

Application for a Permit to Use
Groundwater

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Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
503-986-0900
www.oregon.gov/OWRD

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant

NAME JOHN T. TEHAN			PHONE (HM)
PHONE (WK)	CELL 541-480-9015		FAX
MAILING ADDRESS PO BOX 34			
CITY SISTERS	STATE OR	ZIP 97759	E-MAIL* jttehan@gmail.com

Organization

NAME		PHONE	FAX
MAILING ADDRESS			CELL
CITY	STATE	ZIP	E-MAIL*

Agent – The agent is authorized to represent the applicant in all matters relating to this application.

AGENT / BUSINESS NAME JOHN A. SHORT / WATER RIGHT SERVICES, LLC		PHONE 541-389-2837	FAX
MAILING ADDRESS PO BOX 1830			CELL
CITY BEND	STATE OR	ZIP 97709	E-MAIL* johnshort@usa.com

Note: Attach multiple copies as needed

* By providing an e-mail address, consent is given to receive all correspondence from the Department electronically. (Paper copies of the proposed and final order documents will also be mailed.)

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.
- I cannot use water legally until the Water Resources Department issues a permit.
- Oregon law requires that a permit be issued before beginning construction of any proposed well, unless the use is exempt. Acceptance of this application does not guarantee a permit will be issued.
- 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 cancelled.
- The water use must be compatible with local comprehensive land-use plans.
- Even if the Department issues a permit, I may have to stop using water to allow senior water-right holders to get water to which they are entitled.

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


Applicant Signature

John Tehan
Print Name and Title if applicable

3/11/2024
Date

Applicant Signature

Print Name and Title if applicable

Date

For Department Use: App. Number: _____

SECTION 2: PROPERTY OWNERSHIP

Please indicate if you own all the lands associated with the project from which the water is to be diverted, conveyed, and used.

- YES, there are no encumbrances.
- YES, the land is encumbered by easements, rights of way, roads or other encumbrances.
- NO, I have a recorded easement or written authorization permitting access.
- NO, I do not currently have written authorization or easement permitting access.
- NO, written authorization or an easement is not necessary, because the only affected lands I do not own are state-owned submersible lands, and this application is for irrigation and/or domestic use only (ORS 274.040).
- NO, because water is to be diverted, conveyed, and/or used only on federal lands.

Affected Landowners: List the names and mailing addresses of all owners of any lands that are not owned by the applicant and that are crossed by the proposed ditch, canal or other work, even if the applicant has obtained written authorization or an easement from the owner. *(Attach additional sheets if necessary).*

Legal Description: You must provide the legal description of: 1. The property from which the water is to be diverted, 2. Any property crossed by the proposed ditch, canal or other work, and 3. Any property on which the water is to be used as depicted on the map.

SECTION 3: WELL DEVELOPMENT

WELL NO.	NAME OF NEAREST SURFACE WATER	IF LESS THAN 1 MILE:	
		DISTANCE TO NEAREST SURFACE WATER	ELEVATION CHANGE BETWEEN NEAREST SURFACE WATER AND WELL HEAD
WELL 1	WHYCHUS CREEK	2333'	19'
WELL 2	"	3152'	18'
WELL 3	"	1970'	11'

Please provide any information for your existing or proposed well(s) that you believe may be helpful in evaluating your application. For existing wells, describe any previous alteration(s) or repair(s) not documented in the attached well log or other materials *(attach additional sheets if necessary).*

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SECTION 3: WELL DEVELOPMENT, continued

Total maximum rate requested: 0.14 CFS (each well will be evaluated at the maximum rate unless you indicate well-specific rates and annual volumes in the table below).

The table below must be completed for each source to be evaluated or the application will be returned. If this is an existing well, the information may be found on the applicable well log. *(If a well log is available, please submit it in addition to completing the table.)* If this is a proposed well, or well-modification, consider consulting with a licensed well driller, geologist, or certified water right examiner to obtain the necessary information.

OWNER'S WELL NAME OR NO.	PROPOSED	EXISTING	WELL ID (WELL TAG) NO.* OR WELL LOG ID**	FLOWING ARTESIAN	CASING DIAMETER	CASING INTERVALS (IN FEET)	PERFORATED OR SCREENED INTERVALS (IN FEET)	SEAL INTERVALS (IN FEET)	MOST RECENT STATIC WATER LEVEL & DATE (IN FEET)	PROPOSED USE			
										SOURCE AQUIFER***	TOTAL WELL DEPTH	WELL-SPECIFIC RATE (GPM)	ANNUAL VOLUME (ACRE-FEET)
WELL #1	<input type="checkbox"/>	<input checked="" type="checkbox"/>	DESC 1815/2989	<input type="checkbox"/>	8"	0-60'	18'-60'	0-18'	48'	WATER BEARING SAND	98'		2.5-5 AF/AC
WELL #2	<input type="checkbox"/>	<input checked="" type="checkbox"/>	DESC 56693/L-73273	<input type="checkbox"/>	6"	+1-103'		0-35'	66'	SAND GREY FINE	103'		2.5-5 AF/AC
WELL #3	<input type="checkbox"/>	<input checked="" type="checkbox"/>	DESC 345	<input type="checkbox"/>	6" & 8"	0-50'/+1-19'	20-50'	0-19'	10'	GRAY & TAN CONGL	50'		2.5-5 AF/AC
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									

* Licensed drillers are required to attach a Department-supplied Well Tag, with a unique Well ID or Well Tag Number to all new or newly altered wells. Landowners can request a Well ID for existing wells that do not have one. The Well ID is intended to serve as a unique identification number for each well.
 ** A well log ID (e.g. MARI 1234) is assigned by the Department to each log in the agency's well log database. A separate well log is required for each subsequent alteration of the well.
 *** Source aquifer examples: Troutdale Formation, gravel and sand, alluvium, basalt, bedrock, etc.

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SECTION 4: SENSITIVE, THREATENED OR ENDANGERED FISH SPECIES PUBLIC INTEREST INFORMATION

This information must be provided for your application to be accepted as complete. The Water Resources Department will determine whether the proposed use will impair or be detrimental to the public interest with regard to sensitive, threatened or endangered fish species if your proposed groundwater use is determined to have the potential for substantial interference with nearby surface waters.

To answer the following questions, use the map provided in [Attachment 3](#) or the link below to determine whether the proposed point of appropriation (POA) is located in an area where the Upper Columbia, the Lower Columbia, and/or the Statewide public interest rules apply.

For more detailed information, click on the following link and enter the TRSQQ or the Lat/Long of a POA and click on "Submit" to retrieve a report that will show which section, if any, of the rules apply:

https://apps.wrd.state.or.us/apps/misc/lkp_trsqq_features/

If you need help to determine in which area the proposed POA is located, please call the customer service desk at (503) 986-0801.

Upper Columbia - OAR 690-033-0115 thru -0130

Is the well or proposed well located in an area where the Upper Columbia Rules apply?

Yes No

If yes, you are notified that the Water Resources Department will consult with numerous federal, state, local and tribal governmental entities so it may determine whether the proposed use is consistent with the "Columbia River Basin Fish and Wildlife Program" adopted by the Northwest Power Planning Council in 1994 for the protection and recovery of listed fish species. The application may be denied, heavily conditioned, or if appropriate, mitigation for impacts may be needed to obtain approval for the proposed use.

If yes, and if the Department determines that proposed groundwater use has the potential for substantial interference with nearby surface waters:

- I understand that the permit, if issued, will not allow use during the time period April 15 to September 30, except as provided in OAR 690-033-0140.
- I understand that the Department of Environmental Quality will review my application to determine if the proposed use complies with existing state and federal water quality standards.
- I understand that I will install and maintain water use measurement and recording devices as required by the Water Resources Department, and comply with recording and reporting permit condition requirements.

Lower Columbia - OAR 690-033-0220 thru -0230

Is the well or proposed well located in an area where the Lower Columbia rules apply?

Yes No

If yes, and the proposed groundwater use is determined to have the potential for substantial interference with nearby surface waters you are notified that the Water Resources Department will determine, by reviewing

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recovery plans, the Columbia River Basin Fish and Wildlife Program, and regional restoration programs applicable to threatened or endangered fish species, in coordination with state and federal agencies, as appropriate, whether the proposed use is detrimental to the protection or recovery of a threatened or endangered fish species and whether the use can be conditioned or mitigated to avoid the detriment.

If a permit is issued, it will likely contain conditions to ensure the water use complies with existing state and federal water quality standards; and water use measurement, recording and reporting required by the Water Resources Department. The application may be denied, or if appropriate, mitigation for impacts may be needed to obtain approval of the proposed use.

If yes, you will be required to provide the following information, if applicable.

Yes No The proposed use is for more than **one** cubic foot per second (448.8 gpm) and is not subject to the requirements of OAR 690, Division 86 (Water Management and Conservation Plans).

If yes, provide a description of the measures to be taken to assure reasonably efficient water use:

Statewide - OAR 690-033-0330 thru -0340

Is the well or proposed well located in an area where the Statewide rules apply?

Yes No

If yes, and the proposed groundwater use is determined to have the potential for substantial interference with nearby surface waters you are notified that the Water Resources Department will determine whether the proposed use will occur in an area where endangered, threatened or sensitive fish species are located. If so, the Water Resources Department, Department of Fish and Wildlife, Department of Environmental Quality, and the Department of Agriculture will recommend conditions required to achieve “no loss of essential habitat of threatened and endangered (T&E) fish species,” or “no net loss of essential habitat of sensitive (S) fish species.” If conditions cannot be identified that meet the standards of no loss of essential T E fish habitat or no net loss of essential S fish habitat, the agencies will recommend denial of the application unless they conclude that the proposed use would not harm the species.

SECTION 5: WATER USE

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
IRRIGATION	IRRIGATION SEASON	3 AF/AC
NURSERY USE	YEAR-ROUND	2.5-5 AF/AC

For irrigation use only:

Please indicate the number of primary, supplemental and/or nursery acres to be irrigated (*must match map*).

Primary: 10.72 Acres Supplemental: Acres Nursery Use: 0.28 Acres

If you listed supplemental acres, list the Permit or Certificate number of the underlying primary water right(s):

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 32.86 AF

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- If the use is **municipal or quasi-municipal**, attach **Form M**
- If the use is **domestic**, indicate the number of households: **(Exempt Uses: Please note that 15,000 gallons per day for single or group domestic purposes and 5,000 gallons per day for a single industrial or commercial purpose are exempt from permitting requirements.)**
- If the use is **mining**, describe what is being mined and the method(s) of extraction (*attach additional sheets if necessary*):

SECTION 6: WATER MANAGEMENT

A. Diversion and Conveyance

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

- Pump (give horsepower and type): SUBMERSIBLE HP T.B.D.
 Other means (describe):

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. **PUMPED TO PIPED IRRIGATION SYSTEM.**

B. Application Method

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler) (*attach additional sheets if necessary*)

DRIP IRRIGATION AND HIGH PRESSURE SPRINKLERS.

C. Conservation

Please describe why the amount of water requested is needed and measures you propose to: prevent waste; measure the amount of water diverted; prevent damage to aquatic life and riparian habitat; prevent the discharge of contaminated water to a surface stream; prevent adverse impact to public uses of affected surface waters (*attach additional sheets if necessary*).

THE USE OF WATER WILL BE METERED AND WILL BE APPLIED USING MODERN, EFFICIENT IRRIGATION METHODS INCLUDING DRIP IRRIGATION & SPRINKLERS. CURRENTLY THE LAND IS USED FOR A NURSERY TYPE FARM, PROVIDING FRESH PRODUCE TO THE COMMUNITY AND EDUCATION TO LOCAL STUDENTS ABOUT FARMING. OUR GOAL IS TO EXPAND OUR PRODUCTION ONTO OUR ADJACENT PROPERTIES THROUGH THIS APPLICATION.

SECTION 7: PROJECT SCHEDULE

- Date construction will begin: **UPON PERMIT ISSUANCE**
- Date construction will be completed: **WITHIN 5 YEARS OF PERMIT ISSUANCE**
- Date beneficial water use will begin: **WITHIN 5 YEARS OF PERMIT ISSUANCE**

SECTION 8: RESOURCE PROTECTION

In granting permission to use water the state encourages, and in some instances requires, careful control of activities that may affect adjacent waterway or streamside area. See instruction guide for a list of possible permit requirements from other agencies. Please indicate any of the practices you plan to undertake to protect water resources.

- Water quality will be protected by preventing erosion and run-off of waste or chemical products.
Describe: **ALL WATER USED WILL BE APPLIED USING EFFICIENT METHODS MINIMIZING RUN-OFF, ANY RUN-OFF WILL EVAPORATE AND INFILTRATE ON-SITE.**
- Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas.

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Note: If disturbed area is greater than one acre, applicant should contact the Oregon Department of Environmental Quality to determine if a 1200C permit is required.

Describe planned actions and additional permits required for project implementation: N/A - NOT A RIPARIAN AREA

- Other state and federal permits or contracts required and to be obtained, if a water right permit is granted:
List: N/A

SECTION 9: WITHIN A DISTRICT

- Check here if the point of appropriation (POA) or place of use (POU) are located within or served by an irrigation or other water district.

Irrigation District Name	Address	
City	State	Zip

SECTION 10: REMARKS

Use this space to clarify any information you have provided in the application (*attach additional sheets if necessary*).

THE APPLICANT OWNS 20.0 DESCHUTES BASIN MITIGATION PROJECT CREDITS CREATED BY T-11358/MP-165. THE CREDITS WERE OBTAINED BY TRANSFERRING AN 1883 WHYCHUS CREEK WATER RIGHT FROM AN ADJACENT PROPERTY IN-STREAM AND REMOVING THE DIVERSION ON THE CREEK TO IMPROVE HABITAT. THE CONSUMPTIVE USE FOR THIS APPLICATION IS INTENDED TO BE OFFSET BY THE MITIGATION CREDITS ALREADY OBTAINED.

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Land Use Information Form



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.oregon.gov/OWRD

NOTE TO APPLICANTS

In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be used and developed. The planning official may choose to complete the form while you wait, or return the receipt stub to you. Applications received by WRD without the Land Use Form or the receipt stub will be returned to you. Please be aware that your application will not be approved without land use approval.

This form is NOT required if:

- 1) Water is to be diverted, conveyed, and/or used only on federal lands; **OR**
- 2) The application is for a water right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and **all** of the following apply:
 - a) The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
 - b) The application involves a change in place of use only;
 - c) The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; **and**
 - d) The application involves irrigation water uses only.

NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for or modifying a water right. The Water Resources Department (WRD) requires its applicants to obtain land-use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan. Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land-use form and return it to the WRD. If no land-use information is received from you within that 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan. Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0801.

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Land Use Information Form

Applicant(s): JOHN TEHAN

Mailing Address: PO BOX 34

City: SISTERS

State: OR

Zip Code: 97759

Daytime Phone: 541-480-9015

A. Land and Location

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:	Proposed Land Use:
<u>15S</u>	<u>10E</u>	<u>4</u>		<u>1306</u> <u>(151004-00-1306)</u>	<u>RR10</u>	<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	<u>NURSERY USE</u>
<u>15S</u>	<u>10E</u>	<u>4</u>		<u>1303</u> <u>(151004-00-1303)</u>	<u>RR10</u>	<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	<u>IRRIGATION USE</u>
<u>15S</u>	<u>10E</u>	<u>4 & 3</u>		<u>1302</u> <u>(151004-00-1302)</u>	<u>RR10</u>	<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	<u>IRRIGATION USE</u>

List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed:

DESCHUTES COUNTY.

B. Description of Proposed Use

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

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

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

Estimated quantity of water needed: 0.14 cubic feet per second gallons per minute acre-feet

Intended use of water: Irrigation Commercial Industrial Domestic for _____ household(s)
 Municipal Quasi-Municipal Instream Other NURSERY USE (GREENHOUSES)

Briefly describe:

APPLYING TO USE WELL WATER FOR IRRIGATION AND NURSERY USE ON 6 EXISTING GREENHOUSES.

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

See bottom of Page 3. →

For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

Please check the appropriate box below and provide the requested information

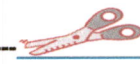
- Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s):
- Land uses to be served by the proposed water uses (including proposed construction) involve discretionary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

Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued

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

Name: _____ Title: _____
 Signature: _____ Phone: _____ Date: _____
 Government Entity: _____

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



Receipt for Request for Land Use Information

Applicant name: _____
 City or County: _____ Staff contact: _____
 Signature: _____ Phone: _____ Date: _____

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Deschutes County

Office: Bend
117 NW Lafayette Ave
PO Box 6005
Bend, OR 97708
541-388-6575
cdd@deschutes.org

Transaction Receipt
Record ID: 247-24-000096-PS
IVR Number: 247041401823

Receipt Number: 509046

Receipt Date: 2/20/24

www.deschutes.org/cd

Worksite address: 520 N COWBOY ST, SISTERS, OR 97759

Parcel: 1510040001303

Fees Paid					
Transaction date	Units	Description	Account code	Fee amount	Paid amount
2/20/24	1.00 Qty	Permit Sign-Off for Other Agency - LUCS sign off	2956150 341301	\$118.00	\$118.00

Payment Method: Credit card authorization: 767144	Payer: Water Right Services LLC	Payment Amount:	\$118.00
---	---------------------------------	-----------------	----------

Cashier: Audrey Stuart

Receipt Total:

\$118.00

Receipt for Request for Land Use Information

Applicant name: Water Right Services, LLC

City or County: Deschutes County Staff contact: Audrey Stuart

Signature: Audrey Stuart Phone: 541-388-6679 Date: 2/20/24

Revised 2/8/2010

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NOTICE TO WATER WELL CONTRACTOR

The original and first copy of this report are to be filed with the

STATE ENGINEER, SALEM, OREGON 97310
within 30 days from the date of well completion.

WATER WELL REPORT
STATE OF OREGON
(Please type or print)
(Do not write above this line)

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DESC
345

JUL 2 - 1976

State Well No.

Permit No.

155 / 10E-4

SALEM, OREGON

(1) OWNER:

Name Scott Redfield P.O. Box 566
Address Sisters, Oregon

(2) TYPE OF WORK (check):

New Well Deepening Reconditioning Abandon
If abandonment, describe material and procedure in item 12.

(3) TYPE OF WELL:

Rotary Cable Dug
Driven Jetted Bored

(4) PROPOSED USE (check):

Domestic Industrial Municipal
Irrigation Test Well Other

CASING INSTALLED:

Threaded Welded
8" Diam. from +1 ft. to 19 ft. Gage 250
6" Diam. from 0 ft. to 50 ft. Gage 250
" Diam. from " ft. to " ft. Gage

PERFORATIONS:

Perforated? Yes No.
Type of perforator used torch
Size of perforations 1/8 in. by 12 in.
90 perforations from 20 ft. to 50 ft.
perforations from " ft. to " ft.
perforations from " ft. to " ft.

(7) SCREENS:

Well screen installed? Yes No
Manufacturer's Name _____
Type _____ Model No. _____
Diam. _____ Slot size _____ Set from _____ ft. to _____ ft.
Diam. _____ Slot size _____ Set from _____ ft. to _____ ft.

(8) WELL TESTS:

Drawdown is amount water level is lowered below static level
Was a pump test made? Yes No If yes, by whom?
Id: _____ gal./min. with _____ ft. drawdown after _____ hrs.
" " " " " " " " " " " " "
" " " " " " " " " " " " "
Bailer test 28 gal./min. with 0 ft. drawdown after 1 hrs.
slan flow _____ g.p.m.
perature of water 57 Depth artesian flow encountered _____ ft.

(9) CONSTRUCTION:

Well seal—Material used cement
Well sealed from land surface to 19 ft.
Diameter of well bore to bottom of seal 12 in.
Diameter of well bore below seal 8 in.
Number of sacks of cement used in well seal 7 sacks
Number of sacks of bentonite used in well seal 0 sacks
Brand name of bentonite _____
Number of pounds of bentonite per 100 gallons of water _____ lbs./100 gals.
Was a drive shoe used? Yes No Plugs _____ Size: location _____ ft.
Did any strata contain unusable water? Yes No
Type of water? _____ depth of strata _____
Method of sealing strata off _____
Was well gravel packed? Yes No Size of gravel: _____
Gravel placed from _____ ft. to _____ ft.

(10) LOCATION OF WELL:

County Deschutes Driller's well number 1
NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 4 T. 15S R. 10E W.M.
Bearing and distance from section or subdivision corner
885' S & 18' W of East $\frac{1}{2}$ corner Sec 4

(11) WATER LEVEL: Completed well.

Depth at which water was first found 15 ft.
Static level 10 ft. below land surface. Date 6/5/76
Artesian pressure _____ lbs. per square inch. Date _____

(12) WELL LOG:

Diameter of well below casing 0
Depth drilled 50 ft. Depth of completed well 50 ft.
Formation: Describe color, texture, grain size and structure of materials; and show thickness and nature of each stratum and aquifer penetrated, with at least one entry for each change of formation. Report each change in position of Static Water Level and indicate principal water-bearing strata.

MATERIAL	From	To	SWL
brn sandy soil	0	2	
hd gray rock	2	12	
gray & tan congl (WB)	12	29	
gray blk sandstone	29	50	10

Work started 6/4 19 76 Completed 6/5 19 76
Date well drilling machine moved off of well 6/5 19 76

Drilling Machine Operator's Certification:

This well was constructed under my direct supervision. Materials used and information reported above are true to my best knowledge and belief.
[Signed] [Signature] Date 6/8, 19 76
(Drilling Machine Operator)
Drilling Machine Operator's License No. 934

Water Well Contractor's Certification:

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.
Name Crawford Well Drilling (Type or print)
Address 3626 NW Coyner Redmond, Ore
[Signed] [Signature] (Water Well Contractor)
Contractor's License No. 595 Date 6/8, 19 76

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

DESC
 1815

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14S/10E/4da
 (START CARD) # 7130

(1) OWNER: Well Number _____
 Name John T. Tehan
 Address 15900 Cascade
 City Sisters State Oregon Zip 97159

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

(3) DRILL METHOD
 Rotary Air Rotary Mud Cable
 Other _____

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

(5) BORE HOLE CONSTRUCTION:
 Special Construction approval Yes No Depth of Completed Well 96 ft.
 Explosives used Yes No Type _____ Amount _____

HOLE		SEAL		Amount sacks or pounds
Diameter	From To	Material	From To	
		<u>Not Dist.</u>		

 How was seal placed: Method A B C D E
 Other _____
 Backfill placed from _____ ft. to _____ ft. Material _____
 Gravel placed from _____ ft. to _____ ft. Size of gravel _____

(6) CASING/LINER:

Casing/Liner	Diameter	From	To	Gauge	Material			
					Steel	Plastic	Welded	Threaded
Liner	<u>5"</u>	<u>-2'</u>	<u>96'</u>	<u>188</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

 Final location of shoe(s) _____

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

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
<u>77'</u>	<u>95'</u>	<u>1/8</u>	<u>180</u>			<input type="checkbox"/>	<input checked="" type="checkbox"/>

(8) WELL TESTS: Minimum testing time is 1 hour
 Pump Bailer Air Flowing Artesian

Yield gal/min	Drawdown	Drill stem at	Time
<u>100</u>	<u>0</u>		<u>1 hr.</u>

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

(9) LOCATION OF WELL by legal description:
 County Dech Latitude _____ Longitude _____
 Township 14 N or S, Range 10 E or W, WM.
 Section 4 N.E. 1/4 S.E. 1/4
 Tax Lot 1306 Lot _____ Block _____ Subdivision _____
 Street Address of Well (or nearest address) 15900 Cascade Sisters Ore.

(10) STATIC WATER LEVEL:
48 ft. below land surface. Date 8-3-89
 Artesian pressure _____ lb. per square inch. Date _____

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

From	To	Estimated Flow Rate	SWL
<u>60</u>	<u>98</u>	<u>100 G.P.M.</u>	<u>48</u>

(12) WELL LOG: Ground elevation _____

Material	From	To	SWL
<u>Med Sand</u>	<u>60</u>	<u>98</u>	<u>48</u>

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Date started 7-31-89 Completed 8-3-89

(unbonded) Water Well Constructor Certification:
 I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon well construction standards. Materials used and information reported above are true to my best knowledge and belief.
 Signed Wayne T. Buchner WWC Number 677 Date 8-3-89

(bonded) Water Well Constructor Certification:
 I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. all work performed during this time is in compliance with Oregon well construction standards. This report is true to the best of my knowledge and belief.
 Signed Wayne T. Buchner WWC Number 677 Date 8-3-89

NOTICE TO WATER WELL CONTRACTOR

The original and first copy of this report are to be filed with the

RECEIVED WATER WELL REPORT AUG 21 1968 STATE OF OREGON (Please type or print) STATE ENGINEER SALEM OREGON

DESC 29 89

STATE ENGINEER, SALEM, OREGON 97310 within 30 days from the date of well completion.

AUG 21 1968

STATE OF OREGON (Please type or print)

State Well No. 15/10-4

State Permit No.

(1) OWNER:

Name George L. Leanard Address 905 Corbot Bldg. Portland, Oregon

(2) TYPE OF WORK (check):

New Well [x] Deepening [] Reconditioning [] Abandon []

If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rotary [] Driven [] Cable [x] Jetted [] Dug [] Bored [] Domestic [x] Industrial [] Municipal [] Irrigation [] Test Well [] Other []

(4) PROPOSED USE (check):

CASING INSTALLED:

8" Diam. from 0 ft. to 60 ft. Gage 250

PERFORATIONS:

Type of perforator used Cutting torch Size of perforations 8 in. by 1/2 in. 100 perforations from 18 ft. to 60 ft.

(7) SCREENS:

Well screen installed? [] Yes [x] No Manufacturer's Name Type Model No. Diam. Slot size Set from ft. to ft.

(8) WATER LEVEL: Completed well.

Static level 40 ft. below land surface Date 5/10/67

(9) WELL TESTS:

Drawdown is amount water level is lowered below static level Was a pump test made? [] Yes [x] No If yes, by whom? gal./min. with ft. drawdown after hrs.

(10) CONSTRUCTION:

Well seal Material used Bentonite & Drill mud Depth of seal 18 ft. Diameter of well bore to bottom of seal 10 in. Were any loose strata cemented off? [] Yes [x] No Depth

(11) LOCATION OF WELL:

County Deschutes Driller's well number 1/4 Section 4 T.15S R. 10E W.M.

(12) WELL LOG:

Diameter of well below casing 8 Depth drilled 60 ft. Depth of completed well 60 ft.

Formation: Describe color, texture, grain size and structure of materials; and show thickness and nature of each stratum and aquifer penetrated, with at least one entry for each change of formation. Report each change in position of Static Water Level as drilling proceeds. Note drilling rates.

Table with columns: MATERIAL, From, To, SWL. Rows include Overburden, Bold and Cong, Water Bearing sand.

WELL ABANDON UNTIL LATER DATE LID WELDED ON

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Work started 6 5/5 1967 Completed 5/12 19 67 Date well drilling machine moved off of well 5/13 19 67

Drilling Machine Operator's Certification: This well was constructed under my direct supervision. Materials used and information reported above are true to my best knowledge and belief. [Signed] O.M. Brigg Date 5/13, 19 67

Drilling Machine Operator's License No. 478

Water Well Contractor's Certification: This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief. NAME Kriege Drilling Service Address Rt. 1 Box 164B, Redmond, Oregon [Signed] O.M. Brigg Contractor's License No. 468 Date 5/13 1967

**STATE OF OREGON
Water Supply Well Report**

(as required by ORS 537.765)

DESC 56693

DESC

Received Date: 04-20-2005

Well ID Tag # L 73273

Start Card # 169995

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

(1) Owner Well Number: _____
 Name: THOMAS FISH
 MARY FISH CREDIT SHELTER
 Street: PO BOX 8292
 City: BLACK BUTTE RANCH State: OR Zip Code: 97759

(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: 103.00 ft.
 Explosives Used: Amount: _____ Type: _____

Diameter	Hole		Mtrl	Seal		Sacks/lbs
	From	To		From	To	
10.00	0.00	35.00	BC	0.00	35.00	44
6.00	35.00	103.00				

How was seal placed? _____ Other: POURED DRY
 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	6.00	1.00	103.00	.250	S	X		103	In

(7) Perforation / Screens

Perforations: _____ Csng/ _____
 Mtrl From To Width Height #Slots Dia. t/pSize 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
B	40.00	G	0.00		2.00

Temperature of Water: 48 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: DESC Latitude: _____ Longitude: _____
 Township: 15.00 S Range: 10.00 E
 Section: 4 NESE Lot: _____ Block: _____
 Tax Lot: 1303 Subdivision: _____
 Street Address of Well (or nearest address):
 520 N COWBOY ST SISTERS
 MAP, with location identified, must be attached.

(10) Static Water Level
 Feet below land surface: 66.0 Date: 03 / 30 / 2005
 Artesian Pressure: _____ Date: _____

(11) Water Bearing Zones
 Depth at which water was first found: 90.00 ft.

From	To	est Flow	swl
90.00	103.00	40.00	66

(12) Well Log Ground Elevation: _____

Material	From	To	swl
SAND CLAY COBBLELS	0.00	20.00	
CONGLOMERATE BROWN	20.00	52.00	
SILT CLAY	52.00	61.00	
SAND GRAY FINE	61.00	66.00	
SAND BLACK	66.00	96.00	
GRAVELS SMALL MEDIUM	96.00	103.00	66

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Date Started: 03 / 25 / 2005 Date Completed: 03 / 30 / 2005

(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 construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon well construction standards. This report is true to the best of my knowledge and belief.
 Signed by: JACK ABBAS WWC #: 1720
 ABBAS WELL DRILLING CO Phone: 541-548-2787

91-24662



STATUTORY BARGAIN AND SALE DEED

243 - 0578

John T. Tehan

conveys to John T. Tehan and Peggy J. Tehan, husband and wife, Grantor,

the following described real property: PARCEL I: The South Half of the West Half of the Northeast Quarter of the Southeast Quarter (S 1/2 W 1/2 NE 1/4 SE 1/4) of Section Four (4), Township Fifteen (15) South, Range Ten (10) East of the Willamette Meridian, Deschutes County, Oregon. PARCEL II: A non-exclusive easement for right of way purposes to be appurtenant to the foregoing property which easement is over an existing road commencing at the North side of Cascade Street; thence Northerly along said right of way extending into the Easterly 165 feet of the Southwest Quarter of the Southeast Quarter (SW 1/4 SE 1/4) and the extreme Northwest part of the Southeast Quarter of the Southeast Quarter (SE 1/4 SE 1/4) of Section Four (4), Township Fifteen (15) South, Range Ten (10) East of the Willamette Meridian, Deschutes County, Oregon, to the South line of the Northeast Quarter of the Southeast Quarter (NE 1/4 SE 1/4) of said Section Four (4), as set forth in instrument recorded October 15, 1974 in Book 212, Page 259 of Deschutes County Deed Records.

Deschutes County Tax Account No; 06-16 15 10 04 00 01306.

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.

The true consideration for this conveyance is \$ to change vesting (Here comply with the requirements of ORS 91.030)

DATED this 19 day of August 19 91.

John T. Tehan

CORPORATE ACKNOWLEDGMENT

STATE OF OREGON, County of Deschutes) ss. STATE OF OREGON, County of) ss.

The foregoing instrument was acknowledged before me this 19 day of August 19 91 by John T. Tehan

The foregoing instrument was acknowledged before me this day of 19 by and of

Elizabeth C. Miles

Notary Public for Oregon My commission expires: 1-11-94

Notary Public My commission

STATE OF OREGON) ss. COUNTY OF DESCHUTES) ss.

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

My Commission Expires 1-21-97 Title Order No. DE-3049 Escrow No.

THIS SPACE

91 AUG 23 AM 11:18

MARY SUE PENHOLLOW COUNTY CLERK

After recording return to: First American Title Company P.O. Box 236 Sisters, OR 97759 NAME, ADDRESS, ZIP

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

No change

BY: [Signature] DEPUTY

NO. 91-24662 FEE 33- DESCHUTES COUNTY OFFICIAL RECORDS

FIRST AMERICAN TITLE CO. OF DESCHUTES COUNTY NAME, ADDRESS, ZIP P. O. BOX 323 BEND, OREGON 97709

TI 84 - 8/85

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31

DESCHUTES COUNTY OFFICIAL RECORDS
NANCY BLANKENSHIP, COUNTY CLERK

2006-47571



\$31.00

00478210280600475710010013

07/11/2006 03:44:54 PM

D-D Cnt=1 Stn=1 BECKEY
\$5.00 \$11.00 \$10.00 \$5.00

After recording return to:
WESTERN TITLE & ESCROW COMPANY
PO BOX 1963
SISTERS, OR 97759

Until a change is requested all tax statements
shall be sent to the following address:
JOHN & PEGGY TEHAN
P.O. BOX 54
SISTERS, OR 97759

WARRANTY DEED -- STATUTORY FORM

THOMAS E. FISH, TRUSTEE OF THE MARY A. FISH TRUST U/W 7/12/2001, Grantor,
conveys and warrants to JOHN TEHAN AND PEGGY TEHAN, husband and wife, Grantee,
the following described real property, free of encumbrances except as
specifically set forth herein, to wit:

The North Half of the West Half of the Northeast Quarter of the Southeast
Quarter (N1/2 W1/4 NE1/4 SE1/4) of Section 4, Township 15 South, Range 10
East of the Willamette Meridian, Deschutes County, Oregon.

Tax Account No(s): 143012
Map/Tax Lot No(s): 15-10-04-00-01303

This property is free from encumbrances, EXCEPT: All those items of record, if
any, as of the date of this deed, including any real property taxes due, but
not yet payable.

The true consideration for this conveyance is \$ 1,000,000.00.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING
FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS
197.352. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN
THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND
REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON
ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE
CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES, TO
DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS
DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING
PROPERTY OWNERS, IF ANY UNDER ORS 197.352.

Dated this 11 day of July, 2006.

Thomas E Fish, Trustee
THOMAS E. FISH, TRUSTEE OF THE MARY A. FISH
TRUST U/W 7/12/2001

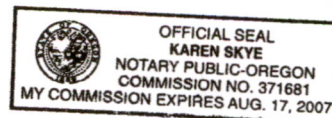
STATE OF OREGON, COUNTY OF DESCHUTES) SS.

This instrument was acknowledged before me on July 11, 2006 by THOMAS E.
FISH, TRUSTEE.

Karen Skye

(Notary Public for Oregon)
My commission expires 8-17-07

TITLE NO. 11-0026606
ESCROW NO. 11-0026606



RECORDED BY
WESTERN TITLE & ESCROW CO.

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\$41.00

00472483200800421530030032

06/19/2006 03:01:57 PM

D-D Cnt=1 Str=26 SHIRLEY

\$15.00 \$11.00 \$10.00 \$5.00

333

After Recording Return to:
Myles Conway
Schwabe, Williamson & Wyatt, P.C.
549 SW Mill View Way, Suite 100
Bend, Oregon 97702

Until a change is requested, all tax
statements shall be sent to:
Mr. John Tehan
P.O. Box 34
Sisters, Oregon 97759

STATUTORY WARRANTY DEED

SCOTT REDFIELD ("Grantor"), hereby conveys and warrants to JOHN TEHAN and PEGGY TEHAN, tenants by the entirety, as to an undivided fifty percent (50%) interest; 530 COWBOY, LLC, an Oregon limited liability company, as to an undivided thirty percent (30%) interest; SISTERS PROPERTY MANAGEMENT, LLC, an Oregon limited liability company, as to an undivided ten percent (10%) interest; and PAT THOMPSON, as to an undivided ten percent (10%) interest; all as tenants in common (collectively, "Grantee"), the real property described on Exhibit A attached hereto (the "Property") free of encumbrances except as set forth on Exhibit B attached hereto.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 197.352.

The true and actual consideration for this conveyance is One Million Eight Hundred Thousand Dollars (\$1,800,000.00) pursuant to an IRC 1031 tax deferred exchange on behalf of grantor/grantee.

Dated this 16 day of June, 2006.

GRANTOR:

Scott Redfield
Scott Redfield

STATE OF OREGON)
County of Deschutes)

This instrument was acknowledged before me this 16 day of June, 2006, by Scott Redfield.

Shelley Marsh
NOTARY PUBLIC FOR OREGON
My Commission Expires: 07-22-07



1 - STATUTORY WARRANTY DEED
PDX/114031/144778/JSD/1435440.1

After recording, return to
Amerititle
15 OREGON AVENUE, BEND

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**EXHIBIT A TO
STATUTORY WARRANTY DEED**

**Legal Description
Parcel B of LL 05-104**

The East Half of the Northeast Quarter of the Southeast Quarter of Section 4, Township 15 South, Range 10 East, Willamette Meridian, Deschutes County, Oregon,

Excepting therefrom the following:

A parcel of land situated in the Northeast Quarter of the Northeast Quarter of the Southeast Quarter of Section 4, Township 15 South, Range 10 East, Willamette Meridian, Deschutes County, Oregon, being more particularly described as:

Beginning at a 3" brass-capped iron pipe at the East Quarter Corner of said Section 4; thence, along the east line of said Section, S00°01'42"E, a distance of 299.31 feet to a 5/8" iron rod; thence, leaving said Section line, S89°48'39"W, a distance of 660.62 feet to a 5/8" iron rod on the west line of said Northeast Quarter of the Northeast Quarter of the Southeast Quarter; thence, along said west line, N00°04'23"W, a distance of 299.31 feet to a 1/2" iron rod at the northwest corner of said Northeast Quarter of the Northeast Quarter of the Southeast Quarter; thence, along the east-west centerline of said Section, N89°48'39"E, a distance of 660.85 feet to the point of beginning.

Together with the following:

Beginning at a 5/8" iron rod on the line between said Section 4 and Section 3, being also the southwest corner of Lot 4, Block 2, Barclay Meadows-First Addition, a subdivision of record situated in the West Half of Section 3, Township 15 South, Range 10 East, Willamette Meridian, Deschutes County, Oregon; thence, along said Section line, N00°01'42"W, a distance of 380.05 feet to a 5/8" iron rod at the southwest corner of Parcel 1 of Partition Plat 1990-51; thence, leaving said Section line and along the south boundary of said Parcel 1, East, a distance of 300.00 feet to a 5/8" iron rod; thence, leaving said boundary, and along a line parallel to the west boundary of said Lot 4, S00°01'42"E, a distance of 326.61 feet to a point on the south boundary of said Lot 4; thence, along said boundary, S79°53'56"W, a distance of 304.70 feet to the point of beginning.

Subject to and together with all rights-of-way and easements of record.

Containing 18.1 acres, more or less.

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**EXHIBIT B TO
STATUTORY WARRANTY DEED**

Easement, including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein

As granted to: Central Electric Cooperative, Inc., a cooperative corporation.

Recorded: April 12, 1976

Book-Page: 230-191, Deed Records

Modification of Road Easement Agreement, including the terms and provisions thereof, recorded March 8, 2004, in Volume 2004, Page 12542, Deschutes County Records.

Restrictions as disclosed on the official plat of Barclay Meadows First Addition.

Public utility easements as disclosed on the official plat of Barclay Meadows First Addition.

Covenants, Conditions and Restrictions, but omitting any Covenants or Restrictions, if any, based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law, as contained in instrument recorded October 4, 1974, in Book 211, Page 804, Deed Records.

As amended by instruments recorded January 6, 1976, in Book 226, Page 885, Deed Records, and November 19, 1979, in Book 311, Page 762, Deed Records.

(Affects portion in Barclay Meadows First Addition)

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MAR 14 2024

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MAR 14 2024

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\$36.00

07/20/2006 12:55:02 PM

D-D Cnt=1 Str=23 JEFF
\$10.00 \$11.00 \$10.00 \$5.00

530 Cowboy, LLC
 109 NW Greenwood, #102
 Bend, OR 97701

Grantor's Name and Address
 Robinson & Owen Investments, LLC
 PO Box 267
 Sisters, OR 97759

Grantee's Name and Address
 Robinson & Owen Investments LLC
 PO Box 267
 Sisters, OR 97759

After recording, return to (Name, Address, Zip):
 Robinson & Owen Investments LLC
 PO Box 267
 Sisters, OR 97759

Until requested otherwise, send all tax statements to (Name, Address, Zip):
 Robinson & Owen Investments LLC
 PO Box 267
 Sisters, OR 97759

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 530 Cowboy, LLC, as to its undivided 30% interest,

hereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto Robinson & Owen Investments, LLC
 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 Deschutes County, State of Oregon, described as follows, to-wit:

See Attached Exhibit A

(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 \$300,000. 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. (The sentence between the symbols ®, 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 July 20th, 2006; 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.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER CHAPTER 1, OREGON LAWS 2005 (BALLOT MEASURE 37 (2004)). THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER CHAPTER 1, OREGON LAWS 2005 (BALLOT MEASURE 37 (2004)).

530 COWBOY, LLC
 By: Apex Accommodators, LLC
Devon Gaines
 Its: Manager

STATE OF OREGON, County of Deschutes ss.
 This instrument was acknowledged before me on July 20th, 2006

by _____
 This instrument was acknowledged before me on _____
 by _____
 as Columbia River Bank



Bobby J. O.
 Notary Public for Oregon
 My commission expires July 31st, 2009

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Exhibit A

Legal Description of Replacement Property

An undivided 30% interest in:

The East Half of the Northeast Quarter of the Southeast Quarter (E1/2NE1/4SE1/4) of Section Four (4), Township Fifteen (15) South, Range Ten (10), East of the Willamette Meridian, Deschutes County, Oregon,

EXCEPTING therefrom the following:

A parcel of land situated in the Northeast Quarter of the Northeast Quarter of the Southeast Quarter (NE1/4NE1/4SE1/4) of Section Four (4), Township Fifteen (15) South, Range Ten (10); East of the Willamette Meridian, Deschutes County, Oregon, being more particularly described as follows:

Beginning at a 3" brass-capped iron pipe at the East Quarter Corner of said Section 4; thence along the East line of said Section, S00°01'42"E; a distance of 299.31 feet to a 5/8" iron rod; thence leaving said Section line, S89°48'39"W, a distance of 660.62 feet to a 5/8" iron rod on the West line of said NE1/4NE1/4SE1/4; thence along said West line, N00°04'23"W, a distance of 299.31 feet to a 1/2" iron rod at the Northwest corner of said NE1/4NE1/4SE1/4; thence along the East-West centerline of said Section NB9°48'39"E, a distance of 660.85 feet to the point of beginning.

TOGETHER with the following:

Beginning at a 5/8" iron rod on the on line between said Section 4 and Section 3, being also the Southwest corner of Lot Four (4), Block Two (2), BARCLAY MEADOWS FIRST ADDITION, a subdivision of record situated in the West Half (W1/2) of Section Three (3), Township Fifteen (15) South, Range Ten (10), East of the Willamette Meridian, Deschutes County, Oregon; thence along said Section line, N00°01'42"W, a distance of 380.50 feet to a 5/8" iron rod at the Southwest corner of Parcel 1 of Partition Plat 1990-51; thence leaving said Section line and along the South boundary of said Parcel 1, East a distance of 300.00 feet to a 5/8" iron rod; thence leaving said boundary, and along a line parallel to the West boundary of said Lot 4, S00°01'42"E, a distance of 326.61 feet to a point on the South boundary of said Lot 4; thence along said boundary, S79°53'56"W, a distance of 304.70 feet to the point of beginning.

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Minimum Requirements Checklist

Minimum Requirements (OAR 690-310-0040, OAR 690-310-0050 & ORS 537.140)

Include this checklist with the application

Check that each of the following items is included. The application will be returned if all required items are not included. If you have questions, please call the Water Rights Customer Service Group at (503) 986-0900.

Please submit the original application and signatures to the Water Resources Department. Applicants are encouraged to keep a copy of the completed application.

- SECTION 1: Applicant Information and Signature
- SECTION 2: Property Ownership
- SECTION 3: Well Development
- SECTION 4: Sensitive, Threatened or Endangered Fish Species Public Interest Information
- SECTION 5: Water Use
- SECTION 6: Water Management
- SECTION 7: Project Schedule
- SECTION 8: Resource Protection
- SECTION 9: Within a District
- SECTION 10: Remarks

Include the following additional items:

- Land Use Information Form with approval and signature of local planning department (*must be an original*) or signed receipt.
- Provide the legal description of: (1) the property from which the water is to be diverted, (2) any property crossed by the proposed ditch, canal or other work, and (3) any property on which the water is to be used as depicted on the map.
- Fees - Amount enclosed: \$ 3,820 + \$790 MITIGATION FEE = \$4,610
See the Department's Fee Schedule at www.oregon.gov/owrd or call (503) 986-0900.
- Map that includes the following items:
 - Permanent quality and drawn in ink
 - Even map scale not less than 4" = 1 mile (example: 1" = 400 ft, 1" = 1320 ft, etc.)
 - North Directional Symbol
 - Township, Range, Section, Quarter/Quarter, Tax Lots
 - Reference corner on map
 - Location of each diversion, by reference to a recognized public land survey corner (distances north/south and east/west)
 - Indicate the area of use by Quarter/Quarter and tax lot identified clearly.
 - Number of acres per Quarter/Quarter and hatching to indicate area of use if for primary irrigation, supplemental irrigation, or nursery
 - Location of main canals, ditches, pipelines or flumes (if well is outside of the area of use)

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Water-Use Permit Application Processing

1. Completeness Determination

The Department evaluates whether the application and accompanying map contain all of the information required under OAR 690-310-0040 and OAR 690-310-0050. The Department also determines whether the proposed use is prohibited by statute. If the Department determines that the application is incomplete, all fees have not been paid, or the use is prohibited by statute, the application and all fees submitted are returned to the applicant.

2. Initial Review

The Department reviews the application to determine whether water is available during the period requested, whether the proposed use is restricted or limited by rule or statute, and whether other issues may preclude approval of or restrict the proposed use. An Initial Review (IR) containing preliminary determinations is mailed to the applicant. The applicant has 14 days from the mailing date to withdraw the application from further processing and receive a refund of all fees paid minus \$310. The applicant may put the application on hold for up to 180 days and may request additional time if necessary.

3. Public Notice

Within 7 days of the mailing of the initial review, the Department gives [public notice](#) of the application in the weekly notice published by the Department at www.oregon.gov/owrd. The public comment period is 30 days from publication in the weekly notice.

4. Proposed Final Order Issued

The Department reviews any comments received, including comments from other state agencies related to the protection of sensitive, threatened or endangered fish species. Within 60 days of completion of the IR, the Department issues a Proposed Final Order (PFO) explaining the proposed decision to deny or approve the application. A PFO proposing approval of an application will include a draft permit, and may request additional information or outstanding fees required prior to permit issuance.

5. Public Notice

Within 7 days of issuing the PFO, the Department gives public notice in the weekly notice. Notice includes information about the application and the PFO. Protest must be received by the Department within 45 days after publication of the PFO in the weekly notice. Anyone may file a protest. The protest filing fee is \$480.00 for the applicant and \$950.00 for non-applicants. Protests are filed on approximately 10 percent of Proposed Final Orders. If a protest is filed the Department will attempt to settle the protest but will schedule a contested case hearing if necessary.

6. Final Order Issued

If no protests are filed, the Department can issue a Final Order within 60 days of the close of the period for receiving protest. If the application is approved, a permit is issued. The permit specifies the details of the authorized use and any terms, limitations or conditions that the Department deems appropriate

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Oregon Water Resources Department
Groundwater Application

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Today's Date: Friday, February 16, 2024

Base Application Fee.		\$1,570.00
Number of proposed cubic feet per second (cfs) to be appropriated. (1 cfs = 448.83 gallons per minute)	0.14	\$410.00
Number of proposed Use's for the appropriated water. (i.e. Irrigation, Supplemental Irrigation, Pond Maintenance, Industrial, Commercial, etc) *	2	\$410.00
Number of proposed groundwater points of appropriation. (i.e. number of wells) (include all injection wells, if applicable) **	3	\$820.00
Subtotal:		\$3,210.00
Permit Recording Fee. ***		\$610.00
* the 1st Water Use is included in the base cost. ** the 1st groundwater point of appropriation is included in the base cost. *** the Permit Recording Fee is not required when the application is submitted but, must be paid before a permit will be issued. It is fully refundable if a permit is not issued. If the recording fee is not paid prior to issuance of the Final Order, permit issuance will be delayed.	<input type="button" value="Recalculate"/>	
Estimated cost of Permit Application		\$3,820.00

+ \$790
mitigation fee =
\$4,610

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