

G2

Name KMB ENTERPRISE AN OREGON PARTNERSHIP  
By \_\_\_\_\_  
Address 17204 HWY 126  
SISTERS, OR 97759

Application No. G12042  
Permit No. G11146  
Certificate No. \_\_\_\_\_

FEES PAID		
Date	Amount	Receipt No.
<u>3-7-90</u>	<u>\$300<sup>00</sup></u>	<u>61581</u>
<u>8-22-94</u>	<u>*100.-</u>	<u>115811</u>
<u>12-8-97</u>	<u>100<sup>00</sup></u>	<u>17887</u>

Stream Index, Page No. 5

05-1980-1220

Squaw Cr Will

Date filed MARCH 7, 1990  
Priority March 7, 1990  
Action suspended until C25  
on ext db  
Return to applicant \_\_\_\_\_  
Date of approval NOV 19 1990

FEES REFUNDED		
Date	Amount	Check No.

ASSIGNMENTS

Date	To Whom	Address	Volume	Page
<u>10/28/03</u>	<u>Aspen Lakes Utility Co LLC</u>	<u>116900 Aspen Lakes Rd</u>	<u>PR</u>	<u>Sisters, OR 97759</u>

CONSTRUCTION

Date for beginning NOV 19 1991  
Date for completion OCT 01 1992  
Extended to 10-1-97, 10-1-2025  
Date for application of water OCT 01 1993  
Extended to 10-1-97, 10-1-2025

REMARKS

CARD FOR B OCT 13 1992  
119 sent 1-22-93  
128 Cwce sent (w/cwre 1286) 10-4-93 (also enclosed assignment form)

PROSECUTION OF WORK

Form "A" filed started  
Form "B" filed Jan 15, 1993  
Form "C" filed 9-30-93

FINAL PROOF

Blank mailed \_\_\_\_\_  
Proof received \_\_\_\_\_  
Date certificate issued \_\_\_\_\_

PC



Form B (690-9-77)

Application No. G12042

NOTICE OF COMPLETION OF CONSTRUCTION

I, K.M.B. Enterprise, the holder of Permit No. G 11146  
to appropriate the public waters of the state of Oregon, completed the construction of the works described  
therein on the 25 day of September, 1992

Remarks: \_\_\_\_\_  
If the works have less capacity than described in the permit, or you have definitely abandoned part of the proposed develop-  
ment, you should so state in order that our records may not be unnecessarily encumbered.

OK  
WCM

RECEIVED

JAN 15 1993

WATER RESOURCES DEPT.  
SALEM, OREGON

IN WITNESS WHEREOF, I have hereunto set my hand this 13 day of January, 1993  
K.M.B. Enterprise Keithlyns 17204 Hwy 126 Sisters Ore 97759  
(Signature of Applicant) (Address)

Fill out, detach and mail to the Water Resources Department, Salem, OR 97310, when construction work is completed.

APPLICATION  
CHECK-OFF LIST

~~RECEIPT POSTED~~  
~~STREAM INDEXED & STREAM CODED~~  
~~CONTENTS MARKED/STAMPED~~  
~~FILE FOLDER TYPED~~  
~~CALENDAR CARD TYPED~~  
~~KARDEX TYPED~~  
~~MAPS COPIED~~  
~~APPLICATION COPIED~~  
~~SCENIC WATERWAY NOTED~~  
~~ACK LETTER TYPED~~

G2



OK SW 112817-12C-1550 BARGAIN AND SALE DEED

187 - 2701

RECEIVED

MAR 07 1990

WATER RESOURCES DEPT. SALEM, OREGON

KNOW ALL MEN BY THESE PRESENTS, That J.C. COMPTON COMPANY, a corporation, hereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto KMB ENTERPRISES, an Oregon partnership, consisting of Keith Cyrus, Matthew Cyrus and Brian Cyrus, hereinafter called grantee, and unto grantee's heirs, successors and assigns all of that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, situated in the County of Deschutes, State of Oregon, described as follows, to-wit:

Lots 1 through 8 in Block 1, Lots 1 through 14 in Block 2, Lots 1 through 8 in Block 3, Lots 1 through 7 in Block 4, Lots 1 through 7 in Block 5, Lots 1 through 7 in Block 6, All in WILD HORSE PLAINS, Deschutes County, Oregon and Lots 1 through 10 in Block 7, Lots 1 through 13 in Block 8, Lots 1 through 14 in Block 9, Lots 1 through 4 in Block 10, All in WILD HORSE MEADOWS, Deschutes County, Oregon.

SUBJECT TO all regulations, assessments, easements, declarations, covenants, conditions and restrictions of record.

TOGETHER WITH adjudicated water rights, if any, it being expressly understood that grantor makes no representations or warranties whatsoever with respect to water rights.

Legal Description is Lots underlined in Red, which comprises all of WILD HORSE MEADOWS.

See attached Assessor's Map. DKB

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

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

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 1,000,000.00

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

In Witness Whereof, the grantor has executed this instrument this 11 day of July, 1989;

if a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto by order of its board of directors.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

J.C. COMPTON COMPANY, an Oregon corporation By: John C. Compton, President

(If the signer of the above is a corporation, use the form of acknowledgment opposite.)

(ORS 194.570)

STATE OF OREGON, County of Yamhill, The foregoing instrument was acknowledged before me this 11th day of July, 1989, by John C. Compton, president, and of J.C. Compton Company, an Oregon corporation, on behalf of the corporation.

Notary Public for Oregon My commission expires: 1-1-93

(SEAL)

My commission expires:

(SEAL)

(If executed by a corporation, affix corporate seal)

J.C. Compton Company PO Box 768 McMinnville, Oregon 97128

KMB ENTERPRISES 17204 Highway 126 Sisters, Oregon 97759

After recording return to:

KMB Enterprises 17204 Highway 126 Sisters, Oregon 97759

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

KMB Enterprises 17204 Highway 126 Sisters, Oregon 97759

DESCHUTES COUNTY TITLE CO

P. O. BOX 329 SALEM, OREGON 97308

STATE OF OREGON,

STATE OF OREGON ) COUNTY OF DESCHUTES ) SS.

I, MARY SUE PENHOLLOW, COUNTY CLERK AND RECORDER OF CONVEYANCES, IN AND FOR SAID COUNTY, DO HEREBY CERTIFY THAT THE WITHIN INSTRUMENT WAS RECORDED THIS DAY:

89 JUL 12 PM 4:05

MARY SUE PENHOLLOW COUNTY CLERK

DEPUTY BY: D. Lehberg NO. 89-16770 FEE 10 DESCHUTES COUNTY OFFICIAL RECORDS

Application No. 6-12042 Permit No.



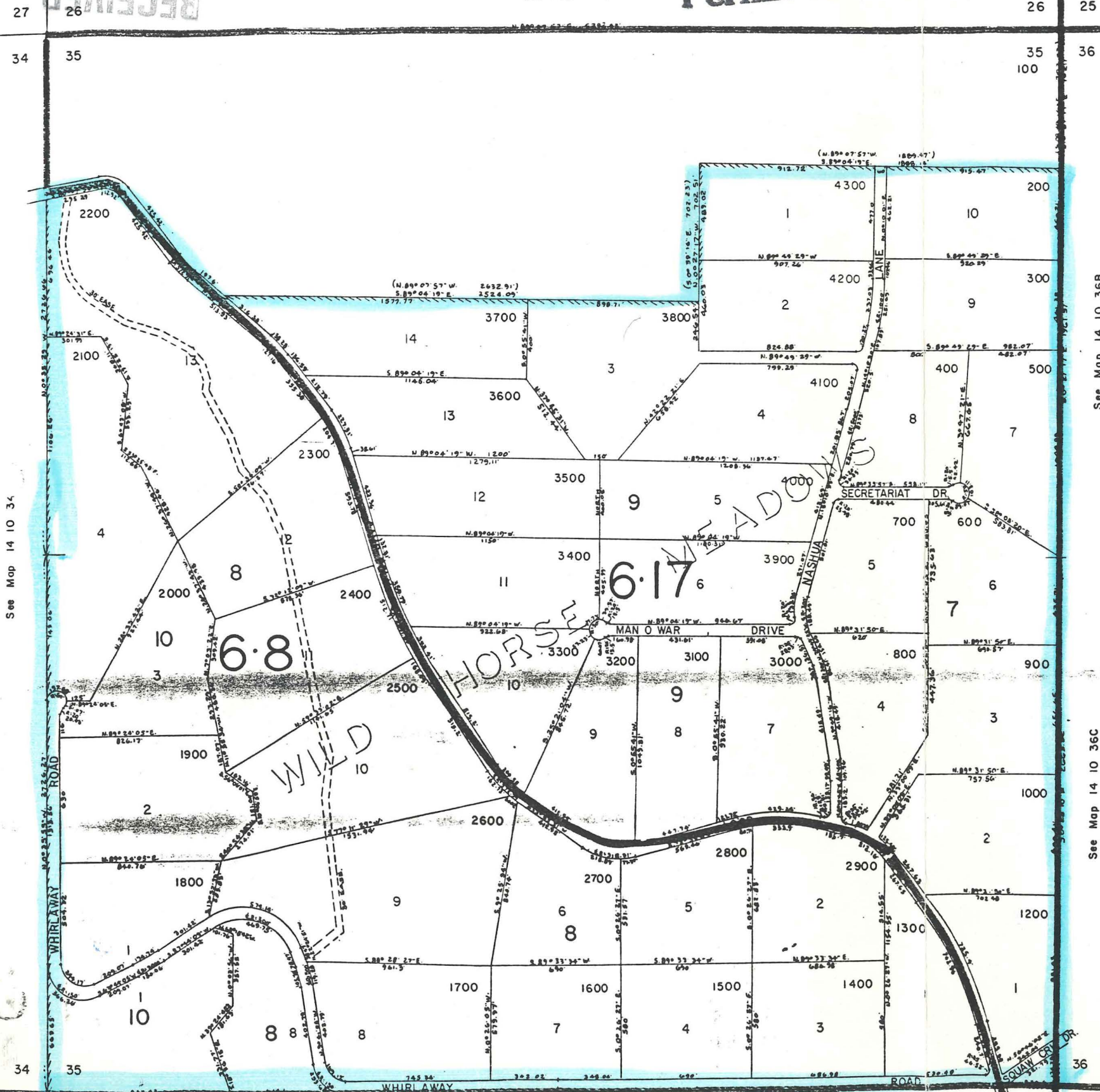
Application No. *G-12042*  
Permit No.

WATER RESOURCES DEPT.  
SALEM, OREGON

MAR 07 1990

RECEIVED

See Map 14 10



See Map 14 10 34

See Map 14 10 36B

See Map 14 10 36C

See Map 15 10



**Final Order**  
**Extension of Time for Permit Number G-11146**

**Appeal Rights**

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

**Application History**

On DECEMBER 8, 1997, KMB ENTERPRISE submitted an application to the Department for an extension of time for permit number G-11146. The Department issued permit number G-11146 on NOVEMBER 19, 1990. The permit called for completion of construction of the water development project by OCTOBER 1, 1992, and complete application of water to the full beneficial use by OCTOBER 1, 1993. On OCTOBER 28, 2003, permit number G-11146 was assigned to ASPEN LAKES UTILITY CO, LLC.

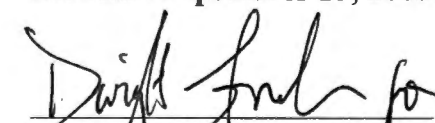
In accordance with OAR 690-315-0050(2), on JULY 12, 2005, the Department issued a Proposed Final Order proposing to extend the time to complete construction of the water development project and the time to fully apply water to beneficial use to OCTOBER 1, 2025. The protest period closed AUGUST 26, 2005, in accordance with OAR 690-315-0060(1). No protest was filed.

The applicant has demonstrated good cause for the permit extension pursuant to ORS 537.630, 539.010(5) and OAR 690-315-0080(2).

**Order**

The extension of time for Application Number G-12042, Permit Number G-11146, therefore, is approved. The deadline for completing construction is extended to OCTOBER 1, 2025. The deadline for applying water to full beneficial use is extended to OCTOBER 1, 2025.

**DATED: September 15, 2005**

  
Phillip G. Ward, Director



**If you have any questions about statements contained in this document, please contact Lisa Jaramillo at (503) 986-0808.**

**If you have other questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at (503) 986-0900.**



**Oregon Water Resources Department  
Water Rights Division**

**Application for Extension of Time**

In the Matter of the Application	)	
for an Extension of Time for	)	
Permit #G-11146, Water Right	)	PROPOSED FINAL ORDER
Application #G-12042	)	
(Aspen Lakes Utility Company, LLC)	)	

<b>Permit Information</b>	
<b><u>Application File #G-12042 / Permit #G-11146</u></b>	
Basin: #5 - Deschutes Basin / Watermaster District: #11	
Date of Priority: March 7, 1990	
<b><u>Authorized Use of Water</u></b>	
Source of Water:	One Well in the Squaw Creek Basin
Purpose or Use:	Quasi-Municipal Uses
Maximum Rate:	0.18 cubic foot per second (cfs)

**This Extension of Time request is being processed in accordance  
with Oregon Administrative Rule Chapter 690, Division 315.**

***Please read this Proposed Final Order in its entirety.***

This Proposed Final Order applies only to Permit #G-11146, water right Application #G-12042. A copy of Permit #G-11146 is enclosed as Attachment 1.



# Summary of Proposed Final Order for Extension of Time

## The Department proposes to:

- grant the extension for complete construction of the water system from October 1, 1997, to October 1, 2025; and
- grant the extension for complete application of water from October 1, 1997, to October 1, 2025.

## AUTHORITY

**ORS 537.630(1)** provides in pertinent part that the Water Resources Department shall, for good cause shown, order an extension of time within which irrigation or other works shall be completed or the right perfected.

**OAR 690-315-0080** provides in pertinent part that the Water Resources Department shall make findings to determine if an extension of time for municipal and/or quasi-municipal water use permit holders may be approved to complete construction and/or apply water to full beneficial use.

**OAR 690-315-0090(3)** allows the Department, under certain circumstances, to condition an extension of time for municipal and/or quasi-municipal water use permit holders to provide that diversion of water beyond the maximum rate diverted under the permit or previous extension(s) shall only be authorized upon issuance of a final order approving a Water Management and Conservation Plan under OAR Chapter 690, Division 86.

**OAR 690-315-0090(4)** provides in pertinent part that municipal and quasi-municipal water use permit holders that serve a population of less than 1000 are not subject to OAR 690-315-0090(3) unless upon review of certain criteria the Department determines that compliance is necessary.



## **FINDINGS OF FACT**

### **Background**

1. Permit #G-11146 was granted by the Water Resources Department (Department) on November 19, 1990. The permit authorizes the use of up to 0.18 cfs of water from one well in the Squaw Creek Basin, for quasi-municipal purposes. It specified that construction of the water development project should be completed by October 1, 1992, and that complete application of water was to be made on or before October 1, 1993.
2. One prior extension has been granted for Permit #G-11146 resulting in the construction and completion dates being extended to October 1, 1997.
3. The original permit holder submitted an "Application for Extension of Time" to the Department on December 8, 1997, requesting the times in which to complete construction and accomplish beneficial use of water to the full extent under the terms of Permit #G-11146 be extended from October 1, 1997, to October 1, 1999.
4. The original permit holder submitted an updated "Application for Extension of Time" to the Department on September 28, 1999, requesting the times in which to complete construction and accomplish beneficial use of water to the full extent under the terms of Permit #G-11146 be extended from October 1, 1997, to October 1, 2015.
5. On January 14, 2000, the Department sent a letter to the permit holder requesting that the pending extension application be resubmitted on a new extension application form consistent with new administrative rules adopted at that time.
6. The original permit holder submitted an updated "Application for Extension of Time" to the Department on February 7, 2000, requesting the times in which to complete construction and accomplish beneficial use of water to the full extent under the terms of Permit #G-11146 be extended from October 1, 1997, to October 1, 2015.
7. Due to additional permit extension rulemaking, the Department placed all pending municipal and quasi-municipal permit extension of time requests on hold and did not require municipal and quasi-municipal water use permit holders to submit an extension application until the new rules were adopted.

8. Municipal and quasi-municipal water use permit extension rules were adopted by the Water Resources Commission and became effective on November 1, 2002 (OAR 690-315-0070 through 690-315-0100).
9. The original permit holder submitted an updated "Application for Extension of Time" consistent with OAR 690-315-0070 to the Department on March 17, 2003, requesting the times in which to complete construction and accomplish beneficial use of water to the full extent under the terms of Permit #G-11146 be extended from October 1, 1997, to October 1, 2025.
10. On March 27, 2003, and January 4, 2005, the permit holder submitted additional information to supplement their Application for Extension of Time.
11. Notification of the permit holder's extension of time request for Permit #G-11146 was published on the Department's Public Notice dated April 1, 2003. No public comment on the extension application was received.
12. On October 28, 2003, Permit #G-11146 was assigned from KMB Enterprises to Aspen Lakes Utility Company, LLC (ALUC).

**Review Criteria for Municipal and Quasi-Municipal Water Use Permits [OAR 690-315-0080(1)]**  
*The time limits to complete construction and/or apply water to full beneficial use may be extended if the Department finds that the permit holder has met the requirements set forth under OAR 690-315-0080(1).*

**Complete Extension of Time Application [OAR 690-315-0080(1)(a)]**

13. The Department received a completed extension of time application and the statutory fee specified in ORS 536.050 from the permit holder.

**Start of Construction [OAR 690-315-0080(1)(b)]**

14. Construction of the well and water system began within the time specified in the permit, being November 19, 1991.

**Duration of Extension [OAR 690-315-0080(1)(c)(d)]**

*Under OAR 690-315-0080(1)(c)(d), the Department shall find that the time requested is reasonable and the applicant can complete the project within the time requested.*



15. The remaining work to be accomplished under Permit #G-11146 consists of complete construction of the system and complete application of water to beneficial use.
16. As of March 17, 2003, the permit holder has diverted 0.08 cfs of the 0.18 cfs of water allowed under Permit #G-11146 for quasi-municipal purposes.
17. Since the issuance of Permit #G-11146 on November 19, 1990, less than half of the permitted quantity of water has been utilized. Based upon this past rate of development, ALUC estimates that it may take an additional 20 years to reach full utilization of this permit.
18. Permit #G-11146 covers approximately 520 acres of a 1,080 acres parcel of land currently zoned RR-10 allowing a maximum of 144 homesites. In addition, there is a destination resort overlay zone on the property. Given this overlay zone, the developer of the property is currently working on an application that would convert all acres served under Permit #G-11146 into a destination resort. The potential destination resort would likely include an additional 300 homesites, a 150 room motel facility with restaurant, and another 100 units of detached overnight lodging.
19. As of March 17, 2003, 12 homes are served by this permit. Based on an average of two persons per home, the current population served by Permit #G-11146 is 24.
20. In addition to the 0.18 cfs of water allowed under Permit #G-11146, ALUC holds Permit #G-11576 for 800 gallons per minute (1.78 cfs) for Quasi-Municipal Use. In addition, ALUC holds Permit #G-11577 for 3.899 cfs of water for irrigation purposes. ALUC may also be able to access 3.4088 cfs of water for irrigation under Permit #G-11578 held by Wildhorse Meadows.
21. Given the amount of development left to occur, ALUC's projected land use change, and associated projected demands for water, the permittee's request to have until October 1, 2025, to complete construction of the water system and to complete the application of water to beneficial use under the terms of Permit #G-11146 is reasonable.

**Good Cause [OAR 690-315-0080(1)(e) and (2)]**

*The Department's determination of good cause shall consider the requirements set forth under OAR 690-315-0080(2).*

**Reasonable Diligence and Good Faith of the Appropriator [OAR 690-315-0080(2)(a)(c) and (3)]**  
*Reasonable diligence and good faith of the appropriator during the permit period constitutes a continuing test of whether and under what conditions to grant an extension. In determining the reasonable diligence and good faith of a municipal or quasi-municipal water use permit holder, the Department shall consider activities associated with the development of the right including, but not limited to, the items set forth under OAR 690-315-0080(3).*

22. During the last extension period, being from October 1, 1992, to October 1, 1997, ALUC established several service connections.
23. As of March 17, 2003, the permit holder invested 32 percent of the total projected cost for complete development of this project, being an approximate total of \$120,000. An additional \$252,400 investment is anticipated for the completion of this project.
24. Since the issuance of Permit #G-11146 on November 19, 1990, approximately 0.08 cfs of the permitted 0.18 cfs of water has been diverted from the well for beneficial quasi-municipal purposes under the terms of the permit.
25. The record does not raise concerns about the permit holder's compliance with conditions.

**Financial Investment and Cost to Appropriately and Apply Water to a Beneficial Purpose [OAR 690-315-0080(2)(b)]**

26. As of March 17, 2003, the permit holder has invested an approximate total of \$120,000 into the project, consisting of drilling of the well and the installation of a pump station, reservoir, and 8-inch main lines. An additional \$250,000 investment is anticipated for the completion of this project.

**The Market and Present Demands for Water [OAR 690-315-0080(2)(d)]**

27. As described in findings #16 through #19 above, the ALUC relies on water under Permit #G-11146 to meet current and future demands.



28. Given ALUC's current water supply situation and their current and expected demands, there is a market and present demand for the water to be supplied under Permit #G-11146.

**Fair Return Upon Investment** *[OAR 690-315-0080(2)(e)]*

29. Use and income from the permitted water development project already results in reasonable returns upon the investment made to date.

**Other Governmental Requirements** *[OAR 690-315-0080(2)(f)]*

30. Delay in the development of this project was not caused by any other governmental requirements.

**Events which Delayed Development under the Permit** *[OAR 690-315-0080(2)(g)]*

31. Delay of development under Permit #G-11146 was due to additional time needed to fully develop home sites.

**CONCLUSIONS OF LAW**

1. The applicant is entitled to apply for an extension of time to complete construction and/or completely apply water to the full beneficial use pursuant to ORS 537.630.
2. The applicant has submitted a complete extension application form and the fee specified under ORS 536.050(1)(k), as required by OAR 690-315-0080(1)(a).
3. The applicant demonstrated that actual construction on the project began within the time specified in the permit, as required by OAR 690-315-0080(1)(b).
4. The time requested to complete construction and apply water to full beneficial use is reasonable, as required by OAR 690-315-0080(1)(c).

5. Completion of construction and full application of water to beneficial use can be completed by October 1, 2025<sup>1</sup>, [OAR 690-315-0080(1)(d)].
6. After considering the reasonable diligence and good faith of the appropriator, the financial investment made, the market and present demands for water, the fair return upon the investment, the requirements of other governmental agencies and uncontrollable events which delayed development under the permit, the Department has determined that the applicant has shown good cause for an extension to complete construction and complete application of water to full beneficial use pursuant to OAR 690-315-0080(1)(e).
7. Considering that the population served under Permit #G-9283 is less than 1000 (as described in Finding #16 above), the Department has reviewed the permit record and determined, pursuant to OAR 690-315-0090(4), that submittal of a Water Management and Conservation Plan consistent with OAR Chapter 690, Division 86 is not necessary.

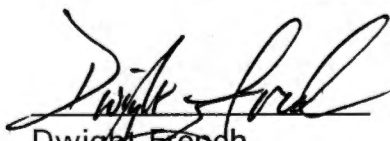
### **Proposed Order**

Based upon the foregoing findings of fact and conclusions of law, the Department proposes to issue an order to:

Extend the time for complete construction of the water system under Permit #G-11146 from October 1, 1997, to October 1, 2025; and

Extend the time for complete application of water to beneficial use under Permit #G-11146 from October 1, 1997, to October 1, 2025.

DATED: July 12, 2005

  
Dwight French  
Water Rights Section Manager

*If you have any questions,  
please check the information  
box on the last page for the  
appropriate names and  
phone numbers.*

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<sup>1</sup> Pursuant to ORS 537.630(3), upon the completion of beneficial use of water allowed under the permit, the permittee shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permittee shall submit a map of the survey and the claim of beneficial use.



### **Proposed Final Order Hearing Rights**

1. Under the provisions of OAR 690-315-0100(1) and 690-315-0060, the applicant or any other person adversely affected or aggrieved by the proposed final order may request a contested case hearing on the proposed final order. Your request for contested case hearing must be in writing and must be received by the Water Resources Department no later than **Friday, August 26, 2005**, being 45 days from the date of publication of the proposed final order in the Department's weekly public notice.
2. A written request for contested case hearing shall include:
  - a. The name, address and telephone number of the petitioner;
  - b. A description of the petitioner's interest in the final order and if the protestant claims to represent the public interest, a precise statement of the public interest represented;
  - c. A detailed description of how the action proposed in the final order would adversely affect or aggrieve the petitioner's interest;
  - d. A detailed description of how the final order is in error or deficient and how to correct the alleged error or deficiency;
  - e. Any citation of legal authority supporting the petitioner, if known;
  - f. Proof of service of the petition upon the water right permit holder, if petitioner is other than the water right permit holder; and
  - g. The protest fee required under ORS 536.050.
3. Within 60 days after the close of the period for requesting a contested case hearing, the Director shall:
  - a. Issue a final order on the extension request; or
  - b. Schedule a contested case hearing if a request for contested case hearing has been submitted, and:
    - 1) Upon review of the issues, the Director finds there are significant disputes related to the proposed agency action; or
    - 2) The applicant submitted a timely request for a contested case hearing.

**This document was prepared by Lisa J. Juul. If you have any questions about any of the statements contained in this document, I am most likely the best person to answer your questions. You may contact me by telephone at (503)986-0808.**

**If you have questions about how to file a protest or if you have previously filed a protest and want to know the status, please contact Mike Reynolds. His telephone number is (503)986-0820.**

**If you have other questions about the Department, or any of its programs, please contact our Water Resources Customer Service Group at (503)986-0801.**

**Address any correspondence to:**

**Water Rights Section  
Oregon Water Resources Department  
725 Summer Street NE, Suite A  
Salem, OR 97301-1271  
Fax #: (503)986-0901**



**NOTE:** Include a copy of the "Important Notice" document along with the original copy of the Final Order being sent to the permit holder.

## Mailing List for Extension FO Copies

Application #G-12042

FO Date: September 15, 2005

Permit #G-11146

Original mailed to:

Applicant: **Aspen Lakes Utility Co., LLC**  
Attn: **Matt Cyrus**  
16900 Aspen Lakes Drive  
Sisters, OR 97759

<b>Copies Mailed</b>	
By:	<u>MS</u> (SUPPORT STAFF)
on:	<u>9/16/05</u> (DATE)

**For Extension FO's - Copies sent to:**

1. WRD - Appl. File #G-12042 / Permit #G-11146
2. WRD - Watermaster District: #11 - Jeremy Giffin, Bend
3. ODFW - Biologist District: # 07 - Steve Marx, Bend
4. WRD - Support Staff, Salem...*Permit record update*

**Other interested parties:**

NONE

CASEWORKER: **LJJ**

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<b>Water Right Information Query Results</b>																																																																																																																																																																											
<p><b>Contact Information</b></p> <p>▼ <b>Current contact information</b></p> <p>OWNER: ASPEN LAKES DEVELOPMENT LLC ▶ KEITH CYRUS 16900 ASPEN LAKES DRIVE SISTERS, OR</p> <p>▼ <b>Prior contact information</b></p> <p>OWNER: ▶ KMB ENTERPRISES 17204 HIGHWAY 126 SISTERS, OR 97759</p>	<p><b>Documents</b> <a href="#">View all scanned documents</a></p> <p>▶ <b>Application: G 12042</b> <a href="#">digital map</a></p> <p>▶ <b>Permit: G 11146</b> <a href="#">document</a>, <a href="#">digital map</a>, <a href="#">paper map</a></p> <p>▶ <b>Order(s)</b></p> <p>▶ <a href="#">View right with New Web Mapping (beta)</a></p>																																																																																																																																																																										
<p><b>Water Right Information</b></p> <p>Status: Non-Cancelled County: Deschutes File Folder Location: Salem Watermaster District: 11</p>																																																																																																																																																																											
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[View Water Rights in same Family](#)

[Help understanding and working with the Water Rights Information System](#)

[Report Errors with Water Right Data](#)



# Extension "Final Order" Checklist

Application # G-12042 / Permit # G-11146

Permit Holder's Name Aspen Lakes Utility Co, LLC  
16900 Aspen Lakes Drive, Sisters, OR 97759

Attn:  
Matt  
Cyrus

This Final Order is processed under:  Div. 315 Rules -or-  Div. 320 Rules

✓ 1. Date Extension Request submitted: ~~12-22-2005~~ 12-8-97

✓ 2. Date permit was issued: 11-19-90

✓ 3. Original "B" Date from permit: 10-1-92  
(Date for completion of construction)

✓ 4. Original "C" Date from permit: 10-1-93  
(Date for complete application of water)

✓ 5. Extension PFO Date: 7-12-2005

✓ 6. WRD recommends extending "B" Date to: 10-1-2025  
and extending the "C" Date to: 10-1-2025

✓ 7. Any conditions from PFO: No

✓ 8. Protest Deadline Date from PFO: 8-26-2005

✓ 9. Any written Protests or written Comments received within the Protest period?  
Yes / No

Reviewer's Name: [Signature]

Date: 9-14-05

Aspen Lakes Utility Company, LLC  
16900 Aspen Lakes Drive  
Sisters, OR 97759  
(541) 548-0835

January 1, 2005

Lisa J. Juul, Water Rights Specialist  
Water Resources Department  
North Mall Office Building  
725 Summer St. NE, Suite A  
Salem, OR 97301-1271

Re: Water Right Application #G-12042 (Permit #G-11146)

Dear Ms. Juul,

Provided herein is the additional information that you requested for processing our extension of time for the above permit.

***Question #3 - OAR 690-315-0070(3)(d): Describe and supply documentation of actions taken to develop the water right permit:***

Prior to October 1, 1994, the water system, consisting of a well, pump station, reservoir, and distribution system was constructed. In addition, three services were connected. During the period of October 1, 1994 to October 1, 1999, five more residential services were connected. During the period of October 1, 1999 to October 1, 2004, another six residential services were connected.

***Question #10 - OAR 690-315-0070(3)(k):***

***A. Provide an estimated demand projection and description fo the methodology(ies) used for the subject water right permit, considering the other water rights and contracts held by the municipal or quasi-municipal water use permit holder, and a date by which the water development is anticipated to be completed and water put to full beneficial use.***

The permit covers approximately 520 acres of a 1,080 acre parcel of land zoned for residential development. In addition, there is a Destination Resort overlay Zone on the property. Given this overlay zone, the property can potentially be developed as a Destination Resort with a much higher density and more homes than the base RR-10 zone will allow. The current RR-10 zone will allow a maximum of 144 homesites (when combined with the adjacent 560 acres in Section 1), while a Destination Resort might allow as many as 400 or more homes. All of this property is within the service area of the utility company and the permit anticipates this increase in demand.

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The owner/developer of this property is currently working on an application that can be presented within the next six months that would convert the entire 1,080 acres into a Destination Resort. It is anticipated that this approval could take another year and construction could begin in 2007. A Destination Resort would likely include an additional 300 homesites, a 150 room motel facility with restaurant, and another 100 units of detached overnight lodging such as condominiums. Until this application is completed, the demand is a rough estimate at best. The engineers have estimated residential use at approximately 1.5 gallons per minute per home. This permit would allow for up to 53 total units (or less when commercial uses are added). These restrictions will need to be considered when the resort is designed.

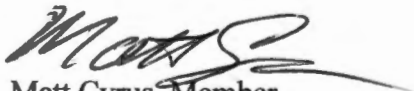
If needed, additional residential water can be obtained from Permit #G-11576. It covers the entire 1,080 acre parcel which includes the property listed on this permit and currently services only 115 homesites with its 800 gpm capacity. Additionally, irrigation permits #G-11577 and #G-11578 could potentially serve to irrigate landscape areas outside the homes if necessary there is insufficient water available from this permit.

*Question #11 - OAR 690-315-0070(3)(l): Please provide a summary of the plan and schedule to complete construction and/or perfect the water rights.*

The civil engineer has completed a very preliminary study of the possible demand, along with a projection of needed improvements for a resort expansion. The development of a Destination Resort will likely require the construction of an additional pump station and 750,000 gallon reservoir. This would include approximately 8,000 feet of new 12 inch supply line from the wells and potentially another 15,000 feet of distribution line. This construction would likely occur over the next five years, with full utilization of this permit within the next 20 years.

Thank you for the opportunity to supply additional information to the extension application. Please contact me if you have any other questions.

Sincerely,



Matt Cyrus, Member  
Aspen Lakes Utility Company, LLC

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SALEM, OREGON

Attachment to application for extension of time for Quasi-Municipal Water Use Permit for KMB Enterprises Application #G12042, Permit #G11146.

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SALEM, OREGON

**1. The appropriate fee, as specified under ORS 536.050.**

Extension fees have been submitted with previously submitted, but unprocessed extension applications. Please let us know if additional fees are required.

**2. For Quasi-Municipal water use permits, evidence of the action taken to begin actual construction on the project, if required under the applicable statute.**

Water system, including well, pump station, reservoir, water mains, and hookups, has been installed to service nineteen (19) homesites.

**3. Evidence of actions taken to develop the right within the permitted time period and/or time period of the previous extension.**

Water has been put to beneficial use on the lots that are currently hooked up to the water system. The water system operating under authority of the Oregon Health Division and is complying with monitoring and reporting requirements.

**4. Evidence of compliance with conditions contained in the permit and any previous extension(s). If any of the conditions have not been satisfied, please explain the reason(s) why.**

All requirements of this permit have been met except for the "complete application of the water by October 1, 1993." This is due to the fact that this was not possible within the time constraint. Timely extension applications have been submitted.

**5. Evidence of the maximum rate of water diverted to date, if any, for Quasi-Municipal or Municipal purposes.**

We estimate that each home uses approximately 3 gallons per minute for domestic and landscape irrigation. Based on this assumption, the 12 homes served by this system currently utilize approximately 36 gallons per minute. Flows increase significantly for short periods when the fire hydrants are in use.

**6. An estimate of the population served under this permit and a description of the methodology(ies) used to make this estimate.**

The estimated residential population served under this permit is 24. There are approximately 12 homes served by this system with an average of two persons per home.

**7. A description of the financial expenditures made toward completion of the water development.**

Approximately \$120,000 has been spend on drilling the well, installation of pump station and reservoir, and installation of 8" main lines to serve the existing 19 homesites.





**8. An estimate of the cost necessary to complete the water development.**

The estimated cost to complete service to the remaining homesites served by the initial distribution system is \$2,400. The system is designed to be expanded to serve additional property if said property receives additional land use permits. In this case, the completion of the additional system could cost as much as \$250,000.

**9. A summary of any events that delayed completion of the water development or application of water to full beneficial use, including other governmental requirements, if any, relation to the project that have significantly delayed completion of construction or perfection of the right.**

We are unable to achieve full utilization of the water right until all of the homesites have been fully developed. This is beyond our ability to control and it is impossible to anticipate when this might occur.

**10. An estimated demand projection and a description of the methodology(ies) used for the subject water right permit, considering the other water rights and contracts held by the municipal or quasi-municipal water use permit holder, and a date by which the water development is anticipated to be completed and water put to full beneficial use.**

**Extension requests for greater than 50 years must include documentation that the demand projection is consistent with the amount and types of lands and uses proposed to be served by the permit holder.**

The initial phase of this development was platted in 1990. In the past 13 years, less than half of the capacity of the system has been utilized. Based on the historical construction and the fact that additional land use permits will be required to reach full utilization, we estimate that it may take another 20 years to reach full utilization of this permit.

**11. A summary of the plan and schedule to complete construction and/or perfect the water right.**

It is our plan to perfect the water right as soon as we reach 100% utilization of the permit. Construction will be completed as necessary to supply water to new properties as the need arises. Specific timing of construction and perfection of the right is driven by market forces and growth and therefore unable to accurately quantify.

**12. Please provide justification for the time requested to complete the project and/or apply the water to full beneficial use.**

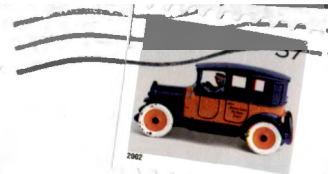
As described in #10 above, at the current rate of construction, it will likely take another 20 years to reach full utilization of this permit. It could take considerably longer than 20 years if adjacent properties within the service area are developed and additional demand is added to that currently projected.

**13. Any other information you wish the Department to consider while evaluating the extension of time application.**



KMB Enterprises  
17204 Hwy 126  
Sisters, OR 97759

25 MAR  
2003



Lisa Joul  
Water Rights Specialist  
Water Resources Dept.  
Commerce Building  
158 12<sup>th</sup> St. NE  
Salem, OR 97301-4172

97301+4172



# Mailing List for Extension PFO Copies

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Application #G-12042  
Permit #G-11146

PFO Date: July 12, 2005

Original mailed to:

Applicant: **Aspen Lakes Utility Company, LLC**  
Attn: **Matt Cyrus**  
**16900 Aspen Lakes Drive**  
**Sisters, OR 97759**

<b>Copies Mailed</b>	
By:	<u>AS</u> (SUPPORT STAFF)
on:	<u>7/12/05</u> (DATE)

For Extension PFO's - Copies sent to:

1. WRD - Appl. File #G-12042/ Permit #G-11146
2. WRD - Watermaster District: #11 - Jeremy Giffin, Bend
3. ODFW - Dist #7 - Steve Marx, Bend

Other interested parties:

NONE

CASEWORKER: LJJ

# APPLICATION FOR EXTENSION OF TIME

## for Quasi-Municipal and Municipal Water Use Permits

TO THE WATER RESOURCES DIRECTOR OF OREGON

I, KMB Enterprises Matt Cyrus  
NAME OF ENTITY NAME OF CONTACT

17204 Hwy 126 Sisters OR 97759 541-548-3149  
ADDRESS CITY STATE ZIP PHONE

owner of record, or duly authorized agent, of Application No. G12042 G1146  
~~G1146~~, Permit No. G12042,  
do hereby request that the time in which to:

complete the construction of diversion/appropriation works and/or purchase and installation of the equipment necessary to the use of water, which time now expires on October 1, 1997, be extended to October 1, 2025,

and/or the time in which to:

accomplish beneficial use of water to the full extent under the terms of the permit, which time now expires on October 1, 1997, be extended to October 1, 2025.

**NOTE:** Permit extensions for Quasi-Municipal and Municipal permits are evaluated under OAR Chapter 690, Division 315. Except under limited circumstances, upon issuance of an order approving an extension, you will be required to submit within 3 years a Water Management and Conservation Plan (WMCP) under OAR Chapter 690, Division 86. Diversion of water beyond the maximum rate currently diverted under the permit shall only be authorized upon approval of your WMCP. The rules may be viewed at: "[www.wrd.state.or.us/law/oar1999.shtml](http://www.wrd.state.or.us/law/oar1999.shtml)"

Attached are instructions to assist you in completing the information on the permit extension application form. Oregon Water Law and Administrative Rules require this information to be considered by the Water Resources Department when reviewing a Quasi-Municipal or Municipal water use permit extension application. For each permit, a separate extension application must be submitted. All items must be addressed or the application may be returned. Please feel free to provide the Department with any additional information or evidence that will aid us in making our decision. Please use additional sheets of paper as needed to fully respond to the questions.

After reviewing the application form and the instruction sheet, if you have any questions, you may contact the Department at (503) 378-3739, and request assistance from the Water Rights Division, permit extensions personnel.



**In order for the Department to evaluate your extension of time request for a Quasi-Municipal or Municipal water use permit, please provide the following:**

1. The appropriate fee, as specified under ORS 536.050.
2. For Quasi-Municipal water use permits, evidence of the actions taken to begin actual construction on the project, if required under the applicable statute.
3. Evidence of actions taken to develop the right within the permitted time period and/or time period of the previous extension.
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7. A description of the financial expenditures made toward completion of the water development.
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**Extension requests for greater than 50 years must include documentation that the demand projection is consistent with the amount and types of lands and uses proposed to be served by the permit holder.**

The initial phase of this development was platted in 1990. In the past 13 years, less than half of the capacity of the system has been utilized. Based on the historical construction and the fact that additional land use permits will be required to reach full utilization, we estimate that it may take another 20 years to reach full utilization of this permit.

**11. A summary of the plan and schedule to complete construction and/or perfect the water right.**

It is our plan to perfect the water right as soon as we reach 100% utilization of the permit. Construction will be completed as necessary to supply water to new properties as the need arises. Specific timing of construction and perfection of the right is driven by market forces and growth and therefore unable to accurately quantify.

**12. Any other information you wish the Department to consider while evaluating the extension of time application.**

**RECEIVED**

MAR 17 2003

WATER RESOURCES DEPT.  
SALEM, OREGON



11. A summary of the plan and schedule to complete construction and/or perfect the water right.
12. Justification for the time requested to complete the project and/or apply the water to full beneficial use.
13. Any other information you wish the Department to consider while evaluating the extension of time application.

I am the permittee, or have authorization from the permittee, to apply for an extension of time under this permit. I certify that the information I have provided in this application is true and correct to the best of my knowledge.

  
\_\_\_\_\_  
Signature

3-13-03  
\_\_\_\_\_  
Date

**MAIL COMPLETED APPLICATION *and* STATUTORY FEE (under ORS 536.050) TO:**

WATER RIGHT PERMIT EXTENSIONS  
WATER RESOURCES DEPARTMENT  
158 - 12<sup>th</sup> STREET NE  
SALEM, OREGON 97301-4172

**RECEIVED**  
MAR 17 2003  
WATER RESOURCES DEPT.  
SALEM, OREGON

Application # G-12042 / Permit # G-11146

## Route Slip ... Extension of Time

*per Division 315 Rules... (Extensions received on July 1, 2001 or after)*

- ◆ **WRIG...**  
Money Received: \$100.00 on 12-8-97
  
- ◆ **Lisa Juul...**  
Extension Completeness: OK  
✓ *If **NOT** complete, send certified letter requesting add'l information. )*

***If Extension Appl complete and \$100 fee submitted, route to...***

- ◆ **Jonnine Fuss...**  
Initial 30-day Public Notice: 4/1/007  
Update Extension Database: 4/1/007  
Files back to filing cabinets: back to her

***At the close of the Initial 30-day Comment Period...***

- ◆ **Lisa Juul...**  
Pull files for Ext PFO review: \_\_\_\_\_  
Extension PFO completed: \_\_\_\_\_

***Once Extension PFO signed by Dwight French...***

- ◆ **Jonnine Fuss...**  
Prepare Ext PFO for mailing to applicant: \_\_\_\_\_  
Mail to those who commented **and** paid copy fee: \_\_\_\_\_  
Include Ext PFO on weekly Public Notice: \_\_\_\_\_

***Within 60 days after the close of the 45-day PFO Protest Period...***  
*(PFO Protest Period ends 45 days from PFO sign date)...*

- ◆ **Lisa Juul...**  
Issue an Extension FO: \_\_\_\_\_

lines run to 19

homesites -----

—————  
12 homes have  
been constr.



# Municipal or Quasi-Municipal EXTENSION REVIEW CHECKLIST for PFO... per Div. 315 Rules

Application #: G-12042 / Permit #: G-11146

Permittee's Name: KMB Enterprises *See assignment*

Permittee's Mailing Address: 17204 Hwy 126, Sisters, OR 97759

POD Location: Township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_ ¼ ¼ \_\_\_\_\_

Stream Basin: 5 Deschutes County: Deschutes

✓1. Has the applicant completely filled out the updated Extension Application form?  Yes /  No *\$100.00 - Yes*  
\*\*\*If "No"..... has certified request for the new extension form been sent?  Yes /  No

✓2. Shortcomings of Extension Request.... based upon review of updated extension form  Yes /  No  
\*\*\***(NOTE: Any missing Extension information that is needed before an Extension PFO can be completed???)**

✓3. Date Permit was issued: 11-19-90 (priority = 3-7-90)

✓4. Source: One Well in Squaw Cr. Basin

✓5. Use: Quasi-Municipal

✓6. "Q": 0.18 cfs

\_\_\_7. Original "B" Date: 10-1-92 Original "C" Date: 10-1-93

\_\_\_8. Conditions of Permit: Original "A" Date: 11-19-91

\_\_\_9. Extension request received: original 12-8-97 3-17-03 Request Number (...1<sup>st</sup> 2<sup>nd</sup>, 3<sup>rd</sup>): 2nd

\_\_\_10. Last Authorized "B" Date: 10-1-97 Last Authorized "C" Date: 10-1-97

\_\_\_11. Proposed "B" Date: 10-1-2025 Proposed C Date: 10-1-2025

12. Amount Invested to date: \$120,000.00 Estimated Total Cost: 372,500.00  
(320%) (\*\*\*) Estimated Remaining Cost: 252,400.00

13. The water project development made to date has been accomplished in accordance with the terms and conditions contained in the permit. Yes / No \*\*\*If "No"..... What permit terms and/or conditions have not been met?

• A Date met → See Well log. - Well constr. began 9-7-89.

14. Work on the water development project completed to date includes: \_\_\_\_\_  
• drilling of well  
• construction of pump station and reservoir  
• construction of water distribution system  
• Used up to 36 gpm (0.08 cfs)

15. The work remaining to be completed consists of: \_\_\_\_\_  
• completion of construction  
• complete application of water to beneficial use.

16. Progress in perfecting the permit is being held up by: \_\_\_\_\_  
• Delay of development → waiting for

17. Has the applicant pursued perfection of the right in good faith and with reasonable diligence? Yes / No  
Last extension period = installation of service connections

18. Determination of the market and the present demand for water or power to be supplied: \_\_\_\_\_  
• used 0.08 of 0.18 cfs allowed  
• population served = 24 r home / 2 per home  
• Land use permits ↔ Destination resort

19. Based on the written record, can the Department make a finding of "Good Cause" to approve the extension request?  
Yes... "Good Cause" can be found. → Approval of Extension Request  
No ... "Good Cause" cannot be found. → Denial of Extension Request

20. Conditions to be included on Extension PFO: none

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**Extension "PFO" Dates** Checklist Last Revised: 1 / 31 / 2003

Mailing / Issuance Date: \_\_\_\_\_ Reviewer's Name: \_\_\_\_\_

Protest Deadline Date: \_\_\_\_\_ Date: \_\_\_\_\_

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# Water Rights Information Query Results

Name	Application	Permit	Certificate	Decree	Claim	Transfer	Status
ASPEN LAKES UTILITY CO. LLC 16900 ASPEN LAKES DR SISTERS OR  <i>Prior Owner</i>	G12042 ✓	G11146					NC
KMB ENTERPRISES 17204 HIGHWAY 126 SISTERS OR 97759 (details)							
ASPEN LAKES UTILITY CO. LLC 16900 ASPEN LAKES DR SISTERS OR  <i>Prior Owner</i>	G12419 ✓	G11576					NC
KMB ENTERPRISES 17204 HWY 126 SISTERS OR 97759 (details)							
ASPEN LAKES UTILITY CO. LLC 16900 ASPEN LAKES DR SISTERS OR  <i>Prior Owner</i>	irrigation already extended G12420	G11577					NC
KMB ENTERPRISES 17204 HWY 126 SISTERS OR 97759 (details)							
WILDHORSE MEADOWS LLC 16900 ASPEN LAKES DR SISTERS OR 97759  <i>Prior Owner</i>	G12421	G11578					NC
KMB ENTERPRISES 17204 HWY 126 SISTERS OR 97759 (details)							

Page:1

[Download Place of Use Data](#), [Point of Diversion Data](#), or [Owner Data](#)

[Return to the Water Right Information search screen](#)

*Phillip C. Ward, Acting Director*

Oregon Water Resources Department • 725 Summer ST NE, Suite A • Salem, OR 97301 • Phone: 503-986-0900 • Fax: 503-986-0903



Application # G-12042 / Permit # G-1146

Permit Holder: Aspen Lakes Utility Company, LLC

Place a (✓) in the box if the item is satisfied

**Division 315 - Municipal/Quasi-Municipal  
Extension of Time - Completeness Checklist  
OAR 690-315-0070(3)**

✓	<p>1. [OAR 690-315-0070(3)] The appropriate extension of time fee (as specified in ORS 536.050).     \$100 - applications received by September 30, 2003     \$250 - applications received on or after October 1, 2003</p>
✓	<p>* [OAR 690-315-0070(3)(a)] The name and mailing address of the water right permit holder(s); • see new permit holders</p>
✓	<p>* [OAR 690-315-0070(3)(b)] The application number and the permit number for which an extension is requested;</p>
✓	<p>2. [OAR 690-315-0070(3)(c)] For quasi-municipal water use permit holders, evidence of the actions taken to begin actual construction on the project, as defined in 690-315-0020(3)(d), if required under the applicable statute;</p> <p><b>NOTE:</b> ORS 537.230(1) [1997 edition] only exempts surface water municipal use permits from the "A" Date requirement. If you are reviewing a ground water municipal use permit... they must provide evidence that the "A" Date has been met.</p> <ul style="list-style-type: none"><li>• "Actual construction" means physical work performed towards completion of the water system, which demonstrates both the present good faith of the water right permit holder and the water right permit holder's intention to complete the project with reasonable diligence;</li><li>• "Actual construction" does not include planning a diversion system, formulating a business plan, securing financing, letting contracts, purchasing but not installing equipment, or surveying.</li></ul> <p>• see well log</p>
✗	<p>3. [OAR 690-315-0070(3)(d)] Evidence of actions taken to develop the right within the permitted time period and/or time period of the previous extension;</p> <p>✗ OK</p>
✓	<p>4. [OAR 690-315-0070(3)(e)] Evidence of compliance with conditions contained in the permit and any previous extension(s) or the reason the condition was not satisfied;</p>
✓	<p>5. [OAR 690-315-0070(3)(f)] Evidence of the maximum rate of diversion, if any, made to date;</p>
✓	<p>6. [OAR 690-315-0070(3)(g)] An estimate of the population served and a description of the methodology(ies) used to make the estimate;</p>



Place a (✓) in the box if the item is satisfied

**Division 315 - Municipal/Quasi-Municipal  
Extension of Time - Completeness Checklist  
OAR 690-315-0070(3)**

✓ **7. [OAR 690-315-0070(3)(h)]**

A description of financial expenditures made toward completion of the water development;

✓ **8. [OAR 690-315-0070(3)(i)]**

An estimate of the cost to complete the water development;

✓ **9. [OAR 690-315-0070(3)(j)]**

A summary of any events that delayed completion of the water development or application of water to full beneficial use, including other governmental requirements, if any, relating to the project that have significantly delayed completion of construction or perfection of the right;

X **10. [OAR 690-315-0070(3)(k)]**

An estimated demand projection and a description of the methodology(ies) used for the subject water right permit, considering the other water rights held by the municipal or quasi-municipal water use permit holder, and a date by which the water development is anticipated to be completed and water put to full beneficial use. Extension requests for greater than 50 years must include documentation that the demand projection is consistent with the amount and types of lands and uses proposed to be served by the permit holder.

✓ **11. [OAR 690-315-0070(3)(l)]**

A summary of the applicant's plan and schedule to complete construction and/or perfect the water right;

OK

✓ **12. [OAR 690-315-0070(3)(m)]**

Justification for the time requested to complete the project and/or apply the water to full beneficial use;

✓ **13. [OAR 690-315-0070(3)(n)]**

Any other information the applicant determines is relevant to evaluate the application in accordance with applicable statutes and rules;

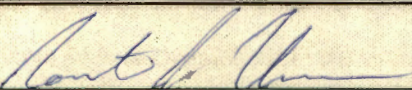
✓ **\* [OAR 690-315-0070(3)(o)]**

Any other information required by the Department that is necessary to evaluate the application in accordance with applicable statutory requirements.

✓ **\* Signature(s) of the water right permit holder(s).**

S:\groups\wr\extensions\Extension Team\Muni & Quasi-Muni Project\completeness checklist\_div 315 muni.wpd

Name of Reviewer:



Date:

8/5/04





# Oregon

John A. Kitzhaber, M.D., Governor

## Water Resources Department

Commerce Building  
158 12th Street NE  
Salem, OR 97301-4172  
(503) 378-3739  
FAX (503) 378-8130  
[www.wrd.state.or.us](http://www.wrd.state.or.us)

December 18, 2002

KMB ENTERPRISE  
17204 HIGHWAY 126  
SISTERS OR 97759

REFERENCE: Permit #G11146 (Application File #G12042) and the Adoption of New Administrative Rules for Municipal and Quasi-Municipal Water Use Permit Extensions

Dear Municipal and/or Quasi-Municipal Water Use Permit Extension Applicant:

The Water Resources Commission has adopted new administrative rules that govern the processing of Municipal and Quasi-Municipal permit extension requests. The new rules are contained in Oregon Administrative Rules Chapter 690, Division 315 (OAR 690-315-0070 through 690-315-0100). If you wish to view a copy of the new Chapter 690, Division 315 Extension Rules, you may access the document from the Department's web page at:

[http://www.wrd.state.or.us/cgi-bin/notices.pl?new\\_oars](http://www.wrd.state.or.us/cgi-bin/notices.pl?new_oars)

The Department is preparing to implement the new Division 315 extension rules. As part of this process, we assessed pending permit extension applications and determined there is not sufficient information to meet the requirements of the new Division 315 standards. The Department, therefore, must receive the following:

- 1. Please complete and return the enclosed new "Application for Extension of Time for Quasi-Municipal and Municipal Water Use Permits." Note that the Department has also enclosed a copy of your previously submitted Extension of Time application and related attachments for your use.**

You may also access the "Application for Extension of Time for Quasi-Municipal and Municipal Water Use Permits" on the Department's website at:

<http://www.wrd.state.or.us/publication/forms/index.shtml>

Please submit this information by **March 18, 2003**.



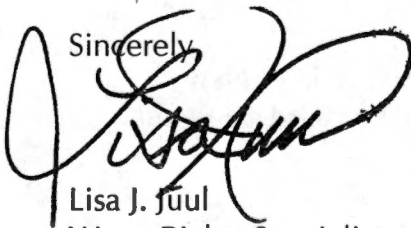


December 18, 2002  
Page two of two

If you have an urgent need for the Department to process your extension request, please describe in a cover letter the circumstances that necessitate prompt review.

You may contact me by telephone at 503-378-8455, extension 272 if you have any questions concerning the new rules or our request for additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Lisa J. Juul", written over the word "Sincerely,".

Lisa J. Juul  
Water Rights Specialist  
Water Rights Section

enclosures

cc: Application File #G12042 (Permit #G11146)

**RECEIVED**

FEB 07 2000

**APPLICATION FOR EXTENSION OF TIME  
TO THE WATER RESOURCES DIRECTOR OF OREGON**

WATER RESOURCES DEPT  
SALEM, OREGON

I, KMB Enterprises  
NAME

17204 Hwy 126 Sisters, OR 97759 541-548-0835  
ADDRESS CITY STATE ZIP PHONE

owner of record, or duly authorized agent, of Application No. G-12042, Permit No. G-11146, do hereby request that the time in which to:

complete the construction of diversion/appropriation works and/or purchase and installation of the equipment necessary to the use of water, which time now expires on October 1, 1997, be extended to October 1, 2015,

and/or the time in which to:

accomplish beneficial use of water to the full extent under the terms of the permit, which time now expires on October 1, 1997, be extended to October 1, 2015.

**NOTE: The extension of time requested should be long enough to finish the project. Should this request be approved, it will be the Department's expectation that you will complete your project within the new time period allowed. Future extensions may not be granted.**

**Attached is an instruction sheet to assist you in completing the information on the permit extensions application form. Oregon Water Law and Administrative Rules requires this information to be considered by the Water Resources Department when reviewing a permit extension. All items must be completed or the application will be returned. Please feel free to provide the Department with any additional information that would aid us in making our decision. Please use additional sheets of paper as needed to fully respond to the questions.**

**After reviewing the application form and the instruction sheet, if you have any questions, please contact the Department at 1-800-624-3199, or locally in the Salem vicinity at (503) 378-3739, and request assistance from the Water Rights Division, permit extensions personnel.**

1-Did water system construction/well drilling begin within the time specified in the permit [yes/no]?  
Yes

2-Has construction of diversion/appropriation works, distribution system, and use of water, if any, been accomplished consistent with the limitations and conditions of this permit [yes/no]? Yes

*db ✓*

A) Please describe how you have complied with each applicable permit condition (NOTE: the instruction sheet for permit extension applications provides some direction as to what is an "applicable" condition at time of permit extension review). Construction was comenced within the terms of the permit and extensions secured for completion of construction and complete application of the water.

**RECEIVED**

FEB 07 2000

WATER RESOURCES DEI  
SALEM, OREGON

B) If you have not complied with all applicable conditions, please explain the reasons why and indicate a date certain, in the near future, by which time you will be in compliance with applicable conditions.

3-I have accomplished the following described works, purchases and installation of equipment necessary to the use of water under said permit:

A) Within the past year or, if a prior extension was authorized, during the last permit extension period:  
Two additional homes have been added to the system.

B) Prior to the past year or, if a prior extension was authorized, prior to the last extension period:  
Drilled well, installed pump station, distribution system, and connected seven homes.

C) I have accomplished beneficial use of water under the permit to the extent of (amount of water used or acres irrigated): The system currently supplies domestic water to nine homes and provides a source for fire protection water for that area of the fire district.



FEB 07 2000

4-Cost of project to date \$120,000. Estimated remaining cost to complete project \$3,000.

WATER RESOURCES DEPT  
SALEM, OREGON

5-Please list the reasons why the project was not constructed, and/or water not beneficially used within permit time limits under the appropriate categories below. Please provide supporting information for each reason identified.

A) The project is of a size and scope that the original intent was to phase it in over a period longer than the timeframes allowed in the permit. This water serves a nineteen lot subdivision. Full utilization will not be reached until all lots are built on. The original time limits were not realistic for this to occur.

B) Financing and/or cash-flow needs to develop the project precluded completion of the project within authorized timeframes. N/A

C) Good faith attempts to comply with permit conditions and/or to acquire permits from other agencies, or otherwise comply with government regulations, delayed completion of the project. N/A

D) Acts of God or other unforeseen events delayed full development of the water system and use of water. N/A

6-Please identify the economic market or markets to which beneficial use of water under the permit is responding. The water under this permit is for domestic use for nineteen homesites as well as fire protection for a much larger area.

**RECEIVED**

FEB 07 2000

WATER RESOURCES DEPT  
SALEM, OREGON

A) Has there been any change in this market since the permit was issued? No.

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B) Have these changes, if any, affected the economic feasibility of your project? No.

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7-Are there other present competing demands for water in your community? Not that we are aware of for water of this permit type and source.

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A) Has there been any change in these demands for water since the permit was issued? Not that we are aware of.

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B) Are you aware of alternative sources of water that may be able to satisfy the competing demands? No.

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C) Are you aware of any adverse affects on your source of water that may have been caused by recent changes in use of water in your community? No.

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**RECEIVED**

FEB 07 2000

WATER RESOURCES DEPT  
SALEM, OREGON

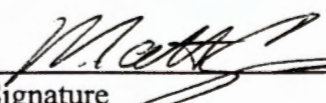
8-Will the income or use from the water development project authorized by this permit provide reasonable returns against the investment in the project?

Yes, this project is more cost effective than drilling nineteen separate domestic wells.

9-If the extension request is denied, is the current level of water use economically feasible?

No - Ten lots would be required to drill their own wells, and the current system would have excess capacity.

I am the permittee, or have authorization from the permittee, to apply for an extension of time under this permit. I understand that false or misleading statements in this extension application are grounds for the Department to suspend processing of the request and/or reason to deny the extension.

  
Signature

2-1-00  
Date

**MAIL COMPLETED APPLICATION AND STATUTORY FEE OF \$ 100 TO:**

WATER RIGHT PERMIT EXTENSIONS  
WATER RESOURCES  
158 12TH ST NE  
SALEM, OREGON 97310



RECEIVED

SEP 28 1999

WATER RESOURCES DEPT  
SALEM, OREGON

# APPLICATION FOR EXTENSION OF TIME

## TO THE WATER RESOURCES DIRECTOR OF OREGON

I, KMB Enterprises

<u>17204 Hwy 126 Sisters, OR 97759</u>					<u>541-548-0835</u>	<u>fax 541-548-0481</u>
ADDRESS	CITY	STATE	ZIP	PHONE		

record owner of application No. G-12042 permit No. G-11146, do hereby request that the time in which to:

complete the construction of works and/or purchase and installation of the equipment necessary to the use of water, which time now expires on October 1, 1997, be extended to October 1, 2015, and/or the time in which to

accomplish beneficial use of water to the full extent under the terms of the permit, which time, now expires on October 1, 1997, be extended to October 1, 2015.

The extension of time requested should be long enough to finish the project. Should this request be approved, it will be the Department's expectation that you will complete your project within the new time period allowed. Future extensions may not be granted.

1-Did water system construction/well drilling begin within the time specified in the permit [yes/no]? Yes

2-Have you put any water to use under this permit [yes/no]? Yes  
If yes, has that use been made consistent with the terms and conditions of the permit [yes/no]? yes If no, please explain.  
Which terms and/or conditions have not been completely fulfilled at this time. \_\_\_\_\_

3-I have accomplished the following described works, purchases and installation of equipment necessary to the use of water under said permit.

(a) within past year Two additional homes have been added to the system.

(b) prior to this past year Drilled well, installed pump stations, distribution system, and connected to seven homes.

• and have accomplished beneficial use of water to the extent of (amount of water used or acres irrigated) \_\_\_\_\_

Deliver water to 9 homes.

---

---

4-Cost of project to date \$120,000. Projected cost for completion of project None.

5-Have there been any unforeseen events which delayed development of water system? \_\_\_\_\_

None

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---

6-Have there been any significant government requirements that have delayed the completion of construction or application of water ? [please explain] \_\_\_\_\_

---

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7-What reasons was the project not completed within permit time limits ? \_\_\_\_\_

It takes several years for the project to be built out and the water fully utilized.

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8-Has there been any change in the demand for water or power since permit was issued? (please explain) \_\_\_\_\_

None

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9-Has there been any change in the market for water or power since the permit was issued? (please explain) \_\_\_\_\_

None

---

---

10-Will the income or use from this project provide reasonable returns against the investment in this project? (please explain)

Yes, it was required in order to sell the lots.

11-If the extension request is denied, is the current level of water use economically feasible? (please explain)

No, ten lots would be required to drill their own wells.

12-Is there an alternative source of water available [yes/no please explain ]?

Yes, however, each homesite would need to drill an individual well:

13-Has the use of water under the permit caused an adverse impact on the surface/groundwater resource in the area ? (please explain)

Not that we are aware of.

All items must be completed or the application will be returned. Please feel free to provide the Department with any additional information you might have that would aid us in making our decision. Please use an additional sheet of paper, if needed.

I am the permittee or have authorization from the permittee to apply for an extension of time under this permit. I understand that false or misleading statements in this extension application are grounds for the Department to suspend processing of the request and/or reason to deny the extension.

Signature 

MAIL COMPLETED APPLICATION TO:  
WATER RIGHT PERMIT EXTENSIONS  
WATER RESOURCES  
158 12TH ST NE  
SALEM, OREGON 97310



# Application for Extension of Time

TO THE WATER RESOURCES DIRECTOR OF OREGON

**RECEIVED**

I, KMB Enterprises

Name

DEC - 8 1997

17204 Hwy 126

Mailing Address

WATER RESOURCES DEPT.  
SALEM, OREGON

Sisters, OR 97759

City

State

Zip

record owner of water permit No. G-11146, do hereby request that the time in which to:

complete the construction of works and/or purchase and installation of the equipment necessary to the use of water, which time now expires on October 1, 1997, be extended to October 1, 1999 and/or the time in which to

accomplish beneficial use of water to the full extent now intended under the terms of said permit, which time now expires on October 1, 19   , be extended to October 1, 19   .

I have accomplished the following described works and/or purchase and installation of equipment necessary to the use of water under said permit:

(1) within the past year \_\_\_\_\_  
\_\_\_\_\_

(2) prior to this past year Water system has been constructed and homes continue to be  
hooked up to the system.

(3) and have accomplished beneficial use of water to the extent of (IF FOR IRRIGATION, STATE HOW MANY ACRES HAVE BEEN IRRIGATED) Approximately half of the homes in the Rim at Aspen  
Lafes subdivision have been hooked up and are using water.

(If additional space is required, attach separate sheet)

KMB Enterprises by *Mark S.*, Partner  
(If signing for a corporation please identify your title)

Dated 12-2-97

MAIL COMPLETED APPLICATION AND STATUTORY FEE OF \$100.00 FOR EACH PERMIT TO:

Water Resources Department

Water Resources Department  
158 12th Street NE  
Salem, Oregon 97310-0210

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

G-12042  
 ASPEN LAKES UTILITY COMPANY  
 LLC  
 16900 ASPEN LAKES DRIVE  
 SISTERS OR 97759

2. Article Number

(Transfer from service label)

7004 1160 0007 2344 0346

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

William Cyrus

 Agent Addressee

B. Received by (Printed Name)

William Cyrus

C. Date of Delivery

10-6-04

D. Is delivery address different from item 1?  YesIf YES, enter delivery address below:  No

PO Box 1600

3. Service Type

 Certified Mail Express Mail Registered Return Receipt for Merchandise Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee)

 Yes

UNITED STATES POSTAL SERVICE



First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4 in this box •

WATER RESOURCES DEPARTMENT  
725 SUMMER STREET NE SUITE A  
SALEM OR 97301-1271

**RECEIVED**

**OCT 08 2004**

**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 97301-1271  
503-986-0900  
FAX 503-986-0904

**CERTIFIED MAIL**  
**Return Receipt Requested**

October 4, 2004

ASPEN LAKES UTILITY COMPANY LLC  
16900 ASPEN LAKES DRIVE  
SISTERS, OREGON 97759

REFERENCE: Water Right Application #G-12042 (Permit #G-11146)

Dear Quasi-Municipal Water Use Permit Extension Applicant:

The Department is currently in the process of evaluating your request for an extension of time on the above referenced quasi-municipal water use permit. The Department has determined additional information is necessary in order to evaluate your extension of time request. The information and/or materials listed below must be provided:

***Question #3 - OAR 690-315-0070(3)(d): Describe and supply documentation of actions taken to develop the water right permit:***

Your response to Question #3 of the Municipal/Quasi-Municipal extension of time application describes the beneficial use of water and compliance with monitoring and reporting requirements. **Please provide evidence and describe work or action that occurred specifically during your prior extension period of October 1, 1992 to October 1, 1997. NOTE: Please indicate the number of service connections established between October 1, 1992, and October 1, 1997. Additionally indicate the number of service connections established from October 1, 1997, to October 1, 2004.** Installation of additional Water Service Connections or increased beneficial use of water are considered work accomplished. As described in OAR 690-315-0080(3) the Department shall consider activities including: water management planning; conservation planning; development of a water master plan for the Oregon Health Division; planning of a diversion system; demand forecasting; flow or water quality monitoring; source evaluation; entry into intergovernmental agreements for water delivery; property acquisition; engagement in governmental permitting or project financing; procurement of planning, design, or construction services; surveying; and any physical work performed toward completion of the system and development of the right.

**Question #10 - OAR 690-315-0070(3)(k):**

**A. Provide an estimated demand projection and a description of the methodology(ies) used for the subject water right permit, considering the other water rights and contracts held by the municipal or quasi-municipal water use permit holder, and a date by which the water development is anticipated to be completed and water put to full beneficial use.**

Your response to Question #10 of the Municipal/Quasi-Municipal extension of time application describes the need for additional land use permits to reach full utilization.. **Assuming land use permits are acquired, please specify the projected total number of homes/lots that will be served by the water system when full beneficial use of water under Permit #G-11146 is completed.**

Prepare a qualitative analysis indicating the date by which you anticipate to fully develop the water right permit being extended (i.e., the date requested in your extension application). In developing your estimated demand projections for the permit being extended, you should describe the following:

- 1) Current Peak Water Demands  
Describe the current demands for water. Indicate annual average, peak season, and peak day water demand figures.
- 2) Projected Population  
Identify the projected population growth rate and the associated future demands for water. Describe the methodology used to create the population and water demand projections, such as historical growth rates or any factors affecting growth trends.
- 3) Potential Growth  
Describe the potential for growth of the service area (such as the annexation of lands or new industrial and/or commercial ventures locating within the service area) and describe how those projects are expected to affect future water demands.
- 4) Inventory of Water Rights Held  
List all water rights held. The Department's website ([www.wrd.state.or.us](http://www.wrd.state.or.us)) may be a helpful source for compiling this information.

Indicate which water rights are used to meet current water demands. Additionally, describe the manner in which the subject permit, other water rights and/or any water supply contracts you may hold are utilized to meet these present water needs. Identify any water rights not currently utilized, or used only in a limited capacity, and explain the reason(s) why. Describe any factors affecting use of the water rights, such as: system redundancy; emergency back-up water supply; climate patterns resulting in seasonal unavailability or high turbidity issues; reliability or quality of existing water supplies; and/or agreements to supply water to other entities.

Describe how the subject permit, other water rights and/or any water supply contracts you may hold are planned or expected to be used to meet anticipated future water needs.

5) Other Justification

Provide any other information that justifies your current and future need for the water under the subject permit.

**Question #11 - OAR 690-315-0070(3)(l):** Please provide a summary of the plan and schedule to complete construction and/or perfect the water right.

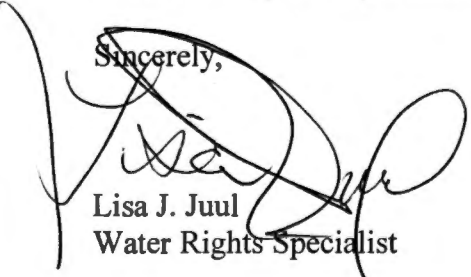
Considering your demand projections in Item #10 and assuming additional land use permits are secured, describe major future projects, if any, that must be completed in order to fully develop and perfect the subject permit. Provide a list of the planning, work and/or actions that must occur and identify the projected time schedule within which you anticipate they will be accomplished. You may wish to review Capital Improvement Plans (CIP) or other system infrastructure improvement plans to help formulate your response.

Please submit this information to the Department by **January 4, 2005**. If you cannot provide the requested information by this deadline, you must notify the Department in writing, explaining the reason(s) why, and indicate a date certain by which you anticipate the requested information can be supplied.

If the Department has not received the requested information by **January 4, 2005**, and has not received written notification explaining why the deadline for submittal cannot be met, the Department **will** return your "Application for Extension of Time for Quasi-Municipal and Municipal Water Use Permits" as incomplete and refund all fees paid toward the extension of time request.

If you should have any questions concerning your extension request or the required materials listed above, you may contact Jonathan Unger at (503) 986-0802, or Lisa Juul at (503) 986-0808.

Sincerely,



Lisa J. Juul  
Water Rights Specialist

Enclosures      Copy of pending Application for Extension of Time, rec'd 3/17/03  
Copy of Permit #G-11146

cc:      Appl #G-12042      (Permit #G-11146)  
Jeremy Giffin, Watermaster District #11



**Permit Extension Division 86 Plan Condition Review**

**Date:** May 19, 2005  
**To:** Bill Fujii, Field Services  
**From:** Jonathan Unger, Permit Extension Review  
**Subject:** WMCP review for Extension of Time for Appl #G-12042 / Permit #G-11146

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The above referenced permit is currently being reviewed for an Extension of Time. The permit holder serves a population of less than 1000 **and/or** has demonstrated that fewer than 5 years are necessary to fully develop the permit. In accordance with OAR 690-315-0090(4) and (5), the permit holder is not subject to submittal of a Water Management and Conservation Plan consistent with OAR Chapter 690, Division 86 unless, upon review of the criteria under OAR 690-315-0080(1) and (2), the Department determines submittal of a Plan is necessary.

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**Permit Information**

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**Permit Holder Name  
and Mailing Address:** Aspen Lakes Utility Co. LLC  
16900 Aspen Lakes Drive  
Sisters, OR 97759

**Source of Water:** One Well in Squaw Creek Basin

**POD Location:** T14S R10E NE SW 1/4 1/4 of Section 35

**Purpose or Use:** Quasi-Municipal

**Maximum Rate:** 0.18 cfs

**Current Population Served  
and/or # of Service Connections:** population- 24

**Future Population to be Served  
and/or # of Service Connections:** Permit holder is applying for permits that will allow development of a Destination Resort. Destination resort zoning could allow for up to 400 or more homes, a 150 room motel facility with restaurant, and another 100 condo units. If the approval is granted the future population served by this permit would likely exceed 1000.

**Requested Duration  
of Extension:** 10/1/2025

**STEP #1: Please choose one of the following options by placing a (✓) in the appropriate box:**

- 1. No Water Management and Conservation Plan (WMCP) required; or  
(♣♣ If you choose Option #1, go to "STEP #3" below.)
- 2. WMCP required within \_\_\_ years.  
[Being not more than 3 years from the date of issuance of a final order for extension of time, in accordance with OAR 690-315-0090(3).]; or  
(♣♣ If you choose Option #2, see "STEP #2" below.)
- 3. Other\*: \_\_\_\_\_  
(NOTE to FS staff: Other recommendations may be forwarded with the approval of the Field Services Administrator. [See OAR 690-315-0090(4) and (5)])  
(♣♣ If you choose Option #3, see "STEP #2" below.)

**STEP #2: If you choose Options #2 or #3 above:**

- a. To the best of your ability, the requirement for submittal of a Div. 86 WMCP should coincide with other due dates already in the Muni Plan Access Database; **and**
- b. You should provide an explanation that justifies your determination to require a Div. 86 WMCP. The explanation justifying your determination should be expressed in a manner consistent with the Finding of Fact language below. This Finding of Fact language will be included in the Extension of Time Proposed Final Order document.

**Finding of Fact Language for Extension of Time Proposed Final Order**

In accordance with OAR 690-315-0090(4) and/or (5), the Department has determined that, based upon \_\_\_\_\_, the permit holder shall be subject to OAR 690-315-0090(3) requiring submittal of a new/revised Water Management and Conservation Plan consistent with OAR Chapter 690, Division 86. The required Water Management and Conservation Plan shall be submitted to the Department within \_\_\_ years from the date this extension is final.

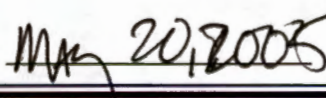
**Justification language:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**STEP #3: Sign, Date and Return to Extension Staff:**

Reviewer's Signature: 	Date: 
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# Oregon

Theodore R. Kulongoski, Governor

## Water Resources Department

North Mall Office Building  
725 Summer Street NE, Suite A  
Salem, OR 97301-1271  
503-986-0900  
FAX 503-986-0904

November 5, 2003

Aspen Lakes Utility Company, LLC  
16900 Aspen Lakes Drive  
Sisters, Oregon 97759

Reference: Application G-12042, Permit G-11146  
Application G-12419, Permit G-11576  
Application G-12420, Permit G-11577

The assignment from KMB Enterprises to Aspen Lakes Utility Company, LLC., has been recorded in the records of the Water Resources Department.

Our records have been changed accordingly and the original request is enclosed. Receipt number 63967 covering the recording fee of \$25.00 is also enclosed.

Sincerely,

Jerry Sauter  
Water Rights Program Analyst

Enclosure: receipt 63967

cc: Watermaster 11  
KMB Enterprises  
Data Center, OWRD  
Mary Rohling  
File



# REQUEST FOR ASSIGNMENT

RECEIVED  
OCT 28 2003  
WATER RESOURCES DEPT  
SALEM, OREGON

I, KMB Enterprises  
(Name of Applicant / Permit Holder)

17204 Hwy 126                      Sisters                      OR                      97759                      541-548-3149  
(mailing address)                      (City)                      (State)                      (Zip)                      (Phone #)

### CHECK ONE

- ...hereby assign ***all my interest*** in and to application/permit;
- ...hereby assign ***all my interest*** in and to a ***portion*** of application/permit;  
*(You must include a map showing the portion of the application/permit to be assigned.)*
- ...hereby assign ***a portion of my interest*** in and to the ***entire*** application/permit;

Application # G-12042, G-12419, G-12420 <sup>is 105</sup>, Permit # G-11146, G-11576, G-11577 ;

-OR-

GR Statement # \_\_\_\_\_, GR Certificate of Registration # \_\_\_\_\_

as filed in the office of the Water Resources Director, to:

Aspen Lakes Utility Company, LLC  
(Name of New Owner)

16900 Aspen Lakes Drive                      Sisters                      OR                      97759                      541-548-0835  
(mailing address)                      (City)                      (State)                      (Zip)                      (Phone #)

**NOTE:** *If there are other owners of the property described in this Application, Permit or Certificate of Ground Water Registration, you must provide a list of all other owners' names and mailing addresses and attach it to this form.*

I hereby certify that I have notified all other owners of the property described in this Application, Permit or Certificate of Registration of this request for assignment.

Witness my hand this 22nd day of October, 2003.

Applicant/Permit holder KMB Enterprises by [Signature]

Applicant/Permit holder \_\_\_\_\_

### DO NOT WRITE IN THIS BOX

- This certifies assignment and record change at Oregon Water Resources Department effective 8:00a.m. on date of receipt at Salem, Oregon.  
- Fee receipt # 63967  
- For Director by Jerry Santora, Program Analyst in Water Rights Division [Signature]

The completed "Request for Assignment" form *must be* submitted to the Department along with the appropriate recording fees:

- ◆ \$25 for the first page, and
- ◆ \$5 for ***each additional page.***  
*[as required by ORS 536.050(1)(d)]*

*[Handwritten notes and signatures]*  
11/5/03

WATER RESOURCES DEPARTMENT  
158 12<sup>TH</sup> STREET NE  
SALEM, OREGON 97301-4172

**SENDER:**

- Complete items 1 and/or 2 for additional services.  
 Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1.  Addressee's Address  
 2.  Restricted Delivery

**KMB ENTERPRISES**  
**17204 HWY 126**  
**SISTERS OR 97759**



4a. Article Number

P 56549.

4b. Service Type

- Registered  Certified  
 Express Mail  Insured  
 Return Receipt for Merchandise  COD

7. Date of Delivery

5. Received By: (Print Name)

*Keely Chynn*

6. Signature (Addressee or Agent)

8. Addressee's Address (Only if requested and fee is paid)

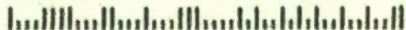
UNITED STATES POSTAL SERVICE



First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10

● Print your name, address, and ZIP Code in this box ●

WATER RESOURCES DEPT  
158 12TH ST NE  
SALEM OR 97310







# Oregon

John A. Kitzhaber, M.D., Governor

August 31, 1999  
CERTIFIED MAIL

Water Resources Department

Commerce Building  
158 12th Street NE  
Salem, OR 97310-0210  
(503) 378-3739  
FAX (503) 378-8130

KMB ENTERPRISES  
17204 HWY 126  
SISTERS OR 97759

REFERENCE: APPLICATION FILE G12042

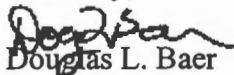
Your application for more time to perfect your water use permit # G11146 was received December 8, 1997.

As you may know, new rules governing extension requests were adopted this year. The process for granting approval of extension requests is under more scrutiny now than in the past. Our new rules require a rigorous review of evidence submitted by the permit holder to ensure that the proposed extension is not detrimental to the public interest. To that end, all applicants are required to complete a new application form, a copy of which is enclosed. Please answer each question on the form. Feel free to include any additional information that you feel may help your case.

The information you provided in your December 8, 1997 application is not sufficient to justify approval of your extension request under our current rules. Please be advised that failure to provide the information requested on the enclosed application form by October 1, 1999 will result in denial of your extension request.

If you need further assistance please contact the Water Rights Section at the address listed above or phone (503) 378-3739.

Sincerely,



Douglas L. Baer

Water Rights Technician

enc: new extension application form

CC: Watermaster #11

File





# Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

Commerce Building  
158 12th Street NE  
Salem, OR 97310-0210  
(503) 378-3739  
FAX (503) 378-8130

**CERTIFIED MAIL**  
**Return Receipt Requested**

JANUARY 14, 2000

KMB ENTERPRISES  
17204 HWY 126  
SISTERS, OR 97759

RE: File # G 12042, Permit G 11146

Dear Applicant :

The Department is currently in the process of evaluating your request for an extension on the above referenced permit. However, based upon continued review, the Department has determined that additional information is necessary in order to evaluate your extension request. The following information must be received:

- ▶ Please fill out and return the enclosed new extension request form. Due to the new extension rules adopted by the Department, the original form that you submitted no longer contains sufficient information for the Department to properly evaluate an extension request.

Please submit this information by **February 14, 2000**. Failure to submit the requested information by this deadline **may** result in the proposed rejection of your extension request.

*If you need to request additional time to submit **the application for an extension of time**, a written request must be received in the Salem office of the Department by the deadline above. The Department will evaluate timely requests and determine whether or not the request may be granted.*

Should you have any questions regarding your extension request or the required materials listed above, please call me at (503) 378-8455, extension 272, or toll free within Oregon at 1-800-624-3199.



Sincerely,

  
Dallas Miller  
Senior Water Rights Technician

Enclosure: New Extension Request Form

cc: Watermaster District #11



**STATE OF OREGON  
WATER RESOURCES DEPARTMENT**

RECEIPT #

**17887**

158 12TH ST. N.E.  
SALEM, OR 97310-0210  
378-8455 / 378-8130 (FAX)

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

RECEIVED FROM: Aspen Lakes Development  
BY: \_\_\_\_\_

APPLICATION	G12042
PERMIT	G11146
TRANSFER	

CASH:  CHECK: #  96-601 OTHER: (IDENTIFY)

TOTAL REC'D \$ 100.00

**0417 WRD MISC CASH ACCT**

ADJUDICATIONS	\$
PUBLICATIONS / MAPS	\$
OTHER: (IDENTIFY)	\$
OTHER: (IDENTIFY)	\$

**REDUCTION OF EXPENSE**

CASH ACCT.	\$
VOUCHER #	

**0427 WRD OPERATING ACCT**

MISCELLANEOUS		
4407 COPY & TAPE FEES	\$	
4410 RESEARCH FEES	\$	
4408 MISC REVENUE: (IDENTIFY)	\$	<u>100.00</u>
TC165 DEPOSIT LIAB. (IDENTIFY)	\$	

PCA 66111

extension of time

<b>WATER RIGHTS:</b>	<b>EXAM FEE</b>		<b>RECORD FEE</b>
0201 SURFACE WATER	\$	0202	\$
0203 GROUND WATER	\$	0204	\$
0205 TRANSFER	\$	0206	\$
<b>WELL CONSTRUCTION</b>	<b>EXAM FEE</b>		<b>LICENSE FEE</b>
0218 WELL DRILL CONSTRUCTOR	\$	0219	\$
LANDOWNER'S PERMIT		0220	\$

**0437 WELL CONST. START FEE**

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

**0539 LOTTERY PROCEEDS**

1302 LOTTERY PROCEEDS	\$
-----------------------	----

**0467 HYDRO ACTIVITY**

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

RECEIPT #

**17887**

DATED: 12-8-97

BY: J Bloman

378-2485 (378-9330 FAX)  
SALMON OR 97140-0210  
188 1/2TH ST. N.E.

INVOICE #

APPLIC. FEE	
PERMIT	
TRANSFER	

TOTAL RECEIVED	
----------------	--

WELL MISC CASH ACCT

ADJUDICATIONS	
PUBLICATIONS FARE	
OTHER (IDENTIFY)	
OTHER (IDENTIFY)	

REDUCTION OF EXPENSE

WELL CASH ACCT	
----------------	--

2nd Ext Request  
(1st submittal)

WELL DRILL	
LANDOWNER'S PERMIT	
OTHER (IDENTIFY)	
WELL CONST START FEE	
WELL CONST START FEE	
MONITORING WELLS	
OTHER (IDENTIFY)	

LOTTERY PROCEEDS

LOTTERY PROCEEDS	
------------------	--

HYDRO ACTIVITY

HYDRO LICENSING FEE (FORWARD)	
HYDRO LICENSING FEE (RETURN)	
HYDRO PUMP FEE	



# Application for Extension of Time

TO THE WATER RESOURCES DIRECTOR OF OREGON

**RECEIVED**

I, KMB Enterprises  
Name

17204 Hwy 126  
Mailing Address

Sisters, OR 97759  
City State Zip

DEC - 8 1997

WATER RESOURCES DEPT.  
SALEM, OREGON

record owner of water permit No. G-11146, do hereby request that the time in which to:

- complete the construction of works and/or purchase and installation of the equipment necessary to the use of water, which time now expires on October 1, 1997 be extended to October 1, 1999 and/or the time in which to
- accomplish beneficial use of water to the full extent now intended under the terms of said permit, which time now expires on October 1, 19   , be extended to October 1, 19   .

I have accomplished the following described works and/or purchase and installation of equipment necessary to the use of water under said permit:

(1) within the past year \_\_\_\_\_  
\_\_\_\_\_

(2) prior to this past year Water system has been constructed and homes continue to be  
hooked up to the system.

(3) and have accomplished beneficial use of water to the extent of (IF FOR IRRIGATION, STATE HOW MANY ACRES HAVE BEEN IRRIGATED) Approximately half of the homes in the Rim at Aspen  
Lafes subdivision have been hooked up and are using water.

(If additional space is required, attach separate sheet)

KMB Enterprises by Matt S., Partner  
(If signing for a corporation please identify your title)

Dated 12-2-97

MAIL COMPLETED APPLICATION AND STATUTORY FEE OF \$100.00 FOR EACH PERMIT TO:

Water Resources Department

Water Resources Department  
158 12th Street NE  
Salem, Oregon 97310-0210



RECEIVED

SEP 28 1999

WATER RESOURCES DEPT.  
SALEM, OREGON

APPLICATION FOR EXTENSION OF TIME

TO THE WATER RESOURCES DIRECTOR OF OREGON

I, KMB Enterprises  
17204 Hwy 126 Sisters, OR 97759 <sup>NAME</sup> 541-548-0835 fax 541-548-0481  
ADDRESS CITY STATE ZIP PHONE

record owner of application No. G-12042 permit No. G-11146, do hereby request that the time in which to:

complete the construction of works and/or purchase and installation of the equipment necessary to the use of water, which time now expires on October 1, 1997, be extended to October 1, 2015, and/or the time in which to

accomplish beneficial use of water to the full extent under the terms of the permit, which time, now expires on October 1, 1997, be extended to October 1, 2015.

The extension of time requested should be long enough to finish the project. Should this request be approved, it will be the Department's expectation that you will complete your project within the new time period allowed. Future extensions may not be granted.

1-Did water system construction/well drilling begin within the time specified in the permit [yes/no]? Yes

2-Have you put any water to use under this permit [yes/no]? Yes  
If yes, has that use been made consistent with the terms and conditions of the permit [yes/no]? yes If no, please explain. Which terms and/or conditions have not been completely fulfilled at this time. \_\_\_\_\_

3-I have accomplished the following described works, purchases and installation of equipment necessary to the use of water under said permit.

(a) within past year Two additional homes have been added to the system.

(b) prior to this past year Drilled well, installed pump stations, distribution system, and connected to seven homes.

2<sup>nd</sup> Ext. Request  
(2<sup>nd</sup> submittal)

6 and have accomplished beneficial use of water to the extent of (amount of water used or acres irrigated) \_\_\_\_\_

Deliver water to 9 homes.

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4-Cost of project to date \$120,000. Projected cost for completion of project None.

5-Have there been any unforeseen events which delayed development of water system? \_\_\_\_\_

None

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6-Have there been any significant government requirements that have delayed the completion of construction or application of water ? [please explain] \_\_\_\_\_

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7-What reasons was the project not completed within permit time limits ? \_\_\_\_\_

It takes several years for the project to be built out and the water fully utilized.

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8-Has there been any change in the demand for water or power since permit was issued? (please explain) \_\_\_\_\_

None

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9-Has there been any change in the market for water or power since the permit was issued? (please explain) \_\_\_\_\_

None

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10-Will the income or use from this project provide reasonable returns against the investment in this project? (please explain)

Yes, it was required in order to sell the lots.

11-If the extension request is denied, is the current level of water use economically feasible? (please explain)

No, ten lots would be required to drill their own wells.

12-Is there an alternative source of water available [yes/no please explain ]?

Yes, however, each homesite would need to drill an individual well.

13-Has the use of water under the permit caused an adverse impact on the surface/groundwater resource in the area ? (please explain)

Not that we are aware of.

All items must be completed or the application will be returned. Please feel free to provide the Department with any additional information you might have that would aid us in making our decision. Please use an additional sheet of paper, if needed.

I am the permittee or have authorization from the permittee to apply for an extension of time under this permit. I understand that false or misleading statements in this extension application are grounds for the Department to suspend processing of the request and/or reason to deny the extension.

Signature 

MAIL COMPLETED APPLICATION TO:  
WATER RIGHT PERMIT EXTENSIONS  
WATER RESOURCES  
158 12TH ST NE  
SALEM, OREGON 97310

RECEIVED

FEB 07 2000

WATER RESOURCES DEPT  
SALEM, OREGON

# APPLICATION FOR EXTENSION OF TIME TO THE WATER RESOURCES DIRECTOR OF OREGON

I, KMB Enterprises  
NAME

17204 Hwy 126 Sisters, OR 97759 541-548-0835  
ADDRESS CITY STATE ZIP PHONE

owner of record, or duly authorized agent, of Application No. G-12042, Permit No. G-11146, do hereby request that the time in which to:

complete the construction of diversion/appropriation works and/or purchase and installation of the equipment necessary to the use of water, which time now expires on October 1, 1997, be extended to October 1, 2015,

and/or the time in which to:

accomplish beneficial use of water to the full extent under the terms of the permit, which time now expires on October 1, 1997, be extended to October 1, 2015.

**NOTE: The extension of time requested should be long enough to finish the project. Should this request be approved, it will be the Department's expectation that you will complete your project within the new time period allowed. Future extensions may not be granted.**

**Attached is an instruction sheet to assist you in completing the information on the permit extensions application form. Oregon Water Law and Administrative Rules requires this information to be considered by the Water Resources Department when reviewing a permit extension. All items must be completed or the application will be returned. Please feel free to provide the Department with any additional information that would aid us in making our decision. Please use additional sheets of paper as needed to fully respond to the questions.**

**After reviewing the application form and the instruction sheet, if you have any questions, please contact the Department at 1-800-624-3199, or locally in the Salem vicinity at (503) 378-3739, and request assistance from the Water Rights Division, permit extensions personnel.**

1-Did water system construction/well drilling begin within the time specified in the permit [yes/no]?  
Yes

2-Has construction of diversion/appropriation works, distribution system, and use of water, if any, been accomplished consistent with the limitations and conditions of this permit [yes/no]? Yes

*db ✓*

2<sup>nd</sup> Ext. Request  
(3<sup>rd</sup> submittal)



A) Please describe how you have complied with each applicable permit condition (NOTE: the instruction sheet for permit extension applications provides some direction as to what is an "applicable" condition at time of permit extension review). Construction was comenced  
within the terms of the permit and extensions secured for completion of  
construction and complete application of the water.

RECEIVED

FEB 07 2000

WATER RESOURCES DEF  
SALEM, OREGON

B) If you have not complied with all applicable conditions, please explain the reasons why and indicate a date certain, in the near future, by which time you will be in compliance with applicable conditions.

3-I have accomplished the following described works, purchases and installation of equipment necessary to the use of water under said permit:

A) Within the past year or, if a prior extension was authorized, during the last permit extension period:  
Two additional homes have been added to the system.

B) Prior to the past year or, if a prior extension was authorized, prior to the last extension period:  
Drilled well, installed pump station, distribution system, and  
connected seven homes.

C) I have accomplished beneficial use of water under the permit to the extent of (amount of water used or acres irrigated): The system currently supplies domestic water to nine homes and pro  
vides a source for fire protection water for that area of the fire district.

FEB 07 2000

4-Cost of project to date \$120,000. Estimated remaining cost to complete the project \$3,000.

WATER RESOURCES DEPT  
SALEM, OREGON

5-Please list the reasons why the project was not constructed, and/or water not beneficially used within permit time limits under the appropriate categories below. Please provide supporting information for each reason identified.

A) The project is of a size and scope that the original intent was to phase it in over a period longer than the timeframes allowed in the permit. This water serves a nineteen lot subdivision. Full utilization will not be reached until all lots are built on. The original time limits were not realistic for this to occur.

B) Financing and/or cash-flow needs to develop the project precluded completion of the project within authorized timeframes. N/A

C) Good faith attempts to comply with permit conditions and/or to acquire permits from other agencies, or otherwise comply with government regulations, delayed completion of the project. N/A

D) Acts of God or other unforeseen events delayed full development of the water system and use of water. N/A

6-Please identify the economic market or markets to which beneficial use of water under the permit is responding. The water under this permit is for domestic use for nineteen homesites as well as fire protection for a much larger area.



**RECEIVED**

FEB 07 2000

**WATER RESOURCES DEPT.  
SALEM, OREGON**

A) Has there been any change in this market since the permit was issued? No.

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B) Have these changes, if any, affected the economic feasibility of your project? No.

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7-Are there other present competing demands for water in your community? Not that we are aware of for water of this permit type and source.

---

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A) Has there been any change in these demands for water since the permit was issued? Not that we are aware of.

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B) Are you aware of alternative sources of water that may be able to satisfy the competing demands? No.

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---

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---

---

C) Are you aware of any adverse affects on your source of water that may have been caused by recent changes in use of water in your community? No.

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---

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RECEIVED

FEB 07 2000

WATER RESOURCES DEPT  
SALEM, OREGON

8-Will the income or use from the water development project authorized by this permit provide reasonable returns against the investment in the project?

Yes, this project is more cost effective than drilling nineteen separate domestic wells.

9-If the extension request is denied, is the current level of water use economically feasible?

No - Ten lots would be required to drill their own wells, and the current system would have excess capacity.

I am the permittee, or have authorization from the permittee, to apply for an extension of time under this permit. I understand that false or misleading statements in this extension application are grounds for the Department to suspend processing of the request and/or reason to deny the extension.

  
Signature

2-1-00  
Date

MAIL COMPLETED APPLICATION AND STATUTORY FEE OF \$ 100 TO:

WATER RIGHT PERMIT EXTENSIONS  
WATER RESOURCES  
158 12TH ST NE  
SALEM, OREGON 97310



# Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

Commerce Building  
158 12th Street NE  
Salem, OR 97310-0210  
(503) 378-3739  
FAX (503) 378-8130

**CERTIFIED MAIL**  
Return Receipt Requested

JANUARY 14, 2000

**RECEIVED**

FEB 07 2000

WATER RESOURCES DEPT.  
SALEM, OREGON

KMB ENTERPRISES  
17204 HWY 126  
SISTERS, OR 97759

RE: File # G 12042, Permit G 11146

Dear Applicant :

The Department is currently in the process of evaluating your request for an extension on the above referenced permit. However, based upon continued review, the Department has determined that additional information is necessary in order to evaluate your extension request. The following information must be received:

- ▶ Please fill out and return the enclosed new extension request form. Due to the new extension rules adopted by the Department, the original form that you submitted no longer contains sufficient information for the Department to properly evaluate an extension request.

Please submit this information by **February 14, 2000**. Failure to submit the requested information by this deadline **may** result in the proposed rejection of your extension request.

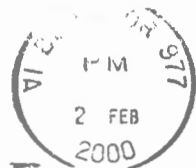
*If you need to request additional time to submit **the application for an extension of time**, a written request must be received in the Salem office of the Department by the deadline above. The Department will evaluate timely requests and determine whether or not the request may be granted.*

Should you have any questions regarding your extension request or the required materials listed above, please call me at (503) 378-8455, extension 272, or toll free within Oregon at 1-800-624-3199.





16900 Aspen Lakes Drive  
Sisters, Oregon 97759



Dallas Miller, Senior Water Rights Technician  
Water Resources Department  
Commerce Building  
158 12th Street NE  
Salem, OR 97310-0210

97310-0210





February 6, 1995

---

WATER  
RESOURCES  
DEPARTMENT

---

KMB ENTERPRISE  
17204 HWY 126  
SISTERS OR 97759

REFERENCE: File G-12042

We have received your application for extension of the time limits to complete construction and make complete application of water under Permit G-11146. We also have your check in the amount of \$100.

The application indicates reasonable diligence toward completion of the proposed project. The time limits to complete construction and make complete application of water are extended to October 1, 115811. The order approving the extension was entered February 2, 1995 in Special Order Volume 49, Page 12.

If you have any questions, please contact the Water Rights Section at 378-3739, or toll-free 1-800-624-3199.

Sincerely,

A. REED MARBUT, Administrator  
Water Rights/Adjudication Division

ARM:jh

enclosure



---

Commerce Building  
158 12th Street NE  
Salem, OR 97310-0210  
(503) 378-3739  
FAX (503) 378-8130



# Application for Extension of Time

**RECEIVED**

**AUG 22 1994**

WATER RESOURCES DEPT.  
SALEM, OREGON

TO THE WATER RESOURCES DIRECTOR OF OREGON

I, KMB Enterprises  
Name

17204 Hwy 126  
Mailing Address

Sisters Oregon 97759  
City State Zip

record owner of water permit No. G-11146, do hereby request that the time in which to:

- complete the construction of works and/or purchase and installation of the equipment necessary to the use of water, which time now expires on October 1, 19  , be extended to October 1, 19  ; and/or the time in which to
- accomplish beneficial use of water to the full extent now intended under the terms of said permit, which time now expires on October 1, 1993, be extended to October 1, 1998.

I have accomplished the following described works and/or purchase and installation of equipment necessary to the use of water under said permit:

(1) within the past year \_\_\_\_\_  
\_\_\_\_\_;

(2) prior to this past year Community water system has been completed and is supplying  
water to three homes and common area.  
\_\_\_\_\_;

(3) and have accomplished beneficial use of water to the extent of (IF FOR IRRIGATION, STATE HOW MANY ACRES HAVE BEEN IRRIGATED) Three homes are now using water with up to five  
more expected within the next year. Development is continuing and water  
use is increasing.  
\_\_\_\_\_

(If additional space is required, attach separate sheet)

KMB Enterprises by Matt A  
(If signing for a corporation please identify your title)

Receipt #  
115811  
8-22-94

Dated 8-18-94

MAIL COMPLETED APPLICATION AND STATUTORY FEE OF \$100.00 FOR EACH PERMIT TO:

Water Resources Department  
3850 Portland Road N.E.  
Salem, Oregon 97310

OK  
BC 10-1-97  
JES



1. - WELL 0.18 CFS Q-M  
80 GPM

2. WELL DRILLED  
65K GAL TANK  
3800' 8"  $\phi$  WATERLINE  
3 PUMPS AT BOOSTER PUMP STATION  
3 HOMES SERVED

3 YES

4.

5. < 10%

6. NOTHING GIVEN

7. NO

8. NO

9. NO, PLAN TO EXPAND

10. NO

11/12 NO INFO

NO LETTERS FROM WATER WATCH

BL 10-1-97

1/25 Am



EXTENSION CHECKLIST

FILE DOCUMENT - FOR OFFICE USE ONLY

APPLICATION NO: G-12042 PERMIT NO: G-11146

DATE: 1-5-95

1. What service area or base was anticipated by the applicant at the time the permit was granted?
2. What water right development steps has the permittee completed to date?
3. Is the permittee currently meeting all conditions of the permit?
4. What is the current use of water under the permit?
5. What percent of the total allowable use under the permit does the current use represent?
6. Have there been any unforeseen events (over which the permittee has no control) which could reasonably have delayed development under the permit?
7. Has there been any change in the market for either water or power since the permit was granted which could have affected the development program under the permit?
8. Has there been any change in demand for water or power since the permit was granted?
9. If the extension request is denied, is the current level of water use under the permit economically feasible?
10. Is there an alternate source of water available at this time?
11. Has use of water under the permit caused an adverse impact on the surface/ground water resource in the area?
12. Have there been claims of injury to other water right holders or water users in the area?

REMARKS:



**STATE OF OREGON  
WATER RESOURCES DEPARTMENT**

RECEIPT # **115811**

158 12TH ST. N.E.  
SALEM, OR 97310-0210  
378-8455 / 378-8130 (FAX)

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

RECEIVED FROM: Km B Enterprises  
BY: \_\_\_\_\_

APPLICATION	12042
PERMIT	11146
TRANSFER	

CASH:  CHECK: # 96-618 OTHER: (IDENTIFY)

**TOTAL REC'D \$ 100.-**

**01-00-0 WRD MISC CASH ACCT**

842.010	ADJUDICATIONS	\$
831.087	PUBLICATIONS / MAPS	\$
830.650	PARKING FEES Name / month	\$
_____	OTHER: (IDENTIFY)	\$

**REDUCTION OF EXPENSE**

_____	CASH ACCT.	\$
_____	VOUCHER #	\$

**03-00-0 WRD OPERATING ACCT**

<b>MISCELLANEOUS</b>		
840.001	COPY FEES	\$
850.200	RESEARCH FEES	\$
880.109	MISC REVENUE: (IDENTIFY) <u>Extension</u>	\$ 100.-
520.000	OTHER (P-6) (IDENTIFY)	\$

**WATER RIGHTS:**

842.001	SURFACE WATER	EXAM FEE	842.002	RECORD FEE
842.003	GROUND WATER	\$	842.004	\$
842.005	TRANSFER	\$	842-006	\$

**WELL CONSTRUCTION**

842.022	WELL DRILL CONSTRUCTOR	EXAM FEE	842.023	LICENSE FEE
_____	LANDOWNER'S PERMIT	\$	842.024	\$

OTHER (IDENTIFY) \_\_\_\_\_

**06-00-0 WELL CONST. START FEE**

842.013	WELL CONST START FEE	\$	CARD #	
_____	MONITORING WELLS	\$	CARD #	
_____	OTHER (IDENTIFY)			

**45-00-0 LOTTERY PROCEEDS**

864.000	LOTTERY PROCEEDS	\$
---------	------------------	----

**07-00-0 HYDRO ACTIVITY**

842.011	POWER LICENSE FEE (FW/WRD)	LIC NUMBER	\$
842.115	HYDRO LICENSE FEE (FW/WRD)		\$
_____	HYDRO APPLICATION		\$

RECEIPT #

**115811**

DATED: 8-22-94

BY: D. Bussnell



July 18, 1994

*8-8-94  
MNT CYNUS CHECK & SAID  
PROJECT IS NOT COMPLETE & 1/2 MIB  
TAKEN WITH STATE EXP. JED*

RIM AT ASPEN LAKES ASSN INC  
DAVID LEE PRES  
17204 HWY 126  
SISTERS OR 97759

REFERENCE: File G-12042

This letter is in regard to your water use Permit G-11146. As we pointed out to you in our letter of October 5, 1993, your claim of beneficial use must be received in this office by September 30, 1994.

Oregon Administrative Rule 690-14-190 states: "The claim of beneficial use shall be submitted to the Department within one year after the use was reported..as being complete...Failure to comply with this section shall cause the Director to initiate permit cancellation proceedings as provided by ORS 537.260."

The "claim" consists of a site report and map of the developed use prepared by a Certified Water Right Examiner. A request from the permittee for issuance of a certificate of water right must accompany the claim.

You are hereby notified that unless your claim is received on or before September 30, 1994, your permit will be cancelled without further notice.

If you have any questions, please contact the Water Rights Section.

TES:jh

cc: Kyle Gorman, Watermaster District #11  
David Bateman, CWRE

CERTIFIED - RETURN RECEIPT REQUESTED



MEMORANDUM

DATE: March 20, 1990

TO: Application/ Permit Section

FROM: Groundwater Section by Don Mill  
(signature)

SUBJECT: Application # G- 12042

The application referenced above and available data has been reviewed under the guidelines of the Director's policy memo of October 19, 1989.

We find that the proposed groundwater use falls within the following category:

       CATEGORY 1A - The proposed well will be located less than 1/4 mile from the nearest stream, and significant surface water interference will exist.

       CATEGORY 1B - The proposed well will be located less than 1/4 mile from the nearest stream, but significant surface water interference will not exist.

  X   CATEGORY 2A - The proposed well will be located more than 1/4 mile from the nearest stream, and significant surface water interference will not exist.

       CATEGORY 2B - The proposed well will be located more than 1/4 mile from the nearest stream, but significant surface water interference will exist at the nearest point on the stream.

REMARKS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

STATE OF OREGON

COUNTY OF DESCHUTES

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

KMB ENTERPRISE  
17204 HIGHWAY 126  
SISTERS, OREGON 97759

503-548-3149

to use the waters of ONE WELL in the SQUAW CREEK BASIN for QUASI-MUNICIPAL USES.

This Permit is issued approving Application G-12042. The date of priority is MARCH 7, 1990. The use is limited to not more than 0.18 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the well.

The well is located as follows:

NE 1/4 SW 1/4, SECTION 35, T 14 S, R 10 E, W.M.; 1372 FEET NORTH AND 2343 FEET EAST FROM SW CORNER, SECTION 35.

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

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

E 1/2  
NW 1/4 NW 1/4  
S 1/2 NW 1/4  
SW 1/4  
SECTION 35  
TOWNSHIP 14 SOUTH, RANGE 10 EAST, W.M.

The well shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevations in the well at all times. When required by the department, the permittee shall install and maintain a weir, meter, or other suitable measuring device, and shall keep a complete record of the amount of ground water withdrawn.

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

Actual construction work shall begin on or before November 19, 1991, and shall be completed on or before October 1, 1992. Complete application of the water shall be made on or before October 1, 1993.

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

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







## Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE 378-3066

March 23, 1990

KMB Enterprise  
An Oregon Partnership  
17204 Hwy. 126  
Sisters, OR 97759

REFERENCE: File G-12042

We received your application on March 7, 1990, describing the proposed use of 0.18 cubic foot of water from one well within Squaw Creek Basin for Quasi-Municipal Uses. Supporting data and fees in the amount of \$300 were also received. Our Receipt 61581 is enclosed. The application has been assigned file number G-12042 and will be reviewed in detail as time allows.

Applications which are received in proper form with required maps, supporting data and fees can be considered for approval by issuance of permits following a mandatory 30-day waiting period and after public interest matters are resolved.

Applications which require additional information will be returned for correction and/or completion. In those cases, the process will, of course, be further delayed. If you feel that a delay in the processing of your application will cause a hardship, please advise.

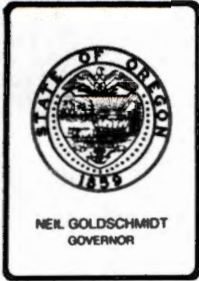
If the application is approved, the permit authorizing the described project will be subject to the Water Resources Commission's Basin Program statements, prior rights, and would require that the well be constructed and maintained in accordance with the General Standards for the Construction of Water Wells in Oregon. If you have any questions regarding these provisions or the Well Standards, please contact this office.

Sincerely,

STEPHEN C. BROWN  
Water Rights Specialist  
Applications/Permit Section

Enclosure  
SCB:tcb  
cc: David K. Bateman, CWRE





## Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE 378-3739

May 8, 1990

David K. Bateman  
David Evans and Associates, INC.  
709 NW Wall Street, Suite 102  
Bend, OR 97701

Reference: File G-12042  
KMB Enterprises

Dear Mr. Bateman:

I am writing to confirm the items discussed by our phone conversation of May 7.

The current use of water as described by the application is quasi-municipal. Our Administrative Rule 690-11-010(18) states quasi-municipal use:

Delivery and use of water through the water service system of a non profit corporation created for the purpose of operating a water supply system, for those uses usual and ordinary to a municipal water supply system.

From the information contained in the remarks section of the application it would appear the proper uses should be described as domestic use for 19 families and irrigation. I would like to point out that the industrial use (maintenance of a fire suppression system) not exceeding 5000 gallons per day (gpd) and the domestic use not exceeding 15,000 gpd is exempt from filing for a water right permit and that use is protected by statute (ORS 537.545). If you submit a superseding application for any exempted use we will process it even though the use is exempt.

I hope this clarifies the uses to be described by the application. If you have any questions, please contact me.

Sincerely,

Stephen C. Brown  
Senior Water Rights Specialist  
Field Operations Division

cc: Bob Main, Regional Manager  
KMB ENTERPRISES

0071



September 27, 1990

RECEIVED

OCT -1 1990

CYRX0001

WATER RESOURCES DEPT.  
SALEM, OREGON

Stephen C. Brown  
Water Resources Dept.  
3850 Portland Road  
Salem, OR 97310

RE: File G-12042 KMB Enterprises

Dear Mr. Brown:



I am writing in response to your letter dated May 8, 1990.

KMB Enterprises and I would like the existing application to be processed as submitted for Quasi-Municipal.

We are aware of the 15,000 gallon exemption for domestic. Lawns and gardens for 19 lots will also be irrigated from this same well requiring an application for irrigation. We feel quasi-municipal will cover both uses and not require on the ground mapping of the irrigated areas.

Sincerely,

DAVID EVANS AND ASSOCIATES, INC.

A handwritten signature in blue ink that reads 'David K. Bateman'. The signature is fluid and cursive.

David K. Bateman, P.L.S.  
Office Manager

DKB/klc

March 2, 1990

CYR-001

Water Rights Division  
Water Resources Department  
3850 Portland Rd NE  
Salem, OR 97310

RECEIVED  
MAR 07 1990  
WATER RESOURCES DEPT.  
SALMON, OREGON

RE: Groundwater Application

Enclosed please find an application to appropriate groundwater, for Quasi-Municipal Use; the application map, legal description, well log, and \$300.00 check (\$200.00 for examination fee plus \$100.00 for first cubic foot per second or fraction thereof).



The surface elevation of the well is 100 feet above the streambed of Squaw Creek and the well driller reached water 124 feet below the elevation of Squaw Creek. After review of the materials drilled through and consideration of the elevation differential between Squaw Creek and the water bearing sand, we therefore feel this groundwater source is not hydraulically connected to the stream.

Sincerely,

DAVID EVANS AND ASSOCIATES, INC.

*David K. Bateman*

David K. Bateman, P.L.S., C.W.R.E.  
Office Manager

**Application No.** 6-12042  
**Permit No.**

● **SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1.  Show to whom delivered, date, and addressee's address. (Extra charge)      2.  Restricted Delivery (Extra charge)

3. Article Addressed to:

RIM AT ASPEN LAKES ASSN INC  
DAVID LEE PRES  
17204 HWY 126  
SISTERS OR 97759

4. Article Number

P56567

Type of Service:

- Registered       Insured  
 Certified       COD  
 Express Mail       Return Receipt for Merchandise

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature — Addressee

X

G-12042 jh

6. Signature — Agent

X

Kelly Ayers

7. Date of Delivery

7-27-94

8. Addressee's Address (ONLY if requested and fee paid)



UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS

**SENDER INSTRUCTIONS**

Print your name, address and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.



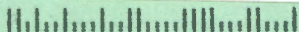
PENALTY FOR PRIVATE  
USE, \$300

RETURN  
TO



Print Sender's name, address, and ZIP Code in the space below.

WATER RESOURCES DEPARTMENT  
3850 PORTLAND ROAD NE  
SALEM OR 97310



RECEIVED

SEP 30 1993

-----THE RIM AT ASPEN LAKES ASSOCIATION, INC.----- WATER RESOURCES DEPT.  
SALEM, OREGON

September 28, 1993

Mr. William H. Young  
Water Resources Department  
3850 Portland Road NE  
Salem, Oregon

Re: Notice of Complete Application of Water  
Application No. G-12042; Permit No. G-11146

*See note on  
our 7-16-94 letter  
JES*

Dear Sir:

The deep water well which is the object of Water Rights Permit No. G-11146 was constructed to serve as the domestic water supply for a 19 lot rural residential subdivision near Sisters, Oregon. Construction of the well was completed in 1989. The subdivision improvements were completed and the water applied to beneficial use in April of 1991. The completed water system consists of the deep well, a 65,000 gallon storage reservoir, a booster pump station, and 3800 feet of 8" diameter distribution piping providing flow to 19 service connections and 8 fire hydrants. The well is equipped with a submersible pump capable of delivering 80 gpm. The booster pump station has three pumps capable of delivering 50 gpm, 150 gpm and 750 gpm, respectively.

On September 21, 1991, the completed water system was transferred from the original applicant to the Rim at Aspen Lakes Association, Inc. for operation and maintenance.

We would like to inform the Department that the water applied for in the Water Right Application is now being fully appropriated and was so prior to the completion date of October 1, 1993 specified in the permit.

The Association is in the process of obtaining a formal assignment or transfer of the subject water right permit. We are also seeking the services of a water rights examiner to complete the Final Proof Survey to verify the claim of full beneficial use.

Sincerely,

*David A. Lee*

Rim at Aspen Lakes Association, Inc.  
David A. Lee, President

*OK "C"  
JES*

*per Matt Cline 8-8-94, TMI project  
only 475 3 homes on system  
JES*



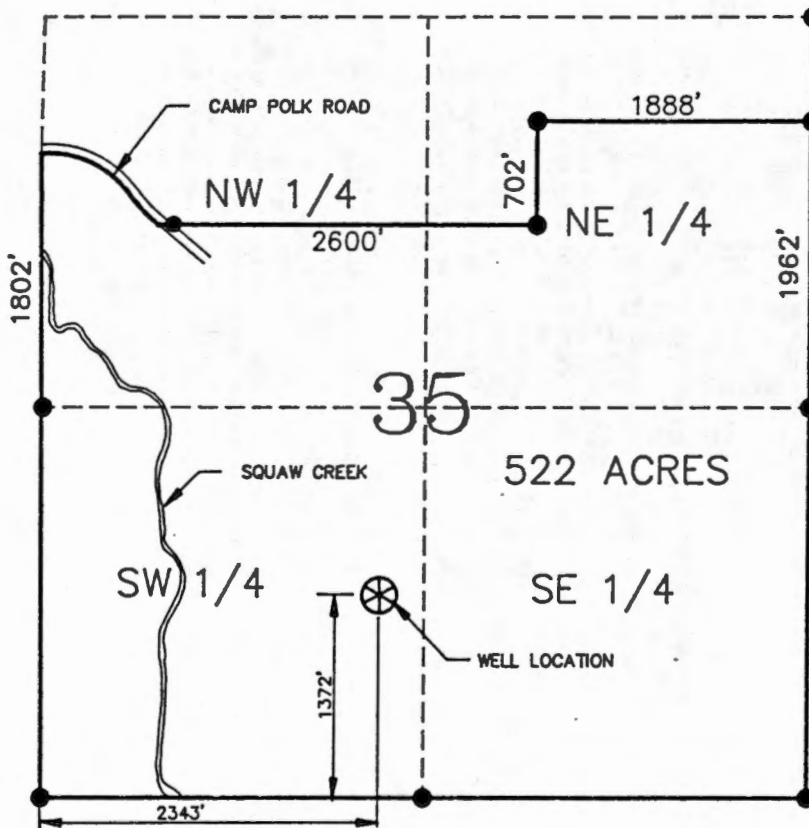
# APPLICATION TO APPROPRIATE GROUND WATER FOR QUASI-MUNICIPAL USE

**RECEIVED**

MAR 07 1990

IN SECTION 35, T14S, R10E, W.M.  
DESCHUTES COUNTY, OREGON

WATER RESOURCES DEPT.  
SALEM, OREGON



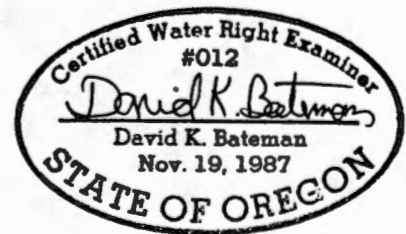
SCALE: 1" = 1320'

**LEGEND**

- QUASI-MUNICIPAL SERVICE BOUNDARY
- FOUND MONUMENT
- ⊗ WELL LOCATION

This map is for the purpose of locating a water right and is not intended to provide legal dimensions for property boundaries.

**Application No.** 6-12042  
**Permit No.** G11146



2-2-90

scale 1" = 1320'      design DKB  
date 2/16/90          drawn JDP  
file CYRWATER

**DEA**  
DAVID EVANS AND ASSOCIATES, INC  
709 NW WALL STREET, SUITE 102  
BEND, OREGON 97701 (503)369-7614

APPLICATION MAP FOR  
**KMB ENTERPRISES**



February 16, 1995

KMB ENTERPRISE  
17204 HWY 26  
SISTERS, OR 97759

REFERENCE FILE: G-12042

Thank you for bringing to our attention the confusing date of extension of time given in our letter dated February 6, 1995.

Special Order Volume 49, Page 12 shows the extended date for completion of construction and use of water as October 1, 1997.

Sincerely,



A. Reed Marbut, Administrator  
Water Rights/Adjudication Division



Commerce Building  
158 12th Street NE  
Salem, OR 97310-0210  
(503) 378-3739  
FAX (503) 378-8130

<b>Water Right Information Query Results</b>																																																																																																																																																																											
<p><b>Contact Information</b></p> <p>▼ <b>Current contact information</b></p> <p>OWNER:                      ASPEN LAKES DEVELOPMENT LLC                      ▶ KEITH CYRUS                      16900 ASPEN LAKES DRIVE                      SISTERS, OR</p> <p>▼ <b>Prior contact information</b></p> <p>OWNER:                      ▶ KMB ENTERPRISES                      17204 HIGHWAY 126                      SISTERS, OR 97759</p>	<p><b>Documents</b> <a href="#">View all scanned documents</a></p> <p>▶ <b>Application: G 12042</b> <a href="#">digital map</a></p> <p>▶ <b>Permit: G 11146</b> <a href="#">document</a>, <a href="#">digital map</a>, <a href="#">paper map</a></p> <p>▶ <b>Order(s)</b></p> <p>▶ <a href="#">View right with New Web Mapping (beta)</a></p>																																																																																																																																																																										
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<p><b>Point(s) of Diversion</b></p> <p>▼ <b>POD 1 - WELL 1 &gt; TROUT CREEK</b></p> <p>▼ <b>Description</b></p> <p>▶ T-R-S-QQ: 14.00S-10.00E-35-NE SW                      ▶ Location Description: 1372 FEET NORTH &amp; 2343 FEET EAST FROM SW CORNER, SECTION 35</p> <p>▼ <b>POD Rate</b></p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Max Rate (cfs)</th> <th>Rate (cfs)</th> <th>Max Volume (af)</th> <th>Volume (af)</th> </tr> </thead> <tbody> <tr> <td>0.18</td> <td>0.18</td> <td></td> <td></td> </tr> </tbody> </table> <p>▼ <b>QUASI-MUNICIPAL USES (Primary)</b></p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Priority Date</th> <th>Max Rate (cfs)</th> <th>Rate (cfs)</th> <th>Max Volume (af)</th> <th>Volume (af)</th> <th>Rate/Acre</th> <th>Duty</th> <th>Start Date</th> <th>End Date</th> <th>Remarks</th> </tr> </thead> <tbody> <tr> <td>3/7/1990</td> <td>0.18</td> <td>0.18</td> <td></td> <td></td> <td></td> <td></td> <td>1/1</td> <td>12/31</td> <td></td> </tr> </tbody> </table>		Max Rate (cfs)	Rate (cfs)	Max Volume (af)	Volume (af)	0.18	0.18			Priority Date	Max Rate (cfs)	Rate (cfs)	Max Volume (af)	Volume (af)	Rate/Acre	Duty	Start Date	End Date	Remarks	3/7/1990	0.18	0.18					1/1	12/31																																																																																																																																															
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[View Water Rights in same Family](#)

[Help understanding and working with the Water Rights Information System](#)

[Report Errors with Water Right Data](#)

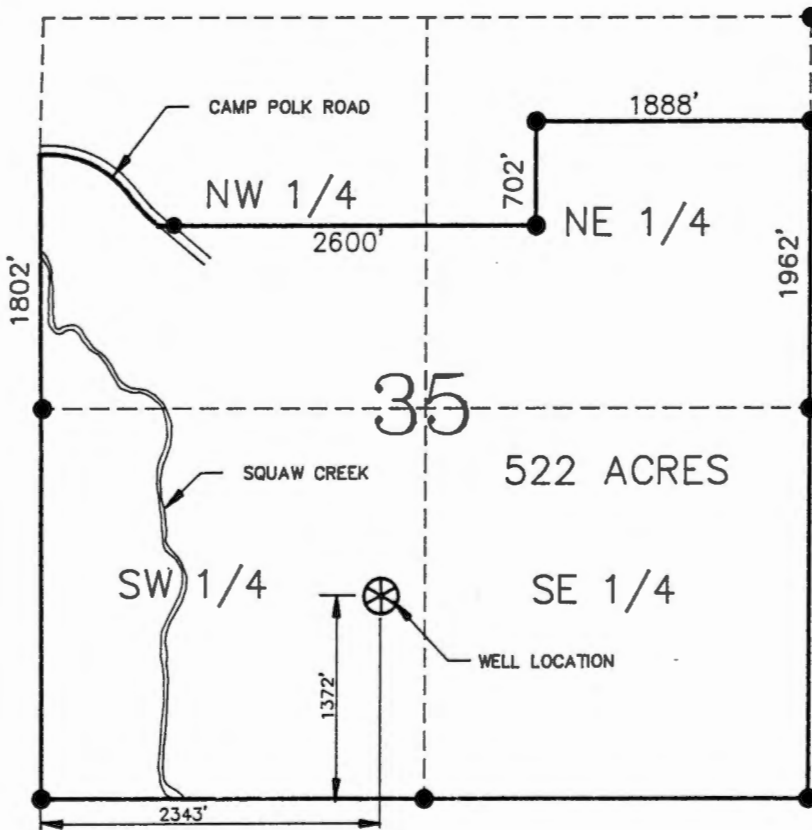
# APPLICATION TO APPROPRIATE GROUND WATER FOR QUASI-MUNICIPAL USE

**RECEIVED**

MAR 07 1990

IN SECTION 35, T14S, R10E, W.M.  
DESCHUTES COUNTY, OREGON

WATER RESOURCES DEPT.  
SALEM, OREGON



SCALE: 1" = 1320'

## LEGEND

- QUASI-MUNICIPAL SERVICE BOUNDARY
- FOUND MONUMENT
- ⊗ WELL LOCATION

This map is for the purpose of locating a water right and is not intended to provide legal dimensions for property boundaries.

**Application No.** *G-12042*

**Permit No.** G11146



*2-2-90*

scale 1" = 1320'      design DKB  
date 2/16/90      drawn JDP  
file GYRWATER



DAVID EVANS AND ASSOCIATES, INC  
709 NW WALL STREET, SUITE 102  
BEND, OREGON 97701 (503)389-7614

APPLICATION MAP FOR

KMB ENTERPRISES



Application No. B-12042

RECEIVED  
MAR 07 1990  
WATER RESOURCES DEPT.  
SALEM, OREGON

State of Oregon  
WATER RESOURCES DEPARTMENT

Application for a Permit to Appropriate Ground Water

Applicant(s) KMB Enterprise an Oregon Partnership  
(Please print or type - use dark ink)

Mailing Address: 17204 Hwy 126  
Sisters City Oregon State 97759 Zip 503-548-3149 Daytime Phone No.

I (We) make application for a permit to appropriate the following described ground waters of the State of Oregon:

1. **THE DEVELOPMENT** (number of wells, tile lines, infiltration galleries, etc.): One  
well and 50,000 ± Gallon Reservoir

If development is less than one mile from a natural stream, give the following:

Distance from development to stream: 1400 feet

Elevation difference between streambed and development: 100 feet

NOTE: Wells must be constructed according to standards set by the department for the construction and maintenance of water wells. If the well is already constructed, please enclose a copy of the well driller's log with this application, and skip to Section 2 below.

Diameter of well: \_\_\_\_\_ Depth in feet: \_\_\_\_\_

Type and size of well casing: \_\_\_\_\_ No. of feet: \_\_\_\_\_

Estimated depth to water: \_\_\_\_\_

Type of access port or measuring device: \_\_\_\_\_

Wells to be drilled by: \_\_\_\_\_

Address: \_\_\_\_\_

If the water well is flowing artesian, describe your water control and conservation works: \_\_\_\_\_

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

2. **TOTAL AMOUNT OF WATER** to be applied to beneficial use: \_\_\_\_\_ cubic feet per second, OR 80 gallons per minute. If water is to be used from more than one ground water source, give the quantity of water from each: \_\_\_\_\_

PC NCR  
3/7/90



3. **INTENDED USE(s) OF WATER:** Quasi-Municipal - Fire Protection, Domestic, Irrigation of Lawn, Garden, and Landscaping and irrigation of Golf Courses and Aesthetic Ponds.  
If for more than one use, give the quantity of water from each source for each use; \_\_\_\_\_

If for **DOMESTIC** use, state the number of households to be supplied; \_\_\_\_\_

If for **MUNICIPAL OR QUASI-MUNICIPAL** use, state the present population to be served, and an estimate of the future requirements; (List population projections, water needs, anticipated areas to be provided water.)

To serve 19 Lot Single Family Residential Subdivision called THE RIM AT ASPEN LAKES which is in process of being platted.

If for **MINING** use, state the nature (gold, silver, etc.) of the mines to be served; \_\_\_\_\_

If for **IRRIGATION**, or other land area use, state the **TOTAL** number of acres to be developed under each use;

Irrigation \_\_\_\_\_  
Other (describe) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. **DESCRIPTION OF WATER DELIVERY SYSTEM:** Include dimensions and type of construction of diversion works, length and dimensions of supply ditches or pipelines, size and type of pump and motor. If for irrigation, describe the type of system (i.e., flood, wheel line, hand line, drip, other).

See attached Water System Plans  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. **PROJECT SCHEDULE:** (List month and year)

Proposed date construction work will begin Well is existing - Begin construction system March 1990  
Proposed date construction work will be completed June 1991  
Proposed date water use will be completed October 2000

**NOTE:** A map prepared by a Certified Water Right Examiner (CWRE) and a complete legal description of the subject property are required under ORS 537.140 and OAR 690 as a part of your application. The legal description may be copied from your deed, title insurance policy, or land sales contract.



6. a) In the event any deficiencies are noted involving the application map enclosed herein, please return the map with instructions for correction to (check one):

       Applicant        X   CWRE             Other (Identify in REMARKS section)

b) In the event any deficiencies are noted involving the application, please return the application with instructions for correction to (check one):

       Applicant        X   CWRE             Other (Identify in REMARKS section)

7. Are all lands involved (including the proposed diversion site, place of use, and access for conveying the water) under your ownership?   yes  . If not, list in the REMARKS section below, or on an attached sheet, the names and mailing addresses of the legal owners of all property involved in the proposed development.

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

REMARKS:   7. All of the land is being purchased by land sales contract from:  

  John Compton  

  J.C. Compton Company  

  P.O. Box 768  

  McMinnville, OR 97128  

  3. The system will initially serve a 19 Lot subdivision with fire flows,    
  domestic and irrigation of lawn and gardens. Future development may    
  include ponds, irrigation of golf course and additional domestic units.  

NOTE: The permit, when issued, is for the beneficial use of water without waste. By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan. It is possible the land use you propose may not be allowed if it is not in keeping with the goals and acknowledged plan. Your city or county planning agency can advise you about the land-use plan in your area.

  K.M.B. By Keith Coppe    
Signature of Applicant

  March 5, 1990    
Date

\_\_\_\_\_  
Signature of Co-Applicant, if any

\_\_\_\_\_  
Date



-----  
**FOR WATER RESOURCES DEPARTMENT USE ONLY**

Dear Applicant:

I certify that I have examined the foregoing application, together with the accompanying information, and am returning it to you for:

\_\_\_\_\_

\_\_\_\_\_

In order to retain its tentative priority, this application must be returned with the requested corrections or additions on or before:

\_\_\_\_\_, 19\_\_\_\_.

WITNESS my hand this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_  
*Water Resources Director*

By: \_\_\_\_\_

This instrument was first received in the office of the Water Resources Director at Salem, Oregon, on the 7<sup>th</sup> day of March, 1990, at 8 o'clock, aM.

APPLICATION NO: G-12042





WATER RESOURCES DEPARTMENT

INTEROFFICE MEMO

April 18, 1991

TO: File

FROM: Larry Nunn

SUBJECT: Request to use land on an adjacent subdivision

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WATER  
RESOURCES  
DEPARTMENT

---

Jerry Powell, David Evans Associates, called. They are doing the work for KMB Enterprise, Sisters. KMB has permit G-11146 for Quasi-municipal in a subdivision. They also have a pending groundwater application for an adjacent subdivision. In the interim, they would like to use the well under permit G-11146 in both subdivisions.

I told Jerry that since both subdivisions were adjacent and owned by the same folks, there should not be a problem with using the one well in both subdivisions. They would need to keep within the limits of the permit, ie 19 houses, L&G's, etc. Definitely not over 0.18 cfs.

I also told him that before we could approve anything like that, he would have to run it by Bob Main and the Watermaster's office.

One subdivision is in Section 35, T14S, R10E, the other is in Section 2, T15S, R10E.

cc: Bob Main



---

3850 Portland Rd NE  
Salem, OR 97310  
(503) 378-3739  
FAX 378-8130



Appl # G-12049

Permit # G-11146

## Municipal/Quasi-Municipal Permit Extension Application



Published on the Department's Public Notice, dated: \_\_\_\_\_

4/1/00 A

After published on the Public Notice, please.....

Enter/Update the date published on the public notice in the "PNotice Date" field in the "cdatewext.DB" database

Verify the "Ext Filed" field in the "cdatewext.DB" database is accurate.

The "filed" date for this extension should be: \_\_\_\_\_

12-8-97

Return File to Lisa



1110 Emergency  
7204 Hwy 126  
Sisters, OR 97757



Water Resources Dept.  
Commerce Building  
158 12<sup>th</sup> Street NE  
Salem, OR 97310-0210



0769

NUMBER

Check 100<sup>00</sup> Mo. \_\_\_\_\_ Cash \_\_\_\_\_

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- Surface Application
- Reservoir Application
- Ground Water Application
- Transfer Application
- PFO Request
- Research
- Hydroelectric Fees
- Copying
- Assignment
- Extension of Time
- Protest
- Other

Dallas  
9-12042

S

Application No. **G12042**  
Permit No. 11146?

3-7-90

Name KMB Enterprise an Oregon Partnership

Address 17204 Hwy 126 Sisters, OR 97759

Assigned .....

Address .....

Beginning construction .....

Completion of construction .....

Extended to .....

Complete application of water .....

Extended to .....



3-10-00  
Dm

DUPLICATE  
CARD

Application No. G-12042  
Permit No. **G11146**

3-7-90

Name KMB Enterprise an Oregon Partnership  
Address 17204 Hwy. 126, Sisters, OR 97759

Assigned

Address

Beginning construction NOV 19 1991

Completion of construction OCT 01 1992

Extended to 10-1-97

Complete application of water OCT 01 1993

Extended to 10-1-97