SW CORNER OF SECTION 19

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 3 acre-feet per acre for each acre irrigated during the irrigation season of each year. The use shall conform to such reasonable rotation system as may be ordered by the proper state officer. 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.

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

Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
15 S	11 E	WM	19	SW SW	4	21.4
15 S	11 E	WM	19	SE SW		24.0
15 S	11 E	WM	19	SW SE		13.3
15 S	11 E	WM	19	SE SE		10.4
15 S	11 E	WM	30	NE NE		13.7
15 S	11 E	WM	30	NW NE		14.3

This certificate describes that portion of the water right confirmed by Certificate 61097, State Record of Water Right Certificates, NOT modified by the provisions of orders of the Water Resources Director entered DEC 17 2009, approving Transfer Applications T-10502, T-10503, T-10791, and T-10806.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

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

WITNESS the signature of the Water Resources Director, affixed DEC 17 2009.

  
 Phillip C. Ward, Director *ra*



County:	Deschutes
Taxlot:	1511040000103
Owner1:	HANDLEY, NICOLE
Owner2:	
Owner Address:	1900 NE 3RD ST #106-127, BEND OR 97701
Site Address:	68767 QUAIL TREE DR, SISTERS 97759
Acres:	Null
TRSQQ:	WM15.00S11.00E4XXXX
Effective Date:	June 1, 2017

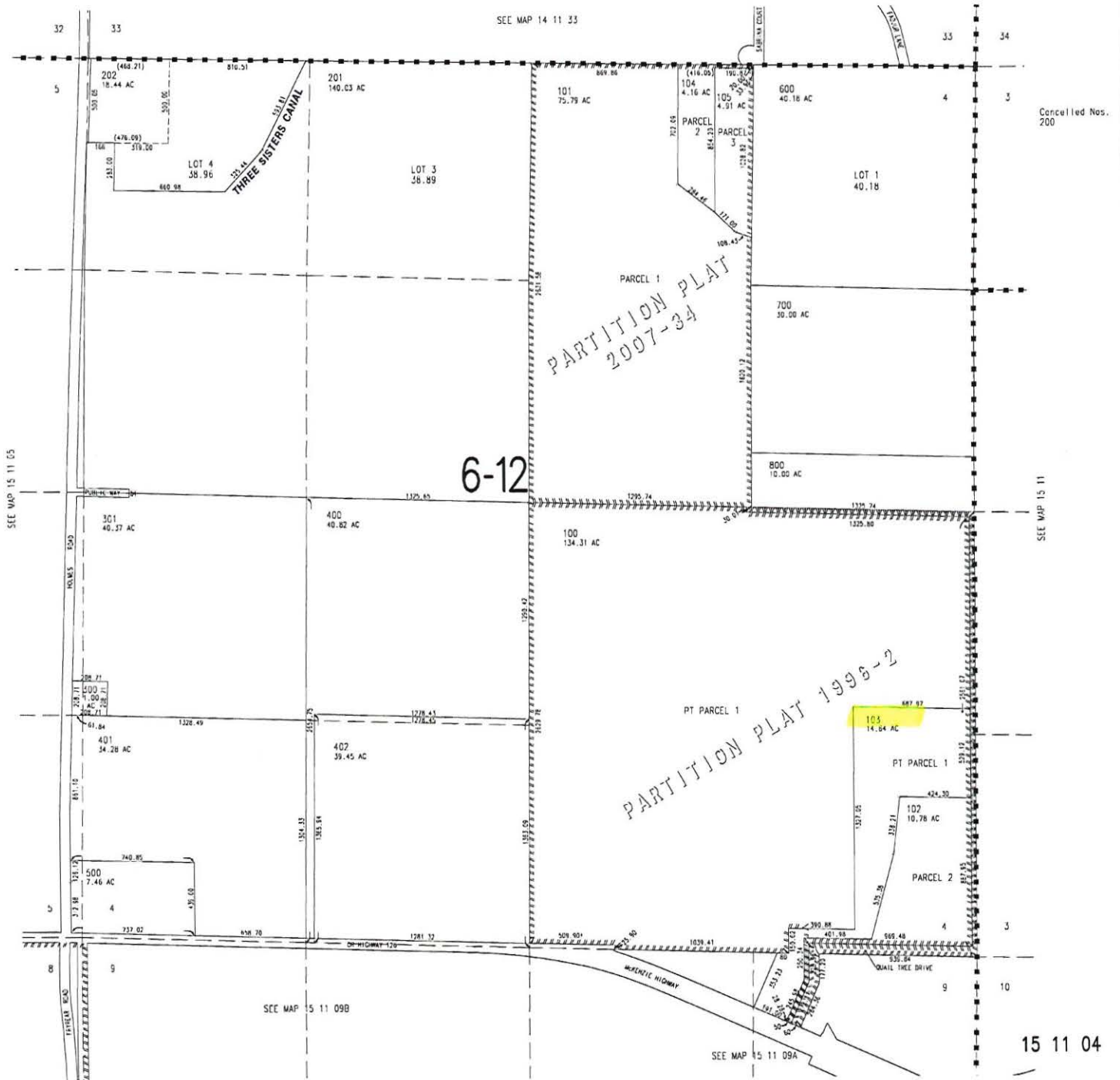
THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY.

REVISED: 09/22/2008

# SECTION 04 T.15S. R.11E. W.M. DESCHUTES COUNTY

1" = 400'

15 11 04



15 11 04



# Deschutes County Property Information

Report Date: 11/20/2017 10:49:38 AM

## Disclaimer

The information and maps presented in this report are provided for your convenience. Every reasonable effort has been made to assure the accuracy of the data and associated maps. Deschutes County makes no warranty, representation or guarantee as to the content, sequence, accuracy, timeliness or completeness of any of the data provided herein. Deschutes County explicitly disclaims any representations and warranties, including, without limitation, the implied warranties of merchantability and fitness for a particular purpose. Deschutes County shall assume no liability for any errors, omissions, or inaccuracies in the information provided regardless of how caused. Deschutes County assumes no liability for any decisions made or actions taken or not taken by the user of this information or data furnished hereunder.

## Account Summary

### Account Information

**Mailing Name:** HANDLEY, NICOLE

**Map and Taxlot:** 1511040000103

**Account:** [REDACTED]

**Tax Status:** Assessable

**Situs Address:** 68767 QUAIL TREE DR, SISTERS, OR 97759

### Property Taxes

**Current Tax Year:** \$5,292.33

**Tax Code Area:** 6012

### Assessment

**Subdivision:**

**Lot:**

**Block:**

**Assessor Acres:** 14.64

**Property Class:** 471 -- TRACT

### Ownership

**Mailing Address:**

HANDLEY, NICOLE

1900 NE 3RD ST #106-127

BEND, OR 97701

### Valuation

**Real Market Values as of Jan. 1, 2017**

**Land** \$391,590

**Structures** \$229,700

**Total** \$621,290

**Current Assessed Values:**

**Maximum Assessed** \$392,680

**Assessed Value** \$392,680

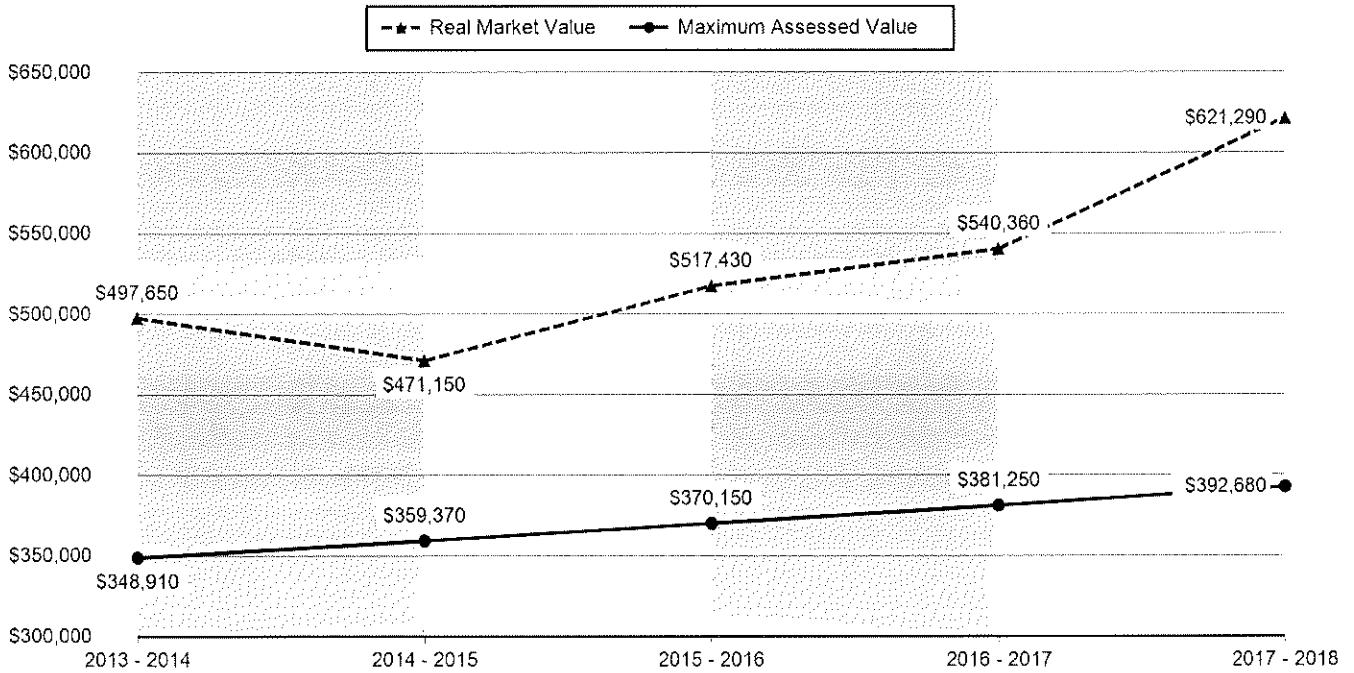
**Veterans Exemption**

## Warnings, Notations, and Special Assessments

Review of digital records maintained by the Deschutes County Assessor's Office, Tax Office, Finance Office, and the Community Development Department indicates that there are no special tax, assessment or property development related notations associated with this account. However, independent verification of the presence of other Deschutes County tax, assessment, development, and additional property related considerations is recommended. Confirmation is commonly provided by title companies, real estate agents, developers, engineering and surveying firms, and other parties who are involved in property transactions or property development. In addition, County departments may be contacted directly to discuss the information.

## Valuation History *All values are as of January 1 of each year. Tax year is July 1st through June 30th of each year.*

	2013 - 2014	2014 - 2015	2015 - 2016	2016 - 2017	2017 - 2018
Real Market Value - Land	\$361,020	\$322,220	\$353,610	\$353,610	\$391,590
Real Market Value - Structures	\$136,630	\$148,930	\$163,820	\$186,750	\$229,700
<b>Total Real Market Value</b>	<b>\$497,650</b>	<b>\$471,150</b>	<b>\$517,430</b>	<b>\$540,360</b>	<b>\$621,290</b>
Maximum Assessed Value	\$348,910	\$359,370	\$370,150	\$381,250	\$392,680
<b>Total Assessed Value</b>	<b>\$348,910</b>	<b>\$359,370</b>	<b>\$370,150</b>	<b>\$381,250</b>	<b>\$392,680</b>
Veterans Exemption	\$0	\$0	\$0	\$0	\$0



### Sales History

Sale Date	Seller	Buyer	Sale Amount	Sale Type	Recording Instrument
08/04/2016	KING, STEPHEN J & JENNIFER	HANDLEY, NICOLE	\$575,000	30-UNCONFIRMED SALE	2016-32352
04/09/2013	KING,STEPHEN J	KING, STEPHEN J & JENNIFER	\$0	08-GRANTOR/GRANTEE ARE THE SAME	2013-14819
03/09/2004	KING,STEPHEN J & GAIL M	KING,STEPHEN J	\$0	06-GRANTEE IS RELATED/FRIENDS/BUSINESS ASSOCIATES	2004-17956

### Service Providers *Please contact districts to confirm.*

Category	Name	Phone	Address
COUNTY SERVICES	DESCHUTES COUNTY	(541) 388-6570	1300 NW WALL ST, BEND, OR 97703
POLICE SERVICES	DESCHUTES COUNTY SHERIFF'S OFFICE	(541) 693-6911	63333 HIGHWAY 20 WEST, BEND, OR 97703
FIRE DISTRICT	CLOVERDALE RURAL FIRE PROTECTION DISTRICT	(541) 548-4815	68787 GEORGE CYRUS RD, SISTERS, OR 97759
SCHOOL DISTRICT	SISTERS SCHOOL DISTRICT #6	(541) 549-8521	525 EAST CASCADE AVE, SISTERS, OR 97759
ELEMENTARY SCHOOL ATTENDANCE AREA	SISTERS ELEMENTARY SCHOOL	(541) 549-8981	611 EAST CASCADE AVE, SISTERS, OR 97759
MIDDLE SCHOOL ATTENDANCE AREA	SISTERS MIDDLE SCHOOL	(541) 549-2099	15200 MCKENZIE HWY, SISTERS, OR 97759
HIGH SCHOOL ATTENDANCE AREA	SISTERS	(541) 549-4045	1700 MCKINNEY BUTTE RD, SISTERS, OR 97759
EDUCATION SERVICE TAX DISTRICT	HIGH DESERT EDUCATION SERVICE DISTRICT	(541) 693-5600	145 SE SALMON AVE, REDMOND, OR 97756
COLLEGE TAX DISTRICT	CENTRAL OREGON COMMUNITY COLLEGE	(541) 383-7700	2600 NW COLLEGE WAY, BEND, OR 97703
PARK & RECREATION DISTRICT	SISTERS PARK & RECREATION DISTRICT	(541) 549-2091	1750 W. MCKINNEY BUTTE RD, SISTERS, OR 97759
LIVESTOCK DISTRICT	DESCHUTES COUNTY LIVESTOCK DISTRICT NUMBER 5	(541) 388-6623	1300 NW WALL ST, BEND, OR 97703
IRRIGATION DISTRICT	THREE SISTERS IRRIGATION DISTRICT	(541) 549-8815	68000 HWY 20, BEND, OR 97703
GARBAGE & RECYCLING SERVICE	HIGH COUNTRY DISPOSAL	(541) 548-4984	1090 NE HEMLOCK AVE, REDMOND, OR 97756



Oregon Water Resources Department  
Water Rights Platcard Report

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- [Help](#)
- [Return](#)
- [Contact Us](#)

Search Criteria

Meridian: Willamette Township: 15 South Range: 11 East Section: 4 Records per Page: 100 Search

Platcards Maps!  
[Learn about](#) [View Map](#)

Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	Q(40): NE	Q(40): NW	Q(160): NE	Q(160): NW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Unknown
<a href="#">Select</a> App: G 18274 *		4/4/2016	IRRIGATION								5																	
Additional Info: MARY JO SWANER App: G18274																												
<a href="#">Select</a> Permit: G 11378 *	T10907, T12229	10/8/1984	SUPPLEMENTAL IRRIGATION (Suppl'mtl)				30	28	40		40	40	40	40	40	40	40	35	40	18.6	33.3	37.1	24					
Additional Info: SQUAW CREEK IRRIGATION DISTRICT App: G10401 Permit: G11378																												
<a href="#">Select</a> Cert:66558 OR *		2/25/1981	IRRIGATION								5.1																	
Additional Info: DAVID KELL App: G10181 Permit: G9220 Cert: 66558																												
<a href="#">Select</a> Inchoate: T 10502 CF (REG) *		3/4/1980	IRRIGATION																									(5)
Additional Info: ERIC VETTERLEIN App: G9587 Permit: G8846																												
<a href="#">Select</a> Permit: G 7739 *		8/5/1977	SUPPLEMENTAL IRRIGATION (Suppl'mtl)									40	20	40	40	40	40	40	35									
Additional Info: ARLAND T KEETON App: G8344 Permit: G7739																												
<a href="#">Select</a> Permit: S 29312 *	T10907, T12229	2/5/1964	SUPPLEMENTAL IRRIGATION (Suppl'mtl)					28	40		40	40	40	40	40	40	40	35	18.6	39.3	37.1	24						
Additional Info: THREE SISTERS IRRIGATION DISTRICT App: S39486 Permit: S29312																												
<a href="#">Select</a> Cert:74135 CF *	T9621, T9309, T8392, T8994, Decree: SQUAW CREEK DECREE Cert: 74135	12/31/1895	IRRIGATION							40				36	40.5	40	37.5	34	40	18	40	39	25					
Additional Info: SQUAW CREEK IRRIGATION DISTRICT Decree: SQUAW CREEK DECREE Cert: 74135																												
unable to determine conflict																												

	IL676, IL701, IL787, IL810, IL499, IL500, IL504, IL418, IL419, IL300, IL323, CW33, SL8, CW30, CW34, CW44, T10467, CW51, CW49, CW56, T10573, IL909, SL9, IL915, CW18, IL932, IL943, T6854, CW50, T10703, IL977, IL1004, T10891, T10900, T10910, T10907, IL1019, CW66, IL1074, IL1078, SL13, IL1088, CW69, IL1154, IL1185, CW70, CW71, IL1244, IL1251, IL1315, IL1314, CW77, CW78, CW79, CW83, IL1390, IL1426, IL1447, IL1487, T12229, CW90, IL1533, IL1552, IL1616, CW99, IL1635																				
Select Cert:74135 CF *  Additional Info:	T9621, T9309, T8392,	12/31/1895	IRRIGATION	2	25																

SQUAW CREEK IRRIGATION DISTRICT  
Decree: SQUAW CREEK DECREE  
Cert: 74135

T8994,  
T8743,  
T7932,  
T8900,  
T5830,  
IL831,  
SL6,  
SL7,  
IL667,  
IL676,  
IL701,  
IL787,  
IL810,  
IL499,  
IL500,  
IL504,  
IL418,  
IL419,  
IL300,  
IL323,  
CW33,  
SL8,  
CW30,  
CW34,  
CW44,  
T10467,  
CW51,  
CW49,  
CW56,  
T10573,  
IL909,  
SL9,  
IL915,  
CW18,  
IL932,  
IL943,  
T6854,  
CW50,  
T10703,  
IL977,  
IL1004,  
T10891,  
T10900,  
T10910,  
T10907,  
IL1019,  
CW66,  
IL1074,  
IL1078,  
SL13,  
IL1088,  
CW69,  
IL1154,  
IL1185,  
CW70,  
CW71,  
IL1244,  
IL1251,  
IL1315,  
IL1314,  
CW77,  
CW78,  
CW79,  
CW83,  
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IL1447,  
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T12229,  
CW90,

	IL1533, IL1552, IL1616, CW99, IL1635																								
Select	<b>Cert:74135 CF *</b>	T9621, T9309, T8392, T8994, T8743, T7932, T8900, T5830, IL831, SL6, SL7, IL667, IL676, IL701, IL787, IL810, IL499, IL500, IL504, IL418, IL419, IL300, IL323, CW33, SL8, CW30, CW34, CW44, T10467, CW51, CW49, CW56, T10573, IL909, SL9, IL915, CW18, IL932, IL943, T6854, CW50, T10703, IL977, IL1004, T10891, T10900, T10910, T10907, IL1019, CW66, IL1074, IL1078, SL13, IL1088, CW69, IL1154, IL1185, CW70, CW71, IL1244, IL1251, IL1315, IL1314, CW77,	12/31/1895 IRRIGATION	3																					
	<u>Additional Info:</u> SQUAW CREEK IRRIGATION DISTRICT Decree: SQUAW CREEK DECREE Cert: 74135						39.5																		



	IL1154, IL1185, CW70, CW71, IL1244, IL1251, IL1315, IL1314, CW77, CW78, CW79, CW83, IL1390, IL1426, IL1447, IL1487, T12229, CW90, IL1533, IL1552, IL1616, CW99, IL1635																			
Select <b>Cert:74135 CF *</b>  Additional Info: SQUAW CREEK IRRIGATION DISTRICT Decree: SQUAW CREEK DECREE Cert: 74135	T9621, 12/31/1895 IRRIGATION T9309, T8392, T8994, T8743, T7932, T8900, T5830, IL831, SL6, SL7, IL667, IL676, IL701, IL787, IL810, IL499, IL500, IL504, IL418, IL419, IL300, IL323, CW33, SL8, CW30, CW34, CW44, T10467, CW51, CW49, CW56, T10573, IL909, SL9, IL915, CW18, IL932, IL943, T6854, CW50, T10703, IL977, IL1004, T10891, T10900,	1	15																	

	<p>T10910, T10907, IL1019, CW66, IL1074, IL1078, SL13, IL1088, CW69, IL1154, IL1185, CW70, CW71, IL1244, IL1251, IL1315, IL1314, CW77, CW78, CW79, CW83, IL1390, IL1426, IL1447, IL1487, T12229, CW90, IL1533, IL1552, IL1616, CW99, IL1635</p>	
<p>Select <b>Cert:74135 CF *</b></p> <p><u>Additional Info:</u> SQUAW CREEK IRRIGATION DISTRICT Decree: SQUAW CREEK DECREE Cert: 74135</p>	<p>T9621, 12/31/1895 IRRIGATION 4</p> <p>T9309, T8392, T8994, T8743, T7932, T8900, T5830, IL831, SL6, SL7, IL667, IL676, IL701, IL787, IL810, IL499, IL500, IL504, IL418, IL419, IL300, IL323, CW33, SL8, CW30, CW34, CW44, T10467, CW51, CW49, CW56, T10573, IL909, SL9, IL915, CW18,</p>	<p>32</p>

		IL932, IL943, T6854, CW50, T10703, IL977, IL1004, T10891, T10900, T10910, T10907, IL1019, CW66, IL1074, IL1078, SL13, IL1088, CW69, IL1154, IL1185, CW70, CW71, IL1244, IL1251, IL1315, IL1314, CW77, CW78, CW79, CW83, IL1390, IL1426, IL1447, IL1487, T12229, CW90, IL1533, IL1552, IL1616, CW99, IL1635																		
<a href="#">Select</a> <b>Cert:302 OR CN</b>	L14, T3706, T5591	11/11/1895	IRRIGATION AND DOMESTIC	CN		-14.5	-1.5		-2	-8	-40	-23	-39	-40	-20	-13.5	-8.5	-20	-40	-19.5
<a href="#">Additional Info:</a> SQUAW CREEK IRRIGATION CO. Decree: SQUAW CREEK DECREE Cert: 302																				
<a href="#">Select</a> <b>Cert:850 OR CN</b>	T7932, S41	11/11/1895	DOMESTIC	CN		*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
<a href="#">Additional Info:</a> SQUAW CREEK IRRIGATION CO. Decree: DESCHUTES RIVER (F) Cert: 850																				
<a href="#">Select</a> <b>Cert:850 OR CN</b>	T7932, S41	11/11/1895	IRRIGATION	CN		-40	-13.5	-38.5	-16	-38	-32	-17	-1		-20	-21.5	-6.5	-20		-4.5
<a href="#">Additional Info:</a> SQUAW CREEK IRRIGATION CO. Decree: DESCHUTES RIVER (F) Cert: 850																				
<a href="#">Select</a> <b>Cert:15360 OR CN</b>			IRRIGATION	CN											-5					
<a href="#">Additional Info:</a> SNOW CREEK IRRIGATION DISTRICT App: S8852 Permit: S12458 Cert: 15360																				

Acreage Legend: 12.25 Regular  
acreage

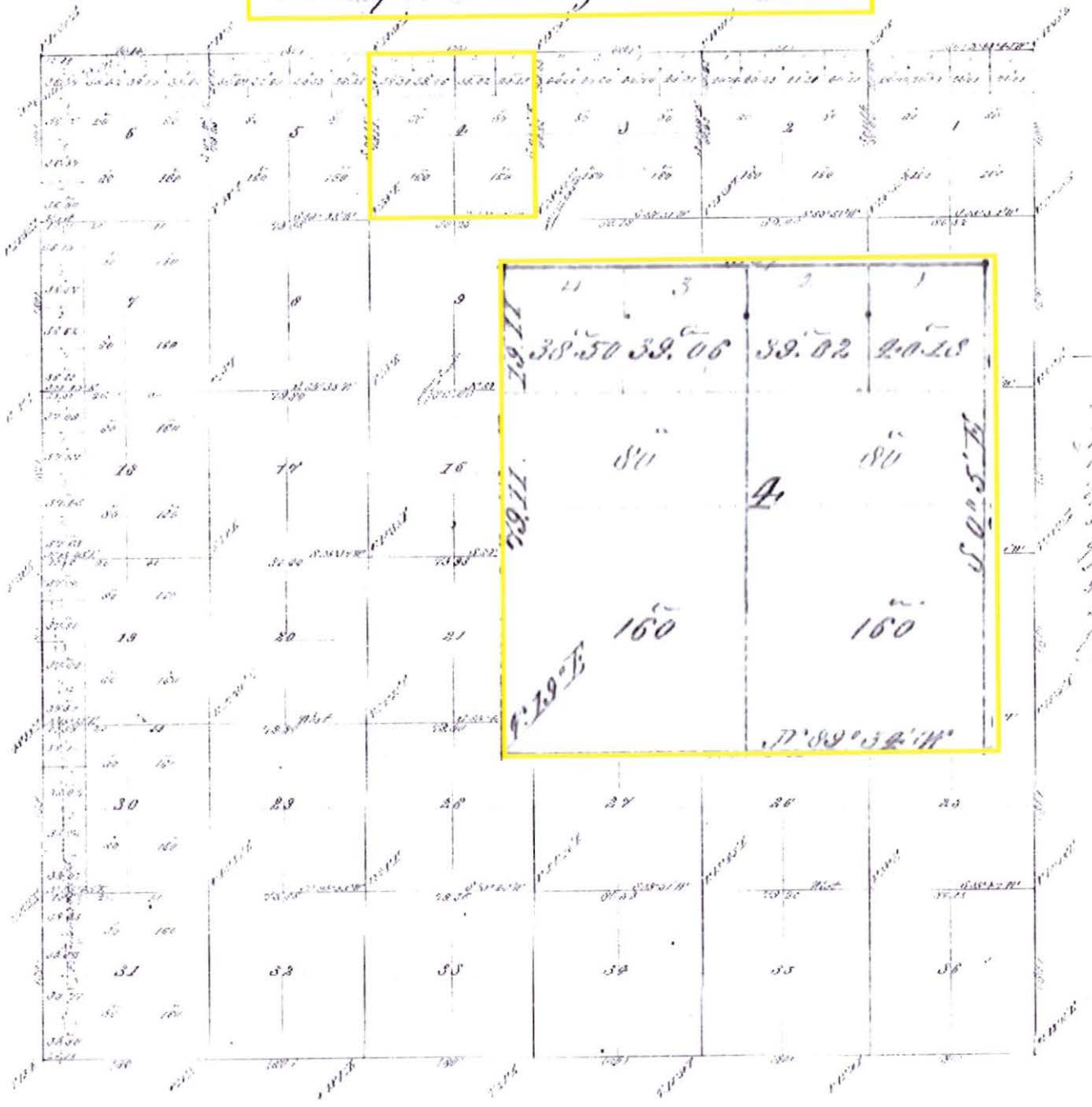
-12.25- Acreage is on a canceled  
right

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

[12.25] Acreage has been  
suspended

\* Acreage is not  
specified

Township 15 South, Range 11 East Will Mer



11 5 3 1  
38° 50' 38° 06' 38° 02' 20° 13'  
80'' 80''  
160' 160'  
S 0° 57' E  
79° 11' E  
77° 08' 52' 11''

## WELL PUMP

### Pump Capacity Calculator using Department designed formula:

---

$(hp)(\text{efficiency}) / (\text{lift} + \text{psi head}) = \text{capacity in cfs}$

Efficiency:

Centrifugal = 6.61

Turbine = 7.04

---

#### Data Entry (fill in underlined blanks)

---

HP = 5  
Efficiency = 7.04  
Lift = 343  
PSI = 60

#### Results Calculated

---

$(hp)(\text{efficiency}) = 35.2$   
Head based on psi = 152.4  
Total dynamic head = 495.4  
(head + lift)

**Pump Capacity = 0.071 cubic feet per second**

**POND PUMP**

**Pump Capacity Calculator**  
using Department designed formula:

---

$(hp)(\text{efficiency}) / (\text{lift} + \text{psi head}) = \text{capacity in cfs}$

Efficiency:

Centrifugal = 6.61

Turbine = 7.04

---

**Data Entry (fill in underlined blanks)**

---

HP = 3  
Efficiency = 6.61  
Lift = 3  
PSI = 30

**Results Calculated**

---

$(hp)(\text{efficiency}) =$  19.83  
Head based on psi = 76.2  
Total dynamic head = 79.2  
(head + lift)

**Pump Capacity = 0.250 cubic feet per second**

---

## Sprinkler Capacity Calculator

---

### Data Entry (fill in underlined blanks)

---

Sprinkler group 1      Nozzle size = 3/16 inch      (type an apostrophe before the size)  
  Pressure = 25 PSI  
  Number of heads = 23

Sprinkler group 2      Nozzle size = \_\_\_\_\_ inch      (type an apostrophe before the size)  
(if applicable)          Pressure = \_\_\_\_\_ PSI  
  Number of heads = \_\_\_\_\_

Sprinkler group 3      Nozzle size = \_\_\_\_\_ inch      (type an apostrophe before the size)  
(if applicable)          Pressure = \_\_\_\_\_ PSI  
  Number of heads = \_\_\_\_\_

---

### Results calculated

---

Sprinkler group 1 capacity =                    115 gpm, or            0.256 cfs

Sprinkler group 2 capacity =                    0 gpm, or            0.000 cfs

Sprinkler group 3 capacity =                    0 gpm, or            0.000 cfs

**Total sprinkler capacity =                    115 gpm, or            0.256 cfs**

Note: If entered values return a result of 0 gpm or "#N/A", then the sprinkler capacity chart does not contain a rate for that nozzle size and PSI.

A rough alternate calculation can be made using this formula:

$28.93 \times (\text{orifice size in decimal, squared}) \times (\text{square root of pressure})$

(Source: rainbird.com)

**Sprinklers - 0.26 CFS**

**Drippers - 0.0007 CFS**

Rainbird Nozzle Size Reference

<u>Nozzle #</u>	<u>Size (in)</u>
4	1/16
5	5/64
6	3/32
7	7/64
8	1/8
9	9/64
10	5/32
11	11/64
12	3/16
13	13/64
14	7/32
15	15/64
16	1/4
17	17/64
18	9/32
20	5/16
22	11/32
24	3/8
26	13/32
28	7/16
30	15/32
32	1/2
34	17/32
36	9/16
40	5/8
44	11/16

# Completion Checklist for Claims of Beneficial Use

Application # \_\_\_\_\_  
Date Received 10/3/2014  
CWRE Name Michelle Sims  
File Marked ✓  
Oversized Map # \_\_\_\_\_  
Reviewer C.U.

Transfer # T-10502  
Claim Logged ✓

## Map Review:

- Map on polyester film (OAR 690-014-0170(1) & 310-0050(1)(b))
- Application & permit #; or transfer # (OAR 690-014-0100(1))
- Disclaimer (OAR 690-014-0170(5))
- North arrow (OAR 690-310-0050(2)(c))
- CWRE stamp and signature (OAR 690-014 & 310-0050)
- Appropriate scale (1" = 1320', 1" = 400', or the original full-size scale of the county assessor map) (014 & 310)
- Township, range, section, and tax lot numbers (OAR 690-310-0050(4))
- \_\_\_\_\_ Source illustrated if surface water (OAR 690-014-0170(3))
- \_\_\_\_\_ Point(s) of diversion or appropriation (illustrated) (OAR 690-014(4) & 690-310-0050)
- \_\_\_\_\_ Point(s) of diversion or appropriation (coordinates)(OAR 690-014(4) & 690-310-0050)
- \_\_\_\_\_ Conveyance structures illustrated (pump, pipelines, ditches, etc.) (OAR 690-310-0050)
- \_\_\_\_\_ Description of the location, in relation to the point of diversion or appropriation, of any fish screens, by-pass devices, and measuring devices required (OAR 690-014-0170(4))
- \_\_\_\_\_ Place of use (1/4 1/4, or projected 1/4 1/4 lines within DLCs, or Gov Lots; if irrigation, # of acres in each subdivision; if for domestic or human consumption, location of dwelling or spigot) (OAR 690-310-0050, 690-014, 690-380-6010)

## Report Review:

- On form or format provided by the Department (OAR 690-014-0100(1))
- Application & permit #; or transfer # (OAR 690-014)
- Ownership information (OAR 690-014)
- Date of survey (OAR 690-014)
- Person interviewed (OAR 690-014)
- County (OAR 690-014)
- \_\_\_\_\_ Description of conveyances system (from POD to POU) (OAR 690-014-0100)
- \_\_\_\_\_ Source(s) of water (OAR 690-014-0100)
- \_\_\_\_\_ Place of use location (OAR 690-014-0100)
- \_\_\_\_\_ Type of use (OAR 690-014-0100)
- \_\_\_\_\_ Extent of use (OAR 690-014-0100)
- \_\_\_\_\_ Rate and Duty (OAR 690-014-0100)
- \_\_\_\_\_ Diversion rate for each use (OAR 690-014-0100)
- \_\_\_\_\_ Diversion works description (pump make, serial model, capacity, and description) (OAR 690-014-0100)
- \_\_\_\_\_ System capacity (OAR 690-014-0100)
  - \_\_\_\_\_ Calculated capacity of system (required)
  - \_\_\_\_\_ Measured amount of use (optional)
- \_\_\_\_\_ Permit/Transfer Final Order Conditions (OAR 690-014-0100)
  - \_\_\_\_\_ Time limits
  - \_\_\_\_\_ Initial water level measurements
  - \_\_\_\_\_ Annual static water level measurements
  - \_\_\_\_\_ Measurement, recording, and reporting
    - \_\_\_\_\_ Meter/measuring device
    - \_\_\_\_\_ Water use reporting
  - \_\_\_\_\_ Fish screening and/or by-pass
  - \_\_\_\_\_ Pump test (ground water)
  - \_\_\_\_\_ Other conditions
- \_\_\_\_\_
- CWRE stamp and signature (OAR 690-014-0100)
- Signature(s) of permittee of transfer holder (OAR 690-014-0100)

DEF = deficient

N/A = Not Applicable

S:\groups\wr\certs\Resource Center\Forms\_Checklists\_Mailing Instructions\COBU Checklist 11-20-2012.rtf

**Certificate Issuance & Processing Checklist**

\_\_\_\_\_ Map and COBU reviewed  
\_\_\_\_\_ Conflict check Any Conflicts? \_\_\_\_\_  
\_\_\_\_\_ Check for ownership

**Check Area of Interest**  YES  NO  
**Identified Party** \_\_\_\_\_

**Staff Recommendations:**

\_\_\_\_\_ Proof to the Satisfaction has been established to the full extent as described in the permit or transfer order.

\_\_\_\_\_ Proof to the Satisfaction has been not been established to the full extent as described in the permit or transfer order and the right should be limited as follows: \_\_\_\_\_

\_\_\_\_\_ Proof to the Satisfaction has not been established for the following reasons: \_\_\_\_\_

**Proposed Actions:**  
Send letter requesting the following items/information: \_\_\_\_\_  
Send letter recommending extension to cure deficiencies: \_\_\_\_\_

Can certificate be processed further?  
\_\_\_\_\_ Yes

If "Yes":  
\_\_\_\_\_ Proposed  
\_\_\_\_\_ Final      Certificate # \_\_\_\_\_

Mailing list:

Proposed:

Final:

**CLAIM OF  
BENEFICIAL USE**  
**for Permits claiming more than  
0.1 cfs and All Transfers**



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

RECEIVED BY OWRD

OCT 03 2014

SALEM, OR

**A fee of \$175 must accompany this form for permits  
with priority dates after July 8, 1987.**

**A fee of \$175 must accompany this form for any Transfer final orders  
including a water right with a priority date of July 9, 1987, or later.**

1980

**Example – A transfer involves 5 rights and one of the rights  
has a priority date of July 9, 1987, or later, the fee is required.**

**SECTION 1  
GENERAL INFORMATION**

**1. File Information**

APPLICATION # (G, R, S or T) <b>T-10502</b>	PERMIT # (IF APPLICABLE)	PERMIT AMENDMENT # (IF APPLICABLE)
--	--------------------------	------------------------------------

**2. Property Owner (current owner information)**

APPLICANT/BUSINESS NAME <b>Stephen King</b>	PHONE NO. <b>541-678-1135</b>	ADDITIONAL CONTACT NO. <b>541-923-4567</b>	
ADDRESS <b>68767 Quail Tree Drive</b>			
CITY <b>Sisters</b>	STATE <b>OR</b>	ZIP <b>97759</b>	E-MAIL

If the current property owner is not the permit or transfer holder of record, it is recommended that an assignment be filed with the Department. ***Each permit or transfer holder of record must sign this form.***

**3. Permit or transfer holder of record (this may, or may not, be the current property owner)**

PERMIT OR TRANSFER HOLDER OF RECORD <b>same</b>		
ADDRESS		
CITY	STATE	ZIP

ADDITIONAL PERMIT OR TRANSFER HOLDER OF RECORD <b>NA</b>		
ADDRESS		
CITY	STATE	ZIP

4. Date of Site Inspection: 10/11/13

5. Person(s) interviewed and description of their association with the project:

NAME	DATE	ASSOCIATION WITH THE PROJECT
Stephen King	10/11/13	landowner

6. County: Deschutes

7. If any property described in the place of use of the permit or transfer final order is excluded from this report, identify the owner of record for that property (ORS 537.230(4)):

OWNER OF RECORD		
NA		
ADDRESS		
CITY	STATE	ZIP

Add additional tables for owners of record as needed

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## SECTION 2 SIGNATURES

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### CWRE Statement, Seal and Signature

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The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge.

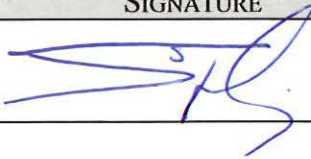


CWRE NAME		PHONE No.	ADDITIONAL CONTACT No.
Michele Sims		541-549-7851	541-408-4777
ADDRESS			
Fred Ast and Associates, POB 751			
CITY	STATE	ZIP	E-MAIL
Sisters	OR	97759	sims.mw@gmail.com

Permit or Transfer Holder's of Record Signature or Acknowledgement

*Each permit or transfer holder of record must sign this form in the space provided below.*

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge. I request that the Department issue a water right certificate.

SIGNATURE	PRINT OR TYPE NAME	TITLE	DATE
	STEPHEN KING		5/27/14

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**SECTION 3  
CLAIM DESCRIPTION**

1. Point of diversion/appropriation name or number:

POINT OF DIVERSION/APPROPRIATION (POD/POA) NAME OR NUMBER (CORRESPOND TO MAP)	WELL LOG ID # FOR ALL WORK PERFORMED ON THE WELL (IF APPLICABLE)	WELL TAG # (IF APPLICABLE)
Well		L 09976

Attach each well log available for the well (include the log for the original well and any subsequent alterations, reconstructions, or deepenings)

2. Point of diversion/appropriation source and, if from surface water, the tributary:

POD/POA NAME OR NUMBER	SOURCE	TRIBUTARY
Well	Deep Canyon Basin	

3. Developed use(s), period of use, and rate for each use:

POD/POA NAME OR NUMBER	USES	IF IRRIGATION, LIST CROP TYPE	SEASON OR MONTHS WHEN WATER WAS USED	ACTUAL RATE OR VOLUME USED (CFS, GPM, OR AF)
Well	irrigation	Lavender, pasture	Irrigation season	0.06 cfs
<b>Total Quantity of Water Used</b>				<b>0.06 cfs</b>

4. Provide a general narrative description of the distribution works. This description must trace the water system from each point of diversion or appropriation to the place of use:

Water is pumped from the well into the pond. From the pond, it passes through the meter and into mains that serve drip irrigation (for lavender) and sprinklers (pasture).

Reminder: The map associated with this claim must identify the location of the point(s) of diversion, Donation Land Claims (DLC), Government Lots (GLot), and Quarter-Quarters (QQ).

5. Variations:

Was the use developed differently from what was authorized by the permit, permit amendment final order, or extension final order? If yes, describe below.

YES

The place of use is slightly different from the area drawn on the application map. The use was developed and in place by the C date of 2010.

6. Claim Summary:

POD / POA NAME OR #	MAXIMUM RATE AUTHORIZED	CALCULATED THEORETICAL RATE BASED ON SYSTEM	AMOUNT OF WATER MEASURED	USE	# OF ACRES ALLOWED	# OF ACRES DEVELOPED
POA	0.06 cfs	0.07 cfs		irrigation	5	5

**SECTION 4  
SYSTEM DESCRIPTION**

Are there multiple PODs or POAs?

**NO**

If "YES" you will need to copy and complete Sections 4B through 4G for each POD/POA.

POD/POA Name or Number this section describes (only needed if there is more than one):

**Well**

**A. Place of Use**

1. Is the right for municipal use?

**NO**

TWP	RNG	MER	SEC	QQ	GLOT	DLC	USE	IF IRRIGATION, # PRIMARY ACRES	IF IRRIGATION, # SUPPLEMENTAL ACRES
<b>15S</b>	<b>11E</b>	<b>WM</b>	<b>4</b>	<b>SE SE</b>			<b>irrigation</b>	<b>0.27</b>	
				<b>NE SE</b>			<b>irrigation</b>	<b>4.73</b>	
<b>Total Acres Irrigated</b>								<b>5</b>	<b>NA</b>

**Reminder: The map associated with this claim must identify Donation Land Claims (DLC), Government Lots (GLOT), Quarter Quarters (QQ), and if for irrigation, the number of acres irrigated within each projected DLC, GLOT, and QQ.**

**B. Diversion and Delivery System Information**

Provide the following information concerning the diversion and delivery system. Information provided must describe the equipment used to transport and apply the water from the point of diversion/appropriation to the place of use.

1. Is a pump used?

**YES**

2. Pump Information **Well Pump**

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE
<b>Grundfos</b>	<b>91126219</b>	<b>SA-SPM5</b>	<b>submersible</b>		<b>1"</b>

3. Motor Information

MANUFACTURER	HORSEPOWER
<b>Grundfos</b>	<b>5</b>

4. Theoretical Pump Capacity

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP *If a WELL, THE WATER LEVEL DURING PUMPING	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
<b>5</b>	<b>60</b>	<b>-350</b>	<b>-7 ft</b>	<b>0.07 cfs</b>

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5. Provide pump calculations:

$$Q = \frac{5\text{hps} \times 7.04}{152.4 + 343} = 0.07 \text{ cfs}$$

2. Pump Information **Pond Pump**

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE
Gould	Irrigator	C56P2U11A 3	centrifugal	2"	2"

3. Motor Information

MANUFACTURER	HORSEPOWER
Gould	3

4. Theoretical Pump Capacity

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP *IF A WELL, THE WATER LEVEL DURING PUMPING	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
3	30	8 ft	-5 ft	0.25 cfs

5. Provide pump calculations:

$$Q = \frac{3\text{hp} \times 6.61}{76.2 + 3} = 0.25 \text{ cfs}$$

6. Measured Pump Capacity (using meter if meter was present and system was operating)

INITIAL METER READING	ENDING METER READING	DURATION OF TIME OBSERVED	TOTAL PUMP OUTPUT (IN CFS)
NA			

**Reminder: For pump calculations use the reference information at the end of this document.**

7. Is the distribution system piped?

YES

8. Mainline Information

MAINLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
1.5 in	1246 ft	pvc	buried

9. Lateral or Handline Information

LATERAL OR HANDLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
1.5 in	1500 ft	pvc	buried
1/2"	450 ft	plastic	mixed

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**10. Sprinkler Information**

SIZE	OPERATING PSI	SPRINKLER OUTPUT (GPM)	TOTAL NUMBER OF SPRINKLERS	MAXIMUM NUMBER USED	TOTAL SPRINKLER OUTPUT (CFS)
3/16 in	25	5	23	23	0.26 cfs
drippers		1-2 gph	10	10	0.0007 cfs

**Reminder: For sprinkler output determination use the reference information at the end of this document.**

**11. Pivot Information**

MANUFACTURER	MAXIMUM WETTED RADIUS	OPERATING PSI	TOTAL PIVOT OUTPUT (GPM)	TOTAL PIVOT OUTPUT (CFS)
NA				

**12. Additional notes or comments related to the system:**

The pasture is irrigated with sprinklers, while the lavender fields are irrigated with a drip system.

**C. Groundwater Source Information (Well and Sump)**

1. Is the appropriation from ground water (well or sump)? **YES**

2. Describe the access port (type and location) or other means to measure the water level in the well:

Access at top of casing

3. If well logs are not available, provide as much of the following information as possible:

CASING DIAMETER	CASING DEPTH	TOTAL DEPTH	COMPLETION DATE OF ORIGINAL WELL	COMPLETION DATES OF ALTERATIONS	WHO THE WELL WAS DRILLED FOR	WELL DRILLED BY
See log						

4. In addition to the information requested in item "3" above, provide any other information which may help the Department locate any well logs associated with this appropriation.

5. Is the appropriation from a dug well (sump)? **NO**

**D. Storage**

1. Does the distribution system include in-system storage (e.g. storage tank, bulge in system / reservoir) **YES**

If "YES" is it a:      Storage Tank  
                                  Bulge in System / Reservoir

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**NO**  
**YES**

3. Bulge in System / Reservoir:

RESERVOIR NAME OR NUMBER (CORRESPOND TO MAP)	APPROXIMATE DAM HEIGHT	APPROXIMATE CAPACITY (IN ACRE FEET)
Pond	excavated	0.42

**E. Gravity Flow Pipe**

(THE DEPARTMENT TYPICALLY USES THE HAZEN-WILLIAM'S FORMULA FOR A GRAVITY FLOW PIPE SYSTEM)

1. Does the system involve a gravity flow pipe? NO

**F. Gravity Flow Canal or Ditch**

(THE DEPARTMENT TYPICALLY USES MANNING'S FORMULA FOR CANALS AND DITCHES)

1. Is a gravity flow canal or ditch used to convey the water as part of the distribution system? NO

**G. Reservoir**

1. Does the claim involve a reservoir modified through a transfer? NO

**Reminder: Complete this section if the reservoir right has been modified through the transfer process. If the claim is for a permitted reservoir use the Claim of Beneficial Use form for reservoirs.**

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**SECTION 5  
CONDITIONS**

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All conditions contained in the permit, permit amendment, transfer final order, or any extension final order shall be addressed. Reports that do not address all performance related conditions will be returned.

1. Time Limits:

Permits, transfer final orders, and any extension final orders contain any or all of the following dates: the date when the actual construction work was to begin, the date when the construction was to be completed, and the date when the complete application of water to the proposed use was to be completed. These dates may be referred to as ABC dates. Describe how the water user has complied with each of the development timelines established in the permit, extension or transfer final order:

	DATE FROM PERMIT OR TRANSFER	DATE ACCOMPLISHED*	DESCRIPTION OF ACTIONS TAKEN BY WATER USER TO COMPLY WITH THE TIME LIMITS
ISSUANCE DATE	08/06/09		
BEGIN CONSTRUCTION (A)			
COMPLETE CONSTRUCTION (B)			
COMPLETE APPLICATION OF WATER (C)	10/01/10	06/01/10	System installed, water applied.

\* MUST BE WITHIN PERIOD BETWEEN PERMIT, TRANSFER FINAL ORDER, OR ANY EXTENSION FINAL ORDER ISSUANCE AND THE DATE TO COMPLETELY APPLY WATER

2. Is there an extension final order(s)? NO

4. Initial Water Level Measurements:

a. Was the water user required to submit an initial static water level measurement? NO

5. Annual Static Water Level Measurements:

a. Was the water user required to submit annual static water level measurements? **NO**

6. Pump Test (Required for most ground water permits prior to issuance of a certificate)

a. Did the permit require the submittal of a pump test? **NO**

7. Measurement Conditions:

a. Does the permit, permit amendment, transfer final order, or any extension final order require the installation of a meter or approved measuring device? **YES**

**Reminder: If a meter or approved measuring device was required, the COBU map must indicate the location of the device in relation to the point of diversion or appropriation.**

b. Has a meter been installed? **YES**

c. Meter Information

POD/POA NAME OR #	MANUFACTURER	SERIAL #	CONDITION (WORKING OR NOT)	CURRENT METER READING	DATE INSTALLED
Well	Aquamaster	None seen	working	Could not read (fogged)	2010

8. Recording and reporting conditions

a. Is the water user required to report the water use to the Department? **NO**

9. Fish Screening

a. Are any points of diversion required to be screened to prevent fish from entering the point of diversion? **NO**

10. By-pass Devices

a. Are any points of diversion required to have a by-pass device to prevent fish from entering the point of diversion? **NO**

11. Other conditions required by permit, permit amendment final order, extension final order, or transfer final order:

- a. Were there special well construction standards? **NO**
- b. Was submittal of a ground water monitoring plan required? **NO**
- c. Was the water user required to restore the riparian area if it was disturbed? **NO**
- d. Was a fishway required? **NO**
- e. Was submittal of a letter from an engineer required prior to storage of water? **NO**
- f. Was submittal of a water management and conservation plan required? **NO**
- g. Other conditions? **NO**

If "YES" to any of the above, identify the condition and describe the water user's actions to comply with the condition(s):

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NA

**SECTION 6  
ATTACHMENTS**

Provide a list of any additional documents you are attaching to this report:

ATTACHMENT NAME	DESCRIPTION
Well log	DESC 50787

**SECTION 7  
CLAIM OF BENEFICIAL USE MAP**

The Claim of Beneficial Use Map must be submitted with this claim. Claims submitted without the Claim of Beneficial Use map will be returned. The map shall be submitted on poly film at a scale of 1" = 1320 feet, 1" = 400 feet, or the original full-size scale of the county assessor map for the location.

Provide a general description of the survey method used to prepare the map. Examples of possible methods include, but are not limited to, a traverse survey, GPS, or the use of aerial photos. If the basis of the survey is an aerial photo, provide the source, date, series and the aerial photo identification number.

Aerial photos (GoogleEarth2012) were used to confirm the areas where water was applied. Site was mapped at the time of the transfer application to locate well and proposed areas of irrigation using a total station.

**Map Checklist**

Please be sure that the map you submit includes ALL the items listed below.  
**(Reminder: Incomplete maps and/or claims may be returned.)**

- Map on polyester film
- Appropriate scale (1" = 400 feet, 1" = 1320 feet, or the original full-size scale of the county assessor map)
- Township, Range, Section, Donation Land Claims, and Government Lots
- If irrigation, number of acres irrigated within each projected Donation Land Claims, Government Lots, Quarter-Quarters
- Locations of fish screens and/or fish by-pass devices in relationship to point of diversion
- Locations of meters and/or measuring devices in relationship to point of diversion or appropriation
- Conveyance structures illustrated (pumps, reservoirs, pipelines, ditches, etc.)
- Point(s) of diversion or appropriation (illustrated and coordinates)
- Tax lot boundaries and numbers
- Source illustrated if surface water

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- Disclaimer (“This map is not intended to provide legal dimensions or locations of property ownership lines”)
- Application and permit number or transfer number
- North arrow
- Legend
- CWRE stamp and signature

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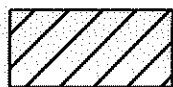
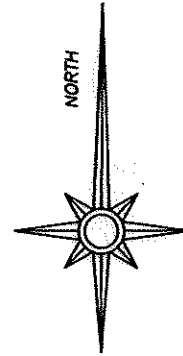
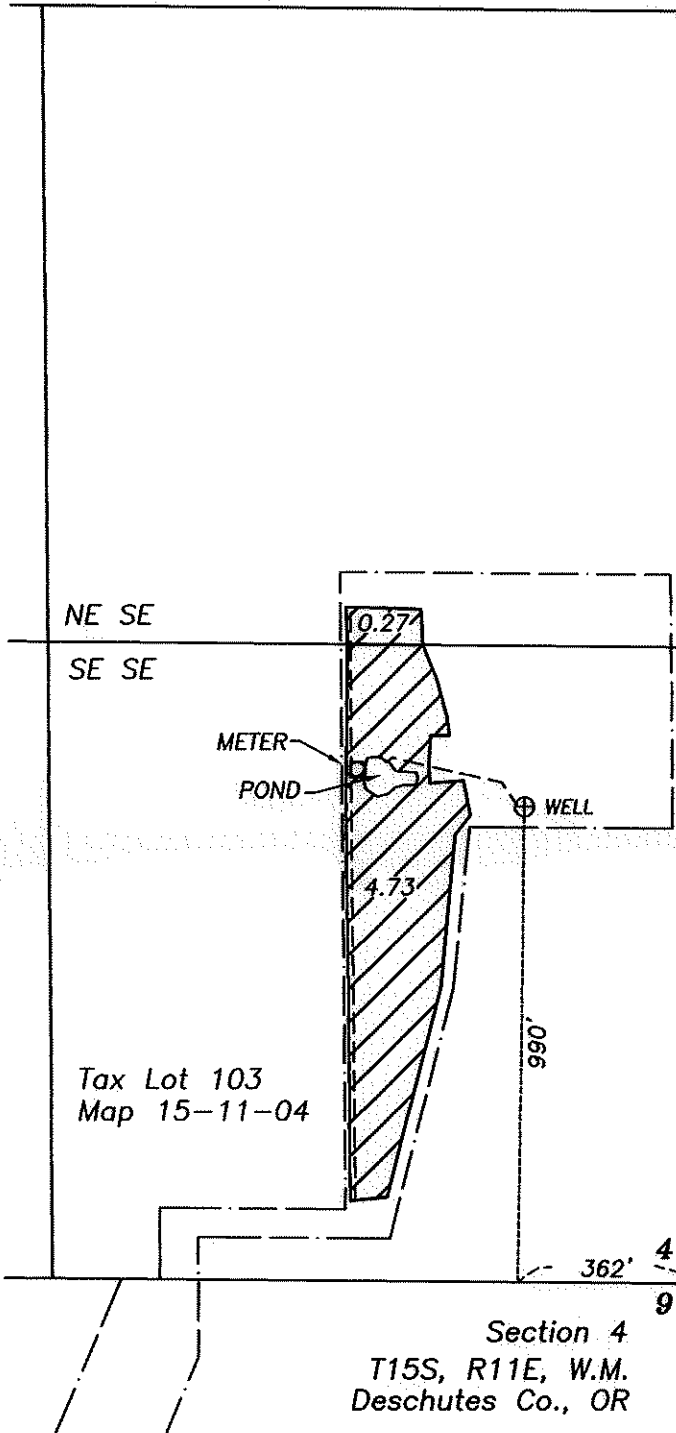
OCT 03 2014

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# Claim of Beneficial Use

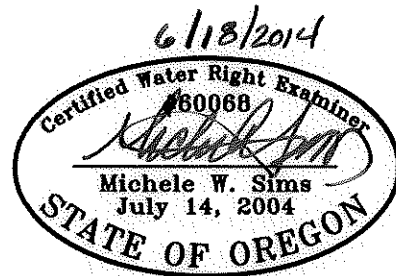
## T-10502

### in the name of Stephen King



Water beneficially used under  
T-10502 (Certificate 61097,  
Priority date 3/4/1980)

----- Buried mainline



Renewal date: 6/30/2014



GRAPHIC SCALE - FEET

THIS MAP IS FOR THE PURPOSE OF IDENTIFYING THE LOCATION OF THE WATER RIGHT. IT IS NOT INTENDED TO PROVIDE LEGAL DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES.

Fred A. Ast Jr., & Assoc. P.O. Box 751 Sisters, OR 97759 541-549-7851

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MAR 28 1997

WELL I.D. #

109976

STATE OF OREGON WATER RESOURCES DEPT. SALEM, OREGON

Desc 50787

(START CARD) # 96527

Instructions for completing this report are on the last page of this form.

(1) OWNER: Well Number Name Brad Davis Address 22121 Ericson Rd. City Bend State Ore. Zip 97701

(2) TYPE OF WORK [X] New Well [ ] Deepening [ ] Alteration (repair/recondition) [ ] Abandonment

(3) DRILL METHOD: [X] Rotary Air [ ] Rotary Mud [ ] Cable [ ] Auger [ ] Other

(4) PROPOSED USE: [X] Domestic [ ] Community [ ] Industrial [ ] Irrigation [ ] Thermal [ ] Injection [ ] Livestock [ ] Other

(5) BORE HOLE CONSTRUCTION: Special Construction approval [ ] Yes [X] No Depth of Completed Well 440 ft. Explosives used [ ] Yes [X] No Type Amount

Table with columns: HOLE Diameter, SEAL From, To, Material, From, To, Sacks or pounds. Includes entries for Bentonite and Bags.

How was seal placed: Method [ ] A [ ] B [ ] C [ ] D [ ] E [ ] Other Poured in dry Backfill placed from ft. to ft. Material Gravel placed from ft. to ft. Size of gravel

(6) CASING/LINER: Table with columns: Diameter, From, To, Gauge, Steel, Plastic, Welded, Threaded. Includes entries for Casing and Liner.

Final location of shoe(s)

(7) PERFORATIONS/SCREENS: Table with columns: From, To, Slot size, Number, Diameter, Tele/pipe size, Casing, Liner. Includes entry for Factory.

(8) WELL TESTS: Minimum testing time is 1 hour. [ ] Pump [ ] Bailer [X] Air [ ] Artesian. Yield gal/min 35, Drawdown 0, Drill stem at 435, Time 1 hr. Temperature of water 53, Depth Artesian Flow Found.

(9) LOCATION OF WELL by legal description: County Deschutes, Township 15, Range 11, Section 04 NW 1/4 NE 1/4, Tax Lot 100, Block, Subdivision, Street Address of Well (or nearest address) 68765 Quial Tree Dr. Sisters, Ore.

(10) STATIC WATER LEVEL: 350 ft. below land surface. Date 3-24-97. Artesian pressure lb. per square inch. Date

(11) WATER BEARING ZONES: Depth at which water was first found 395

Table with columns: From, To, Estimated Flow Rate, SWL. Includes entry for 395 to 440 with flow rate 35+ and SWL 390.

(12) WELL LOG: Ground Elevation

Table with columns: Material, From, To, SWL. Includes entries for Top Soil, Basalt, Brown Sand Stone, Broken Lava, Pumps, Red Cinders W.B.

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Date started 3-23-97 Completed 3-24-97 (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 water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief. Helper

Signed Jeff Randall WWC Number Date 3-24-97 (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 water supply well construction standards. This report is true to the best of my knowledge and belief.

Signed Doug Siken WWC Number 1255 Date 3-24-97

## Gerry Clark

---

**From:** David Bates  
**Sent:** Wednesday, October 02, 2013 7:02 AM  
**To:** Gerry Clark  
**Subject:** RE: T10502 Proof Claim?

Perfect! Thanks for your time.

*-David*

**From:** Gerry Clark  
**Sent:** Tuesday, October 01, 2013 5:33 PM  
**To:** David Bates  
**Subject:** RE: T10502 Proof Claim?

David,

The file does not contain a Claim. The dates in WRIS reflect the "C" Date and the CBU Due date. If a Claim had been submitted, there would be a "CBU Received" record.

Have a great day.

Gerry

Gerry Clark  
Water Right Services Division  
Water Resources Department  
725 Summer Street NE, Suite A  
Salem, Oregon 97301

Phone: 503-986-0811

**From:** David Bates  
**Sent:** Tuesday, October 01, 2013 3:04 PM  
**To:** Gerry Clark  
**Subject:** T10502 Proof Claim?

Gerry, I recently received a call from Jennifer King asking about water rights for her property. I looked it up and found T10502 transferred GW to their property. It has a COBU Date of 10-1-2011. Could you please let me know if we indeed have a claim in the file for this property?

Thanks!

**David Bates**  
Assistant Watermaster Dist.11  
Office 541.306.3487



# 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 27, 2007

ERIC VETTERLEIN  
DESERT SPRINGS RANCH  
1100 SW SIXTH AVENUE #1200  
PORTLAND, OR 97204

Reference: Transfer 10502

On December 10, 2007 we received your water right transfer application. The application was accompanied by \$800.00. Our receipt 90966 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.

Your application will be examined to determine if additional information is needed. You will be contacted following this examination. A number of other transfer applications are also awaiting review. As a result, it may be some time before we are able to process your application. If you wish to have your application processed more quickly, you may want to consider use of the Department's reimbursement authority. Under this authority an applicant may receive expedited review by paying the full cost for a pre-qualified contractor to process the applications. For more information on the Reimbursement Authority program, see our website at [http://www.wrd.state.or.us/OWRD/mgmt\\_reimbursement.shtml](http://www.wrd.state.or.us/OWRD/mgmt_reimbursement.shtml) or call the transfer section.

Except as provided under ORS 540.510(3) for municipalities, you may not use water for the new use, in the new place of use or from the new point of diversion until the transfer application has been approved. In order to avoid any possible forfeiture of the water right, you should continue to use the water as described by your existing water right. If the land is sold before the transfer is approved, the buyer's consent to the transfer will be required unless a recorded deed or other legal document clearly established that the water right was not conveyed in the sale.

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)986-0883.

cc: Watermaster # 11  
Michele Sims, CWRE # 60068  
Ground Water  
Deschutes County Community Development Department  
Stephen King, Receiving Landowner  
Three Sisters Irrigation District

enclosure





# Oregon

Theodore R. Kulongoski, Governor

## Water Resources Department

725 Summer Street NE, Suite A

Salem, OR 97301-1271

503-986-0900

FAX 503-986-0904

### Notice of Application for Water Right Transfer, Temporary Transfer, or Permit Amendment 12/25/07

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: 10502  
Water Right: CERT 61097  
Priority Date: 1980  
Name: ERIC VETTERLEIN DESERT SPRINGS RANCH  
Address: 1100 SW SIXTH AVENUE #1200 PORTLAND OR 97204  
Change: POU/POA  
Source: WELL  
Authorized POA: T15S R11E 19  
Proposed POA: T15S R11E 4  
Authorized POU: T15S R11E 19  
Proposed POU: T15S R11E 4

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.



# 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 21, 2009

DESERT SPRINGS RANCH LIMITED PARTNERSHIP  
ERIC VETTERLEIN  
1100 SW SIXTH AVENUE # 1200  
PORTLAND OR 97204

REFERENCE: Transfer Application T-10502

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

The time allowed to complete the transfer is specified in the final order. **YOU SHOULD GIVE PARTICULAR ATTENTION TO THE TIME LIMIT.** The water right for any portion of the authorized change in character of use or change in place of use **NOT** carried out within the time allowed will be lost.

An extension of the time limit can be allowed only upon a showing that diligent effort has been made to complete the actual change(s) within the time allowed.

You are required to hire a Certified Water Rights Examiner (CWRE) to complete a Claim of Beneficial Use report and map which must be submitted to this Department within one year of the date you complete the change(s) or within one year of the completion date authorized in the transfer final order, whichever occurs first.

If you have any questions related to the approval of this transfer, you may contact me by telephone at (503) 986-0883 or by e-mail at [Sarah.A.Henderson@wrđ.state.or.us](mailto:Sarah.A.Henderson@wrđ.state.or.us).

Sincerely,

Sarah Henderson  
Executive Support  
Field Services Division

cc: Watermaster Dist. #11  
Michele Sims, Agent  
Stephen King  
Three Sisters Irrigation District

Enclosure



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

In the Matter of Transfer Application            )  
T-10502, Deschutes County                    )  
  )  
  )    FINAL ORDER APPROVING A  
  )    CHANGE IN POINT OF  
  )    APPROPRIATION AND PLACE OF  
  )    USE

**Authority**

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

**Applicant**

Eric Vetterlein  
1100 SW Sixth Avenue #1200  
Portland OR 97204

**Receiving Landowner**

Stephen King  
3655 NW Thurman  
Portland, OR 97210

**Findings of Fact**

**Background**

1. On December 10, 2007, Eric Vetterlein (Desert Springs Ranch) filed an application to change the point of appropriation and place of use under Certificate 61097. The Department assigned the application number T-10502.
2. The portion of the right to be transferred is as follows:

**Certificate:** 61097 in the name of DONALD H. VETTERLEIN (perfected under Permit G-8846)

**Use:** IRRIGATION of 5.0 ACRES

**Priority Date:** MARCH 4, 1980

**Rate:** 0.06 CUBIC FOOT PER SECOND

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

This final order is subject to judicial review by the Court of Appeals under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482(1). Pursuant to ORS 536.075 and OAR 137-003-0675, 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.

acre-feet per acre for each acre irrigated during the irrigation season of each year.

**Source:** A WELL within the DEEP CANYON BASIN

**Authorized Point of Appropriation:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
15 S	11 E	WM	19	SW SW	1200 FEET NORTH AND 450 FEET EAST FROM SW CORNER OF SECTION 19

**Authorized Place of Use:**

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
15 S	11 E	WM	19	SW SW	4	5.0

- Transfer Application T-10502 proposes to move the authorized point of appropriation approximately 3 miles from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
15 S	11 E	WM	4	SE SE	990 FEET NORTH AND 362 FEET WEST FROM SE CORNER OF SECTION 4

- Transfer Application T-10502 also proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
15 S	11 E	WM	4	SE SE	5.0

- Stephen King is the receiving landowner and will be responsible for completion of the proposed changes after the final order is issued.
- Notice of the application for transfer was published on December 25, 2007, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
- On May 19, 2009, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-10502 to the applicant. The cover letter that accompanied the draft Preliminary Determination set forth a deadline of June 22, 2009, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.
- On August 6, 2009, the Department issued a Preliminary Determination proposing to approve Transfer Application T-10502 and mailed a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published on the Department's weekly notice on August 11, 2009, and in The Bulletin newspaper on September 16, 23 and 30, 2009, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.

9. This transfer application is being processed concurrently with transfer applications T-10503, T-10791 and T-10806 which all propose changes to Certificate 61097.

***Transfer Review Criteria (OAR 690-380-4010)***

10. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
11. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Transfer Application T-10502.
12. The proposed change would not result in enlargement of the right.
13. The proposed change would not result in injury to other water rights.

**Conclusions of Law**

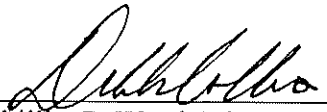
The change in point of appropriation and change in place of use proposed in Transfer Application T-10502 are consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000.

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

1. The change in point of appropriation and change in place of use proposed in Transfer Application T-10502 are approved.
2. The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificate 61097 and any related decree.
3. Water right certificate 61097 is cancelled. A new certificate will be issued describing the portion of the right not affected by this transfer or Transfer Applications T-10503, T-10791, and T-10806.
4. The quantity of water diverted at the new point of appropriation, shall not exceed the quantity of water lawfully available at the original point of appropriation.
5. Water use measurement conditions:
  - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of appropriation.
  - b. The water user shall maintain the meters or measuring devices in good working order.

- c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.
6. Water shall be acquired from the same aquifer (water source) as the original point of appropriation.
  7. The former place of use of the transferred right shall no longer receive water under the right.
  8. The approved changes shall be completed and full beneficial use of the water shall be made on or before **October 1, 2011**. A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.
  9. When satisfactory proof of the completed changes is received, a new certificate confirming the right transferred will be issued.

Dated at Salem, Oregon this 17<sup>th</sup> day of December 2009.

  
Phillip C. Ward, Director

Mailing date: DEC 22 2009

**Water Right Transfer Checklist**

*Vern/Sue*

Transfer T-10502

Transfer Specialist: SC Region Drawer-Kody Thurgood

Transfer Type: Regular

Applicant Name/Address: Eric Vetterlein 1100 SW Sixth Avenue, #1200, Portland, OR 97204

Agent Name/Address: None

CWRE Name/Number: Michele Sims #60068

Rec Landowner Name/Address: Stephen King 3655 NW Thurman St., Portland, OR 97210

Irr. District Name/Address: Three Sisters Irrigation District, PO Box 2230, Sisters, OR 97759

Affected Gov'ts Name/Address: Deschutes County Community Development Department, 117 NW Lafayette Ave., Bend OR 97701

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.
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<u>G 9587</u>	<u>G 8846</u>	<u>61097</u>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<i>With T-10503 T-10771 + T-10806</i>
<input type="checkbox"/>	<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	

**Key Dates & Initial Actions**

Rec'd: <u>12/10/2007</u>	Proposed Action(s): POU POD HST APOD USE OTHER: POU, POA	
Fees Pd: <u>800.00</u>	WM District: <u>11</u>	ODFW District: <u>None</u>
Initial Notice: <u>12/25/2007</u>	WM Review sent: <u>12/28/2007</u>	ODFW Review sent: <u>None</u>
Acknowledgement Letter Sent <input checked="" type="checkbox"/>	GW Review sent: <u>12/28/2007</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
- PD Cover letter
- PD Notice
- File Assigned/ ModPod updated

- Preliminary Determination
- Fee Refund Due
- Remaining Rights

DPD Review (Optional)	PD Review (Salem)	Final Order Review (Salem)
Reviewer: <u>Chuvcl</u>	Reviewer: <u>[Signature]</u>	Reviewer: _____
Date: <u>6/10/09</u>	Date: _____	Date: _____
Coordinator: _____	Coordinator: <u>[Signature]</u>	Coordinator: <u>[Signature]</u>
Date: _____	Date: <u>8/6/09</u>	Date: <u>12/16/09</u>
Comments/Special Issues:		

Special Order Volume: Vol 79 Pages 377  
 Notice of FO email'd to processors Susan

Final Order Signature Date: 12-17-09

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/decree 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  Enlargement: Y   
 Conditions to avoid enlargement/injury –

Duffy  
Kekel LLP

Attorneys at Law

1200 Standard Plaza  
1100 SW Sixth Avenue  
Portland, Oregon 97204-1079

PHONE 503-226-1371  
FAX 503-226-3574  
www.duffykekel.com

Ron D. Bailey  
D. Charles Mauritz  
Philip N. Jones\*  
Steven A. Nicholes\*†  
Donna M. Muehleck\*  
Peter J. Duffy\*†  
Eric H. Vetterlein  
Timothy J. Wachter\*  
Shannon M. Connelly‡  
Holly N. Mitchell\*  
Kornelia A. Dormire  
Vanessa A. Usui

October 14, 2009

\*also admitted in Washington  
†LLM in taxation  
‡LLM in estate planning

Charles P. Duffy (1915-2001)  
David A. Kekel (1938-1999)

Dorothy I. Pedersen  
Field Services Division  
Oregon Water Resources Department  
North Mall Office Building  
725 Summer St. NE, Suite A  
Salem, Oregon 97301-1266

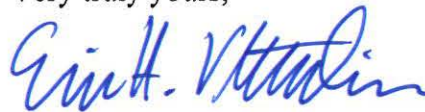
Re: Applications No. T-10502 and T-10503

Dear Dorothy:

Enclosed are Affidavits of Publication from The Bulletin of Bend, Oregon, for the two transfer applications referenced above.

If you have any questions regarding this matter or need more information, please do not hesitate to contact me.

Very truly yours,



Eric H. Vetterlein  
evetterlein@duffykekel.com

EHV:gp

enc.

cc (w/o enc.): Michele Sims

Z:\4815-01\CORR\_DorothyPedersen\_ORWaterResourceDept\_Applications.DOCX

RECEIVED

OCT 15 2009

WATER RESOURCES DEPT  
SALEM, OREGON

# Affidavit of Publication

STATE OF OREGON, COUNTY OF DESCHUTES

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

## The Bulletin

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

**Acct Name:** DUFFY KEKEL LLP

**Legal Description:** LEGAL NOTICE, Notice of Preliminary, Determination for, Water Right Transfer T-10502, , T-10502 filed by Eric Vetterlein (Desert Springs Ranch), 1100 SW Sixth...

a printed copy of which is hereto affixed was published in each regular and entire issue of the said newspaper and not in any supplement thereof on the following dates, to wit:

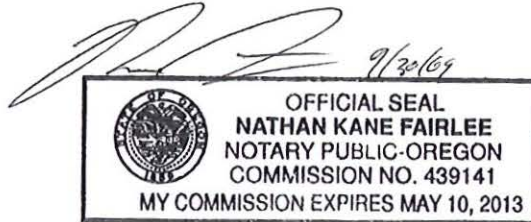
9/16/09	Page F5
9/23/09	Page F5
9/30/09	Page F5

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

Dated at Bend, Oregon, this 30 day of September, 2009.

*Kim Eldred*  
Signature

AdName: 15419039A



RECEIVED

OCT 15 2009

WATER RESOURCES DEPT  
SALEM, OREGON

1000  
Legal Notices

TION in Sec. 19. The applicant proposes to move the point of appropriation approximately 3 miles north (990 FEET NORTH AND 362 FEET WEST FROM SE CORNER OF SECTION 4, T15S, R 11 E, W.M.) and to change the place of use to Sec. 4, T 15S, R 11 E, W.M.. The Water Resources Department has concluded that the proposed transfer appears to be consistent with the requirements of ORS Chapter 540 and OAR 690-380-5000.

Any person may file, jointly or severally, with the Department a protest or standing statement within 30 days after the date of final publication of notice in the Department's weekly notice or of this newspaper notice, whichever is later. A protest form and additional information on filing protests may be obtained by calling (503) 986-0883. The last date of newspaper publication is September 30, 2009. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.

preliminary determination.

LEGAL NOTICE  
Notice of Preliminary Determination for Water Right Transfer T-10502

T-10502 filed by Eric Vetterlein (Desert Springs Ranch), 1100 SW Sixth Avenue #1200 Portland, OR 97204, proposes a change in point of appropriation and a change in place of use under Certificate 61097. The right allows the use of 0.06 CFS (priority date MARCH 4, 1980) from a well in 1180 FEET NORTH AND 460 FEET EAST FROM SW CORNER OF SECTION 19, T 15S, R 11E, W.M. (Deschutes Basin) for IRRIGA-

No. \_\_\_\_\_  
In the \_\_\_\_\_ Court of the  
**STATE OF OREGON**  
for the  
**COUNTY OF DESCHUTES**

### AFFIDAVIT OF PUBLICATION

Filed \_\_\_\_\_  
By \_\_\_\_\_  
From the Office of \_\_\_\_\_  
Attorney for \_\_\_\_\_

# Affidavit of Publication

STATE OF OREGON, COUNTY OF DESCHUTES

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

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T-10502 filed by Eric Vetterlein (Desert Springs Ranch),  
1100 SW Sixth...

a printed copy of which is hereto affixed was published in each regular and entire issue of the said newspaper and not in any supplement thereof on the following dates, to wit:

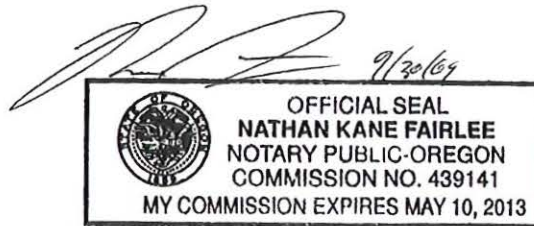
9/16/09	Page F5
9/23/09	Page F5
9/30/09	Page F5

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Dated at Bend, Oregon, this 30 day of September, 2009.

*Kim Eldred*  
\_\_\_\_\_  
Signature

AdName: 15419039A



RECEIVED

OCT 07 2009

WATER RESOURCES DEPT  
SALEM, OREGON

No. \_\_\_\_\_  
In the \_\_\_\_\_ Court of the

STATE OF OREGON  
for the  
COUNTY OF DESCHUTES

### AFFIDAVIT OF PUBLICATION

Filed \_\_\_\_\_

By \_\_\_\_\_

From the Office of \_\_\_\_\_

Attorney for \_\_\_\_\_

Notice of Preliminary  
Determination for  
Water Right Transfer T-10502

T-10502 filed by Eric Vetterlein (Desert Springs Ranch), 1100 SW Sixth Avenue #1200 Portland, OR 97204, proposes a change in point of appropriation and a change in place of use under Certificate 61097. The right allows the use of 0.06 CFS (priority date MARCH 4, 1980) from a well in 1180 FEET NORTH AND 460 FEET EAST FROM SW CORNER OF SECTION 19, T 15S, R 11E, W.M. (Deschutes Basin) for IRRIGA-

TION in Sec. 19. The applicant proposes to move the point of appropriation approximately 3 miles north (990 FEET NORTH AND 362 FEET WEST FROM SE CORNER OF SECTION 4, T15S, R 11 E, W.M.) and to change the place of use to Sec. 4, T 15S, R 11 E, W.M.. The Water Resources Department has concluded that the proposed transfer appears to be consistent with the requirements of ORS Chapter 540 and OAR 690-380-5000.

Any person may file, jointly or severally, with the Department a protest or standing statement within 30 days after the date of final publication of notice in the Department's weekly notice or of this newspaper notice, whichever is later. A protest form and additional information on filing protests may be obtained by calling (503) 986-0883. The last date of newspaper publication is September 30, 2009. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.



# Oregon

Theodore R. Kulongoski, Governor

July 30, 2009

## Water Resources Department

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

Eric Vetterlein (Desert Springs Ranch)  
1100 SW Sixth Avenue #1200  
Portland, OR 97204

**SUBJECT: Water Right Transfer Application T-10502**

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-10502. This document is an intermediate step in the approval process; water may not be used legally as proposed in the transfer application until a Final Order has been issued by the Department. Please read this entire letter carefully to determine your responsibility for additional action.

A public notice is being published in the Department's weekly publication simultaneously with issuance of the Preliminary Determination. The notice initiates a 30-day period in which any person may file either a protest opposing the decision proposed by the Department in the Preliminary Determination or a standing statement supporting the Department's decision.

Because the new point of appropriation is more than  $\frac{1}{4}$  mile from the authorized point of appropriation, the applicant is responsible for giving public notice of the transfer changes in a local newspaper having a general circulation in the area of the water right. The notice must be published at least once a week for three consecutive weeks. We have prepared the notice for you (enclosed). The deadline for individuals to file protests or standing statements is 30 days after the date of last publication. Please have the newspaper insert the date of last publication in the proper place.

After publication, the Department needs to receive an affidavit specifying the dates the notice was published. Please have the newspaper prepare and mail an original affidavit of publication to me at the address shown in the letterhead, by September 7, 2009.

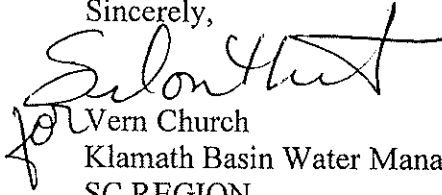
If no protest is filed, the Department will issue a Final Order consistent with the Preliminary Determination. You should receive a copy of the Final Order about 30 days after the close of the protest period.

If a protest is filed, the application may be referred to a contested case proceeding. A contested case provides an opportunity for the proponents and opponents of the decision proposed in the Preliminary Determination to present information and arguments supporting their position in a quasi-judicial proceeding.



Please do not hesitate to contact me at 541-883-4182 ext 223 or  
Vernon.L.Church@wrd.state.or.us if I may be of assistance.

Sincerely,

A handwritten signature in cursive script, appearing to read "Vern Church". The signature is written in black ink and is positioned above the typed name.

Vern Church  
Klamath Basin Water Manager  
SC REGION  
Field Services Division

cc: Jeremy T. Giffin, District 11 Watermaster  
Stephen King  
3655 NW Thurman  
Portland, OR 97210  
Michele Sims #60068 CWRE  
Deschutes County Community Development Dept.  
117 NW Lafayette Ave. Bend, OR 97701

encs

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

In the Matter of Transfer Application            )  
T-10502, Deschutes County                    )  
  )  
  )  
  )  
  )

PRELIMINARY DETERMINATION  
PROPOSING APPROVAL OF A  
CHANGE IN POINT OF  
APPROPRIATION AND PLACE OF  
USE

**Authority**

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

**Applicant**

Eric Vetterlein  
1100 SW Sixth Avenue #1200  
Portland OR 97204

**Receiving Landowner**

Stephen King  
3655 NW Thurman  
Portland, OR 97210

**Findings of Fact**

**Background**

1. On December 10, 2007, Eric Vetterlein (Desert Springs Ranch) filed an application to change the point of appropriation and place of use under Certificate 61097. The Department assigned the application number T-10502.

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- Use:** IRRIGATION of 5.0 ACRES
- Priority Date:** MARCH 4, 1980
- Rate:** 0.06 CUBIC FOOT PER SECOND
- Limit/Duty:** The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.
- Source:** A WELL within the DEEP CANYON BASIN

Pursuant to OAR 690-380-4030, any person may file a protest or standing statement within 30 days after the last date of publication of notice of this preliminary determination.

**Authorized Point of Appropriation:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
15 S	11 E	WM	19	SW SW	1180 FEET NORTH AND 460 FEET EAST FROM SW CORNER OF SECTION 19

**Authorized Place of Use:**

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
15 S	11 E	WM	19	SW SW	4	5.0

3. Transfer Application T-10502 proposes to move the authorized point of appropriation approximately 3 miles from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
15 S	11 E	WM	4	SE SE	990 FEET NORTH AND 362 FEET WEST FROM SE CORNER OF SECTION 4

4. Transfer Application T-10502 also proposes to change the place of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	
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5. Stephen King is the receiving landowner and will be responsible for completion of the proposed changes after the final order is issued.
6. Notice of the application for transfer was published on December 25, 2007, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
7. On May 19, 2009, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-10502 to the applicant. The cover letter that accompanied the draft Preliminary Determination set forth a deadline of June 22, 2009, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.
8. This transfer application is being processed concurrently with transfer applications T-10503, T-10668, T-10791, T-10806 and T-10914 which all propose changes to Certificate 61097.

***Transfer Review Criteria (OAR 690-380-4010)***

9. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.

10. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Transfer Application T-10502.
11. The proposed change would not result in enlargement of the right.
12. The proposed change would not result in injury to other water rights.

### **Determination and Proposed Action**

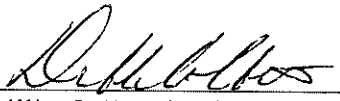
The change in point of appropriation and change in place of use proposed in Transfer Application T-10502 appear to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved.

*If Transfer Application T-10502 is approved, the final order will include the following:*

1. *The change in point of appropriation and change in place of use proposed in Transfer Application T-10502 are approved.*
2. *The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificate 61097 and any related decree.*
3. *Water right certificate 61097 is cancelled. A new certificate will be issued describing the portion of the right not affected by this transfer or Transfer Applications T-10503, T-10668, T-10791, T-10806 and T-10914.*
4. *The quantity of water diverted at the new point of appropriation, shall not exceed the quantity of water lawfully available at the original point of appropriation.*
5. *Water use measurement conditions:*
  - a. *Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of appropriation.*
  - b. *The water user shall maintain the meters or measuring devices in good working order.*
  - c. *The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.*
6. *Water shall be acquired from the same aquifer (water source) as the original point of appropriation.*
7. *The former place of use of the transferred right shall no longer receive water under the right.*

8. *The approved changes shall be completed and full beneficial use of the water shall be made on or before **October 1, 2010**. A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.*
9. *When satisfactory proof of the completed changes is received, a new certificate confirming the right transferred will be issued.*

Dated at Salem, Oregon this 6<sup>th</sup> day of August 2009.

  
Phillip C. Ward, Director *PCW*

This Preliminary Determination was prepared by Vern Church. If you have questions about the information in this document, you may reach me at 541-883-4182 or [Vernon.L.Church@ wrd.state.or.us](mailto:Vernon.L.Church@ wrd.state.or.us).

Protests should be addressed to the attention of Field Services Division, Water Resources Department, 725 Summer St. NE, Suite A, Salem, OR 97301-1266.

**Notice of Preliminary Determination for  
Water Right Transfer T-10502**

T-10502 filed by Eric Vetterlein (Desert Springs Ranch), 1100 SW Sixth Avenue #1200 Portland, OR 97204, proposes a change in point of appropriation and a change in place of use under Certificate 61097. The right allows the use of 0.06 CFS (priority date MARCH 4, 1980) from a well in 1180 FEET NORTH AND 460 FEET EAST FROM SW CORNER OF SECTION 19, T 15S, R 11E, W.M. (Deschutes Basin) for IRRIGATION in Sec. 19. The applicant proposes to move the point of appropriation approximately 3 miles north (990 FEET NORTH AND 362 FEET WEST FROM SE CORNER OF SECTION 4, T15S, R 11 E, W.M.) and to change the place of use to Sec. 4, T 15S, R 11 E, W.M.. The Water Resources Department has concluded that the proposed transfer appears to be consistent with the requirements of ORS Chapter 540 and OAR 690-380-5000.

Any person may file, jointly or severally, with the Department a protest or standing statement within 30 days after the date of final publication of notice in the Department's weekly notice or of this newspaper notice, whichever is later. A protest form and additional information on filing protests may be obtained by calling (503) 986-0883. The last date of newspaper publication is [DATE OF LAST PUBLICATION]. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.

## Dorothy Pedersen

---

**From:** Dorothy Pedersen  
**Sent:** Thursday, August 20, 2009 4:41 PM  
**To:** 'michele@outlawnet.com'  
**Cc:** Vern Church  
**Subject:** RE: T-10502 and T-10503

Hi Michelle,

Yes, we should modify the documents for T-10502 and T-10503 when we issue the Preliminary Determinations. Thank you for bringing this to our attention. Do you know whether the applicants have any other concerns or comments, or whether they found the drafts satisfactory with this exception?

Thank you,  
Dorothy

---

**From:** Vern Church  
**Sent:** Monday, August 17, 2009 5:32 PM  
**To:** michele@outlawnet.com  
**Cc:** Dorothy Pedersen  
**Subject:** RE: T-10502 and T-10503

Michele, it is now in Dorothy's court on these two transfers. I cc her to see what she want?

---

**From:** Michele Sims [mailto:michele@outlawnet.com]  
**Sent:** Monday, August 17, 2009 8:45 AM  
**To:** Vern Church  
**Subject:** T-10502 and T-10503

Hi Vern-

I am working with a landowner who is doing a series of transfers involving Certificate 61097. When we began the process a few years ago, I used a position for the POA well that was based on survey work that our firm had done in the area. It was a bit different than the record position of the well—perhaps a result of correction surveys that have been done in the area over the years. When we were about 3 or 4 transfers into the process, Dorothy Pedersen and I talked about the well position, and decided that it was a good idea to use the original coordinates relative to the Section Corner to avoid confusion. I amended the applications, but I think that the first two transfer applications were already in the system and never were changed.

I got the preliminary transfer orders for T-10502 and T-10503, and noticed that the position of the authorized POA is based on the 'survey' position, not the record position that we decided to use in subsequent applications. Should this be changed so that it is consistent with the rest of the transfers?

Thanks

Michele Sims PLS, CWRE  
Fred Ast Jr, and Associates  
157 Sisters Park Drive  
P.O. Box 751  
Sisters, Oregon 97759  
541-549-7851 (voice)  
541-549-0872 (fax)

8/20/2009

## Dorothy Pedersen

---

**From:** michele@outlawnet.com  
**Sent:** Tuesday, August 25, 2009 5:11 PM  
**To:** Dorothy Pedersen  
**Subject:** RE: T-10502 and T-10503

Dorothy-

I believe that the drafts were acceptable to the applicants, and I don't think that there were any other comments.

Michele

> Hi Michelle,

>

> Yes, we should modify the documents for T-10502 and T-10503 when we  
> issue the Preliminary Determinations. Thank you for bringing this to  
> our attention. Do you know whether the applicants have any other  
> concerns or comments, or whether they found the drafts satisfactory  
> with this exception?

>

> Thank you,  
> Dorothy

>

>

> 

---

**From:** Vern Church  
> **Sent:** Monday, August 17, 2009 5:32 PM  
> **To:** michele@outlawnet.com  
> **Cc:** Dorothy Pedersen  
> **Subject:** RE: T-10502 and T-10503

>

> Michele, it is now in Dorothy's court on these two transfers. I cc  
> her to see what she want?

>

>

> 

---

**From:** Michele Sims [mailto:michele@outlawnet.com]  
> **Sent:** Monday, August 17, 2009 8:45 AM  
> **To:** Vern Church  
> **Subject:** T-10502 and T-10503

>

> Hi Vern-

> I am working with a landowner who is doing a series of transfers  
> involving Certificate 61097. When we began the process a few years  
> ago, I used a position for the POA well that was based on survey work  
> that our firm had done in the area. It was a bit different than the  
> record position of the well-perhaps a result of correction surveys  
> that have been done in the area over the years. When we were about 3  
> or 4 transfers into the process, Dorothy Pedersen and I talked about  
> the well position, and decided that it was a good idea to use the  
> original coordinates relative to the Section Corner to avoid  
> confusion. I amended the applications, but I think that the first two  
> transfer applications were already in the system and never were changed.

>

> I got the preliminary transfer orders for T-10502 and T-10503, and  
> noticed that the position of the authorized POA is based on the  
> 'survey' position, not the record position that we decided to use in subsequent  
applications.

> Should this be changed so that it is consistent with the rest of the  
> transfers?

>

> Thanks

>

> Michele Sims PLS, CWRE

## Vern Church

---

**From:** Eric Vetterlein [evetterlein@duffykekel.com]  
**Sent:** Tuesday, June 09, 2009 10:06 AM  
**To:** Vern Church  
**Cc:** Michele Sims  
**Subject:** RE: T-10502 & 10503  
**Attachments:** Desert Springs.pdf

Hello Mr. Church:

As you requested, attached is a current Preliminary Title Report for our water right transfer applications Nos. T-10502 & 10503. As you can see, there are no other owners or lien holders who are not listed on the application. I believe this completes the information you requested. If you have any questions or need more information, please do not hesitate to contact me. Thank you,

Eric H. Vetterlein  
Duffy Kekel LLP  
1200 Standard Plaza  
1100 S.W. Sixth Avenue  
Portland, OR 97204  
Tel: (503) 226-1371  
E-mail: evetterlein@duffykekel.com

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

**From:** Vern Church  
**To:** "evetterlein@duffykekel.com"  
**Sent:** 5/19/2009 1:59PM  
**Subject:**

Mr. Vetterlein, I work for the Oregon Water Resources Dept. I am processing a couple of transfers that you have filed. I have attached the draft preliminary determinations and a cover letter for both transfers.

If you have any questions, please call or email me. thanks vern

Vern Church  
Klamath Basin Water Manager  
Field Division  
South Central Region  
(541) 883-4182  
Fax (541) 885-3324

6/9/2009

Billing Sheet	Order #: 116222
<b>Bill To</b>	Date Sent to Billing:
Name: Duffy Kekel LLP	Seller :
	Buyer:
Address: 1200 Standard Plaza Portland, OR 97201	Customer Number : Desert Springs
	Ordered By: Duffy Kekel LLP
	Attention: Eric
Attn: Eric Veterlein	Address:
Your No.:	

Policy Type	Liability	Customer 1	Customer 2
<input type="checkbox"/> Owner			
<input type="checkbox"/> Standard			
<input type="checkbox"/> Extended			
<input type="checkbox"/> Foreclosure Guarantee			
<input type="checkbox"/> Limited Coverage			
<input type="checkbox"/> Endorsements			
<input type="checkbox"/> Other			
<b>Services</b>			
<input checked="" type="checkbox"/> X Report		\$200.00	
<input type="checkbox"/> Courtesy Recording			
<input type="checkbox"/> Lot Book			
<input type="checkbox"/> Reconveyance Fee			
<input type="checkbox"/> City Lien Search Charge			
<input type="checkbox"/> Cancellation			
<input type="checkbox"/> Other			

Customer 2	Recording		
Bill To:	Instrument		
Attn:			
	Date:	Reduce bill to	

<b>Reason</b>	
<input type="checkbox"/> Cancellation	
<input type="checkbox"/> Other	

TA



**PRELIMINARY TITLE REPORT**

DUFFY KEKEL LLP  
c/o 1200 STANDARD PLAZA  
1100 SW SIXTH AVE  
PORTLAND, OR 97201  
Attn: ERIK EVETTERLEIN

June 9, 2009  
Report #1  
Title Number : 116222  
Title Officer : DIANE L. BROEHL

REPORT

\$200.00

We are prepared to issue ALTA (06/17/06) title insurance policy(ies) of CHICAGO TITLE INSURANCE COMPANY of OREGON, in the usual form insuring the title to the land described as follows:

Lot Four (4) and the Southeast Quarter of the Southwest Quarter (SE1/4SW1/4), and the South One-half of the Southeast Quarter (S1/2SE1/4) in Section Nineteen (19), Township Fifteen (15) South, Range Eleven (11), East of the Willamette Meridian, Deschutes County, Oregon.

Vestee:

***DESERT SPRINGS RANCH LIMITED PARTNERSHIP, an Oregon limited partnership***

Dated as of May 29, 2009 at 7:30 a.m.

Schedule B of the policy(ies) to be issued will contain the following general and special exceptions unless removed prior to issuance:

**GENERAL EXCEPTIONS:**

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Facts, rights, interests or claims which are not shown by the Public Records but which could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof.
3. Easements, or claims of easement, not shown by the Public Records; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
4. Any encroachment (of existing improvements located on the subject Land onto adjoining Land or of existing improvements located on adjoining Land onto the subject Land) encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the subject Land.
5. Any lien, or right to a lien, for services, labor, material, equipment rental or workers compensation heretofore or hereafter furnished, imposed by law and not shown by the Public Records.
6. Unpatented mining claims whether or not shown by the Public Records.

EXCEPTIONS 1 THROUGH 6 ABOVE APPLY TO STANDARD COVERAGE POLICIES AND MAY BE MODIFIED OR ELIMINATED ON AN EXTENDED COVERAGE POLICY.

**SPECIAL EXCEPTIONS:**

Taxes assessed under Code No. 6-012 Map and Tax Lot Number 15 11 00 00 04001  
Account No. [REDACTED]

NOTE: The 2008-2009 Taxes: \$251.19, plus interest, UNPAID.

7. Regulations, including levies, assessments, water and irrigation rights and easements for ditches and canals of Three Sisters Irrigation District.
8. Taxes deferred, as disclosed by the tax roll, the premises herein described have been zoned or classified for farm use. At any time that said land is disqualified for such use the property will be subject to additional taxes or penalties and interest.

NOTE: No liability is assumed for agricultural services liens or financing statements covering crops filed in the Office of the Secretary of State.

9. Covenants, Conditions and Restrictions, but omitting any Covenants or Restrictions, if any, based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law, as contained in instrument recorded December 6, 1972, in Book 190, Page 772, Deed Records.

As amended by instrument recorded September 22, 1989, in Book 192, Page 2013, Deschutes County Records.

As amended by instrument recorded June 2, 2006, in Volume 2006, Page 38491, Deschutes County Records.

10. Pipeline Easement, including the terms and provisions thereof, between Janet M. Herring and Desert Springs Ranch Limited Partnership recorded June 17, 2004, in Volume 2004, Page 35594, Deschutes County Records.

NOTE: As of the date hereof, there are no matters against Desert Springs Ranch Limited Partnership which would appear as exceptions in the policy to issue, except as shown herein.

NOTE: Any map or sketch enclosed as an attachment herewith is furnished for information purposes only to assist in property location with reference to streets and other parcels. No representation is made as to accuracy and the company assumes no liability for any loss occurring by reason of reliance thereon.

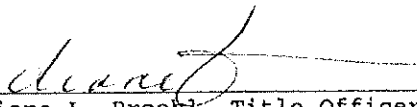
NOTE: The policy to be issued may contain an arbitration clause. When the Amount of Insurance is less than the amount, if any, set forth in the arbitration clause, all arbitrable matters shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties.

Order No. 116222

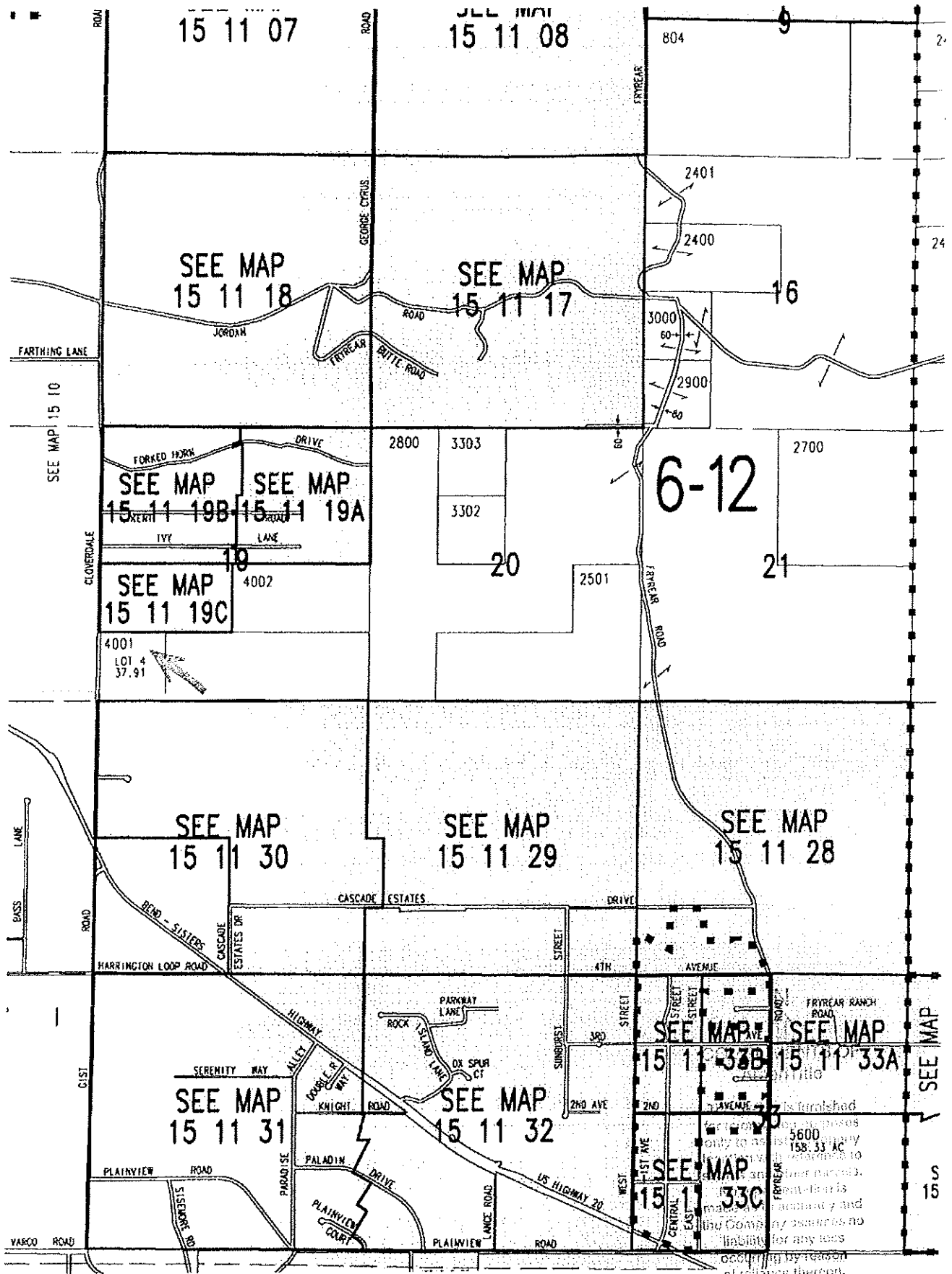
Page 3

This report is preliminary to the issuance of a policy of title insurance and shall become null and void unless a policy is issued and the full premium paid.

**AmeriTitle**

By:   
Diane L. Broehl, Title Officer  
DLB:kg

**"Superior Service with Commitment and Respect for Customers and Employees"**



SEE MAP  
15 11 18

SEE MAP  
15 11 17

SEE MAP  
15 11 19B

SEE MAP  
15 11 19A

SEE MAP  
15 11 19C

6-12

SEE MAP  
15 11 30

SEE MAP  
15 11 29

SEE MAP  
15 11 28

SEE MAP  
15 11 31

SEE MAP  
15 11 32

SEE MAP  
15 11 33B

SEE MAP  
15 11 33A

SEE MAP  
15 11 33C

4001  
LOT 4  
37.91

2800

3303

3302

20

2501

2700

21

3000  
60  
2900  
60

2401

2400

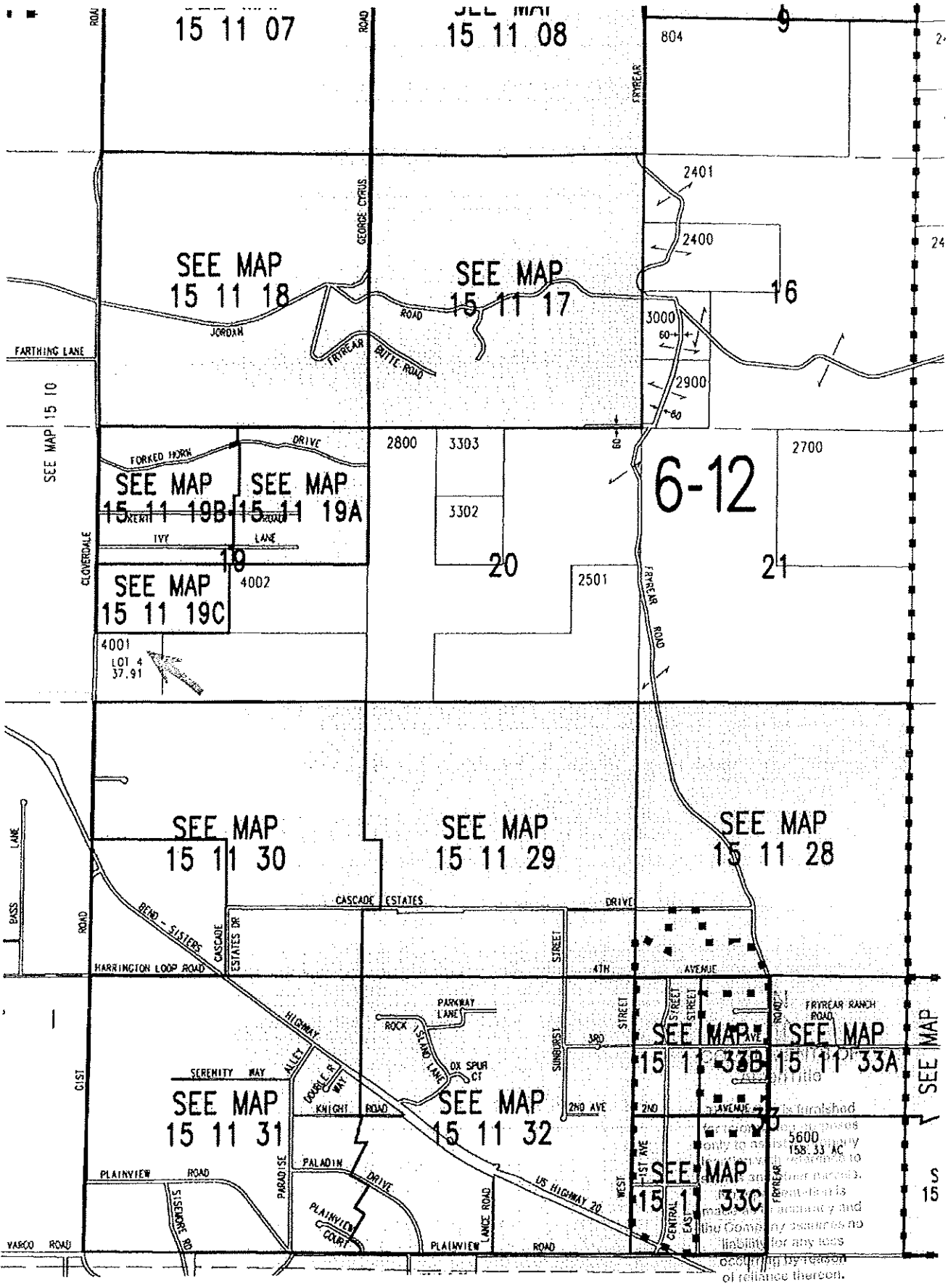
16

15 11 33B

15 11 33A

15 11 33C

is furnished  
for purposes  
only to be  
used in any  
reference to  
the plat and  
the Company  
assumes no  
liability  
for any loss  
or damage  
suffered by  
reason of  
reliance thereon.





# Oregon

Theodore R. Kulongoski, Governor

Water Resources Department  
SOUTH CENTRAL REGION  
Watermaster, District 17  
5170 Summers Lane  
Klamath Falls, OR 97603  
Ph: 541-883-4182  
Fax: 541-885-3324  
www.wrd.state.or.us

May 19, 2009

Eric Vetterlein (Desert Springs Ranch)  
1100 SW Sixth Avenue #1200  
Portland, Oregon 97204

SUBJECT: Water Right Transfer Application T-10502 and 10503

Please find enclosed a draft of our Preliminary Determinations regarding Transfer Application T-10502 and 10503. The documents reflect the Department's conclusion that, based on the information currently available, the transfer will be approved. These drafts are intended to provide you with an opportunity to comment on our findings and conclusions should you wish to do so. Please review the drafts carefully to evaluate whether the documents are consistent with your intent in seeking the transfers, and whether you agree with the proposed action.

At this time, you must submit a report of ownership and lien information for the lands to which the water right are appurtenant (the FROM lands) that has been prepared within the last three months by a title company. You will need to submit a notarized statement of consent from any landowner listed in the report who is not already included in the transfer application. If there are additional lienholders identified in the report that have not previously been notified of the transfer, you must send notice of the transfer to them, and submit copies of each such notice to the Department to document that each lienholder has been informed of the transfer.

Because the new point of appropriation is more than ¼ mile from the authorized point of appropriation, the applicant is responsible for publishing notice of the transfer in a local newspaper having a general circulation in the area of the water right. The notice must be published at least once a week for three consecutive weeks. We will provide a copy of the required notice to you upon issuance of the Preliminary Determination.

Issuance of the Preliminary Determinations will occur shortly after we receive both your written response and the report of ownership and lien information. If we do not receive your response and the report by June 22, 2009, a Preliminary Determination may be issued denying the applications as incomplete.

Please do not hesitate to contact me at 541-883-4182 or [Vernon.L.Church@ wrd.state.or.us](mailto:Vernon.L.Church@ wrd.state.or.us) if I may be of assistance.

Sincerely,

Vern Church  
Klamath Basin Water Manager

cc: T-10502 and 10503

Jeremy T. Giffin, District 11 Watermaster

Gayle Walker  
69439 Hinkle Butte Dr.  
Sisters, Oregon 97759

Stephen King  
3655 NW Thurman  
Portland, Oregon 97210

Three Sister Irrigation District  
P.O. Box 2230  
Sisters, Oregon 97759

encs

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

In the Matter of Transfer Application )  
T-10502, Deschutes County )

**D R A F T**

PRELIMINARY DETERMINATION  
PROPOSING APPROVAL OF A  
CHANGE IN POINT OF  
APPROPRIATION AND PLACE OF  
USE

**Authority**

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

**Applicant**

Eric Vetterlein (Desert Springs Ranch)  
1100 SW Sixth Avenue #1200  
Portland, Oregon 97204

**Findings of Fact**

**Background**

1. On December 10, 2007, Eric Vetterlein (Desert Springs Ranch) filed an application to change the point of appropriation *and* place of use under Certificate 61097. The Department assigned the application number T-10502.

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

**Certificate:** 61097 in the name of DONALD H VETTERLEIN (perfected under Permit G-8846)

**Use:** IRRIGATION of 5.0 ACRES

**Priority Date:** MARCH 4, 1980

**Rate:** 0.06 CUBIC FOOT PER SECOND

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

Source: A WELL within the DEEP CANYON BASIN

**Authorized Point of Appropriation:**

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
15 S	11 E	WM	19	SW SW	1180 FEET NORTH AND 460 FEET EAST FROM SW CORNER OF SECTION 19

**Authorized Place of Use:**

Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
15 S	11 E	WM	19	SW SW	4	5.00

3. Transfer Application T-10502 proposes to move the authorized point of appropriation approximately 3 miles from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
15 S	11 E	WM	4	SE SE	990 FEET NORTH AND 362 FEET WEST FROM SE CORNER OF SECTION 4

4. Transfer Application T-10502 also proposes to change the place of use of the right to:

Twp	Rng	Mer	Sec	Q-Q	Acres
15 S	11 E	WM	4	SE SE	5.00

5. Notice of the application for transfer was published on December 25, 2007, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.

***Transfer Review Criteria (OAR 690-380-4010)***

6. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
7. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Transfer Application T-10502.
8. The proposed change would not result in enlargement of the right.
9. The proposed change would not result in injury to other water rights.

**Determination and Proposed Action**

The change in point of appropriation *and* change in place of use proposed in Transfer Application T-10502 appears to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved.

*If application T-10502 is approved, the final order will include the following:*

10. *The change in point of appropriation and change in place of use proposed in application T-10502 are approved.*
11. *The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificate 61097 and any related decree.*
12. *Water right certificate 61097 is cancelled. A new certificate will be issued describing that portion of the right not affected by this transfer and Transfer applications T-10503, T-10668, T-10791, and T-10806.*
13. *The quantity of water diverted at the new point of appropriation, shall not exceed the quantity of water lawfully available at the original point of appropriation.*
14. *Water use measurement conditions:*
  - a. *Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of appropriation.*
  - b. *The water user shall maintain the meters or measuring devices in good working order.*
  - c. *The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.*
15. *Water shall be acquired from the same aquifer (water source) as the original point of appropriation.*
16. *The former place of use of the transferred right shall no longer receive water under the right.*
17. *The approved change(s) shall be completed and full beneficial use of the water shall be made on or before **October 1, 2010**. A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.*
18. *When satisfactory proof of the completed changes is received, a new certificate confirming the right transferred will be issued.*

Dated at Salem, Oregon this \_\_\_\_ day of \_\_\_\_\_ 2009.

**D R A F T**

---

Phillip C. Ward, Director



# Oregon

Theodore R. Kulongoski, Governor

*Kody*

**Water Resources Department**  
725 Summer Street NE, Suite A  
Salem, OR 97301-1271  
503-986-0900  
FAX 503-986-0904

## INTEROFFICE MEMO

FORWARD TO:  Kelly Starnes DATE: 9/2/2008

FIELD PROCESSOR WORKING ON THIS TRANSFER

FROM: \_\_\_\_\_ WATERMASTER, DISTRICT # \_\_\_\_\_  
X \_\_\_\_\_ GROUNDWATER SECTION

(SIGNATURE) K. Lite date signed 9/2/2008  
signed by injury reviewer

SUBJECT: **WATER RIGHT TRANSFER #** 10502

A change in: POU **POD** POA **USE** of water.

In the name(s) of Eric Vetterlein (Desert Springs Ranch)

In my opinion (assuming the right is valid), the proposed change

MAY BE MADE WITHOUT INJURY WOULD RESULT IN INJURY\* to an existing water right.

\*The approval of this transfer application would result in injury to other water rights because

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The existing right may not be valid because

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Headgate notices HAVE HAVE NOT Been issued for diversion from the source(s) which serve(s) this right.

If for change in point of diversion, is there any intervening point(s) for diversion between the authorized and proposed points of diversion? (Yes or No) \_\_\_\_\_

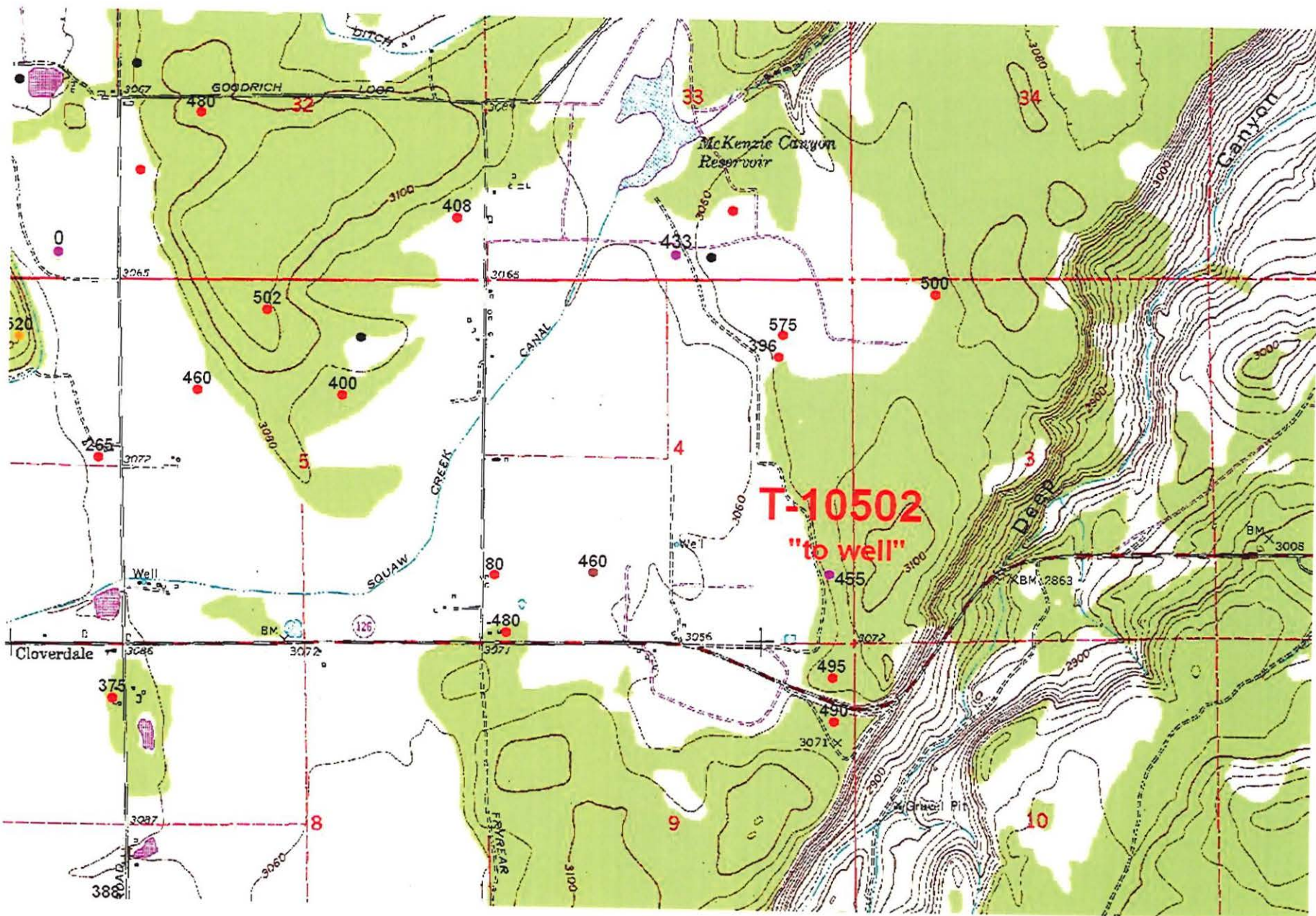
In my opinion, the order approving the subject transfer application should include the following in regard to the appropriator installing suitable measuring devices in the diversion works:

\_\_\_\_\_ (1) PRIOR to the diverting of water at the new point of diversion . . .

\_\_\_\_\_ (2) WHEN IN the judgement of the watermaster it becomes necessary . . .

The enclosed copy of the transfer application and map(s) is for your records.

# T-10502: Henkle Butte Quadrangle



Sc Reg



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-10502

Review Due Date: 1/26/2008

Applicant Name: Eric Vetterlein

Proposed Changes:  POU  POD  POA  USE  OTHER

Reviewer(s): Giffin

Date of Review: Jan. 2, 2008

- 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: \_\_\_\_\_
- 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: \_\_\_\_\_
- 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: \_\_\_\_\_
- 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: \_\_\_\_\_
- 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: \_\_\_\_\_
- 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: \_\_\_\_\_
- For POU changes, would the original place of use continue to receive water from the same source?  Yes  No  N/A If "Yes", explain: \_\_\_\_\_
- 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: \_\_\_\_\_
- Are there other issues not identified through the above questions?  Yes  No If "Yes", explain: Groundwater department will need to determine if the new well takes water from the same source (aquifer).

**RECEIVED**

JAN 07 2008

**WATER RESOURCES DEPT  
SALEM, OREGON**

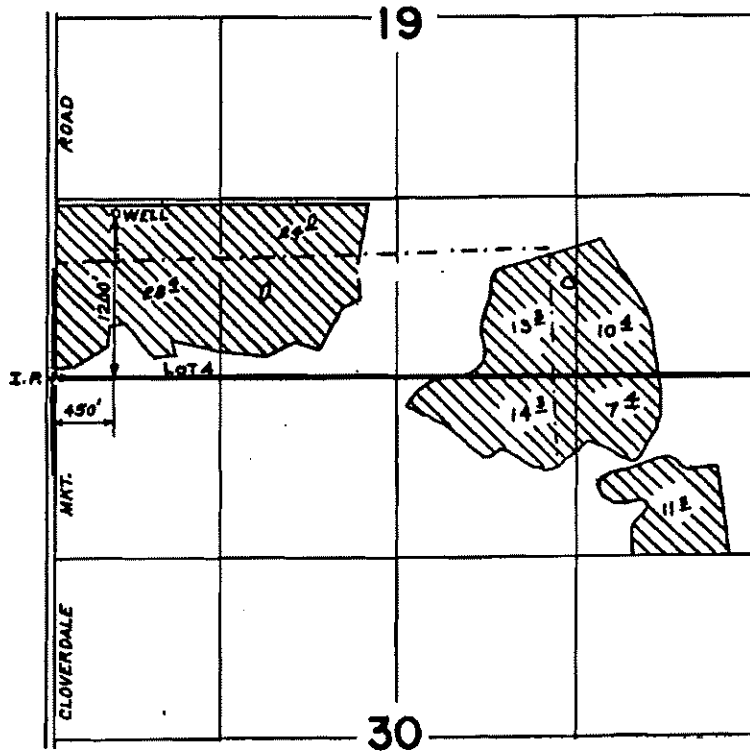
- 10. What alternatives may be available for addressing any issues identified above: \_\_\_\_\_
- 11. Have headgate notices been issued for the source that serves the right?  Yes  No
- 12. What water control and measurement conditions should be included in the transfer:

<b>Measurement Devices</b>	<input type="checkbox"/> Present and should be maintained.	<input checked="" type="checkbox"/> Should be required prior to diverting water.	<input type="checkbox"/> May be required in the future.
<b>Headgates</b>	<input type="checkbox"/> Present and should be maintained.	<input type="checkbox"/> Should be required prior to diverting water.	<input type="checkbox"/> May be required in the future.

**RECEIVED**  
JAN 07 2008  
WATER RESOURCES DEPT  
SALEM, OREGON



# T.15S., R.11E., W.M.



SCALE: 1" = 1320'

## FINAL PROOF SURVEY UNDER

Application No. G-9587... Permit No. G-8846... Cert. #61097  
IN NAME OF

.....DONALD H. VETTERLEIN.....

Surveyed FEB...28... 19.85, by .LESLIE..OLSON..

RECEIVED

DATE 5-23-89

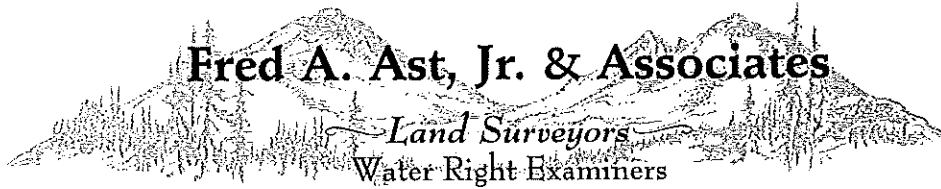
WATER MASTER DISTRICT #11

BY *[Signature]*

1 10502

ISS-11E  
PTS-11-1985A

TWB  
G8846



May 12, 2009

Oregon Water Resources Dept.  
North Mall Office Building  
725 Summer Street NE, Suite A  
Salem, OR 97301-0900

RE: Desert Springs Ranch transfers

Hi Dorothy-

Here are the revised Supplement A page 3 and maps for each of the pending transfers for Desert Springs Ranch. I have used the well location from the 1985 Final Proof map; these should all be consistent with what is of record.

If you need anything else, just let me know.

Thank you,

  
Michele Sims

**RECEIVED**

MAY 13 2009

WATER RESOURCES DEPT  
SALEM, OREGON



# 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 27, 2007

ERIC VETTERLEIN  
DESERT SPRINGS RANCH  
1100 SW SIXTH AVENUE #1200  
PORTLAND, OR 97204

Reference: Transfer 10502

On December 10, 2007 we received your water right transfer application. The application was accompanied by \$800.00. Our receipt 90966 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.

Your application will be examined to determine if additional information is needed. You will be contacted following this examination. A number of other transfer applications are also awaiting review. As a result, it may be some time before we are able to process your application. If you wish to have your application processed more quickly, you may want to consider use of the Department's reimbursement authority. Under this authority an applicant may receive expedited review by paying the full cost for a pre-qualified contractor to process the applications. For more information on the Reimbursement Authority program, see our website at [http://www.wrd.state.or.us/OWRD/mgmt\\_reimbursement.shtml](http://www.wrd.state.or.us/OWRD/mgmt_reimbursement.shtml) or call the transfer section.

Except as provided under ORS 540.510(3) for municipalities, you may not use water for the new use, in the new place of use or from the new point of diversion until the transfer application has been approved. In order to avoid any possible forfeiture of the water right, you should continue to use the water as described by your existing water right. If the land is sold before the transfer is approved, the buyer's consent to the transfer will be required unless a recorded deed or other legal document clearly established that the water right was not conveyed in the sale.

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)986-0883.

cc: Watermaster # 11  
Michele Sims, CWRE # 60068  
Ground Water  
Deschutes County Community Development Department  
Stephen King, Receiving Landowner  
Three Sisters Irrigation District

enclosure





# Oregon

Theodore R. Kulongoski, Governor

## Water Resources Department

725 Summer Street NE, Suite A

Salem, OR 97301-1271

503-986-0900

FAX 503-986-0904

### Notice of Application for Water Right Transfer, Temporary Transfer, or Permit Amendment 12/25/07

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: 10502  
Water Right: CERT 61097  
Priority Date: 1980  
Name: ERIC VETTERLEIN DESERT SPRINGS RANCH  
Address: 1100 SW SIXTH AVENUE #1200 PORTLAND OR 97204  
Change: POU/POA  
Source: WELL  
Authorized POA: T15S R11E 19  
Proposed POA: T15S R11E 4  
Authorized POU: T15S R11E 19  
Proposed POU: T15S R11E 4

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.

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

# Permanent Transfer Application – OAR 690-380 3000 & 3100

## Completeness Checklist

Applicant's Name: Eric Vetterlein (Form last revised: March 13, 2007)

### Section A – Status of Right

Is this a Water Right that can be transferred? [OAR 690-380-0100(14)]

NOTE: The Department can accept a Transfer application for any right that is:

- 1) an adjudication with a court decree; *or*
- 2) a certificate that is not cancelled; *or*
- 3) a transfer that's been approved & A COBU has been received by the Department

OK

If the subject right does not fall 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 Transfer process? [ORS 540.510]

NOTE: Only POD, POA or POU or USE changes are allowed on Transfers.

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: 800

Base fee (1<sup>st</sup> change and 1<sup>st</sup> CFS of water)

- Each additional type of change requested

Fees Due (if any): \_\_\_\_\_

- For each CFS, or fraction thereof, requested beyond 1<sup>st</sup> CFS (for POU, Type of Use, or Exchange)

Refund Due (if any): \_\_\_\_\_

OK

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 Transfer application complete?

All required elements necessary for a complete transfer 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.

OK

• Type of transfer application Reg (Page 1)

OK

• Applicant's name, mailing address and contact information. (Page 1)

N/A

• Agent's name, mailing address and contact information, if applicable. (Page 1)

OK

• Are the water rights to be affected by this transfer listed? (Page 2)

If there are multiple water rights listed..... The applicant must supply a separate "set" of Supplemental Form A for each water right to be transferred.

Checklist for Supplemental Form A – (Attachments)		
OK	• Certificate # filled in on each page?	(Page 1)
OK	• Type of change(s) proposed clear? POW/APOA	(Page 1)
OK	• Current Water Right information is complete?	(Page 2)
OK	<p>• If for a change in POU or USE.....</p> <p>Are there any “layered” irrigation rights, permits, or GR registrations appurtenant to the same place of use as the water right proposed to be transferred? YES NO</p> <p>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).</p> <p>If layered with GR, must submit a GR Modification application as well as this application.</p> <p>Are they included in application? If not, contact applicant or agent.</p>	(Page 2)
OK	<p>• Location description of the authorized POA/POD to be changed.</p> <p><i>NOTE:</i> Ensure that the location coordinates listed in the application match the point and location coordinates illustrated on the application map.</p> <p>Additionally, if the existing authorized source is ground water (POA), the applicant must either:</p> <p>OK 1) supply a copy of the well log(s), <u>or</u></p> <p>_____ 2) if well logs are <b>not available</b>, describe the construction of the well(s) in the table provided on page 3 of the supplemental form A application.</p>	(Page 3)
OK	<p>• Location description of the existing authorized POU and associated acres (if applicable).</p> <p><i>NOTE:</i> Ensure that the location and number of acres listed per ¼ ¼ in the application match those illustrated on the application map.</p>	(Page 4)
OK	<p>• Location description of the proposed POA/POD.</p> <p><i>NOTE:</i> Ensure that the proposed location coordinates listed in the application match the proposed point and location coordinates illustrated on the application map.</p> <p>Additionally, if the proposed source is ground water (POA), the applicant must either:</p> <p>OK 1) supply a copy of the well log(s), <u>or</u></p> <p>_____ 2) if well logs are <b>not available</b> <u>or</u> the well is <b>not yet constructed</b>, describe the construction of the well(s) in the table provided on page 5 of the application.</p>	(Page 5)
OK	<p>• Location description of the proposed POU and associated acres (if applicable).</p> <p><i>NOTE:</i> Ensure that the location and number of acres listed per ¼ ¼ in the application match those illustrated on the application map.</p>	(Page 6)
Return back to Page 2 of transfer application		
OK	• The type of changes being proposed. POW/APOA	(Page 2)
OK	• Reason for the transfer.	(Page 2)
OK	• Description of current water delivery system.	(Page 2)
OK	• System Capacity. 1.36	(Page 2)

Checklist for Supplemental Form B – (Attachments)	
OK	<ul style="list-style-type: none"> <li>• Is there a box checked in #1? (Page 1)</li> </ul>
OK	<ul style="list-style-type: none"> <li>• Is there a box checked in #2? (Page 1)</li> </ul>
OK	<ul style="list-style-type: none"> <li>• Does the description of POU on page 4 of the supplemental form A application, match authorized POU in question #3? (Page 1)</li> </ul>
OK	<ul style="list-style-type: none"> <li>• In question #4 and #5 are they filled out. 2) (Page 2)</li> </ul>
OK	<ul style="list-style-type: none"> <li>• Is there a box checked in #6? (Page 2)</li> </ul>
OK	<ul style="list-style-type: none"> <li>• Is the #6 supporting documentation included with application? 2) (Page 2)</li> </ul>
OK	<ul style="list-style-type: none"> <li>• Is there an original signature of the notary and notary stamp? 2) <i>I made copy from app that came in w/ it</i> (Page 2)</li> </ul>
Return back to Page 3 of transfer application	
Yes	<ul style="list-style-type: none"> <li>• Affected districts and local governments. (Page 3) If within a district/local government jurisdiction, ensure that name &amp; mailing address is provided.</li> </ul>
OK	<ul style="list-style-type: none"> <li>• Is the applicant the Landowner of the “from” and “to” Lands? <i>YES NO</i> <b>YES NO</b> (Page 4) If <i>NO</i>..... The applicant must list current landowner name &amp; address.</li> </ul>
OK	<ul style="list-style-type: none"> <li>• Who will be responsible for completion of the changes? <i>RC landowner</i> (Page 4) Is a box checked? If no box is checked the applicant or agent must be contacted.</li> </ul>
OK	<ul style="list-style-type: none"> <li>• Map..... (Page 5) (Required to be prepared by a CWRE) unless... 1. Map Waiver included with application 2. FP map with advance email or written approval 3. POD/POA without POU change and for entire right with FP map for “from” map ___ if more than 3 rights are included in transfer, is there a separate map for each water right? ___ If larger than 8 ½ X 14 than 3 copies of map is needed &amp; an electronic pdf file of map ___ north arrow ___ size &amp; scale ___ other: _____ ___ authorized acreage per ¼ ¼ matches the water right ___ authorized POD/POA and POU (<i>clearly shown, labeled &amp; matches application listing</i>) ___ point plotted for the authorized POD/POA agrees with location coordinates on supplemental form A and WR ___ proposed POD/POA and/or POU (<i>clearly shown, labeled &amp; matches application “proposed” listing</i>) ___ location coordinates accurately describe the point identified as the proposed POD/POA</li> </ul>
OK	<ul style="list-style-type: none"> <li>• Land Use form, if applicable. (Page 5) Is the form signed by the local planning department staff? May be needed if the POD/POA or POU is moving a great distance <u>and</u> off of land originally involved in WR.</li> </ul>
OK	<ul style="list-style-type: none"> <li>• If a groundwater right is involved, are the well logs or a description included. (Page 5)</li> </ul>
N/A	<ul style="list-style-type: none"> <li>• If this is an instream water right transfer, is there a form C included and filled out. (Page 5)</li> </ul>

OK

- Signature(s) of applicant(s):  
Are one of the boxes checked?

(Page 6)

All applicants listed on page 1 of the application must sign the application.

WRD Completeness Reviewer's Name: S. Henderson

Date: 12-19-07

# **ORIGINALS**

**Transfer Application and Map**

**Amendments/Revisions to Appl & Map**

**Receipt**

**Deed or Lot Book Report**

**Notarized Consent**

**Evidence of Use Affidavit**

**Land Use Information Form**

**Lien Holder Notification *(if applicable)***

**Report of Ownership and Lien Info *(if applicable)***

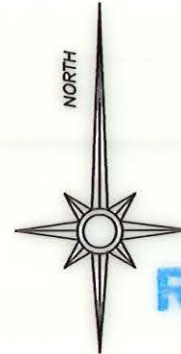
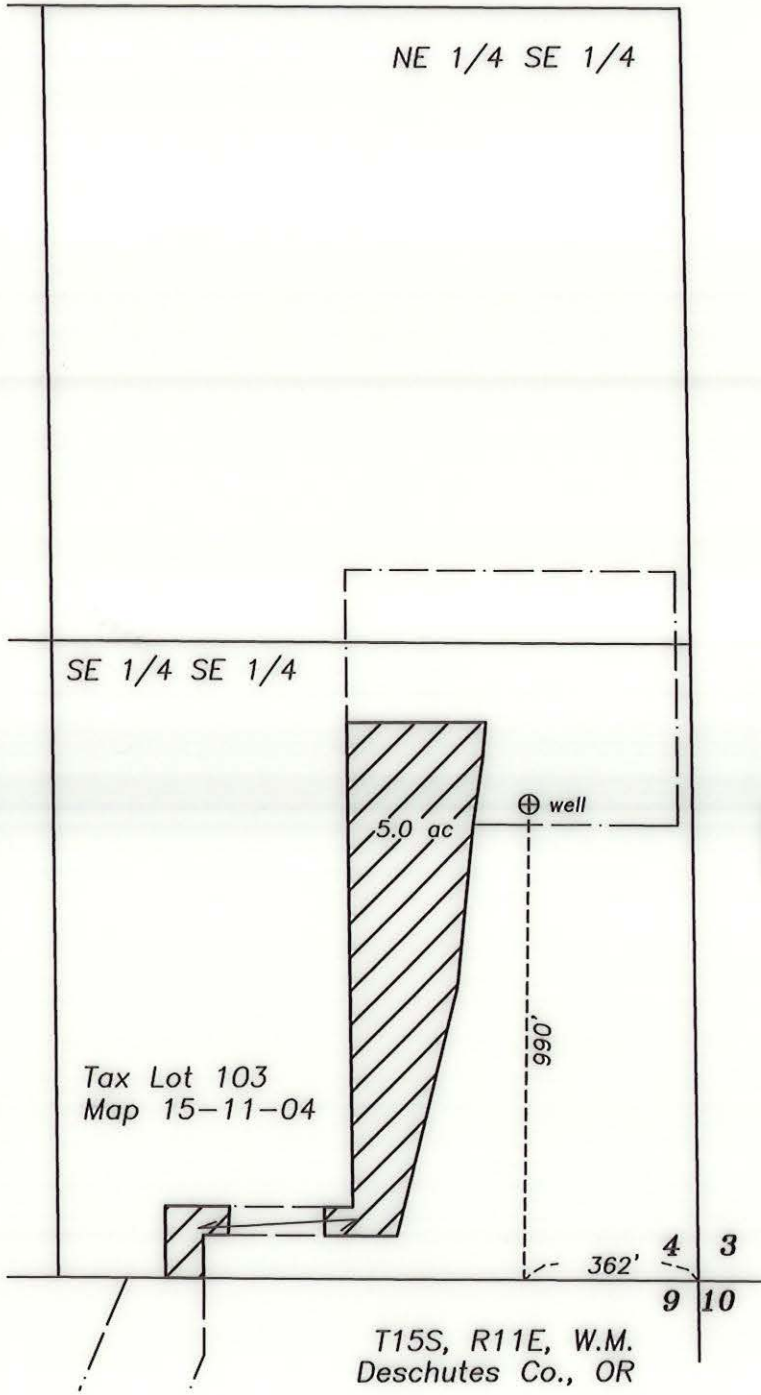
**&**

**Other Supporting Documentation**

# Water Rights Transfer

## "On" Map

### in the name of Stephen King



**RECEIVED**

DEC 10 2007

WATER RESOURCES DEPT  
SALEM, OREGON



Water to transfer on  
(Certificate 61097,  
Priority date 3/4/1980).

10/23/2007



Renewal date: 6/30/2008



GRAPHIC SCALE - FEET

THIS MAP IS FOR THE PURPOSE OF IDENTIFYING THE LOCATION OF THE WATER RIGHT. IT IS NOT INTENDED TO PROVIDE LEGAL DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES.

Fred A. Ast Jr., & Assoc. P.O. Box 751 Sisters, OR 97759 541-549-7851

10502 1 10502

Superseding

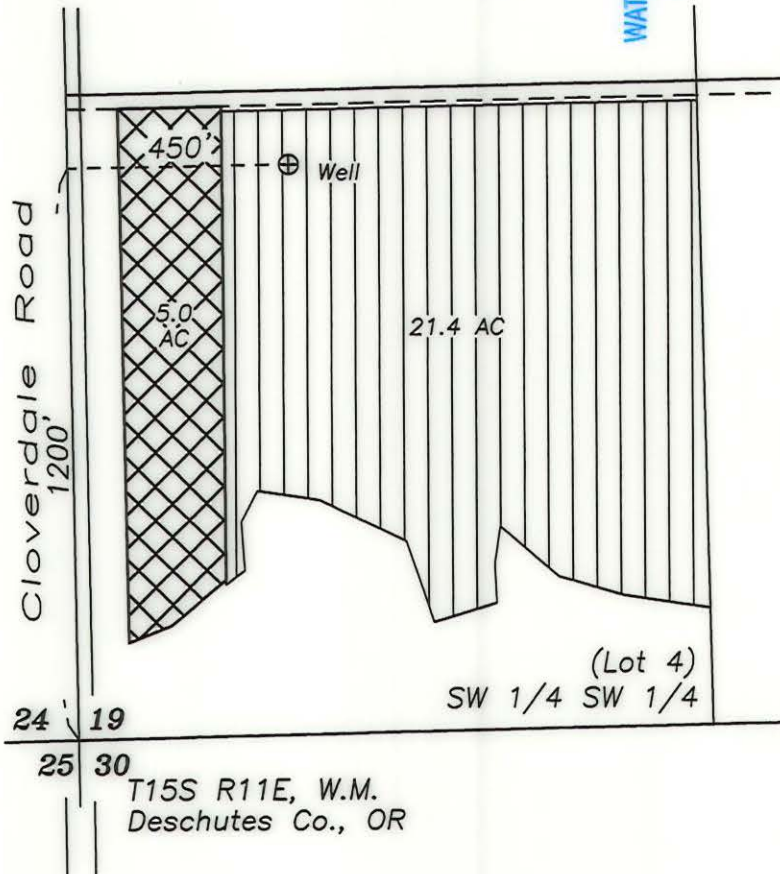
RECEIVED  
MAY 13 2009  
WATER RESOURCES DEPT  
SALEM, OREGON

# Water Rights Transfer

"Off" Map

In the name of: Donald H. Vetterlein

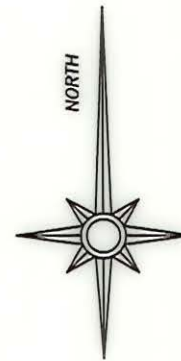
Tax Lot 4001, Map 15-11-00



Water to transfer off (Certificate 61097, priority date 3/4/1980)



Water to remain (Certificate 61097, priority date 3/4/1980)



Renewal date: 6/30/2010



GRAPHIC SCALE - FEET

THIS MAP IS FOR THE PURPOSE OF IDENTIFYING THE LOCATION OF THE WATER RIGHT. IT IS NOT INTENDED TO PROVIDE LEGAL DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES.

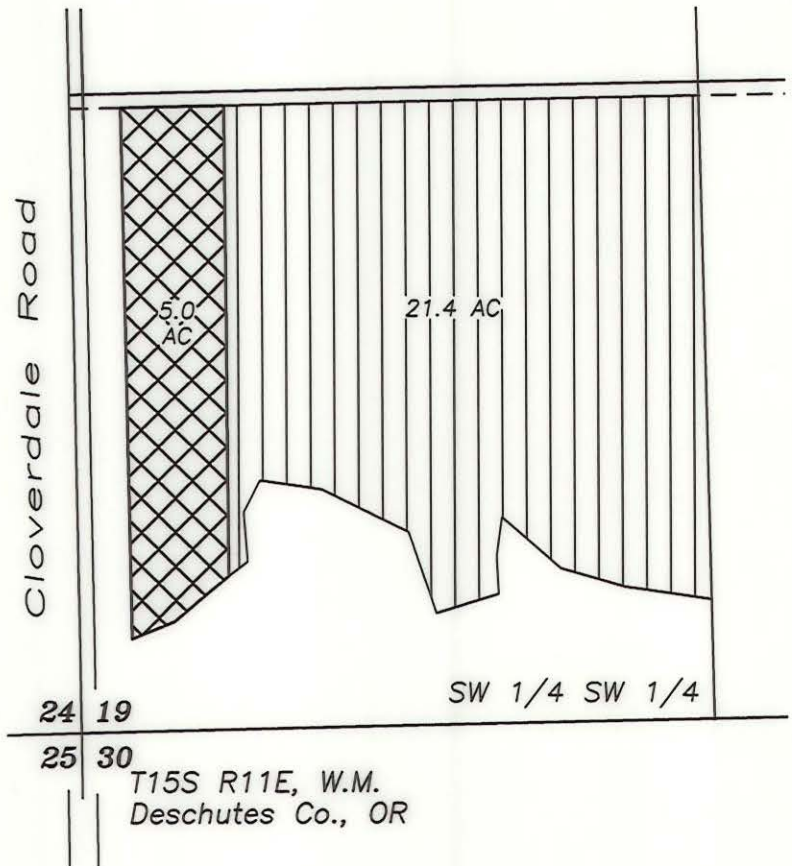
Superseded by map received 5/13/09

# Water Rights Transfer

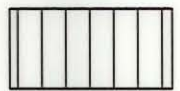
## "Off" Map

In the name of: Donald H. Vetterlein

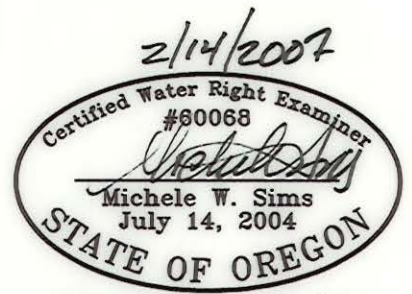
Tax Lot 4001, Map 15-11-00



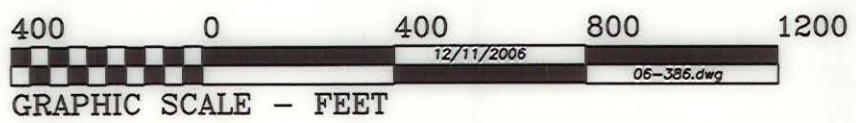
Water to transfer off (Certificate 61097, priority date 3/4/1980)



Water to remain (Certificate 61097, priority date 3/4/1980)



Renewal date: 6/30/2008



**RECEIVED**

DEC 10 2007

**WATER RESOURCES DEPT  
SALEM, OREGON**

THIS MAP IS FOR THE PURPOSE OF IDENTIFYING THE LOCATION OF THE WATER RIGHT. IT IS NOT INTENDED TO PROVIDE LEGAL DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES.

1 10502

**STATE OF OREGON  
WATER RESOURCES DEPARTMENT**

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

RECEIPT # **90966**

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

RECEIVED FROM: <u>Desert Springs Ranch</u>	APPLICATION
BY: _____	PERMIT
	TRANSFER <u>T-10502</u>

CASH:  CHECK:# 2801 OTHER: (IDENTIFY)  \_\_\_\_\_

TOTAL REC'D \$ 800.00

**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**

<b>MISCELLANEOUS</b>			
0407 COPY & TAPE FEES	\$		
0410 RESEARCH FEES	\$		
0408 MISC REVENUE: (IDENTIFY) _____	\$		
TC162 DEPOSIT LIAB. (IDENTIFY) _____	\$		
0240 EXTENSION OF TIME	\$		
<b>WATER RIGHTS:</b>			
0201 SURFACE WATER	EXAM FEE \$	0202	RECORD FEE \$
0203 GROUND WATER	\$	0204	\$
0205 TRANSFER	\$ <u>800.00</u>		
<b>WELL CONSTRUCTION</b>			
0218 WELL DRILL CONSTRUCTOR	EXAM FEE \$	0219	LICENSE FEE \$
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: **90966**

DATED: 12/17/07 BY: J. Pauline

Distribution - White Copy - Customer, Yellow Copy - Fiscal, Blue Copy - File, Buff Copy - Fiscal



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

# Application for Water Right Transfer

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

## 1. TYPE OF TRANSFER APPLICATION

Please check one	
<input checked="" type="checkbox"/> Permanent Transfer <input type="checkbox"/> Temporary Transfer • total number of years: _____ (begin year: _____) (end year: _____)	<input type="checkbox"/> Instream Transfer <input type="checkbox"/> Permanent <input type="checkbox"/> Time-Limited <input type="checkbox"/> Drought Transfer <input type="checkbox"/> Other

## 2. APPLICANT INFORMATION

Name: Eric Vetterlein (Desert Springs Ranch)  
First Last

Address: 1100 SW Sixth Avenue #1200

Portland Oregon 97204  
City State Zip

Phone: 503-226-1371  
Home Work Other

Fax: 503-226-3574 E-Mail address: [evetterlein@duffykekel.com](mailto:evetterlein@duffykekel.com)

## 3. AGENT INFORMATION

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

Name: \_\_\_\_\_  
First Last

Address: \_\_\_\_\_  
City State Zip

Phone: \_\_\_\_\_  
Home Work Other

Fax: \_\_\_\_\_ E-Mail address: \_\_\_\_\_

RECEIVED

DEC 10 2007

WATER RESOURCES DEPT  
SALEM, OREGON

- 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.

T 10502

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

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

	<b>Application / Decree</b>	<b>Permit / Previous Transfer</b>	<b>Certificate</b>
1.	G-9587	G-8846	61097
2.			
3.			
4.			
5.			
6.			

- Check **all** proposed change(s) included in this transfer application:

- Place of Use     
  Point of Diversion     
  Additional Point of Diversion  
 Character of Use     
  Point of Appropriation     
  Additional Point of Appropriation  
 Instream Transfer     
  Surface Water source to Ground Water source

Reason(s) for change(s): To make more efficient use of irrigation water.

**5. WATER DELIVERY SYSTEM**

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

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

Current delivery system consists of buried mainline delivering water from well to wheel lines.

- System capacity: 1.36 cubic feet per second (cfs). If the transfer involves multiple rights that have independent systems, describe the capacity for each system separately.

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**6. EVIDENCE OF BENEFICIAL WATER USE**

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

**7. AFFECTED DISTRICTS AND LOCAL GOVERNMENTS**

- Are any of the water rights proposed for transfer located within or served by an irrigation or other water district?  Yes  No
- Will any of the water rights be located within or served by an irrigation or other water district after the proposed transfer?  Yes  No
- Is water for any of the rights supplied under a water service agreement or other contract for stored water with a federal agency or other entity?  Yes  No

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

Three Sisters Irrigation District, P.O.B 2230, Sisters, OR 97759

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

Deschutes County Community Development Department, 117 NW Lafayette Ave, Bend, OR 97701

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**9. ATTACHMENTS**

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

**Supplemental Form A –**

**Description of Proposed Change(s) to a Water Right**

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

**Supplemental Form B –**

**Evidence of Use Affidavit(s)**

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

**Map**

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

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

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

**Land Use Information Form:**

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

**Fees:**

- Amount enclosed: \$ \_\_\_\_\_  
See the Department's Fee Schedule at [www.wrd.state.or.us](http://www.wrd.state.or.us) or call (503) 986-0900.

**Instream Water Right Transfers, also include:**

**Supplemental Form C –**

**Instream Water Right Transfer**

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

**Temporary Transfers, also include:**

**Recorded Deed:**

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

**Affidavit of Consent:**

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

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

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

**10. SIGNATURES**

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


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

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

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

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

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

 applicant signature	Eric H. Vetterlein name (print)	10-2-07 date
_____ applicant signature	_____ name (print)	_____ date

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**Water Right Transfer Supplemental Form A**  
**DESCRIPTION OF PROPOSED CHANGE(S) TO A WATER RIGHT**

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

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

▪ Certificate Number or other identifying number: 61097

**1. TYPE OF CHANGE(S) PROPOSED**

(Check *all* that apply.)

Point of Diversion or Appropriation	Place of Use	Character of Use
<input type="checkbox"/> <b>Change</b> (The old point of diversion or appropriation will <u>not</u> be used for the portion of the water right affected by the transfer.) <input checked="" type="checkbox"/> <b>Additional</b> (Both the old <u>and</u> new points of diversion or appropriation will be used for the portion of the water right affected by the transfer.) <input type="checkbox"/> <b>Historic Point of Diversion or Appropriation Change</b> (Unauthorized point of diversion or appropriation used for more than 10 years.) <input type="checkbox"/> <b>Surface Water to Ground Water</b> (A new point of appropriation will be used <u>instead of</u> the old point of diversion. The old point of diversion will <u>not</u> be used.) <input type="checkbox"/> <b>Point of Diversion Change due to Government Action</b> (The old point of diversion or appropriation can no longer be used due to government action.) <input checked="" type="checkbox"/> <b>Exchange</b> (Water from another source will be used in exchange for supplying an equal amount of replacement water to that source.)	<input type="checkbox"/> <b>All of the right will be exercised at a different location than currently authorized</b> (Use of water at the current location will be discontinued.) <input checked="" type="checkbox"/> <b>Only a portion of the right will be exercised at a different location than currently authorized</b> (Use of water at the current location will be discontinued.)	<p align="center">Proposed new use:</p> <input checked="" type="checkbox"/> <b>Irrigation</b> <input type="checkbox"/> <b>Municipal</b> <input type="checkbox"/> <b>Quasi-municipal</b> <input type="checkbox"/> <b>Commercial</b> <input type="checkbox"/> <b>Industrial</b> <input type="checkbox"/> <b>Instream</b> (complete and attach <i>Supplemental Form C</i> ) <input type="checkbox"/> <b>Domestic</b> (indicate number of households) _____ <input type="checkbox"/> <b>Other</b> _____ <input type="checkbox"/> <b>Substitution</b> (A supplemental ground water right will be substituted for a primary surface water right.) <input type="checkbox"/> <b>Supplemental Use to Primary Use</b> (Primary water right shall be cancelled and the supplemental water right will change to primary use.)
	T 10502	<div style="text-align: right; color: blue; font-weight: bold;"> <p>RECEIVED</p> <p>DEC 10 2007</p> <p>WATER RESOURCES DEPT</p> <p>SALEM OREGON</p> </div>

**2. CURRENT WATER RIGHT INFORMATION**

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

<input checked="" type="checkbox"/> <b>Certificated Right</b>	61097	G-8846
	Certificate Number	Permit Number or Decree Name
<input type="checkbox"/> <b>Adjudicated, Non-certificated Right</b>	Name of Decree	Page Number
<input type="checkbox"/> <b>Permit for which Proof has been Approved</b>	Permit Number	Date Claim of Beneficial Use Submitted
<input type="checkbox"/> <b>Transferred Right for which Proof has been Filed</b>	Previous Transfer Number	Date Claim of Beneficial Use Submitted

- Name on Permit, Certificate, or Decree: Donald H. Vetterlein, Desert Springs Ranch
- County: Deschutes
- Authorized Use(s) to be Affected by Transfer: Irrigation
- Priority Date(s): 3/4/1980

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

- Source(s) of Water to be Affected by Transfer: A well

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Tributary to: Deep Canyon

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

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

- Are there **Other Water Rights**, Permits or Ground Water Registrations associated with this land?
  - Yes     No     N/A – No Change in Place of Use or Character of Use

*If "Yes", what are the Permit, Registration or Certificate Numbers?* \_\_\_\_\_

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

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▪ Certificate Number or other identifying number: 61097

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

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

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

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

If Ground Water, OWRD Well Log ID No. (or Well ID Tag No. L-___)	Source and Priority Date	Township	Range	Mer	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
DESC 3273	Well, 3/4/1980	15S	11E	Will ame tte	19	SW SW	Lot 4	1200' N, 450' E from SW Corner Section 19
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								MAY 13 2009

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

Yes       No (Surface water source only.)

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

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

**or**

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

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

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

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

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
--	----------	-------------------------	-----------------------	--	------------	---------------------	-------------------------------------	---	------------------

▪ Certificate Number or other identifying number: 61097

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

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

**Location of Existing Authorized Place of Use to be Affected:**

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

Source and Priority Date	Township	Range	Mer	Sec	¼¼ Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)
Well, 3/4/1980	15S	11E	Will.	19	SW SW	Lot 4	5.0 acres

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▪ Certificate Number or other identifying number: 61097

**3. PROPOSED CHANGES TO THE WATER RIGHT**

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

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

*(i.e., the "TO" point(s) of diversion or appropriation)*  N/A – Instream Water Right Transfer

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

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Source	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
Well	15S	11E	Will.	4	SE SE	TL 103	362' west and 990' north of SE corner of Section 4

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

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

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

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

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

Well already built? (Yes/No)	If an existing well, OWRD Well Log ID No. (or Well ID Tag No. L-____)	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
	DESC 52209									

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- Certificate Number or other identifying number: 61097

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

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

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

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

DESC  
52209

L35711  
# 41159

AMENDMENT (START CARD) #

Instructions for completing this report are on the last page of this form.

(1) OWNER: HERMANS  
Well Number \_\_\_\_\_  
Name Ulksing Hermans  
Address 62795 Quail Tree Drive  
City Sisters State OR Zip 97759

(2) TYPE OF WORK  
 New Well  Deepening  Alteration (repair/recondition)  Abandonment

(3) DRILL METHOD:  
 Rotary Air  Rotary Mud  Cable  Auger  
 Other

(4) PROPOSED USE:  
 Domestic  Community  Industrial  Irrigation  
 Thermal  Injection  Livestock  Other

(5) BORE HOLE CONSTRUCTION:  
Special Construction approval  Yes  No Depth of Completed Well \_\_\_\_\_ ft.  
Explosives used  Yes  No Type \_\_\_\_\_ Amount \_\_\_\_\_

HOLE			SEAL			Sacks or pounds
Diameter	From	To	Material	From	To	
12	0	18	Bent	0	18	125 sacks
8	18	440				
6	440	455				

How was seal placed: Method  A  B  C  D  E  
 Other powdered clay  
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	12	18	250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Liner:	6	18	440		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

(7) PERFORATIONS/SCREENS:

Perforations Method Factory  
 Screens Type \_\_\_\_\_ Material \_\_\_\_\_

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
440	420	18x3	100	6	pipe	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

Pump  Bailer  Air  Flowing Artesian

Yield gal/min	Drawdown	Drill stem at	Time
20	0	435	1 hr

Temperature of water 56° 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 Des Latitude \_\_\_\_\_ Longitude \_\_\_\_\_  
Township 15 N or S Range 11 E or W. WM.  
Section 07 1/4 \_\_\_\_\_ 1/4 \_\_\_\_\_  
Tax Lot 100 Lot \_\_\_\_\_ Block \_\_\_\_\_ Subdivision \_\_\_\_\_  
Street Address of Well (or nearest address) 18208 Hwy 4  
126 SISTERS OR 97759

(10) STATIC WATER LEVEL:  
415 ft. below land surface. Date 10/8/95  
Artesian pressure \_\_\_\_\_ lb. per square inch. Date \_\_\_\_\_

(11) WATER BEARING ZONES:  
Depth at which water was first found 415

From	To	Estimated Flow Rate	SWL
415	455	25+9 AM	415

(12) WELL LOG:  
Ground Elevation \_\_\_\_\_

Material	From	To	SWL
TOP SOIL	0	3	
Clay & Rock	3	14	
Layer Grey Ballon	14	54	
Clay & Seal	54	143	
Sand stone exposure	143	312	
Cinders Bed	312	403	
Basalt Grey hard	403	415	415
Clay & Seal	415	440	
Layer Fractured	440	455	

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Date started 8/24/95 Completed 9/4/95  
(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 water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.

Signed [Signature] WWC Number 1371  
Date 9/21/95

(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 water supply well construction standards. This report is true to the best of my knowledge and belief.

Signed [Signature] WWC Number 1311  
Date 9/21/95

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

DESC  
52209

(START CARD) # 41159

Instructions for completing this report are on the last page of this form.

(1) OWNER: Ursinia Houmiers Well Number \_\_\_\_\_  
Name Ursinia Houmiers  
Address 62755 Quail Tree Drive  
City SISTERS State OR Zip 97159

(2) TYPE OF WORK  
 New Well  Deepening  Alteration (repair/recondition)  Abandonment

(3) DRILL METHOD:  
 Rotary Air  Rotary Mud  Cable  Auger  
 Other

(4) PROPOSED USE:  
 Domestic  Community  Industrial  Irrigation  
 Thermal  Injection  Livestock  Other

(5) BORE HOLE CONSTRUCTION:  
Special Construction approval  Yes  No Depth of Completed Well \_\_\_\_\_ ft.  
Explosives used  Yes  No Type \_\_\_\_\_ Amount \_\_\_\_\_

HOLE		SEAL		Sacks or pounds	
Diameter	From To	Material	From To		
12	0	Rent	0	18	1259 cks
8	18				
6	490				

How was seal placed: Method  A  B  C  D  E  
 Other powdered clay  
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	0	18	250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Liner: 6	18	490		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

(7) PERFORATIONS/SCREENS:

Perforations Method Electric  
 Screens Type \_\_\_\_\_ Material \_\_\_\_\_

Start	To	Slot	Number	Diameter	Tube/pipe	Coating	Liner
400	420	1/8 x 3/16	100	6	PIR	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

Yield gal/min	Drawdown'	Drill stem at	Flowing Time
20	0	435	1 hr

Temperature of water 56° 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 Des Latitude \_\_\_\_\_ Longitude \_\_\_\_\_  
Township 15 N or S Range 11 E or W. WM.  
Section 04 1/4 \_\_\_\_\_ 1/4 \_\_\_\_\_  
Tax Lot 100 Lot \_\_\_\_\_ Block \_\_\_\_\_ Subdivision \_\_\_\_\_  
Street Address of Well (or nearest address) 18208 Hwy 126 SISTERS OR 97159

(10) STATIC WATER LEVEL:  
415 ft. below land surface. Date 10/8/95  
Artesian pressure \_\_\_\_\_ lb. per square inch. Date \_\_\_\_\_

(11) WATER BEARING ZONES:  
Depth at which water was first found \_\_\_\_\_

From	To	Estimated Flow Rate	SWL
415	455	25+9 gpm	415

(12) WELL LOG: Ground Elevation \_\_\_\_\_

Material	From	To	SWL
TOP Soil	0	3	
Clay & Rocks	3	14	
Layer, grey ballon	14	54	
Clay & Sand	54	143	
Sand stone from	143	312	
Cinders Red	312	403	
Basalt (grey hard)	403	415	415
Clay & Sand with	415	490	
Layer Fractured	490	455	

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SALEM OREGON

Date started: 12/1/95 Completed: 9/9/95


(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 water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.

Signed: [Signature] WWC Number 1371 Date 9/21/95

(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 water supply well construction standards. This report is true to the best of my knowledge and belief.

Signed: [Signature] WWC Number 1311 Date 9/21/95

ORIGINAL & FIRST COPY-WATER RESOURCES DEPARTMENT SECOND COPY-CONSTRUCTOR THIRD COPY-CUSTOMER

  
**AmeriTitle**  
*Part Of The FELD-WEN Family*  
**LOT BOOK REPORT**

DUFFY KEKEL LLP  
1200 STANDARD PLAZA  
1100 SW SIXTH AVE  
PORTLAND OR 97204

March 2, 2007  
Title Number : 098016  
Title Officer : DEBBY DAVIDSON  
Fee : \$200.00

Attn: ERIC VETTERLEIN

cc: FRED A AST JR. AND ASSOCIATES

We have searched our Tract Indices as to the following described property:

Lot Four (4) and the Southeast Quarter of the Southwest Quarter (SE1/4SW1/4), and the South One-half of the Southeast Quarter (S1/2SE1/4) in Section Nineteen (19), Township Fifteen (15) South, Range Eleven (11), East of the Willamette Meridian, Deschutes County, Oregon.

and dated as of February 27, 2007 at 7:30 a.m.

We find that the last deed of record runs to:

DESERT SPRINGS RANCH LIMITED PARTNERSHIP, an Oregon limited partnership

We also find the following apparent encumbrances within ten years prior to the effective date hereof:

NONE

We have also searched our General Index for judgments and state and federal tax liens against the above named grantees and find the following:

NONE

We also find the following unpaid taxes and city liens:

Taxes assessed under Code No. 6-012 Map and Tax Lot Number 15 11 00 00 04001  
Account No. [REDACTED]

NOTE: The 2006-2007 Taxes: \$223.72, Paid in full.

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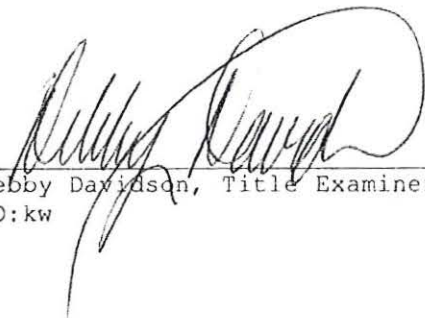
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NOTE: Any map or sketch enclosed as an attachment herewith is furnished for information purposes only to assist in property location with reference to streets and other parcels. No representation is made as to accuracy and the company assumes no liability for any loss occurring by reason of reliance thereon.

NOTE: This Lot Book Report is being made with the understanding that it does not represent any form of title insurance and is not a commitment for a policy of insurance. The information provided herein is not a full examination of the subject property. Further, if any person, corporation or entity of any kind should use this report as a basis to produce a title insurance product, it should be understood that it is clearly outside of Oregon law. Any liability hereunder is limited to the amount paid for said report.

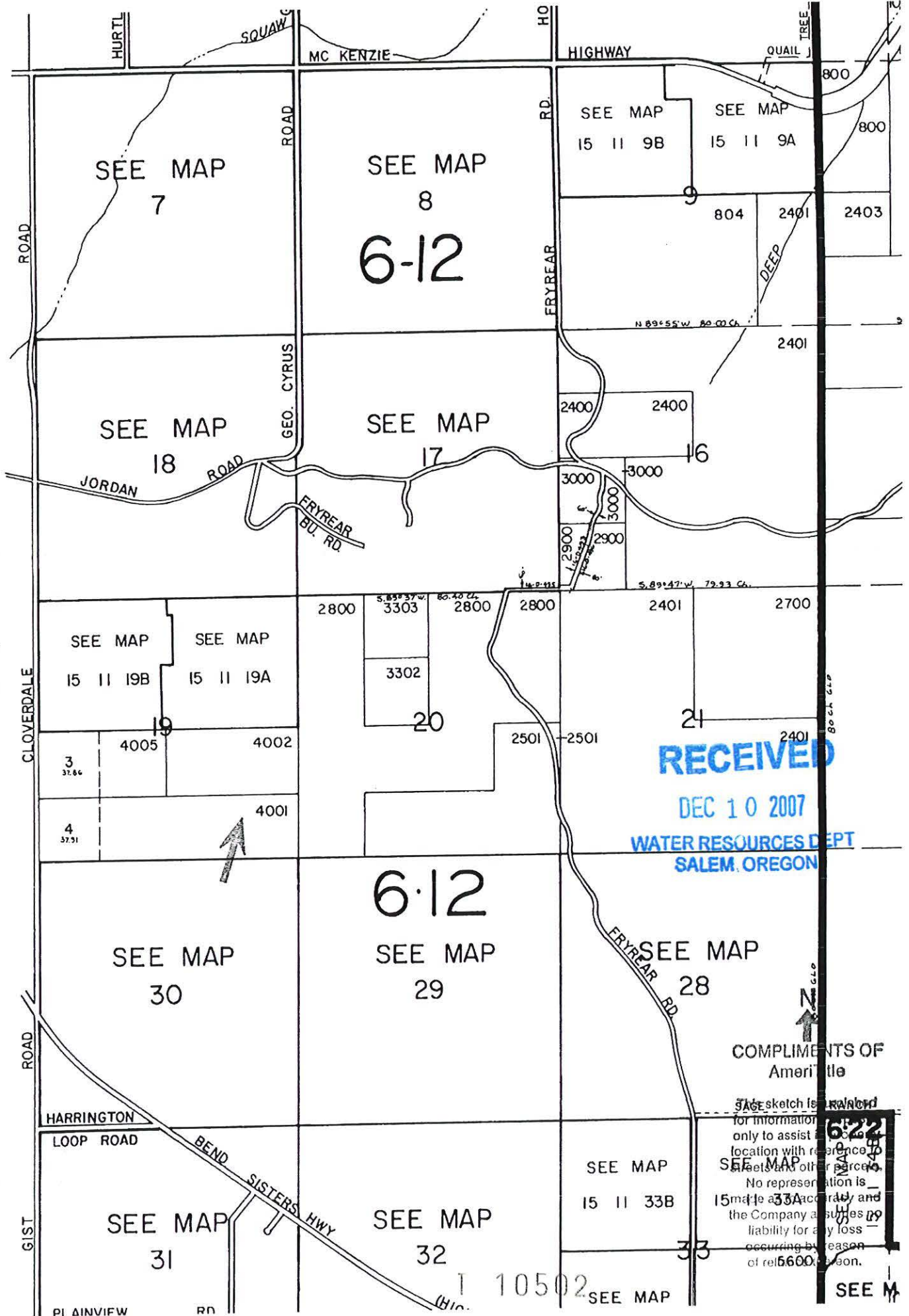
THIS IS NOT A TITLE REPORT, A COMMITMENT TO ISSUE TITLE INSURANCE OR A GUARANTEE OF ANY KIND. No liability is assumed with this report. Our search was limited to our tract indices and no examination of the public record was made. The fee charged for this service does not include supplemental reports or other services. Further dissemination of the information in this report in a form purporting to insure title to the herein described land is prohibited by law.

**AmeriTitle**

By:   
Debby Davidson, Title Examiner  
DD:kw

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See map 10 10

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COMPLIMENTS OF  
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THIS sketch is prepared  
for information only to assist  
location with reference to  
sheets and other parcels.  
No representation is  
made as to accuracy and  
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liability for any loss  
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# Deschutes County

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Account: [REDACTED] Map/TL: R 6-012 151100 00 04001

\* \* \* Ownership Information ONLY

DESERT SPRINGS RANCH LIMITED PARTNERSHIP  
%ESTHER D VETTERLEIN GENERAL PARTNER (A)  
11301 SW MILITARY RD  
PORTLAND OR 97219

POTENTIAL ADDITIONAL TAX LIABILITY  
Type: EXCLUSIVE FARM USE POTENTIAL ADDITIONAL TAX LIABILITY

### Assessor Property Description

Lot: Block:

Prop Cls:550 MA:6 VA:15 NH 000 Vol-Page:1996-4092716  
Asmt Zone:EFU CDD Zone:SMIA (SURFACE MINING IMPACT AREA COMBINING)  
" :EFUTRB (EXCLUSIVE FARM USE - TUMALO/REDMOND/BEND)

\*\*\*\*\*  
\*\*\*\*\* Real Property Tax Lot Record \*\*\*\*\*  
\*\*\*\*\*

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Get Latest Tax Lot Record for this property

This web site uses the FREE Adobe® Acrobat® Reader™ plug-in.  
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**Tax Lot Record prior to July 2003**

For Tax Lot Records prior to 1995 please call our office at (541)388-6508

15 11 00 0 0 04001 Code 6-012 Current Acres 157.30

This description is for tax purposes ONLY and can not be attached to any legal document.

Assessor Property Description:

SEC 19 - LOT 4; SE 1/4 SW 1/4; S 1/2 SE 1/4  
 SEC 30 - LOT 1; NE 1/4 NW 1/4; N 1/2 NE 1/4  
 EXCEPT: BEG AT N 1/4 COR OF SEC 30  
 TH S 89 04 45 W 724.36 FT  
 TH S 40 51 02 E 1123.39 FT  
 TH N 00 42 02 W 861.46 FT TO POB  
 ALSO EXCEPT: SEC 30 - N 1/2 NE 1/4 &  
 THA PT OF NE 1/4 NW 1/4 BEG AT N 1/4 COR OF SD SEC 30  
 TH S 89 04 45 W 724.36 FT  
 TH S 40 51 02 E 1123.39 FT  
 TH N 00 42 02 W 861.46 FT TO POB  
 LESS: RD 157.3 AC

1996-18130 05/20/96 409-2716| Deed  
 | Posted on 06/13/96 by EILEENW  
 |  
 | Clerk Recording Remarks:  
 | SEE DOC FOR COMPLETE LEGAL; WARRANTY DEED  
 |  
 | Clerk Recording Grantor:  
 | DESERT SPRINGS RANCH  
 |  
 | Clerk Recording Grantee:  
 | DESERT SPRINGS RANCH LIMITED PARTNERSHIP

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# 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: Eric Vetterlein  
Mailing Address: 1100 SW Sixth Avenue #1200  
City: Portland State: OR Zip: 97204 Day Phone: 503-226-1371

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

### A. Land and Location

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g. Rural Residential/RR-5)	Water to be:	Proposed Land Use:
15S	11E	4	SE SE	103	EFU	<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	irrigation
						<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	

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

### 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: 0.06  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: Transfer of 5.0 acres of groundwater to irrigate pasture.

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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## 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): \_\_\_\_\_.

Chapter 18.16 of Title 18 of the Deschutes County Code

- 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:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued

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

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Name: Paul Blikstad Title: Senior Planner  
 Signature: Paul Blikstad Phone: 388-6554 Date: 10-31-07  
 Government Entity: Deschutes County

T 10502

**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.

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

State of Oregon )  
County of Multnomah ) ss

I, Eric H. Vetterlein, in my capacity as General Partner,  
mailing address 11301 S.W. Military Rd., Portland, OR 97219  
telephone number (503) 226-1371, being first duly sworn depose and say:

1. I attest that:

- Water was used during the previous five years on the entire authorized place of use of the water right proposed for transfer as described on the accompanying transfer application; **or**
- The water right was leased instream at some time within the last five years. The instream lease number is as follows: \_\_\_\_\_; **or**
- The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use would be rebutted under ORS 540.610(2) is attached.

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

- Personal observation
- Professional expertise

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

Township		Range		Mer	Sec	¼ ¼ Section	Gov't Lot or DLC	Acres (if applicable)
15	S	11	E	Will	19	SW SW	4	28.4

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(continues on reverse side)

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

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

pasture, hay

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

sprinkler irrigation

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

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

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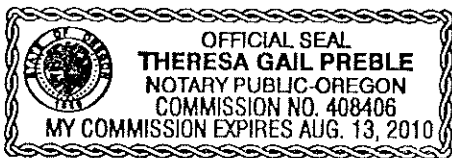
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*Eric A. Vinton*  
Signature of Affiant

10-2-07  
Date

Signed and sworn to (or affirmed) before me this 2<sup>nd</sup> day of Oct., 2007.



*Theresa Gail Preble*  
Notary Public for Oregon

My Commission Expires: 8/13/2010

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

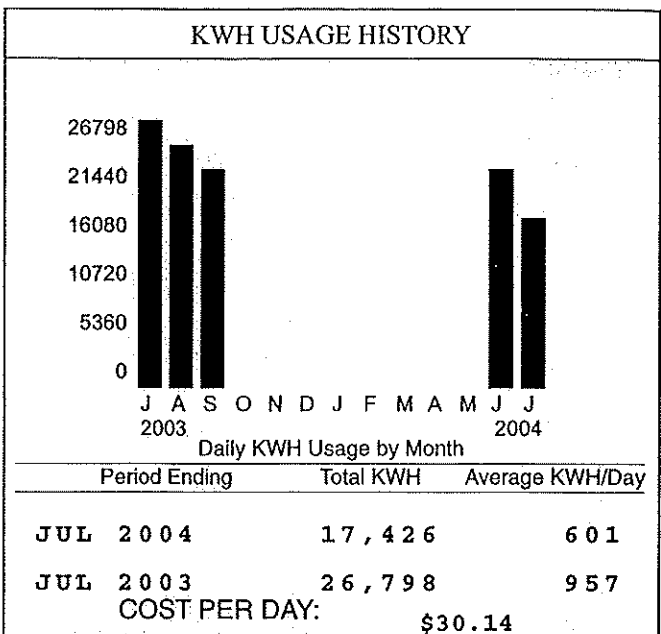


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 REDMOND, OR 97756 389-1980 549-5698  
 www.hometownutility.com 475-3266 447-5321

**DOG ATTACKS METER READER**

PLEASE READ THE "PRESIDENT'S MESSAGE" ON THE BACK COVER OF THE JULY "RURALITE." THE MESSAGE DESCRIBES THE UNFORTUNATE INCIDENT THAT RESULTED IN THE DOG BEING DESTROYED.

THE MESSAGE ALSO PROVIDES INFORMATION ABOUT THE LIABILITY ISSUES THAT PROPERTY OWNERS HAVE IN REGARD TO DANGEROUS WORKING CONDITIONS FOR UTILITY EMPLOYEES AND OTHERS WHO MUST COME ON TO PRIVATE PROPERTY TO CONDUCT NORMAL BUSINESS.



Meter Nbr	Prev. Read Dt	Prev. Read	Pres. Read Dt	Pres. Read	Mult.	KWH	KWD	Rate	Service Address
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D-3004 06/02/04 58377 07/01/04 75803 1 17426 96.14 IRR03 67708 CLOVERDALE/IF

COOP PROVIDED ELECTRIC SERVICE  
 PREVIOUS BALANCE PAYMENTS  
 CURRENT MONTH ENERGY CHARGES  
 ELECTRIC CHARGE  
 DEMAND CHARGE  
 ELECTRIC SERVICE SUBTOTAL

ACCOUNT NUMBER:

██████████  
 \$1,385.29  
 \$1,385.29-

17,426 KWH @ 0.050160 \$874.09  
 96.149 KWD @ 3.000000 \$288.45  
 \$1,162.54

*PD #1333.74  
 7-19-04  
 DSR Cl # 2103*

TOTAL AMOUNT DUE ON 07/25/2004

\$1,162.54

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Superseded by pg. 3  
Received 5/13/09

▪ Certificate Number or other identifying number: 61097

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

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

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

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

If Ground Water, OWRD Well Log ID No. (or Well ID Tag No. L-___)	Source and Priority Date	Township	Range	Mer	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
DESC 3273	Well, 3/4/1980	15S	11E	Will ame tte	19	SW SW	Lot 4	1180' N, 460 E from SW Corner Section 19

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

Yes       No (Surface water source only.)

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

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

or

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

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

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

OWRD Well No. as identified in table above	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
			1	10502					

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