Assigned FILE#: G 15789
EAGLE CREST INC.; VAN VLIET, ALAN
PO BOX 1215
REDMOND, OR 97756

C/2059

Application No. G 15789
Permit No. G 15855
Certificate No. .....

Stream Index, Page No. .....

FEES PAID

	Date	Amount	Receipt No.
EXAM	7/1/02	625.00	053864
RECORDING	7/1/02	175.00	53864
	12-8-10	500.00	101791
	6-3-15	$85.00	116055
	5-9-16	$85.00 Cert. Fee	119732

FEES REFUNDED

Date	Amount	Check No.

Date filed .....
Priority .....
Action suspended until C09
Return to applicant .....
Date of approval .....

CONSTRUCTION

Date for beginning .....
Date for completion 10-1-09
Extended to 10/1/2059
Date for application of water .....
Extended to 10/1/2059

PROSECUTION OF WORK

Form "A" filed .....
Form "B" filed .....
Form "C" filed .....

FINAL PROOF

Blank mailed .....
Proof received .....
Date certificate issued .....

ASSIGNMENTS

Date	To Whom	Address	Volume	Page
6-3-15	Oregon Resorts LLC	PO Box 1215 Redmond, OR 97756		
6-4-15	ASSIGNED Brasada Ranch Development LLC	ASSIGNED		
5/9/2016	FNF NV BRASADA LLC c/o FIDELITY NATIONAL FINANCIAL 1701 VILLAGE CENTER DRIVE LAS VEGAS NV 89134			

REMARKS

See G-14857

STATE OF OREGON

COUNTY OF CROOK

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

EAGLE CREST, INC.
PO BOX 1215
REDMOND, OR 97756

The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-15789

SOURCE OF WATER: SIX WELLS IN DESCHUTES RIVER BASIN

PURPOSE OR USE: QUASI-MUNICIPAL USE

MAXIMUM RATE/VOLUME: 3.34 CUBIC FEET PER SECOND, LIMITED TO A MAXIMUM ANNUAL VOLUME OF 508.0 ACRE FEET (AF), FURTHER LIMITED BY THE CORRESPONDING MITIGATION PROVIDED UNDER THE INCREMENTAL MITIGATION DEVELOPMENT PLAN

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: JULY 1, 2002

WELL LOCATIONS:

WELL #1: SW ¼ NE ¼, SECTION 33, T16S, R14E, W.M.; 150 FEET NORTH & 150 FEET EAST FROM CENTER 1/4 CORNER, SECTION 33

WELL #2: NE ¼ NW ¼, SECTION 33, T16S, R14E, W.M.; 150 FEET NORTH & 150 FEET EAST FROM NW 1/16TH CORNER, SECTION 33

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WELL #4: NE ¼ NW ¼, SECTION 33, T16S, R14E, W.M.; 150 FEET SOUTH& 150 FEET EAST FROM NORTHERLY W 1/16TH CORNER, SECTION 33

WELL #5: SE ¼ NW ¼, SECTION 28, T16S, R14E, W.M.; 150 FEET NORTH & 950 FEET EAST FROM C-W 1/16TH CORNER, SECTION 28

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THE PLACE OF USE IS LOCATED WITHIN THE SERVICE BOUNDARY OF THE EAGLE CREST RESORT; LOCATED WITHIN:

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SOUTH HALF
SECTION 22
SW 1/4 NW 1/4
SOUTH HALF
SECTION 26
SECTION 27 ALL
SE 1/4 NW 1/4
EAST HALF
SECTION 28
NW 1/4 NE 1/4
SW 1/4 NE 1/4
SE 1/4 NE 1/4
NE 1/4 NW 1/4
SECTION 33
NW 1/4 NW 1/4
SECTION 34
TOWNSHIP 16 SOUTH, RANGE 14 EAST, W.M.

Measurement, recording and reporting conditions:

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

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

Use of water under authority of this permit may be regulated if analysis of data available after the permit is issued discloses that the appropriation will measurably reduce the surface water

flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife in effect as of the priority date of the right or as those quantities may be subsequently reduced. However, the use of ground water allowed under the terms of this permit will not be subject to regulation for Scenic Waterway flows so long as mitigation is maintained.

GROUND WATER MITIGATION CONDITIONS

Mitigation Obligation:	203.2 acre-feet in the General Zone of Impact (anywhere in the Deschutes Basin above the Madras gage, which is located on the Deschutes River below Lake Billy Chinook)
Mitigation Source:	Mitigation Credits or a Mitigation Project, in accordance with the incremental development plan on file with the Department, meeting the requirements of OAR Chapter 690, Division 505 (Deschutes Ground Water Mitigation Rules).
	The first stage of incremental development was met with 50.0 AF of mitigation, being 50.0 temporary mitigation credits from a chartered mitigation bank from MP-5.

Mitigation water must be legally protected instream for instream use within the General Zone of Impact and committed for life of the permit and subsequent certificate(s). Regulation of the use and/or cancellation of the permit, or subsequent certificate(s) will occur if the required mitigation is not maintained.

If mitigation is from a secondary right for stored water from a storage project not owned or operated by the permittee, the use of water under this right is subject to the terms and conditions of a valid contract, or a satisfactory replacement, with the owner/operator of the storage project, a copy of which must be on file in the records of the Water Resources Department prior to use of water.

The permittee shall provide additional mitigation if the Department determines that average annual consumptive use of the subject appropriation has increased beyond the originally

mitigated amount.

The permittee shall provide mitigation prior to each stage of development under the permit, as described in the incremental development mitigation plan on file with the Department, and in accordance with the standards of the Deschutes Ground Water Mitigation Rules, OAR Chapter 690, Division 505.

The permittee shall not increase the rate or amount of water diverted, as described in the incremental development mitigation plan, prior to increasing the corresponding mitigation.

The permittee shall seek and receive Department approval prior to changing the incremental mitigation development plan and related mitigation obligation for each stage of permit development.

The permittee shall report to the Department the progress of implementing the incremental mitigation development plan and related mitigation no later than April 1 of each year. This annual notification is not necessary if the permittee has completed development and submitted a Claim of Beneficial Use to the Department.

Within two years of permit issuance, the permittee shall submit a new or updated Water Management and Conservation Plan pursuant to OAR Chapter 690, Division 86.

Failure to comply with these mitigation conditions shall result in the Department regulating the ground water permit, or subsequent certificate(s), proposing to deny any permit extension application for the ground water permit, and proposing to cancel the ground water permit, or subsequent certificate(s).

STANDARD CONDITIONS

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

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

determine water level elevation in the well at all times. The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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

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

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

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

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

Complete application of the water to the use shall be made on or before October 1, 2009. If the water is not completely applied before this date, and the permittee wishes to continue development under the permit, the permittee must submit an application for extension of time, which may be approved based upon the merit of the application.

Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

Issued February 17, 2005

Phillip C. Ward, Director
Water Resources Department

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

CULTURAL RESOURCES PROTECTION LAWS: Permittees involved in ground-disturbing activities should be aware of federal and state cultural resources protection laws. ORS 358.920 prohibits the excavation, injury, destruction or alteration of an archeological site or object, or removal of archeological objects from public and private lands without an archeological permit issued by the State Historic Preservation Office. 16 USC 470, Section 106, National Historic Preservation Act of 1966 requires a federal agency, prior to any undertaking to take into account the effect of the undertaking that is included on or eligible for inclusion in the National Register. For further information, contact the State Historic Preservation Office at 503-378-4168, extension 232.

ASSIGNMENT OF PERMIT: Pursuant to ORS 537.220, this permit may be assigned to a party other than the permittee named hereon, if the land the permit is associated with changes ownership, or if the permittee is an organization whose name changes as a result of sale or merger. Request for Assignment forms are available from the Oregon Water Resources Department web site at http//www.wrd.state.or.us/, or may be requested from the Department at 503-986-0801 or Water Right Application Section, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1271.

MAILING ADDRESS CHANGES: If the mailing address of the permittee named hereon changes, it is important that the Oregon Water Resources Department be informed of the change. Address changes must be submitted in writing with the permittee's signature to Water Right Application Section, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1271.

Oregon Water Resources Department
Water Right Services Division

Water Rights Application
Number G-15789

Final Order
Extension of Time for Permit Number G-15855
Permit Holder: Eagle Crest, Inc.

Permit Information

Application File G-15789 / Permit G-15855
Basin 5 – Deschutes Basin / Watermaster District 11
Date of Priority: July 1, 2002

Authorized Use of Water

Source of Water:	6 Wells within the Deschutes River Basin
Purpose or Use:	Quasi-Municipal
Maximum Rate:	3.34 Cubic Feet per Second (cfs), Limited to a Maximum Annual Volume of 508 Acre-Feet (AF), Further Limited by Mitigation Requirements

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Appeal Rights

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. A request 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 file 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

Permit G-15855 was issued by the Department on February 17, 2005. The permit called for complete application of water to beneficial use by October 1, 2009. On December 8, 2010, Eagle Crest, Inc. submitted an application to the Department for an extension of time for Permit G-15855. In accordance with OAR 690-315-0050(2), on May 31, 2011, the Department issued a Proposed Final Order proposing to extend the time to apply water to full beneficial use to October 1, 2059. The protest period closed July 15, 2011, in accordance with OAR 690-315-0060(1). No protest was filed.

The Department adopts and incorporates by reference the Proposed Final Order dated May 31, 2011. At time of issuance of the Proposed Final Order the Department concluded that, based on the factors demonstrated by the applicant, the permit may be extended subject to the following conditions:

CONDITIONS

1. **Development Limitations**

   Appropriation of any water beyond 1.68 cfs under Permit G-15855 shall only be authorized upon issuance of a final order approving a Water Management and Conservation Plan (WMCP) under OAR Chapter 690, Division 86. The required WMCP shall be submitted to the Department within 3 years of an approved extension application. Use of water under Permit G-15855 must be consistent with this and subsequent WMCP's approved under OAR Chapter 690, Division 86 on file with the Department.

   The deadline established in this PFO for submittal of a WMCP shall not relieve a permit holder of any existing or future requirement for submittal of a WMCP at an earlier date as established through other orders of the Department. A WMCP submitted to meet the requirements of this order may also meet the WMCP submittal requirements of other Department orders.

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

Order

The extension of time for Application G-15789, Permit G-15855, therefore, is approved subject to conditions contained herein. The deadline for applying water to full beneficial use within the terms and conditions of the permit is extended from October 1, 2009 to October 1, 2059.

DATED: August 4, 2011

Dwight French, Water Rights Services Division Administrator *for*
PHILLIP C. WARD, DIRECTOR

If you have any questions about statements contained in this document, please contact Ann Reece at (503) 986-0827.

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.

STATE OF OREGON

COUNTY OF CROOK

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Issued February 17, 2005

Phillip C. Ward, Director
Water Resources Department

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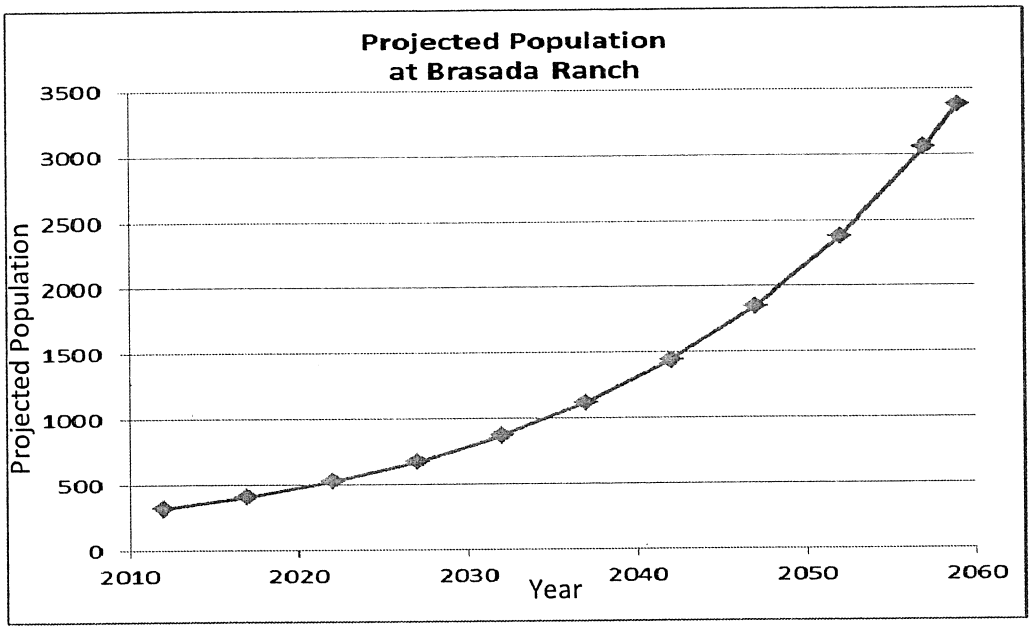
Figure 2. Projected Population Growth



5.3 Schedule to Fully Exercise each Permit

Table 10. Water Right Schedule

Water Right	Type of Use, Rate	Date to Complete
Permit G-15855	Quasi-Municipal, 3.34cfs	C-date is October 1, 2059, requires mitigation per Incremental Mitigation Plan. Projected date of full beneficial use is 2059.
Transfer T-10488	Quasi-Municipal, 5.0cfs and 10.0cfs	C-date is October 1, 2025 Note: Avion water right not currently used on Brasada.
Transfer T-10205	Quasi-Municipal, 10.35cfs	C-date is October 1, 2017 Note: Avion water right not currently used on Brasada.
Transfer T-10911	Irrigation	CBU received by OWRD 11/7/12. Note: Central Oregon Irrigation District right
Certificate 83571	Irrigation	**Certificated 9/26/07** Note: Central Oregon Irrigation District right. Portion leased in-stream (IL-1225) during 2012 irrigation season.
Certificate 76714	Supplemental Irrigation	**Certificated 2/8/01** Note: Central Oregon Irrigation District right. Portion leased in-stream (IL-1225) during 2012 irrigation season.

5.4 Demand Forecast

To utilize the 1.66cfs of undeveloped water above the OWRD 1.68cfs developed water cap, a projected date of when the resort's water use will exceed the cap needs to be developed. To

develop an estimate of future domestic uses, we estimated EDUs based on population, and then calculated estimated peak day uses. To develop an estimate of non-domestic quasi-municipal uses, we estimated current peak day use of 18% as non-domestic assuming it is approximately 7.0MG of the total 39.6MG annual use. We then assumed constant growth rate to year 2059, which is 7.6% annual growth of non-domestic quasi-municipal use. Table 9, below, provides a summary of future uses. Based on the 5.1% domestic portion growth and 7.6% non-domestic portion growth assumptions, the 1.68cfs cap may not be exceeded until year 2047. We recommend continued monitoring of resort growth, annual water use, and projected water use to determine if the cap is likely to be exceeded sooner or later than the projected 2047 date. Factors that may contribute to reaching the cap sooner than projected would be accelerated population growth or accelerated development of non-domestic quasi-municipal uses.

Table 11. Projected Population Growth and Water Use

Year	Projected Annual Change	Population Forecast Assuming Full Occupancy at End of Time Extension	Projected EDU's Assuming 3 people/EDU	Projected Minimum Allowable Domestic Portion of Quasi-Municipal Use (cfs)	Projected Minimum Allowable Non-Domestic Portion of Quasi-Municipal Use (cfs)	Projected Minimum Allowable Total Quasi-Municipal Demand (cfs)
2012		322	107	0.207	0.037	0.245
2017	5.1%	413	138	0.266	0.054	0.320
2022	5.1%	531	177	0.342	0.078	0.420
2027	5.1%	681	227	0.439	0.112	0.551
2032	5.1%	875	292	0.564	0.161	0.725
2037	5.1%	1123	374	0.724	0.233	0.957
2042	5.1%	1442	481	0.930	0.335	1.265
2047	5.1%	1852	617	1.194	0.484	1.678
2052	5.1%	2378	793	1.533	0.697	2.231
2057	5.1%	3054	1018	1.969	1.006	2.974
2059	5.1%	3375	1125	2.176	1.164	3.340

Brasada Ranch and its water system operator, Avion Water Co., will need to monitor development and water use to determine adequacy of extended completion date. Brasada Ranch will submit WMCP progress reports and WMCP Updates as required by OWRD. These reports and updates will include the latest water use and occupancy information. If the 2059 deadline is approaching within a few years and the resort is not near full buildout, an additional time extension may need to be applied for.

Based on the above projected water demand estimates, Permit G-15855 should be able to satisfy the water needs of the Brasada Ranch project. Currently, Brasada Ranch does not anticipate acquiring any additional new water rights within the next 20 years to meet anticipated water demands.

5.5 Comparison of Projected Need and Available Sources

Based on current water use and observed performance of the existing two wells, it is anticipated that build out water supplies will be met by a combination of the two existing wells along with a proposed Well #3. Currently Well #1 pumps at 202gpm with existing pumping equipment. This well has adequate capacity to pump 500gpm if the pumping equipment is upgraded. Well #2 has a pumping capacity of 552gpm. Total existing production is 754gpm (1.68cfs), which is the OWRD development limitation cap issued with the time extension. When the 1.68cfs cap needs to be exceeded due to resort growth, one of the following steps can be taken:

1. the new Well #3 will be constructed to pump at 500gpm at that time or,
2. Well #1 pumping equipment will be upgraded to allow it to pump at full well capacity of 500gpm.

As development continues to full buildout, the un-implemented option will be completed.

Based upon the best information available today, Brasada Ranch anticipates no capacity limitation using existing Well #1, existing Well #2, and proposed Well #3 for needed water supplies. Careful observation of the source aquifer in response to increased pumping, (as the resort grows), should be performed. If groundwater levels drop substantially, drilling new wells deeper would be considered, provided appropriate geologic and hydraulic conditions exist. If long-term reliable yield becomes jeopardized, alternative sources will be further considered.

5.6 Analysis of Alternative Sources

The only other viable option for supply to the resort is piped water from the Avion Water Company, Inc., Bend water system. The feasibility of a water main extension from Bend is dependent upon sharing costs with others and is only under consideration well into the future. This report has been prepared under the assumption that on-site groundwater wells must meet ultimate resort needs, providing the best assurance of an adequate water supply.

5.7 Quantification of Maximum Rate and Monthly Volume

See Section 2.4 above for maximum rate and monthly volume.

5.8 Mitigation Actions Under State and Federal Laws

The Deschutes Basin Mitigation Program requires mitigation for all new ground water permits in The Deschutes Basin starting in the year 2005. The mitigation program is based on the findings of the USGS Water Resources Investigations Report 00-4162. The mitigation program was developed to maintain flows for Scenic Waterways and senior water rights, restore flows in the Middle Deschutes River, and accommodate growth by allowing new groundwater development.

Permit G-15855 is required to satisfy the mitigation requirements of OAR 690-505-0610. The permit requires 203.2 acre-feet of mitigation in the General Zone of Impact. An Incremental mitigation plan is in place for water use under Permit G-15855. The Incremental Mitigation Plan has a mitigation of 50 acre-feet for 2005 through 2014. Brasada Ranch purchased 1.8 permanent mitigation credits and annually purchases 48.2 temporary mitigation credits. The Incremental Mitigation Plan over the coming years is summarized below.

Table 12. Incremental Mitigation Plan

Incremental Step	Volume of Use (AF)	Amount of Mitigation (AF)	Source of Mitigation	Type of Mitigation
1. 2005-2014	125.0	50.0	Mitigation Project MP-57 (1.8 credits) and 48.2 mitigation credits from the DRC Mitigation Bank or permanent source	Permanent & temporary
2. 2015-2019	250.0	100.0		
3. 2020-2024	375.0	150.0		
4. 2025-2029	500.0	200.0		
5. 2030 on	508.0	203.2		
Totals	508.0	203.2	50.0	

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Groundwater Permit G-15855, Deschutes County	))))))	FINAL ORDER REQUIRING ADDITIONAL WATER USE REPORTING AND MITIGATION PRIOR TO INCREASE IN WATER USE

Authority
Oregon Administrative Rule (OAR) Chapter 690, Division 505, requires that ground water permits issued in the Deschutes Ground Water Study Area be conditioned to require installation of a measuring device, monthly recording of water use and annual reporting of water use. By condition in Permit G-15855, the Department may also require more frequent reporting of the water use.

OAR Chapter 690, Division 505, also establishes the authority for municipal and quasi-municipal permit holders to provide mitigation under an incremental development plan. OAR Chapter 690, Division 505, and OAR 690, Division 522, further require that holders of permits with incremental development plans not increase the rate or amount of water used without first proving the required mitigation or offset.

Permittee
Brasada Ranch Development, LLC
PO Box 1215
Redmond, OR 97756

Findings of Fact

1. On February 17, 2005, the Department issued Permit G-15855. This permit authorized the use of up to 3.34 cubic feet per second from six wells for Quasi-Municipal water use. Annual use of water from the wells was limited to no more than 508.0 acre-feet.

2. The Department identified that the use of water under the permit would have a mitigation obligation of 203.2 acre-feet in the General Zone of Impact.

3. The permit was issued consistent with the Deschutes Groundwater Mitigation Program under OAR Chapter 690, Division 505. The permit holder was required to provide mitigation in the General Zone of Impact consistent with an incremental development plan on file with the Department.

4. The incremental development plan must indicate a time schedule for the development of the permit and indicate proposed source of mitigation that will be obtained and used for each

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.

stage of development. The permit holder is required to report to the Department the progress of implementing the incremental development plan, including the annual volume of water used, by April 1 of each year. In addition, permit holders may request that the Department approve changes to an incremental development plan and related mitigation obligation. Permit holders may not increase the rate or amount of water diversion before increasing the corresponding required mitigation. OAR 690-505-0625 and OAR 690-522-0040.

5. A revised incremental development plan was received by the Department on June 10, 2010. An acknowledgement of the revised plan was sent from the Department on October 4, 2010. The incremental development plan currently on file with the Department, consistent with the request received in 2010, is as follows:

Step	Date Range	Volume Requested	Mitigation Required
1	2005 through 2014	125.0 acre-feet	50.0 acre-feet
2	2015 through 2019	250.0 acre-feet	100.0 acre-feet
3	2020 through 2024	375.0 acre-feet	150.0 acre-feet
4	2025 through 2029	500.0 acre-feet	200.0 acre-feet
5	2030 on	508.0 acre-feet	203.2 acre-feet

6. When the permit was issued in 2005, the permit holder had obtained 50.0 mitigation credits (1 mitigation credit = 1 acre-foot of mitigation water), which was sufficient to satisfy their mitigation obligation for step 1 of the incremental development plan. The mitigation was based upon 1.8 permanent mitigation credits and 48.2 temporary mitigation credits obtained from the Deschutes River Conservancy (DRC) Mitigation Bank. This amount of mitigation was consistently maintained through 2013.

7. The volume of water used annually, as reported to the Department, was less than 125.0 acre-feet through 2012.

8. In 2013, the permit holder reported water annual water use of 145.2 acre-feet. The amount of mitigation water required to satisfy that level of use was 58.1 acre-feet. However, the permit holder only held 50.0 mitigation credits in 2013.

9. In 2014, the permit holder reported annual water use of 188.4 acre-feet. The amount of mitigation water required for that level of use was 75.4 acre-feet. While the permit holder did increase the amount of mitigation provided, the amount provided, 58.1 mitigation credits, was less than needed to satisfy the mitigation requirement.

10. The Department has contacted the permit holder and the agent for the permit holder, Jim Frost, professional engineer, on multiple dates during 2014 and 2015.

11. Jim Frost, agent for the permit holder, provided a progress report to the Department on June 2, 2015. The permittee anticipates providing 100.0 mitigation credits for 2015. Annual water use for 2015 is projected to be approximately 226.2 acre-feet. This level of use would require 90.5 acre-feet of mitigation water. The permit holder may also obtain an additional 28.7 mitigation credits for 2015.

12. On June 12, 2015, documentary evidence was provided to the Department showing that the permit holder had obtained 50.0 temporary mitigation credits from the DRC Mitigation Bank. This is in addition to 50.0 mitigation credits held consistently by the permit holder since 2005. The permit holder also obtained an additional 28.7 mitigation credits as reserve credits for 2015 only. The permit holder currently holds 128.8 acre-feet of mitigation credits and only needs 100.0 mitigation credits under the current incremental development plan.

Conclusions of Law

The Department concludes the permit holder did not provide mitigation consistent with OAR 690-505-0620, OAR 690-505-0625, and OAR 690-522-0040 during the 2013 and 2014 calendar years.

Now, therefore it is ORDERED:

1. Water may only be used consistent with the incremental development plan on file with the Department. Mitigation must be provided by the permit holder prior to any increase in the volume of water used. Prior to any change in use, the permit holder may request and the Department may approve changes in the incremental development plan and related mitigation obligation.

2. The permit holder must provide a progress report to the Department by July 15, 2015. The progress report must include the volume of water used under Permit G-15855 from January 1 through June 30, 2015.

3. After July 15, 2015, the permit holder must provide monthly updates to the Department by the 15th of each month. Each update shall include the volume of water used in the preceding calendar month as well as the volume of water used to date in the current calendar year.

Dated at Salem, Oregon this _____ day of June, 2015.

_____

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

Mailing date: _____

STATE OF OREGON

COUNTY OF CROOK

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

EAGLE CREST, INC.
PO BOX 1215
REDMOND, OR 97756

The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-15789

SOURCE OF WATER: SIX WELLS IN DESCHUTES RIVER BASIN

PURPOSE OR USE: QUASI-MUNICIPAL USE

MAXIMUM RATE/VOLUME: 3.34 CUBIC FEET PER SECOND, LIMITED TO A MAXIMUM ANNUAL VOLUME OF 508.0 ACRE FEET (AF), FURTHER LIMITED BY THE CORRESPONDING MITIGATION PROVIDED UNDER THE INCREMENTAL MITIGATION DEVELOPMENT PLAN

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: JULY 1, 2002

WELL LOCATIONS:

WELL #1: SW ¼ NE ¼, SECTION 33, T16S, R14E, W.M.; 150 FEET NORTH & 150 FEET EAST FROM CENTER 1/4 CORNER, SECTION 33

WELL #2: NE ¼ NW ¼, SECTION 33, T16S, R14E, W.M.; 150 FEET NORTH & 150 FEET EAST FROM NW 1/16TH CORNER, SECTION 33

WELL #3: NE ¼ NW ¼, SECTION 33, T16S, R14E, W.M.; 660 FEET SOUTH & 150 FEET EAST FROM NORTHERLY W 1/16TH CORNER, SECTION 33

WELL #4: NE ¼ NW ¼, SECTION 33, T16S, R14E, W.M.; 150 FEET SOUTH& 150 FEET EAST FROM NORTHERLY W 1/16TH CORNER, SECTION 33

WELL #5: SE ¼ NW ¼, SECTION 28, T16S, R14E, W.M.; 150 FEET NORTH & 950 FEET EAST FROM C-W 1/16TH CORNER, SECTION 28

WELL #6: SE ¼ NW ¼, SECTION 28, T16S, R14E, W.M.; 150 FEET SOUTH & 150 FEET EAST FROM NW 1/16TH CORNER, SECTION 28

THE PLACE OF USE IS LOCATED WITHIN THE SERVICE BOUNDARY OF THE EAGLE CREST RESORT; LOCATED WITHIN:

SOUTH HALF
SECTION 21
SOUTH HALF
SECTION 22
SW 1/4 NW 1/4
SOUTH HALF
SECTION 26
SECTION 27 ALL
SE 1/4 NW 1/4
EAST HALF
SECTION 28
NW 1/4 NE 1/4
SW 1/4 NE 1/4
SE 1/4 NE 1/4
NE 1/4 NW 1/4
SECTION 33
NW 1/4 NW 1/4
SECTION 34
TOWNSHIP 16 SOUTH, RANGE 14 EAST, W.M.

Measurement, recording and reporting conditions:

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

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

Use of water under authority of this permit may be regulated if analysis of data available after the permit is issued discloses that the appropriation will measurably reduce the surface water

flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife in effect as of the priority date of the right or as those quantities may be subsequently reduced. However, the use of ground water allowed under the terms of this permit will not be subject to regulation for Scenic Waterway flows so long as mitigation is maintained.

GROUND WATER MITIGATION CONDITIONS

Mitigation Obligation:	203.2 acre-feet in the General Zone of Impact (anywhere in the Deschutes Basin above the Madras gage, which is located on the Deschutes River below Lake Billy Chinook)
Mitigation Source:	Mitigation Credits or a Mitigation Project, in accordance with the incremental development plan on file with the Department, meeting the requirements of OAR Chapter 690, Division 505 (Deschutes Ground Water Mitigation Rules). The first stage of incremental development was met with 50.0 AF of mitigation, being 50.0 temporary mitigation credits from a chartered mitigation bank from MP-5.

Mitigation water must be legally protected instream for instream use within the General Zone of Impact and committed for life of the permit and subsequent certificate(s). Regulation of the use and/or cancellation of the permit, or subsequent certificate(s) will occur if the required mitigation is not maintained.

If mitigation is from a secondary right for stored water from a storage project not owned or operated by the permittee, the use of water under this right is subject to the terms and conditions of a valid contract, or a satisfactory replacement, with the owner/operator of the storage project, a copy of which must be on file in the records of the Water Resources Department prior to use of water.

The permittee shall provide additional mitigation if the Department determines that average annual consumptive use of the subject appropriation has increased beyond the originally

mitigated amount.

The permittee shall provide mitigation prior to each stage of development under the permit, as described in the incremental development mitigation plan on file with the Department, and in accordance with the standards of the Deschutes Ground Water Mitigation Rules, OAR Chapter 690, Division 505.

The permittee shall not increase the rate or amount of water diverted, as described in the incremental development mitigation plan, prior to increasing the corresponding mitigation.

The permittee shall seek and receive Department approval prior to changing the incremental mitigation development plan and related mitigation obligation for each stage of permit development.

The permittee shall report to the Department the progress of implementing the incremental mitigation development plan and related mitigation no later than April 1 of each year. This annual notification is not necessary if the permittee has completed development and submitted a Claim of Beneficial Use to the Department.

Within two years of permit issuance, the permittee shall submit a new or updated Water Management and Conservation Plan pursuant to OAR Chapter 690, Division 86.

Failure to comply with these mitigation conditions shall result in the Department regulating the ground water permit, or subsequent certificate(s), proposing to deny any permit extension application for the ground water permit, and proposing to cancel the ground water permit, or subsequent certificate(s).

STANDARD CONDITIONS

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

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

determine water level elevation in the well at all times. The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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

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

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

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

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

Complete application of the water to the use shall be made on or before October 1, 2009. If the water is not completely applied before this date, and the permittee wishes to continue development under the permit, the permittee must submit an application for extension of time, which may be approved based upon the merit of the application.

Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

Issued February 17, 2005

Phillip C. Ward, Director
Water Resources Department

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

CULTURAL RESOURCES PROTECTION LAWS: Permittees involved in ground-disturbing activities should be aware of federal and state cultural resources protection laws. ORS 358.920 prohibits the excavation, injury, destruction or alteration of an archeological site or object, or removal of archeological objects from public and private lands without an archeological permit issued by the State Historic Preservation Office. 16 USC 470, Section 106, National Historic Preservation Act of 1966 requires a federal agency, prior to any undertaking to take into account the effect of the undertaking that is included on or eligible for inclusion in the National Register. For further information, contact the State Historic Preservation Office at 503-378-4168, extension 232.

ASSIGNMENT OF PERMIT: Pursuant to ORS 537.220, this permit may be assigned to a party other than the permittee named hereon, if the land the permit is associated with changes ownership, or if the permittee is an organization whose name changes as a result of sale or merger. Request for Assignment forms are available from the Oregon Water Resources Department web site at http//www.wrd.state.or.us/, or may be requested from the Department at 503-986-0801 or Water Right Application Section, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1271.

MAILING ADDRESS CHANGES: If the mailing address of the permittee named hereon changes, it is important that the Oregon Water Resources Department be informed of the change. Address changes must be submitted in writing with the permittee's signature to Water Right Application Section, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1271.

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number G-15789

Proposed Final Order

Summary of Recommendation: The Department recommends that the attached draft permit be issued with conditions.

Application History

On July 1, 2002, ALAN VAN VLIET FOR EAGLE CREST, INC., submitted an application to the Department for the following water use permit:

- Amount of Water: 3.34 CUBIC FOOT PER SECOND (CFS)
- Use of Water: QUASI-MUNICIPAL USE
- Source of Water: SIX WELLS IN DESCHUTES RIVER BASIN
- Area of Proposed Use: CROOK COUNTY within SECTIONS 21, 22, 26, 27, 28, 33, AND 34, TOWNSHIP 16 SOUTH, RANGE 14 EAST, W.M.

On February 7, 2003, the Department mailed the applicant notice of its Initial Review, determining that the use of water from the proposed wells would have the potential for substantial interference with the Deschutes River, therefore use of 3.34 cfs (1500.0 GPM) of water from six wells in the Deschutes River Basin for quasi-municipal use cannot be allowed. The applicant did not notify the Department to stop processing the application within 14 days of that date.

On February 11, 2003, the Department gave public notice of the application in its weekly notice. The public notice included a request for comments, and information for interested persons about both obtaining future notices and a copy of the proposed final order.

No written comments were received within the allowable comment period.

On August 25, 2003, the Department mailed the applicant a Notice of Mitigation Obligation for the proposed groundwater use pursuant to the Deschutes Ground Water Mitigation Rules. The mitigation obligation required the applicant to provide 968.4 acre-feet (AF) of mitigation annually for 3.34 cfs for quasi-municipal use year round.

On March 11, 2004, Thomas A. Walker, PE, agent for the applicant submitted modification of the proposed use to limit the maximum annual volume of water to be appropriated under the application to 508.0 AF.

Based on the revised proposed use, on March 15, 2004, the Department revised the mitigation obligation to 203.2 AF annually in the General Zone of Impact. The mitigation obligation was determined using a consumptive use coefficient of 40 percent.

On April 29, 2004, the applicant responded to the Department's revised mitigation obligation with an incremental development and mitigation plan pursuant to OAR 690-505-0625. The mitigation proposed includes incremental mitigation of approximately 50.0 AF within the first five years of use being provided by mitigation credits and/or mitigation projects within the General Zone of impact. Additional mitigation increments are proposed at approximately 50.0 AF every five years, subject to the rate of permit development.

In reviewing applications, the Department may consider any relevant sources of information, including the following:

- comments by or consultation with another state agency
- any applicable basin program
- any applicable comprehensive plan or zoning ordinance
- the amount of water available
- the rate and duty for the proposed use
- pending senior applications and existing water rights of record
- designations of any critical groundwater areas
- the Scenic Waterway requirements of ORS 390.835
- applicable statutes, administrative rules, and case law
- any general basin-wide standard for flow rate and duty of water allowed
- the need for a flow rate and duty higher than the general standard
- any comments received

Findings of Fact

The Deschutes Basin Program allows the use of groundwater for quasi-municipal use.

An assessment of groundwater availability has been completed by the Department's Groundwater/Hydrology section. A copy of this assessment is in the file. The proposed use of groundwater will, if properly conditioned, avoid injury to existing groundwater rights and the groundwater resource.

The proposed wells are not within a designated critical ground water area.

Senior water rights exist on six wells in Deschutes River basin, or on downstream waters.

The proposed ground water use is located within the Deschutes Ground Water Study Area and is subject to the Deschutes Ground Water Mitigation Rules, OAR Chapter 690, Division 505.

The Department has determined the proposed use will have the potential for substantial interference with the Deschutes River. The Department also finds that, without the required mitigation, there is a preponderance of evidence that the proposed use will measurably reduce surface water flows necessary for the Deschutes River Scenic Waterway (ORS 390.835(9)).

Pursuant to ORS 390.835(9), the proposed use shall be denied unless the applicant provides mitigation. The Department has determined that the applicant must mitigate for the proposed ground water use pursuant to the Deschutes Groundwater Mitigation Rules, OAR Chapter 690, Division 505.

The Department has determined the mitigation obligation for the proposed use of 3.34 CFS of groundwater, with a maximum volume of 508.0 AF per year, for year-round quasi-municipal use is 203.2 acre-feet (OAR 690-505-0610(5)). The mitigation obligation represents the Department's determination of consumptive use of the proposed groundwater use, being 40 percent consumptive (OAR 690-505-0610(5)).

To satisfy the mitigation obligation, the applicant must provide mitigation water in the zone of impact identified by the Department. The proposed use for this application is located within the General Zone of Impact (OAR 690-505-0610(5)), defined as anywhere in the Deschutes Basin above the Madras gage, which is located on the Deschutes River below Lake Billy Chinook.

A permit may not be issued unless the mitigation obligation of the proposed ground water use, as identified by the Department, is satisfied. However, the proposed use is for quasi-municipal use, therefore the applicant may satisfy a mitigation obligation by incrementally obtaining and providing mitigation (OAR 690-505-0625)

The applicant, pursuant to OAR 690-505-0625, has submitted an incremental development plan as part of the response to the Department's notice of mitigation obligation. The applicant proposes to obtain 50.0 AF of mitigation water within the General Zone of Impact as their first increment of mitigation. The mitigation water will be obtained through a combination of mitigation credits and mitigation projects. The applicant also proposes to incrementally mitigate with 50.0 AF of mitigation water, obtained through a combination of mitigation credits and projects, every five years thereafter, subject to the rate of development of the permit. Each mitigation credit provided is equivalent to 1.0 acre-feet of mitigation water.

Following submission of the applicant's mitigation proposal, the Department requested comments on the application and proposed mitigation from Oregon Department of Fish and Wildlife, Department of Environmental

Quality, Division of State Lands, Department of Parks and Recreation, and Department of Agriculture pursuant to the Deschutes Ground Water Mitigation Rules. No significant comments relating to the mitigation obligation were received.

The Department finds that the incremental development plan and mitigation proposed by the applicant under OAR 690-505-0625 will satisfy the mitigation required under OAR Chapter 690, Division 505; therefore, pursuant to OAR 690-505-0630, the proposed ground water appropriation is deemed to be a ground water appropriation that does not have the potential for substantial interference with surface water.

As required by the Deschutes Ground Water Mitigation Rules, any Final Order issued approving the proposed use, and any subsequent permit will include the following conditions (OAR 690-505-0620 and 690-505-0625):

Mitigation Obligation:	203.2 acre-feet annually in the General Zone of Impact
Mitigation Source:	203.2 Mitigation Credits, or mitigation water that meets the requirements of OAR 690-505-0610(2)-(5), within the General Zone of Impact.

Measurement, recording and reporting conditions:

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

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

Mitigation water must be legally protected instream for instream use within the General Zone of Impact and committed for life of the permit and subsequent certificate(s). Regulation of the use and/or cancellation of the permit, or subsequent certificate(s) will occur if the required mitigation is not maintained.

If mitigation is from a secondary right for stored water from a storage project not owned or operated by the permittee, the use of

water under this right is subject to the terms and conditions of a valid contract, or a satisfactory replacement, with the owner/operator of the storage project, a copy of which must be on file in the records of the Water Resources Department prior to use of water.

The permittee shall provide additional mitigation if the Department determines that average annual consumptive use of the subject appropriation has increased beyond the originally mitigated amount.

The permittee shall provide mitigation prior to each stage of development under the permit and in accordance with the standards under 690-505-0610(2)-(5).

The permittee shall not increase the rate or amount of water diversion before increasing the corresponding mitigation.

The permittee shall seek and receive Department approval prior to changing the incremental permit development plan and related incremental mitigation.

The permittee shall report to the Department the progress of implementing the incremental permit development plan and related mitigation no later than April 1 of each year.

Failure to comply with these mitigation conditions shall result in the Department regulating the ground water permit, or subsequent certificate(s), proposing to deny any permit extension application for the ground water permit, or subsequent certificate(s).

Within two years of permit issuance, the permittee shall submit a new or updated Water Management and Conservation Plan pursuant to OAR Chapter 690, Division 86.

The next step in the permit application process under OAR 690-310 is the Final Order. The applicant will have five years from the issuance of any Final Order approving the application to provide the first increment of proposed mitigation. For mitigation credits, documentary evidence that the qualifying credits have been obtained must be submitted to the Department.

Any Final Order issued approving the proposed use will expire after five years if the first increment of mitigation is not provided.

Conclusions of Law

Under the provisions of ORS 537.153, the Department must presume that a proposed use will not impair or be detrimental to the public interest if the proposed use is allowed in the applicable basin program established pursuant to ORS 536.300 and 536.340 or given a preference under ORS 536.310(12), if water is available, if the proposed use will not injure

other water rights and if the proposed use complies with rules of the Water Resources Commission.

The proposed use requested in this application is allowed in the Deschutes Basin Program.

The mitigation proposed by the applicants will satisfy the mitigation required under OAR Chapter 690, Division 505. Therefore, notwithstanding OAR 690-09:

> the proposed use will not measurably reduce surface water flows necessary for the Deschutes River Scenic Waterway;
>
> the proposed use complies with other rules of the Water Resources Commission not otherwise described above.

The applicant shall provide mitigation pursuant to the Scenic Water Way Act. (ORS 390.835(9)(d)(A); 390.835(10)

The proposed use will not injure other water rights.

The proposed use complies with the State Agency Agreement for land use.

No proposed flow rate and duty of water higher than the general basin-wide standard is needed.

Groundwater is available for the proposed use.

For these reasons, the required presumption has been established.

Under the provisions of ORS 537.621, once the presumption has been established, it may be overcome by a preponderance of evidence that either:

> (a) One or more of the criteria for establishing the presumption are not satisfied; or
>
> (b) The proposed use would not ensure the preservation of the public welfare, safety and health as demonstrated in comments, in a protest. . . or in a finding of the department that shows:
>
> > (A) The specific aspect of the public welfare, safety and health under ORS 537.525 that would be impaired or detrimentally affected; and
> >
> > (B) Specifically how the identified aspect of the public welfare, safety and health under ORS 537.525 would be impaired or be adversely affected.

In this application, all criteria for establishing the presumption have been satisfied, as noted above. The presumption has not been overcome by

a preponderance of evidence that the proposed use would impair or be detrimental to the public interest.

The Department therefore concludes that water is available in the amount necessary for the proposed use; the proposed use will not result in injury to existing water rights; and the proposed use would ensure the preservation of the public welfare, safety and health as described in ORS 537.525.

Recommendation

The Department recommends that the attached draft permit be issued with conditions.

DATED September 14, 2004

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.

Protest Rights and Standing

Under the provisions of 537.621(7), you have the right to protest this proposed final order. Your protest must be in writing, and must include the following:

- Your name, address, and telephone number;
- A description of your interest in the proposed final order, and, if you claim to represent the public interest, a precise statement of the public interest represented;
- A detailed description of how the action proposed in this proposed final order would impair or be detrimental to your interest;
- A detailed description of how the proposed final order is in error or deficient, and how to correct the alleged error or deficiency;
- Any citation of legal authority to support your protest, if known; and
- If you are not the applicant, the $200 protest fee required by ORS 536.050 and proof of service of the protest upon the applicant.
- If you are the applicant, a statement of whether or not you are requesting a contested case hearing. If you do not request a hearing, the Department will presume that you do not wish to contest the findings of the proposed final order.
- <u>If you do not protest this Proposed Final Order and if no substantive changes are made in the final order, you will not have an opportunity for judicial review, protest or appeal of the final order when it is issued.</u>

Requests for Standing

Under the provisions of 537.621(6), persons other than the applicant who support a proposed final order may request standing for purposes of participating in any contested case proceeding on the proposed final order or for judicial review of a final order. A request for standing shall be in writing, include a statement that the requester supports the proposed final order, and a statement of how the requester would be harmed if the proposed final order is modified. The fee required at the time of submitting this request is $50.00. If a hearing is scheduled, an additional fee of $150.00 must be submitted along with a request for intervention. Forms to request standing are available from the Department.

Your protest or request for standing must be received in the Water Resources Department no later than **October 29, 2004.**

After the protest period has ended, the Director will either issue a final order or schedule a contested case hearing. The contested case hearing will be scheduled only if a protest has been submitted and if

- upon review of the issues, the director finds that there are significant disputes related to the proposed use of water, or
- the applicant requests a contested case hearing within 30 days after the close of the protest period.

This document was prepared by Anita Huffman. *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 can reach me at 503-986-0815*

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 Renee Moulun. Her number is 503-986-0824

If you have other questions about the Department or any of its programs please contact our Water Rights Information Group 503-986-0801.

Address all other correspondence to:

Water Rights Section, Oregon Water Resources Department, 725 SUMMER STREET NE, Suite A, SALEM, OR 97301-1271
Fax: 503-986-0901

huffmaam- WEEK 477

STATE OF OREGON

COUNTY OF CROOK

DRAFT PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS DRAFT PERMIT IS HEREBY ISSUED TO

EAGLE CREST, INC.
PO BOX 1215
REDMOND, OR 97756

The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-15789

SOURCE OF WATER: SIX WELLS IN DESCHUTES RIVER BASIN

PURPOSE OR USE: QUASI-MUNICIPAL USE

MAXIMUM RATE/VOLUME: 3.34 CUBIC FEET PER SECOND, LIMITED TO A MAXIMUM ANNUAL VOLUME OF 508.0 ACRE FEET, FURTHER LIMITED BY THE CORRESPONDING MITIGATION PROVIDED

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: JULY 1, 2002

WELL LOCATIONS:

WELL #1: SW ¼ NE ¼, SECTION 33, T16S, R14E, W.M.; 150 FEET NORTH & 150 FEET EAST FROM CENTER 1/4 CORNER, SECTION 33

WELL #2: NE ¼ NW ¼, SECTION 33, T16S, R14E, W.M.; 150 FEET NORTH & 150 FEET EAST FROM NW 1/16TH CORNER, SECTION 33

WELL #3: NE ¼ NW ¼, SECTION 33, T16S, R14E, W.M.; 660 FEET SOUTH & 150 FEET EAST FROM NORTHERLY W 1/16TH CORNER, SECTION 33

WELL #4: NE ¼ NW ¼, SECTION 33, T16S, R14E, W.M.; 150 FEET SOUTH & 150 FEET EAST FROM NORTHERLY W 1/16TH CORNER, SECTION 33

WELL #5: SE ¼ NW ¼, SECTION 28, T16S, R14E, W.M.; 150 FEET NORTH & 950 FEET EAST FROM C-W 1/16TH CORNER, SECTION 28

WELL #6: SE ¼ NW ¼, SECTION 28, T16S, R14E, W.M.; 150 FEET SOUTH & 150 FEET EAST FROM NW 1/16TH CORNER, SECTION 28

THE PLACE OF USE IS LOCATED AS FOLLOWS:

WITHIN THE SERVICE BOUNDARY OF THE EAGLE CREST RESORT; LOCATED WITHIN:

SOUTH HALF
SECTION 21
SOUTH HALF
SECTION 22
SW 1/4 NW 1/4
SOUTH HALF
SECTION 26
SECTION 27 ALL
SE 1/4 NW 1/4
EAST HALF
SECTION 28
NW 1/4 NE 1/4
SW 1/4 NE 1/4
SE 1/4 NE 1/4
NE 1/4 NW 1/4
SECTION 33
NW 1/4 NW 1/4
SECTION 34
TOWNSHIP 16 SOUTH, RANGE 14 EAST, W.M.

Measurement, recording and reporting conditions:

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

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

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

The use of ground water allowed under the terms of this permit will not be subject to regulation for Scenic Waterway flows so long as mitigation is maintained.

GROUND WATER MITIGATION CONDITIONS

Mitigation Obligation:	203.2 acre-feet annually in the General Zone of Impact (anywhere in the Deschutes Basin above the Madras gage, located on the Deschutes River below Lake Billy Chinook.)
Mitigation Source:	203.2 Mitigation Credits, or mitigation water that meets the requirements of OAR 690-505-0610(2)-(5), within the General Zone of Impact.

Mitigation water must be legally protected instream for instream use within the General Zone of Impact and committed for life of the permit and subsequent certificate(s). Regulation of the use and/or cancellation of the permit, or subsequent certificate(s) will occur if the required mitigation is not maintained.

If mitigation is from a secondary right for stored water from a storage project not owned or operated by the permittee, the use of water under this right is subject to the terms and conditions of a valid contract, or a satisfactory replacement, with the owner/operator of the storage project, a copy of which must be on file in the records of the Water Resources Department prior to use of water.

The permittee shall provide additional mitigation if the Department determines that average annual consumptive use of the subject appropriation has increased beyond the originally mitigated amount.

The permittee shall provide mitigation prior to each stage of development under the permit and in accordance with the standards under 690-505-0610(2)-(5).

The permittee shall not increase the rate or amount of water diversion before increasing the corresponding mitigation.

The permittee shall seek and receive Department approval prior to changing the incremental permit development plan and related incremental mitigation.

The permittee shall report to the Department the progress of implementing the incremental permit development plan and related mitigation by not later than April 1 of each year.

Within two years of permit issuance, the permittee shall submit a new or updated Water Management and Conservation Plan pursuant to OAR Chapter 690, Division 86.

Failure to comply with these mitigation conditions shall result in the Department regulating the ground water permit, or subsequent certificate(s), proposing to deny any permit extension application for the ground water permit, and proposing to cancel the ground water permit, or subsequent certificate(s).

STANDARD CONDITIONS

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

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

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

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

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

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

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

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

Complete application of the water to the use shall be made on or before October 1, 2009. If the water is not completely applied before this date, and the permittee wishes to continue development under the permit, the permittee must submit an application for extension of time, which may be approved based upon the merit of the application.

Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

Issued _____, 2004

DRAFT - THIS IS NOT A PERMIT

_____
Phillip C. Ward, Acting Director
Water Resources Department

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

CULTURAL RESOURCES PROTECTION LAWS: Permittees involved in ground-disturbing activities should be aware of federal and state cultural resources protection laws. ORS 358.920 prohibits the excavation, injury, destruction or alteration of an archeological site or object, or removal of archeological objects from public and private lands without an archeological permit issued by the State Historic Preservation Office. 16 USC 470, Section 106, National Historic Preservation Act of 1966 requires a federal agency, prior to any undertaking to take into account the effect of the undertaking that is included on or eligible for inclusion in the National Register. For further information, contact the State Historic Preservation Office at 503-378-4168, extension 232.

ASSIGNMENT OF PERMIT: Pursuant to ORS 537.220, this permit may be assigned to a party other than the permittee named hereon, if the land the permit is associated with changes ownership, or if the permittee is an organization whose name changes as a result of sale or merger. Request for Assignment forms are available from the Oregon Water

Resources Department web site at http//www.wrd.state.or.us/, or may be requested from the Department at 503-986-0801 or Water Right Application Section, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1271.

MAILING ADDRESS CHANGES: If the mailing address of the permittee named hereon changes, it is important that the Oregon Water Resources Department be informed of the change. Address changes must be submitted in writing with the permittee's signature to Water Right Application Section, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1271.

2005 2006

USER-ID 7002

Oregon Water Resources Department
October 2005 through September 2006
Annual Water Use - Monthly Quantities Form

Facility ☞ POD-ID ✏	Red Cloud 32755 19373;32,754	Brasada NEW			
October - 2005	450,800	8,200			
November - 2005	106,024	5,600			
December - 2005	107,540	6,000			
January - 2006	104,243	-5,158	overestimated	in December	
February - 2006	235,872	1158			
March - 2006	104,560	2,000			
April - 2006	105,208	5,870			
May - 2006	106,400	15,651			
June - 2006	513,095	34,607			
July - 2006	511,739	96,862			
August - 2006	783,335	155,588			
September - 2006	717,728	115,684			
TOTAL *	3,846,544 CF	442,062 CF			

RECEIVED
DEC 08 2010
WATER RESOURCES DEPT
SALEM, OREGON

* Describe the units of measure as G (gallons), KG (thousand gallons), MG (million gallons), CF (cubic feet), MCF (million cubic feet), or AF (acre-feet).

Describe method of measuring the water used: meter reading. If use is irrigation, total number acres irrigated NA.
I certify this information is true and accurate to the best of my knowledge.

David Tolve — Signature
Engineering Dept — Title
Avion Water Co Inc — Reporting Entity
11/29/06 — Date

David Tolve
Name - Please Print

Please complete and mail to: Water Resources Department; Water Use Reporting Program;
725 Summer Street NE, Suite A; Salem, OR 97301-1266.

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SALEM, OREGON

2007

Oregon Water Resources Department
October 2007 through September 2008
Annual Water Use - Monthly Quantities Form

USER-ID 10073

2008

Facility →	TETHEROW	RED CLOUD	SOUTH HEIGHT	ODIN FALLS	BRASADA
Report ID pws	4101160	4101203	4101230	4101382	4101506
October - 2007	133,230	278,030	—	113,597	140,002
November - 2007	66,700	139,907	—	29,800	56,300
December - 2007	—	—	—	700	917
January - 2008	56,842	196,705	—	32,200	31,083
February - 2008	59,713	32,200	60,395	29,932	125
March - 2008	84,171	175,745	192,815	31,073	27,691
April - 2008	(1,265)	0	5,337	700	(700)
May - 2008	245,181	489,518	348,915	205,700	135,454
June - 2008	197,000	439,432	265,300	188,400	148,534
July - 2008	335,330	809,618	430,723	287,100	321,661
August - 2008	392,330	995,072	541,324	387,300	429,830
September - 2008	287,854	754,449	388,400	306,100	316,965
Total * CF	1,857,086	4,310,676	2,233,209	1,612,602	1,607,862

* Describe the units of measurement as G (gallons), KG (thousand gallons), MG (million gallons), CF (cubic feet), MCF (million cubic feet), or AF (acre-feet)

Describe the method of measurement used: Meter Reads. **If used for irrigation, total number of acres irrigated:** N/A

I certify this information is true and accurate to the best of my knowledge.

Debra Reynolds
Signature

GIS COORDINATOR
Title

AVION WATER Co. INC.
Reporting Entity

10/28-08
Date

DEBRA REYNOLDS
Name

60813 PARRELL RD, BEND OR 97702
Mailing Address

541-382-5342
Phone Number

Please complete and mail to: Oregon Water Resources Department; Water Use Reporting Program;
725 Summer Street NE, Suite A; Salem, OR 97301-1266.

RECEIVED
DEC 08 2010
WATER RESOURCES DEPT
SALEM, OREGON

USER-ID 10073

2008 Oregon Water Resources Department 2009

October 2008 through September 2009
Monthly Water Use Form

Facility →	TETHEROW	RED CLOUD	SOUTH HEIGHTS	ODIN FALLS	BRASADA
Report ID → PWS	4101160	4101203	4101230	4101382	4101506
October - 2008	279,477	731,806	392,072	306,100	395,031
November - 2008	141,072	394,501	220,128	181,600	148,071
December - 2008	64,200	187,146	77,200	53,200	90,722
January - 2009	56,000	119,766	58,800	32,200	113,600
February - 2009	40,122	103,389	58,800	17,197	(26,295)
March - 2009	56,000	120,400	58,800	31,500	102,073
April - 2009	52,800	100,134	28,881	13,927	(2,018)
May - 2009	65,660	118,977	106,461	42,600	63,640
June - 2009	140,852	252,699	205,617	133,600	141,670
July - 2009	184,794	563,914	287,391	217,857	241,696
August - 2009	358,180	902,897	518,920	370,300	351,460
September - 2009	288,600	801,253	411,470	331,593	324,858
TOTAL *	1,727,757	4,396,882	2,424,540	1,731,674	1,944,508

* Describe the units of measurement as G (gallons), KG (thousand gallons), MG (million gallons), CF (cubic feet), MCF (million cubic feet), or AF (acre-feet)

Describe the method of measurement used: meter Reads **If used for irrigation, total number of acres irrigated:** N/A

I certify this information is true and accurate to the best of my knowledge.

Debra Reynolds | GIS Coordinator | Avion Water Co Inc | 3-2-10
Signature | Title | Reporting Entity | Date

DEBRA REYNOLDS | 60813 PARRELL RD BEND OR 97702 | 541-382-53
Name | Mailing Address | Phone Number

Please complete and mail to: Oregon Water Resources Department; Water Use Reporting Program;
725 Summer Street NE, Suite A; Salem, OR 97301-1266.

TO: Water Rights Section 11/14, 2002

FROM: Ground Water/Hydrology Section K. Lite
Reviewer's Name

SUBJECT: Application G- 15789

GROUND WATER/SURFACE WATER CONSIDERATIONS

1. PER THE _____ Basin rules, one or more of the proposed POA's is/is not within _____ feet/mile of a surface water source (_____) and taps a ground water source hydraulically connected to the surface water.

2. BASED UPON 0AR 690-09 currently in effect, I have determined that the proposed ground water use
   a. X will, or have the potential for substantial interference with the nearest
   b. ___ will not surface water source, namely Crooked River ; or
   c. ___ will if properly conditioned, adequately protect the surface water from interference:
      i. ___ The permit should contain condition #(s)_____;
      ii. ___ The permit should contain special condition(s) as indicated in "Remarks" below;
      iii. ___ The permit should be conditioned as indicated in item 4 below; or
   d. will, with well reconstruction, adequately protect the surface from substantial interference.

GROUND WATER AVAILABILITY CONSIDERATIONS

3. BASED UPON available data, I have determined that ground water for the proposed use
   a. ___ will, or likely be available in the amounts requested without injury to prior rights
   b. ___ will not and/or within the capacity of the resource; or
   c. X will if properly conditioned, avoid injury to existing rights or to the ground water resource:
      i. X The permit should contain condition #(s) 7B ;
      ii. ___ The permit should contain special condition(s) as indicated in "Remarks" below;
      iii. ___ The permit should be conditioned as indicated in item 4 below; or

4. a. ___ THE PERMIT should allow ground water production from no deeper than_____ft. below land surface;
   b. ___ The permit should allow ground water production from no shallower than_____ft. below land surface;
   c. ___ The permit should allow ground water production only from the_____ ground water reservoir between approximately _____ft. and _____ft. below land surface;
   d. ___ Well reconstruction is necessary to accomplish one or more of the above conditions.
   e. ___ One or more POA's commingle 2 or more sources of water. The applicant must select one source of water per POA and specify the proportion of water to be produced from each source.

REMARKS: _____

(Well Construction Considerations on Reverse Side)

WELL CONSTRUCTION (If more than one well doesn't meet standards, attach an additional sheet.)

5. THE WELL which is the point of appropriation for this application does not meet current well construction standards based upon:
   a.____review of the well log;
   b.____field inspection by _____;
   c.____report of CWRE _____;
   d.____other: (specify) _____
   _____

6. THE WELL construction deficiency:
   a.____constitutes a health threat under Division 200 rules;
   b.____commingles water from more than one ground water reservoir;
   c.____permits the loss of artesian head;
   d.____permits the de-watering of one or more ground water reservoirs;
   e.____other: (specify) _____

7. THE WELL construction deficiency is described as follows: _____
   _____
   _____

8. THE WELL
   a.____was, or constructed according to the standards in effect at the time of
   b.____was not original construction or most recent modification.
   c.____I don't know if it met standards at the time of construction.

RECOMMENDATION:

A.____I recommend including the following condition in the permit:
"No water may be appropriated under terms of this permit until the well(s) has been repaired to conform to current well construction standards and proof of such repair is filed with the Enforcement Section of the Water Resources Department."

B.____I recommend withholding issuance of the permit until evidence of well reconstruction is filed with the Enforcement Section of the Water Resources Department.

C.____REFER this review to Enforcement Section for concurrence.

THIS SECTION TO BE COMPLETED BY ENFORCEMENT PERSONNEL

I concur in G/H's recommendation A or B above relating to conditioning or withholding the permit

_____ _____, 199__.
(Signature)

I do not concur in G/H's recommendation A or B above relating to conditioning or withholding the permit for the following reasons: _____
_____
_____

_____ _____, 199__.
(Signature)

Oregon Water Resources Department

MEMO Nov. 14, 2002

TO **Application G-** 15789

FROM **GW:** K. Lite
(Reviewer's Name)

SUBJECT **Scenic Waterway Interference & General/Local Surface Water Impact Evaluation for Deschutes Ground Water Study Area**

The source of appropriation is within or above the Deschutes Scenic Waterway

Use the Scenic Waterway condition (Condition 7J).

PREPONDERANCE OF EVIDENCE FINDING UNDER ORS 390.835:

The Department has found that there is a preponderance of evidence that the proposed use of ground water will measurably reduce the surface water flows necessary to maintain the free-flowing character of the Deschutes Scenic Waterway in quantities necessary for recreation, fish and wildlife.

LOCALIZED IMPACT FINDING

☐ The proposed use of ground water will have a localized impact to surface water in the

_____ River/Creek Subbasin

If the localized impact box above is checked, then the water use under any right issued pursuant to this application is presumed to have a localized impact on surface water within the identified subbasin. Mitigation of the impact, originating from within the Local Zone of Impact identified by the Department, will be required before a permit may be issued for the proposed use.

If the localized impact box above is not checked, then the water use under any right issued pursuant to this application is presumed to have a general (regional) impact on surface water. Mitigation of the impact, originating anywhere within the Deschutes Basin above the Madras gage, will be required before a permit may be issued for the proposed use.

WATER RESOURCES DEPARTMENT MEMORANDUM

DATE 11/14/2002

APPLICATION_NUMBER G 15789

OWNER EAGLE CREST

AMOUNT_REQUESTED 1500 **GPM** **NUMBER_OF_WELLS** 6 **BASIN** DESCHUTES

SUB_BASIN CROOKED RIVER

QUADRANGLE_MAP_1 POWELL BUTTE **COUNTY** CROOK

WELL_# 1 **WELL_LOG_STATUS** DRILLED, LOG AVAILABLE

WELL_LOG_NUMBER CROO 50724 **DPN_LOG_1**

TWNSHP 16S **RANGE** 14E **SECTION** 33 **QQQ** ACC

PROPOSED_LEGAL_LOCATION 150FEET NORTH AND 150 FEET EAST FROM THE CENTER, SECTION 33

DISTANCE_FROM_STREAM_1 10 MILLES **STREAM_1** CROOKED RIVER

DISTANCE_FROM_STREAM_2 **STREAM_2**

PROPOSED_WELL_DEPTH

WELL_ELEV 3240 **STREAM_ELEV** 2940 **WELL_ELEV_minus_STREAM_ELEV** 300

WELL_DEPTH 590 **SWL** 497

SEAL_DEPTH 18 **SWL_DATE** 9/16/1998

CASING_DEPTH 18 **FIRST_WATER_DEPTH** 530

LINER_DEPTH 590 **WELL_TEST_1_TYPE** AIR

PERFORATIONS_SCREENS_1 570-590 **YIELD_1** 15 **GPM**

PERFORATIONS_SCREENS_2 **DRAWDOWN_1**

AQUIFER_TYPE SEMI CONFINED **DURATION_1** **HR**

HYDRAULIC_CONNECTION NOT AT NEAREST REACH

DIVISION_9_FINDING POTENTIAL FOR SUBSTANTIAL INTERFERENCE

CONDITIONED_WATER_RIGHTS_IN_AREA SEE ATTACHMENTS

OTHER_NEARBY_WATER_RIGHTS SEE ATTACHMENTS

DENSITY_OF_NEARBY_WELLS SEE ATTACHMENTS

COMMENTS WELL WILL BE CONSTRUCTED INTO WATER BEARING ZONES WITHIN THE DESCHUTES FM. LAVA. GROUND WATER FLOW IS TOWARDS THE NORTH-NORTHEAST WITH THE NEAREST POSSIBLE DISCHARGE AREA ABOUT 15 MILES DISTANCE. WATER IS NOT AVAILABLE IN THE LOWER DESCHUTES RIVER 11 MONTHS OF THE YEAR. No localized Impact KEL

REFERENCES GANNETT AND OTHERS, 2001; USGS GEOL MAP I-2683;TOPO MAP; CROO 50724; APPL. FILE G-15789; WATER AVAILABILTY FINDING FOR DESCHUTES RIVER ABOVE SHITIKE CREEK.

WATER RESOURCES DEPARTMENT MEMORANDUM

DATE 11/14/2002

APPLICATION_NUMBER G 15789

OWNER EAGLE CREST

AMOUNT_REQUESTED 1500 **GPM** **NUMBER_OF_WELLS** 6 **BASIN** DESCHUTES

SUB_BASIN CROOKED RIVER

QUADRANGLE_MAP_1 POWELL BUTTE **COUNTY** CROOK

WELL_# 2 **WELL_LOG_STATUS** DRILLED, LOG AVAILABLE

WELL_LOG_NUMBER CROO 51956 **DPN_LOG_1**

TWNSHP 16S **RANGE** 14E **SECTION** 33 **QQQ** BAC

PROPOSED_LEGAL_LOCATION 1470 FEET NORTH AND 1170 FEET WEST FROM THE CENTER, SECTION 33

DISTANCE_FROM_STREAM_1 10 MILLES **STREAM_1** CROOKED RIVER

DISTANCE_FROM_STREAM_2 **STREAM_2**

PROPOSED_WELL_DEPTH

WELL_ELEV 3240 **STREAM_ELEV** 2940 **WELL_ELEV_minus_STREAM_ELEV** 300

WELL_DEPTH 673 **SWL** 508

SEAL_DEPTH 30 **SWL_DATE** 10/2/2002

CASING_DEPTH 30 **FIRST_WATER_DEPTH** 610

LINER_DEPTH 673 **WELL_TEST_1_TYPE** PUMP

PERFORATIONS_SCREENS_1 573-673 **YIELD_1** 500 **GPM**

PERFORATIONS_SCREENS_2 **DRAWDOWN_1** 6

AQUIFER_TYPE SEMI CONFINED **DURATION_1** 19 **HR**

HYDRAULIC_CONNECTION NOT AT NEAREST REACH

DIVISION_9_FINDING POTENTIAL FOR SUBSTANTIAL INTERFERENCE

CONDITIONED_WATER_RIGHTS_IN_AREA SEE ATTACHMENTS

OTHER_NEARBY_WATER_RIGHTS SEE ATTACHMENTS

DENSITY_OF_NEARBY_WELLS SEE ATTACHMENTS

COMMENTS WELL WILL BE CONSTRUCTED INTO WATER BEARING ZONES WITHIN THE DESCHUTES FM. LAVA. GROUND WATER FLOW IS TOWARDS THE NORTH-NORTHEAST WITH THE NEAREST POSSIBLE DISCHARGE AREA IN THE CROOKED RIVER, ABOUT 15 MILES DISTANCE. WATER IS NOT AVAILABLE IN THE LOWER DESCHUTES RIVER 11 MONTHS OF THE YEAR.

REFERENCES GANNETT AND OTHERS, 2001; USGS GEOL MAP I-2683;TOPO MAP; CROO 50724; CROO 51956; APPL. FILE G-15789; WATER AVAILABILTY FINDING FOR DESCHUTES RIVER ABOVE SHITIKE CREEK.

WATER RESOURCES DEPARTMENT MEMORANDUM

DATE 11/14/2002

APPLICATION_NUMBER G 15789

OWNER EAGLE CREST

AMOUNT_REQUESTED 1500 **GPM** **NUMBER_OF_WELLS** 6 **BASIN** DESCHUTES

SUB_BASIN CROOKED RIVER

QUADRANGLE_MAP_1 POWELL BUTTE **COUNTY** CROOK

WELL_# 3 **WELL_LOG_STATUS** NOT YET DRILLED

WELL_LOG_NUMBER **DPN_LOG_1**

TWNSHP 16S **RANGE** 14E **SECTION** 33 **QQQ** BAB

PROPOSED_LEGAL_LOCATION 1980 FEET NORTH AND 1170 FEET WEST FROM THE CENTER, SECTION 33

DISTANCE_FROM_STREAM_1 10 MILLES **STREAM_1** CROOKED RIVER

DISTANCE_FROM_STREAM_2 **STREAM_2**

PROPOSED_WELL_DEPTH 650

WELL_ELEV 3240 **STREAM_ELEV** 2940 **WELL_ELEV_minus_STREAM_ELEV** 300

WELL_DEPTH **SWL**

SEAL_DEPTH **SWL_DATE**

CASING_DEPTH **FIRST_WATER_DEPTH**

LINER_DEPTH **WELL_TEST_1_TYPE**

PERFORATIONS_SCREENS_1 **YIELD_1** **GPM**

PERFORATIONS_SCREENS_2 **DRAWDOWN_1**

AQUIFER_TYPE SEMI CONFINED **DURATION_1** **HR**

HYDRAULIC_CONNECTION NOT AT NEAREST REACH

DIVISION_9_FINDING POTENTIAL FOR SUBSTANTIAL INTERFERENCE

CONDITIONED_WATER_RIGHTS_IN_AREA SEE ATTACHMENTS

OTHER_NEARBY_WATER_RIGHTS SEE ATTACHMENTS

DENSITY_OF_NEARBY_WELLS SEE ATTACHMENTS

COMMENTS WELL WILL BE CONSTRUCTED INTO WATER BEARING ZONES WITHIN THE DESCHUTES FM. LAVA. GROUND WATER FLOW IS TOWARDS THE NORTH-NORTHEAST WITH THE NEAREST POSSIBLE DISCHARGE AREA IN THE CROOKED RIVER, ABOUT 15 MILES DISTANCE. WATER IS NOT AVAILABLE IN THE LOWER DESCHUTES RIVER 11 MONTHS OF THE YEAR.

REFERENCES GANNETT AND OTHERS, 2001; USGS GEOL MAP I-2683;TOPO MAP; CROO 50724; CROO 51956; APPL. FILE G-15789; WATER AVAILABILTY FINDING FOR DESCHUTES RIVER ABOVE SHITIKE CREEK.

WATER RESOURCES DEPARTMENT MEMORANDUM

DATE 11/14/2002

APPLICATION_NUMBER G 15789

OWNER EAGLE CREST

AMOUNT_REQUESTED 1500 **GPM** **NUMBER_OF_WELLS** 6 **BASIN** DESCHUTES

SUB_BASIN CROOKED RIVER

QUADRANGLE_MAP_1 POWELL BUTTE **COUNTY** CROOK

WELL_# 4 **WELL_LOG_STATUS** NOT YET DRILLED

WELL_LOG_NUMBER **DPN_LOG_1**

TWNSHP 16S **RANGE** 14E **SECTION** 33 **QQQ** BAB

PROPOSED_LEGAL_LOCATION 2490 FEET NORTH AND 1170 FEET WEST FROM THE CENTER, SECTION 33

DISTANCE_FROM_STREAM_1 10 MILLES **STREAM_1** CROOKED RIVER

DISTANCE_FROM_STREAM_2 **STREAM_2**

PROPOSED_WELL_DEPTH 650

WELL_ELEV 3240 **STREAM_ELEV** 2940 **WELL_ELEV_minus_STREAM_ELEV** 300

WELL_DEPTH **SWL**

SEAL_DEPTH **SWL_DATE**

CASING_DEPTH **FIRST_WATER_DEPTH**

LINER_DEPTH **WELL_TEST_1_TYPE**

PERFORATIONS_SCREENS_1 **YIELD_1** **GPM**

PERFORATIONS_SCREENS_2 **DRAWDOWN_1**

AQUIFER_TYPE SEMI CONFINED **DURATION_1** **HR**

HYDRAULIC_CONNECTION NOT AT NEAREST REACH

DIVISION_9_FINDING POTENTIAL FOR SUBSTANTIAL INTERFERENCE

CONDITIONED_WATER_RIGHTS_IN_AREA SEE ATTACHMENTS

OTHER_NEARBY_WATER_RIGHTS SEE ATTACHMENTS

DENSITY_OF_NEARBY_WELLS SEE ATTACHMENTS

COMMENTS WELL WILL BE CONSTRUCTED INTO WATER BEARING ZONES WITHIN THE DESCHUTES FM. LAVA. GROUND WATER FLOW IS TOWARDS THE NORTH-NORTHEAST WITH THE NEAREST POSSIBLE DISCHARGE AREA IN THE CROOKED RIVER, ABOUT 15 MILES DISTANCE. WATER IS NOT AVAILABLE IN THE LOWER DESCHUTES RIVER 11 MONTHS OF THE YEAR.

REFERENCES GANNETT AND OTHERS, 2001; USGS GEOL MAP I-2683;TOPO MAP; CROO 50724; CROO 51956; APPL. FILE G-15789; WATER AVAILABILTY FINDING FOR DESCHUTES RIVER ABOVE SHITIKE CREEK.

WATER RESOURCES DEPARTMENT MEMORANDUM

DATE 11/14/2002

APPLICATION_NUMBER G 15789

OWNER EAGLE CREST

AMOUNT_REQUESTED 1500 **GPM** **NUMBER_OF_WELLS** 6 **BASIN** DESCHUTES

SUB_BASIN CROOKED RIVER

QUADRANGLE_MAP_1 POWELL BUTTE **COUNTY** CROOK

WELL_# 5 **WELL_LOG_STATUS** NOT YET DRILLED

WELL_LOG_NUMBER **DPN_LOG_1**

TWNSHP 16S **RANGE** 14E **SECTION** 28 **QQQ** BAB

PROPOSED_LEGAL_LOCATION 150 FEET NORTH AND 370 FEET WEST FROM THE CENTER, SECTION 28

DISTANCE_FROM_STREAM_1 9.5 MILLES **STREAM_1** CROOKED RIVER

DISTANCE_FROM_STREAM_2 **STREAM_2**

PROPOSED_WELL_DEPTH 650

WELL_ELEV 3175 **STREAM_ELEV** 2920 **WELL_ELEV_minus_STREAM_ELEV** 255

WELL_DEPTH **SWL**

SEAL_DEPTH **SWL_DATE**

CASING_DEPTH **FIRST_WATER_DEPTH**

LINER_DEPTH **WELL_TEST_1_TYPE**

PERFORATIONS_SCREENS_1 **YIELD_1** **GPM**

PERFORATIONS_SCREENS_2 **DRAWDOWN_1**

AQUIFER_TYPE SEMI CONFINED **DURATION_1** **HR**

HYDRAULIC_CONNECTION NOT AT NEAREST REACH

DIVISION_9_FINDING POTENTIAL FOR SUBSTANTIAL INTERFERENCE

CONDITIONED_WATER_RIGHTS_IN_AREA SEE ATTACHMENTS

OTHER_NEARBY_WATER_RIGHTS SEE ATTACHMENTS

DENSITY_OF_NEARBY_WELLS SEE ATTACHMENTS

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REFERENCES GANNETT AND OTHERS, 2001; USGS GEOL MAP I-2683;TOPO MAP; CROO 50724; CROO 51956; APPL. FILE G-15789; WATER AVAILABILTY FINDING FOR DESCHUTES RIVER ABOVE SHITIKE CREEK.

WATER RESOURCES DEPARTMENT MEMORANDUM

DATE 11/14/2002

APPLICATION_NUMBER G 15789

OWNER EAGLE CREST

AMOUNT_REQUESTED 1500 **GPM** **NUMBER_OF_WELLS** 6 **BASIN** DESCHUTES

SUB_BASIN CROOKED RIVER

QUADRANGLE_MAP_1 POWELL BUTTE **COUNTY** CROOK

WELL_# 6 **WELL_LOG_STATUS** NOT YET DRILLED

WELL_LOG_NUMBER **DPN_LOG_1**

TWNSHP 16S **RANGE** 14E **SECTION** 28 **QQQ** BAC

PROPOSED_LEGAL_LOCATION 1470 FEET SOUTH AND 1470 FEET EAST FROM THE NW CORNER, SECTION 28

DISTANCE_FROM_STREAM_1 9.5 MILLES **STREAM_1** CROOKED RIVER

DISTANCE_FROM_STREAM_2 **STREAM_2**

PROPOSED_WELL_DEPTH 650

WELL_ELEV 3190 **STREAM_ELEV** 2920 **WELL_ELEV_minus_STREAM_ELEV** 270

WELL_DEPTH **SWL**

SEAL_DEPTH **SWL_DATE**

CASING_DEPTH **FIRST_WATER_DEPTH**

LINER_DEPTH **WELL_TEST_1_TYPE**

PERFORATIONS_SCREENS_1 **YIELD_1** **GPM**

PERFORATIONS_SCREENS_2 **DRAWDOWN_1**

AQUIFER_TYPE SEMI CONFINED **DURATION_1** **HR**

HYDRAULIC_CONNECTION NOT AT NEAREST REACH

DIVISION_9_FINDING POTENTIAL FOR SUBSTANTIAL INTERFERENCE

CONDITIONED_WATER_RIGHTS_IN_AREA SEE ATTACHMENTS

OTHER_NEARBY_WATER_RIGHTS SEE ATTACHMENTS

DENSITY_OF_NEARBY_WELLS SEE ATTACHMENTS

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REFERENCES GANNETT AND OTHERS, 2001; USGS GEOL MAP I-2683;TOPO MAP; CROO 50724; CROO 51956; APPL. FILE G-15789; WATER AVAILABILTY FINDING FOR DESCHUTES RIVER ABOVE SHITIKE CREEK.

Wells in the vicinity of application G 15789

Application well(s) in this 1/4-1/4 section

Well(s) identified in this section from OWRD's well log database within 1 mi. radius of application well(s)

Well(s) identified in this 1/4-1/4 section from OWRD's well log database within 1 mi. radius of application well(s)

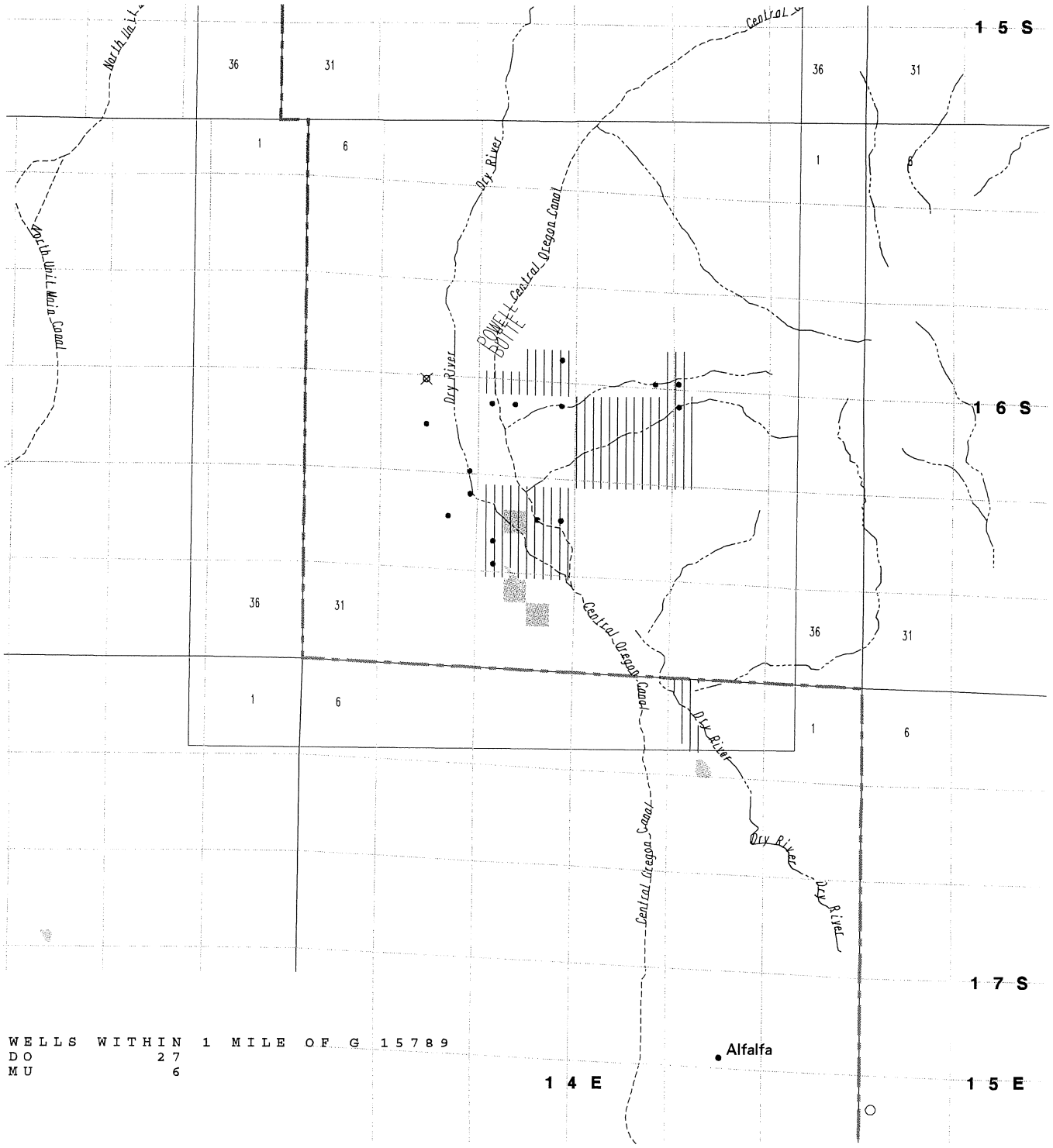
Permitted well(s) in this 1/4-1/4 section within 1 mi. radius of application well(s)

Conditioned, permitted well(s) in this 1/4-1/4 section within 5 mi. radius of application well(s)

OWRD Observation well and well-id within 5 mi. radius of application well(s)

Critical GW Area

Regulated GW Area



WELLS WITHIN 1 MILE OF G 15789

DO	27
MU	6

PERMITTED WELLS WITHIN 1 MILE OF APPLICATION G 15789

$RECNO	APPLICATION	PERMIT	LOC-QQ	USE	RATE	DIV-UNITS
1	G 13446	G 12192	16.00S14.00E17SESW	GD	0.2900	C

****

CONDITIONED WELLS WITHIN 5 MILES OF APPLICATION G 15789

$RECNO	APPLICATION	PERMIT	LOC-QQ	CONDITION-CODE
1	G 12835	G 12422	17.00S15.00E30SWNW	7JG
1	G 12835	G 12422	17.00S15.00E30SWNW	7JR

****

APPLICATION G 15789 FALLS WITHIN THESE QUAD(S)

POWELL BUTTE

****

Page 1 of Limiting Water Availability Basins Total Pages: 1

LIMITING WATERSHEDS
Water Availability as of 11/14/2002 for
DESCHUTES R > COLUMBIA R - AB SHITIKE CR

Watershed ID #: 30530643 Basin: DESCHUTES Exceedance Level: 80
Time: 18:08 Date: 11/14/2002

Mnth	Limiting Watershed	Stream Name	Water Avail?	Net Water Available
1	30530643	DESCHUTES R > COLUMBIA R - AB SHITIKE CR	NO	-928.0
2	30530643	DESCHUTES R > COLUMBIA R - AB SHITIKE CR	NO	-756.0
3	30530643	DESCHUTES R > COLUMBIA R - AB SHITIKE CR	NO	-527.0
4	30530643	DESCHUTES R > COLUMBIA R - AB SHITIKE CR	YES	176.0
5	30530643	DESCHUTES R > COLUMBIA R - AB SHITIKE CR	NO	-84.1
6	30530643	DESCHUTES R > COLUMBIA R - AB SHITIKE CR	NO	-484.0
7	30530643	DESCHUTES R > COLUMBIA R - AB SHITIKE CR	NO	-1014.0
8	30530643	DESCHUTES R > COLUMBIA R - AB SHITIKE CR	NO	-592.0
9	30530643	DESCHUTES R > COLUMBIA R - AB SHITIKE CR	NO	-655.0
10	30530643	DESCHUTES R > COLUMBIA R - AB SHITIKE CR	NO	-601.0
11	30530627	DESCHUTES R > COLUMBIA R - AB EAGLE CR	NO	-603.0
12	30530643	DESCHUTES R > COLUMBIA R - AB SHITIKE CR	NO	-1124.0
Stor	30530643	DESCHUTES R > COLUMBIA R - AB SHITIKE CR	YES	140000.0

Page 1 of Water Availability Tables Total Pages: 2

WATER AVAILABILITY TABLE
Water Availability as of 11/14/2002 for
DESCHUTES R > COLUMBIA R - AB SHITIKE CR

Watershed ID #: 30530643 Basin: DESCHUTES Exceedance Level: 80
Time: 18:08 Date: 11/14/2002

Item #	Watershed ID #	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Sto
1	70087	NO	NO	YES	YES	YES	NO	NO	NO	NO	NO	NO	NO	YES
2	30530627	NO	NO	NO	YES	YES	NO	NO	NO	NO	NO	NO	NO	YES
3	30530643	NO	NO	NO	YES	NO	NO	NO	NO	NO	NO	NO	NO	YES

Oregon Water Resources Department
Land Use Information Form

This information is needed to determine compatibility with local comprehensive plans as required by ORS 197.180. The Water Resources Department will use this and other information to evaluate the water use application. DO NOT fill out this form if water is to be diverted, conveyed, or used only on federal lands.

To Be Completed By Applicant

The following section includes information about proposed water use. This section must be completed by the individual or group that is filing an application for a water right with the Water Resources Department.

A. Applicant

Name: Eagle Crest, Inc.

Address: P.O. Box 1215

City: Redmond State: OR Zip: 97756 Day Phone: (541) 923-0807

B. Land and Location

Please provide information as requested below for all tax lots on or through which water will be diverted, conveyed, or used. Check "diverted" if water is diverted (taken) from its source on tax lot, "conveyed" if water is conveyed (transported) on tax lot, and "used" if water will be put to beneficial use on tax lot. More than one box may be checked. (Attach extra sheets as necessary.) Applicants for municipal use, or irrigation uses within irrigation districts, may substitute existing and proposed service area boundaries for the tax lot information requested below.

Tax Lot I.D.	Plan Designation (e.g. Rural Residential/RR-5)	Water to be: *(check all that apply)*		
16-14-33-3800	EFU with DRO overlay	☑ Diverted	☑ Conveyed	☑ Used
		☐ Diverted	☐ Conveyed	☐ Used
		☐ Diverted	☐ Conveyed	☐ Used

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

C. Description of Water Use

Indicate what the water will be used for. Include the beneficial use (found in the instruction booklet for your water right application) and use the space below to describe the key characteristics of the project.

Beneficial Use(s): Quasi-municipal

Briefly describe: The applicant requests a permit to supply water for domestic use, construction watering, reclamation, landscape irrigation, water features (aesthetic), and other ancillary uses usual and ordinary to municipal supply.

D. Source

Indicate the source for the proposed water use:

☐ Reservoir/Pond ☑ Ground Water ☐ Surface Water _____ (source)

E. Quantity

Indicate the estimated quantity of water the use will require:

3.34 ☑ CFS ☐ GPM ☐ Acre-Feet

Receipt for Request for Land Use Information

State of Oregon
Water Resources Department
Commerce Bldg.
158 12th St. NE
Salem, OR 97310-0210
(503)378-8455

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app# G-15789

For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless your project will be located entirely within the city limits. In this case, only the city planning agency must complete this form. Please request additional forms as needed or feel free to copy.

A. Allowed Use

Check the appropriate box below and provide requested information.

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

☒ Land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below.

Type of Land Use Approval Needed (e.g. plan amendments, rezones, conditional use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	*Check the item that applies:* Land Use Approval:	
CPU	Art. 12 CCZO 18 Section 3.030(2.V)	☐ Obtained ☐ Denied	☒ Being pursued ☐ Not being pursued
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued

Note: *Please attach documentation of applicable local land use approvals which have already been obtained. (Record of Action plus accompanying findings is sufficient.)*

B. Approval

Please provide printed name and written signature.

Name: Bill Zelenka Date: 6/19/02

Title: Director Phone: 541-447-8156

Signature: Bill P Zelenka

C. Additional Comments

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

Note: *If this form cannot be completed while the applicant waits, sign and detach the receipt stub as instructed below. You will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD will presume the land use associated with the proposed water right is compatible with local comprehensive plans. (See attached letter.)*

Receipt for Request for Land Use Information

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Name of water right applicant:_____

This receipt must be signed by a local government representative and returned to the applicant at the time they present this form. This receipt must be included in the application for a water right permit if the local government cannot provide the requested land use information while the applicant waits.

City or County:_____

Staff contact:_____ Phone:_____

Signature:_____ Date:_____

Memo

Oregon Water Resources Department
Water Rights Section

To: Fred

CC: Ken Lite, Jeana Eastman, file G15789

From: Dwight

Date: September 9, 2002

Re: GW Form and Maps

Thanks for your memo of Sept 4 regarding forms and maps with multiple well locations. We're going to change the GW form to require that the numbering (or lettering) used to identify well locations on the form correspond accordingly with the well locations on the map. There will be a period of transition while the new forms begin to be used by new applicants. We'll try to get them fixed one way or another during the transition period. (We're also removing the 1-800 number from the front page of the form.)

As for this particular file (G15789), I called Tom Walker and suggested that I make a copy of his map and mark the wells 1 - 6 from S to N (well 1 is the existing well). I marked this map "working copy." He is recording the wells the same in his records.

State of Oregon
Water Resources Department
158 12th Street NE, Salem, OR 97310
(503)378-8455 • (800)624-3199
www.wrd.state.or.us

Application for a Permit to Use Ground Water

Please type or print in dark ink. If your application is found to be incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "n/a." Please read and refer to the instructions when completing your application. Thank you.

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1. APPLICANT INFORMATION

A. Individuals

Applicant: _____
First Last

Co-applicant: _____
First Last

Mailing address: _____

_____
City State Zip

Phone: _____
Home Work Other

*Fax: _____ *E-Mail address: _____

B. Organizations

(Corporations, associations, firms, partnerships, joint stock companies, cooperatives, public and municipal corporations)

Name of organization: Eagle Crest, Inc.

Name and title of person applying: Alan VanVliet, Construction and Development Director

Mailing address of organization: P.O. Box 1215

Redmond Oregon 97756
City State Zip

Phone: (541) 923-0807 (541) 923-0807
Day Evening

*Fax: (541) 923-0881 *E-Mail address: alan@eagle-crest.com

**Optional information*

For Department Use

App. No. G-15789 Permit No._____ Date_____

2. PROPERTY OWNERSHIP

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Do you own all the land where you propose to divert, transport, and use water?

- ☐ Yes *(Skip to section 3 "Ground water Development.")*
- ☑ No Please check the appropriate box below.
  - ☐ I have a recorded easement or written authorization permitting access.
  - ☐ I do not currently have written authorization or easement permitting access.

List the names and mailing addresses of all affected landowners.*

Ray Shumway 16300 South Shumway Road Powell Butte, Oregon 97753

Butte Valley Enterprises, LLC c/o James C. VanVorhees 298 West 3rd Prineville, OR 97754

Powell Butte Ventures, LLC c/o James C. VanVoorhees 298 West 3rd Prineville, OR 97754

**If more than 25 landowners are involved, a list is not required. See instructions.*

3. GROUND WATER DEVELOPMENT

A. Number of well(s): 6 **B.** Name of nearest surface water body: Crooked River

C. Distance from well(s) to nearest stream or lake: 1) +/-11 miles

2) _____ 3) _____ 4) _____

D. If distance from surface water is less than one mile, indicate elevation difference between nearest surface water and well head. 1) _____

2) _____ 3) _____ 4) _____

E. Well Characteristics

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 constructor's log and the well ID number, if available, for each well with this application. Identify each well with a number corresponding to the wells designated on the map and proceed to question F in this section of the form. If the well has not been constructed, or if you do not have a well log, please complete the following:

Well(s) will be constructed by: Not yet determined

Address: _____

Completion date: _____

app # G-15789

2. Please provide a description of your well development. *(Attach additional sheets if needed.)*

Well No.	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
*1	8"	6" Steel	590'	570'-590'	18'	497'	530'	Casing Vent	590'
2	8"-10"	6"-8" Steel	650'	+/- 100'	+/- 20'	500'	530'	Casing Vent	±650'
3	8"-10"	6"-8" Steel	650'	+/- 100'	+/- 20'	500'	530'	Casing Vent	±650'
4	8"-10"	6"-8" Steel	650'	+/- 100'	+/- 20'	500'	530'	Casing Vent	±650'
5	8"-10"	6"-8" Steel	650'	+/- 100'	+/- 20'	500'	530'	Casing Vent	±650'
6	8"-10"	6"-8" Steel	650'	+/- 100'	+/- 20'	500'	530'	Casing Vent	±650'

F. Artesian Flows

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

*(see above) Only well #1 has been constructed

Based upon existing well #1, flowing artesian conditions will not be encountered.

4. WATER USE

Please read the instruction booklet for more details on "type of use" definitions, how to express how much water you need and how to identify the water source you propose to use. You must fill out a supplemental form for some uses as they require specific information for that type of use.

A. Type(s) of Use(s)

See list of beneficial uses provided in the instructions.

- If your proposed use is **domestic**,indicate the number of households to be supplied with water: _____
- If your proposed use is **irrigation**, please attach Form **I**
- If your proposed use is **mining**, attach Form **R**
- If your proposed use is **municipal or quasi-municipal**, attach Form **M**
- If your proposed use is **commercial/industrial**, attach Form **Q**

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B. Amount of Water

Provide the production rate in gallons per minute (gpm) and the total annual amount of water you need from each well, from each source or aquifer, for each use. You do not need to provide source information if you are submitting a well log with your application.

Well No.	Source or aquifer	Type of use	Total rate of water requested (in gpm)	Total annual quantity (in gallons)	Production rate of well (in gpm)
1-6	Deschutes Acquifier	Quasi-Municipal	1,500	267 million	250gpm/ea.

C. Maximum Rate of Use Requested

What is the maximum, instantaneous rate of water that will be used? 1500 gpm

(The fees for your application will be based on this amount.)

D. Period of Use

Indicate the time of year you propose to use the water: Year Around (January-January)

(For seasonal uses like irrigation give dates when water use would begin and end, e.g. March 1–October 31.)

E. Acreage

If you will be applying water to land, please give the total number of acres where water will be applied or used: N/A

(This number should be consistent with you application map.)

5. WATER MANAGEMENT

A. Diversion

What equipment will you use to pump water from your well(s)?

☑ Pump (give horsepower and pump type) _____

☐ Other means (describe) _____

B. Transport

How will you transport water to your place of use?

☐ Ditch or canal (give average width and depth)

Width_____ Depth _____

Is the ditch or canal to be lined? ☐ Yes ☐ No

☑ Pipe (give diameter and total length)

Diameter 6" to 12" Length 80,000 to 100,000 Lineal Feet

☐ Other (describe) _____

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C. Application/Distribution Method

What equipment will you use to apply water to your place of use? Well pumps, storage reservoir, direct piping, booster pump station, valves, and appurtenances.

Irrigation or land application method (check all that apply):

- ☐ Flood
- ☐ High-pressure sprinkler
- ☐ Low pressure sprinkler
- ☐ Drip
- ☐ Water cannons
- ☐ Center pivot system
- ☐ Hand lines
- ☐ Wheel lines
- ☐ Siphon tubes or gated pipe with furrows
- ☐ Other, describe_____

Distribution method

- ☑ Direct pipe from source
- ☑ In-line storage (tank or pond)
- ☐ Open canal

D. Conservation

What methods will you use to conserve water? Why did you choose this distribution or application method? For example, if you are using sprinkler irrigation rather than drip irrigation, explain. If you need additional space, attach a separate sheet.

All services will be metered. A rate structure will be imposed to encourage conservation. Educational programs will further encourage conservation.

6. PROJECT SCHEDULE

Indicate the anticipated dates that the following construction tasks should begin. If construction has already begun, or is completed, please indicate that date.

Proposed date construction will begin July 1, 2002

Proposed date construction will be completed October 1, 2012

Proposed date beneficial water use will begin October 1, 2003

7. REMARKS

If you would like to clarify any information you have provided in the application, please do so here and reference the specific application question you are addressing.

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8. MAP REQUIREMENTS

The Department cannot process your application without accurate information showing the source of water and location of water use. You must include a map with this application form that clearly indicates the township, range, section, and quarter/quarter section of the proposed well location and place of use. The map must provide tax lot numbers. See the map guidelines sheet for detailed map specifications.

9. SIGNATURE

By my signature below I confirm that I understand:

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application packet.
- I cannot legally use water until the Water Resources Department issues a permit to me.
- If I get a permit, I must not waste water.
- If development of the water use is not according to the terms of the permit, the permit can be canceled.
- The water use must be compatible with local comprehensive land use plans.
- Even if the Department issues a permit to me, I may have to stop using water to allow senior water right holders to get water they are entitled to, and

I swear that all information provided in this application is true and correct to the best of my knowledge:

Allen Van Vleet — Signature of Applicant

6/28/02 — Date

Signature of Co-applicant

Date

Before you submit your application be sure you have:

- Answered each question completely.
- Attached a legible map which includes township, range, section, quarter/quarter and tax lot number.
- Included a Land Use Information Form or receipt stub signed by a local official.
- Included the legal description of all the property involved with this application. You may supply a copy of the deed, land sales contract, or title insurance policy, to meet this requirement.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount.

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app # G-15789

TRACT I:

Parcel 3 of Partition Plat No. 1994-29, Recorded December 30, 1994 in Partitions MF No. 118915, Records of Crook County, Oregon.

TRACT II:

Parcel 1 and 2 of Partition Plat No. 1996-62, Recorded December 31, 1996 in Partitions MF No. 131589, Records of Crook County, Oregon.

TRACT III:

Parcel 1, 2, and 3 of Partition Plat No. 1996-63, Recorded December 31, 1996 in Partitions MF No. 131590, Records of Crook County, Oregon.

TRACT IV:

Parcel 1, 2, and 3 of Partition Plat No. 1996-64, Recorded December 31, 1996 in Partitions MF No. 131591, Records of Crook County, Oregon.

TRACT V:

Parcel 1, 2, and 3 of Partition Plat No. 1998-10, Recorded March 16, 1998 in Partitions MF No. 139674, Records of Crook County, Oregon.

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WATER RESOURCES DEPT.
SALEM, OREGON

app# 6-15789

Oregon Water Resources Department

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WATER RESOURCES DEPT.
SALEM, OREGON

FORM M

FOR MUNICIPAL AND QUASI MUNICIPAL WATER SUPPLIES

Unless otherwise noted, water use information should be in acre-feet per year (AFY).
1 acre-foot is equal to 325,851 gallons.

Background Information

Name of water supplier: Eagle Crest, Inc.

Name and size of area to be served: 3.3 square miles
(in square miles)

Present population of service area: 2
(Contact county planning staff, if needed.)

Projected population in 20 years: 2,250
(Cite source and year. For example: "20,595 Based upon 1995 Portland State University projections.")

List present water rights and permits held:

Date of Issuance:	Natural Source of Water:	Amount Permitted:	Utilization:
10-31-1900 and 12-02-1907	Certificate #76358 Deschutes River	238 Acres	Irrigation
	(Central Oregon Irrigation District)		

Water Use

Average **yearly** demand: 820 AFY Year: 2020

Per-capita daily consumption (in gallons): 325 gallons per day per capita
(Divide average annual water sales by population to arrive at consumption, then divide by 365 to get daily values.)

Peak season (by month/day): 6/1 to 9/30 Total **peak season** demand: 455 Acre-feet

Peak season per-capita daily consumption: 540 gallons per day per capita
(Divide total peak season demand by population and the number of days during the peak.)

Annual amount of water:

produced: 902 AFY
(diverted or pumped)

delivered: 820 AFY (90% of Total Production)

Is your system fully metered? ☑ Yes ☐ No

Describe your rate structure: An increasing block rate is anticipated.
(e.g. flat rate, increasing or decreasing block rate or combination of different systems)

app# G-15789

Request for Water

A. Discuss the reason(s) for your request for additional water
(e.g. loss of current supply, peak demand, growth, or other): An additional water supply is desired to support development of a destination resort, as accomodated by the current land use zone overlay on the property.

B. How long is the amount of water requested in this application expected to meet future needs?

(e.g. until the year 2040) Forever

C. Briefly discuss operation of water system and the most constraining component of the system:

Groundwater wells are expected to produce all domestic supplies with most irrigation water provided by surface water rights. Separate underground distribution piping systems will deliver domestic and irrigation water. An adequate well yield is expected to be the most constraining component of the system.

D. Percentage of water use by type:

Residential: 75% Commercial: 10%
Public Authority: Agricultural:
Unaccounted for use: 10% Industrial:
Other (specify use): Construction, Reclamation, Testing, Fire Protection, Etc. - 5%

E. List cost to implement proposed request.
Compare cost and benefits with other water supply, or combination of supply options. This should include water efficiency measures such as replacing current showerheads with low-flow types. (Attach documentation, as available.)

The estimated total cost for construction of wells and distribution piping is $508 million. No other water supply options are known to exist for the quasi-municipal use.

F. How and by how much will your proposed water use efficiency programs increase efficiency?
(Express as a percentage of per-capita consumption.)

Metered services, an increasing block rate structure, educational programs on water conservation, and similar programs are expected to maintain consumption at or below estimated volumes. Per capita consumption should be as much as 20% below the consumption for similar projects without water conservation programs.

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WATER RESOURCES DEPT.
SALEM, OREGON

app# G-15789

W&H PACIFIC
A Member of The IT Group

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

June 28, 2002

Mr. Dwight French
Oregon Water Resources Department
158 12th Street NE
Salem, OR 97301

RE: Eagle Crest, Inc.
Ground Water Appropriation Application
Crook County
WHP File #822968.003

Dear Dwight:

I have enclosed a ground water appropriation application, application map, land use compatibility statement, an executed form M and a check in the amount of $ 800.00 for fees. Your review and approval are respectfully requested.

On behalf of Eagle Crest, Inc., I am requesting your approval of a quasi-municipal permit to serve a proposed destination resort project in Crook County. Our application requests a maximum diversion of 1500 gpm to accommodate fire protection flow rates and peak instantaneous summer time demand. The maximum diversion rate will be utilized only for short durations at full buildout of the project or in an emergency situation. All proposed water uses will be beneficial and avoid waste. Anticipated water uses will include domestic consumption, commercial uses, recreational uses, irrigation, aesthetics, construction watering, fire protection, reclamation, and other similar uses usual and ordinary to a municipality.

The proposed destination resort is located on the west flank of Powell Buttes, within the Deschutes River basin. We anticipate a requirement for mitigation of ground water withdrawals due to a reported hydraulic connection between ground water and surface water flows in the lower Deschutes River. We are prepared to complete a mitigation plan for the consumptive portion of our water right. We prefer to defer the mitigation plan until after the initial review or some other time acceptable to the Oregon Water Resources Department. We remain optimistic that pending ground water withdrawal mitigation rules may provide better and more effective options for the resort project.

Tentatively, we plan exploratory well construction this summer. Resort development should commence within the next year with initial beneficial use by the fall of 2003. We estimate 10 years will be required to construct all wells and extend the water distribution system throughout the development project.

Please consider our comments and attachments. We look forward to your review and response.

Sincerely,

W&H PACIFIC, INC.

Tom Walker

Thomas A. Walker, P.E., CWRE

Cc: Alan VanVliet
822968-tawltr2-061802.DOC

RECEIVED
JUL 0 1 2002
WATER RESOURCES DEPT.
SALEM, OREGON

app# G-15785

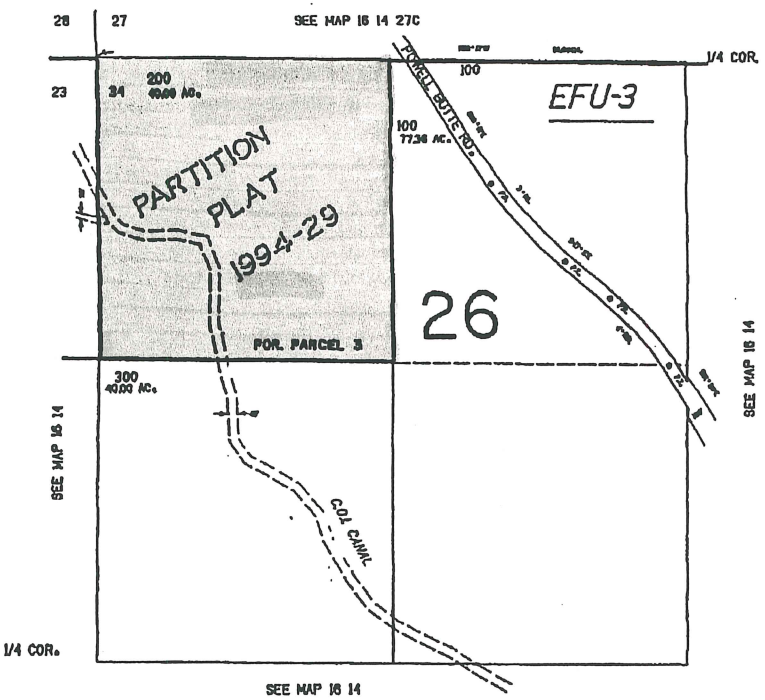
THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY

SECTION 34 T 16S. R. 14E. W.M
CROOK COUNTY
1" = 400'

16 14 34

SCALE 1:9600

400 0 400 800
FEET
0 .20 .40
KILOMETER





app # G-15789
Permit #

N

COMPLIMENTS OF AMERITITLE

THIS SKETCH IS FURNISHED TO ASSIST IN PROPERTY LOCATION AND THE COMPANY DOES NOT GUARANTEE IT'S ACCURACY.

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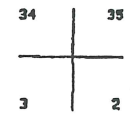
JUL 28 1998
DEPT. OF REVENUE
STATE OF OREGON





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JUL 01 2002
WATER RESOURCES DEPT.
SALEM, OREGON

REVISED 7-1-98, 9a

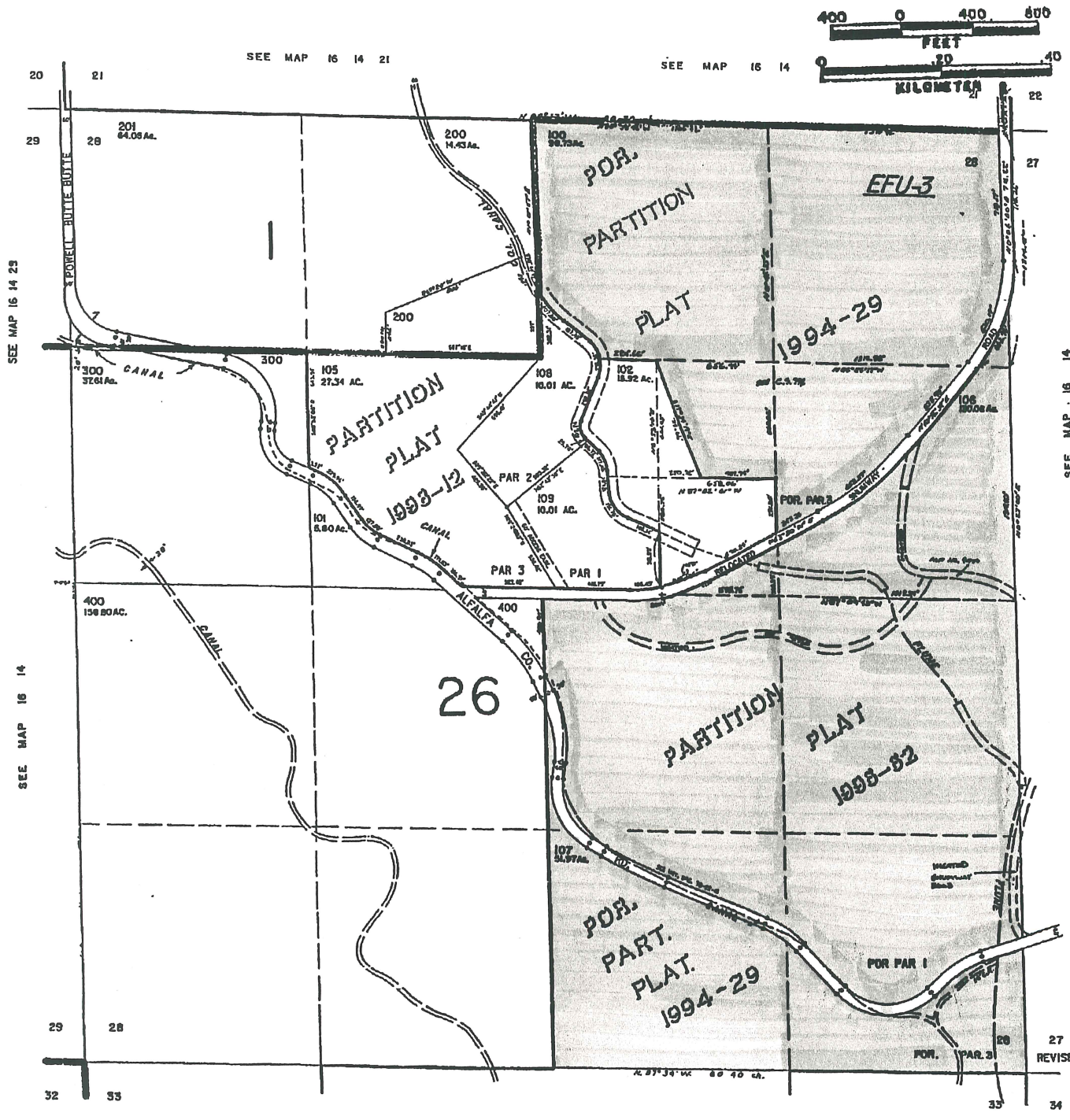
16 14 34

THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY

SECTION 28 T.16S R.14E. W.M.
CRO[illegible] COUNTY
1" = 400'

16 14 28

SCALE 1:9600



CANCELLED NO.
103
104
500
600

N

COMPLIMENTS OF AMERITITLE
THIS SKETCH IS FURNISHED TO ASSIST IN PROPERTY LOCATION AND THE COMPANY DOES NOT GUARANTEE ITS ACCURACY

RECEIVED
JUL 28 1998
DEPT. OF REVENUE
STATE OF OREGON

REVISED 7-10-98, 9C

16 14 28

app # G-15789
Permit #

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JUL 01 2002
WATER RESOURCES DEPT.
SALEM, OREGON

THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY

SECTION 27 T.16S. R.14E. W.M.
CR[illegible] COUNTY
1" = 400'

SCALE 1:9600

16 14 27

400 0 400 800
FEET
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KILOMETER

21 22
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22 23
27 26

CANCELLED NO'S:
200

N

COMPLIMENTS OF AMERITITLE
THIS SKETCH IS FURNISHED TO ASSIST IN PROPERTY LOCATION AND THE COMPANY DOES NOT GUARANTEE ITS ACCURACY

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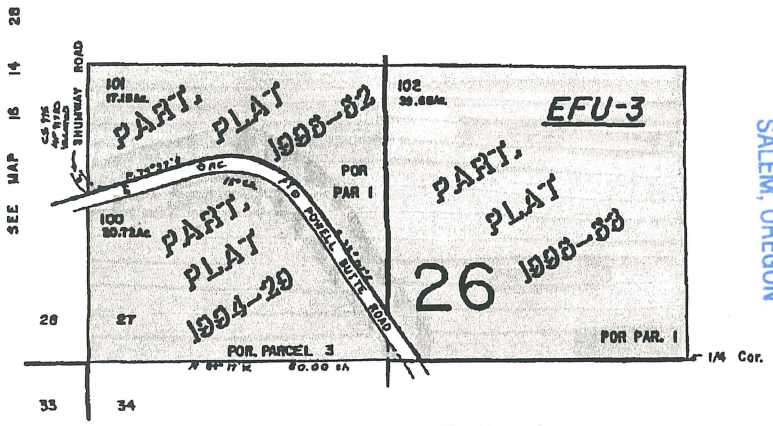
DEPT. OF REVENUE STATE OF OREGON

SEE MAP 16 14



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WATER RESOURCES DEPT.
SALEM, OREGON

app # G-15787
Permit #

27 26
34 35

REVISED 6-30-98, 9C

16 14 27

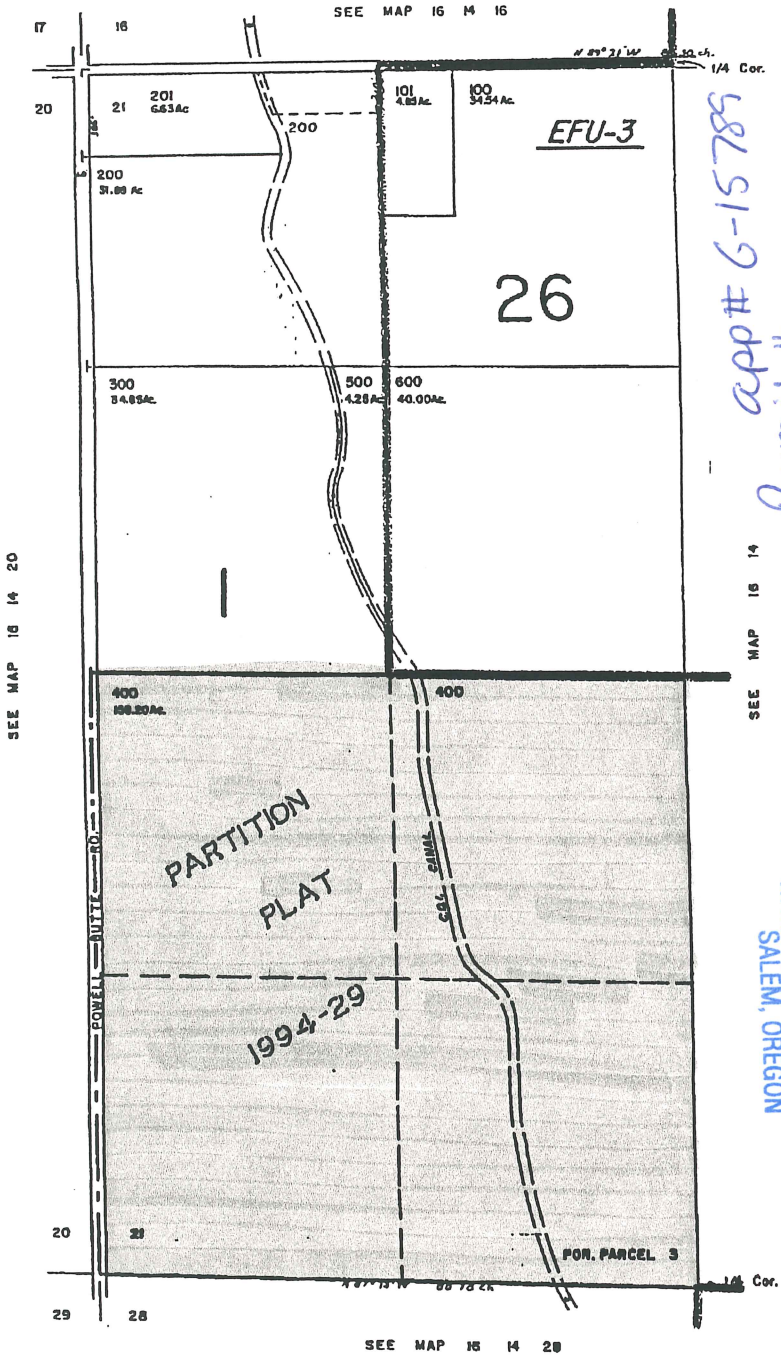
THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY

SECTION 21 T.16S. R.14E. W.M.
CROOK COUNTY
1" = 400'

SCALE 1:9600

400 0 400 800
FEET
0 .10 .15
KILOMETER

16 14 21



16 15
21 22

CANCELLED NO'S
102

app # G-15785
Permit #

COMPLIMENTS OF AMERITITLE
THIS SKETCH IS FURNISHED TO ASSIST IN PROPERTY LOCATION AND THE COMPANY DOES NOT GUARANTEE IT'S ACCURACY.

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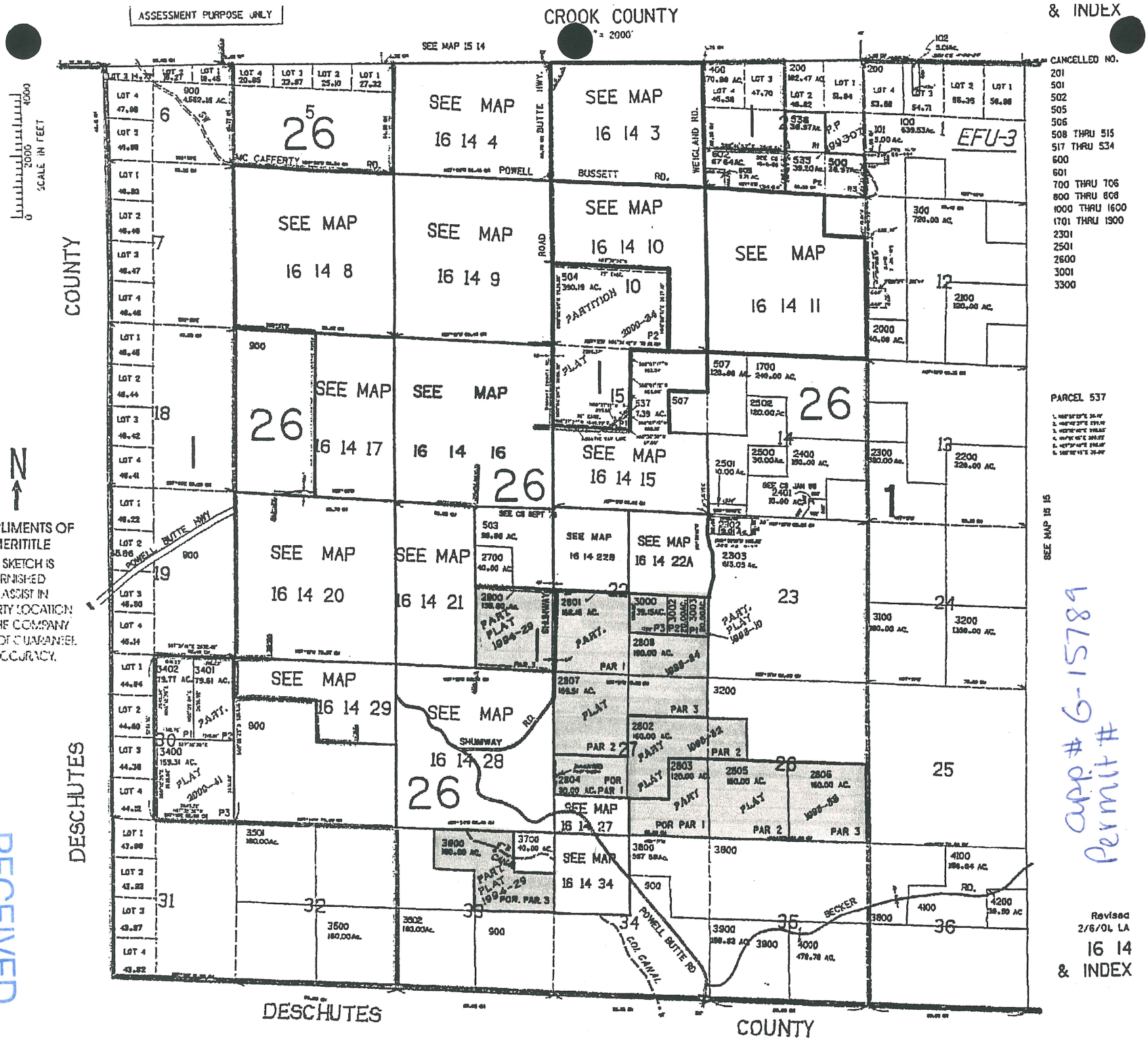
JUL 28 1998
DEPT. OF REVENUE
STATE OF OREGON

RECEIVED
JUL 01 2002
WATER RESOURCES DEPT.
SALEM, OREGON

21 22
28 27

REVISED 6-30-98, 9C

16 14 21



RECEIVED
JUL 01 2002
WATER RESOURCES DEPT.
SALEM, OREGON

app # G-15784
Permit #

Oregon
Theodore R. Kulongoski, Governor

Water Resources Department
Commerce Building
158 12th Street NE
Salem, OR 97301-4172
503-378-3739
FAX 503-378-8130

THIS IS AN INITIAL REVIEW (IR) OF APPLICATION G-15789.

THIS IS NOT A WATER RIGHT PERMIT AND IS SUBJECT TO CHANGE AT THE NEXT PHASE OF PROCESSING.

February 7, 2003

ALAN VAN VLIET
EAGLE CREST INC.
PO BOX 1215
REDMOND, OREGON 97756

Reference: File G-15789

Dear Applicant:

This document is the Department's preliminary analysis of your water use request called an Initial Review (IR). The purpose of the IR is to make a "first-cut" evaluation of the application, specifically focusing on whether the use is restricted by statute or rule and whether water is available for the proposed use. The IR is also meant to highlight issues and determinations that may preclude approval of the use or that may lead to restrictions.

This letter is to inform you of the ***unfavorable*** preliminary analysis of your water use application. The unfavorable analysis stems from the Department's determination that the proposed well is hydraulically connected to the Deschutes River and has the potential for substantial interference. When the Department determines that a potential for substantial interference with surface water exists, it is required to not only evaluate your application with respect to ground water laws and rules but it is also required to consider laws and rules governing the (hydraulically connected) surface water source.

As you will see from the analysis below, the Department's determination that your well is connected to the Deschutes River presents a number of obstacles to application approval. I urge you to contact Laura Snedaker at (503) 378-8455 ext. 331 or Kyle Gorman at (541) 388-6669 to find out more about a working group that has been formed in the Deschutes Basin to address this situation.

Initial Review Determinations:

In determining whether a water use permit application may be approved, the Department must consider the factors listed below. Based on the information you have supplied, and a review of your request by the Department's Ground Water/Hydrology Section, the Department has made the following preliminary determinations:

1. The proposed ground water use is not prohibited by law or rule.

2. The ground water of the Deschutes Basin is classified for quasi-municipal. OAR 690-505

3. Ground water is available for the proposed use. However, the Department has determined that the proposed ground water source is hydraulically connected to the mainstem Deschutes River and will have the potential for substantial interference with surface water, OAR 690-09. Limitations and public interest considerations related to the surface water source must be considered in the evaluation of this application:

   A) The surface waters of the mainstem Deschutes River **are not classified** for quasi-municipal. OAR 690-505 the Deschutes Basin Program.

   B) The amount of water requested, 3.34 CUBIC FOOT PER SECOND (1500 GALLONS PER MINUTE) for Quasi-Municipal **is not available** May 1 through March 31 due to prior, senior water rights on the mainstem Deschutes River.

   C) The proposed use of hydraulically connected ground water with the potential for substantial interference **is not allowable** in the Deschutes basin April 15 through September 30. OAR 690-33

   D) The mainstem Deschutes River is a State Scenic Waterway.

Summary and Options

Because of items A through D above, QUASI-MUNICIPAL use cannot be allowed. **At the next step of processing the Department will propose denial of this application unless you propose a mitigation plan, approved by the Department, that satisfactorily addresses the impact of the proposed use of ground water on surface flows**. The approved mitigation plan could be incorporated as part of the permit, if one is issued, but implementation of the plan would be required prior to water use. At this time, you must decide whether to proceed or to withdraw your application as described below. Another alternative is to place your application on "administrative-hold" to allow for participation in the Deschutes Basin Water Management Planning Process which is developing a water management plan to serve as a mechanism for mitigating the use of hydraulically connected ground water.

Withdrawal Refunds:

If you choose not to proceed, you may withdraw your application and receive a refund (minus a $50 processing charge per application.) To accomplish this you must notify the Department in writing by **Friday, February 21, 2003**. For your convenience you may use the enclosed "STOP PROCESSING" form.

To Proceed With Your Application:

If you choose to proceed with your application, you do not have to notify the Department. Your application will automatically be placed on the Department's Public Notice to allow others the opportunity to comment. After the comment period the Department will complete a public interest review and issue a proposed final order.

Finally, in the event a permit is issued, the following standard conditions will likely apply:

1. Measurement, recording and reporting conditions:

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

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

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

3. You will be required to comply with state and federal water quality standards.

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

6. Within 2 years of permit issuance, the permittee shall submit a water management and conservation plan consistent with OAR Chapter 690, Division 86.

5. The tentative priority date for this application is July 1, 2002.

If you have any questions:

Questions about the contents of this Initial Review, status of your application, processing time lines, administrative holds etc. should be directed to staff member Russell W. Klassen at (503) 378-8455 ext. 266. Please have your application number available if you call or when sending any correspondence regarding the conclusions of this initial review please reference the application number.

Sincerely,

Russell W. Klassen
Senior Water Rights Specialist

cc: Regional Manager, Watermaster District 11, Water Availability Section
enclosures: Flow Chart of Water Right Process
Stop Processing Form

G-15789
wab 05-30530643
pou 05-30530643
gw A

APPLICATION FACT SHEET

Mail to: Applicant, Watermaster, District Biologist (ODFW)
If necessary, also mail to : Regional Water quality manager (DEQ), and DOA

Application File Number: G-15789

Applicant: EAGLE CREST INC.; ALAN VAN VLIET

County: DESCHUTES

Watermaster: District 11

Priority Date: November 2, 1998

Source: A WELL IN DESCHUTES RIVER BASIN

Use: QUASIMUNICIPAL USE

Quantity: 3.34 CFS

Basin Name & Number: Deschutes, #05

Stream Index Reference: Volume 1 DESCHUTES R MISC

Point of Diversion Location: SWSE, SECTION 15, T15S, R12E, W.M.;

Place of Use: SE 1/4 NW 1/4, SECTION 28, SW 1/4 NE 1/4, NE 1/4 NW 1/4, SECTION 33,

TOWNSHIP 16 SOUTH, RANGE 14 EAST, W.M.

14 DAY STOP PROCESSING DEADLINE DATE: Friday 21, 2003

PUBLIC NOTICE DATE: Tuesday, February 11, 2003

30 DAY COMMENT DEADLINE DATE: Thursday, March 13, 2003

WATER SUPPLY WELL REPORT
(as required by ORS 537.765)

WATER RESOURCES DEPT.
SALEM, OREGON

Instructions for completing this report are on the reverse side.

WELL I.D. # L 20122

START CARD # 109995

(1) OWNER: Well Number #2

Name RAY SHUMWAY

Address 16300 SHUMWAY ROAD

City POWELL BUTTE State OR Zip 97753

(2) TYPE OF WORK

[X] New Well [ ] Deepening [ ] Alteration (repair/recondition) [ ] Abandonment

(3) DRILL METHOD:

[X] Rotary Air [ ] Rotary Mud [ ] Cable [ ] Auger

[ ] Other

(4) PROPOSED USE:

[X] Domestic [ ] Community [ ] Industrial [ ] Irrigation

[ ] Thermal [ ] Injection [ ] Livestock [ ] Other

(5) BORE HOLE CONSTRUCTION:

Special Construction approval [ ] Yes [X] No Depth of Completed Well 590 ft.

Explosives used [ ] Yes [X] No Type – Amount –

HOLE Diameter	From	To	SEAL Material	From	To	Sacks or pounds
12	0	18	BENTONITE	0	18	11 SACKS
8	18	590				

How was seal placed: Method [ ] A [ ] B [ ] C [ ] D [ ] E

[X] Other POURED DOWN DRY

Backfill placed from ft. to ft. Material

Gravel placed from ft. to ft. Size of gravel

(6) CASING/LINER:

	Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing:	8	+2	18	250	[X]	[ ]	[ ]	[ ]
					[ ]	[ ]	[ ]	[ ]
					[ ]	[ ]	[ ]	[ ]
					[ ]	[ ]	[ ]	[ ]
Liner:	6	10	590	188	[X]	[ ]	[X]	[ ]
					[ ]	[ ]	[ ]	[ ]

Final location of shoe(s) NO SHOE USED

(7) PERFORATIONS/SCREENS:

[X] Perforations Method MACHINE CUT

[ ] Screens Type SLOT Material STEEL

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
570	590	8x3	240	6	–	[ ]	[X]
						[ ]	[ ]
						[ ]	[ ]
						[ ]	[ ]
						[ ]	[ ]

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

[ ] Pump [ ] Bailer [X] Air [ ] Flowing Artesian

Yield gal/min	Drawdown	Drill stem at	Time
15	–	590	1 hr.

Temperature of water 60° Depth Artesian Flow Found

Was a water analysis done? [ ] Yes By whom

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

[ ] Salty [ ] Muddy [ ] Odor [ ] Colored [ ] Other

Depth of strata:

(9) LOCATION OF WELL by legal description:

County CROOK Latitude Longitude

Township 16 N or S Range 14 E or W. WM.

Section 33 S W 1/4 N E 1/4

Tax Lot 3600 Lot Block Subdivision

Street Address of Well (or nearest address) WEST SIDE OF SOUTH ALFALFA ROAD

(10) STATIC WATER LEVEL:

497 ft. below land surface. Date 9-16-98

Artesian pressure – lb. per square inch. Date –

(11) WATER BEARING ZONES:

Depth at which water was first found 530'

From	To	Estimated Flow Rate	SWL
530	590	25+GPM	497

(12) WELL LOG:

Ground Elevation

Material	From	To	SWL
SANDY SOIL & LAVA	0	8	
GREY LAVA	8	22	
BROWN LAVA	22	26	
GREY LAVA	26	40	
BROWN SAND STONE	40	115	
GREY LAVA	115	125	
FRACT BROWN LAVA	125	155	
no return med	155	370	
FRACT GREY LAVA	370	430	
MIXED LAVA	430	480	
FRACT GREY LAVA	480	575	497
RED CINDER CONG	575	585	
FRACT GREY LAVA	585	590	

Date started 9-8-98 Completed 9-16-98

(unbonded) Water Well Constructor Certification:

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

WWC Number

Signed Date

(bonded) Water Well Constructor Certification:

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

WWC Number 1556

Signed Date 9-18-98

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

RECEIVED

app# G-15789 JUL 01 2002

WATER RESOURCES DEPT.
SALEM, OREGON

Oregon
Theodore R. Kulongoski, Governor

Water Resources Department
Commerce Building
158 12th Street NE
Salem, OR 97301-4172
503-378-3739
FAX 503-378-8130

August 12, 2003

TO: Ground Water Permit Applicants in the Deschutes Basin Ground Water Study Area

From: Laura Snedaker

RE: Update of Mitigation Program Activities

I wanted to take this opportunity to update you on the Department's implementation of the Water Resources Commission's ground water mitigation and mitigation bank rules. Since the rules were adopted in September 2002, Department staff have been working to implement a water right mitigation program for the Deschutes Basin. The Deschutes Water Exchange Mitigation Bank has been approved and chartered by the Commission, and several mitigation projects have been awarded mitigation credits and a few more that will result in mitigation credits are in process.

The Department has also been calculating the "mitigation obligation" for pending ground water applications. Within a few weeks the Department will be sending you a Notice of Mitigation Obligation which will describe the amount and location of mitigation required for the Department to approve your ground water application. Shortly after the Notice of Mitigation Obligation letter is sent, Department staff will hold special sessions in Bend to answer your questions. Specific dates and location for these sessions will be identified in the Notice of Mitigation Obligation letter.

Finally, the Department is proposing some modifications to the existing mitigation rules to improve the process. You should have already received a copy of the Notice of Opportunity to Comment announcing these proposed modifications. One of the modifications being proposed is the addition of a third mitigation option called "payment to provide mitigation" which, if approved, would be available to certain ground water users proposing to divert 0.3 cubic feet per second (cfs) or less. We would be interested in any comments you may have on these proposed rule modifications.

If you have any questions about the mitigation program, please contact Laura Snedaker at (503) 378-8455, extension 331. Thank you for your continued cooperation and assistance as the Department moves forward with your ground water permit application.

G 15789
ALAN VAN VLIET
EAGLE CREST INC.
PO BOX 1215
REDMOND, OR 97756

W&H PACIFIC
AN ASCG COMPANY

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

November 17, 2003

Mr. Russ Klassen
Senior Water Rights Specialist
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-2430

RECEIVED
NOV 20 2003
WATER RESOURCES DEPT
SALEM, OREGON

RE: Eagle Crest, Inc.
Application G-15789
Mitigation Obligations

WHP File No. 30028

Dear Russ:

Thank you for your letter of August 25, 2003 designating mitigation obligations for our pending Crook County groundwater appropriation application. We reviewed your documents carefully and compiled a number of clarifications and corrections for your consideration. We have also described our proposed mitigation program to allow the issuance of a permit. Your review and approval are requested.

Summary of Pending Groundwater Application:

The pending groundwater appropriation application was filed on June 28, 2002 and requests 1500 gallons per minute (3.34 cfs) for quasi-municipal use. The quasi-municipal appropriation is intended to accommodate the domestic needs for a 900 unit destination resort project, recently approved by Crook County. As noted in our original application, Eagle Crest, Inc. already holds Central Oregon Irrigation District (COID) rights for irrigation needs on the resort property.

Mitigation Obligations:

You calculated mitigation obligations based upon standard coefficients for municipal use. On behalf of Eagle Crest, Inc., I respectfully request recalculation of the mitigation obligation, based upon the following clarifications and additional information on our proposed development. We recognize the same clarifications will apply to the proposed groundwater permit.

Domestic water consumption at the proposed Crook County destination resort can be very accurately estimated from the existing nearby Eagle Crest Resort. The Eagle Crest Resort provides a wealth of water consumption information over a number of years, with identical uses, in the same climate, and with the same developer.

Owners and guests at destination resorts are typically part time residents with an occupancy much lower than a standard municipality.

Based upon our experiences and multiple data evaluations, future resort residences at the Crook County resort will consume water at an average annual rate of 504 gallons per day per unit, which is equivalent to 0.565acre-feet per year per residential unit. These consumption numbers include the commercial and recreational facilities at destination resorts.

Sewage contributions from the proposed destination resort will be treated and the effluent utilized for irrigation at agronomic rates. Because the treated effluent will be utilized for irrigation, there is no recharge to the hydrogeologic cycle and no deduction in consumption. Therefore, the 900 units anticipated at the Crook County resort will result in a maximum consumptive use at full build-out and full occupancy of 510 acre-feet per year.

Proposed Mitigation Plan:

Eagle Crest, Inc. proposes to obtain instream rights, transfer surface water rights to an instream use, transfer conserved water to an instream use, or utilize an equivalent mitigation program in an amount equivalent to 510 acre-feet per year. Eagle Crest, Inc. expects Swalley Irrigation District rights, Central Oregon Irrigation District rights, or similar entities will be the source of the surface water for instream use. The proposed transfer to an instream use eliminates the diversion of water out of the Deschutes River at Bend. The full rate and duty of the rights will directly and immediately benefit the Deschutes River between Bend and Lake Billy Chinook over approximately 30 river miles. The middle reach of the Deschutes River below Bend has a long history of low summer time flows because of irrigation district diversions in Bend, and the associated impacts to the river and fishery. The applicant's mitigation responsibility applies only to the lower reach of the river. The benefit to the middle reach warrants significant mitigation value, equal to the full rate and duty of the surface water certificate right.

Based upon these clarifications to both the mitigation obligation and the ultimate permit, a reasonable total of mitigation for groundwater withdrawals is 510 acre-feet per year. COID surface water rights provide 5.45 acre-feet of water per year per acre, excluding any transmission loss. If COID water rights are committed to an instream use, approximately 94 acres of rights will be committed to an instream use in the form of a lease or transfer, to mitigate groundwater withdrawals.

Please consider my comments and calculations and never to hesitate to contact me with your questions or needs for additional information. We greatly appreciate the chance to clarify our application. Our intention is to preserve and protect our groundwater application for use at our proposed destination resort. I look forward to your response.

Sincerely,
W&H Pacific, Inc.

Tom Walker

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

Cc: **Alan VanVliet**
Jan Wick, P.E.
John Herlocker

RECEIVED
NOV 20 2003
WATER RESOURCES DEPT
SALEM, OREGON

W&H PACIFIC
AN ASCG COMPANY

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

November 17, 2003

Mr. Russ Klassen
Senior Water Rights Specialist
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-2430

RE: Eagle Crest, Inc.
Application G-15789
Mitigation Obligations

WHP File No. 30028

Dear Russ:

Thank you for your letter of August 25, 2003 designating mitigation obligations for our pending Crook County groundwater appropriation application. We reviewed your documents carefully and compiled a number of clarifications and corrections for your consideration. We have also described our proposed mitigation program to allow the issuance of a permit. Your review and approval are requested.

Summary of Pending Groundwater Application:

The pending groundwater appropriation application was filed on June 28, 2002 and requests 1500 gallons per minute (3.34 cfs) for quasi-municipal use. The quasi-municipal appropriation is intended to accommodate the domestic needs for a 900 unit destination resort project, recently approved by Crook County. As noted in our original application, Eagle Crest, Inc. already holds Central Oregon Irrigation District (COID) rights for irrigation needs on the resort property.

Mitigation Obligations:

You calculated mitigation obligations based upon standard coefficients for municipal use. On behalf of Eagle Crest, Inc., I respectfully request recalculation of the mitigation obligation, based upon the following clarifications and additional information on our proposed development. We recognize the same clarifications will apply to the proposed groundwater permit.

Domestic water consumption at the proposed Crook County destination resort can be very accurately estimated from the existing nearby Eagle Crest Resort. The Eagle Crest Resort provides a wealth of water consumption information over a number of years, with identical uses, in the same climate, and with the same developer.

Owners and guests at destination resorts are typically part time residents with an occupancy much lower than a standard municipality.

Based upon our experiences and multiple data evaluations, future resort residences at the Crook County resort will consume water at an average annual rate of 504 gallons per day per unit, which is equivalent to 0.565acre-feet per year per residential unit. These consumption numbers include the commercial and recreational facilities at destination resorts.

Sewage contributions from the proposed destination resort will be treated and the effluent utilized for irrigation at agronomic rates. Because the treated effluent will be utilized for irrigation, there is no recharge to the hydrogeologic cycle and no deduction in consumption. Therefore, the 900 units anticipated at the Crook County resort will result in a maximum consumptive use at full build-out and full occupancy of 510 acre-feet per year.

Proposed Mitigation Plan:

Eagle Crest, Inc. proposes to obtain instream rights, transfer surface water rights to an instream use, transfer conserved water to an instream use, or utilize an equivalent mitigation program in an amount equivalent to 510 acre-feet per year. Eagle Crest, Inc. expects Swalley Irrigation District rights, Central Oregon Irrigation District rights, or similar entities will be the source of the surface water for instream use. The proposed transfer to an instream use eliminates the diversion of water out of the Deschutes River at Bend. The full rate and duty of the rights will directly and immediately benefit the Deschutes River between Bend and Lake Billy Chinook over approximately 30 river miles. The middle reach of the Deschutes River below Bend has a long history of low summer time flows because of irrigation district diversions in Bend, and the associated impacts to the river and fishery. The applicant's mitigation responsibility applies only to the lower reach of the river. The benefit to the middle reach warrants significant mitigation value, equal to the full rate and duty of the surface water certificate right.

Based upon these clarifications to both the mitigation obligation and the ultimate permit, a reasonable total of mitigation for groundwater withdrawals is 510 acre-feet per year. COID surface water rights provide 5.45 acre-feet of water per year per acre, excluding any transmission loss. If COID water rights are committed to an instream use, approximately 94 acres of rights will be committed to an instream use in the form of a lease or transfer, to mitigate groundwater withdrawals.

Please consider my comments and calculations and never to hesitate to contact me with your questions or needs for additional information. We greatly appreciate the chance to clarify our application. Our intention is to preserve and protect our groundwater application for use at our proposed destination resort. I look forward to your response.

Sincerely,
W&H Pacific, Inc.

Tom Walker

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

Cc: **Alan VanVliet**
Jan Wick, P.E.
John Herlocker

Anita, Please find file and add this to it. Dur

cc: French
Norris

From: "Berry and Lisa Phelps" <bearlisa@teleport.com>
To: <hall.tom@deq.state.or.us>
Cc: <Director@wrd.state.or.us>,
"Berry and Lisa Phelps" <bearlisa@teleport.com>
Subject: Eagle Crest Powell Butte Resort Proposal
Date: Fri, 28 Nov 2003 20:53:55 -0800
X-Security: MIME headers sanitized on kettle.wrd.state.or.us
See http://www.impsec.org/email-tools/sanitizer-intro.html
for details. $Revision: 1.133 $Date: 2002-01-05 17:09:21-08
X-Mailer: Microsoft Outlook Express 6.00.2800.1158

Tom:

Attached is my letter to you regarding this proposal. I also attached my letter to the Crook County Planning Commission. I hope you or Paul will find this information helpful in each of your evaluation and decision making. Thanks. Either of you can reach me at 541-420-7002.


DEQ Letter Eagle Crest Powel Butte112803.doc


Crook County Commissioners 0403.doc

From: "Berry and Lisa Phelps" <bearlisa@teleport.com>
To: <hall.tom@deq.state.or.us>
Cc: <Director@wrd.state.or.us>,
"Berry and Lisa Phelps" <bearlisa@teleport.com>
Subject: Eagle Crest Powell Butte Resort Proposal Letter Clearification
Date: Fri, 28 Nov 2003 21:15:51 -0800
X-Security: MIME headers sanitized on kettle.wrd.state.or.us
See http://www.impsec.org/email-tools/sanitizer-intro.html
for details. $Revision: 1.133 $Date: 2002-01-05 17:09:21-08
X-Mailer: Microsoft Outlook Express 6.00.2800.1158

Tom and Paul:

My last portion of my letter referred to 100 residents. I meant to say 100 residences, not just 100 people. I don't know the exact population in the Powell Butte View Estates subdivision area but it's more than 100 people and growing. Thanks.

Tom Hall
Department of Environmental Quality
2146 NE 4th St.
Bend, OR. 97701

November 28, 2003

RE: Eagle Crest INC.; Van Vliet, Alan; (G 15789)

Tom;

Thank you for your time when we talked on the phone November 26, 2003 and for approving and giving me your e-mail address so I could provide comments on the septic system proposed by Eagle Crest at Powell Butte (ECPB). I'm concerned about potential water quality degradation and water quantity reduction due to this proposal.

My wife and I live in the Powel Buttes Estates, located on the west slopes of Powell Butte. The Powell Buttes Estates Water District has a well down river from this proposal (north) and could be affected by this proposal.

The following recommendations would help ensure our water quality is not degraded;

1. In the DEQ permit; a) establish strict standards for individual or community septic systems, b) require the permittee to establish and monitor water quality downriver and below the surface of these systems by having an independent water quality monitoring company perform periodic water quality tests and send these reports to DEQ and the permittee, c) the permit needs to evaluate the cumulative effects of all resulting individual septic systems and community septic systems **BEFORE** issuing this permit.

2. This proposal requires a sewage treatment plant be constructed when development reaches a level resulting in "X" gallons of sewage/day. That is good. There needs to be a clear, quantitative monitoring method to determine when this sewage treatment will be constructed. A a specific time period for building the sewage treatment plan should be in this permit, and specify the steps DEQ will take with the permittee once "X" gallons of sewage/day occur. This needs to be clearly stated in the DEQ permit to avoid any future questions or vagueness. Penalties for non-compliance or procrastination in building the treatment plant need to be clearly stated and understood in this permit.

3. The updated proposal from Eagle Crest states that "gray water" will be stored in the winter and used for golf course watering in warmer months. This is good use of the gray water. The gray water tanks need to be large enough to hold the gray water and also be leak-proof. The DEQ permit should require Eagle Crest to hire an engineering firm to calculate the size, material and especially the foundation used to support these tanks.

4. There needs to be a foundation beneath these tanks to ensure no leakage occurs into the ground water. Without a solid foundation, like concrete, who, or how could one tell if gray water seepage into the ground is occurring? If ponds are constructed they also need to be monitored to ensure they are built and operate according to DEQ standards.

I am hopeful that DEQ will clearly evaluate all development stages of this proposal, including full build out. The enormous volume of water use (up to 3.79 million gallons/day) proposed by Eagle Crest requires either water brought in by Avion or wells using the Deschutes basin aquifer.

My preference is that Avion bring in water from Bend. The Crook County permit for this proposal required Eagle Crest to use water out of the Deschutes basin aquifer if wells are used as part of this proposal.

In conclusion, no one wants to see water use for the Eagle Crest development result in drying up the Powell Butte Resort Water District well that provides excellent water to over 100 residents. No one in our subdivision wants to have lower water quality to drink and enough water quantity to use daily.

We are depending on DEQ and Eagle Crest and respective engineers to develop, monitor and manage their water use in a manner that avoids these potential realities. I appreciate the opportunity to comment. Please put me on your mailing list regarding this proposal.

Sincerely,

Berry Phelps
13480 SW Sego Lily
Powell Butte, OR. 97753

Mailing Address:
P.O. Box 62
Prineville, OR 97754

Crook County Commissioners
Crook County Courthouse
300 N.E. Third Street
Prineville, OR 97754

April 28, 2003

Dear County Commissioners;

As Crook County residents living within the Powell Butte View Estates Water District, adjacent to the proposed Powell Butte Resort, we do not support this proposal as submitted for the following reasons:

1. **Domestic and Non-Domestic Water Use**: Although this proposal identifies three options for supplying water to this resort; **a) Avion Contract, b) New Groundwater, and c) Transfer of Exiting Water Rights,** this proposal is vague in this application to the Crook County Commissioners on which proposal it would use to supply water to the proposed resort.

   However, the application to the Oregon Water Resources Department (Form M; attached) is not vague; it's clear. **This application requests Oregon Water Resource Department approval to develop and use 6 wells to produce all domestic water supply, estimated at full build-out to be 1,371,500 gallons/day**. The use of these proposed wells could affect the ability of the Powell Butte View Estates Water District to supply water to over 100 water users from our adjacent well. We rely on our water district to supply adequate, safe drinking water and our district is doing an outstanding job doing that. We want this to continue.

   We would rather see the Powell Butte Resort proposal contract with Avion and bring water from Bend, rather than sink more wells within the vicinity of existing wells used for domestic use by Eagle Crest, or by Avion.

   In addition, proposed Golf Course and Large Turf Irrigation water use on approximately 300 acres is estimated to be approximately 2,423,700 gallons/day. There is nothing in this proposal regarding the use of "Gray Water" to water golf courses or other irrigated land. The Meadow Lakes Golf Course is an excellent example of efficient use of water by treating waste water for golf course watering requirements. **Total domestic and non-domestic water use at full build-out is estimated to be 3,795,200 gallons of water/day, if private wells are constructed and used. (Including swimming pool(s)?)**

   * **Recommendation:** a). Require Eagle Crest to select one option for supplying water, so it can be evaluated by appropriate county and state department staff as well as adjacent residents, b) Require Eagle Crest to develop a plan to treat its waste water for golf course and other irrigated lands, with a plan also showing how Central Oregon Irrigation District water could be used for golf course/irrigated lands, rather than using ground water.

We believe it's the responsibility of the proponent of this proposal to use water conservatively. This current proposal fails to do that. No approval should be granted until a plan is submitted that clearly shows water conservation with no potential effects to existing adjacent water users. Requiring appropriate State Water Resource and Department of Environmental Quality permits **before** the commission grants initial approval would allow water consumption and water waste concerns to be evaluated before land use decisions by the commission are made.

This is especially important because the proponents discuss on the top of page 25 in their application regarding mitigation alternatives for their water use. **NONE of these mitigation alternatives would reduce potential effects on existing adjacent domestic and non-domestic ground water use. This is an important reason why the state agency permit process for water use be required first; not last.**

Although the project proponent application repeatedly states that the commission is not required to establish that state requirements be satisfied first before the commission grants project approval, **that is exactly what needs to occur before this commission decides on this proposal, especially regarding proposed water use.**

2. **Proposed Sewer Facilities:** The proposed Sewer Master Plan identifies a variety of sewerage treatment options for the proposed resort, avoiding evaluation of any one, or combination of specific treatment options. In addition, none of the options listed proposed the treatment and use of treated septic gray water for watering golf courses or other irrigated lands.

   As adjacent residents, we are concerned about the initial proposed septic method. It appears to be similar to the system initially used at the Redmond Eagle Crest. According to articles in the Bend Bulletin, this system had repeated problems. We are concerned that potential ground water pollution could occur to underground water north of this proposed project, where our water district well is located.

   Although our well is several hundred feet deep, it would be a false assumption to believe that the layered underground volcanic lythologic layer does not contain volcanic rock fractures or underground gravel beds, allowing surface water to penetrate into deeper water basins where existing well water is obtained for domestic and non-domestic use. Volcanic rock in Central Oregon has numerous fractures and we're no different in this area.

   * **Recommendation:** Require Department of Environmental Quality permits **before** the commission grants initial approval would allow septic and water waste concerns to be evaluated before land use decisions by the commission are made.

Although the project proponent application repeatedly states that the commission is not required to establish that state requirements be satisfied first before the commission grants project approval, that is exactly what needs to occur before this commission decides on this proposal, especially regarding septic and waste water treatment and potential groundwater pollution to adjacent domestic wells.

3. **Increased Traffic & Road Standards:** This proposal does not identify the effects of an estimated 4,780 new daily trips on roads leading to this proposal. The current road alignments of the Powell Butte Highway, Shumway Road and SW Alfalfa Road do not safely accommodate existing traffic.

   The intersections between these three roads are dangerous now. Unfortunately, the State Department of Transportation (ODOT)and the Crook County Road Department have not identified these hazardous intersections as priorities for improvement for driver safety, because nothing has been done for years at these dangerous intersections.

   At the first public hearing regarding this proposal, we listened to a Crook County Road Department official say that he hopes ODOT will do something about road safety in our area. We were very disappointed in that statement.

   Public driving on these roadways as well as pedestrian/equestrian use on adjacent roadsides is not safe and is not a ODOT or Crook County Road Department priority. There would be a significant safety hazard by adding 4,780 vehicle daily trips and untold pedestrian/equestrian use to these road sides.

   The Traffic Impact Analysis for this proposal inaccurately concludes that all intersections are sufficiently safe through 2023. We strongly disagree with this statement. The current road alignment of the Powell Butte Highway, Shumway Road and SW Alfalfa roads are not safe now.

   The Powell Butte Highway at the Shumway and SW Alfalfa road intersections are located on sharp banked curves. Line of sight distances are very limited at these locations. In addition, there are no left turn lanes on this highway for the driver traveling south on this highway, creating additional driving hazards at these locations. These roadway conditions are dangerous now. Additional traffic resulting from this proposal would make these intersections more dangerous.

   * **Recommendation:** We support the recommendations contained in the resort's Traffic Impact Analysis report submitted to the commission and urge the commission to make these recommendations part of the commission permit requirements if this proposal is approved.

   The first recommendation of this report is especially important. However, we recommend strengthening that recommendation by REQUIRING written

agreements between ODOT, Crook County Road Department and Eagle Crest to ensure the following: a) These entities commit to providing safe motorized ingress and regress to this resort if built, as well as provide safe paths along Shumway and SW Alfalfa Road, b) road intersection improvements at the Powell Butte Highway and Shumway road intersection; Powell Butte Highway and SW Alfalfa Road intersection and Shumway/SW Alfalfa intersection will occur when Average Daily Traffic (ADT) counts exceed a specific percent over existing use and the specific ADT increase over existing use is determined jointly by ODOT and the Crook County Road Department.

Although we recognize that the commission does not have any control over ODOT, it does have control over its road department and co-operative agreements between the county and ODOT regularly occur. It's also critical that pedestrian/biking/horse paths are also built along Shumway and SW Alfalfa county roads.

4. **Scenic Quality:** The proposal is vague on specific areas that would remain natural. All maps submitted to the commission contain intentionally vague wording; **" all elements subject to change". This wording does NOT give any commitment on the part of the proponent regarding protection of scenic quality.** The 50% open space requirement needs to be honored by requiring the proponent to identify landscapes that would be maintained in their natural character.

   Most of this proposal, as well as a large part of adjacent Bureau of Land Management (BLM) public lands were identified as having high or sensitive visual qualities in the BLM Brothers/LaPine Environmental Impact Statement/Record of Decision. This proposal does not include an analysis of scenic quality on the proposed lands or the effects of this proposal on the scenic quality of adjacent BLM public land.

   * **Recommendation:** a) require the proponent to prepare resort maps that identify open space and no development areas. The commission should not allow any development on slopes above 3,500 feet and should require the proponent to maintain the existing character of the landscape on slopes and features that are visible from Shumway and SW Alfalfa roads. B) A Scenic Quality Mitigation Plan should be required to ensure scenic quality is maintained and all development blends into this landscape. c) All resort lighting should be required to not create night light intrusions. The proponents touched on this in their proposal but the commission needs to require with the "total picture" on how lighting is not intrusive, or a safety hazard to night drivers on roadways. Deschutes County does have a lighting ordinance to limit light pollution.

5. **Community Services**: This proposal identified a fire station at the resort. Who pays for this station? There are also concerns about law enforcement , education

and medical support. It would be helpful to have additional information on these services and needs before this resort is approved.

6. **Resort Development; How many Phases?** We have concerns that this proposal would continue to grow and grow, resulting in unknown effects on existing and new residents. These is a concern that the commission could resolve by limiting development to this proposal and not allow additional phases beyond what is currently proposed.

7. **Surface Disturbance**: Due to windy conditions in various directions, we request the commission require any surface disturbance associated with this proposal require watering and dust abatement to minimize dusty conditions on adjacent residents and also to reduce soil erosion.

8. **Public Access:** No where in this proposal was information regarding public access to this resort. Is this resort open to the public? Are proposed golf courses, hiking/horse paths, shops, etc open to the public? Why wasn't this addressed in this proposal?

9. **Potential Taxation Increases:** We are concerned that this development could result in increased taxes on property within the vicinity of this proposal. This potential tax increase could adversely affect property owners, especially residents with fixed incomes. The creation of this resort is expected to have a significant influence on raising the property values of adjacent property, resulting in increased taxes. Increased property taxes could result in displacing residents, especially individuals on fixed incomes.

   * **Recommendation;** a) Request the county assessors office prepare a 1-2 page summary of anticipated effects of this proposal on residential property in the area over the next 3-10 years. b) Request the Assessor's office prepare taxation options that would limit effects on adjacent property owners with fixed incomes. We trust that the commission would not approve this proposal at the future expense of residents with fixed incomes.

Thank you for your time in reviewing our concerns. **We are hopeful that the commission will require additional information so all of us can CLEARLY evaluate the merits of this proposal.**

In conclusion, this proposal, as submitted, is vague, lacks commitment and lacks critical information necessary for making a land-use decision of this magnitude. If this proposal is ever approved, we trust the commission will require the proponents to "Make it happen…responsibly". Implementing the recommendations in this letter would help do that.

Sincerely,

Berry Phelps
13480 SW Sego Lily
Powell Butte, OR
97753

We support comments in this letter:

Attachment: Form M; Oregon Water Resources Department
cc: Oregon Department of Transportation – Bend Office
Crook County Road Department

#11

WATERMASTER DIVISION 33 APPLICATION WORK SHEET

Recommendations for Water Right Applications that may affect the Habitat of Sensitive, Threatened or Endangered Fish Species, OAR 690-33-310 through 340.

Please return by: March 13, 2003 Application # G-15789 Name: Eagle Crest Inc.

SOURCE OF WATER: ☒ GROUNDWATER ☐ SURFACE WATER ☐ STORAGE

DESCRIPTION OF THE SOURCE: A WELL
(A spring, well, sump, exempt pond, unnamed stream, etc.)

RECEIVED
FEB 24 2003
WATER RESOURCES DEPT.
SALEM, OREGON

1) If from surface water, does the water at the proposed diversion location flow into another water body?

☐ YES ☐ NO ☐ SOMETIMES

If sometimes, describe the time period, Between: _____ and _____.

2) Does the source ever go dry in the area of the proposed diversion?

☐ YES ☒ NO

3) To your knowledge, has the requested source of water been regulated because of insufficient flow to satisfy existing water rights including instream water rights?

☐ YES ☒ NO

If YES, please explain: _____

4) Do you agree with the period water is found to be available?

☒ YES ☐ NO ☐ I DON'T KNOW

If NO, what period do you recommend and why: _____

5) Did you meet with staff from another agency to discuss this application?

☐ YES ☒ NO

Who: _____ Agency: _____ Date: _____

6) Is mitigation an option?

☒ YES ☐ NO

If YES, please explain: mitigation is an option as well as purchasing and transfering ground water rights to the proposed location from the same source as the proposed well.

Comments: _____

Name: Jeremy Giffin Date: 2/11/03 Title: Water master District #11.

WRD Contact: Caseworker: Russell W. Klassen, Water Rights Division
503-378-8455 ext: 266 / Fax: 503-378-6203 / e-mail: Russell.W.KLASSEN@wrd.state.or.us

MENU OF CONDITIONS FOR WRD, ODFW, DEQ AND AG
(Developed 6/27/97 - revised 2/26/02)

fish The permittee shall install, maintain, and operate fish screening and by-pass devices as required by the Oregon Department of Fish and Wildlife to prevent fish from entering the proposed diversion. The required screen is to be in place and functional prior to diversion of any water.

odfw The permittee shall install, maintain, and operate fish screening and by-pass devices as required by the Oregon Department of Fish and Wildlife to prevent fish from entering the proposed diversion. The required screens and by-pass devices are to be in place, functional and approved by an ODFW representative prior to diversion of any water.

B54b The permittee shall install, maintain, and operate fish screening to prevent fish from entering the proposed diversion. The permittee shall also install a fishway at the obstruction that will provide adequate upstream and downstream passage for fish. The permittee may submit evidence that the Oregon Department of Fish and Wildlife (ODFW) has determined screens and/or fishways are not necessary. The required screens and fishways are to be in place, functional, and approved by ODFW before diversion of any water.

b54c The permittee shall not construct, operate or maintain any dam or artificial obstruction to fish passage in the channel of the subject stream without providing a fishway to ensure adequate upstream and downstream passage for fish. The applicant is hereby directed to contact an Oregon Department of Fish and Wildlife Fish Passage Coordinator, Portland, Oregon, before beginning construction of any in-channel obstruction.

b54m The permittee may be required in the future to install, maintain, and operate fish screening devices to prevent fish from entering the proposed diversion.

b52 Water may be diverted only when Department of Environmental Quality sediment standards are being met.

b5 The water user shall install and maintain adequate treatment facilities meeting current DEQ requirements to remove sediment before returning the water to the stream.

b51a The period of use has been limited to _____ through _____.

b57 Before water use may begin under this permit, a totalizing flow meter must be installed at each diversion point. The totalizing flow meter must be installed and maintained as identified in OAR 690-507-645.

b58 Before water use may begin under this permit, a staff gage that measures the entire range and stage between full reservoir level dead pool storage must be installed in the reservoir. The staff gage shall be United States Geological Survey style porcelain enamel iron staff gage style A, C, E or I. Additionally, before water use may begin under this permit, if the reservoir is located in channel then weirs or other suitable measuring devices must be installed upstream and downstream of the reservoir, and, a gated valve outlet must be installed. A written waiver may be obtained from the local Watermaster if in his judgement the installation of the weir(s) will provide no public benefit.

no id yet (futile call) The use of water allowed herein may be made only at times when waters from the (SPRING OR WHATEVER) would not otherwise flow into a tributary of the (WHATEVER) River or sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

4a This use of water shall be limited when it reduces the flow of water in (NAME OF STREAM).(name of stream).

pispc If the riparian area is disturbed in the process of developing a point of diversion, the permittee shall be responsible for restoration and enhancement of such riparian area.

The use may be restricted if the quality of the source stream or downstream waters decrease to the point that those waters no longer meet existing state or federal water quality standards due to reduced flows.

The permittee shall install, maintain, and operate fish screening to prevent fish from entering the proposed diversion. The permittee shall also install a fishway at the obstruction that will provide adequate upstream and downstream passage for fish. The permittee may submit evidence that the Oregon Department of Fish and Wildlife (ODFW) has determined screens and/or fishways are not necessary. The required screens and fishways are to be in place, functional, and approved by ODFW before diversion of any water.

no id yet The stream and its adjacent riparian area shall be fenced to exclude livestock.

blv Water must be diverted to a trough or tank through an enclosed water delivery system. The delivery system must be equipped with an automatic shutoff or limiting flow control mechanism or include a means for returning water to the stream source through an enclosed delivery system. The use of water shall not exceed 0.10 cubic feet per second per 1000 head of livestock.

MENU OF CONDITIONS FOR WRD, ODFW, DEQ AND AG
(Developed 6/27/97 - revised 2/26/02)

fish The permittee shall install, maintain, and operate fish screening and by-pass devices as required by the Oregon Department of Fish and Wildlife to prevent fish from entering the proposed diversion. The required screen is to be in place and functional prior to diversion of any water.

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b58 Before water use may begin under this permit, a staff gage that measures the entire range and stage between full reservoir level dead pool storage must be installed in the reservoir. The staff gage shall be United States Geological Survey style porcelain enamel iron staff gage style A, C, E or I. Additionally, before water use may begin under this permit, if the reservoir is located in channel then weirs or other suitable measuring devices must be installed upstream and downstream of the reservoir, and, a gated valve outlet must be installed. A written waiver may be obtained from the local Watermaster if in his judgement the installation of the weir(s) will provide no public benefit.

no id yet (futile call) The use of water allowed herein may be made only at times when waters from the (SPRING OR WHATEVER) would not otherwise flow into a tributary of the (WHATEVER) River or sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

4a This use of water shall be limited when it reduces the flow of water in (NAME OF STREAM).(name of stream).

pispc If the riparian area is disturbed in the process of developing a point of diversion, the permittee shall be responsible for restoration and enhancement of such riparian area.

The use may be restricted if the quality of the source stream or downstream waters decrease to the point that those waters no longer meet existing state or federal water quality standards due to reduced flows.

The permittee shall install, maintain, and operate fish screening to prevent fish from entering the proposed diversion. The permittee shall also install a fishway at the obstruction that will provide adequate upstream and downstream passage for fish. The permittee may submit evidence that the Oregon Department of Fish and Wildlife (ODFW) has determined screens and/or fishways are not necessary. The required screens and fishways are to be in place, functional, and approved by ODFW before diversion of any water.

no id yet The stream and its adjacent riparian area shall be fenced to exclude livestock.

blv Water must be diverted to a trough or tank through an enclosed water delivery system. The delivery system must be equipped with an automatic shutoff or limiting flow control mechanism or include a means for returning water to the stream source through an enclosed delivery system. The use of water shall not exceed 0.10 cubic feet per second per 1000 head of livestock.

Nicholas

DEQ DIVISION 33 APPLICATION REVIEW SHEET

Recommendations for Water Right Applications that may affect the Habitat of Sensitive, Threatened or Endangered Fish Species, OAR 690-33-310 through 340.

Please return by: March 13, 2003 Application # G-15789 Name: Eagle Crest Inc.

1) Is there a connection to a 303(d) listed water quality limited waterbody? **NO** / **YES**

Explain: Deschutes River is WQ limited

2) What is the potential for this use to impact a water quality limited waterbody: **HIGH** **MEDIUM** **LOW**

Explain: Don't Know

3) If the answer to question (2) is HIGH or MEDIUM, will the proposed use still result in diminution of water quality for the habitat of sensitive, threatened, or endangered fish species? **NO** / **YES**

If YES, how? Don't Know

4) Can conditions be applied to mitigate the impact of the use? **NO** / **YES**

Which conditions are recommended? (Try to select conditions from the Menu of Conditions)

Mitigate with in-stream flow.

5) If conditions cannot be identified to offset impacts, would the proposed use affect the Habitat of Sensitive, Threatened, or Endangered Fish Species? **NO** / **YES**

If YES, please explain: Don't Know

6) If a application is approved, are there conditions you would like to see included in the permit?

YES

RECEIVED
FEB 13 2003
WATER RESOURCES DEPT.
SALEM, OREGON

DEQ Representative: Name: Nichols Date: 02-11-03

RECEIVED
FEB 10 2003
Eastern Region - Bend

Mail to

WRD Contact: Caseworker: Russell W. Klassen, Water Rights Division
503-378-8455 ext: 266 / Fax: 503-378-6203 / e-mail: Russell.W.KLASSEN@wrd.state.or.us

ODFW PUBLIC INTEREST REVIEW SHEET

Please return by: March 13, 2003 Application # G-15789 Name: Eagle Crest Inc.

1) Will the proposed use occur in an area that may affect the habitat of fish or wildlife species?

NO / YES Species: _____
Other: _____

What stage or value is at risk (circle all that apply): Spawning, Incubation, Rearing, Passage, Habitat Value

2) Will the proposed use result in a loss of habitat? **NO / YES**

3) Can conditions be applied to mitigate the impact to the loss of habitat? **NO / YES**

Which conditions are recommended? _____
_____
_____
_____
_____
_____
(Try to select conditions from the Menu of Conditions)

4) If conditions cannot be identified to offset impacts to the habitat, would the proposed use harm the species?
NO / YES

If YES, please explain: _____
_____
_____
_____
_____
_____

5) If a permit is approved, what fish screen, bypass or other conditions should be included in the permit?
_____
_____
_____

ODFW Representative: Name: _____ Date: _____.

WRD Contact: Caseworker: Russell W. Klassen, Water Rights Division
503-378-8455 ext: 266 / Fax: 503-378-6203 / e-mail: Russell.W.KLASSEN@wrd.state.or.us

Form 1 - Upper Columbia

ODFW DIVISION 33 APPLICATION REVIEW SHEET

Marx

Recommendations for Water Right Applications that may affect the Habitat of Sensitive, Threatened or Endangered Fish Species, OAR 690-33-310 through 340.

Please return by: March 13, 2003 Application # G-15789 Name: Eagle Crest Inc.

A) Will the proposed use occur in an area that may affect the essential habitat of a **SENSITIVE** fish species? Redband trout
NO / **YES** IF ANSWER TO QUESTION (A) IS **YES**, FILL OUT SECTION I.

B) Will the proposed use occur in an area that may affect the essential habitat of a **THREATENED OR ENDANGERED** fish species? [690-33-330(1)] **NO** / **YES** Species: Status: Threatened, Endangered Bull trout / Summer Steelhead
IF ANSWER TO QUESTION (B) ~~IS YES~~, FILL OUT SECTION II.

C) What stage or value is at risk (circle all that apply): Spawning, Incubation, Rearing, Passage, Habitat Value

IF ANSWER IS **NO** TO BOTH QUESTIONS, FILL OUT PUBLIC INTEREST REVIEW SHEET ☞ (PAGE 2)

SECTION I:

1) Will the proposed use result in a **NET LOSS** in the habitat of a SENSITIVE SPECIES? [690-33-330(2)(a)] Yes

2) Can conditions be applied to mitigate the impact to the essential habitat of a SENSITIVE species?
NO / **YES** [690-33-330(3)]

Which conditions are recommended?
Exchange surface water for groundwater to maintain stream flows - Additional mitigation may be required if river temperature is negatively affected.
(Try to select conditions from the Menu of Conditions)

3) If conditions cannot be identified to offset impacts to the essential habitat of SENSITIVE species, would the proposed use harm the species?
NO / **YES** [690-33-330(4)]

If YES, please explain: Reduced life stages and habitat values identified in Section C above.

4) If a permit is approved, what fish screen, bypass or other conditions should be included in the permit?

_____

_____

_____

SECTION II:

1) Is the proposed use consistent with the Columbia River Basin Fish and Wildlife Program?
NO / **YES** [690-33-120(1)]

If NO, please explain: Reduced habitat for Sensitive & Threatened fish species.

2) If NO, can the proposed use be conditioned to achieve consistency with the Fish and Wildlife Program?
NO / **YES** [690-33-120(1)]

If YES, please explain:
Same as Section I, #2 above

RECEIVED
FEB 13 2003
WATER RESOURCES DEPT
SALEM, OREGON

ODFW Representative: Name: Steven Marx Date: 2/11/03

WRD Contact: Caseworker: Russell W. Klassen, Water Rights Division
503-378-8455 ext: 266 / Fax: 503-378-6203 / e-mail: Russell.W.KLASSEN@wrd.state.or.us

Barry Phelps - BLM Prineville 541-416-6723.
When can motion be filed by individual on Powell Butte Estates Water Rights?

Application: G 15789 **Priority:** 07/01/2002
Permit: **Basin:** 5
Certificate: **Status:** Issue with Conditions

Caseworker Russell Klassen

Initial Review
Completed Date: 2/7/03
Public Notice Date: 2/11/03

Applicant Info:
Name: EAGLE CREST INC.; VAN VLIET, ALAN
Address: PO BOX 1215
REDMOND OR 97756
Phone: 541-923-0807

Proposed Final Order
Completed Date:
Protest Deadline:

Final Order:
Completed Date:

Timeout:
Timeout Date:

County: CROOK
Stop Notice: **GW Review:** 11/14/02
House Bill: **Geologist:** Kenneth Lite
Mandamous: **Public Interest:** N

Representative Info:
Name:
Address:

Processing Notes:
DESCHUTES GW STUDY AREA

Search | Retrieve | Save | Print | Exit

is this correct? It wasn't in the Deschutes bin.

WATER AVAILABILITY TABLE

Water Availability as of 1/27/2003 for
DESCHUTES R > COLUMBIA R - AB SHITIKE CR

Watershed ID #: 30530643 Basin: DESCHUTES Exceedance Level: 80
Time: 09:12 Date: 01/27/2003

Select an Item Number for More Details

Item #	Watershed ID #	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Sto
1	70087	NO	NO	YES	YES	YES	NO	NO	NO	NO	NO	NO	NO	YES
2	30530627	NO	NO	NO	YES	YES	NO	NO	NO	NO	NO	NO	NO	YES
3	30530643	NO	NO	NO	YES	NO	NO	NO	NO	NO	NO	NO	NO	YES

STREAM NAMES

Item	Watershed ID	Stream Name
1	70087	DESCHUTES R > COLUMBIA R - AT MOUTH
2	30530627	DESCHUTES R > COLUMBIA R - AB EAGLE CR
3	30530643	DESCHUTES R > COLUMBIA R - AB SHITIKE CR

LIMITING WATERSHEDS

Mnth	Limiting Watershed	Stream Name	Water Avail?	Net Water Available
1	30530643	DESCHUTES R > COLUMBIA R - AB SHITIKE CR	NO	-928.0
2	30530643	DESCHUTES R > COLUMBIA R - AB SHITIKE CR	NO	-756.0
3	30530643	DESCHUTES R > COLUMBIA R - AB SHITIKE CR	NO	-527.0
4	30530643	DESCHUTES R > COLUMBIA R - AB SHITIKE CR	YES	176.0
5	30530643	DESCHUTES R > COLUMBIA R - AB SHITIKE CR	NO	-84.1
6	30530643	DESCHUTES R > COLUMBIA R - AB SHITIKE CR	NO	-484.0
7	30530643	DESCHUTES R > COLUMBIA R - AB SHITIKE CR	NO	-1014.0
8	30530643	DESCHUTES R > COLUMBIA R - AB SHITIKE CR	NO	-592.0
9	30530643	DESCHUTES R > COLUMBIA R - AB SHITIKE CR	NO	-655.0
10	30530643	DESCHUTES R > COLUMBIA R - AB SHITIKE CR	NO	-601.0
11	30530627	DESCHUTES R > COLUMBIA R - AB EAGLE CR	NO	-603.0
12	30530643	DESCHUTES R > COLUMBIA R - AB SHITIKE CR	NO	-1124.0
Stor	30530643	DESCHUTES R > COLUMBIA R - AB SHITIKE CR	YES	140000.0

DETAILED REPORT ON THE WATER AVAILABILITY CALCULATION
Water Availability as of 1/27/2003 for
DESCHUTES R > COLUMBIA R - AT MOUTH

Watershed ID #: 70087 Basin: DESCHUTES Exceedance Level: 80
Time: 09:12 Date: 01/27/2003

Month	Natural Stream Flow	CU + Stor Prior to 1/1/93	CU + Stor After 1/1/93	Expected Stream Flow	Reserved Stream Flow	Instream Water Rights	Net Water Available
1	4970.00	632.00	5.44	4330.00	450.00	4500.00	-617.00
2	5530.00	695.00	7.88	4830.00	450.00	4500.00	-123.00
3	6140.00	950.00	23.30	5170.00	450.00	4500.00	216.00
4	6470.00	923.00	33.90	5510.00	450.00	4000.00	1060.00
5	6220.00	1120.00	20.90	5080.00	450.00	4000.00	632.00
6	5560.00	1160.00	5.16	4390.00	450.00	4000.00	-58.90
7	4610.00	902.00	3.90	3700.00	450.00	4000.00	-746.00
8	4320.00	810.00	3.64	3510.00	450.00	3500.00	-444.00
9	4410.00	695.00	3.67	3710.00	450.00	3800.00	-539.00
10	4520.00	759.00	3.67	3760.00	450.00	3800.00	-493.00
11	4610.00	818.00	3.42	3790.00	450.00	3800.00	-461.00
12	4820.00	744.00	3.38	4070.00	450.00	4500.00	-877.00
Stor	4390000	617000	7130	3760000	326000	2950000	522000

DETAILED REPORT OF CONSUMPTIVE USES AND STORAGES
Water Availability as of 1/27/2003 for
DESCHUTES R > COLUMBIA R - AT MOUTH

Watershed ID #: 70087 Basin: DESCHUTES Exceedance Level: 80
Time: 09:12 Date: 01/27/2003

Mo	Storage	Irrig	Munic	Ind/Man	Commer	Domest	Agricul	Other	Total
1	613.46	0.00	17.04	0.91	0.07	4.34	1.30	0.00	637.00
2	679.49	0.00	17.04	0.91	0.07	4.34	1.30	0.00	703.00
3	879.06	70.78	17.04	0.91	0.07	4.34	1.30	0.00	974.00
4	488.99	444.61	17.04	0.91	0.07	4.34	1.30	0.00	957.00
5	91.81	1022.86	17.04	0.91	0.07	4.34	1.30	0.00	1140.00
6	49.03	1079.12	34.09	0.91	0.07	4.34	1.30	0.00	1170.00
7	38.49	826.89	34.09	0.91	0.07	4.34	1.30	0.00	906.00
8	35.63	737.34	34.09	0.91	0.07	4.34	1.30	0.00	814.00
9	35.85	621.99	34.09	0.91	0.07	4.34	1.30	0.00	699.00
10	438.87	300.58	17.04	0.91	0.07	4.34	1.30	0.00	763.00
11	797.54	0.00	17.04	0.91	0.07	4.34	1.30	0.00	821.00
12	723.43	0.00	17.04	0.91	0.07	4.34	1.30	0.00	747.00

DETAILED REPORT OF RESERVATIONS FOR CONSUMPTIVE USE
Water Availability as of 1/27/2003 for
DESCHUTES R > COLUMBIA R - AT MOUTH

Watershed ID #: 70087 Basin: DESCHUTES Exceedance Level: 80
Time: 09:12 Date: 01/27/2003

Reservations								
APP #	-70504A	-70504B	-70504C	-70503A	-70503B	-70503C	-70503D	TOTAL
Status Use	Treaty Other	Treaty Other	Treaty Other	Treaty Other	Treaty Other	Treaty Other	Treaty Other	
1	147.00	27.90	25.00	146.00	37.60	4.80	61.30	450.00
2	147.00	27.90	25.00	146.00	37.60	4.80	61.30	450.00
3	147.00	27.90	25.00	146.00	37.60	4.80	61.30	450.00
4	147.00	27.90	25.00	146.00	37.60	4.80	61.30	450.00
5	147.00	27.90	25.00	146.00	37.60	4.80	61.30	450.00
6	147.00	27.90	25.00	146.00	37.60	4.80	61.30	450.00
7	147.00	27.90	25.00	146.00	37.60	4.80	61.30	450.00
8	147.00	27.90	25.00	146.00	37.60	4.80	61.30	450.00
9	147.00	27.90	25.00	146.00	37.60	4.80	61.30	450.00
10	147.00	27.90	25.00	146.00	37.60	4.80	61.30	450.00
11	147.00	27.90	25.00	146.00	37.60	4.80	61.30	450.00
12	147.00	27.90	25.00	146.00	37.60	4.80	61.30	450.00

DETAILED REPORT OF INSTREAM REQUIREMENTS
Water Availability as of 1/27/2003 for
DESCHUTES R > COLUMBIA R - AT MOUTH

Watershed ID #: 70087 Basin: DESCHUTES Exceedance Level: 80
Time: 09:12 Date: 01/27/2003

ISWRs							
APP #	-90506A	-70501A	70087A	71194A	0	0	0	MAXIMUM
Status	SWW	Treaty	Cert.	Cert.				
1	4500.00	3000.00	3000.00	4500.00	0.00	0.00	0.00	4500.00
2	4500.00	3000.00	3000.00	4500.00	0.00	0.00	0.00	4500.00
3	4500.00	3500.00	3500.00	4500.00	0.00	0.00	0.00	4500.00
4	4000.00	3500.00	3500.00	4000.00	0.00	0.00	0.00	4000.00
5	4000.00	3500.00	3500.00	4000.00	0.00	0.00	0.00	4000.00
6	4000.00	3500.00	3500.00	4000.00	0.00	0.00	0.00	4000.00
7	4000.00	3000.00	3000.00	4000.00	0.00	0.00	0.00	4000.00
8	3500.00	3000.00	3000.00	3500.00	0.00	0.00	0.00	3500.00
9	3800.00	3000.00	3000.00	3800.00	0.00	0.00	0.00	3800.00
10	3800.00	3000.00	3000.00	3800.00	0.00	0.00	0.00	3800.00
11	3800.00	3000.00	3000.00	3800.00	0.00	0.00	0.00	3800.00
12	4500.00	3000.00	3000.00	4500.00	0.00	0.00	0.00	4500.00

DETAILED REPORT ON THE WATER AVAILABILITY CALCULATION
Water Availability as of 1/27/2003 for
DESCHUTES R > COLUMBIA R - AB EAGLE CR

Watershed ID #: 30530627 Basin: DESCHUTES Exceedance Level: 80
Time: 09:12 Date: 01/27/2003

Month	Natural Stream Flow	CU + Stor Prior to 1/1/93	CU + Stor After 1/1/93	Expected Stream Flow	Reserved Stream Flow	Instream Water Rights	Net Water Available
1	4700.00	620.00	3.40	4080.00	450.00	4500.00	-874.00
2	5070.00	681.00	3.60	4390.00	450.00	4500.00	-565.00
3	5640.00	926.00	19.80	4690.00	450.00	4500.00	-256.00
4	5920.00	879.00	25.60	5020.00	450.00	4000.00	566.00
5	5710.00	1010.00	4.94	4700.00	450.00	4000.00	246.00
6	5260.00	1040.00	5.14	4210.00	450.00	4000.00	-240.00
7	4420.00	817.00	3.88	3600.00	450.00	4000.00	-851.00
8	4160.00	740.00	3.62	3420.00	450.00	3500.00	-534.00
9	4260.00	633.00	3.66	3620.00	450.00	3800.00	-626.00
10	4370.00	709.00	3.65	3660.00	450.00	3800.00	-593.00
11	4460.00	809.00	3.40	3650.00	450.00	3800.00	-603.00
12	4600.00	734.00	3.36	3860.00	450.00	4500.00	-1087.00
Stor	4050000	580000	5070	3470000	326000	2950000	311000

DETAILED REPORT OF CONSUMPTIVE USES AND STORAGES
Water Availability as of 1/27/2003 for
DESCHUTES R > COLUMBIA R - AB EAGLE CR

Watershed ID #: 30530627 Basin: DESCHUTES Exceedance Level: 80
Time: 09:12 Date: 01/27/2003

Mo	Storage	Irrig	Munic	Ind/Man	Commer	Domest	Agricul	Other	Total
1	602.00	0.00	16.30	0.62	0.07	3.82	0.98	0.00	624.00
2	662.88	0.00	16.34	0.62	0.07	3.82	0.98	0.00	685.00
3	862.92	61.48	16.34	0.62	0.07	3.82	0.99	0.00	946.00
4	471.53	410.74	16.34	0.62	0.07	3.82	0.99	0.00	904.00
5	79.39	913.01	16.34	0.62	0.07	3.82	0.98	0.00	1010.00
6	39.26	972.42	32.68	0.62	0.07	3.82	0.98	0.00	1050.00
7	31.47	751.53	32.68	0.62	0.07	3.82	0.98	0.00	821.00
8	29.35	676.41	32.68	0.62	0.07	3.82	0.98	0.00	744.00
9	29.59	568.64	32.68	0.62	0.07	3.82	0.98	0.00	636.00
10	432.47	258.26	16.34	0.62	0.07	3.82	0.98	0.00	713.00
11	790.79	0.00	16.34	0.62	0.07	3.82	0.98	0.00	813.00
12	715.29	0.00	16.34	0.62	0.07	3.81	0.98	0.00	737.00

DETAILED REPORT OF RESERVATIONS FOR CONSUMPTIVE USE
Water Availability as of 1/27/2003 for
DESCHUTES R > COLUMBIA R - AB EAGLE CR

Watershed ID #: 30530627 Basin: DESCHUTES Exceedance Level: 80
Time: 09:12 Date: 01/27/2003

	Reservations							
APP #	-70504A	-70504B	-70504C	-70503A	-70503B	-70503C	-70503D	TOTAL
Status Use	Treaty Other	Treaty Other	Treaty Other	Treaty Other	Treaty Other	Treaty Other	Treaty Other	
1	147.00	27.90	25.00	146.00	37.60	4.80	61.30	450.00
2	147.00	27.90	25.00	146.00	37.60	4.80	61.30	450.00
3	147.00	27.90	25.00	146.00	37.60	4.80	61.30	450.00
4	147.00	27.90	25.00	146.00	37.60	4.80	61.30	450.00
5	147.00	27.90	25.00	146.00	37.60	4.80	61.30	450.00
6	147.00	27.90	25.00	146.00	37.60	4.80	61.30	450.00
7	147.00	27.90	25.00	146.00	37.60	4.80	61.30	450.00
8	147.00	27.90	25.00	146.00	37.60	4.80	61.30	450.00
9	147.00	27.90	25.00	146.00	37.60	4.80	61.30	450.00
10	147.00	27.90	25.00	146.00	37.60	4.80	61.30	450.00
11	147.00	27.90	25.00	146.00	37.60	4.80	61.30	450.00
12	147.00	27.90	25.00	146.00	37.60	4.80	61.30	450.00

DETAILED REPORT OF INSTREAM REQUIREMENTS
Water Availability as of 1/27/2003 for
DESCHUTES R > COLUMBIA R - AB EAGLE CR

Watershed ID #: 30530627 Basin: DESCHUTES Exceedance Level: 80
Time: 09:12 Date: 01/27/2003

	ISWRs							
APP #	-90506B	-70501B	70087B	71194B	0	0	0	MAXIMUM
Status	SWW	Treaty	Cert.	Cert.				
1	4500.00	3000.00	3000.00	4500.00	0.00	0.00	0.00	4500.00
2	4500.00	3000.00	3000.00	4500.00	0.00	0.00	0.00	4500.00
3	4500.00	3500.00	3500.00	4500.00	0.00	0.00	0.00	4500.00
4	4000.00	3500.00	3500.00	4000.00	0.00	0.00	0.00	4000.00
5	4000.00	3500.00	3500.00	4000.00	0.00	0.00	0.00	4000.00
6	4000.00	3500.00	3500.00	4000.00	0.00	0.00	0.00	4000.00
7	4000.00	3000.00	3000.00	4000.00	0.00	0.00	0.00	4000.00
8	3500.00	3000.00	3000.00	3500.00	0.00	0.00	0.00	3500.00
9	3800.00	3000.00	3000.00	3800.00	0.00	0.00	0.00	3800.00
10	3800.00	3000.00	3000.00	3800.00	0.00	0.00	0.00	3800.00
11	3800.00	3000.00	3000.00	3800.00	0.00	0.00	0.00	3800.00
12	4500.00	3000.00	3000.00	4500.00	0.00	0.00	0.00	4500.00

DETAILED REPORT ON THE WATER AVAILABILITY CALCULATION
Water Availability as of 1/27/2003 for
DESCHUTES R > COLUMBIA R - AB SHITIKE CR

Watershed ID #: 30530643 Basin: DESCHUTES Exceedance Level: 80
Time: 09:12 Date: 01/27/2003

Month	Natural Stream Flow	CU + Stor Prior to 1/1/93	CU + Stor After 1/1/93	Expected Stream Flow	Reserved Stream Flow	Instream Water Rights	Net Water Available
1	4310.00	615.00	3.38	3690.00	119.00	4500.00	-928.00
2	4540.00	674.00	3.43	3860.00	119.00	4500.00	-756.00
3	5040.00	930.00	17.50	4090.00	119.00	4500.00	-527.00
4	5270.00	952.00	23.20	4300.00	119.00	4000.00	176.00
5	5180.00	1140.00	4.86	4030.00	119.00	4000.00	-84.10
6	4840.00	1200.00	5.05	3630.00	119.00	4000.00	-484.00
7	4090.00	981.00	3.78	3110.00	119.00	4000.00	-1014.00
8	3880.00	850.00	3.54	3030.00	119.00	3500.00	-592.00
9	3990.00	722.00	3.59	3260.00	119.00	3800.00	-655.00
10	4070.00	748.00	3.61	3320.00	119.00	3800.00	-601.00
11	4130.00	810.00	3.38	3320.00	119.00	3800.00	-603.00
12	4230.00	732.00	3.34	3490.00	119.00	4500.00	-1124.00
Stor	3620000	626000	4750	2990000	86200	2950000	140000

DETAILED REPORT OF CONSUMPTIVE USES AND STORAGES
Water Availability as of 1/27/2003 for
DESCHUTES R > COLUMBIA R - AB SHITIKE CR

Watershed ID #: 30530643 Basin: DESCHUTES Exceedance Level: 80
Time: 09:12 Date: 01/27/2003

Mo	Storage	Irrig	Munic	Ind/Man	Commer	Domest	Agricul	Other	Total
1	598.00	0.38	15.50	0.50	0.07	3.90	0.70	0.00	619.00
2	656.31	0.00	15.55	0.50	0.07	3.90	0.70	0.00	677.00
3	854.28	72.93	15.55	0.50	0.07	3.90	0.70	0.00	948.00
4	462.63	491.64	15.55	0.50	0.07	3.90	0.70	0.00	975.00
5	73.62	1050.77	15.55	0.50	0.07	3.90	0.70	0.00	1150.00
6	35.04	1133.94	31.10	0.50	0.07	3.90	0.70	0.00	1210.00
7	28.39	920.13	31.10	0.50	0.07	3.90	0.70	0.00	985.00
8	26.67	790.10	31.10	0.50	0.07	3.90	0.70	0.00	853.00
9	27.07	662.61	31.10	0.50	0.07	3.90	0.70	0.00	726.00
10	429.76	301.17	15.55	0.50	0.07	3.90	0.70	0.00	752.00
11	787.74	5.14	15.55	0.50	0.07	3.90	0.70	0.00	814.00
12	711.53	3.17	15.55	0.50	0.07	3.89	0.70	0.00	735.00

DETAILED REPORT OF RESERVATIONS FOR CONSUMPTIVE USE
Water Availability as of 1/27/2003 for
DESCHUTES R > COLUMBIA R - AB SHITIKE CR

Watershed ID #: 30530643 Basin: DESCHUTES Exceedance Level: 80
Time: 09:12 Date: 01/27/2003

Reservations							
APP #	-70504B	-70504C	-70503C	-70503D	0	0	0	TOTAL
Status Use	Treaty Other	Treaty Other	Treaty Other	Treaty Other				
1	27.90	25.00	4.80	61.30	0.00	0.00	0.00	119.00
2	27.90	25.00	4.80	61.30	0.00	0.00	0.00	119.00
3	27.90	25.00	4.80	61.30	0.00	0.00	0.00	119.00
4	27.90	25.00	4.80	61.30	0.00	0.00	0.00	119.00
5	27.90	25.00	4.80	61.30	0.00	0.00	0.00	119.00
6	27.90	25.00	4.80	61.30	0.00	0.00	0.00	119.00
7	27.90	25.00	4.80	61.30	0.00	0.00	0.00	119.00
8	27.90	25.00	4.80	61.30	0.00	0.00	0.00	119.00
9	27.90	25.00	4.80	61.30	0.00	0.00	0.00	119.00
10	27.90	25.00	4.80	61.30	0.00	0.00	0.00	119.00
11	27.90	25.00	4.80	61.30	0.00	0.00	0.00	119.00
12	27.90	25.00	4.80	61.30	0.00	0.00	0.00	119.00

DETAILED REPORT OF INSTREAM REQUIREMENTS
Water Availability as of 1/27/2003 for
DESCHUTES R > COLUMBIA R - AB SHITIKE CR

Watershed ID #: 30530643 Basin: DESCHUTES Exceedance Level: 80
Time: 09:12 Date: 01/27/2003

ISWRs								
APP #	-90506C	-70501C	0	0	0	0	0	MAXIMUM
Status	SWW	Treaty						
1	4500.00	3000.00	0.00	0.00	0.00	0.00	0.00	4500.00
2	4500.00	3000.00	0.00	0.00	0.00	0.00	0.00	4500.00
3	4500.00	3500.00	0.00	0.00	0.00	0.00	0.00	4500.00
4	4000.00	3500.00	0.00	0.00	0.00	0.00	0.00	4000.00
5	4000.00	3500.00	0.00	0.00	0.00	0.00	0.00	4000.00
6	4000.00	3500.00	0.00	0.00	0.00	0.00	0.00	4000.00
7	4000.00	3000.00	0.00	0.00	0.00	0.00	0.00	4000.00
8	3500.00	3000.00	0.00	0.00	0.00	0.00	0.00	3500.00
9	3800.00	3000.00	0.00	0.00	0.00	0.00	0.00	3800.00
10	3800.00	3000.00	0.00	0.00	0.00	0.00	0.00	3800.00
11	3800.00	3000.00	0.00	0.00	0.00	0.00	0.00	3800.00
12	4500.00	3000.00	0.00	0.00	0.00	0.00	0.00	4500.00

Oregon
Theodore R. Kulongoski, Governor

Water Resources Department
Commerce Building
158 12th Street NE
Salem, OR 97301-4172
503-378-3739
FAX 503-378-8130

Certified Letter
Notice of Mitigation Obligation

August 25, 2003

Alan VanVliet
Eagle Crest Inc.
PO Box 1215
Redmond, Oregon 97756

Dear Ground Water Applicant (Application G-15789):

The well(s) proposed in your pending ground water application are located in the Deschutes Basin Ground Water Study Area (Study Area). A water right permit must be issued before you can lawfully use water as proposed in your application. Because of the location of your well(s), unless you provide mitigation, by law, the Water Resources Department is required to deny your application.

This Notice of Mitigation Obligation is to inform you of the requirement to provide mitigation; to inform you of the amount and the location of the mitigation required; and to describe options for satisfying your mitigation obligation. The administrative rules detailing the mitigation requirements and standards are attached for your assistance.

Department staff will be available to answer your questions about the mitigation program and your specific requirements on September 9 and 10, 2003 between 6:30 pm and 8:00 pm at the Department's Region Office in Bend. The Bend office is located at 1340 NW Wall Street, Suite 100. You can also directly contact Laura Snedaker at (503) 378-8455 ext. 331 if you have any questions.

Mitigation Obligation: You must provide mitigation meeting the requirements of the attached administrative rules before a permit can be issued for your water right application.

Amount of Mitigation: The Department has determined your mitigation obligation to be **968.4 acre-feet of water** annually. The required mitigation is based on the following use(s) described below.

968.4 acre-feet for 3.34 cubic feet per second for quasi-municipal use year-round

Location of Mitigation: The Department has determined your mitigation must be located in the **General Zone of Impact** - defined as anywhere in the Deschutes Basin above the Madras gage, located on the Deschutes River below Lake Billy Chinook. A map of this area is attached for your assistance.

Options: To satisfy your mitigation obligation you can either complete a mitigation project as described in the attached administrative rules or obtain 968.4 qualifying mitigation credits from an individual or mitigation bank. If you are interested in obtaining mitigation credits you may want to contact the Deschutes Water Exchange Mitigation Bank at (541) 382-4077 or contact the Department for a list of other mitigation credit holders.

Mitigation Proposal: You must respond to this letter within 90 days of the date of this letter with your proposal for satisfying your mitigation obligation. If you propose to obtain mitigation credits, please include a statement identifying that you intend to obtain sufficient mitigation credits to satisfy your mitigation obligation. You should also identify from whom you intend to obtain those credits. If you decide to purchase mitigation credits at this time, you must submit a documentary evidence form demonstrating that you have obtained mitigation credits. The mitigation bank should provide you with a complete form. Or if you obtain credits from another individual, you will need to work with that individual to complete the documentary evidence form. Blank forms may be obtained from the Department at the above address or the Bend Region Office.

If you are proposing to implement a mitigation project you must identify and describe the project in sufficient detail so that the Department can make a preliminary determination as to whether the proposed project will likely meet your mitigation obligation. Please contact the Department for further information on mitigation projects and what needs to be included with your proposal.

More Time: If you need additional time to respond to this notice or to submit a mitigation proposal you can request that the Department place your application on administrative hold. Your request must be in writing, received within 90 days of the date of this letter, identify the amount of time you want your application placed on hold, and explain why this amount of time is needed.

Withdrawal: If you do not wish to proceed with your ground water permit application and wish to withdraw the application, please notify the Department in writing within 90 days of the date of this letter. If you notify the Department by this deadline that you wish to withdraw your application you will receive a refund of all your application fees except $50.00.

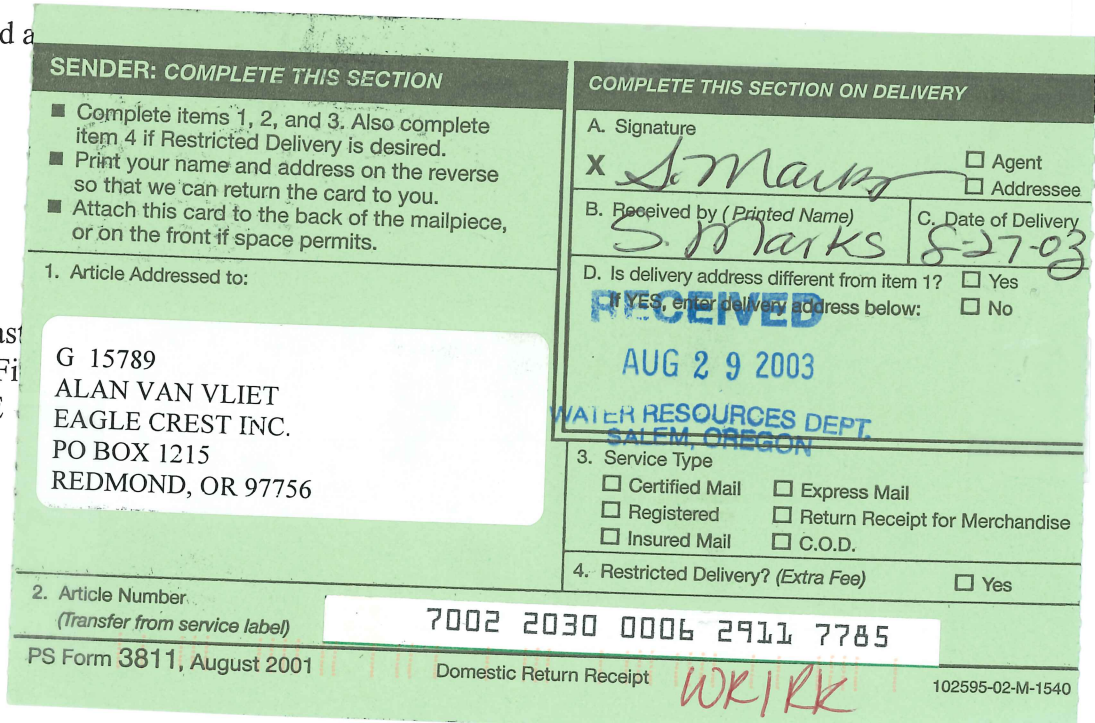
If you have any questions about your mitigation obligation, need to clarify or amend your application, or have any other questions, please contact me. I can be reached at (503) 378-8455 extension 266. You may also contact Laura Snedaker, Senior Water Resources Coordinator, with questions about the mitigation program. She can be reached at extension 331.

Thank you for your interest and a

Sincerely,

Russ Klassen
Senior Water Rights Specialist

cc Jeremy Giffin, Watermast
Laura Snedaker, WRD Fi
Thomas Walker, CWRE
File G-15789



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 15789
ALAN VAN VLIET
EAGLE CREST INC.
PO BOX 1215
REDMOND, OR 97756

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X S. Marks ☐ Agent ☐ Addressee

B. Received by (Printed Name) S. Marks
C. Date of Delivery 8-27-03

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

RECEIVED
AUG 29 2003
WATER RESOURCES DEPT.
SALEM, OREGON

3. Service Type
☐ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number (Transfer from service label) 7002 2030 0006 2911 7785

PS Form 3811, August 2001 Domestic Return Receipt 102595-02-M-1540

WR/RK

DRY R > CROOKED R - AT MOUTH

Time: 11:33 Date: 08/18/2003

Watershed ID Number	: G15789
WAB Number	: 30530501
Type of Use	: Municipal
Municipal CU Plan	: 6
Return Watershed	: 30530501

DRY R > CROOKED R - AT MOUTH

Monthly and Annual Consumptive Use in CFS and AC-FT

Month	Face Value Water Right	Estimated CU WAB ...cfs...	Estimated CU RTN WAB ...cfs...	Estimated CU WAB ..ac-ft..	Estimated CU RTN WAB ..ac-ft..
1	3.340	1.002	1.002	61.6	61.6
2	3.340	1.002	1.002	56.1	56.1
3	3.340	1.002	1.002	61.6	61.6
4	3.340	1.002	1.002	59.6	59.6
5	3.340	1.002	1.002	61.6	61.6
6	3.340	2.004	2.004	119.2	119.2
7	3.340	2.004	2.004	123.2	123.2
8	3.340	2.004	2.004	123.2	123.2
9	3.340	2.004	2.004	119.2	119.2
10	3.340	1.002	1.002	61.6	61.6
11	3.340	1.002	1.002	59.6	59.6
12	3.340	1.002	1.002	61.6	61.6
Total				968.4	968.4

Deschutes GWSA Mitigation Obligation Calculation Form

Application Number: G- 15789 Zone of Impact General
Applicant Name: EAGLE CREST WID 3053050.1

Use: Q-mun Rate: 3.34 (500)
Season: YR RND
Mitigation Obligation: 968.4

Use: _____ Rate: _____
Season: _____
Mitigation Obligation: _____

Use: _____ Rate: _____
Season: _____
Mitigation Obligation: _____

Use: _____ Rate: _____
Season: _____
Mitigation Obligation: _____

Creative Solutions ... Superior Service

W&H PACIFIC
920 SW Emkay, Suite C100
Bend, Oregon 97702

FAX

RECEIVED
APR 29 2004
WATER RESOURCES DEPT
SALEM, OREGON

To:	Ms. Anita Huffman	Date:	April 28, 2004
Company:	Oregon Water Resources Department	Project Number:	30028
Address		Project Name	Eagle Crest, Inc
City/State		Re:	Groundwater Application G-15789
Phone:			
Fax:			

From: Thomas A. Walker, P.E.,C.W.R.E.

Phone: (541) 388-4255

Fax: (541) 388-4229

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

We are sending:		**These Are Transmitted:**		**Copied To:**
☒	Attached	☒	For Your Info/File	Alan VanVliet
☐	Facsimile	☐	As Requested	_____
	# Of Pages Including Cover	☒	For Review & Comment	_____

Copies	Description
1	Executed Incremental Mitigation Plan

Anita,
Thank you very much for your continuing assistance on the pending Eagle Crest, Inc groundwater application for the Crook County quasi-municipal use. The attached mitigation plan is intended to be compatible with and based upon my correspondence of March 11, 2004. Your review and incorporation of an incremental mitigation program for our pending application will be greatly appreciated.

RESPONSE TO NOTICE OF MITIGATION OBLIGATION
MUNICIPAL OR QUASI-MUNICIPAL INCREMENTAL DEVELOPMENT PLAN

Municipal or Quasi-Municipal ground water permit applicants may satisfy a mitigation obligation by incrementally obtaining and providing mitigation to œincide with the incremental development of the permit, provided mitigation is provided prior to each stage of development of the permit, in accordance with the standards under OAR 690-505-0610(2)-(5).

Applicant Eagle Crest, Inc

Applicant's Agent Thomas A. Walker, P.E.,C.W.R.E., W & H Pacific

Application number G-15789

Proposed Use Quasi-Municipal

Volume of water requested 203.2 (acre-feet) (Consumptive Use)

Mitigation obligation 203.2 (acre-feet)

Zone of Impact General Zone of Impact

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APR 29 2004
WATER RESOURCES DEPT
SALEM, OREGON

Please read and initial the following statements:

I intend to provide incremental mitigation AV.

I understand that my mitigation must be provided prior to each stage of development of the permit and that the mitigation meet the requirements of OAR 690-505-0610 (2)-(5) AV.

I understand that my first increment of mitigation must be obtained, submitted to the Department and legally protected instream prior to a permit being issued AV.

I understand that after receiving my permit, I may not increase my water use without providing the corresponding required mitigation AV.

I understand that I will be required to submit a new or update Water Management and Conservation Plan under OAR Chapter 690, Division 86 within 2 years of the Department issuing my permit AV.

I understand that only with prior Department approval may I modify my incremental development plan and related mitigation obligation. AV.

(Over)

Please estimate the time schedule for development of the permit and the proposed source of mitigation that may be obtained and used prior to each stage of development: (This proposed development schedule should describe 100% of the requested volume).

For my first increment of permit development I will need approximately 50 acre-feet of the 203.2 acre-feet requested in my application.

The proposed mitigation source for this increment of use will be: (please check)

X mitigation credits or X a mitigation project

Please describe the type of project e.g., transfer etc. and any associated water right certificate, if known:

MItigation may include temporary instream leases with the Deschutes Water Exchange, COID rights transferred to an instream use (Certificate 76358), Swalley Irrigation District instream transfer (Certificate ~~74145), or a pending conserved water right under Swalley Irrigation~~ District certificate 76358.

By 2009 (approximate year), for my second increment of permit development, I will need approximately 50 acre-feet of the 203.2 acre-feet requested in my application.

The proposed mitigation source for this increment of use will be: (please check)

X mitigation credits or X a mitigation project

Please describe the type of project e.g., transfer etc. and any associated water right certificate, if known:

Please reference the list of mitigation options noted above.

(Attach Separate Pieces of Paper As Necessary for Subsequent Incremental Permit Development Stages) Eagle Crest, Inc proposes to provide required mitigation in 50 CFS increments, every five years, subject to the rate of development.

Applicant Allen Van Vliet or

Applicant's Representative

Date 4/28/04

RESPONSE TO NOTICE OF MITIGATION OBLIGATION
MUNICIPAL OR QUASI-MUNICIPAL INCREMENTAL DEVELOPMENT PLAN

Municipal or Quasi-Municipal ground water permit applicants may satisfy a mitigation obligation by incrementally obtaining and providing mitigation to coincide with the incremental development of the permit, provided mitigation is provided prior to each stage of development of the permit, in accordance with the standards under OAR 690-505-0610(2)-(5).

Applicant Eagle Crest, Inc

Applicant's Agent Thomas A. Walker, P.E.,C.W.R.E., W & H Pacific

Application number G-15789

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Volume of water requested 203.2 (acre-feet) (Consumptive Use)

Mitigation obligation 203.2 (acre-feet)

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RECEIVED
APR 29 2004
WATER RESOURCES DEPT
SALEM, OREGON

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Please reference the list of mitigation options noted above.

(Attach Separate Pieces of Paper As Necessary for Subsequent Incremental Permit Development Stages) Eagle Crest, Inc proposes to provide required mitigation in 50 CFS increments, every five years, subject to the rate of development.

Applicant Allen Van Vliet or

Applicant's Representative _____

Date 4/28/04

DESCHUTES PFO CHECKLIST

Application #: G-15789

APPLICANT NAME: Eagle Crest Resort

MAILING ADDRESS: PO Box 1215, Redmond, OR 97756

cc: Tom Walker WTH Pacific - agent

County Crook (Sub)Basin: Deschutes WID: _____

Township 16S Range 14E Section MULT 1/4 1/4 MULT.

__1. Is the file complete by the Minimum Requirements Checklist? **Y** / **N**

__2. Priority Date 7/1/02

__3. Quantity Requested 3.34 Quantity Allowed 3.34

__4. Use QM Mitigation Obligation 968.4

__5. Source 6 wells in Desch. R. basin Zone of Impact General

__6. Recalculated MO? Y/N If yes, new MO amount _____

__7. IR date 2/7/03 Public Notice date 2/11/03

__8. NOMO Mailing date 8/25/03 Revised NOMO mailing date 3/15/04

__9. Season requested Y/R Season Allowed Y/R

__10. Well Location: 1/4 1/4 see attached map SEC _____ T _____ R _____

Description _____

__11. POU within service boundary of Eagle Crest Resort (refer to map)

__12. Have conflicts been addressed? **Y** / **N** QM - no conflict

__13. Is the use **Small** (≤0.1cfs, ≤9.2AF), **Medium** (>0.1 or <1.5cfs, >9.2 or <100AF) or **Large** (≥1.5 cfs, ≥100 AF)?
If the use is Municipal and ≤0.1 CFS, use **Large** condition.

__14. Conditions Incremental mitigation

__15. Was the application filed on or after October 23, 1999? **Y** / **N** If yes, then no A date.

__16. Mitigation Team notified? **Y/N** Comments: none significant

__17. Final Report Checklist

- ✓ Documents used in determination are attached to this checklist and highlighted
- ✓ Fill out PFO CC List (don't forget to check for other property owners)
  - __a. Re-notify Water Availability? (Rate, Duty and Period of Allowed Use changes) Y / N
  - __**b. Check Watermaster Dist. on the CC list and draft permit.**
- ✓ Spell Check and Accuracy Check
- ✓ Final PFO report hard copy check (format, margins, etc.)
- ✓ Final PFO has been saved to m:\groups\wr\pfo\done\week#\application #

ame: _____ Date: 7/30/04

Revised 6/16/00

Oregon
Theodore R. Kulongoski, Governor

Department of Fish and Wildlife
High Desert Region
61374 Parrell Road
Bend, OR 97702
(541) 388-6363
FAX (541) 388-6281

June 12, 2004

RECEIVED
JUN 16 2004
WATER RESOURCES DEPT
SALEM, OREGON

Anita Huffman
Water Resources Department
725 Summer Street N.E., Suite A
Salem, Oregon 97301-2430

Re: G-15239, G-14800, G-15074, G15789, G-15113, G-15912, G-14896, G-15154, G-14719, G-14935, G-15153, G-14887,

Dear Ms. Huffman;

Detail is not provided on effects of the new proposed use with respect to impacts on flow rate, volume, and timing in the predicted Zone of Impact necessary to assess overall impacts of action on fish and wildlife habitat.

The Oregon Department of Fish and Wildlife (ODFW) follows its Fish and Wildlife Habitat Mitigation Policy (OAR 635-415-0000 through 0025) in evaluating actions that may have an effect on fish and wildlife. The Habitat Mitigation Policy set consistent goals and standards to mitigate impacts to fish and wildlife habitat caused by land and water development actions. The lower Deschutes River is classified as "Habitat Category 2" and is essential habitat for fish species. The mitigation goal for impacts to category 2 habitat is to avoid impacts or, if unavoidable, to mitigate through in-kind, in-proximity the same quality and quantity of habitat with no net loss. In addition, a net benefit to habitat quantity and quality must be provided. Without adequate mitigation, ground water development in the upper Deschutes River subbasin will reduce quantity and quality of critical habitat for bull trout and summer steelhead as well as many other species in the lower Deschutes River.

Groundwater in the upper Deschutes Basin has been determined to connect directly with surface water. It is our understanding that new consumptive water use associated with groundwater withdrawal is predicted to reduce year around base flows in the lower Deschutes River by the amount of the new consumptive use. Reduced streamflows in the lower Deschutes will directly reduce habitat availability for threatened fish species including summer steelhead and bull trout, and other anadromous and resident game fish species, nongame fish species, and other aquatic resources. Based on the above considerations, it is critical that mitigation water be provided and shaped to offset year around impacts associated with the new proposed use to protect habitat for fish and other aquatic resources.

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JUN 16 2004

WATER RESOURCES DEPT
SALEM, OREGON

I recommend including the following permit conditions:

1. Require that mitigation water is provided in place, time, and volume at or above the predicted Zone of Impact similar to and consistent with anticipated impacts of the new consumptive use.

2. Issue permanent groundwater permit only if mitigation is provided by permanent instream transfer of qualifying existing water rights protected from the point of impact downstream. Temporary groundwater rights should be issued to those permits relying on temporary or unproven mitigation measures until permanent mitigation is secured.

Thank-you for the opportunity to review this application.

Sincerely,

Steven Marx
District Fisheries Biologist

W&H PACIFIC
AN ASCG COMPANY

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

RECEIVED
MAR 15 2004
WATER RESOURCES DEPT
SALEM, OREGON

March 11, 2004
Revised March 10, 2004

FAXED By: MW Date: 3-11-2004

Ms. Anita Huffman
Water Rights Caseworker
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-2430

RE: Eagle Crest, Inc.
Application G-15789
Mitigation Obligations
WHP File No. 30028

Dear Anita:

Thank you for your recent assistance and your letter of August 25, 2003 designating mitigation obligations for our pending Crook County groundwater appropriation application. We reviewed your documents carefully and compiled a number of clarifications and recommendations for your consideration. We have also described our proposed mitigation program to allow the issuance of a permit. Your review and approval are requested.

Summary of Pending Groundwater Application:

The pending groundwater appropriation application was filed on June 28, 2002 and requests 1500 gallons per minute (3.34 cfs) for quasi-municipal use. The quasi-municipal appropriation is intended to accommodate the domestic needs for a 900 unit destination resort project, recently approved by Crook County. As noted in our original application, Eagle Crest, Inc. already holds Central Oregon Irrigation District (COID) rights for irrigation needs on the resort property.

Mitigation Obligations:

You calculated mitigation obligations based upon standard coefficients for municipal use. On behalf of Eagle Crest, Inc., I respectfully request recalculation of the mitigation obligation, based upon the following clarifications and additional information on our proposed development. We recognize the same clarifications will apply to the proposed groundwater permit.

Domestic water consumption at the proposed Crook County destination resort can be very accurately estimated from the existing nearby Eagle Crest Resort. The Eagle Crest Resort provides a wealth of water consumption information over a number of years, with identical uses, in the same climate, and with the same developer.
Owners and guests at destination resorts are typically part time residents with an occupancy much lower than a standard municipality.

Based upon our experiences and multiple data evaluations, future resort residences at the Crook County resort will utilize water at an average annual rate of 504 gallons per day per unit, which is equivalent to 0.565acre-feet

per year per residential unit. These water use numbers include the commercial and recreational facilities at destination resorts.

The Department determined that on average, 40 percent of the total water withdrawal from groundwater will be consumed. Therefore, Eagle Crest, Inc. proposes their permit and mitigation obligations include the following rates and volume:

- Maximum Diversion Rate: 1500 gpm (3.34 CFS)
- Maximum Annual Withdrawal: 165.6 million gallons (508 Acre-Feet)
- Maximum Consumptive Use: 203.2 Acre-feet

Proposed Mitigation Plan:

Eagle Crest, Inc. proposes to utilize multiple components in the their groundwater withdrawal mitigation program. Components may include temporary instream leases acquired through the Deschutes Water Exchange. Eagle Crest, Inc. acknowledges a two to one requirement for mitigation from interim instream leases. Eagle Crest, Inc. may also utilize Central Oregon Irrigation District rights (certificate number 76358 with 1900 and 1907 priority), transferred to an instream use, for a portion of the mitigation. In addition, Eagle Crest, Inc. may utilize an instream transfer of Swalley Irrigation District rights (certificate number 74145 with an 1899 priority), for a portion of the mitigation obligation. Eagle Crest, Inc. also will consider use of an allocation of conserved water under Swalley Irrigation District certificate number 74145 (1899 priority) or Central Oregon Irrigation District certificate 76358 for a portion of the mitigation obligation.

Based upon these clarifications to both the mitigation obligation and the ultimate permit, a reasonable total of mitigation for groundwater withdrawals is 203.2 acre-feet per year. If standard irrigation rights are transferred to a permanent instream use, then 112.9 acres of irrigation rights must be transferred. This calculation provides an estimate for one proposed component of the mitigation program, but it also confirms Eagle Crest's understanding of the consumptive use associated with mitigation.

Please consider my comments and calculations and never hesitate to contact me with your questions or needs for additional information. We greatly appreciate the chance to clarify our application. Our intention is to preserve and protect our groundwater application for use at our proposed destination resort. I look forward to your response.

Sincerely,
W&H Pacific, Inc.

Tom Walker

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

Cc: **Alan VanVliet**
Jan Wick, P.E.
John Herlocker

RECEIVED
MAR 15 2004
WATER RESOURCES DEPT
SALEM, OREGON

To: deschutes Mitigation Team
From: Anita M Huffman <Anita.M.HUFFMAN@wrd.state.or.us>
Subject: files for review COMPLETENESS DATE
Cc:
Bcc:
Attached:

PLEASE RESPOND BY JUNE 14TH. Thanks!

The following files are ready for PFO. The applicants have noted they will purchase suitable credits within the appropriate zone of impact:

G-15860 John & Marlo Dill Irrigation of 13.9 acres March 15-Sept 15 21.9 AF Middle Deschutes

G-15042 Highland Subdivision Water Dist Quasi-municipal use Year round (0.054 CFS/max volume 15.5 AF) 6.2 AF General Zone

The following are proposing to complete a mitigation project within five years of issuance of the final order. At this time the applicants have not provided information regarding the proposed project. OAR 690-505-0610 does not specify that the applicant must have a project *in place* prior to the issuance of the proposed final order and final order. I cannot give you more detailed information on the proposed projects, however you will have the opportunity to comment on mitigation projects when the Department receives the applicants transfer applications. Each of the following applicants has noted that they will provide mitigation within the appropriate zone of impact.

G-15239 Crook County School Dist Irrigation of 1.7 Acres 3.0 AF General Zone (Notes either purchase credits or proposing project)

G-14800 Stephen Rudinsky Irrigation of 25.0 Acres 45.0 AF General Zone

G-15074 West Bend Property Co, LLC Agriculture, Irrigation & Pond Maint
31.6 AF total (6.67 AG, 18.0 IRR, 6.93 PM) General Zone

G-15789 Eagle Crest, Inc. Quasi-Municipal
203.2 AF General Zone

(Eagle Crest is proposing incremental mitigation. The first increment shall include 50.0 AF from mitigation credits and/or a project. Second increment to occur by 2009 for 50.0 AF from credits and/or a project. The applicant proposes to provide required mitigatin in 50.0 CFS increments every five years, subject to the rate of development.)

It is important to note that if an applicant does not provide suitable mitigation in the amount required, a permit may not be issued. If the mitigation provided is less than that required, any permit issued will be limited to an amount of water the maximum amount of mitigation will offset.

To: HUFFMAN Anita M <Anita.M.Huffman@state.or.us>
Subject: RE: files for review COMPLETENESS DATE

DSL has no comment, for all 3 messages.

-----Original Message-----
From: Anita M Huffman [mailto:Anita.M.Huffman@state.or.us]
Sent: Monday, May 24, 2004 8:58 AM
To: BRUTSCHER Steve; steven.D.Marx@state.or.us; NICHOLS Dick; LAMB Bonnie; WRIGHT Dave; clair.m.kunkel@state.or.us; rick.j.kepler@state.or.us; JOHNSON James WALLA; MEASELES Paul A; PUSTIS Nancy; jeremy Giffin
Subject: files for review COMPLETENESS DATE

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Please let me know if you have any questions. I will provide any copies of any documents upon request.

W&H PACIFIC
AN AECOM COMPANY

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

March 11, 2004
Revised March 10, 2004

Ms. Anita Huffman
Water Rights Caseworker
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-2430

RE: Eagle Crest, Inc.
Application G-15789
Mitigation Obligations
WHP File No. 30028

Dear Anita:

Thank you for your recent assistance and your letter of August 25, 2003 designating mitigation obligations for our pending Crook County groundwater appropriation application. We reviewed your documents carefully and compiled a number of clarifications and recommendations for your consideration. We have also described our proposed mitigation program to allow the issuance of a permit. Your review and approval are requested.

Summary of Pending Groundwater Application:

The pending groundwater appropriation application was filed on June 28, 2002 and requests 1500 gallons per minute (3.34 cfs) for quasi-municipal use. The quasi-municipal appropriation is intended to accommodate the domestic needs for a 900 unit destination resort project, recently approved by Crook County. As noted in our original application, Eagle Crest, Inc. already holds Central Oregon Irrigation District (COID) rights for irrigation needs on the resort property.

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per year per residential unit. These water use numbers include the commercial and recreational facilities at destination resorts.

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Please consider my comments and calculations and never hesitate to contact me with your questions or needs for additional information. We greatly appreciate the chance to clarify our application. Our intention is to preserve and protect our groundwater application for use at our proposed destination resort. I look forward to your response.

Sincerely,
W&H Pacific, Inc.

Tom Walker

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

Cc: **Alan VanVliet**
Jan Wick, P.E.
John Herlocker

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number G-15789

Final Order

Hearing and Appeal Rights
Under the provisions of ORS 537.170 and ORS 537.622, the applicant may request a contested case hearing by submitting the information required for a protest under ORS 537.153(6) or ORS 537.621(7) to the Department within 14 days after the date of mailing of this order as shown below. If a contested case hearing is requested, the Department must schedule one. In the contested case hearing, however, only those issues based on the above modifications to the proposed final order may be addressed.

ORS 536.075 allows for additional appeal rights for other than contested case. 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.

This statement of judicial review rights does not create a right to judicial review of this order, if judicial review is otherwise precluded by law. Where no changes have been made to a Proposed Final Order on a water right application and no protests have been filed during the protest period, the final order is not subject to judicial review.

Application History

On July 1, 2002, Alan Van Vliet for Eagle Crest, Inc., submitted an application to the Department for a water use permit. On September 14, 2004, the Department issued a Proposed Final Order concluding that, with the mitigation proposed by the applicant, water is available for the proposed use and that the proposed use would ensure the preservation of the public welfare, safety and health. The protest period closed October 29, 2004, and no protest was received.

As required by OAR 690-505-0615, the applicant must submit proposed mitigation that meets the requirements of OAR 690-505-0610(2)-(5). Pursuant to OAR 690-505-0620, a permit shall not be issued until the applicant provides documentary evidence that mitigation water, in

an amount satisfying the mitigation obligation, is legally protected instream.

The applicant submitted a mitigation proposal to provide 203.2 acre-feet (AF) of mitigation within the General Zone of Impact pursuant to OAR 690-505-0615(4). The applicant has proposed to provide the mitigation on an incremental basis (OAR 690-505-0625) with approximately 50.0 AF of mitigation, provided prior to permit issuance, to serve the first five years of use. The mitigation to be provided will result from a mitigation project(s) and/or mitigation credits within the General Zone of Impact. The applicant proposes to provide additional mitigation at each stage of permit development, being approximately 50.0 AF every five years, subject to rate of permit development.

On January 31, 2005, the applicant submitted documentary evidence that 50.0 Mitigation Credits had been obtained within the General Zone of Impact from Mitigation Project MP-5, an instream lease.

As proposed, Application G-15789 will ensure the preservation of the public welfare, safety and health, but the Department's continuing evaluation reveals that the Proposed Final Order requires modification to clarify the incremental mitigation conditions.

As required by OAR 690-050-0620, the following ground water mitigation conditions and information, along with other conditions in the attached draft permit shall be contained in the permit, when issued, for Application G-15789:

Mitigation Obligation:	203.2 acre-feet in the General Zone of Impact (anywhere in the Deschutes Basin above the Madras gage, which is located on the Deschutes River below Lake Billy Chinook)
Mitigation Source:	Mitigation Credits or a Mitigation Project, in accordance with the incremental development plan on file with the Department, meeting the requirements of OAR Chapter 690, Division 505 (Deschutes Ground Water Mitigation Rules). The first stage of incremental development was met with 50.0 AF of mitigation, being 50.0 temporary mitigation credits from a chartered mitigation bank from MP-5.

Measurement, recording and reporting conditions:

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

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

Mitigation water must be legally protected instream for instream use within the General Zone of Impact and committed for life of the permit and subsequent certificate(s). Regulation of the use and/or cancellation of the permit, or subsequent certificate(s) will occur if the required mitigation is not maintained.

If mitigation is from a secondary right for stored water from a storage project not owned or operated by the permittee, the use of water under this right is subject to the terms and conditions of a valid contract, or a satisfactory replacement, with the owner/operator of the storage project, a copy of which must be on file in the records of the Water Resources Department prior to use of water.

The permittee shall provide additional mitigation if the Department determines that average annual consumptive use of the subject appropriation has increased beyond the originally mitigated amount.

The permittee shall provide mitigation prior to each stage of development under the permit, as described in the incremental development mitigation plan on file with the Department, and in accordance with the standards of the Deschutes Ground Water Mitigation Rules, OAR Chapter 690, Division 505.

The permittee shall not increase the rate or amount of water diverted, as described in the incremental development mitigation plan, prior to increasing the corresponding mitigation.

The permittee shall seek and receive Department approval prior to changing the incremental mitigation development plan and related mitigation obligation for each stage of permit development.

The permittee shall report to the Department the progress of implementing the incremental mitigation development plan and related mitigation no later than April 1 of each year. This annual notification is not necessary if the permittee has completed development and submitted a Claim of Beneficial Use to the Department.

Failure to comply with these mitigation conditions shall result in the Department regulating the ground water permit, or subsequent certificate(s), proposing to deny any permit extension application for the ground water permit, or subsequent certificate(s).

Within two years of permit issuance, the permittee shall submit a new or updated Water Management and Conservation Plan pursuant to OAR Chapter 690, Division 86.

Order

Application G-15789 therefore is approved with the above modifications to the Proposed Final Order, and as proposed will ensure the preservation of the public welfare, safety and health.

Permit G-15855 is issued due to submission of documentary evidence that 50.0 mitigation credits meeting the requirements of OAR 690-505-0610(2)-(5), within the General Zone of Impact, have been obtained and satisfy the first stage of incremental development.

DATED February 17, 2005

Dwight Ward

Phillip C. Ward, Director

This document was prepared by Anita Huffman. If you have any questions about any of the statements contained in this document I am the most likely the best person to answer your questions. You can reach me at 503-986-0815.

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 at 503-986-0820.

appG-15789

Mary Rahlmann

W&H PACIFIC
AN ASCG COMPANY

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

October 21, 2005

Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1271

Re: Brasada Ranch, Inc.
Application G-15789
Permit G-15855
Water Use
WHP File No.: 30028.1005

Gentlemen/Ladies:

Permit G-15855, issued to Brasada Ranch, Inc., requires annual reporting of water use. I have compiled water use information in conformance with the permit requirements.

One well has been constructed under Permit G-15855, which provides quasi-municipal service to Brasada Ranch, in Crook County. A meter has been installed at the well head and monthly readings recorded. Water use commenced on June 3, 2005. Water use between June and September 2005 is summarized below:

Month	Brasada Ranch Water Use
June	409,979 cubic feet
July	434,124 cubic feet
August	457,896 cubic feet
September	331,884 cubic feet

Permit G-15855 is critically important to Brasada Ranch, Inc. This transmittal is intended to assure compliance with all applicable permit conditions. Please consider our transmittal and contact me immediately if you have questions or require additional information, so that our permit is never jeopardized. Thank you for your review and assistance.

Very truly yours,

W&H Pacific, Inc.

Tom Walker

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

Cc: Alan VanVliet

RECEIVED
OCT 24 2005

W&H PACIFIC
AN ASCG COMPANY

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

October 21, 2005

Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1271

Re: Brasada Ranch, Inc.
Application G-15789
Permit G-15855
Water Use
WHP File No.: 30028.1005

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Very truly yours,

W&H Pacific, Inc.

Tom Walker

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

Cc: Alan VanVliet

RECEIVED
OCT 24 2005

July 21, 2003

Please print in ink or type all information.

OREGON WATER RESOURCES DEPARTMENT
DESCHUTES BASIN MITIGATION CREDIT
DOCUMENTARY EVIDENCE FORM FOR MITIGATION BANKS

*This form is to be completed by a **Mitigation Bank** when mitigation credits are obtained from a mitigation bank by a ground water application/permit/certificate holder to satisfy a mitigation obligation under the Deschutes Ground Water Mitigation rules.*

RECEIVED
JAN 31 2005
WATER RESOURCES DEPT
SALEM, OREGON

Ground Water User Information:

Name: Eagle Crest, Inc.
Mailing Address (Street, City, State, Zip): PO Box # 1215, Redmond, OR 97756
Phone Number (Home and Work): (541) 548-9383 E-Mail (optional): _____
Ground Water Application, Permit, or Certificate #: G-15789
Mitigation Obligation (amount) (see Notice of Mitigation Obligation or Initial Review for this information): 50
Zone of Impact (see Notice of Mitigation Obligation or Initial Review for this information): General

Mitigation Bank Information:

Mitigation Bank Name: DRC Groundwater Mitigation Bank
Mailing Address: 700 NW Hill St., Bend, OR 97701
Phone Number: (541) 382-4077 E-Mail (optional): zach@deschutesrc.org

Mitigation Credit Information:

In the following table, identify the mitigation project identification number(s), the number of credits assigned from each mitigation project, the zone of impact in which the credits are to be used (note - many credits may be used within more than one zone of impact) and the type of mitigation project upon which the credits are based (The Mitigation Bank shall notify purchasers of mitigation credits of the category of credits purchased. The Bank shall state if the credits are temporary or whether subject to the continued maintenance of a mitigation project. By Charter agreement, the Mitigation Bank has assumed an obligation to maintain or replace mitigation credits based on non-permanent mitigation projects.). Project Type Codes: Instream Lease = ISL; Time-Limited Instream Transfer = TLT; Allocation of Conserved Water = ACW; Permanent Instream Transfers = PT; Storage Release = SR; Aquifer Recharge = AR; Other = Other (if other, please describe under project type in space provided below)

Mitigation Project ID	# Mitigation Credits Assigned	Zone of Impact	Mitigation Project Type Code (see above)
MP-5	50	General	ISL
MP-___	_____	_____	___

Add additional mitigation projects and credits below using above format:
_____

Mitigation Project Operator (if other than original credit holder): DWE (for example, name of storage project or aquifer recharge project operator)
Mailing Address: _____
Phone Number: _____

For Stored Water Releases (if applicable):
Name of Reservoir: _____
Reservoir Permit/Certificate: _____ Contract Number(s): _____

The above described mitigation credits have been transferred from _____, mitigation credit holder, to _____, ground water application/permit/certificate holder.

_____ 1-28-05
Mitigation Bank Signature Date

_____ 1/28/05
Ground Water Application/Permit/Certificate Holder Signature Date

July 21, 2003

Please print in ink or type all information.

OREGON WATER RESOURCES DEPARTMENT
DESCHUTES BASIN MITIGATION CREDIT
DOCUMENTARY EVIDENCE FORM FOR MITIGATION BANKS

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RECEIVED
JAN 31 2005
WATER RESOURCES DEPT
SALEM, OREGON

Ground Water User Information:

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Mailing Address (Street, City, State, Zip): PO Box # 1215, Redmond, OR 97756
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_____ _____
Mitigation Bank Signature Date

_____ _____
Ground Water Application/Permit/Certificate Holder Signature Date

RECEIVED
JAN 31 2005
WATER RESOURCES DEPT
SALEM, OREGON

DESCHUTES RESOURCE CONSERVANCY

Anita, FYI
Here is an incomplete copy of Eagle Crest, Inc.'s Documentary Evidence form. I will send you the executed document ASAP.
Zach

RECEIVED
JAN 31 2005
WATER RESOURCES DEPT
SALEM, OREGON

January 26th, 2005

Alan Van Vliet
Eagle Crest, Inc.
PO Box # 1215
Redmond, OR 97756
(541) 548-9383

RE: TEMPORARY MITIGATION CREDIT PURCHASE AGREEMENT AND DOCUMENTARY EVIDENCE FORM

Dear Mr. Van Vliet,

On behalf of the Deschutes Resources Conservancy, I would like to thank you for your participation in the DRC Groundwater Mitigation Bank and for your continued participation in the DRC River Steward Program.

Attached is a copy of the executed contract for your records. Also attached is the documentary evidence form for your Temporary Mitigation Credits for the year 2005 associated with your groundwater application: G-15789. Please sign the documentary evidence form as indicated and return it to the DRC for completion. The credits are currently valid and available for assignment to your groundwater application.

I will inform Anita Huffman of our intent to submit documentary evidence prior to the Final Order for your application to expedite the issuance of your groundwater permit. Please cc me a copy of your Final Order and Permit for the Bank's records. It has been a pleasure to do business with your organization and I look forward to future opportunities for collaboration with Eagle Crest, Inc.

Sincerely,

Zachary Tillman
Program Officer
DRC Groundwater Mitigation Bank

cc. Thomas A. Walker, W&H Pacific
Anita Huffman, OWRD

W&H PACIFIC
AN ASCG COMPANY

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

March 27, 2006

Oregon Water Resources Department
Water Rights Section
725 Summer Street NE, Suite A
Salem, Oregon 97301-1271

Re: Eagle Crest, Inc.
Application G-15789
Permit G-15855
Mitigation Progress Report
WHP File No.: 30028.1005

Gentlemen/Ladies:

Permit G-15855 requires annual reporting on the progress of implementing the incremental mitigation development plan. I have summarized the status of the Eagle Crest, Inc. mitigation program, with the intent of complying fully with permit conditions.

Eagle Crest, Inc. submitted a groundwater mitigation plan as a part of the original appropriation application. The mitigation plan was incorporated into the final order and permit for groundwater development.

In conformance with the groundwater permit, incremental mitigation was initiated in 2005. Eagle Crest, Inc. purchased temporary mitigation credits from the Deschutes Resources Conservancy (DRC), as evidenced by the attached certificate. Eagle Crest, Inc. purchased additional temporary mitigation credits for the year 2006 (attached).

Eagle Crest, Inc. reported water use to the Oregon Water Resources Department, as required. The volume of water consumed was less than expected and less than allowed for the incremental mitigation. Eagle Crest, Inc. concluded the incremental mitigation was adequate for the 2005 level of water consumption and the same level of incremental mitigation was confirmed for 2006.

This letter is intended to fulfill all requirements of Permit G-15855. Please consider this information and attachments and contact us immediately if you have questions or require additional information. Permit G-15855 is critically important to Eagle Crest, Inc. and our intent is to not jeopardize the permit in any way.

Thank you for your review and assistance.

Very truly yours,

W&H Pacific, Inc.

Tom Walker

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

Cc: Alan VanVliet
Brett Hudson

RECEIVED
MAR 2 8 2006
WATER RESOURCES DEPT
SALEM, OREGON

July 21, 2003

Please print in ink or type all information.

OREGON WATER RESOURCES DEPARTMENT
DESCHUTES BASIN MITIGATION CREDIT
DOCUMENTARY EVIDENCE FORM FOR MITIGATION BANKS

*This form is to be completed by a **Mitigation Bank** when mitigation credits are obtained from a mitigation bank by a ground water application/permit/certificate holder to satisfy a mitigation obligation under the Deschutes Ground Water Mitigation rules.*

Ground Water User Information:

Name: Eagle Crest, Inc.
Mailing Address (Street, City, State, Zip): PO Box # 1215, Redmond, OR 97756
Phone Number (Home and Work): (541) 548-9383 E-Mail (optional): _____
Ground Water Application, Permit, or Certificate #: G-15789
Mitigation Obligation (amount) (see Notice of Mitigation Obligation or Initial Review for this information): 50
Zone of Impact (see Notice of Mitigation Obligation or Initial Review for this information): General

Mitigation Bank Information:

Mitigation Bank Name: DRC Groundwater Mitigation Bank
Mailing Address: 700 NW Hill St., Bend, OR 97701
Phone Number: (541) 382-4077 E-Mail (optional): zach@deschutesrc.org

Mitigation Credit Information:

In the following table, identify the mitigation project identification number(s), the number of credits assigned from each mitigation project, the zone of impact in which the credits are to be used (note - many credits may be used within more than one zone of impact) and the type of mitigation project upon which the credits are based (The Mitigation Bank shall notify purchasers of mitigation credits of the category of credits purchased. The Bank shall state if the credits are temporary or whether subject to the continued maintenance of a mitigation project. By Charter agreement, the Mitigation Bank has assumed an obligation to maintain or replace mitigation credits based on non-permanent mitigation projects.). Project Type Codes: Instream Lease = ISL; Time-Limited Instream Transfer = TLT; Allocation of Conserved Water = ACW; Permanent Instream Transfers = PT; Storage Release = SR; Aquifer Recharge = AR; Other = Other (if other, please describe under project type in space provided below)

Mitigation Project ID	# Mitigation Credits Assigned	Zone of Impact	Mitigation Project Type Code (see above)
MP-5	50	General	ISL
MP-___	_____	_____	___

Add additional mitigation projects and credits below using above format:

_____

Mitigation Project Operator (if other than original credit holder): DWE (for example, name of storage project or aquifer recharge project operator)
Mailing Address: _____
Phone Number: _____

For Stored Water Releases (if applicable):
Name of Reservoir: _____
Reservoir Permit/Certificate: _____ Contract Number(s): _____

The above described mitigation credits have been transferred from _____, mitigation credit holder, to _____, ground water application/permit/certificate holder.

_____ _____
Mitigation Bank Signature Date

_____ _____
Ground Water Application/Permit/Certificate Holder Signature Date

RECEIVED
MAR 2 8 20
WATER RESOURCES DEPT
SALEM, OREGON

DESCHUTES RIVER CONSERVANCY

RECEIVED
FEB 10 2006
W & H PACIFIC, INC.

February 9, 2006

Eagle Crest, Inc.
Attn: Tom Walker
920 SW Emkay, Suite C100
Bend, OR 97702

RE: PAYMENT RECEIVED FOR TEMPORARY MITIGATION CREDITS (2006)

Dear Mr. Walker,

On behalf of the Deschutes Water Exchange (DWE) Groundwater Mitigation Bank, I would like to express our appreciation for your continued participation in the Mitigation Program. We have received your payment of $3,500.00 for 50 Temporary Mitigation Credits in the General of Impact (for groundwater application no. G-15789).

Please feel free to contact me with any questions or comments you may have.

Sincerely,

Genevieve Hubert

Genevieve Hubert
Program Manager
DRC -DWE Groundwater Mitigation Bank

gen@deschutesrc.org
(541)382-4077, ext. 16

RECEIVED
MAR 28 2006
WATER RESOURCES DEPT
SALEM, OREGON

Oregon
Theodore R. Kulongoski, Governor

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

May 14. 2007

Alan Van Vliet
Eagle Crest, Inc.
PO Box 1215
Redmond, OR 97756

Re: Assignment & Use of Mitigation Credits from Project MP-57 for Ground Water Permit G-15855 (file G-15789)

Dear Mr. Van Vliet:

On May 9, 2007, the Department received documentary evidence that 1.8 mitigation credits have been obtained and are requested to be assigned from Mitigation Project MP-57 to Ground Water Permit G-15855 held by Eagle Crest, Inc.

As determined by the Department during the ground water permit application review process, this ground water permit has a mitigation obligation in the General Zone of Impact for 203.2 acre-feet of mitigation water (credits), with the first increment of mitigation being 50.0 acre-feet. The next 50.0 acre-feet of mitigation appears to be due five years from when the permit was issued.

As determined by the Department during the application review process for instream transfer T-10058 (MP-57), mitigation credits awarded to this project may be used in the General Zone of Impact. Mitigation credits in the amount of 1.8 have been removed from the account held by the Deschutes Water Exchange Mitigation Bank, and permanently assigned to ground water permit G-15855 (and any subsequent certificates).

The remaining balance of the first increment of mitigation needs to be made up from another permanent mitigation project and/or temporary mitigation credits from the DWE Mitigation Bank. Mitigation must be provided annually.

If you have any questions regarding the mitigation credits that have been assigned to your ground water permit or your continued mitigation obligation, please give me a call at (503) 986-0884.

Sincerely,

Laura Snedaker
Senior Water Resources Coordinator

c: Jeremy Giffin, Watermaster District 11
Gen Hubert, Deschutes Water Exchange Mitigation Bank
file T-10058 & MP-57
file G-15789

DESCHUTES RIVER CONSERVANCY

May 8, 2007

Oregon Water Resources Department
Attn: Anita Huffman
725 Summer Street NW, Suite A
Salem, OR 97301-4172

Re: MP-57, Documentary Evidence Form to Allocate Permanent Credits

Dear Anita,

Please accept the attached documentary evidence form to permanently satisfy a portion of Permit G-15855 with credits created from the Permanent Instream Transfer associated with Mitigation Project (MP) 57.

A copy of this form will be sent to Laura Snedaker (OWRD), Jeremy Giffin (OWRD, Watermaster) and the landowner associated with the above listed Permit.

Please contact me at 541-382-4077, ext 16 or gen@deschuteriver.org if you have any questions or require further information.

Yours,

Genevieve Hubert
Program Manager

Encl: Documentary Evidence Form (1)

Mailed to OWRD via USPS Certified Mail with Return Receipt and Electronic Backup

RECEIVED
MAY 09 2007
WATER RESOURCES DEPT
SALEM, OREGON

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

LKS ✓

G-15789

Oregon
Theodore R. Kulongoski, Governor

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

OREGON WATER RESOURCES DEPARTMENT
DESCHUTES BASIN MITIGATION CREDIT
DOCUMENTARY EVIDENCE FORM FOR MITIGATION BANKS

*This form is to be completed by a **Mitigation Bank** when mitigation credits are obtained from a mitigation bank by a ground water application/permit/certificate holder to satisfy a mitigation obligation under the Deschutes Ground Water Mitigation rules.*

Ground Water User Information:

Name: Eagle Crest, Inc
Mailing Address (Street, City, State, Zip): P.O. Box 1215, Redmond, OR 97756
Phone Number (including area code): Home _____ Work 541-548-9383 Other 541-388-4255
E-Mail (optional): _____
Ground Water Application, Permit, or Certificate #: G-15855
Mitigation Obligation (amount) (see Notice of Mitigation Obligation or Initial Review for this information): 203.2
Zone of Impact (see Notice of Mitigation Obligation or Initial Review for this information): General

Mitigation Bank Information:

Mitigation Bank Name: DRC - Deschutes Water Exchange
Mailing Address: P.O. Box 1560, Bend, OR 97709
Phone Number: 541-382-4077 E-Mail (optional): gen@deschutesrc.org

Mitigation Credit Information:

In the following table, identify the mitigation project identification number(s), the number of credits assigned from each mitigation project, the zone of impact in which the credits are to be used (note - many credits may be used within more than one zone of impact) and the type of mitigation project upon which the credits are based (The Mitigation Bank shall notify purchasers of mitigation credits of the category of credits purchased. The Bank shall state if the credits are temporary or whether subject to the continued maintenance of a mitigation project. By Charter agreement, the Mitigation Bank has assumed an obligation to maintain or replace mitigation credits based on non-permanent mitigation projects.). Project Type Codes: Instream Lease = ISL; Time-Limited Instream Transfer = TLT; Allocation of Conserved Water = ACW; Permanent Instream Transfers = PT; Storage Release = SR; Aquifer Recharge = AR; Other = Other (if other, please describe under project type in space provided below)

Mitigation Project ID	# Mitigation Credits Assigned	Zone of Impact	Mitigation Project Type Code (see above)
MP-57	1.8	General	PT
MP-___	_____	_____	___

Add additional mitigation projects and credits below using above format:
_____

Mitigation Project Operator (if other than original credit holder): _____(for example, name of storage project or aquifer recharge project operator)
Mailing Address: _____
Phone Number: _____

RECEIVED
MAY 09 2007
WATER RESOURCES DEPT
SALEM, OREGON

For Stored Water Releases (if applicable):
Name of Reservoir: _____
Reservoir Permit/Certificate: _____ Contract Number(s): _____

The above described mitigation credits have been transferred from Deschutes Water Exchange, mitigation credit holder, to Eagle Crest, Inc, ground water application/permit/certificate holder.

Genevieve Hubert — 5-1-2007
Mitigation Bank Signature — Date

[signature] — 4-9-07
Ground Water Application/Permit/Certificate Holder Signature — Date

DESCHUTES RIVER CONSERVANCY

June 27, 2007

Oregon Water Resources Department
Attn: Laura Snedaker
725 Summer Street NW, Suite A
Salem, OR 97301-4172

Re: Documentary Evidence Form to Allocate Temporary Credits

Dear Laura,

Please accept the attached documentary evidence form to satisfy the mitigation obligation of the following permit with temporary credits created with an instream lease:

G-15855 Eagle Crest MP-5

This documentary evidence form replaces a form submitted in 2006. It includes a reduction in the number of temporary credits required due to the purchase and application of 1.8 permanent credits to this permit.

A copy of this form will be sent to Jeremy Giffin (OWRD, Watermaster).

Please contact me at 541-382-4077, ext 16 or gen@deschuteriver.org if you have any questions or require further information.

Yours,

Genevieve Hubert

Genevieve Hubert
Program Manager

Encl: Documentary Evidence Form (1)

Mailed to OWRD with Electronic Backup

RECEIVED
JUN 29 2007
WATER RESOURCES DEPT
SALEM, OREGON

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

Oregon
Theodore R. Kulongoski, Governor

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

OREGON WATER RESOURCES DEPARTMENT
DESCHUTES BASIN MITIGATION CREDIT
DOCUMENTARY EVIDENCE FORM FOR MITIGATION BANKS

*This form is to be completed by a **Mitigation Bank** when mitigation credits are obtained from a mitigation bank by a ground water application/permit/certificate holder to satisfy a mitigation obligation under the Deschutes Ground Water Mitigation rules.*

Ground Water User Information:

Name: Eagle Crest, Inc
Mailing Address (Street, City, State, Zip): P.O. Box 1215, Redmond, OR 97756
Phone Number (including area code): Home _____ Work 541-548-9383 Other 541-388-4255
E-Mail (optional): _____
Ground Water Application, Permit, or Certificate #: G-15855
Mitigation Obligation (amount) (see Notice of Mitigation Obligation or Initial Review for this information): 203.2 (50.0 in first increment)
Zone of Impact (see Notice of Mitigation Obligation or Initial Review for this information): General

Mitigation Bank Information:

Mitigation Bank Name: Deschutes Water Exchange, Deschutes River Conservancy
Mailing Address: P.O. Box 1560, Bend, OR 97709
Phone Number: 541-382-4077 E-Mail (optional): gen@deschutesriver.org

Mitigation Credit Information:

In the following table, identify the mitigation project identification number(s), the number of credits assigned from each mitigation project, the zone of impact in which the credits are to be used (note - many credits may be used within more than one zone of impact) and the type of mitigation project upon which the credits are based (The Mitigation Bank shall notify purchasers of mitigation credits of the category of credits purchased. The Bank shall state if the credits are temporary or whether subject to the continued maintenance of a mitigation project. By Charter agreement, the Mitigation Bank has assumed an obligation to maintain or replace mitigation credits based on non-permanent mitigation projects.). Project Type Codes: Instream Lease = ISL; Time-Limited Instream Transfer = TLT; Allocation of Conserved Water = ACW; Permanent Instream Transfers = PT; Storage Release = SR; Aquifer Recharge = AR; Other = Other (if other, please describe under project type in space provided below)

Mitigation Project ID	# Mitigation Credits Assigned	Zone of Impact	Mitigation Project Type Code (see above)
MP-5	48.2	General	ISL
MP-___	_____	_____	___

Add additional mitigation projects and credits below using above format:

_____

Mitigation Project Operator (if other than original credit holder): _____(for example, name of storage project or aquifer recharge project operator)
Mailing Address: _____
Phone Number: _____

RECEIVED
JUN 29 2007
WATER RESOURCES DEPT
SALEM, OREGON

For Stored Water Releases (if applicable):
Name of Reservoir: _____
Reservoir Permit/Certificate: _____ Contract Number(s): _____

The above described mitigation credits have been transferred from _____, mitigation credit holder, to _____, ground water application/permit/certificate holder.

Genevieve Hubert
Mitigation Bank Signature

6-27-2007
Date

Jed E Anders
Ground Water Application/Permit/Certificate Holder Signature

6-5-07
Date

Laura Snedaker

From: Walker, Tom [TWalker@whpacific.com]
Sent: Tuesday, July 17, 2007 7:02 AM
To: Laura Snedaker
Cc: Alan Van Vliet; bretth@eagle-crest.com
Subject: RE: Eagle Crest Permit G-15855 - incremental development plan clarification

Laura,
Thank you for your email and your work on the Brasada Ranch quasi-municipal permit. Your interpretation of the Eagle Crest, Inc intent for incremental mitigation is correct. The incremental mitigation plan is based upon our guess at the rate of development and the associated water consumption. Regardless of the incremental mitigation plan, we carefully monitor and analyze the annual consumption and will provide required mitigation to match actual consumption, subject of coarse to the Department's approval.

From: Laura Snedaker [mailto:snedaklk@wrd.state.or.us]
Sent: Friday, July 13, 2007 8:01 AM
To: Walker, Tom
Subject: Eagle Crest Permit G-15855 - incremental development plan clarification [mx]

Good Morning Tom:

I've got something I'm hoping that you can help me with. I keep track of all the permits issued by the Department under the Deschutes Mitigation Rules and various elements of those permits, including any with incremental development plans. One of these permits is the one issued to Eagle Crest (G-15855). For incremental development plans, we track the incremental steps in the plan (date ranges for development), volume of use in each date range, and amount of mitigation needed/provided in each date range. The plan submitted for Eagle Crest didn't include date ranges but did identify that mitigation would be provided for the ground water use in five year increments of 50.0 Acre-Feet (AF) until the full amount of mitigation was being provided (203.2 AF – the consumptive use portion). The permit allows the use of 3.34 Cubic Feet per Second (CFS) with a maximum annual volume of 508.0 AF.

To track the incremental development plan for this permit, an interpretation of the appropriate date ranges has been made based upon when the permit was issued (February 17, 2005) and the five year increments of mitigation described in the plan. To confirm the Departments interpretation of the incremental development plan, I'm hoping that you can provide some clarification and/or confirmation. I would like to make sure that we're tracking the plan correctly and have put together an interpretation of the incremental development plan for Eagle Crest for your review.

Year	Amount of Mitigation	Volume of Quasi-Municipal Use
2005 – 2009	50.0 AF	125.0 AF
2010 – 2014	100.0 AF	250.0 AF
2015 – 2019	150.0 AF	375.0 AF
2020 – 2024	200.0 AF	500.0 AF
2025 – on	203.2 AF	508.0 AF

Please let me know if this is an accurate interpretation of the incremental development plan for Eagle Crest's permit G-15855. If not, a clarification would be appreciated. Or if this plan no longer fits the rate of development for this permit, a revised plan may be submitted for review and approval by the Department. I've attached a copy of the original plan as a reference.

If you have any questions please give me a call. Or if you're not the appropriate person to make this clarification, please let me know.

Thanks, Laura

Laura Snedaker
Senior Water Resources Coordinator
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1271
Phone: (503) 986-0884
Web: www.oregon.gov/OWRD

Laura Snedaker

From: Laura Snedaker
Sent: Friday, July 13, 2007 8:06 AM
To: 'twalker@whpacific.com'
Subject: Eagle Crest Permit G-15855 - incremental development plan clarification
Attachments: G-15855-IncDevPlan.pdf

Good Morning Tom:

I've got something I'm hoping that you can help me with. I keep track of all the permits issued by the Department under the Deschutes Mitigation Rules and various elements of those permits, including any with incremental development plans. One of these permits is the one issued to Eagle Crest (G-15855). For incremental development plans, we track the incremental steps in the plan (date ranges for development), volume of use in each date range, and amount of mitigation needed/provided in each date range. The plan submitted for Eagle Crest didn't include date ranges but did identify that mitigation would be provided for the ground water use in five year increments of 50.0 Acre-Feet (AF) until the full amount of mitigation was being provided (203.2 AF – the consumptive use portion). The permit allows the use of 3.34 Cubic Feet per Second (CFS) with a maximum annual volume of 508.0 AF.

To track the incremental development plan for this permit, an interpretation of the appropriate date ranges has been made based upon when the permit was issued (February 17, 2005) and the five year increments of mitigation described in the plan. To confirm the Departments interpretation of the incremental development plan, I'm hoping that you can provide some clarification and/or confirmation. I would like to make sure that we're tracking the plan correctly and have put together an interpretation of the incremental development plan for Eagle Crest for your review.

Year	Amount of Mitigation	Volume of Quasi-Municipal Use
2005 – 2009	50.0 AF	125.0 AF
2010 – 2014	100.0 AF	250.0 AF
2015 – 2019	150.0 AF	375.0 AF
2020 – 2024	200.0 AF	500.0 AF
2025 – on	203.2 AF	508.0 AF

Please let me know if this is an accurate interpretation of the incremental development plan for Eagle Crest's permit G-15855. If not, a clarification would be appreciated. Or if this plan no longer fits the rate of development for this permit, a revised plan may be submitted for review and approval by the Department. I've attached a copy of the original plan as a reference.

If you have any questions please give me a call. Or if you're not the appropriate person to make this clarification, please let me know.

Thanks, Laura

Laura Snedaker
Senior Water Resources Coordinator
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1271
Phone: (503) 986-0884
Web: www.oregon.gov/OWRD

April 22, 2008

DESCHUTES RIVER CONSERVANCY

RECEIVED
APR 24 2008
WATER RESOURCES DEPT
SALEM, OREGON

Eagle Crest, Inc
Attn: Niall Boggs
P.O. Box 1215
Redmond, OR 97756

RE: **E-Mail Receipt -** Payment Received for Temporary Mitigation Credits (2008)

Dear Niall,

On behalf of the Deschutes River Conservancy - Deschutes Water Exchange (DWE) Groundwater Mitigation Bank, I would like to express our appreciation for your participation in the Mitigation Program. We have received your payment for temporary mitigation credits for 2008.

Payment Received ($): **5,061.00**

Number of Credits Purchased: **48.2**

Zone of Impact: **General**

Application or Permit #: **G-15789**

A limited number of permanent mitigation credits may be available to mitigation bank clients in the **General Zone** of Impact again this fall. These credits will be offered in order of seniority as a client of the mitigation bank beginning where the previous offer of permanent credits left off. If a customer declines an offer, the offer goes to the next client and eventually to the end of the priority list of clients before returning to the top of the priority list. The cost of these 2009 credits has not yet been determined though we anticipate them to be more expensive than the first offering. The price increase of permanent credits reflects fluctuations in water market costs and irrigation district "exit fees" for transferring the water out of the district's assessment base. Permanent credits will be offered under contract 9-12 months prior to their availability – more details will follow on the new manner of offering permanent credits.

Permanent credit prices vary with each transfer of water instream. Please feel free to contact me with any questions or comments you may have.

Sincerely,

Gen Hubert - Via e-mail

Genevieve Hubert
Program Manager
DRC -DWE Groundwater Mitigation Bank

gen@deschutesriver.org
(541)382-4077, ext. 16

Creative Solutions ... Superior Service

W&H PACIFIC
920 SW Emkay, Suite C100
Bend, Oregon 97702

TRANSMITTAL

To:	Mr. Lloyd C. Vangordon	Date:	January 17, 2008
Company:	Oregon Water Resources Department	Project Number:	30028.1005
Address	725 Summer Street NE, Suite A	Project Name	Brasada Ranch
City/State	Salem, Or 97301-1266	Re:	Annual Water Use Reporting
Phone:			
Fax:			

From: Thomas A. Walker, P.E., C.W.R.E.

Phone: (541) 388-4255

Fax: (541) 388-4229

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

We are sending:		**These Are Transmitted:**		**Copied To:**
☒	Attached	☒	For Your Info/File	Alan VanVliet
☐	Facsimile	☐	As Requested	Brett Hudson
	# Of Pages Including Cover	☐	For Review & Comment	Jason Wick

Copies	Description
1	2006/2007 Annual Use Report For Permit G-15855

Comments:

RECEIVED
JAN 25 2008
WATER RESOURCES DEPT
SALEM, OREGON

entered this data under WUR 63001 - only "well 1"

PERMIT G-15855

app g15789

USER-ID ? 21608

2006 Oregon Water Resources Department 2007

October 2006 through September 2007
Annual Water Use - Monthly Quantities Form

Facility / POD-ID	BRASADA RANCH WELL #1				
October - 2006	2,220,480 G				
November - 2006	624,000 G				
December - 2006	320,520 G				
January - 2007	13,080 G				
February - 2007	556,560 G				
March - 2007	1,192,200 G				
April - 2007	4,560,720 G				
May - 2007	3,029,110 G				
June - 2007	3,433,200 G				
July - 2007	4,348,830 G				
August - 2007	5,784,286 G				
September - 2007	3,143,760 G				
TOTAL *	29,226,746 G				

RECEIVED
JAN 25 2008
WATER RESOURCES DEPT
SALEM OREGON

* Describe the units of measure as G (gallons), KG (thousand gallons), MG (million gallons), CF (cubic feet), MCF (million cubic feet), or AF (acre-feet)

Describe method of measuring the water used: METER. If use is irrigation, total number acres irrigated _____.
I certify this information is true and accurate to the best of my knowledge.

Signature	Title	Reporting Entity	Date
Thomas A Walker	CWRE	W&H PACIFIC	1-17-2008

THOMAS A. WALKER
Name - Please Print

Please complete and mail to: Water Resources Department; Water Use Reporting Program; 725 Summer Street NE, Suite A; Salem, OR 97301-1266.

WHPacific

April 23, 2008

Oregon Water Resources Department
Water Rights Section
725 Summer Street NE, Suite A
Salem, Oregon 97301-1271

RECEIVED
APR 24 2008
WATER RESOURCES DEPT
SALEM, OREGON

Re: Eagle Crest, Inc.
Application G-15789
Permit G-15855
Mitigation Progress Report
WHP File No.: 30028.1005

Gentlemen/Ladies:

Permit G-15855 (Application #G-15789) requires periodic reporting on the progress of implementing the incremental mitigation development plan. I have summarized the status of the Eagle Crest, Inc. mitigation program, with the intent of complying fully with permit conditions.

Eagle Crest, Inc. submitted a groundwater mitigation plan as a part of the original appropriation application. The mitigation plan was incorporated into the final order and permit for groundwater development.

In conformance with the groundwater permit, incremental mitigation was initiated in 2005. Eagle Crest, Inc. has purchased temporary mitigation credits each year from the Deschutes Resources Conservancy (DRC), and submitted evidence of the mitigation to the Department. The documentary evidence certificate for 2008 is attached.

Eagle Crest, Inc. reported water use to the Oregon Water Resources Department, as required. The volume of water consumed was less than expected and less than allowed for the incremental mitigation. Eagle Crest, Inc. monitors water consumption carefully and concluded the initial increment of mitigation remains adequate for the 2008 level of water consumption.

This letter is intended to fulfill all requirements of Permit G-15855. Please consider this information and attachments and contact us immediately if you have questions or require additional information. Permit G-15855 is critically important to Eagle Crest, Inc. and our intent is to not jeopardize the permit in any way.

Thank you for your review and assistance.

Very truly yours,

W&H Pacific, Inc.

James E. Frost

James E. Frost, P.E.
Project Manager

Enc: 2008 Certificate

Cc: Alan VanVliet
Brett Hudson

920 SW Emkay Drive, Suite C-100 • Bend, OR 97702 • T 541.388.4255 • F 541.388.4229 • www.whpacific.com

POWELL BUTTE RESORT WATER SUPPLY SYSTEM MASTER PLAN

JANUARY 2003

Prepared For:

Eagle Crest Inc.
P.O. Box 1215
Redmond, Oregon, 97756

Prepared By:

W&H Pacific, Inc.
920 SW Emkay, Suite C-100
Bend, OR 97702
(541) 388-4255

RECEIVED
DEC 08 2010
WATER RESOURCES DEPT
SALEM, OREGON



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RECEIVED
DEC 08 2010
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POWELL BUTTE RESORT
WATER SUPPLY SYSTEM
MASTER PLAN

I. INTRODUCTION

Project Description and Location:

The Powell Butte Resort is a proposed destination resort in Central Oregon. The Powell Butte Resort is located northeasterly of Bend, southeasterly of Redmond and southwesterly of Prineville, in Crook County.

The Powell Butte Resort will offer panoramic views of the Cascade Mountains from this high desert project location. The Powell Butte Resort will offer over-night accommodations, single family homesites, golf, commercial facilities to meet resort needs, and a package of resort amenities for future owners and guests. The Powell Butte Resort will provide a high quality vacation resort destination, attracting visitors and owners from throughout the western United States. The Powell Butte Resort will be designed to complement the natural environment, maintaining the natural beauty of the high desert and providing significant recreational and economic opportunities in Central Oregon.

Eagle Crest Inc., developer of the Powell Butte Resort, has significant experience and an unequaled reputation for high quality development. Eagle Crest Inc. has developed the Eagle Crest Resort in Deschutes County, Silver Mountain in Idaho, Running Y Resort in Klamath Falls, and multiple recreational resort projects throughout the western United States. Eagle Crest Inc. will utilize its extensive experience, development team and quality commitment to extend its highly successful business through the Powell Butte Resort in Crook County.

The destination resort property includes ± 1,800 acres on the westerly slopes of the Powell Butte geologic formation. Natural topography varies from flat agricultural lands to steep slopes, some rocky outcrops, and juniper woodlands. 900 equivalent dwelling units have been proposed for the destination resort.

Eagle Crest Inc., with concern for an economical and reliable development of land holdings, recognized the necessity for a comprehensive water supply system master plan for the project. W&H Pacific was subsequently authorized to proceed with a coordinated development planning for the water system.

Land Use Planning and Approval Status:

Eagle Crest Inc. has exercised a purchase option on the Shumway Ranch property in Crook County. Although destination resort development is highly encouraged by State of Oregon land use goals, Crook County had never adopted the appropriate ordinance to support resort development. Eagle Crest Inc. completed destination resort mapping in conformance with State of Oregon land use goals and obligations, to provide a resort development ordinance for Crook County. Crook County adopted the destination resort ordinance in the summer of 2002. The adoption of the Crook County Destination Resort Ordinance accommodates resort development on the Shumway Ranch property, subject to stringent requirements and guidelines for all facets of the development.

The Crook County Destination Resort Ordinance stipulates extensive public input and a series of land use applications, all under the jurisdiction of Crook County. The Crook County Destination Resort

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Ordinance stipulates the preparation and approval of a resort development plan, followed by the presentation and approval of a final master plan, after which County sub-division and site plan criteria apply. The land use approval process is extensive, complex, and detailed for all aspects of resort development. The land use process assures significant scrutiny by Crook County, various State agencies, and any interested neighbors or parties.

Eagle Crest Inc. has developed a conceptual development plan and initiated the destination resort application process with Crook County. Preparation of the Water Supply System Master Plan is required by the Crook County land use process and is appropriate at this stage of land use actions. Preparation of this master plan is also a prudent prerequisite for water system design and the required submittals to State Agencies.

Project Development Schedule and Phasing:

The development of the Powell Butte Resort will occur over an extended period of time in conformance with market demand. The demand for resort inventory is expected to fluctuate, not only from year-to-year, but in the type of units or inventory as well. Land use applications for the Powell Butte Resort will solicit significant flexibility for both the timing and type of units to be developed. For example, a relatively small number of lots and overnight units will be provided initially, with additional inventory constructed based upon sales activity. Similarly, single family lots or multi-family units will be interchanged or developed, in conformance with the demands of buyers. Although the type of unit can change, the total maximum density of 900 equivalent dwelling units can not be exceeded.

Eagle Crest Inc. has extensive experience in the planning and construction of destination resorts. This experience is invaluable in planning and designing this project. In projecting build-out schedules and phasing requirements, Eagle Crest Inc. anticipates all available properties will be sold within the next 12 to 15 years and build out of the project accomplished in 20-25 years.

Because of the long-term development schedule and the changes that will occur in market demand, significant flexibility must be maintained at all times in the infrastructure systems serving the resort. This Master Plan will repeatedly document the need for flexibility in the design and construction of the domestic well water supply system.

II. SUMMARY AND RECOMMENDATIONS

At final project build-out, the water system for the Powell Butte Resort will serve approximately 2,200 people and up to 300 acres of golf course turf or formal landscaping, accommodating domestic consumption, irrigation, frost control, fire protection, construction watering, dust control, emergency storage, aesthetic amenities, and other uses typical and ordinary for a municipality. The domestic water consumption is estimated at one million gallons of water on a peak day at full build-out. The maximum irrigation requirement at full build-out is estimated at 2.4 million gallons per day. The required maximum source contribution for domestic water is estimated at 745 gallons per minute and the irrigation source need is estimated at 1,680 gallons per minute, assuming peak season consumption on two 18-hole golf courses.

Eagle Crest Inc. has identified and pursued multiple water supply alternatives for the Powell Butte Resort. Any one of the alternatives, or combination of alternatives, will meet the requirements of the project. An agreement has been executed with the Avion Water Company to assure that at least one alternative is available for the project.

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The Avion Water Company alternative includes a previously approved groundwater supply for the resort, together with the use of existing Central Oregon Irrigation District (COID) irrigation water rights for golf course turf and landscaping.

Eagle Crest Inc. is concurrently pursuing a groundwater well water right permit to meet both domestic and irrigation needs. Eagle Crest Inc. also may file an application to transfer the type of use from irrigation to quasi-municipal on irrigation district rights, previously acquired. Even though the Avion Water supply is guaranteed, ground water wells or a transfer may be more cost effective. Alternative water supplies will continue to be pursued until all options are fully evaluated and the best selected.

Fire protection flow requirements for the Powell Butte Resort will vary from 1,000 gpm for standard residential development to 1,500 gpm for larger commercial and recreational facilities, or multi-family residential buildings. The domestic water distribution system must be designed to deliver fire flow rates, in addition to the peak day domestic needs of the project. Alternatively, an innovative design for a combined irrigation and fire protection water supply system may serve the project.

The irrigation water distribution system is expected to be fully separate from the domestic piping system. Source facilities may serve both irrigation and domestic needs, at certain times of the year, but will be designed to establish the highest priority for domestic and fire flows.

This master plan report summarizes significant research, calculations, and planning. However, the basic assumptions and recommendations on consumption, irrigation requirements, and system component capacity must be carefully evaluated throughout the development process. It is strongly recommended that all system components be monitored and re-evaluated continuously as development occurs and system components are added.

In summary, Eagle Crest Inc. has identified adequate water source alternatives, including execution of a contract with the Avion Water Company to assure an adequate water supply to meet the needs of the destination resort. Domestic needs, irrigation requirements, fire protection requirements, and emergency water supplies can be provided from any one, or a combination of water supply alternatives that are concurrently being pursued.

III. SCOPE OF STUDY

The following table outlines the scope of this study and establishes the basis for design of the proposed domestic and irrigation water supply systems.

Powell Butte Resort
Water Supply System Master Plan
Study Scope

Water Supply Alternatives
Domestic Water Consumption
Fire Protection Needs
Golf Course and Landscape Irrigation
Source Design Criteria
Ultimate Domestic Source Requirement
Ultimate Irrigation Source Requirement
Storage Facilities
Distribution System Design Criteria
Water Conservation Recommendations

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IV. WATER SUPPLY ALTERNATIVES

Multiple water supply alternatives are available for the Powell Butte Destination Resort project. It is prudent to continue the evaluation and processing of each alternative, seek appropriate agreements or permits, and continue negotiations on the terms and conditions for each water supply option. Selection of the best water supply should be deferred until land use approvals have been obtained, and the most efficient and economically viable water supply confirmed.

Water supply alternatives include a domestic water supply and distribution system from the Avion Water Company system, construction of a private water supply system with on-site wells, and transfer of surface water irrigation rights to a quasi municipal use and a ground water well diversion point.

Avion Water Company:

Avion Water Company is a private water purveyor, primarily serving the Bend Area but also serving customers in the Powell Butte area. Avion has adequate water supplies to serve the Powell Butte project and has executed a written contract to assure both domestic and out of season irrigation needs for the proposed Crook County resort. The Avion water contract guarantees an adequate water supply for the resort.

The Avion Water Company has a very significant ground water right, with a quasi-municipal use and old priority dates. A significant water supply is available under current permits and certificates, providing capacity in excess of the current consumption demand throughout the Avion service district. Avion has an extensive distribution network that already extends to projects in Crook County. Use of Avion Water Company at the Powell Butte Resort project would involve use of previously permitted groundwater rights. An Avion water supply can be used to meet peak instantaneous domestic demand and fire protection flow rates. The Avion Water Company supply can also meet shoulder season irrigation requirements, when COID irrigation water is not available.

Large diameter Avion Water Company mains, with significant reserve capacity, have been installed in the vicinity of the Bend Airport. Specifically a large diameter main near McGrath Road could be extended on public rights of way to the Powell Butte Resort. The pressure level or current operating pressure is compatible with the elevations of the Powell Butte Resort, providing an efficient water distribution system. Because the pressure is compatible with the elevations at the Resort, existing storage on the Bend distribution system can be utilized to meet peak instantaneous demand and fire protection flow rates. Multiple source facilities in the Bend area are also available to provide redundancy and reliability for the proposed resort. Approximately eight miles of piping will be required to serve the resort from the McGrath Road extension, representing a significant capital investment. However, because of the compatible elevation and pressure level, no significant on-site storage or pumping facilities are necessary. Preliminary cost estimates suggest the eight mile pipe line extension is economically feasible.

Another potentially viable alternative includes use of an on-site well, through transfer of an existin Avion water right to the Resort property. A water right transfer would allow pumping an on-site wel subject to a finding by the Oregon Water Resources Department that no injury occurs to any older priorit right. The on-site system requires well house improvements, storage to accommodate peak instantaneou and fire flow requirements, and an on-site distribution system to serve resort owners. Essentially thi Avion water supply alternative is identical to an on-site private water system, except that Avion wate rights are utilized to avoid the lengthy process of securing new rights.

A third Avion Water Company supply option includes an extension from the Powell Butte are developments. An inter-tie between the new resort and existing development should be mutuall

beneficial. Avion Water Company recently constructed a new well to supplement the existing Powell Butte service area. Likely, additional wells, pumping facilities, and storage would be needed to accommodate the proposed Powell Butte resort. Additional source capacity and storage should improve the redundancy and reliability of the overall inter-connected system. The off-site water main extension coupled with the estimated costs of new source and storage facilities may limit the economic feasibility of this alternative. However as noted above, all alternatives should be pursued until final design information is known and the best alternative can be selected.

Irrigation Districts and Surface Water Rights:

The Shumway Ranch Property, optioned for resort development, owns + 238 acres of COID water rights. Eagle Crest, Inc. owns additional COID water rights already and could purchase more. The COID rights are adequate to meet peak summertime irrigation needs on all proposed golf course turf (up to 280 acres on two 18-hole golf courses) and formal landscaping, plus the peak season domestic demand. Surface waters from the COID delivery ditch do not meet quality standards for domestic consumption and the irrigation water rights do not currently accommodate domestic use. However, a water right transfer from irrigation to quasi-municipal use and from a surface diversion to a ground water well can be utilized to meet resort water supplies.

Previous work by the Oregon Water Resources Department (OWRD)and the US Geological Service have confirmed an abundant groundwater supply in the Deschutes Basin, where groundwater withdrawals are approximately one percent of the annual recharge. The agencies also concluded the regional ground water in the Deschutes Basin is hydraulically connected to the Deschutes River. Theoretically, surface water withdrawn from the Deschutes River for irrigation districts is the same supply that is tapped in regional aquifer wells throughout the basin. Because the same water source would be utilized, a water right transfer from the COID ditch diversion to a ground water well is appropriate in the basin.

Similarly, irrigation district water rights have been transferred to a quasi-municipal use to allow a broader and more flexible water supply to meet resort needs. Surface water rights may be limited to the irrigation season. However, domestic water consumption outside of the irrigation season is minimal and very little irrigation occurs outside of the irrigation season. Therefore, a very small supplemental water supply, together with the proposed transfers, could easily accommodate resort development. A small diameter Avion Water Company main for example, together with the proposed transfers, could meet resort needs.

As an alternative, existing surface water irrigation rights can be utilized only for golf course and other landscape irrigation needs. The COID canal crosses the Shumway property, providing an efficient and reliable irrigation water supply.

As noted previously, numerous alternatives are available for both irrigation and domestic water supplies at the Powell Butte Resort. Likely, the selected water supplies will include a number of alternatives. An Avion domestic water main extension, together with the existing COID irrigation rights is one simple combination of alternatives that can cost effectively meet all resort needs.

Private Ground Water Supply System:

Most other resorts in Central Oregon have drilled wells and developed their own private water supply for both domestic and irrigation needs. Recent studies by the OWRD and US Geological Service (USGS) have determined that significant groundwater is available in the Central Oregon aquifer. The same long-term study determined that groundwater discharge to surface water in the vicinity of Lake Billy Chinook, restricts conditions under which water right permits can be issued.

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Water right appropriation applications to meet both domestic and irrigation needs have been filed with the Oregon Water Resources Department. The initial review from the Oregon Water Resources Department is positive, subject to mitigation of groundwater withdrawals. Eagle Crest Inc., has developed several alternatives for mitigating groundwater withdrawals under new rules adopted recently by the Oregon Water Resources Department. Mitigation alternatives include transfer of previously acquired surface water rights to an in-stream lease, purchase of ground water withdrawal mitigation from an established mitigation bank, and use of conserved water for mitigation. All mitigation options are considered viable and appropriate.

If a private water supply system is determined to be best, then multiple wells would be constructed on site. Two ground water wells already exist on the property and demonstrate an adequate water supply is available from the regional groundwater table. Normally, the wells would discharge to an on-site domestic water reservoir and on-site ponds to serve irrigation needs. On-site booster pump stations will likely be required to serve the distribution systems, because of the natural topography and associated pressure levels.

With an on-site private water supply system, no-off-site construction is required. A private water supply system should offer significant reliability because of the multiple source wells, the anticipated on-site storage, and the interconnected network of distribution piping throughout the resort. The private water supply system should also be the most cost effective and the most efficient.

V. WATER CONSUMPTION

Water consumption is the most critical component of water system design and it must be carefully evaluated to assure adequate capacity in system components. All components must be designed to accommodate the ultimate peak project need, including domestic consumption, fire protection, and irrigation. The water system component will be constructed in phases to comply with the growing project demand, and initial assumptions on this ultimate consumption will determine the success of the system.

Domestic water consumption or demand, will vary from month to month and with each hour of the day. The distribution or piping system must meet the peak instantaneous flow demand, which includes domestic water flow and fire protection. Source facilities are typically designed to deliver water at the peak day consumption rate, plus the peak day irrigation requirement. Storage is then utilized to meet demand during the peak instantaneous period of the day, together with emergency fire flows.

Projected Domestic Consumption:

Various destination resort projects in Central Oregon provide the historical data to accurately project the water consumption at the Powell Butte Resort. Comparison of the water consumption at various resort projects indicates peak day domestic consumption may vary from 500 gallons per equivalent dwelling unit up to 1,700 gallons per dwelling unit. The highest consumption occurs where homesites range from one-half acre to two acres and water services are not metered. Significantly lower consumption has been recorded for metered services, particularly where lot sizes are restricted and where low irrigation landscaping is encouraged through resort covenants, conditions, and restrictions (CC&Rs).

Based upon this past project research, and primarily water consumption information from the Eagle Crest Resort, a projected peak day consumption rate of 1,250 gallons per equivalent dwelling unit is recommended. This consumption rate is considered conservative or overstated, and provides a factor of safety through build-out of the destination resort. Equivalent dwelling units include single family homesites as well as condominium or townhouse units. Again, the inclusion of condominiums and townhouses at a 1,250 gallon per day consumption rate is conservative. Townhouses and condominiums

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- A 180 gpd per room contribution is typically utilized for hotel rooms, based upon the existing Eagle Crest Hotel in Central Oregon.

- 100% build-out of the Powell Butte Resort is not anticipated, but will be assumed for system design to provide a factor of safety.

- All components of the domestic water system will be designed for the ultimate domestic consumption noted above, plus fire protection flow rates.

Fire Protection:

An adequate water supply system must provide for fire protection, in addition to the peak domestic consumption and peak irrigation requirement. The Powell Butte Resort will fall under the jurisdiction of the Prineville Rural Fire Protection District. Specific fire protection flow rates are normally determined at the time of building permits when the type of occupancy, size of the structure, and type of building materials are specified. None of these details are available at this time and we must rely upon general statements in the applicable fire code and prior experience from other resort projects in Central Oregon. Similar projects have been obligated to provide a 1,500 gallon per minute fire protection flow rate for hotels, large commercial buildings, and similar recreational structures. In some cases, large structures also have an interior fire protection system. A 1,000 gallon per minute fire flow is typically specified in single family residential areas.

Standard engineering practice assumes a fire will occur in the largest structure during the heaviest water consumption use period of the year. The fire protection flow rate is typically required for a duration of two hours. The flow rate to meet the domestic need, irrigation requirement, and fire protection comes from the combination of source capacity and storage. Subsequent sections of this report specify the balance between source capacity and storage.

Irrigation Requirements:

Irrigation water needs for golf courses, parks, and other large turf irrigation requirements are estimated from standard water right allocations established by the Oregon Water Resources Department. These standard water right allocations have proven to be adequate at other destination resort projects.

Irrigation water requirements vary significantly from season to season and day to day. Regardless, our water supply system must deliver the peak day requirement, which is often limited to one or two weeks during the hottest period of the summer. Throughout the remainder of the year, system capacity exceeds the actual requirements. Subsequent sections of this Master Plan will describe proposed water conservation measures which assure that no water is wasted, even during the low irrigation requirement months of the year.

Under the current regulations of the Oregon Water Resources Department, a 1/80 cubic foot per second flow rate is allowed for each irrigated acre. This 1/80 cfs per acre is equivalent to 5.61 gallons per minute for each acre. During the peak irrigation requirement period of the year, this design flow rate must be delivered 24 hours per day.

For a golf course, irrigation is limited to nighttime hours to prevent disruption to golf play. Source facilities typically deliver water at the peak day flow rate to a surface water storage pond. Water is then pumped out of the pond during the nighttime hours for actual turf irrigation. The storage pond allows irrigation at a high flow rate during the nighttime hours and storage of water during the daytime hours.

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As noted in Table One, up to 300 acres of golf course and large turf irrigation are anticipated in the Powell Butte Resort, with a source requirement of 1,680 gallons per minute.

Water Consumption Summary:

Peak day domestic consumption at build-out of the Powell Butte Resort is estimated at 745 gallons per minute, as summarized in Table One. The irrigation requirement is estimated at 1,680 gallons per minute, and our highest anticipated fire protection flow rate is 1,500 gallons per minute. Total consumption at full build-out of the project is summarized in the following table.

TABLE TWO
POWELL BUTTE RESORT
ESTIMATED WATER CONSUMPTION SUMMARY
(ON THE PEAK DAY AT FULL BUILD-OUT)

Description	Gallons Per Day (gpd)	Gallons Per Minute (gpm)	Cubic Fee Per Secon (cfs)
Domestic Water Consumption (Peak Day)	1,071,500	745	1.66
Golf Course and Large Turf Irrigation (300 acres)	2,423,700	1,680	3.75
Fire Protection (2 Hour Duration)			
• Commercial or Hotel	180,000	1,500	3.3
• Single Family Residential	120,000	1,000	2.2

VI. SOURCE FACILITIES

Design Criteria:

Numerous water supply alternatives have already been identified. Regardless of the selected water supply alternative, the design criteria for source facilities is generally applicable. The following design criteria are based upon engineering standards of practice, as well as experience at numerous destination resort projects in Central Oregon and the Pacific Northwest:

- Source facilities must deliver the peak day consumption flow rate, plus the peak day irrigation requirement. As noted, the irrigation water supply may be independent from the domestic water supply.

- Storage and booster pumping facilities, in combination with source facilities, must provide the highest anticipated fire flow in combination with the peak day domestic consumption. This criteria stipulates that we design for a worst case scenario where a fire occurs on the highest consumption day of the year, at full build-out. It is important to note that we will use the average consumption over the peak day, rather than the peak instantaneous flow rate. The average peak day domestic consumption is appropriate and this scenario offers a significant factor of safety under most situations.

- The peak instantaneous flow rate is estimated to be equivalent to 2.5 times the peak day flow rate.

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- A totally reliable water supply under all conditions, is again critical to the success of the project. All water supply components must be maintained and repaired and are subject to emergency shut down. Therefore, storage is a recommended component of all source facilities, to assure that a water supply remains available under emergency shut downs, power outages, or other emergency situations.

Multiple source facilities, interconnected piping systems, and storage facilities all improve the redundancy and reliability associated with a municipal system. The Avion Water Company has an excellent reputation for reliability. Similarly, new groundwater wells at the Powell Butte Resort could provide significant reliability due to the adequate groundwater supplies confirmed in the regional Deschutes aquifer of Central Oregon, expected multiple wells, and anticipated on-site storage.

VII. STORAGE FACILITIES

Storage facilities provide the capabilities to meet the hour-to-hour change in demand for the domestic and irrigation water distribution systems. Storage also allows the domestic water distribution system to meet fire protection needs and provide emergency water during source facility maintenance or emergency conditions. Storage facilities increase the reliability of a distribution system.

The Avion Water Company has already incorporated multiple storage facilities into their water distribution systems. If the Avion Water Company source is selected, redundant storage facilities are available to improve reliability and serve under emergency situations. Off-site storage will require a ±16" domestic water main extension to the project to assure fire protection flow capacity. A smaller diameter main can be extended to the resort if additional on-site storage is provided.

If on-site private wells are constructed, then an on-site storage facility will likely be required. The on-site storage must be sized to balance the source contribution and the peak instantaneous demand. The combination of peak domestic demand and fire protection establish the flow requirement from the combination of storage and source.

The Powell Butte Resort has a high irrigation requirement to serve the proposed golf course. As noted in our design criteria, well pump controls would be designed to serve domestic and fire protection needs as a higher priority. In other words, any irrigation from domestic supplies would be terminated automatically under an emergency situation. Therefore, the golf course irrigation demand need not be considered in a domestic storage sizing calculation.

A well pump typically would discharge to a surface storage pond for golf course irrigation. A re-pump station, located on the storage pond, would discharge to a separate irrigation distribution system for the golf courses. Under this typical system, the irrigation and domestic water distribution systems are totally separate. In the case of an emergency, any well contribution to the irrigation storage lake would be automatically diverted to the domestic distribution system through standard valves and electronic control systems.

Storage Sizing Calculations for Domestic Needs:

The following table summarizes the anticipated demand and source contributions, and calculates the total recommended storage requirement. Again, this calculation applies only if the Powell Butte Resort elects to construct private wells to meet source needs.

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TABLE THREE
DOMESTIC AND FIRE PROTECTION WATER STORAGE REQUIREMENTS

Demand/Contribution	Flow Rate/Storage Volume
Source Contributions	+ 745 gpm
Fire Protection	- 1500 gpm
Peak Day Flow Rate	- 745 gpm
Balance	- 1,500gpm
Storage Calculation:	
1,500 gpm x 2 hour duration = 180,000 gallons	180,000 gallons
Emergency and peaking storage at 30% of the peak day flow = 320,000 gallons	320,000 gallons
Recommended total storage capacity	500,000 gallons

Storage facilities provide a water supply to meet the peak instantaneous periods of the day, a water supply during emergency conditions, and greatly improve the general reliability of the system. Normally, 30% of the peak day domestic water consumption is utilized for peaking storage.

Storage for fire protection must accommodate the difference between fire protection flow rates and source capacity. We assume that only one fire will occur in the project at any given time, but we assume the fire will result in the highest fire protection flow rate. We also recognize the domestic demand concurrent with the fire flow.

Storage to accommodate those times when source facilities are not operable, such as during repairs or power outages, is another consideration. Many jurisdictions have different recommendations for emergency storage, ranging from no storage at all to several days of summer time demand. At the Powell Butte Resort, power supplies are expected to be reliable. Experience throughout the Deschutes Basin demonstrates the underground acquifer is also reliable. The most significant concern is maintenance or repair of mechanical pumping equipment or electronic controls. It is unreasonable to anticipate source facility failure concurrent with fire protection and peak instantaneous flow rates.

In other words, there must be a limitation on the redundancy offered in the domestic water system to maintain capital costs at a reasonable level. Therefore, we consider the total capacity of the storage facility available for mechanical repairs or power outages, and assume the maximum fire flow or peak instantaneous demand will not occur concurrently. No additional volume is provided for domestic emergency storage.

Our domestic and fire protection water storage requirements sum to 500,000 gallons. Our calculations are based upon multiple assumptions and a total storage capacity in the range of 500,000 gallons is recommended. It is critical to remember that our entire storage calculation is based upon an assumption of source capacity. Remember, the on-site storage calculation applies only if the selected source alternative is a private on-site well. **If the project wells have a capacity in excess of the assumed 745 gallons per minute, the storage volume should be reduced.**

Storage Sizing Calculations for Golf Course Irrigation:

As noted, storage for the golf course irrigation system must accommodate the difference between source capacity and the nighttime irrigation flow rate. Golf course irrigation storage is typically provided in

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multiple lakes or ponds, which provide aesthetic value and golf hazards, as well as normal storage. Surface storage is inexpensive in comparison to domestic storage reservoirs.

The capital investment in the golf courses will be significant. This capital investment and the associated operating revenues must be protected. Water supplies, particularly during hot summer days, must be available to keep turf alive, maintain expensive greens and tees, and maintain the opportunity for golf play and the associated revenues. Therefore, adequate golf course irrigation and storage must be available to deliver water throughout the time necessary to replace the well pump or motor, or complete repairs in the irrigation re-pump station. Normally, three to seven days of storage is recommended.

Tables One and Two provide the ultimate golf course irrigation source requirement for two 18-hole golf courses, plus other large turf areas. The daily irrigation demand during the peak consumptive use period of the year is estimated at 2.4 million gallons. The irrigation demand comes from a standard duty of 1/80 cfs per acre and an estimated 300 total acres of irrigated turf. Recommended storage capacity ranges from 7 to 17 million gallons or 22 to 50 acre-feet.

The daily peaking storage for golf course irrigation is calculated at 1.6 million gallons or 4.9 acre-feet. The peaking storage is minimal in comparison to recommended emergency storage. Peaking storage is however important to consider because water surface elevations will fluctuate on a daily basis and the primary storage ponds should be adequately sized to minimize the surface water fluctuation. Normally, the primary storage lake is an important aesthetic component of the golf course and any significant daily change in the water surface elevation will diminish aesthetic values. A series of lakes may add to the project aesthetic appeal and provide additional storage.

VIII. DISTRIBUTION SYSTEM

The Powell Butte Resort water distribution system will include two separate piping networks. One piping system will serve the golf course and a second will meet domestic needs of the resort project. Each of the piping distribution systems will be served by multiple pressure levels. The domestic distribution system will be designed to provide ample fire protection flow rates and high reliability.

The domestic distribution system will be constructed in phases to coincide with market demand for residential unit inventory. The distribution system capacity may be restricted in the more remote sections of the project until development proceeds and system loops and components have been completed.

Design Criteria:

Table Four lists the design criteria utilized in the sizing and layout of the Powell Butte Resort water system. The ultimate distribution system is generally depicted on a preliminary site plan design exhibit map in the Appendix of this report.

TABLE FOUR
DOMESTIC WATER DISTRIBUTION SYSTEM DESIGN CRITERIA

1. Pressure: Under normal conditions, pressure in the distribution system will range from 45 psi to approximately 85 psi. Under maximum fire flow conditions, pressure within the distribution system should not be drawn below 20 psi.

2. Velocity: Under normal conditions, system main line velocities will range from 0 to 2.5 feet per second. Under maximum fire flow conditions, velocities should not exceed 10 feet per second.

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3. Fire hydrant spacing within the developed areas of the project will range from 300 to 500 feet, depending upon specific fire protection needs. A typical spacing of 500 feet will normally apply.

4. Isolation Valves: Isolation valves will be installed at all major crosses or tees to allow minimal impact upon the service area, during system repairs or construction. The maximum distribution line valve spacing should be 1,000 feet.

5. Air Release Valves: Air release valves will be installed on all system high points to prohibit air concentrations within the distribution system, and the associated reduction of mainline flow capacity.

6. Service Connections: Single family home service lines have been sized to convey approximately 15 gallons per minute over an average length of 100 feet, with less than a 5 psi pressure loss. Typically, single family homes will be served by 1" copper service lines.

7. Service Meters: Domestic water services at the Powell Butte Resort will be metered and allow proportionate sharing of system operation and maintenance costs, to provide a significant water conservation incentive.

Pressure Levels:

Water distribution system pressure levels are established to maintain an acceptable pressure across the entire project. Pressure in a domestic water distribution system is primarily related to elevation. The Powell Butte Resort has significant elevation differences across the property, creating a challenge in establishing appropriate pressure levels.

Development at the Powell Butte Resort is expected to range from an elevation of 3,180 feet to a high elevation of 3,750 feet. Most development however will occur between elevations 3,320 and 3,700. The elevation range represents a potential change in pressure of over 165 pounds per square inch (PSI)

The Oregon Health Division recommends a minimum pressure of 20 to 30 PSI, however experience at other resort projects suggests 40 to 45 PSI is the minimal pressure acceptable to resort owners. The Oregon Building Code stipulates a maximum pressure of 80 PSI to avoid high pressure concerns with plumbing fixtures and piping. 40 to 80 PSI is the reasonable service pressure service range for the Powell Butte Resort.

The pressure range of 40 to 80 PSI is equivalent to 92 feet in elevation. In other words, pressure will increase from 40 PSI to 80 PSI over 92 vertical feet. The overall elevation difference at the Powell Butte Resort could result in as many as six separate pressure levels. Six pressure levels become unbelievably complex and very limiting for water distribution piping. Typically, pressure zones are expanded to simplify the overall system, allow looping of distribution piping for more efficient and more reliable delivery, and still provide acceptable service.

Based from the elevation differences, desired pressures, and the need for a relatively simple and interconnected distribution system, a two pressure level system is recommended. The pressure level boundary should be at approximate elevation 3,460 feet. Pressures in the system will vary from 40 PSI to 145 PSI. Any domestic service with a pressure above 80 PSI will be fitted with an individual pressure reducing valve (PRV) to maintain service in compliance with Oregon Building Codes.

Normally, source facilities deliver water supplies through the distribution system to floating storage. For example, an on-site well can contribute the water supply through the normal distribution system to a reservoir at approximate elevation 3,550 feet. A reservoir at this elevation provides 40 PSI at the desired

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pressure level boundary of 3,460 feet, and provides approximately 145 PSI at the lowest elevation of the resort. Again, the lowest elevations are protected with service pressure reducing valves to ensure compliance with Building Codes. A booster pump station, located at the reservoir, operates on a flooded suction configuration and provides domestic and fire protection service to upper elevations of the resort.

Alternatively booster pumps can deliver water to storage at an elevation of approximately 3,790 feet, providing direct gravity service to the upper pressure level. Pressure reducing valves at approximate elevation 3,460 feet throughout the resort then provide appropriate pressures to the lower pressure level. Regardless of the final design, a combination of booster pumps and storage reservoirs can provide appropriate service to a two pressure level system at the Powell Butte Resort.

In our earlier discussion of source alternatives, we identified Avion Water Company as one of the guaranteed alternatives. The Avion Water Company option to extend water from the McGrath Road main provides pressures that are very similar to those described above. In other words, the Avion Water Company supply from the McGrath Road main is compatible with the elevations and service requirements at the Powell Butte Resort. Final design modifications to pressure level boundaries can be refined as necessary.

Typical Main Line Size and Recommended Looping:
In areas subject to commercial and multi-family fire protection flow rates, domestic water main lines will be equivalent to 12" in diameter. An 8" loop or parallel 8" lines will be roughly equivalent to one-way flow in a 12" pipe.

In residential areas, 8" main line piping will typically meet domestic and fire protection needs.
Whenever possible, the water distribution system should be looped to improve reliability, reduce the opportunity for stagnate water conditions, and improve the flow efficiency of the distribution system.

IX. REGULARATORY AGENCY JURISDICTION

Private community water systems and municipal systems are typically regulated by three agencies, including the Oregon State Health Division, the Public Utility Commission, and the Oregon Water Resources Department. The Oregon Health Division has a primary responsibility to assure adequacy of the system source and distribution facilities and the water quality for all customers in the service area. The Public Utility Commissioner monitors and controls water service rates, accounting procedures, and operating policies to assure water consumer protection. The Public Utility Commissioner will not be involved in the Powell Butte Resort until a certain threshold size is accomplished. The Oregon Water Resources Department controls water appropriation through the water right process.

The Oregon State Health Division will review and approve water system design, construction plans and specifications, and assure the system is completed in conformance with their approvals. In addition, the Health Division, through affiliation with the Environmental Protection Agency, will monitor water quality on a regular basis. For example, bacteriological test samples must be collected, tested, and submitted to the Environmental Protection Agency monthly to assure water quality conforms to Oregon requirements. Also, water is tested regularly for numerous chemical, element, and sediment concentrations.

Oregon Health, through design and construction approvals, and monitoring the water quality testing, will designate the Powell Butte Resort water system as an approved community water system in compliance with Oregon requirements. If at any time the Powell Butte Resort system fails to comply, the Oregon Health Division stipulates procedures for notifying customers, and stipulates conditions for rectifying

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problems. Oregon Health Division records are always available for public review and often consulted by lending institutions and other parties seeking to verify an adequate water supply system.

Water rights for domestic and irrigation use are monitored and controlled by the Oregon Water Resources Department. The Water Resources Department will review development applications and provide final approval for the various types of water use at the Powell Butte Resort project, if on-site wells are selected as the best alternative for a water supply. If the Powell Butte Resort utilizes an Avion Water Company supply, then appropriate water rights have already been obtained and will be administered by the water purveyor.

X. WATER CONSERVATION

A water conservation program is appropriate for a private well system for the Powell Butte Resort to assure that water use remains efficient and cost effective. The goal of a water conservation plan for the Powell Butte Resort is to optimize landscape irrigation efficiency, to operate and maintain the water supply and distribution system efficiently, and to educate the users on the benefits of water conservation. Wise use of water will maximize the value of resort properties, minimize the capital investment in source and distribution facilities, and generally improve the economic viability of the project. In summary, everyone has a strong incentive to assure wise use of water without waste.

The following water conservation measures are proposed for the domestic and irrigation water supply systems at the Powell Butte Resort, if a private water system is constructed.

- Install a meter for all source facilities.
- Install meters on all service lines for domestic accounts.
- Install meters for golf course irrigation systems.
- Implement conservation pricing to customers to provide financial incentives for water conservation.
- Implement architectural guidelines or restrictions to encourage limited formal landscaped areas on residential lots and to encourage low water use vegetation in landscape plans.
- Incorporate low water use plumbing fixtures (showerheads and toilets) in resort facilities and encourage the same in residential building guidelines.
- Complete an annual water audit for both the domestic water and irrigation systems.
- Utilize a golf course irrigation electronic monitoring system that allows computerized adjustment to match climatic conditions, soil profiles, and vegetation.
- Conduct a leak detection program, when warranted by the annual water audit. Water losses greater than 10% to 15%, excluding allowances for construction testing and flushing, will be analyzed and leaks repaired.
- Conduct a public education program on the efficient use of water. The public education program on water conservation may include utilization of bill inserts, comparison of customer water consumption with past billing periods, periodic articles and resort newsletters, posting of water conservation materials in public places, and coordination with other Governmental agencies or groups on efficient use of water.

A similar water conservation program has previously been established and implemented by the Avion Water Company. If an Avion Water Company connection is made, the Powell Butte Resort will be obligated to confirm the previously approved Avion conservation plan.

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BRASADA RANCH
Water Management and Conservation Plan
Crook County
Oregon
For
Groundwater Permit G-15855

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EXECUTIVE SUMMARY

The purpose of this plan is to analyze the water supply and water demand issues facing Brasada Ranch, to develop an agenda to respond to those issues, to provide guidelines for operation and expansion of the water system, and to meet the water right permit requirements of the State of Oregon Water Resources Department. Brasada Ranch is a developing destination resort in Crook County. Eagle Crest, Inc. is the developer and parent company for Brasada Ranch and holds the groundwater permit for the domestic water supply.

Brasada Ranch relies upon groundwater for all of its domestic water supply. Although groundwater supplies appear to be adequate at this time and for proposed future development, careful observation of the groundwater conditions, water usage, and pumping levels is warranted. It appears that existing water rights and water supplies will be adequate to meet ultimate needs of the resort, as defined by land use approvals.

The current storage capacity of 750,000 gallons for domestic use and fire protection is anticipated to be adequate through build-out. However, observation and monitoring of storage conditions is recommended to verify additional storage facilities are not necessary.

Recommendations:

Brasada Ranch should continue to carefully monitor production and metered sales figures, particularly during peak season demand. Documentation of such usage data will be an essential tool in the on-going analysis of system capacities and needs.

Conservation measures identified in this plan should be implemented to the fullest extent possible, to maximize the value of capital infrastructure costs already incurred, and eliminate the need for additional infrastructure investment. New technologies for conservation methods should be reviewed for implementation and value to the Resort, as they become available.

In an emergency situation or long-term shortage in supply, behavioral changes are appropriate. Brasada Ranch should consider and adopt an emergency (curtailment) plan to implement in such an event. A curtailment plan is included for use at the Resort.

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INTRODUCTION

Located in Central Oregon's Deschutes Basin, Brasada Ranch is a for-profit destination resort and residential community. Brasada Ranch is located approximately 14 miles northeasterly of Bend and approximately 14 miles southwesterly of Prineville on 1800 acres of property that lie along the west slopes of Powell Buttes. Development at Brasada Ranch was initiated in 2005 and continues today.

This Brasada Ranch Water Management and Conservation Plan was prepared to meet the conditions of a groundwater appropriation permit (Permit G-15855) from the Oregon Water Resources Department. The water right permit is held by Eagle Crest, Inc., the developer of Brasada Ranch.

Development plans for Brasada Ranch include approximately 1,125 single family, multi-family, and townhouse units, or individual rentable rooms. Various recreational amenities and standard commercial facilities are also proposed at Brasada Ranch.

Development of Brasada Ranch will occur over an extended period of time, relative to market demand. The demand is expected to fluctuate, not only from year to year, but in the type of units or inventory as well. Land use approvals for the destination resort provide some flexibility in both the timing and type of units to be constructed. For example, a relatively small number of lots and units will be provided, with additional inventory constructed based upon sales activity. Similarly, single family lots or multi-family units will be interchanged or developed, in conformance with the demand of buyers. Although the type of unit can change, the total maximum density of 1,125 equivalent dwelling units cannot be exceeded because of explicit land use approvals. Destination resort development is further restricted by state and local land use designations and approvals, which prohibit resort expansion outside of current boundaries without further reviews and approvals.

The developers of Brasada Ranch have extensive experience in the development of destination resorts and this experience is invaluable in planning and designing the project. Experience suggests build-out at the Brasada Ranch will occur over the next ten to fifteen years, with sell out of the project accomplished in five to ten years.

Because of the long term development schedule and the changes that will occur in market demand, significant flexibility must be maintained at all times in the infrastructure systems serving the resort. This water management plan will repeatedly document the need for flexibility and the associated means to accomplish flexibility over the long term development schedule for the project.

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SECTION 1 - WATER SYSTEM AND SUPPLY DESCRIPTION AND BACKGROUND

1.1 General Information

Avion Water Company, Inc. operates and maintains the domestic water system for Brasada Ranch. The company has employed a staff of skilled professionals to manage and operate the Resort domestic water utility system.

Brasada Ranch is remote in relation to municipalities and water purveyors. No logical municipal connection or extension is feasible in the short term and an on-site water supply system has been provided. An Avion Water Company, Inc. water main may ultimately be extended to interconnect Brasada Ranch. However this report has been prepared under the assumption that the on-site groundwater supply must meet ultimate resort needs. The assumption of an independent on-site water system is appropriate and provides the best assurance of an adequate water supply.

A Brasada Ranch site plan is attached to describe the property and the area of service. A water system schematic plan is also attached.

1.2 Water Rights

Water supplies for domestic use within the resort are derived from groundwater wells. The Deschutes Formation aquifer is penetrated by the wells. All wells lie within the resort boundaries. Groundwater in the supplying aquifer is replenished from snow melt and precipitation recharge on the east slope of the Cascade mountains.

Permit G-15855 from the State Water Resources Department was issued to Eagle Crest, Inc. in February of 2005 for resort development. The quasi-municipal permit allows for the construction of up to six wells in the Deschutes River Basin, with a maximum rate of flow of 3.34 cubic feet per second (1500 gallons per minute). The permit allows year round use.

1.3 Water Consumption

A. Historical And Projected Domestic Consumption

Water consumption is the most critical component of water system design, and it must be carefully evaluated to assure adequate capacity in system components. All components must be designed to accommodate the ultimate peak project needs. The water system will be constructed in phases to comply with the market demand, and initial assumptions about the ultimate demand will determine the success of the system.

Domestic water consumption, or demand, will vary from month to month and with each hour of the day. The supply system must meet the peak instantaneous flow demand, which includes domestic use and fire protection.

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Development at Brasada Ranch includes an 18-hole championship golf course. Irrigation of the golf course is accommodated by the Central Oregon Irrigation District (COID) through standard irrigation water rights. Golf course irrigation is not a part of this Water Management and Conservation Plan. Residential lawn and garden irrigation is provided by the domestic water system and is included.

The ultimate domestic design criteria for the Brasada Ranch domestic water system is outlined in Table 1.

TABLE 1

BRASADA RANCH
WATER SYSTEM DESIGN CRITERIA

1. Domestic source facilities must deliver the peak day consumption flow rate.
2. Storage and booster pumping facilities, in combination with source facilities, must provide the highest anticipated fire flow.
3. Storage and booster pump facilities, in combination with source facilities, must provide the capacity for peak instantaneous domestic consumption flow rates.
4. Peak instantaneous flow is equivalent to 2.5 times the peak day flow rate. The peak day flow rate is equivalent to 1.6 times the average maximum monthly flow rate.
5. Water consumed in commercial, retail and recreational facilities is assumed to be used by project residents, and will not significantly increase the proposed maximum usage.
6. The distribution system will be sized to convey the maximum anticipated fire flow and the peak day flow rate at a maximum velocity of ten feet per second.
7. All facilities will be sized for the following ultimate development:

   ProposedI development:

   A) 750 single-family homesites
   B) 375 multi-family, townhouse units, or individual rentable rooms
   C) Miscellaneous uses including recreation facilities, administrative and sales offices, a pro shop and other relatively minor uses.

The projected domestic water consumption for Brasada Ranch is based on consumption information from other Central Oregon destination resorts. The projected peak day rate used in the design of the domestic water system was 1,250 gallons per equivalent dwelling unit (DU) day. This rate was used for all townhouse units, individual rentable rooms, and single family homesites. The actual usage at Eagle Crest and other resorts is in line with this projection, and this figure will also be used to estimate total domestic consumption. Table 2 below lists all anticipated structures and the projected population. Table 3 summarizes the design assumptions and calculations for the domestic system.

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TABLE 2

BRASADA RANCH
ESTIMATED TOTAL PROJECT POPULATION AND DOMESTIC CONSUMPTION

BUILDING/FACILITY	ESTIMATED EQUIVALENT DU	ESTIMATED PROJECT POPULATION
PHASE II		
750 Single Family Homesites*	750	2,250
375 Townhouse/Multi-Family Units/Rentable Rooms*	375	1,125
TOTALS:	**1,125***	**3,375**

*Note: Land use approvals provide flexibility on the type of units, but also establish a maximum number of residential units. The total number of units may not be exceeded, without further approvals.

TABLE 3

DOMESTIC WATER CONSUMPTION CALCULATION SUMMARY

	TOTALS
Peak Day Consumption in Gallons per Day (GPD) (Total Equivalent Dwellings X 1,250 gallons/peak day)	1,406,250 GPD
Peak Day Source Requirement for Domestic Consumption in Gallons per Minute (GPM) (GPD x (1 day/24 hours) x (1 hr/60 min.))	977 GPM

B. Fire Protection Needs

In addition to domestic consumption needs, an adequate water supply system must provide capacity for fire protection. Brasada Ranch falls under the jurisdiction of the Crook County Rural Fire Protection District and must meet the minimum requirements of this district.

The Crook County Fire Marshall has recommended a minimum fire protection flow rate of 1500 gpm for commercial facilities and 1000 gpm for residential areas.

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C. Golf Course Irrigation

As noted, golf course irrigation is accommodated in a separate delivery and distribution system by the Central Oregon Irrigation District (COID). Golf course irrigation water supplies are independent of the domestic water system and are not addressed in this report

D. Water Consumption Summary

Consumption estimates are a critical component of a water system design. The design criteria outlined in Table 1 established necessary source capacity at the peak day domestic consumption. Fire protection flows and peak instantaneous demands will come from the combination of storage facilities and available source contribution.

Our tables and calculations have been based on the maximum or ultimate project demand. Table 4 summarizes the estimated source requirement and consumption for Brasada Ranch.

TABLE 4

BRASADA RANCH
ESTIMATED WATER CONSUMPTION AND SOURCE REQUIREMENT SUMMARY

WATER USE	ESTIMATED CONSUMPTION
Domestic Peak Day	977 gpm (peak day)
Domestic Peak Instantaneous	2440 gpm (peak instantaneous)
Fire Protection	1500 gpm
Ultimate Domestic Requirement (Peak Day)	2477gpm
Ultimate Source Requirement	977 gpm

The total source requirement of 977 gpm for the project equals the estimated peak day domestic demand. The fire protection requirement will ultimately be met through the use of available source supply and stored water.

The ultimate source capacity requirement of 977 gpm provides replenishment to the domestic water storage reservoir at the peak day flow rate and therefore will refill the storage reservoir on a daily basis. As noted, the Brasada Ranch water right allows development of water supplies at a diversion rate of up to 1500 gallons per minute, which exceeds the calculated source capacity requirement.

The ultimate source capacity is only required at full buildout of the resort and only on the peak consumption day of the year.

As noted previously, the water supply system will be constructed in phases to meet demands as the

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project grows. Each component in each phase must have the capacity to meet ultimate needs. The ultimate source and pumping facilities will also be constructed in phases. This phasing program will be discussed in more detail in later portions of this report.

1.4 Source Facilities

A. Design Criteria

The required domestic water sources for Brasada Ranch must provide at least 977 gpm at project build-out. Two wells have already been constructed within Brasada Ranch, as summarized in Table 5.

B. Projected Ultimate Well Yield

Table 5 summarizes the water supply information for the existing domestic wells at Brasada Ranch. Both existing wells discharge directly to the domestic water distribution system.

TABLE 5

BRASADA RANCH
DESCRIPTION OF EXISTING AND PROPOSED WELLS

SOURCE	DOMESTIC CAPACITY
Existing Well #1	500 gpm*
Existing Well #2	500 gpm
Proposed Well #3	500 gpm
TOTAL SOURCE CAPACITY	1500 gpm

*Existing Well #1 has a well capacity of 500 gpm and a current pumping capacity of 200 gpm. As the resort matures, the pumping capacity will be increased to 500 gpm.

The Table 5 total capacity compares very well with projected peak day demand. The ultimate peak day domestic requirement of 977 gpm can be met with existing Wells #1 and #2. Proposed Well #3 is expected to allow full perfection of water rights and provide a significant back-up or redundant supply. Existing and proposed wells should have ample capacity to meet the peak day demand at full buildout and offer a reasonable factor of safety for water supplies. We now must determine if the combination of source capacity and storage can meet peak instantaneous demand and fire protection needs.

1.5 Storage Facilities

A. Design Criteria

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As noted, storage facilities provide the capabilities to meet the hour to hour changing demand for a domestic water distribution system. The existing 750,000 gallon storage reservoir will allow the system to meet fire protection needs and provide emergency water during source maintenance and repair. The storage facilities drastically increase the reliability of a distribution system.

B. Storage Sizing Calculations

The storage facilities are intended to balance the source contributions and the peak instantaneous demand. The combination of domestic consumption and fire protection establish the project demand. A 750,000 gallon bolted steel storage reservoir has been constructed to serve Brasada Ranch.

Table 6, below, summarizes the anticipated demand and source contributions, and calculates the total recommended storage capacity. In water system design, it is customary to assume that only one fire occurs within the project at any given time. The following calculations analyze fire flow requirements. The Brasada Ranch water delivery system will provide that fire flow at any location.

TABLE 6

BRASADA RANCH
DOMESTIC WATER STORAGE REQUIREMENTS

DEMAND/CONTRIBUTION	FLOW RATE
1. Well Contributions	1500 gpm
2. Peak Day Domestic Flow Rate	-977 gpm
3. Balance to Offset Fire Flows	523 gpm

The design criteria in Table 1 indicates that water system piping must be sized to provide the largest fire protection flow rate in combination with peak day flows. Source facilities should be sized to deliver the peak day domestic demands.

During a fire, all source wells will contribute to the domestic water supply system. Fire protection flow rates will be met by excess source capacity and storage. Similarly, peak instantaneous demands are met from available source capacity and storage.

The Table 6 calculation demonstrates that existing wells can accommodate the peak day consumption, at full build-out, and refill the reservoir daily. The maximum fire protection flow rate of 1,500 gpm can be met partially from source capacity, with the reservoir providing the remaining fire flow. The full reservoir capacity is also available to meet the peak instantaneous flow rate.

The design duration of fire flows is normally two hours. Under the combination of peak day domestic use and a fire flow for two hours, 117,240 gallons would be withdrawn from storage. The required fire protection storage volume represents only 15 percent of the total storage capacity.

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The peak instantaneous flow rate at full build-out would normally occur for an hour or less in the morning. The existing storage is adequate to meet the peak instantaneous flow demand for approximately five hours. These calculations demonstrate the existing storage capacity is adequate.

In municipal systems, emergency storage is typically a third component of storage requirements. Within the Brasada Ranch system however, multiple source facilities (wells) will be utilized. Due to this redundancy and reliability, we assert it is unreasonable to anticipate that emergency storage will be necessary concurrent with fire protection and peak domestic flow rates. Therefore, we consider the total capacity of the storage facility as emergency storage, and assume the maximum fire and peak instantaneous demand will not occur concurrently with an emergency. No additional volume is provided for domestic emergency storage.

The design of a water system must be constantly evaluated and confirmed as the resort service area matures. It is recommended that water consumption, well production rates, and peaking characteristics be monitored and confirmed on a regular basis.

C. Storage Evaluation Under Conditions of Restricted Supply

Brasada Ranch wells and well pumps have consistently performed to design conditions and demonstrated reliability. Similarly, power outages have been minimal and of short duration over the past few years at Brasada Ranch. In the prior analysis, the assumption that source facilities are available to meet emergency needs is warranted and reasonable. Regardless, the Oregon Water Resources Department requests an analysis of storage under conditions of restricted supply.

Table 4 documents the ultimate domestic peak day consumption for Brasada Ranch at 977gallons per minute. If the highest capacity well (Well #3) were out of service for repairs or a power outage, the remaining domestic water source capacity would still exceed the peak day consumption rate at buildout, allowing the reservoir to refill daily. The peak instantaneous flow rate, during that peak consumption day, could be served from the existing reservoir.

If all three wells were off line, the existing reservoir would serve the needs of Brasada Ranch at full buildout, for approximately thirteen hours, at the estimated peak day consumption rate.

This analysis of restricted supply further supports the conclusion that the Brasada Ranch water supply system has adequate capacity and ample reliability and redundancy to meet long term needs and emergency requirements.

1.6 Distribution System

A. Design Criteria

The Brasada Ranch water distribution system will include miles of PVC mainline piping, serving an ultimate population of nearly 3,400 people. Building elevations in Brasada Ranch will range from

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3,180 to 3,750 feet. The water distribution system contains two pressure levels, and was designed to provide ample fire protection flow rates and high reliability.

The Brasada Ranch distribution system will ultimately include multiple internal loops within each pressure level to allow two way source flow, isolation of small sections of the service area during repairs, efficient hydraulic flow paths and high overall system capacity.
The distribution system will be constructed in phases to coincide with service demand. The distribution system capacity will be restricted in the more remote sections of the project until development proceeds and system loops and components have been completed.

Table 7 lists the design criteria utilized in the sizing and layout of the water system for all phases of Brasada Ranch.

TABLE 7

BRASADA RANCH
WATER DISTRIBUTION SYSTEM DESIGN CRITERIA

1. Pressure: Under normal operating conditions, pressure within the distribution system will range from 40 psi to approximately 160 psi. (Pressure reducing valves will be provided for the units in lower portions of pressure levels to assure pressure conforms to plumbing code standards.) Under maximum fire flow conditions, pressure within the distribution system should not be drawn below 20 psi.

2. Velocity: Under normal conditions, system mainline velocities will range from 0 to 2.5 feet per second. Under maximum fire flow conditions, velocities will not exceed ten feet per second.

3. Fire hydrant spacing within the developed areas of the project will typically be 500 feet, depending upon specific fire protection needs.

4. Isolation Valves: Isolation valves will be installed at all major crosses or trees to allow minimal impact upon the service area, during system repairs. The maximum distribution line valve spacing will be 1,000 feet.

5. Air Release Valves: Air release valves will be installed at all system high points to prevent the collection of air within the distribution system, and the associated reduction in mainline flow capacity.

6. Service Connections: Single family home service lines will be sized to convey 15 gallons per minute over an average length of 150 lineal feet, with less than a 5 psi pressure loss. Typically, single family homes will be served by a one inch service line and fourplex condominium units will be served by a two inch service line.

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7. Service Meters: Domestic water services will be metered and water charges will accommodate proportionate sharing of system operation and maintenance costs, providing a significant water conservation incentive.

B. Typical Main Size And Recommended Looping

A looping piping network has been designed for Brasada Ranch. This looping design provides flexibility to the system, alternative delivery during emergencies, and maximum flow efficiency. The typical main size for the system is 8" to 10", depending on the location of the main.

C. Pressure Level Recommendations

The domestic services which must be provided for Brasada Ranch range in elevation from 3,180 feet to 3,750 feet. Pressure level boundaries are affected primarily by the elevation of existing wells and the existing reservoir. The base of the existing reservoir is at elevation 3550, which sets the pressure level boundary at 3460 feet (40 psi).

The upper Brasada Ranch pressure level is served by a booster pump with a flooded suction configuration, located at the storage reservoir.

1.7 Long-Term Source Conditions

Significant hydrogeologic data for the Deschutes aquifer, supplying the resort, is available. The U.S. Geological Survey, working in cooperation with the Oregon Water Resources Department has completed a significant groundwater evaluation and report on the upper Deschutes Basin. (Ground-Water Hydrology of the Upper Deschutes Basin, Oregon – 2001). The multi-million dollar evaluation and report concludes the upper Deschutes Basin has a very efficient recharge from snow melt on the east slope of the Cascades, a highly developed regional groundwater system throughout the Basin, and a high quality and high capacity water supply is readily available. No groundwater decline has been observed and groundwater wells tapping the regional aquifer provide long-term reliability.

The U.S. Geological survey analysis also determined the upper Deschutes Basin groundwater system discharges to surface waters in the vicinity of Lake Billy Chinook. Because of in-stream rights in the lower Deschutes River, older priority needs are not met. The hydraulic connection between the surface water and the groundwater, coupled with the surface water appropriation in the lower Deschutes, limits the ability of the State to issue groundwater permits. Eagle Crest, Inc. however, successfully mitigated the withdrawl of groundwater under their Brasada Ranch permit (G-15855). Brasada Ranch therefore has a very reliable groundwater supply and a valid permit from the Oregon Water Resources Department to tap that supply.

Regardless of the hydrogeologic study, Brasada Ranch is obligated to monitor and report groundwater withdraws and static water conditions on an annual basis. Groundwater well performance should be carefully monitored, regardless of the long-term historical reliability of the Deschutes Formation aquifer.

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SECTION 2 - WATER CONSERVATION ELEMENT

2.1 Measurement and Reporting Program

Brasada Ranch measures flow rate and total flow daily via metering devices at resort wells. Total flow will also be measured and documented monthly, subject to weather related restrictions on meter reading, at all service meters. Customers will be billed monthly with invoices that indicate total monthly usage. In accordance with water permit requirements the company will be submitting a report to the State Water Resources Department annually, documenting complete water usage measurements.

2.2 Current Conservation Measures

Water conservation measures are at the forefront of issues that Brasada Ranch seeks to address in the operation and maintenance of the resort water system. Conservation measures that have been implemented thus far include:

a. Full metering of all accounts.

b. Implementation of conservation pricing to customers: Constant unit rates or increasing block rates are utilized.

c. Implementation of architectural guidelines/restrictions in the resort residential building approval process restrict developed landscape areas, thereby limiting water-use landscape.

d. Incorporation of low water use plumbing fixtures (shower heads and toilets) in resort facilities, and encouragement for the same in residential building guidelines for the resort residential lots.

e. Review of annual water audit figures for residential and commercial accounts.

The annual water audit at Brasada Ranch will be deferred until substantial completion of the distribution system. Eagle Crest, Inc. recognizes that water supplies will be consumed in the construction and subsequent pressure testing of the water distribution system. A formal water audit is meaningless during this initial construction period. Initiation of the annual water audit is dependent upon construction schedules, but is generally planned for the year 2010. Even in 2010 and subsequent years, some allowance will likely be needed for water losses associated with development construction and distribution system testing.

During water distribution system construction, all systems are pressure tested to assure water-tight installations. Disinfection testing to assure water quality is also conducted. The initial testing provides further justification to defer the annual water audit.

The annual water audit will compare the total water discharge from project wells into the distribution system, to that volume of water measured at individual services. In 2010, Brasada Ranch should expect that 10 to 15 percent of total use will be unmetered consumption for construction, testing, and leakage. Construction for

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land development should slow considerably after 2010 and water use for construction should diminish.

2.3 Planned Conservation Measures

As noted, the Brasada Ranch domestic water system is operated and maintained by Avion Water Company, Inc., a water purveyor regulated by the Oregon Public Utility Commission (PUC). Avion Water Company, Inc. (Avion) and therefore all Brasada Ranch customers are already subject to the PUC approved water conservation program for the public water purveyor. The Avion water conservation program is similar to and compatible with the following additional measures proposed for Brasada Ranch.

f. Meter testing and maintenance program: All meters within the resort are new and manufacturers typically predict a 20-year service free life. Unless water audits suggest a problem, a detailed meter testing and maintenance program will be developed in future plan updates.

g. Leak Detection Program: On an annual basis, starting in 2010, the company will compare supply pumping records with metered service usage records to evaluate system losses. If losses greater than ten (10) percent are discovered, then an aggressive program of leak detection will be implemented for the transmission and distribution piping and valving systems. Random sampling and meter testing may also be necessary.

h. Public Education Program on efficient water use: Implementation methods may include on going programs promoting water conservation and conservation related benefits, including speakers for community groups and the media; using paid and public service advertising; using bill inserts; providing information on customers bills showing use in gallons per day for the last billing period compared to the same period the year before; providing public information via the Brasada Ranch newspaper to promote other water conservation practices; and coordinating with other governmental agencies, industry groups and public interest groups.

i. Proposed Meter Testing Program: Avion Water Company, Inc. (Brasada Ranch water system operator) acquired a meter testing bench and has consistently specified the use of Sensus meters, so meter testing equipment will be simple, without the need to accommodate various meter manufacturers. Beginning in the year 2025, Avion Water Company, Inc. will systematically remove and test 10 percent of the number of individual water service meters, serving occupied homes. If 10 percent of the tested meters demonstrate an error of 10 percent or greater, then meters will be repaired or replaced and the meter testing program will continue on an annual basis. If however, the meter testing program demonstrates that less than 10 percent of the tested meters are faulty, then the meter testing program will be deferred for five years and the testing program initiated again.

The proposed meter testing program recognizes the significant number of relatively new homes at Brasada Ranch, where the length of service is limited. Until 10 percent of the tested meters are found to be faulty, the meter testing program need not be implemented on an

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annual basis.

2.4 Conservation Measures Schedule

The proposed schedule for implementation and/or execution of the various conservation measures is as follows:

	Conservation Measure	Implementation Schedule*
a.	Metering Usage	2005- On-going
b.	Conservation Pricing	2005 - On-going
c.	Low water-use landscape guidelines	2005 - On-going
d.	Low water-use plumbing fixtures	2005 - On-going
e.	Water Audit	Begin 2010 - Annually
f.	Meter testing/maintenance program	Future
g.	Leak Detection Program	Begin 2010 - Annually
h.	Public Education Program	2005 - On-going

2.5 Wastewater Reuse

Sewage contributions from Brasada Ranch are treated on an interim basis in a community septic tank and drainfield. In the future, as resort sewage contributions increase, an on-site wastewater treatment plant will be utilized. The wastewater plant is currently under construction. Treated sewage effluent will be irrigated on agricultural lands during the summer growing season. Treated sewage effluent is not utilized for irrigation requirements on the resort golf courses or large turf areas. Effluent reuse on resort golf courses was considered carefully during the initial design and master planning for the resort, and was deemed not feasible.

The Crook County Destination Resort ordinance requires that golf courses and other recreational amenities be provided in the first year of development. During the early years of resort development, there is a very low project population and essentially no sewage contribution to serve any irrigation requirement. Therefore, a reliable source for irrigation was required to meet the Phase I irrigation needs, regardless of long-term plans for effluent reuse.

Even at buildout of Brasada Ranch, the estimated sewage effluent volume is minimal in comparison to irrigation needs. At full buildout sewage effluent volumes are estimated to provide approximately 24 percent of the golf course irrigation demand. The minimal benefit from sewage effluent irrigation on the resort golf course is offset with potential concerns from buyers about human contact with sewage. Required warning signs for sewage effluent reuse are also negative.

The irrigation system for the golf course is centralized, meaning that sewage effluent contributions would affect the entire golf course, even though a small percentage of the irrigation requirement is met from effluent. An analysis of Oregon Department of Environmental Quality reuse regulations and the volume of effluent available confirm the earlier Brasada Ranch conclusion that effluent reuse for golf course irrigation is not feasible.

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SECTION 3 - LONG-RANGE WATER SUPPLY ELEMENT

3.1 Projected Service Area and Population

At build-out Brasada Ranch is expected to include approximately 1125 dwelling units or rentable rooms and support facilities. Because of the destination nature of the resort, the population may fluctuate dramatically with the seasons, and from year to year. Based on the number of total permanent units, a peak population of approximately 3,375 may be anticipated after build-out, at full occupancy.

The population (dwelling units) for the resort is restricted to these maximum numbers by land use approvals and entitlements for the project. The number of dwelling units will never be increased or expanded, without further land use approvals.

3.2 Projected Long-Range Water Demand

To project the long-range water demand or demand at build-out of the resort, research of usage at other destination resort projects in Central Oregon was completed. Comparison of water consumption at those other resorts indicate peak day domestic consumption may vary from 500 gallons per equivalent dwelling unit, up to 1,700 gallons per dwelling unit. The highest consumption occurred where homesite lots measured from 1.5 to 2 acres and services were not metered. Substantially lower consumption was recorded for metered services, smaller lot sizes, and where low-flow irrigation landscaping was encouraged. All of the lots within Brasada Ranch are expected to be 1/2 acre or smaller, and all services will be metered.

Based on this research, a projected peak day consumption rate of 1,250 gallons per equivalent dwelling unit (edu) is recommended. This rate is considered conservative, and provides some factor of safety throughout development of the resort. For this analysis, the overnight accommodations as well as the single family units are included at a projected rate of 1,250 gallons per day per edu, which additionally would be considered conservative. Overnight accommodations typically have much smaller, if any, irrigation use compared to single family home units. The land use approvals applicable to Brasada Ranch allow limited flexibility for conversion of one unit type to another. Therefore the conservative assumptions indicated, are recommended to assure flexibility throughout development of the project. Separate domestic consumption projections for the recreational and limited commercial facilities are not provided, as the consumption for those uses is considered built into the flow for each dwelling unit. The consumption is considered appropriate because the recreational facilities are provided for resort guests and owners usage only.

The previous Table 3 provided a summary of projected peak water consumption at build-out of the Resort.

3.3 Projected Long-Range Water Supply Recommendations

No additional water supply facilities will be needed to meet projected demand as the resort grows. Existing supply facilities are described in Section 1. As indicated in Section 2, several water conservation/demand management measures have already been implemented at Brasada Ranch, and the company plans to continue these efforts indefinitely for the resort.
The only other viable option for supply to the resort is piped water from the Avion Water Company, Inc., Bend

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water system. The feasibility of a water main extension from Bend is dependent upon sharing costs with others and is only under consideration well into the future. This report has prudently been prepared under the assumption that on-site groundwater wells must meet ultimate resort needs, providing the best assurance of an adequate water supply.

SECTION 4 - WATER CURTAILMENT PLAN

4.1 History of Supply Deficiencies/Scenarios

Because the Brasada Ranch resort is still under construction, no supply deficiency has occurred. Typically supply deficiencies are related to mechanical breakdowns at wells, power outages, or maintenance. During these periods, adequate supply should be available from the existing reservoir. There are several scenarios which could generate a loss of ability to meet water demands. These scenarios include: natural disasters that could render the well(s) inoperable, damage to storage facilities, contamination of the groundwater supply, and power outages or electrical facilities destruction that diminish pumping capacity. Multiple source facilities and existing storage offset the risks of supply deficiencies. As noted previously, the Brasada Ranch resort is very well served even under conditions of restricted supply.

4.2 Capacity Limitations

Based upon the best information available today, Brasada Ranch anticipates no capacity limitation for needed water supplies. Careful observation of the source aquifer in response to increased pumping, (as the resort grows), should be performed. If groundwater levels drop substantially, drilling new wells deeper would be considered, provided appropriate geologic and hydraulic conditions exist. If long-term reliable yield becomes jeopardized, alternative sources will be further considered.

4.3 Priority by Use

In the event of any type of water shortage condition, the company should be ready to implement a plan of action. To do so, an evaluation of priorities for use of water in the event of a shortage is necessary. The following list of priorities for usage has been established for Brasada Ranch. In other words, in the case of water shortage, water uses at the bottom of the list would be restricted or prohibited as necessary to serve uses at the top of the list.

1. Minimum health and safety allocations for interior residential needs (including residential and overnight units).

2. Minimum health and safety allocations for resort operations (employees and visitors).

3. Landscaping.

4. Water features.

5. Construction watering.

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6. New customers, ie proposed projects or uses, without permits when a shortage is declared.

For the purpose of defining the health and safety allocation, research of community accepted estimates of interior residential use in the United States were reviewed. Based on that review Brasada Ranch has established a health and safety allotment of 68 gallons per person, per day. This quantity should be sufficient for customer's interior use, without requiring habit changes. If mandatory rationing were to become necessary, in a severe or prolonged shortage, a health and safety allotment of 50 gallons per person, per day would be applied.

4.4 Water Shortage Stages/Action

The following table has been created to provide guidelines and trigger mechanisms (conditions) to identify and address supply shortages. Three stages of alert for potential or actual water shortages are created for immediate implementation, when warranted.

TABLE 8
Water Shortage Stages/Actions

Percent Reduction of Supply	Mild Alert Stage I	Serious Alert Stage II	Critical Alert Stage III
Condition	Wells are producing at no more than 90% capacity	Wells are producing at no more than 75% capacity	Wells are producing less than 70% capacity
			and/or
			Emergency situation resulting in supply below 70% of normal
Shortage Action	Notice to the public of potential supply shortage (Stage I Condition) - request for voluntary non-essential reduction in use. Outside watering restricted to limited number of days/time of day. Property owners and guests will be requested to limit car washing, shower times and other ordinary uses.	Notify the public of (Stage II Condition) - impose restrictions on landscape irrigation and non-essential uses. All property owners will be required to comply with restricted outdoor watering schedules. No watering during daytime hours. Length of irrigation time sets on the golf course are to be reduced 20%.	Notify the public of severe shortage (Stage III Condition) - impose restrictions on usage to minimum health and safety allocations. Property owners are to be prohibited from all outside watering.

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SECTION 5 - PLAN UPDATE SCHEDULE

On an annual basis Brasada Ranch will monitor water use (production and metered sales) and compile a brief report of its findings. A copy of this report or audit will be provided the Oregon Water Resources Department (OWRD) as part of the State's annual water use reporting program (OAR 690-85).

It is recommended that Brasada Ranch review and possibly update this plan at least once every five years, until build-out. By incorporating most commonly accepted conservation measures in the system operation from inception, there will be little to report to the state with regard to cost savings/water usage savings by implementation of those measures. For that reason, and because the Brasada Ranch system is relatively small compared to typical municipalities, we feel submittal of an updated plan is unnecessary.

Since Brasada Ranch is privately owned, operated, and maintained, and since efficient operation of the water system is essential to the success of the resort, the company has adequate incentives to carefully manage and utilize the available water resources.

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POWELL BUTTE RESORT WATER SUPPLY SYSTEM MASTER PLAN

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STATE OF OREGON

COUNTY OF DESCHUTES

CERTIFICATE OF WATER RIGHT

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THIS CERTIFICATE ISSUED TO:

CENTRAL OREGON IRRIGATION DISTRICT
1055 SW LAKE COURT
REDMOND, OREGON 97756

confirms the right to use the waters of the DESCHUTES RIVER, a tributary of the COLUMBIA RIVER, for:

IRRIGATION (IR) of 42,919.893 Acres and 519.617 Acres Inchoate,
POND MAINTENANCE (PM) for 147.110 Acres/Equivalent and 63.700 Acres/Equivalent Inchoate,
INDUSTRIAL (IM) for 87.100 Acres/Equivalent,
DUST ABATEMENT (DA) of 2.800 Acres,
MUNICIPAL (MU) for 781.957 Acres/Equivalent and 23.500 Acres/Equivalent Inchoate,
QUASI-MUNICIPAL (QM) for 7.000 Acres/Equivalent and 58.370 Acres/Equivalent Inchoate,
MINING (MI) for 16.000 Acres/Equivalent Inchoate,
DOMESTIC (DO), and
LIVESTOCK (LV).

This right was confirmed by decree of the Circuit Court of the State of Oregon for Deschutes County. The decree is of record at Salem, in the Order Record of the Water Resources Department, in Volume 12, at page 282 and in Volume 16, at pages 1 and 390. The total quantity of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed a total of 1350.071 CUBIC FEET PER SECOND (cfs) and 20.307 cfs Inchoate, or the equivalent in case of rotation. The dates of priority are OCTOBER 31, 1900, for 978.297 cfs including inchoate and DECEMBER 2, 1907, for the balance allowed by the decree (392.080 cfs including inchoate).

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

IRRIGATION, POND MAINTENANCE, INDUSTRIAL, MINING and DUST ABATEMENT USES									
		LEGAL DESCRIPTION				TOTAL ACRES (including inchoate)	WATER RIGHT STATUS ACRES/EQUIVALENT		
POD	USE	TWP	RNG	SEC	Q-Q		A	B	C
1	IR	16 S	14 E	20	NE SE	28.500	28.500	0.000	0.000
1	IR	16 S	14 E	20	NW SE	27.200	27.200	0.000	0.000
1	IR	16 S	14 E	20	SW SE	22.700	22.700	0.000	0.000
1	IR	16 S	14 E	21	NW NW	24.000	24.000	0.000	0.000
1	IR	16 S	14 E	21	SW NW	30.000	30.000	0.000	0.000
1	IR	16 S	14 E	21	NE SW	5.000	5.000	0.000	0.000
1	IR	16 S	14 E	21	NW SW	28.300	28.300	0.000	0.000
1	IR	16 S	14 E	21	SW SW	30.000	30.000	0.000	0.000
1	IR	16 S	14 E	21	SE SW	19.000	19.000	0.000	0.000
1	IR	16 S	14 E	21	NE SE	28.100	28.100	0.000	0.000
1	IR	16 S	14 E	21	NW SE	34.700	34.700	0.000	0.000
1	IR	16 S	14 E	21	SW SE	20.000	20.000	0.000	0.000
1	IR	16 S	14 E	21	SE SE	3.200	3.200	0.000	0.000
1	IR	16 S	14 E	27	SW SW	17.200	17.200	0.000	0.000
1	IR	16 S	14 E	28	SW NE	4.850	0.000	4.850	0.000
1	IR	16 S	14 E	28	NE NW	29.000	29.000	0.000	0.000
1	IR	16 S	14 E	28	NW NW	37.000	37.000	0.000	0.000
1	IR	16 S	14 E	28	SE NW	15.850	0.000	7.650	8.200
1	IR	16 S	14 E	28	NE SW	2.020	0.000	0.000	2.020
1	IR	16 S	14 E	28	NE SE	16.900	16.900	0.000	0.000
1	IR	16 S	14 E	28	NW SE	10.100	10.100	0.000	0.000
1	IR	16 S	14 E	28	SW SE	4.100	4.100	0.000	0.000
1	IR	16 S	14 E	28	SE SE	10.200	10.200	0.000	0.000
1	IR	16 S	14 E	29	NE NE	17.000	17.000	0.000	0.000
1	IR	16 S	14 E	29	NW NE	20.000	20.000	0.000	0.000
1	IR	16 S	14 E	29	SW NE	4.100	4.100	0.000	0.000
1	IR	16 S	14 E	29	NE NW	4.900	4.900	0.000	0.000
1	IR	16 S	14 E	34	NE NW	9.000	9.000	0.000	0.000
1	IR	16 S	14 E	34	NW NW	11.200	11.200	0.000	0.000
1	IR	16 S	14 E	34	SE NW	23.500	23.500	0.000	0.000
1	PM	16 S	14 E	34	SE NW	1.500	1.500	0.000	0.000
9	IR	17 S	11 E	24	NW NE	4.000	4.000	0.000	0.000
11	IR	17 S	12 E	2	NE NE	25.600	25.600	0.000	0.000
11	IR	17 S	12 E	2	NW NE	35.400	35.400	0.000	0.000
11	IR	17 S	12 E	2	SW NE	31.000	28.000	3.000	0.000
11	IR	17 S	12 E	2	SE NE	29.830	29.830	0.000	0.000
11	IR	17 S	12 E	2	NE SW	29.000	28.000	1.000	0.000
11	IR	17 S	12 E	2	SE SW	2.000	2.000	0.000	0.000
11	IR	17 S	12 E	2	NE SE	13.400	13.400	0.000	0.000
11	IR	17 S	12 E	2	NW SE	10.060	10.060	0.000	0.000
11	IR	17 S	12 E	2	SW SE	15.900	15.000	0.000	0.900
11	IR	17 S	12 E	3	SE SW	3.600	0.000	0.000	3.600
11	IR	17 S	12 E	11	NW NE	22.500	20.560	1.440	0.500

Column A = Remaining Right Column B = Confirming Right Column C =Inchoate Right

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Water Right Information Query Results

Contact Information

Current contact information

OWNER:
EAGLE CREST INC.
1522 CLINE FALLS ROAD
REDMOND, OR 97756

Water Right Information

Status: Non-Cancelled

County: Crook

File Folder Location: Salem

Documents

View all scanned documents

Application: G 15789

Received: 7/1/2002

Application Workflow			
Action	Date	Result	Completed By
Application Filed	7/1/2002		ANITAHUFFMAN
Caseworker Assigned	7/1/2002		ANITAHUFFMAN
Ground Water Review	11/14/2002		KENNETHLITE
Initial Review	2/7/2003	Propose to Issue	ANITAHUFFMAN
IR Comment Period	2/11/2003	Propose to Issue	ANITAHUFFMAN
Proposed Final Order	9/14/2004	Propose to Issue	ANITAHUFFMAN
Final Order	2/17/2005	Issued	ANITAHUFFMAN
Permit Issued	2/17/2005	Issued	ANITAHUFFMAN

Permit: G 15855 document , paper map

Signature: 2/17/2005

Permit Workflow			
Action	Date	Result	Completed By
Completion Date [C Date]	10/1/2009		ANITAHUFFMAN

View right with Web Mapping

View Places of Use from Water Rights in the Same Area

Point(s) of Diversion

POD 1 - A WELL > DRY RIVER

Description

Name: WELL 1

T-R-S-QQ: 16.00S-14.00E-33-SW NE

Location Description: 150 FEET NORTH & 150 FEET EAST FROM C1/4 CORNER, SECTION 33

POD Rate

Max Rate (cfs)	Rate (cfs)	Max Volume (af)	Volume (af)
3.34	0.556(est)		

QUASI-MUNICIPAL USES (Primary)

Priority Date	Max Rate (cfs)	Rate (cfs)	Max Volume (af)	Volume (af)	Rate/Acre	Duty	Start Date	End Date	Remarks
7/1/2002	3.34	0.556(est)					1/1	12/31	

Remarks

SEE PERMIT FOR FURTHER LIMITATIONS

POD 2 - A WELL > DRY RIVER

Description

Name: WELL 2

T-R-S-QQ: 16.00S-14.00E-33-NE NW

Location Description: 150 FEET NORTH & 150 FEET EAST FROM SW CORNER, NENW, SECTION 33

POD Rate

Max Rate (cfs)	Rate (cfs)	Max Volume (af)	Volume (af)
3.34	0.556(est)		

QUASI-MUNICIPAL USES (Primary)

Priority Date	Max Rate (cfs)	Rate (cfs)	Max Volume (af)	Volume (af)	Rate/Acre	Duty	Start Date	End Date	Remarks
7/1/2002	3.34	0.556(est)					1/1	12/31	

Remarks

SEE PERMIT FOR FURTHER LIMITATIONS

POD 3 - A WELL > DRY RIVER

Description

Name: WELL 3

T-R-S-QQ: 16.00S-14.00E-33-NE NW

Location Description: 660 FEET SOUTH & 150 FEET EAST FROM NW CORNER, NENW, SECTION 33

POD Rate

Max Rate (cfs)	Rate (cfs)	Max Volume (af)	Volume (af)
3.34	0.556(est)		

QUASI-MUNICIPAL USES (Primary)

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Priority Date	Max Rate (cfs)	Rate (cfs)	Max Volume (af)	Volume (af)	Rate/Acre	Duty	Start Date	End Date	Remarks
7/1/2002	3.34	0.556(est)					1/1	12/31	

Remarks

SEE PERMIT FOR FURTHER LIMITATIONS

POD 4 - A WELL > DRY RIVER

Description

Name: WELL 4

T-R-S-QQ: 16.00S-14.00E-33-NE NW

Location Description: 150 FEET SOUTH & 150 FEET EAST FROM NW CORNER, NENW, SECTION 33

POD Rate

Max Rate (cfs)	Rate (cfs)	Max Volume (af)	Volume (af)
3.34	0.556(est)		

QUASI-MUNICIPAL USES (Primary)

Priority Date	Max Rate (cfs)	Rate (cfs)	Max Volume (af)	Volume (af)	Rate/Acre	Duty	Start Date	End Date	Remarks
7/1/2002	3.34	0.556(est)					1/1	12/31	

Remarks

SEE PERMIT FOR FURTHER LIMITATIONS

POD 5 - A WELL > DRY RIVER

Description

Name: WELL 5

T-R-S-QQ: 16.00S-14.00E-28-SE NW

Location Description: 150 FEET NORTH & 950 FEET EAST FROM SW CORNER, SENW, SECTION 28

POD Rate

Max Rate (cfs)	Rate (cfs)	Max Volume (af)	Volume (af)
3.34	0.556(est)		

QUASI-MUNICIPAL USES (Primary)

Priority Date	Max Rate (cfs)	Rate (cfs)	Max Volume (af)	Volume (af)	Rate/Acre	Duty	Start Date	End Date	Remarks
7/1/2002	3.34	0.556(est)					1/1	12/31	

Remarks

SEE PERMIT FOR FURTHER LIMITATIONS

POD 6 - A WELL > DRY RIVER

Description

Name: WELL 6

T-R-S-QQ: 16.00S-14.00E-28-SE NW

Location Description: 150 FEET SOUTH & 150 FEET EAST FROM NW CORNER, SENW, SECTION 28

POD Rate

Max Rate (cfs)	Rate (cfs)	Max Volume (af)	Volume (af)
3.34	0.556(est)		

QUASI-MUNICIPAL USES (Primary)

Priority Date	Max Rate (cfs)	Rate (cfs)	Max Volume (af)	Volume (af)	Rate/Acre	Duty	Start Date	End Date	Remarks
7/1/2002	3.34	0.556(est)					1/1	12/31	

Remarks

SEE PERMIT FOR FURTHER LIMITATIONS

Place(s) of Use

Add TRS grouping

Use - QUASI-MUNICIPAL USES (Primary); Priority Date: 7/1/2002

T-R-S	QQ	DLC	Gov't Lot	Taxlot	Acres	Status	Linked PODs	Inchoate Info	Remarks
16.00S-14.00E-21	NE SW					NC			
16.00S-14.00E-21	NW SW					NC			
16.00S-14.00E-21	SW SW					NC			
16.00S-14.00E-21	SE SW					NC			
16.00S-14.00E-21	NE SE					NC			
16.00S-14.00E-21	NW SE					NC			
16.00S-14.00E-21	SW SE					NC			
16.00S-14.00E-21	SE SE					NC			
16.00S-14.00E-22	NE SW					NC			
16.00S-14.00E-22	NW SW					NC			
16.00S-14.00E-22	SW SW					NC			

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16.00S-14.00E-22	SE SW					NC			
16.00S-14.00E-22	NE SE					NC			
16.00S-14.00E-22	NW SE					NC			
16.00S-14.00E-22	SW SE					NC			
16.00S-14.00E-22	SE SE					NC			
16.00S-14.00E-26	SW NW					NC			
16.00S-14.00E-26	NE SW					NC			
16.00S-14.00E-26	NW SW					NC			
16.00S-14.00E-26	SW SW					NC			
16.00S-14.00E-26	SE SW					NC			
16.00S-14.00E-26	NE SE					NC			
16.00S-14.00E-26	NW SE					NC			
16.00S-14.00E-26	SW SE					NC			
16.00S-14.00E-26	SE SE					NC			
16.00S-14.00E-27	NE NE					NC			
16.00S-14.00E-27	NW NE					NC			
16.00S-14.00E-27	SW NE					NC			
16.00S-14.00E-27	SE NE					NC			
16.00S-14.00E-27	NE NW					NC			
16.00S-14.00E-27	NW NW					NC			
16.00S-14.00E-27	SW NW					NC			
16.00S-14.00E-27	SE NW					NC			
16.00S-14.00E-27	NE SW					NC			
16.00S-14.00E-27	NW SW					NC			
16.00S-14.00E-27	SW SW					NC			
16.00S-14.00E-27	SE SW					NC			
16.00S-14.00E-27	NE SE					NC			
16.00S-14.00E-27	NW SE					NC			
16.00S-14.00E-27	SW SE					NC			
16.00S-14.00E-27	SE SE					NC			
16.00S-14.00E-28	NE NE					NC			
16.00S-14.00E-28	NW NE					NC			
16.00S-14.00E-28	SW NE					NC			
16.00S-14.00E-28	SE NE					NC			
16.00S-14.00E-28	SE NW					NC			
16.00S-14.00E-28	NE SE					NC			
16.00S-14.00E-28	NW SE					NC			
16.00S-14.00E-28	SW SE					NC			
16.00S-14.00E-28	SE SE					NC			
16.00S-14.00E-33	NW NE					NC			
16.00S-14.00E-33	SW NE					NC			
16.00S-14.00E-33	SE NE					NC			
16.00S-14.00E-33	NE NW					NC			
16.00S-14.00E-34	NW NW					NC			
Sum of Acres: 0.0									

Water Right Genealogy

App:G 15789

Permit:G 15855 *

View Water Rights in same Family

Help understanding and working with the Water Rights Information System

Report Errors with Water Right Data

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STATE OF OREGON

COUNTY OF CROOK

PERMIT TO APPROPRIATE THE PUBLIC WATERS

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WATER RESOURCES DEPT
SALEM, OREGON

THIS PERMIT IS HEREBY ISSUED TO

EAGLE CREST, INC.
PO BOX 1215
REDMOND, OR 97756

The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-15789

SOURCE OF WATER: SIX WELLS IN DESCHUTES RIVER BASIN

PURPOSE OR USE: QUASI-MUNICIPAL USE

MAXIMUM RATE/VOLUME: 3.34 CUBIC FEET PER SECOND, LIMITED TO A MAXIMUM ANNUAL VOLUME OF 508.0 ACRE FEET (AF), FURTHER LIMITED BY THE CORRESPONDING MITIGATION PROVIDED UNDER THE INCREMENTAL MITIGATION DEVELOPMENT PLAN

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: JULY 1, 2002

WELL LOCATIONS:

WELL #1: SW ¼ NE ¼, SECTION 33, T16S, R14E, W.M.; 150 FEET NORTH & 150 FEET EAST FROM CENTER 1/4 CORNER, SECTION 33

WELL #2: NE ¼ NW ¼, SECTION 33, T16S, R14E, W.M.; 150 FEET NORTH & 150 FEET EAST FROM NW 1/16TH CORNER, SECTION 33

WELL #3: NE ¼ NW ¼, SECTION 33, T16S, R14E, W.M.; 660 FEET SOUTH & 150 FEET EAST FROM NORTHERLY W 1/16TH CORNER, SECTION 33

WELL #4: NE ¼ NW ¼, SECTION 33, T16S, R14E, W.M.; 150 FEET SOUTH& 150 FEET EAST FROM NORTHERLY W 1/16TH CORNER, SECTION 33

WELL #5: SE ¼ NW ¼, SECTION 28, T16S, R14E, W.M.; 150 FEET NORTH & 950 FEET EAST FROM C-W 1/16TH CORNER, SECTION 28

WELL #6: SE ¼ NW ¼, SECTION 28, T16S, R14E, W.M.; 150 FEET SOUTH & 150 FEET EAST FROM NW 1/16TH CORNER, SECTION 28

THE PLACE OF USE IS LOCATED WITHIN THE SERVICE BOUNDARY OF THE EAGLE CREST RESORT; LOCATED WITHIN:

SOUTH HALF
SECTION 21
SOUTH HALF
SECTION 22
SW 1/4 NW 1/4
SOUTH HALF
SECTION 26
SECTION 27 ALL
SE 1/4 NW 1/4
EAST HALF
SECTION 28
NW 1/4 NE 1/4
SW 1/4 NE 1/4
SE 1/4 NE 1/4
NE 1/4 NW 1/4
SECTION 33
NW 1/4 NW 1/4
SECTION 34
TOWNSHIP 16 SOUTH, RANGE 14 EAST, W.M.

Measurement, recording and reporting conditions:

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

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

Use of water under authority of this permit may be regulated if analysis of data available after the permit is issued discloses that the appropriation will measurably reduce the surface water

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flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife in effect as of the priority date of the right or as those quantities may be subsequently reduced. However, the use of ground water allowed under the terms of this permit will not be subject to regulation for Scenic Waterway flows so long as mitigation is maintained.

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GROUND WATER MITIGATION CONDITIONS

3

Mitigation Obligation:	203.2 acre-feet in the General Zone of Impact (anywhere in the Deschutes Basin above the Madras gage, which is located on the Deschutes River below Lake Billy Chinook)
Mitigation Source:	Mitigation Credits or a Mitigation Project, in accordance with the incremental development plan on file with the Department, meeting the requirements of OAR Chapter 690, Division 505 (Deschutes Ground Water Mitigation Rules). The first stage of incremental development was met with 50.0 AF of mitigation, being 50.0 temporary mitigation credits from a chartered mitigation bank from MP-5.

Mitigation water must be legally protected instream for instream use within the General Zone of Impact and committed for life of the permit and subsequent certificate(s). Regulation of the use and/or cancellation of the permit, or subsequent certificate(s) will occur if the required mitigation is not maintained.

If mitigation is from a secondary right for stored water from a storage project not owned or operated by the permittee, the use of water under this right is subject to the terms and conditions of a valid contract, or a satisfactory replacement, with the owner/operator of the storage project, a copy of which must be on file in the records of the Water Resources Department prior to use of water.

The permittee shall provide additional mitigation if the Department determines that average annual consumptive use of the subject appropriation has increased beyond the originally

mitigated amount.

3A The permittee shall provide mitigation prior to each stage of development under the permit, as described in the incremental development mitigation plan on file with the Department, and in accordance with the standards of the Deschutes Ground Water Mitigation Rules, OAR Chapter 690, Division 505.

3B The permittee shall not increase the rate or amount of water diverted, as described in the incremental development mitigation plan, prior to increasing the corresponding mitigation.

3C The permittee shall seek and receive Department approval prior to changing the incremental mitigation development plan and related mitigation obligation for each stage of permit development.

3D The permittee shall report to the Department the progress of implementing the incremental mitigation development plan and related mitigation no later than April 1 of each year. This annual notification is not necessary if the permittee has completed development and submitted a Claim of Beneficial Use to the Department.

3E Within two years of permit issuance, the permittee shall submit a new or updated Water Management and Conservation Plan pursuant to OAR Chapter 690, Division 86.

Failure to comply with these mitigation conditions shall result in the Department regulating the ground water permit, or subsequent certificate(s), proposing to deny any permit extension application for the ground water permit, and proposing to cancel the ground water permit, or subsequent certificate(s).

STANDARD CONDITIONS

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

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

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determine water level elevation in the well at all times. The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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

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

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

8 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.

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

10 Complete application of the water to the use shall be made on or before October 1, 2009. If the water is not completely applied before this date, and the permittee wishes to continue development under the permit, the permittee must submit an application for extension of time, which may be approved based upon the merit of the application.

11 Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

Issued February 17, 2005

Phillip C. Ward, Director
Water Resources Department

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

CULTURAL RESOURCES PROTECTION LAWS: Permittees involved in ground-disturbing activities should be aware of federal and state cultural resources protection laws. ORS 358.920 prohibits the excavation, injury, destruction or alteration of an archeological site or object, or removal of archeological objects from public and private lands without an archeological permit issued by the State Historic Preservation Office. 16 USC 470, Section 106, National Historic Preservation Act of 1966 requires a federal agency, prior to any undertaking to take into account the effect of the undertaking that is included on or eligible for inclusion in the National Register. For further information, contact the State Historic Preservation Office at 503-378-4168, extension 232.

ASSIGNMENT OF PERMIT: Pursuant to ORS 537.220, this permit may be assigned to a party other than the permittee named hereon, if the land the permit is associated with changes ownership, or if the permittee is an organization whose name changes as a result of sale or merger. Request for Assignment forms are available from the Oregon Water Resources Department web site at http//www.wrd.state.or.us/, or may be requested from the Department at 503-986-0801 or Water Right Application Section, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1271.

MAILING ADDRESS CHANGES: If the mailing address of the permittee named hereon changes, it is important that the Oregon Water Resources Department be informed of the change. Address changes must be submitted in writing with the permittee's signature to Water Right Application Section, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1271.

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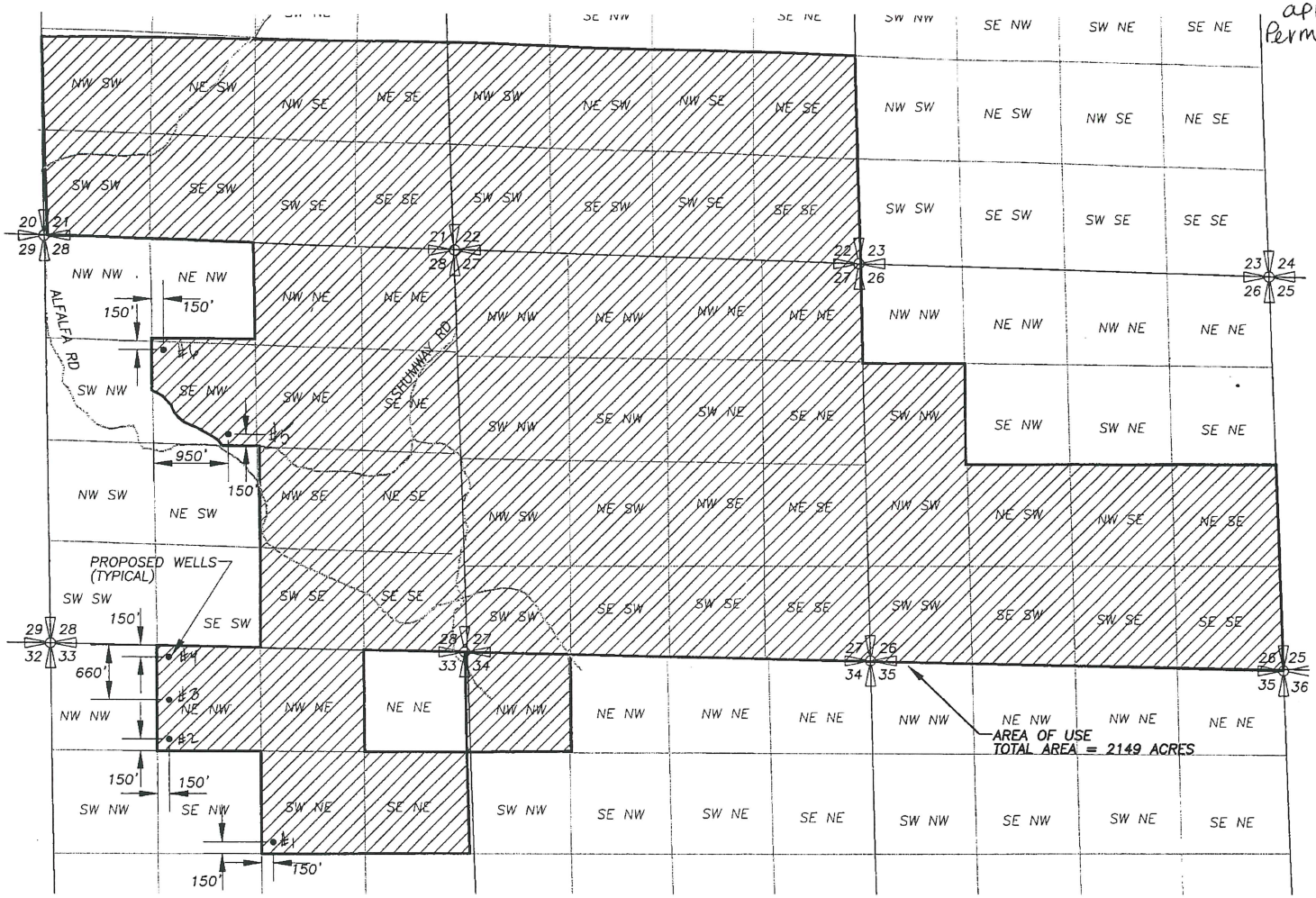
app # G-15789
Permit #



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Certified Water Right Examiner
0127
Thomas A. Walker
Nov. 19, 1987
STATE OF OREGON
EXPIRES 6-30-02

GROUNDWATER APPROPRIATION APPLICATION MAP

TOWNSHIP 16 RANGE 14

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

STATE OF OREGON

Water Supply Well Report

(as required by ORS 537.765)

Amend CROO 51956

CROO 51956

Received Date:

Well ID Tag # L 57259

Start Card # 149114

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

(1) Owner

Well Number: 1

Name:
EAGLE CREST INC
Street: PO BOX 1215
City: REDMOND State: OR Zip Code: 97756

(2) Type of Work

[X] New [ ] Alter (Recondition) [ ] Alter (Repair)
[ ] Deepening [ ] Abandonment

(3) Drill Method

[X] Rotary Air [ ] Rotary Mud [ ] Cable [ ] Auger
Other:

(4) Proposed Use

[ ] Domestic [ ] Community [ ] Industrial [ ] Irrigation [ ] Injection
[ ] Livestock [ ] Thermal Other: QUASI-MUNICIPAL

(5) Bore Hole Construction

[ ] Special Standards: Depth of completed well: 673.00 ft.
[ ] Explosives Used: Amount: Type:

Hole			Seal			
Diameter	From	To	Mtrl	From	To	Sacks/lbs
14.00	0.00	30.00	CE	0.00	30.00	33
10.00	30.00	673.00				

How was seal placed? C Other:
Back fill placed from: Material:
Filter pack from: Size:

(6) Casing / Liner

Csng/ Liner	Diameter	From	To	Gauge	Mtrl	Weld	Thrd	Shoe at	Shoe used
C	10.00	2.00	30.00	.250	S	X			
L	8.00	0.00	673.00	.250	S	X			

(7) Perforation / Screens

Perforations:

Mtrl	From	To	Width	Height	#Slots	Dia.	t/pSize	Csng/ Lnr	Method
S	573.00	673.00	0.13	4.00	1520	8.00		L	MACHINE

Screens:

Mtrl	From	To	S Size	#Slots	Dia.	t/pSize	Type	Gauge

(8) Well Tests (Minimum testing time is one hour)

Type	Yield	Units	Drawdown	Stem at	Duration
A	100.00	G		670.00	1.00
P	200.00	G	0.00		1.00
P	500.00	G	6.00		19.00

Temperature of Water: 66 F
Was water analysis done? [ ] Depth of artesian flow:
by whom?
Did any strata contain water unsuitable for use? [ ] Too Little [ ] Salty
[ ] Muddy [ ] Odor [ ] Colored other:
Depth of strata:

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(9) Location of Hole by legal description

County: CROO Latitude: 44°8'38" Longitude: 121°3'59"
Township: 16.00 S Range: 14.00 E
Section: 33 NENW Lot: Block:
Tax Lot: ~~3600~~ 3600 Subdivision:
Street Address of Well (or nearest address):
S POWELL BUTTE HWY POWELL BUTTE
MAP, with location identified, must be attached.

(10) Static Water Level

Feet below land surface: 508.0 Date: 10 / 02 / 2002
Artesian Pressure: Date:

(11) Water Bearing Zones

Depth at which water was first found: 610.00 ft.

From	To	est Flow	swl
610.00	673.00	100.00	508

(12) Well Log

Ground Elevation: 3251 ft.

Material	From	To	swl
SAND PUMICE	0.00	2.00	
LAVA GRAY	2.00	18.00	
LAVA BROWN	18.00	21.00	
LAVA BROWN HARD	21.00	26.00	
LAVA GRAY	26.00	40.00	
CINDERS LAVA	40.00	55.00	
LAVA PUMICE	86.00	140.00	
BASALT FRAC LAYERS	140.00	157.00	
NO RETURNS	157.00	170.00	
BASALT RED BLACK	170.00	195.00	
CINDERS LAVA BROWN	195.00	200.00	
LAVA GRAY BROWN	200.00	280.00	
LAVA GRAY HARD	280.00	305.00	
BROKEN LAVA BASALT	305.00	315.00	
LAVA BROWN	315.00	325.00	
SANDSTONE	325.00	340.00	
LAVA GRAY SOFT HARD LAYERS	340.00	435.00	
LAVA RED BROWN	435.00	445.00	
NO RETURNS	445.00	470.00	
RED LAVA	470.00	503.00	
LAVA FRAC	503.00	512.00	
LAVA HARD	512.00	555.00	
LAVA BROWN	555.00	565.00	

Date Started: 09 / 23 / 2002 Date Completed: 10 / 02 / 2002

(unbonded) Water Well Constructor Certification:
I certify that the work I perform on the construction, alteration, or abandonment of this well is in compliance with Oregon well construction standards. Materials used and information reported above are true to the best knowledge and belief.
Signed by: THOMAS R PECK WWC #: 758

(bonded) Water Well Constructor Certification:
I accept responsibility for the constuction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon well construction standards. This report is true to the best of my knowledge and belief.
Signed by: JACK ABBAS WWC #: 1720
ABBAS WELL DRILLING CO Phone: 541-548-2787

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SALEM, OREGON

CROO 51956
CROO 51956
CROO

STATE OF OREGON
Water Supply Well Report
(as required by ORS 537.765)

Received Date: 11-04-2002
Well ID Tag # L 57259
Start Card # 149114

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

(1) Owner
Well Number:
Name:
Street:
City: State: Zip Code:

(2) Type of Work
☐ New ☐ Alter (Recondition) ☐ Alter (Repair)
☐ Deepening ☐ Abandonment

(3) Drill Method
☐ Rotary Air ☐ Rotary Mud ☐ Cable ☐ Auger
Other:

(4) Proposed Use
☐ Domestic ☐ Community ☐ Industrial ☐ Irrigation ☐ Injection
☐ Livestock ☐ Thermal Other:

(5) Bore Hole Construction
☐ Special Standards: Depth of completed well:
☐ Explosives Used: Amount: Type:

Hole			Seal			
Diameter	From	To	Mtrl	From	To	Sacks/lbs

How was seal placed? Other:
Back fill placed from: Material:
Filter pack from: Size:

(6) Casing / Liner

Csng/ Liner	Diameter	From	To	Gauge	Mtrl	Weld	Thrd	Shoe at	Shoe used

(7) Perforation / Screens
Perforations:

Mtrl	From	To	Width	Height	#Slots	Dia.	t/pSize	Csng/ Lnr	Method

Screens:

Mtrl	From	To	S Size	#Slots	Dia.	t/pSize	Type	Gauge

(8) Well Tests *(Minimum testing time is one hour)*

Type	Yield	Units	Drawdown	Stem at	Duration

Temperature of Water:
Was water analysis done? ☐ Depth of artesian flow:
by whom?
Did any strata contain water unsuitable for use? ☐ Too Little ☐ Salty
☐ Muddy ☐ Odor ☐ Colored other:
Depth of strata:

(9) Location of Hole by legal description
County: Latitude: Longitude:
Township: Range:
Section: Lot: Block:
Tax Lot: Subdivision:
Street Address of Well (or nearest address):
MAP, with location identified, must be attached.

(10) Static Water Level
Feet below land surface: Date:
Artesian Pressure: Date:

(11) Water Bearing Zones
Depth at which water was first found:

From	To	est Flow	swl

(12) Well Log
Ground Elevation:

Material	From	To	swl
LAVA CLAY SEAMS	565.00	592.00	
LAVA GRAY HARD	592.00	600.00	
LAVA CLAY SEAMS	600.00	673.00	508
4 YRDS CEMENT	120.00	260.00	
4.5 YRDS CEMENT	230.00	405.00	
11 YRDS CEMENT	300.00	470.00	

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SALEM, OREGON

Date Started: Date Completed:

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

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

CROO 51956
CROO 51956
CROO

STATE OF OREGON
Water Supply Well Report
(as required by ORS 537.765)

Received Date: 11-04-2002
Well ID Tag # L 57259
Start Card # 149114

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

(1) Owner
Well Number: 1
Name:
EAGLE CREST INC
Street: PO BOX 1215
City: REDMOND State: OR Zip Code: 97756

(2) Type of Work
[X] New [ ] Alter (Recondition) [ ] Alter (Repair)
[ ] Deepening [ ] Abandonment

(3) Drill Method
[X] Rotary Air [ ] Rotary Mud [ ] Cable [ ] Auger
Other:

(4) Proposed Use
[ ] Domestic [ ] Community [ ] Industrial [ ] Irrigation [ ] Injection
[ ] Livestock [ ] Thermal Other: QUASI-MUNICIPAL

(5) Bore Hole Construction
[ ] Special Standards: Depth of completed well: 673.00 ft.
[ ] Explosives Used: Amount: Type:

Hole

Diameter	From	To
14.00	0.00	30.00
10.00	30.00	673.00

Seal

Mtrl	From	To	Sacks/lbs
CE	0.00	30.00	33

How was seal placed? C Other:
Back fill placed from: Material:
Filter pack from: Size:

(6) Casing / Liner

Csng/ Liner	Diameter	From	To	Gauge	Mtrl	Weld	Thrd	Shoe at	Shoe used
C	10.00	2.00	30.00	.250	S	X			
L	8.00	0.00	673.00	.250	S	X			

(7) Perforation / Screens
Perforations:

Mtrl	From	To	Width	Height	#Slots	Dia.	t/pSize	Csng/ Lnr	Method
S	573.00	673.00	0.13	4.00	1520	8.00		L	MACHINE

Screens:

Mtrl	From	To	S Size	#Slots	Dia.	t/pSize	Type	Gauge

(8) Well Tests (Minimum testing time is one hour)

Type	Yield	Units	Drawdown	Stem at	Duration
A	100.00	G		670.00	1.00
P	200.00	G	0.00		1.00
P	500.00	G	6.00		19.00

Temperature of Water: 66 F
Was water analysis done? [ ] Depth of artesian flow:
by whom?
Did any strata contain water unsuitable for use? [ ] Too Little [ ] Salty
[ ] Muddy [ ] Odor [ ] Colored other:
Depth of strata:

(9) Location of Hole by legal description
County: CROO Latitude: 44°8'38" Longitude: 121°3'59"
Township: 16.00 S Range: 14.00 E
Section: 33 NENW Lot: Block:
Tax Lot: 3800 Subdivision:
Street Address of Well (or nearest address):
S POWELL BUTTE HWY POWELL BUTTE
MAP, with location identified, must be attached.

(10) Static Water Level
Feet below land surface: 508.0 Date: 10 / 02 / 2002
Artesian Pressure: Date:

(11) Water Bearing Zones
Depth at which water was first found: 610.00 ft.

From	To	est Flow	swl
610.00	673.00	100.00	508

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SALEM, OREGON

(12) Well Log
Ground Elevation: 3251 ft.

Material	From	To	swl
SAND PUMICE	0.00	2.00	
LAVA GRAY	2.00	18.00	
LAVA BROWN	18.00	21.00	
LAVA BROWN HARD	21.00	26.00	
LAVA GRAY	26.00	40.00	
CINDERS LAVA	40.00	55.00	
LAVA PUMICE	86.00	140.00	
BASALT FRAC LAYERS	140.00	157.00	
NO RETURNS	157.00	170.00	
BASALT RED BLACK	170.00	195.00	
CINDERS LAVA BROWN	195.00	200.00	
LAVA GRAY BROWN	200.00	280.00	
LAVA GRAY HARD	280.00	305.00	
BROKEN LAVA BASALT	305.00	315.00	
LAVA BROWN	315.00	325.00	
SANDSTONE	325.00	340.00	
LAVA GRAY SOFT HARD LAYERS	340.00	435.00	
LAVA RED BROWN	435.00	445.00	
NO RETURNS	445.00	470.00	
RED LAVA	470.00	503.00	
LAVA FRAC	503.00	512.00	
LAVA HARD	512.00	555.00	
LAVA BROWN	555.00	565.00	

Date Started: 09 / 23 / 2002 Date Completed: 10 / 02 / 2002

(unbonded) Water Well Constructor Certification:
I certify that the work I perform on the construction, alteration, or abandonment of this well is in compliance with Oregon well construction standards. Materials used and information reported above are true to the best knowledge and belief.
Signed by: THOMAS R PECK WWC #: 758

(bonded) Water Well Constructor Certification:
I accept responsibilty for the constuction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon well construction standards. This report is true to the best of my knowledge and belief.
Signed by: JACK ABBAS WWC #: 1720
ABBAS WELL DRILLING CO Phone: 541-548-2787

RECEIVED Amend
CROO 53105
AUG 09 2006
WATER RESOURCES DEPT
SALEM, OREGON

CROO 53105
06-27-2006

STATE OF OREGON
WATER SUPPLY WELL REPORT
(as required by ORS 537.765 & OAR 690-205-0210)

WELL LABEL # L 84277

START CARD # 187561

(1) LAND OWNER

Owner Well I.D. 2

First Name _____ Last Name _____

Company Avion Water CO

Address 60813 Parrell Rd.

City Bend State OR Zip 97702

(2) TYPE OF WORK

☒ New Well ☐ Deepening ☐ Conversion ☐ Alteration (repair/recondition) ☐ Abandonment

(3) DRILL METHOD

☒ Rotary Air ☐ Rotary Mud ☐ Cable ☐ Auger ☐ Cable Mud ☐ Reverse Rotary ☐ Other _____

(4) PROPOSED USE

☐ Domestic ☐ Irrigation ☐ Community ☐ Industrial/ Commericial ☐ Livestock ☐ Dewatering ☐ Thermal ☐ Injection ☒ Other Qusi - Munnicipal

(5) BORE HOLE CONSTRUCTION

Special Standard ☐ (Attach copy)

Depth of Completed Well 702.00 ft.

BORE HOLE Dia	From	To	SEAL Material	From	To	Amt	sacks/ lbs
12	0	560	Bentonite Chips	0	3	3	S
10	560	702	Cement	3	145	66	S

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

☒ Other Poured Dry

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

Filter pack from _____ ft. to _____ ft. Material _____ Size _____

Explosives used: ☐ Yes Type _____ Amount _____

(6) CASING/LINER

Casing	Liner	Dia	+	From	To	Gauge	Stl	Plstc	Wld	Thrd
●	○	8	☒	2	702	.250	●	○	☒	☐
○	○		☐				○	○	☐	☐
○	○		☐				○	○	☐	☐
○	○		☐				○	○	☐	☐
○	○		☐				○	○	☐	☐

Shoe ☐ Inside ☐ Outside ☐ Other Location of shoe(s) _____

Temp casing ☐ Yes Dia _____ From _____ To _____

(7) PERFORATIONS/SCREENS

Perforations Method Machine

Screens Type _____ Material _____

Perf/ Screen	Casing/ Liner	Screen Dia	From	To	Scrn/slot width	Slot length	# of slots	Tele/ pipe size
Perf	Casing	8	602	702	.125	3	1,520	

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

○ Pump ○ Bailer ◉ Air ○ Flowing Artesian

Yield gal/min	Drawdown	Drill stem/Pump depth	Duration (hr)
300		700	2

Temperature 64 °F Lab analysis ☐ Yes By _____

Water quality concerns? ☐ Yes (describe below)

From	To	Description	Amount	Units

(9) LOCATION OF WELL (legal description)

County Crook Twp 16.00 S N/S Range 14.00 E E/W WM

Sec 33 NE 1/4 of the NW 1/4 Tax Lot ~~3800~~ 3600

Tax Map Number _____ Lot _____

Lat 44 ° 8 '54.000 " or 44.14833333 DMS or DD

Long -121 ° 3 '45.000 " or -121.06250000 DMS or DD

○ Street address of well ◉ Nearest address

South Powell Butte Hwy
Powell Butte

(10) STATIC WATER LEVEL

	Date	SWL(psi)	+	SWL(ft)
Existing Well / Predeepening				
Completed Well	06-19-2006			517

Flowing Artesian? ☐ Dry Hole? ☐

WATER BEARING ZONES Depth water was first found 595

SWL Date	From	To	Est Flow	SWL(psi)	+	SWL(ft)
06-15-2006	595	700	300			517

(11) WELL LOG

Ground Elevation 3,207

Material	From	To
Sand Pumice Brown	0	1
Lava Gray	1	17
Basalt Clay Seams Brown	17	24
Lava Gray Hard	24	41
Cinders Red	41	52
Sandstone Sand Gravel Layers	52	140
Lava	140	175
Lava Basalt Broken	175	186
Lava Gray Fractured	186	195
Cinders Conglomerate	195	205
Basalt Conglomerate	205	245
Lava Creviced	245	270
Basalt	270	315
Sandstone Brown	315	345
Lava Poor Circulation	345	400
Lava Gray Hard	400	425
Lava Hard Fractured	425	460
Lava Basalt	460	505
Basalt Clay Seams Brown	505	570

Date Started 06-05-2006 Completed 06-19-2006

(unbonded) Water Well Constructor Certification

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

License Number 758 Date 06-27-2006

Electronically Filed

Signed THOMAS R PECK (E-filed)

(bonded) Water Well Constructor Certification

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

License Number 1720 Date 06-27-2006

Electronically Filed

Signed JACK ABBAS (E-filed)

Contact Info (optional) _____

ORIGINAL - WATER RESOURCES DEPARTMENT

THIS REPORT MUST BE SUBMITTED TO THE WATER RESOURCES DEPARTMENT WITHIN 30 DAYS OF COMPLETION OF WORK

Form Version: 0.88

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Oregon
Theodore R. Kulongoski, Governor

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

October 9, 2007

JACK ABBAS #1720
ABBAS WELL DRILLING CO
PO BOX 2130
TERREBONNE OR 97760

RE: Desc 57414 & Croo 53105

We recently received the above Well Log Report(s) with the following problem(s):

_X_The Well Identification Number (Tag Number) 84277 was used by you on two different wells.

Please indicate the correct Well ID Number here for each well: DESC57414Tewalt :L- 84277 Correct
:L- 84273 CROO 53105
Avion

*****A copy of the well logs are enclosed for your use as a reference only. The correct ID number that you will give us on this letter will be entered on the original copy of the well log that we have.***

Please return this letter with the correct well tag number within 30 days from the date of this letter. If you have any questions, please contact me at (503) 986-0854, or email: Codi.N.Holmes@wrd.state.or.us. Thank you for your cooperation.

Sincerely,

Codi Holmes

Codi Holmes
Well Construction & Compliance Section

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STATE OF OREGON
WATER SUPPLY WELL REPORT
(as required by ORS 537.765 & OAR 690-205-0210)

CROO 53105
06-27-2006

WELL LABEL # L 84277

START CARD # 187561

(1) LAND OWNER

Owner Well I.D. 2

First Name _____ Last Name _____

Company Avion Water CO

Address 60813 Parrell Rd.

City Bend State OR Zip 97702

(2) TYPE OF WORK

☒ New Well ☐ Deepening ☐ Conversion ☐ Alteration (repair/recondition) ☐ Abandonment

(3) DRILL METHOD

☒ Rotary Air ☐ Rotary Mud ☐ Cable ☐ Auger ☐ Cable Mud ☐ Reverse Rotary ☐ Other _____

(4) PROPOSED USE

☐ Domestic ☐ Irrigation ☐ Community ☐ Industrial/ Commericial ☐ Livestock ☐ Dewatering ☐ Thermal ☐ Injection ☒ Other Qusi - Munnicipal

(5) BORE HOLE CONSTRUCTION

Special Standard ☐ (Attach copy)

Depth of Completed Well 702.00 ft.

BORE HOLE Dia	From	To	SEAL Material	From	To	Amt	sacks/ lbs
12	0	560	Bentonite Chips	0	3	3	S
10	560	702	Cement	3	145	66	S

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

☒ Other Poured Dry

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

Filter pack from _____ ft. to _____ ft. Material _____ Size _____

Explosives used: ☐ Yes Type _____ Amount _____

(6) CASING/LINER

Casing	Liner	Dia	+	From	To	Gauge	Stl	Plstc	Wld	Thrd
◉	○	8	☒	2	702	.250	◉	○	☒	☐
○	○		☐				○	○	☐	☐
○	○		☐				○	○	☐	☐
○	○		☐				○	○	☐	☐
○	○		☐				○	○	☐	☐

Shoe ☐ Inside ☐ Outside ☐ Other Location of shoe(s) _____

Temp casing ☐ Yes Dia _____ From _____ To _____

(7) PERFORATIONS/SCREENS

Perforations Method Machine

Screens Type _____ Material _____

Perf/ Screen	Casing/ Screen Liner	Dia	From	To	Scrn/slot width	Slot length	# of slots	Tele/ pipe size
Perf	Casing	8	602	702	.125	3	1,520	

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

○ Pump ○ Bailer ◉ Air ○ Flowing Artesian

Yield gal/min	Drawdown	Drill stem/Pump depth	Duration (hr)
300		700	2

Temperature 64 °F Lab analysis ☐ Yes By _____

Water quality concerns? ☐ Yes (describe below)

From	To	Description	Amount	Units

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(9) LOCATION OF WELL (legal description)

County Crook Twp 16.00 S N/S Range 14.00 E E/W WM

Sec 33 NE 1/4 of the NW 1/4 Tax Lot 3800

Tax Map Number _____ Lot _____

Lat 44 ° 8 '54.000 " or 44.14833333 DMS or DD

Long -121 ° 3 '45.000 " or -121.06250000 DMS or DD

○ Street address of well ◉ Nearest address

South Powell Butte Hwy
Powell Butte

(10) STATIC WATER LEVEL

	Date	SWL(psi)	+	SWL(ft)
Existing Well / Predeepening				
Completed Well	06-19-2006			517

Flowing Artesian? ☐ Dry Hole? ☐

WATER BEARING ZONES Depth water was first found 595

SWL Date	From	To	Est Flow	SWL(psi)	+	SWL(ft)
06-15-2006	595	700	300			517

(11) WELL LOG

Ground Elevation 3,207

Material	From	To
Sand Pumice Brown	0	1
Lava Gray	1	17
Basalt Clay Seams Brown	17	24
Lava Gray Hard	24	41
Cinders Red	41	52
Sandstone Sand Gravel Layers	52	140
Lava	140	175
Lava Basalt Broken	175	186
Lava Gray Fractured	186	195
Cinders Conglomerate	195	205
Basalt Conglomerate	205	245
Lava Creviced	245	270
Basalt	270	315
Sandstone Brown	315	345
Lava Poor Circulation	345	400
Lava Gray Hard	400	425
Lava Hard Fractured	425	460
Lava Basalt	460	505
Basalt Clay Seams Brown	505	570

Date Started 06-05-2006 Completed 06-19-2006

(unbonded) Water Well Constructor Certification

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License Number 758 Date 06-27-2006

Electronically Filed

Signed THOMAS R PECK (E-filed)

(bonded) Water Well Constructor Certification

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

License Number 1720 Date 06-27-2006

Electronically Filed

Signed JACK ABBAS (E-filed)

Contact Info (optional) _____

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THIS REPORT MUST BE SUBMITTED TO THE WATER RESOURCES DEPARTMENT WITHIN 30 DAYS OF COMPLETION OF WORK

Form Version: 0.88

WATER SUPPLY WELL REPORT - continuation page

CROO 53105
06-27-2006

WELL I.D. # L 84277

START CARD # 187561

(5) BORE HOLE CONSTRUCTION

BORE HOLE Dia	From	To	SEAL Material	From	To	Amt	sacks/ lbs

FILTER PACK

From	To	Material	Size

(6) CASING/LINER

Casing	Liner	Dia	+	From	To	Gauge	Stl	Plstc	Wld	Thrd

(7) PERFORATIONS/SCREENS

Perf/ Screen	Casing/ Liner	Screen Dia	From	To	Scrn/slot width	Slot length	# of slots	Tele/ pipe size

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

Yield gal/min	Drawdown	Drill stem/Pump depth	Duration (hr)

Water Quality Concerns

From	To	Description	Amount	Units

(10) STATIC WATER LEVEL

Water Bearing Zones

SWL Date	From	To	Est Flow	SWL(psi)	+	SWL(ft)

(11) WELL LOG

Material	From	To
Conglomerate Brown	570	585
Lava Fractured Clay Seams	585	625
Conglomerate Brown	625	635
Lava Basalt Clay Seams	635	702

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Comments/Remarks

12 yards sand grout 40 feet to 160 feet
6 yards sand grout 200 feet to 400 feet
7 yards sand grout 250 feet to

DESCHUTES RIVER CONSERVANCY

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SALEM, OREGON

May 17, 2010

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

Via e-mail: alan@JELD-WENCommunities.com

RE: Payment Received for Temporary Mitigation Credits (2010)

Dear Alan,

On behalf of the Deschutes River Conservancy - Groundwater Mitigation Bank, I would like to express our appreciation for your participation in the Mitigation Program. We have received your payment for temporary mitigation credits for 2010. The Oregon Water Resources Department will be notified in the DRC banking report that you have fulfilled your mitigation for 2010.

Payment Received ($): **5,061.00**

Number of Credits Purchased: **48.2 credits @ $105.00/credit**

Zone of Impact: **General**

Application or Permit #: **G-15789**

A limited number of permanent mitigation credits may be available to mitigation bank clients in the **General Zone** of Impact again this fall. These credits will be offered in order of seniority as a client of the mitigation bank. If a customer declines an offer, the offer goes to the next client and eventually to the end of the priority list of clients before returning to the top of the priority list. The price of permanent credits reflects fluctuations in water market costs and irrigation district "exit fees" for transferring the water out of the district's assessment base. Permanent credits will be offered under contract 9-12 months prior to their availability.

Permanent credit prices vary with each transfer of water instream. Please feel free to contact me with any questions or comments you may have.

Sincerely,

Genevieve Hubert - via e-mail

Genevieve Hubert
Program Manager
DRC - Groundwater Mitigation Bank

gen@deschutesriver.org
(541)382-4077, ext. 16

60813 Parrell Rd
Bend, OR 97702
Ph: 541-382-5342
Fx: 541-382-5390

Avion Water Company Inc. Fax

Faxed to Brett Hulse 11/01/05

To: Jim Frost Fax: 388-4229

From: Jason Wick Date: 11-1-05

Re: Contract & Amendment Pages:

CC: For Brasada/Avion

☐ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

Notes: Look at 1st page of amendment

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Quality Water On Tap

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WATER SERVICE AGREEMENT

THIS AGREEMENT made this 29th of April, 2003 by and between AVION WATER COMPANY, INC., an Oregon corporation, hereinafter referred to as "Avion" and EAGLE CREST, INC., an Oregon corporation, hereinafter referred to as "Eagle Crest".

RECITALS:

A. Avion is a private water company, regulated by the Oregon Public Utility Commission and the Oregon Health Division, with vested groundwater rights under permits issued by the Oregon Water Resources Department ("OWRD") with priority dates ranging from 1966 to 1992. Avion provides both domestic and irrigation water in Crook County and Deschutes County, Oregon.

B. Eagle Crest has the option to purchase the real property described on Exhibit "A", attached hereto, hereinafter referred to as the "Resort Property".

C. Eagle Crest intends to develop a destination resort on the Resort Property, which will include golf courses, residential units, hotel and motel units, and commercial facilities, hereinafter referred to as the "Destination Resort".

D. The Crook County Zoning Ordinance, Section 12.100(H), requires Eagle Crest to demonstrate that its proposed water facilities can reasonably serve the Destination Resort. Avion's water system and water rights can reasonably serve the estimated demands of the Destination Resort, subject to the terms and conditions of this Agreement.

E. Avion is authorized to serve the Resort Property under Oregon Revised Statutes ("ORS") 540.510(3)(a), which provides that any water right issued to a municipality may be

applied to beneficial use on lands to which the right is not appurtenant if: "(B) The use continues to be for municipal purposes and would not interfere with or impair prior vested water rights." Pursuant to ORS 540.510(3)(b), Avion is a "municipality" because it qualifies as a water supplier as defined in ORS 448.115. Pursuant to Oregon Administrative Rules ("OAR") 690-015-0140(2), the "municipal purposes" referenced in ORS 540.510(3) include quasi-municipal use. Pursuant to OAR 690-015-0140(1), a municipality may use water beneficially on any lands so long as the use continues to be for municipal purposes, the place and nature of use are compatible with local comprehensive plans, and the rate of use of water by the municipality does not exceed that allowed by its existing water rights.

F. Statewide Planning Goal 8 and ORS 197.435(6) permit the extension of existing public water facilities to a destination resort so long as the lines connecting the destination resort to the public water facilities are sized to meet the needs of the destination resort only, and the resort assumes all costs related to service extension and any capacity increases. All water lines constructed pursuant to this Agreement will be sized to meet the needs of the Destination Resort only, and Eagle Crest will assume all costs related to service extension and capacity increases.

AGREEMENT:

I. Avion hereby agrees to the following:

A. To provide domestic water, commercial water, dust control, fire protection, restoration, construction, limited irrigation water and other uses typical and usual for a municipality to the Resort Property.

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1. For commercial or multi-family uses, the water service shall be provided at a minimum of 1,500 gallons per minute fire flow to the site with a minimum pressure of 20 p.s.i.

2. For single-family residential units, the water service shall be provided at a minimum of 1,000 gallons per minute fire flow to the site with a minimum pressure of 20 p.s.i. The minimum residential pressure shall be 45 p.s.i.

3. For irrigation purposes, water service will be provided at a minimum of 1,000 gallons per minute at atmosphere, and will be provided only from March 1st to April 15th and from October 1st to November 1st of each year and then only during such times as full irrigation water deliveries are not available from the Central Oregon Irrigation District.

B. To apply for, in conjunction with Eagle Crest, a State of Oregon tax credit in an amount not to exceed approximately thirty-five percent (35%) of the total project costs, or the maximum allowed by law, whichever is less, for the water transmission or distribution facilities.

C. To work with the Eagle Crest engineers to make whatever efforts are necessary to provide information that would enable the design of the water transmission or distribution facilities to qualify for the appropriate tax credits.

D. To waive its systems development charges for all Eagle Crest-constructed development within the Destination Resort, subject to approval by the Oregon Public Utilities Commission. Avion shall use its best efforts to obtain the approval of the Oregon Public Utility Commission to such waiver. As used in this Agreement, Eagle Crest-constructed development shall also include any development constructed by a successor entity to which Eagle Crest has assigned its interests in the Resort Property and/or the Destination Resort.

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E. To lease any off-site pipeline, if any, after construction completion for $1.00 per year for five (5) years and to maintain and operate the pipeline during such time at its sole cost and expense if the project qualifies for a tax credit as described in Paragraph B above. At the end of five (5) years, or if the project does not qualify for a tax credit, whichever first occurs, Avion shall be the sole owner of the water transmission pipeline, both within and without the Resort Property.

F. To work cooperatively with Eagle Crest engineers to develop, evaluate and select the most cost-effective water distribution system design. Alternatives may include a reduced diameter transmission pipeline and on-site storage, on-site booster pumps, or other configurations or combinations of water supply options.

G. To provide design specifications, prepare construction drawings and obtain Oregon Health Division approvals in connection with construction of any off-site transmission pipeline.

H. To provide construction supervision of the off-site water transmission pipeline, if any, at its cost.

I. To comply with any applicable restrictions and satisfy any applicable requirements pursuant to and contained in the Deschutes Basin Ground Water Mitigation Rules (OAR 690-505-0600 et seq.), the Deschutes Basin Mitigation Bank and Mitigation Credit Rules (OAR 690-521-0100 et seq.), and any other restrictions and/or requirements that may be imposed from time to time by a federal, state, or local government or court of competent jurisdiction on the delivery and/or use of groundwater pursuant to Avion's water rights identified in Recital A above.

J. Avion shall be responsible for all rights-of-way along all public roads.

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K. Avion shall have the right to approve all final designs for any portion of the water system, which shall not be unreasonably withheld.

II. Eagle Crest agrees to the following:

A. To pay the cost to furnish and install an 8"-16" (depending upon final design and required fire flows) water main, if required, to the Resort Property, on, over and across the right-of-way as described on Exhibit "B", which is attached hereto and by this reference incorporated herein, except for costs pertaining to those items described in Paragraph 1, Sections I, J and K above.

B. To pay and provide engineering, construction and installation for all pipelines and service installations interior to the project, in accordance with Avion's standard specifications. Avion shall provide Eagle Crest with a written copy of such specifications within ten (10) days of the date of request. Avion will then accept the interior pipelines and appurtenances for maintenance in accordance with its existing maintenance policies and tariffs. Avion shall provide Eagle Crest with a written copy of its current maintenance policies and tariff within ten (10) days of request.

C. To obtain approval and authorization for all necessary easements and/or rights-of-way for the extension of the water line; provided, however, Avion shall cooperate with Eagle Crest in obtaining such approvals and authorizations, except as noted in Paragraph 1, Section J above. All water service shall be subject to the fees and costs as allowed by the Avion Water Company tariff as the same may be modified from time to time.

III. The parties hereby mutually agree as follows:

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A. Avion and Eagle Crest agree that Avion shall be the sole provider of domestic water service to the Resort Property and the Destination Resort, so long as Avion provides water service in accordance with the standards of the industry, in accordance with the rules of the Oregon Public Utility Commission, the Oregon Health Division and in accordance with the terms of this Agreement, and so long as Eagle Crest obtains any and all required land use approvals relating to Avion's provision of domestic water service. Avion and Eagle Crest further agree that Eagle Crest may pursue additional irrigation water from Central Oregon Irrigation District, by pursuing and developing its own irrigation water rights, or from any other water provider.

B. This Agreement is subject to approval by the Oregon Public Utility Commission of all of the terms and conditions of this offer, including but not limited to the waiver of systems development charges for Eagle Crest-constructed development. Avion shall use its best efforts to obtain such approval. Avion cannot guarantee that any applications for a State of Oregon Tax Credit will be approved.

C. This Agreement is subject to approval of any and all land use applications necessary for the Destination Resort within the Resort Property. Avion shall cooperate with Eagle Crest in connection with obtaining such approvals.

D. If any dispute arises between the parties, either party may request arbitration in accordance with the rules established by the Arbitration Service of Portland, Portland, Oregon. The arbitration shall proceed according to the rules of the Arbitration Service of Portland and the Oregon statutes governing arbitration, and the award of the arbitrator shall have the effect therein provided. The arbitration shall take place in the county where the subject

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property is located. Costs of the arbitration shall be shared equally by the parties, but each party shall pay its own attorney fees incurred in connection with the arbitration.

E. In the event suit or action is instituted to enforce any of the terms or conditions of this Agreement, the losing party shall pay to the prevailing party, in addition to the costs and disbursements allowed by statute, such sum as the court may adjudge reasonable as attorney fees in such suit or action, in both trial and appellate courts.

F. Subject to the prohibition on assignments contained in Paragraph III, Section G below, this Agreement shall be binding upon the heirs, successors and assigns of the parties hereto.

G. This Agreement may not be assigned or otherwise transferred without the prior written consent of either party. Said consent shall not be unreasonably withheld.

H. Eagle Crest shall be permitted to disclose the terms and conditions of this Agreement to any permitting authority necessary for the approval of the Destination Resort, as described herein.

I. Avion makes the following representations and warranties:

1. Avion has and will during the term of this Agreement have sufficient water rights to provide domestic water, commercial water, dust control, fire protection, construction, limited irrigation water and other uses typical and usual for a municipality needed by the Destination Resort pursuant to this Agreement.

2. Avion has obtained or will obtain, prior to completion of construction of the water transmission pipeline, all permits or other governmental approvals necessary to carry out its obligations hereunder, including but not limited to any applicable

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mitigation requirements pursuant to and contained in the Deschutes Basin Ground Water Mitigation Rules (OAR 690-505-0600 et seq.) and the Deschutes Basin Mitigation Bank and Mitigation Credit Rules (OAR 690-521-0100 et seq.).

3. Upon execution of this Agreement, Avion will apply to the Oregon Public Utility Commission for approval to include the Resort Property within its exclusive service area.

4. All water provided pursuant to this Agreement for domestic and commercial use shall be potable and shall meet all applicable standards for drinking water established by federal, state and local government authorities.

J. In the event of a material breach hereunder by a party, which breach is not cured within thirty (30) days of receipt of written notice of such breach, the non-defaulting party shall, in addition to such remedies as may be available to it under applicable law, have the right to terminate this Agreement.

K. In the event of a change in applicable laws or regulations such that Avion's obligation to provide water hereunder is no longer a perpetual obligation, then commencing on the effective date of such change, the term of this Agreement shall be for an additional ninety-nine (99) years.

IN WITNESS WHEREOF, this Agreement was executed on the day and year first above written.

EAGLE CREST, INC.

By: _____
Its: President

AVION WATER COMPANY, INC.

By: _____
Its: President

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AMENDMENT TO WATER SERVICE AGREEMENT

THIS AMENDMENT is made to that certain WATER SERVICE AGREEMENT dated the 29th day of April, 2003 by and between AVION WATER COMPANY, INC., an Oregon corporation, hereinafter referred to as "Avion" and BRASADA RANCH, INC., an Oregon corporation, hereinafter referred to as "Brasada". The parties hereby amend the following provisions of said Water Service Agreement and agree as follows:

1. Paragraph I A is hereby amended to add a new Paragraph A. 4 as follows:

A.4. Avion will, at its cost, install pumping and electrical equipment at Brasada's existing on-site well, at the Resort Property. Avion will install, at its cost, a minimum of a 760,000 gallon reservoir at the Resort Property. Avion will install, at its cost, electrical control equipment and pumping equipment as required for various pumping stations that will need to be constructed for domestic and fire service at the Resort Property. Avion will use Eagle Crest, Inc. Water Rights Permit No. G-15789 until November 1, 2008, or as soon thereafter as the water line is in service as described in Paragraph II A below, to provide the water service described in this Agreement.

2. Paragraphs I and H are hereby deleted in their entirety.

3. Paragraph II C. is deleted in its entirety.

4. A new paragraph I L is added as follows:

I. L. Avion shall construct a 12-inch diameter, class 200 pvc mainline from its existing Pronghorn main to the Resort Property. Such line is to be completed, tested and in service by November 1, 2008.

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BRYANT, LOVLIEN & JARVIS, PC
ATTORNEYS AT LAW, ESTABLISHED 1915
591 SW Mill View Way PO Box 1151 Bend, Oregon 97709-1151 (541) 382-4331 fax (541) 389-3386 www.bryantlovlienjarvis.com

The construction shall be in two phases. The first phase of construction shall be the installation of the water line on, over and across Morrill Road on Bureau of Land Management property. The water line shall be installed at the same time as the gas line is being installed. The length of this is approximately 1.2 miles. It shall be Avion's responsibility to design and contract for the construction of the water line and will act as its own contracting agent. Brasada will be billed monthly for construction of any portion of the water line; provided, however, that the remaining portion of the water line, except as described above, shall be installed in the calendar year 2008.

II. A. To pay the cost to furnish and install the water main as provided in amended Paragraph I. L., on, over and across the right-of-way as shown on Exhibit "B", consisting of five (5) sheets which is attached hereto and by this reference incorporated herein, except for costs pertaining to those items described in Paragraph I, Sections I, J and K above.

In all other respects, the Water Service Agreement hereinabove described, shall remain in full force and effect.

IN WITNESS WHEREOF, this Addendum is executed on the 19th day of April, 2005.

EAGLE CREST, INC.

By: _____
Its: President

AVION WATER COMPANY, INC.

By: _____
Its: President

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BRYANT, LOVLIEN & JARVIS, PC
ATTORNEYS AT LAW, ESTABLISHED 1915
591 SW Mill View Way PO Box 1151 Bend, Oregon 97709-1151 (541) 382-4331 fax (541) 389-3386 www.bryantlovlienjarvis.com

Proposed 12" Mainline for Brasada Ranch Exhibit B: Page 1 of 5

N

RONGHORN CLUB DR

Gas Easment

MORRILL RD

Proposed 12" Mainline

Existing 14" Mainline

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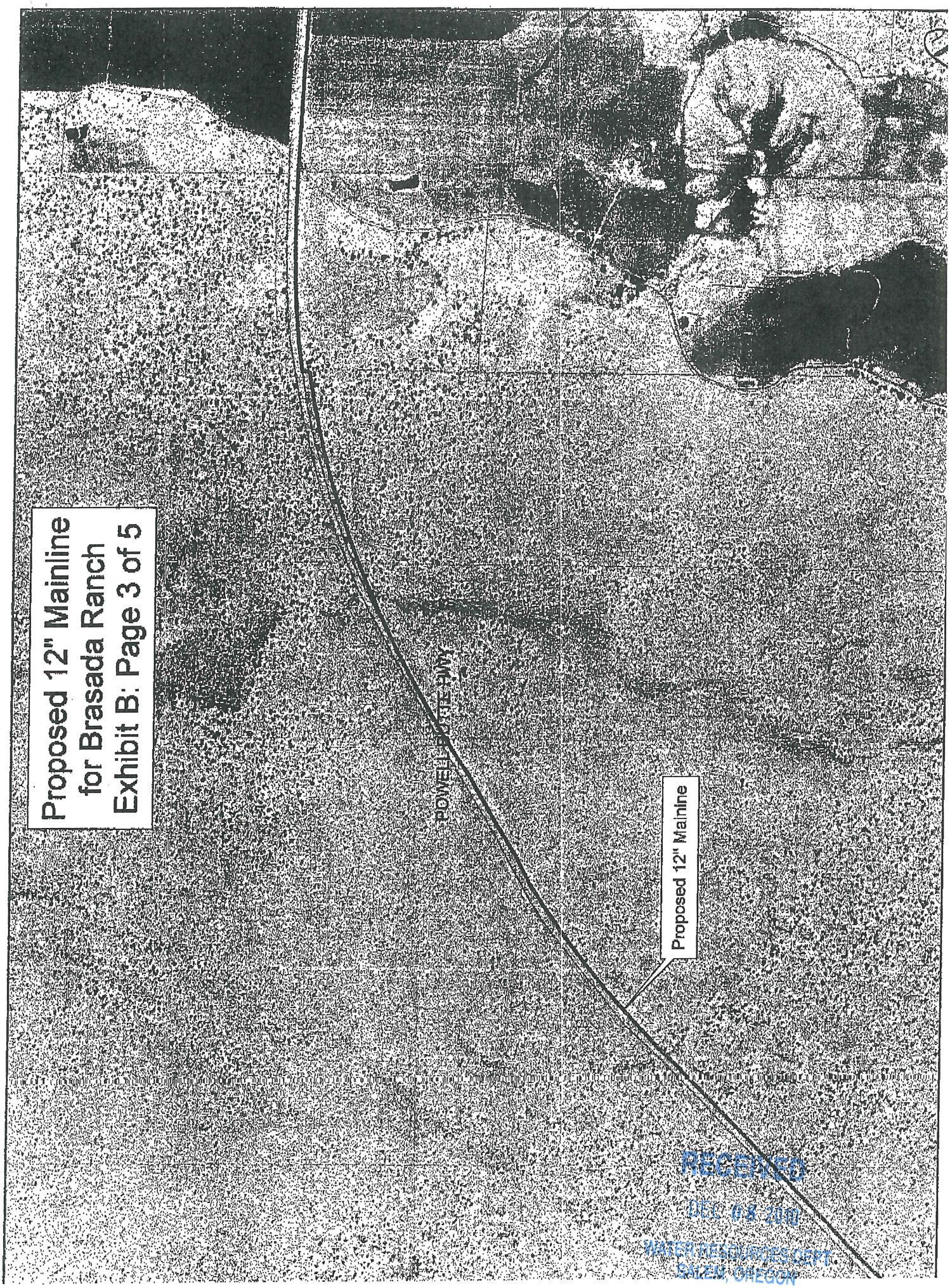

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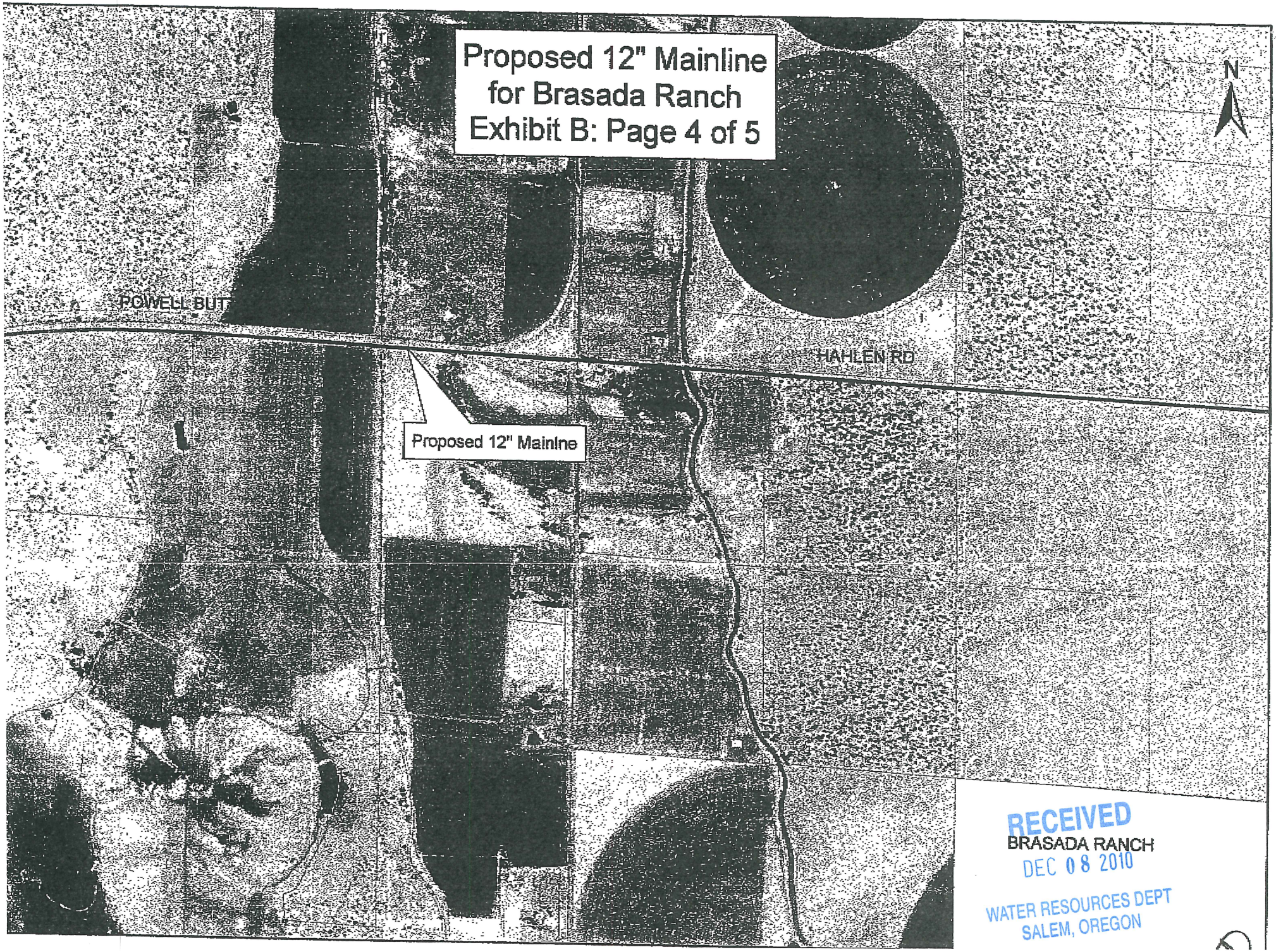

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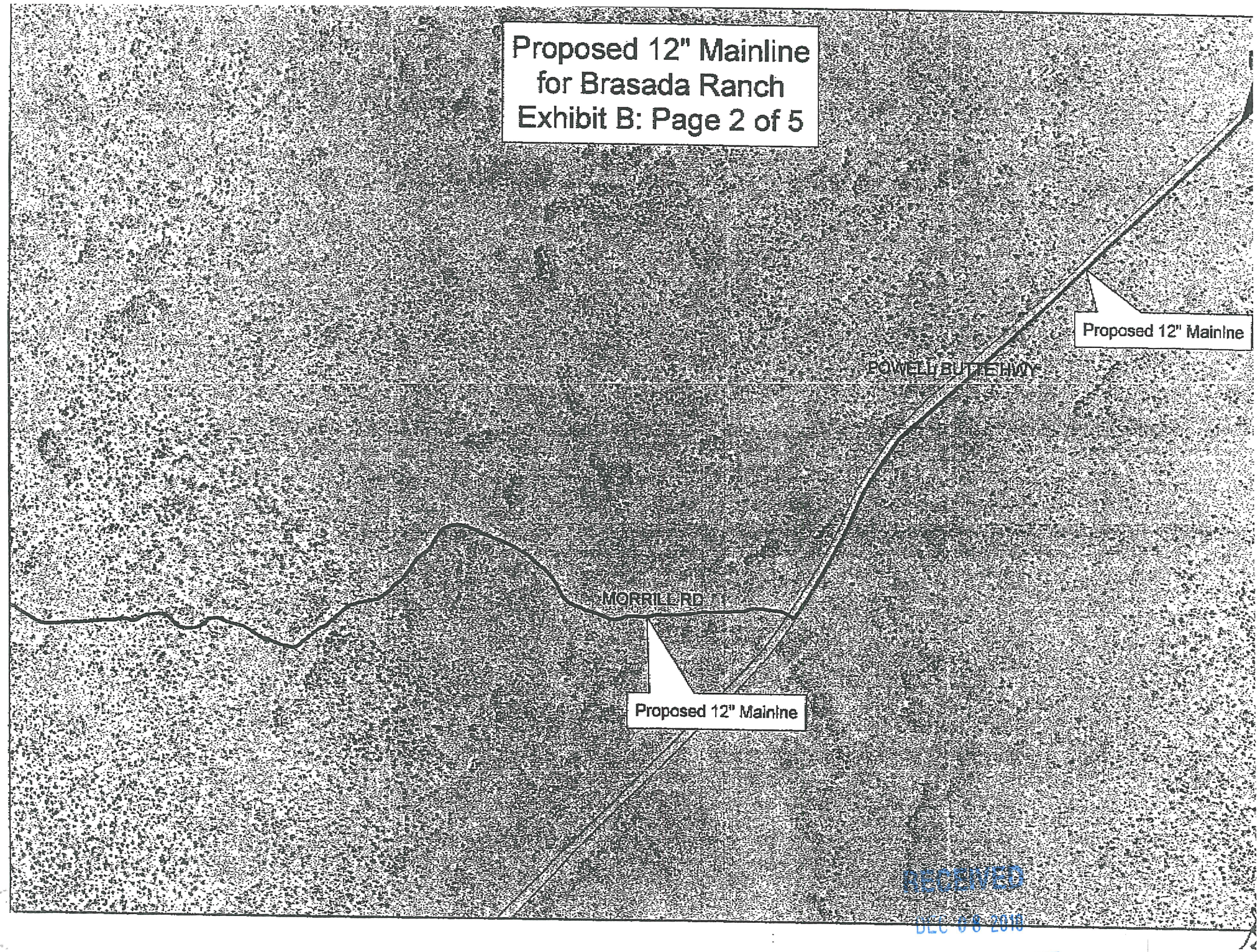

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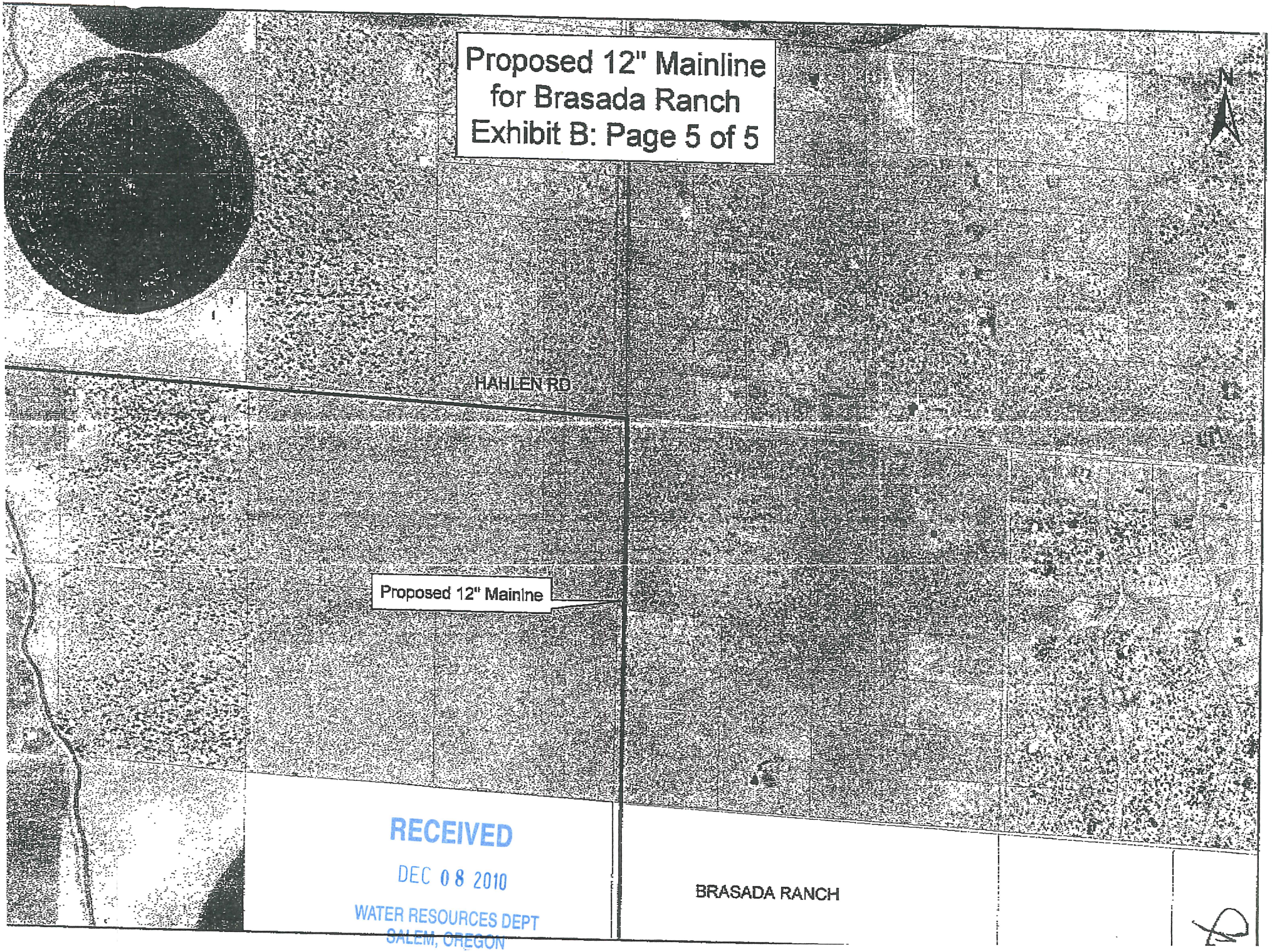

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ASSIGNMENT OF WATER SERVICE AGREEMENT

DATE: April 19, 2005

PARTIES: EAGLE CREST, INC., an Oregon corporation, "Assignor"

BRASADA RANCH, INC., an Oregon corporation, "Assignee"

RECITALS:

A. Assignor entered into a Water Service Agreement dated April 29, 2003, with Avion Water Company, Inc., an Oregon corporation.

B. Assignee has been formed to develop and build the resort property to be known as "Brasada Ranch".

C. Assignor desires to assign and convey its interest in the Water Service Agreement to Assignee and Assignee desires to acquire such interests on the terms and conditions set forth below.

AGREEMENT:

1. ASSIGNMENT. Assignor hereby assigns all of its right, title and interest in the Water Service Agreement to Assignee.

2. COVENANTS. Assignor covenants as follows:

2.1 It is a party to the Water Service Agreement; and,

2.2 It is not in default under the terms of the Water Service Agreement.

3. CONSENT. This assignment is conditioned upon the written consent of Avion Water Company, Inc. under the terms of the Water Service Agreement.

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BRYANT, LOVLIEN & JARVIS, PC
ATTORNEYS AT LAW, ESTABLISHED 1915
591 SW Mill View Way PO Box 1151 Bend, Oregon 97709-1151 (541) 382-4331 fax (541) 389-3386 www.bryantlovlienjarvis.com

4. CONSIDERATION AND GUARANTEE. Assignor, as consideration for this Assignment, agrees to guarantee the performance of Assignee under the terms of the above-described Water Service Agreement and Amendment to Water Service Agreement.

ASSIGNOR:

EAGLE CREST, INC.

By: _____
Its: President

ASSIGNEE:

BRASADA RANCH, INC.

By: _____
Its: President

CONSENT

The undersigned hereby consent to the above assignment of the Water Service Agreement. However, this consent shall not be construed as a release of the Assignor's liability under the Water Service Agreement.

Dated: April 19, 2005.

AVION WATER COMPANY, INC.

By: _____
Its: President

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BRYANT, LOVLIEN & JARVIS, PC
ATTORNEYS AT LAW ESTABLISHED 1915
591 SW Mill View Way PO Box 1151 Bend, Oregon 97709-1151 (541) 382-4331 fax (541) 389-3386 www.bryantlovlienjarvis.com

Incremental Step	Year	Volume of Use	Amount of Mitigation to obtain each year
1	Permit issuance – 2014	125.0 AF	50 AF
2	2015 – 2019	250.0 AF	100 AF
3	2020 – 2024	375.0 AF	150.0 AF
4	2025 – 2029	500.0 AF	200.0 AF
5	2030 on	508.0 AF	203.2 AF

This table is based on purchase of temporary mitigation credits, and the permit holder plans to obtain permanent mitigation credits or a permanent mitigation plan in the future. The timing will depend on market conditions, availability of permanent credits or a permanent plan, and growth of Brasada Ranch.

Please contact me with any questions or comments. We greatly appreciate your continued assistance with incremental mitigation planning at Brasada Ranch.

Sincerely,

WHPacific, Inc.

James E. Frost, P.E.
Senior Project Manager

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WATER RESOURCES DEPT
SALEM, OREGON

Cc: Alan VanVliet
Bob McDaniel

WHPacific

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June 8, 2010

Mr. Laura Wilkey
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1271

ISSUED COPY

Re: Brasada Ranch (Eagle Crest Permit G-15855)
Revised Incremental Mitigation Plan
WHPacific File No.: 35600
Updated 6/8/10

Dear Laura:

I appreciate your review of our 4/29/10 letter requesting a revised mitigation plan. We have updated the revised table to include your comments.

Eagle Crest, Inc. has an Incremental Mitigation Plan in place for water use at Brasada Ranch for the quasi-municipal permit G-15855. The Brasada Ranch Incremental Mitigation Plan has a mitigation obligation of 50 acre-feet for 2005 to 2009. This was reduced to 48.2 acre-feet through purchase of 1.8 acre-feet of permanent mitigation credit. The 50 acre-feet of mitigation equates to 125 acre-feet (40.7 million gallons) of actual use. We have been using approximately 23 to 29 million gallons a year under the quasi-municipal permit. In response to market conditions, we would like to revise our Incremental Mitigation Plan. The current mitigation plan is summarized in the table below.

Year	Amount of Mitigation	Volume of Quasi-Municipal Use
2005 - 2009	50 acre-feet	125 acre-feet
2010 - 2014	100 acre-feet	250 acre-feet
2015 - 2019	150 acre-feet	375 acre-feet
2020 - 2024	200 acre-feet	500 acre-feet
2025 - on	203.2 acre-feet	508 acre-feet

With the economic slowdown and significant reduction in the market for Brasada Ranch properties, buildout of Brasada Ranch and associated water use is considerably slower than estimated. We have been using approximately half of the 125 acre-feet volume of quasi-municipal use that correlates to the current 50 acre-foot amount of mitigation. We generally propose the following table to better match anticipated growth and water use at Brasada Ranch.

WHPacific

June 8, 2010

Mr. Laura Wilkey
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1271

Re: Brasada Ranch (Eagle Crest Permit G-15855)
Revised Incremental Mitigation Plan
WHPacific File No.: 35600
Updated 6/8/10

Dear Laura:

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Please contact me with any questions or comments. We greatly appreciate your continued assistance with incremental mitigation planning at Brasada Ranch.

Sincerely,

WHPacific, Inc.

James E. Frost, P.E.
Senior Project Manager

Cc: Alan VanVliet
Bob McDaniel

Laura Wilke

From: Frost, Jim [JFrost@whpacific.com]
Sent: Thursday, June 10, 2010 7:33 AM
To: Laura Wilke
Subject: RE: Eagle Crest Permit G-15855, Revised Incremental Mitigation Plan
Attachments: 20100610042715939.pdf

Laura,

I added a paragraph after the proposed mitigation plan schedule to explain the anticipated source of mitigation. As you suggest, the mitigation may be temporary credits, permanent credits, a mitigation program, or a combination of these.

Please review this revised incremental development plan, and reply or call with any comments.

Thanks,
Jim Frost
Senior Project Manager, WHPacific, Inc.

From: Laura Wilke [mailto:wilkelk@wrd.state.or.us]
Sent: Tuesday, June 08, 2010 8:45 AM
To: Frost, Jim
Subject: RE: Eagle Crest Permit G-15855, Revised Incremental Mitigation Plan

Jim - I made one small change. I took out the word temporary under amount of mitigation. I also changed the word "buy" to obtain. I realize that Eagle Crest/Brasada may currently be using temporary mitigation credits but this may not always be the case. They may also be able to obtain their own mitigation credits rather than buy from someone else down the road. I think the couple of tweaks keeps the most flexibility. However, if it's imporant and you would like to include identification of the proposed source of mitigation for each increment (being the temp credits), you could include a written description accomanying the request for a revised incremental development plan.

Hope this helps.

Laura

From: Frost, Jim [mailto:JFrost@whpacific.com]
Sent: Monday, May 24, 2010 3:37 PM
To: Laura Wilke
Subject: RE: Eagle Crest Permit G-15855, Revised Incremental Mitigation Plan

Laura,

We will fill out and submit a time extension request as you suggest. Brasada has made significant steps toward full beneficial use of this water right, including construction of a well, several thousand feet of water main, a reservoir has been constructed, and similar steps.

I appreciate your review of our proposed incremental mitigation table. The mitigation purchased has included only 1.8 ac-ft of **permanent** mitigation credit, supplemented yearly with 48.2 ac-ft of **temporary** mitigation credits.

I understand that the temporary mitigation credits would not reduce the mitigation requirement. Can

you please take a look at the below edits to the table, and let me know if they are accurate considering Brasada is buying temporary mitigation credits? I greatly appreciate your review and comments.

Thanks,

Jim Frost
Senior Project Manager, WHPacific, Inc.

From: Laura Wilke [mailto:wilkelk@wrd.state.or.us]
Sent: Monday, May 10, 2010 10:11 AM
To: Frost, Jim
Subject: RE: Eagle Crest Permit G-15855, Revised Incremental Mitigation Plan

Hi Jim - sorry it took me a bit to get back to you. Things around here have gotten a bit crazy.

The revised plan looks good. I would suggest a small format change to make sure it's clear to whomever is looking at the plan.

Incremental Step	Year	Volume of Use	Amount of Mitigation to obtain each year
1	Permit issuance – 2014	125.0 AF	50 AF
2	2015 – 2019	250.0 AF	100 AF
3	2020 – 2024	375.0 AF	150.0 AF
4	2025 – 2029	500.0 AF	200.0 AF
5	2030 on	508.0 AF	203.2 AF

You'll also see that I suggested changing the last year in step 5 to be in 2030. This is the format I prefer for the plans and proposed revisions. This way it's clear how much additional use you intend to bring on for each incremental step.

I also took a quick look at the permit for Eagle Crest. If they haven't already done so, they will also need an extension of time. I don't see one in the database associated with the permit so it appears that they only had until Oct 1, 2009 to complete the use of water. Assuming they still need to file for an extension, the extension should match up with the revised incremental development plan - similar timeframe.

Please send me a request to revise the incremental development plan consistent with the above table. I should be able then to send you an acknowledgement of the receipt of the request and confirmation that the plan has been revised.

Have a good one! Thanks,

Laura

From: Frost, Jim [mailto:JFrost@whpacific.com]
Sent: Thursday, April 29, 2010 2:33 PM
To: laura.k.wilke@state.or.us
Subject: Eagle Crest Permit G-15855, Revised Incremental Mitigation Plan

Laura,

As we discussed today, please review this request for a Revised Mitigation Plan for Brasada Ranch. The construction of dwellings at Brasada Ranch has slowed considerably. The revised plan better matches the current anticipated need for water use. We will continue to monitor growth trends, and revise the plan again as

needed. Please call or reply with any questions or comments, or if additional information is needed.

Thanks,
Jim

File G-15789

Oregon
Theodore R. Kulongoski, Governor

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

October 4, 2010

James Frost, P.E.
WH Pacific, Inc.
123 SW Columbia Street
Bend, OR 97702

Re: Request to Modify Incremental Development Plan for Eagle Crest Ground Water Permit G-15855 (file G-15789)

Dear Jim:

On June 10, 2010, the Department received a request to modify the incremental development plan for Eagle Crest's groundwater permit G-15855. This permit has a mitigation obligation of 4203.2 acre-feet in the General Zone of Impact.

The original incremental development plan submitted to the Department on April 29, 2004, was as follows:

Incremental Step	Volume of Use (AF)	Amount of Mitigation (AF)	Source of Mitigation	Type of Mitigation
1. 2005 – 2009	125.0	50.0	Mitigation Project MP-57 (1.8 credits) and 48.2 temporary credits from the DRC Mitigation Bank	Permanent & temporary
2. 2010 – 2014	250.0	100.0		
3. 2015 – 2019	375.0	150.0		
4. 2020 – 2024	500.0	200.0		
5. 2025 on	508.0	203.2		
Totals	508.0	203.2	50.0	

The requested modification to the plan is as follows:

Incremental Step	Volume of Use (AF)	Amount of Mitigation (AF)	Source of Mitigation	Type of Mitigation
1. 2005 – 2014	125.0	50.0	Mitigation Project MP-57 (1.8 credits) and 48.2 mitigation credits from the DRC Mitigation Bank or a permanent source	Permanent & temporary
2. 2015 – 2019	250.0	100.0		
3. 2020 – 2024	375.0	150.0		
4. 2025 – 2029	500.0	200.0		
5. 2030 on	508.0	203.2		
Totals	508.0	203.2	50.0	

The requested modifications to the incremental development plan match the mitigation obligation of groundwater permit G-15855. The next annual update on implementation of the

incremental development plan is due to the Department no later than April 1, 2010. With your annual update, please include the amount of water used (volume) during 2009 and the source of mitigation used during that period. This is an updated rule requirement adopted by the Department's Commission in June, 2010, under OAR 690-522-0040.

If you have any questions, please give me a call at (503) 986-0884.

Sincerely,

Laura ~~Snedaker~~ Wilke
Flow Restoration Program Coordinator

c: Jeremy Giffin, Watermaster District 11
Eagle Crest
file G-15789

WHPacific

123 SW Columbia Street
Bend, Oregon 97702
541.388.4255 ◆ fax 541.388.4229

TRANSMITTAL

Date: April 20, 2010

RE: Annual Water Use Reporting

To: Mr. Lloyd C. Vangordon

Company: Oregon Water Resources Department

Phone:

Fax:

Address: 725 Summer Street, NE, Suite A

Salem, Oregon 97301-1266

From: James E. Frost, P.E.

Title: Senior Project Manager

Phone: 541-312-2261

Fax: 541-388-4229

Project #: 35600

Project Name: Brasada Ranch

Cc: Alan VanVliet, Jason Wick

For: ☐ Per Your Request ☐ Your Review / Comment ☐ Your Approval / Signature ☑ Your Use / Files

☐ Other:

We Are Transmitting: ☑ Herewith ☐ Under Separate Cover

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SALEM, OREGON

The Following:

QUANTITY	DESCRIPTION
1	2007/2008 Annual Use Report for Permit G-15855
1	2008/2009 Annual Use Report for Permit G-15855

Comments:

Lloyd,

Here are the annual use reports for Permit G-15855, Brasada Ranch. I have included 2007/2008 and 2008/2009 (2007/2008 may have already been reported).

We had a staffing change and I would like to be sure records are up to date.

Please call me at 541-312-2261 with any questions.

Thanks,

Jim

PERMIT G-15855

USER-ID ? 29088

2008

Oregon Water Resources Department
October 2008 through September 2009
Monthly Water Use Form

2009

Facility → / Report ID →	BRASADA RANCH WELL #1	WELL #2	TOTAL	RECEIVED APR 30 2010 WATER RESOURCES DEPT SALEM, OREGON	
October - 2008	53,040	1,470,480	1,523,520		
November - 2008	25,920	767,250	793,170		
December - 2008	19,800	790,680	810,480		
January - 2009	33,000	1,097,250	1,130,250		
February - 2009	99,000	644,820	743,820		
March - 2009	26,880	761,310	788,190		
April - 2009	59,400	1,812,360	1,871,760		
May - 2009	52,320	2,147,640	2,199,960		
June - 2009	78,240	2,117,610	2,195,850		
July - 2009	117,480	3,709,530	3,827,010		
August - 2009	134,760	3,547,170	3,681,930		
September - 2009	104,040	3,579,180	3,683,220		
TOTAL *	803,880	22,445,280	23,249,160		

* Describe the units of measurement as G (gallons), KG (thousand gallons), MG (million gallons), CF (cubic feet), MCF (million cubic feet), or AF (acre-feet)

Describe the method of measurement used: METER **If used for irrigation, total number of acres irrigated:** _____

I certify this information is true and accurate to the best of my knowledge.

Signature	Title	Reporting Entity	Date
James E. Frost	P.E.	WH PACIFIC	4/28/10

Name	Mailing Address	Phone Number
JAMES E. FROST	123 SW COLUMBIA CT. BEND, OR 97702	541-388-4255

Please complete and mail to: Oregon Water Resources Department; Water Use Reporting Program;
725 Summer Street NE, Suite A; Salem, OR 97301-1266.

WHPacific

123 SW Columbia Street
Bend, Oregon 97702
541.388.4255 ◆ fax 541.388.4229

TRANSMITTAL

Date: April 20, 2010

RE: Annual Water Use Reporting

To: Mr. Lloyd C. Vangordon

From: James E. Frost, P.E.

Company: Oregon Water Resources Department

Title: Senior Project Manager

Phone:

Phone: 541-312-2261

Fax:

Fax: 541-388-4229

Address: 725 Summer Street, NE, Suite A

Salem, Oregon 97301-1266

Project #: 35600

Project Name: Brasada Ranch

Cc: Alan VanVliet, Jason Wick

For: ☐ Per Your Request ☐ Your Review / Comment ☐ Your Approval / Signature ☑ Your Use / Files

☐ Other:

We Are Transmitting: ☑ Herewith ☐ Under Separate Cover

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APR 30 2010
WATER RESOURCES DEPT
SALEM, OREGON

The Following:

QUANTITY	DESCRIPTION
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Here are the annual use reports for Permit G-15855, Brasada Ranch. I have included 2007/2008 and 2008/2009 (2007/2008 may have already been reported).

We had a staffing change and I would like to be sure records are up to date.

Please call me at 541-312-2261 with any questions.

Thanks,

Jim

2008 7

Oregon Water Resources Department
October 2008 through September 2009
Monthly Water Use Form

PERMIT G-15855
USER-ID ? 29088

2009 9

Facility → / Report ID →	BRASADA RANCH WELL #1	WELL #2	TOTAL
October - 2008 7	21,936.67	1344227.50	1,366,164.17
November - 2008 7	14,040	1,168,860	1182900
December - 2008 7	6120	100,980	107,100
January - 2009 8		133,980	133980
February - 2009 8		246,510	246,510
March - 2009 8	33,240	295,020	328260
April - 2009 8	22,560	581,790	604,350
May - 2009 8	51600	1671,780	1723,380
June - 2009 8	78840	2,024880	2103,720
July - 2009 8	105,600	3532,650	3638250
TOTAL *	525,096.67	17,736,317.50	18261414.17

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APR 30 2010
WATER RESOURCES DEPT
SALEM, OREGON

* Describe the units of measurement as G (gallons), KG (thousand gallons), MG (million gallons), CF (cubic feet), MCF (million cubic feet), or AF (acre-feet)

Describe the method of measurement used: METER **If used for irrigation, total number of acres irrigated:** _____

I certify this information is true and accurate to the best of my knowledge.

James E. Frost
Signature

ENGINEER
Title

WHPACIFIC
Reporting Entity

4/27/10
Date

JAMES E. FROST
Name

123 SW COLUMBIA ST. BEND, OR 97702
Mailing Address

541-388-4255
Phone Number

Please complete and mail to: Oregon Water Resources Department; Water Use Reporting Program;
725 Summer Street NE, Suite A; Salem, OR 97301-1266.

Superceeded by 2-22-2011 Application for Ext.

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

Application for Extension of Time for Municipal and Quasi-Municipal Water Use Permits

Make use of this form, *Application for Extension of Time for Municipal and Quasi-Municipal Water Use Permits*, only if the permit uses the word "Municipal" or "Quasi-municipal" in the description of the purpose or use to which water is to be applied.

TO THE DIRECTOR OF THE OREGON WATER RESOURCES DEPARTMENT

A separate extension application must be submitted for each permit as per OAR 690-315-0070(2). This page, with an original signature by the permit holder of record, must accompany the extension of time application.

This application and a summary of review criteria and procedures that are generally applicable to this application are available at http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml

I, Eagle Crest, Inc.
NAME OF PERMIT HOLDER *[OAR 690-315-0070(1) and (3)(a)]*

P.O. Box 1215
ADDRESS

Redmond
CITY

OR
STATE

97756
ZIP

541-548-9374
PHONE

alan@eagle-crest.com
E-MAIL ADDRESS

Alan VanVliet
NAME OF CONTACT

the permit holder of:

Application Number G- 15789

Permit Number G- 15855
[OAR 690-315-0070(3)(b)]

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WATER RESOURCES DEPT
SALEM, OREGON

do hereby request that the time in which to:

☐ complete 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, ____, be extended to October 1, ____,

and/or the time in which to:

☒ apply water to full beneficial use under the terms and conditions of the permit, which time now expires on October 1, 2009, be extended to October 1, ~~2030~~ 2059 Amended by e-mail on 12-27-2010.

I am the permittee, or have written 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.

Alan VanVliet
Signature

12/2/10
Date

P:541.548.9374 or 541.504.3223 | C:541.480.3721 | F:541.504.4351
alan@nvoregonresorts.com | www.nvoregonresorts.com

From: Ann Reece [mailto:reeceal@wrd.state.or.us]
Sent: Wednesday, December 22, 2010 11:29 AM
To: Alan VanVliet
Subject: Eagle Crest Water Right Permit G-15789 - Pending Extension

Eagle Crest, Inc.
Alan VanVleit
Redmond, OR

Mr. VanVleit:

In looking over Eagle Crest's extension request, I see that the projected peak demand is 2.18 cfs by the year 2030 which is less than full development of the 3.34 cfs authorized under the water right. I am wondering if Eagle Crest needs to request a longer extension in order to utilize the full 3.34 cfs? If a longer extension is necessary, you may amend your extension application by letter or e-mail. New population and demand projections will be needed - the projections need to coincide with length of the extension requested. Chart –V of the application will also need to be addressed. Please be aware that extensions longer than 50 years have additional information required (see Item 10-B of the extension application form).

If the year 2030 is the appropriate period of time needed for an extension please explain why.

Sincerely,

Ann Reece

Ann Reece
Water Rights Division - Extensions
OR. Water Resources Dept.
725 Summer St. NE Suite A
Salem, OR 97301

Direct Line: **503-986-0827**
Fax: 503-986-0901
Email: reeceal@wrd.state.or.us

****
This e-mail and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. This footnote also confirms that this e-mail message has been swept for the presence of computer viruses.

****

Before submitting, make sure the following items are included:

- Completed Application for Extension of Time
- Statutory fee of $500 (ORS 536.050)
- Signature page (page 1 of application) for Application for Extension of Time
- All supporting documentation and/or evidence referenced in the Application for Extension of Time

MAIL COMPLETED APPLICATION

along with the

$500 STATUTORY FEE (ORS 536.050) TO:

Water Resources Department
Attn: Water Right Permit Extensions
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266

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WATER RESOURCES DEPT
SALEM, OREGON

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DEC 08 2010
WATER RESOURCES DEPT
SALEM, OREGON

GENERAL TIPS:

- A separate Application for Extension of Time must be submitted for each permit. OAR 690-315-0070(2).
- Request the reasonable amount of time necessary to fully develop the permit and complete the project. If you don't request enough time, OWRD may be unable to find that you can complete the project within the time requested.
- Permit extensions for Municipal and Quasi-Municipal permits are evaluated under OAR Chapter 690, Division 315. Except under limited circumstances (see OAR 690-315-0090), upon issuance of an order approving an extension of time, the permit holder will be required to submit a Water Management and Conservation Plan (WMCP) under OAR Chapter 690, Division 86 within 3 years. Diversion of water beyond the maximum rate currently diverted under the permit shall only be authorized upon approval of a WMCP. These rules may be viewed at: http://www.wrd.state.or.us/OWRD/LAW/index.shtml.
- The Application for Extension of Time includes detailed tips and instructions to help you respond to each item of the application. Oregon water law and administrative rules require the OWRD to consider each of these items when reviewing a municipal or quasi-municipal water use Application for Extension of Time. However, please feel free to provide OWRD with any additional information or evidence that will aid us in making our decision. Please note that OWRD may require other information that is necessary to evaluate the application. OAR 315-0070(3)(p).
- After careful review of the Application for Extension of Time, you may contact OWRD at (503) 986-0900, to ask questions and request assistance from a Permit Extensions Specialist in the Water Rights and Adjudications Division.
- Once an Application for Extension of Time is received by OWRD, it will be reviewed for completeness. OWRD will return any incomplete or deficient applications to the applicant. OAR 690-315-0080(1)(a).

Reference Materials Needed to Complete this Application

Below is a listing of the items that must be reviewed and considered when completing an Application for Extension of Time for a Municipal or Quasi-Municipal water use permit:

- The subject water right permit. If needed, a copy of the water right permit can be downloaded from the Department's Website at *http://www.wrd.state.or.us* (find the link to the Water Rights Information System (WRIS). Or, a copy of the permit (or other documents) may be requested by water right application number from the Water Rights Division at 503-986-0900 (copy fees will apply).
- Water Management and Conservation Plan (OAR Chapter 690, Division 86), *if applicable*, per OWRD.
- Water System Master Plan, *if applicable*, per Oregon Health Division.

- Documentation which demonstrates compliance with permit conditions (for example, well construction logs; static water level measurement reports; annual water use reports; a long-term alternative water supply plan; a plan to monitor the effect of water use on ground water aquifers utilized under the permit, etc.).

- All other water rights (certificates, permits, permit amendments, transfers, and/or new applications) held by the applicant.

Definitions Pertinent to this Application for Extension of Time

Actual Construction - any physical work performed toward completion of the water system which demonstrates the water right permit holder's good faith and intention to complete the project with reasonable diligence. Actual construction does not include planning a diversion system, formulating a business plan, securing financing, letting contracts, purchasing but not installing equipment, or surveying. This definition applies to quasi-municipal permit holders, required under the applicable statute, and for municipal water use permits issued on or after June 29, 2005. OAR 690-315-0070(3)(c) and (d), and OAR 690-315-0020(3)(d)(A)and(B).

C-Date – the date specified in the permit for complete application of water.

Permitted Time Period - period of time between the date when the permit was signed *and* the date specified in the permit for complete application of water

Time Period of the Previous Extension – *For the 2nd Application for Extension of Time* - period of time between the date specified in the permit for complete application of water and the new "extended to date" for complete application of water specified in the 1st approved extension.

For the 3rd, 4th, or . . . nth Application for Extension of Time - period of time between the "extended from date" for complete application of water and the "extended to date" for complete application of water specified in the most recently approved extension.

Undeveloped Portion of the Permit - the portion of the permit that is the difference between the maximum rate, or duty if applicable, specified in the permit and the maximum rate, or duty if applicable, diverted for beneficial use before the extension. OAR 690-315-0010(6)(g).

Work and Actions Accomplished - includes both physical work and other activities associated with the development of the water right, such as: 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 (e.g., pumps; pipes; well construction; treatment plant/facilities; transmission systems; distribution systems; and/or intake structures). OAR 690-315-0080(4).

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Completing the Extension of Time Application for Quasi-Municipal or Municipal Use Permits

Please provide the information requested by item numbers 1-13. OWRD will use this information to evaluate your Application for Extension of Time.

TIP: *When making a reference to any document, report, and/or plan:*

(1) reference the source document along with any page number(s), table(s) and/or chart(s) used in the response, and

(2) include a copy of the source document (or appropriate pages) with the extension application.

[OAR 690-315-0070(3)]

1. **Submit the appropriate extension of time fee ($500), as specified under ORS 536.050.** If the extension application fee has already been paid, please provide indicate why and when it was paid. *The statute for this fee may be viewed at www.leg.state.or.us/ors/536.html.*

[OAR 690-315-0070(3)(c)]

2. **For Quasi-Municipal water use permit holders, provide evidence of the actions taken to begin actual construction on the project if required under the applicable statute.** All Quasi-Municipal permits issued prior to October 23, 1999, are generally required to begin actual construction within one (1) year.

TIP: *See Definition of "Actual Construction"*

Begin Date: 09/23/2002 (month/year). **Construction of** Well #1 (Well Log CROO 51956) (details) **began.**

[OAR 690-315-0070(3)(d)]

3. **For Municipal water use permits issued on or after June 29, 2005, evidence of the actions taken to begin actual construction on the project.**

TIP: *See definition of "Actual Construction"*

Begin Date: N/A - Quasi (month/year). **Construction of** N/A - Quasi (details) **began.**

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[OAR 690-315-0070(3)(e) and OAR 690-315-0070(3)(i)]

4. Provide a description of financial expenditures and evidence of actions taken to develop the water right permit within the permitted time period and, if applicable, within the time period of the most recent extension granted. ***Present the list in chronological order in Chart-I.***



TIP: *See definitions of "Permitted Time Period", "C-Date", "Time Period of the Previous Extension", "Actual Construction" and "Work and Actions Accomplished".*

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CHART-I

INSERT DATES	ALL WORK AND ACTIONS ACCOMPLISHED BEFORE PERMIT WAS ISSUED *List work/actions done before the permitted was issued – e.g. Well drilled.*	COST
Sept. 2002 - Oct. 2002	Well 1 constructed (673 ft completed, 8" casing from 0 ft to 673 ft, 10" casing from 0ft to 30 ft, perforations from 573 to 673 ft, pump test)	$42,400
INSERT DATES	**ALL WORK AND ACTIONS ACCOMPLISHED DURING PERMITTED TIME PERIOD (after permit was issued and prior to permit "C-date")** *List work/actions done during the permitted time period.*	**COST**
Feb. 17, 2005	**Date the permit was signed** - find date above signature on last page of permit.	
N/A	**Date the permit specified "Actual Construction Work" shall begin ("A-Date")** - not all permits contain this date.	
June 2006	Well 2 constructed (702 ft completed, 8" casing from 0 ft to 702 ft, perforations from 602 to 702 ft, pump test)	$43,300
2005	750,000 gallon reservoir constructed	$876,406
2005	Booster Pump Station constructed	$80,000
2005-Present	Water distribution system constructed for Phases 1-5 including 53,000 LF 8"-12" watermain constructed as well as hydrants, valves, bends, fittings and appurtenances	$4,827,000
2005	Well 1 pump installed and pump house, pump controls, etc. constructed/installed	$24,000
2006	Well 2 pump installed and pump house, pump controls, etc. constructed/installed	$24,000
10/1/ 2009	**Date the permit specified complete application of water to the use shall be made ("C-Date")** - all permits contain this date.	
INSERT DATES	**ALL WORK AND ACTIONS ACCOMPLISHED AFTER PERMIT "C-Date" and PRIOR TO THE MOST RECENT EXTENSION OF TIME REQUEST** *For the 1st Application for Extension of Time: List work/actions done after the permit "C-date" up to the date of this extension request.* *For Other than the 1st Application for Extension of Time: List any work/actions done after the permit C-Date but prior to the most recent extension.*	**COST**
Fall 2010	Currently working on Phase 6 water distribution infrastructure - not yet complete, so cost not included.	$0
	CHART-I (continued)	
INSERT	**ALL WORK AND ACTIONS ACCOMPLISHED DURING THE**	**COST**

DATES	MOST RECENT EXTENSION OF TIME GRANTED *For Other than 1st Application for Extension of Time: List any work/actions done during the time period most recent extension.*	
N/A	Date of the last "Extended From Date" for complete application of water (used on the most recently approved extension of time).	
N/A	N/A	$0
N/A	Last "Extended To" date for complete application of water (resulting from the most recently approved extension of time).	
INSERT DATES	**ALL WORK AND ACTIONS ACCOMPLISHED AFTER THE MOST RECENT EXTENSION OF TIME GRANTED** *List work/actions done after the last authorized date for complete application of water has passed.*	**COST**
N/A	N/A	$0
	Total Cost to Date	**$5,917,106**

[OAR 690-315-0070(3)(f)]

5. Provide evidence of compliance with conditions contained in the original permit, in any previous extension(s), and/or in any permit amendments (Chart II), or the reason the condition was not satisfied (Chart III).

Conditions requiring a response in the extension of time application include those which:

- Stipulate a specific date by which the permit holder was to accomplish a specific action, such as a condition that requires plans and specifications for a reservoir, a Water Management and Conservation Plan, a ground water monitoring plan or some other document which "...shall be submitted...within two years of permit issuance." If your permit requires submittal of a Water Conservation and Management Plan, please indicate the date the plan was submitted to or approved by OWRD, or whether it is still being drafted, etc.;

  and/or

- Are triggered by the use of water, but do not stipulate a specific date. These conditions represent a milestone in development of the project and use of water, such as the permit holder, "shall install...a water meter or other suitable measuring device approved by the Director...before any use of water begins." Another common condition triggered by the use of water is that; "fish screens are to be installed according to Oregon Department of Fish and Wildlife specifications."



TIP: *Any supporting documentation submitted to demonstrate compliance with time-sensitive permit conditions or any conditions from prior permit extension(s) must be clearly referenced and may include, but is not limited to: well construction logs; static water level measurement reports, annual water use reports; a Water Management and Conservation Plan; an alternative long-term water supply plan; and/or a plan to monitor the effect of water use on ground water aquifers utilized under the permit. If needed, please contact OWRD for assistance in identifying and/or interpreting which conditions in the water permit are pertinent to the Application for Extension of Time.*

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5-A) Describe how each condition has been complied with. Include conditions contained in the original permit (and, if applicable, each condition contained in any order approving a permit amendment and/or a final order approving a prior extension of time). Include the date when the condition was satisfied.

CHART-II

Condition No.**	Date Satisfied	Describe How Permit Condition Has Been Satisfied
1	2005	Meter installed on Well 1 and annual water use reported to OWRD
2	Continually since meter installation	Watermaster has access to meter
3	Annually	Eagle Crest annually purchases temporary mitigation credits from Deschutes River Conservancy (DRC) Mitigation Bank
3a	Annually	Eagle Crest annually purchases temporary mitigation credits from Desc hutes River Conservancy (DRC) Mitigation Bank
3b	Continually since permit issuance	Eagle Crest has not exceeded the rate or amount diverted per mitigation plan.
3c	June, 2010	Incremental Mitigation Plan revised June, 2010 (see attached letter)
3d	Annually	Mitigation Credits purchased through DRC. No documentary evidence is necessary once clients established in DRC Mitigation Bank. DRC does annual reporting to OWRD.
3e	January 2007	Water Management and Conservation Plan submitted.
4	Continually since permit issuance	No interference with a senior water right occurs due to withdrawls from wells on this permit.
5	Well 1 - 2002; Well 2 - 2006	The two constructed wells have been constructed in accordance with the General Standards and are equipped with access ports for static water level measurements. Future wells will be constructed per same standards with access ports.
7	Continually since permit issuance	Water is beneficially used without waste.
8	Since final land use decision (June 2003)	Land use is in compliance with statewide land-use goals and local acknowleged land-use plan.
9	Continually since permit issuance	No interference with a senior water right occurs due to withdrawls from wells on this permit.

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** *Condition No: Attach a copy of the permit and, if applicable, any prior permit extensions or permit amendments with conditions identified and hand-numbered in a continuous number sequence throughout all such documents. Responses to Items 5-A and 5-B should reference each condition by number to correspond with the hand-written number sequence on the attached documents containing permit conditions.*

5-B) If applicable conditions have NOT complied with all, explain the reasons why and indicate with a date certain (in the near future) when compliance will occur.

CHART-III

Condition No.**	Date Will Comply	Explain Why Each Permit Condition Has NOT Been Satisfied
6	2030	Pump test meeting OWRD standards has not yet been completed. Will be completed for each of the wells once the wells have been drilled/constructed and prior to Claim of Beneficial Use is submitted.
10	2030	Complete application of water has not occurred due to drastic real estate market slow down. With lowered market demand, development of resort slowed significantly. Expect up to 20 years to reach full build out.
11	2031	Claim of Beneficial use has not been submitted because complete application of water has not occurred.

6. **Provide evidence of the maximum rate (or duty, if applicable) of water diverted for beneficial use under this permit and/or prior extensions of time (if any) made to date.** **[OAR 690-315-0070(3)(g)]**

TIP: *Documentary evidence substantiating the maximum instantaneous rate, or duty if applicable, of water appropriated as of the date of the extension may include, but is not limited to: water meter records; dedicated electrical meter records; business records; and/or a sworn affidavit.*

6-A) For Surface Water Permit Extensions:

TIP: *Report in the same units of measurement as specified in the permit.*

Maximum instantaneous rate used to date under this permit = N/A - Groundwater cfs, *or*
(cubic feet per second)

Maximum instantaneous rate used to date under this permit = N/A - Groundwater gpm, *or*
(gallons per minute)

Acre Feet stored to date under this permit = N/A - Groundwater AF

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6-B) For Ground Water Permit Extensions:

TIP: *Include information from ALL wells that pertain to this permit, including drilled wells not currently used.*

CHART-IV

Well # as identified on Permit	Water User's Well #	Has this well been drilled?	IF DRILLED: Well Log Number E.g. MULT 60493	Well Tag Number E.g. # 40151 or N/A	Is the actual drilled location authorized on this permit or on a permit amendment? *(See below)*	Maximum instantaneous rate used from this well -- under this permit only (CFS or GPM)	Is this well authorized or utilized under additional water rights?	If yes, provide the rate used from this well under each water right. (Typically the total of all uses from a single well will not exceed the well's pumping capacity.) Permit, Certificate, or Transfer No.	Rate (CFS or GPM)
Well #1		Yes ☐ No ☒			Yes ☐ No ☐	N/A - not yet drilled	Yes ☐ No ☒	N/A	N/A
Well #2	Well#1	Yes ☒ No ☐	CROO 51956	57259	Yes ☒ No ☐	0.45 cfs	Yes ☐ No ☒	N/A	N/A
Well #3	Well #2	Yes ☐ No ☒	CROO 53105	84273	Yes ☒ No ☐	1.23 cfs	Yes ☐ No ☒	N/A	N/A
Well #4		Yes ☐ No ☒			Yes ☐ No ☐	N/A - not yet drilled	Yes ☐ No ☒	N/A	N/A
Well #5		Yes ☐ No ☒			Yes ☐ No ☐	N/A - not yet drilled	Yes ☐ No ☒	N/A	N/A
Well #6		Yes ☐ No ☒			Yes ☐ No ☐	N/A - not yet drilled	Yes ☐ No ☒	N/A	N/A
Total instantaneous rate from all wells utilized under this permit						1.68 cfs			

6-C) If the drilled location of a well is not authorized on this permit, please specify its location below, or provide a map showing its location. Has or will a permit amendment application been/be filed with OWRD? Yes ☐ No ☒

If a Permit Amendment Application has been filed: Transfer No. T- N/A

Well # N/A : Actual location: N/A

Well # N/A : Actual location: N/A

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[OAR 690-315-0070(3)(h)]

7. Provide an estimate of the current population served under this permit and a description of the methodology(ies) used to make the estimate.

Estimate the current population that is supplied water by the municipality or quasi-municipality and if applicable, current population served under this permit. Describe how that estimate was derived, or cite the source document from which the data was obtained. Include any calculations, formulas, supporting documentation, including copies of source documents.

Current Population: 97 (peak month) as of Year: 2010

Methodology used to estimate current population served: Used peak month sewer flows (7,000 gpd) and divided by 150gpd/EDU (typical domestic use for Central Oregon Resorts) to obtain the number of equivalent dwelling units (46 EDU's). Assumed average occupancy of each EDU is 2.1 people/EDU, therefore total population is approximately 97 people during peak month.

[OAR 690-315-0070(3)(p)]

8. Report the current peak water demand of the current population served, and a description of the methodology(ies) used to make the estimate.

Identify the total rate, or duty if applicable, of water being used to meet the current peak demand for water from all water rights held by the municipal or quasi-municipal entity. This must be reported in the same units of measurement as specified in the permits, being cfs (cubic feet per second), gpm (gallons per minute), and/or AF (acre-feet – usually only specified on a reservoir right to store water). This total rate should be based on the information provided on "Attachment A" in the column named *"Max Amount of Beneficial Water Used to Date"* [under Item 10-A (a)].

Current Peak Water Demand: Current Average Peak Day Demand=39.9gpm as of Year: 2010

Methodology used to estimate current peak demand:
Peak month use was 429,830 gallons in August 2008, which equates to a peak month average day demand of 9.63 gpm.
Annual use was 1,944,508 gallons in 2009 water year, which equates to 5.97acre-ft and an Average Daily Demand of 3.70 gpm.
On similar Central Oregon resort projects we have observed a peak day use of 1250 gpd per EDU. 46 EDUs X 1250 gpd/EDU = 57500 gpd = 39.9 gpm.

[OAR 690-315-0070(3)(k)]

9. Provide 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.



TIP: *Such events may include, but are not limited to: the size and scope of the project; financing and/or cash flow issues; local referendums or initiatives; actual growth rates; economic downturns; loss of territory to annexation; water conservation efforts; the need to meet other governmental requirements relating to the project; natural disasters and severe weather; and/or any other events over which the water right permit holder had no control and which delayed development under the permit.*

The recession and economic slowdown have severely impacted the Central Oregon real estate market, reducing demand for new homes. The project developers have slowed the development of Brasada Ranch to keep inventory in-line with lowered demand.

[OAR 690-315-0070(3)(l)]

10-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 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.

In developing your estimated demand projections for the permit being extended, you should include the following items:

a) Inventory of Water Rights Held

List all water rights held, including this permit, currently held by the permit holder. Use the format shown in "Attachment A" (see last page of this Application for Extension of Time). A link to the Water Rights Information System (WRIS), accessed through OWRD's website at http://www.wrd.state.or.us may be a helpful source for compiling this information.

Use the "Use Limitations" column to identify and explain why any water right is not currently utilized to meet current peak water demands, or which is used only in a limited capacity.



TIP: *Use limitations include any factors affecting the use of a water right, such as: used for system redundancy; used for emergency back-up water supply; climate patterns or turbidity result in seasonal unavailability; not used due to water quantity issues, etc.*

b) Water Supply Contracts and/or Agreements

List any water supply contracts or agreements for water that will be supplied by the permit holder to other entities.

N/A

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List any water supply contracts or agreements for water that will be supplied from other entities that the permit holder will depend on to meet its own current or anticipated future water needs.

Eagle Crest has an agreement with Avion Water Company, for Avion to maintain and operate the domestic water system for the Brasada project using the wells under permit G-15855 (see attached agreement). There is some potential that the main portion of the Avion system could tie into the Brasada system as development increases. Additionally, irrigation water for the project is supplied by Central Oregon Irrigation District under Certificate 85371 (see attached portion of certificate).

c) Projected Population

Identify the projected population growth rate. The population projection must be extended out, at a minimum, to the year requested for complete application of water. Describe the methodology used to create the population projections such as historical growth rates or any factors affecting growth trends.

Population Growth Rate: 19.4 %

Projected Population: 3,375 as of Year: 2030

Methodology used to estimate projected population and population growth rate: Used full development numbers from approved land use decisions and attached Water Management and Conservation Plan. Population growth rate based on assuming constant percentage growth rate. Single payment compound interest formula was used to calculate growth rate, $F=P(1+i)^{20}$. Insert population estimates, $3375=97(1+i)^{20}$, solve for i, i=19.4%. Actual growth rate will likely vary with state of economy. Expect lower growth in next 1-2 years, followed by gradually increasing growth, with slowdown near the end.

d) Future Peak Water Demands

Identify the projected peak water. The peak water demand projection must be extended out, at a minimum, to the year requested for complete application of water. Describe the methodology used to create the water demand projection, such as historical growth rates or any factors affecting growth trends. Include a summary of how the subject permit, and other water rights and /or supply contracts held by the permit holder are planned or expected to be used to meet anticipated future water needs

Projected Peak Water Demand: 977gpm (peak day domestic) as of Year: 2030

Methodology used to estimate peak water demand: Used full development numbers from approved land use decisions and attached Water Management and Conservation Plan to obtain full buildout population. Used a peak day demand of 1,250gpd/EDU, which represents typical peak day usage for Central Oregon resort projects.

e) Potential Growth

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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.
No known potential beyond projected development in approved land use decision.

f) Completion Date
Provide the date by which the water development is anticipated to be completed and water put to full beneficial use. **October 1, 2030**

[OAR 690-315-0070(3)(l)]

10-B. Application for Extension of Time 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.



TIP: If you are requesting an extension of greater than 50 years, it is very important to provide all available documentation (including estimates, projections, other related information, and all associated data) supporting the position that the demand projection is consistent with the amount and type of lands and uses to be served by the permit holder.

Show that permit holder's potential for future growth and expansion is feasible and consistent with the amounts and types of lands and uses proposed to be served. Information that may be addressed includes, but is not limited to: land use plan(s); current service area(s) in relation to the urban growth boundary; amounts of lands currently un-served and available for future development; and/or low-density vs. high-density areas.
Applicant is NOT requesting extension greater than 50 years. Development plans are feasible and are allowed under approved land use decisions for the resort.

[OAR 690-315-0070(3)(j) and OAR 690-315-0070(3)(m)]

11. Provide an estimate of the costs to complete water development and summary of the future plan and schedule to complete construction and/or perfect the water right.

Considering the demand projections in Item 10-A, describe major future work and actions that must be accomplished in order to fully develop and perfect the subject permit. Provide a list of the major planning, work and/or actions needed, the approximate time frames, and estimated costs anticipated to complete the water development within the parameters of this permit. The review of a Capital Improvement Plan (CIP) or other system infrastructure improvement plans may help when formulating a response.

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CHART-V

APPROXIMATE DATE RANGE	WORK AND ACTIONS TO BE ACCOMPLISHED	ESTIMATED COST
Fall 2010-Spring 2011	Construct Phase 6 water infrastructure (approx. 4580 LF of 8-12" watermain, hydrants, services, valves, etc.)	**$416,000**
between 2015 and 2019	Construct Phase 7 water infrastructure (approx. 1780 LF of 8-12" watermain, hydrants, services, valves, etc.)	**$162,200**
between 2020 and 2024	Construct Phase 8 water infrastructure (approx. 1770 LF of 8-12" watermain, hydrants, services, valves, etc.)	**$161,000**
between 2025 and 2029	Construct future phased water infrastructure (approx. 31,356 LF of 8-12" watermain, hydrants, services, valves, etc.)	**$2,853,396**
between 2011 and 2025	Expand capacity of booster pump station serving upper elevation lots	**$12,000**
between 2015 and 2019	Drill Well #3, install pump, pump house, controls, appurtenances	**$78,000**
between 2020 and 2024	Drill Well #4, install pump, pump house, controls, appurtenances	**$92,000**
between 2025 and 2029	Drill Well #5, install pump, pump house, controls, appurtenances	**$108,000**
between 2015 and 2029	Drill Well #6, install pump, pump house, controls, appurtenances	**$126,000**
Year: 2030	Date intend to apply water to full beneficial use under the terms and conditions of this permit.	**$0**
	Estimated Total Cost to Complete Development	**$4,080,596**

[OAR 690-315-0070(3)(n)]

12. Justify the time requested to complete the project and/or apply the water to full beneficial use.

A justification should integrate information from Items 5-B, 6-A or 6-B, 9, 10-A, and 11 of this application, and should include any other information or evidence to establish that the requested amount of time is reasonable, and that you will be able to complete the project within the amount of time requested.

Complete application of water will occur once demand for lot/home sales increases and the market allows complete full build out. As demand increases, additional wells, distribution system and booster pumping will be needed to provide water to the development and provide adequate supply. The time extension to full build out until the year 2030 represents the best estimate based on market predictions.

[OAR 690-315-0070(3)(o)]

13. Provide any other information you wish OWRD to consider while evaluating the Application for Extension of Time

Eagle Crest, Inc. - Brasada, has worked diligently toward completing construction and working toward full beneficial use of Permit G-15855, and has made a large capital investment with the installation of two deep wells, pumping equipment, reservoir, etc. They have completed

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the development of resort amenities, roads, homes, golf course, equestrian area, overnight accomodations, etc. Eagle Crest is proceeding with cautious development in response to market conditions. Work on expanding development of the resort and the water system is proceeding.

[OAR 690-315-0070(3)(q)]

14. **For Municipal water use permits issued before November 2, 1998, for the first extension issued after June 29, 2005, provide a copy of any agreements regarding use of the undeveloped portion of the permit between the permit holder and a federal or state agency that include conditions or required actions that maintain the persistence of listed fish species in the portions of the waterways affected by water use under the permit.**

N/A – not a municipal water use pemit

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NAME OF ENTITY: Eagle Crest, Inc. (only for Brasada Ranch project)

INVENTORY OF EXISTING WATER RIGHTS AND PERMITS
(certificates, permits, transfers, or new applications)

ATTACHMENT "A"

Ground Water

Application/Permit Number	Certificate Number	Source	Use	Priority Date	Authorized Amount of Water	Max Amount of Beneficial Water Used To Date	*Use Limitations
G-15789/G-15855	N/A	6 wells in Deschutes Basin	Quasi-Municipal	July 1, 2002	3.34cfs 508.0AF	MDD=15.31gpm	Resort not fully developed yet
- / -							

Surface Water

Application/Permit Number	Certificate Number	Source	Use	Priority Date	Authorized Amount of Water	Max Amount of Beneficial Water Used To Date	*Use Limitations
- / -							
- / -							
- / -							

Pending Applications

Application Number	Proposed Source	Proposed Use	Priority Date	Proposed Amount of Water	*Use Limitations
-					

**** If a particular water right certificate, permit, or transfer is not being utilized to meet current demands or its use is limited, please explain why.***

RECEIVED
DEC 08 2010
WATER RESOURCES DEPT
SALEM, OREGON

Ann Reece

G-15789

From: Ann Reece
Sent: Tuesday, December 28, 2010 8:17 AM
To: 'Boggs, Niall'
Cc: Ann Reece
Subject: RE: Eagle Crest Water Right Permit G-15789 - Pending Extension

Hi Niall:

Your e-mail came through just fine. Thanks.

I have noted the amendments to the extension application for G-15789 as per your e-mail. The time requested for the duration of the extension has been changed from 2030 to 2059 to allow for full development of the permit. Also, if I understand your e-mail correctly, projected peak use will be 3.34 by the year 2059, which includes other uses in addition to the domestic use, as allowed under a quasi-municipal use permit.

Ann

- -

Ann Reece
Water Rights Division - Adjudications
OR. Water Resources Dept.
725 Summer St. NE Suite A
Salem, OR 97301

Direct Line: **503-986-0827**
Fax: 503-986-0901
Email: reeceal@wrd.state.or.us

From: Boggs, Niall [mailto:NBoggs@whpacific.com]
Sent: Monday, December 27, 2010 2:07 PM
To: ann.l.reece@state.or.us
Subject: Eagle Crest Water Right Permit G-15789 - Pending Extension

Ann-
I have spoken with Alan VanVliet of Brasada Ranch (Eagle Crest, Inc.) and we discussed the discrepancy between the permitted right of 3.34cfs and the projected use of 2.18cfs listed in the Time Extension Application. The projected use of 2.18cfs is based on full development per current Land Use Decisions for Brasada Ranch, and only includes domestic use. Additionally, this represents the bare minimum rate needed, and does not allow for any redundancy or factor of safety. As the right is quasi-municipal, there are other potential uses of the water on the project, including irrigation of open space and agricultural lands as well as creating aesthetic and wildlife water features. Current land uses include a provision that the resort creates wetlands throughout the project for wildlife habitat mitigation. Other quasi-municipal uses include dust abatement, temporary irrigation of landscaping for golf or equestrian events, resort construction activities, etc.

Inclusion of these quasi-municipal uses results in an expected well source requirement of 3.34cfs. Brasada Resort has several hundred acres of open space available for irrigation, wetland enhancement, and other uses allowed under the quasi-municipal right.

The other item you discussed in your email was the length of time for extension. As with any resort development, final build out dates are difficult to predict as the real estate market can be somewhat volatile, and market demand drives construction. To obtain maximum flexibility, we propose to change the time for Complete Beneficial Use to 50-years, provided there is no additional risk to the time extension approval. This will allow complete development of the resort and full beneficial use of the quasi-municipal right. Once the water system is fully developed and full beneficial use is complete, a Claim of Beneficial Use will be submitted and any potential reductions in the amount of water beneficially used will be addressed on the final issued certificate.

In summary, we propose to keep the full build out population estimate the same, but propose maintaining the full permitted rate of 3.34cfs to cover anticipated wetland enhancement and irrigation. We wish to extend the time to completion to the year 2059. Please feel free to call with any questions.

Niall Boggs, PE, CWRE
Civil Engineer

WHPacific
123 SW Columbia Street | Bend, OR 97702
D 541.312.2540 | O 541.388.4255 | F 541.388.4229
Enhancing communities through creative, exceptional service

From: Alan VanVliet [mailto:Alan@nvoregonresorts.com]
Sent: Wednesday, December 22, 2010 11:44 AM
To: Frost, Jim
Cc: Bob McDaniel
Subject: FW: Eagle Crest Water Right Permit G-15789 - Pending Extension

Jim,

Would you please review, comment and advice on the email below?

Thank you!

Alan Van Vliet | Sr Director of Construction and Development
NVHG | Oregon Resorts
CCB# 176783
7555 Falcon Crest Drive Redmond, OR 97756
P:541.548.9374 or 541.504.3223 | C:541.480.3721 | F:541.504.4351
alan@nvoregonresorts.com | www.nvoregonresorts.com

From: Ann Reece [mailto:reeceal@wrd.state.or.us]
Sent: Wednesday, December 22, 2010 11:29 AM
To: Alan VanVliet
Subject: Eagle Crest Water Right Permit G-15789 - Pending Extension

Eagle Crest, Inc.
Alan VanVleit
Redmond, OR

Mr. VanVleit:

In looking over Eagle Crest's extension request, I see that the projected peak demand is 2.18 cfs by the year 2030 which is less than full development of the 3.34 cfs authorized under the water right. I am wondering if Eagle Crest needs to request a longer extension in order to utilize the full 3.34 cfs? If a longer extension is necessary, you may amend your extension application by letter or e-mail. New population and demand projections will be needed - the projections need to coincide with length of the extension requested. Chart –V of the application will also need to be addressed. Please be aware that extensions longer than 50 years have additional information required (see Item 10-B of the extension application form).

If the year 2030 is the appropriate period of time needed for an extension please explain why.

Sincerely,

Ann Reece

Ann Reece
Water Rights Division - Extensions
OR. Water Resources Dept.
725 Summer St. NE Suite A
Salem, OR 97301

Direct Line: **503-986-0827**
Fax: 503-986-0901
Email: reeceal@wrd.state.or.us

****
This e-mail and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. This footnote also confirms that this e-mail message has been swept for the presence of computer viruses.

****

Municipal or Quasi-Municipal

Extension PFO Checklist for Water Use Permits

issued after November 2, 1998

(OAR 690-315-0010 through OAR 690-315-0060)

Application: G- 15789 Permit: G- 15855 Permit Amendment? No ☒ Yes ☐ T- _____ ☐ pending ☐ approved

Permit Holder's Name: EAGLE CREST, INC Attn: Alan Van Vliet

Permit Holder's Mailing Address: PO Box 1215, Redmond, OR ~~97556~~ 97756 e-mail alan@eagle-crest.com

Phone Number: 541-548-9374

POD Location: Township 16S Range 14E Section 28, SENW; 33, NENW AND SWNE

Drainage Basin: 5 County: Crook Watermaster District: 11 Watermaster: Jeremy Giffin

---

Date Permit was issued: 2/17/2005 **Priority Date:** 7/1/2002 **Date of PN:** 12/14/2010

Source: 6 Wells within the Deschutes River Basin

updates in red from 2-22-2011 re-submittal of Application form.

Use: ☐ Municipal ☒ Quasi Municipal _____

"Q": 3.34 CFS, limited to a maximum annual volume of 508 AF, further limited by the mitigation

Orig "A" Date: ____ **Orig "B" Date:** 10/1/_____ **Orig "C" Date:** 10/1/2009

Extension request rec'd: 12/8/2010

Last Authorized "B" Date: 10/1/_____

Last Authorized "C" Date: 10/1/2009

Request Number (1, 2, 3…): 1st

Proposed "B" Date: 10/1/_____

Proposed C Date: 10/1/~~2030~~ 2059 amended on 12-27-2010 - see e-mail and 2-22-2011 re-submittal

Conditions of Permit:

Condition Met?	Condition Not Met?	Permit Condition
☒	☐	installed a meter on Well 1; Well 2 is drilled but a the ext. request does not state it has a meter
☒	☐	submit water use reports annually
☒	☐	provide incremental mititgation OK per Laura Wilke
☒	☐	report progress of implementing mitigation
☒	☐	submit a WMPC within two years - submitted without a fee

Factors to consider in determining "Reasonable Diligence" [OAR 690-315-0040(3)]:

No new CSW review needed. 12/21/10 DWF

Yes No

- ☒ ☐ Work was accomplished within the time allowed in the permit or previous extension
- ☒ ☐ Water right permit holder conformed with the permit or previous extension conditions
- ☒ ☐ Beneficial use made of the water during the permit or previous extension time limits
  - Permit holder has beneficially used **1.68, being 0.45 from Well 1 and 1.23 from Well 2** ☒cfs☐gpm☐af Undeveloped portion **1.66** ☒cfs☐gpm☐af
- ☒ ☐ Financial investments were made toward developing the beneficial water use.
  - Amount Invested to date: $**5,917,106** Estimated Remaining Cost: $~~**4,080,596**~~ 7,010,396

Has the applicant pursued perfection of the right in good faith and with reasonable diligence? Yes ☒ No ☐

Population ~~97~~ 100 **As of (Year)** 2010 ☐**Growth** ~~19.4~~ 7.3**%** ☐**Population Projected** 3375 **by (Year)** ~~2030~~ 2059 **Calculated? Yes ☐**

Peak Demand .09 cfs/gpm (Year) 2010 ☐ Peak Demand ~~2.18~~ 3.34 cfs/gpm by (Year) ~~2030~~ 2059 Calculated? Yes ☐

see 12.27.2010 amendment by email and 2-22.2011 resubmittal

Application: _-_____ Permit: _-_____ Township _____ Range _____ Section _____

Determination of the market and the present demand for water or power to be supplied:

Identify the closest surface water or localized water basin. Dry River

Ground Water Permits: Is the POA located…

Surface Water Permits: Is the POD located…

Yes	No		
☒	☐	above a state scenic waterway? Name Above Deschutes Scenic Waterway	Source: OWRD "Areas Above State Scenic Waterways" Map
☐	☒	within a stream segment designated as a federal wild and scenic river?	Source: www.rivers.gov/wildriverslist.html
☐	☒	within a sensitive, threatened or endangered species area	Source: "/gisdata/dev/projects/salmon/div33map.aml"
☐	☒	within a critical or limited Ground Water Area? Name of area	
☐	☒	within a Withdrawn Area? Name of area	
☐	☒	in a waterbody listed on the DEQ Section 303(d) List of Water Quality Limited Areas?	Date added to list
☐	☐	within an area ranking ☐low / ☐moderate / ☒high / ☐highest for stream flow restoration needs	Source: OWRD "Streamflow Restoration Needs" Maps (by region)

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

Conditions to be included in Extension PFO (if applicable)? Yes ☒ No ☐

*(**NOTE:** Check the file record for documentation to add a condition(s) at the extension stage.)*

☒ Max "Q" Development Limitations and Div. 86 Water Management and Conservation Plan As per review by Lisa Jaramillo.

☐ Other: _____

Footnote regarding Claim of Beneficial Use. Choose the appropriate language below and insert as a footnote in the PFO:

☐ **COBU Requirement - Surface/Ground Water - on or prior to July 9, 1987**

"For permits applied for or received on or before July 9, 1987, upon complete development of the permit, you must notify the Department that the work has been completed and either: (1) Hire a water right examiner certified under ORS 537.798 to conduct a survey, the original to be submitted as required by the Water Resources Department, for issuance of a water right certificate; or (2) Continue to appropriate water under the water right permit until the Water Resources Department conducts a survey and issues a water right certificate under ORS 537.250 or 537.625."

☐ **COBU Requirement - Surface Water - post July 9, 1987**

"Pursuant to ORS 537.230(4), upon the completion of beneficial use of water allowed under the permit, the permit holder 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 permit holder shall submit a map of the survey and the claim of beneficial use."

☒ **COBU Requirement - Ground Water - post July 9, 1987**

"Pursuant to ORS 537.630(4), upon the completion of beneficial use of water allowed under the permit, the permit holder 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 permit holder shall submit a map of the survey and the claim of beneficial use."

NOTES:

Application submitted by W.H. Pacific, Inc.

Is 2030 long enough? See demand projection,

↳ amended to 2059 on 12.27.2010 by email.

Extension "PFO" Dates

Mailing / Issuance Date: _____ **Protest Deadline Date:** _____

Reviewer's Name: _____ **Date:** _____

Ann Reece

pertains to 12-14-2010 Extension request and 2.22.2011 resubmittal of Ext. request

From: Laura Wilke
Sent: Thursday, December 09, 2010 11:47 AM
To: Ann Reece
Subject: RE: Migitation Requirement for Eagle Crest Appl G-15789 / Pending Extension

Hi Ann:

Eagle Crest is providing mitigation for Permit G-15855 under an incremental development plan. A revised plan was submitted on June 10, 2010. Their current first increment runs from permit issuance through 2014 with a mitigation obligation of 50.0 AF for 125.0 AF of use. My last update on this permit shows that they had obtained mitigation needed via the DRC mitigation Bank (48.2 credits) based on the DRC's 2009 annual report and 1.8 credits from MP-57, a permanent mitigation project. Based on this they appear to be consistent with their incremental development plan.

I'll know more about how they mitigated for 2010 when the DRC submitts their annual mitigation bank report in January. And also when Eagle Crest submits their annual update on implementation of the incremental development plan in April, 2010.

There do not appear to be any mitigation issues for this permit. When did you receive the extension request?

Thanks, Laura

From: Ann Reece
Sent: Thursday, December 09, 2010 8:57 AM
To: Laura Wilke
Subject: Migitation Requirement for Eagle Crest Appl G-15789 / Pending Extension

Hi Laura,

I just received an extension application for Eagle Crest Appl G-15789 (Permit G-15855). They have incremental mitigation and reporting requirements on their permit. According to their extension application, they are up to date. Any issues?

Thanks,
Ann

- -

Ann Reece
Water Rights Division - Adjudications
OR. Water Resources Dept.
725 Summer St. NE Suite A
Salem, OR 97301

Direct Line: **503-986-0827**
Fax: 503-986-0901
Email: reeceal@wrd.state.or.us

Ann Reece pertains to 12-14-10 Extension request

From: Lisa Jaramillo
Sent: Monday, December 13, 2010 11:34 AM
To: Ann Reece; Bill Fujii
Subject: RE: Div 86 for QM - Eagle Crest

Hi Ann,

Yes. Eagle Crest did submit a draft WMCP in February 2007 but did NOT submit the review fee. We sent a letter requesting the WMCP fee in March 2007. To date, this fee has not been received, so we have not yet received a completed WMCP that we can act upon.

Eagle Crest Permit G-13819 required submittal of a WMCP by May 26, 2001.
Eagle Crest Permit G-15855 required submittal of a WMCP by Feb. 17, 2007.
Because we have not yet received a complete WMCP from Eagle Crest, they have failed to meet these permit conditions.

Additionally, while they indicate that the population served is 97, we believe that the population served during peak summer events exceeds 1,000. This would include all people served in Eagle Crest homes, chalets, rental condos and the lodge.

For these reasons, we feel the Permit Extension should be conditioned to require submittal of a Div. 86 WMCP within 3 years of the issuance of a Final Order approving the Extension of Time for Permit G-15855.

Thank you for the opportunity to comment.
-Lisa

Lisa J. Jaramillo
Water Management and Conservation Analyst
Field Services Division
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1266
Phone: 503-986-0880
Fax: 503-986-0903

From: Ann Reece
Sent: Thursday, December 09, 2010 8:53 AM
To: Bill Fujii; Lisa Jaramillo
Subject: Div 86 for QM - Eagle Crest

Hi-

I've attached a Division 86 Condition review for an extension of time for Eagle Crest (Permit G-15855).

Thanks.

Ann

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

December 13, 2010

REFERENCE: Application for Extension of Time

Dear Extension of Time Applicant:

The Water Rights Section has received your application for an extension of time for **APPLICATION FILE#: G-15789 (PERMIT#: G-15855).** Your application will be reviewed in the near future. Following the review, you will receive a Proposed Final Order either approving or rejecting the extension of time request. A 45-day protest period begins upon issuance of the Proposed Final Order. After the protest period closes, a Final Order is issued.

If you have questions concerning your extension of time application, please contact Jerry Gainey at (503) 986-0812. For general information about the Water Resources Department, you may contact the Water Resources' Customer Service Group at (503) 986-0801 or you may access the Department's Internet home page at: "**www.wrd.state.or.us**".

WHPacific

December 6, 2010

Oregon Water Resources Department
Attn: Water Right Permit Extensions
725 Summer Street NE, Suite A
Salem, Oregon 97301

Re: Brasada Ranch
Application G-15789 / Permit G-15855
Application for Extension of Time
WHP File No.: 035600

Gentlemen/Ladies:

On behalf of Brasada Ranch we are submitting an Application for Extension of Time for a Water Right Permit for Permit G-15855. Permit G-15855 is a Quasi-municipal right for 3.34 cfs from six wells. Brasada Ranch has been working diligently and has made significant progress toward development of the beneficial use of the water rights under the permit. The resort has a contract with Avion Water Company to operate the water system for the resort using the wells under Permit G-15855.

Two of the six permitted wells have been constructed and are in use. Considerable cost has been incurred developing water system infrastructure for the resort. The current recession and economic slowdown have severely impacted the Central Oregon real estate market, reducing demand for new homes. The project developers have slowed the development of Brasada Ranch to keep inventory in-line with lowered demand. We are respectfully requesting a time extension to complete the full development and beneficial use of the water right.

Please review the above information regarding the Application for Extension of Time for Permit G-15855. Let us know immediately if you need any additional information.

Thank you,

W&H Pacific, Inc.

Niall Boggs, PE, CWRE

Cc: Alan VanVliet
Bob McDaniel

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WATER RESOURCES DEPT
SALEM, OREGON

123 SW Columbia Street • Bend, OR 97702 • T 541.388.4235 • F 541.388.4229 • www.whpacific.com

Oregon
John A. Kitzhaber, MD, 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

October 4, 2011

James Frost, P.E.
WH Pacific, Inc.
123 SW Columbia Street
Bend, OR 97702

Re: Incremental Development Plan Update – Reminder - for Eagle Crest Ground Water Permit G-15855 (file G-15789)

Dear Jim:

On October 4, 2010, the Department approved a request to modify the incremental development plan for Eagle Crest's groundwater permit G-15855. This permit has a mitigation obligation of 203.2 acre-feet in the General Zone of Impact. One of the permit conditions on the permit requires the applicant to report to the Department to progress of developing the incremental development plan by April 1 of each year. The last annual update on implementation of the incremental development plan was due to the Department no later than April 1, 2011. It does not appear that an update was submitted to the Department. Please submit the annual update to the Department. The annual update should also include the amount of water used (volume) during 2010 and the source of mitigation used during that period. This is an updated rule requirement adopted by the Department's Commission in June, 2010, under OAR 690-522-0040.

203.2
JEF
10/11/11

The current incremental development plan is as follows:

Incremental Step	Volume of Use (AF)	Amount of Mitigation (AF)	Source of Mitigation	Type of Mitigation
1. 2005 – 2014	125.0	50.0	Mitigation Project MP-57 (1.8 credits) and 48.2 mitigation credits from the DRC Mitigation Bank or a permanent source	Permanent & temporary
2. 2015 – 2019	250.0	100.0		
3. 2020 – 2024	375.0	150.0		
4. 2025 – 2029	500.0	200.0		
5. 2030 on	508.0	203.2		
Totals	508.0	203.2	50.0	

Please submit the annual update on the incremental development plan by October 31, 2011. If you have any questions, please give me a call at (503) 986-0884.

Sincerely,

Laura Wilke
Flow Restoration Program Coordinator

c: Jeremy Giffin, Watermaster District 11
Eagle Crest
file G-15789

WHPacific

February 21, 2011

Ann Reece
Oregon Water Resources Department
Attn: Water Right Permit Extensions
725 Summer Street NE, Suite A
Salem, Oregon 97301

Re: Brasada Ranch
Application G-15789 / Permit G-15855
Application for Extension of Time
WHP File No.: 035600

Dear Ann:

On behalf of Brasada Ranch we are submitting an amended Application for Extension of Time for a Water Right Permit for Permit G-15855. As we discussed during the January 21st teleconference, the reason for this amendment is based on a revised timeline to reach full resort build out and full beneficial use of the water, as well as to include a use breakdown for quasi-municipal uses outside of domestic use.

Permit G-15855 is a Quasi-municipal right for 3.34 cfs from six wells. Brasada Ranch has been working diligently and has made significant progress toward development of the beneficial use of the water rights under the permit. The resort has a contract with Avion Water Company to operate the water system for the resort using the wells under Permit G-15855.

Two of the six permitted wells have been constructed and are in use. Considerable cost has been incurred developing water system infrastructure for the resort. The current recession and economic slowdown have severely impacted the Central Oregon real estate market, reducing demand for new homes. The project developers have slowed the development of Brasada Ranch to keep inventory in-line with lowered demand. We are respectfully requesting a revised timeline to complete the full development and beneficial use of the water right by October 2059.

Please review the above information regarding the amended Application for Extension of Time for Permit G-15855. Let us know immediately if you need any additional information.

Thank you,

Niall Boggs, PE, CWRE
W&H Pacific, Inc.

RECEIVED
OVER THE COUNTER

RECEIVED
FEB 22 2011
WATER RESOURCES DEPT
SALEM, OREGON

Cc: Alan VanVliet
Bob McDaniel

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

Application for Extension of Time for Municipal and Quasi-Municipal Water Use Permits

Make use of this form, *Application for Extension of Time for Municipal and Quasi-Municipal Water Use Permits*, only if the permit uses the word "Municipal" or "Quasi-municipal" in the description of the purpose or use to which water is to be applied.

TO THE DIRECTOR OF THE OREGON WATER RESOURCES DEPARTMENT

A separate extension application must be submitted for each permit as per OAR 690-315-0070(2). This page, with an original signature by the permit holder of record, must accompany the extension of time application.

This application and a summary of review criteria and procedures that are generally applicable to this application are available at http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml

I, Eagle Crest, Inc.
NAME OF PERMIT HOLDER *[OAR 690-315-0070(1) and (3)(a)]*

Alan VanVliet
NAME OF CONTACT

P.O. Box 1215
ADDRESS

Redmond
CITY

OR
STATE

97756
ZIP

541-548-9374
PHONE

alan@eagle-crest.com
E-MAIL ADDRESS

RECEIVED
FEB 22 2011
WATER RESOURCES DEPT
SALEM, OREGON

the permit holder of: Application Number G- 15789

Permit Number G- 15855
[OAR 690-315-0070(3)(b)]

do hereby request that the time in which to:

☐ complete 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, ____, be extended to October 1, ____,

and/or the time in which to:

☒ apply water to full beneficial use under the terms and conditions of the permit, which time now expires on October 1, 2009, be extended to October 1, 2059.

I am the permittee, or have written 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.

Alan VanVliet — 2/18/11

Signature — Date

Before submitting, make sure the following items are included:

- Completed Application for Extension of Time
- Statutory fee of $500 (ORS 536.050)
- Signature page (page 1 of application) for Application for Extension of Time
- All supporting documentation and/or evidence referenced in the Application for Extension of Time

MAIL COMPLETED APPLICATION

along with the

$500 STATUTORY FEE (ORS 536.050) TO:

Water Resources Department
Attn: Water Right Permit Extensions
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266

RECEIVED
FEB 22 2011
WATER RESOURCES DEPT
SALEM, OREGON

GENERAL TIPS:

- A separate Application for Extension of Time must be submitted for each permit. OAR 690-315-0070(2).

- Request the reasonable amount of time necessary to fully develop the permit and complete the project. If you don't request enough time, OWRD may be unable to find that you can complete the project within the time requested.

- Permit extensions for Municipal and Quasi-Municipal permits are evaluated under OAR Chapter 690, Division 315. Except under limited circumstances (see OAR 690-315-0090), upon issuance of an order approving an extension of time, the permit holder will be required to submit a Water Management and Conservation Plan (WMCP) under OAR Chapter 690, Division 86 within 3 years. Diversion of water beyond the maximum rate currently diverted under the permit shall only be authorized upon approval of a WMCP. These rules may be viewed at: http://www.wrd.state.or.us/OWRD/LAW/index.shtml.

- The Application for Extension of Time includes detailed tips and instructions to help you respond to each item of the application. Oregon water law and administrative rules require the OWRD to consider each of these items when reviewing a municipal or quasi-municipal water use Application for Extension of Time. However, please feel free to provide OWRD with any additional information or evidence that will aid us in making our decision. Please note that OWRD may require other information that is necessary to evaluate the application. OAR 315-0070(3)(p).

- After careful review of the Application for Extension of Time, you may contact OWRD at (503) 986-0900, to ask questions and request assistance from a Permit Extensions Specialist in the Water Rights and Adjudications Division.

- Once an Application for Extension of Time is received by OWRD, it will be reviewed for completeness. OWRD will return any incomplete or deficient applications to the applicant. OAR 690-315-0080(1)(a).

RECEIVED
FEB 22 2011
WATER RESOURCES DEPT
SALEM, OREGON

Reference Materials Needed to Complete this Application

Below is a listing of the items that must be reviewed and considered when completing an Application for Extension of Time for a Municipal or Quasi-Municipal water use permit:

- The subject water right permit. If needed, a copy of the water right permit can be downloaded from the Department's Website at *http://www.wrd.state.or.us* (find the link to the Water Rights Information System (WRIS). Or, a copy of the permit (or other documents) may be requested by water right application number from the Water Rights Division at 503-986-0900 (copy fees will apply).

- Water Management and Conservation Plan (OAR Chapter 690, Division 86), *if applicable*, per OWRD.

- Water System Master Plan, *if applicable*, per Oregon Health Division.

- Documentation which demonstrates compliance with permit conditions (for example, well construction logs; static water level measurement reports; annual water use reports; a long-term alternative water supply plan; a plan to monitor the effect of water use on ground water aquifers utilized under the permit, etc.).

- All other water rights (certificates, permits, permit amendments, transfers, and/or new applications) held by the applicant.

Definitions Pertinent to this Application for Extension of Time

Actual Construction - any physical work performed toward completion of the water system which demonstrates the water right permit holder's good faith and intention to complete the project with reasonable diligence. Actual construction does not include planning a diversion system, formulating a business plan, securing financing, letting contracts, purchasing but not installing equipment, or surveying. This definition applies to quasi-municipal permit holders, required under the applicable statute, and for municipal water use permits issued on or after June 29, 2005. OAR 690-315-0070(3)(c) and (d), and OAR 690-315-0020(3)(d)(A)and(B).

C-Date – the date specified in the permit for complete application of water.

Permitted Time Period - period of time between the date when the permit was signed *and* the date specified in the permit for complete application of water

Time Period of the Previous Extension – *For the 2nd Application for Extension of Time* - period of time between the date specified in the permit for complete application of water and the new "extended to date" for complete application of water specified in the 1st approved extension.

For the 3rd, 4th, or . . . nth Application for Extension of Time - period of time between the "extended from date" for complete application of water and the "extended to date" for complete application of water specified in the most recently approved extension.

Undeveloped Portion of the Permit - the portion of the permit that is the difference between the maximum rate, or duty if applicable, specified in the permit and the maximum rate, or duty if applicable, diverted for beneficial use before the extension. OAR 690-315-0010(6)(g).

Work and Actions Accomplished - includes both physical work and other activities associated with the development of the water right, such as: 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 (e.g., pumps; pipes; well construction; treatment plant/facilities; transmission systems; distribution systems; and/or intake structures). OAR 690-315-0080(4).

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Completing the Extension of Time Application for Quasi-Municipal or Municipal Use Permits

Please provide the information requested by item numbers 1-13. OWRD will use this information to evaluate your Application for Extension of Time.

TIP: *When making a reference to any document, report, and/or plan:*

(1) reference the source document along with any page number(s), table(s) and/or chart(s) used in the response, and

(2) include a copy of the source document (or appropriate pages) with the extension application.

[OAR 690-315-0070(3)]

1. **Submit the appropriate extension of time fee ($500), as specified under ORS 536.050.** If the extension application fee has already been paid, please provide indicate why and when it was paid. *The statute for this fee may be viewed at www.leg.state.or.us/ors/536.html.*

[OAR 690-315-0070(3)(c)]

2. **For Quasi-Municipal water use permit holders, provide evidence of the actions taken to begin actual construction on the project if required under the applicable statute.** All Quasi-Municipal permits issued prior to October 23, 1999, are generally required to begin actual construction within one (1) year.

TIP: *See Definition of "Actual Construction"*

Begin Date: 09/23/2002 (month/year). **Construction of** Well #1 (Well Log CROO 51956) (details) **began.**

[OAR 690-315-0070(3)(d)]

3. **For Municipal water use permits issued on or after June 29, 2005, evidence of the actions taken to begin actual construction on the project.**

TIP: *See definition of "Actual Construction"*

Begin Date: N/A - Quasi (month/year). **Construction of** N/A - Quasi (details) **began.**

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[OAR 690-315-0070(3)(e) and OAR 690-315-0070(3)(i)]

4. **Provide a description of financial expenditures and evidence of actions taken to develop the water right permit within the permitted time period and, if applicable, within the time period of the most recent extension granted.** ***Present the list in chronological order in Chart-I.***

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TIP: *See definitions of "Permitted Time Period", "C-Date", "Time Period of the Previous Extension", "Actual Construction" and "Work and Actions Accomplished".*

CHART-I

INSERT DATES	ALL WORK AND ACTIONS ACCOMPLISHED BEFORE PERMIT WAS ISSUED *List work/actions done before the permitted was issued – e.g. Well drilled.*	COST
Sept. 2002 - Oct. 2002	Well 1 constructed (673 ft completed, 8" casing from 0 ft to 673 ft, 10" casing from 0ft to 30 ft, perforations from 573 to 673 ft, pump test)	$42,400
INSERT DATES	**ALL WORK AND ACTIONS ACCOMPLISHED DURING PERMITTED TIME PERIOD (after permit was issued and prior to permit "C-date")** *List work/actions done during the permitted time period.*	**COST**
Feb. 17, 2005	**Date the permit was signed** - find date above signature on last page of permit.	
N/A	**Date the permit specified "Actual Construction Work" shall begin ("A-Date") -** not all permits contain this date.	
June 2006	Well 2 constructed (702 ft completed, 8" casing from 0 ft to 702 ft, perforations from 602 to 702 ft, pump test)	$43,300
2005	750,000 gallon reservoir constructed	$876,406
2005	Booster Pump Station constructed	$80,000
2005-Present	Water distribution system constructed for Phases 1-5 including 53,000 LF 8"-12" watermain constructed as well as hydrants, valves, bends, fittings and appurtenances	$4,827,000
2005	Well 1 pump installed and pump house, pump controls, etc. constructed/installed	$24,000
2006	Well 2 pump installed and pump house, pump controls, etc. constructed/installed	$24,000
10/1/ 2009	**Date the permit specified complete application of water to the use shall be made ("C-Date") -** all permits contain this date.	
INSERT DATES	**ALL WORK AND ACTIONS ACCOMPLISHED AFTER PERMIT "C-Date" and PRIOR TO THE MOST RECENT EXTENSION OF TIME REQUEST** *For the 1st Application for Extension of Time: List work/actions done after the permit "C-date" up to the date of this extension request.* *For Other than the 1st Application for Extension of Time: List any work/actions done after the permit C-Date but prior to the most recent extension.*	**COST**
Fall 2010	Currently working on Phase 6 water distribution infrastructure - not yet complete, so cost not included.	$0
	CHART-I (continued)	
INSERT	**ALL WORK AND ACTIONS ACCOMPLISHED DURING THE**	**COST**

DATES	MOST RECENT EXTENSION OF TIME GRANTED *For Other than 1st Application for Extension of Time: List any work/actions done during the time period most recent extension.*	
N/A	Date of the last "Extended From Date" for complete application of water (used on the most recently approved extension of time).	
N/A	N/A	$0
N/A	Last "Extended To" date for complete application of water (resulting from the most recently approved extension of time).	
INSERT DATES	**ALL WORK AND ACTIONS ACCOMPLISHED AFTER THE MOST RECENT EXTENSION OF TIME GRANTED** *List work/actions done after the last authorized date for complete application of water has passed.*	**COST**
N/A	N/A	$0
	Total Cost to Date	**$5,917,106**

[OAR 690-315-0070(3)(f)]

5. **Provide evidence of compliance with conditions contained in the original permit, in any previous extension(s), and/or in any permit amendments (Chart II), or the reason the condition was not satisfied (Chart III).**

Conditions requiring a response in the extension of time application include those which:

- Stipulate a specific date by which the permit holder was to accomplish a specific action, such as a condition that requires plans and specifications for a reservoir, a Water Management and Conservation Plan, a ground water monitoring plan or some other document which "...shall be submitted...within two years of permit issuance." If your permit requires submittal of a Water Conservation and Management Plan, please indicate the date the plan was submitted to or approved by OWRD, or whether it is still being drafted, etc.;

  and/or

- Are triggered by the use of water, but do not stipulate a specific date. These conditions represent a milestone in development of the project and use of water, such as the permit holder, "shall install...a water meter or other suitable measuring device approved by the Director...before any use of water begins." Another common condition triggered by the use of water is that; "fish screens are to be installed according to Oregon Department of Fish and Wildlife specifications."

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TIP: *Any supporting documentation submitted to demonstrate compliance with time-sensitive permit conditions or any conditions from prior permit extension(s) must be clearly referenced and may include, but is not limited to: well construction logs; static water level measurement reports, annual water use reports; a Water Management and Conservation Plan; an alternative long-term water supply plan; and/or a plan to monitor the effect of water use on ground water aquifers utilized under the permit. If needed, please contact OWRD for assistance in identifying and/or interpreting which conditions in the water permit are pertinent to the Application for Extension of Time.*

5-A) Describe how each condition has been complied with. Include conditions contained in the original permit (and, if applicable, each condition contained in any order approving a permit amendment and/or a final order approving a prior extension of time). Include the date when the condition was satisfied.

CHART-II

Condition No.**	Date Satisfied	Describe How Permit Condition Has Been Satisfied
1	2005	Meter installed on Well 1 and annual water use reported to OWRD
2	Continually since meter installation	Watermaster has access to meter
3	Annually	Eagle Crest annually purchases temporary mitigation credits from Deschutes River Conservancy (DRC) Mitigation Bank
3a	Annually	Eagle Crest annually purchases temporary mitigation credits from Desc hutes River Conservancy (DRC) Mitigation Bank
3b	Continually since permit issuance	Eagle Crest has not exceeded the rate or amount diverted per mitigation plan.
3c	June, 2010	Incremental Mitigation Plan revised June, 2010 (see attached letter)
3d	Annually	Mitigation Credits purchased through DRC. No documentary evidence is necessary once clients established in DRC Mitigation Bank. DRC does annual reporting to OWRD.
3e	January 2007	Water Management and Conservation Plan submitted.
4	Continually since permit issuance	No interference with a senior water right occurs due to withdrawls from wells on this permit.
5	Well 1 - 2002; Well 2 - 2006	The two constructed wells have been constructed in accordance with the General Standards and are equipped with access ports for static water level measurements. Future wells will be constructed per same standards with access ports.
7	Continually since permit issuance	Water is beneficially used without waste.
8	Since final land use decision (June 2003)	Land use is in compliance with statewide land-use goals and local acknowleged land-use plan.
9	Continually since permit issuance	No interference with a senior water right occurs due to withdrawls from wells on this permit.

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** *Condition No: Attach a copy of the permit and, if applicable, any prior permit extensions or permit amendments with conditions identified and hand-numbered in a continuous number sequence throughout all such documents. Responses to Items 5-A and 5-B should reference each condition by number to correspond with the hand-written number sequence on the attached documents containing permit conditions.*

5-B) If applicable conditions have NOT complied with all, explain the reasons why and indicate with a date certain (in the near future) when compliance will occur.

CHART-III

Condition No.**	Date Will Comply	Explain Why Each Permit Condition Has NOT Been Satisfied
6	2059	Pump test meeting OWRD standards has not yet been completed. Will be completed for each of the wells once the wells have been drilled/constructed and prior to Claim of Beneficial Use is submitted.
10	2059	Complete application of water has not occurred due to drastic real estate market slow down. With lowered market demand, development of resort slowed significantly. Expect up to 50 years to reach full build out.
11	2060	Claim of Beneficial use has not been submitted because complete application of water has not occurred.

[OAR 690-315-0070(3)(g)]

6. Provide evidence of the maximum rate (or duty, if applicable) of <u>water diverted for beneficial use</u> under this permit and/or prior extensions of time (if any) <u>made to date</u>.



<u>TIP:</u> Documentary evidence substantiating the maximum instantaneous rate, or duty if applicable, of water appropriated as of the date of the extension may include, but is not limited to: water meter records; dedicated electrical meter records; business records; and/or a sworn affidavit.

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6-A) <u>For Surface Water Permit Extensions</u>:



<u>TIP:</u> Report in the same units of measurement as specified in the permit.

Maximum instantaneous <u>rate used to date</u> under <u>this</u> permit = <u>N/A - Groundwater</u> cfs, *or*

(cubic feet per second)

Maximum instantaneous <u>rate used to date</u> under <u>this</u> permit = <u>N/A - Groundwater</u> gpm, *or*

(gallons per minute)

Acre Feet stored to date under <u>this</u> permit = <u>N/A - Groundwater</u> AF

6-B) For Ground Water Permit Extensions:



TIP: *Include information from ALL wells that pertain to this permit, including drilled wells not currently used.*

CHART-IV

Well # as identified on Permit	Water User's Well #	Has this well been drilled?	IF DRILLED: Well Log Number E.g. MULT 60493	Well Tag Number E.g. # 40151 or N/A	Is the actual drilled location authorized on this permit or on a permit amendment? *(See below)*	Maximum instantaneous rate used from this well -- under this permit only (CFS or GPM)	Is this well authorized or utilized under additional water rights?	If yes, provide the rate used from this well under each water right. (Typically the total of all uses from a single well will not exceed the well's pumping capacity.) Permit, Certificate, or Transfer No.	Rate (CFS or GPM)
Well #1		Yes ☐ No ☒			Yes ☐ No ☐	N/A - not yet drilled	Yes ☐ No ☒	N/A	N/A
Well #2	Well#1	Yes ☒ No ☐	CROO 51956	57259	Yes ☒ No ☐	0.45 cfs	Yes ☐ No ☒	N/A	N/A
Well #3	Well #2	Yes ☐ No ☒	CROO 53105	84273	Yes ☒ No ☐	1.23 cfs	Yes ☐ No ☒	N/A	N/A
Well #4		Yes ☐ No ☒			Yes ☐ No ☐	N/A - not yet drilled	Yes ☐ No ☒	N/A	N/A
Well #5		Yes ☐ No ☒			Yes ☐ No ☐	N/A - not yet drilled	Yes ☐ No ☒	N/A	N/A
Well #6		Yes ☐ No ☒			Yes ☐ No ☐	N/A - not yet drilled	Yes ☐ No ☒	N/A	N/A
Total instantaneous rate from all wells utilized under this permit						1.68 cfs			

6-C) If the drilled location of a well is not authorized on this permit, please specify its location below, or provide a map showing its location. Has or will a permit amendment application been/be filed with OWRD? Yes ☐ No ☒

If a Permit Amendment Application has been filed: Transfer No. T- N/A

Well # N/A : Actual location: N/A

Well # N/A : Actual location: N/A

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[OAR 690-315-0070(3)(h)]

7. **Provide an estimate of the current population served under this permit and a description of the methodology(ies) used to make the estimate.**

Estimate the current population that is supplied water by the municipality or quasi-municipality and if applicable, current population served under this permit. Describe how that estimate was derived, or cite the source document from which the data was obtained. Include any calculations, formulas, supporting documentation, including copies of source documents.

Current Population: 100 (peak month) as of Year: 2010

Methodology used to estimate current population served: Used peak month sewer flows (7,000 gpd) and divided by 150gpd/EDU (typical domestic use for Central Oregon Resorts) to obtain the number of equivalent dwelling units (47 EDU's). Assumed average occupancy of each EDU is 2.13 people/EDU, therefore total population is approximately 100 people during peak month. Please note that this excludes landscape irrigation useage and only represents domestic use. 7,000 gpd/100people equates to 70 gpd/person

[OAR 690-315-0070(3)(p)]

8. **Report the current peak water demand of the current population served, and a description of the methodology(ies) used to make the estimate.**

Identify the total rate, or duty if applicable, of water being used to meet the current peak demand for water from all water rights held by the municipal or quasi-municipal entity. This must be reported in the same units of measurement as specified in the permits, being cfs (cubic feet per second), gpm (gallons per minute), and/or AF (acre-feet – usually only specified on a reservoir right to store water). This total rate should be based on the information provided on "Attachment A" in the column named *"Max Amount of Beneficial Water Used to Date"* [under Item 10-A (a)].

Current Peak Water Demand: Current Average Peak Day Demand=39.9gpm as of Year: 2010

0.088 cfs

Methodology used to estimate current peak demand:
Peak month use was 429,830 gallons in August 2008, which equates to a peak month average day demand of 9.63 gpm.
Annual use was 1,944,508 gallons in 2009 water year, which equates to 5.97acre-ft and an Average Daily Demand of 3.70 gpm.
On similar Central Oregon resort projects we have observed a peak day use of 1,250 gpd per EDU. 47 EDUs X 1,250 gpd/EDU = 58,750 gpd = 40.8 gpm. Note that this peak day value includes yard/landscaping irrigation

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[OAR 690-315-0070(3)(k)]

9. Provide 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.



TIP: *Such events may include, but are not limited to: the size and scope of the project; financing and/or cash flow issues; local referendums or initiatives; actual growth rates; economic downturns; loss of territory to annexation; water conservation efforts; the need to meet other governmental requirements relating to the project; natural disasters and severe weather; and/or any other events over which the water right permit holder had no control and which delayed development under the permit.*

The recession and economic slowdown have severely impacted the Central Oregon real estate market, reducing demand for new homes. The project developers have slowed the development of Brasada Ranch to keep inventory in-line with lowered demand.

[OAR 690-315-0070(3)(l)]

10-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 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.

In developing your estimated demand projections for the permit being extended, you should include the following items:

a) Inventory of Water Rights Held

List all water rights held, including this permit, currently held by the permit holder. Use the format shown in "Attachment A" (see last page of this Application for Extension of Time). A link to the Water Rights Information System (WRIS), accessed through OWRD's website at http://www.wrd.state.or.us may be a helpful source for compiling this information.

Use the "Use Limitations" column to identify and explain why any water right is not currently utilized to meet current peak water demands, or which is used only in a limited capacity.



TIP: *Use limitations include any factors affecting the use of a water right, such as: used for system redundancy; used for emergency back-up water supply; climate patterns or turbidity result in seasonal unavailability; not used due to water quantity issues, etc.*

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b) Water Supply Contracts and/or Agreements

List any water supply contracts or agreements for water that will be supplied by the permit holder to other entities.

N/A

List any water supply contracts or agreements for water that will be supplied from other entities that the permit holder will depend on to meet its own current or anticipated future water needs.

Eagle Crest has an agreement with Avion Water Company, for Avion to maintain and operate the domestic water system for the Brasada project using the wells under permit G-15855 (see attached agreement). There is some potential that the main portion of the Avion system could tie into the Brasada system as development increases. Additionally, irrigation water for the project is supplied by Central Oregon Irrigation District under Certificate 85371 (see attached portion of certificate).

c) Projected Population

Identify the projected population growth rate. The population projection must be extended out, at a minimum, to the year requested for complete application of water. Describe the methodology used to create the population projections such as historical growth rates or any factors affecting growth trends.

Population Growth Rate: 7.3 %

Projected Population: 3,375 as of Year: 2059

Methodology used to estimate projected population and population growth rate: Used full development numbers from approved land use decisions and attached Water Management and Conservation Plan. Population growth rate based on assuming constant percentage growth rate. Single payment compound interest formula was used to calculate growth rate, $F=P(1+i)^{50}$. Insert population estimates, $3375=100(1+i)^{50}$, solve for i, i=7.3%. Actual growth rate will likely vary with state of economy. Expect lower growth in next 1-2 years, followed by gradually increasing growth, with slowdown near the end.

d) Future Peak Water Demands

Identify the projected peak water. The peak water demand projection must be extended out, at a minimum, to the year requested for complete application of water. Describe the methodology used to create the water demand projection, such as historical growth rates or any factors affecting growth trends. Include a summary of how the subject permit, and other water rights and /or supply contracts held by the permit holder are planned or expected to be used to meet anticipated future water needs

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Projected Peak Water Demand: 3.34 cfs as of Year: 2059

Methodology used to estimate peak water demand: Used full development numbers from approved land use decisions and attached Water Management and Conservation Plan to obtain full buildout population. Used a peak day demand of 1,250gpd/EDU, which represents typical peak day usage for Central Oregon resort projects.

Domestic System Uses Breakdown

Projected Population = 3375
Projected Domestic Demand/Person = 70 gpd/person
Total Projected Domestic Use = 3375 persons x 70 gpd/person = 236,250 gpd
Projected Average Occupancy/EDU = 3 residents/EDU
Projected Number of EDU's = 3375/3 = 1125 EDU's
Projected Domestic Use/EDU = 70 x 3 = 210 gpd/EDU
Projected Average Yard Size = 5606 sf = 0.1287 acres
Projected Peak Day Yard Irrigation Demand = 1/80 cfs/acre X 0.1287 acres = 0.001609 cfs/EDU = 0.722 gpm/EDU = 1040 gpd/EDU
Total MDD/EDU = 1040 gpd (yard irrigation) + 210 gpd (domestic) = 1250 gpd/EDU
Total MDD to Domestic Services = 1250 gpd/EDU x 1125 EDU's = 1,406,250 gpd = 977 gpm = 2.18 cfs

Miscellaneous Quasi-Municipal Uses Breakdown

Projected Wetland/Wildlife Water Feature Maintenance = 18 acres x 1/80 cfs/acre = 0.23cfs
Projected Irrigated Open Space and Agricultural Lands = +/-70 acres x 1/80 cfs/acre = 0.88 cfs
Projected Other Quasi-Municipal Uses (Dust Abatement, Temp. Irrigation, Construction Water, etc. = 0.05cfs
Total Projected Quasi-Municipal MDD (Excluding Domestic Demand) = 0.23+.88+.05 = 1.16 cfs

Total Maximum Day Demand

Total MDD = 2.18 cfs (domestic services) + 1.16 cfs (Quasi-Municipal) = **3.34 cfs**

As the right is quasi-municipal, there are uses of the water on the project other than domestic service, including irrigation of open space and agricultural lands as well as creating aesthetic and wildlife water features. Current land use approvals include a provision that the resort creates wetlands throughout the project for wildlife habitat mitigation. Other quasi-municipal uses include dust abatement, temporary irrigation of landscaping for golf or equestrian events, resort construction activities, etc. Inclusion of these quasi-municipal uses results in an expected well source requirement of 3.34cfs. Brasada Resort has several hundred acres of open space available for irrigation, wetland enhancement, and other uses allowed under the quasi-municipal right.

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e) 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.

No known potential beyond projected development in approved land use decision.

f) Completion Date

Provide the date by which the water development is anticipated to be completed and water put to full beneficial use. **October 1, 2059**

[OAR 690-315-0070(3)(l)]

10-B. Application for Extension of Time 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.



TIP: If you are requesting an extension of greater than 50 years, it is very important to provide all available documentation (including estimates, projections, other related information, and all associated data) supporting the position that the demand projection is consistent with the amount and type of lands and uses to be served by the permit holder.

Show that permit holder's potential for future growth and expansion is feasible and consistent with the amounts and types of lands and uses proposed to be served. Information that may be addressed includes, but is not limited to: land use plan(s); current service area(s) in relation to the urban growth boundary; amounts of lands currently un-served and available for future development; and/or low-density vs. high-density areas.

Applicant is NOT requesting extension greater than 50 years. Development plans are feasible and are allowed under approved land use decisions for the resort.

[OAR 690-315-0070(3)(j) and OAR 690-315-0070(3)(m)]

11. Provide an estimate of the costs to complete water development and summary of the future plan and schedule to complete construction and/or perfect the water right.

Considering the demand projections in Item 10-A, describe major future work and actions that must be accomplished in order to fully develop and perfect the subject permit. Provide a list of the major planning, work and/or actions needed, the approximate time frames, and estimated costs anticipated to complete the water development within the parameters of this permit. The review of a Capital Improvement Plan (CIP) or other system infrastructure improvement plans may help when formulating a response.

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CHART-V

APPROXIMATE DATE RANGE	WORK AND ACTIONS TO BE ACCOMPLISHED	ESTIMATED COST
Fall 2010-Spring 2011	Construct Phase 6 water infrastructure (approx. 4580 LF of 8-12" watermain, hydrants, services, valves, etc.)	**$416,000**
between 2012 and 2025	Construct Phase 7 water infrastructure (approx. 1780 LF of 8-12" watermain, hydrants, services, valves, etc.)	**$162,200**
between 2012 and 2025	Construct Phase 8 water infrastructure (approx. 1770 LF of 8-12" watermain, hydrants, services, valves, etc.)	**$161,000**
between 2025 and 2059	Construct future phased water infrastructure (approx. 31,356 LF of 8-12" watermain, hydrants, services, valves, etc.)	**$2,853,396**
2011-2059	Construct between 18 acres of wildlife mitigation wetlands/water features to bring project into compliance with wildlife mitigation plan. Wetland construction to be phased proportional with development. Amount constructed depends on amount homes constructed.	**$1,452,000**
2011-2059	Construct irrigation system for open space/agricultural land irrigation for approximately 70 acres.	**$40,000**
2011-2059	Provide temporary irrigation of landscaping for equestrian and/or golf events, as well as dust abatement and construction water.	**$50,000**
between 2011 and 2025	Expand capacity of booster pump station serving upper elevation lots	**$12,000**
between 2015 and 2026	Drill Well #3, install pump, pump house, controls, appurtenances	**$78,000**
between 2026 and 2037	Drill Well #4, install pump, pump house, controls, appurtenances	**$92,000**
between 2037 and 2048	Drill Well #5, install pump, pump house, controls, appurtenances	**$108,000**
between 2048 and 2059	Drill Well #6, install pump, pump house, controls, appurtenances	**$126,000**
Year: **2059**	**Date intend to apply water to full beneficial use under the terms and conditions of this permit.**	
	Estimated Total Cost to Complete Development	**$7,010,396**

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[OAR 690-315-0070(3)(n)]

12. Justify the time requested to complete the project and/or apply the water to full beneficial use.

A justification should integrate information from Items 5-B, 6-A or 6-B, 9, 10-A, and 11 of this application, and should include any other information or evidence to establish that the requested amount of time is reasonable, and that you will be able to complete the project within the amount of time requested.

Complete application of water will occur once demand for lot/home sales increases and the market allows complete full build out. As demand increases, additional wells, distribution system

and booster pumping will be needed to provide water to the development and provide adequate supply. The time extension to full build out until the year 2059 represents the best estimate based on market predictions.

[OAR 690-315-0070(3)(o)]

13. **Provide any other information you wish OWRD to consider while evaluating the Application for Extension of Time**

Eagle Crest, Inc. - Brasada, has worked diligently toward completing construction and working toward full beneficial use of Permit G-15855, and has made a large capital investment with the installation of two deep wells, pumping equipment, reservoir, etc. They have completed the development of resort amenities, roads, homes, golf course, equestrian area, overnight accomodations, etc. Eagle Crest is proceeding with cautious development in response to market conditions. Work on expanding development of the resort and the water system is proceeding.

[OAR 690-315-0070(3)(q)]

14. **For Municipal water use permits issued before November 2, 1998, for the first extension issued after June 29, 2005, provide a copy of any agreements regarding use of the undeveloped portion of the permit between the permit holder and a federal or state agency that include conditions or required actions that maintain the persistence of listed fish species in the portions of the waterways affected by water use under the permit.**

N/A – not a municipal water use permit

RECEIVED
FEB 22 2011
WATER RESOURCES DEPT
SALEM, OREGON

NAME OF ENTITY: Eagle Crest, Inc. (only for Brasada Ranch project)

INVENTORY OF EXISTING WATER RIGHTS AND PERMITS

(certificates, permits, transfers, or new applications)

ATTACHMENT "A"

Ground Water

Application/Permit Number	Certificate Number	Source	Use	Priority Date	Authorized Amount of Water	Max Amount of Beneficial Water Used To Date	*Use Limitations
G-15789/G-15855	N/A	6 wells in Deschutes Basin	Quasi-Municipal	July 1, 2002	3.34cfs 508.0AF	1.68 cfs	Resort not fully developed yet
- / -							

Surface Water

Application/Permit Number	Certificate Number	Source	Use	Priority Date	Authorized Amount of Water	Max Amount of Beneficial Water Used To Date	*Use Limitations
- / -							
- / -							
- / -							

RECEIVED
FEB 22 2011
WATER RESOURCES DEPT
SALEM, OREGON

Pending Applications

Application Number	Proposed Source	Proposed Use	Priority Date	Proposed Amount of Water	*Use Limitations
-					

**** If a particular water right certificate, permit, or transfer is not being utilized to meet current demands or its use is limited, please explain why.***

Oregon
John A. Kitzhaber, MD, 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

October 4, 2011

James Frost, P.E.
WH Pacific, Inc.
123 SW Columbia Street
Bend, OR 97702

Re: Incremental Development Plan Update – Reminder - for Eagle Crest Ground Water Permit G-15855 (file G-15789)

Dear Jim:

On October 4, 2010, the Department approved a request to modify the incremental development plan for Eagle Crest's groundwater permit G-15855. This permit has a mitigation obligation of 203.2 acre-feet in the General Zone of Impact. One of the permit conditions on the permit requires the applicant to report to the Department to progress of developing the incremental development plan by April 1 of each year. The last annual update on implementation of the incremental development plan was due to the Department no later than April 1, 2011. It does not appear that an update was submitted to the Department. Please submit the annual update to the Department. The annual update should also include the amount of water used (volume) during 2010 and the source of mitigation used during that period. This is an updated rule requirement adopted by the Department's Commission in June, 2010, under OAR 690-522-0040.

203.2
JEF
10/11/11

The current incremental development plan is as follows:

Incremental Step	Volume of Use (AF)	Amount of Mitigation (AF)	Source of Mitigation	Type of Mitigation
1. 2005 – 2014	125.0	50.0	Mitigation Project MP-57 (1.8 credits) and 48.2 mitigation credits from the DRC Mitigation Bank or a permanent source	Permanent & temporary
2. 2015 – 2019	250.0	100.0		
3. 2020 – 2024	375.0	150.0		
4. 2025 – 2029	500.0	200.0		
5. 2030 on	508.0	203.2		
Totals	508.0	203.2	50.0	

Please submit the annual update on the incremental development plan by October 31, 2011. If you have any questions, please give me a call at (503) 986-0884.

Sincerely,

Laura Wilke
Flow Restoration Program Coordinator

c: Jeremy Giffin, Watermaster District 11
Eagle Crest
file G-15789

File G-15789
Eagle Crest

Laura Wilke

From: Frost, Jim <Jfrost@whpacific.com>
Sent: Monday, November 07, 2011 10:59 AM
To: Laura Wilke
Cc: Alan VanVliet; Bob McDaniel
Subject: RE: Brasada Water Use and Mitigation Reporting - Permit G-15855
Attachments: 20111107105109257.pdf

Laura,

I obtained the water use data for the 2010 calendar year, and revised the letter to report the January through December 2010 water use. Please call or reply if any additional information is needed.

Thanks,
Jim Frost
Senior Project Manager, WHPacific, Inc.

From: Laura Wilke [mailto:laura.k.wilke@state.or.us]
Sent: Friday, November 04, 2011 1:18 PM
To: Frost, Jim
Subject: RE: Brasada Water Use and Mitigation Reporting - Permit G-15855

Hi Jim:

We chatted a couple weeks ago and you were going to clarify the amount of water Eagle Crest used under this permit in 2010 (calendar year) for the annual reporting on the implementation of the incremental development plan. Haven't heard back so I wanted to check in.

Please feel free to include that info in an e-mail response and I'll attach it to the update for 2010.

Thanks, Laura

From: Frost, Jim [mailto:Jfrost@whpacific.com]
Sent: Monday, October 17, 2011 2:27 PM
To: Laura Wilke
Cc: Alan VanVliet
Subject: FW: Brasada Water Use and Mitigation Reporting - Permit G-15855

Laura,

Here is our Water Use Reporting for 2009/2010 water year. We will send the 2010/2011 water use in March/April. I anticipate payment of temporary mitigation credits similar to last year to cover our Incremental Mitigation requirements. Please call or reply if any additional information is needed.

Thanks,
Jim Frost
Senior Project Manager, WHPacific, Inc.

WHPacific
123 SW Columbia Street | Bend, OR 97702
D 541.312.2261 | O 541.388.4255 | F 541.388.4229
Enhancing communities through creative, exceptional service

Oregon
John A. Kitzhaber, MD, 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

October 4, 2011

James Frost, P.E.
WH Pacific, Inc.
123 SW Columbia Street
Bend, OR 97702

Re: Incremental Development Plan Update – Reminder - for Eagle Crest Ground Water Permit G-15855 (file G-15789)

Dear Jim:

On October 4, 2010, the Department approved a request to modify the incremental development plan for Eagle Crest's groundwater permit G-15855. This permit has a mitigation obligation of 203.2 acre-feet in the General Zone of Impact. One of the permit conditions on the permit requires the applicant to report to the Department to progress of developing the incremental development plan by April 1 of each year. The last annual update on implementation of the incremental development plan was due to the Department no later than April 1, 2011. It does not appear that an update was submitted to the Department. Please submit the annual update to the Department. The annual update should also include the amount of water used (volume) during 2010 and the source of mitigation used during that period. This is an updated rule requirement adopted by the Department's Commission in June, 2010, under OAR 690-522-0040.

203.2
JEF
10/11/11

The current incremental development plan is as follows:

Incremental Step	Volume of Use (AF)	Amount of Mitigation (AF)	Source of Mitigation	Type of Mitigation
1. 2005 – 2014	125.0	50.0	Mitigation Project MP-57 (1.8 credits) and 48.2 mitigation credits from the DRC Mitigation Bank or a permanent source	Permanent & temporary
2. 2015 – 2019	250.0	100.0		
3. 2020 – 2024	375.0	150.0		
4. 2025 – 2029	500.0	200.0		
5. 2030 on	508.0	203.2		
Totals	508.0	203.2	50.0	

Please submit the annual update on the incremental development plan by October 31, 2011. If you have any questions, please give me a call at (503) 986-0884.

Sincerely,

Laura Wilke
Flow Restoration Program Coordinator

c: Jeremy Giffin, Watermaster District 11
Eagle Crest
file G-15789

WHPacific

November 7, 2011

Mr. Laura Wilkey
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1271

Re: Brasada Ranch (Eagle Crest Permit G-15855)
Incremental Development Plan
Annual Update
Revised 11/7/11 to Show the 2010 Calendar Year Water Use

Dear Laura:

We received your reminder for reporting water use related to incremental mitigation at Brasada Ranch.

Eagle Crest, Inc. has an Incremental Mitigation Plan in place for water use at Brasada Ranch for the quasi-municipal permit G-15855. The Brasada Ranch Incremental Mitigation Plan has a mitigation obligation of 50 acre-feet for 2005 to 2014. We have 1.8 permanent credits, and annually purchase 48 temporary credits from the Deschutes River Conservancy (DRC). The 50 acre-feet of mitigation equates to 125 acre-feet (40.7 million gallons) of actual use. We used approximately 22.3 million gallons in the 2010 calendar year under the quasi-municipal permit.

Please contact me with any questions or comments. We greatly appreciate your continued assistance with incremental mitigation planning and annual reporting at Brasada Ranch.

Sincerely,

WHPacific, Inc.

James E. Frost, P.E.
Senior Project Manager

Cc: Alan VanVliet
Bob McDaniel

Enc: Reminder Letter from OWRD

Oregon
John A. Kitzhaber, MD, 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

October 4, 2011

James Frost, P.E.
WH Pacific, Inc.
123 SW Columbia Street
Bend, OR 97702

Re: Incremental Development Plan Update – Reminder - for Eagle Crest Ground Water Permit G-15855 (file G-15789)

Dear Jim:

On October 4, 2010, the Department approved a request to modify the incremental development plan for Eagle Crest's groundwater permit G-15855. This permit has a mitigation obligation of 4203.2 acre-feet in the General Zone of Impact. One of the permit conditions on the permit requires the applicant to report to the Department to progress of developing the incremental development plan by April 1 of each year. The last annual update on implementation of the incremental development plan was due to the Department no later than April 1, 2011. It does not appear that an update was submitted to the Department. Please submit the annual update to the Department. The annual update should also include the amount of water used (volume) during 2010 and the source of mitigation used during that period. This is an updated rule requirement adopted by the Department's Commission in June, 2010, under OAR 690-522-0040.

The current incremental development plan is as follows:

Incremental Step	Volume of Use (AF)	Amount of Mitigation (AF)	Source of Mitigation	Type of Mitigation
1. 2005 – 2014	125.0	50.0	Mitigation Project MP-57 (1.8 credits) and 48.2 mitigation credits from the DRC Mitigation Bank or a permanent source	Permanent & temporary
2. 2015 – 2019	250.0	100.0		
3. 2020 – 2024	375.0	150.0		
4. 2025 – 2029	500.0	200.0		
5. 2030 on	508.0	203.2		
Totals	508.0	203.2	50.0	

Please submit the annual update on the incremental development plan by October 31, 2011. If you have any questions, please give me a call at (503) 986-0884.

Sincerely,

Laura Wilke
Flow Restoration Program Coordinator

c: Jeremy Giffin, Watermaster District 11
Eagle Crest
file G-15789

January 31, 2011

James Frost, Senior Project
123 SW Columbia St,
Bend, OR 97702

RE: Request For Extra time for WMCP

Dear Jim:

We received your request to extend the time allowed to complete the Water Management and Conservation Plan (WMCP) update required under Permit G 15855. We appreciate your willingness to work with staff to match the permit extension process and the WMCP. Pursuant to OAR 690-086-0920 the request is granted. The new deadline for submittal of the plan is July 30, 2012.

Please do not hesitate to contact Bill Fujii of the Department staff if we can be of further assistance. Bill's phone number is 503-986-0887 and his e-mail address is william.h.fujii@wrd.state.or.us .

Sincerely,

Dwight French, Administrator

C: Alan VanVliet – Eagle Crest
wmcp file

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

File

Oregon
John A. Kitzhaber, MD, Governor

Water Resources Department
North Mall Office Building
725 Summer St. NE, Suite A
Salem, OR 97301
Phone 503-986-0900
FAX 503-986-0904
www.wrd.state.or.us

December 23, 2013

Oregon Resorts Acquisition Partners
P.O. Box 1215
Redmond, Oregon 97756

Reference: Application G-15789, Permit G-15855

The requested assignment by proof from Eagle Crest Inc. to Oregon Resorts, LLC could not be made, as insufficient proof of ownership was submitted. Proof of Ownership may include but not be limited to: a copy of the deed to the land, a copy of a land sales contract, court order or decree. The Department cannot accept a copy of a tax statement. In addition, the signature provided was not identifiable.

The Department is returning your request and check.

Sincerely,

Jerry Sauter
Water Rights Program Analyst
Water Right Services Division

Enclosure: Request and check

cc:

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

Request for

(If Wate

WE ARE REQUESTING ASSIGNMENT OF THE PERMIT CURRENTLY HELD BY EAGLE CREST INC TO OREGON RESORTS, LLC. SEE ATTACHED SEC. OF STATE B PRINT OUT. IT SHOWS THE SUCCESSION OF EAGLE CREST INC WHICH WAS ULTIMATELY CONVERTED TO OREGON RESORTS, LLC. THANKS

If for multiple rights, a separate form and fee for each right will

I, OREGON RESORTS, LLC
(Name of Party Requesting Assignment)

PO BOX 1215 Redmon
(Mailing Address) *(City)*

☐ hereby request assignment of application/permit/tran

☐ hereby request assignment of a *portion* of applicatio
Registration; *(You must include a map showing the*
application/permit/transfer/license/GR Certificate

I have attached proof of ownership that may include but not be limited to: a copy of the deed [illegible]
of a land sales contract, a court order or decree, documentation of survivorship of property held jointly. The Department cannot accept a copy of a tax statement.

Application # G-15789 ; Permit # G-15855 ; Transfer# ———
-OR-

License # ——— GR Statement # ——— ; GR Certificate of Registration # ———

EAGLE CREST, INC.
(Name of Holder of Record)

PO BOX 1215, REDMOND, OR 97756
(Mailing Address) *(City)* *(State)* *(Zip)* *(Phone #)*

Note: You are required to furnish proof acceptable to the Department that notice of the assignment has been given or attempted for each identified property owner not a party to the assignment. ORS 537.220(2) *Failure to submit this proof will result in the return of your request. (Proof may include but not be limited to: a copy of returned certified mailing, copy of a Death Certificate, or a court order.)*

1) I certify that I am the current owner of the property described in this application, Permit, transfer, license or GR Certificate of Registration.
2) I have the legal right to request assignment under OAR 690-310-0280 and 690-320-0060.
3) I have not been able to contact the owner(s) of record for the above referenced application or water right.
4) I further certify that the information provided herein is true and correct to the best of my knowledge.

Witness my hand this 12 day of December 2013

Party Requesting Assignment X [signature]

Party Requesting Assignment ———

DO NOT WRITE IN THIS BOX

The completed "Request for Assignment" form *must* be submitted to the Department along with the recording fee of **$85**.

RECEIVED BY OWI
DEC 23 2013
SALEM, OR
WR

Business Name Search

New Search Printer Friendly

Business Entity Data

12-11-2013
10:58

Registry Nbr	Entity Type	Entity Status	Jurisdiction	Registry Date	Next Renewal Date	Renewal Due?
[illegible]	[illegible]	[illegible]	DELAWARE	06-23-1988	06-23-2014	

Entity Name	OREGON RESORTS, LLC
Foreign Name	

RECEIVED BY OWRD

DEC 23 2013

SALEM, OR

New Search Printer Friendly

Associated Names

Type	PPB	PRINCIPAL PLACE OF BUSINESS				
Addr 1	7555 FALCON CREST DR					
Addr 2						
CSZ	REDMOND	OR	97756		Country	UNITED STATES OF AMERICA

Please click here for general information about registered agents and service of process.

Type	AGT	REGISTERED AGENT	Start Date	12-29-2010	Resign Date	
Of Record	158720-88	CORPORATION SERVICE COMPANY				
Addr 1	285 LIBERTY ST NE					
Addr 2						
CSZ	SALEM	OR	97301		Country	UNITED STATES OF AMERICA

Type	MAL	MAILING ADDRESS				
Addr 1	PO BOX 1215					
Addr 2						
CSZ	REDMOND	OR	97756		Country	UNITED STATES OF AMERICA

Type	MEM	MEMBER			Resign Date	
Not of Record	OREGON RESORTS ACQUISTION PARTNERS LP					
Addr 1	333 S GRAND AVE 28TH FL					
Addr 2						
CSZ	LOS ANGELES	CA	90071		Country	UNITED STATES OF AMERICA

CSZ	ANGELES	CA	90071		Country	UNITED STATES OF AMERICA

New Search Printer Friendly

Name History

Business Entity Name	Name Type	Name Status	Start Date	End Date
OREGON RESORTS, LLC	EN	CUR	01-07-2011	
JELD-WEN DEVELOPMENT, LLC	EN	PRE	12-29-2010	01-07-2011
JELD-WEN DEVELOPMENT, INC.	EN	PRE	01-01-2007	12-29-2010
EAGLE CREST, INC.	EN	PRE	01-02-1997	01-01-2007
EAGLE CREST C.P., INC.	EN	PRE	06-23-1988	01-02-1997

RECEIVED BY OWRD

DEC 23 2013

SALEM, OR

File G-15789

Laura Wilke

From: Frost, Jim <Jfrost@whpacific.com>
Sent: Thursday, October 31, 2013 2:06 PM
To: Laura Wilke
Cc: Boggs, Niall; Chris Earnest (ChrisE@nvoregonresorts.com)
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon
Attachments: 201310311354.pdf

Laura,

Here it is, thanks again for the request. Please let me know if anything else is needed.

Thanks,
Jim Frost, PE | Senior Project Manager
WHPacific, Inc. | 123 SW Columbia St, Bend, OR 97702
Direct 541.312.2261 | Mobile 541.480.2178 | Fax 541.388.4229
Enhancing Communities through Creative, Exceptional Service

From: Laura Wilke [mailto:laura.k.wilke@state.or.us]
Sent: Thursday, October 31, 2013 12:40 PM
To: Frost, Jim
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

When do you think you might be able to tackle this? Shouldn't take too much time, I think.

Laura

From: Frost, Jim [mailto:Jfrost@whpacific.com]
Sent: Thursday, October 31, 2013 12:38 PM
To: Laura Wilke
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Laura,

Thanks for the email – I have been buried, and need to find the last letter, find the water use records for the year, and send the update to you.

Thanks,
Jim Frost, PE | Senior Project Manager
WHPacific, Inc. | 123 SW Columbia St, Bend, OR 97702
Direct 541.312.2261 | Mobile 541.480.2178 | Fax 541.388.4229
Enhancing Communities through Creative, Exceptional Service

From: Laura Wilke [mailto:laura.k.wilke@state.or.us]
Sent: Thursday, October 31, 2013 12:20 PM
To: Frost, Jim
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Jim – I wanted to check in with you on the incremental plan update for Permit G-15855, which was due April 1, 2013. I'm hoping that you can forward an update soon.

Laura

From: Laura Wilke
Sent: Friday, October 25, 2013 8:08 AM
To: Frost, Jim (Jfrost@whpacific.com)
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Jim – I just wanted to follow up and find out when you might be able to provide the annual report on the incremental development plan for Eagle Crest's permit G-15855. This was due back on April 1, 2013.

Thanks, Laura

From: Laura Wilke
Sent: Tuesday, October 15, 2013 12:36 PM
To: Frost, Jim (Jfrost@whpacific.com)
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Jim – ignore the e-mail I just sent. Got this permit mixed up with another permit. The Eagle Crest permit (G-15855) just needs the 2012 update on the incremental development plan including the volume of water used during that calendar year.

Thanks, Laura

From: Laura Wilke
Sent: Tuesday, October 15, 2013 12:33 PM
To: Frost, Jim (Jfrost@whpacific.com)
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Jim – I was also noticing that Eagle Crest's incremental development plan might need a look to see if it needs updating. Current plan:

2006 – 2008 allows up to 38 AF of use and 17.9 AF of mitigation – met
2009 – 2013 allows up to an additional 310 AF of use and an additional 145.7 AF of mitigation – partially met
2014 – 2018 allows up to an additional 295 Af of use and an additional 138.7 AF of mitigation – not yet met

Total volume allowed under permit is 643 AF with a mitigation obligation total of 302.3 AF.

They got an extension on the C Date for this permit (G-16025) until 10/1/2025. The incremental development plan is for a shorter period of time and the second increment needs to be met in full by the end of 2013 unless modified before the end of the year. For example, the second increment can be modified to cover a broader range of years past 2013.

Thanks, Laura

From: Laura Wilke
Sent: Monday, October 14, 2013 9:48 AM
To: 'Frost, Jim'
Cc: Bob McDaniel (BobMc@nvoregonresorts.com)
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Thanks Jim. Not sure if this came across in my prior e-mail but I actually need the update for the 2012 calendar year. The last update was due April 1, 2013. The next one, for the 2013 calendar year, will be due April 1, 2014.

Laura

From: Frost, Jim [mailto:Jfrost@whpacific.com]
Sent: Monday, October 14, 2013 9:43 AM
To: Laura Wilke
Cc: Bob McDaniel (BobMc@nvoregonresorts.com)
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Laura,

Yes, I am handling the Brasada incremental mitigation plan. Thanks for the contact, I look forward to providing the information needed for G-15855.

Thanks,
Jim Frost, PE | Senior Project Manager
WHPacific, Inc. | 123 SW Columbia St, Bend, OR 97702
Direct 541.312.2261 | Mobile 541.480.2178 | Fax 541.388.4229
Enhancing Communities through Creative, Exceptional Service

From: Laura Wilke [mailto:laura.k.wilke@state.or.us]
Sent: Friday, October 11, 2013 10:20 AM
To: Frost, Jim
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Good Morning – I wanted to check and see if you were still handling the below for Brasada/Eagle Crest?

Thanks, Laura Wilke

From: Laura Wilke
Sent: Wednesday, March 13, 2013 10:14 AM
To: 'Frost, Jim'
Subject: Brasada/Eagle Crest - incremental plan update due soon

Jim - I think you've been doing the updates on incremental development plans for Brasada/Eagle Crest. Please let me know if I need to forward this e-mail to someone else if you're no longer taking care of this for them.

Updates on incremental development plans are due April 1. They have one permit with an incremental development plan - G-15855.

Please give me a call if you have any questions.

Thanks, Laura

Laura Wilke
Flow Restoration Program Coordinator
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1271
Phone: (503) 986-0884
Fax: (503) 986-0903

October 31, 2013

WHPacific

Laura Wilke
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1271

Re: Brasada Ranch (Eagle Crest Permit G-15855)
Incremental Development Plan
Annual Update
2012 Calendar Year Water Use

Dear Laura:

We received your reminder for reporting water use related to incremental mitigation at Brasada Ranch.

Eagle Crest, Inc. has an Incremental Mitigation Plan in place for water use at Brasada Ranch for the quasi-municipal permit G-15855. The Brasada Ranch Incremental Mitigation Plan has a mitigation obligation of 50 acre-feet for 2005 to 2014. We have 1.8 permanent credits, and annually purchase 48 temporary credits from the Deschutes River Conservancy (DRC). The 50 acre-feet of mitigation equates to 125 acre-feet (40.7 million gallons) of actual use. We used approximately 39.6 million gallons in the 2012 calendar year under the quasi-municipal permit.

Please contact me with any questions or comments. We greatly appreciate your continued assistance with incremental mitigation planning and annual reporting at Brasada Ranch.

Sincerely,

WHPacific, Inc.

James E. Frost, P.E.
Senior Project Manager

Cc: Chris Earnest
Bob McDaniel

123 SW Columbia Street, Suite 100 • Bend, OR 97702 • T 541.388.4255 • F 541.388.4229 • www.whpacific.com

Laura Wilke

File G-15789

From: Frost, Jim <Jfrost@whpacific.com>
Sent: Wednesday, September 12, 2012 1:43 PM
To: Laura Wilke
Cc: Chris Earnest (ChrisE@nvoregonresorts.com); Boggs, Niall; Bob McDaniel (BobMc@eagle-crest.com)
Subject: RE: Brasada Water Use and Mitigation Reporting - Permit G-15855
Attachments: 20120912134032686.pdf

Laura,

Here is the Brasada Water Use and Mitigation Reporting for Permit G-15855, 2011 calendar year. Please call or reply if anything else is needed.

Thanks,

Jim Frost
Senior Project Manager, WHPacific, Inc.

From: Laura Wilke [mailto:laura.k.wilke@state.or.us]
Sent: Thursday, September 06, 2012 8:42 AM
To: Frost, Jim
Cc: Chris Earnest (ChrisE@nvoregonresorts.com); Boggs, Niall
Subject: RE: Brasada Water Use and Mitigation Reporting - Permit G-15855

Thanks for the e-mail Jim. Do you have a time estimate for being able to get me an update on the incremental plan for 2011?

And also thanks for the updated contact information for Eagle Crest. I got an "out of office" reply for Alan's e-mail letting me know he was no longer with the company.

Laura

From: Frost, Jim [mailto:Jfrost@whpacific.com]
Sent: Thursday, September 06, 2012 8:38 AM
To: Laura Wilke (laura.k.wilke@state.or.us)
Cc: Chris Earnest (ChrisE@nvoregonresorts.com); Boggs, Niall
Subject: FW: Brasada Water Use and Mitigation Reporting - Permit G-15855

Laura,

I appreciate your email reminder, and will update the incremental mitigation plan information. Brasada ranch used a similar amount of water this water year relative to last water year, and has purchased the 48 temporary credits from Deschutes River Conservancy (DRC).

Chris Earnest is monitoring and maintaining water rights for Brasada instead of Alan VanVliet. Please see Chris's contact information below:

NVHG | OREGON RESORTS

Christopher Earnest | Director of Finance
7555 Falcon Crest Drive Redmond, OR 97756

P:541.548.9379 | C:541.604.0695 | F:541.923.0881
chrise@nvoregonresorts.com | www.nvoregonresorts.com

I will work with Chris and prepare and send the update to the incremental mitigation plan, along with the water use for 2010/2011. Please call or reply with any questions or comments.

Thanks,
Jim Frost
Senior Project Manager, WHPacific, Inc.

From: Laura Wilke [mailto:laura.k.wilke@state.or.us]
Sent: Thursday, September 06, 2012 8:17 AM
To: Frost, Jim; Alan VanVliet
Subject: FW: Brasada Water Use and Mitigation Reporting - Permit G-15855

Good Morning to you both:

I'm updating records for incremental development plans and noticed that the Department did not receive an update for Eagle Crest's permit G-15855 for 2011. Plan updates are due every April 1.

Please submit an update on the development for the incremental development plan for 2011. A copy of the update submitted last year for 2010 is attached as a reference.

If you have any questions, please give me a call at (503) 986-0884. I'll be in the office today and then out for a week starting this Friday.

Thanks,

Laura Wilke
Flow Restoration Program Coordinator.

From: Frost, Jim [mailto:Jfrost@whpacific.com]
Sent: Monday, October 17, 2011 2:27 PM
To: Laura Wilke
Cc: Alan VanVliet
Subject: FW: Brasada Water Use and Mitigation Reporting - Permit G-15855

Laura,

Here is our Water Use Reporting for 2009/2010 water year. We will send the 2010/2011 water use in March/April. I anticipate payment of temporary mitigation credits similar to last year to cover our Incremental Mitigation requirements. Please call or reply if any additional information is needed.

Thanks,
Jim Frost
Senior Project Manager, WHPacific, Inc.

WHPacific
123 SW Columbia Street | Bend, OR 97702
D 541.312.2261 | O 541.388.4255 | F 541.388.4229
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WHPacific

September 12, 2012

Mr. Laura Wilke
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1271

Re: Brasada Ranch (Eagle Crest Permit G-15855)
Incremental Development Plan
Annual Update
2011 Calendar Year Water Use

Dear Laura:

We received your reminder for reporting water use related to incremental mitigation at Brasada Ranch.

Eagle Crest, Inc. has an Incremental Mitigation Plan in place for water use at Brasada Ranch for the quasi-municipal permit G-15855. The Brasada Ranch Incremental Mitigation Plan has a mitigation obligation of 50 acre-feet for 2005 to 2014. We have 1.8 permanent credits, and annually purchase 48 temporary credits from the Deschutes River Conservancy (DRC). The 50 acre-feet of mitigation equates to 125 acre-feet (40.7 million gallons) of actual use. We used approximately 32.5 million gallons in the 2011 calendar year under the quasi-municipal permit.

Please contact me with any questions or comments. We greatly appreciate your continued assistance with incremental mitigation planning and annual reporting at Brasada Ranch.

Sincerely,

WHPacific, Inc.

James E. Frost, P.E.
Senior Project Manager

Cc: Chris Earnest
Bob McDaniel

123 SW Columbia Street, Suite 100 • Bend, OR 97702 • T 541.388.4255 • F 541.388.4229 • www.whpacific.com

WHPacific

December 2, 2014

Laura Wilke
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1271

Re: Brasada Ranch (Eagle Crest Permit G-15855)
Incremental Development Plan
Annual Update
2013 and 2014 Calendar Year Water Use and Incremental Development Plan Review

Dear Laura:

We received your reminder for reporting water use related to incremental mitigation at Brasada Ranch.

Eagle Crest, Inc. has an Incremental Mitigation Plan in place for water use at Brasada Ranch for the quasi-municipal permit G-15855. The Brasada Ranch Incremental Mitigation Plan has a mitigation obligation of 50 acre feet for 2005 to 2014. Brasada has 1.8 permanent credits and annually purchases 48.2 temporary credits from the Deschutes River Conservancy (DRC). The 50 acre feet of mitigation equates to 125 acre feet (40.7 million gallons) of actual use.

We used approximately 47.3 million gallons in the 2013 calendar year under the quasi-municipal permit and Brasada has purchased an additional 8.1 acre feet of mitigation to cover actual use in 2013. We project 2014 use will be 59.3 million gallons. Brasada will purchase approximately 24 acre feet additional mitigation to cover actual use in 2014. The Incremental Mitigation Plan calls for 100 acre feet of mitigation from 2015 to 2019, this equates to 250 acre feet (81.4 million gallons) of use, which will cover anticipated use for 2015-2019. We propose leaving the Incremental Mitigation Plan as is.

Please contact me with any questions or comments. We greatly appreciate your continued assistance with incremental mitigation planning and annual reporting at Brasada Ranch.

Sincerely,

WHPacific, Inc.

James E. Frost, P.E.
Senior Project Manager

Enc: Incremental Development Plan

Cc: Chris Earnest
Bob McDaniel

P:\Brasada Ranch\037277\Management\Correspondence\Letter\101411 JEF Letter to OWRD re Brasada Ranch Permit G15855 Incremental Development Plan.doc

Oregon
John A. Kitzhaber, MD, 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

October 4, 2011

James Frost, P.E.
WH Pacific, Inc.
123 SW Columbia Street
Bend, OR 97702

Re: Incremental Development Plan Update – Reminder - for Eagle Crest Ground Water Permit G-15855 (file G-15789)

Dear Jim:

On October 4, 2010, the Department approved a request to modify the incremental development plan for Eagle Crest's groundwater permit G-15855. This permit has a mitigation obligation of 203.2 acre-feet in the General Zone of Impact. One of the permit conditions on the permit requires the applicant to report to the Department to progress of developing the incremental development plan by April 1 of each year. The last annual update on implementation of the incremental development plan was due to the Department no later than April 1, 2011. It does not appear that an update was submitted to the Department. Please submit the annual update to the Department. The annual update should also include the amount of water used (volume) during 2010 and the source of mitigation used during that period. This is an updated rule requirement adopted by the Department's Commission in June, 2010, under OAR 690-522-0040.

203.2
JEF
10/11/11

The current incremental development plan is as follows:

Incremental Step	Volume of Use (AF)	Amount of Mitigation (AF)	Source of Mitigation	Type of Mitigation
1. 2005 – 2014	125.0	50.0	Mitigation Project MP-57 (1.8 credits) and 48.2 mitigation credits from the DRC Mitigation Bank or a permanent source	Permanent & temporary
2. 2015 – 2019	250.0	100.0		
3. 2020 – 2024	375.0	150.0		
4. 2025 – 2029	500.0	200.0		
5. 2030 on	508.0	203.2		
Totals	508.0	203.2	50.0	

Please submit the annual update on the incremental development plan by October 31, 2011. If you have any questions, please give me a call at (503) 986-0884.

Sincerely,

Laura Wilke
Flow Restoration Program Coordinator

c: Jeremy Giffin, Watermaster District 11
Eagle Crest
file G-15789

WHPacific

December 2, 2014

Laura Wilke
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1271

Re: Brasada Ranch (Eagle Crest Permit G-15855)
Incremental Development Plan
Annual Update
2013 and 2014 Calendar Year Water Use and Incremental Development Plan Review

Dear Laura:

We received your reminder for reporting water use related to incremental mitigation at Brasada Ranch.

Eagle Crest, Inc. has an Incremental Mitigation Plan in place for water use at Brasada Ranch for the quasi-municipal permit G-15855. The Brasada Ranch Incremental Mitigation Plan has a mitigation obligation of 50 acre feet for 2005 to 2014. Brasada has 1.8 permanent credits and annually purchases 48.2 temporary credits from the Deschutes River Conservancy (DRC). The 50 acre feet of mitigation equates to 125 acre feet (40.7 million gallons) of actual use.

We used approximately 47.3 million gallons in the 2013 calendar year under the quasi-municipal permit and Brasada has purchased an additional 8.1 acre feet of mitigation to cover actual use in 2013. We project 2014 use will be 59.3 million gallons. Brasada will purchase approximately 24 acre feet additional mitigation to cover actual use in 2014. The Incremental Mitigation Plan calls for 100 acre feet of mitigation from 2015 to 2019, this equates to 250 acre feet (81.4 million gallons) of use, which will cover anticipated use for 2015-2019. We propose leaving the Incremental Mitigation Plan as is.

Please contact me with any questions or comments. We greatly appreciate your continued assistance with incremental mitigation planning and annual reporting at Brasada Ranch.

Sincerely,

WHPacific, Inc.

James E. Frost, P.E.
Senior Project Manager

Enc: Incremental Development Plan

Cc: Chris Earnest
Bob McDaniel

P:\Brasada Ranch\037277\Management\Correspondence\Letter\101411 JEF Letter to OWRD re Brasada Ranch Permit G15855 Incremental Development Plan.doc

Oregon
John A. Kitzhaber, MD, 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

October 4, 2011

James Frost, P.E.
WH Pacific, Inc.
123 SW Columbia Street
Bend, OR 97702

Re: Incremental Development Plan Update – Reminder - for Eagle Crest Ground Water Permit G-15855 (file G-15789)

Dear Jim:

On October 4, 2010, the Department approved a request to modify the incremental development plan for Eagle Crest's groundwater permit G-15855. This permit has a mitigation obligation of 203.2 acre-feet in the General Zone of Impact. One of the permit conditions on the permit requires the applicant to report to the Department to progress of developing the incremental development plan by April 1 of each year. The last annual update on implementation of the incremental development plan was due to the Department no later than April 1, 2011. It does not appear that an update was submitted to the Department. Please submit the annual update to the Department. The annual update should also include the amount of water used (volume) during 2010 and the source of mitigation used during that period. This is an updated rule requirement adopted by the Department's Commission in June, 2010, under OAR 690-522-0040.

203.2
JEF
10/11/11

The current incremental development plan is as follows:

Incremental Step	Volume of Use (AF)	Amount of Mitigation (AF)	Source of Mitigation	Type of Mitigation
1. 2005 – 2014	125.0	50.0	Mitigation Project MP-57 (1.8 credits) and 48.2 mitigation credits from the DRC Mitigation Bank or a permanent source	Permanent & temporary
2. 2015 – 2019	250.0	100.0		
3. 2020 – 2024	375.0	150.0		
4. 2025 – 2029	500.0	200.0		
5. 2030 on	508.0	203.2		
Totals	508.0	203.2	50.0	

Please submit the annual update on the incremental development plan by October 31, 2011. If you have any questions, please give me a call at (503) 986-0884.

Sincerely,

Laura Wilke
Flow Restoration Program Coordinator

c: Jeremy Giffin, Watermaster District 11
Eagle Crest
file G-15789

WILKE Laura K

From: Lawain Cooley <Lawain@brasada.com>
Sent: Thursday, March 26, 2015 1:38 PM
To: laura.k.wilke@state.or.us
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon
Attachments: brasada incr mit plan letter.pdf

Hello Laura,
I had sent this to the wrong Laura earlier. I'm sorry for the delay. Please see the email thread between you and Jim Frost below. We are continuing his services through his new company, Parametrix. Is there anything else you need from us to keep this process going? Please see attached letter from Jim seeking approval of the Incremental Development Plan for mitigation of water use at Brasada. Please contact Jim with any questions and send your decision at your soonest convenience.

Thank you, Lawain
Lawain Cooley | Property Ops. & DRC Admin Asst.
16986 SW Brasada Ranch Rd., Powell Butte, OR 97753
P:541.504.3223 | Lawain@brasada.com

From: Mark Gerdes
Sent: Thursday, March 26, 2015 10:58 AM
To: 'Jim Frost'; Curt Heimuller; Chris Earnest
Cc: Lawain Cooley
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Jim,

Will you be able to continue spearheading this as you have done through WHP in the past? We would like you to set up a project through Parametrix to continue your services. Let me know what else I need to do on my end.

Thanks,
Mark

Mark Gerdes | DRC Administrator
Property Operations Manager
16986 SW Brasada Ranch Rd Powell Butte,
OR 97753
P:541.526.6399 | C:541.408.7852 |
F:541.526.6821
MarkG@brasada.com | www.Brasada.com

From: Jim Frost [mailto:JFrost@parametrix.com]
Sent: Wednesday, March 25, 2015 2:18 PM
To: Mark Gerdes; Chris Earnest
Cc: Curt Heimuller; Bob McDaniel; Niall Boggs
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Mark and Chris,

Please see the below email string with Laura Wilkey, OWRD. Our intent is to maintain the Brasada water rights by catching up on 2014 mitigation so it matches actual use, and work with Laura to make any required changes to the Incremental Development Plan so future use does not exceed mitigation. It's great to see growth at Brasada, and the water rights mitigation need to get caught up with water use.

Please call or reply with any questions or comments.

Thanks,

Parametrix
ENGINEERING . PLANNING . ENVIRONMENTAL SCIENCES

James E. Frost, PE
Senior Project Manager
595 SW Bluff Dr, Suite B
Bend, OR 97702
541.550.7688 | desk
541.480.2178 | cell

From: Curt Heimuller [mailto:Curt@nvoregonresorts.com]
Sent: Friday, March 20, 2015 9:12 AM
To: Jim Frost
Cc: Bob McDaniel
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

I believe that both Chris Earnest and Mark Gerdes have been involved with this and should be included Jim. Thanks

---

From: Jim Frost [mailto:JFrost@parametrix.com]
Sent: Friday, March 20, 2015 9:10 AM
To: Curt Heimuller
Cc: Bob McDaniel
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Curt,

Should this go to Mark Gerdes also?

Thanks,

From: Jim Frost
Sent: Friday, March 20, 2015 9:01 AM
To: 'WILKE Laura K'
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Can we purchase the catch up mitigation and have it on record in notes?

From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Friday, March 20, 2015 8:50 AM
To: Jim Frost

Cc: Niall Boggs
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Hi Jim:

Not sure if there's anything else we need yet. Might depend on what's identified in the 2014 update. I did want to clarify that the credits purchased in 2014 only cover some of the additional use in 2014. Unfortunately, credits aren't retroactive. At this point, we don't have additional mitigation for 2013. The 8.1 credits purchased at the end of 2014 were credited towards use in 2014.

Under the permit and by rule, permit holders with incremental development plans are required to provide additional mitigation before increasing the amount of water used. Feel free to give me a call if you have any questions.

Laura

From: Jim Frost [mailto:JFrost@parametrix.com]
Sent: Friday, March 20, 2015 8:33 AM
To: WILKE Laura K
Cc: Niall Boggs
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Laura,

Perfect, thanks. I am obtaining the actual use data for 2014, and will update this letter. I believe the current incremental mitigation plan will exceed actual use based on projected growth of Brasada. Is there anything else you need, besides the updated letter and proof that Brasada purchased additional temp mitigation to cover the actual use in 2014? They have already purchased the added temp mitigation to cover actual use in 2013.

Thanks,

From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Friday, March 20, 2015 8:26 AM
To: Jim Frost
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Are you thinking about this letter? Or another one?

Laura

From: Jim Frost [mailto:Jfrost@whpacific.com]
Sent: Thursday, December 04, 2014 10:32 AM
To: Laura Wilke (laura.k.wilke@state.or.us)
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Laura,

Please find the attached letter describing use in 2013 and 2014, purchase of additional mitigation credits, and discussion of adequacy of the current mitigation plan for 2015-2019. Please call or reply with any questions or comments.

Thanks,
Jim Frost, PE | Project Manager
WHPacific, Inc. | 123 SW Columbia St, Bend, OR 97702
Direct 541.312.2261 | Mobile 541.480.2178 | Fax 541.388.4229 | jfrost@whpacific.com

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From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Thursday, December 04, 2014 9:41 AM
To: Jim Frost
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Hi Jim – I just wanted to follow up on the additional credits. Those can be used for any additional use above and beyond what they currently have authorized under the incremental development plan for 2014. Unfortunately, there's no mechanism to provide mitigation retroactively. If they obtain the credits, they'll want to make sure they also cover any additional use for 2014. And I can make appropriate notes in the file and in our tracking.

Laura

From: Jim Frost [mailto:Jfrost@whpacific.com]
Sent: Wednesday, November 26, 2014 7:58 AM
To: WILKE Laura K
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Laura,

I will review 2014 use available to date, estimate use thru end of calendar year, and request purchase of additional mitigation as needed. We plan to update the Incremental Mitigation Plan to be sure we purchase adequate mitigation credits in advance each year as required. Brasada is processing a check for DRC for the 8.1 AF additional credit to cover the use in 2013, and I will send you the receipt from DRC for your records. We appreciate your assistance.

Thanks,
Jim Frost, PE | Project Manager
WHPacific, Inc. | 123 SW Columbia St, Bend, OR 97702
Direct 541.312.2261 | Mobile 541.480.2178 | Fax 541.388.4229 | jfrost@whpacific.com

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From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Wednesday, November 26, 2014 7:52 AM
To: Jim Frost
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Jim – I just wanted to do a quick follow up on mitigation for Eagle Crest/Brasada. Will the 8.1 AF of additional mitigation cover any additional use also in 2014? Or is more mitigation needed considering 2014 use level or anticipated use level?

Laura

From: WILKE Laura K
Sent: Monday, November 24, 2014 11:59 AM
To: 'Jim Frost'
Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com); GIFFIN Jeremy T
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Thanks for the update Jim. Please forward the documentary evidence form the DRC when it comes through. I'll update tracking and staff at this end and let you know if there's any further follow up. At this point, may just be a matter of getting the incremental plan updated accordingly and mitigation in line with use. Thinking forward, consistent with permit conditions, additional mitigation needs to be obtained before any increase in use and incremental plans also need to be updated accordingly.

Thanks again,
Laura

From: Jim Frost [mailto:Jfrost@whpacific.com]
Sent: Monday, November 24, 2014 11:49 AM
To: WILKE Laura K
Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com)
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Laura,

We plan to purchase the additional 8.1 AF to cover our actual use in 2013, and update the Incremental Mitigation Plan to properly cover our anticipated use. We have contacted Gen at Deschutes River Conservancy to coordinate purchase of the 8.1 AF. We look forward to working with you to update the Incremental Mitigation Plan.

Thanks,
Jim Frost, PE | Project Manager
WHPacific, Inc. | 123 SW Columbia St, Bend, OR 97702
Direct 541.312.2261 | Mobile 541.480.2178 | Fax 541.388.4229 | jfrost@whpacific.com

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From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Friday, November 21, 2014 2:08 PM
To: Jim Frost
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Jim – Just wanted to touch base with you on the incremental plan for Eagle Crest (permit G-15855). See below e-mail. You also asked in a previous e-mail:

"Would it be acceptable to change the 2015 to 2019 mitigation from 100 AF (250 AF actual use) to perhaps 75 AF mitigation (187.5 AF actual use, 61.1 MG)? We used 47.3 MG in 2013 calendar year, so that leaves room for growth over the next 5 years."

What we might want to look at first is the first increment. Thru 2012, it appears that they were within the limits of the first increment (up to 125 AF annual use and 50.0 AF of mitigation). For 2012, you reported that they had used 121.5 AF. But for 2013, the volume of use reported is outside of the first increment, being 145.2 AF (mitigation needed = 58.1 AF).

Laura

From: WILKE Laura K
Sent: Thursday, November 13, 2014 1:31 PM

To: 'Jim Frost'
Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com); GIFFIN Jeremy T
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Hi Jim – I found something in the annual number you sent that may require additional work or evaluation. It appears that the amount of mitigation provided (50.0 AF) and the amount of use for 2013 (145.2 AF based on conversion of 47.3 MG) do not currently match. Use of 145.2 AF would require 58.1 AF of mitigation. If more water is being used than mitigated for, additional mitigation will need to be provided. This also looks like it exceeds the amount of use currently allowed under the incremental development plan.

Laura

From: Jim Frost [mailto:Jfrost@whpacific.com]
Sent: Thursday, November 13, 2014 12:16 PM
To: WILKE Laura K
Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com)
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Laura,

Yes, this will about the amount of water used in 2013 under Permit G-15855. The amount used in the 2013 calendar year was 47.3 MG. I anticipate working with Chris to modify the Incremental Mitigation Plan to change 2015 to 2019 mitigation to more closely match anticipated use.

Thanks,
Jim Frost, PE | Project Manager
WHPacific, Inc. | 123 SW Columbia St, Bend, OR 97702
Direct 541.312.2261 | Mobile 541.480.2178 | Fax 541.388.4229 | jfrost@whpacific.com

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From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Thursday, November 13, 2014 9:41 AM
To: Jim Frost
Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com)
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Sounds good. And just to clarify, this will about the amount of water used in 2013 under Permit G-15855? It also looks like folk may want take a look at the incremental development plan and see if any updates are needed. The first increment with 50 AF of mitigation ends 2014.

Laura

From: Jim Frost [mailto:Jfrost@whpacific.com]
Sent: Thursday, November 13, 2014 9:35 AM
To: WILKE Laura K
Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com)
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Laura,

I have contacted Avion and requested the total water use for Brasada. Once I receive the info, I'll revise the letter and send it to you. Avion is typically quick to respond, so I expect to get you the letter in the next few days. Please let me know if that is acceptable.

Thanks,
Jim Frost, PE | Project Manager
WHPacific, Inc. | 123 SW Columbia St, Bend, OR 97702
Direct 541.312.2261 | Mobile 541.480.2178 | Fax 541.388.4229 | jfrost@whpacific.com

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From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Thursday, November 13, 2014 8:20 AM
To: Jim Frost
Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com)
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Thanks Jim! I'll look for the updates. When do you anticipate being able to submit the status update for 2013?

Laura

From: Jim Frost [mailto:Jfrost@whpacific.com]
Sent: Thursday, November 13, 2014 8:17 AM
To: WILKE Laura K
Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com)
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Laura,

I am still the primary contact, with Chris Earnest the Owner. I will get the updated mitigation plan completed and sent to you, I appreciate your reminder.

Thanks,
Jim Frost, PE | Project Manager
WHPacific, Inc. | 123 SW Columbia St, Bend, OR 97702
Direct 541.312.2261 | Mobile 541.480.2178 | Fax 541.388.4229 | jfrost@whpacific.com

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From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Thursday, November 13, 2014 8:05 AM
To: Jim Frost
Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com)
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Jim- checking in again on the below. Let me know if I should be contacting someone else for this information if you're not still the primary for this. Or if you already sent it, please go ahead and resend.

Thanks, Laura

From: WILKE Laura K
Sent: Wednesday, October 29, 2014 4:40 PM
To: Frost, Jim (Jfrost@whpacific.com)
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Jim – I'm working on some Mitigation Program updates for 2013 and I don't see that we've received an update yet on the incremental development plan for Permit G-15855 for Eagle Crest/Brasada. The annual update was due, as identified below, on April 1, 2014.

The update needs to include the progress made on permit development under the incremental development plan, the volume (in acre-feet) of water used in 2013, and any request to modify the incremental plan currently on file with the Department.

Current plan on file:

Incremental Step	Volume in date range	Mitigation in date range	Mitigation Source
1. 2005 - 2014	125.0 AF	50.0 AF	1.8 AF from MP-57 (permanent) and 48.2 temporary credits from DRC Mit. Bank
2. 2015 – 2019	125.0 AF	50.0 AF	
3. 2020 - 2024	125.0 AF	50.0 AF	
4. 2025 – 2029	125.0 AF	50.0 AF	
5. 2030	8.0 AF	3.2 AF	
Totals	508.0 AF	203.2 AF	

Please provide the annual update on the incremental development plan for 2013. The next annual update for 2014 will be due on April 1, 2015.

Please give me a call if you have any questions. If you've already sent the 2013 annual update, please forward it again.

Thanks, Laura

From: WILKE Laura K
Sent: Thursday, April 24, 2014 10:11 AM
To: 'Frost, Jim'
Cc: Boggs, Niall
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Jim – I don't see that I received an update yet for the incremental development plan for Permit G-15855 for Eagle Crest/Brasada. Updates were due on April 1.

If you already sent the update, would you please forward it to me again.

Thanks, Laura

From: Frost, Jim [mailto:Jfrost@whpacific.com]
Sent: Thursday, March 20, 2014 3:20 PM
To: WILKE Laura K
Cc: Boggs, Niall
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Laura,

Yes, we are still taking care of the Incremental Mitigation plan for Brasada. I'll review and get back to you, thanks for the reminder.

Jim Frost, PE | Project Manager 3
WHPacific, Inc. | 123 SW Columbia St, Ste 100, Bend, OR 97702
Direct 541.312.2261 | Mobile 541.480.2178 | Fax 541.388.4229
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From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Thursday, March 20, 2014 9:54 AM
To: Frost, Jim
Subject: Brasada/Eagle Crest - incremental plan update due soon

Jim - I believe that you're still taking care of the updates on incremental development plans for Brasada/Eagle Crest. Please let me know if I need to forward this e-mail to someone else if you're no longer taking care of this for them.

Updates on incremental development plans are due April 1. They have one permit with an incremental development plan - G-15855.

Please give me a call if you have any questions.

Thanks, Laura

Laura Wilke
Flow Restoration Program Coordinator
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1271
Phone: (503) 986-0884
Fax: (503) 986-0903

WILKE Laura K

From: WILKE Laura K
Sent: Friday, April 10, 2015 11:09 AM
To: Lawain Cooley (Lawain@brasada.com)
Cc: Jim Frost (JFrost@parametrix.com)
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Good Morning – I just wanted to check in with you on the below. Annual updates on the status of incremental development plans was due April 1st.

Thanks, Laura

From: Lawain Cooley [mailto:Lawain@brasada.com]
Sent: Thursday, March 26, 2015 4:20 PM
To: WILKE Laura K
Cc: JFrost@parametrix.com
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Looks like I was in a rush and thought that letter needed to go straight to you. I will update it with Mark Gerdes and send it again correctly.

Thank you, Lawain
Lawain Cooley | Property Ops. & DRC Admin Asst.
16986 SW Brasada Ranch Rd., Powell Butte, OR 97753
P:541.504.3223 | Lawain@brasada.com

From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Thursday, March 26, 2015 4:19 PM
To: Lawain Cooley
Cc: Jim Frost (JFrost@parametrix.com)
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Hello Lawain:

I think you may have attached the wrong letters. I see approval of an updated incremental plan sent by the Department in 2011. And I see a letter from Jim Frost received by the Department late 2014 as an update on how things went in 2013. The update due by April 1 needs to provide a status update on the incremental plan and the quantity (in acre-feet) of water used during 2014. It can also include a request to update the incremental plan on file with the Department.

Please feel free to give me a call if you have any questions.

Thanks, Laura

From: Lawain Cooley [mailto:Lawain@brasada.com]
Sent: Thursday, March 26, 2015 1:38 PM
To: laura.k.wilke@state.or.us
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

WILKE Laura K

From: Lawain Cooley <Lawain@brasada.com>
Sent: Thursday, March 26, 2015 4:20 PM
To: WILKE Laura K
Cc: JFrost@parametrix.com
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Looks like I was in a rush and thought that letter needed to go straight to you. I will update it with Mark Gerdes and send it again correctly.

Thank you, Lawain
Lawain Cooley | Property Ops. & DRC Admin Asst.
16986 SW Brasada Ranch Rd., Powell Butte, OR 97753
P:541.504.3223 | Lawain@brasada.com

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Hello Laura,
I had sent this to the wrong Laura earlier. I'm sorry for the delay. Please see the email thread between you and Jim Frost below. We are continuing his services through his new company, Parametrix. Is there anything else you need from us to keep this process going? Please see attached letter from Jim seeking approval of the Incremental Development Plan for mitigation of water use at Brasada. Please contact Jim with any questions and send your decision at your soonest convenience.

Thank you, Lawain
Lawain Cooley | Property Ops. & DRC Admin Asst.

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Lawain Cooley | Property Ops. & DRC Admin Asst.

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Thank you, Lawain
Lawain Cooley | Property Ops. & DRC Admin Asst.
16986 SW Brasada Ranch Rd., Powell Butte, OR 97753
P:541.504.3223 | Lawain@brasada.com

From: Mark Gerdes
Sent: Thursday, March 26, 2015 10:58 AM
To: 'Jim Frost'; Curt Heimuller; Chris Earnest
Cc: Lawain Cooley
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Jim,

Will you be able to continue spearheading this as you have done through WHP in the past? We would like you to set up a project through Parametrix to continue your services. Let me know what else I need to do on my end.

WILKE Laura K

From: WILKE Laura K
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Please feel free to give me a call if you have any questions.

Thanks, Laura

From: Lawain Cooley [mailto:Lawain@brasada.com]
Sent: Thursday, March 26, 2015 1:38 PM
To: laura.k.wilke@state.or.us
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

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Thank you, Lawain
Lawain Cooley | Property Ops. & DRC Admin Asst.
16986 SW Brasada Ranch Rd., Powell Butte, OR 97753
P:541.504.3223 | Lawain@brasada.com

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Sent: Thursday, March 26, 2015 10:58 AM
To: 'Jim Frost'; Curt Heimuller; Chris Earnest
Cc: Lawain Cooley
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

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WILKE Laura K

From: Lawain Cooley <Lawain@brasada.com>
Sent: Thursday, March 26, 2015 1:38 PM
To: laura.k.wilke@state.or.us
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon
Attachments: brasada incr mit plan letter.pdf

Hello Laura,
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Thank you, Lawain
Lawain Cooley | Property Ops. & DRC Admin Asst.
16986 SW Brasada Ranch Rd., Powell Butte, OR 97753
P:541.504.3223 | Lawain@brasada.com

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Sent: Thursday, March 26, 2015 10:58 AM
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Cc: Lawain Cooley
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Jim,

Will you be able to continue spearheading this as you have done through WHP in the past? We would like you to set up a project through Parametrix to continue your services. Let me know what else I need to do on my end.

Thanks,
Mark

Mark Gerdes | DRC Administrator
Property Operations Manager
16986 SW Brasada Ranch Rd Powell Butte,
OR 97753
P:541.526.6399 | C:541.408.7852 |
F:541.526.6821
MarkG@brasada.com | www.Brasada.com

From: Jim Frost [mailto:JFrost@parametrix.com]
Sent: Wednesday, March 25, 2015 2:18 PM
To: Mark Gerdes; Chris Earnest
Cc: Curt Heimuller; Bob McDaniel; Niall Boggs
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Mark and Chris,

Please see the below email string with Laura Wilkey, OWRD. Our intent is to maintain the Brasada water rights by catching up on 2014 mitigation so it matches actual use, and work with Laura to make any required changes to the Incremental Development Plan so future use does not exceed mitigation. It's great to see growth at Brasada, and the water rights mitigation need to get caught up with water use.

Please call or reply with any questions or comments.

Thanks,

Parametrix
ENGINEERING . PLANNING . ENVIRONMENTAL SCIENCES

James E. Frost, PE
Senior Project Manager
595 SW Bluff Dr, Suite B
Bend, OR 97702
541.550.7688 | desk
541.480.2178 | cell

From: Curt Heimuller [mailto:Curt@nvoregonresorts.com]
Sent: Friday, March 20, 2015 9:12 AM
To: Jim Frost
Cc: Bob McDaniel
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

I believe that both Chris Earnest and Mark Gerdes have been involved with this and should be included Jim. Thanks

---

From: Jim Frost [mailto:JFrost@parametrix.com]
Sent: Friday, March 20, 2015 9:10 AM
To: Curt Heimuller
Cc: Bob McDaniel
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Curt,

Should this go to Mark Gerdes also?

Thanks,

From: Jim Frost
Sent: Friday, March 20, 2015 9:01 AM
To: 'WILKE Laura K'
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Can we purchase the catch up mitigation and have it on record in notes?

From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Friday, March 20, 2015 8:50 AM
To: Jim Frost

Cc: Niall Boggs
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Hi Jim:

Not sure if there's anything else we need yet. Might depend on what's identified in the 2014 update. I did want to clarify that the credits purchased in 2014 only cover some of the additional use in 2014. Unfortunately, credits aren't retroactive. At this point, we don't have additional mitigation for 2013. The 8.1 credits purchased at the end of 2014 were credited towards use in 2014.

Under the permit and by rule, permit holders with incremental development plans are required to provide additional mitigation before increasing the amount of water used. Feel free to give me a call if you have any questions.

Laura

From: Jim Frost [mailto:JFrost@parametrix.com]
Sent: Friday, March 20, 2015 8:33 AM
To: WILKE Laura K
Cc: Niall Boggs
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Laura,

Perfect, thanks. I am obtaining the actual use data for 2014, and will update this letter. I believe the current incremental mitigation plan will exceed actual use based on projected growth of Brasada. Is there anything else you need, besides the updated letter and proof that Brasada purchased additional temp mitigation to cover the actual use in 2014? They have already purchased the added temp mitigation to cover actual use in 2013.

Thanks,

From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Friday, March 20, 2015 8:26 AM
To: Jim Frost
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Are you thinking about this letter? Or another one?

Laura

From: Jim Frost [mailto:Jfrost@whpacific.com]
Sent: Thursday, December 04, 2014 10:32 AM
To: Laura Wilke (laura.k.wilke@state.or.us)
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Laura,

Please find the attached letter describing use in 2013 and 2014, purchase of additional mitigation credits, and discussion of adequacy of the current mitigation plan for 2015-2019. Please call or reply with any questions or comments.

Thanks,
Jim Frost, PE | Project Manager
WHPacific, Inc. | 123 SW Columbia St, Bend, OR 97702
Direct 541.312.2261 | Mobile 541.480.2178 | Fax 541.388.4229 | jfrost@whpacific.com

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From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Thursday, December 04, 2014 9:41 AM
To: Jim Frost
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Hi Jim – I just wanted to follow up on the additional credits. Those can be used for any additional use above and beyond what they currently have authorized under the incremental development plan for 2014. Unfortunately, there's no mechanism to provide mitigation retroactively. If they obtain the credits, they'll want to make sure they also cover any additional use for 2014. And I can make appropriate notes in the file and in our tracking.

Laura

From: Jim Frost [mailto:Jfrost@whpacific.com]
Sent: Wednesday, November 26, 2014 7:58 AM
To: WILKE Laura K
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Laura,

I will review 2014 use available to date, estimate use thru end of calendar year, and request purchase of additional mitigation as needed. We plan to update the Incremental Mitigation Plan to be sure we purchase adequate mitigation credits in advance each year as required. Brasada is processing a check for DRC for the 8.1 AF additional credit to cover the use in 2013, and I will send you the receipt from DRC for your records. We appreciate your assistance.

Thanks,
Jim Frost, PE | Project Manager
WHPacific, Inc. | 123 SW Columbia St, Bend, OR 97702
Direct 541.312.2261 | Mobile 541.480.2178 | Fax 541.388.4229 | jfrost@whpacific.com

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From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Wednesday, November 26, 2014 7:52 AM
To: Jim Frost
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Jim – I just wanted to do a quick follow up on mitigation for Eagle Crest/Brasada. Will the 8.1 AF of additional mitigation cover any additional use also in 2014? Or is more mitigation needed considering 2014 use level or anticipated use level?

Laura

From: WILKE Laura K
Sent: Monday, November 24, 2014 11:59 AM
To: 'Jim Frost'
Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com); GIFFIN Jeremy T
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Thanks for the update Jim. Please forward the documentary evidence form the DRC when it comes through. I'll update tracking and staff at this end and let you know if there's any further follow up. At this point, may just be a matter of getting the incremental plan updated accordingly and mitigation in line with use. Thinking forward, consistent with permit conditions, additional mitigation needs to be obtained before any increase in use and incremental plans also need to be updated accordingly.

Thanks again,
Laura

From: Jim Frost [mailto:Jfrost@whpacific.com]
Sent: Monday, November 24, 2014 11:49 AM
To: WILKE Laura K
Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com)
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Laura,

We plan to purchase the additional 8.1 AF to cover our actual use in 2013, and update the Incremental Mitigation Plan to properly cover our anticipated use. We have contacted Gen at Deschutes River Conservancy to coordinate purchase of the 8.1 AF. We look forward to working with you to update the Incremental Mitigation Plan.

Thanks,
Jim Frost, PE | Project Manager
WHPacific, Inc. | 123 SW Columbia St, Bend, OR 97702
Direct 541.312.2261 | Mobile 541.480.2178 | Fax 541.388.4229 | jfrost@whpacific.com

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From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Friday, November 21, 2014 2:08 PM
To: Jim Frost
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Jim – Just wanted to touch base with you on the incremental plan for Eagle Crest (permit G-15855). See below e-mail. You also asked in a previous e-mail:

"Would it be acceptable to change the 2015 to 2019 mitigation from 100 AF (250 AF actual use) to perhaps 75 AF mitigation (187.5 AF actual use, 61.1 MG)? We used 47.3 MG in 2013 calendar year, so that leaves room for growth over the next 5 years."

What we might want to look at first is the first increment. Thru 2012, it appears that they were within the limits of the first increment (up to 125 AF annual use and 50.0 AF of mitigation). For 2012, you reported that they had used 121.5 AF. But for 2013, the volume of use reported is outside of the first increment, being 145.2 AF (mitigation needed = 58.1 AF).

Laura

From: WILKE Laura K
Sent: Thursday, November 13, 2014 1:31 PM

To: 'Jim Frost'
Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com); GIFFIN Jeremy T
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Hi Jim – I found something in the annual number you sent that may require additional work or evaluation. It appears that the amount of mitigation provided (50.0 AF) and the amount of use for 2013 (145.2 AF based on conversion of 47.3 MG) do not currently match. Use of 145.2 AF would require 58.1 AF of mitigation. If more water is being used than mitigated for, additional mitigation will need to be provided. This also looks like it exceeds the amount of use currently allowed under the incremental development plan.

Laura

From: Jim Frost [mailto:Jfrost@whpacific.com]
Sent: Thursday, November 13, 2014 12:16 PM
To: WILKE Laura K
Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com)
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Laura,

Yes, this will about the amount of water used in 2013 under Permit G-15855. The amount used in the 2013 calendar year was 47.3 MG. I anticipate working with Chris to modify the Incremental Mitigation Plan to change 2015 to 2019 mitigation to more closely match anticipated use.

Thanks,
Jim Frost, PE | Project Manager
WHPacific, Inc. | 123 SW Columbia St, Bend, OR 97702
Direct 541.312.2261 | Mobile 541.480.2178 | Fax 541.388.4229 | jfrost@whpacific.com

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From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Thursday, November 13, 2014 9:41 AM
To: Jim Frost
Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com)
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Sounds good. And just to clarify, this will about the amount of water used in 2013 under Permit G-15855? It also looks like folk may want take a look at the incremental development plan and see if any updates are needed. The first increment with 50 AF of mitigation ends 2014.

Laura

From: Jim Frost [mailto:Jfrost@whpacific.com]
Sent: Thursday, November 13, 2014 9:35 AM
To: WILKE Laura K
Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com)
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Laura,

I have contacted Avion and requested the total water use for Brasada. Once I receive the info, I'll revise the letter and send it to you. Avion is typically quick to respond, so I expect to get you the letter in the next few days. Please let me know if that is acceptable.

Thanks,
Jim Frost, PE | Project Manager
WHPacific, Inc. | 123 SW Columbia St, Bend, OR 97702
Direct 541.312.2261 | Mobile 541.480.2178 | Fax 541.388.4229 | jfrost@whpacific.com

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From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Thursday, November 13, 2014 8:20 AM
To: Jim Frost
Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com)
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Thanks Jim! I'll look for the updates. When do you anticipate being able to submit the status update for 2013?

Laura

From: Jim Frost [mailto:Jfrost@whpacific.com]
Sent: Thursday, November 13, 2014 8:17 AM
To: WILKE Laura K
Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com)
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Laura,

I am still the primary contact, with Chris Earnest the Owner. I will get the updated mitigation plan completed and sent to you, I appreciate your reminder.

Thanks,
Jim Frost, PE | Project Manager
WHPacific, Inc. | 123 SW Columbia St, Bend, OR 97702
Direct 541.312.2261 | Mobile 541.480.2178 | Fax 541.388.4229 | jfrost@whpacific.com

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From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Thursday, November 13, 2014 8:05 AM
To: Jim Frost
Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com)
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Jim- checking in again on the below. Let me know if I should be contacting someone else for this information if you're not still the primary for this. Or if you already sent it, please go ahead and resend.

Thanks, Laura

From: WILKE Laura K
Sent: Wednesday, October 29, 2014 4:40 PM
To: Frost, Jim (Jfrost@whpacific.com)
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Jim – I'm working on some Mitigation Program updates for 2013 and I don't see that we've received an update yet on the incremental development plan for Permit G-15855 for Eagle Crest/Brasada. The annual update was due, as identified below, on April 1, 2014.

The update needs to include the progress made on permit development under the incremental development plan, the volume (in acre-feet) of water used in 2013, and any request to modify the incremental plan currently on file with the Department.

Current plan on file:

Incremental Step	Volume in date range	Mitigation in date range	Mitigation Source
1. 2005 - 2014	125.0 AF	50.0 AF	1.8 AF from MP-57 (permanent) and 48.2 temporary credits from DRC Mit. Bank
2. 2015 – 2019	125.0 AF	50.0 AF	
3. 2020 - 2024	125.0 AF	50.0 AF	
4. 2025 – 2029	125.0 AF	50.0 AF	
5. 2030	8.0 AF	3.2 AF	
Totals	508.0 AF	203.2 AF	

Please provide the annual update on the incremental development plan for 2013. The next annual update for 2014 will be due on April 1, 2015.

Please give me a call if you have any questions. If you've already sent the 2013 annual update, please forward it again.

Thanks, Laura

From: WILKE Laura K
Sent: Thursday, April 24, 2014 10:11 AM
To: 'Frost, Jim'
Cc: Boggs, Niall
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Jim – I don't see that I received an update yet for the incremental development plan for Permit G-15855 for Eagle Crest/Brasada. Updates were due on April 1.

If you already sent the update, would you please forward it to me again.

Thanks, Laura

From: Frost, Jim [mailto:Jfrost@whpacific.com]
Sent: Thursday, March 20, 2014 3:20 PM
To: WILKE Laura K
Cc: Boggs, Niall
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Laura,

Yes, we are still taking care of the Incremental Mitigation plan for Brasada. I'll review and get back to you, thanks for the reminder.

Jim Frost, PE | Project Manager 3
WHPacific, Inc. | 123 SW Columbia St, Ste 100, Bend, OR 97702
Direct 541.312.2261 | Mobile 541.480.2178 | Fax 541.388.4229
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From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Thursday, March 20, 2014 9:54 AM
To: Frost, Jim
Subject: Brasada/Eagle Crest - incremental plan update due soon

Jim - I believe that you're still taking care of the updates on incremental development plans for Brasada/Eagle Crest. Please let me know if I need to forward this e-mail to someone else if you're no longer taking care of this for them.

Updates on incremental development plans are due April 1. They have one permit with an incremental development plan - G-15855.

Please give me a call if you have any questions.

Thanks, Laura

Laura Wilke
Flow Restoration Program Coordinator
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1271
Phone: (503) 986-0884
Fax: (503) 986-0903

Water Rights Platcard Report

Meridian: Willamette | Township: 2 North | Range: 10 East | Section: 12 | Records per Page: 30 | Search

Platcards Maps! Learn about * View Map

Select	Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	QQ(40): Q(160):	NE NE	NW NE	SW NE	SE NE	NE NW	NW NW	SW NW	SE NW	NE SW	NW SW	SW SW	SE SW	NE SE	NW SE	SW SE	SE SE
Select	**Permit: S 39822 *** Additional Info: FARMERS IRRIGATION DISTRICT App: S52624 Permit: S39822		12/5/1974	AGRICULTURE USES									*	*	*				*	*				
Select	**Permit: S 43393 *** Additional Info: EAST FORK IRRIGATION DISTRICT App: S55336 Permit: S43393		2/23/1977	AGRICULTURE USES					*	*	*	*				*	*		*	*	*	*	*	*
Select	**Cert:76155 OR *** Additional Info: OREGON WATER RESOURCES DEPARTMENT App: IS83969 Cert: 76155		10/8/1998	ANADROMOUS AND RESIDENT FISH REARING															*						
Select	**Cert:15005 OR *** Additional Info: O B NYE Decree: HOOD RIVER Cert: 15005		12/31/1908	DOMESTIC											*									
Select	**Permit: S 43393 *** Additional Info: EAST FORK IRRIGATION DISTRICT App: S55336 Permit: S43393		2/23/1977	FIRE PROTECTION					*	*	*	*				*	*		*	*	*	*	*	*
Select	**Cert:73439 OR *** Additional Info: TED EKKER App: R81342 Cert: 73439		1/1/1993	FISH CULTURE											*									
Select	**Permit: S 29377 *** Additional Info: CRYSTAL SPRINGS WATER DISTRICT App: S39422 Permit: S29377		1/22/1964	GROUP DOMESTIC					*	*	*	*	*			*	*	*	*	*	*	*	*	*
Select	**Cert:10115 OR *** Additional Info: CRYSTAL SPRINGS WATER CO. App: S13490 Permit: S9831 Cert: 10115		6/7/1930	GROUP DOMESTIC																				
Select	**Cert:45044 OR CN** Additional Info: DONALD E COPPER App: S49687 Permit: S37199 Cert: 45044		9/7/1972	IRRIGATION	**CN**														~~6~~					
Select	**Cert:46952 CF CN** Additional Info: EAST FORK IRRIGATION DISTRICT Decree: HOOD RIVER Cert: 46952		11/25/1895	IRRIGATION	**CN**				~~34.2~~	~~9~~	~~18.6~~	~~30.4~~				~~6.2~~	~~19~~			~~0.3~~	~~32.6~~	~~38.2~~	~~31.2~~	~~37.7~~	~~32.8~~
Select	**Cert:46953 OR CN** Additional Info: FARMERS IRRIGATION DISTRICT Decree: HOOD RIVER Cert: 46953		5/7/1906	IRRIGATION	**CN**								~~7.8~~	~~38.1~~	~~20.6~~			~~5~~						
Select	**Cert:47710 CR CN** Additional Info: FARMERS IRRIGATION DISTRICT Decree: HOOD RIVER Cert: 47710		5/7/1906	IRRIGATION	**CN**								~~7.8~~	~~38.1~~	~~20.6~~			~~5~~						
Select	**Cert:74306 CF *** Additional Info: FARMERS IRRIGATION DISTRICT Decree: HOOD RIVER Cert: 74306	T8152, T9587, T8650, T9384, T10708, T11189, IL802, IL896, T11528, IL1264, T11935	5/7/1906	IRRIGATION									8.8	35	25.1			11						
Select	**Cert:74642 CF RR CN** Additional Info: EAST FORK IRRIGATION DISTRICT Decree: HOOD RIVER Cert: 74642	T9804, T9129	11/25/1895	IRRIGATION	**CN**				~~34.2~~	~~9~~	~~18.6~~	~~30.4~~				~~6.2~~	~~19~~			~~0.3~~	~~32.6~~	~~38.2~~	~~31.2~~	~~37.7~~	~~32.8~~
Select	**Cert:80927 CF *** Additional Info: JOHN BUCKLEY App: S42968 Cert: 80927		10/26/1966	IRRIGATION								3												
Select			3/13/1964	IRRIGATION							4													

	Cert:80929 CF * Additional Info: JOHN BUCKLEY Decree: HOOD RIVER App: S39634 Permit: S29617 Cert: 80929	T10416, T10616, T10869, T11036, T11317, T11394, T11486, T11570, T11682, T11794, IL1414																			
Select	**Permit: G 16047 *** Additional Info: PAASCH ORCHARD INC. App: G16474 Permit: G16047		6/1/2005	IRRIGATION			4.9	19.6								38.2					
Select	**Cert:81340 CF RR *** Additional Info: EAST FORK IRRIGATION DISTRICT Decree: HOOD RIVER Cert: 81340	T10748, T10869, T10972, T11036, T11165, T11231, T11317, T11394, T11643, T11682, T11794, IL1414, T10416, T11910, CW86	11/25/1895	IRRIGATION	34.2	9	18.6	30.4				6.2	19		0.3	32.6	38.2	31.2	37.7	32.8	
Select	**Permit: S 34196 *** Additional Info: CRYSTAL SPRINGS WATER DISTRICT App: S45826 Permit: S34196		3/3/1969	MUNICIPAL USES	*	*	*	*	*			*	*	*	*	*	*	*	*	*	
Select	**Permit: S 36275 DN** Additional Info: WEST SIDE ICE FOUNTAIN WATER DISTRICT App: S48310 Permit: S36275		6/9/1971	MUNICIPAL USES **DN**					~~*~~	~~*~~	~~*~~			~~*~~	~~*~~						
Select	**Permit: S 48876 *** Additional Info: ICE FOUNTAIN WATER DISTRICT App: S68132 Permit: S48876		7/25/1984	MUNICIPAL USES					*	*	*	*		*	*						
Select	**Cert:73439 OR *** Additional Info: TED EKKER App: R81342 Cert: 73439		1/1/1993	STORAGE							1.5										
Select	**Cert:15009 OR *** Additional Info: AUGUST PAASCH Decree: HOOD RIVER Cert: 15009		6/30/1902	SUPPLEMENTAL IRRIGATION (Suppl'mtl)				15													
Select	**Cert:74334 CF *** Additional Info: DONALD COPPER App: S49687 Permit: S37199 Cert: 74334	T11935	9/7/1972	SUPPLEMENTAL IRRIGATION (Suppl'mtl)										6							
Select	**Permit: G 16047 *** Additional Info: PAASCH ORCHARD INC. App: G16474 Permit: G16047		6/1/2005	SUPPLEMENTAL IRRIGATION (Suppl'mtl)			4.9	19.6								38.2					
Select	**Cert:59747 OR *** Additional Info: OREGON WATER RESOURCES DEPARTMENT App: MF191 Cert: 59747		3/30/1966	SUPPORTING AQUATIC LIFE																	
Select	**Cert:59679 OR *** Additional Info: OREGON WATER RESOURCES DEPARTMENT App: MF192 Cert: 59679		11/3/1983	SUPPORTING AQUATIC LIFE AND MINIMIZING POLLUTION																	
Select	**Permit: S 44002 *** Additional Info: FARMERS IRRIGATION DISTRICT App: S56302 Permit: S44002	T10708	7/28/1977	TEMPERATURE CONTROL					7.8	38.1	20.6			5							
Select	**Permit: G 16047 *** Additional Info: PAASCH ORCHARD INC. App: G16474 Permit: G16047		6/1/2005	TEMPERATURE CONTROL			*	*								*					
Select	**Cert:73439 OR *** Additional Info: TED EKKER App: R81342 Cert: 73439		1/1/1993	WILDLIFE							*										

Acreage Legend: 12.25 Regular acreage ~~12.25~~ Acreage is on a canceled right (12.25) Acreage is part of a transfer and has not been proven up on yet (inchoate) [12.25] Acreage has been suspended * Acreage is not specified

WILKE Laura K

From: Jim Frost <JFrost@parametrix.com>
Sent: Tuesday, May 19, 2015 12:28 PM
To: WILKE Laura K
Cc: Niall Boggs; Lawain Cooley
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon
Attachments: SCORP-HR15042714200.pdf

Laura,

Please let me know if any more information is needed.

Thanks,

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James E. Frost, PE
Senior Project Manager
595 SW Bluff Dr, Suite B
Bend, OR 97702
541.550.7688 | desk
541.480.2178 | cell

From: Jim Frost
Sent: Monday, April 27, 2015 3:11 PM
To: 'WILKE Laura K'
Cc: Niall Boggs
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Laura,

Considering the 61.4 MG of use last year, and the 250 AF (81.4 MG) of use in the incremental mitigation plan for next year, I believe the 2015-2019 incremental plan is appropriate.

Please review and comment, to be sure we are meeting mitigation needs.

Thanks,

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James E. Frost, PE
Senior Project Manager
595 SW Bluff Dr, Suite B
Bend, OR 97702
541.550.7688 | desk
541.480.2178 | cell

From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Friday, April 10, 2015 11:09 AM

To: Lawain Cooley (Lawain@brasada.com)
Cc: Jim Frost
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Good Morning – I just wanted to check in with you on the below. Annual updates on the status of incremental development plans was due April 1st.

Thanks, Laura

From: Lawain Cooley [mailto:Lawain@brasada.com]
Sent: Thursday, March 26, 2015 4:20 PM
To: WILKE Laura K
Cc: JFrost@parametrix.com
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Looks like I was in a rush and thought that letter needed to go straight to you. I will update it with Mark Gerdes and send it again correctly.

Thank you, Lawain
Lawain Cooley | Property Ops. & DRC Admin Asst.
16986 SW Brasada Ranch Rd., Powell Butte, OR 97753
P:541.504.3223 | Lawain@brasada.com

From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Thursday, March 26, 2015 4:19 PM
To: Lawain Cooley
Cc: Jim Frost (JFrost@parametrix.com)
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Hello Lawain:

I think you may have attached the wrong letters. I see approval of an updated incremental plan sent by the Department in 2011. And I see a letter from Jim Frost received by the Department late 2014 as an update on how things went in 2013. The update due by April 1 needs to provide a status update on the incremental plan and the quantity (in acre-feet) of water used during 2014. It can also include a request to update the incremental plan on file with the Department.

Please feel free to give me a call if you have any questions.

Thanks, Laura

From: Lawain Cooley [mailto:Lawain@brasada.com]
Sent: Thursday, March 26, 2015 1:38 PM
To: laura.k.wilke@state.or.us
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Hello Laura,
I had sent this to the wrong Laura earlier. I'm sorry for the delay. Please see the email thread between you and Jim Frost below. We are continuing his services through his new company, Parametrix. Is there anything else you need from us to keep this process going? Please see attached letter from Jim seeking

approval of the Incremental Development Plan for mitigation of water use at Brasada. Please contact Jim with any questions and send your decision at your soonest convenience.

Thank you, Lawain
Lawain Cooley | Property Ops. & DRC Admin Asst.
16986 SW Brasada Ranch Rd., Powell Butte, OR 97753
P:541.504.3223 | Lawain@brasada.com

From: Mark Gerdes
Sent: Thursday, March 26, 2015 10:58 AM
To: 'Jim Frost'; Curt Heimuller; Chris Earnest
Cc: Lawain Cooley
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Jim,

Will you be able to continue spearheading this as you have done through WHP in the past? We would like you to set up a project through Parametrix to continue your services. Let me know what else I need to do on my end.

Thanks,
Mark

Mark Gerdes | DRC Administrator
Property Operations Manager
16986 SW Brasada Ranch Rd Powell Butte,
OR 97753
P:541.526.6399 | C:541.408.7852 |
F:541.526.6821
MarkG@brasada.com | www.Brasada.com

From: Jim Frost [mailto:JFrost@parametrix.com]
Sent: Wednesday, March 25, 2015 2:18 PM
To: Mark Gerdes; Chris Earnest
Cc: Curt Heimuller; Bob McDaniel; Niall Boggs
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Mark and Chris,

Please see the below email string with Laura Wilkey, OWRD. Our intent is to maintain the Brasada water rights by catching up on 2014 mitigation so it matches actual use, and work with Laura to make any required changes to the Incremental Development Plan so future use does not exceed mitigation. It's great to see growth at Brasada, and the water rights mitigation need to get caught up with water use.

Please call or reply with any questions or comments.

Thanks,
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James E. Frost, PE
Senior Project Manager
595 SW Bluff Dr, Suite B
Bend, OR 97702
541.550.7688 | desk
541.480.2178 | cell

From: Curt Heimuller [mailto:Curt@nvoregonresorts.com]
Sent: Friday, March 20, 2015 9:12 AM
To: Jim Frost
Cc: Bob McDaniel
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

I believe that both Chris Earnest and Mark Gerdes have been involved with this and should be included Jim. Thanks

From: Jim Frost [mailto:JFrost@parametrix.com]
Sent: Friday, March 20, 2015 9:10 AM
To: Curt Heimuller
Cc: Bob McDaniel
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Curt,

Should this go to Mark Gerdes also?

Thanks,

From: Jim Frost
Sent: Friday, March 20, 2015 9:01 AM
To: 'WILKE Laura K'
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Can we purchase the catch up mitigation and have it on record in notes?

From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Friday, March 20, 2015 8:50 AM
To: Jim Frost
Cc: Niall Boggs
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Hi Jim:

Not sure if there's anything else we need yet. Might depend on what's identified in the 2014 update. I did want to clarify that the credits purchased in 2014 only cover some of the additional use in 2014. Unfortunately, credits aren't retroactive. At this point, we don't have additional mitigation for 2013. The 8.1 credits purchased at the end of 2014 were credited towards use in 2014.

Under the permit and by rule, permit holders with incremental development plans are required to provide additional mitigation before increasing the amount of water used. Feel free to give me a call if you have any questions.

Laura

From: Jim Frost [mailto:JFrost@parametrix.com]
Sent: Friday, March 20, 2015 8:33 AM
To: WILKE Laura K
Cc: Niall Boggs
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Laura,

Perfect, thanks. I am obtaining the actual use data for 2014, and will update this letter. I believe the current incremental mitigation plan will exceed actual use based on projected growth of Brasada. Is there anything else you need, besides the updated letter and proof that Brasada purchased additional temp mitigation to cover the actual use in 2014? They have already purchased the added temp mitigation to cover actual use in 2013.

Thanks,

From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Friday, March 20, 2015 8:26 AM
To: Jim Frost
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Are you thinking about this letter? Or another one?

Laura

From: Jim Frost [mailto:Jfrost@whpacific.com]
Sent: Thursday, December 04, 2014 10:32 AM
To: Laura Wilke (laura.k.wilke@state.or.us)
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Laura,

Please find the attached letter describing use in 2013 and 2014, purchase of additional mitigation credits, and discussion of adequacy of the current mitigation plan for 2015-2019. Please call or reply with any questions or comments.

Thanks,
Jim Frost, PE | Project Manager
WHPacific, Inc. | 123 SW Columbia St, Bend, OR 97702
Direct 541.312.2261 | Mobile 541.480.2178 | Fax 541.388.4229 | jfrost@whpacific.com

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From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Thursday, December 04, 2014 9:41 AM
To: Jim Frost
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Hi Jim – I just wanted to follow up on the additional credits. Those can be used for any additional use above and beyond what they currently have authorized under the incremental development plan for 2014. Unfortunately, there's no mechanism to provide mitigation retroactively. If they obtain the credits, they'll want to make sure they also cover any additional use for 2014. And I can make appropriate notes in the file and in our tracking.

Laura

From: Jim Frost [mailto:Jfrost@whpacific.com]
Sent: Wednesday, November 26, 2014 7:58 AM
To: WILKE Laura K
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Laura,

I will review 2014 use available to date, estimate use thru end of calendar year, and request purchase of additional mitigation as needed. We plan to update the Incremental Mitigation Plan to be sure we purchase adequate mitigation credits in advance each year as required. Brasada is processing a check for DRC for the 8.1 AF additional credit to cover the use in 2013, and I will send you the receipt from DRC for your records. We appreciate your assistance.

Thanks,
Jim Frost, PE | Project Manager
WHPacific, Inc. | 123 SW Columbia St, Bend, OR 97702
Direct 541.312.2261 | Mobile 541.480.2178 | Fax 541.388.4229 | jfrost@whpacific.com

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From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Wednesday, November 26, 2014 7:52 AM
To: Jim Frost
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Jim – I just wanted to do a quick follow up on mitigation for Eagle Crest/Brasada. Will the 8.1 AF of additional mitigation cover any additional use also in 2014? Or is more mitigation needed considering 2014 use level or anticipated use level?

Laura

From: WILKE Laura K
Sent: Monday, November 24, 2014 11:59 AM
To: 'Jim Frost'
Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com); GIFFIN Jeremy T
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Thanks for the update Jim. Please forward the documentary evidence form the DRC when it comes through. I'll update tracking and staff at this end and let you know if there's any further follow up. At this point, may just be a matter of getting the incremental plan updated accordingly and mitigation in line with use. Thinking forward, consistent with permit conditions, additional mitigation needs to be obtained before any increase in use and incremental plans also need to be updated accordingly.

Thanks again,
Laura

From: Jim Frost [mailto:Jfrost@whpacific.com]
Sent: Monday, November 24, 2014 11:49 AM
To: WILKE Laura K
Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com)
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Laura,

We plan to purchase the additional 8.1 AF to cover our actual use in 2013, and update the Incremental Mitigation Plan to properly cover our anticipated use. We have contacted Gen at Deschutes River Conservancy to coordinate purchase of the 8.1 AF. We look forward to working with you to update the Incremental Mitigation Plan.

Thanks,
Jim Frost, PE | Project Manager
WHPacific, Inc. | 123 SW Columbia St, Bend, OR 97702
Direct 541.312.2261 | Mobile 541.480.2178 | Fax 541.388.4229 | jfrost@whpacific.com

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From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Friday, November 21, 2014 2:08 PM
To: Jim Frost
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Jim – Just wanted to touch base with you on the incremental plan for Eagle Crest (permit G-15855). See below e-mail. You also asked in a previous e-mail:

"Would it be acceptable to change the 2015 to 2019 mitigation from 100 AF (250 AF actual use) to perhaps 75 AF mitigation (187.5 AF actual use, 61.1 MG)? We used 47.3 MG in 2013 calendar year, so that leaves room for growth over the next 5 years."

What we might want to look at first is the first increment. Thru 2012, it appears that they were within the limits of the first increment (up to 125 AF annual use and 50.0 AF of mitigation). For 2012, you reported that they had used 121.5 AF. But for 2013, the volume of use reported is outside of the first increment, being 145.2 AF (mitigation needed = 58.1 AF).

Laura

From: WILKE Laura K
Sent: Thursday, November 13, 2014 1:31 PM
To: 'Jim Frost'
Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com); GIFFIN Jeremy T
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Hi Jim – I found something in the annual number you sent that may require additional work or evaluation. It appears that the amount of mitigation provided (50.0 AF) and the amount of use for 2013 (145.2 AF based on conversion of 47.3 MG) do not currently match. Use of 145.2 AF would require 58.1 AF of mitigation. If more water is being used than mitigated for, additional mitigation will need to be provided. This also looks like it exceeds the amount of use currently allowed under the incremental development plan.

Laura

From: Jim Frost [mailto:Jfrost@whpacific.com]
Sent: Thursday, November 13, 2014 12:16 PM
To: WILKE Laura K

Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com)
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Laura,

Yes, this will about the amount of water used in 2013 under Permit G-15855. The amount used in the 2013 calendar year was 47.3 MG. I anticipate working with Chris to modify the Incremental Mitigation Plan to change 2015 to 2019 mitigation to more closely match anticipated use.

Thanks,
Jim Frost, PE | Project Manager
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From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Thursday, November 13, 2014 9:41 AM
To: Jim Frost
Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com)
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Sounds good. And just to clarify, this will about the amount of water used in 2013 under Permit G-15855? It also looks like folk may want take a look at the incremental development plan and see if any updates are needed. The first increment with 50 AF of mitigation ends 2014.

Laura

From: Jim Frost [mailto:Jfrost@whpacific.com]
Sent: Thursday, November 13, 2014 9:35 AM
To: WILKE Laura K
Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com)
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Laura,

I have contacted Avion and requested the total water use for Brasada. Once I receive the info, I'll revise the letter and send it to you. Avion is typically quick to respond, so I expect to get you the letter in the next few days. Please let me know if that is acceptable.

Thanks,
Jim Frost, PE | Project Manager
WHPacific, Inc. | 123 SW Columbia St, Bend, OR 97702
Direct 541.312.2261 | Mobile 541.480.2178 | Fax 541.388.4229 | jfrost@whpacific.com

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From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Thursday, November 13, 2014 8:20 AM
To: Jim Frost

Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com)
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Thanks Jim! I'll look for the updates. When do you anticipate being able to submit the status update for 2013?

Laura

From: Jim Frost [mailto:Jfrost@whpacific.com]
Sent: Thursday, November 13, 2014 8:17 AM
To: WILKE Laura K
Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com)
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Laura,

I am still the primary contact, with Chris Earnest the Owner. I will get the updated mitigation plan completed and sent to you, I appreciate your reminder.

Thanks,
Jim Frost, PE | Project Manager
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From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Thursday, November 13, 2014 8:05 AM
To: Jim Frost
Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com)
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Jim- checking in again on the below. Let me know if I should be contacting someone else for this information if you're not still the primary for this. Or if you already sent it, please go ahead and resend.

Thanks, Laura

From: WILKE Laura K
Sent: Wednesday, October 29, 2014 4:40 PM
To: Frost, Jim (Jfrost@whpacific.com)
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Jim – I'm working on some Mitigation Program updates for 2013 and I don't see that we've received an update yet on the incremental development plan for Permit G-15855 for Eagle Crest/Brasada. The annual update was due, as identified below, on April 1, 2014.

The update needs to include the progress made on permit development under the incremental development plan, the volume (in acre-feet) of water used in 2013, and any request to modify the incremental plan currently on file with the Department.

Current plan on file:

Incremental Step	Volume in date range	Mitigation in date range	Mitigation Source

1. 2005 - 2014	125.0 AF	50.0 AF	1.8 AF from MP-57 (permanent) and 48.2 temporary credits from DRC Mit. Bank
2. 2015 – 2019	125.0 AF	50.0 AF	
3. 2020 - 2024	125.0 AF	50.0 AF	
4. 2025 – 2029	125.0 AF	50.0 AF	
5. 2030	8.0 AF	3.2 AF	
Totals	508.0 AF	203.2 AF	

Please provide the annual update on the incremental development plan for 2013. The next annual update for 2014 will be due on April 1, 2015.

Please give me a call if you have any questions. If you've already sent the 2013 annual update, please forward it again.

Thanks, Laura

From: WILKE Laura K
Sent: Thursday, April 24, 2014 10:11 AM
To: 'Frost, Jim'
Cc: Boggs, Niall
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Jim – I don't see that I received an update yet for the incremental development plan for Permit G-15855 for Eagle Crest/Brasada. Updates were due on April 1.

If you already sent the update, would you please forward it to me again.

Thanks, Laura

From: Frost, Jim [mailto:Jfrost@whpacific.com]
Sent: Thursday, March 20, 2014 3:20 PM
To: WILKE Laura K
Cc: Boggs, Niall
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Laura,

Yes, we are still taking care of the Incremental Mitigation plan for Brasada. I'll review and get back to you, thanks for the reminder.

Jim Frost, PE | Project Manager 3
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From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Thursday, March 20, 2014 9:54 AM
To: Frost, Jim
Subject: Brasada/Eagle Crest - incremental plan update due soon

Jim - I believe that you're still taking care of the updates on incremental development plans for Brasada/Eagle Crest. Please let me know if I need to forward this e-mail to someone else if you're no longer taking care of this for them.

Updates on incremental development plans are due April 1. They have one permit with an incremental development plan - G-15855.

Please give me a call if you have any questions.

Thanks, Laura

Laura Wilke
Flow Restoration Program Coordinator
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1271
Phone: (503) 986-0884
Fax: (503) 986-0903

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595 SW BLUFF DRIVE, SUITE B | BEND, OR 97702 | P 541.508.7710

April 10, 2015

Laura Wilke
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1271

Re: Brasada Ranch (Eagle Crest Permit G-15855)
Incremental Development Plan
Annual Update
2013 and 2014 Calendar Year Water Use and Incremental Development Plan Review

Dear Laura:

We received your reminder for reporting water use related to incremental mitigation at Brasada Ranch.

Eagle Crest, Inc. has an Incremental Mitigation Plan in place for water use at Brasada Ranch for the quasi-municipal permit G-15855. The Brasada Ranch Incremental Mitigation Plan has a mitigation obligation of 50 acre feet for 2005 to 2014. Brasada has 1.8 permanent credits and annually purchases 48.2 temporary credits from the Deschutes River Conservancy (DRC). The 50 acre feet of mitigation equates to 125 acre feet (40.7 million gallons) of actual use.

We used approximately 47.3 million gallons in the 2013 calendar year under the quasi-municipal permit and Brasada has purchased an additional 8.1 acre feet of mitigation to cover actual use in 2013. The 2014 use was 64.1 million gallons. Brasada will purchase approximately 28.7 acre feet additional mitigation to cover actual use in 2014. The Incremental Mitigation Plan calls for 100 acre feet of mitigation from 2015 to 2019, this equates to 250 acre feet (81.4 million gallons) of use, which will cover anticipated use for 2015-2019. We propose leaving the Incremental Mitigation Plan as is.

Please contact me with any questions or comments. We greatly appreciate your continued assistance with incremental mitigation planning and annual reporting at Brasada Ranch.

Sincerely,

Parametrix

James E. Frost, P.E.
Senior Project Manager

Enclosed: Incremental Development Plan

Cc: Chris Earnest
Bob McDaniel

Oregon
John A. Kitzhaber, MD, 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

October 4, 2011

James Frost, P.E.
WH Pacific, Inc.
123 SW Columbia Street
Bend, OR 97702

Re: Incremental Development Plan Update – Reminder - for Eagle Crest Ground Water Permit G-15855 (file G-15789)

Dear Jim:

On October 4, 2010, the Department approved a request to modify the incremental development plan for Eagle Crest's groundwater permit G-15855. This permit has a mitigation obligation of 203.2 acre-feet in the General Zone of Impact. One of the permit conditions on the permit requires the applicant to report to the Department to progress of developing the incremental development plan by April 1 of each year. The last annual update on implementation of the incremental development plan was due to the Department no later than April 1, 2011. It does not appear that an update was submitted to the Department. Please submit the annual update to the Department. The annual update should also include the amount of water used (volume) during 2010 and the source of mitigation used during that period. This is an updated rule requirement adopted by the Department's Commission in June, 2010, under OAR 690-522-0040.

203.2
JEF
10/11/11

The current incremental development plan is as follows:

Incremental Step	Volume of Use (AF)	Amount of Mitigation (AF)	Source of Mitigation	Type of Mitigation
1. 2005 – 2014	125.0	50.0	Mitigation Project MP-57 (1.8 credits) and 48.2 mitigation credits from the DRC Mitigation Bank or a permanent source	Permanent & temporary
2. 2015 – 2019	250.0	100.0		
3. 2020 – 2024	375.0	150.0		
4. 2025 – 2029	500.0	200.0		
5. 2030 on	508.0	203.2		
Totals	508.0	203.2	50.0	

Please submit the annual update on the incremental development plan by October 31, 2011. If you have any questions, please give me a call at (503) 986-0884.

Sincerely,

Laura Wilke
Flow Restoration Program Coordinator

c: Jeremy Giffin, Watermaster District 11
Eagle Crest
file G-15789

File G-15789

WILKE Laura K

From: Jim Frost <JFrost@parametrix.com>
Sent: Monday, April 27, 2015 3:11 PM
To: WILKE Laura K
Cc: Niall Boggs
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon
Attachments: SCORP-HR15042714200.pdf

Laura,

= 188.43 AF

Considering the 61.4 MG of use last year, and the 250 AF (81.4 MG) of use in the incremental mitigation plan for next year, I believe the 2015-2019 incremental plan is appropriate.

Please review and comment, to be sure we are meeting mitigation needs.

Thanks,

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James E. Frost, PE
Senior Project Manager
595 SW Bluff Dr, Suite B
Bend, OR 97702
541.550.7688 | desk
541.480.2178 | cell

2013 Used 145.2 AF
equiv Mit = 58.1 AF } 8.1
had 50 AF of mit
(125 af of use)
2014 Used 188.4 AF
equiv mit = 75.4 AF } 17.3
had 58.1 af mit
(145.2 AF of use)

From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Friday, April 10, 2015 11:09 AM
To: Lawain Cooley (Lawain@brasada.com)
Cc: Jim Frost
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Good Morning – I just wanted to check in with you on the below. Annual updates on the status of incremental development plans was due April 1st.

Thanks, Laura

* find out if other rights on same well
Jeremy Tagle & Jim?

From: Lawain Cooley [mailto:Lawain@brasada.com]
Sent: Thursday, March 26, 2015 4:20 PM
To: WILKE Laura K
Cc: JFrost@parametrix.com
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Looks like I was in a rush and thought that letter needed to go straight to you. I will update it with Mark Gerdes and send it again correctly.

Thank you, Lawain

Lawain Cooley | Property Ops. & DRC Admin Asst.
16986 SW Brasada Ranch Rd., Powell Butte, OR 97753
P:541.504.3223 | Lawain@brasada.com

From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Thursday, March 26, 2015 4:19 PM
To: Lawain Cooley
Cc: Jim Frost (JFrost@parametrix.com)
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Hello Lawain:

I think you may have attached the wrong letters. I see approval of an updated incremental plan sent by the Department in 2011. And I see a letter from Jim Frost received by the Department late 2014 as an update on how things went in 2013. The update due by April 1 needs to provide a status update on the incremental plan and the quantity (in acre-feet) of water used during 2014. It can also include a request to update the incremental plan on file with the Department.

Please feel free to give me a call if you have any questions.

Thanks, Laura

From: Lawain Cooley [mailto:Lawain@brasada.com]
Sent: Thursday, March 26, 2015 1:38 PM
To: laura.k.wilke@state.or.us
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Hello Laura,
I had sent this to the wrong Laura earlier. I'm sorry for the delay. Please see the email thread between you and Jim Frost below. We are continuing his services through his new company, Parametrix. Is there anything else you need from us to keep this process going? Please see attached letter from Jim seeking approval of the Incremental Development Plan for mitigation of water use at Brasada. Please contact Jim with any questions and send your decision at your soonest convenience.

Thank you, Lawain
Lawain Cooley | Property Ops. & DRC Admin Asst.
16986 SW Brasada Ranch Rd., Powell Butte, OR 97753
P:541.504.3223 | Lawain@brasada.com

From: Mark Gerdes
Sent: Thursday, March 26, 2015 10:58 AM
To: 'Jim Frost'; Curt Heimuller; Chris Earnest
Cc: Lawain Cooley
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Jim,

Will you be able to continue spearheading this as you have done through WHP in the past? We would like you to set up a project through Parametrix to continue your services. Let me know what else I need to do on my end.

Thanks,
Mark

Mark Gerdes | DRC Administrator
Property Operations Manager
16986 SW Brasada Ranch Rd Powell Butte,
OR 97753
P:541.526.6399 | C:541.408.7852 |
F:541.526.6821
MarkG@brasada.com | www.Brasada.com

From: Jim Frost [mailto:JFrost@parametrix.com]
Sent: Wednesday, March 25, 2015 2:18 PM
To: Mark Gerdes; Chris Earnest
Cc: Curt Heimuller; Bob McDaniel; Niall Boggs
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Mark and Chris,

Please see the below email string with Laura Wilkey, OWRD. Our intent is to maintain the Brasada water rights by catching up on 2014 mitigation so it matches actual use, and work with Laura to make any required changes to the Incremental Development Plan so future use does not exceed mitigation. It's great to see growth at Brasada, and the water rights mitigation need to get caught up with water use.

Please call or reply with any questions or comments.

Thanks,

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James E. Frost, PE
Senior Project Manager
595 SW Bluff Dr, Suite B
Bend, OR 97702
541.550.7688 | desk
541.480.2178 | cell

From: Curt Heimuller [mailto:Curt@nvoregonresorts.com]
Sent: Friday, March 20, 2015 9:12 AM
To: Jim Frost
Cc: Bob McDaniel
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

I believe that both Chris Earnest and Mark Gerdes have been involved with this and should be included Jim. Thanks

---

From: Jim Frost [mailto:JFrost@parametrix.com]
Sent: Friday, March 20, 2015 9:10 AM
To: Curt Heimuller
Cc: Bob McDaniel
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Curt,

Should this go to Mark Gerdes also?

Thanks,

From: Jim Frost
Sent: Friday, March 20, 2015 9:01 AM
To: 'WILKE Laura K'
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Can we purchase the catch up mitigation and have it on record in notes?

From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Friday, March 20, 2015 8:50 AM
To: Jim Frost
Cc: Niall Boggs
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Hi Jim:

Not sure if there's anything else we need yet. Might depend on what's identified in the 2014 update. I did want to clarify that the credits purchased in 2014 only cover some of the additional use in 2014. Unfortunately, credits aren't retroactive. At this point, we don't have additional mitigation for 2013. The 8.1 credits purchased at the end of 2014 were credited towards use in 2014.

Under the permit and by rule, permit holders with incremental development plans are required to provide additional mitigation before increasing the amount of water used. Feel free to give me a call if you have any questions.

Laura

From: Jim Frost [mailto:JFrost@parametrix.com]
Sent: Friday, March 20, 2015 8:33 AM
To: WILKE Laura K
Cc: Niall Boggs
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Laura,

Perfect, thanks. I am obtaining the actual use data for 2014, and will update this letter. I believe the current incremental mitigation plan will exceed actual use based on projected growth of Brasada. Is there anything else you need, besides the updated letter and proof that Brasada purchased additional temp mitigation to cover the actual use in 2014? They have already purchased the added temp mitigation to cover actual use in 2013.

Thanks,

From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Friday, March 20, 2015 8:26 AM
To: Jim Frost
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Are you thinking about this letter? Or another one?

Laura

From: Jim Frost [mailto:Jfrost@whpacific.com]
Sent: Thursday, December 04, 2014 10:32 AM
To: Laura Wilke (laura.k.wilke@state.or.us)
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Laura,

Please find the attached letter describing use in 2013 and 2014, purchase of additional mitigation credits, and discussion of adequacy of the current mitigation plan for 2015-2019. Please call or reply with any questions or comments.

Thanks,
Jim Frost, PE | Project Manager
WHPacific, Inc. | 123 SW Columbia St, Bend, OR 97702
Direct 541.312.2261 | Mobile 541.480.2178 | Fax 541.388.4229 | jfrost@whpacific.com

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From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Thursday, December 04, 2014 9:41 AM
To: Jim Frost
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Hi Jim – I just wanted to follow up on the additional credits. Those can be used for any additional use above and beyond what they currently have authorized under the incremental development plan for 2014. Unfortunately, there's no mechanism to provide mitigation retroactively. If they obtain the credits, they'll want to make sure they also cover any additional use for 2014. And I can make appropriate notes in the file and in our tracking.

Laura

From: Jim Frost [mailto:Jfrost@whpacific.com]
Sent: Wednesday, November 26, 2014 7:58 AM
To: WILKE Laura K
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Laura,

I will review 2014 use available to date, estimate use thru end of calendar year, and request purchase of additional mitigation as needed. We plan to update the Incremental Mitigation Plan to be sure we purchase adequate mitigation credits in advance each year as required. Brasada is processing a check for DRC for the 8.1 AF additional credit to cover the use in 2013, and I will send you the receipt from DRC for your records. We appreciate your assistance.

Thanks,
Jim Frost, PE | Project Manager
WHPacific, Inc. | 123 SW Columbia St, Bend, OR 97702
Direct 541.312.2261 | Mobile 541.480.2178 | Fax 541.388.4229 | jfrost@whpacific.com

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From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Wednesday, November 26, 2014 7:52 AM

To: Jim Frost
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Jim – I just wanted to do a quick follow up on mitigation for Eagle Crest/Brasada. Will the 8.1 AF of additional mitigation cover any additional use also in 2014? Or is more mitigation needed considering 2014 use level or anticipated use level?

Laura

From: WILKE Laura K
Sent: Monday, November 24, 2014 11:59 AM
To: 'Jim Frost'
Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com); GIFFIN Jeremy T
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Thanks for the update Jim. Please forward the documentary evidence form the DRC when it comes through. I'll update tracking and staff at this end and let you know if there's any further follow up. At this point, may just be a matter of getting the incremental plan updated accordingly and mitigation in line with use. Thinking forward, consistent with permit conditions, additional mitigation needs to be obtained before any increase in use and incremental plans also need to be updated accordingly.

Thanks again,
Laura

From: Jim Frost [mailto:Jfrost@whpacific.com]
Sent: Monday, November 24, 2014 11:49 AM
To: WILKE Laura K
Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com)
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Laura,

We plan to purchase the additional 8.1 AF to cover our actual use in 2013, and update the Incremental Mitigation Plan to properly cover our anticipated use. We have contacted Gen at Deschutes River Conservancy to coordinate purchase of the 8.1 AF. We look forward to working with you to update the Incremental Mitigation Plan.

Thanks,
Jim Frost, PE | Project Manager
WHPacific, Inc. | 123 SW Columbia St, Bend, OR 97702
Direct 541.312.2261 | Mobile 541.480.2178 | Fax 541.388.4229 | jfrost@whpacific.com

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From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Friday, November 21, 2014 2:08 PM
To: Jim Frost
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Jim – Just wanted to touch base with you on the incremental plan for Eagle Crest (permit G-15855). See below e-mail. You also asked in a previous e-mail:

"Would it be acceptable to change the 2015 to 2019 mitigation from 100 AF (250 AF actual use) to perhaps 75 AF mitigation (187.5 AF actual use, 61.1 MG)? We used 47.3 MG in 2013 calendar year, so that leaves room for growth over the next 5 years."

What we might want to look at first is the first increment. Thru 2012, it appears that they were within the limits of the first increment (up to 125 AF annual use and 50.0 AF of mitigation). For 2012, you reported that they had used 121.5 AF. But for 2013, the volume of use reported is outside of the first increment, being 145.2 AF (mitigation needed = 58.1 AF).

Laura

From: WILKE Laura K
Sent: Thursday, November 13, 2014 1:31 PM
To: 'Jim Frost'
Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com); GIFFIN Jeremy T
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Hi Jim – I found something in the annual number you sent that may require additional work or evaluation. It appears that the amount of mitigation provided (50.0 AF) and the amount of use for 2013 (145.2 AF based on conversion of 47.3 MG) do not currently match. Use of 145.2 AF would require 58.1 AF of mitigation. If more water is being used than mitigated for, additional mitigation will need to be provided. This also looks like it exceeds the amount of use currently allowed under the incremental development plan.

Laura

From: Jim Frost [mailto:Jfrost@whpacific.com]
Sent: Thursday, November 13, 2014 12:16 PM
To: WILKE Laura K
Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com)
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Laura,

Yes, this will about the amount of water used in 2013 under Permit G-15855. The amount used in the 2013 calendar year was 47.3 MG. I anticipate working with Chris to modify the Incremental Mitigation Plan to change 2015 to 2019 mitigation to more closely match anticipated use.

Thanks,
Jim Frost, PE | Project Manager
WHPacific, Inc. | 123 SW Columbia St, Bend, OR 97702
Direct 541.312.2261 | Mobile 541.480.2178 | Fax 541.388.4229 | jfrost@whpacific.com

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From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Thursday, November 13, 2014 9:41 AM
To: Jim Frost
Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com)
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Sounds good. And just to clarify, this will about the amount of water used in 2013 under Permit G-15855? It also looks like folk may want take a look at the incremental development plan and see if any updates are needed. The first increment with 50 AF of mitigation ends 2014.

Laura

From: Jim Frost [mailto:Jfrost@whpacific.com]
Sent: Thursday, November 13, 2014 9:35 AM
To: WILKE Laura K
Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com)
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Laura,

I have contacted Avion and requested the total water use for Brasada. Once I receive the info, I'll revise the letter and send it to you. Avion is typically quick to respond, so I expect to get you the letter in the next few days. Please let me know if that is acceptable.

Thanks,
Jim Frost, PE | Project Manager
WHPacific, Inc. | 123 SW Columbia St, Bend, OR 97702
Direct 541.312.2261 | Mobile 541.480.2178 | Fax 541.388.4229 | jfrost@whpacific.com

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From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Thursday, November 13, 2014 8:20 AM
To: Jim Frost
Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com)
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Thanks Jim! I'll look for the updates. When do you anticipate being able to submit the status update for 2013?

Laura

From: Jim Frost [mailto:Jfrost@whpacific.com]
Sent: Thursday, November 13, 2014 8:17 AM
To: WILKE Laura K
Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com)
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Laura,

I am still the primary contact, with Chris Earnest the Owner. I will get the updated mitigation plan completed and sent to you, I appreciate your reminder.

Thanks,
Jim Frost, PE | Project Manager
WHPacific, Inc. | 123 SW Columbia St, Bend, OR 97702
Direct 541.312.2261 | Mobile 541.480.2178 | Fax 541.388.4229 | jfrost@whpacific.com

From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Thursday, November 13, 2014 8:05 AM
To: Jim Frost
Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com)
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Jim- checking in again on the below. Let me know if I should be contacting someone else for this information if you're not still the primary for this. Or if you already sent it, please go ahead and resend.

Thanks, Laura

From: WILKE Laura K
Sent: Wednesday, October 29, 2014 4:40 PM
To: Frost, Jim (Jfrost@whpacific.com)
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Jim – I'm working on some Mitigation Program updates for 2013 and I don't see that we've received an update yet on the incremental development plan for Permit G-15855 for Eagle Crest/Brasada. The annual update was due, as identified below, on April 1, 2014.

The update needs to include the progress made on permit development under the incremental development plan, the volume (in acre-feet) of water used in 2013, and any request to modify the incremental plan currently on file with the Department.

Current plan on file:

Incremental Step	Volume in date range	Mitigation in date range	Mitigation Source
1. 2005 - 2014	125.0 AF	50.0 AF	1.8 AF from MP-57 (permanent) and 48.2 temporary credits from DRC Mit. Bank
2. 2015 – 2019	125.0 AF	50.0 AF	
3. 2020 - 2024	125.0 AF	50.0 AF	
4. 2025 – 2029	125.0 AF	50.0 AF	
5. 2030	8.0 AF	3.2 AF	
Totals	508.0 AF	203.2 AF	

Please provide the annual update on the incremental development plan for 2013. The next annual update for 2014 will be due on April 1, 2015.

Please give me a call if you have any questions. If you've already sent the 2013 annual update, please forward it again.

Thanks, Laura

From: WILKE Laura K
Sent: Thursday, April 24, 2014 10:11 AM
To: 'Frost, Jim'
Cc: Boggs, Niall
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Jim – I don't see that I received an update yet for the incremental development plan for Permit G-15855 for Eagle Crest/Brasada. Updates were due on April 1.

If you already sent the update, would you please forward it to me again.

Thanks, Laura

From: Frost, Jim [mailto:Jfrost@whpacific.com]
Sent: Thursday, March 20, 2014 3:20 PM
To: WILKE Laura K
Cc: Boggs, Niall
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Laura,

Yes, we are still taking care of the Incremental Mitigation plan for Brasada. I'll review and get back to you, thanks for the reminder.

Jim Frost, PE | Project Manager 3
WHPacific, Inc. | 123 SW Columbia St, Ste 100, Bend, OR 97702
Direct 541.312.2261 | Mobile 541.480.2178 | Fax 541.388.4229
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From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Thursday, March 20, 2014 9:54 AM
To: Frost, Jim
Subject: Brasada/Eagle Crest - incremental plan update due soon

Jim - I believe that you're still taking care of the updates on incremental development plans for Brasada/Eagle Crest. Please let me know if I need to forward this e-mail to someone else if you're no longer taking care of this for them.

Updates on incremental development plans are due April 1. They have one permit with an incremental development plan - G-15855.

Please give me a call if you have any questions.

Thanks, Laura

Laura Wilke
Flow Restoration Program Coordinator
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1271
Phone: (503) 986-0884
Fax: (503) 986-0903

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April 10, 2015

Laura Wilke
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1271

Re: Brasada Ranch (Eagle Crest Permit G-15855)
Incremental Development Plan
Annual Update
2013 and 2014 Calendar Year Water Use and Incremental Development Plan Review

Dear Laura:

We received your reminder for reporting water use related to incremental mitigation at Brasada Ranch.

Eagle Crest, Inc. has an Incremental Mitigation Plan in place for water use at Brasada Ranch for the quasi-municipal permit G-15855. The Brasada Ranch Incremental Mitigation Plan has a mitigation obligation of 50 acre feet for 2005 to 2014. Brasada has 1.8 permanent credits and annually purchases 48.2 temporary credits from the Deschutes River Conservancy (DRC). The 50 acre feet of mitigation equates to 125 acre feet (40.7 million gallons) of actual use.

We used approximately 47.3 million gallons in the 2013 calendar year under the quasi-municipal permit and Brasada has purchased an additional 8.1 acre feet of mitigation to cover actual use in 2013. The 2014 use was 64.1 million gallons. Brasada will purchase approximately 28.7 acre feet additional mitigation to cover actual use in 2014. The Incremental Mitigation Plan calls for 100 acre feet of mitigation from 2015 to 2019, this equates to 250 acre feet (81.4 million gallons) of use, which will cover anticipated use for 2015-2019. We propose leaving the Incremental Mitigation Plan as is.

Please contact me with any questions or comments. We greatly appreciate your continued assistance with incremental mitigation planning and annual reporting at Brasada Ranch.

Sincerely,

Parametrix

James E. Frost, P.E.
Senior Project Manager

Enclosed: Incremental Development Plan

Cc: Chris Earnest
Bob McDaniel

WILKE Laura K

From: WILKE Laura K
Sent: Tuesday, May 19, 2015 2:41 PM
To: GIFFIN Jeremy T; GORMAN Kyle G
Cc: FRENCH Dwight W
Subject: Eagle Crest/Brasada - Permit G-15855 - well question

Kyle, Jeremy:

Dwight and I are looking at the Eagle Crest permit and their mitigation requirements. For the last couple of years they've been using more water than they have in equivalent mitigation. One question we came up with was whether they had other permits/certificates on the same wells listed in Permit G-15855 (http://apps.wrd.state.or.us/apps/wr/wrinfo/wr_details.aspx?snp_id=142573). We're hoping that you can help us identify whether it's just this permit using the identified wells or if there are other additional permits/certificates, and, if so, which permits/certificates.

Thanks, Laura

Laura Wilke
Flow Restoration Program Coordinator
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1271
Phone: (503) 986-0884
Fax: (503) 986-0903

WILKE Laura K

From: WILKE Laura K
Sent: Tuesday, May 19, 2015 2:26 PM
To: 'Jim Frost'; WILKE Laura K
Cc: Niall Boggs; Lawain Cooley; FRENCH Dwight W; GIFFIN Jeremy T; GORMAN Kyle G
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Hi Jim: I was actually just talking with Dwight French this afternoon about the permit for Eagle Crest/Brasada (G-15855).

We're actually very concerned about how much water has been used for the last couple of years (2013 and 2014) over and above the amount of water for which mitigation has been provided. We were wondering if you could provide some additional information to explain why this has been happening and how Eagle Crest/Brasada is going to assure that this doesn't happen this year and ongoing.

Thanks, Laura

From: Jim Frost [mailto:JFrost@parametrix.com]
Sent: Tuesday, May 19, 2015 12:28 PM
To: WILKE Laura K
Cc: Niall Boggs; Lawain Cooley
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Laura,

Please let me know if any more information is needed.

Thanks,

Parametrix
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James E. Frost, PE
Senior Project Manager
595 SW Bluff Dr, Suite B
Bend, OR 97702
541.550.7688 | desk
541.480.2178 | cell

From: Jim Frost
Sent: Monday, April 27, 2015 3:11 PM
To: 'WILKE Laura K'
Cc: Niall Boggs
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Laura,

Considering the 61.4 MG of use last year, and the 250 AF (81.4 MG) of use in the incremental mitigation plan for next year, I believe the 2015-2019 incremental plan is appropriate.

Eagle Crest – Incremental Development plan

Incremental Step	Volume in date range	Total Volume Allowed	Mitigation in Date Range	Total Mitigation Requirement
2005-2014	125.00	508.0	50.0	203.2
2015-2019	125.00		50.0	
2020-2024	125.00		50.0	
2025-2029	125.00		50.0	
2030 on	8.00		3.2	

last updated in 2010

WILKE Laura K

From: FRENCH Dwight W
Sent: Tuesday, May 19, 2015 1:48 PM
To: WILLIAMSON Bethanie R
Cc: WILKE Laura K
Subject: need two files put into the cancellation process

Bethanie,
Files G-16300 and G-16524 have not provided required mitigation and are past their C dates (both in 2011) and need to be cancelled for failure to provide a COBU. Will you give me a status report on these – has a letter been sent? IF not, I need the letters sent this month. If the letters have been sent, did we get any response?
Let me know what you find out. CC Laura also.
Thanks,
Dwight

Dwight French
Water Right Services Division Administrator
Oregon Water Resources Department
dwight.w.french@state.or.us
503-986-0819

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Groundwater Permit G-15855, Deschutes County	)))	~~DETERMINATION and~~ FINAL ORDER ~~ON~~ ***** requiring additional water use reporting and mitigation prior to increases in water use.

Authority
Chapter 694 Oregon Laws 2011 and Oregon Administrative Rule (OAR) Chapter 690, Division 505 establishes. OK Condition A.

Permittee
Brasada Ranch Development, LLC
PO Box 1215
Redmond, OR 97756

Findings of Fact

1. On February 17, 2005, the Department issued Permit G-15855. This permit authorized the use of up to 3.34 cubic feet per second from six wells for Quasi-Municipal water use. Annual use of water from the wells was limited to no more than 508.0 acre-feet.

2. The Department identified that the use of water under the permit would have a mitigation obligation of 203.2 acre-feet in the General Zone of Impact.

3. The permit was issued consistent with the Deschutes Groundwater Mitigation Program under OAR Chapter 690, Division 505. The permit holder was required to provide mitigation in the General Zone of Impact consistent with an incremental development plan on file with the Department.

4. The incremental development plan must indicate a time schedule for the development of the permit and indicate proposed source of mitigation that will be obtained and used for each stage of development. The permit holder is required to report to the Department the progress of implementing the incremental development plan, including the annual volume of water used, by April 1 of each year. In addition, permit holders may request that the Department approve changes to an incremental development plan and related mitigation obligation. Permit holders may not increase the rate or amount of water diversion before increasing the corresponding required mitigation. OAR 690-505-0625 and OAR 690-522-0040.

5. A revised incremental development plan was received by the Department on June 10, 2010. An acknowledgement of the revised plan was sent from the Department on October 4, 2010. The incremental development plan currently on file with the Department, consistent with the request received in 2010, is as follows:

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.

Step	Date Range	Volume Requested	Mitigation Required
1	2005 through 2014	125.0 acre-feet	50.0 acre-feet
2	2015 through 2019	250.0 acre-feet	100.0 acre-feet
3	2020 through 2024	375.0 acre-feet	150.0 acre-feet
4	2025 through 2029	500.0 acre-feet	200.0 acre-feet
5	2030 on	508.0 acre-feet	203.2 acre-feet

6. When the permit was issued in 2005, the permit holder had obtained 50.0 acre-feet of mitigation, which was sufficient to satisfy their mitigation obligation for step 1 of the incremental development plan. This amount of mitigation was consistently maintained through 2013.

7. The volume of water used annually, as reported to the Department, was less than 125.0 acre-feet through 2012.

8. In 2013, the permit holder reported water annual water use of 145.2 acre-feet. The amount of mitigation required to satisfy that level of use was 58.1 acre-feet. However, the permit holder only held 50.0 acre-feet of mitigation in 2013.

9. In 2014, the permit holder reported annual water use of 188.4 acre-feet. The amount of mitigation required for that level of use was 75.4 acre-feet. While the permit holder did increase the amount of mitigation provided, the amount provided, 58.1 acre-feet, was less than needed to satisfy the mitigation requirement.

10. The Department has contacted the permit holder and the agent for the permit holder, Jim Frost, professional engineer, on multiple dates during 2014 and 2015.

11. Jim Frost, agent for the permit holder, provided a progress report to the Department on June 2, 2015. The permittee anticipates providing 100.0 acre-feet of mitigation for 2015. Annual water use for 2015 is projected to be approximately 226.2 acre-feet. This level of use would require 90.5 acre-feet of mitigation. The permit holder may also obtain an additional 28.7 acre-feet of mitigation for 2015.

Conclusions of Law

The Department concludes the permit holder has not provided mitigation consistent with OAR 690-505-0620, OAR 690-505-0625, and OAR 690-522-0040 during the 2013 and 2014 calendar years.

Now, therefore it is ORDERED:

1. Mitigation must be provided by the permit holder prior to any increase in the volume of water used beyond that identified in the incremental development plan on file with the Department.

2. The permit holder must provide a progress report to the Department by July 15, 2015. The progress report must include the volume of water used under Permit G-15855 from January 1 through June 30, 2015.

3. After July 15, 2015, the permit holder must provide monthly updates to the Department by the 15th of each month. Each update shall include the volume of water used in the preceding calendar month. as well as the volume of water used in the current calendar year to date.

Dated at Salem, Oregon this _____ day of June, 2015.

_____

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

Mailing date: _____

5-19-15

Eagle Crest
multi rights on same well
mit before use
need to account for
likely called out, in annual rpt
w/ other delinquent permits
stand submitting monthly reports
may doing to need to revise rules
reverse Div 522
rescind plan & req all mit.

Order rather than letter
explain what done
have new proof mit - 2 yrs
beginning July 15
and use thru June 30
by month
+ by 15th of each successive
month

Jim - resp
very concerned more likely
than mit for
how exploit
& how assure not going to happen
in future

WILKE Laura K

From: Gen Hubert <gen@deschutesriver.org>
Sent: Friday, May 29, 2015 1:42 PM
To: WILKE Laura K
Subject: Brasada G-15789

Hi Laura,

I just wanted to check back with you on the best way to submit Brasada's purchase of additional mitigation.

They will be buying:
48.2 credits (as they have in the past)
50.0 additional credits as a boost in their increment (would this be their new 2nd increment?)
28.7 additional credits as a "contingency"

They have 1.8 permanent credits.

We discussed that I should submit a documentary evidence for their additional 50 credits and hold a documentary evidence on our end for their "contingency" amount.

How would you like to see the additional credits listed in the documentary evidence? Listed as their **new total** of 98.2 credits or just list **the additional** 50 credits that they are adding as a second increment?

Did you find out what would happen if I submitted the additional documentary evidence for the 28.7 credits? Would they be obligated to 126.9 credits in 2016 or just the 98.2 credits? Of course, assuming that the 98.2 credits covers their actual use plus room for growth.

No hurry for an answer today, I'll be out of the office the rest of the afternoon, but I'd like to get their paperwork out to them early next week.

I check in with them again about submitting the change of assignment form. They were sending that in earlier this year, but I don't see a record of it on WRIS.

Thank you!

Gen

Genevieve Hubert
Program Manager
Deschutes River Conservancy
541.382.4077 xt 16
http://www.deschutesriver.org

WILKE Laura K

From: Jim Frost <JFrost@parametrix.com>
Sent: Tuesday, June 02, 2015 10:53 AM
To: WILKE Laura K
Cc: GIFFIN Jeremy T; kyle.g.gorman@state.or.us; Lawain Cooley; Mark Gerdes; FRENCH Dwight W; Chris Earnest; Niall Boggs
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Laura,

We appreciate your review and comments regarding the Brasada water use for 2013 and 2014, and your concern regarding future water use and adequacy for the incremental mitigation plan to cover water use. As discussed in our phone conversation this morning, Brasada fully intends to carefully predict future water use, so that adequate mitigation credits are purchased ahead of use. For 2015, Brasada will purchase 100 ac-ft of mitigation credits, plus the 28.7 ac-ft of overuse in 2014. We realize the overuse can not be purchased retroactively, and we understand that purchase of excess mitigation is acceptable. Based on projected water use for 2015, the 100 ac-ft of mitigation credits (which allows use of 250 ac-ft, or 81.4 MG) will exceed 2015 water use.

Generally, the market improvement in 2013 and 2014 took us all by surprise, and water use increased quickly. We noted the consistent increase in use early 2014, but did not have time to increase the 2014 mitigation. We purchased the overuse amount of 8.1 ac-ft mitigation in 2013, and plan to purchase the overuse amount of 28.7 ac-ft for 2014. This 28.7 ac-ft will be applied to 2015 mitigation as a contingency amount. Similar to the early years of Brasada, this will represent an excess purchase of mitigation credits.

The 2015 incremental mitigation per the approved plan doubles from 50 ac-ft to 100 ac-ft. This equates to allowed use of 81.4 MG in 2015. We had 47.3 MG of use in 2013, and 64.1 MG of use in 2014. Much of the increase from 2013 to 2014 was increased use of the restaurant, sports center and overnight rentals of cabins, reflecting the fast improvement in the economy. We anticipate use of the overnight units and amenities will be similar in 2015, with an overall increase in water use of 15%, from 64.1 MG to 73.7 MG. This increase includes anticipated increase in residential homes.

In summary, Brasada plans to purchase 100 ac-ft of mitigation credits for 2015 to cover use in 2015. We plan to purchase 28.7 ac-ft of additional contingency mitigation beyond our planned use for 2015.

In response to your question today, the Brasada well is covered under G-15855, and no other water rights cover the domestic use for Brasada. Brasada is in the Avion area of use, but Avion has no pipe connection from their main system to Brasada.

Please review and comment, Brasada is anxious to fully comply with OWRD Mitigation requirements.

Thanks,

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James E. Frost, PE
Senior Project Manager
595 SW Bluff Dr, Suite B
Bend, OR 97702
541.550.7688 | desk
541.480.2178 | cell

From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Tuesday, May 19, 2015 2:26 PM
To: Jim Frost; WILKE Laura K
Cc: FRENCH Dwight W; GIFFIN Jeremy T; GORMAN Kyle G; Lawain Cooley; Niall Boggs
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Hi Jim: I was actually just talking with Dwight French this afternoon about the permit for Eagle Crest/Brasada (G-15855).

We're actually very concerned about how much water has been used for the last couple of years (2013 and 2014) over and above the amount of water for which mitigation has been provided. We were wondering if you could provide some additional information to explain why this has been happening and how Eagle Crest/Brasada is going to assure that this doesn't happen this year and ongoing.

Thanks, Laura

From: Jim Frost [mailto:JFrost@parametrix.com]
Sent: Tuesday, May 19, 2015 12:28 PM
To: WILKE Laura K
Cc: Niall Boggs; Lawain Cooley
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Laura,

Please let me know if any more information is needed.

Thanks,

Parametrix
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James E. Frost, PE
Senior Project Manager
595 SW Bluff Dr, Suite B
Bend, OR 97702
541.550.7688 | desk
541.480.2178 | cell

From: Jim Frost
Sent: Monday, April 27, 2015 3:11 PM
To: 'WILKE Laura K'
Cc: Niall Boggs
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Laura,

Considering the 61.4 MG of use last year, and the 250 AF (81.4 MG) of use in the incremental mitigation plan for next year, I believe the 2015-2019 incremental plan is appropriate.

Please review and comment, to be sure we are meeting mitigation needs.

Thanks,

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James E. Frost, PE
Senior Project Manager
595 SW Bluff Dr, Suite B
Bend, OR 97702
541.550.7688 | desk
541.480.2178 | cell

From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Friday, April 10, 2015 11:09 AM
To: Lawain Cooley (Lawain@brasada.com)
Cc: Jim Frost
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Good Morning – I just wanted to check in with you on the below. Annual updates on the status of incremental development plans was due April 1st.

Thanks, Laura

From: Lawain Cooley [mailto:Lawain@brasada.com]
Sent: Thursday, March 26, 2015 4:20 PM
To: WILKE Laura K
Cc: JFrost@parametrix.com
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Looks like I was in a rush and thought that letter needed to go straight to you. I will update it with Mark Gerdes and send it again correctly.

Thank you, Lawain
Lawain Cooley | Property Ops. & DRC Admin Asst.
16986 SW Brasada Ranch Rd., Powell Butte, OR 97753
P:541.504.3223 | Lawain@brasada.com

From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Thursday, March 26, 2015 4:19 PM
To: Lawain Cooley
Cc: Jim Frost (JFrost@parametrix.com)
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Hello Lawain:

I think you may have attached the wrong letters. I see approval of an updated incremental plan sent by the Department in 2011. And I see a letter from Jim Frost received by the Department late 2014 as an update on how things went in 2013. The update due by April 1 needs to provide a status update on the incremental plan and the quantity (in acre-feet) of water used during 2014. It can also include a request to update the incremental plan on file with the Department.

Please feel free to give me a call if you have any questions.

Thanks, Laura

From: Lawain Cooley [mailto:Lawain@brasada.com]
Sent: Thursday, March 26, 2015 1:38 PM
To: laura.k.wilke@state.or.us
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Hello Laura,
I had sent this to the wrong Laura earlier. I'm sorry for the delay. Please see the email thread between you and Jim Frost below. We are continuing his services through his new company, Parametrix. Is there anything else you need from us to keep this process going? Please see attached letter from Jim seeking approval of the Incremental Development Plan for mitigation of water use at Brasada. Please contact Jim with any questions and send your decision at your soonest convenience.

Thank you, Lawain
Lawain Cooley | Property Ops. & DRC Admin Asst.
16986 SW Brasada Ranch Rd., Powell Butte, OR 97753
P:541.504.3223 | Lawain@brasada.com

From: Mark Gerdes
Sent: Thursday, March 26, 2015 10:58 AM
To: 'Jim Frost'; Curt Heimuller; Chris Earnest
Cc: Lawain Cooley
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Jim,

Will you be able to continue spearheading this as you have done through WHP in the past? We would like you to set up a project through Parametrix to continue your services. Let me know what else I need to do on my end.

Thanks,
Mark

Mark Gerdes | DRC Administrator
Property Operations Manager
16986 SW Brasada Ranch Rd Powell Butte,
OR 97753
P:541.526.6399 | C:541.408.7852 |
F:541.526.6821
MarkG@brasada.com | www.Brasada.com

From: Jim Frost [mailto:JFrost@parametrix.com]
Sent: Wednesday, March 25, 2015 2:18 PM
To: Mark Gerdes; Chris Earnest
Cc: Curt Heimuller; Bob McDaniel; Niall Boggs
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Mark and Chris,

Please see the below email string with Laura Wilkey, OWRD. Our intent is to maintain the Brasada water rights by catching up on 2014 mitigation so it matches actual use, and work with Laura to make any required changes to the Incremental Development Plan so future use does not exceed mitigation. It's great to see growth at Brasada, and the water rights mitigation need to get caught up with water use.

Please call or reply with any questions or comments.

Thanks,

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James E. Frost, PE
Senior Project Manager
595 SW Bluff Dr, Suite B
Bend, OR 97702
541.550.7688 | desk
541.480.2178 | cell

From: Curt Heimuller [mailto:Curt@nvoregonresorts.com]
Sent: Friday, March 20, 2015 9:12 AM
To: Jim Frost
Cc: Bob McDaniel
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

I believe that both Chris Earnest and Mark Gerdes have been involved with this and should be included Jim. Thanks

---

From: Jim Frost [mailto:JFrost@parametrix.com]
Sent: Friday, March 20, 2015 9:10 AM
To: Curt Heimuller
Cc: Bob McDaniel
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Curt,

Should this go to Mark Gerdes also?

Thanks,

From: Jim Frost
Sent: Friday, March 20, 2015 9:01 AM
To: 'WILKE Laura K'
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Can we purchase the catch up mitigation and have it on record in notes?

From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Friday, March 20, 2015 8:50 AM
To: Jim Frost
Cc: Niall Boggs
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Hi Jim:

Not sure if there's anything else we need yet. Might depend on what's identified in the 2014 update. I did want to clarify that the credits purchased in 2014 only cover some of the additional use in 2014. Unfortunately, credits aren't retroactive. At this point, we don't have additional mitigation for 2013. The 8.1 credits purchased at the end of 2014 were credited towards use in 2014.

Under the permit and by rule, permit holders with incremental development plans are required to provide additional mitigation before increasing the amount of water used. Feel free to give me a call if you have any questions.

Laura

From: Jim Frost [mailto:JFrost@parametrix.com]
Sent: Friday, March 20, 2015 8:33 AM
To: WILKE Laura K
Cc: Niall Boggs
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Laura,

Perfect, thanks. I am obtaining the actual use data for 2014, and will update this letter. I believe the current incremental mitigation plan will exceed actual use based on projected growth of Brasada. Is there anything else you need, besides the updated letter and proof that Brasada purchased additional temp mitigation to cover the actual use in 2014? They have already purchased the added temp mitigation to cover actual use in 2013.

Thanks,

From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Friday, March 20, 2015 8:26 AM
To: Jim Frost
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Are you thinking about this letter? Or another one?

Laura

From: Jim Frost [mailto:Jfrost@whpacific.com]
Sent: Thursday, December 04, 2014 10:32 AM
To: Laura Wilke (laura.k.wilke@state.or.us)
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Laura,

Please find the attached letter describing use in 2013 and 2014, purchase of additional mitigation credits, and discussion of adequacy of the current mitigation plan for 2015-2019. Please call or reply with any questions or comments.

Thanks,
Jim Frost, PE | Project Manager
WHPacific, Inc. | 123 SW Columbia St, Bend, OR 97702
Direct 541.312.2261 | Mobile 541.480.2178 | Fax 541.388.4229 | jfrost@whpacific.com

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From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Thursday, December 04, 2014 9:41 AM
To: Jim Frost
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Hi Jim – I just wanted to follow up on the additional credits. Those can be used for any additional use above and beyond what they currently have authorized under the incremental development plan for 2014. Unfortunately, there's no mechanism to provide mitigation retroactively. If they obtain the credits, they'll want to make sure they also cover any additional use for 2014. And I can make appropriate notes in the file and in our tracking.

Laura

From: Jim Frost [mailto:Jfrost@whpacific.com]
Sent: Wednesday, November 26, 2014 7:58 AM
To: WILKE Laura K
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Laura,

I will review 2014 use available to date, estimate use thru end of calendar year, and request purchase of additional mitigation as needed. We plan to update the Incremental Mitigation Plan to be sure we purchase adequate mitigation credits in advance each year as required. Brasada is processing a check for DRC for the 8.1 AF additional credit to cover the use in 2013, and I will send you the receipt from DRC for your records. We appreciate your assistance.

Thanks,
Jim Frost, PE | Project Manager
WHPacific, Inc. | 123 SW Columbia St, Bend, OR 97702
Direct 541.312.2261 | Mobile 541.480.2178 | Fax 541.388.4229 | jfrost@whpacific.com

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From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Wednesday, November 26, 2014 7:52 AM
To: Jim Frost
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Jim – I just wanted to do a quick follow up on mitigation for Eagle Crest/Brasada. Will the 8.1 AF of additional mitigation cover any additional use also in 2014? Or is more mitigation needed considering 2014 use level or anticipated use level?

Laura

From: WILKE Laura K
Sent: Monday, November 24, 2014 11:59 AM
To: 'Jim Frost'
Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com); GIFFIN Jeremy T
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Thanks for the update Jim. Please forward the documentary evidence form the DRC when it comes through. I'll update tracking and staff at this end and let you know if there's any further follow up. At this point, may just be a matter of getting the incremental plan updated accordingly and mitigation in line with use. Thinking forward, consistent with

permit conditions, additional mitigation needs to be obtained before any increase in use and incremental plans also need to be updated accordingly.

Thanks again,
Laura

From: Jim Frost [mailto:Jfrost@whpacific.com]
Sent: Monday, November 24, 2014 11:49 AM
To: WILKE Laura K
Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com)
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Laura,

We plan to purchase the additional 8.1 AF to cover our actual use in 2013, and update the Incremental Mitigation Plan to properly cover our anticipated use. We have contacted Gen at Deschutes River Conservancy to coordinate purchase of the 8.1 AF. We look forward to working with you to update the Incremental Mitigation Plan.

Thanks,
Jim Frost, PE | Project Manager
WHPacific, Inc. | 123 SW Columbia St, Bend, OR 97702
Direct 541.312.2261 | Mobile 541.480.2178 | Fax 541.388.4229 | jfrost@whpacific.com

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From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Friday, November 21, 2014 2:08 PM
To: Jim Frost
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Jim – Just wanted to touch base with you on the incremental plan for Eagle Crest (permit G-15855). See below e-mail. You also asked in a previous e-mail:

"Would it be acceptable to change the 2015 to 2019 mitigation from 100 AF (250 AF actual use) to perhaps 75 AF mitigation (187.5 AF actual use, 61.1 MG)? We used 47.3 MG in 2013 calendar year, so that leaves room for growth over the next 5 years."

What we might want to look at first is the first increment. Thru 2012, it appears that they were within the limits of the first increment (up to 125 AF annual use and 50.0 AF of mitigation). For 2012, you reported that they had used 121.5 AF. But for 2013, the volume of use reported is outside of the first increment, being 145.2 AF (mitigation needed = 58.1 AF).

Laura

From: WILKE Laura K
Sent: Thursday, November 13, 2014 1:31 PM
To: 'Jim Frost'
Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com); GIFFIN Jeremy T
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Hi Jim – I found something in the annual number you sent that may require additional work or evaluation. It appears that the amount of mitigation provided (50.0 AF) and the amount of use for 2013 (145.2 AF based on conversion of 47.3 MG) do not currently match. Use of 145.2 AF would require 58.1 AF of mitigation. If more water is being used than mitigated for, additional mitigation will need to be provided. This also looks like it exceeds the amount of use currently allowed under the incremental development plan.

Laura

From: Jim Frost [mailto:Jfrost@whpacific.com]
Sent: Thursday, November 13, 2014 12:16 PM
To: WILKE Laura K
Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com)
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Laura,

Yes, this will about the amount of water used in 2013 under Permit G-15855. The amount used in the 2013 calendar year was 47.3 MG. I anticipate working with Chris to modify the Incremental Mitigation Plan to change 2015 to 2019 mitigation to more closely match anticipated use.

Thanks,
Jim Frost, PE | Project Manager
WHPacific, Inc. | 123 SW Columbia St, Bend, OR 97702
Direct 541.312.2261 | Mobile 541.480.2178 | Fax 541.388.4229 | jfrost@whpacific.com

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From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Thursday, November 13, 2014 9:41 AM
To: Jim Frost
Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com)
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Sounds good. And just to clarify, this will about the amount of water used in 2013 under Permit G-15855? It also looks like folk may want take a look at the incremental development plan and see if any updates are needed. The first increment with 50 AF of mitigation ends 2014.

Laura

From: Jim Frost [mailto:Jfrost@whpacific.com]
Sent: Thursday, November 13, 2014 9:35 AM
To: WILKE Laura K
Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com)
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Laura,

I have contacted Avion and requested the total water use for Brasada. Once I receive the info, I'll revise the letter and send it to you. Avion is typically quick to respond, so I expect to get you the letter in the next few days. Please let me know if that is acceptable.

Thanks,
Jim Frost, PE | Project Manager
WHPacific, Inc. | 123 SW Columbia St, Bend, OR 97702
Direct 541.312.2261 | Mobile 541.480.2178 | Fax 541.388.4229 | jfrost@whpacific.com

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From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Thursday, November 13, 2014 8:20 AM
To: Jim Frost
Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com)
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Thanks Jim! I'll look for the updates. When do you anticipate being able to submit the status update for 2013?

Laura

From: Jim Frost [mailto:Jfrost@whpacific.com]
Sent: Thursday, November 13, 2014 8:17 AM
To: WILKE Laura K
Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com)
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Laura,

I am still the primary contact, with Chris Earnest the Owner. I will get the updated mitigation plan completed and sent to you, I appreciate your reminder.

Thanks,
Jim Frost, PE | Project Manager
WHPacific, Inc. | 123 SW Columbia St, Bend, OR 97702
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Sent: Thursday, November 13, 2014 8:05 AM
To: Jim Frost
Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com)
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Jim- checking in again on the below. Let me know if I should be contacting someone else for this information if you're not still the primary for this. Or if you already sent it, please go ahead and resend.

Thanks, Laura

From: WILKE Laura K
Sent: Wednesday, October 29, 2014 4:40 PM

To: Frost, Jim (Jfrost@whpacific.com)
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Jim – I'm working on some Mitigation Program updates for 2013 and I don't see that we've received an update yet on the incremental development plan for Permit G-15855 for Eagle Crest/Brasada. The annual update was due, as identified below, on April 1, 2014.

The update needs to include the progress made on permit development under the incremental development plan, the volume (in acre-feet) of water used in 2013, and any request to modify the incremental plan currently on file with the Department.

Current plan on file:

Incremental Step	Volume in date range	Mitigation in date range	Mitigation Source
1. 2005 - 2014	125.0 AF	50.0 AF	1.8 AF from MP-57 (permanent) and 48.2 temporary credits from DRC Mit. Bank
2. 2015 – 2019	125.0 AF	50.0 AF	
3. 2020 - 2024	125.0 AF	50.0 AF	
4. 2025 – 2029	125.0 AF	50.0 AF	
5. 2030	8.0 AF	3.2 AF	
Totals	508.0 AF	203.2 AF	

Please provide the annual update on the incremental development plan for 2013. The next annual update for 2014 will be due on April 1, 2015.

Please give me a call if you have any questions. If you've already sent the 2013 annual update, please forward it again.

Thanks, Laura

From: WILKE Laura K
Sent: Thursday, April 24, 2014 10:11 AM
To: 'Frost, Jim'
Cc: Boggs, Niall
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Jim – I don't see that I received an update yet for the incremental development plan for Permit G-15855 for Eagle Crest/Brasada. Updates were due on April 1.

If you already sent the update, would you please forward it to me again.

Thanks, Laura

From: Frost, Jim [mailto:Jfrost@whpacific.com]
Sent: Thursday, March 20, 2014 3:20 PM
To: WILKE Laura K
Cc: Boggs, Niall
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Laura,

Yes, we are still taking care of the Incremental Mitigation plan for Brasada. I'll review and get back to you, thanks for the reminder.

Jim Frost, PE | Project Manager 3
WHPacific, Inc. | 123 SW Columbia St, Ste 100, Bend, OR 97702
Direct 541.312.2261 | Mobile 541.480.2178 | Fax 541.388.4229
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From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Thursday, March 20, 2014 9:54 AM
To: Frost, Jim
Subject: Brasada/Eagle Crest - incremental plan update due soon

Jim - I believe that you're still taking care of the updates on incremental development plans for Brasada/Eagle Crest. Please let me know if I need to forward this e-mail to someone else if you're no longer taking care of this for them.

Updates on incremental development plans are due April 1. They have one permit with an incremental development plan - G-15855.

Please give me a call if you have any questions.

Thanks, Laura

Laura Wilke
Flow Restoration Program Coordinator
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1271
Phone: (503) 986-0884
Fax: (503) 986-0903

No virus found in this message.
Checked by AVG - www.avg.com
Version: 2015.0.5941 / Virus Database: 4347/9841 - Release Date: 05/22/15
Internal Virus Database is out of date.

Oregon
John A. Kitzhaber, MD, Governor

RECEIVED BY OWRD
JUN 18 2015
SALEM, OR

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

OREGON WATER RESOURCES DEPARTMENT
DESCHUTES BASIN MITIGATION CREDIT
DOCUMENTARY EVIDENCE FORM FOR MITIGATION BANKS

*This form is to be completed by a **Mitigation Bank** when mitigation credits are obtained from a mitigation bank by a ground water application/permit/certificate holder to satisfy a mitigation obligation under the Deschutes Ground Water Mitigation rules.*

Ground Water User Information:

Name: Brasada Ranch Development, LLC
Mailing Address (Street, City, State, Zip): P.O. Box 1215, Redmond, OR 97756
Phone Number (Home and Work): _____ E-Mail (optional): markg@brasada.com
Ground Water Application, Permit, or Certificate #: App G-15789
Mitigation Obligation (amount) (see Notice of Mitigation Obligation or Initial Review for this information): 28.7 (for 2015 only)
Zone of Impact (see Notice of Mitigation Obligation or Initial Review for this information): General Zone

Mitigation Bank Information:

Mitigation Bank Name: Deschutes River Conservancy Groundwater Mitigation Bank
Mailing Address: 700 NW Hill Street, Bend, OR 97701
Phone Number: 541-382-4077 E-Mail (optional): gen@deschutesriver.org

Mitigation Credit Information:

In the following table, identify the mitigation project identification number(s), the number of credits assigned from each mitigation project, the zone of impact in which the credits are to be used (note - many credits may be used within more than one zone of impact) and the type of mitigation project upon which the credits are based (The Mitigation Bank shall notify purchasers of mitigation credits of the category of credits purchased. The Bank shall state if the credits are temporary or whether subject to the continued maintenance of a mitigation project. By Charter agreement, the Mitigation Bank has assumed an obligation to maintain or replace mitigation credits based on non-permanent mitigation projects.). Project Type Codes: Instream Lease = ISL; Time-Limited Instream Transfer = TLT; Allocation of Conserved Water = ACW; Permanent Instream Transfers = PT; Storage Release = SR; Aquifer Recharge = AR; Other = Other (if other, please describe under project type in space provided below)

Mitigation Project ID	# Mitigation Credits Assigned	Zone of Impact	Mitigation Project Type Code (see above)
MP-MP-198	28.7	General Zone	ISL
MP-___	_____	_____	___

Add additional mitigation projects and credits below using above format:

_____

Mitigation Project Operator (if other than original credit holder): _____(for example, name of storage project or aquifer recharge project operator)
Mailing Address: _____
Phone Number: _____

For Stored Water Releases (if applicable):
Name of Reservoir: _____
Reservoir Permit/Certificate: _____ Contract Number(s): _____

The above described mitigation credits have been transferred from DRC Groundwater Mitigation Bank, mitigation credit holder, to Brasada Ranch Dev., LLC, ground water application/permit/certificate holder.

Genevieve Hulse — 6/8/15
Mitigation Bank Signature — Date

(BRASADA RANCH) — 6-3-15
Ground Water Application/Permit/Certificate Holder Signature — Date

RECEIVED BY OWRD
JUN 18 2015
SALEM, OR

Oregon
John A. Kitzhaber, MD, 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

OREGON WATER RESOURCES DEPARTMENT
DESCHUTES BASIN MITIGATION CREDIT
DOCUMENTARY EVIDENCE FORM FOR MITIGATION BANKS

*This form is to be completed by a **Mitigation Bank** when mitigation credits are obtained from a mitigation bank by a ground water application/permit/certificate holder to satisfy a mitigation obligation under the Deschutes Ground Water Mitigation rules.*

Ground Water User Information:

Name: Brasada Ranch Development, LLC
Mailing Address (Street, City, State, Zip): P.O. Box 1215, Redmond, OR 97756
Phone Number (Home and Work): _____ E-Mail (optional): markg@brasada.com
Ground Water Application, Permit, or Certificate #: App G-15789
Mitigation Obligation (amount) (see Notice of Mitigation Obligation or Initial Review for this information): 50.0 (2nd increment)
Zone of Impact (see Notice of Mitigation Obligation or Initial Review for this information): General Zone

Mitigation Bank Information:

Mitigation Bank Name: Deschutes River Conservancy Groundwater Mitigation Bank
Mailing Address: 700 NW Hill Street, Bend, OR 97701
Phone Number: 541-382-4077 E-Mail (optional): gen@deschutesriver.org

Mitigation Credit Information:

In the following table, identify the mitigation project identification number(s), the number of credits assigned from each mitigation project, the zone of impact in which the credits are to be used (note - many credits may be used within more than one zone of impact) and the type of mitigation project upon which the credits are based (The Mitigation Bank shall notify purchasers of mitigation credits of the category of credits purchased. The Bank shall state if the credits are temporary or whether subject to the continued maintenance of a mitigation project. By Charter agreement, the Mitigation Bank has assumed an obligation to maintain or replace mitigation credits based on non-permanent mitigation projects.). Project Type Codes: Instream Lease = ISL; Time-Limited Instream Transfer = TLT; Allocation of Conserved Water = ACW; Permanent Instream Transfers = PT; Storage Release = SR; Aquifer Recharge = AR; Other = Other (if other, please describe under project type in space provided below)

Mitigation Project ID	# Mitigation Credits Assigned	Zone of Impact	Mitigation Project Type Code (see above)
MP-MP-177	50.0	General Zone	ISL
MP-___	_____	_____	___

Add additional mitigation projects and credits below using above format:
_____

Mitigation Project Operator (if other than original credit holder): _____(for example, name of storage project or aquifer recharge project operator)
Mailing Address: _____
Phone Number: _____

For Stored Water Releases (if applicable):
Name of Reservoir: _____
Reservoir Permit/Certificate: _____ Contract Number(s): _____

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Genevie Hubert — 6/8/15
Mitigation Bank Signature — Date

(BRASADA RANCH) — 6/3/15
Ground Water Application/Permit/Certificate Holder Signature — Date

WILKE Laura K

From: FRENCH Dwight W
Sent: Monday, June 22, 2015 2:36 PM
To: WILKE Laura K
Subject: RE: Eagle Crest - draft order - Permit G-15855

I think you need another finding, #13, that reiterates the language of the permit conditions that says the Department may request reporting on a more frequent basis (or whatever it says exactly). This will help it all make more sense. Otherwise, it looks good.
Thanks,
Dwight

Dwight French
Water Right Services Division Administrator
Oregon Water Resources Department
dwight.w.french@state.or.us
503-986-0819

From: WILKE Laura K
Sent: Monday, June 22, 2015 1:39 PM
To: FRENCH Dwight W
Subject: Eagle Crest - draft order - Permit G-15855

Dwight – I think I have the draft order sufficiently ready for your full review. See attached. We're requiring them to provide mitigation in advance of increase in use and provide monthly water use reports.

Laura

Laura Wilke
Flow Restoration Program Coordinator
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1271
Phone: (503) 986-0884
Fax: (503) 986-0903

WILKE Laura K

From: WILKE Laura K
Sent: Monday, June 22, 2015 1:39 PM
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Subject: Eagle Crest - draft order - Permit G-15855
Attachments: G-15789-order-mitigation.doc

Dwight – I think I have the draft order sufficiently ready for your full review. See attached. We're requiring them to provide mitigation in advance of increase in use and provide monthly water use reports.

Laura

Laura Wilke
Flow Restoration Program Coordinator
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1271
Phone: (503) 986-0884
Fax: (503) 986-0903

WILKE Laura K

From: Jim Frost <JFrost@parametrix.com>
Sent: Thursday, March 19, 2015 2:34 PM
To: WILKE Laura K
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Laura,

Would you mind returning the email that has my letter to you in it? With the move the Parametrix I have not located it yet. I'll provide actual use in 2014 calendar year so we can purchase more mitigation to match 2014 use. The current Development Plan shows a large jump in 2015 mitigation, and covers projected use in 2015.

Thanks,
Jim

From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Thursday, December 04, 2014 10:34 AM
To: Jim Frost
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Hi Jim – thanks for the follow up. I'll take a look at the letter and get back to you with any additional.

Laura

From: Jim Frost [mailto:Jfrost@whpacific.com]
Sent: Thursday, December 04, 2014 10:32 AM
To: Laura Wilke (laura.k.wilke@state.or.us)
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Laura,

Please find the attached letter describing use in 2013 and 2014, purchase of additional mitigation credits, and discussion of adequacy of the current mitigation plan for 2015-2019. Please call or reply with any questions or comments.

Thanks,
Jim Frost, PE | Project Manager
WHPacific, Inc. | 123 SW Columbia St, Bend, OR 97702
Direct 541.312.2261 | Mobile 541.480.2178 | Fax 541.388.4229 | jfrost@whpacific.com

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From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Thursday, December 04, 2014 9:41 AM
To: Jim Frost
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Hi Jim – I just wanted to follow up on the additional credits. Those can be used for any additional use above and beyond what they currently have authorized under the incremental development plan for 2014. Unfortunately, there's no

mechanism to provide mitigation retroactively. If they obtain the credits, they'll want to make sure they also cover any additional use for 2014. And I can make appropriate notes in the file and in our tracking.

Laura

From: Jim Frost [mailto:Jfrost@whpacific.com]
Sent: Wednesday, November 26, 2014 7:58 AM
To: WILKE Laura K
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Laura,

I will review 2014 use available to date, estimate use thru end of calendar year, and request purchase of additional mitigation as needed. We plan to update the Incremental Mitigation Plan to be sure we purchase adequate mitigation credits in advance each year as required. Brasada is processing a check for DRC for the 8.1 AF additional credit to cover the use in 2013, and I will send you the receipt from DRC for your records. We appreciate your assistance.

Thanks,
Jim Frost, PE | Project Manager
WHPacific, Inc. | 123 SW Columbia St, Bend, OR 97702
Direct 541.312.2261 | Mobile 541.480.2178 | Fax 541.388.4229 | jfrost@whpacific.com

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From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Wednesday, November 26, 2014 7:52 AM
To: Jim Frost
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Jim – I just wanted to do a quick follow up on mitigation for Eagle Crest/Brasada. Will the 8.1 AF of additional mitigation cover any additional use also in 2014? Or is more mitigation needed considering 2014 use level or anticipated use level?

Laura

From: WILKE Laura K
Sent: Monday, November 24, 2014 11:59 AM
To: 'Jim Frost'
Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com); GIFFIN Jeremy T
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Thanks for the update Jim. Please forward the documentary evidence form the DRC when it comes through. I'll update tracking and staff at this end and let you know if there's any further follow up. At this point, may just be a matter of getting the incremental plan updated accordingly and mitigation in line with use. Thinking forward, consistent with permit conditions, additional mitigation needs to be obtained before any increase in use and incremental plans also need to be updated accordingly.

Thanks again,
Laura

From: Jim Frost [mailto:Jfrost@whpacific.com]
Sent: Monday, November 24, 2014 11:49 AM

To: WILKE Laura K
Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com)
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Laura,

We plan to purchase the additional 8.1 AF to cover our actual use in 2013, and update the Incremental Mitigation Plan to properly cover our anticipated use. We have contacted Gen at Deschutes River Conservancy to coordinate purchase of the 8.1 AF. We look forward to working with you to update the Incremental Mitigation Plan.

Thanks,
Jim Frost, PE | Project Manager
WHPacific, Inc. | 123 SW Columbia St, Bend, OR 97702
Direct 541.312.2261 | Mobile 541.480.2178 | Fax 541.388.4229 | jfrost@whpacific.com

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From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Friday, November 21, 2014 2:08 PM
To: Jim Frost
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Jim – Just wanted to touch base with you on the incremental plan for Eagle Crest (permit G-15855). See below e-mail. You also asked in a previous e-mail:

"Would it be acceptable to change the 2015 to 2019 mitigation from 100 AF (250 AF actual use) to perhaps 75 AF mitigation (187.5 AF actual use, 61.1 MG)? We used 47.3 MG in 2013 calendar year, so that leaves room for growth over the next 5 years."

What we might want to look at first is the first increment. Thru 2012, it appears that they were within the limits of the first increment (up to 125 AF annual use and 50.0 AF of mitigation). For 2012, you reported that they had used 121.5 AF. But for 2013, the volume of use reported is outside of the first increment, being 145.2 AF (mitigation needed = 58.1 AF).

Laura

From: WILKE Laura K
Sent: Thursday, November 13, 2014 1:31 PM
To: 'Jim Frost'
Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com); GIFFIN Jeremy T
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Hi Jim – I found something in the annual number you sent that may require additional work or evaluation. It appears that the amount of mitigation provided (50.0 AF) and the amount of use for 2013 (145.2 AF based on conversion of 47.3 MG) do not currently match. Use of 145.2 AF would require 58.1 AF of mitigation. If more water is being used than mitigated for, additional mitigation will need to be provided. This also looks like it exceeds the amount of use currently allowed under the incremental development plan.

Laura

From: Jim Frost [mailto:Jfrost@whpacific.com]
Sent: Thursday, November 13, 2014 12:16 PM
To: WILKE Laura K
Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com)
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Laura,

Yes, this will about the amount of water used in 2013 under Permit G-15855. The amount used in the 2013 calendar year was 47.3 MG. I anticipate working with Chris to modify the Incremental Mitigation Plan to change 2015 to 2019 mitigation to more closely match anticipated use.

Thanks,
Jim Frost, PE | Project Manager
WHPacific, Inc. | 123 SW Columbia St, Bend, OR 97702
Direct 541.312.2261 | Mobile 541.480.2178 | Fax 541.388.4229 | jfrost@whpacific.com

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Sent: Thursday, November 13, 2014 9:41 AM
To: Jim Frost
Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com)
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Sounds good. And just to clarify, this will about the amount of water used in 2013 under Permit G-15855? It also looks like folk may want take a look at the incremental development plan and see if any updates are needed. The first increment with 50 AF of mitigation ends 2014.

Laura

From: Jim Frost [mailto:Jfrost@whpacific.com]
Sent: Thursday, November 13, 2014 9:35 AM
To: WILKE Laura K
Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com)
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Laura,

I have contacted Avion and requested the total water use for Brasada. Once I receive the info, I'll revise the letter and send it to you. Avion is typically quick to respond, so I expect to get you the letter in the next few days. Please let me know if that is acceptable.

Thanks,
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WHPacific, Inc. | 123 SW Columbia St, Bend, OR 97702
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Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Thanks Jim! I'll look for the updates. When do you anticipate being able to submit the status update for 2013?

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I am still the primary contact, with Chris Earnest the Owner. I will get the updated mitigation plan completed and sent to you, I appreciate your reminder.

Thanks,
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Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com)
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Jim- checking in again on the below. Let me know if I should be contacting someone else for this information if you're not still the primary for this. Or if you already sent it, please go ahead and resend.

Thanks, Laura

From: WILKE Laura K
Sent: Wednesday, October 29, 2014 4:40 PM
To: Frost, Jim (Jfrost@whpacific.com)
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Jim – I'm working on some Mitigation Program updates for 2013 and I don't see that we've received an update yet on the incremental development plan for Permit G-15855 for Eagle Crest/Brasada. The annual update was due, as identified below, on April 1, 2014.

The update needs to include the progress made on permit development under the incremental development plan, the volume (in acre-feet) of water used in 2013, and any request to modify the incremental plan currently on file with the Department.

Current plan on file:

Incremental Step	Volume in date range	Mitigation in date range	Mitigation Source
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3. 2020 - 2024	125.0 AF	50.0 AF	
4. 2025 – 2029	125.0 AF	50.0 AF	
5. 2030	8.0 AF	3.2 AF	
Totals	508.0 AF	203.2 AF	

Please provide the annual update on the incremental development plan for 2013. The next annual update for 2014 will be due on April 1, 2015.

Please give me a call if you have any questions. If you've already sent the 2013 annual update, please forward it again.

Thanks, Laura

From: WILKE Laura K
Sent: Thursday, April 24, 2014 10:11 AM
To: 'Frost, Jim'
Cc: Boggs, Niall
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Jim – I don't see that I received an update yet for the incremental development plan for Permit G-15855 for Eagle Crest/Brasada. Updates were due on April 1.

If you already sent the update, would you please forward it to me again.

Thanks, Laura

From: Frost, Jim [mailto:Jfrost@whpacific.com]
Sent: Thursday, March 20, 2014 3:20 PM
To: WILKE Laura K
Cc: Boggs, Niall
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Laura,

Yes, we are still taking care of the Incremental Mitigation plan for Brasada. I'll review and get back to you, thanks for the reminder.

Jim Frost, PE | Project Manager 3
WHPacific, Inc. | 123 SW Columbia St, Ste 100, Bend, OR 97702
Direct 541.312.2261 | Mobile 541.480.2178 | Fax 541.388.4229
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---

From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Thursday, March 20, 2014 9:54 AM
To: Frost, Jim
Subject: Brasada/Eagle Crest - incremental plan update due soon

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Updates on incremental development plans are due April 1. They have one permit with an incremental development plan - G-15855.

Please give me a call if you have any questions.

Thanks, Laura

Laura Wilke
Flow Restoration Program Coordinator
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1271
Phone: (503) 986-0884
Fax: (503) 986-0903

WILKE Laura K

From: WILKE Laura K
Sent: Friday, March 20, 2015 9:00 AM
To: FRENCH Dwight W; GORMAN Kyle G; GIFFIN Jeremy T
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Good Morning – I just wanted to share some recent communication I've had with Jim Frost, agent for Eagle Crest (Brasada). It appears that for the last couple of years they've been using more water than they've had mitigation. I should have their 2014 update on development under the incremental development plan soon and we can see what happened in 2014.

Permit G-15855: http://apps.wrd.state.or.us/apps/wr/wrinfo/wr_details.aspx?snp_id=142573

I also understand that the property has sold and the new owners have been working on an assignment. Unfortunately Jerry Sauter has had to send the assignment request back a couple of times due to lacking ownership documentation and/or not being signed.

Just wanted to give you a heads up in case you get any questions.

Laura

From: WILKE Laura K
Sent: Friday, March 20, 2015 8:50 AM
To: 'Jim Frost'
Cc: Niall Boggs
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Hi Jim:

Not sure if there's anything else we need yet. Might depend on what's identified in the 2014 update. I did want to clarify that the credits purchased in 2014 only cover some of the additional use in 2014. Unfortunately, credits aren't retroactive. At this point, we don't have additional mitigation for 2013. The 8.1 credits purchased at the end of 2014 were credited towards use in 2014.

Under the permit and by rule, permit holders with incremental development plans are required to provide additional mitigation before increasing the amount of water used. Feel free to give me a call if you have any questions.

Laura

From: Jim Frost [mailto:JFrost@parametrix.com]
Sent: Friday, March 20, 2015 8:33 AM
To: WILKE Laura K
Cc: Niall Boggs
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Laura,

Perfect, thanks. I am obtaining the actual use data for 2014, and will update this letter. I believe the current incremental mitigation plan will exceed actual use based on projected growth of Brasada. Is there anything else you need, besides the updated letter and proof that Brasada purchased additional temp mitigation to cover the actual use in 2014? They have already purchased the added temp mitigation to cover actual use in 2013.

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From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Friday, March 20, 2015 8:26 AM
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Are you thinking about this letter? Or another one?

Laura

From: Jim Frost [mailto:Jfrost@whpacific.com]
Sent: Thursday, December 04, 2014 10:32 AM
To: Laura Wilke (laura.k.wilke@state.or.us)
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Laura,

Please find the attached letter describing use in 2013 and 2014, purchase of additional mitigation credits, and discussion of adequacy of the current mitigation plan for 2015-2019. Please call or reply with any questions or comments.

Thanks,
Jim Frost, PE | Project Manager
WHPacific, Inc. | 123 SW Columbia St, Bend, OR 97702
Direct 541.312.2261 | Mobile 541.480.2178 | Fax 541.388.4229 | jfrost@whpacific.com

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From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Thursday, December 04, 2014 9:41 AM
To: Jim Frost
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From: WILKE Laura K
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To: 'Jim Frost'
Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com); GIFFIN Jeremy T
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Thanks for the update Jim. Please forward the documentary evidence form the DRC when it comes through. I'll update tracking and staff at this end and let you know if there's any further follow up. At this point, may just be a matter of getting the incremental plan updated accordingly and mitigation in line with use. Thinking forward, consistent with permit conditions, additional mitigation needs to be obtained before any increase in use and incremental plans also need to be updated accordingly.

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"Would it be acceptable to change the 2015 to 2019 mitigation from 100 AF (250 AF actual use) to perhaps 75 AF mitigation (187.5 AF actual use, 61.1 MG)? We used 47.3 MG in 2013 calendar year, so that leaves room for growth over the next 5 years."

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From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Thursday, November 13, 2014 8:05 AM
To: Jim Frost
Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com)
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Jim- checking in again on the below. Let me know if I should be contacting someone else for this information if you're not still the primary for this. Or if you already sent it, please go ahead and resend.

Thanks, Laura

From: WILKE Laura K
Sent: Wednesday, October 29, 2014 4:40 PM
To: Frost, Jim (Jfrost@whpacific.com)
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Jim – I'm working on some Mitigation Program updates for 2013 and I don't see that we've received an update yet on the incremental development plan for Permit G-15855 for Eagle Crest/Brasada. The annual update was due, as identified below, on April 1, 2014.

The update needs to include the progress made on permit development under the incremental development plan, the volume (in acre-feet) of water used in 2013, and any request to modify the incremental plan currently on file with the Department.

Current plan on file:

Incremental Step	Volume in date range	Mitigation in date range	Mitigation Source
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4. 2025 – 2029	125.0 AF	50.0 AF	
5. 2030	8.0 AF	3.2 AF	
Totals	508.0 AF	203.2 AF	

Please provide the annual update on the incremental development plan for 2013. The next annual update for 2014 will be due on April 1, 2015.

Please give me a call if you have any questions. If you've already sent the 2013 annual update, please forward it again.

Thanks, Laura

From: WILKE Laura K
Sent: Thursday, April 24, 2014 10:11 AM
To: 'Frost, Jim'
Cc: Boggs, Niall
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Jim – I don't see that I received an update yet for the incremental development plan for Permit G-15855 for Eagle Crest/Brasada. Updates were due on April 1.

If you already sent the update, would you please forward it to me again.

Thanks, Laura

From: Frost, Jim [mailto:Jfrost@whpacific.com]
Sent: Thursday, March 20, 2014 3:20 PM
To: WILKE Laura K
Cc: Boggs, Niall
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Laura,

Yes, we are still taking care of the Incremental Mitigation plan for Brasada. I'll review and get back to you, thanks for the reminder.

Jim Frost, PE | Project Manager 3
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From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Thursday, March 20, 2014 9:54 AM
To: Frost, Jim
Subject: Brasada/Eagle Crest - incremental plan update due soon

Jim - I believe that you're still taking care of the updates on incremental development plans for Brasada/Eagle Crest. Please let me know if I need to forward this e-mail to someone else if you're no longer taking care of this for them.

Updates on incremental development plans are due April 1. They have one permit with an incremental development plan - G-15855.

Please give me a call if you have any questions.

Thanks, Laura

Laura Wilke
Flow Restoration Program Coordinator
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1271
Phone: (503) 986-0884
Fax: (503) 986-0903

WILKE Laura K

From: WILKE Laura K
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To: 'Jim Frost'
Cc: Niall Boggs
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Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

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Sent: Thursday, March 20, 2014 3:20 PM
To: WILKE Laura K
Cc: Boggs, Niall
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Laura,

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From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Thursday, March 20, 2014 9:54 AM
To: Frost, Jim
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Please give me a call if you have any questions.

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Laura Wilke
Flow Restoration Program Coordinator
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1271
Phone: (503) 986-0884
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From: WILKE Laura K
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To: 'Jim Frost'
Cc: Niall Boggs
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Hi Jim:

Not sure if there's anything else we need yet. Might depend on what's identified in the 2014 update. I did want to clarify that the credits purchased in 2014 only cover some of the additional use in 2014. Unfortunately, credits aren't retroactive. At this point, we don't have additional mitigation for 2013. The 8.1 credits purchased at the end of 2014 were credited towards use in 2014.

Under the permit and by rule, permit holders with incremental development plans are required to provide additional mitigation before increasing the amount of water used. Feel free to give me a call if you have any questions.

Laura

From: Jim Frost [mailto:JFrost@parametrix.com]
Sent: Friday, March 20, 2015 8:33 AM
To: WILKE Laura K
Cc: Niall Boggs
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Laura,

Perfect, thanks. I am obtaining the actual use data for 2014, and will update this letter. I believe the current incremental mitigation plan will exceed actual use based on projected growth of Brasada. Is there anything else you need, besides the updated letter and proof that Brasada purchased additional temp mitigation to cover the actual use in 2014? They have already purchased the added temp mitigation to cover actual use in 2013.

Thanks,

From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Friday, March 20, 2015 8:26 AM
To: Jim Frost
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Are you thinking about this letter? Or another one?

Laura

From: Jim Frost [mailto:Jfrost@whpacific.com]
Sent: Thursday, December 04, 2014 10:32 AM
To: Laura Wilke (laura.k.wilke@state.or.us)
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Laura,

Please find the attached letter describing use in 2013 and 2014, purchase of additional mitigation credits, and discussion of adequacy of the current mitigation plan for 2015-2019. Please call or reply with any questions or comments.

Thanks,
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From: Jim Frost [mailto:Jfrost@whpacific.com]
Sent: Wednesday, November 26, 2014 7:58 AM
To: WILKE Laura K
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Laura,

I will review 2014 use available to date, estimate use thru end of calendar year, and request purchase of additional mitigation as needed. We plan to update the Incremental Mitigation Plan to be sure we purchase adequate mitigation credits in advance each year as required. Brasada is processing a check for DRC for the 8.1 AF additional credit to cover the use in 2013, and I will send you the receipt from DRC for your records. We appreciate your assistance.

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Sent: Wednesday, November 26, 2014 7:52 AM
To: Jim Frost
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Jim – I just wanted to do a quick follow up on mitigation for Eagle Crest/Brasada. Will the 8.1 AF of additional mitigation cover any additional use also in 2014? Or is more mitigation needed considering 2014 use level or anticipated use level?

Laura

From: WILKE Laura K
Sent: Monday, November 24, 2014 11:59 AM
To: 'Jim Frost'
Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com); GIFFIN Jeremy T
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Thanks for the update Jim. Please forward the documentary evidence form the DRC when it comes through. I'll update tracking and staff at this end and let you know if there's any further follow up. At this point, may just be a matter of getting the incremental plan updated accordingly and mitigation in line with use. Thinking forward, consistent with permit conditions, additional mitigation needs to be obtained before any increase in use and incremental plans also need to be updated accordingly.

Thanks again,
Laura

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To: WILKE Laura K
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Laura,

We plan to purchase the additional 8.1 AF to cover our actual use in 2013, and update the Incremental Mitigation Plan to properly cover our anticipated use. We have contacted Gen at Deschutes River Conservancy to coordinate purchase of the 8.1 AF. We look forward to working with you to update the Incremental Mitigation Plan.

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Sent: Friday, November 21, 2014 2:08 PM
To: Jim Frost
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Jim – Just wanted to touch base with you on the incremental plan for Eagle Crest (permit G-15855). See below e-mail. You also asked in a previous e-mail:

"Would it be acceptable to change the 2015 to 2019 mitigation from 100 AF (250 AF actual use) to perhaps 75 AF mitigation (187.5 AF actual use, 61.1 MG)? We used 47.3 MG in 2013 calendar year, so that leaves room for growth over the next 5 years."

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Cc: Boggs, Niall
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Jim – I don't see that I received an update yet for the incremental development plan for Permit G-15855 for Eagle Crest/Brasada. Updates were due on April 1.

If you already sent the update, would you please forward it to me again.

Thanks, Laura

From: Frost, Jim [mailto:Jfrost@whpacific.com]
Sent: Thursday, March 20, 2014 3:20 PM
To: WILKE Laura K
Cc: Boggs, Niall
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Laura,

Yes, we are still taking care of the Incremental Mitigation plan for Brasada. I'll review and get back to you, thanks for the reminder.

Jim Frost, PE | Project Manager 3
WHPacific, Inc. | 123 SW Columbia St, Ste 100, Bend, OR 97702
Direct 541.312.2261 | Mobile 541.480.2178 | Fax 541.388.4229
Enhancing Client Satisfaction through Creative, Exceptional Service

---

From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Thursday, March 20, 2014 9:54 AM
To: Frost, Jim
Subject: Brasada/Eagle Crest - incremental plan update due soon

Jim - I believe that you're still taking care of the updates on incremental development plans for Brasada/Eagle Crest. Please let me know if I need to forward this e-mail to someone else if you're no longer taking care of this for them.

Updates on incremental development plans are due April 1. They have one permit with an incremental development plan - G-15855.

Please give me a call if you have any questions.

Thanks, Laura

Laura Wilke
Flow Restoration Program Coordinator
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1271
Phone: (503) 986-0884
Fax: (503) 986-0903

File
G-15789

WILKE Laura K

From: Gen Hubert <gen@deschutesriver.org>
Sent: Monday, February 02, 2015 9:49 AM
To: WILKE Laura K
Subject: RE: Mitigation

I sent Brasada the documentary evidence form and information for changing assignment.

From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Monday, February 02, 2015 9:22 AM
To: Gen Hubert
Subject: RE: Mitigation

Thanks Gen. Yeah, for Oregon Resorts (Eagle Crest), they can't retroactively mitigate. The extra 8.1 can count towards 2014 since they did obtain the credits. Sounds like they'll fall short on the additional credits they needed but I'll be able to confirm that once I see their annual use report in April.

Laura

From: Gen Hubert [mailto:gen@deschutesriver.org]
Sent: Monday, February 02, 2015 9:15 AM
To: WILKE Laura K
Subject: RE: Mitigation

Thanks Laura,

Eagle Crest – Brasada has been owned by Oregon Resort Partners for several years now. They did pay me for the additional 8.1 credits. This is the first time we've had someone increase their incremental take. I can't believe I didn't have them sign a documentary evidence! I'll get that from them right away and have it post dated for when they purchased those 8.1 credits (which are accounted for in my report). My understanding was that the 8.1 was for 2013. They did not purchase another additional 22.4 credits on top of that.

I'm hoping that Jeremy and Kyle can get out and regulate Baker right away, early in the season this year.

Gen

From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Monday, February 02, 2015 8:53 AM
To: Gen Hubert
Subject: RE: Mitigation

See below.

From: Gen Hubert [mailto:gen@deschutesriver.org]
Sent: Friday, January 30, 2015 1:09 PM
To: WILKE Laura K
Subject: Mitigation

Laura,

I'm sending out my groundwater renewal invoices and have questions on a couple of them.

I think one of them, Hoffman application G-17617, who was new last year, purchased the second half of his need in permanent credits (5.44) from John Short and won't be needing temporary credits in 2015. Can you confirm this?

Looks correct.

I had another one last year who had to purchase an additional increment of mitigation late in the year to cover the previous year. This was Eagle Crest (Brasada Ranch) application G-15789. Have they revised their incremental plan? Their first increment was 50 credits. They have 1.8 permanent credits, so they had been purchasing 48.2 credits. Last year they needed to purchase an additional 8.1 credits late in the year. I'm not sure if I need to invoice for 48.2 or for 56.3 credits, or something different. I've mentioned to them repeatedly that they should submit a change of assignment form too. They are not owned by Eagle Crest, there were sold.

I haven't seen a documentary evidence form showing the acquiring of any additional mitigation credits. For 2013 level use, the needed an additional 8.1 credits. For 2014 level use, they needed an additional 22.4 of additional mitigation. They had let me know that they were going to purchase sufficient mitigation credits to cover 2014 use. I'll get their complete update on how much water was used in 2014 by April 1. Did they purchase any additional credits during 2014? And if the company has changed hands, it does sound like they need an assignment. I'll be following up with Jim Frost, WH Pacific, at some point here. I'll try and remember to mention that as well.

No updates to their incremental plan as of yet.

David Baker, G-17053 has not responded to renewals for two years, yet continues to use to irrigate his 16 acres. I doubt he will respond this year either.

I'll pass this along to Dwight. Baker's due to submit a CBU in March. May be one was can put on the list for cancellation. I'll also pass along to Jeremy and Kyle for any needed regulation.

Thank you!

Gen

Genevieve Hubert
Program Manager
Deschutes River Conservancy
541.382.4077 xt 16
http://www.deschutesriver.org

Oregon
Kate Brown, Governor

Water Resources Department
North Mall Office Building
725 Summer St NE, Suite A
Salem, OR 97301
Phone (503) 986-0900
Fax (503) 986-0904
www.wrd.state.or.us

March 13, 2015

Oregon Resort Acquisition Partners, LP
P.O. Box 1215
Redmond, Oregon 97756

Reference: Application G-15789, Permit G-15855

The requested assignment by proof could not be made as the proof of ownership of the lands involved was not provided. Proof may be made by submission of a deed with the legal description. The Department cannot accept tax statements as proof of ownership.

The Departments records Department is returning your request and check.

Sincerely,

Jerry Sauter
Water Rights Program Analyst
Water Right Services Division

Enclosure: Request and check

cc: File

WILKE Laura K

From: WILKE Laura K
Sent: Tuesday, February 24, 2015 11:50 AM
To: Jim Frost; Gen Hubert (gen@deschutesriver.org)
Cc: GIFFIN Jeremy T
Subject: Eagle Crest Permit G-15855 - Documentary Evidence Form returned
Attachments: 15789-DocumentaryEvidence-returned-incomplete.pdf

Hi there Jim and Gen:

Please find attached a letter for return of the documentary evidence form and copy of that form. The form looks like it may have been inadvertently sent to WRD before being signed by the DRC Mitigation Bank. A hard copy is going out in today or tomorrow's mail to Oregon Resort Acquisition Partners.

Please feel free to give me a call.

Laura Wilke
Flow Restoration Program Coordinator
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1271
Phone: (503) 986-0884
Fax: (503) 986-0903

Oregon
John A. Kitzhaber, MD, 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

February 24, 2015

Eagle Crest, Inc.
(Oregon Resort Acquisition Partners, LP)
PO Box 1215
Redmond, OR 97756

Re: Documentary Evidence Form for Permit G-15855

On February 23, 2015, the Department received a Documentary Evidence Form for Permit G-15855 (File G-15789) in the name of Eagle Crest Inc. The Department has identified that the form is incomplete and is, therefore, returning the form for completion:

- The form must also be signed by the Deschutes River Conservancy Mitigation Bank.
- It is the Department's understanding that the form is being used to document mitigation credits acquired by the permit holder during 2014. And that the signature date on the form should reflect when credits were obtained by the permit holder in 2014. Please provide clarification if this understanding is incorrect.

If you have any questions regarding the Documentary Evidence Form, please give me a call at (503) 986-0884.

Sincerely,

Laura K. Wilke
Flow Restoration Program Coordinator

c: Jeremy Giffin, Watermaster District 11
Gen Hubert, Deschutes River Conservancy
Jim Frost, Parametrix
file G-15789

Oregon
John A. Kitzhaber, MD, 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

OREGON WATER RESOURCES DEPARTMENT
DESCHUTES BASIN MITIGATION CREDIT
DOCUMENTARY EVIDENCE FORM FOR MITIGATION BANKS

*This form is to be completed by a **Mitigation Bank** when mitigation credits are obtained from a mitigation bank by a ground water application/permit/certificate holder to satisfy a mitigation obligation under the Deschutes Ground Water Mitigation rules.*

Ground Water User Information:

Name: Eagle Crest, Inc (Oregon Resort Acquisition Partners, LP)
Mailing Address (Street, City, State, Zip): P.O. Box 1215, Redmond, OR 97756
Phone Number (Home and Work): 541-504-4362 E-Mail (optional): markg@brasada.com
Ground Water Application, Permit, or Certificate #: App. G-15789
Mitigation Obligation (amount) (see Notice of Mitigation Obligation or Initial Review for this information): 8.1 cr
Zone of Impact (see Notice of Mitigation Obligation or Initial Review for this information): General

RECEIVED BY OWRD
FEB 23 2015
SALEM, OR

Mitigation Bank Information:

Mitigation Bank Name: Deschutes River Conservancy Mitigation Bank
Mailing Address: P.O. Box 1560, Bend, OR 97709
Phone Number: 541-382-4077 E-Mail (optional): gen@deschutesriver.org

Mitigation Credit Information:

In the following table, identify the mitigation project identification number(s), the number of credits assigned from each mitigation project, the zone of impact in which the credits are to be used (note - many credits may be used within more than one zone of impact) and the type of mitigation project upon which the credits are based (The Mitigation Bank shall notify purchasers of mitigation credits of the category of credits purchased. The Bank shall state if the credits are temporary or whether subject to the continued maintenance of a mitigation project. By Charter agreement, the Mitigation Bank has assumed an obligation to maintain or replace mitigation credits based on non-permanent mitigation projects.). Project Type Codes: Instream Lease = ISL; Time-Limited Instream Transfer = TLT; Allocation of Conserved Water = ACW; Permanent Instream Transfers = PT; Storage Release = SR; Aquifer Recharge = AR; Other = Other (if other, please describe under project type in space provided below)

Mitigation Project ID	# Mitigation Credits Assigned	Zone of Impact	Mitigation Project Type Code (see above)
MP-145	8.1	General	ISL
MP-___	_____	_____	___

Add additional mitigation projects and credits below using above format:

_____

Mitigation Project Operator (if other than original credit holder): _____(for example, name of storage project or aquifer recharge project operator)
Mailing Address: _____
Phone Number: _____

For Stored Water Releases (if applicable):
Name of Reservoir: _____
Reservoir Permit/Certificate: _____ Contract Number(s): _____

The above described mitigation credits have been transferred from DRC Bank, mitigation credit holder, to Eagle Crest (Oregon Resort Acquisition Partners, LP), ground water application/permit/certificate holder.

Mitigation Bank Signature — Date

Ground Water Application/Permit/Certificate Holder Signature — Date 2/2/15

File G-15799

WILKE Laura K

From: Niall Boggs <NBoggs@parametrix.com>
Sent: Monday, October 12, 2015 5:29 PM
To: WILKE Laura K
Cc: Mark Gerdes; Jim Frost
Subject: October Reporting Update, which includes September 2015 actual Use
Attachments: October update Brasada water use.xlsx

Laura,

Please see our updated water use reporting for Brasada Ranch which includes September 2015 actual use. We are still using the 11.8% increase trend we observed 2014 to 2015 January-May to project October-December. This is a conservative assumption, given that actual total use through August is approximately 7.9% more than 2014. Our projections show that we will anticipate being below the purchased credits by 11.62million gallons. Please call or reply with any questions or comments.

Regards,

Parametrix
ENGINEERING . PLANNING . ENVIRONMENTAL SCIENCES

Niall Boggs, PE, CWRE
Project Engineer
595 SW Bluff Dr., Suite B
Bend, OR 97702
541.508.7710 | main
541.550.7694 | desk
541.948.5362 | cell

Brasada Monthly Totals Produced

	2014	2015	2014	2015	2015 increase over 2014	
January	1,511,100.00	1,088,850.00				
February	1,649,190.00	788,651.25	1,511,100	1,088,850	72.06%	Lower use in 2015 than 2014
March	1,585,980.00	1,708,319.58	3,160,290	1,877,501	59.41%	Lower use in 2015 than 2014
April	2,090,400.00	2,928,540.00	4,746,270	3,585,821	75.55%	Lower use in 2015 than 2014
May	5,818,830.00	7,638,870.00	6,836,670	6,514,361	95.29%	Lower use in 2015 than 2014
June	8,612,520.00	7,681,362.00	12,655,500	14,153,231	111.83%	Use this for projection to remain conservat
July	11,586,300.00	10,775,430.00	21,268,020	21,834,593	102.66%	Jan-July, less conservative for projection
August	7,926,030.00	11,209,290.00	32,854,320	32,610,023	99.26%	Lower use in 2015 than 2014
September	8,132,701.00	8,950,950.00	40,780,350	43,819,313	107.45%	Jan-September, less conservative than Jan-
October	6,201,060.00	6,934,932.13	48,913,051	52,770,263	107.89%	Jan-October, less conservative than Jan-Jur
November	8,049,240.00	9,001,837.28				
December	956,326.67	1,069,504.33				
Total (in Gallons)	**64,119,677.67**	**69,776,536.58**	gallons=	214	ac-ft	

NOTE: **= projected**

As of the beginning of October, we are projecting that total use for calendar year 2015 is: 69.78 MG, which equals: 214 ac-ft actual use projected.
This is based on actual use for 2015 Jan-June. We are projecting an 11.8% increase in use for August thru December to remain conservative.

Mitigation amount (excluding 28.7 credit contingency) is 100 credits, 250 ac-ft actual use, 81.4 MG.

At this time, our projected annual use for 2015 is below our purchased 100 credits (250 ac-ft or 81.4 MG actual use) by: 11.62 MG

We will continue to monitor actual use on a monthly basis per OWRD request, and project annual use to be sure we stay under mitigation amount.

Oregon
John A. Kitzhaber, MD, Governor

RECEIVED BY OWRD
MAR 16 2015
SALEM, OR

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

OREGON WATER RESOURCES DEPARTMENT
DESCHUTES BASIN MITIGATION CREDIT
DOCUMENTARY EVIDENCE FORM FOR MITIGATION BANKS

*This form is to be completed by a **Mitigation Bank** when mitigation credits are obtained from a mitigation bank by a ground water application/permit/certificate holder to satisfy a mitigation obligation under the Deschutes Ground Water Mitigation rules.*

Ground Water User Information:

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Mailing Address (Street, City, State, Zip): P.O. Box 1215, Redmond, OR 97756
Phone Number (Home and Work): 541-504-4362 E-Mail (optional): markg@brasada.com
Ground Water Application, Permit, or Certificate #: App, G-15789
Mitigation Obligation (amount) (see Notice of Mitigation Obligation or Initial Review for this information): 8.1 cr
Zone of Impact (see Notice of Mitigation Obligation or Initial Review for this information): General

Mitigation Bank Information:

Mitigation Bank Name: Deschutes River Conservancy Mitigation Bank
Mailing Address: P.O. Box 1560, Bend, OR 97709
Phone Number: 541-382-4077 E-Mail (optional): gen@deschutesriver.org

Mitigation Credit Information:

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MP-___	_____	_____	___

Add additional mitigation projects and credits below using above format:

_____

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Mailing Address: _____
Phone Number: _____

For Stored Water Releases (if applicable):
Name of Reservoir: _____
Reservoir Permit/Certificate: _____ Contract Number(s): _____

The above described mitigation credits have been transferred from DRC Bank, mitigation credit holder, to Eagle Crest (Oregon Resort Acquisition Partners, LP), ground water application/permit/certificate holder.

Mitigation Bank Signature — Date: 12/16/14

Ground Water Application/Permit/Certificate Holder Signature — Date: 12/16/14

File G-15789

WILKE Laura K

From: Gen Hubert <gen@deschutesriver.org>
Sent: Thursday, March 12, 2015 12:15 PM
To: WILKE Laura K
Subject: Brasada Ranch Groundwater
Attachments: Brasada Doc Ev 2014.pdf

Hi Laura,

Yay! I think Brasada Ranch now has all of the paper work figured out. Attached is the documentary evidence for 2014. I will put this in the mail to you as well.

I believe they now also know what they were missing and will be sending the change of assignment with documentation to you any day.

Gen

Genevieve Hubert
Program Manager
Deschutes River Conservancy
541.382.4077 xt 16
http://www.deschutesriver.org

For 2014 received later Prev sent in unsigned by DRC

Oregon
John A. Kitzhaber, MD, 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

OREGON WATER RESOURCES DEPARTMENT
DESCHUTES BASIN MITIGATION CREDIT
DOCUMENTARY EVIDENCE FORM FOR MITIGATION BANKS

*This form is to be completed by a **Mitigation Bank** when mitigation credits are obtained from a mitigation bank by a ground water application/permit/certificate holder to satisfy a mitigation obligation under the Deschutes Ground Water Mitigation rules.*

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Mailing Address (Street, City, State, Zip): P.O. Box 1215, Redmond, OR 97756
Phone Number (Home and Work): 541-504-4362 E-Mail (optional): markg@brasada.com
Ground Water Application, Permit, or Certificate #: App, G-15789
Mitigation Obligation (amount) (see Notice of Mitigation Obligation or Initial Review for this information): 8.1 cr
Zone of Impact (see Notice of Mitigation Obligation or Initial Review for this information): General

Mitigation Bank Information:

Mitigation Bank Name: Deschutes River Conservancy Mitigation Bank
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MP-145	8.1	General	ISL
MP-___	____	____	___

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Phone Number: _____

For Stored Water Releases (if applicable):
Name of Reservoir: _____
Reservoir Permit/Certificate: _____ Contract Number(s): _____

The above described mitigation credits have been transferred from DRC Bank, mitigation credit holder, to Eagle Crest (Oregon Resort Acquisition Partners, LP), ground water application/permit/certificate holder.

Mitigation Bank Signature — Date: 12/16/14

Ground Water Application/Permit/Certificate Holder Signature — Date: 12/16/14

WILKE Laura K

From: Jim Frost <JFrost@parametrix.com>
Sent: Tuesday, March 10, 2015 4:28 PM
To: WILKE Laura K
Cc: Chris Earnest (ChrisE@nvoregonresorts.com); Niall Boggs
Subject: RE: Incremental Plan - annual update due April 1 - Permit G-15855 (Eagle Crest/Brasada)

Laura,

Thanks for your continued work on this Incremental Mitigation Development project. We will get you a revised plan to match 2013 and 2014, and future.

Thanks,

Parametrix
ENGINEERING . PLANNING . ENVIRONMENTAL SCIENCES

James E. Frost, PE
Senior Project Manager
595 SW Bluff Dr, Suite B
Bend, OR 97702
541.550.7688 | desk
541.480.2178 | cell

From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Friday, March 06, 2015 11:07 AM
To: Jim Frost
Cc: Chris Earnest (ChrisE@nvoregonresorts.com); Niall Boggs
Subject: Incremental Plan - annual update due April 1 - Permit G-15855 (Eagle Crest/Brasada)

Good Morning Jim – I just wanted to send you a reminder about providing an update on the incremental development plan for Permit G-15855
(currently in the name of Eagle Crest Inc.).

Their current incremental plan is:

Increment	Volume in Date Range	Mitigation Required	Source of Mitigation
1. 2005 – 2014	125.0 AF	50.0 AF	50.0 AF, being 1.8 AF of credits from MP-57 (permanent) & 48.2 AF of temporary credits via the DRC Mitigation Bank 8.1 AF additional provided in 2014, being 8.1 AF of temporary credits via DRC Mit Bank
2. 2015 – 2019	125.0 AF additional	50.0 AF additional	
3. 2020 – 2024	125.0 AF additional	50.0 AF additional	
4. 2025 – 2029	125.0 AF additional	50.0 AF additional	
5. 2030 on	8.0 AF additional	3.2 AF additional	
Totals	508.0 AF	203.2 AF	

The annual update needs to include an update on the status of the development of use under the increment development plan and how much water, in acre-feet, was used in 2014.

You can also request a modification to the existing increment development plan. It appears based on previous annual reports that additional mitigation may be needed. For 2013, it was reported that 145.2 AF was used, which exceeds the amount allowed under the first increment. This volume required 58.1 AF of mitigation. Only 50 AF of mitigation was provided in 2013. An addition 8.1 AF of mitigation appears to have been provided for 2014, being 8.1 mitigation credits via the DRC Mitigation Bank. Which brings total mitigation provided for 2014 to 58.1 AF. Previous correspondence during 2014 suggested that this permit may need to use up to 182 AF in 2014, which also exceeds the amount identified for the first increment. If this amount of water were used, a total of 72.8 AF of mitigation would have been needed in 2014.

If you have any questions, please feel free to give me a call.

Laura Wilke
Flow Restoration Program Coordinator
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1271
Phone: (503) 986-0884
Fax: (503) 986-0903

File G-15989

WILKE Laura K

From: WILKE Laura K
Sent: Friday, March 06, 2015 11:07 AM
To: Jim Frost (JFrost@parametrix.com)
Cc: Chris Earnest (ChrisE@nvoregonresorts.com); 'Niall Boggs'
Subject: Incremental Plan - annual update due April 1 - Permit G-15855 (Eagle Crest/Brasada)

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(currently in the name of Eagle Crest Inc.).

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Laura Wilke
Flow Restoration Program Coordinator
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1271
Phone: (503) 986-0884
Fax: (503) 986-0903

Flow Restoration Program Coordinator
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1271
Phone: (503) 986-0884
Fax: (503) 986-0903

Please provide the annual update on the incremental development plan for 2013. The next annual update for 2014 will be due on April 1, 2015.

Please give me a call if you have any questions. If you've already sent the 2013 annual update, please forward it again.

Thanks, Laura

From: WILKE Laura K
Sent: Thursday, April 24, 2014 10:11 AM
To: 'Frost, Jim'
Cc: Boggs, Niall
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Jim – I don't see that I received an update yet for the incremental development plan for Permit G-15855 for Eagle Crest/Brasada. Updates were due on April 1.

If you already sent the update, would you please forward it to me again.

Thanks, Laura

From: Frost, Jim [mailto:Jfrost@whpacific.com]
Sent: Thursday, March 20, 2014 3:20 PM
To: WILKE Laura K
Cc: Boggs, Niall
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Laura,

Yes, we are still taking care of the Incremental Mitigation plan for Brasada. I'll review and get back to you, thanks for the reminder.

Jim Frost, PE | Project Manager 3
WHPacific, Inc. | 123 SW Columbia St, Ste 100, Bend, OR 97702
Direct 541.312.2261 | Mobile 541.480.2178 | Fax 541.388.4229
Enhancing Client Satisfaction through Creative, Exceptional Service

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From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Thursday, March 20, 2014 9:54 AM
To: Frost, Jim
Subject: Brasada/Eagle Crest - incremental plan update due soon

Jim - I believe that you're still taking care of the updates on incremental development plans for Brasada/Eagle Crest. Please let me know if I need to forward this e-mail to someone else if you're no longer taking care of this for them.

Updates on incremental development plans are due April 1. They have one permit with an incremental development plan - G-15855.

Please give me a call if you have any questions.

Thanks, Laura

Laura Wilke

Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com)
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Laura,

I am still the primary contact, with Chris Earnest the Owner. I will get the updated mitigation plan completed and sent to you, I appreciate your reminder.

Thanks,
Jim Frost, PE | Project Manager
WHPacific, Inc. | 123 SW Columbia St, Bend, OR 97702
Direct 541.312.2261 | Mobile 541.480.2178 | Fax 541.388.4229 | jfrost@whpacific.com

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NMSDC Certified MBE/CPUC Certified MBE

From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Thursday, November 13, 2014 8:05 AM
To: Jim Frost
Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com)
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Jim- checking in again on the below. Let me know if I should be contacting someone else for this information if you're not still the primary for this. Or if you already sent it, please go ahead and resend.

Thanks, Laura

From: WILKE Laura K
Sent: Wednesday, October 29, 2014 4:40 PM
To: Frost, Jim (Jfrost@whpacific.com)
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Jim – I'm working on some Mitigation Program updates for 2013 and I don't see that we've received an update yet on the incremental development plan for Permit G-15855 for Eagle Crest/Brasada. The annual update was due, as identified below, on April 1, 2014.

The update needs to include the progress made on permit development under the incremental development plan, the volume (in acre-feet) of water used in 2013, and any request to modify the incremental plan currently on file with the Department.

Current plan on file:

Incremental Step	Volume in date range	Mitigation in date range	Mitigation Source
1. 2005 - 2014	125.0 AF	50.0 AF	1.8 AF from MP-57 (permanent) and 48.2 temporary credits from DRC Mit. Bank
2. 2015 – 2019	125.0 AF	50.0 AF	
3. 2020 - 2024	125.0 AF	50.0 AF	
4. 2025 – 2029	125.0 AF	50.0 AF	
5. 2030	8.0 AF	3.2 AF	
Totals	508.0 AF	203.2 AF	

Jim Frost, PE | Project Manager
WHPacific, Inc. | 123 SW Columbia St, Bend, OR 97702
Direct 541.312.2261 | Mobile 541.480.2178 | Fax 541.388.4229 | jfrost@whpacific.com

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From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Thursday, November 13, 2014 9:41 AM
To: Jim Frost
Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com)
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Sounds good. And just to clarify, this will about the amount of water used in 2013 under Permit G-15855? It also looks like folk may want take a look at the incremental development plan and see if any updates are needed. The first increment with 50 AF of mitigation ends 2014.

Laura

From: Jim Frost [mailto:Jfrost@whpacific.com]
Sent: Thursday, November 13, 2014 9:35 AM
To: WILKE Laura K
Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com)
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Laura,

I have contacted Avion and requested the total water use for Brasada. Once I receive the info, I'll revise the letter and send it to you. Avion is typically quick to respond, so I expect to get you the letter in the next few days. Please let me know if that is acceptable.

Thanks,
Jim Frost, PE | Project Manager
WHPacific, Inc. | 123 SW Columbia St, Bend, OR 97702
Direct 541.312.2261 | Mobile 541.480.2178 | Fax 541.388.4229 | jfrost@whpacific.com

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From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Thursday, November 13, 2014 8:20 AM
To: Jim Frost
Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com)
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Thanks Jim! I'll look for the updates. When do you anticipate being able to submit the status update for 2013?

Laura

From: Jim Frost [mailto:Jfrost@whpacific.com]
Sent: Thursday, November 13, 2014 8:17 AM
To: WILKE Laura K

From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Friday, November 21, 2014 2:08 PM
To: Jim Frost
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Jim – Just wanted to touch base with you on the incremental plan for Eagle Crest (permit G-15855). See below e-mail. You also asked in a previous e-mail:

"Would it be acceptable to change the 2015 to 2019 mitigation from 100 AF (250 AF actual use) to perhaps 75 AF mitigation (187.5 AF actual use, 61.1 MG)? We used 47.3 MG in 2013 calendar year, so that leaves room for growth over the next 5 years."

What we might want to look at first is the first increment. Thru 2012, it appears that they were within the limits of the first increment (up to 125 AF annual use and 50.0 AF of mitigation). For 2012, you reported that they had used 121.5 AF. But for 2013, the volume of use reported is outside of the first increment, being 145.2 AF (mitigation needed = 58.1 AF).

Laura

From: WILKE Laura K
Sent: Thursday, November 13, 2014 1:31 PM
To: 'Jim Frost'
Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com); GIFFIN Jeremy T
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Hi Jim – I found something in the annual number you sent that may require additional work or evaluation. It appears that the amount of mitigation provided (50.0 AF) and the amount of use for 2013 (145.2 AF based on conversion of 47.3 MG) do not currently match. Use of 145.2 AF would require 58.1 AF of mitigation. If more water is being used than mitigated for, additional mitigation will need to be provided. This also looks like it exceeds the amount of use currently allowed under the incremental development plan.

Laura

From: Jim Frost [mailto:Jfrost@whpacific.com]
Sent: Thursday, November 13, 2014 12:16 PM
To: WILKE Laura K
Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com)
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Laura,

Yes, this will about the amount of water used in 2013 under Permit G-15855. The amount used in the 2013 calendar year was 47.3 MG. I anticipate working with Chris to modify the Incremental Mitigation Plan to change 2015 to 2019 mitigation to more closely match anticipated use.

Thanks,

credits in advance each year as required. Brasada is processing a check for DRC for the 8.1 AF additional credit to cover the use in 2013, and I will send you the receipt from DRC for your records. We appreciate your assistance.

Thanks,
Jim Frost, PE | Project Manager
WHPacific, Inc. | 123 SW Columbia St, Bend, OR 97702
Direct 541.312.2261 | Mobile 541.480.2178 | Fax 541.388.4229 | jfrost@whpacific.com

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From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Wednesday, November 26, 2014 7:52 AM
To: Jim Frost
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Jim – I just wanted to do a quick follow up on mitigation for Eagle Crest/Brasada. Will the 8.1 AF of additional mitigation cover any additional use also in 2014? Or is more mitigation needed considering 2014 use level or anticipated use level?

Laura

From: WILKE Laura K
Sent: Monday, November 24, 2014 11:59 AM
To: 'Jim Frost'
Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com); GIFFIN Jeremy T
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Thanks for the update Jim. Please forward the documentary evidence form the DRC when it comes through. I'll update tracking and staff at this end and let you know if there's any further follow up. At this point, may just be a matter of getting the incremental plan updated accordingly and mitigation in line with use. Thinking forward, consistent with permit conditions, additional mitigation needs to be obtained before any increase in use and incremental plans also need to be updated accordingly.

Thanks again,
Laura

From: Jim Frost [mailto:Jfrost@whpacific.com]
Sent: Monday, November 24, 2014 11:49 AM
To: WILKE Laura K
Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com)
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Laura,

We plan to purchase the additional 8.1 AF to cover our actual use in 2013, and update the Incremental Mitigation Plan to properly cover our anticipated use. We have contacted Gen at Deschutes River Conservancy to coordinate purchase of the 8.1 AF. We look forward to working with you to update the Incremental Mitigation Plan.

Thanks,
Jim Frost, PE | Project Manager
WHPacific, Inc. | 123 SW Columbia St, Bend, OR 97702
Direct 541.312.2261 | Mobile 541.480.2178 | Fax 541.388.4229 | jfrost@whpacific.com

need, besides the updated letter and proof that Brasada purchased additional temp mitigation to cover the actual use in 2014? They have already purchased the added temp mitigation to cover actual use in 2013.

Thanks,

From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Friday, March 20, 2015 8:26 AM
To: Jim Frost
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Are you thinking about this letter? Or another one?

Laura

From: Jim Frost [mailto:Jfrost@whpacific.com]
Sent: Thursday, December 04, 2014 10:32 AM
To: Laura Wilke (laura.k.wilke@state.or.us)
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Laura,

Please find the attached letter describing use in 2013 and 2014, purchase of additional mitigation credits, and discussion of adequacy of the current mitigation plan for 2015-2019. Please call or reply with any questions or comments.

Thanks,
Jim Frost, PE | Project Manager
WHPacific, Inc. | 123 SW Columbia St, Bend, OR 97702
Direct 541.312.2261 | Mobile 541.480.2178 | Fax 541.388.4229 | jfrost@whpacific.com

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From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Thursday, December 04, 2014 9:41 AM
To: Jim Frost
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Hi Jim – I just wanted to follow up on the additional credits. Those can be used for any additional use above and beyond what they currently have authorized under the incremental development plan for 2014. Unfortunately, there's no mechanism to provide mitigation retroactively. If they obtain the credits, they'll want to make sure they also cover any additional use for 2014. And I can make appropriate notes in the file and in our tracking.

Laura

From: Jim Frost [mailto:Jfrost@whpacific.com]
Sent: Wednesday, November 26, 2014 7:58 AM
To: WILKE Laura K
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Laura,

I will review 2014 use available to date, estimate use thru end of calendar year, and request purchase of additional mitigation as needed. We plan to update the Incremental Mitigation Plan to be sure we purchase adequate mitigation

WILKE Laura K

From: WILKE Laura K
Sent: Friday, March 20, 2015 9:09 AM
To: 'Jim Frost'
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Hi Jim – It's too late to purchase any additional mitigation for 2014. However, if you know that they're going to use more water than they currently have mitigation for in 2015, you can work on obtaining that additional mitigation. I double checked how we've been calculating the mitigation for this permit. It's based on an estimated 40% consumptive use factor. So, 40% of what they would be using in 2015 needs to be mitigated.

Laura

From: Jim Frost [mailto:JFrost@parametrix.com]
Sent: Friday, March 20, 2015 9:01 AM
To: WILKE Laura K
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Can we purchase the catch up mitigation and have it on record in notes?

From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Friday, March 20, 2015 8:50 AM
To: Jim Frost
Cc: Niall Boggs
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Hi Jim:

Not sure if there's anything else we need yet. Might depend on what's identified in the 2014 update. I did want to clarify that the credits purchased in 2014 only cover some of the additional use in 2014. Unfortunately, credits aren't retroactive. At this point, we don't have additional mitigation for 2013. The 8.1 credits purchased at the end of 2014 were credited towards use in 2014.

Under the permit and by rule, permit holders with incremental development plans are required to provide additional mitigation before increasing the amount of water used. Feel free to give me a call if you have any questions.

Laura

From: Jim Frost [mailto:JFrost@parametrix.com]
Sent: Friday, March 20, 2015 8:33 AM
To: WILKE Laura K
Cc: Niall Boggs
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Laura,

Perfect, thanks. I am obtaining the actual use data for 2014, and will update this letter. I believe the current incremental mitigation plan will exceed actual use based on projected growth of Brasada. Is there anything else you

DESCHUTES RIVER CONSERVANCY

March 12, 2015

Oregon Water Resources Dept.
Attn: Laura Wilke
725 Summer St. NE, Ste A
Salem, OR 97301-4172

Re: Documentary Evidence G-15789

Dear Laura,

Enclosed you will find a documentary evidence form for groundwater application G-15789 for the Eagle Crest/Brasada Ranch incremental increase in **mitigation for 2014**.

Please contact me if you have any questions at all about this (541-382-4077 ext 16).

Best Regards,

Genevieve Hubert
Program Manager

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MAR 16 2015
SALEM, OR

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

362/35 # 275.

Articles of Conversion - Business Entities

Secretary of State - Corporation Division - 255 Capitol St. NE, Suite 151 - Salem, OR 97310-1327 - http://www.FilingInOregon.com - (503) 986-2200

FILED

DEC 29 2010

OREGON
SECRETARY OF STATE

REGISTRY NUMBER: 242101-97

In accordance with Oregon Revised Statute 192.410-192.490, the information on this application is public record. We must release this information to all parties upon request and it will be posted on our website.

For office use only

Please Type or Print Legibly in Black Ink.

1) NAME OF BUSINESS ENTITY PRIOR TO CONVERSION:
Brasada Ranch, Inc.

2) TYPE OF BUSINESS ENTITY PRIOR TO CONVERSION:
Oregon Domestic Business Corporation

3) NAME OF BUSINESS ENTITY AFTER CONVERSION:
Brasada Ranch Development, LLC

4) TYPE OF BUSINESS ENTITY AFTER CONVERSION:
Delaware Limited Liability Company

5) ☒ A COPY OF THE PLAN OF CONVERSION IS ATTACHED.

6) PROVIDE ADDITIONAL INFORMATION REQUIRED FOR NEW ENTITY TYPE

The name and address of the registered agent in Delaware for the converted business entity is:

Corporation Service Company
2711 Centerville Road, Suite 400
Wilmington, Delaware 19808

Conversion of Brasada Ranch Inc. to Brasada Ranch Development LLC

7) EXECUTION: (Must be signed by an officer or director for a corporation, a member or manager for a limited liability company, a general partner for a limited partnership, or a partner for a limited liability partnership.)
By my signature, I declare as an authorized authority, that this filing has been examined by me and is, to the best of my knowledge and belief, true, perfect, and complete. Making false statements in this document is against the law and may be penalized by fines, imprisonment or both.

Signature: Printed Name: Craig A. Kleinman Title: Member

Member

CONTACT NAME: (To resolve questions with this filing.)
Eric Ideta

PHONE NUMBER: (Include area code.)
213-229-7079

BRASADA RANCH DEVELOPMENT, LLC

24210197-12362679 CNV

219 - Articles of Conversion - Business Entities (01/10)

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PLAN OF CONVERSION
FOR
BRASADA RANCH, INC.,
an Oregon domestic business corporation

December 2, 2010

The undersigned, being all of the duly elected members of the board of directors (the "Board") of Brasada Ranch, Inc., an Oregon domestic business corporation (the "Company"), acting in accordance with Sections 60.341, 60.472, 60.474, and 60.487 of the Oregon Revised Statutes, hereby consent in writing to the adoption of the Plan of Conversion (the "Plan"), such action to have the same force and effect as a unanimous vote of the Board at a meeting duly called and held.

RECITALS

WHEREAS, the Company was formed on September 22, 2004, in the State of Oregon;

WHEREAS, JELD-WEN Development, Inc., an Oregon domestic business corporation, is the sole shareholder (the "Shareholder") of the Company;

WHEREAS, the Board deems it advisable and in the best interests of the Company and the Shareholder to convert the Company to Brasada Ranch Development, LLC (the "Delaware LLC"), a Delaware limited liability company (the "Conversion"); and

WHEREAS, the Board deems it advisable and in the best interests of the Company and the Shareholder to convert the Shareholder's 100% interest in the Company into a 100% limited liability company membership interest in the Delaware LLC.

NOW, THEREFORE, BE IT RESOLVED, that all of the elected members of the Board hereby agree as follows:

1. The Board hereby approves the Conversion.

2. The name of the converted entity shall be "Brasada Ranch Development, LLC".

3. The Board intends to file (i) a Certificate of Conversion of the Company with the Secretary of State of Delaware, attached as Exhibit A, (ii) a Certificate of Formation of the Delaware LLC with the Secretary of State of Delaware, attached as Exhibit B, (iii) Articles of Conversion of the Company with the Secretary of State of Oregon, attached as Exhibit C, and (iv) an Application for Authority to Transact Business with the Secretary of State of Oregon, attached as Exhibit D, thereby canceling the existence of the Company and completing the Conversion.

4. Upon the Conversion, the Shareholder's 100% interest in the Company shall be converted into a 100% limited liability company membership interest in the Delaware LLC.

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5. Upon Conversion, the registered agent of the Delaware LLC in Delaware shall be Corporation Service Company (the "Agent"). The Agent's registered office is located at 2711 Centerville Road, Suite 400, Wilmington, Delaware 19808.

6. The Board hereby recommends that the Shareholder consent to the approval and adoption of the Plan.

7. The Board hereby submits the Plan to the Shareholder for approval, in a manner consistent with applicable law.

[Signature page follows.]

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IN WITNESS WHEREOF, the undersigned have executed this Plan of Conversion for Brasada Ranch, Inc. as of the date first written above.

By:
Name: Jason Keller

By:
Name: Cary Kleinman

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EXHIBIT A

DELAWARE CERTIFICATE OF CONVERSION

[See attached.]

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STATE OF DELAWARE
CERTIFICATE OF CONVERSION
FROM A CORPORATION TO A
LIMITED LIABILITY COMPANY PURSUANT TO
SECTION 18-214 OF THE LIMITED LIABILITY ACT

1.) The jurisdiction where the Corporation first formed is Oregon.

2.) The jurisdiction immediately prior to filing this Certificate is Oregon.

3.) The date the corporation first formed is September 22, 2004.

4.) The name of the Corporation immediately prior to filing this Certificate is Brasada Ranch, Inc.

5.) The name of the Limited Liability Company as set forth in the Certificate of Formation is Brasada Ranch Development, LLC.

IN WITNESS WHEREOF, the undersigned have executed this Certificate on the 2nd day of December, A.D. 2010.

By: _____
Authorized Person

Name: Cary Kleinman
Print or Type

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EXHIBIT B

DELAWARE CERTIFICATE OF FORMATION

[See attached.]

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STATE *of* DELAWARE
LIMITED LIABILITY COMPANY
CERTIFICATE *of* FORMATION

- **First:** The name of the limited liability company is Brasada Ranch Development, LLC

- **Second:** The address of its registered office in the State of Delaware is 2711 Centerville Rd, #400 in the City of Wilmington Zip Code 19808.

  The name of its Registered agent at such address is Corporation Service Company.

- **Third:** (Insert any other matters the members determine to include herein.)

In Witness Whereof, the undersigned have executed this Certificate of Formation this 2nd day of December, 2010.

By: _____
Authorized Person(s)

Name: Cary Kleinman
Typed or Printed

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EXHIBIT C

OREGON ARTICLES OF CONVERSION

[See attached.]

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Articles of Conversion - Business Entities

Secretary of State - Corporation Division - 255 Capitol St. NE, Suite 151 - Salem, OR 97310-1327 - http://www.FilingInOregon.com - Phone: (503) 986-2200

REGISTRY NUMBER: 242101-97

In accordance with Oregon Revised Statute 192.410-192.490, the information on this application is public record.
We must release this information to all parties upon request and it will be posted on our website. For office use only

Please Type or Print Legibly in Black Ink.

1) NAME OF BUSINESS ENTITY PRIOR TO CONVERSION:
Brasada Ranch, Inc.

2) TYPE OF BUSINESS ENTITY PRIOR TO CONVERSION:
Oregon Domestic Business Corporation

3) NAME OF BUSINESS ENTITY AFTER CONVERSION:
Brasada Ranch Development, LLC

4) TYPE OF BUSINESS ENTITY AFTER CONVERSION:
Delaware Limited Liability Company

5) ☒ A COPY OF THE PLAN OF CONVERSION IS ATTACHED.

6) PROVIDE ADDITIONAL INFORMATION REQUIRED FOR NEW ENTITY TYPE

The name and address of the registered agent in Delaware for the converted business entity is:

Corporation Service Company
2711 Centerville Road, Suite 400
Wilmington, Delaware 19808

7) EXECUTION: (Must be signed by an officer or director for a corporation, a member or manager for a limited liability company, a general partner for a limited partnership, or a partner for a limited liability partnership.)
By my signature, I declare as an authorized authority, that this filing has been examined by me and is, to the best of my knowledge and belief, true, correct, and complete. Making false statements in this document is against the law and may be penalized by fines, imprisonment or both.

Signature: Printed Name: Title:

CONTACT NAME: (To resolve questions with this filing.)
Eric Ideta

PHONE NUMBER: (Include area code.)
213-229-7079

FEES
Domestic Required Processing Fee $100
Foreign Required Processing Fee $275
Confirmation Copy (Optional) $5
Processing Fees are nonrefundable. Please make check payable to "Corporation Division."

21B - Articles of Conversion - Business Entities (01/10)

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EXHIBIT D

OREGON APPLICATION FOR AUTHORITY TO TRANSACT BUSINESS

[See attached.]

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Application for Authority to Transact Business - Foreign Limited Liability Company

Secretary of State - Corporation Division - 255 Capitol St. NE, Suite 151 - Salem, OR 97310-1327 - http://www.FilingInOregon.com - Phone: (503).986-2200

REGISTRY NUMBER: _____
For office use only

In accordance with Oregon Revised Statute 192.410-192.490, the information on this application is public record. We must release this information to all parties upon request and it will be posted on our website. For office use only

Please Type or Print Legibly in Black Ink. Attach Additional Sheet if Necessary.

1) NAME: Brasada Ranch Development, LLC
NOTE: (Must contain the words "Limited Liability Company" or the abbreviations "LLC" or "L.L.C.") Must be identical to the name on the Certificate of Existence, See #3.

2) STATE OR COUNTRY OF ORGANIZATION:
Delaware
Date of Organization: December 3, 2010

3) CERTIFICATE OF EXISTENCE:
☒ A certificate of existence, current within 60 days of delivery to this Division, authenticated by the official having custody of the organization, is attached.

4) DURATION: (Please check one.)
☐ Latest date upon which the entity is to dissolve is _____
Or
☒ Duration shall be perpetual.

5) THIS FOREIGN LIMITED LIABILITY COMPANY SATISFIES THE REQUIREMENTS OF ORS 63.714(3).

6) NAME OF OREGON REGISTERED AGENT:
Corporation Service Company

7) REGISTERED AGENT'S PUBLICLY AVAILABLE ADDRESS:
(Must be an Oregon Street Address, which is identical to the registered agent's business office.)
285 Liberty Street NE
Salem, OR 97301

8) ADDRESS OF PRINCIPAL OFFICE OF THE BUSINESS:
7555 Falcon Crest Drive
Redmond, OR 97756

9) ADDRESS WHERE THE DIVISION MAY MAIL NOTICES:
PO Box 1215
Redmond, OR 97756

10) HOW WILL THIS LIMITED LIABILITY COMPANY BE MANAGED?
☒ This LLC will be member-managed by one or more members.
☐ This LLC will be manager-managed by one or more managers.

11) EXECUTION: (At least one member or manager must sign.)
By my signature, I declare as an authorized authority, that this filing has been examined by me and is, to the best of my knowledge and belief, true, correct, and complete. Making false statements in this document is against the law and may be penalized by fines, imprisonment or both.

Signature:	Printed Name:	Title:
	Cary Kleinman	Member

CONTACT NAME: (To resolve questions with this filing.)
Eric Ideta

PHONE NUMBER: (Include area code.)
213-229-7079

FEES
Required Processing Fee $275
Confirmation Copy (Optional) $5
Processing Fees are nonrefundable. Please make check payable to "Corporation Division."

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242101-97

Delaware

The First State

I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY "BRASADA RANCH DEVELOPMENT, LLC" IS DULY FORMED UNDER THE LAWS OF THE STATE OF DELAWARE AND IS IN GOOD STANDING AND HAS A LEGAL EXISTENCE SO FAR AS THE RECORDS OF THIS OFFICE SHOW, AS OF THE SEVENTH DAY OF DECEMBER, A.D. 2010.

AND I DO HEREBY FURTHER CERTIFY THAT THE SAID "BRASADA RANCH DEVELOPMENT, LLC" WAS FORMED ON THE THIRD DAY OF DECEMBER, A.D. 2010.

AND I DO HEREBY FURTHER CERTIFY THAT THE ANNUAL TAXES HAVE NOT BEEN ASSESSED TO DATE.

4907300 8300

101156497

You may verify this certificate online at corp.delaware.gov/authver.shtml

Jeffrey W. Bullock, Secretary of State

AUTHENTICATION: 8404917

DATE: 12-07-10

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Oregon Resorts, LLC documentation

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CERTIFICATE

State of Oregon

OFFICE OF THE SECRETARY OF STATE
Corporation Division

I, BILL BRADBURY, Secretary of State of Oregon, and Custodian of the Seal of said State, do hereby certify:

EAGLE CREST, INC.
was filed under the Oregon
Business Corporation Act
on ***June 23, 1988***
Articles of Amendment
were filed on ***January 1, 2007***
changing the name to
JELD-WEN DEVELOPMENT, INC.

I further certify that
JELD-WEN DEVELOPMENT, INC.
is active on the records of the Corporation Division as of the date of this certificate.

In Testimony Whereof, I have hereunto set my hand and affixed hereto the Seal of the State of Oregon.

BILL BRADBURY, Secretary of State

Eagle Crest Inc.
Name Change to
Jeld Wen Development
Inc.

By Marilyn R Smith

Marilyn R. Smith
February 2, 2007

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Articles of Conversion - Business Entities

Secretary of State - Corporation Division - 255 Capitol St. NE, Suite 151 - Salem, OR 97310-1327 - http://www.FilingInOregon.com - Phone: (503) 986-2200

FILED

DEC 29 2010

OREGON
SECRETARY OF STATE

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REGISTRY NUMBER: 120671-87

In accordance with Oregon Revised Statute 192.410-192.490, the information on this application is public record.
We must release this information to all parties upon request and it will be posted on our website.

Please Type or Print Legibly in Black Ink.

1) NAME OF BUSINESS ENTITY PRIOR TO CONVERSION:
JELD-WEN Development, Inc.

2) TYPE OF BUSINESS ENTITY PRIOR TO CONVERSION:
Oregon Domestic Business Corporation

3) NAME OF BUSINESS ENTITY AFTER CONVERSION:
JELD-WEN Development, LLC

4) TYPE OF BUSINESS ENTITY AFTER CONVERSION:
Delaware Limited Liability Company

5) ☒ A COPY OF THE PLAN OF CONVERSION IS ATTACHED.

6) PROVIDE ADDITIONAL INFORMATION REQUIRED FOR NEW ENTITY TYPE

The name and address of the registered agent in Delaware for the converted business entity is:

Corporation Service Company
2711 Centerville Road, Suite 400
Wilmington, Delaware 19808

Jeld Wen Development Inc. to Jeld Wen Development LLC

7) EXECUTION:(Must be signed by an officer or director for a corporation, a member or manager for a limited liability company, a general partner for a limited partnership, or a partner for a limited liability partnership.)
By my signature, I declare as an authorized authority, that this filing has been examined by me and is, to the best of my knowledge and belief, true, correct, and complete. Making false statements in this document is against the law and may be penalized by fines, imprisonment or both.

Signature: _____ Printed Name: Craig A. Kleinman Title: Member

Member

CONTACT NAME: (To resolve questions with this filing.)
Eric Ideta

PHONE NUMBER: (Include area code.)
213-229-7079

FEES

Domestic Required Processing Fee $100
Foreign Required Processing Fee $275

Confirmation Copy (Optional) $5

Processing Fees are nonrefundable. Please make check payable to "Corporation Division."

219 - Articles of Conversion - Business Entities (01/10)

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PLAN OF CONVERSION
FOR
JELD-WEN DEVELOPMENT, INC.,
an Oregon domestic business corporation

December 2, 2010

The undersigned, being all of the duly elected members of the board of directors (the "Board") of JELD-WEN Development, Inc., an Oregon domestic business corporation (the "Company"), acting in accordance with Sections 60.341, 60.472, 60.474, and 60.487 of the Oregon Revised Statutes, hereby consent in writing to the adoption of the Plan of Conversion (the "Plan"), such action to have the same force and effect as a unanimous vote of the Board at a meeting duly called and held.

RECITALS

WHEREAS, the Company was formed on June 23, 1988, in the State of Oregon;

WHEREAS, Oregon Resorts Acquisition Partners, LP, a Delaware limited partnership, is the sole shareholder (the "Shareholder") of the Company;

WHEREAS, the Board deems it advisable and in the best interests of the Company and the Shareholder to convert the Company to JELD-WEN Development, LLC (the "Delaware LLC"), a Delaware limited liability company (the "Conversion"); and

WHEREAS, the Board deems it advisable and in the best interests of the Company and the Shareholder to convert the Shareholder's 100% interest in the Company into a 100% limited liability company membership interest in the Delaware LLC.

NOW, THEREFORE, BE IT RESOLVED, that all of the elected members of the Board hereby agree as follows:

1. The Board hereby approves the Conversion.

2. The name of the converted entity shall be "JELD-WEN Development, LLC".

3. The Board intends to file (i) a Certificate of Conversion of the Company with the Secretary of State of Delaware, attached as Exhibit A, (ii) a Certificate of Formation of the Delaware LLC with the Secretary of State of Delaware, attached as Exhibit B, (iii) Articles of Conversion of the Company with the Secretary of State of Oregon, attached as Exhibit C, and (iv) an Application for Authority to Transact Business with the Secretary of State of Oregon, attached as Exhibit D, thereby canceling the existence of the Company and completing the Conversion.

4. Upon the Conversion, the Shareholder's 100% interest in the Company shall be converted into a 100% limited liability company membership interest in the Delaware LLC.

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5. Upon Conversion, the registered agent of the Delaware LLC in Delaware shall be Corporation Service Company (the "Agent"). The Agent's registered office is located at 2711 Centerville Road, Suite 400, Wilmington, Delaware 19808.

6. The Board hereby recommends that the Shareholder consent to the approval and adoption of the Plan.

7. The Board hereby submits the Plan to the Shareholder for approval, in a manner consistent with applicable law.

[Signature page follows.]

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IN WITNESS WHEREOF, the undersigned have executed this Plan of Conversion for JELD-WEN Development, Inc. as of the date first written above.

By: _____
Name: Jason Keller

By: _____
Name: Cary Kleinman

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EXHIBIT A

DELAWARE CERTIFICATE OF CONVERSION

[See attached.]

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STATE OF DELAWARE
CERTIFICATE OF CONVERSION
FROM A CORPORATION TO A
LIMITED LIABILITY COMPANY PURSUANT TO
SECTION 18-214 OF THE LIMITED LIABILITY ACT

1.) The jurisdiction where the Corporation first formed is Oregon.

2.) The jurisdiction immediately prior to filing this Certificate is Oregon.

3.) The date the corporation first formed is June 23, 1988.

4.) The name of the Corporation immediately prior to filing this Certificate is JELD-WEN Development, Inc.

5.) The name of the Limited Liability Company as set forth in the Certificate of Formation is JELD-WEN Development, LLC.

IN WITNESS WHEREOF, the undersigned have executed this Certificate on the 2nd day of December, A.D. 2010.

By: _____
Authorized Person

Name: Cary Kleinman
Print or Type

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EXHIBIT B

DELAWARE CERTIFICATE OF FORMATION

[See attached.]

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STATE *of* DELAWARE
LIMITED LIABILITY COMPANY
CERTIFICATE *of* FORMATION

- **First:** The name of the limited liability company is JELD-WEN Development, LLC

- **Second:** The address of its registered office in the State of Delaware is 2711 Centerville Rd, #400 in the City of Wilmington Zip Code 19808.

  The name of its Registered agent at such address is Corporation Service Company.

- **Third:** (Insert any other matters the members determine to include herein.)

In Witness Whereof, the undersigned have executed this Certificate of Formation this 2nd day of December, 2010.

By: _____
Authorized Person(s)

Name: Cary Kleinman
Typed or Printed

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EXHIBIT C

OREGON ARTICLES OF CONVERSION

[See attached.]

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Articles of Conversion - Business Entities

Secretary of State - Corporation Division - 255 Capitol St NE, Suite 151 - Salem, OR 97310-1327 - http://www.FilingInOregon.com - Phone: (503) 986-2200

REGISTRY NUMBER: 120671-87

In accordance with Oregon Revised Statute 192.410-192.490, the information on this application is public record. We must release this information to all parties upon request and it will be posted on our website.

For office use only

Please Type or Print Legibly in Black Ink.

1) NAME OF BUSINESS ENTITY PRIOR TO CONVERSION:
JELD-WEN Development, Inc.

2) TYPE OF BUSINESS ENTITY PRIOR TO CONVERSION:
Oregon Domestic Business Corporation

3) NAME OF BUSINESS ENTITY AFTER CONVERSION:
JELD-WEN Development, LLC

4) TYPE OF BUSINESS ENTITY AFTER CONVERSION:
Delaware Limited Liability Company

5) ☒ A COPY OF THE PLAN OF CONVERSION IS ATTACHED.

6) PROVIDE ADDITIONAL INFORMATION REQUIRED FOR NEW ENTITY TYPE

The name and address of the registered agent in Delaware for the converted business entity is:

Corporation Service Company
2711 Centerville Road, Suite 400
Wilmington, Delaware 19808

7) EXECUTION:(Must be signed by an officer or director for a corporation, a member or manager for a limited liability company, a general partner for a limited partnership, or a partner for a limited liability partnership.)
By my signature, I declare as an authorized authority, that this filing has been examined by me and is, to the best of my knowledge and belief, true, correct, and complete. Making false statements in this document is against the law and may be penalized by fines, imprisonment or both.

Signature: Printed Name: Title:

CONTACT NAME: (To resolve questions with this filing.)
Eric Ideta

PHONE NUMBER: (Include area code.)
213-229-7079

FEES
Domestic Required Processing Fee $100
Foreign Required Processing Fee $275

Confirmation Copy (Optional) $5

Processing Fees are nonrefundable. Please make check payable to "Corporation Division."

219 - Articles of Conversion - Business Entities (01/10)

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EXHIBIT D

OREGON APPLICATION FOR AUTHORITY TO TRANSACT BUSINESS

[See attached.]

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Application for Authority to Transact Business - Foreign Limited Liability Company

Secretary of State - Corporation Division - 255 Capitol St. NE, Suite 151 - Salem, OR 97310-1327 - http://www.FilinginOregon.com - Phone: (503) 986-2200

REGISTRY NUMBER: _____
For office use only

In accordance with Oregon Revised Statute 192.410-192.490, the information on this application is public record. We must release this information to all parties upon request and it will be posted on our website. For office use only.

Please Type or Print Legibly in Black Ink. Attach Additional Sheet if Necessary.

1) NAME: JELD-WEN Development, LLC
NOTE: (Must contain the words "Limited Liability Company" or the abbreviations "LLC" or "L.L.C.") Must be identical to the name on the Certificate of Existence, See #3.

2) STATE OR COUNTRY OF ORGANIZATION:
Delaware

Date of Organization: December 3, 2010

3) CERTIFICATE OF EXISTENCE:

☒ A certificate of existence, current within 60 days of delivery to this Division, authenticated by the official having custody of the organization, is attached.

4) DURATION: (Please check one.)

☐ Latest date upon which the entity is to dissolve is _____

Or

☒ Duration shall be perpetual.

5) THIS FOREIGN LIMITED LIABILITY COMPANY SATISFIES THE REQUIREMENTS OF ORS 63.714(3).

6) NAME OF OREGON REGISTERED AGENT:
Corporation Service Company

7) REGISTERED AGENT'S PUBLICLY AVAILABLE ADDRESS:
(Must be an Oregon Street Address, which is identical to the registered agent's business office.)
285 Liberty Street NE.
Salem, OR 97301

8) ADDRESS OF PRINCIPAL OFFICE OF THE BUSINESS:
7555 Falcon Crest Drive
Redmond, OR 97756

9) ADDRESS WHERE THE DIVISION MAY MAIL NOTICES:
PO Box 1215
Redmond, OR 97756

10) HOW WILL THIS LIMITED LIABILITY COMPANY BE MANAGED?

☒ This LLC will be member-managed by one or more members.
☐ This LLC will be manager-managed by one or more managers.

11) EXECUTION: (At least one member or manager must sign.)
By my signature, I declare as an authorized authority, that this filing has been examined by me and is, to the best of my knowledge and belief, true, correct, and complete. Making false statements in this document is against the law and may be penalized by fines, imprisonment or both.

Signature:	Printed Name:	Title:
	Cary Kleinman	Member

CONTACT NAME: (To resolve questions with this filing.)
Eric Ideta

PHONE NUMBER: (Include area code.)
213-229-7079

FEES
Required Processing Fee $275
Confirmation Copy (Optional) $5
Processing Fees are nonrefundable. Please make check payable to "Corporation Division."

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Delaware

The First State

I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY "JELD-WEN DEVELOPMENT, LLC" IS DULY FORMED UNDER THE LAWS OF THE STATE OF DELAWARE AND IS IN GOOD STANDING AND HAS A LEGAL EXISTENCE SO FAR AS THE RECORDS OF THIS OFFICE SHOW, AS OF THE SEVENTH DAY OF DECEMBER, A.D. 2010.

AND I DO HEREBY FURTHER CERTIFY THAT THE SAID "JELD-WEN DEVELOPMENT, LLC" WAS FORMED ON THE THIRD DAY OF DECEMBER, A.D. 2010.

AND I DO HEREBY FURTHER CERTIFY THAT THE ANNUAL TAXES HAVE NOT BEEN ASSESSED TO DATE.



Jeffrey W. Bullock, Secretary of State

4907259 8300

AUTHENTICATION: 8404916

101156497

DATE: 12-07-10

You may verify this certificate online at corp.delaware.gov/authver.shtml

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Amendment/Withdrawal - Foreign Limited Liability Company

Secretary of State - Corporation Division - 255 Capitol St. NE, Suite 151 - Salem, OR 97310-1327 - http://www.FilingInOregon.com - Phone: (503) 986-2200

Check the appropriate box below:

☑ AMENDMENT TO APPLICATION FOR AUTHORITY
(Complete only 1, 2, 3, 9)

☐ WITHDRAWAL OF AUTHORITY TO TRANSACT BUSINESS
(Complete only 1, 4, 5, 6, 7, 8, 9)

FILED
JAN 07 2011
OREGON
SECRETARY OF STATE
For office use only

REGISTRY NUMBER: 120671-87

In accordance with Oregon Revised Statute 192.410-192.490, the information on this application is public record. We must release this information to all parties upon request and it will be posted on our website.

Please Type or Print Legibly in Black Ink. Attach Additional Sheet if Necessary.

1) NAME: (Must contain the words "Limited Liability Company" or the abbreviations "LLC" or "L.L.C.")

JELD-WEN Development, LLC

AMENDMENT TO APPLICATION FOR AUTHORITY ONLY

2) INITIAL REGISTRATION DATE OF APPLICATION:

December 29, 2010

3) AMENDMENT: (The amendment to the application for registration of foreign Limited Liability Company is as follows.)

On January 3, 2011, the name of the limited liability company was changed from "JELD-WEN Development, LLC" to "Oregon Resorts, LLC". The Member filed a Certificate of Amendment to the Certificate of Formation with the Delaware Secretary of State.

WITHDRAWAL OF AUTHORITY ONLY

4) STATE OR COUNTRY OF ORGANIZATION:

5) SURRENDER OF AUTHORITY:

☐ This foreign limited liability company is not transacting business in Oregon, and surrenders its authority to transact business in Oregon.

6) REVOCATION OF AGENT'S AUTHORITY:

☐ This foreign limited liability company revokes the authority of its registered agent to accept service on its behalf and appoints the Secretary of State as its agent for service of process in any proceeding based on a cause of action arising during the time it was authorized to transact business in Oregon.

7) MAILING ADDRESS: (Address to which the person initiating any proceeding may mail to this corporation a copy of any process served on the Secretary of State.)

8) NOTIFICATION:

☐ The foreign Limited Liability Company will notify the Corporation Division, Business Registry of any change in this mailing address for a period of five years from the date of this withdrawal.

9) EXECUTION: (At least one member or manager must sign.)
By my signature, I declare as an authorized authority, that this filing has been examined by me and is, to the best of my knowledge and belief, true, correct, and complete. Making false statements in this document is against the law and may be penalized by fines, imprisonment or both.

Signature:	Printed Name:	Title:
	Cary Kleinman	Member

Jeld Wen Development LLC
Name Change to
Oregon Resorts LLC

CONTACT NAME: (To resolve questions with this filing.)

Eric Ideta

PHONE NUMBER: (Include area code.)

(213) 229-7079

FEES

Required Processing Fee $275

Confirmation Copy (Optional) $5

Processing Fees are nonrefundable. Please make check payable to "Corporation Division."

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Delaware

The First State

I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF AMENDMENT OF "JELD-WEN DEVELOPMENT, LLC", CHANGING ITS NAME FROM "JELD-WEN DEVELOPMENT, LLC" TO "OREGON RESORTS, LLC", FILED IN THIS OFFICE ON THE THIRD DAY OF JANUARY, A.D. 2011, AT 8:47 O'CLOCK P.M.



Jeffrey W. Bullock, Secretary of State

4907259 8100

AUTHENTICATION: 8468883

110006148

DATE: 01-04-11

You may verify this certificate online at corp.delaware.gov/authver.shtml

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State of Delaware
Secretary of State
Division of Corporations
Delivered 08:47 PM 01/03/2011
FILED 08:47 PM 01/03/2011
SRV 110006148 - 4907259 FILE

STATE OF DELAWARE
CERTIFICATE OF AMENDMENT

1. Name of Limited Liability Company: JELD-WEN Development, LLC

2. The Certificate of Formation of the limited liability company is hereby amended as follows:

The name of the limited liability company shall be changed from "JELD-WEN Development, LLC" to "Oregon Resorts, LLC".

IN WITNESS WHEREOF, the undersigned have executed this Certificate on the 3rd day of January, A.D. 2011.

By: _____
Authorized Person(s)

Name: Cary Kleinman
Print or Type

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

Request for Assignment

If for multiple rights, a separate form and fee for each right will be required.

I, Oregon Resorts, LLC, successor by conversion to Eagle Crest, Inc.
(Name of Applicant / Permit / Transfer Holder / License Holder/GR Certificate of Registration)

P.O. Box 1215 Redmond OR 97756 541-548-9379
(Mailing Address) (City) (State) (Zip) (Phone #)

☑ hereby assign *all my interest* in and to application/permit/transfer/license/GR Certificate of Registration;

☐ hereby assign *all my interest* in and to a portion of application/permit/transfer/license/GR Certificate of Registration; *(You must include a map showing the portion of the application/permit/transfer/license/GR Certificate of Registration to be assigned.)*

☐ hereby assign *a portion of my interest* in and to the *entire* application/permit/transfer/license/GR Certificate of Registration:

Application # G-15789 ; Permit # G-15855 ; Transfer # _____
-OR-
License # _____ ; GR Statement # _____ ; GR Certificate of Registration # _____

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

Brasada Ranch Development, LLC, (Successor by conversion to Brasada Ranch, Inc.)
(Name of New Owner)

P.O. Box 1215 Redmond OR 97756 541-548-9379
(Mailing Address) (City) (State) (Zip) (Phone #)

Note: If there are other owners of the property described in the Application, Permit, Transfer, License, or GR Certificate of 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, Transfer, License, or GR Certificate of Registration of this Request for Assignment

Witness my hand this 1ST day of June, 2015.

Applicant/Permit Holder _____
Chris Earnest, CFO Oregon Resorts, LLC

Applicant/Permit Holder _____

ASSIGN KS 6/4/2015

DO NOT WRITE IN THIS BOX

This certifies assignment and record change at Oregon Water Resources Department effective 8:00 a.m. on date of receipt at Salem, Oregon.
Fee receipt # 116055
For Director by Jerry Sauter, Program Analyst in Water Rights Division

The completed "Request for Assignment" form *must* be submitted to the Department along with the recording fee of **$85**.

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Oregon
Kate Brown, Governor

Water Resources Department
North Mall Office Building
725 Summer St NE, Suite A
Salem, OR 97301
Phone (503) 986-0900
Fax (503) 986-0904
www.wrd.state.or.us

June 4, 2015

Oregon Resorts, LLC
P.O. Box 1215
Redmond, Oregon 97756

Reference: Application G-15789, Permit G-15855

The assignment from Oregon Resorts, LLC successor by conversion to Eagle Crest, Inc. to Brasada Ranch Development, LLC has been recorded in the records of the Water Resources Department.

The Departments records will now show Brasada Ranch Development, LLC as the permit holder of record.

Our records have been changed accordingly and the original request is enclosed. Receipt number 116055 covering the recording fee is also enclosed.

A permit is not a perfected water right, and has conditions and timelines that must be satisfied prior to a Certificate of Water Right being issued. Please review the permit to be familiar with the conditions and timelines contained in the permit.

Please note that this permit requires complete application of water to the proposed use by October 1, 2059, and within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

Sincerely,

Jerry Sauter
Water Rights Program Analyst
Water Right Services Division

Enclosure: Receipt 116055

cc: Watermaster 11
Data Center, OWRD (cover letter & request)
Hydrographics
File

Parametrix
ENGINEERING . PLANNING . ENVIRONMENTAL SCIENCES

595 SW BLUFF DRIVE, SUITE B | BEND, OR 97702 | P 541.508.7710

June 2, 2015
Parametrix No. 297-7419-001

Jerry Sauter, Water Rights Program Analyst
Oregon Water Resources Department
North Mall Office Building
725 Summer Street, NE, Suite A
Salem, OR 97301

Re: Request For Assignment
Application G-15789, Permit G-15855
Brasada Ranch

Dear Jerry:

We have attached a revised Request for Assignment application for water right Permit G-15855. I would like to first clarify that the previous Request for Assignment application was incorrect – "Oregon Resort Acquisition Partners, LLP" was not the correct entity for the assignment. That LLP entity does not hold title to the land. This name was put on the first application due to a misunderstanding of ownership, and I apologize for any confusion. The correct name of the assignee for this Request for Assignment application is **Brasada Ranch Development, LLC**, which does hold title to the land. We have included documentation of corporate conversions and sales to demonstrate ownership.

To assist in clarifying the proof of ownership evidenced in the attached documents, the following describes the history of Brasada Ranch's ownership. Also, we have provided documentation to demonstrate signing authority of the parent company, Oregon Resorts, LLC, which is the sole Member of Brasada Ranch Development. (The term Member in regards to a Limited Liability Company is analogous to owner in layman's terms.)

Brasada Ranch ownership history:

- Brasada Ranch was initially developed by Eagle Crest, Inc. (a subsidiary company of JELD-WEN Inc., the window manufacturer). In 2002, Eagle Crest, Inc. submitted the water right application (Application G-15789) to serve the quasi-municipal needs of the resort.
- In 2004, Eagle Crest, Inc. granted all the Brasada Ranch assets to a separate subsidiary company called "Brasada Ranch, Inc."
- After the stock sale in 2008 (see below), the new owner converted the Oregon Domestic Business Corporation of "Brasada Ranch, Inc." to a Delaware Limited Liability Company named "Brasada Ranch Development, LLC".
- **Brasada Ranch Development, LLC** is the owner of the Brasada Ranch assets, and should be the point of contact for relevant water rights communications from Oregon Water Resources Department.

Oregon Resorts, LLC ownership history:

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- Eagle Crest, Inc. changed its name to "JELD-WEN Development, Inc." in 2007. As described previously, Eagle Crest, Inc. granted all of the Brasada Ranch assets to "Brasada Ranch, Inc." in 2004. JELD-WEN Development, Inc. remained the owner of Brasada Ranch, Inc.
- In 2008 there was corporate stock sale, wherein all entity names stayed the same, but ownership of the "JELD-WEN Development, Inc." corporation changed.
- The new owners converted the Oregon Domestic Business Corporation of "JELD-WEN Development, Inc." to a Delaware Limited Liability Company called "JELD-WEN Development, LLC".
- In 2011, the name of the Delaware Limited Liability Company "JELD-WEN Development, LLC" was changed to "Oregon Resorts, LLC".
- Oregon Resorts, LLC is the successor to Eagle Crest, Inc. by conversion. Eagle Crest, Inc. is the name on the water right.

I would also like to revisit the fact that Permit G-15855 is a quasi-municipal water right, and the land to which it is appurtenant to includes both common resort areas under ownership of Brasada Ranch Development, LLC, and private lots that are owned by private homeowners.

Please review the attached Request for Assignment and documentation. Please do not hesitate to call or email me with any questions.

Regards,

Niall Boggs, PE, CWRE

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Brasada Ranch Development, LLC documentation

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FORM No. 723 – BARGAIN AND SALE DEED (Individual or Corporate). © 1990-1999 STEVENS-NESS LAW PUBLISHING CO., PORTLAND, OR www.stevensness.com
EA NO PART OF ANY STEVENS-NESS FORM MAY BE REPRODUCED IN ANY FORM OR BY ANY ELECTRONIC OR MECHANICAL MEANS

Eagle Crest, Inc.
PO Box 1215
Redmond OR 97756
Grantor's Name and Address

Brasada Ranch, Inc.
PO Box 1215
Redmond OR 97756
Grantee's Name and Address

After recording, return to (Name, Address, Zip):
Brasada Ranch, Inc.
PO Box 1215
Redmond OR 97756

Until requested otherwise, send all tax statements to (Name, Address, Zip):
Brasada Ranch, Inc.
PO Box 1215
Redmond OR 97756

SPACE RESERVED FOR RECORDER'S USE

STATE OF OREGON, County of _____ } ss.

I certify that the within instrument was received for record on _____, at _____ o'clock _____.M., and recorded in book/reel/volume No. _____ on page _____ and/or as fee/file/instrument/microfilm/reception No. _____, Records of said County.

Witness my hand and seal of County affixed.

NAME TITLE

By _____, Deputy.

BARGAIN AND SALE DEED

KNOW ALL BY THESE PRESENTS that Eagle Crest, Inc., an Oregon corporation hereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto Brasada Ranch, Inc., an Oregon corporation 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 any way appertaining, situated in Crook County, State of Oregon, described as follows, to-wit:

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

Eagle Crest, Inc. assets to Brasada Ranch Inc.

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***The purpose of recording this instrument is to assign all Grantors right, title, and interest in that certain Option to Convey Fee Title recorded January 17, 2003 at MF No. 176828, Records of Crook County, Oregon to said Grantees.

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE)

To Have and to Hold the same unto 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 However, the actual consideration consists of or includes other property or value given or promised which is ☐ part of the ☒ the whole (indicate which) consideration.① (The sentence between the symbols ①, if not applicable, should be deleted. See ORS 93.030.)

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

IN WITNESS WHEREOF, the grantor has executed this instrument on October 2004; if grantor is a corporation, it has caused its name to be signed and its seal, if any, affixed by an officer or other person duly authorized to do so 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 AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

Eagle Crest, Inc.
by: Lauri Miller, Asst Secretary
Lauri Miller, Assistant Secretary

STATE OF OREGON, County of Deschutes) ss.
This instrument was acknowledged before me on _____,
by _____.
This instrument was acknowledged before me on October 2004,
by Lauri Miller
as Assistant Secretary
of Eagle Crest, Inc.

OFFICIAL SEAL
LINDA DE AVILA
NOTARY PUBLIC - OREGON
COMMISSION NO. 375950
MY COMMISSION EXPIRES JAN. 30, 2008

Linda de Avila
Notary Public for Oregon
My commission expires 1-30-2008

AMERITITLE 69740KT 195036 (3 pgs)

EXHIBIT "A"

TRACT I:

Parcel A:
That portion of Parcel Three (3) of Partition Plat No. 1994-29, recorded December 30, 1994 in Partitions MF No. 118915, Records of Crook County, Oregon which lies in the in the South one-half (S½) of Section 21, Township 16 South, Range 14 East of the Willamette Meridian, Crook County, Oregon.

Parcel B:
That portion of Parcel Three (3) of Partition Plat No. 1994-29, Recorded December 30, 1994 in Partitions MF No. 118915, Records of Crook County, Oregon, which lies in the Northwest one-quarter Northwest one-quarter (NW¼NW¼) of Section 34, Township 16 South, Range 14 East of the Willamette Meridian, Crook County, Oregon.

TOGETHER WITH: That portion of Parcel Three (3) of Partition Plat No. 1994-29, Recorded December 30, 1994 in Partitions MF No. 118915, Records of Crook County, Oregon, which lies in the Northwest one-quarter Northeast one-quarter (NW¼NE¼) and the South one-half Northeast one-quarter (S½NE¼) and the Northeast one-quarter Northwest one-quarter (NE¼ NW¼) of Section 33, Township 16 South, Range 14 East of the Willamette Meridian, Crook County, Oregon.

TOGETHER WITH: That portion of Parcel Three (3) of Partition Plat No. 1994-29, Recorded December 30, 1994 in Partition MF No. 118915, Records of Crook County, Oregon, which lies in that portion of the Southeast one-quarter (SE¼) of Section 28, Township 16 South, Range 14 East, Willamette Meridian, Crook County, Oregon, lying Southerly of the Powell Butte County Road, also known as Alfalfa County Road, and the Southerly boundary of Parcel One (1) of Partition Plat No. 1996-62, Recorded December 31, 1996 in Partitions MF No. 131589, Records of Crook County, Oregon.

TOGETHER WITH: That portion of Parcel Three (3) of Partition Plat No. 1994-29, Recorded December 30, 1994 in Partition MF No. 118915, Records of Crook County, Oregon, which lies in that portion of the Southwest one-quarter (SW¼) of Section 27, Township 16 South, Range 14 East, Willamette Meridian, Crook County, Oregon, lying Southerly of the Powell Butte County Road, also known as Alfalfa County Road, and the Southerly boundary of Parcel 1 of Partition Plat No. 1996-62, Recorded December 31, 1996 in Partitions MF No. 131589, Records of Crook County, Oregon.

TRACT II:
That portion of Parcel One (1) of Partition Plat No. 1996-62, Recorded December 31, 1996 in Partitions MF No. 131589, Records of Crook County, Oregon which lies in the east one-half (E½) of Section 28, Township 16 South, Range 14 East of the Willamette Meridian, Crook County, Oregon.

TOGETHER WITH: That portion of Parcel Three (3) of Partition Plat No. 1994-29, Recorded December 30, 1994 in Partitions MF No. 118915, Records of Crook County, Oregon, which lies in the Northeast one-quarter (NE ¼) of Section 28, Township 16 South, Range 14 East of the Willamette meridian, Crook County, Oregon.

TRACT III:
Parcel Two (2) of Partition Plat No. 1996-62, Recorded December 31, 1996 in Partitions MF No. 131589, Records of Crook County, Oregon.

TOGETHER WITH: That portion of Parcel One (1) of Partition Plat No. 1996-62, Recorded December 31, 1996 in Partitions MF No. 131589, Records of Crook County, Oregon, which lies in the Southwest one-quarter (SW¼) of Section 27, Township 16 South, Range 14 East of the Willamette Meridian, Crook County, Oregon.

RECEIVED
JUN 03 2015
OWRD

TRACT IV:
Parcels One (1), Two (2) and Three (3) of Partition Plat No. 1996-63, Recorded December 31, 1996 in Partitions MF No. 131590, Records of Crook County, Oregon.

TRACT V:
Parcels One (1), Two (2) and Three (3) of Partition Plat No. 1996-64, Recorded December 31, 1996 in Partitions MF No. 131591, Records of Crook County, Oregon.

TRACT VI:
Parcels One (1), Two (2) and Three (3) of Partition Plat No. 1998-10, Recorded March 16, 1998 in Partitions MF No. 139674, Records of Crook County, Oregon.

STATE OF OREGON
COUNTY OF CROOK } ss 195036
I CERTIFY THAT THE WITHIN INSTRUMENT WAS RECEIVED FOR RECORD ON THE 2nd DAY OF November, 20 2004, AT 3:10 P. M. AND RECORDED IN Deeds RECORDS OF SAID COUNTY MF NO. 195036 DEANNA E. BERMAN, CROOK COUNTY CLERK
BY Elsie Brummer DEPUTY
36 ⁰⁰

RECEIVED
JUN 03 2015
OWRD

WHPacific

December 2, 2014

Laura Wilke
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1271

Re: Brasada Ranch (Eagle Crest Permit G-15855)
Incremental Development Plan
Annual Update
2013 and 2014 Calendar Year Water Use and Incremental Development Plan Review

Dear Laura:

We received your reminder for reporting water use related to incremental mitigation at Brasada Ranch.

Eagle Crest, Inc. has an Incremental Mitigation Plan in place for water use at Brasada Ranch for the quasi-municipal permit G-15855. The Brasada Ranch Incremental Mitigation Plan has a mitigation obligation of 50 acre feet for 2005 to 2014. Brasada has 1.8 permanent credits and annually purchases 48.2 temporary credits from the Deschutes River Conservancy (DRC). The 50 acre feet of mitigation equates to 125 acre feet (40.7 million gallons) of actual use.

We used approximately 47.3 million gallons in the 2013 calendar year under the quasi-municipal permit and Brasada has purchased an additional 8.1 acre feet of mitigation to cover actual use in 2013. We project 2014 use will be 59.3 million gallons. Brasada will purchase approximately 24 acre feet additional mitigation to cover actual use in 2014. The Incremental Mitigation Plan calls for 100 acre feet of mitigation from 2015 to 2019, this equates to 250 acre feet (81.4 million gallons) of use, which will cover anticipated use for 2015-2019. We propose leaving the Incremental Mitigation Plan as is.

Please contact me with any questions or comments. We greatly appreciate your continued assistance with incremental mitigation planning and annual reporting at Brasada Ranch.

Sincerely,

WHPacific, Inc.

James E. Frost, P.E.
Senior Project Manager

Enc: Incremental Development Plan

Cc: Chris Earnest
Bob McDaniel

P:\Brasada Ranch\037277\Management\Correspondence\Letter\101411 JEF Letter to OWRD re Brasada Ranch Permit G15855 Incremental Development Plan.doc

Oregon
John A. Kitzhaber, MD, 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

October 4, 2011

James Frost, P.E.
WH Pacific, Inc.
123 SW Columbia Street
Bend, OR 97702

Re: Incremental Development Plan Update – Reminder - for Eagle Crest Ground Water Permit G-15855 (file G-15789)

Dear Jim:

On October 4, 2010, the Department approved a request to modify the incremental development plan for Eagle Crest's groundwater permit G-15855. This permit has a mitigation obligation of 203.2 acre-feet in the General Zone of Impact. One of the permit conditions on the permit requires the applicant to report to the Department to progress of developing the incremental development plan by April 1 of each year. The last annual update on implementation of the incremental development plan was due to the Department no later than April 1, 2011. It does not appear that an update was submitted to the Department. Please submit the annual update to the Department. The annual update should also include the amount of water used (volume) during 2010 and the source of mitigation used during that period. This is an updated rule requirement adopted by the Department's Commission in June, 2010, under OAR 690-522-0040.

203.2 JEF 10/11/11

The current incremental development plan is as follows:

Incremental Step	Volume of Use (AF)	Amount of Mitigation (AF)	Source of Mitigation	Type of Mitigation
1. 2005 – 2014	125.0	50.0	Mitigation Project MP-57 (1.8 credits) and 48.2 mitigation credits from the DRC Mitigation Bank or a permanent source	Permanent & temporary
2. 2015 – 2019	250.0	100.0		
3. 2020 – 2024	375.0	150.0		
4. 2025 – 2029	500.0	200.0		
5. 2030 on	508.0	203.2		
Totals	508.0	203.2	50.0	

Please submit the annual update on the incremental development plan by October 31, 2011. If you have any questions, please give me a call at (503) 986-0884.

Sincerely,

Laura Wilke
Flow Restoration Program Coordinator

c: Jeremy Giffin, Watermaster District 11
Eagle Crest
file G-15789

File
G-15489

WILKE Laura K

From: WILKE Laura K
Sent: Tuesday, December 16, 2014 10:22 AM
To: 'Jim Frost'
Cc: GIFFIN Jeremy T
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Jim – I looked over the plan for Eagle Crest. It does appear that the plan needs to be updated. Through 2014, Eagle Crest is only allowed to use up to 125 AF (with 50 AF of mitigation provided). Reported use for 2013 was over the 50 AF limitation and it appears, based on your letter, that use for 2014 (approx. 182 AF) will also be in excess of 125 AF currently authorized. Consistent with Department rules and permit conditions (see mitigation conditions in Permit G-15855), it looks like a modification to the plan is needed to increase the amount of water that may be used under the first increment and under the permit. Right now use is out of sync with the incremental plan on file with the Department.

Please give me a call if you have any questions.

Laura

From: Jim Frost [mailto:Jfrost@whpacific.com]
Sent: Thursday, December 04, 2014 10:32 AM
To: Laura Wilke (laura.k.wilke@state.or.us)
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Laura,

Please find the attached letter describing use in 2013 and 2014, purchase of additional mitigation credits, and discussion of adequacy of the current mitigation plan for 2015-2019. Please call or reply with any questions or comments.

Thanks,
Jim Frost, PE | Project Manager
WHPacific, Inc. | 123 SW Columbia St, Bend, OR 97702
Direct 541.312.2261 | Mobile 541.480.2178 | Fax 541.388.4229 | jfrost@whpacific.com

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From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Thursday, December 04, 2014 9:41 AM
To: Jim Frost
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Hi Jim – I just wanted to follow up on the additional credits. Those can be used for any additional use above and beyond what they currently have authorized under the incremental development plan for 2014. Unfortunately, there's no mechanism to provide mitigation retroactively. If they obtain the credits, they'll want to make sure they also cover any additional use for 2014. And I can make appropriate notes in the file and in our tracking.

Laura

From: Jim Frost [mailto:Jfrost@whpacific.com]
Sent: Wednesday, November 26, 2014 7:58 AM
To: WILKE Laura K
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Laura,

I will review 2014 use available to date, estimate use thru end of calendar year, and request purchase of additional mitigation as needed. We plan to update the Incremental Mitigation Plan to be sure we purchase adequate mitigation credits in advance each year as required. Brasada is processing a check for DRC for the 8.1 AF additional credit to cover the use in 2013, and I will send you the receipt from DRC for your records. We appreciate your assistance.

Thanks,
Jim Frost, PE | Project Manager
WHPacific, Inc. | 123 SW Columbia St, Bend, OR 97702
Direct 541.312.2261 | Mobile 541.480.2178 | Fax 541.388.4229 | jfrost@whpacific.com

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From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Wednesday, November 26, 2014 7:52 AM
To: Jim Frost
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Jim – I just wanted to do a quick follow up on mitigation for Eagle Crest/Brasada. Will the 8.1 AF of additional mitigation cover any additional use also in 2014? Or is more mitigation needed considering 2014 use level or anticipated use level?

Laura

From: WILKE Laura K
Sent: Monday, November 24, 2014 11:59 AM
To: 'Jim Frost'
Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com); GIFFIN Jeremy T
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Thanks for the update Jim. Please forward the documentary evidence form the DRC when it comes through. I'll update tracking and staff at this end and let you know if there's any further follow up. At this point, may just be a matter of getting the incremental plan updated accordingly and mitigation in line with use. Thinking forward, consistent with permit conditions, additional mitigation needs to be obtained before any increase in use and incremental plans also need to be updated accordingly.

Thanks again,
Laura

From: Jim Frost [mailto:Jfrost@whpacific.com]
Sent: Monday, November 24, 2014 11:49 AM
To: WILKE Laura K
Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com)
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Laura,

We plan to purchase the additional 8.1 AF to cover our actual use in 2013, and update the Incremental Mitigation Plan to properly cover our anticipated use. We have contacted Gen at Deschutes River Conservancy to coordinate purchase of the 8.1 AF. We look forward to working with you to update the Incremental Mitigation Plan.

Thanks,
Jim Frost, PE | Project Manager
WHPacific, Inc. | 123 SW Columbia St, Bend, OR 97702
Direct 541.312.2261 | Mobile 541.480.2178 | Fax 541.388.4229 | jfrost@whpacific.com

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From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Friday, November 21, 2014 2:08 PM
To: Jim Frost
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Jim – Just wanted to touch base with you on the incremental plan for Eagle Crest (permit G-15855). See below e-mail. You also asked in a previous e-mail:

"Would it be acceptable to change the 2015 to 2019 mitigation from 100 AF (250 AF actual use) to perhaps 75 AF mitigation (187.5 AF actual use, 61.1 MG)? We used 47.3 MG in 2013 calendar year, so that leaves room for growth over the next 5 years."

What we might want to look at first is the first increment. Thru 2012, it appears that they were within the limits of the first increment (up to 125 AF annual use and 50.0 AF of mitigation). For 2012, you reported that they had used 121.5 AF. But for 2013, the volume of use reported is outside of the first increment, being 145.2 AF (mitigation needed = 58.1 AF).

Laura

From: WILKE Laura K
Sent: Thursday, November 13, 2014 1:31 PM
To: 'Jim Frost'
Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com); GIFFIN Jeremy T
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Hi Jim – I found something in the annual number you sent that may require additional work or evaluation. It appears that the amount of mitigation provided (50.0 AF) and the amount of use for 2013 (145.2 AF based on conversion of 47.3 MG) do not currently match. Use of 145.2 AF would require 58.1 AF of mitigation. If more water is being used than mitigated for, additional mitigation will need to be provided. This also looks like it exceeds the amount of use currently allowed under the incremental development plan.

Laura

From: Jim Frost [mailto:Jfrost@whpacific.com]
Sent: Thursday, November 13, 2014 12:16 PM
To: WILKE Laura K
Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com)
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Laura,

Yes, this will about the amount of water used in 2013 under Permit G-15855. The amount used in the 2013 calendar year was 47.3 MG. I anticipate working with Chris to modify the Incremental Mitigation Plan to change 2015 to 2019 mitigation to more closely match anticipated use.

Thanks,
Jim Frost, PE | Project Manager
WHPacific, Inc. | 123 SW Columbia St, Bend, OR 97702
Direct 541.312.2261 | Mobile 541.480.2178 | Fax 541.388.4229 | jfrost@whpacific.com

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From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Thursday, November 13, 2014 9:41 AM
To: Jim Frost
Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com)
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Sounds good. And just to clarify, this will about the amount of water used in 2013 under Permit G-15855? It also looks like folk may want take a look at the incremental development plan and see if any updates are needed. The first increment with 50 AF of mitigation ends 2014.

Laura

From: Jim Frost [mailto:Jfrost@whpacific.com]
Sent: Thursday, November 13, 2014 9:35 AM
To: WILKE Laura K
Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com)
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Laura,

I have contacted Avion and requested the total water use for Brasada. Once I receive the info, I'll revise the letter and send it to you. Avion is typically quick to respond, so I expect to get you the letter in the next few days. Please let me know if that is acceptable.

Thanks,
Jim Frost, PE | Project Manager
WHPacific, Inc. | 123 SW Columbia St, Bend, OR 97702
Direct 541.312.2261 | Mobile 541.480.2178 | Fax 541.388.4229 | jfrost@whpacific.com

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From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Thursday, November 13, 2014 8:20 AM
To: Jim Frost
Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com)
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Thanks Jim! I'll look for the updates. When do you anticipate being able to submit the status update for 2013?

Laura

From: Jim Frost [mailto:Jfrost@whpacific.com]
Sent: Thursday, November 13, 2014 8:17 AM
To: WILKE Laura K
Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com)
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Laura,

I am still the primary contact, with Chris Earnest the Owner. I will get the updated mitigation plan completed and sent to you, I appreciate your reminder.

Thanks,
Jim Frost, PE | Project Manager
WHPacific, Inc. | 123 SW Columbia St, Bend, OR 97702
Direct 541.312.2261 | Mobile 541.480.2178 | Fax 541.388.4229 | jfrost@whpacific.com

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From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Thursday, November 13, 2014 8:05 AM
To: Jim Frost
Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com)
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Jim- checking in again on the below. Let me know if I should be contacting someone else for this information if you're not still the primary for this. Or if you already sent it, please go ahead and resend.

Thanks, Laura

From: WILKE Laura K
Sent: Wednesday, October 29, 2014 4:40 PM
To: Frost, Jim (Jfrost@whpacific.com)
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Jim – I'm working on some Mitigation Program updates for 2013 and I don't see that we've received an update yet on the incremental development plan for Permit G-15855 for Eagle Crest/Brasada. The annual update was due, as identified below, on April 1, 2014.

The update needs to include the progress made on permit development under the incremental development plan, the volume (in acre-feet) of water used in 2013, and any request to modify the incremental plan currently on file with the Department.

Current plan on file:

Incremental Step	Volume in date range	Mitigation in date range	Mitigation Source
1. 2005 - 2014	125.0 AF	50.0 AF	1.8 AF from MP-57 (permanent) and 48.2 temporary credits from

			DRC Mit. Bank
2. 2015 – 2019	125.0 AF	50.0 AF	
3. 2020 - 2024	125.0 AF	50.0 AF	
4. 2025 – 2029	125.0 AF	50.0 AF	
5. 2030	8.0 AF	3.2 AF	
Totals	508.0 AF	203.2 AF	

Please provide the annual update on the incremental development plan for 2013. The next annual update for 2014 will be due on April 1, 2015.

Please give me a call if you have any questions. If you've already sent the 2013 annual update, please forward it again.

Thanks, Laura

From: WILKE Laura K
Sent: Thursday, April 24, 2014 10:11 AM
To: 'Frost, Jim'
Cc: Boggs, Niall
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Jim – I don't see that I received an update yet for the incremental development plan for Permit G-15855 for Eagle Crest/Brasada. Updates were due on April 1.

If you already sent the update, would you please forward it to me again.

Thanks, Laura

From: Frost, Jim [mailto:Jfrost@whpacific.com]
Sent: Thursday, March 20, 2014 3:20 PM
To: WILKE Laura K
Cc: Boggs, Niall
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Laura,

Yes, we are still taking care of the Incremental Mitigation plan for Brasada. I'll review and get back to you, thanks for the reminder.

Jim Frost, PE | Project Manager 3
WHPacific, Inc. | 123 SW Columbia St, Ste 100, Bend, OR 97702
Direct 541.312.2261 | Mobile 541.480.2178 | Fax 541.388.4229
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From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Thursday, March 20, 2014 9:54 AM
To: Frost, Jim
Subject: Brasada/Eagle Crest - incremental plan update due soon

Jim - I believe that you're still taking care of the updates on incremental development plans for Brasada/Eagle Crest. Please let me know if I need to forward this e-mail to someone else if you're no longer taking care of this for them.

Updates on incremental development plans are due April 1. They have one permit with an incremental development plan - G-15855.

Please give me a call if you have any questions.

Thanks, Laura

Laura Wilke
Flow Restoration Program Coordinator
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1271
Phone: (503) 986-0884
Fax: (503) 986-0903

File G-15779

WILKE Laura K

From: Jim Frost <Jfrost@whpacific.com>
Sent: Thursday, December 04, 2014 10:32 AM
To: Laura Wilke (laura.k.wilke@state.or.us)
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon
Attachments: 201412040800.pdf

Laura,

Please find the attached letter describing use in 2013 and 2014, purchase of additional mitigation credits, and discussion of adequacy of the current mitigation plan for 2015-2019. Please call or reply with any questions or comments.

Thanks,
Jim Frost, PE | Project Manager
WHPacific, Inc. | 123 SW Columbia St, Bend, OR 97702
Direct 541.312.2261 | Mobile 541.480.2178 | Fax 541.388.4229 | jfrost@whpacific.com

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From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Thursday, December 04, 2014 9:41 AM
To: Jim Frost
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Hi Jim – I just wanted to follow up on the additional credits. Those can be used for any additional use above and beyond what they currently have authorized under the incremental development plan for 2014. Unfortunately, there's no mechanism to provide mitigation retroactively. If they obtain the credits, they'll want to make sure they also cover any additional use for 2014. And I can make appropriate notes in the file and in our tracking.

Laura

From: Jim Frost [mailto:Jfrost@whpacific.com]
Sent: Wednesday, November 26, 2014 7:58 AM
To: WILKE Laura K
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Laura,

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Thanks,
Jim Frost, PE | Project Manager
WHPacific, Inc. | 123 SW Columbia St, Bend, OR 97702
Direct 541.312.2261 | Mobile 541.480.2178 | Fax 541.388.4229 | jfrost@whpacific.com

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Sent: Wednesday, November 26, 2014 7:52 AM
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Laura

From: WILKE Laura K
Sent: Monday, November 24, 2014 11:59 AM
To: 'Jim Frost'
Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com); GIFFIN Jeremy T
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Thanks for the update Jim. Please forward the documentary evidence form the DRC when it comes through. I'll update tracking and staff at this end and let you know if there's any further follow up. At this point, may just be a matter of getting the incremental plan updated accordingly and mitigation in line with use. Thinking forward, consistent with permit conditions, additional mitigation needs to be obtained before any increase in use and incremental plans also need to be updated accordingly.

Thanks again,
Laura

From: Jim Frost [mailto:Jfrost@whpacific.com]
Sent: Monday, November 24, 2014 11:49 AM
To: WILKE Laura K
Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com)
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Laura,

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Thanks,
Jim Frost, PE | Project Manager
WHPacific, Inc. | 123 SW Columbia St, Bend, OR 97702
Direct 541.312.2261 | Mobile 541.480.2178 | Fax 541.388.4229 | jfrost@whpacific.com

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From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Friday, November 21, 2014 2:08 PM
To: Jim Frost
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

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"Would it be acceptable to change the 2015 to 2019 mitigation from 100 AF (250 AF actual use) to perhaps 75 AF mitigation (187.5 AF actual use, 61.1 MG)? We used 47.3 MG in 2013 calendar year, so that leaves room for growth over the next 5 years."

What we might want to look at first is the first increment. Thru 2012, it appears that they were within the limits of the first increment (up to 125 AF annual use and 50.0 AF of mitigation). For 2012, you reported that they had used 121.5 AF. But for 2013, the volume of use reported is outside of the first increment, being 145.2 AF (mitigation needed = 58.1 AF).

Laura

From: WILKE Laura K
Sent: Thursday, November 13, 2014 1:31 PM
To: 'Jim Frost'
Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com); GIFFIN Jeremy T
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

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Laura

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To: WILKE Laura K
Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com)
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Laura,

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Thanks,
Jim Frost, PE | Project Manager
WHPacific, Inc. | 123 SW Columbia St, Bend, OR 97702
Direct 541.312.2261 | Mobile 541.480.2178 | Fax 541.388.4229 | jfrost@whpacific.com

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From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Thursday, November 13, 2014 9:41 AM
To: Jim Frost
Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com)
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Sounds good. And just to clarify, this will about the amount of water used in 2013 under Permit G-15855? It also looks like folk may want take a look at the incremental development plan and see if any updates are needed. The first increment with 50 AF of mitigation ends 2014.

Laura

From: Jim Frost [mailto:Jfrost@whpacific.com]
Sent: Thursday, November 13, 2014 9:35 AM
To: WILKE Laura K
Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com)
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Laura,

I have contacted Avion and requested the total water use for Brasada. Once I receive the info, I'll revise the letter and send it to you. Avion is typically quick to respond, so I expect to get you the letter in the next few days. Please let me know if that is acceptable.

Thanks,
Jim Frost, PE | Project Manager
WHPacific, Inc. | 123 SW Columbia St, Bend, OR 97702
Direct 541.312.2261 | Mobile 541.480.2178 | Fax 541.388.4229 | jfrost@whpacific.com

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I am still the primary contact, with Chris Earnest the Owner. I will get the updated mitigation plan completed and sent to you, I appreciate your reminder.

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Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Jim- checking in again on the below. Let me know if I should be contacting someone else for this information if you're not still the primary for this. Or if you already sent it, please go ahead and resend.

Thanks, Laura

From: WILKE Laura K
Sent: Wednesday, October 29, 2014 4:40 PM
To: Frost, Jim (Jfrost@whpacific.com)
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Jim – I'm working on some Mitigation Program updates for 2013 and I don't see that we've received an update yet on the incremental development plan for Permit G-15855 for Eagle Crest/Brasada. The annual update was due, as identified below, on April 1, 2014.

The update needs to include the progress made on permit development under the incremental development plan, the volume (in acre-feet) of water used in 2013, and any request to modify the incremental plan currently on file with the Department.

Current plan on file:

Incremental Step	Volume in date range	Mitigation in date range	Mitigation Source
1. 2005 - 2014	125.0 AF	50.0 AF	1.8 AF from MP-57 (permanent) and 48.2 temporary credits from DRC Mit. Bank
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4. 2025 – 2029	125.0 AF	50.0 AF	
5. 2030	8.0 AF	3.2 AF	
Totals	508.0 AF	203.2 AF	

Please provide the annual update on the incremental development plan for 2013. The next annual update for 2014 will be due on April 1, 2015.

Please give me a call if you have any questions. If you've already sent the 2013 annual update, please forward it again.

Thanks, Laura

From: WILKE Laura K
Sent: Thursday, April 24, 2014 10:11 AM
To: 'Frost, Jim'
Cc: Boggs, Niall
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Jim – I don't see that I received an update yet for the incremental development plan for Permit G-15855 for Eagle Crest/Brasada. Updates were due on April 1.

If you already sent the update, would you please forward it to me again.

Thanks, Laura

From: Frost, Jim [mailto:Jfrost@whpacific.com]
Sent: Thursday, March 20, 2014 3:20 PM
To: WILKE Laura K
Cc: Boggs, Niall
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Laura,

Yes, we are still taking care of the Incremental Mitigation plan for Brasada. I'll review and get back to you, thanks for the reminder.

Jim Frost, PE | Project Manager 3
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From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Thursday, March 20, 2014 9:54 AM
To: Frost, Jim
Subject: Brasada/Eagle Crest - incremental plan update due soon

Jim - I believe that you're still taking care of the updates on incremental development plans for Brasada/Eagle Crest. Please let me know if I need to forward this e-mail to someone else if you're no longer taking care of this for them.

Updates on incremental development plans are due April 1. They have one permit with an incremental development plan - G-15855.

Please give me a call if you have any questions.

Thanks, Laura

Laura Wilke
Flow Restoration Program Coordinator
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1271
Phone: (503) 986-0884
Fax: (503) 986-0903

WHPacific

December 2, 2014

Laura Wilke
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1271

Re: Brasada Ranch (Eagle Crest Permit G-15855)
Incremental Development Plan
Annual Update
2013 and 2014 Calendar Year Water Use and Incremental Development Plan Review

Dear Laura:

We received your reminder for reporting water use related to incremental mitigation at Brasada Ranch.

Eagle Crest, Inc. has an Incremental Mitigation Plan in place for water use at Brasada Ranch for the quasi-municipal permit G-15855. The Brasada Ranch Incremental Mitigation Plan has a mitigation obligation of 50 acre feet for 2005 to 2014. Brasada has 1.8 permanent credits and annually purchases 48.2 temporary credits from the Deschutes River Conservancy (DRC). The 50 acre feet of mitigation equates to 125 acre feet (40.7 million gallons) of actual use.

We used approximately 47.3 million gallons in the 2013 calendar year under the quasi-municipal permit and Brasada has purchased an additional 8.1 acre feet of mitigation to cover actual use in 2013. We project 2014 use will be 59.3 million gallons. Brasada will purchase approximately 24 acre feet additional mitigation to cover actual use in 2014. The Incremental Mitigation Plan calls for 100 acre feet of mitigation from 2015 to 2019, this equates to 250 acre feet (81.4 million gallons) of use, which will cover anticipated use for 2015-2019. We propose leaving the Incremental Mitigation Plan as is.

Please contact me with any questions or comments. We greatly appreciate your continued assistance with incremental mitigation planning and annual reporting at Brasada Ranch.

Sincerely,

WHPacific, Inc.

James E. Frost, P.E.
Senior Project Manager

Enc: Incremental Development Plan

Cc: Chris Earnest
Bob McDaniel

P:\Brasada Ranch\037277\Management\Correspondence\Letter\101411 JEF Letter to OWRD re Brasada Ranch Permit G15855 Incremental Development Plan.doc

Oregon
John A. Kitzhaber, MD, 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

October 4, 2011

James Frost, P.E.
WH Pacific, Inc.
123 SW Columbia Street
Bend, OR 97702

Re: Incremental Development Plan Update – Reminder - for Eagle Crest Ground Water Permit G-15855 (file G-15789)

Dear Jim:

On October 4, 2010, the Department approved a request to modify the incremental development plan for Eagle Crest's groundwater permit G-15855. This permit has a mitigation obligation of 203.2 acre-feet in the General Zone of Impact. One of the permit conditions on the permit requires the applicant to report to the Department to progress of developing the incremental development plan by April 1 of each year. The last annual update on implementation of the incremental development plan was due to the Department no later than April 1, 2011. It does not appear that an update was submitted to the Department. Please submit the annual update to the Department. The annual update should also include the amount of water used (volume) during 2010 and the source of mitigation used during that period. This is an updated rule requirement adopted by the Department's Commission in June, 2010, under OAR 690-522-0040.

203.2
JEF
10/11/11

The current incremental development plan is as follows:

Incremental Step	Volume of Use (AF)	Amount of Mitigation (AF)	Source of Mitigation	Type of Mitigation
1. 2005 – 2014	125.0	50.0	Mitigation Project MP-57 (1.8 credits) and 48.2 mitigation credits from the DRC Mitigation Bank or a permanent source	Permanent & temporary
2. 2015 – 2019	250.0	100.0		
3. 2020 – 2024	375.0	150.0		
4. 2025 – 2029	500.0	200.0		
5. 2030 on	508.0	203.2		
Totals	508.0	203.2	50.0	

Please submit the annual update on the incremental development plan by October 31, 2011. If you have any questions, please give me a call at (503) 986-0884.

Sincerely,

Laura Wilke
Flow Restoration Program Coordinator

c: Jeremy Giffin, Watermaster District 11
Eagle Crest
file G-15789

File G-15789

WILKE Laura K

From: WILKE Laura K
Sent: Tuesday, November 25, 2014 2:51 PM
To: 'Gen Hubert'
Subject: RE: G-15789 Brasada Ranch

Hey there Gen! Unfortunately, there's no provision for "retroactive" credits to cover the balance of the water used in 2013. But they can cover the increase in use going forward. If needed, I can follow up more with them on the coverage.

At this point, I've made a note in my tracking that they're getting mitigation in sync with use and reminded them that mitigation needs to be in place along with or before any increase in use.

I think these can be lease credits towards 2014 and part of the 2014 annual report.

Make sense?

Have a great Turkey Day!!
Laura

From: Gen Hubert [mailto:gen@deschutesriver.org]
Sent: Tuesday, November 25, 2014 2:38 PM
To: WILKE Laura K
Subject: G-15789 Brasada Ranch

Hi Laura,

I thought I should check in with you regarding Brasada Ranch (application G-15789 under Eagle Crest). They are purchasing an additional 8.1 mitigation credits for their 2013 year (they have 1.8 permanent and purchase 48.2 temps). They apparently reported their use and it exceeded their mitigation by 8.1 credits per correspondence with you.

How do you want me to report this credit amount since they are buying retroactive credits? Should this pay for lease credits in 2014 and go in the 2014 GMB report with a reference to 2013?

Gen

Genevieve Hubert
Program Manager
Deschutes River Conservancy
541.382.4077 xt 16
http://www.deschutesriver.org

File G-15189

WILKE Laura K

From: FRENCH Dwight W
Sent: Monday, November 24, 2014 12:20 PM
To: WILKE Laura K
Cc: GIFFIN Jeremy T; GORMAN Kyle G
Subject: RE: Eagle Crest Permit G-15855 - mitigation issue

I just read the permit for a reminder. I think sharing this information among us is all we need to do. The last 20.2 AF of use they made in 2013 was illegal. If they update their plan and provide mitigation for the next increment then they are doing the right thing.
Dwight

Dwight French
Water Right Services Division Administrator
Oregon Water Resources Department
dwight.w.french@state.or.us
503-986-0819

From: WILKE Laura K
Sent: Monday, November 24, 2014 12:11 PM
To: FRENCH Dwight W
Cc: GIFFIN Jeremy T; GORMAN Kyle G
Subject: Eagle Crest Permit G-15855 - mitigation issue

Dwight: Wanted to pass along an issue that I found with Eagle Crest's permit G-15855. I recently received their update on the incremental development plan and use for 2013 from Jim Frost (W&H Pacific). The issue was the use level for 2013.

Their first increment (covering 2005 thru 2014) allows use of up to 125 AF with 50 AF of mitigation. They have consistently had enough mitigation in place to cover the first increment. However, reported use level for 2013 was 145.2 AF, which would need 58.1 AF of mitigation. They are working with the DRC to obtain an additional 8.1 AF of mitigation. They also plan on revising/updating the incremental development plan. I hope to hear more on that soon.

At this point, the additional mitigation won't cover use in 2013 but will help cover use 2014 forward. I've let them know that I would be passing this along and letting them know if there's any additional follow up from the Department. I also reminded them that additional mitigation and updates to the incremental plans need to be done before increasing use levels. I also asked that they send the documentary evidence of the additional 8.1 mitigation credits as soon as they have it in hand so we can update our records accordingly.

Does this need/require any additional follow up or discussion? (Kyle, any thoughts?)

Laura

Laura Wilke
Flow Restoration Program Coordinator
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1271
Phone: (503) 986-0884
Fax: (503) 986-0903

File G-15789

WILKE Laura K

From: WILKE Laura K
Sent: Monday, November 24, 2014 11:59 AM
To: 'Jim Frost'
Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com); GIFFIN Jeremy T
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Thanks for the update Jim. Please forward the documentary evidence form the DRC when it comes through. I'll update tracking and staff at this end and let you know if there's any further follow up. At this point, may just be a matter of getting the incremental plan updated accordingly and mitigation in line with use. Thinking forward, consistent with permit conditions, additional mitigation needs to be obtained before any increase in use and incremental plans also need to be updated accordingly.

Thanks again,
Laura

From: Jim Frost [mailto:Jfrost@whpacific.com]
Sent: Monday, November 24, 2014 11:49 AM
To: WILKE Laura K
Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com)
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Laura,

We plan to purchase the additional 8.1 AF to cover our actual use in 2013, and update the Incremental Mitigation Plan to properly cover our anticipated use. We have contacted Gen at Deschutes River Conservancy to coordinate purchase of the 8.1 AF. We look forward to working with you to update the Incremental Mitigation Plan.

Thanks,
Jim Frost, PE | Project Manager
WHPacific, Inc. | 123 SW Columbia St, Bend, OR 97702
Direct 541.312.2261 | Mobile 541.480.2178 | Fax 541.388.4229 | jfrost@whpacific.com

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From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Friday, November 21, 2014 2:08 PM
To: Jim Frost
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Jim – Just wanted to touch base with you on the incremental plan for Eagle Crest (permit G-15855). See below e-mail. You also asked in a previous e-mail:

"Would it be acceptable to change the 2015 to 2019 mitigation from 100 AF (250 AF actual use) to perhaps 75 AF mitigation (187.5 AF actual use, 61.1 MG)? We used 47.3 MG in 2013 calendar year, so that leaves room for growth over the next 5 years."

What we might want to look at first is the first increment. Thru 2012, it appears that they were within the limits of the first increment (up to 125 AF annual use and 50.0 AF of mitigation). For 2012, you reported that they had used 121.5 AF. But for 2013, the volume of use reported is outside of the first increment, being 145.2 AF (mitigation needed = 58.1 AF).

Laura

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To: 'Jim Frost'
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Hi Jim – I found something in the annual number you sent that may require additional work or evaluation. It appears that the amount of mitigation provided (50.0 AF) and the amount of use for 2013 (145.2 AF based on conversion of 47.3 MG) do not currently match. Use of 145.2 AF would require 58.1 AF of mitigation. If more water is being used than mitigated for, additional mitigation will need to be provided. This also looks like it exceeds the amount of use currently allowed under the incremental development plan.

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File G-15789

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From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Thursday, November 13, 2014 8:20 AM
To: Jim Frost
Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com)
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Thanks Jim! I'll look for the updates. When do you anticipate being able to submit the status update for 2013?

Laura

From: Jim Frost [mailto:Jfrost@whpacific.com]
Sent: Thursday, November 13, 2014 8:17 AM
To: WILKE Laura K

Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com)
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Laura,

I am still the primary contact, with Chris Earnest the Owner. I will get the updated mitigation plan completed and sent to you, I appreciate your reminder.

Thanks,
Jim Frost, PE | Project Manager
WHPacific, Inc. | 123 SW Columbia St, Bend, OR 97702
Direct 541.312.2261 | Mobile 541.480.2178 | Fax 541.388.4229 | jfrost@whpacific.com

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From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Thursday, November 13, 2014 8:05 AM
To: Jim Frost
Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com)
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

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Thanks, Laura

From: WILKE Laura K
Sent: Wednesday, October 29, 2014 4:40 PM
To: Frost, Jim (Jfrost@whpacific.com)
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Jim – I'm working on some Mitigation Program updates for 2013 and I don't see that we've received an update yet on the incremental development plan for Permit G-15855 for Eagle Crest/Brasada. The annual update was due, as identified below, on April 1, 2014.

The update needs to include the progress made on permit development under the incremental development plan, the volume (in acre-feet) of water used in 2013, and any request to modify the incremental plan currently on file with the Department.

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5. 2030	8.0 AF	3.2 AF	
Totals	508.0 AF	203.2 AF	

Please provide the annual update on the incremental development plan for 2013. The next annual update for 2014 will be due on April 1, 2015.

Please give me a call if you have any questions. If you've already sent the 2013 annual update, please forward it again.

Thanks, Laura

From: WILKE Laura K
Sent: Thursday, April 24, 2014 10:11 AM
To: 'Frost, Jim'
Cc: Boggs, Niall
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

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From: Frost, Jim [mailto:Jfrost@whpacific.com]
Sent: Thursday, March 20, 2014 3:20 PM
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Cc: Boggs, Niall
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Laura,

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Sent: Thursday, March 20, 2014 9:54 AM
To: Frost, Jim
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Jim - I believe that you're still taking care of the updates on incremental development plans for Brasada/Eagle Crest. Please let me know if I need to forward this e-mail to someone else if you're no longer taking care of this for them.

Updates on incremental development plans are due April 1. They have one permit with an incremental development plan - G-15855.

Please give me a call if you have any questions.

Thanks, Laura

Laura Wilke

Flow Restoration Program Coordinator
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1271
Phone: (503) 986-0884
Fax: (503) 986-0903

File G-15789

WILKE Laura K

From: Jim Frost <Jfrost@whpacific.com>
Sent: Thursday, November 13, 2014 12:34 PM
To: WILKE Laura K
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Laura,

Yes, to illustrate the need to update the Incremental Mitigation Plan. Would it be acceptable to change the 2015 to 2019 mitigation from 100 AF (250 AF actual use) to perhaps 75 AF mitigation (187.5 AF actual use, 61.1 MG)? We used 47.3 MG in 2013 calendar year, so that leaves room for growth over the next 5 years.

Thanks,
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From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Thursday, November 13, 2014 12:21 PM
To: Jim Frost
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Thanks Jim – did you mean to attach this old 2011 letter from the Department?

From: Jim Frost [mailto:Jfrost@whpacific.com]
Sent: Thursday, November 13, 2014 12:16 PM
To: WILKE Laura K
Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com)
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Laura,

Yes, this will about the amount of water used in 2013 under Permit G-15855. The amount used in the 2013 calendar year was 47.3 MG. I anticipate working with Chris to modify the Incremental Mitigation Plan to change 2015 to 2019 mitigation to more closely match anticipated use.

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From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Thursday, November 13, 2014 9:41 AM

To: Jim Frost
Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com)
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Sounds good. And just to clarify, this will about the amount of water used in 2013 under Permit G-15855? It also looks like folk may want take a look at the incremental development plan and see if any updates are needed. The first increment with 50 AF of mitigation ends 2014.

Laura

From: Jim Frost [mailto:Jfrost@whpacific.com]
Sent: Thursday, November 13, 2014 9:35 AM
To: WILKE Laura K
Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com)
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Laura,

I have contacted Avion and requested the total water use for Brasada. Once I receive the info, I'll revise the letter and send it to you. Avion is typically quick to respond, so I expect to get you the letter in the next few days. Please let me know if that is acceptable.

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Attachments: 201411131106.pdf

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Flow Restoration Program Coordinator
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1271
Phone: (503) 986-0884
Fax: (503) 986-0903

WILKE Laura K

From: WILKE Laura K
Sent: Monday, December 29, 2014 1:06 PM
To: Frost, Jim (Jfrost@whpacific.com)
Cc: GIFFIN Jeremy T
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Jim – I just wanted to check in with you before the end of the year on providing additional mitigation needed for 2014 and any updates to the incremental development plan (see e-mail below). Additional mitigation to cover 2014 would need to be provided before the end of the calendar year.

Hope you had a great holiday.

Thanks, Laura

From: WILKE Laura K
Sent: Tuesday, December 16, 2014 10:22 AM
To: 'Jim Frost'
Cc: GIFFIN Jeremy T
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Jim – I looked over the plan for Eagle Crest. It does appear that the plan needs to be updated. Through 2014, Eagle Crest is only allowed to use up to 125 AF (with 50 AF of mitigation provided). Reported use for 2013 was over the 50 AF limitation and it appears, based on your letter, that use for 2014 (approx. 182 AF) will also be in excess of 125 AF currently authorized. Consistent with Department rules and permit conditions (see mitigation conditions in Permit G-15855), it looks like a modification to the plan is needed to increase the amount of water that may be used under the first increment and under the permit. Right now use is out of sync with the incremental plan on file with the Department.

Please give me a call if you have any questions.

Laura

From: Jim Frost [mailto:Jfrost@whpacific.com]
Sent: Thursday, December 04, 2014 10:32 AM
To: Laura Wilke (laura.k.wilke@state.or.us)
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Laura,

Please find the attached letter describing use in 2013 and 2014, purchase of additional mitigation credits, and discussion of adequacy of the current mitigation plan for 2015-2019. Please call or reply with any questions or comments.

Thanks,
Jim Frost, PE | Project Manager
WHPacific, Inc. | 123 SW Columbia St, Bend, OR 97702
Direct 541.312.2261 | Mobile 541.480.2178 | Fax 541.388.4229 | jfrost@whpacific.com

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From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Thursday, December 04, 2014 9:41 AM
To: Jim Frost
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Hi Jim – I just wanted to follow up on the additional credits. Those can be used for any additional use above and beyond what they currently have authorized under the incremental development plan for 2014. Unfortunately, there's no mechanism to provide mitigation retroactively. If they obtain the credits, they'll want to make sure they also cover any additional use for 2014. And I can make appropriate notes in the file and in our tracking.

Laura

From: Jim Frost [mailto:Jfrost@whpacific.com]
Sent: Wednesday, November 26, 2014 7:58 AM
To: WILKE Laura K
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Laura,

I will review 2014 use available to date, estimate use thru end of calendar year, and request purchase of additional mitigation as needed. We plan to update the Incremental Mitigation Plan to be sure we purchase adequate mitigation credits in advance each year as required. Brasada is processing a check for DRC for the 8.1 AF additional credit to cover the use in 2013, and I will send you the receipt from DRC for your records. We appreciate your assistance.

Thanks,
Jim Frost, PE | Project Manager
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From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Wednesday, November 26, 2014 7:52 AM
To: Jim Frost
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Jim – I just wanted to do a quick follow up on mitigation for Eagle Crest/Brasada. Will the 8.1 AF of additional mitigation cover any additional use also in 2014? Or is more mitigation needed considering 2014 use level or anticipated use level?

Laura

From: WILKE Laura K
Sent: Monday, November 24, 2014 11:59 AM
To: 'Jim Frost'
Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com); GIFFIN Jeremy T
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Thanks for the update Jim. Please forward the documentary evidence form the DRC when it comes through. I'll update tracking and staff at this end and let you know if there's any further follow up. At this point, may just be a matter of getting the incremental plan updated accordingly and mitigation in line with use. Thinking forward, consistent with

permit conditions, additional mitigation needs to be obtained before any increase in use and incremental plans also need to be updated accordingly.

Thanks again,
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From: Jim Frost [mailto:Jfrost@whpacific.com]
Sent: Monday, November 24, 2014 11:49 AM
To: WILKE Laura K
Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com)
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Laura,

We plan to purchase the additional 8.1 AF to cover our actual use in 2013, and update the Incremental Mitigation Plan to properly cover our anticipated use. We have contacted Gen at Deschutes River Conservancy to coordinate purchase of the 8.1 AF. We look forward to working with you to update the Incremental Mitigation Plan.

Thanks,
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Sent: Friday, November 21, 2014 2:08 PM
To: Jim Frost
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Jim – Just wanted to touch base with you on the incremental plan for Eagle Crest (permit G-15855). See below e-mail. You also asked in a previous e-mail:

"Would it be acceptable to change the 2015 to 2019 mitigation from 100 AF (250 AF actual use) to perhaps 75 AF mitigation (187.5 AF actual use, 61.1 MG)? We used 47.3 MG in 2013 calendar year, so that leaves room for growth over the next 5 years."

What we might want to look at first is the first increment. Thru 2012, it appears that they were within the limits of the first increment (up to 125 AF annual use and 50.0 AF of mitigation). For 2012, you reported that they had used 121.5 AF. But for 2013, the volume of use reported is outside of the first increment, being 145.2 AF (mitigation needed = 58.1 AF).

Laura

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To: 'Jim Frost'
Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com); GIFFIN Jeremy T
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Hi Jim – I found something in the annual number you sent that may require additional work or evaluation. It appears that the amount of mitigation provided (50.0 AF) and the amount of use for 2013 (145.2 AF based on conversion of 47.3 MG) do not currently match. Use of 145.2 AF would require 58.1 AF of mitigation. If more water is being used than mitigated for, additional mitigation will need to be provided. This also looks like it exceeds the amount of use currently allowed under the incremental development plan.

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To: WILKE Laura K
Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com)
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Laura,

Yes, this will about the amount of water used in 2013 under Permit G-15855. The amount used in the 2013 calendar year was 47.3 MG. I anticipate working with Chris to modify the Incremental Mitigation Plan to change 2015 to 2019 mitigation to more closely match anticipated use.

Thanks,
Jim Frost, PE | Project Manager
WHPacific, Inc. | 123 SW Columbia St, Bend, OR 97702
Direct 541.312.2261 | Mobile 541.480.2178 | Fax 541.388.4229 | jfrost@whpacific.com

Enhancing Client Satisfaction through Creative, Exceptional Service
NMSDC Certified MBE/CPUC Certified MBE

From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Thursday, November 13, 2014 9:41 AM
To: Jim Frost
Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com)
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Sounds good. And just to clarify, this will about the amount of water used in 2013 under Permit G-15855? It also looks like folk may want take a look at the incremental development plan and see if any updates are needed. The first increment with 50 AF of mitigation ends 2014.

Laura

From: Jim Frost [mailto:Jfrost@whpacific.com]
Sent: Thursday, November 13, 2014 9:35 AM
To: WILKE Laura K
Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com)
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Laura,

I have contacted Avion and requested the total water use for Brasada. Once I receive the info, I'll revise the letter and send it to you. Avion is typically quick to respond, so I expect to get you the letter in the next few days. Please let me know if that is acceptable.

Thanks,
Jim Frost, PE | Project Manager
WHPacific, Inc. | 123 SW Columbia St, Bend, OR 97702
Direct 541.312.2261 | Mobile 541.480.2178 | Fax 541.388.4229 | jfrost@whpacific.com

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From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Thursday, November 13, 2014 8:20 AM
To: Jim Frost
Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com)
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Thanks Jim! I'll look for the updates. When do you anticipate being able to submit the status update for 2013?

Laura

From: Jim Frost [mailto:Jfrost@whpacific.com]
Sent: Thursday, November 13, 2014 8:17 AM
To: WILKE Laura K
Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com)
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Laura,

I am still the primary contact, with Chris Earnest the Owner. I will get the updated mitigation plan completed and sent to you, I appreciate your reminder.

Thanks,
Jim Frost, PE | Project Manager
WHPacific, Inc. | 123 SW Columbia St, Bend, OR 97702
Direct 541.312.2261 | Mobile 541.480.2178 | Fax 541.388.4229 | jfrost@whpacific.com

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From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Thursday, November 13, 2014 8:05 AM
To: Jim Frost
Cc: Niall Boggs; Chris Earnest (ChrisE@nvoregonresorts.com)
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Jim- checking in again on the below. Let me know if I should be contacting someone else for this information if you're not still the primary for this. Or if you already sent it, please go ahead and resend.

Thanks, Laura

From: WILKE Laura K
Sent: Wednesday, October 29, 2014 4:40 PM

To: Frost, Jim (Jfrost@whpacific.com)
Subject: FW: Brasada/Eagle Crest - incremental plan update due soon

Jim – I'm working on some Mitigation Program updates for 2013 and I don't see that we've received an update yet on the incremental development plan for Permit G-15855 for Eagle Crest/Brasada. The annual update was due, as identified below, on April 1, 2014.

The update needs to include the progress made on permit development under the incremental development plan, the volume (in acre-feet) of water used in 2013, and any request to modify the incremental plan currently on file with the Department.

Current plan on file:

Incremental Step	Volume in date range	Mitigation in date range	Mitigation Source
1. 2005 - 2014	125.0 AF	50.0 AF	1.8 AF from MP-57 (permanent) and 48.2 temporary credits from DRC Mit. Bank
2. 2015 – 2019	125.0 AF	50.0 AF	
3. 2020 - 2024	125.0 AF	50.0 AF	
4. 2025 – 2029	125.0 AF	50.0 AF	
5. 2030	8.0 AF	3.2 AF	
Totals	508.0 AF	203.2 AF	

Please provide the annual update on the incremental development plan for 2013. The next annual update for 2014 will be due on April 1, 2015.

Please give me a call if you have any questions. If you've already sent the 2013 annual update, please forward it again.

Thanks, Laura

From: WILKE Laura K
Sent: Thursday, April 24, 2014 10:11 AM
To: 'Frost, Jim'
Cc: Boggs, Niall
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Jim – I don't see that I received an update yet for the incremental development plan for Permit G-15855 for Eagle Crest/Brasada. Updates were due on April 1.

If you already sent the update, would you please forward it to me again.

Thanks, Laura

From: Frost, Jim [mailto:Jfrost@whpacific.com]
Sent: Thursday, March 20, 2014 3:20 PM
To: WILKE Laura K
Cc: Boggs, Niall
Subject: RE: Brasada/Eagle Crest - incremental plan update due soon

Laura,

Yes, we are still taking care of the Incremental Mitigation plan for Brasada. I'll review and get back to you, thanks for the reminder.

Jim Frost, PE | Project Manager 3
WHPacific, Inc. | 123 SW Columbia St, Ste 100, Bend, OR 97702
Direct 541.312.2261 | Mobile 541.480.2178 | Fax 541.388.4229
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---

From: WILKE Laura K [mailto:laura.k.wilke@state.or.us]
Sent: Thursday, March 20, 2014 9:54 AM
To: Frost, Jim
Subject: Brasada/Eagle Crest - incremental plan update due soon

Jim - I believe that you're still taking care of the updates on incremental development plans for Brasada/Eagle Crest. Please let me know if I need to forward this e-mail to someone else if you're no longer taking care of this for them.

Updates on incremental development plans are due April 1. They have one permit with an incremental development plan - G-15855.

Please give me a call if you have any questions.

Thanks, Laura

Laura Wilke
Flow Restoration Program Coordinator
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1271
Phone: (503) 986-0884
Fax: (503) 986-0903

DESCHUTES RIVER
CONSERVANCY

June 12, 2015

RECEIVED BY OWRD
JUN 18 2015
SALEM, OR

Oregon Water Resources Dept.
Attn: Laura Wilke
Groundwater Mitigation
725 Summer St. NE, Ste A
Salem, OR 97301-4172

Re: Documentary Evidence, application G-15789

Laura,

Enclosed you will find two documentary evidence forms for groundwater application G-15789. The final order was in the name of Eagle Crest, Inc. The current owner recently submitted the documents and supporting documents for change of assignment to Brasada Ranch Development, LLC.

Brasada Ranch is a resort in the Powell Butte area between Bend and Prineville. They have an incremental development plan and have been providing mitigation under their first increment of development for some time now. The first increment was 50 credits.

As you are aware, development has picked up in central Oregon. As a result, Brasada's water needs are also increasing.

Brasada meets the 50 credit first increment with 1.8 permanent credits and by purchasing 48.2 temporary credits each year, as reported annually by the DRC's groundwater mitigation bank. They purchased an additional 8.1 temporary credits in 2014 as a good faith effort to make up for an increase in water use and a corresponding shortfall in credits in 2013.

Brasada purchased an additional 28.7 temporary credits in 2015 as a good faith effort to make up for an increase in water use and a corresponding shortfall in credits in 2014. I've included a documentary evidence form for this additional 28.7. This is a one-time temporary credit purchase, for this year only.

Brasada's recently revised incremental development plan specifies a second increment of an additional 50 credits. The attached documentary evidence for 50 credits covers this second increment. The DRC's groundwater mitigation bank supplied these 50 credits in addition to the 48.2 credits that Brasada continues to purchase annually to cover their first increment. Brasada's new total for increments 1 and 2 is 100 credits, met by 98.2 temporary credits plus 1.8 permanent credits.

Brasada will be reviewing their growth trend near the end of 2015 to determine if they will need to increase their credit purchase in 2016 beyond the current incremental plan.

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

The following table outlines past, current and future intended purchases. Please apply the documentary evidence as necessary to reflect that the total purchase in 2016 is intended to be 100 credits, unless analysis at the end of 2015 indicates a steeper growth curve than the 100 total credits is meant to include, then the amount may be revised (increased) from the 100.

Brasada Ranch Development, LLC
Groundwater application G-15789, permit G-15855

	2012	2013	2014	2015	2016	
Incremental Plan						
permanent credits	1.8	1.8	1.8	1.8	1.8	
annually reported temporary credits (bank)	48.2	48.2	48.2	48.2	98.2	Intended
new credits with documentation				50		purchase
Total	**50**	**50**	**50**	**100**	**100**	amount
Additional credits / contingency for shortfall						for 2016
additional credits one year purchase			**8.1**	**28.2**		
Total	50	50	58.1	128.2	**100**	
credit shortfall (after use is reported end of yr)	0	**-8.1**	**-28.2**	**?**		

Please contact me if you have any questions at all about these documentary evidence forms (541-382-4077 ext. 16).

Best Regards,

Genevieve Hubert
Program Manager
Deschutes River Conservancy Groundwater Mitigation Bank
gen@deschutesriver.org

Electronic Cc: Niall Boggs – Parametrix, nboggs@parametrix.com
Jim Frost – Parametrix, jfrost@parametrix.com
Mark Gerdes – Brasada Ranch Development, LLC, markg@nvoregonresorts.com

RECEIVED BY OWRD
JUN 18 2015
SALEM, OR

File G-15789

WILKE Laura K

From: Niall Boggs <NBoggs@parametrix.com>
Sent: Tuesday, September 22, 2015 11:06 AM
To: WILKE Laura K
Cc: Mark Gerdes; Jim Frost
Subject: September Reporting Update, which includes August 2015 actual Use
Attachments: September update Brasada water use.xlsx

Laura,

Please see our updated water use reporting for Brasada Ranch which includes August 2015 actual use. August 2015 actual use was higher than was projected last month, whereas July was lower. We are still using the 11.8% increase trend we observed 2014 to 2015 January-May to project September-December. This is a conservative assumption, given that actual total use through August is approximately 7-1/2% more than 2014. Our projections show that we will anticipate being below the purchased credits by 11.48million gallons. Please call or reply with any questions or comments.

Regards,

Parametrix
ENGINEERING . PLANNING . ENVIRONMENTAL SCIENCES

Niall Boggs, PE, CWRE
Project Engineer
595 SW Bluff Dr., Suite B
Bend, OR 97702
541.508.7710 | main
541.550.7694 | desk
541.948.5362 | cell

Brasada Monthly Totals Produced

	2014	2015		2014	2015	2015 increase over 2014	
January	1,511,100.00	1,088,850.00					
February	1,649,190.00	788,651.25		1,511,100	1,088,850	72.06%	Lower use in 2015 than 2014
March	1,585,980.00	1,708,319.58		3,160,290	1,877,501	59.41%	Lower use in 2015 than 2014
April	2,090,400.00	2,928,540.00		4,746,270	3,585,821	75.55%	Lower use in 2015 than 2014
May	5,818,830.00	7,638,870.00		6,836,670	6,514,361	95.29%	Lower use in 2015 than 2014
June	8,612,520.00	7,681,362.00		12,655,500	14,153,231	111.83%	Use this for projection to remain conservat
July	11,586,300.00	10,775,430.00		21,268,020	21,834,593	102.66%	Jan-July, less conservative for projection
August	7,926,030.00	11,209,290.00		32,854,320	32,610,023	99.26%	Lower use in 2015 than 2014
September	8,132,701.00	9,095,175.58		40,780,350	43,819,313	107.45%	Lower use in 2015 than 2014
October	6,201,060.00	6,934,932.13					
November	8,049,240.00	9,001,837.28					
December	956,326.67	1,069,504.33					
Total (in Gallons)	**64,119,677.67**	**69,920,762.15**	gallons=	215	ac-ft		

NOTE: **= projected**

As of the beginning of August, we are projecting that total use for calendar year 2015 is: 69.92 MG, which equals: 215 ac-ft actual use projected.
This is based on actual use for 2015 Jan-June. We are projecting an 11.8% increase in use for August thru December to remain conservative.

Mitigation amount (excluding 28.7 credit contingency) is 100 credits, 250 ac-ft actual use, 81.4 MG.

At this time, our projected annual use for 2015 is below our purchased 100 credits (250 ac-ft or 81.4 MG actual use) by: 11.48 MG

We will continue to monitor actual use on a monthly basis per OWRD request, and project annual use to be sure we stay under mitigation amount.

File G-15789

WILKE Laura K

From: Niall Boggs <NBoggs@parametrix.com>
Sent: Wednesday, August 05, 2015 5:04 PM
To: WILKE Laura K
Cc: Mark Gerdes; Jim Frost
Subject: August Reporting Update, which includes July 2015 actual Use
Attachments: August update Brasada water use.xlsx

Laura,

Please see our updated water use reporting for Brasada Ranch which includes July 2015 actual use. July 2015 actual use was lower than projected. We are still using the 11.8% increase trend we observed 2014 to 2015 January-May to project August-December. This is a conservative assumption, given that actual total use through July is approximately even with 2014. Please call or reply with any questions or comments.

Regards

Parametrix
ENGINEERING . PLANNING . ENVIRONMENTAL SCIENCES

Niall Boggs, PE, CWRE
Project Engineer
595 SW Bluff Dr., Suite B
Bend, OR 97702
541.508.7710 | main
541.550.7694 | desk
541.948.5362 | cell

Brasada Monthly Totals Produced

	2014	2015		2014	2015	2015 increase over 2014	
January	1,511,100.00	1,088,850.00					
February	1,649,190.00	788,651.25		1,511,100	1,088,850	72.06%	Lower use in 2015 than 2014
March	1,585,980.00	1,708,319.58		3,160,290	1,877,501	59.41%	Lower use in 2015 than 2015
April	2,090,400.00	2,928,540.00		4,746,270	3,585,821	75.55%	Lower use in 2015 than 2016
May	5,818,830.00	7,638,870.00		6,836,670	6,514,361	95.29%	Lower use in 2015 than 2017
June	8,612,520.00	7,681,362.00		12,655,500	14,153,231	111.83%	Use this for projection to remain conservat
July	11,586,300.00	10,775,430.00	— 33.07 AF	21,268,020	21,834,593	102.66%	Jan-July, less conservative for projection
August	7,926,030.00	8,864,045.84		32,854,320	32,610,023	99.26%	Lower use in 2015 than 2017
September	8,132,701.00	9,095,175.58					
October	6,201,060.00	6,934,932.13					
November	8,049,240.00	9,001,837.28					
December	956,326.67	1,069,504.33					
Total (in Gallons)	**64,119,677.67**	**67,575,518.00**	gallons=	207 ac-ft			

NOTE: **= projected**

As of the beginning of August, we are projecting that total use for calendar year 2015 is: 67.58 MG, which equals: 207 ac-ft actual use projected.
This is based on actual use for 2015 Jan-June. We are projecting an 11.8% increase in use for August thru December to remain conservative.

Mitigation amount (excluding 28.7 credit contingency) is 100 credits, 250 ac-ft actual use, 81.4 MG.

At this time, our projected annual use for 2015 is below our purchased 100 credits (250 ac-ft or 81.4 MG actual use) by: 13.82 MG

We will continue to monitor actual use on a monthly basis per OWRD request, and project annual use to be sure we stay under mitigation amount.

WILKE Laura K

From: WILKE Laura K
Sent: Friday, August 07, 2015 10:36 AM
To: 'Niall Boggs'; WILKE Laura K
Cc: Mark Gerdes; Jim Frost
Subject: RE: August Reporting Update, which includes July 2015 actual Use

Niall – thanks for the monthly report. I've updated our records to include the reported use for July and added your e-mail to the permit file for Brasada Ranch.

Thanks, Laura

From: Niall Boggs [mailto:NBoggs@parametrix.com]
Sent: Wednesday, August 05, 2015 5:04 PM
To: WILKE Laura K
Cc: Mark Gerdes; Jim Frost
Subject: August Reporting Update, which includes July 2015 actual Use

Laura,

Please see our updated water use reporting for Brasada Ranch which includes July 2015 actual use. July 2015 actual use was lower than projected. We are still using the 11.8% increase trend we observed 2014 to 2015 January-May to project August-December. This is a conservative assumption, given that actual total use through July is approximately even with 2014. Please call or reply with any questions or comments.

Regards

Parametrix
ENGINEERING . PLANNING . ENVIRONMENTAL SCIENCES

Niall Boggs, PE, CWRE
Project Engineer
595 SW Bluff Dr., Suite B
Bend, OR 97702
541.508.7710 | main
541.550.7694 | desk
541.948.5362 | cell

WILKE Laura K

From: WILKE Laura K
Sent: Tuesday, July 21, 2015 8:30 AM
To: 'Jim Frost'
Cc: Niall Boggs; Mark Gerdes
Subject: RE: July Reporting Update, which includes June 2015 actual Use

Jim:

We received the first of the required monthly water use reports for permit G-15855, including the below update. Based on the information provided, it appears that approximately 67 AF have been used under this permit through the month of June. I've added the report you sent to the permit file.

Thanks, Laura

From: Jim Frost [mailto:JFrost@parametrix.com]
Sent: Monday, July 06, 2015 3:36 PM
To: WILKE Laura K
Cc: Niall Boggs; Mark Gerdes
Subject: July Reporting Update, which includes June 2015 actual Use

Laura,

Please see our updated reporting which includes June 2015 actual use. June 2015 actual use was lower than projected. We are still using the 11.8% increase trend we observed 2014 to 2015 January-May to project July-December. This is a conservative assumption. Please call or reply with any questions or comments.

Thanks,

Parametrix
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James E. Frost, PE
Senior Project Manager
595 SW Bluff Dr, Suite B
Bend, OR 97702
541.550.7688 | desk
541.480.2178 | cell

WILKE Laura K

From: Jim Frost <JFrost@parametrix.com>
Sent: Monday, July 06, 2015 3:36 PM
To: WILKE Laura K
Cc: Niall Boggs; Mark Gerdes
Subject: July Reporting Update, which includes June 2015 actual Use
Attachments: Copy of julyupdate Brasada water use.xlsx

Laura,

Please see our updated reporting which includes June 2015 actual use. June 2015 actual use was lower than projected. We are still using the 11.8% increase trend we observed 2014 to 2015 January-May to project July-December. This is a conservative assumption. Please call or reply with any questions or comments.

Thanks,

Parametrix
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James E. Frost, PE
Senior Project Manager
595 SW Bluff Dr, Suite B
Bend, OR 97702
541.550.7688 | desk
541.480.2178 | cell

Brasada Monthly Totals Produced

	2014	2015		2014	2015	2015 increase over 2014	
January	1,511,100.00	1,088,850.00					
February	1,649,190.00	788,651.25					
March	1,585,980.00	1,708,319.58					
April	2,090,400.00	2,928,540.00					
May	5,818,830.00	7,638,870.00					
June	8,612,520.00	7,681,362.00		12,655,500	14,153,231	111.83%	Use this for projection to remain conservative
July	11,586,300.00	12,957,495.03		21,268,020	21,834,593	102.66%	Jan-June, less conservative for projection
August	7,926,030.00	8,864,045.84					
September	8,132,701.00	9,095,175.58					
October	6,201,060.00	6,934,932.13					
November	8,049,240.00	9,001,837.28					
December	956,326.67	1,069,504.33					
Total (in Gallons)	**64,119,677.67**	**69,757,583.03**	gallons=	214 ac-ft			

NOTE: = **projected**

As of July 6th, we are projecting that total use for calendar year 2015 is 69.76 MG, which equals 214 ac-ft actual use projected.
This is based on actual use for 2015 Jan-June. We are projecting an 11.8% increase in use for July thru December to remain conservative.

Mitigation amount (excluding 28.7 credit contingency) is 100 credits, 250 ac-ft actual use, 81.4 MG.

At this time, our projected annual use for 2015 is below our purchased 100 credits (250 ac-ft or 81.4 MG actual use) by 11.6 MG.

We will continue to monitor actual use on a monthly basis per OWRD request, and project annual use to be sure we stay under mitigation amount.

Brasada Monthly Totals Produced

	2014	2015		2014 Jan-May	2015 Jan-May	2015 increase over 2014
January	1,511,100.00	1,088,850.00				
February	1,649,190.00	788,651.25				
March	1,585,980.00	1,708,319.58				
April	2,090,400.00	2,928,540.00				
May	5,818,830.00	7,638,870.00				
June	8,612,520.00	9,631,779.35		12,655,500	14,153,231	111.83%
July	11,586,300.00	12,957,495.03				
August	7,926,030.00	8,864,045.84				
September	8,132,701.00	9,095,175.58				
October	6,201,060.00	6,934,932.13				
November	8,049,240.00	9,001,837.28				
December	956,326.67	1,069,504.33				
Total (in Gallons)	**64,119,677.67**	**71,708,000.38**	gallons=	220 ac-ft		

NOTE: = **projected**

As of June 30th, we are projecting that total use for calendar year 2015 is 71.71 MG, which equals 220 ac-ft actual use projected.
This is based on actual use for 2015 Jan-May. This sum is 11.8% higher than 2014 use, so we multiplied each 2014 month by 11.8% to project 2015.

Mitigation amount (excluding 28.7 credit contingency) is 100 credits, 250 ac-ft actual use, 81.4 MG.

At this time, our projected annual use for 2015 is below our purchased 100 credits (250 ac-ft or 81.4 MG actual use) by 9.7 MG.

We will continue to monitor actual use on a monthly basis per OWRD request, and project annual use to be sure we stay under mitigation amount.

WILKE Laura K

From: Jim Frost <JFrost@parametrix.com>
Sent: Thursday, July 02, 2015 8:49 AM
To: WILKE Laura K
Cc: Niall Boggs
Subject: FW: OWRD Monthly reporting
Attachments: SBEND-Produ15063013350.pdf

Laura,

Please see the attached spreadsheet with projected water use for 2015. Our projected use based on actual use Jan-May is 71.8 MG for 2015. This is 11.8% higher than 2014, since Jan-May of 2015 was 11.8% higher than the same period in 2014.

Our mitigation in place (not including our 28.7 credits of contingency) allows for 81.4 MG of use in 2015. So we are in good shape. Please reply to confirm receipt, and to let me know if this format for monthly reporting is acceptable to you.

Thanks,

Parametrix
ENGINEERING . PLANNING . ENVIRONMENTAL SCIENCES

James E. Frost, PE
Senior Project Manager
595 SW Bluff Dr, Suite B
Bend, OR 97702
541.550.7688 | desk
541.480.2178 | cell

Oregon
Kate Brown, Governor

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

June 23, 2015

Brasada Ranch Development, LLC
PO Box 1215
Redmond, OR 97756

Re: Groundwater Permit G-15855 (file G-15789)

Please find enclosed a Final Order addressing the requirement for additional water use reporting to be provided by Brasada Ranch Development for Groundwater Permit G-15855. The order also reiterates certain mitigation permit requirements associated with the incremental development plan on file with the Department.

For the last couple of years, the amount of water used under this permit has exceeded the amount of mitigation provided. As a result, the Department has identified that additional water use reporting is needed for this permit to assure that use levels are maintained consistent with permit requirements and that the amount of mitigation provided is also consistent.

The Final Order identifies that the first of the additional water use reports is due by July 15, 2015, with subsequent reports due by the 15th of each month thereafter.

If you have any questions, please give me a call at (503) 986-0884.

Sincerely,

Laura Wilke
Flow Restoration Program Coordinator
Transfer and Conservation Section

c: Jeremy Giffin, Watermaster District 11
Jim Frost. P.E.,, Parametrix
file G-15789

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Groundwater Permit G-15855, Deschutes County	)	FINAL ORDER REQUIRING ADDITIONAL WATER USE REPORTING AND MITIGATION PRIOR TO INCREASE IN WATER USE

Authority
Oregon Administrative Rule (OAR) Chapter 690, Division 505, requires that ground water permits issued in the Deschutes Ground Water Study Area be conditioned to require installation of a measuring device, monthly recording of water use and annual reporting of water use. By condition in Permit G-15855, the Department may also require more frequent reporting of the water use.

OAR Chapter 690, Division 505, also establishes the authority for municipal and quasi-municipal permit holders to provide mitigation under an incremental development plan. OAR Chapter 690, Division 505, and OAR 690, Division 522, further require that holders of permits with incremental development plans not increase the rate or amount of water used without first proving the required mitigation or offset.

Permittee
Brasada Ranch Development, LLC
PO Box 1215
Redmond, OR 97756

Findings of Fact

1. On February 17, 2005, the Department issued Permit G-15855. This permit authorized the use of up to 3.34 cubic feet per second from six wells for Quasi-Municipal water use. Annual use of water from the wells was limited to no more than 508.0 acre-feet.

2. The Department identified that the use of water under the permit would have a mitigation obligation of 203.2 acre-feet in the General Zone of Impact.

3. The permit was issued consistent with the Deschutes Groundwater Mitigation Program under OAR Chapter 690, Division 505. The permit holder was required to provide mitigation in the General Zone of Impact consistent with an incremental development plan on file with the Department.

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.

4. Permit G-15855 includes the following conditions associated with the incremental development plan:

   A. The permittee shall provide mitigation prior to each stage of development under the permit, as described in the incremental development plan on file with the Department, and in accordance with the standards of the Deschutes Ground Water Mitigation Rules, OAR Chapter 690, Division 505.

   B. The permittee shall not increase the rate or amount of water diverted, as described in the incremental development plan, prior to increasing the corresponding mitigation.

   C. The permittee shall seek and receive Department approval prior to changing the incremental mitigation development plan and related mitigation obligation for each stage of permit development.

5. The incremental development plan must indicate a time schedule for the development of the permit and indicate proposed source of mitigation that will be obtained and used for each stage of development. The permit holder is required to report to the Department the progress of implementing the incremental development plan, including the annual volume of water used, by April 1 of each year. In addition, permit holders may request that the Department approve changes to an incremental development plan and related mitigation obligation. Permit holders may not increase the rate or amount of water diversion before increasing the corresponding required mitigation. OAR 690-505-0625 and OAR 690-522-0040.

6. A revised incremental development plan was received by the Department on June 10, 2010. An acknowledgement of the revised plan was sent from the Department on October 4, 2010. The incremental development plan currently on file with the Department, consistent with the request received in 2010, is as follows:

Step	Date Range	Volume Requested	Mitigation Required
1	2005 through 2014	125.0 acre-feet	50.0 acre-feet
2	2015 through 2019	250.0 acre-feet	100.0 acre-feet
3	2020 through 2024	375.0 acre-feet	150.0 acre-feet
4	2025 through 2029	500.0 acre-feet	200.0 acre-feet
5	2030 on	508.0 acre-feet	203.2 acre-feet

7. When the permit was issued in 2005, the permit holder had obtained 50.0 mitigation credits (1 mitigation credit = 1 acre-foot of mitigation water), which was sufficient to satisfy their mitigation obligation for step 1 of the incremental development plan. The mitigation was based upon 1.8 permanent mitigation credits and 48.2 temporary mitigation credits obtained from the Deschutes River Conservancy (DRC) Mitigation Bank. This amount of mitigation was consistently maintained through 2013.

8. The volume of water used annually, as reported to the Department, was less than 125.0 acre-feet through 2012.

9. In 2013, the permit holder reported water annual water use of 145.2 acre-feet. The amount of mitigation water required to satisfy that level of use was 58.1 acre-feet. However, the permit holder only held 50.0 mitigation credits in 2013.

10. In 2014, the permit holder reported annual water use of 188.4 acre-feet. The amount of mitigation water required for that level of use was 75.4 acre-feet. While the permit holder did increase the amount of mitigation provided, the amount provided, 58.1 mitigation credits, was less than needed to satisfy the mitigation requirement.

11. The Department has contacted the permit holder and the agent for the permit holder, Jim Frost, professional engineer, on multiple dates during 2014 and 2015.

12. Jim Frost, agent for the permit holder, provided a progress report to the Department on June 2, 2015. The permittee anticipates providing 100.0 mitigation credits for 2015. Annual water use for 2015 is projected to be approximately 226.2 acre-feet. This level of use would require 90.5 acre-feet of mitigation water. The permit holder may also obtain an additional 28.7 mitigation credits for 2015.

13. On June 12, 2015, documentary evidence was provided to the Department showing that the permit holder had obtained 50.0 temporary mitigation credits from the DRC Mitigation Bank. This is in addition to 50.0 mitigation credits held consistently by the permit holder since 2005. The permit holder also obtained an additional 28.7 mitigation credits as reserve credits for 2015 only. The permit holder currently holds 128.8 acre-feet of mitigation credits and only needs 100.0 mitigation credits under the current incremental development plan.

14. Permit G-15855 is also conditioned to require the permit holder to keep a complete record of the amount of water used each moth and to submit a report which includes the recorded water use measurement to the Department annually or more frequently as may be required by the Director.

Conclusions of Law

The Department concludes the permit holder did not provide mitigation consistent with OAR 690-505-0620, OAR 690-505-0625, and OAR 690-522-0040 during the 2013 and 2014 calendar years.

Now, therefore it is ORDERED:

1. Water may only be used consistent with the incremental development plan on file with the Department. Mitigation must be provided by the permit holder prior to any increase in the volume of water used. Prior to any change in use, the permit holder must request and the Department may approve changes in the incremental development plan and related mitigation obligation.

2. The permit holder must provide a progress report to the Department by July 15, 2015. The progress report must include the volume of water used under Permit G-15855 from January 1 through June 30, 2015.

3. After July 15, 2015, the permit holder must provide monthly updates to the Department by the 15th of each month. Each update shall include the volume of water used in the preceding calendar month as well as the volume of water used to date in the current calendar year.

Dated at Salem, Oregon this 23 day of June, 2015.

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

Mailing date: JUN 25 2015

WILKE Laura K

From: Niall Boggs <NBoggs@parametrix.com>
Sent: Friday, February 05, 2016 5:19 PM
To: WILKE Laura K
Cc: Mark Gerdes; Jim Frost
Subject: Brasada Ranch - 2016 Use Projection Update, using January data
Attachments: 2016-01 January update Brasada Water Use.xlsx

Laura,
Please see our projected water use reporting for Brasada Ranch which includes January 2016 actual use. At the end of the year 2015, water use was 100.53% of year 2014. To remain conservative, if 2016 cumulative is less than 110% of the average of 2014-2015, the projected monthly production will default to 110%. This will need to be checked throughout the year. Our projections show that we will anticipate being below the purchased credits. Please call or reply with any questions or comments.

Regards,

Parametrix
ENGINEERING . PLANNING . ENVIRONMENTAL SCIENCES

Niall Boggs, PE, CWRE
Project Engineer
595 SW Bluff Dr., Suite B
Bend, OR 97702
541.508.7710 | main
541.550.7694 | desk
541.948.5362 | cell

WILKE Laura K

From: Gen Hubert <gen@deschutesriver.org>
Sent: Wednesday, June 17, 2015 4:47 PM
To: WILKE Laura K
Cc: Jim Frost
Subject: Typo in Brasada Cover letter

Hi Laura,

I had a typo in the table embedded in the Brasada Ranch mitigation cover letter.

The correct number was in the documentary evidence form. In the table (see yellow highlighted cells), I had 28.2 credits, when it was 28.7 as was correctly entered in the documentary evidence form.

Brasada Ranch Development, LLC
Groundwater application G-15789, permit G-15855

	2012	2013	2014	2015
Incremental Plan				
permanent credits	1.8	1.8	1.8	1.8
annually reported temporary credits (bank)	48.2	48.2	48.2	48.2
new credits with documentation				50
Total	50	50	50	100
Additional credits / contingency for shortfall				
additional credits one year purchase			8.1	28.7
Total	50	50	58.1	128.7
credit shortfall (after use is reported end of yr)	0	-8.1	-28.7	?

Please let me know if you have any questions.

Genevieve Hubert
Program Manager
Deschutes River Conservancy
541.382.4077 xt 16
http://www.deschutesriver.org

WILKE Laura K

From: Gen Hubert <gen@deschutesriver.org>
Sent: Friday, June 12, 2015 4:44 PM
To: WILKE Laura K
Cc: Jim Frost; Niall Boggs (NBoggs@parametrix.com); Mark Gerdes
Subject: Brasada Documentary Evidence
Attachments: Brasada_Doc Ev to OWRD 06122015.pdf

Laura,

Attached is a scan of the cover letter and the signed documentary forms for Brasada Ranch, groundwater application G-15789. The original are in the mail to you today.

Please let me know if you have any questions.

Thank you!

Gen

Genevieve Hubert
Program Manager
Deschutes River Conservancy
541.382.4077 xt 16
http://www.deschutesriver.org

DESCHUTES RIVER
CONSERVANCY

June 12, 2015

Oregon Water Resources Dept.
Attn: Laura Wilke
Groundwater Mitigation
725 Summer St. NE, Ste A
Salem, OR 97301-4172

Re: Documentary Evidence, application G-15789

Laura,

Enclosed you will find two documentary evidence forms for groundwater application G-15789. The final order was in the name of Eagle Crest, Inc. The current owner recently submitted the documents and supporting documents for change of assignment to Brasada Ranch Development, LLC.

Brasada Ranch is a resort in the Powell Butte area between Bend and Prineville. They have an incremental development plan and have been providing mitigation under their first increment of development for some time now. The first increment was 50 credits.

As you are aware, development has picked up in central Oregon. As a result, Brasada's water needs are also increasing.

Brasada meets the 50 credit first increment with 1.8 permanent credits and by purchasing 48.2 temporary credits each year, as reported annually by the DRC's groundwater mitigation bank. They purchased an additional 8.1 temporary credits in 2014 as a good faith effort to make up for an increase in water use and a corresponding shortfall in credits in 2013.

Brasada purchased an additional 28.7 temporary credits in 2015 as a good faith effort to make up for an increase in water use and a corresponding shortfall in credits in 2014. I've included a documentary evidence form for this additional 28.7. This is a one-time temporary credit purchase, for this year only.

Brasada's recently revised incremental development plan specifies a second increment of an additional 50 credits. The attached documentary evidence for 50 credits covers this second increment. The DRC's groundwater mitigation bank supplied these 50 credits in addition to the 48.2 credits that Brasada continues to purchase annually to cover their first increment. Brasada's new total for increments 1 and 2 is 100 credits, met by 98.2 temporary credits plus 1.8 permanent credits.

Brasada will be reviewing their growth trend near the end of 2015 to determine if they will need to increase their credit purchase in 2016 beyond the current incremental plan.

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

The following table outlines past, current and future intended purchases. Please apply the documentary evidence as necessary to reflect that the total purchase in 2016 is intended to be 100 credits, unless analysis at the end of 2015 indicates a steeper growth curve than the 100 total credits is meant to include, then the amount may be revised (increased) from the 100.

Brasada Ranch Development, LLC
Groundwater application G-15789, permit G-15855

	2012	2013	2014	2015	2016	
Incremental Plan						
permanent credits	1.8	1.8	1.8	1.8	1.8	
annually reported temporary credits (bank)	48.2	48.2	48.2	48.2	98.2	Intended purchase amount for 2016
new credits with documentation				50		
Total	50	50	50	100	100	
Additional credits / contingency for shortfall						
additional credits one year purchase			8.1	28.2		
Total	50	50	58.1	128.2	100	
credit shortfall (after use is reported end of yr)	0	-8.1	-28.2	?		

Please contact me if you have any questions at all about these documentary evidence forms (541-382-4077 ext. 16).

Best Regards,

Genevieve Hubert
Program Manager
Deschutes River Conservancy Groundwater Mitigation Bank
gen@deschutesriver.org

Electronic Cc: Niall Boggs – Parametrix, nboggs@parametrix.com
Jim Frost – Parametrix, jfrost@parametrix.com
Mark Gerdes – Brasada Ranch Development, LLC, markg@nvoregonresorts.com

Oregon
John A. Kitzhaber, MD, 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

OREGON WATER RESOURCES DEPARTMENT
DESCHUTES BASIN MITIGATION CREDIT
DOCUMENTARY EVIDENCE FORM FOR MITIGATION BANKS

*This form is to be completed by a **Mitigation Bank** when mitigation credits are obtained from a mitigation bank by a ground water application/permit/certificate holder to satisfy a mitigation obligation under the Deschutes Ground Water Mitigation rules.*

Ground Water User Information:

Name: Brasada Ranch Development, LLC
Mailing Address (Street, City, State, Zip): P.O. Box 1215, Redmond, OR 97756
Phone Number (Home and Work): _____ E-Mail (optional): markg@brasada.com
Ground Water Application, Permit, or Certificate #: App G-15789
Mitigation Obligation (amount) (see Notice of Mitigation Obligation or Initial Review for this information): 28.7 (for 2015 only)
Zone of Impact (see Notice of Mitigation Obligation or Initial Review for this information): General Zone

Mitigation Bank Information:

Mitigation Bank Name: Deschutes River Conservancy Groundwater Mitigation Bank
Mailing Address: 700 NW Hill Street, Bend, OR 97701
Phone Number: 541-382-4077 E-Mail (optional): gen@deschutesriver.org

Mitigation Credit Information:

In the following table, identify the mitigation project identification number(s), the number of credits assigned from each mitigation project, the zone of impact in which the credits are to be used (note - many credits may be used within more than one zone of impact) and the type of mitigation project upon which the credits are based (The Mitigation Bank shall notify purchasers of mitigation credits of the category of credits purchased. The Bank shall state if the credits are temporary or whether subject to the continued maintenance of a mitigation project. By Charter agreement, the Mitigation Bank has assumed an obligation to maintain or replace mitigation credits based on non-permanent mitigation projects.). Project Type Codes: Instream Lease = ISL; Time-Limited Instream Transfer = TLT; Allocation of Conserved Water = ACW; Permanent Instream Transfers = PT; Storage Release = SR; Aquifer Recharge = AR; Other = Other (if other, please describe under project type in space provided below)

Mitigation Project ID	# Mitigation Credits Assigned	Zone of Impact	Mitigation Project Type Code (see above)
MP-MP-198	28.7	General Zone	ISL
MP-___	_____	_____	___

Add additional mitigation projects and credits below using above format:

_____

Mitigation Project Operator (if other than original credit holder): _____(for example, name of storage project or aquifer recharge project operator)
Mailing Address: _____
Phone Number: _____

For Stored Water Releases (if applicable):
Name of Reservoir: _____
Reservoir Permit/Certificate: _____ Contract Number(s): _____

The above described mitigation credits have been transferred from DRC Groundwater Mitigation Bank, mitigation credit holder, to Brasada Ranch Dev., LLC, ground water application/permit/certificate holder.

Mitigation Bank Signature — 6/8/15 Date

(BRASADA RANCH) — 6-3-15 Date
Ground Water Application/Permit/Certificate Holder Signature

Oregon
John A. Kitzhaber, MD, 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

OREGON WATER RESOURCES DEPARTMENT
DESCHUTES BASIN MITIGATION CREDIT
DOCUMENTARY EVIDENCE FORM FOR MITIGATION BANKS

*This form is to be completed by a **Mitigation Bank** when mitigation credits are obtained from a mitigation bank by a ground water application/permit/certificate holder to satisfy a mitigation obligation under the Deschutes Ground Water Mitigation rules.*

Ground Water User Information:

Name: Brasada Ranch Development, LLC
Mailing Address (Street, City, State, Zip): P.O. Box 1215, Redmond, OR 97756
Phone Number (Home and Work): _____ E-Mail (optional): markg@brasada.com
Ground Water Application, Permit, or Certificate #: App G-15789
Mitigation Obligation (amount) (see Notice of Mitigation Obligation or Initial Review for this information): 50.0 (2nd increment)
Zone of Impact (see Notice of Mitigation Obligation or Initial Review for this information): General Zone

Mitigation Bank Information:

Mitigation Bank Name: Deschutes River Conservancy Groundwater Mitigation Bank
Mailing Address: 700 NW Hill Street, Bend, OR 97701
Phone Number: 541-382-4077 E-Mail (optional): gen@deschutesriver.org

Mitigation Credit Information:

In the following table, identify the mitigation project identification number(s), the number of credits assigned from each mitigation project, the zone of impact in which the credits are to be used (note - many credits may be used within more than one zone of impact) and the type of mitigation project upon which the credits are based (The Mitigation Bank shall notify purchasers of mitigation credits of the category of credits purchased. The Bank shall state if the credits are temporary or whether subject to the continued maintenance of a mitigation project. By Charter agreement, the Mitigation Bank has assumed an obligation to maintain or replace mitigation credits based on non-permanent mitigation projects.). Project Type Codes: Instream Lease = ISL; Time-Limited Instream Transfer = TLT; Allocation of Conserved Water = ACW; Permanent Instream Transfers = PT; Storage Release = SR; Aquifer Recharge = AR; Other = Other (if other, please describe under project type in space provided below)

Mitigation Project ID	# Mitigation Credits Assigned	Zone of Impact	Mitigation Project Type Code (see above)
MP-MP-177	50.0	General Zone	ISL
MP-___	_____	_____	___

Add additional mitigation projects and credits below using above format:

_____

Mitigation Project Operator (if other than original credit holder): _____(for example, name of storage project or aquifer recharge project operator)
Mailing Address: _____
Phone Number: _____

For Stored Water Releases (if applicable):
Name of Reservoir: _____
Reservoir Permit/Certificate: _____ Contract Number(s): _____

The above described mitigation credits have been transferred from DRC Groundwater Mitigation Bank, mitigation credit holder, to Brasada Ranch Dev., LLC, ground water application/permit/certificate holder.

Genevieve Hubert — 6/8/15
Mitigation Bank Signature — Date

(BRASADA RANCH) — 6/3/15
Ground Water Application/Permit/Certificate Holder Signature — Date

2018

File G-15789

WILKE Laura K * WRD

From: Niall Boggs <NBoggs@parametrix.com>
Sent: Tuesday, May 15, 2018 11:20 AM
To: WILKE Laura K * WRD
Cc: Jim Frost; Mark Gerdes; Brent McLean; Matt Trevenen
Subject: Brasada Ranch - 2018 projected water consumption using April data
Attachments: 2018-04 April update Brasada Water Use.xlsx

Laura-
Please find the attached year 2018 projected water use spreadsheet for Brasada using data through March 2018 actual use. Note the following in relation to our projection:

- Starting in April, we are projecting the remainder of the year using the current cumulative increase over year 2017, with a minimum increase of 10%.
- Total mitigation amount for 2018 is as follows:

Mitigation amount is as follows for 2018:		
	1.8	Credits (permanent)
	48.2	Credits (1st increment Groundwater Mitigation Creits, Temporary)
	50.0	Credits (2nd increment Groundwater Mitigation Creits, Temporary)
	25.00	Credits (3rd increment Groundwater Mitigation Creits, Temporary)
Total=	125.00	Credits

The 2018 projected production using current cumulative increase on 2017 data projects that Brasada will use **87.44MG** in 2018, which is **14.39**MG under the allowable mitigation of 125.0MG.

We will continue to monitor and report water use monthly to ensure the use won't exceed the mitigation amount for this year. We will also adjust our projected increase percentage as the year's use develops in order to provide the a reasonably accurate projection of use.

As always, please feel free to call me to discuss any questions or comments.

Thank you,

Parametrix
ENGINEERING . PLANNING . ENVIRONMENTAL SCIENCES

Niall Boggs, PE, CWRE
Project Engineer
541.508.7710 | main
541.550.7694 | desk
541.948.5362 | cell

BRASADA RANCH

Water Use - Monthly Production

Updated through April 2018

	Montly Production				
	2014 ACT	2015 ACT	2016 ACT	2017 ACT	2018 ACT/PROJ
January	1,511,100	1,088,850	1,249,530	2,744,700	2,126,650
February	1,649,190	788,651	1,524,810	2,056,110	4,601,228
March	1,585,980	1,708,320	1,582,110	3,245,040	2,216,264
April	2,090,400	2,928,540	5,234,738	3,714,360	4,912,955
May	5,818,830	7,638,870	7,178,160	10,113,090	11,916,290
June	8,612,520	7,681,362	10,173,570	9,151,140	10,782,821
July	11,586,300	10,775,430	9,360,750	11,527,552	13,582,955
August	7,926,030	11,209,290	10,697,280	12,581,940	14,825,344
September	8,132,701	8,950,950	7,788,840	9,936,358	11,708,046
October	6,201,060	8,146,170	4,894,697	5,239,443	6,173,654
November	8,049,240	1,795,440	908,080	1,905,320	2,245,045
December	956,327	1,528,950	1,767,360	1,989,096	2,343,759
Total (in Gallons)	**64,119,678**	**64,240,823**	**62,359,925**	**74,204,149**	**87,435,011**
Million Gallons (MG)	64.12	64.24	62.36	74.20	87.44
Ac-Ft	196.79	197.16	191.39	227.74	268.35

Actual Cumulative Production						
2014	2015	2016	2017	Avg 14-17	2018	18 v 17
1,511,100	1,088,850	1,249,530	2,744,700	1,648,545	2,126,650	77.48%
3,160,290	1,877,501	2,774,340	4,800,810	3,153,235	6,727,878	140.14%
4,746,270	3,585,821	4,356,450	8,045,850	5,183,598	8,944,142	111.16%
6,836,670	6,514,361	9,591,188	11,760,210	8,675,607	13,857,097	117.83%
12,655,500	14,153,231	16,769,348	21,873,300	16,362,845		117.83%
21,268,020	21,834,593	26,942,918	31,024,440	25,267,493		117.83%
32,854,320	32,610,023	36,303,668	42,551,992	36,080,001		117.83%
40,780,350	43,819,313	47,000,948	55,133,932	46,683,636		117.83%
48,913,051	52,770,263	54,789,788	65,070,290	55,385,848		117.83%
55,114,111	60,916,433	59,684,485	70,309,733	61,506,190		117.83%
63,163,351	62,711,873	60,592,565	72,215,053	64,670,710		117.83%
64,119,678	64,240,823	62,359,925	74,204,149	66,231,144		117.83%

Proposed Mitigation Credits for 2018

1.8	Credits (permanent)
48.2	Credits (1st increment Groundwater Mitigation Credits, Temporary)
50.0	Credits (2nd increment Groundwater Mitigation Credits, Temporary)
25.00	Credits (3rd increment Groundwater Mitigation Credits, Temporary)
125.00	Credits

The total annual use for 2018 is projected to be below/(above) Brasada's total **125** credits (312.5 ac-ft or 101.83 MG actual use) by: 14.39 MG

We will continue to monitor actual use on a monthly basis per OWRD request, and project annual use to be sure we stay under the mitigation amount.

** Starting April reporting date, for the remainder of 2018, we are using the rolling increase of 2018 over 2017.

App G-15789

BRASADA RANCH

Water Use - Monthly Production

Updated through December 2018

	Monthly Production				
	2014 ACT	2015 ACT	2016 ACT	2017 ACT	2018 ACT~~/PROJ~~
January	1,511,100	1,088,850	1,249,530	2,744,700	2,126,650
February	1,649,190	788,651	1,524,810	2,056,110	4,601,228
March	1,585,980	1,708,320	1,582,110	3,245,040	2,216,264
April	2,090,400	2,928,540	5,234,738	3,714,360	4,912,955
May	5,818,830	7,638,870	7,178,160	10,113,090	9,130,199
June	8,612,520	7,681,362	10,173,570	9,151,140	10,988,811
July	11,586,300	10,775,430	9,360,750	11,527,552	14,668,818
August	7,926,030	11,209,290	10,697,280	12,581,940	13,897,263
September	8,132,701	8,950,950	7,788,840	9,936,358	11,391,585
October	6,201,060	8,146,170	4,894,697	5,239,443	6,446,579
November	8,049,240	1,795,440	908,080	1,905,320	2,359,925
December	956,327	1,528,950	1,767,360	1,989,096	2,359,245
Total (in Gallons)	**64,119,678**	**64,240,823**	**62,359,925**	**74,204,149**	**85,099,522**
Million Gallons (MG)	64.12	64.24	62.36	74.20	85.10
Ac-Ft	196.79	197.16	191.39	227.74	261.18

2014
1,511,100
3,160,290
4,746,270
6,836,670
12,655,500
21,268,020
32,854,320
40,780,350
48,913,051
55,114,111
63,163,351
64,119,678

Proposed Mitigation Credits for 2018

1.8	Credits (permanent)
48.2	Credits (1st increment Groundwater Mitigation Credits, Temporary)
50.0	Credits (2nd increment Groundwater Mitigation Credits, Temporary)
25.00	Credits (3rd increment Groundwater Mitigation Credits, Temporary)
125.00	Credits

The total annual use for 2018 is ~~projected to be~~ below~~/(above)~~ Brasada's total 125 credits (312.5 ac-ft or 101.83 MG actual use) by:

HENDERSON Sarah A * WRD

From: Niall Boggs <NBoggs@parametrix.com>
Sent: Thursday, June 22, 2017 11:12 AM
To: sarah.a.henderson@state.or.us
Cc: WILKE Laura K; Jim Frost
Subject: FW: Brasada Additional Mitigation
Attachments: RE: Brasada Ranch - 2017 projected water consumption using May data

Sarah-
Per Gen Hubert's request below, I have attached an email I sent to Laura Wilke earlier this month regarding Brasada Ranch's intent to purchase additional mitigation credits this year as higher use this year has the potential to put them over the scheduled mitigated amount. We want to ensure that we don't go over this fall. Please call with any questions.

Thank you,

Parametrix
ENGINEERING . PLANNING . ENVIRONMENTAL SCIENCES

Niall Boggs, PE, CWRE
Project Engineer
541.508.7710 | main
541.550.7694 | desk
541.948.5362 | cell

From: Gen Hubert [mailto:gen@deschutesriver.org]
Sent: Tuesday, June 13, 2017 2:01 PM
To: Niall Boggs; Chris Earnest; Jim Frost
Subject: RE: Brasada Additional Mitigation

Niall,

Laura has been out for part of this summer and is not back yet. Please send the same email to Sarah Henderson and Laura Wilke. Sarah is handling the mitigation program while Laura is out. Sarah.A.Henderson@oregon.gov

Gen

From: Niall Boggs [mailto:NBoggs@parametrix.com]
Sent: Tuesday, June 13, 2017 1:51 PM
To: Gen Hubert <gen@deschutesriver.org>; Chris Earnest <ChrisE@nvoregonresorts.com>; Jim Frost <JFrost@parametrix.com>
Subject: RE: Brasada Additional Mitigation

Thanks Gen-
As an FYI, we recently emailed Laura Wilke at OWRD of our intent to purchase an additional 20 or 25 credits for 2017.
-n

HENDERSON Sarah A * WRD

From: Niall Boggs <NBoggs@parametrix.com>
Sent: Friday, June 09, 2017 4:55 PM
To: WILKE Laura K
Cc: Mark Gerdes; Jim Frost
Subject: RE: Brasada Ranch - 2017 projected water consumption using May data
Attachments: 2017-05 May update Brasada Water Use.xlsx

Neglected to attach the spreadsheet. Here you go.
Thanks,
Niall

From: Niall Boggs
Sent: Friday, June 09, 2017 4:54 PM
To: 'WILKE Laura K'
Cc: 'Mark Gerdes'; Jim Frost
Subject: Brasada Ranch - 2017 projected water consumption using May data

Laura-
Please find the attached projected water use spreadsheet for Brasada using data from May 2017 actual use. Through April, we had been using a 15% increase to project use based on historic use data. The monthly use data for 2017 has been consistently higher this year vs. the past three years, and the trend continued in May. Based on the first 5 months of 2017 actual use, the data is showing that anticipated use will be 50% higher than the average of the cumulative past three years. Based on this finding, we are using a projected 50% increase over 2014/2015/2016 average for the remainder of the year.

Based on the outcomes of the projected use, the owner intends to purchase 20 or 25 additional mitigation credits through the DRC to prevent Brasada from exceeding their 2017 mitigation. Using May 2017 data and 50% increase on the 2014-2016 average for the rest of the year, we project that the end of the year use will be **14.10MG** above the mitigated 81.4MG. This equates to 17.3 mitigation credits. We will continue to monitor and report water use monthly, and as stated earlier, the owner is working on obtaining 20-25 additional temporary credits to ensure the use won't exceed the mitigation amount for this year.

As always, please feel free to call me to discuss any questions or comments.

Parametrix
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595 SW Bluff Dr., Suite B
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541.948.5362 | cell

HENDERSON Sarah A * WRD

From: Niall Boggs <NBoggs@parametrix.com>
Sent: Friday, June 09, 2017 4:55 PM
To: WILKE Laura K
Cc: Mark Gerdes; Jim Frost
Subject: RE: Brasada Ranch - 2017 projected water consumption using May data
Attachments: 2017-05 May update Brasada Water Use.xlsx

Neglected to attach the spreadsheet. Here you go.
Thanks,
Niall

From: Niall Boggs
Sent: Friday, June 09, 2017 4:54 PM
To: 'WILKE Laura K'
Cc: 'Mark Gerdes'; Jim Frost
Subject: Brasada Ranch - 2017 projected water consumption using May data

Laura-
Please find the attached projected water use spreadsheet for Brasada using data from May 2017 actual use. Through April, we had been using a 15% increase to project use based on historic use data. The monthly use data for 2017 has been consistently higher this year vs. the past three years, and the trend continued in May. Based on the first 5 months of 2017 actual use, the data is showing that anticipated use will be 50% higher than the average of the cumulative past three years. Based on this finding, we are using a projected 50% increase over 2014/2015/2016 average for the remainder of the year.

Based on the outcomes of the projected use, the owner intends to purchase 20 or 25 additional mitigation credits through the DRC to prevent Brasada from exceeding their 2017 mitigation. Using May 2017 data and 50% increase on the 2014-2016 average for the rest of the year, we project that the end of the year use will be **14.10MG** above the mitigated 81.4MG. This equates to 17.3 mitigation credits. We will continue to monitor and report water use monthly, and as stated earlier, the owner is working on obtaining 20-25 additional temporary credits to ensure the use won't exceed the mitigation amount for this year.

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Brasada Monthly Totals Produced - 2017 Summary

	Montly Production					Acutal Use					
						Cumulative Production					
	2014	2015	2016	2017		2014	2015	2016	Cumulative Average 2014-2016	Cumulative 2017	2017 increase over average of 2014-2016 (Cumulative)
January	1,511,100	1,088,850	1,249,530	2,744,700.00	actual use	1,511,100	1,088,850	1,249,530	1,283,160	2,744,700	213.90%
February	1,649,190	788,651	1,524,810	2,056,110.00		3,160,290	1,877,501	2,774,340	2,604,044	4,800,810	184.36%
March	1,585,980	1,708,320	1,582,110	3,245,040.00		4,746,270	3,585,821	4,356,450	4,229,514	8,045,850	190.23%
April	2,090,400	2,928,540	5,234,738	3,714,360.00		6,836,670	6,514,361	9,591,188	7,647,406	11,760,210	153.78%
May	5,818,830	7,638,870	7,178,160	10,113,090.00		12,655,500	14,153,231	16,769,348	14,526,026	21,873,300	150.58%
June	8,612,520	7,681,362	10,173,570	13,284,902.16	projected (increase 50% over average)	21,268,020	21,834,593	26,942,918	23,348,510		150.00%
July	11,586,300	10,775,430	9,360,750	15,861,240.00		32,854,320	32,610,023	36,303,668	33,922,670		150.00%
August	7,926,030	11,209,290	10,697,280	14,916,300.00		40,780,350	43,819,313	47,000,948	43,866,870		150.00%
September	8,132,701	8,950,950	7,788,840	12,436,245.50		48,913,051	52,770,263	54,789,788	52,157,701		150.00%
October	6,201,060	8,146,170	4,894,697	9,620,963.47		55,114,111	60,916,433	59,684,485	58,571,676		150.00%
November	8,049,240	1,795,440	908,080	5,376,379.88		63,163,351	62,711,873	60,592,565	62,155,930		150.00%
December	956,327	1,528,950	1,767,360	2,126,318.34		64,119,678	64,240,823	62,359,925	63,573,475		

Total (in Gallons) **64,119,677.67** *(Actual)* **64,240,822.83** *(Actual)* **62,359,925.02** *(Actual)* **95,495,649.34** *(Projected)* gallons 293 ac-ft

NOTE: = **projected production**

As of the end of May, total projected use for calendar year **2017** is: 95.50 MG, which equals: 293 ac-ft actual use projected.

Mitigation amount is 100 credits, 250 ac-ft actual use, 81.4 MG.

The total annual use for **2017** is projected to be below our purchased 100 credits (250 ac-ft or 81.4 MG actual use) by: (14.10) MG

We will continue to monitor actual use on a monthly basis per OWRD request, and project annual use to be sure we stay under mitigation amount.

Note 1: We are using **50%** increase to project water use through the end of year.

HENDERSON Sarah A * WRD

From: Niall Boggs <NBoggs@parametrix.com>
Sent: Thursday, June 22, 2017 11:12 AM
To: sarah.a.henderson@state.or.us
Cc: WILKE Laura K; Jim Frost
Subject: FW: Brasada Additional Mitigation
Attachments: RE: Brasada Ranch - 2017 projected water consumption using May data

Sarah-
Per Gen Hubert's request below, I have attached an email I sent to Laura Wilke earlier this month regarding Brasada Ranch's intent to purchase additional mitigation credits this year as higher use this year has the potential to put them over the scheduled mitigated amount. We want to ensure that we don't go over this fall. Please call with any questions.

Thank you,

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From: Gen Hubert [mailto:gen@deschutesriver.org]
Sent: Tuesday, June 13, 2017 2:01 PM
To: Niall Boggs; Chris Earnest; Jim Frost
Subject: RE: Brasada Additional Mitigation

Niall,

Laura has been out for part of this summer and is not back yet. Please send the same email to Sarah Henderson and Laura Wilke. Sarah is handling the mitigation program while Laura is out. Sarah.A.Henderson@oregon.gov

Gen

From: Niall Boggs [mailto:NBoggs@parametrix.com]
Sent: Tuesday, June 13, 2017 1:51 PM
To: Gen Hubert <gen@deschutesriver.org>; Chris Earnest <ChrisE@nvoregonresorts.com>; Jim Frost <JFrost@parametrix.com>
Subject: RE: Brasada Additional Mitigation

Thanks Gen-
As an FYI, we recently emailed Laura Wilke at OWRD of our intent to purchase an additional 20 or 25 credits for 2017.
-n

WILKE Laura K * WRD

From: Niall Boggs <NBoggs@parametrix.com>
Sent: Monday, January 09, 2017 10:04 AM
To: WILKE Laura K
Cc: Mark Gerdes; Jim Frost
Subject: Brasada Ranch - 2016 Total Annual water consumption using Jan-December data
Attachments: 2016-12 December update Brasada Water Use.xlsx

Laura-
Please find the attached water use spreadsheet for Brasada showing total annual use in 2016. Using Jan-December 2016 data the total end of the year use was **62.36MG**, which is **19.04MG** below the mitigated 81.4MG.

As always, please feel free to call me to discuss any questions or comments.

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Need 2017 Planned Use

Appl G-15789
Permit G-15855

2016

JARAMILLO Lisa J * WRD

From: Niall Boggs <NBoggs@parametrix.com>
Sent: Monday, May 08, 2017 2:09 PM
To: WILKE Laura K
Cc: Mark Gerdes; Jim Frost
Subject: Brasada Ranch - 2017 projected water consumption using April data
Attachments: 2017-04 April update Brasada Water Use.xlsx

Laura-
Please find the attached projected water use spreadsheet for Brasada using data from April 2017 actual use. We are using a projected 15% increase over 2014/2015/2016 average for the remainder of the year. We are closely monitoring use and are working with the Owner to determine if these higher uses warrant purchase of additional mitigation credits. Note that the January-March 2017 period had a higher than average use than was observed in 2014-2016. Using March 2017 data and 15% increase on the 2014-2016 average for the rest of the year, we project that the end of the year use will be **5.32MG** below the mitigated 81.4MG. We will continue to monitor and report water use monthly to ensure we won't exceed the mitigated amount.

As always, please feel free to call me to discuss any questions or comments.

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App G-15789

HENDERSON Sarah A * WRD

From: WILKE Laura K * WRD
Sent: Monday, December 04, 2017 12:59 PM
To: HENDERSON Sarah A * WRD
Subject: FW: Brasada Ranch - 2017 projected water consumption using October data
Attachments: 2017-11 November update Brasada Water Use.xlsx

Follow Up Flag: Follow up
Flag Status: Flagged

Here's something to print out for the 2017 Deschutes Mitigation data pile.

Laura Wilke
Flow Restoration Program Coordinator
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1271
Phone: (503) 986-0884
Fax: (503) 986-0903

From: Niall Boggs [mailto:NBoggs@parametrix.com]
Sent: Monday, December 04, 2017 11:57 AM
To: WILKE Laura K
Cc: Mark Gerdes; Jim Frost
Subject: RE: Brasada Ranch - 2017 projected water consumption using October data

Laura-
Please find the attached projected water use spreadsheet for Brasada using data from January through November 2017 actual use. Through April, we had been using a 15% increase to project use based on historic use data. The monthly use data for 2017 has been consistently higher this year vs. the past three years, especially in the first few months of the year. Due to this increased use early on, we projected a 50% increase over the past three year cumulative averages starting in May. Toward the end of summer, uses were closer to past averages. Based on the first 11 months of 2017 actual use, the data is currently showing that anticipated use will be about 16% higher than the average of the cumulative past three years. To remain conservative and consistent with earlier reporting this year, we are using a projected 50% increase over 2014/2015/2016 average for the remainder of the year.

Using November 2017 data and 50% increase on the 2014-2016 average for the rest of the year, our current projection is that the end of the year use will be **7.06MG** *below* the mitigated 81.4MG. We will continue to monitor and report water use monthly to ensure the use won't exceed the mitigation amount for this year.

As always, please feel free to call me to discuss any questions or comments.

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541.948.5362 | cell

JARAMILLO Lisa J * WRD

From: JARAMILLO Lisa J * WRD
Sent: Tuesday, May 02, 2017 11:25 AM
To: JARAMILLO Lisa J * WRD
Subject: FW: Brasada Ranch - 2017 projected water consumption using March data
Attachments: 2017-03 March update Brasada Water Use.xlsx

Lisa J. Jaramillo
Transfer and Conservation Section Manager
Water Right Services Division
Oregon Water Resources Department
Phone: 503-986-0880
Lisa.J.Jaramillo@oregon.gov

From: Niall Boggs [mailto:NBoggs@parametrix.com]
Sent: Monday, April 10, 2017 1:10 PM
To: WILKE Laura K
Cc: Mark Gerdes; Jim Frost
Subject: Brasada Ranch - 2017 projected water consumption using March data

Laura-
Please find the attached projected water use spreadsheet for Brasada using data from March 2017 actual use. We are using a projected 15% increase over 2014/2015/2016 average for the remainder of the year. We are closely monitoring use and are working with the Owner to determine if these higher uses warrant purchase of additional mitigation credits. Note that the January-March 2017 period had a higher than average use than was observed in 2014-2016. Using March 2017 data and 15% increase on the 2014-2016 average for the rest of the year, we project that the end of the year use will be **5.11MG** below the mitigated 81.4MG. We will continue to monitor and report water use monthly to ensure we won't exceed the mitigated amount.

As always, please feel free to call me to discuss any questions or comments.

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541.948.5362 | cell

App G-15789

HENDERSON Sarah A * WRD

From: WILKE Laura K * WRD
Sent: Tuesday, November 07, 2017 9:11 AM
To: HENDERSON Sarah A * WRD
Subject: FW: Brasada Ranch - 2017 projected water consumption using October data
Attachments: 2017-09 October update Brasada Water Use.xlsx

Follow Up Flag: Follow up
Flag Status: Flagged

Sarah – here's the monthly reporting for Brasada Ranch/Eagle Crest.

Laura

Laura Wilke
Flow Restoration Program Coordinator
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1271
Phone: (503) 986-0884
Fax: (503) 986-0903

From: Niall Boggs [mailto:NBoggs@parametrix.com]
Sent: Monday, November 06, 2017 5:06 PM
To: WILKE Laura K
Cc: Mark Gerdes; Jim Frost
Subject: Brasada Ranch - 2017 projected water consumption using October data

Laura-
Please find the attached projected water use spreadsheet for Brasada using data from January through October 2017 actual use. Through April, we had been using a 15% increase to project use based on historic use data. The monthly use data for 2017 has been consistently higher this year vs. the past three years, especially in the first few months of the year. Due to this increased use early on, we projected a 50% increase over the past three year cumulative averages starting in May. Toward the end of summer, uses were closer to past averages. Based on the first 10 months of 2017 actual use, the data is currently showing that anticipated use will be about 20% higher than the average of the cumulative past three years. To remain conservative and consistent with earlier reporting this year, we are using a projected 50% increase over 2014/2015/2016 average for the remainder of the year.

Using October 2017 data and 50% increase on the 2014-2016 average for the rest of the year, our current projection is that the end of the year use will be **3.59MG** *below* the mitigated 81.4MG. We will continue to monitor and report water use monthly to ensure the use won't exceed the mitigation amount for this year.

As always, please feel free to call me to discuss any questions or comments.

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Bend, OR 97702

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541.550.7694 | desk
541.948.5362 | cell

App G-15789

HENDERSON Sarah A * WRD

From: WILKE Laura K * WRD
Sent: Monday, December 04, 2017 1:01 PM
To: HENDERSON Sarah A * WRD
Subject: FW: Brasada Ranch - 2017 projected water consumption using August data
Attachments: 2017-08 August update Brasada Water Use.xlsx

Follow Up Flag: Follow up
Flag Status: Flagged

2017 mitigation data pile

Laura Wilke
Flow Restoration Program Coordinator
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1271
Phone: (503) 986-0884
Fax: (503) 986-0903

From: Niall Boggs [mailto:NBoggs@parametrix.com]
Sent: Wednesday, September 06, 2017 11:49 AM
To: WILKE Laura K
Cc: Mark Gerdes; Jim Frost
Subject: Brasada Ranch - 2017 projected water consumption using August data

Laura-
Please find the attached projected water use spreadsheet for Brasada using data from January through August 2017 actual use. Through April, we had been using a 15% increase to project use based on historic use data. The monthly use data for 2017 has been consistently higher this year vs. the past three years, and the trend continued in August. Based on the first 8 months of 2017 actual use, the data is currently showing that anticipated use will be about 30% higher than the average of the cumulative past three years. To remain conservative, we are using a projected 50% increase over 2014/2015/2016 average for the remainder of the year.

Based on the outcomes of the projected use, the owner is working on the purchase of additional mitigation credits through the DRC to prevent Brasada from exceeding their 2017 mitigation. Using August 2017 data and 50% increase on the 2014-2016 average for the rest of the year, our current projection is that the end of the year use will be **3.29MG** above the mitigated 81.4MG. We will continue to monitor and report water use monthly to ensure the use won't exceed the mitigation amount for this year.

As always, please feel free to call me to discuss any questions or comments.

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App G-15789

HENDERSON Sarah A * WRD

From: WILKE Laura K * WRD
Sent: Monday, December 04, 2017 2:02 PM
To: HENDERSON Sarah A * WRD
Subject: FW: Brasada Ranch - 2017 projected water consumption using May data
Attachments: 2017-05 May update Brasada Water Use.xlsx

Follow Up Flag: Follow up
Flag Status: Flagged

2017 mitigation data pile

Laura Wilke
Flow Restoration Program Coordinator
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1271
Phone: (503) 986-0884
Fax: (503) 986-0903

From: Niall Boggs [mailto:NBoggs@parametrix.com]
Sent: Friday, June 09, 2017 4:55 PM
To: WILKE Laura K
Cc: Mark Gerdes; Jim Frost
Subject: RE: Brasada Ranch - 2017 projected water consumption using May data

Neglected to attach the spreadsheet. Here you go.
Thanks,
Niall

From: Niall Boggs
Sent: Friday, June 09, 2017 4:54 PM
To: 'WILKE Laura K'
Cc: 'Mark Gerdes'; Jim Frost
Subject: Brasada Ranch - 2017 projected water consumption using May data

Laura-
Please find the attached projected water use spreadsheet for Brasada using data from May 2017 actual use. Through April, we had been using a 15% increase to project use based on historic use data. The monthly use data for 2017 has been consistently higher this year vs. the past three years, and the trend continued in May. Based on the first 5 months of 2017 actual use, the data is showing that anticipated use will be 50% higher than the average of the cumulative past three years. Based on this finding, we are using a projected 50% increase over 2014/2015/2016 average for the remainder of the year.

Based on the outcomes of the projected use, the owner intends to purchase 20 or 25 additional mitigation credits through the DRC to prevent Brasada from exceeding their 2017 mitigation. Using May 2017 data and 50% increase on the 2014-2016 average for the rest of the year, we project that the end of the year use will be **14.10MG** above the mitigated 81.4MG. This equates to 17.3 mitigation credits. We will continue to monitor and report water use monthly, and as stated earlier, the owner is working on obtaining 20-25 additional temporary credits to ensure the use won't exceed the mitigation amount for this year.

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App G-15789

HENDERSON Sarah A * WRD

From: WILKE Laura K * WRD
Sent: Monday, December 04, 2017 1:01 PM
To: HENDERSON Sarah A * WRD
Subject: FW: Brasada Ranch - 2017 projected water consumption using June data
Attachments: 2017-07 July update Brasada Water Use.xlsx

Follow Up Flag: Follow up
Flag Status: Flagged

2017 mitigation data pile

Laura Wilke
Flow Restoration Program Coordinator
Oregon Water Resources Department
725 Summer Street NE, Suite A
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Phone: (503) 986-0884
Fax: (503) 986-0903

From: Niall Boggs [mailto:NBoggs@parametrix.com]
Sent: Friday, August 04, 2017 10:33 AM
To: WILKE Laura K
Cc: Mark Gerdes; Jim Frost
Subject: RE: Brasada Ranch - 2017 projected water consumption using June data

Laura-
Please find the attached projected water use spreadsheet for Brasada using data from January through July 2017 actual use. Through April, we had been using a 15% increase to project use based on historic use data. The monthly use data for 2017 has been consistently higher this year vs. the past three years, and the trend continued in July. Based on the first 7 months of 2017 actual use, the data is currently showing that anticipated use will be about 30% higher than the average of the cumulative past three years. To remain conservative, we are using a projected 50% increase over 2014/2015/2016 average for the remainder of the year.

Based on the outcomes of the projected use, the owner is working on the purchase of additional mitigation credits through the DRC to prevent Brasada from exceeding their 2017 mitigation. Using July 2017 data and 50% increase on the 2014-2016 average for the rest of the year, our current projection is that the end of the year use will be **5.63MG** above the mitigated 81.4MG. This equates to 6.9 mitigation credits. We will continue to monitor and report water use monthly to ensure the use won't exceed the mitigation amount for this year.

As always, please feel free to call me to discuss any questions or comments.

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App G-15789

HENDERSON Sarah A * WRD

From: WILKE Laura K * WRD
Sent: Monday, December 04, 2017 1:01 PM
To: HENDERSON Sarah A * WRD
Subject: FW: Brasada Ranch - 2017 projected water consumption using June data
Attachments: 2017-06 June update Brasada Water Use.xlsx

Follow Up Flag: Follow up
Flag Status: Flagged

2017 mitigation data pile

Laura Wilke
Flow Restoration Program Coordinator
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Phone: (503) 986-0884
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From: Niall Boggs [mailto:NBoggs@parametrix.com]
Sent: Monday, July 10, 2017 5:15 PM
To: WILKE Laura K
Cc: Mark Gerdes; Jim Frost
Subject: Brasada Ranch - 2017 projected water consumption using June data

Laura-
Please find the attached projected water use spreadsheet for Brasada using data from June 2017 actual use. Through April, we had been using a 15% increase to project use based on historic use data. The monthly use data for 2017 has been consistently higher this year vs. the past three years, and the trend continued in June. Based on the first 6 months of 2017 actual use, the data is showing that anticipated use will be about 50% higher than the average of the cumulative past three years. Based on this finding, we are using a projected 50% increase over 2014/2015/2016 average for the remainder of the year.

Based on the outcomes of the projected use, the owner has purchase 25 additional mitigation credits through the DRC to prevent Brasada from exceeding their 2017 mitigation. Using June 2017 data and 50% increase on the 2014-2016 average for the rest of the year, we project that the end of the year use will be **9.96MG** above the mitigated 81.4MG. This equates to 12.2 mitigation credits. We will continue to monitor and report water use monthly, and as stated earlier, the owner is has obtained 25 additional temporary credits for 2017 to ensure the use won't exceed the mitigation amount for this year.

As always, please feel free to call me to discuss any questions or comments.

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App G-15789

HENDERSON Sarah A * WRD

From: WILKE Laura K * WRD
Sent: Monday, December 04, 2017 2:03 PM
To: HENDERSON Sarah A * WRD
Subject: FW: Brasada Ranch - 2017 projected water consumption using April data
Attachments: 2017-04 April update Brasada Water Use.xlsx

Follow Up Flag: Follow up
Flag Status: Flagged

2017 mitigation data pile

Laura Wilke
Flow Restoration Program Coordinator
Oregon Water Resources Department
725 Summer Street NE, Suite A
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Phone: (503) 986-0884
Fax: (503) 986-0903

From: Niall Boggs [mailto:NBoggs@parametrix.com]
Sent: Monday, May 08, 2017 2:09 PM
To: WILKE Laura K
Cc: Mark Gerdes; Jim Frost
Subject: Brasada Ranch - 2017 projected water consumption using April data

Laura-
Please find the attached projected water use spreadsheet for Brasada using data from April 2017 actual use. We are using a projected 15% increase over 2014/2015/2016 average for the remainder of the year. We are closely monitoring use and are working with the Owner to determine if these higher uses warrant purchase of additional mitigation credits. Note that the January-March 2017 period had a higher than average use than was observed in 2014-2016. Using March 2017 data and 15% increase on the 2014-2016 average for the rest of the year, we project that the end of the year use will be **5.32MG** below the mitigated 81.4MG. We will continue to monitor and report water use monthly to ensure we won't exceed the mitigated amount.

As always, please feel free to call me to discuss any questions or comments.

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541.948.5362 | cell

App 6-15789

HENDERSON Sarah A * WRD

From: WILKE Laura K * WRD
Sent: Monday, December 04, 2017 2:03 PM
To: HENDERSON Sarah A * WRD
Subject: FW: Brasada Ranch - 2017 projected water consumption using March data
Attachments: 2017-03 March update Brasada Water Use.xlsx

Follow Up Flag: Follow up
Flag Status: Flagged

2017 mitigation data pile

Laura Wilke
Flow Restoration Program Coordinator
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1271
Phone: (503) 986-0884
Fax: (503) 986-0903

From: Niall Boggs [mailto:NBoggs@parametrix.com]
Sent: Monday, April 10, 2017 1:10 PM
To: WILKE Laura K
Cc: Mark Gerdes; Jim Frost
Subject: Brasada Ranch - 2017 projected water consumption using March data

Laura-
Please find the attached projected water use spreadsheet for Brasada using data from March 2017 actual use. We are using a projected 15% increase over 2014/2015/2016 average for the remainder of the year. We are closely monitoring use and are working with the Owner to determine if these higher uses warrant purchase of additional mitigation credits. Note that the January-March 2017 period had a higher than average use than was observed in 2014-2016. Using March 2017 data and 15% increase on the 2014-2016 average for the rest of the year, we project that the end of the year use will be **5.11MG** below the mitigated 81.4MG. We will continue to monitor and report water use monthly to ensure we won't exceed the mitigated amount.

As always, please feel free to call me to discuss any questions or comments.

Parametrix
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Niall Boggs, PE, CWRE
Project Engineer
595 SW Bluff Dr., Suite B
Bend, OR 97702
541.508.7710 | main
541.550.7694 | desk
541.948.5362 | cell

App G-15789

HENDERSON Sarah A * WRD

From: WILKE Laura K * WRD
Sent: Monday, December 04, 2017 2:04 PM
To: HENDERSON Sarah A * WRD
Subject: FW: Brasada Ranch - 2017 projected water consumption using February data
Attachments: 2017-02 February update Brasada Water Use.xlsx

Follow Up Flag: Follow up
Flag Status: Flagged

2017 mitigation data pile

Laura Wilke
Flow Restoration Program Coordinator
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1271
Phone: (503) 986-0884
Fax: (503) 986-0903

From: Niall Boggs [mailto:NBoggs@parametrix.com]
Sent: Monday, March 06, 2017 2:04 PM
To: WILKE Laura K
Cc: Mark Gerdes; Jim Frost
Subject: Brasada Ranch - 2017 projected water consumption using February data

Laura-
Please find the attached projected water use spreadsheet for Brasada using data from January 2017 actual use. We are using a projected 15% increase over 2014/2015/2016 average for the remainder of the year, unless we determine that observed water use patterns warrant a different figure. Note that January and February 2017 were higher than normal use than was observed in 2014-2016, but older water use record show several other instances where similar high early season use occurred. Using February 2017 data and 15% increase on the 2014-2016 average for the rest of the year, we project that the end of the year use will be **6.48MG** below the mitigated 81.4MG. We will continue to monitor and report water use monthly to ensure we won't exceed the mitigated amount.

As always, please feel free to call me to discuss any questions or comments.

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Project Engineer
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Bend, OR 97702
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bile

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MAY 09 2016
OWRD

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

Request for Assignment

If for multiple rights, a separate form and fee for each right will be required.

I, Brasada Ranch Development, LLC, a Delaware limited liability company
(Name of Applicant / Permit / Transfer Holder / License Holder/GR Certificate of Registration)

c/o Oaktree Capital Management, 333 South Grand Avenue, 28th Floor, Los Angeles, CA 90071
(Mailing Address) *(City)* *(State)* *(Zip)* *(Phone #)*

☒ hereby assign *all my interest* in and to application/permit/transfer/license/GR Certificate of Registration;

☐ hereby assign *all my interest* in and to a portion of application/permit/transfer/license/GR Certificate of Registration; *(You must include a map showing the portion of the application/permit/transfer/license/GR Certificate of Registration to be assigned.)*

☐ hereby assign *a portion of my interest* in and to the *entire* application/permit/transfer/license/GR Certificate of Registration:

Application # G-15789 ; Permit # G-15855 ; Transfer # _____
-OR-
License # _____ ; GR Statement # _____ ; GR Certificate of Registration # _____

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

FNF NV Brasada, LLC
(Name of New Owner)

c/o Fidelity National Financial, 1701 Village Center Drive, Las Vegas, NV 89134
(Mailing Address) *(City)* *(State)* *(Zip)* *(Phone #)*

Note: If there are other owners of the property described in the Application, Permit, Transfer, License, or GR Certificate of 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, Transfer, License, or GR Certificate of Registration of this Request for Assignment

Witness my hand this 29th day of January, 2016.

Applicant/Permit Holder SEE ATTACHED SIGNATURE PAGE

Applicant/Permit Holder SEE ATTACHED SIGNATURE PAGE

ASSIGN JS 5/10/2016

DO NOT WRITE IN THIS BOX

This certifies assignment and record change at Oregon Water Resources Department effective 8:00 a.m. on date of receipt at Salem, Oregon.
Fee receipt # 119752
For Director by Jerry Sauter, Program Analyst in Water Rights Division

The completed "Request for Assignment" form *must* be submitted to the Department along with the recording fee of **$85**.

file

Oregon
Kate Brown, Governor

Water Resources Department
North Mall Office Building
725 Summer St NE, Suite A
Salem, OR 97301
Phone (503) 986-0900
Fax (503) 986-0904
www.wrd.state.or.us

May 10, 2016

Radler White Parks & Alexander
Attn: Steven P. Hultberg
P.O. Box 2007
Bend, Oregon 97709

Reference: Application G-15789, Permit G-15855

The assignment from Brasada Ranch Development, LLC to FNF NV Brasada, LLChas been recorded in the records of the Water Resources Department.

The Departments records will now show FNF NV Brasada, LLC as the permit holder of record.

Our records have been changed accordingly and the original request is enclosed. Receipt number 119732 covering the recording fee is also enclosed.

A permit is not a perfected water right, and has conditions and timelines that must be satisfied prior to a Certificate of Water Right being issued. Please review the permit to be familiar with the conditions and timelines contained in the permit.

Please note that this permit requires complete application of water to the proposed use by October 1, 2059, and within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

Sincerely,

Jerry Sauter
Water Rights Program Analyst
Water Right Services Division

Enclosure: Receipt 119732

cc: Watermaster 11
FNF NV Brasada, LLC
Brasada Ranch Development, LLC
Data Center, OWRD (cover letter & request)
Hydrographics
File

RECEIVED
MAY 09 2016
OWRD

BRASADA RANCH DEVELOPMENT, LLC,
a Delaware limited liability company

By: Oregon Resorts, LLC,
a Delaware limited liability company

By: Oregon Resorts Acquisition Partners, LP,
a Delaware limited partnership

By: Oregon Resorts Acquisition GP, LLC
a Delaware limited liability company

By: _____
Name: Jason Keller
Title: Authorized Signatory

By: _____
Name: Taejo Kim
Title: Authorized Signatory

RECEIVED
MAY 09 2016
OWRD

WATER RIGHTS ASSIGNMENT

THIS WATER RIGHTS ASSIGNMENT (this "Assignment") is effective as of the January 29, 2016 by BRASADA RANCH DEVELOPMENT, LLC ("Assignor") in favor of FNF NV BRASADA, LLC ("Assignee"). This Assignment is made pursuant to that certain Purchase and Sale Agreement by and among Assignor and Assignee, dated as of January 18, 2016 (the "Purchase Agreement").

For good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Assignor hereby assigns to Assignee, all of Assignor's interest, if any, in and to the water rights set forth on Exhibit A attached hereto, together with any other water rights, applications, mitigation credits, interests or shares to water that may exist and which are owned by Assignor or are otherwise appurtenant to the Land as that term is used in the Purchase Agreement. This Assignment may be delivered by facsimile, PDF or other means of electronic transmission and shall be deemed an original for all purposes.

Dated as of the date first set forth above.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

RECEIVED
MAY 09 2016
OWRD

Assignor:

BRASADA RANCH DEVELOPMENT, LLC,
a Delaware limited liability company

By: Oregon Resorts, LLC,
a Delaware limited liability company

By: Oregon Resorts Acquisition Partners, LP,
a Delaware limited partnership

By: Oregon Resorts Acquisition GP, LLC
a Delaware limited liability company

By: _____
Name: Jason Keller
Title: Authorized Signatory

By: _____
Name: Taejo Kim
Title: Authorized Signatory

RECEIVED
MAY 09 2016
OWRD

EXHIBIT A

Water Right Permit: G-15855
Water Rights Application: G-15789

RADLER WHITE PARKS & ALEXANDER LLP
ATTORNEYS AT LAW
PO BOX 2007 BEND, OREGON 97709 P 541 585 3697 F 541 585 3698

Steven P. Hultberg
shultberg@radlerwhite.com
541-585-3697

May 6, 2016

RECEIVED
MAY 09 2016
OWRD

VIA FED EX

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

RE: Water Rights Assignment

Dear Sir or Madam:

Enclosed is a Request for Assignment together with a recording fee of $85. Please send a receipt for the enclosed to my attention.

Very truly yours,

Steven P. Hultberg

Encl.

WILKE Laura K

From: Niall Boggs <NBoggs@parametrix.com>
Sent: Thursday, August 04, 2016 4:30 PM
To: WILKE Laura K
Cc: Mark Gerdes; Jim Frost
Subject: Brasada Ranch - 2016 projected water consumption using Jan-July data
Attachments: 2016-07 July update Brasada Water Use.xlsx

Laura-
Please find the attached projected water use spreadsheet for Brasada using data from January through July 2016 actual use. As noted in last month's report, we are using a 15% increase over 2014/2015 average for the remainder of the year. July use was lower than in the last two years and decreased the current "increase over average 2014/2015" down to 11%. In spite of the lowered projection, we are going to continue to use the 15% to remain conservative. Using Jan-July 2016 data and 15% increase for the rest of the year, we project that the end of the year use will be **8.93MG** below the mitigated 81.4MG. We will closely monitor the use and if there is an indicator that we will exceed our currently mitigated amount, we will purchase additional credits prior to October.

As always, please feel free to call me to discuss any questions or comments.

Parametrix
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Project Engineer
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541.550.7694 | desk
541.948.5362 | cell

From: Niall Boggs
Sent: Thursday, July 14, 2016 1:17 PM
To: 'WILKE Laura K'
Cc: 'Mark Gerdes'; Jim Frost
Subject:

Laura-
Please find the attached projected water use spreadsheet for Brasada using data from January through June 2016 actual use. You will note that we are using a 15% increase over 2014/2015 average for the remainder of the year even though the current month's increase factor is higher. Based on discussions with resort operators, April and June had significant outlier events that affected the use greatly for those two months (there was repair to one of the lakes, and early required irrigation). We expect the remainder of the months to be more in line with 2014/2015 use which should drop the projected use down close to a 15% increase over the previous two years. Using the 15% projected increase over the past year(s) shows that end of year use will be **4.31MG** below the mitigated 81.4MG. **We will closely monitor the use and if there is an indicator that we will exceed our currently mitigated amount, we will purchase additional credits prior to October.**

Also, please note that if we use a more conservative 25% increase for the remainder of the year that we will still be below the allotted 81.4MG.

Please call with any questions.

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Brasada Monthly Totals Produced - 2016 Summary

	Montly Production			Cumulative Production				
	2014	**2015**	**2016**	2014	2015	Cumulative Average 2014-2015[1]	Cumulative 2016	2016 increase over average of 2014 & 2015 (Cumulative)
January	1,511,100.00	1,088,850.00	1,249,530.00	1,511,100	1,088,850	1,299,975	1,249,530	96.12%
February	1,649,190.00	788,651.25	1,524,810.00	3,160,290	1,877,501	2,518,896	2,774,340	110.14%
March	1,585,980.00	1,708,319.58	1,582,110.00	4,746,270	3,585,821	4,166,045	4,356,450	104.57%
April	2,090,400.00	2,928,540.00	5,234,738.33	6,836,670	6,514,361	6,675,515	9,591,188	143.68%
May	5,818,830.00	7,638,870.00	7,178,160.00	12,655,500	14,153,231	13,404,365	16,769,348	125.10%
June	8,612,520.00	7,681,362.00	10,173,570.00	21,268,020	21,834,593	21,551,306	26,942,918	125.02%
July	11,586,300.00	10,775,430.00	9,360,750.00	32,854,320	32,610,023	32,732,171	36,303,668	110.91%
August	7,926,030.00	11,209,290.00	11,002,809.00	40,780,350	43,819,313	42,299,831		115%
September	8,132,701.00	8,950,950.00	9,823,099.33	48,913,051	52,770,263	50,841,657		115%
October	6,201,060.00	8,146,170.00	8,249,657.25	55,114,111	60,916,433	58,015,272		115%
November	8,049,240.00	1,795,440.00	5,660,691.00	63,163,351	62,711,873	62,937,612		115%
December	956,326.67	1,528,950.00	1,429,034.09	64,119,678	64,240,823	64,180,250		

Total (in Gallons) **64,119,677.67** *(Actual)* **64,240,822.83** *(Actual)* **72,468,958.99** *(Projected)* gallons= 222 ac-ft

NOTE: **= projected production**

As of the end of **June**, total projected use for calendar year **2016** was: 72.47 MG, which equals: 222 ac-ft actual use projected.

Mitigation amount is 100 credits, 250 ac-ft actual use, 81.4 MG.

The total annual use for **2016** is projected to be below our purchased 100 credits (250 ac-ft or 81.4 MG actual use) by: 8.93 MG

We will continue to monitor actual use on a monthly basis per OWRD request, and project annual use to be sure we stay under mitigation amount

Note 1: We are using 15% increase to project the end of year which assumes repair of lake and early irrigation not typical events.

WILKE Laura K

From: Niall Boggs <NBoggs@parametrix.com>
Sent: Thursday, July 14, 2016 1:17 PM
To: WILKE Laura K
Cc: Mark Gerdes; Jim Frost
Attachments: 2016-06 June update Brasada Water Use.xlsx

Laura-
Please find the attached projected water use spreadsheet for Brasada using data from January through June 2016 actual use. You will note that we are using a 15% increase over 2014/2015 average for the remainder of the year even though the current month's increase factor is higher. Based on discussions with resort operators, April and June had significant outlier events that affected the use greatly for those two months (there was repair to one of the lakes, and early required irrigation). We expect the remainder of the months to be more in line with 2014/2015 use which should drop the projected use down close to a 15% increase over the previous two years. Using the 15% projected increase over the past year(s) shows that end of year use will be **4.31MG** below the mitigated 81.4MG. **We will closely monitor the use and if there is an indicator that we will exceed our currently mitigated amount, we will purchase additional credits prior to October.**

Also, please note that if we use a more conservative 25% increase for the remainder of the year that we will still be below the allotted 81.4MG.

Please call with any questions.

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541.948.5362 | cell

Brasada Monthly Totals Produced - 2016 Summary

	Montly Production		
	2014	**2015**	**2016**
January	1,511,100.00	1,088,850.00	1,249,530.00
February	1,649,190.00	788,651.25	1,524,810.00
March	1,585,980.00	1,708,319.58	1,582,110.00
April	2,090,400.00	2,928,540.00	5,234,738.33
May	5,818,830.00	7,638,870.00	7,178,160.00
June	8,612,520.00	7,681,362.00	10,173,570.00
July	11,586,300.00	10,775,430.00	13,978,045.08
August	7,926,030.00	11,209,290.00	11,002,809.00
September	8,132,701.00	8,950,950.00	9,823,099.33
October	6,201,060.00	8,146,170.00	8,249,657.25
November	8,049,240.00	1,795,440.00	5,660,691.00
December	956,326.67	1,528,950.00	1,429,034.09

Cumulative Production

2014	2015	Cumulative Average 2014-2015[1]	Cumulative 2016	2016 increase over average of 2014 & 2015 (Cumulative)
1,511,100	1,088,850	1,299,975	1,249,530	96.12%
3,160,290	1,877,501	2,518,896	2,774,340	110.14%
4,746,270	3,585,821	4,166,045	4,356,450	104.57%
6,836,670	6,514,361	6,675,515	9,591,188	143.68%
12,655,500	14,153,231	13,404,365	16,769,348	125.10%
21,268,020	21,834,593	21,551,306	26,942,918	125.02%
32,854,320	32,610,023	32,732,171		115%
40,780,350	43,819,313	42,299,831		115%
48,913,051	52,770,263	50,841,657		115%
55,114,111	60,916,433	58,015,272		115%
63,163,351	62,711,873	62,937,612		115%
64,119,678	64,240,823	64,180,250		115%

Total (in Gallons) **64,119,677.67** *(Actual)* **64,240,822.83** *(Actual)* **77,086,254.07** *(Projected)* gallons= 237 ac-ft

NOTE: **= projected production**

As of the end of June, total projected use for calendar year 2016 was: 77.09 MG, which equals: 237 ac-ft actual use projected.

Mitigation amount is 100 credits, 250 ac-ft actual use, 81.4 MG.

The total annual use for 2016 is projected to be below our purchased 100 credits (250 ac-ft or 81.4 MG actual use) by: 4.31 MG

We will continue to monitor actual use on a monthly basis per OWRD request, and project annual use to be sure we stay under mitigation amount

Note 1: We are using 15% increase to project the end of year which assumes repair of lake and early irrigation not typical events.

WILKE Laura K

From: Niall Boggs <NBoggs@parametrix.com>
Sent: Thursday, July 14, 2016 1:17 PM
To: WILKE Laura K
Cc: Mark Gerdes; Jim Frost
Attachments: 2016-06 June update Brasada Water Use.xlsx

Laura-
Please find the attached projected water use spreadsheet for Brasada using data from January through June 2016 actual use. You will note that we are using a 15% increase over 2014/2015 average for the remainder of the year even though the current month's increase factor is higher. Based on discussions with resort operators, April and June had significant outlier events that affected the use greatly for those two months (there was repair to one of the lakes, and early required irrigation). We expect the remainder of the months to be more in line with 2014/2015 use which should drop the projected use down close to a 15% increase over the previous two years. Using the 15% projected increase over the past year(s) shows that end of year use will be **4.31MG** below the mitigated 81.4MG. **We will closely monitor the use and if there is an indicator that we will exceed our currently mitigated amount, we will purchase additional credits prior to October.**

Also, please note that if we use a more conservative 25% increase for the remainder of the year that we will still be below the allotted 81.4MG.

Please call with any questions.

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541.550.7694 | desk
541.948.5362 | cell

Brasada Monthly Totals Produced - 2016 Summary

	Montly Production			Cumulative Production				
	2014	**2015**	**2016**	2014	2015	Cumulative Average 2014-2015[1.]	Cumulative 2016	2016 increase over average of 2014 & 2015 (Cumulative)
January	1,511,100.00	1,088,850.00	1,249,530.00	1,511,100	1,088,850	1,299,975	1,249,530	96.12%
February	1,649,190.00	788,651.25	1,524,810.00	3,160,290	1,877,501	2,518,896	2,774,340	110.14%
March	1,585,980.00	1,708,319.58	1,582,110.00	4,746,270	3,585,821	4,166,045	4,356,450	104.57%
April	2,090,400.00	2,928,540.00	5,234,738.33	6,836,670	6,514,361	6,675,515	9,591,188	143.68%
May	5,818,830.00	7,638,870.00	7,178,160.00	12,655,500	14,153,231	13,404,365	16,769,348	125.10%
June	8,612,520.00	7,681,362.00	10,173,570.00	21,268,020	21,834,593	21,551,306	26,942,918	125.02%
July	11,586,300.00	10,775,430.00	13,978,045.08	32,854,320	32,610,023	32,732,171		115%
August	7,926,030.00	11,209,290.00	11,002,809.00	40,780,350	43,819,313	42,299,831		115%
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December	956,326.67	1,528,950.00	1,429,034.09	64,119,678	64,240,823	64,180,250		

Total (in Gallons) **64,119,677.67** *(Actual)* **64,240,822.83** *(Actual)* **77,086,254.07** *(Projected)* gallons= 237 ac-ft

NOTE: **= projected production**

As of the end of June, total projected use for calendar year 2016 was: 77.09 MG, which equals: 237 ac-ft actual use projected.

Mitigation amount is 100 credits, 250 ac-ft actual use, 81.4 MG.

The total annual use for 2016 is projected to be below our purchased 100 credits (250 ac-ft or 81.4 MG actual use) by: 4.31 MG

We will continue to monitor actual use on a monthly basis per OWRD request, and project annual use to be sure we stay under mitigation amount

Note 1: We are using 15% increase to project the end of year which assumes repair of lake and early irrigation not typical events.

WILKE Laura K

From: Niall Boggs <NBoggs@parametrix.com>
Sent: Monday, June 13, 2016 11:03 AM
To: WILKE Laura K
Cc: Mark Gerdes; Jim Frost
Subject: Brasada Water Use 2016 Water Use Reporting and Projection - May data
Attachments: 2016-05 May update Brasada Water Use.xlsx

Laura,
Please see our projected water use reporting for Brasada Ranch which includes May 2016 actual use. At the end of the year 2015, water use was 100.53% of year 2014. To remain conservative, if 2016 cumulative is less than 110% of the average of 2014-2015, the projected monthly production will default to 110%. This will need to be checked throughout the year, and may be modified. **Our analysis show that we project being below the purchased credits by 7.55 MG using the current year to date data.** Please call or reply with any questions or comments.

Regards,

Parametrix
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Niall Boggs, PE, CWRE
Project Engineer
595 SW Bluff Dr., Suite B
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541.948.5362 | cell

WILKE Laura K

From: Niall Boggs <NBoggs@parametrix.com>
Sent: Monday, June 13, 2016 11:03 AM
To: WILKE Laura K
Cc: Mark Gerdes; Jim Frost
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Laura,
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Regards,

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Niall Boggs, PE, CWRE
Project Engineer
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To: WILKE Laura K
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Subject: Brasada Water Use 2016 Water Use Reporting and Projection - May data
Attachments: 2016-05 May update Brasada Water Use.xlsx

Laura,
Please see our projected water use reporting for Brasada Ranch which includes May 2016 actual use. At the end of the year 2015, water use was 100.53% of year 2014. To remain conservative, if 2016 cumulative is less than 110% of the average of 2014-2015, the projected monthly production will default to 110%. This will need to be checked throughout the year, and may be modified. **Our analysis show that we project being below the purchased credits by 7.55 MG using the current year to date data.** Please call or reply with any questions or comments.

Regards,

Parametrix
ENGINEERING . PLANNING . ENVIRONMENTAL SCIENCES

Niall Boggs, PE, CWRE
Project Engineer
595 SW Bluff Dr., Suite B
Bend, OR 97702
541.508.7710 | main
541.550.7694 | desk
541.948.5362 | cell

Brasada Monthly Totals Produced - 2016 Summary

	Montly Production		
	2014	**2015**	**2016**
January	1,511,100.00	1,088,850.00	1,249,530.00
February	1,649,190.00	788,651.25	1,524,810.00
March	1,585,980.00	1,708,319.58	1,582,110.00
April	2,090,400.00	2,928,540.00	5,234,738.33
May	5,818,830.00	7,638,870.00	7,178,160.00
June	8,612,520.00	7,681,362.00	10,192,119.30
July	11,586,300.00	10,775,430.00	12,298,951.50
August	7,926,030.00	11,209,290.00	10,524,426.00
September	8,132,701.00	8,950,950.00	9,396,008.05
October	6,201,060.00	8,146,170.00	7,890,976.50
November	8,049,240.00	1,795,440.00	5,414,574.00
December	956,326.67	1,528,950.00	1,366,902.17
Total (in Gallons)	**64,119,677.67** *(Actual)*	**64,240,822.83** *(Actual)*	**73,853,305.85** *(Projected)* gallons=

227 ac-ft

Cumulative Production

2014	2015	Cumulative Average 2014-2015[1]	Cumulative 2016	2016 increase over average of 2014 & 2015 (Cumulative)
1,511,100	1,088,850	1,299,975	1,249,530	96.12%
3,160,290	1,877,501	2,518,896	2,774,340	110.14%
4,746,270	3,585,821	4,166,045	4,356,450	104.57%
6,836,670	6,514,361	6,675,515	9,591,188	143.68%
12,655,500	14,153,231	13,404,365	16,769,348	125.10%
21,268,020	21,834,593	21,551,306		
32,854,320	32,610,023	32,732,171		
40,780,350	43,819,313	42,299,831		
48,913,051	52,770,263	50,841,657		
55,114,111	60,916,433	58,015,272		
63,163,351	62,711,873	62,937,612		
64,119,678	64,240,823	64,180,250		

NOTE: = **projected production**

As of the end of May, total projected use for calendar year 2016 was: 73.85 MG, which equals: 227 ac-ft actual use projected.

Mitigation amount (excluding 28.7 credit contingency) is 100 credits, 250 ac-ft actual use, 81.4 MG.

The total annual use for 2015 was below our purchased 100 credits (250 ac-ft or 81.4 MG actual use) by: 7.55 MG

We will continue to monitor actual use on a monthly basis per OWRD request, and project annual use to be sure we stay under mitigation amount

Note 1: At the end of the year 2015, water use was 100.53% of year 2014. To remain conservative, if 2016 cumulative average is less than average of 2014-2015, the projected monthly production will default to 110% (which represents a 10% increase over 2014-2015). If the 2016 cumulative is greater than the average of 2014-2015, then we will us the cumulative 2016 data to project use.

Brasada Monthly Totals Produced - 2016 Summary

	Montly Production		
	2014	**2015**	**2016**
January	1,511,100.00	1,088,850.00	1,249,530.00
February	1,649,190.00	788,651.25	1,524,810.00
March	1,585,980.00	1,708,319.58	1,582,110.00
April	2,090,400.00	2,928,540.00	5,234,738.33
May	5,818,830.00	7,638,870.00	7,178,160.00
June	8,612,520.00	7,681,362.00	10,192,119.30
July	11,586,300.00	10,775,430.00	12,298,951.50
August	7,926,030.00	11,209,290.00	10,524,426.00
September	8,132,701.00	8,950,950.00	9,396,008.05
October	6,201,060.00	8,146,170.00	7,890,976.50
November	8,049,240.00	1,795,440.00	5,414,574.00
December	956,326.67	1,528,950.00	1,366,902.17
Total (in Gallons)	**64,119,677.67** *(Actual)*	**64,240,822.83** *(Actual)*	**73,853,305.85** *(Projected)* gallons=

227 ac-ft

Cumulative Production

2014	2015	Cumulative Average 2014-2015[1]	Cumulative 2016	2016 increase over average of 2014 & 2015 (Cumulative)
1,511,100	1,088,850	1,299,975	1,249,530	96.12%
3,160,290	1,877,501	2,518,896	2,774,340	110.14%
4,746,270	3,585,821	4,166,045	4,356,450	104.57%
6,836,670	6,514,361	6,675,515	9,591,188	143.68%
12,655,500	14,153,231	13,404,365	16,769,348	125.10%
21,268,020	21,834,593	21,551,306		
32,854,320	32,610,023	32,732,171		
40,780,350	43,819,313	42,299,831		
48,913,051	52,770,263	50,841,657		
55,114,111	60,916,433	58,015,272		
63,163,351	62,711,873	62,937,612		
64,119,678	64,240,823	64,180,250		

NOTE: **= projected production**

As of the end of May, total projected use for calendar year 2016 was: 73.85 MG, which equals: 227 ac-ft actual use projected.

Mitigation amount (excluding 28.7 credit contingency) is 100 credits, 250 ac-ft actual use, 81.4 MG.

The total annual use for 2015 was below our purchased 100 credits (250 ac-ft or 81.4 MG actual use) by: 7.55 MG

We will continue to monitor actual use on a monthly basis per OWRD request, and project annual use to be sure we stay under mitigation amount

Note 1: At the end of the year 2015, water use was 100.53% of year 2014. To remain conservative, if 2016 cumulative average is less than average of 2014-2015, the projected monthly production will default to 110% (which represents a 10% increase over 2014-2015). If the 2016 cumulative is greater than the average of 2014-2015, then we will us the cumulative 2016 data to project use.

Brasada Monthly Totals Produced - 2016 Summary

	Montly Production			Cumulative Production				
	2014	2015	2016	2014	2015	Cumulative Average 2014-2015[1]	Cumulative 2016	2016 increase over average of 2014 & 2015 (Cumulative)
January	1,511,100.00	1,088,850.00	1,249,530.00	1,511,100	1,088,850	1,299,975	1,249,530	96.12%
February	1,649,190.00	788,651.25	1,524,810.00	3,160,290	1,877,501	2,518,896	2,774,340	110.14%
March	1,585,980.00	1,708,319.58	1,582,110.00	4,746,270	3,585,821	4,166,045	4,356,450	104.57%
April	2,090,400.00	2,928,540.00	5,234,738.33	6,836,670	6,514,361	6,675,515	9,591,188	143.68%
May	5,818,830.00	7,638,870.00	7,178,160.00	12,655,500	14,153,231	13,404,365	16,769,348	125.10%
June	8,612,520.00	7,681,362.00	10,192,119.30	21,268,020	21,834,593	21,551,306		
July	11,586,300.00	10,775,430.00	12,298,951.50	32,854,320	32,610,023	32,732,171		
August	7,926,030.00	11,209,290.00	10,524,426.00	40,780,350	43,819,313	42,299,831		
September	8,132,701.00	8,950,950.00	9,396,008.05	48,913,051	52,770,263	50,841,657		
October	6,201,060.00	8,146,170.00	7,890,976.50	55,114,111	60,916,433	58,015,272		
November	8,049,240.00	1,795,440.00	5,414,574.00	63,163,351	62,711,873	62,937,612		
December	956,326.67	1,528,950.00	1,366,902.17	64,119,678	64,240,823	64,180,250		
Total (in Gallons)	**64,119,677.67** *(Actual)*	**64,240,822.83** *(Actual)*	**73,853,305.85** *(Projected)*	gallons=	227	ac-ft		

NOTE: = projected production

As of the end of May, total projected use for calendar year 2016 was: 73.85 MG, which equals: 227 ac-ft actual use projected.

Mitigation amount (excluding 28.7 credit contingency) is 100 credits, 250 ac-ft actual use, 81.4 MG.

The total annual use for 2015 was below our purchased 100 credits (250 ac-ft or 81.4 MG actual use) by: 7.55 MG

We will continue to monitor actual use on a monthly basis per OWRD request, and project annual use to be sure we stay under mitigation amount

Note 1: At the end of the year 2015, water use was 100.53% of year 2014. To remain conservative, if 2016 cumulative average is less than average of 2014-2015, the projected monthly production will default to 110% (which represents a 10% increase over 2014-2015). If the 2016 cumulative is greater than the average of 2014-2015, then we will us the cumulative 2016 data to project use.

WILKE Laura K

From: Niall Boggs <NBoggs@parametrix.com>
Sent: Thursday, May 12, 2016 4:28 PM
To: WILKE Laura K
Cc: Mark Gerdes; Jim Frost
Subject: Brasada Water Use 2016 Water Use Reporting and Projection - April data
Attachments: 2016-04 April update Brasada Water Use.xlsx

Laura,
Please see our projected water use reporting for Brasada Ranch which includes April 2016 actual use. At the end of the year 2015, water use was 100.53% of year 2014. To remain conservative, if 2016 cumulative is less than 110% of the average of 2014-2015, the projected monthly production will default to 110%. This will need to be checked throughout the year, and may be modified. **Our analysis show that we project being below the purchased credits by 6.29MG.** Please call or reply with any questions or comments.

Regards,

Parametrix
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Brasada Monthly Totals Produced - 2016 Summary

	Montly Production			Cumulative Production				
	2014	**2015**	**2016**	2014	2015	Cumulative Average 2014-2015[1.]	Cumulative 2016	2016 increase over average of 2014 & 2015 (Cumulative)
January	1,511,100.00	1,088,850.00	1,249,530.00	1,511,100	1,088,850	1,299,975	1,249,530	96.12%
February	1,649,190.00	788,651.25	1,524,810.00	3,160,290	1,877,501	2,518,896	2,774,340	110.14%
March	1,585,980.00	1,708,319.58	1,582,110.00	4,746,270	3,585,821	4,166,045	4,356,450	104.57%
April	2,090,400.00	2,928,540.00	5,234,738.33	6,836,670	6,514,361	6,675,515	9,591,188	143.68%
May	5,818,830.00	7,638,870.00	9,667,817.93	12,655,500	14,153,231	13,404,365		
June	8,612,520.00	7,681,362.00	8,961,635.10	21,268,020	21,834,593	21,551,306		
July	11,586,300.00	10,775,430.00	12,298,951.50	32,854,320	32,610,023	32,732,171		
August	7,926,030.00	11,209,290.00	10,524,426.00	40,780,350	43,819,313	42,299,831		
September	8,132,701.00	8,950,950.00	9,396,008.05	48,913,051	52,770,263	50,841,657		
October	6,201,060.00	8,146,170.00	7,890,976.50	55,114,111	60,916,433	58,015,272		
November	8,049,240.00	1,795,440.00	5,414,574.00	63,163,351	62,711,873	62,937,612		
December	956,326.67	1,528,950.00	1,366,902.17	64,119,678	64,240,823	64,180,250		
Total (in Gallons)	**64,119,677.67** *(Actual)*	**64,240,822.83** *(Actual)*	**75,112,479.57** *(Projected)*	gallons=	231	ac-ft		

NOTE: = **projected production**

As of the end of April, total projected use for calendar year 2016 was: 75.11 MG, which equals: 231 ac-ft actual use projected.

Mitigation amount (excluding 28.7 credit contingency) is 100 credits, 250 ac-ft actual use, 81.4 MG.

The total annual use for 2015 was below our purchased 100 credits (250 ac-ft or 81.4 MG actual use) by: 6.29 MG

We will continue to monitor actual use on a monthly basis per OWRD request, and project annual use to be sure we stay under mitigation amount

Note 1: At the end of the year 2015, water use was 100.53% of year 2014. To remain conservative, if 2016 cumulative average is less than average of 2014-2015, the projected monthly production will default to 110% (which represents a 10% increase over 2014-2015)

Brasada Monthly Totals Produced - 2016 Summary

	Montly Production			Cumulative Production				
	2014	**2015**	**2016**	2014	2015	Cumulative Average 2014-2015[1.]	Cumulative 2016	2016 increase over average of 2014 & 2015 (Cumulative)
January	1,511,100.00	1,088,850.00	1,249,530.00	1,511,100	1,088,850	1,299,975	1,249,530	96.12%
February	1,649,190.00	788,651.25	1,524,810.00	3,160,290	1,877,501	2,518,896	2,774,340	110.14%
March	1,585,980.00	1,708,319.58	1,582,110.00	4,746,270	3,585,821	4,166,045	4,356,450	104.57%
April	2,090,400.00	2,928,540.00	5,234,738.33	6,836,670	6,514,361	6,675,515	9,591,188	143.68%
May	5,818,830.00	7,638,870.00	9,667,817.93	12,655,500	14,153,231	13,404,365		
June	8,612,520.00	7,681,362.00	8,961,635.10	21,268,020	21,834,593	21,551,306		
July	11,586,300.00	10,775,430.00	12,298,951.50	32,854,320	32,610,023	32,732,171		
August	7,926,030.00	11,209,290.00	10,524,426.00	40,780,350	43,819,313	42,299,831		
September	8,132,701.00	8,950,950.00	9,396,008.05	48,913,051	52,770,263	50,841,657		
October	6,201,060.00	8,146,170.00	7,890,976.50	55,114,111	60,916,433	58,015,272		
November	8,049,240.00	1,795,440.00	5,414,574.00	63,163,351	62,711,873	62,937,612		
December	956,326.67	1,528,950.00	1,366,902.17	64,119,678	64,240,823	64,180,250		

Total (in Gallons) **64,119,677.67** *(Actual)* **64,240,822.83** *(Actual)* **75,112,479.57** *(Projected)* gallons= 231 ac-ft

NOTE: **= projected production**

As of the end of April, total projected use for calendar year 2016 was: 75.11 MG, which equals: 231 ac-ft actual use projected.

Mitigation amount (excluding 28.7 credit contingency) is 100 credits, 250 ac-ft actual use, 81.4 MG.

The total annual use for 2015 was below our purchased 100 credits (250 ac-ft or 81.4 MG actual use) by: 6.29 MG

We will continue to monitor actual use on a monthly basis per OWRD request, and project annual use to be sure we stay under mitigation amount

Note 1: At the end of the year 2015, water use was 100.53% of year 2014. To remain conservative, if 2016 cumulative average is less than average of 2014-2015, the projected monthly production will default to 110% (which represents a 10% increase over 2014-2015)

WILKE Laura K

From: Niall Boggs <NBoggs@parametrix.com>
Sent: Wednesday, April 06, 2016 5:03 PM
To: WILKE Laura K
Cc: Mark Gerdes; Jim Frost
Subject: Brasada Ranch - 2016 Use Projection Update, using March data
Attachments: 2016-03 March update Brasada Water Use.xlsx

Laura,
Please see our projected water use reporting for Brasada Ranch which includes March 2016 actual use. **Our analysis show that we project being below the purchased credits by 11.03MG.**

Basis of projection: At the end of the year 2015, water use was 100.53% (basically equal) of year 2014. To remain conservative, we are assuming 10% increase in water in 2016. If 2016 cumulative is less than 110% of the average of 2014-2015, the projected monthly production will default to 110%. This will need to be checked throughout the year, and may be modified .

Please call or reply with any questions or comments.

Regards,

Parametrix
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Brasada Monthly Totals Produced - January 2016 Summary

	Montly Production		
	2014	**2015**	**2016**
January	1,511,100.00	1,088,850.00	1,249,530.00
February	1,649,190.00	788,651.25	1,524,810.00
March	1,585,980.00	1,708,319.58	1,582,110.00
April	2,090,400.00	2,928,540.00	2,760,417.00
May	5,818,830.00	7,638,870.00	7,401,735.00
June	8,612,520.00	7,681,362.00	8,961,635.10
July	11,586,300.00	10,775,430.00	12,298,951.50
August	7,926,030.00	11,209,290.00	10,524,426.00
September	8,132,701.00	8,950,950.00	9,396,008.05
October	6,201,060.00	8,146,170.00	7,890,976.50
November	8,049,240.00	1,795,440.00	5,414,574.00
December	956,326.67	1,528,950.00	1,366,902.17

Cumulative Production

2014	2015	Cumulative Average 2014-2015[1.]	2016	2016 increase over average of 2014 & 2015 (Cumulative)
1,511,100	1,088,850	1,299,975	1,249,530	96.12%
3,160,290	1,877,501	2,518,896	2,774,340	110.14%
4,746,270	3,585,821	4,166,045	4,356,450	104.57%
6,836,670	6,514,361	6,675,515		
12,655,500	14,153,231	13,404,365		
21,268,020	21,834,593	21,551,306		
32,854,320	32,610,023	32,732,171		
40,780,350	43,819,313	42,299,831		
48,913,051	52,770,263	50,841,657		
55,114,111	60,916,433	58,015,272		
63,163,351	62,711,873	62,937,612		
64,119,678	64,240,823	64,180,250		

Total (in Gallons) **64,119,677.67** *(Actual)* **64,240,822.83** *(Actual)* **70,372,075.32** *(Projected)* gallons= 216 ac-ft

NOTE: **= projected production**

As of the end of March, total projected use for calendar year 2016 was: 70.37 MG, which equals: 216 ac-ft actual use projected.

Mitigation amount (excluding 28.7 credit contingency) is 100 credits, 250 ac-ft actual use, 81.4 MG.

The total annual use for 2015 was below our purchased 100 credits (250 ac-ft or 81.4 MG actual use) by: 11.03 MG

We will continue to monitor actual use on a monthly basis per OWRD request, and project annual use to be sure we stay under mitigation amount

Note 1: At the end of the year 2015, water use was 100.53% of year 2014. To remain conservative, if 2016 cumulative average is less than average of 2014-2015, the projected monthly production will default to 110% (which represents a 10% increase over 2014-2015)

WILKE Laura K

From: Niall Boggs <NBoggs@parametrix.com>
Sent: Wednesday, March 09, 2016 2:03 PM
To: WILKE Laura K
Cc: Mark Gerdes; Jim Frost
Subject: Brasada Ranch - 2016 Use Projection Update, using February data
Attachments: 2016-02 February update Brasada Water Use.xlsx

Laura,
Please see our projected water use reporting for Brasada Ranch which includes February 2016 actual use. At the end of the year 2015, water use was 100.53% of year 2014. To remain conservative, if 2016 cumulative is less than 110% of the average of 2014-2015, the projected monthly production will default to 110%. This will need to be checked throughout the year, and may be modified . **Our analysis show that we project being below the purchased credits by 10.80MG.** Please call or reply with any questions or comments.

Regards,

Parametrix
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Brasada Monthly Totals Produced - January 2016 Summary

	Monthly Production		
	2014	**2015**	**2016**
January	1,511,100.00	1,088,850.00	1,249,530.00
February	1,649,190.00	788,651.25	1,524,810.00
March	1,585,980.00	1,708,319.58	1,814,189.32
April	2,090,400.00	2,928,540.00	2,760,417.00
May	5,818,830.00	7,638,870.00	7,401,735.00
June	8,612,520.00	7,681,362.00	8,961,635.10
July	11,586,300.00	10,775,430.00	12,298,951.50
August	7,926,030.00	11,209,290.00	10,524,426.00
September	8,132,701.00	8,950,950.00	9,396,008.05
October	6,201,060.00	8,146,170.00	7,890,976.50
November	8,049,240.00	1,795,440.00	5,414,574.00
December	956,326.67	1,528,950.00	1,366,902.17

2014	2015	Cumulative Average 2014-2015[1.]	2016	2016 increase over average of 2014 & 2015 (Cumulative)
1,511,100	1,088,850	1,299,975	1,249,530	96.12%
3,160,290	1,877,501	2,518,896	2,774,340	110.14%
4,746,270	3,585,821	4,166,045		
6,836,670	6,514,361	6,675,515		
12,655,500	14,153,231	13,404,365		
21,268,020	21,834,593	21,551,306		
32,854,320	32,610,023	32,732,171		
40,780,350	43,819,313	42,299,831		
48,913,051	52,770,263	50,841,657		
55,114,111	60,916,433	58,015,272		
63,163,351	62,711,873	62,937,612		
64,119,678	64,240,823	64,180,250		

Total (in Gallons) **64,119,677.67** *(Actual)* **64,240,822.83** *(Actual)* **70,604,154.64** *(Projected)* gallons= 217 ac-ft

NOTE: **= projected production**

As of the end of February, total use for calendar year 2016 was: 70.60 MG, which equals: 217 ac-ft actual use projected.

Mitigation amount (excluding 28.7 credit contingency) is 100 credits, 250 ac-ft actual use, 81.4 MG.

The total annual use for 2015 was below our purchased 100 credits (250 ac-ft or 81.4 MG actual use) by: 10.80 MG

We will continue to monitor actual use on a monthly basis per OWRD request, and project annual use to be sure we stay under mitigation amount.

Note 1: At the end of the year 2015, water use was 100.53% of year 2014. To remain conservative, if 2016 cumulative average is less than average of 2014-2015, the projected monthly production will default to 110% (which represents a 10% increase over 2014-2015)

WILKE Laura K

From: Niall Boggs <NBoggs@parametrix.com>
Sent: Monday, November 07, 2016 10:01 AM
To: WILKE Laura K
Cc: Mark Gerdes; Jim Frost
Subject: Brasada Ranch - 2016 projected water consumption using Jan-October data
Attachments: 2016-10 October update Brasada Water Use.xlsx

Laura-
Please find the attached projected water use spreadsheet for Brasada using data from January through October 2016 actual use. As noted previously, we are using a 15% increase over 2014/2015 average for the remainder of the year. October use was lower than the last two years and the current cumulative "increase over average 2014/2015" is actually at about 3%. In spite of 3% actual cumulative increase, we are going to continue to use the 15% to remain conservative. Using Jan-September 2016 data and 15% increase for the rest of the year, we project that the end of the year use will be **14.63MG** below the mitigated 81.4MG. We will closely monitor the use to ensure that we won't exceed our mitigated amount.

As always, please feel free to call me to discuss any questions or comments.

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Niall Boggs, PE, CWRE
Project Engineer
595 SW Bluff Dr., Suite B
Bend, OR 97702
541.508.7710 | main
541.550.7694 | desk
541.948.5362 | cell

From: Niall Boggs
Sent: Thursday, July 14, 2016 1:17 PM
To: 'WILKE Laura K'
Cc: 'Mark Gerdes'; Jim Frost
Subject:

Laura-
Please find the attached projected water use spreadsheet for Brasada using data from January through June 2016 actual use. You will note that we are using a 15% increase over 2014/2015 average for the remainder of the year even though the current month's increase factor is higher. Based on discussions with resort operators, April and June had significant outlier events that affected the use greatly for those two months (there was repair to one of the lakes, and early required irrigation). We expect the remainder of the months to be more in line with 2014/2015 use which should drop the projected use down close to a 15% increase over the previous two years. Using the 15% projected increase over the past year(s) shows that end of year use will be **4.31MG** below the mitigated 81.4MG. **We will closely monitor the use and if there is an indicator that we will exceed our currently mitigated amount, we will purchase additional credits prior to October.**

Also, please note that if we use a more conservative 25% increase for the remainder of the year that we will still be below the allotted 81.4MG.

Please call with any questions.

Parametrix
ENGINEERING . PLANNING . ENVIRONMENTAL SCIENCES

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Brasada Monthly Totals Produced - 2016 Summary

	Monthly Production		
	2014	**2015**	**2016**
January	1,511,100.00	1,088,850.00	1,249,530.00
February	1,649,190.00	788,651.25	1,524,810.00
March	1,585,980.00	1,708,319.58	1,582,110.00
April	2,090,400.00	2,928,540.00	5,234,738.33
May	5,818,830.00	7,638,870.00	7,178,160.00
June	8,612,520.00	7,681,362.00	10,173,570.00
July	11,586,300.00	10,775,430.00	9,360,750.00
August	7,926,030.00	11,209,290.00	10,697,280.00
September	8,132,701.00	8,950,950.00	7,788,840.00
October	6,201,060.00	8,146,170.00	4,894,696.93
November	8,049,240.00	1,795,440.00	5,660,691.00
December	956,326.67	1,528,950.00	1,429,034.09

Cumulative Production				
2014	2015	Cumulative Average 2014-2015[1.]	Cumulative 2016	2016 increase over average of 2014 & 2015 (Cumulative)
1,511,100	1,088,850	1,299,975	1,249,530	96.12%
3,160,290	1,877,501	2,518,896	2,774,340	110.14%
4,746,270	3,585,821	4,166,045	4,356,450	104.57%
6,836,670	6,514,361	6,675,515	9,591,188	143.68%
12,655,500	14,153,231	13,404,365	16,769,348	125.10%
21,268,020	21,834,593	21,551,306	26,942,918	125.02%
32,854,320	32,610,023	32,732,171	36,303,668	110.91%
40,780,350	43,819,313	42,299,831	47,000,948	111.11%
48,913,051	52,770,263	50,841,657	54,789,788	107.77%
55,114,111	60,916,433	58,015,272	59,684,485	102.88%
63,163,351	62,711,873	62,937,612		115%
64,119,678	64,240,823	64,180,250		

Total (in Gallons) **64,119,677.67** *(Actual)* **64,240,822.83** *(Actual)* **66,774,210.35** *(Projected)* gallons = 205 ac-ft

NOTE: **= projected production**

As of the end of October, total projected use for calendar year 2016 was: 66.77 MG, which equals: 205 ac-ft actual use projected.

Mitigation amount is 100 credits, 250 ac-ft actual use, 81.4 MG.

The total annual use for 2016 is projected to be below our purchased 100 credits (250 ac-ft or 81.4 MG actual use) by: 14.63 MG

We will continue to monitor actual use on a monthly basis per OWRD request, and project annual use to be sure we stay under mitigation amount.

Note 1: We are using 15% increase to project the end of year which assumes repair of lake and early irrigation not typical events.

WILKE Laura K

From: Niall Boggs <NBoggs@parametrix.com>
Sent: Tuesday, October 11, 2016 9:20 AM
To: WILKE Laura K
Cc: Mark Gerdes; Jim Frost
Subject: Brasada Ranch - 2016 projected water consumption using Jan-September data
Attachments: 2016-09 September update Brasada Water Use.xlsx

Laura-
Please find the attached projected water use spreadsheet for Brasada using data from January through September 2016 actual use. As noted previously, we are using a 15% increase over 2014/2015 average for the remainder of the year. September use was lower than the last two years and the current cumulative "increase over average 2014/2015" is actually at about 8%. In spite of 8% actual cumulative increase, we are going to continue to use the 15% to remain conservative. Using Jan-September 2016 data and 15% increase for the rest of the year, we project that the end of the year use will be **11.27MG** below the mitigated 81.4MG. We will closely monitor the use to ensure that we won't exceed our mitigated amount.

As always, please feel free to call me to discuss any questions or comments.

Parametrix
ENGINEERING . PLANNING . ENVIRONMENTAL SCIENCES

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541.948.5362 | cell

From: Niall Boggs
Sent: Thursday, July 14, 2016 1:17 PM
To: 'WILKE Laura K'
Cc: 'Mark Gerdes'; Jim Frost
Subject:

Laura-
Please find the attached projected water use spreadsheet for Brasada using data from January through June 2016 actual use. You will note that we are using a 15% increase over 2014/2015 average for the remainder of the year even though the current month's increase factor is higher. Based on discussions with resort operators, April and June had significant outlier events that affected the use greatly for those two months (there was repair to one of the lakes, and early required irrigation). We expect the remainder of the months to be more in line with 2014/2015 use which should drop the projected use down close to a 15% increase over the previous two years. Using the 15% projected increase over the past year(s) shows that end of year use will be **4.31MG** below the mitigated 81.4MG. **We will closely monitor the use and if there is an indicator that we will exceed our currently mitigated amount, we will purchase additional credits prior to October.**

Also, please note that if we use a more conservative 25% increase for the remainder of the year that we will still be below the allotted 81.4MG.

Please call with any questions.

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541.948.5362 | cell

WILKE Laura K * WRD

From: Niall Boggs <NBoggs@parametrix.com>
Sent: Friday, December 02, 2016 12:17 PM
To: WILKE Laura K
Cc: Mark Gerdes; Jim Frost
Subject: Brasada Ranch - 2016 projected water consumption using Jan-November data
Attachments: 2016-11 November update Brasada Water Use.xlsx

Laura-
Please find the attached projected water use spreadsheet for Brasada using data from January through November 2016 actual use. As noted previously, we are using a 15% increase over 2014/2015 average for the remainder of the year. November use was lower than the last two years and the current cumulative is actually below 2015/2015 average by about 4%. In spite of 4% actual cumulative decrease, we are going to continue to use the 15% to project December to remain conservative. Using Jan-November 2016 data and 15% increase for the rest of the year, we project that the end of the year use will be **19.38MG** below the mitigated 81.4MG. We will report a year end summary for 2016 in January.

As always, please feel free to call me to discuss any questions or comments.

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Bend, OR 97702
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541.948.5362 | cell

From: Niall Boggs
Sent: Thursday, July 14, 2016 1:17 PM
To: 'WILKE Laura K'
Cc: 'Mark Gerdes'; Jim Frost
Subject:

Laura-
Please find the attached projected water use spreadsheet for Brasada using data from January through June 2016 actual use. You will note that we are using a 15% increase over 2014/2015 average for the remainder of the year even though the current month's increase factor is higher. Based on discussions with resort operators, April and June had significant outlier events that affected the use greatly for those two months (there was repair to one of the lakes, and early required irrigation). We expect the remainder of the months to be more in line with 2014/2015 use which should drop the projected use down close to a 15% increase over the previous two years. Using the 15% projected increase over the past year(s) shows that end of year use will be **4.31MG** below the mitigated 81.4MG. **We will closely monitor the use and if there is an indicator that we will exceed our currently mitigated amount, we will purchase additional credits prior to October.**

Also, please note that if we use a more conservative 25% increase for the remainder of the year that we will still be below the allotted 81.4MG.

Please call with any questions.

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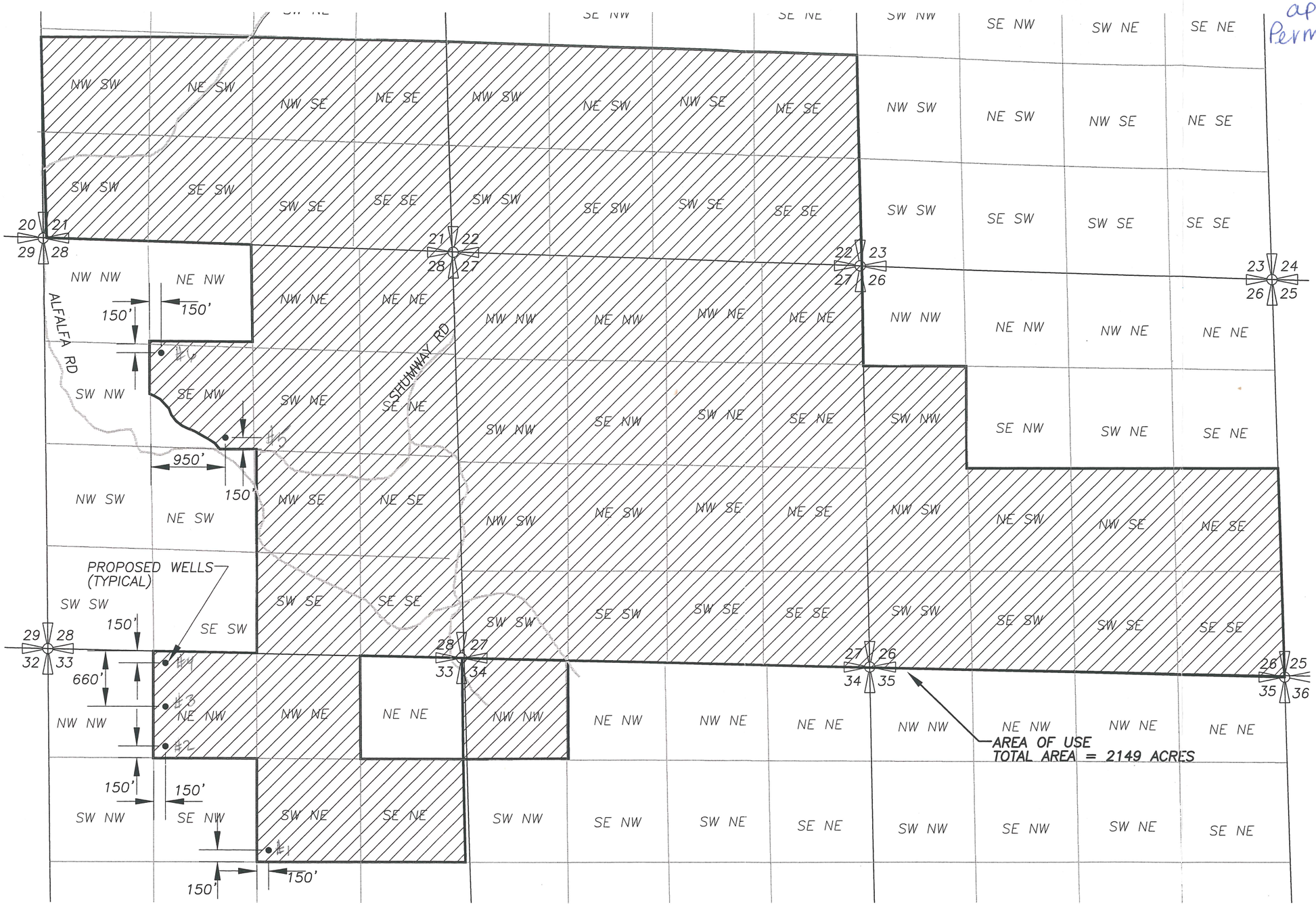
app # G-15789
Permit # G15855



RECEIVED
JUL 01 2002
WATER RESOURCES DEPT.
SALEM, OREGON

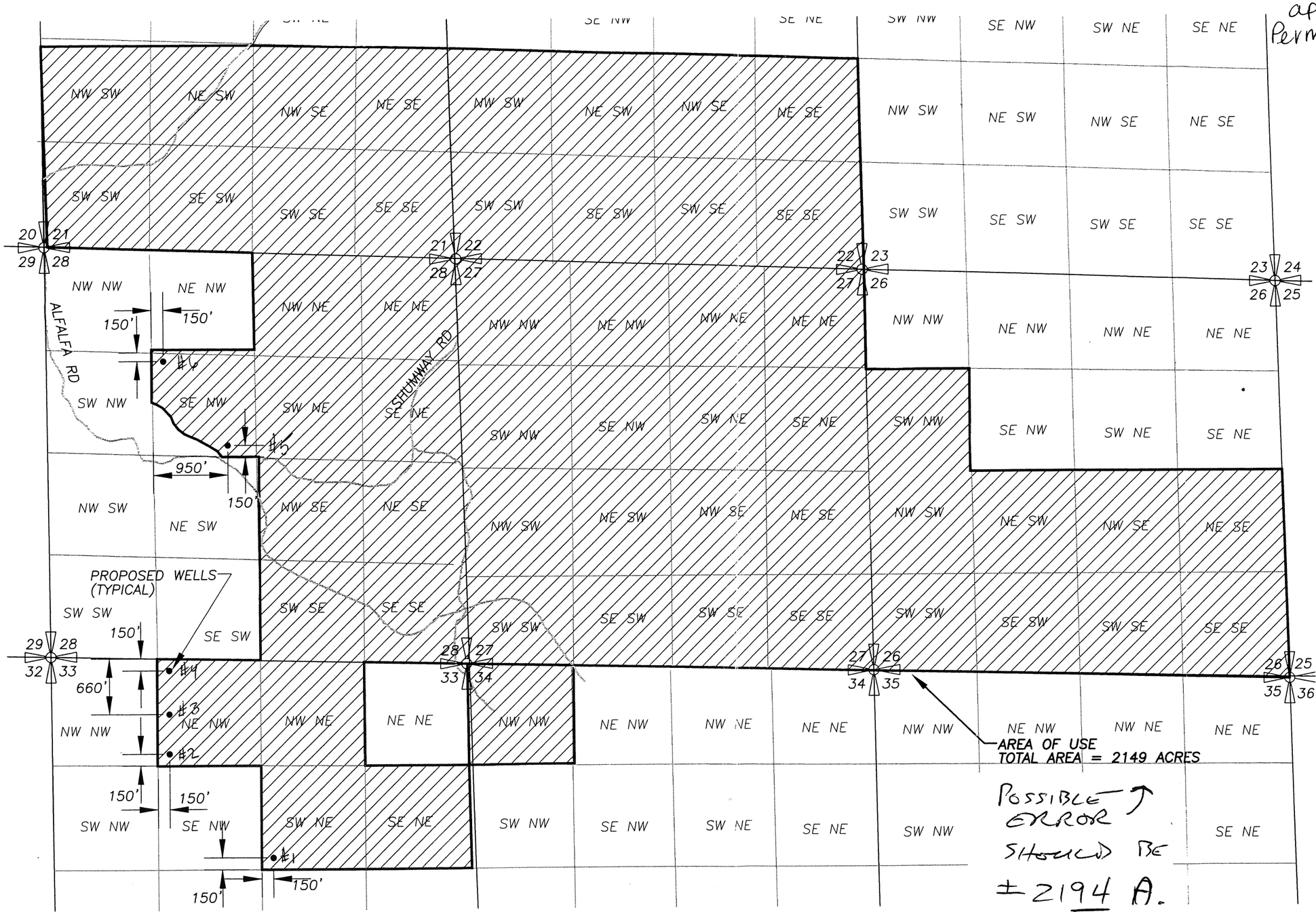
Certified Water Right Examiner
#137
Thomas A. Walker
Nov. 19, 1987
STATE OF OREGON
EXPIRES 6-30-02

GROUNDWATER APPROPRIATION APPLICATION MAP

TOWNSHIP 16 RANGE 14

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

app # G-15789
Permit # G15855



54 Full
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POSSIBLE ERROR
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app # G-15789
Permit #

N

1 INCH = 1320 FT.

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SALEM, OREGON

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Thomas A. Walker
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STATE OF OREGON
EXPIRES 6-30-02

ALFALFA RD

STEUMWAY RD

PROPOSED WELLS (TYPICAL)

AREA OF USE
TOTAL AREA = 2149 ACRES

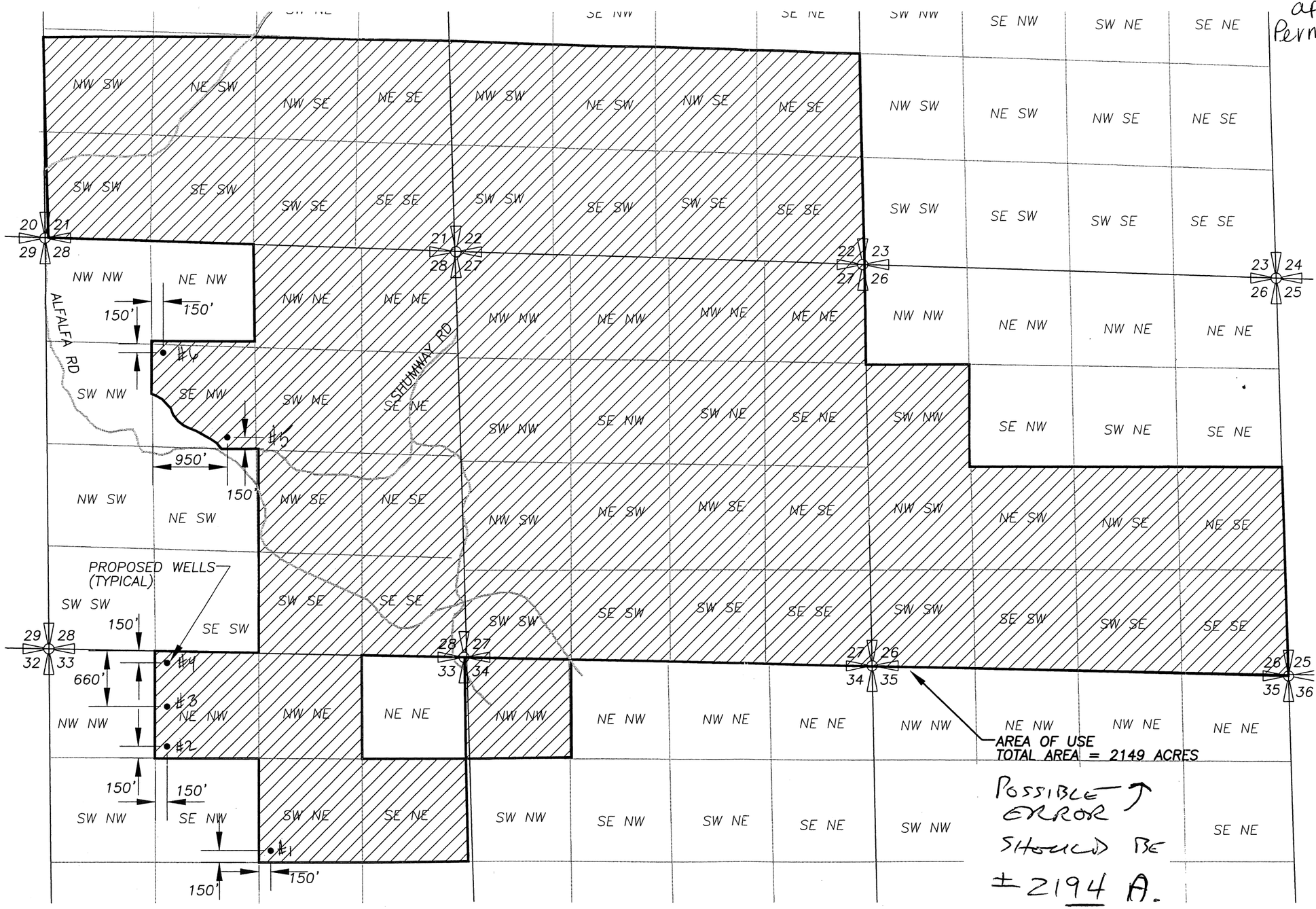
POSSIBLE ERROR
SHOULD BE
±2194 A.

GROUNDWATER APPROPRIATION APPLICATION MAP

TOWNSHIP 16 RANGE 14

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

app # G-15789
Permit #



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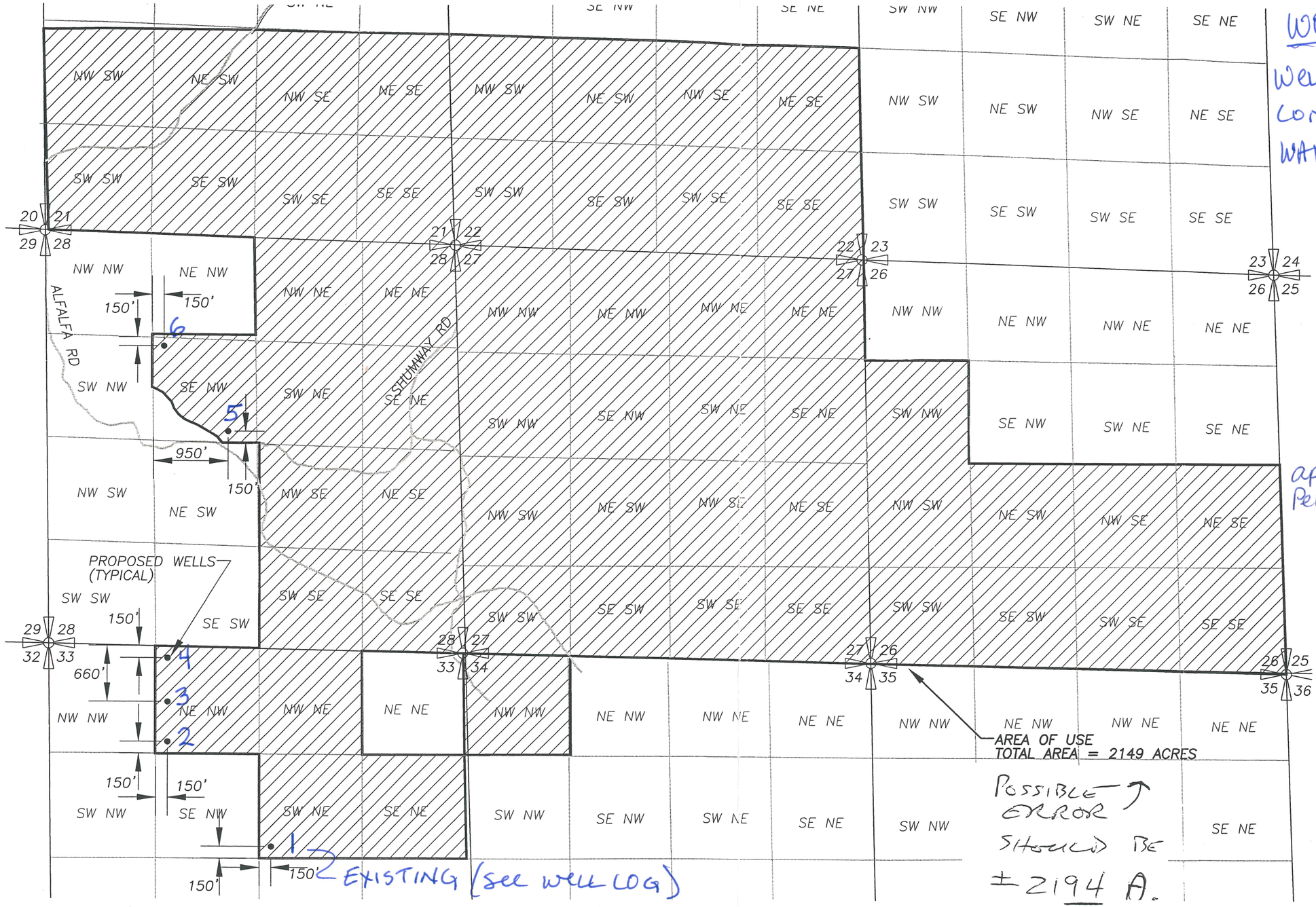
WATER RESOURCES DEPT.
SALEM, OREGON

Certified Water Right Examiner
0137
Thomas A. Walker
Nov. 19, 1987
STATE OF OREGON
EXPIRES 6-30-02

GROUNDWATER APPROPRIATION APPLICATION MAP

TOWNSHIP 16 RANGE 14

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



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GROUNDWATER APPROPRIATION APPLICATION MAP

TOWNSHIP 16 RANGE 14

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

Brasada Monthly Totals Produced - 2016 Summary

	Montly Production			Cumulative Production				
	2014	**2015**	**2016**	2014	2015	Cumulative Average 2014-2015[1.]	Cumulative 2016	2016 increase over average of 2014 & 2015 (Cumulative)
January	1,511,100.00	1,088,850.00	1,249,530.00	1,511,100	1,088,850	1,299,975	1,249,530	96.12%
February	1,649,190.00	788,651.25	1,524,810.00	3,160,290	1,877,501	2,518,896	2,774,340	110.14%
March	1,585,980.00	1,708,319.58	1,582,110.00	4,746,270	3,585,821	4,166,045	4,356,450	104.57%
April	2,090,400.00	2,928,540.00	5,234,738.33	6,836,670	6,514,361	6,675,515	9,591,188	143.68%
May	5,818,830.00	7,638,870.00	7,178,160.00	12,655,500	14,153,231	13,404,365	16,769,348	125.10%
June	8,612,520.00	7,681,362.00	10,173,570.00	21,268,020	21,834,593	21,551,306	26,942,918	125.02%
July	11,586,300.00	10,775,430.00	9,360,750.00	32,854,320	32,610,023	32,732,171	36,303,668	110.91%
August	7,926,030.00	11,209,290.00	10,697,280.00	40,780,350	43,819,313	42,299,831	47,000,948	111.11%
September	8,132,701.00	8,950,950.00	7,788,840.00	48,913,051	52,770,263	50,841,657	54,789,788	107.77%
October	6,201,060.00	8,146,170.00	4,894,696.93	55,114,111	60,916,433	58,015,272	59,684,485	102.88%
November	8,049,240.00	1,795,440.00	908,079.76	63,163,351	62,711,873	62,937,612	60,592,565	96.27%
December	956,326.67	1,528,950.00	1,767,360.00	64,119,678	64,240,823	64,180,250	62,359,925	

Total (in Gallons) **64,119,677.67** **64,240,822.83** **62,359,925.02** gallons = 191 ac-ft
(Actual) *(Actual)* ***(Actual)*** ***(Actual)***

NOTE: **= projected production**

As of the end of December, total projected use for calendar year 2016 was: 62.36 MG, which equals: 191 ac-ft actual use projected.
(Actual) ***(Actual)***

Mitigation amount is 100 credits, 250 ac-ft actual use, 81.4 MG.

The total annual use for 2016 is ~~projected to be~~ below our purchased 100 credits (250 ac-ft or 81.4 MG actual use) by: 19.04 MG
(Actual)

We will continue to monitor actual use on a monthly basis per OWRD request, and project annual use to be sure we stay under mitigation amount.

~~Note 1: We are using 15% increase to project the end of year which assumes repair of lake and early irrigation not typical events.~~

Brasada Monthly Totals Produced - 2016 Summary

	Monthly Production			Cumulative Production				
	2014	**2015**	**2016**	2014	2015	Cumulative Average 2014-2015[1.]	Cumulative 2016	2016 increase over average of 2014 & 2015 (Cumulative)
January	1,511,100.00	1,088,850.00	1,249,530.00	1,511,100	1,088,850	1,299,975	1,249,530	96.12%
February	1,649,190.00	788,651.25	1,524,810.00	3,160,290	1,877,501	2,518,896	2,774,340	110.14%
March	1,585,980.00	1,708,319.58	1,582,110.00	4,746,270	3,585,821	4,166,045	4,356,450	104.57%
April	2,090,400.00	2,928,540.00	5,234,738.33	6,836,670	6,514,361	6,675,515	9,591,188	143.68%
May	5,818,830.00	7,638,870.00	7,178,160.00	12,655,500	14,153,231	13,404,365	16,769,348	125.10%
June	8,612,520.00	7,681,362.00	10,173,570.00	21,268,020	21,834,593	21,551,306	26,942,918	125.02%
July	11,586,300.00	10,775,430.00	9,360,750.00	32,854,320	32,610,023	32,732,171	36,303,668	110.91%
August	7,926,030.00	11,209,290.00	10,697,280.00	40,780,350	43,819,313	42,299,831	47,000,948	111.11%
September	8,132,701.00	8,950,950.00	7,788,840.00	48,913,051	52,770,263	50,841,657	54,789,788	107.77%
October	6,201,060.00	8,146,170.00	4,894,696.93	55,114,111	60,916,433	58,015,272	59,684,485	102.88%
November	8,049,240.00	1,795,440.00	908,079.76	63,163,351	62,711,873	62,937,612	60,592,565	96.27%
December	956,326.67	1,528,950.00	1,429,034.09	64,119,678	64,240,823	64,180,250		

Total (in Gallons) **64,119,677.67** *(Actual)* **64,240,822.83** *(Actual)* **62,021,599.11** *(Projected)* gallons = 190 ac-ft

NOTE: **= projected production**

As of the end of November, total projected use for calendar year 2016 was: 62.02 MG, which equals: 190 ac-ft actual use projected.

Mitigation amount is 100 credits, 250 ac-ft actual use, 81.4 MG.

The total annual use for 2016 is projected to be below our purchased 100 credits (250 ac-ft or 81.4 MG actual use) by: 19.38 MG

We will continue to monitor actual use on a monthly basis per OWRD request, and project annual use to be sure we stay under mitigation amount.

Note 1: We are using 15% increase to project the end of year which assumes repair of lake and early irrigation not typical events.

Brasada Monthly Totals Produced - 2016 Summary

	Montly Production			Cumulative Production				
	2014	**2015**	**2016**	2014	2015	Cumulative Average 2014-2015[1]	Cumulative 2016	2016 increase over average of 2014 & 2015 (Cumulative)
January	1,511,100.00	1,088,850.00	1,249,530.00	1,511,100	1,088,850	1,299,975	1,249,530	96.12%
February	1,649,190.00	788,651.25	1,524,810.00	3,160,290	1,877,501	2,518,896	2,774,340	110.14%
March	1,585,980.00	1,708,319.58	1,582,110.00	4,746,270	3,585,821	4,166,045	4,356,450	104.57%
April	2,090,400.00	2,928,540.00	5,234,738.33	6,836,670	6,514,361	6,675,515	9,591,188	143.68%
May	5,818,830.00	7,638,870.00	7,178,160.00	12,655,500	14,153,231	13,404,365	16,769,348	125.10%
June	8,612,520.00	7,681,362.00	10,173,570.00	21,268,020	21,834,593	21,551,306	26,942,918	125.02%
July	11,586,300.00	10,775,430.00	9,360,750.00	32,854,320	32,610,023	32,732,171	36,303,668	110.91%
August	7,926,030.00	11,209,290.00	10,697,280.00	40,780,350	43,819,313	42,299,831	47,000,948	111.11%
September	8,132,701.00	8,950,950.00	7,788,840.00	48,913,051	52,770,263	50,841,657	54,789,788	107.77%
October	6,201,060.00	8,146,170.00	8,249,657.25	55,114,111	60,916,433	58,015,272		115%
November	8,049,240.00	1,795,440.00	5,660,691.00	63,163,351	62,711,873	62,937,612		115%
December	956,326.67	1,528,950.00	1,429,034.09	64,119,678	64,240,823	64,180,250		

Total (in Gallons) **64,119,677.67** *(Actual)* **64,240,822.83** *(Actual)* **70,129,170.67** *(Projected)* gallons = 215 ac-ft

NOTE: = **projected production**

As of the end of September, total projected use for calendar year 2016 w 70.13 MG, which equals: 215 ac-ft actual use projected.

Mitigation amount is 100 credits, 250 ac-ft actual use, 81.4 MG.

The total annual use for 2016 is projected to be below our purchased 100 credits (250 ac-ft or 81.4 MG actual use) by: 11.27 MG

We will continue to monitor actual use on a monthly basis per OWRD request, and project annual use to be sure we stay under mitigation amount.

Note 1: We are using 15% increase to project the end of year which assumes repair of lake and early irrigation not typical events.

Brasada Monthly Totals Produced - 2017 Summary

	Montly Production			
	2014	**2015**	**2016**	**2017**
January	1,511,100	1,088,850	1,249,530	2,744,700.00
February	1,649,190	788,651	1,524,810	2,056,110.00
March	1,585,980	1,708,320	1,582,110	1,869,290.34
April	2,090,400	2,928,540	5,234,738	3,930,576.69
May	5,818,830	7,638,870	7,178,160	7,910,413.00
June	8,612,520	7,681,362	10,173,570	10,145,856.60
July	11,586,300	10,775,430	9,360,750	12,160,284.00
August	7,926,030	11,209,290	10,697,280	11,435,830.00
September	8,132,701	8,950,950	7,788,840	9,534,454.88
October	6,201,060	8,146,170	4,894,697	7,376,071.99
November	8,049,240	1,795,440	908,080	4,121,891.24
December	956,327	1,528,950	1,767,360	1,630,177.39

actual use

projected (increase 15% over average)

Acutal Use					
Cumulative Production					
2014	2015	2016	Cumulative Average 2014-2016	Cumulative 2017	2017 increase over average of 2014-2016 (Cumulative)
1,511,100	1,088,850	1,249,530	1,283,160	2,744,700	213.90%
3,160,290	1,877,501	2,774,340	2,604,044	4,800,810	184.36%
4,746,270	3,585,821	4,356,450	4,229,514		115.00%
6,836,670	6,514,361	9,591,188	7,647,406		115.00%
12,655,500	14,153,231	16,769,348	14,526,026		115.00%
21,268,020	21,834,593	26,942,918	23,348,510		115.00%
32,854,320	32,610,023	36,303,668	33,922,670		115.00%
40,780,350	43,819,313	47,000,948	43,866,870		115.00%
48,913,051	52,770,263	54,789,788	52,157,701		115.00%
55,114,111	60,916,433	59,684,485	58,571,676		115.00%
63,163,351	62,711,873	60,592,565	62,155,930		115.00%
64,119,678	64,240,823	62,359,925	63,573,475		

Total (in Gallons) **64,119,677.67** *(Actual)* **64,240,822.83** *(Actual)* **62,359,925.02** *(Actual)* **74,915,656.14** *(Projected)* gallons 230 ac-ft

NOTE: **= projected production**

As of the end of **February**, total projected use for calendar year **2017** was: 74.92 MG, which equals: 230 ac-ft actual use projected.

Mitigation amount is 100 credits, 250 ac-ft actual use, 81.4 MG.

The total annual use for **2017** is projected to be below our purchased 100 credits (250 ac-ft or 81.4 MG actual use) by: 6.48 MG

We will continue to monitor actual use on a monthly basis per OWRD request, and project annual use to be sure we stay under mitigation amount.

Note 1: We are using **15%** increase to project water use through the end of year.

Brasada Monthly Totals Produced - 2017 Summary

	Monthly Production			
	2014	**2015**	**2016**	**2017**
January	1,511,100	1,088,850	1,249,530	2,744,700.00
February	1,649,190	788,651	1,524,810	2,056,110.00
March	1,585,980	1,708,320	1,582,110	3,245,040.00
April	2,090,400	2,928,540	5,234,738	3,930,576.69
May	5,818,830	7,638,870	7,178,160	7,910,413.00
June	8,612,520	7,681,362	10,173,570	10,145,856.60
July	11,586,300	10,775,430	9,360,750	12,160,284.00
August	7,926,030	11,209,290	10,697,280	11,435,830.00
September	8,132,701	8,950,950	7,788,840	9,534,454.88
October	6,201,060	8,146,170	4,894,697	7,376,071.99
November	8,049,240	1,795,440	908,080	4,121,891.24
December	956,327	1,528,950	1,767,360	1,630,177.39

projected (increase 15% over average) actual use

Acutal Use					
Cumulative Production					
2014	2015	2016	Cumulative Average 2014-2016	Cumulative 2017	2017 increase over average of 2014-2016 (Cumulative)
1,511,100	1,088,850	1,249,530	1,283,160	2,744,700	213.90%
3,160,290	1,877,501	2,774,340	2,604,044	4,800,810	184.36%
4,746,270	3,585,821	4,356,450	4,229,514	8,045,850	190.23%
6,836,670	6,514,361	9,591,188	7,647,406		115.00%
12,655,500	14,153,231	16,769,348	14,526,026		115.00%
21,268,020	21,834,593	26,942,918	23,348,510		115.00%
32,854,320	32,610,023	36,303,668	33,922,670		115.00%
40,780,350	43,819,313	47,000,948	43,866,870		115.00%
48,913,051	52,770,263	54,789,788	52,157,701		115.00%
55,114,111	60,916,433	59,684,485	58,571,676		115.00%
63,163,351	62,711,873	60,592,565	62,155,930		115.00%
64,119,678	64,240,823	62,359,925	63,573,475		

Total (in Gallons) **64,119,677.67** *(Actual)* **64,240,822.83** *(Actual)* **62,359,925.02** *(Actual)* **76,291,405.80** *(Projected)* gallons 234 ac-ft

NOTE: **= projected production**

As of the end of **March**, total projected use for calendar year **2017** was: 76.29 MG, which equals: 234 ac-ft actual use projected.

Mitigation amount is 100 credits, 250 ac-ft actual use, 81.4 MG.

The total annual use for **2017** is projected to be below our purchased 100 credits (250 ac-ft or 81.4 MG actual use) by: 5.11 MG

We will continue to monitor actual use on a monthly basis per OWRD request, and project annual use to be sure we stay under mitigation amount.

Note 1: We are using **15%** increase to project water use through the end of year.

Brasada Monthly Totals Produced - 2017 Summary

	Monthly Production				
	2014	**2015**	**2016**	**2017**	
January	1,511,100	1,088,850	1,249,530	2,744,700.00	*actual use*
February	1,649,190	788,651	1,524,810	2,056,110.00	
March	1,585,980	1,708,320	1,582,110	3,245,040.00	
April	2,090,400	2,928,540	5,234,738	3,714,360.00	
May	5,818,830	7,638,870	7,178,160	7,910,413.00	*projected (increase 15% over average)*
June	8,612,520	7,681,362	10,173,570	10,145,856.60	
July	11,586,300	10,775,430	9,360,750	12,160,284.00	
August	7,926,030	11,209,290	10,697,280	11,435,830.00	
September	8,132,701	8,950,950	7,788,840	9,534,454.88	
October	6,201,060	8,146,170	4,894,697	7,376,071.99	
November	8,049,240	1,795,440	908,080	4,121,891.24	
December	956,327	1,528,950	1,767,360	1,630,177.39	

Acutal Use					
Cumulative Production					
2014	2015	2016	Cumulative Average 2014-2016	Cumulative 2017	2017 increase over average of 2014-2016 (Cumulative)
1,511,100	1,088,850	1,249,530	1,283,160	2,744,700	213.90%
3,160,290	1,877,501	2,774,340	2,604,044	4,800,810	184.36%
4,746,270	3,585,821	4,356,450	4,229,514	8,045,850	190.23%
6,836,670	6,514,361	9,591,188	7,647,406	11,760,210	153.78%
12,655,500	14,153,231	16,769,348	14,526,026		115.00%
21,268,020	21,834,593	26,942,918	23,348,510		115.00%
32,854,320	32,610,023	36,303,668	33,922,670		115.00%
40,780,350	43,819,313	47,000,948	43,866,870		115.00%
48,913,051	52,770,263	54,789,788	52,157,701		115.00%
55,114,111	60,916,433	59,684,485	58,571,676		115.00%
63,163,351	62,711,873	60,592,565	62,155,930		115.00%
64,119,678	64,240,823	62,359,925	63,573,475		

Total (in Gallons) **64,119,677.67** *(Actual)* **64,240,822.83** *(Actual)* **62,359,925.02** *(Actual)* **76,075,189.10** *(Projected)* gallons 233 ac-ft

NOTE: = **projected production**

As of the end of **April**, total projected use for calendar year **2017** was: 76.08 MG, which equals: 233 ac-ft actual use projected.

Mitigation amount is 100 credits, 250 ac-ft actual use, 81.4 MG.

The total annual use for **2017** is projected to be below our purchased 100 credits (250 ac-ft or 81.4 MG actual use) by: 5.32 MG

We will continue to monitor actual use on a monthly basis per OWRD request, and project annual use to be sure we stay under mitigation amount.

Note 1: We are using **15%** increase to project water use through the end of year.

Brasada Monthly Totals Produced - 2017 Summary

	Monthly Production				
	2014	**2015**	**2016**	**2017**	
January	1,511,100	1,088,850	1,249,530	2,744,700.00	*actual use*
February	1,649,190	788,651	1,524,810	2,056,110.00	
March	1,585,980	1,708,320	1,582,110	3,245,040.00	
April	2,090,400	2,928,540	5,234,738	3,714,360.00	
May	5,818,830	7,638,870	7,178,160	10,113,090.00	
June	8,612,520	7,681,362	10,173,570	9,151,140.00	
July	11,586,300	10,775,430	9,360,750	11,527,551.67	
August	7,926,030	11,209,290	10,697,280	14,916,300.00	*projected (increase 50% over average)*
September	8,132,701	8,950,950	7,788,840	12,436,245.50	
October	6,201,060	8,146,170	4,894,697	9,620,963.47	
November	8,049,240	1,795,440	908,080	5,376,379.88	
December	956,327	1,528,950	1,767,360	2,126,318.34	

Total (in Gallons)	**64,119,677.67** *(Actual)*	**64,240,822.83** *(Actual)*	**62,359,925.02** *(Actual)*	**87,028,198.85** *(Projected)*	gallons	267 ac-ft

NOTE: = **projected production**

As of the end of May, total projected use for calendar year **2017** is: 87.03 MG, which equals: 267 ac-ft actual use projected.

Mitigation amount is 100 credits, 250 ac-ft actual use, 81.4 MG.

The total annual use for **2017** is projected to be below/(above) our purchased 100 credits (250 ac-ft or 81.4 MG actual use) by: (5.63) MG

We will continue to monitor actual use on a monthly basis per OWRD request, and project annual use to be sure we stay under mitigation amount.

Note 1: We are using **50%** increase to project water use through the end of year.

Acutal Use					
Cumulative Production					
2014	2015	2016	Cumulative Average 2014-2016	Cumulative 2017	2017 increase over average of 2014-2016 (Cumulative)
1,511,100	1,088,850	1,249,530	1,283,160	2,744,700	213.90%
3,160,290	1,877,501	2,774,340	2,604,044	4,800,810	184.36%
4,746,270	3,585,821	4,356,450	4,229,514	8,045,850	190.23%
6,836,670	6,514,361	9,591,188	7,647,406	11,760,210	153.78%
12,655,500	14,153,231	16,769,348	14,526,026	21,873,300	150.58%
21,268,020	21,834,593	26,942,918	23,348,510	31,024,440	132.88%
32,854,320	32,610,023	36,303,668	33,922,670	42,551,992	125.44%
40,780,350	43,819,313	47,000,948	43,866,870		150.00%
48,913,051	52,770,263	54,789,788	52,157,701		150.00%
55,114,111	60,916,433	59,684,485	58,571,676		150.00%
63,163,351	62,711,873	60,592,565	62,155,930		150.00%
64,119,678	64,240,823	62,359,925	63,573,475		

Brasada Monthly Totals Produced - 2017 Summary

	Montly Production					Acutal Use					
						Cumulative Production					
	2014	2015	2016	2017		2014	2015	2016	Cumulative Average 2014-2016	Cumulative 2017	2017 increase over average of 2014-2016 (Cumulative)
January	1,511,100	1,088,850	1,249,530	2,744,700.00	*actual use*	1,511,100	1,088,850	1,249,530	1,283,160	2,744,700	213.90%
February	1,649,190	788,651	1,524,810	2,056,110.00		3,160,290	1,877,501	2,774,340	2,604,044	4,800,810	184.36%
March	1,585,980	1,708,320	1,582,110	3,245,040.00		4,746,270	3,585,821	4,356,450	4,229,514	8,045,850	190.23%
April	2,090,400	2,928,540	5,234,738	3,714,360.00		6,836,670	6,514,361	9,591,188	7,647,406	11,760,210	153.78%
May	5,818,830	7,638,870	7,178,160	10,113,090.00		12,655,500	14,153,231	16,769,348	14,526,026	21,873,300	150.58%
June	8,612,520	7,681,362	10,173,570	9,151,140.00		21,268,020	21,834,593	26,942,918	23,348,510	31,024,440	132.88%
July	11,586,300	10,775,430	9,360,750	15,861,240.00	*projected (increase 50% over average)*	32,854,320	32,610,023	36,303,668	33,922,670		150.00%
August	7,926,030	11,209,290	10,697,280	14,916,300.00		40,780,350	43,819,313	47,000,948	43,866,870		150.00%
September	8,132,701	8,950,950	7,788,840	12,436,245.50		48,913,051	52,770,263	54,789,788	52,157,701		150.00%
October	6,201,060	8,146,170	4,894,697	9,620,963.47		55,114,111	60,916,433	59,684,485	58,571,676		150.00%
November	8,049,240	1,795,440	908,080	5,376,379.88		63,163,351	62,711,873	60,592,565	62,155,930		150.00%
December	956,327	1,528,950	1,767,360	2,126,318.34		64,119,678	64,240,823	62,359,925	63,573,475		

Total (in Gallons) **64,119,677.67** *(Actual)* **64,240,822.83** *(Actual)* **62,359,925.02** *(Actual)* **91,361,887.18** *(Projected)* gallons 280 ac-ft

NOTE: **= projected production**

As of the end of May, total projected use for calendar year **2017** is: 91.36 MG, which equals: 280 ac-ft actual use projected.

Mitigation amount is 100 credits, 250 ac-ft actual use, 81.4 MG.

The total annual use for **2017** is projected to be below/(above) our purchased 100 credits (250 ac-ft or 81.4 MG actual use) by: (9.96) MG

We will continue to monitor actual use on a monthly basis per OWRD request, and project annual use to be sure we stay under mitigation amount.

Note 1: We are using **50%** increase to project water use through the end of year.

Brasada Monthly Totals Produced - 2017 Summary

	Monthly Production					Acutal Use					
						Cumulative Production					
	2014	2015	2016	2017		2014	2015	2016	Cumulative Average 2014-2016	Cumulative 2017	2017 increase over average of 2014-2016 (Cumulative)
January	1,511,100	1,088,850	1,249,530	2,744,700.00	*actual use*	1,511,100	1,088,850	1,249,530	1,283,160	2,744,700	213.90%
February	1,649,190	788,651	1,524,810	2,056,110.00		3,160,290	1,877,501	2,774,340	2,604,044	4,800,810	184.36%
March	1,585,980	1,708,320	1,582,110	3,245,040.00		4,746,270	3,585,821	4,356,450	4,229,514	8,045,850	190.23%
April	2,090,400	2,928,540	5,234,738	3,714,360.00		6,836,670	6,514,361	9,591,188	7,647,406	11,760,210	153.78%
May	5,818,830	7,638,870	7,178,160	10,113,090.00		12,655,500	14,153,231	16,769,348	14,526,026	21,873,300	150.58%
June	8,612,520	7,681,362	10,173,570	13,284,902.16	*projected (increase 50% over average)*	21,268,020	21,834,593	26,942,918	23,348,510		150.00%
July	11,586,300	10,775,430	9,360,750	15,861,240.00		32,854,320	32,610,023	36,303,668	33,922,670		150.00%
August	7,926,030	11,209,290	10,697,280	14,916,300.00		40,780,350	43,819,313	47,000,948	43,866,870		150.00%
September	8,132,701	8,950,950	7,788,840	12,436,245.50		48,913,051	52,770,263	54,789,788	52,157,701		150.00%
October	6,201,060	8,146,170	4,894,697	9,620,963.47		55,114,111	60,916,433	59,684,485	58,571,676		150.00%
November	8,049,240	1,795,440	908,080	5,376,379.88		63,163,351	62,711,873	60,592,565	62,155,930		150.00%
December	956,327	1,528,950	1,767,360	2,126,318.34		64,119,678	64,240,823	62,359,925	63,573,475		

Total (in Gallons) **64,119,677.67** *(Actual)* **64,240,822.83** *(Actual)* **62,359,925.02** *(Actual)* **95,495,649.34** *(Projected)* gallons 293 ac-ft

NOTE: = **projected production**

As of the end of May, total projected use for calendar year **2017** is: 95.50 MG, which equals: 293 ac-ft actual use projected.

Mitigation amount is 100 credits, 250 ac-ft actual use, 81.4 MG.

The total annual use for **2017** is projected to be below our purchased 100 credits (250 ac-ft or 81.4 MG actual use) by: (14.10) MG

We will continue to monitor actual use on a monthly basis per OWRD request, and project annual use to be sure we stay under mitigation amount.

Note 1: We are using **50%** increase to project water use through the end of year.

Brasada Monthly Totals Produced - 2017 Summary

	Monthly Production				
	2014	**2015**	**2016**	**2017**	
January	1,511,100	1,088,850	1,249,530	2,744,700.00	*actual use*
February	1,649,190	788,651	1,524,810	2,056,110.00	
March	1,585,980	1,708,320	1,582,110	3,245,040.00	
April	2,090,400	2,928,540	5,234,738	3,714,360.00	
May	5,818,830	7,638,870	7,178,160	10,113,090.00	
June	8,612,520	7,681,362	10,173,570	9,151,140.00	
July	11,586,300	10,775,430	9,360,750	11,527,551.67	
August	7,926,030	11,209,290	10,697,280	12,581,940.00	
September	8,132,701	8,950,950	7,788,840	12,436,245.50	*projected (increase 50% over average)*
October	6,201,060	8,146,170	4,894,697	9,620,963.47	
November	8,049,240	1,795,440	908,080	5,376,379.88	
December	956,327	1,528,950	1,767,360	2,126,318.34	

Total (in Gallons)	**64,119,677.67** *(Actual)*	**64,240,822.83** *(Actual)*	**62,359,925.02** *(Actual)*	**84,693,838.85** *(Projected)*	gallons	260 ac-ft

Acutal Use					
Cumulative Production					
2014	2015	2016	Cumulative Average 2014-2016	Cumulative 2017	2017 increase over average of 2014-2016 (Cumulative)
1,511,100	1,088,850	1,249,530	1,283,160	2,744,700	213.90%
3,160,290	1,877,501	2,774,340	2,604,044	4,800,810	184.36%
4,746,270	3,585,821	4,356,450	4,229,514	8,045,850	190.23%
6,836,670	6,514,361	9,591,188	7,647,406	11,760,210	153.78%
12,655,500	14,153,231	16,769,348	14,526,026	21,873,300	150.58%
21,268,020	21,834,593	26,942,918	23,348,510	31,024,440	132.88%
32,854,320	32,610,023	36,303,668	33,922,670	42,551,992	125.44%
40,780,350	43,819,313	47,000,948	43,866,870	55,133,932	125.68%
48,913,051	52,770,263	54,789,788	52,157,701		150.00%
55,114,111	60,916,433	59,684,485	58,571,676		150.00%
63,163,351	62,711,873	60,592,565	62,155,930		150.00%
64,119,678	64,240,823	62,359,925	63,573,475		

NOTE: = **projected production**

As of the end of May, total projected use for calendar year **2017** is: 84.69 MG, which equals: 260 ac-ft actual use projected.

Mitigation amount is 100 credits, 250 ac-ft actual use, 81.4 MG.

The total annual use for **2017** is projected to be below/(above) our purchased 100 credits (250 ac-ft or 81.4 MG actual use) by: (3.29) MG

We will continue to monitor actual use on a monthly basis per OWRD request, and project annual use to be sure we stay under mitigation amount.

Note 1: We are using **50%** increase to project water use through the end of year.

Brasada Monthly Totals Produced - 2017 Summary

	Montly Production				
	2014	2015	2016	2017	
January	1,511,100	1,088,850	1,249,530	2,744,700.00	
February	1,649,190	788,651	1,524,810	2,056,110.00	
March	1,585,980	1,708,320	1,582,110	3,245,040.00	
April	2,090,400	2,928,540	5,234,738	3,714,360.00	
May	5,818,830	7,638,870	7,178,160	10,113,090.00	
June	8,612,520	7,681,362	10,173,570	9,151,140.00	
July	11,586,300	10,775,430	9,360,750	11,527,551.67	
August	7,926,030	11,209,290	10,697,280	12,581,940.00	
September	8,132,701	8,950,950	7,788,840	9,936,358.00	
October	6,201,060	8,146,170	4,894,697	5,239,443.00	
November	8,049,240	1,795,440	908,080	5,376,379.88	*projected (increase 50% over average)*
December	956,327	1,528,950	1,767,360	2,126,318.34	*actual use*

Total (in Gallons) **64,119,677.67** *(Actual)* **64,240,822.83** *(Actual)* **62,359,925.02** *(Actual)* **77,812,430.89** *(Projected)* gallons = 239 ac-ft

Acutal Use

Cumulative Production

2014	2015	2016	Cumulative Average 2014-2016	Cumulative 2017	2017 increase over average of 2014-2016 (Cumulative)
1,511,100	1,088,850	1,249,530	1,283,160	2,744,700	213.90%
3,160,290	1,877,501	2,774,340	2,604,044	4,800,810	184.36%
4,746,270	3,585,821	4,356,450	4,229,514	8,045,850	190.23%
6,836,670	6,514,361	9,591,188	7,647,406	11,760,210	153.78%
12,655,500	14,153,231	16,769,348	14,526,026	21,873,300	150.58%
21,268,020	21,834,593	26,942,918	23,348,510	31,024,440	132.88%
32,854,320	32,610,023	36,303,668	33,922,670	42,551,992	125.44%
40,780,350	43,819,313	47,000,948	43,866,870	55,133,932	125.68%
48,913,051	52,770,263	54,789,788	52,157,701	65,070,290	124.76%
55,114,111	60,916,433	59,684,485	58,571,676	70,309,733	120.04%
63,163,351	62,711,873	60,592,565	62,155,930		150.00%
64,119,678	64,240,823	62,359,925	63,573,475		

NOTE: **= projected production**

As of the end of the completed month, total projected use for calendar year **2017** is: 77.81 MG, which equals: 239 ac-ft actual use projected.

Mitigation amount is 100 credits, 250 ac-ft actual use, 81.4 MG.

The total annual use for **2017** is projected to be below/(above) our purchased 100 credits (250 ac-ft or 81.4 MG actual use) by: 3.59 MG

We will continue to monitor actual use on a monthly basis per OWRD request, and project annual use to be sure we stay under mitigation amount.

Note 1: We are using **50%** increase to project water use through the end of year.

Brasada Monthly Totals Produced - 2017 Summary

	Montly Production				
	2014	**2015**	**2016**	**2017**	
January	1,511,100	1,088,850	1,249,530	2,744,700.00	
February	1,649,190	788,651	1,524,810	2,056,110.00	
March	1,585,980	1,708,320	1,582,110	3,245,040.00	
April	2,090,400	2,928,540	5,234,738	3,714,360.00	
May	5,818,830	7,638,870	7,178,160	10,113,090.00	
June	8,612,520	7,681,362	10,173,570	9,151,140.00	
July	11,586,300	10,775,430	9,360,750	11,527,551.67	
August	7,926,030	11,209,290	10,697,280	12,581,940.00	
September	8,132,701	8,950,950	7,788,840	9,936,358.00	
October	6,201,060	8,146,170	4,894,697	5,239,443.00	
November	8,049,240	1,795,440	908,080	1,905,320.00	
December	956,327	1,528,950	1,767,360	2,126,318.34	*projected*

actual use

Acutal Use					
Cumulative Production					
2014	2015	2016	Cumulative Average 2014-2016	Cumulative 2017	2017 increase over average of 2014-2016 (Cumulative)
1,511,100	1,088,850	1,249,530	1,283,160	2,744,700	213.90%
3,160,290	1,877,501	2,774,340	2,604,044	4,800,810	184.36%
4,746,270	3,585,821	4,356,450	4,229,514	8,045,850	190.23%
6,836,670	6,514,361	9,591,188	7,647,406	11,760,210	153.78%
12,655,500	14,153,231	16,769,348	14,526,026	21,873,300	150.58%
21,268,020	21,834,593	26,942,918	23,348,510	31,024,440	132.88%
32,854,320	32,610,023	36,303,668	33,922,670	42,551,992	125.44%
40,780,350	43,819,313	47,000,948	43,866,870	55,133,932	125.68%
48,913,051	52,770,263	54,789,788	52,157,701	65,070,290	124.76%
55,114,111	60,916,433	59,684,485	58,571,676	70,309,733	120.04%
63,163,351	62,711,873	60,592,565	62,155,930	72,215,053	116.18%
64,119,678	64,240,823	62,359,925	63,573,475		

Total (in Gallons)	**64,119,677.67** *(Actual)*	**64,240,822.83** *(Actual)*	**62,359,925.02** *(Actual)*	**74,341,371.01** *(Projected)*	gallons =	228 ac-ft

NOTE: **= projected production**

As of the end of the completed month, total projected use for calendar year **2017** is: 74.34 MG, which equals: 228 ac-ft actual use projected.

Mitigation amount is 100 credits, 250 ac-ft actual use, 81.4 MG.

The total annual use for **2017** is projected to be below/(above) our purchased 100 credits (250 ac-ft or 81.4 MG actual use) by: 7.06 MG

We will continue to monitor actual use on a monthly basis per OWRD request, and project annual use to be sure we stay under mitigation amount.

Note 1: We are using **50%** increase to project water use for **December 2017 to stay consistent with earlier reporting this year.**

Brasada Monthly Totals Produced - 2017 Summary

	Montly Production			
	2014	**2015**	**2016**	**2017**
January	1,511,100	1,088,850	1,249,530	2,744,700.00
February	1,649,190	788,651	1,524,810	2,056,110.00
March	1,585,980	1,708,320	1,582,110	3,245,040.00
April	2,090,400	2,928,540	5,234,738	3,930,576.69
May	5,818,830	7,638,870	7,178,160	7,910,413.00
June	8,612,520	7,681,362	10,173,570	10,145,856.60
July	11,586,300	10,775,430	9,360,750	12,160,284.00
August	7,926,030	11,209,290	10,697,280	11,435,830.00
September	8,132,701	8,950,950	7,788,840	9,534,454.88
October	6,201,060	8,146,170	4,894,697	7,376,071.99
November	8,049,240	1,795,440	908,080	4,121,891.24
December	956,327	1,528,950	1,767,360	1,630,177.39
Total (in Gallons)	**64,119,677.67** *(Actual)*	**64,240,822.83** *(Actual)*	**62,359,925.02** *(Actual)*	**76,291,405.80** *(Projected)*

projected (increase 15% over average) *actual use*

Acutal Use					
Cumulative Production					
2014	2015	2016	Cumulative Average 2014-2016	Cumulative 2017	2017 increase over average of 2014-2016 (Cumulative)
1,511,100	1,088,850	1,249,530	1,283,160	2,744,700	213.90%
3,160,290	1,877,501	2,774,340	2,604,044	4,800,810	184.36%
4,746,270	3,585,821	4,356,450	4,229,514	8,045,850	190.23%
6,836,670	6,514,361	9,591,188	7,647,406		115.00%
12,655,500	14,153,231	16,769,348	14,526,026		115.00%
21,268,020	21,834,593	26,942,918	23,348,510		115.00%
32,854,320	32,610,023	36,303,668	33,922,670		115.00%
40,780,350	43,819,313	47,000,948	43,866,870		115.00%
48,913,051	52,770,263	54,789,788	52,157,701		115.00%
55,114,111	60,916,433	59,684,485	58,571,676		115.00%
63,163,351	62,711,873	60,592,565	62,155,930		115.00%
64,119,678	64,240,823	62,359,925	63,573,475		

234 ac-ft

NOTE: **= projected production**

As of the end of **March**, total projected use for calendar year **2017** was: 76.29 MG, which equals: 234 ac-ft actual use projected.

Mitigation amount is 100 credits, 250 ac-ft actual use, 81.4 MG.

The total annual use for **2017** is projected to be below our purchased 100 credits (250 ac-ft or 81.4 MG actual use) by: 5.11 MG

We will continue to monitor actual use on a monthly basis per OWRD request, and project annual use to be sure we stay under mitigation amount.

Note 1: We are using **15%** increase to project water use through the end of year.

Brasada Monthly Totals Produced - 2017 Summary

	Montly Production					Acutal Use					
						Cumulative Production					
	2014	**2015**	**2016**	**2017**		2014	2015	2016	Cumulative Average 2014-2016	Cumulative 2017	2017 increase over average of 2014-2016 (Cumulative)
January	1,511,100	1,088,850	1,249,530	2,744,700.00	*actual use*	1,511,100	1,088,850	1,249,530	1,283,160	2,744,700	213.90%
February	1,649,190	788,651	1,524,810	2,056,110.00		3,160,290	1,877,501	2,774,340	2,604,044	4,800,810	184.36%
March	1,585,980	1,708,320	1,582,110	3,245,040.00		4,746,270	3,585,821	4,356,450	4,229,514	8,045,850	190.23%
April	2,090,400	2,928,540	5,234,738	3,714,360.00		6,836,670	6,514,361	9,591,188	7,647,406	11,760,210	153.78%
May	5,818,830	7,638,870	7,178,160	10,113,090.00		12,655,500	14,153,231	16,769,348	14,526,026	21,873,300	150.58%
June	8,612,520	7,681,362	10,173,570	13,284,902.16	*projected (increase 50% over average)*	21,268,020	21,834,593	26,942,918	23,348,510		150.00%
July	11,586,300	10,775,430	9,360,750	15,861,240.00		32,854,320	32,610,023	36,303,668	33,922,670		150.00%
August	7,926,030	11,209,290	10,697,280	14,916,300.00		40,780,350	43,819,313	47,000,948	43,866,870		150.00%
September	8,132,701	8,950,950	7,788,840	12,436,245.50		48,913,051	52,770,263	54,789,788	52,157,701		150.00%
October	6,201,060	8,146,170	4,894,697	9,620,963.47		55,114,111	60,916,433	59,684,485	58,571,676		150.00%
November	8,049,240	1,795,440	908,080	5,376,379.88		63,163,351	62,711,873	60,592,565	62,155,930		150.00%
December	956,327	1,528,950	1,767,360	2,126,318.34		64,119,678	64,240,823	62,359,925	63,573,475		
Total (in Gallons)	**64,119,677.67** *(Actual)*	**64,240,822.83** *(Actual)*	**62,359,925.02** *(Actual)*	**95,495,649.34** *(Projected)*	gallons	293	ac-ft				

NOTE: = **projected production**

As of the end of May, total projected use for calendar year **2017** is: 95.50 MG, which equals: 293 ac-ft actual use projected.

Mitigation amount is 100 credits, 250 ac-ft actual use, 81.4 MG.

The total annual use for **2017** is projected to be below our purchased 100 credits (250 ac-ft or 81.4 MG actual use) by: (14.10) MG

We will continue to monitor actual use on a monthly basis per OWRD request, and project annual use to be sure we stay under mitigation amount.

Note 1: We are using **50%** increase to project water use through the end of year.

Brasada Monthly Totals Produced - 2017 Summary

	Montly Production					Acutal Use					
						Cumulative Production					
	2014	2015	2016	2017		2014	2015	2016	Cumulative Average 2014-2016	Cumulative 2017	2017 increase over average of 2014-2016
January	1,511,100	1,088,850	1,249,530	2,744,700.00	*actual use*	1,511,100	1,088,850	1,249,530	3,160	4,700	213.90%
February	1,649,190	788,651	1,524,810	2,056,110.00		3,160,290	1,877,501	2,774,340	2,604,044	4,[illegible]10	184.36%
March	1,585,980	1,708,320	1,582,110	3,245,040.00		4,746,270	3,585,821	4,356,450	4,229,514	8,045,[illegible]	190.23%
April	2,090,400	2,928,540	5,234,738	3,714,360.00		6,836,670	6,514,361	9,591,188	7,647,406	11,760,210	153.78%
May	5,818,830	7,638,870	7,178,160	7,910,413.00	*projected (increase 15% over average)*	12,655,500	14,153,231	16,769,348	14,526,026		115.00%
June	8,612,520	7,681,362	10,173,570	10,145,856.60		21,268,020	21,834,593	26,942,918	23,348,510		115.00%
July	11,586,300	10,775,430	9,360,750	12,160,284.00		32,854,320	32,610,023	36,303,668	33,922,670		115.00%
August	7,926,030	11,209,290	10,697,280	11,435,830.00		40,780,350	43,819,313	47,000,948	43,866,870		115.00%
September	8,132,701	8,950,950	7,788,840	9,534,454.88		48,913,051	52,770,263	54,789,788	52,157,701		115.00%
October	6,201,060	8,146,170	4,894,697	7,376,071.99		55,114,111	60,916,433	59,684,485	58,571,676		115.00%
November	8,049,240	1,795,440	908,080	4,121,891.24		63,163,351	62,711,873	60,592,565	62,155,930		115.00%
December	956,327	1,528,950	1,767,360	1,630,177.39		64,119,678	64,240,823	62,359,925	63,573,475		
Total (in Gallons)	**64,119,677.67** *(Actual)*	**64,240,822.83** *(Actual)*	**62,359,925.02** *(Actual)*	**76,075,189.10** *(Projected)*	gallons	233	ac-ft				

NOTE: = **projected production**

As of the end of **April**, total projected use for calendar year **2017** was: 76.08 MG, which equals: 233 ac-ft actual use projected.

Mitigation amount is 100 credits, 250 ac-ft actual use, 81.4 MG.

The total annual use for **2017** is projected to be below our purchased 100 credits (250 ac-ft or 81.4 MG actual use) by: 5.32 MG

We will continue to monitor actual use on a monthly basis per OWRD request, and project annual use to be sure we stay under mitigation amount.

Note 1: We are using **15%** increase to project water use through the end of year.

Application # G-15789 Permit # G-15855

Public Notice Route Slip ... New Application Extension of Time

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

- **WRIG...**
  Money Receipted on: 12/8/10
- **Extension Specialist...**
  - [x] Added to tracking spreadsheet

After fee is receipted and app is added to spreadsheet, route to...

- **Jonnine Skaug...**
  - [x] Publish on Public Notice (initial 30-day comment): Date of notice 12/14/10
  - [x] Update WRIS Database
  - [x] In the "PNotice Date" field... Enter the date the Extension Application was published on the Public Notice.
  - [x] In the "Ext Filed" field... Enter the date the Extension Application was received.

Yes or No: **Return file to Extension Specialist after PN**

Ask Dwight - GW Review
Length of extension to 2030 ok? amended by e-mail to 2059
wait for DW 86 review from Bill/Lisa

Water Right Conditions Tracking Slip

Groundwater/Hydrology Section

FILE ## G-15789

ROUTED TO: Water Rights

TOWNSHIP/
RANGE-SECTION: 16S/14E - 28, 33

CONDITIONS ATTACHED? [X] yes [ ] no

REMARKS OR FURTHER INSTRUCTIONS:
Note Deschutes SWW Form

Reviewer: K. Lite

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # 101791

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

INVOICE # _____

RECEIVED FROM: WH Pacific, Inc.

BY: _____

APPLICATION	G15789
PERMIT	
TRANSFER	

CASH: ☐ CHECK:# ☒ 10457 ☐ OTHER: (IDENTIFY) _____

TOTAL REC'D $ 500.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407	COPIES		$
_____	OTHER:	(IDENTIFY) _____	$

RECEIVED
OVER THE COUNTER

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

4270 WRD OPERATING ACCT

MISCELLANEOUS 46111

0407	COPY & TAPE FEES		$
0410	RESEARCH FEES		$
0408	MISC REVENUE: (IDENTIFY)	_____	$
TC162	DEPOSIT LIAB. (IDENTIFY)	_____	$
0240	EXTENSION OF TIME		$ 500.00

WATER RIGHTS:

		EXAM FEE		RECORD FEE
0201	SURFACE WATER	$	0202	$
0203	GROUND WATER	$	0204	$
0205	TRANSFER	$		

WELL CONSTRUCTION

		EXAM FEE		LICENSE FEE
0218	WELL DRILL CONSTRUCTOR	$	0219	$
	LANDOWNER'S PERMIT		0220	$

_____ OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211	WELL CONST START FEE	$	CARD #	
0210	MONITORING WELLS	$	CARD #	

_____ OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

_____ TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION _____ $

RECEIPT: 101791 DATED: 12-8-10 BY: _____

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

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # 116055

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

INVOICE # _____

RECEIVED FROM: Oregon Resorts Acquisitions Partners, LP Bank of the Cascades

BY: _____

APPLICATION	G-15789
PERMIT	
TRANSFER	

CASH: ☐ CHECK:# ☒ 144818 ☐ OTHER: (IDENTIFY) _____

TOTAL REC'D $ 85.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407	COPIES		$
_____	OTHER:	(IDENTIFY) _____	$

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

4270 WRD OPERATING ACCT

MISCELLANEOUS 46111

0407	COPY & TAPE FEES		$
0410	RESEARCH FEES		$
0408	MISC REVENUE: (IDENTIFY)	Assignment	$ 85.00
TC162	DEPOSIT LIAB. (IDENTIFY)	_____	$
0240	EXTENSION OF TIME		$

WATER RIGHTS:

		EXAM FEE		RECORD FEE
0201	SURFACE WATER	$	0202	$
0203	GROUND WATER	$	0204	$
0205	TRANSFER	$		

WELL CONSTRUCTION

		EXAM FEE		LICENSE FEE
0218	WELL DRILL CONSTRUCTOR	$	0219	$
	LANDOWNER'S PERMIT		0220	$

_____ OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211	WELL CONST START FEE	$	CARD #	
0210	MONITORING WELLS	$	CARD #	

_____ OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

_____ TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION _____ $

RECEIVED
OVER THE COUNTER

RECEIPT: 116055 DATED: 6-3-15 BY: Maria Mendoza

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

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # 119732

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

INVOICE # _____

RECEIVED FROM: Steven P Hultberg

BY: _____

APPLICATION	G-15789
PERMIT	
TRANSFER	

CASH: ☐ CHECK:# ☒ 1737 OTHER: (IDENTIFY) ☐ _____

TOTAL REC'D $ 85.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407	COPIES	$
_____	OTHER: (IDENTIFY) _____	$

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

4270 WRD OPERATING ACCT

46111

MISCELLANEOUS

0407	COPY & TAPE FEES	$
0410	RESEARCH FEES	$
0408	MISC REVENUE: (IDENTIFY) Assignment	$ 85.00
TC162	DEPOSIT LIAB. (IDENTIFY) _____	$
0240	EXTENSION OF TIME	$

WATER RIGHTS:

		EXAM FEE		RECORD FEE
0201	SURFACE WATER	$	0202	$
0203	GROUND WATER	$	0204	$
0205	TRANSFER	$		

WELL CONSTRUCTION

		EXAM FEE		LICENSE FEE
0218	WELL DRILL CONSTRUCTOR	$	0219	$
	LANDOWNER'S PERMIT		0220	$

_____ OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211	WELL CONST START FEE	$	CARD #	
0210	MONITORING WELLS	$	CARD #	

_____ OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY

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

_____ TREASURY OTHER / RDX

FUND _____ TITLE _____ RECEIVED

OBJ. CODE _____ VENDOR # _____ OVER THE COUNTER

DESCRIPTION _____ $

RECEIPT: 119732 DATED: 5-9-16 BY: Carlos O. Turner

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

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # 53864

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

INVOICE # _____

RECEIVED FROM: Eagle Crest, Inc

BY: _____

APPLICATION	G15789
PERMIT	
TRANSFER	

CASH: ☐ CHECK: # ✓ 64-1278 OTHER: (IDENTIFY) ☐ _____

TOTAL REC'D $ 800.00

0417 WRD MISC CASH ACCT

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

REDUCTION OF EXPENSE

_____ CASH ACCT. _____

_____ PCA AND OBJECT CLASS _____ VOUCHER # $

0427 WRD OPERATING ACCT

MISCELLANEOUS

0407	COPY & TAPE FEES	$
0410	RESEARCH FEES	$
0408	MISC REVENUE: (IDENTIFY) _____	$
(New) TC162	DEPOSIT LIAB. (IDENTIFY) _____	$

WATER RIGHTS:

		EXAM FEE		RECORD FEE
0201	SURFACE WATER	$	0202	$
0203	GROUND WATER	$ 625.00	0204	$ 175.00
0205	TRANSFER	$	0206	$

WELL CONSTRUCTION

		EXAM FEE		LICENSE FEE
0218	WELL DRILL CONSTRUCTOR	$	0219	$
	LANDOWNER'S PERMIT		0220	$

_____ OTHER (IDENTIFY) _____

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 # 53864 DATED: 7/1/02 BY: K Hall

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

VENDOR CODE	PAY TO NAME		GROSS TOTAL	DISCOUNT TOTAL	NET TOTAL
STAT000	STATE OF OREGON	()	$800.00	$0.00	$800.00

RECEIVED
JUL 01 2002
WATER RESOURCES DEPT.
SALEM, OREGON

app # G-15785

COMPANY	EAGLE CREST, INC.		DATE	6/27/02	CHECK NUMBER	00533359

INVOICE DATE	INVOICE NUMBER	COMMENT		GROSS AMOUNT	DISCOUNT	NET AMOUNT
6/26/02	62602	2320-00-000-700	D950	6 $800.00	$0.00	$800.00

H&H IFIC COMPANY
920 SW Emkay, Suite C100
Bend, Oregon 97702-1041

Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1271