

G3

## ASSIGNED

FILED: G 34433

BENJAMIN LINDNER  
CODE, LEISURE D  
20420 HARPER RD  
BEND, OR 97703

Date filed .....

Priority .....

Action suspended until CO2 / FRD

Return to applicant .....

Date of approval 2/25/98

## CONSTRUCTION

Date for beginning 2/25/99

Date for completion .....

Extended to .....

Date for application of water 10/1/02

Extended to .....

## PROSECUTION OF WORK

Form "A" filed .....

Form "B" filed .....

Form "C" filed .....

## FINAL PROOF

Blank mailed .....

Proof received .....

Date certificate issued .....

Application No. G14413Permit No. G13332

Certificate No. .....

Stream Index, Page No. .....

## FEES PAID

Record	Date	Amount	Receipt No.
	11/18/96	\$200.00	8537
	2/3/98	100.00	18854
	1-27-2022	\$120.00	137360

Cert. Fee .....

## FEES REFUNDED

Date	Amount	Check No.
------	--------	-----------

## ASSIGNMENTS

Date	To Whom	Address	Volume	Page
<u>2/3/2022</u>	20420 Harper Rd, LLC	20925 Harper Rd.; Bend, OR. 97703		

## REMARKS

Not filing to get 6/7/17 12/22/2021 DC

\* Benjamin Linkner 8-6-97

Status

6-14413

Initial Review

541-383-3100

2-2 1/2 months LKS

KEN

Conflict

COMPLETED

4/15/97



# Oregon

Kate Brown, Governor

**Water Resources Department**  
North Mall Office Building  
725 Summer St NE, Ste A  
Salem, OR 97301  
Phone: 503-986-0900  
Fax: 503-986-0904  
[www.Oregon.gov/OWRD](http://www.Oregon.gov/OWRD)

February 3, 2022

Alexander Polvi  
20925 Harper Rd  
Bend, OR 97703

Reference: Application G-14413, Permit G-13332

The assignment by proof from Benjamin Lindner and Leslie D. Cole to 20420 Harper Rd, LLC has been recorded in the records of the Water Resources Department.

The Departments records will now show 20420 Harper Rd, LLC as the permit holder of record.

Our records have been changed accordingly and the original request is enclosed. Receipt number 137360 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.

Sincerely,

Mary F. Bjork  
Water Rights Program Analyst  
Water Right Services Division

Enclosure: Original Request and Receipt #137360

cc: Benjamin Lindner – 64682 Cook Ave., Bend, OR 97703  
Data Center, OWRD (cover letter & request)  
File

# Request for Assignment



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

If the Department determines that the application is incomplete, fees have not been paid, or the required documents are not acceptable, the application and all fees submitted will be returned to the applicant.

If for multiple rights, a separate form and fee for each right will be required.

I, BENJAMIN LINDNER

(Name of Current Holder of Record)

64682 Cook Ave. Bend OR 97703 541 977 5611

(Mailing Address)

(City)

(State)

(Zip)

(Phone #)

hereby assign all my interest in and to the entire application/permit/transfer order/limited license/groundwater statement; (example, sold all the land authorized under the right)

hereby assign all my interest in and to a portion of application/permit/transfer order/limited license/groundwater statement; (*You must include a map showing the portion of the application/permit/transfer order/limited license/groundwater statement to be assigned*. Example, sold a portion of the land authorized under the right)

hereby assign a portion of my interest in and to the entire application/permit/transfer order/limited license/groundwater statement; (example, adding an additional person)

RECEIVED

JAN 27 2022

Application # G14413

Permit # \_\_\_\_\_

Transfer Order # \_\_\_\_\_

OWRD

Limited License # \_\_\_\_\_

Groundwater Statement # \_\_\_\_\_

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

20420 Harper Rd, LLC

Contact: Alexander Polvi

(Name of New Owner)

20925 Harper Rd, Bend, OR 97703 541-231-0624

(Mailing Address)

(City)

(State)

(Zip)

(Phone #)

**Note:** If there are other owners of the property described in the application, permit, transfer order, limited license, or groundwater statement, you must provide a list of all other owners' names and mailing addresses and attach it to this form. Write the initials (first letters) of your first and last names at the spot indicated below.

I hereby certify that I have notified all other owners of the property described in this application, permit, transfer order, limited license, or groundwater statement of this Request of Assignment.

Witness my hand this 9 day of January, 20 22

(Day)

(Month)

(Year)

Signature of Current Holder of Record \_\_\_\_\_

Failure to provide any of the required information will result in the return of your application.

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 # 137360

For Director by Mary F. Bjork, Program Analyst in  
Water Rights Division. MFB —

The completed "Request for Assignment"  
form *must* be submitted to the Department  
along with the recording fee of \$120.

Assignment proof - Approve  
MFB 2-4-2022

STATE OF OREGON  
WATER RESOURCES DEPARTMENT

RECEIPT # **137360**

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

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

RECEIVED FROM:	<u>Alexander G Palvi</u>		APPLICATION	<u>G-14413</u>
BY:			PERMIT	
CASH:	CHECK#	OTHER: (IDENTIFY)	TRANSFER	
<input type="checkbox"/>	<u>1081</u>	<input type="checkbox"/>	TOTAL REC'D \$ <u>120.00</u>	

**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

460111

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

WATER RIGHTS:

0201 SURFACE WATER	EXAM FEE	0202	\$
0203 GROUND WATER	\$	0204	\$
0205 TRANSFER	\$		
WELL CONSTRUCTION	EXAM FEE		LICENSE FEE
0218 WELL DRILL CONSTRUCTOR	\$	0219	\$
LANDOWNER'S PERMIT		0220	\$

0250 OTHER (IDENTIFY) Assignment \$ 120.00

**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: **137360**

DATED: 1-27-2022 BY: Mindy Cade

STATE OF OREGON )  
ss.  
County of Deschutes )

AFFIDAVIT OF ALEXANDER POLVI

I, Alexander Polvi, being first duly sworn, state:

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1. I am the sole trustee of the Willow Trust, a revocable trust.

JAN 27 2022

2. The Willow Trust is the sole member of 20420 Harper Road, LLC.

OWRD

3. Application G14413 is to be assigned to 20420 Harper Rd, LLC with Alexander Polvi as a contact.

4. Leslie Linder (Cole) has passed and a copy of her death certificate is attached.

Alexander Polvi

SUBSCRIBED AND SWORN TO before me this 24 day of Jan, 2021.

Notary Public for Oregon  
My Commission Expires: \_\_\_\_\_

If possible,  
please return originals  
with the included stamped envelope.



Deschutes County Official Records **2022-02007**  
D-D **01/14/2022 01:37 PM**  
SIn=7 AP **\$10.00 \$11.00 \$10.00 \$61.00 \$6.00**  
**\$98.00**  
I, Steve Dennison, County Clerk for Deschutes County, Oregon,  
certify that the instrument identified herein was recorded in the  
Official Records.  
Steve Dennison - County Clerk

After recording return to:  
20420 HARPER RD, LLC, an Oregon limited liability  
company  
20925 Harper Road  
Bend, OR 97703

RECEIVED

JAN 27 2022

Until a change is requested all tax statements shall be  
sent to the following address:  
20420 HARPER RD, LLC, an Oregon limited liability  
company  
20925 Harper Road  
Bend, OR 97703  
File No. 517078AM

OWRD

#### STATUTORY WARRANTY DEED

Christopher T. Baker and Lucinda A. Baker, as Tenants by the Entirety,  
Grantor(s), hereby convey and warrant to

20420 HARPER RD, LLC, an Oregon limited liability company,  
Grantee(s), the following described real property in the County of Deschutes and State of Oregon free of encumbrances  
except as specifically set forth herein:

Parcel 1 of Partition Plat 1995-60, Recorded December 28, 1995 in Partition Cabinet 1, Page 470, Deschutes  
County, Oregon.

FOR INFORMATION PURPOSES ONLY, THE MAP/TAX ACCT #(S) ARE REFERENCED HERE:

1612090000503 189396

The true and actual consideration for this conveyance is \$1,384,000.00.  
The above-described property is free of encumbrances except all those items of record, if any, as of the date of this deed and  
those shown below, if any.

Return To:





THIS SPACE RESERVED FOR RECORDER'S USE

After recording return to:

20420 HARPER RD, LLC, an Oregon limited liability  
company  
20925 Harper Road  
Bend, OR 97703

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

20420 HARPER RD, LLC, an Oregon limited liability  
company  
20925 Harper Road  
Bend, OR 97703

File No. 517078AM

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JAN 27 2022

OWRD

Recorded Electronically	
ID 2022-02007	
County	Deschutes
Date	1/27/22
Time	1:37pm
Simplifile.com 800.490.4667	

#### STATUTORY WARRANTY DEED

Christopher T. Baker and Lucinda A. Baker, as Tenants by the Entirety,  
Grantor(s), hereby convey and warrant to

20420 HARPER RD, LLC, an Oregon limited liability company,  
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except as specifically set forth herein:

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1612090000503 189396

The true and actual consideration for this conveyance is \$1,384,000.00.

The above-described property is free of encumbrances except all those items of record, if any, as of the date of this deed and  
those shown below, if any:

Return To:



Page 2 Statutory Warranty Deed  
Escrow No. 517078AM

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. 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 THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, 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 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Dated this 14 day of January, 2022.

Christopher T. Baker

Lucinda A. Baker

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JAN 27 2022

OWRD

State of Oregon } ss  
County of Crook}

On this 14 day of January, 2022, before me, April Fawn Hensley, a Notary Public in and for said state, personally appeared Christopher T. Baker and Lucinda A. Baker, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within Instrument and acknowledged to me that he/she/they executed same.  
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

April Fawn Hensley  
Notary Public for the State of Oregon  
Residing at: Prineville  
Commission Expires: 8/2/2022



## Business Registry Business Name Search

New Search

## Business Entity Data

01-26-2022  
11:30

Registry Nbr	Entity Type	Entity Status	Jurisdiction	Registry Date	Next Renewal Date	Renewal Due?
1913387-98	DLLC	ACT	OREGON	01-07-2022	01-07-2023	
Entity Name	20420 HARPER RD, LLC					
Foreign Name						

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JAN 27 2022

New Search

## Associated Names

Type	PPB	PRINCIPAL PLACE OF BUSINESS		OWRD
Addr 1	20925 HARPER RD			
Addr 2				
CSZ	BEND	OR 97703	Country	UNITED STATES OF AMERICA

Please click [here](#) for general information about registered agents and service of process.

Type	AGT	REGISTERED AGENT	Start Date	01-07-2022	Resign Date						
Of Record	130903-11	MOORE & LOMMEN, P.C.									
Addr 1	2002 PACIFIC AVE										
Addr 2											
CSZ	FOREST GROVE	OR 97116	Country	UNITED STATES OF AMERICA							

Type	MAL	MAILING ADDRESS				
Addr 1	2002 PACIFIC AVE					
Addr 2						
CSZ	FOREST GROVE	OR 97116	Country	UNITED STATES OF AMERICA		

Type	MEM	MEMBER		Resign Date	
Not of Record	WILLOW TRUST				
Addr 1	20925 HARPER RD				
Addr 2					
CSZ	BEND	OR 97703	Country	UNITED STATES OF AMERICA	

[New Search](#)

## Name History

Business Entity Name	Name Type	Name Status	Start Date	End Date
20420 HARPER RD, LLC	EN	CUR	01-07-2022	

Please read before ordering Copies.

[New Search](#)

## Summary History

Image Available	Action	Transaction Date	Effective Date	Status	Name/Agent Change	Dissolved By
	ARTICLES OF ORGANIZATION	01-07-2022		FI	Agent	

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JAN 27 2022

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JAN 27 2022

CERTIFICATION AND MEMORANDUM OF TRUST

OWRD

I, Alexander George Polvi, Trustee of the WILLOW TRUST dated February 21, 2018, as amended (the "Trust") make this certification pursuant to ORS 130.860.

1. **Trust.** The Willow Trust is presently in existence. It was executed on February 21, 2018, and amended and restated in its entirety on August 21, 2019, and amended on August 24, 2020.

2. **Settlor and Trustee.** The settlor is Alexander George Polvi. Alexander George Polvi is currently the sole trustee of the trust.

3. **Successor Trustee.** Under the terms of the trust agreement, in the event that Alexander George Polvi fails or ceases to act as trustee, Brandon Philips shall serve as successor trustee. In the event that Brandon Philips fails to qualify or ceases to act as trustee, Jacob Polvi shall serve as successor trustee. In the event that Jacob Polvi fails to qualify or ceases to act as trustee, Ronald Polvi and Mary Lou Polvi shall serve as successor co-trustees. In the event that either of Ronald Polvi and Mary Lou Polvi fail to qualify or cease to act as trustee, the remaining one of them shall act as sole trustee. If both Ronald Polvi and Mary Lou Polvi fail to qualify or cease to act as trustee, Vanessa Davis shall serve as successor trustee.

4. **Trust Powers.** Under the terms of the trust agreement, the trustee is given powers granted a trustee under the Uniform Trustees' Powers Act set forth in ORS 130.650-130.730, including the right to sell, exchange, assign, lease, encumber or otherwise alienate all or any part of the trust estate on such terms as the trustee shall determine.

5. **Trustee's Mailing Address.** The mailing address of the current acting trustee is 20925 Harper Road, Bend, Oregon 97703.

6. **Trust Revocable.** The trust is revocable. Only the settlor can revoke the trust.

7. **Modification of Trust.** The trust can be modified, amended, or revoked by the settlor only.

8. **One Trustee.** Alexander George Polvi is acting alone as trustee and has authority to exercise trust powers alone.

9. **Taxpayer Identification Number.** The trust taxpayer identification number is the social security number of Alexander George Polvi.

10. Title to Trust Property. Trust property is to be titled as follows:

Alexander George Polvi, Trustee, or the Successor Trustee of the  
WILLOW TRUST dated February 21, 2018, and any amendments  
thereto.

11. No Change in Trust. The trust has not been revoked, modified, or  
amended in any manner that would cause the representations contained in this  
certification to be incorrect.

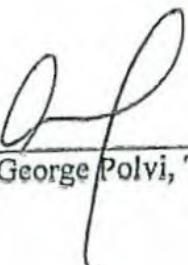
12. Jurisdiction. The trust was established under the laws of the State of  
California.

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DATED: August 24, 2020.

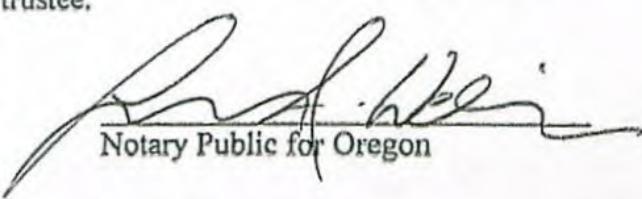
JAN 27 2022

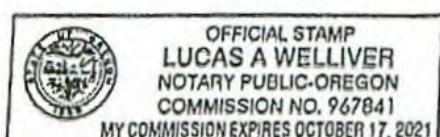
OWRD

  
Alexander George Polvi, Trustee

STATE OF OREGON      )  
                            ) ss.  
County of Washington    )

This instrument was acknowledged before me on August 24, 2020, by  
Alexander George Polvi, as acting trustee.

  
Notary Public for Oregon



Records have been redacted or withheld pursuant to the exemption for vital records specified in ORS 432.350.



**CLARK Gerald E \* WRD**

---

**From:** CLARK Gerald E \* WRD  
**Sent:** Wednesday, December 22, 2021 8:48 AM  
**To:** VANLANINGHAM Sam J \* WRD  
**Subject:** RE: G13332  
**Attachments:** 14413-working-CBU Report-Baxter-20021002.pdf; 14413-working-CBU Map-Baxter-20021002.pdf

Sam,

I reviewed the file and did not find a Pump Test or a request for exemption from the requirement.

I don't know if you need a copy of the Claim and map, but I attached them just in case.

Please let me know if you have any additional questions.

Gerry

*Gerry Clark*  
He/Him/His  
**Oregon Water Resources Department**  
Program Analyst, Certificate Section, Water Right Services Division  
725 Summer Street NE, Suite A Salem, OR 97301 | Phone 503-979-9103

---

**From:** CLARK Gerald E \* WRD  
**Sent:** Tuesday, December 21, 2021 8:53 AM  
**To:** VANLANINGHAM Sam J \* WRD <[Sam.J.VANLANINGHAM@water.oregon.gov](mailto:Sam.J.VANLANINGHAM@water.oregon.gov)>  
**Subject:** RE: G13332

Sam,

That would be my guess, but I will need to pull the file to confirm. I can pull the file tomorrow and then let you know what I find.

Gerry

*Gerry Clark*  
He/Him/His  
**Oregon Water Resources Department**  
Program Analyst, Certificate Section, Water Right Services Division  
725 Summer Street NE, Suite A Salem, OR 97301 | Phone 503-979-9103

---

**From:** VANLANINGHAM Sam J \* WRD <[Sam.J.VANLANINGHAM@water.oregon.gov](mailto:Sam.J.VANLANINGHAM@water.oregon.gov)>  
**Sent:** Tuesday, December 21, 2021 8:42 AM  
**To:** CLARK Gerald E \* WRD <[Gerald.E.CLARK@water.oregon.gov](mailto:Gerald.E.CLARK@water.oregon.gov)>  
**Subject:** G13332

Hey Gerry – Is this baby missing a pump test or something? Thanks! Take care.

Sam

Sam VanLaningham  
Assistant Watermaster  
District 11 - Deschutes River Basin

Oregon Water Resources Department  
231 Scalehouse Loop, STE 103  
Direct: 541-306-3487  
[sam.j.vanlaningham@oregon.gov](mailto:sam.j.vanlaningham@oregon.gov)

**CLARK Gerald E \* WRD**

---

**From:** CLARK Gerald E \* WRD  
**Sent:** Tuesday, September 05, 2017 4:37 PM  
**To:** 'Nunzie'; GIFFIN Jeremy T \* WRD  
**Subject:** RE: G-14413  
**Attachments:** Application G-14413 CBU Report.pdf

Nunzie,

I pulled the file and took a look at the Claim of Beneficial Use to see if there was any information concerning the installation of the meter. At the top of page 2 of the Claim report, the CWRE indicated that as of the time of his inspection, June 25, 2001, there was a "Hersey Flow Meter, Model 2, 572 SG". I have attached a copy of the Claim for your reference. The permit did not require the water user to report water use to the Department. The file does not contain any water use report records.

The claim is a snapshot in time that describes the extent of the lands irrigated under the permit between the date the permit was issued, and the complete application of water date; those dates being February 25, 1998 and October 1, 2002. We do not have any record of what has happened on the property since that time. When preparing to issue a water right certificate, the Department looks at the Claim to determine the extent of beneficial use developed under the permit. Beneficial use is use made while complying with any conditions contained in the permit. Stated differently, beneficial use is the use of water made with the required meter in place, and that the use happened between February 25, 1998 and October 1, 2002. The extent of beneficial use made between those dates is what typically would end up in a certificate issued to confirm beneficial use under the permit.

The permit did not contain any conditions requiring mitigation.

The permit did contain a condition that required a Pump Test be submitted and approved prior to a certificate being issued for the permit. The Department has not received the required Pump Test.

Please let me know if you have any additional questions.

Gerry

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

Phone: 503-986-0811

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

From: Nunzie [mailto:[nunzie@pacifier.com](mailto:nunzie@pacifier.com)]  
Sent: Tuesday, September 05, 2017 3:17 PM  
To: CLARK Gerald E \* WRD; GIFFIN Jeremy T \* WRD  
Subject: Re: G-14413

I did see where 9.3 acres is mapped for water rights on this parcel at the time of water right application.

I also see where the permit speaks to a water meter or measuring device. So is there a water meter or measuring device on this well  
G-14413 ?Yes or No

Also, have any reports been made other than your COBU?

Note, the property has several buildings over the area that had been mapped for water rights.

So another question is whether the entire water right as been beneficially used in it's entirety since those buildings have been erected?

One last question, were any mitigation measure required when the irrigation water right was applied for? if so what consumptive use was assumed at that time?

Thank you in advance for your assistance.

Nunzie Gould

On Sep 5, 2017, at 3:07 PM, GIFFIN Jeremy T \* WRD wrote:

> COBU is the Claim of beneficial use submitted by a Certified Water  
> Rights Examiner who is licensed through the state to do inspections on  
> water right infrastructure. Gerry is cc'd on this email.

>

> Jeremy

>

> -----Original Message-----

> From: Nunzie [mailto:[nunzie@pacifier.com](mailto:nunzie@pacifier.com)]

> Sent: Tuesday, September 05, 2017 3:05 PM

> To: GIFFIN Jeremy T \* WRD

> Subject: Re: G-14413

>

> what is Gerry's email?

> Also what is COBU?

> Thanks

> Nunzie

> On Sep 5, 2017, at 3:01 PM, GIFFIN Jeremy T \* WRD wrote:

>

>> I am not sure if it has a measurement device. I am unaware that OWRD  
>> has never visited the site, however in 2002 a COBU was done and  
>> turned into the department and that COBU would have the information  
>> about the measurement device. If you call Gerry Clark in our  
>> certificates section and ask him to pull the COBU he may be able to  
>> get that information for you. Gerry can be reached at 503-986-0811.

>>

>>

>> Jeremy

>>

>> -----Original Message-----

>> From: Nunzie [mailto:[nunzie@pacifier.com](mailto:nunzie@pacifier.com)]

>> Sent: Tuesday, September 05, 2017 2:52 PM

>> To: GIFFIN Jeremy T \* WRD

>> Subject: G-14413

>>

>> Howdi:

>> Please advise whether a measuring device is installed on G-14413  
>> located at 20420 Harper Road in Deschutes County, Oregon.  
>> What type of measuring device is it? and what year was the measuring  
>> device installed?  
>> Has this meter or measuring device ever been inspected? or has OWRD  
>> ever received any report of use? If yes, kindly email information  
>> Thank you Nunzie Gould  
>> 541-420-3325  
>>  
>



# Oregon

Kate Brown, Governor

July 26, 2017

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](http://www.wrd.state.or.us)

Christopher Baker  
20420 Harper Rd  
Bend, Oregon 97703

Reference: Application G-14413, Permit G-13332

The requested assignment could not be completed as the full recording fee was not submitted.

**Please note that the fee for assignments was increased as of July 1, 2017. The new fee is \$100, and must be submitted with all requests for assignment.**

Your request and check are enclosed.

Sincerely,

Jerry Sauter  
Water Rights Program Analyst  
Water Right Services Division

Enclosure: request and check

cc: File

65950 Twin Bridges Rd  
Bend OR 97701-8175

ADJ & MR  
Oregon

**Water Resources Department**  
725 Summer Street NE Suite A  
Salem, OR 97301

ADDRESS SERVICE REQUESTED

Remained  
DOES NOT  
LIVE HERE  
  
~~RETURN TO  
SENATOR~~

J-GDS51 97701  
97301@1266

G-14413  
BENJAMIN LINDNER  
20420 HARPER RD  
BEND, OR 97701

WATER RESOURCES DEPT  
SALEM, OREGON

DEC 23 2002

RECEIVED  
PRESORTED  
FIRST CLASS

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# Oregon

Theodore R. Kulongoski, Governor

December 15, 2008

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

BENJAMIN LINDNER  
20420 HARPER RD  
BEND, OR 97701

Subject: Water Right Permit Number G- 13332

Dear Permit holder,

Oregon Administrative Rule 690-217-0020(1) requires that ground water permit holders with a priority date after December 20, 1988, submit the results of a pump test before the Water Resources Department can issue a water right certificate. A copy of your permit is enclosed. The purpose of this letter is to remind you of the pump test requirement.

Pump tests are intended to provide aquifer and well information for ground water resource characterization and to help solve well problems. There is no penalty for not submitting a pump test.

If there is a reason why a pump test cannot be performed on a well, the owner may request from the Director an exemption from the pump test requirement. Requests shall be in writing and include the reason why a pump test cannot be performed. Exemptions, or conditioned exemptions, shall be granted if the reasons are found to be valid and eliminating the problem would place an unreasonable burden on the well owner. Exemptions shall be granted for public water supply wells if pump testing will cause interruption of service to customers.

Pump tests shall not be required of wells with diameters greater than 36 inches and depths less than 30 feet. Pump tests shall not be required of collector-type wells or infiltration galleries. If your well meets one of these two requirements please let us know.

If you are interested in conducting the pump test yourself, you should first review the requirements at [http://arcweb.sos.state.or.us/rules/OARS\\_600/OAR\\_690/690\\_217.html](http://arcweb.sos.state.or.us/rules/OARS_600/OAR_690/690_217.html) or ask that a copy of the rules be sent to you.

A copy of the pump test form has been included. If you have questions, if you are not the owner of a ground water permit or if you have moved, please call the Department at 503-986-0900.

Sincerely,

*Diana Durbin*

Diana Durbin  
Water Rights Certificate Staff

C: Permit File

690-217-0050

### Qualifications for Conducting Pump Tests

Only pump tests conducted by the well owner, a full-time employee of the well owner who routinely works with and is familiar with wells and pumps, or a qualified individual authorized by the well owner shall be accepted by the Director. Individuals in the following groups will be considered qualified and authorized provided they have significant experience conducting pump tests:

- (1) Oregon licensed water well constructors.
- (2) Oregon registered professional geologists or certified engineering geologists.
- (3) Certified water rights examiners.
- (4) Oregon registered professional engineers.
- (5) Individuals whose primary occupation involves, wholly or in significant part, pump installation, service or testing.

STATE OF OREGON

COUNTY OF DESCHUTES

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

BENJAMIN LINDNER  
LESLIE D. COLE  
20420 HARPER RD.  
BEND, OREGON 97701

PHONE: (541) 383-3100

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

APPLICATION FILE NUMBER: G-14413

SOURCE OF WATER: A WELL IN THE DESCHUTES RIVER BASIN

PURPOSE OR USE: IRRIGATION OF 9.73 ACRES

MAXIMUM RATE: 0.122 CUBIC FOOT PER SECOND

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: NOVEMBER 18, 1996

POINT OF DIVERSION LOCATION: SW 1/4 NW 1/4, SECTION 9, T16S, R12E, W.M.;  
1535 FEET SOUTH & 223 FEET EAST FROM NW CORNER, SECTION 9

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SW 1/4 NW 1/4 9.73 ACRES  
SECTION 9  
TOWNSHIP 16 SOUTH, RANGE 12 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.
- 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.

C. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

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.

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.

#### STANDARD CONDITIONS

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

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

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

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

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

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

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

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

Actual construction of the well shall begin within one year from permit issuance. Complete application of water to the use shall be made on or before October 1, 2002.

Issued February 15, 1998

*Ralph A. Bruley*  
\_\_\_\_\_  
Martha O. Pagel, Director  
Water Resources Department

Application G-14413      Water Resources Department  
Basin 05      Volume 1 DESCHUTES R MISC  
LKS      MGMT.CODES 7BG 7BR 7JG 7JR

PERMIT G-13332  
District 3

Oregon Water Resources Department  
PUMP TEST FORM COVER SHEET

Well Owner:  
 Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 County: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
 Original owner (from well log): \_\_\_\_\_

Well Location:  
 Township: \_\_\_\_\_ (N/S) Range: \_\_\_\_\_ (E/W)  
 Section: \_\_\_\_\_  $\frac{1}{4}$ : \_\_\_\_\_  $\frac{1}{16}$ : \_\_\_\_\_  $\frac{1}{64}$ : \_\_\_\_\_  
 Well depth: \_\_\_\_\_ Date drilled: \_\_\_\_\_  
 Owners well no. (if any): \_\_\_\_\_  
 POD ID: \_\_\_\_\_

Water Right Information:

Application: \_\_\_\_\_ Permit: \_\_\_\_\_ Certificate: \_\_\_\_\_  
 Is this well listed on more than one water right?  Yes If yes, list additional water rights below:  
 Application: \_\_\_\_\_ Permit: \_\_\_\_\_ Certificate: \_\_\_\_\_  
 Application: \_\_\_\_\_ Permit: \_\_\_\_\_ Certificate: \_\_\_\_\_

Pump Test:

Test Conducted by: \_\_\_\_\_ Well Owner?  Yes  
 Company: \_\_\_\_\_  
 Address: \_\_\_\_\_ Date of Test: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
 Daytime phone: \_\_\_\_\_

Method of discharge measurement (see our brochure for acceptable methods): \_\_\_\_\_

Method of water-level measurement (pick one or enter other method used): \_\_\_\_\_

Length of air line (if used): \_\_\_\_\_

Pump type (pick one or enter other method used): \_\_\_\_\_

Was the pump test conducted during normal use of the well?  Yes Note: \_\_\_\_\_

Are you aware of any wells, other than domestic or stock wells, pumping within 1000 feet of the tested well during the test or within 24 hours prior to the test?  Yes Note: \_\_\_\_\_

If yes, give approximate distances to each and approximate pumping rate of each. If possible, indicate if they were turned on or off during the test: \_\_\_\_\_

Is there a lake, stream or other surface water body within  $\frac{1}{4}$  mile of the tested well?  Yes If yes, give approximate distance from the well and approximate elevation difference between the surface water and the well head. Approx. distance: \_\_\_\_\_ ft Approx. elevation difference: \_\_\_\_\_ ft

Well elevation is \_\_\_\_\_ surface water body.

Description of measuring point (e.g. top port of 1 inch port pipe, west side) \_\_\_\_\_

Measuring point distance \_\_\_\_\_ land surface \_\_\_\_\_ feet.

Static water level measurements: (A minimum of three measurements are required in the hour before pumping begins at no less than 20 minutes apart):

Time	Depth to water below meas. point	Depth to water below land surface
_____	_____	_____
_____	_____	_____
_____	_____	_____

Discharge measurements: (A discharge measurement is required at the start of pumping and at least once an hour during the test; additional measurements should be noted on the Pump Test Data Sheet):

Time	Discharge Rate	Discharge Units (e.g. gpm, cfs, etc)
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Time pump turned on: Date \_\_\_\_\_ Time \_\_\_\_\_  
 Time pump turned off: Date \_\_\_\_\_ Time \_\_\_\_\_  
 Total pumping time: \_\_\_\_\_ hours \_\_\_\_\_ minutes

Note: Well must be idle for at least 16 hours prior to the test.

Additional forms can be obtained from our web site at: <http://www.wrd.state.or.us>

OWRD 2/9/2000

Required Signature: \_\_\_\_\_

Oregon Water Resources Department

## PUMP TEST DATA SHEET

Page \_\_\_\_ of \_\_\_\_

Application: \_\_\_\_\_ Permit: \_\_\_\_\_ Certificate: \_\_\_\_\_ Pod\_Id: \_\_\_\_\_

All water-level measurements must either be in feet and inches, or feet and decimal fractions.



# Oregon

Theodore R. Kulongoski, Governor

December 15, 2008

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

BENJAMIN LINDNER  
20420 HARPER RD  
BEND, OR 97701

Subject: Water Right Permit Number G- 13332

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A copy of the pump test form has been included. If you have questions, if you are not the owner of a ground water permit or if you have moved, please call the Department at 503-986-0900.

Sincerely,

*Diana Durbin*

Diana Durbin  
Water Rights Certificate Staff

C: Permit File

690-217-0050

### Qualifications for Conducting Pump Tests

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STATE OF OREGON

COUNTY OF DESCHUTES

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

BENJAMIN LINDNER  
LESLIE D. COLE  
20420 HARPER RD.  
BEND, OREGON 97701

PHONE: (541) 383-3100

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

APPLICATION FILE NUMBER: G-14413

SOURCE OF WATER: A WELL IN THE DESCHUTES RIVER BASIN

PURPOSE OR USE: IRRIGATION OF 9.73 ACRES

MAXIMUM RATE: 0.122 CUBIC FOOT PER SECOND

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: NOVEMBER 18, 1996

POINT OF DIVERSION LOCATION: SW 1/4 NW 1/4, SECTION 9, T16S, R12E, W.M.;  
1535 FEET SOUTH & 223 FEET EAST FROM NW CORNER, SECTION 9

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SW 1/4 NW 1/4 9.73 ACRES  
SECTION 9  
TOWNSHIP 16 SOUTH, RANGE 12 EAST, W.M.

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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.

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.

**STANDARD CONDITIONS**

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

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

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

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

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

Actual construction of the well shall begin within one year from permit issuance. Complete application of water to the use shall be made on or before October 1, 2002.

Issued February 25, 1998

*Rita O. Bruley*  
\_\_\_\_\_  
Martha O. Pagel, Director  
Water Resources Department

Application G-14413  
Basin 05  
LKS

Water Resources Department  
Volume 1 DESCHUTES R MISC  
MGMT.CODES 7BG 7BR 7JG 7JR

PERMIT G-13332  
District 3

Oregon Water Resources Department  
PUMP TEST FORM COVER SHEET

**Well Owner:**

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
County: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Original owner (from well log): \_\_\_\_\_

**Well Location:**

Township: \_\_\_\_\_ (N/S) Range: \_\_\_\_\_ (E/W)  
Section: \_\_\_\_\_  $\frac{1}{4}$ : \_\_\_\_\_  $\frac{1}{16}$ : \_\_\_\_\_  $\frac{1}{64}$ : \_\_\_\_\_  
Well depth: \_\_\_\_\_ Date drilled: \_\_\_\_\_  
Owners well no. (if any): \_\_\_\_\_ POD ID: \_\_\_\_\_

**Water Right Information:**

Application: \_\_\_\_\_ Permit: \_\_\_\_\_ Certificate: \_\_\_\_\_  
Is this well listed on more than one water right?  Yes If yes, list additional water rights below:  
Application: \_\_\_\_\_ Permit: \_\_\_\_\_ Certificate: \_\_\_\_\_  
Application: \_\_\_\_\_ Permit: \_\_\_\_\_ Certificate: \_\_\_\_\_

**Pump Test:**

Test Conducted by: \_\_\_\_\_ Well Owner?  Yes  
Company: \_\_\_\_\_  
Address: \_\_\_\_\_ Date of Test: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Daytime phone: \_\_\_\_\_

Method of discharge measurement (see our brochure for acceptable methods): \_\_\_\_\_

Method of water-level measurement (pick one or enter other method used): \_\_\_\_\_

Length of air line (if used): \_\_\_\_\_

Pump type (pick one or enter other method used): \_\_\_\_\_

Was the pump test conducted during normal use of the well?  Yes Note: \_\_\_\_\_

Are you aware of any wells, other than domestic or stock wells, pumping within 1000 feet of the tested well during the test or within 24 hours prior to the test?  Yes Note: \_\_\_\_\_

If yes, give approximate distances to each and approximate pumping rate of each. If possible, indicate if they were turned on or off during the test: \_\_\_\_\_

Is there a lake, stream or other surface water body within  $\frac{1}{4}$  mile of the tested well?  Yes If yes, give approximate distance from the well and approximate elevation difference between the surface water and the well head. Approx. distance: \_\_\_\_\_ ft Approx. elevation difference: \_\_\_\_\_ ft

Well elevation is \_\_\_\_\_ surface water body.

Description of measuring point (e.g. top port of 1 inch port pipe, west side) \_\_\_\_\_

Measuring point distance \_\_\_\_\_ land surface \_\_\_\_\_ feet.

Static water level measurements: (A minimum of three measurements are required in the hour before pumping begins at no less than 20 minutes apart):

Time	Depth to water below meas. point	Depth to water below land surface
_____	_____	_____
_____	_____	_____
_____	_____	_____

Discharge measurements: (A discharge measurement is required at the start of pumping and at least once an hour during the test; additional measurements should be noted on the Pump Test Data Sheet):

Time	Discharge Rate	Discharge Units (e.g. gpm, cfs, etc)
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Time pump turned on: Date \_\_\_\_\_ Time \_\_\_\_\_  
Time pump turned off: Date \_\_\_\_\_ Time \_\_\_\_\_  
Total pumping time: \_\_\_\_\_ hours \_\_\_\_\_ minutes

Note: Well must be idle for at least 16 hours prior to the test.

Additional forms can be obtained from our web site at: <http://www.wrd.state.or.us>

OWRD 2/9/2000

Required Signature: \_\_\_\_\_

Oregon Water Resources Department

## PUMP TEST DATA SHEET

Page \_\_\_\_\_ of \_\_\_\_\_

Application: \_\_\_\_\_ Permit: \_\_\_\_\_ Certificate: \_\_\_\_\_ Pod\_Id: \_\_\_\_\_

All water-level measurements must either be in feet and inches, or feet and decimal fractions.



# Oregon

Theodore R. Kulongoski, Governor

App# G-14413

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

February 7, 2003

G 13332  
BENJAMIN, LINDNER  
COLE, LESLIE D  
20420 HARPER RD  
BEND, OR 97701

RE: Deschutes Ground Water Mitigation Rules, Division 505  
Deschutes Basin Mitigation Bank and Mitigation Credit Rules, Division 521

Dear Water Right Permit Holder:

Our records indicate that you are the holder of a ground water permit issued by the Department after July 17, 1995, in the Deschutes Basin Ground Water Study Area (Study Area). Your permit (or subsequent certificate) was issued with a condition allowing for regulation of use if it was later determined that the use would "measurably reduce" scenic waterway flows in the Deschutes River.

As you may be aware, the Department has been working over the last several years to develop administrative rules that address the impact of ground water use in the Study Area upon surface water flows—specifically those flows designated for the Deschutes Scenic Waterway and Instream Water Rights. Recently, the Department finalized the Deschutes Ground Water Mitigation Rules and Deschutes Basin Mitigation Bank and Mitigation Credit Rules. The rules were adopted by the Water Resources Commission (WRC) on September 13, 2002, and were effective on September 27, 2002. Copies of the rules can be obtained from the Department's web page at:

<http://www.wrd.state.or.us/law/oar1999.shtml>

The primary purpose of the rules is to provide a mechanism for those with pending ground water use applications in the Study Area to mitigate for the impact of their proposed ground water use on surface water flows. The rules do not require those with existing conditioned ground water permits (or subsequent certificates) in the Study Area to mitigate for their ground water uses.

While only those requesting new ground water uses from the Department are required to provide mitigation, the rules provide an opportunity for holders of existing conditioned permits to provide mitigation. Holders of existing conditioned permits that provide mitigation will no longer be subject to future regulation for scenic waterway flows.

Department staff are presently working internally to develop the processes and structure to implement the new rules. While you are not required to mitigate for your ground water use, we will be sending you a letter, sometime within the next several months, letting you know what you would need to do if you choose to mitigate for your ground water use. You may also receive additional information updates from the Department in our effort to keep you informed.

If you have any questions about the new administrative rules for the Deschutes Basin and the mitigation opportunity described in the rules; or would like to request a copy of the new rules, please contact Laura Snedaker at (503) 378-8455, extension 331, or by e-mail at [Laura.K.Snedaker@wrd.state.or.us](mailto:Laura.K.Snedaker@wrd.state.or.us).

Sincerely,



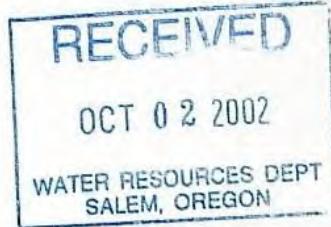
Paul R. Cleary  
Director

c: Kyle Gorman, South Central Region Manager  
Jeremy Giffin, District 11 Watermaster  
Deschutes Steering Committee Members

Cole & Lindner  
541-383-3100

October 1, 2002

Water Resources Board  
Att: Steve Brown



Re; Application #G-14413  
Permit #G-13332

Dear Mr. Brown,

Enclosed please find the Site Report and Claim of Beneficial Use prepared by  
Baxter Land Surveying Inc.

We request an extension to complete the pump test.

Thank you.

Sincerely,

Two handwritten signatures. The first signature on the left is "B. Lindner". The second signature to the right is "Leslie D. Cole".

Benjamin Lindner & Leslie D. Cole

2Z

---

20420 Harper Rd.  
Bend OR 97701  
Fax 541-383-7667

SITE REPORT AND CLAIM OF BENEFICIAL USE  
FOR GROUND WATER - IRRIGATION  
Reference: APPLICATION FILE G-14413, Permit G-13332

Permittee:

Benjamin Lindner and Leslie D. Cole  
20420 Harper Rd.  
Bend, OR 97701



Date of inspection: 6-25-01

Person Interviewed: Benjamin Lindner

Source: The well was originally drilled on 12-8-95 and deepened on 10-29-96. The well is 12" in diameter, to 18.5 feet, 8" in diameter to 425 feet, 6" in diameter to 560 feet. Static water level was 443 feet below the surface as of 10-29-96, (see well logs enclosed).

Well Driller: Aiken Well Drilling

Well log dated: 12-8-95 and 10-29-96

Location of well and point of diversion: Well is 1498 feet South and 213 feet East of the Northwest corner of Section 9, T. 16 S., R. 12 E., W.M.

Rate:

Rate Allowed by Permit: 1.22 cfs for irrigation of 9.73 acres.

Rate calculated based on system: The system was not in operation at the time of inspection. The rate of 72 gpm was determined from a chart listing the equipment used (see chart enclosed). A 100 series "Big Gun" with a .5" nozzle at 100 psi (per Benjamin Lindner).

Rate of beneficial use calculated: 8.2 acres are being irrigated.

[1/80 cfs per second per acre x 8.2 acres = 0.10225 cfs x 448.83 gpm/cfs = 46 gpm]

Note: Mr. Lindner operates his system 12 to 16 hours per day.

Time Limits: March 1<sup>st</sup> through October 31<sup>st</sup>.

Description of Delivery System:

Well: The well head has an access port.

A 15 H.P, single phase motor, (220 Volt) and submersible "Aermotor" pump with a "Hersey Flow Meter", Model 2" 572 SG is installed on the outflow side that measures to the nearest 1 gallon.

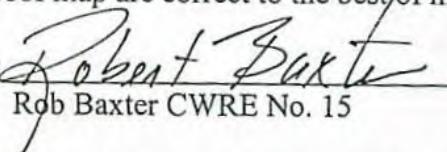
Water is pumped into a 2" PVC line to a pond or "bulge" in the system and then pumped by a 10 HP single phase Valdor motor with Berkley pump through 3" PVC mainline (buried) to risers with a Nelson 100 "Big Gun" with a 0.5" nozzle. There are a total of 15 risers and one Big Gun is used at any one time.

Use: Water is used for irrigation purposes to raise Orchard Grass Mix for pasture and grass hay.

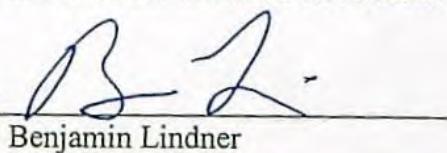
Permit Requirements:

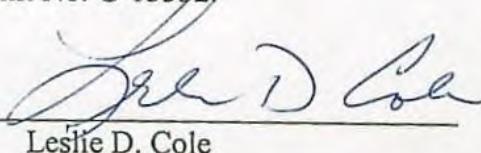
- A. Water Meter: a water meter has been installed as described above.
- B. Access: the water meter is installed along the mainline with access available.
- C. The well head has an access port.
- D. Pump Test: in process.

The final proof inspection of the use was found to be completed as per the terms and conditions of Permit file G-13332 (with the exception of the pump test) and was completed by me on 10-03-01 and the facts contained in this report and accompanying final proof map are correct to the best of my knowledge.

signed:   
Rob Baxter CWRE No. 15

We, Benjamin Lindner and Leslie D. Cole, owners of the land hereon described, agree to the findings of the CWRE and do submit this site report and map as my Claim of Beneficial use under the terms and conditions of Permit No. G-13332

signed:   
Benjamin Lindner

signed:   
Leslie D. Cole

Prepared by: Rob Baxter, CWRE No. 015  
Baxter Land Surveying, Inc.  
P.O. Box 7022  
Bend, OR 97708  
(541) 382-1962



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

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

7-10-0114

(START CARD) # 92999

(1) OWNER: Name Ben Linder Well Number \_\_\_\_\_  
Address 20470 Harper Rd.  
City Bend Ore. State Ore. Zip 97701

(2) TYPE OF WORK

New Well  Deepening  Alteration (repair/recondition)  Abandonment

(3) DRILL METHOD:

Rotary Air  Rotary Mud  Cable  Auger  
 Other \_\_\_\_\_

(4) PROPOSED USE:

Domestic  Community  Industrial  Irrigation  
 Thermal  Injection  Livestock  Other

(5) BORE HOLE CONSTRUCTION:

Special Construction approval  Yes  No Depth of Completed Well 560 ft.  
Explosives used  Yes  No Type \_\_\_\_\_ Amount \_\_\_\_\_

HOLE SEAL

Diameter	From	To	Material	From	To	Sacks or pounds
6"	425	560	<u>Al Ready Grouted</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:

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing:				<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"/>	<input type="checkbox"/>
Liner:	6	0	528	188	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

(7) PERFORATIONS/SCREENS:

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
460	500	1/2x1	584	6		<input type="checkbox"/>	<input checked="" 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"/>

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

Pump	Bailer	Air	Flowing
Yield gal/min	Drawdown	Drill stem at	Artesian
30+	0	555	<input type="checkbox"/>
			<input type="checkbox"/>

Temperature of water 54.0 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: 487 to 500

(9) LOCATION OF WELL by legal description:

County Deschutes Latitude \_\_\_\_\_ Longitude \_\_\_\_\_

Township 16 N or S Range 12 E or W. WM.

Section 09 SW1 1/4 NW 1/4

Tax Lot 503 Lot \_\_\_\_\_ Block \_\_\_\_\_ Subdivision \_\_\_\_\_

Street Address of Well (or nearest address) 20420 Harper Rd  
Bend, Ore. 97701

(10) STATIC WATER LEVEL:

443 ft. below land surface. Date 10-29-96  
Artesian pressure \_\_\_\_\_ lb. per square inch. Date \_\_\_\_\_

(11) WATER BEARING ZONES:

Depth at which water was first found 528

From	To	Estimated Flow Rate	SWL
528	560	30+	443

(12) WELL LOG:

Ground Elevation \_\_\_\_\_

Material	From	To	SWL
W.B. Brown sand sta.	528	543	
Lava	543	560	

Cement placed by method C

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WATER RESOURCES DEPT  
SALEM, OREGON

Date started 10-29-96 Completed 10-29-96

(unbonded) Water Well Constructor Certification:

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

Helper

WWC Number \_\_\_\_\_  
Signed Jeff Kendall Date 10-30-02

(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 1255  
Date 11-30-02



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

LO100114

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

(START CARD) # 92990

(1) OWNER: Well Number \_\_\_\_\_  
Name Ben Lindner  
Address 20420 Harper Rd  
City Bend State Ore. Zip 97701

(2) TYPE OF WORK

New Well  Deepening  Alteration (repair/recondition)  Abandonment

(3) DRILL METHOD:

Rotary Air  Rotary Mud  Cable  Auger  
 Other

(4) PROPOSED USE:

Domestic  Community  Industrial  Irrigation  
 Thermal  Injection  Livestock  Other

(5) BORE HOLE CONSTRUCTION:

Special Construction approval  Yes  No Depth of Completed Well 545 ft.

Explosives used  Yes  No Type \_\_\_\_\_ Amount \_\_\_\_\_

HOLE SEAL  
Diameter From To Material From To Sacks or pounds

2 500 545 Already Grouted  
6 500 545

How was seal placed: Method  A  B  C  D  E

Other \_\_\_\_\_

Backfill placed from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Material \_\_\_\_\_

Gravel placed from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Size of gravel \_\_\_\_\_

(6) CASING/LINER:

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing:				<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"/>
Liner: 10	0	500	198	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final location of shoe(s)

(7) PERFORATIONS/SCREENS:

From	To	Slot size	Number	Diameter	Material	Tele/pipe size	Casing	Liner
508	528	1/2	756	6	Factory		<input type="checkbox"/>	<input checked="" 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"/>

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

Pump	Bailer	Air	Flowing
Yield gal/min	Drawdown	Drill stem at	Artesian
40+	0	540	1 ft.

Temperature of water 52° Depth Artesian Flow Found \_\_\_\_\_

Was a water analysis done?  Yes By whom \_\_\_\_\_

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

Salty  Muddy  Odor  Colored  Other \_\_\_\_\_

Depth of strata: \_\_\_\_\_

(9) LOCATION OF WELL by legal description:

County Deschutes Latitude \_\_\_\_\_ Longitude \_\_\_\_\_

Township 16 N or S Range 12 E or W. WM.

Section 09 SW 1/4 NW 1/4

Tax Lot: 503 Lot \_\_\_\_\_ Block \_\_\_\_\_ Subdivision \_\_\_\_\_

Street Address of Well (or nearest address) 20420 Harper Rd Bend Ore. 97701

(10) STATIC WATER LEVEL:

447 ft. below land surface. Date 10-10-96  
Artesian pressure lb. per square inch. Date

(11) WATER BEARING ZONES:

Depth at which water was first found 465

From	To	Estimated Flow Rate	SWL
465	545	40+	443

(12) WELL LOG:

Ground Elevation \_\_\_\_\_

Material	From	To	SWL
100% Lava	500	543	
	543	545	

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WATER RESOURCES DEP  
SALEM, OREGON

Date started 10-9-96 Completed 10-10-96  
(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.

H. P. L.

WWC Number

Signed *Jeff Kauder* Date 10-10-96  
(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.

*Jeff Kauder*

WWC Number

Signed *Jeff Kauder* Date 10-10-96  
(bonded) Water Well Constructor Certification:

Permit No. 7671	
To Rob	Date 4/2/01
Co./Dept.	From Ben
Phone #	Phone #
Fax #	Fax #

STATE OF  
COUNTY OF

## PERMIT TO APPROPRIATE THE FOLLOWING WATER

THIS PERMIT IS HEREBY ISSUED TO

BENJAMIN LINDNER  
LESLIE D. COLE  
20420 HARPER RD.  
BEND, OREGON 97701

PHONE: (541) 383-3100

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

APPLICATION FILE NUMBER: G-14413

SOURCE OF WATER: A WELL IN THE DESCHUTES RIVER BASIN

PURPOSE OR USE: IRRIGATION OF 9.73 ACRES

MAXIMUM RATE: 0.122 CUBIC FOOT PER SECOND

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: NOVEMBER 18, 1996

POINT OF DIVERSION LOCATION: SW 1/4 NW 1/4, SECTION 9, T16S, R12E, W.M.;  
1535 FEET SOUTH & 223 FEET EAST FROM NW CORNER, SECTION 9

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTEENTH of one cubic foot per second (or its equivalent) and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SW 1/4 NW 1/4 9.73 ACRES  
SECTION 9  
TOWNSHIP 16 SOUTH, RANGE 12 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.
- 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.

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WATER RESOURCES DEPT  
SALEM, OREGON

PAGE 2

C. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

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.

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.

#### STANDARD CONDITIONS

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

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

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

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

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

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

PAGE 3

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

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

Actual construction of the well shall begin within one year from permit issuance. Complete application of water to the use shall be made on or before October 1, 2002.

Issued February 25, 1998

*Martha O. Pagel*  
\_\_\_\_\_  
Martha O. Pagel, Director  
Water Resources Department

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WATER RESOURCES DEPT  
SALEM, OREGON

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FROM : NUTSHELL

PHONE NO. : 5113837657  
OCT 02 2002

Sep. 26 2001 06:13AM P1

## PERFORMANCE - U.S. UNITS

## 100 SERIES BIG GUN - 24° TRAJECTORY - TAPER BORE NOZZLE

P.S.I.	Nozzle .5"		Nozzle .55"		Nozzle .5"		Nozzle .65"		Nozzle .7"		Nozzle .75"		Nozzle .8"		Nozzle .85"		Nozzle .9"		Nozzle 1.0"	
	GPM	DIA.	GPM	DIA.																
40	47	161'	51	202'	66	213'	78	227'	91	237'	103	240'	118	250'	134	256'	152	262'	164	300'
50	50	192'	56	216'	74	240'	86	250'	104	258'	116	265'	130	272'	147	280'	165	280'	204	300'
60	56	215'	69	227'	81	240'	96	250'	110	257'	126	270'	143	282'	164	289'	182	295'	224	316'
70	59	225'	75	236'	88	250'	105	260'	120	265'	136	268'	154	272'	172	280'	197	310'	243	338'
80	64	235'	79	246'	94	260'	110	273'	126	285'	146	295'	165	305'	189	314'	210	325'	259	354'
90	68	245'	83	254'	102	270'	112	282'	128	292'	152	300'	170	312'	190	323'	224	333'	274	362'
100	72	255'	87	268'	105	280'	123	288'	143	305'	163	316'	185	325'	212	336'	235	345'	269	372'
110	78	265'	92	278'	115	290'	132	300'	152	315'	175	325'	195	335'	217	345'	247	355'	304	380'

## 150 SERIES BIG GUN - 24° TRAJECTORY - TAPER BORE NOZZLE

P.S.I.	Nozzle .7"		Nozzle .8"		Nozzle .9"		Nozzle 1.0"		Nozzle 1.1"		Nozzle 1.2"		Nozzle 1.3"	
	GPM	DIA.	GPM	DIA.	GPM	DIA.	GPM	DIA.	GPM	DIA.	GPM	DIA.	GPM	DIA.
50	100	250'	130	270'	162	297'	205	310'	255	334'	300	345'	350	360'
60	110	265'	140	285'	175	300'	215	320'	265	345'	330	355'	380	390'
70	122	280'	155	300'	197	320'	245	340'	295	360'	355	380'	415	385'
80	125	290'	165	310'	205	325'	255	345'	315	365'	380	395'	445	310'
90	135	300'	175	320'	223	345'	275	365'	335	390'	405	410'	475	425'
100	145	310'	185	330'	235	355'	295	375'	355	417'	425	430'	490	440'
110	150	320'	195	340'	247	365'	305	385'	370	410'	445	430'	525	450'
120	167	330'	210	350'	255	375'	320	395'	385	420'	465	440'	545	460'

## 200 SERIES BIG GUN - 27° TRAJECTORY - TAPER BORE NOZZLE

P.S.I.	Nozzle 1.05"		Nozzle 1.1"		Nozzle 1.2"		Nozzle 1.2"		Nozzle 1.4"		Nozzle 1.5"		Nozzle 1.6"		Nozzle 1.75"		Nozzle 1.9"	
	GPM	DIA.	GPM	DIA.	GPM	DIA.	GPM	DIA.	GPM	DIA.	GPM	DIA.	GPM	DIA.	GPM	DIA.	GPM	DIA.
60	250	345'	285	355'	330	375'	385	390'	445	410'	515	430'	585	455'	695	470'	825	495'
70	270	360'	310	380'	350	395'	415	420'	485	450'	555	470'	655	495'	755	495'	900	515'
80	280	375'	330	395'	380	410'	445	430'	515	450'	590	470'	675	485'	805	515'	950	535'
90	310	400'	350	410'	400	425'	465	440'	565	480'	645	500'	725	520'	885	545'	1000	555'
100	325	405'	370	420'	425	440'	500	480'	675	500'	760	520'	800	550'	900	560'	1060	575'
110	340	410'	380	430'	450	450'	525	470'	685	515'	785	515'	845	545'	945	560'	1110	580'
120	355	420'	405	440'	465	465'	545	480'	700	520'	805	535'	885	550'	985	580'	1160	605'
130	370	440'	425	460'	495	495'	575	510'	725	540'	825	550'	900	570'	1045	590'	1210	620'

## PERFORMANCE - METRIC UNITS

## 100 SERIES BIG GUN - 24° TRAJECTORY - TAPER BORE NOZZLE

NOZZLE DIAMETER	0.5"		0.55"		1.0"		1.05"		1.1"		1.2"		1.25"		1.3"		1.4"	
	MM	INCH	MM	INCH	MM	INCH	MM	INCH	MM	INCH	MM	INCH	MM	INCH	MM	INCH	MM	INCH
3.5	300	11.8	50.5	1.9	134	5.3	136	5.6	139	5.5	141	7.1	145	7.6	147	8.7	152	8.8
4.0	340	13.4	55.0	2.1	154	5.7	156	6.0	157	5.8	159	7.2	162	7.8	164	9.0	172	9.4
5.0	379	15.0	60.0	2.4	172	6.1	174	6.4	176	6.2	178	8.4	181	9.1	184	10.4	192	10.8
6.0	417	16.5	65.0	2.7	188	6.5	190	6.8	192	6.6	194	9.4	197	10.1	200	11.4	208	11.8
7.0	453	18.2	77.0	3.0	198	8.1	201	8.5	203	8.3	205	10.3	207	10.1	213	11.2	220	11.6
8.0	489	19.7	81.0	3.3	208	8.5	210	8.9	212	8.7	214	10.8	215	10.6	225	11.7	232	12.1

## 150 SERIES BIG GUN - 24° TRAJECTORY - TAPER BORE NOZZLE

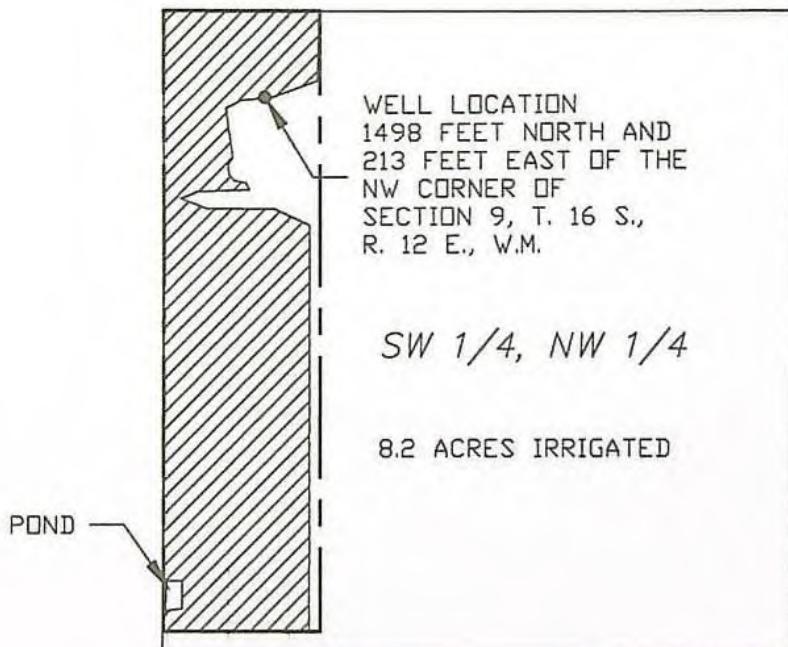
NOZZLE DIAMETER	0.5"		0.55"		1.0"		1.05"		1.1"		1.2"		1.25"		1.3"		1.4"			
	MM	INCH	MM	INCH	MM	INCH	MM	INCH	MM	INCH	MM	INCH	MM	INCH	MM	INCH	MM	INCH		
4.0	155	5.7	104	4.1	176	6.9	106	4.2	193	7.1	112	23.9	25.6	117	32.2	118	125	36.1	130	134
5.0	190	6.8	115	4.5	218	7.8	121	4.7	243	8.9	125	28.2	29.9	122	34.4	123	130	38.6	134	139
6.0	212	7.1	124	4.8	234	8.2	129	5.1	262	10.5	132	33.7	32.1	133	39.4	142	144	44.2	155	158
7.0	231	7.5	132	5.2	257	9.3	136	5.5	287	11.3	141	37.4	38.1	142	45.4	143	145	51.0	152	154
8.0	251	7.8	136	5.6	287	10.3	138	5.9	32.7	12.1	144	43.9	42.0	152	51.5	164	159	51.0	184	185

Performance is shown with Taper Bore nozzles only. Distance of throw with Ring nozzles and Taper/Ring nozzles is slightly less. Consult factory for complete performance details.

The lower trajectory angles result in better wind fighting ability, but reduced throw distances. Throw reduction depends upon nozzle flow rate. In general the throw distance is reduced approximately 3% with each 3° drop in trajectory angle.

Performance data has been obtained under ideal test conditions and may be adversely affected by wind, poor hydraulic entrance conditions or other factors. Test riser height of three feet above measurement surface. No representation regarding droplet condition, uniformity, application rate or suitability for a particular application is made herein.

FINAL PROOF MAP  
APPLICATION NO. G-14413, PERMIT NO. G-13332  
FOR  
BENJAMIN LINDNER & LESLIE D. COLE  
LOCATED IN THE SW 1/4 OF THE NW 1/4  
OF SECTION 9, T. 16 S., R. 12 E., W.M.  
TAX LOT 16-12-09 #00503  
DESCHUTES COUNTY, OREGON



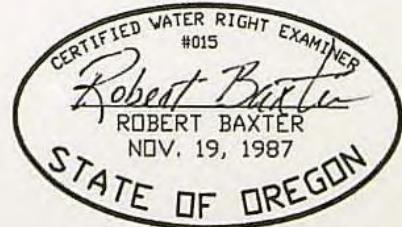
SCALE: 1" = 400'  
DATE: 6-24-02

 = IRRIGATED AREA  
(8.2 ACRES)



I, ROBERT E. BAXTER, CERTIFIED WATER RIGHT EXAMINER  
IN THE STATE OF OREGON, HEREBY CERTIFY THAT THIS  
WATER RIGHT SURVEY MAP WAS PREPARED BY ME.

THE PREPARATION OF THIS MAP IS FOR THE PURPOSE  
OF IDENTIFYING THE LOCATION OF THE WATER RIGHT  
ONLY AND HAS NO INTENT TO PROVIDE DIMENSIONS OR  
LOCATIONS OF PROPERTY OWNERSHIP LINES.



*Cole & Lindner*  
541-383-3100

---

October 1, 2002

Water Resources Board  
Att: Steve Brown

Re; Application #G-14413  
Permit #G-13332

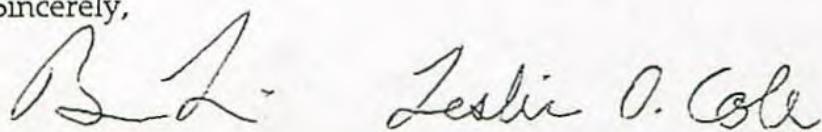
Dear Mr. Brown,

Enclosed please find the Site Report and Claim of Beneficial Use prepared by  
Baxter Land Surveying Inc.

We request an extension to complete the pump test.

Thank you.

Sincerely,



Benjamin Lindner & Leslie D. Cole

LZ

**SITE REPORT AND CLAIM OF BENEFICIAL USE  
FOR GROUND WATER - IRRIGATION**  
Reference: APPLICATION FILE G-14413, Permit G-13332

Permittee:

Benjamin Lindner and Leslie D. Cole  
20420 Harper Rd.  
Bend, OR 97701

Date of inspection: 6-25-01

Person Interviewed: Benjamin Lindner

Source: The well was originally drilled on 12-8-95 and deepened on 10-29-96. The well is 12" in diameter, to 18.5 feet, 8" in diameter to 425 feet, 6" in diameter to 560 feet. Static water level was 443 feet below the surface as of 10-29-96, (see well logs enclosed).

Well Driller: Aiken Well Drilling

Well log dated: 12-8-95 and 10-29-96

Location of well and point of diversion: Well is 1498 feet South and 213 feet East of the Northwest corner of Section 9, T. 16 S., R. 12 E., W.M.

Rate:

Rate Allowed by Permit: 1.22 cfs for irrigation of 9.73 acres.

Rate calculated based on system: The system was not in operation at the time of inspection. The rate of 72 gpm was determined from a chart listing the equipment used (see chart enclosed). A 100 series "Big Gun" with a .5" nozzle at 100 psi (per Benjamin Lindner).

Rate of beneficial use calculated: 8.2 acres are being irrigated.

[1/80 cfs per second per acre x 8.2 acres = 0.10225 cfs x 448.83 gpm/cfs = 46 gpm]

Note: Mr. Lindner operates his system 12 to 16 hours per day.

Time Limits: March 1<sup>st</sup> through October 31<sup>st</sup>.

Description of Delivery System:

Well: The well head has an access port.

A 15 H.P, single phase motor, (220 Volt) and submersible "Aermotor" pump with a "Hersey Flow Meter", Model 2" 572 SG is installed on the outflow side that measures to the nearest 1 gallon.

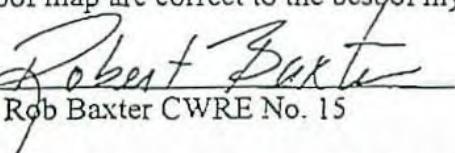
Water is pumped into a 2" PVC line to a pond or "bulge" in the system and then pumped by a 10 HP single phase Valdor motor with Berkley pump through 3" PVC mainline (buried) to risers with a Nelson 100 "Big Gun" with a 0.5" nozzle. There are a total of 15 risers and one Big Gun is used at any one time.

Use: Water is used for irrigation purposes to raise Orchard Grass Mix for pasture and grass hay.

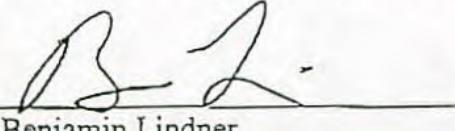
Permit Requirements:

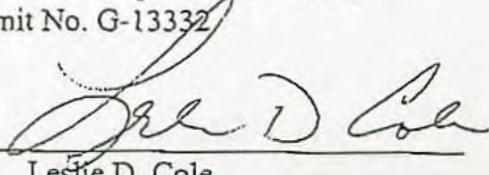
- A. Water Meter: a water meter has been installed as described above.
- B. Access: the water meter is installed along the mainline with access available.
- C. The well head has an access port.
- D. Pump Test: in process.

The final proof inspection of the use was found to be completed as per the terms and conditions of Permit file G-13332 (with the exception of the pump test) and was completed by me on 10-03-01 and the facts contained in this report and accompanying final proof map are correct to the best of my knowledge.

signed:   
Rob Baxter CWRE No. 15

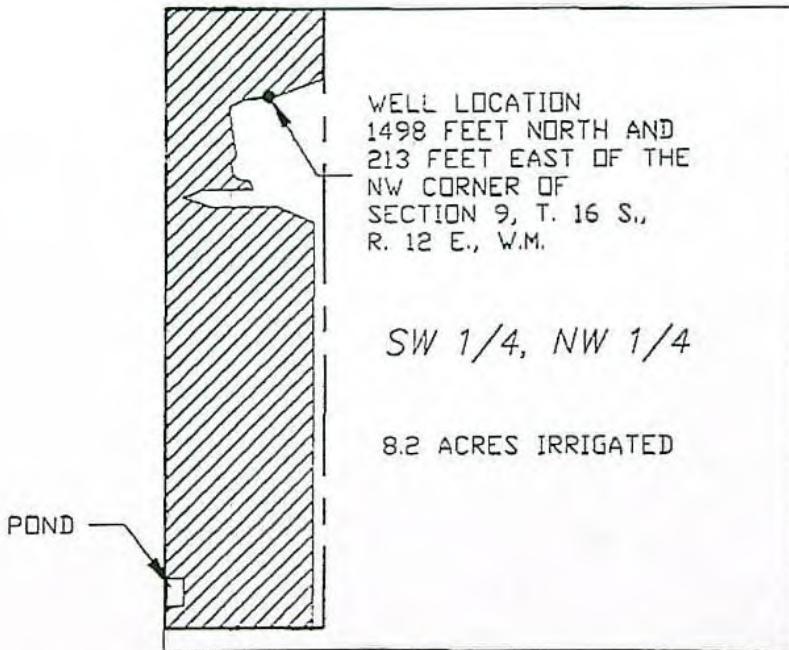
We, Benjamin Lindner and Leslie D. Cole, owners of the land hereon described, agree to the findings of the CWRE and do submit this site report and map as my Claim of Beneficial use under the terms and conditions of Permit No. G-13332

signed:   
Benjamin Lindner

signed:   
Leslie D. Cole

Prepared by: Rob Baxter, CWRE No. 015  
Baxter Land Surveying, Inc.  
P.O. Box 7022  
Bend, OR 97708  
(541) 382-1962

FINAL PROOF MAP  
APPLICATION NO. G-14413, PERMIT NO. G-13332  
FOR  
BENJAMIN LINDNER & LESLIE D. COLE  
LOCATED IN THE SW 1/4 OF THE NW 1/4  
OF SECTION 9, T. 16 S., R. 12 E., W.M.  
TAX LOT 16-12-09 #00503  
DESCHUTES COUNTY, OREGON



SCALE: 1" = 400'  
DATE: 6-24-02

 = IRRIGATED AREA  
(8.2 ACRES)

I, ROBERT E. BAXTER, CERTIFIED WATER RIGHT EXAMINER  
IN THE STATE OF OREGON, HEREBY CERTIFY THAT THIS  
WATER RIGHT SURVEY MAP WAS PREPARED BY ME.

THE PREPARATION OF THIS MAP IS FOR THE PURPOSE  
OF IDENTIFYING THE LOCATION OF THE WATER RIGHT  
ONLY AND HAS NO INTENT TO PROVIDE DIMENSIONS OR  
LOCATIONS OF PROPERTY OWNERSHIP LINES.



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

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

(1) OWNER: Well Number \_\_\_\_\_

Name Mike Constantine

Address P.O. Box 797

City Territorial State Ore. Zip 97776

(2) TYPE OF WORK

New Well  Deepening  Alteration (repair/recondition)  Abandonment

(3) DRILL METHOD:

Rotary Air  Rotary Mud  Cable  Auger

Other \_\_\_\_\_

(4) PROPOSED USE:

Domestic  Community  Industrial  Irrigation

Thermal  Injection  Livestock  Other \_\_\_\_\_

(5) BORE HOLE CONSTRUCTION:

Special Construction approval  Yes  No Depth of Completed Well 500 ft.

Explosives used  Yes  No Type \_\_\_\_\_ Amount \_\_\_\_\_

HOLE SEAL

Diameter	From	To	Material	From	To	Sacks or pounds
12	0	18 <sup>1</sup> / <sub>2</sub>	BENTONITE C	18 <sup>1</sup> / <sub>2</sub>	500	10
8	18 <sup>1</sup> / <sub>2</sub>	500				

How was seal placed: Method  A  B  C  D  E

Other Poured in dry

Backfill placed from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Material \_\_\_\_\_

Gravel placed from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Size of gravel \_\_\_\_\_

(6) CASING/LINER:

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing: 8	7 1/2	18 <sup>1</sup> / <sub>2</sub>	250	2	<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"/>
Liner: 10	4 1/2	520	18 <sup>1</sup> / <sub>2</sub>	250	<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"/>

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

(7) PERFORATIONS/SCREENS:

<input checked="" type="checkbox"/> Perforations	<input type="checkbox"/> Screens	Method	Material	From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
		<u>Factory</u>									

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

<input type="checkbox"/> Pump	<input type="checkbox"/> Bailer	<input checked="" type="checkbox"/> Air	<input type="checkbox"/> Artesian	Flowing
Yield gal/min	Drawdown	Drill stem at	Time	
25 <sup>+</sup>	0	495	(hr)	

Temperature of water 52° Depth Artesian Flow Found \_\_\_\_\_

Was a water analysis done?  Yes By whom \_\_\_\_\_

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

Salty  Muddy  Odor  Colored  Other \_\_\_\_\_

Depth of strata: \_\_\_\_\_

Distance to nearest stream: \_\_\_\_\_

Distance to nearest well: \_\_\_\_\_

Distance to nearest building: \_\_\_\_\_

Distance to nearest road: \_\_\_\_\_

Distance to nearest property line: \_\_\_\_\_

Distance to nearest water source: \_\_\_\_\_

Distance to nearest power line: \_\_\_\_\_

Distance to nearest telephone line: \_\_\_\_\_

Distance to nearest water main: \_\_\_\_\_

Distance to nearest sewer line: \_\_\_\_\_

Distance to nearest water well: \_\_\_\_\_

Distance to nearest oil well: \_\_\_\_\_

Distance to nearest gas well: \_\_\_\_\_

Distance to nearest industrial facility: \_\_\_\_\_

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

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

(1) OWNER: Name Ben Linder Well Number       

Address 20420 Harper Rd

City Pend. Ore. State Ore. Zip 97701

(2) TYPE OF WORK

New Well  Deepening  Alteration (repair/recondition)  Abandonment

(3) DRILL METHOD:

Rotary Air  Rotary Mud  Cable  Auger

Other \_\_\_\_\_

(4) PROPOSED USE:

Domestic  Community  Industrial  Irrigation  
 Thermal  Injection  Livestock  Other \_\_\_\_\_

(5) BORE HOLE CONSTRUCTION:

Special Construction approval?  Yes  No Depth of Completed Well 560 ft.

Explosives used  Yes  No Type \_\_\_\_\_ Amount \_\_\_\_\_

HOLE SEAL

Diameter From To Material From To Sacks or pounds

6" 425 560

How was seal placed: Method  A  B  C  D  E

Other \_\_\_\_\_

Backfill placed from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Material \_\_\_\_\_

Gravel placed from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Size of gravel \_\_\_\_\_

(6) CASING/LINER:

Diameter From To Gauge Steel Plastic Welded Threaded

Casing: \_\_\_\_\_

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Liner: 6" 0 528 188

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FROM : NUTSHELL

PHONE NO. : 5413837667

Oct. 01 2002 10:55AM P8

FROM : NUTSHELL

PHONE NO. : 5413837667

Sep. 26 2001 06:13AM P1

## PERFORMANCE - U.S. UNITS

## 100 SERIES BIG GUN - 24° TRAJECTORY - TAPER BORE NOZZLE

P.S.I.	Nozzle .5"		Nozzle .55"		Nozzle .5"		Nozzle .55"		Nozzle .75"		Nozzle .8"		Nozzle .85"		Nozzle .9"		Nozzle 1.0"	
	GPM	DIA.	GPM	DIA.	GPM	DIA.	GPM	DIA.	GPM	DIA.	GPM	DIA.	GPM	DIA.	GPM	DIA.	GPM	DIA.
40	47	.191	51	.207	66	.213	76	.227	91	.233	103	.240	115	.250	134	.256	152	.262
50	58	.215	69	.227	81	.245	96	.257	110	.269	126	.270	145	.289	164	.288	182	.295
60	70	.225	75	.246	94	.260	102	.275	120	.285	146	.289	165	.305	187	.310	214	.320
70	84	.235	79	.266	104	.260	110	.273	129	.285	146	.289	165	.314	190	.315	230	.354
80	98	.245	83	.286	113	.280	123	.293	143	.305	163	.316	185	.326	212	.336	235	.345
90	112	.255	87	.306	105	.280	123	.293	143	.305	163	.316	185	.326	212	.336	235	.345
100	126	.265	91	.326	113	.280	123	.293	143	.305	163	.316	185	.326	212	.336	235	.345

## 150 SERIES BIG GUN - 24° TRAJECTORY - TAPER BORE NOZZLE

P.S.I.	Nozzle .7"		Nozzle .8"		Nozzle .9"		Nozzle 1.0"		Nozzle 1.1"		Nozzle 1.2"		Nozzle 1.3"	
	GPM	DIA.	GPM	DIA.	GPM	DIA.	GPM	DIA.	GPM	DIA.	GPM	DIA.	GPM	DIA.
50	100	.250	130	.270	162	.290	205	.310	255	.330	300	.348	350	.360
70	120	.260	158	.300	197	.320	245	.340	295	.360	355	.380	415	.385
90	135	.267	175	.327	223	.345	275	.367	325	.387	395	.410	475	.425
110	150	.272	188	.340	247	.365	305	.385	370	.410	445	.430	525	.450
120	160	.275	198	.348	255	.375	315	.395	385	.420	465	.440	545	.460

## 200 SERIES BIG GUN - 27° TRAJECTORY - TAPER BORE NOZZLE

P.S.I.	Nozzle 1.05"		Nozzle 1.1"		Nozzle 1.2"		Nozzle 1.3"		Nozzle 1.4"		Nozzle 1.5"		Nozzle 1.6"		Nozzle 1.75"		Nozzle 1.9"	
	GPM	DIA.	GPM	DIA.	GPM	DIA.	GPM	DIA.	GPM	DIA.	GPM	DIA.	GPM	DIA.	GPM	DIA.	GPM	DIA.
60	250	.345	295	.365	335	.375	375	.385	415	.410	513	.430	585	.445	695	.470	825	.485
80	280	.374	330	.410	395	.410	445	.450	515	.460	590	.470	675	.485	805	.515	930	.515
100	325	.407	370	.427	425	.440	500	.467	675	.487	650	.500	755	.527	900	.550	1000	.575
120	356	.420	405	.443	465	.463	545	.480	630	.505	725	.530	825	.550	945	.580	1100	.605
130	370	.424	414	.454	474	.474	564	.494	654	.514	744	.534	844	.554	944	.584	1120	.614

## PERFORMANCE - METRIC UNITS

## 100 SERIES BIG GUN - 24° TRAJECTORY - TAPER BORE NOZZLE

P.S.I.	Nozzle 0.55		Nozzle 0.62		Nozzle 0.68		Nozzle 0.74		Nozzle 0.77		Nozzle 0.81		Nozzle 0.86		Nozzle 0.91		Nozzle 0.96	
	GPM	DIA.																
3.5	3.00	10.6	5.5	3.73	13.0	6.28	1.23	15.8	6.61	5.09	18.7	8.68	5.82	21.0	7.14	6.71	24.1	7.45
5.0	3.70	13.6	6.0	5.72	17.0	7.27	3.18	20.1	7.84	8.58	21.6	10.2	7.52	27.5	8.66	8.11	32.6	9.75
7.0	4.53	16.2	7.8	5.95	19.7	8.14	6.61	22.8	8.50	7.74	22.3	8.93	5.92	24.8	9.51	11.7	29.4	10.8
8.0	4.67	17.6	8.57	5.94	20.0	9.14	5.57	22.7	9.07	7.84	22.7	9.57	6.97	25.5	10.7	11.8	30.5	11.8

## 150 SERIES BIG GUN - 24° TRAJECTORY - TAPER BORE NOZZLE

P.S.I.	Nozzle 0.7		Nozzle 0.8		Nozzle 0.9		Nozzle 1.0		Nozzle 1.1		Nozzle 1.2		Nozzle 1.3		Nozzle 1.4		Nozzle 1.5			
	GPM	DIA.																		
3.5	6.39	23.0	7.60	8.23	24.5	8.20	10.5	8.75	33.5	9.00	13.0	41.9	9.60	15.9	57.1	12.1	18.0	66.3	10.6	
5.0	7.69	27.5	85.4	5.81	32.7	51.6	12.5	45.1	52.6	15.6	54.0	10.5	16.9	62.2	11.1	22.7	81.7	11.7	29.6	65.8
7.0	9.03	32.5	95.0	11.7	41.2	10.4	13.3	51.0	102	18.4	60.3	11.1	22.4	50.7	12.2	26.0	64.9	12.2	31.5	11.3
8.0	10.2	35.0	102	12.1	47.9	11.0	16.5	62.6	117	20.9	73.1	12.3	22.4	61.5	13.1	30.4	110	13.7	35.7	12.9

## 200 SERIES BIG GUN - 27° TRAJECTORY - TAPER BORE NOZZLE

P.S.I.	Nozzle 1.05		Nozzle 1.1		Nozzle 1.15		Nozzle 1.2		Nozzle 1.25		Nozzle 1.3		Nozzle 1.35		Nozzle 1.4		Nozzle 1.45				
	GPM	DIA.	GPM	DIA.	GPM	DIA.															
4.0	15.5	55.7	104	17.5	63.2	108	29.3	73.1	112	20.9	65.4	117	27.5	81.9	123	32.2	115	126	42.6	154	121
5.0	19.0	65.3	115	21.0	76.3	121	24.3	82.5	125	23.2	105	132	33.7	121	132	35.2	124	126	52.1	124	102
6.0	21.9	75.8	125	23.7	87.5	132	27.7	105	132	33.7	121	132	35.2	124	126	52.1	124	102	52.1	124	102
8.0	21.9	75.8	125	23.1	85.0	132	25.7	102	125	32.7	121	134	32.9	121	125	35.5	124	126	52.1	124	102

Performance is shown with Taper Bore nozzles only. Distance of throw with Ring nozzles and Taper/Ring nozzles is slightly less. Consult factory for complete performance details.

The lower trajectory angles result in better wind fighting ability, but reduced throw distances. Throw reduction depends upon nozzle flow rate. In general the throw distance is reduced approximately 5% with each 3° drop in trajectory angle.

Performance data has been obtained under ideal test conditions and may be adversely affected by wind, poor hydraulic entrance conditions or other factors. Test riser height of three feet above measurement surface. No representation regarding droplet condition, uniformity, application rate or

FROM : NUTSHELL

PHONE NO. : 5413837667

Oct. 01 2002 10:57AM P9

FROM : NUTSHELL

PHONE NO. : 5413837667

Apr. 02 2001 06:53AM P1

STATE OF

COUNTY OF

PERMIT TO APPROPRIATE THE PUR

To	Rob	7671	Date 4/2/01 10:50AM	4
Co. Name		From	Ken	
Phone #		Co.		
Fax #		Phone #		
		Fax #		

THIS PERMIT IS HEREBY ISSUED TO

BENJAMIN LINDNER  
LESLIE D. COLE  
20420 HARPER RD.  
BEND, OREGON 97701

PHONE: (541) 383-3100

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

APPLICATION FILE NUMBER: G-14413

SOURCE OF WATER: A WELL IN THE DESCHUTES RIVER BASIN

PURPOSE OR USE: IRRIGATION OF 9.73 ACRES

MAXIMUM RATE: 0.122 CUBIC FOOT PER SECOND

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: NOVEMBER 18, 1996

POINT OF DIVERSION LOCATION: SW 1/4 NW 1/4, SECTION 9, T16S, R12E, W.M.;  
1535 FEET SOUTH & 223 FEET EAST FROM NW CORNER, SECTION 9

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTEENTH of one cubic foot per second (or its equivalent) and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS

SW 1/4 NW 1/4 9.73 ACRES  
SECTION 9  
TOWNSHIP 16 SOUTH RANGE 12 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.
- 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.

PAGE 2

C. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

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.

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.

#### STANDARD CONDITIONS

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

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

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

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

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

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

FROM : NUTSHELL

PHONE NO. : 5413837667

Oct. 01 2002 10:59AM P11

FROM : NUTSHELL

PHONE NO. : 5413837667

Apr. 02 2001 06:55AM P3

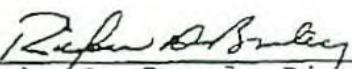
PAGE 3

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

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

Actual construction of the well shall begin within one year from permit issuance. Complete application of water to the use shall be made on or before October 1, 2002.

Issued February 25, 1998

  
\_\_\_\_\_  
Martha O. Pagel, Director  
Water Resources Department

Cole & Lindner  
20420 Harper Rd.  
Bend OR 97701

FIRM MAP 1405  
WETLAND

SECTION 9 LIGS HIZE,W.M.  
DESCHUTES COUNTY

1:4800'

MAP NUMBER 601,601

SCALE 1:9000

FEET

0 .20 .40

KILOMETER

0 .20 .40

100 200 300

400 500 600

700 800 900

1000 1100 1200

1300 1400 1500

1600 1700 1800

1900 2000 2100

2200 2300 2400

2500 2600 2700

2800 2900 3000

3100 3200 3300

3400 3500 3600

3700 3800 3900

4000 4100 4200

4300 4400 4500

4600 4700 4800

4900 5000 5100

5200 5300 5400

5600 5700 5800

5900 6000 6100

6200 6300 6400

6500 6600 6700

6800 6900 7000

7100 7200 7300

7400 7500 7600

7700 7800 7900

8000 8100 8200

8300 8400 8500

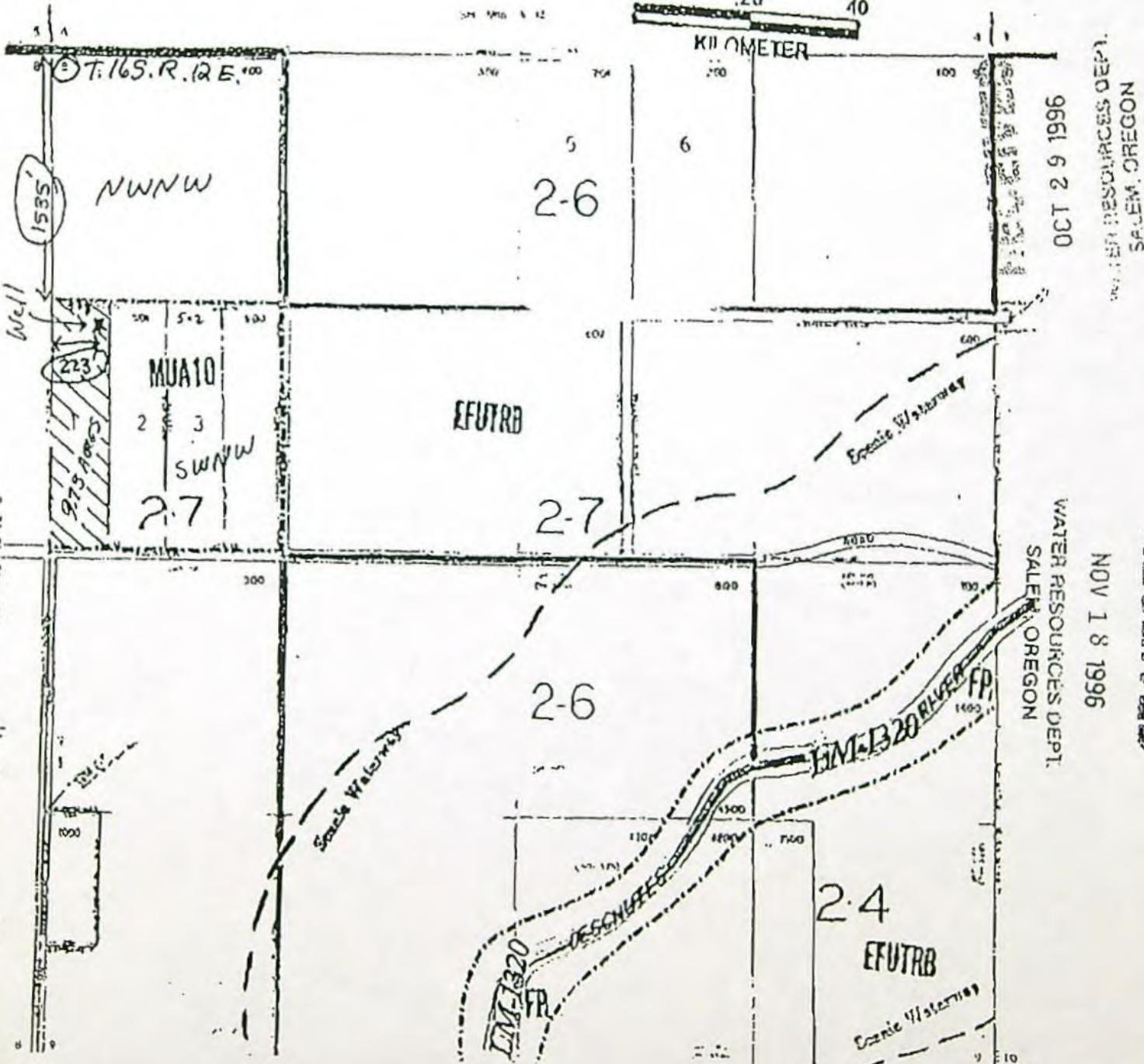
8600 8700 8800

8900 9000 9100

9200 9300 9400

9500 9600 9700

9800 9900 10000



Dwight W French, 10:44 AM 4/6/98 -, G 13332

Date: Mon, 6 Apr 1998 10:44:06 -0700 (PDT)  
X-Sender: frenchdw@mailhub.wrd.state.or.us  
To: Russell.W.KLASSEN@wrd.state.or.us  
From: Dwight W French <Dwight W French>  
Subject: G 13332

Please let  
thank you  
Dwight

Russ  
Please email Kyle and tell him  
no protests were received. A letter  
came in per PFO from Tum. I.D. &  
Cory responded. FAX both plus Kent Ben's  
email exchange to Kyle cc to me.

Dwight

>X-Sender:  
>Date: Mon.  
>To: Dwight  
>From: Kyle  
>Subject: G  
>  
>Good mornin.  
>  
>Permit G-133  
parcel  
>of land 9.73  
Irrigation  
>District Water rights on this parcel already. The District wrote a  
letter  
>(they say, please try to locate it in the file) protesting this water  
right  
>and say the WR group did not respond.  
>  
>My question is: At the time of final proof, can the primary GW just  
be  
>diminished to supplemental to the district?  
>  
>

PROBABLY BETTER ANSWERED  
BY DON KNAUER  
DWIGHT,  
I DON'T SEE A PROBLEM OF MAINTAIN-  
- SUPP @ TIME OF PROOF. HOWEVER,  
IT APPEARS TO ALREADY HAVE BEEN  
RESEARCHED. SEE ATTACHED,  
INCLUDING NOTES ON CONFLICT  
CHECK. I DID NOT DOUBLE  
CHECK THE INFO

RWK  
4/9/98

Dwight W French, 10:44 AM 4/6/98 -, G 13332

Date: Mon, 6 Apr 1998 10:44:06 -0700 (PDT)  
X-Sender: frenchdw@mailhub.wrd.state.or.us  
To: Russell.W.KLASSEN@wrd.state.or.us  
From: Dwight W French <Dwight.W.FRENCH@wrd.state.or.us>  
Subject: G 13332

Please look into this for me.  
thank you  
Dwight

>X-Sender: gormankg@mailhub.wrd.state.or.us  
>Date: Mon, 06 Apr 1998 10:26:33 -0700  
>To: Dwight.W.FRENCH@wrd.state.or.us  
>From: Kyle Gorman <Kyle.G.GORMAN@wrd.state.or.us>  
>Subject: G 13332  
>  
>Good morning Dwight:  
>  
>Permit G-13332 was issued for primary irrigation of 9.73 acres on a  
parcel  
>of land 9.73 acres in size. There existed 1.43 acres of Tumalo  
Irrigation  
>District Water rights on this parcel already. The District wrote a  
letter  
>(they say, please try to locate it in the file) protesting this water  
right  
>and say the WR group did not respond.  
>  
>My question is: At the time of final proof, can the primary GW just  
be  
>diminished to supplemental to the district?  
>  
>

IR CHECKLIST

Application #: 6 14413 Vol        Subbasin         
Basin: 5 WAB:        POU-WAB         
Township 16S Range 12E Section 9 1/4 1/4

1. Completeness checklist verified. Y / N or No Checklist

2. Indicators that the process should not continue (ie - protest, items missing, letter to file indicating hold, or other) Y / N

3. Groundwater review A B C D \_\_\_\_\_  
a. Is the well located in a groundwater limited area? Y / N \_\_\_\_\_

4. SWW Y / N Triage Y / N conditions/restrictions Y / N \_\_\_\_\_

5. Basin Program limitations? Y / N \_\_\_\_\_

6. Withdrawn? Y / N season allowed \_\_\_\_\_

N/A 7. Basin Maps have been checked. Y / N The River Mile is \_\_\_\_\_

8. Water Availability (50% < July 17, 1992 \*\* 80% [50% storage] > July 17, 1992) NA \_\_\_\_\_

9. Rate/Duty/Season 1/80th + 3 3/1 - 10/31 \_\_\_\_\_

10. Use 1R 9.73 acres Period of Allowed Use 3/1 - 10/31 \_\_\_\_\_

11. Priority Date(s) 11-19-96 \_\_\_\_\_

12. B.O.R. project Y / N contract # \_\_\_\_\_

13. TMDL Basin? Y / N (Tualatin, Yamhill, Pudding) DIVISION 33 Y / N New or Old? Map Date \_\_\_\_\_

14. Conflicts Y / N \_\_\_\_\_

15. Conditions? (BOR, GW, other) Y / N 7J + 7B \_\_\_\_\_

16. Land use approval OK'd needs approval county notified NA \_\_\_\_\_

17. Watermaster Dist: (1 2 16 18 - NWR) (3 4 5 - NCR) (6 8 9 10 - ER) (11) 12 17 - SCR (14 15 19 - SWR)

18. Letter will be Good Limited Bad Bad w/IRshort because \_\_\_\_\_

GW COND 7J + 7B

56 GPM = .12 CFS

9.73 acres / 80 = .12

NCR

(B) Water legally released from storage.

(b) Attainment of the specified flow levels during some portions of the year will require development of water storage or implementation of other measures to augment flows.

(3) Water Quality

Rights to use of water for industrial or mining purposes granted by any state agency shall be issued only on the condition that any effluents or return flows from such uses shall not interfere with other beneficial uses of water.

**Middle Deschutes River Basin**

690-505-002

(1) Classifications

(a) The maximum economic development of this state, the attainment of the highest and best use of the waters of the Middle Deschutes River Basin, and the attainment of an integrated and coordinated program for the benefit of the state as a whole will be furthered through utilization of the aforementioned waters only for domestic, livestock, municipal, **irrigation**, power development, industrial, mining, recreation, wildlife and fish life uses and the waters of the Middle Deschutes River Basin are hereby so classified with the following exceptions:

(A) OAR 690-505-006, Lower Main Stem Deschutes River, adopted April 3, 1964, as modified by the Water Policy Review Board.

(B) The maximum economic development of this state, the attainment of the highest and best use of the waters of the main stem, Metolius River, above river mile 13.0, and the attainment of an integrated and coordinated program for the benefit of the state as a whole will be furthered through utilization of the aforementioned waters only for domestic, livestock, irrigation of lawn or non-commercial garden not to exceed one-half acre in area, power development, recreation, wildlife and fish life uses and the waters of the main stem, Metolius River, above river mile 13.0, are hereby so classified.

(C) Further, no out-of-basin diversions of the waters of the mainstem Metolius River, above river mile 13.0, shall be permitted for any use.

(D) No further appropriations except for domestic or livestock uses shall be permitted for waters of the mainstem Deschutes River, from the head of Lake Billy Chinook near river mile 120 to the North Canal Dam near river mile 165.

Ben Bishop, 01:24 PM 4/15/97, Re: research

Date: Tue, 15 Apr 1997 13:24:44 -0700 (PDT)  
X-Sender: bishopbw@mailhub.wrd.state.or.us  
To: Kenneth D Dowden <Kenneth.D.DOWDEN@wrd.state.or.us>  
From: Ben Bishop <Benjamin.W.Bishop@wrd.state.or.us>  
Subject: Re: research

At 10:33 4/15/97 -0700, you wrote:

> Ben, I am researching rights of record for conflicts check on a file appl#  
> G-14413.  
>  
> Located in T 16 S, R 12 E, SECTION 9, SW 1/4 NW 1/4, and more specifically  
> in the west 1/2 of the west 1/2 of that 40. (=9.73 acres)  
>  
> After totally giving up on WRIS and finding out there is nothing there,  
> what I need from you is whether there are any lands there covered by  
> Tumalo ID under HB 3111.  
>  
> Thanks for any help you can come up with.  
>  
> Ken Dowden  
>  
>  
> Ken, nanner, nanner, nanner. My plat cards work and your's don't.  
Seriously, in the SW 1/4 NW 1/4 of Section 9, T. 16 S., R. 12 E., and more  
specifically the W 1/2 Of the W 1/2 of that "40", is tax lot 501. In the SW  
corner of tax lot 501 is a square totaling 1.02 acres being petitioned under  
HB-3111. According to our map tax lot 501 is approximately 20 acres or the W  
1/2.

Ben Bishop  
Field Water Right Tech.  
South Central Region

THIS APPLICATION  
IS ON TL 503  
NCL  
Ken Dowden 4/15/97

DR KEN DOWDEN. OREGON WATER RESOURCES PLAT CARD: Township 16.00 S Range 12.00 E SECTION 9

4/16/1997

APP. NO. / PERMIT NO.	CERT NO.	GOV'T LOT DLC	NE			NW			SW			SE			NE			NW			SW			
			NE	NW	SW	SE	NE	NW	SW	SE														
T 6348 CD 29052	0	V																		4.50 (IR)		13.00 (IR)	29.50 (IR)	
D 26508	26508	V																		38.80 (ID)	38.50 (ID)			
D 31412	31412	V																		38.80 (IR) (S)	38.50 (IR) (S)			
S 3263 S 19628	26050	V																		38.80 (IL) (S)	38.50 (IL) (S)			
S 13180 S 23256	0	V																				29.00 (IR) (S)		
S 37239 S 27840	0	V																		35.00 (IR)	40.00 (IR)			
S 37241 S 27841	0	V																		35.00 (IR) (S)	38.80 (IR) (S)	38.50 (IR) (S)		
TUMALO Deed FANNIS. 145 p.321 (1907) priority																								
Sp. OR. V.10 p.79 TRANSFERRED Δ USE, Date of USE THE 37.8 ac. (1907) OUT																								
Sp. OR. V.11, p.123 TRANSFER T-50																								
Sp. OR. V.31, pg.56 TRANSFER T-3990																								

37.8

OUT

37.8

IN

37.8 IN

37.8 IN

37.8 IN

37.8 OUT

DISAPPEARED

WENT AWAY

WHEN PRIMARY  
WENT.

Sp. OR. V.10 p.79

APP. NO. / PERMIT NO.	CERT NO.	GOV'T LOT DLC	NE			NW			SW			SE			
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
T 6348 CD 29052	0 V												4.50 (IR)	13.00 (IR)	29.50 (IR)
D 26508	26508 V										38.80 (ID)	38.50 (ID)			
D 31412	31412 V								37.80 (IR) (S)		38.80 (IR) (S)	38.50 (IR) (S)			
S 3263 S 19628	26050 V										38.80 (IL)	38.50 (IL)			
S 13180 S 23256	0 V					4.00 (IR) (S)								29.00 (IR) (S)	
S 37239 S 27840	0 V				35.00 (IR)				40.00 (IR)						
S 37241 S 27841	0 V				35.00 (IR) (S)			37.80 (IR) (S)	40.00 (IR) (S)		38.80 (IR) (S)	38.50 (IR) (S)			

SEE COPIES  
of?

SP. OR. V. 10 p.79

" " V. 11 p.123

" " V. 31 p.56

↑ **EVERYTHING IN SW NW HAS  
BEEN TRANSFERRED OUT**

WRIS HAS INSUFFICIENT DATA REPORTED HERE,

SEE ORIGINAL PLAT CARD COPY.

ENDS UP => **No CONFLICT**

NOTE: APPLICANT HAS ALSO STATED NO IRR. WATER IS AVAILABLE IN DISTRICT.

TOWNSHIP 165 RANGE 12 E W. M. Card #1 SECTION 9

NE				NW				SW				SE				APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER	
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE				
36 <sup>0</sup> 9 <sup>0</sup>																Spec. Or. V-12 p 232	50		
				11 <sup>0</sup>												Spec. Or. V-12 p 239	60		
								45 <sup>0</sup>								Decree, Vol 16 Page 138 Findings, Vol 15 Page 267	29052	CO 10	
									79 <sup>0</sup>							Findings, Vol 15 Page 721 Decree, Vol 16 Page 139 Findings, Vol 15 Page 322	26508(t)		
																Supplemental 3763 19628	26050		
																Supplemental 13180 23256			
																Tr. Sp. Or. V-11 p 123			
																Tr. Sp. Or. V-11 p 123			
																37239 27940	24		
																37241 27941	37		
																Supplemental Deschutes River 31412			
																H-169 (C-29052) V-15 P-101			

TOWNSHIP 165 RANGE 12 E W. M. Card #2 SECTION 9

NE				NW				SW				SE				APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER			
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE						
ACREAGE IN LOT OR LEGAL SUBDIVISION AS SHOWN ON GOVERNMENT PLAT. IF OTHER THAN 40 ACRES																					
ALL OUT {																					
																T-3990 (C-26050)					
																T-3990 (C-26051)					
																T-3990 (C-31412)					
																IN 54	T-6043 (C-29052)				
																20	T-6044 (C-29052)				

SP#35621-090

11-1907 → CITY OF BEND  
V-10 P-79

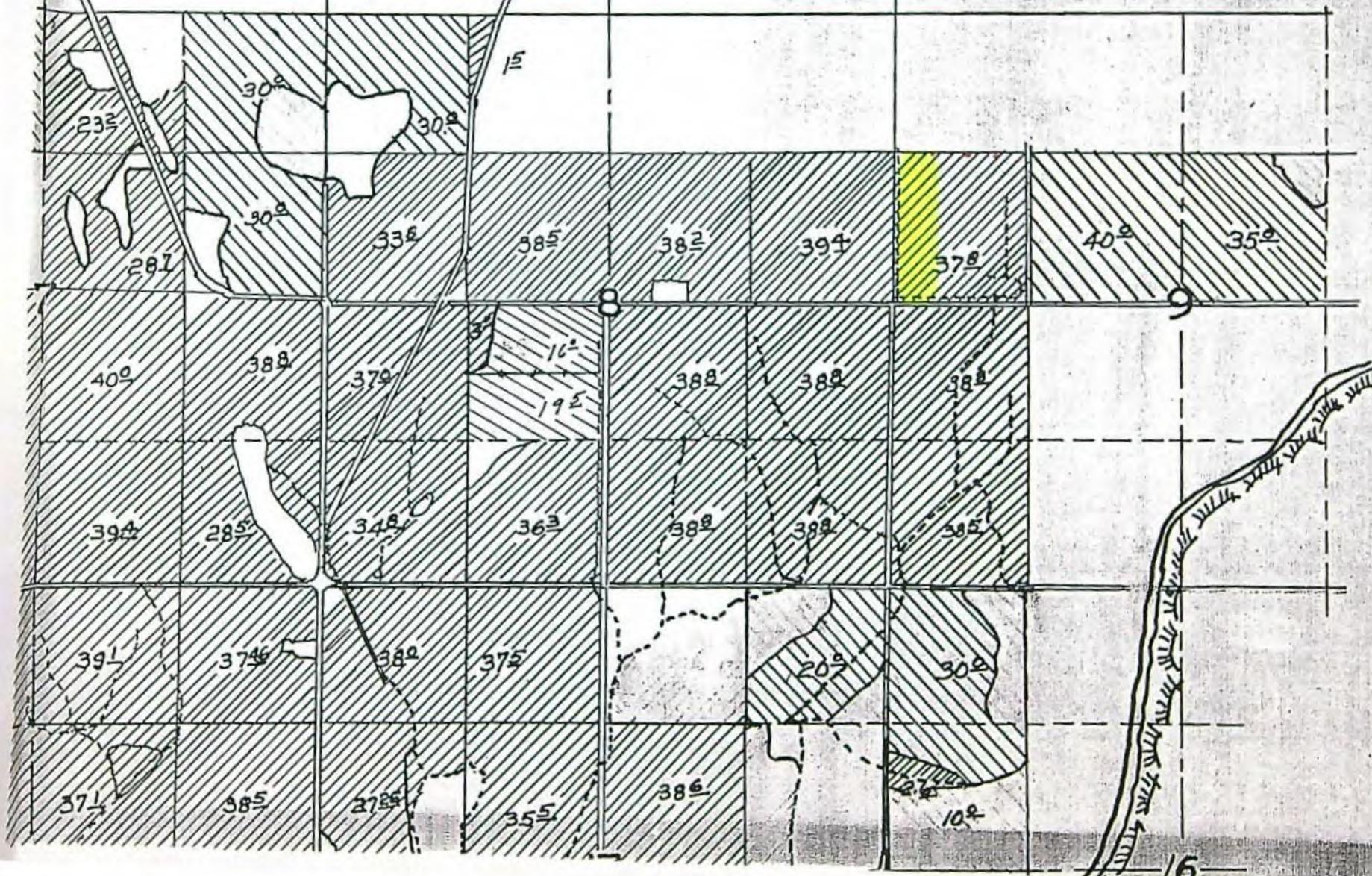
Name and Postoffice Address of Appropriatee	Date of Selected Priority	Assessed Value Per Acre	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
50 <sup>th</sup> Deschutes County Municipal Improvement District Route 2, Box 79 Bend, Ore.	Aug. 5, 1900	3.679	257.6	Irrigation and Domestic	Tumalo Canal, Columbia Southern Canal & Laterals	Tumalo Creek	
T-7431 A POU T-7432 A POU New Tumalo Irr. Dist.	Sept. 1900	23.625	1782.3	"	"	"	(See description of land of individual land-owners following)
T-7177 A POU	April 28, 1905	1.870	130.9	"	"	"	
T-7179 A POU See	May 27, 1907	0.474	33.2	"	"	"	
T-7672 A POU	June 1, 1907	15.703	1099.05	"	"	"	
S. T. Bristow	Sept. 1900	0.278	19.5				16.4 acres in NE <sub>4</sub> NW <sub>4</sub> 3.1 acres in NW <sub>4</sub> NW <sub>4</sub> Section 7
	June 1, 1907	0.109	7.6				7.6 acres in NE <sub>4</sub> NW <sub>4</sub> Section 7 T. 16 S., R. 12 E., W.
Q. C. McDowell	Sept. 1900	0.285	30.5				12.1 acres in NE <sub>4</sub> SW <sub>4</sub> 18.4 acres in SE <sub>4</sub> SW <sub>4</sub> Section 7
	June 1, 1907	0.190	13.3				13.3 acres in SW <sub>4</sub> SW <sub>4</sub> Section 7 T. 16 S., R. 12 E., W.
E. W. Putnam	Sept. 1900	0.518	55.3	* Transferred - Sp. Or. Vol. 10, p. 59 (55.3 ac.)			29.8 acres in NE <sub>4</sub> SE <sub>4</sub> 25.5 acres in SE <sub>4</sub> SE <sub>4</sub> Section 7 T. 16 S., R. 12 E., W.
H. S. Applegate	Sept., 1900	0.285	30.4				11.0 acres in NW <sub>4</sub> SE <sub>4</sub> 19.4 acres in SW <sub>4</sub> SE <sub>4</sub> Section 7 T. 16 S., R. 12 E., W.
James Mulvahill	Sept., 1900	0.574	40.2				11.2 acres in SW <sub>4</sub> NE <sub>4</sub> 29.0 acres in SE <sub>4</sub> NW <sub>4</sub> Section 8 T. 16 S., R. 12 E., W.
T-2939 POU A 3.2 ac SW 1/4 NE 1/4 3.5 ac SE 1/4 NW 1/4							
John L. Jones (Finding 6)	June 1, 1907	0.286	20.0				20.0 acres in NW <sub>4</sub> NW <sub>4</sub> Section 8 T. 16 S., R. 12 E., W.
R. V. Gillispie	June 1, 1907	1.103	77.2				39.4 acres in SE <sub>4</sub> NE <sub>4</sub> Section 8 37.8 acres in SW <sub>4</sub> NW <sub>4</sub> Section 9 T. 16 S., R. 12 E., W.
George Heilman	Sept. 1900	0.628	67.0				34.2 acres in NW <sub>4</sub> SW <sub>4</sub> 32.8 acres in SW <sub>4</sub> SW <sub>4</sub> Section 8 T. 16 S., R. 12 E., W.
Lester Garbutt	Sept. 1900	0.283	19.8				19.8 acres in SE <sub>4</sub> SW <sub>4</sub> Section 8 T. 16 S., R. 12 E., W.

TUMALO CREEK - Page 12

MAP  
E-6 18

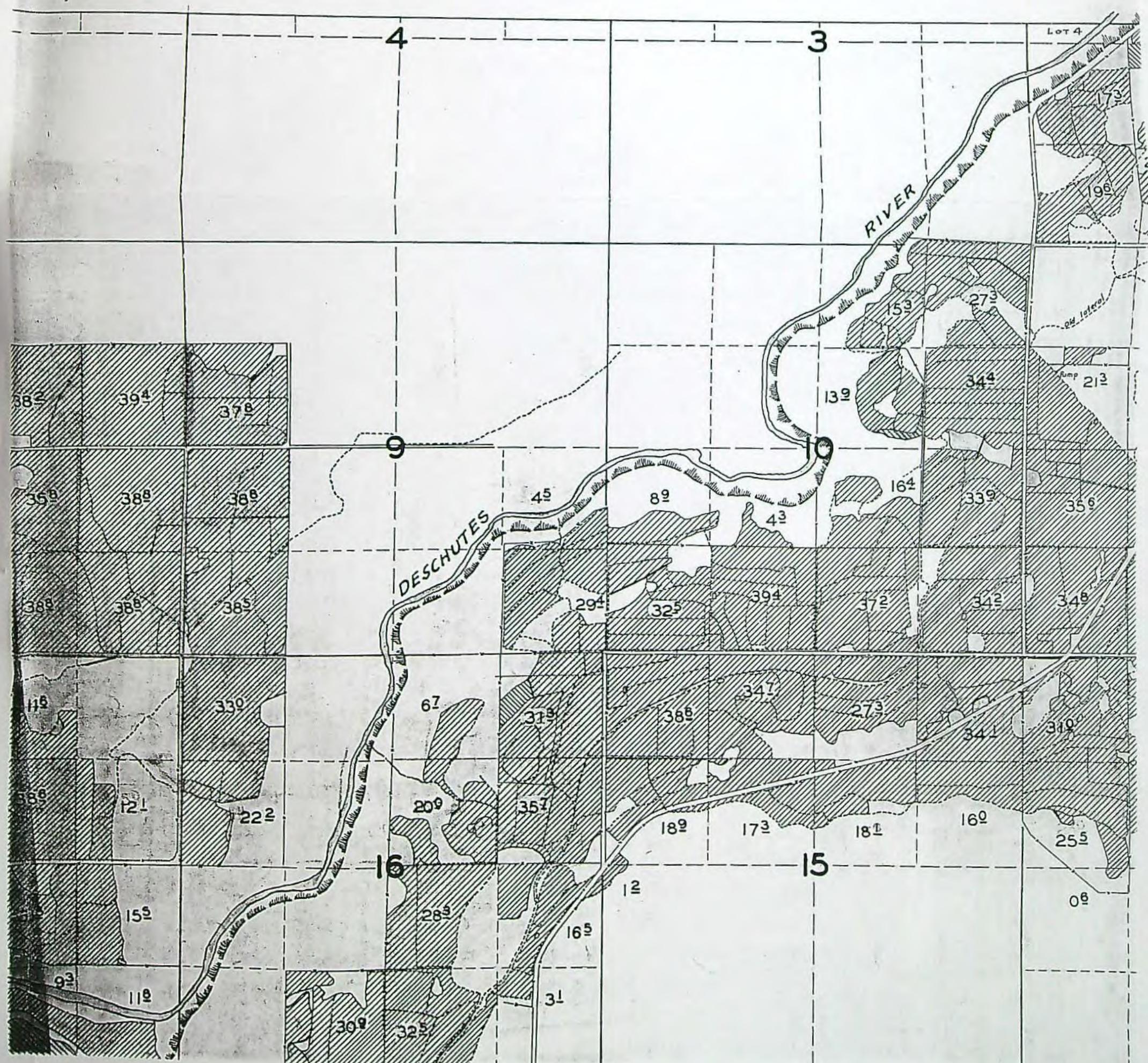
App. S. 37241  
Ref. 27841

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STATE ENGINEER  
SALEM, OREGON



**TOWNSHIP 16 SOUTH, RANGE 12 EAST, W.M.**

# ADJUDICATION MAP



STATE OF OREGON

COUNTY OF DESCHUTES

## CERTIFICATE OF WATER RIGHT

**This Is to Certify, That TUMALO IRRIGATION DISTRICT**

of Tumalo, State of Oregon, has a right to the use of  
the waters of Deschutes River  
for the purpose of irrigation and storage

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Deschutes County, and the said decree entered of record at Salem, in the Order Record of the STATE ENGINEER, in Volume 9, at page 362; that the priority of the right thereby confirmed dates from 1905.

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 9.5 cubic feet per second for irrigation of lands within the district during the irrigation season from April 1 to November 1 and to store said water in its reservoir at Crescent Lake during the non-irrigation season.

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows:

This certificate involves lands irrigated under rights from the Tumalo Creek Decree.

T-64- 2.8 Ac. Trsf. Sp. Or. Vol. 13, p. 494 NESW 6-17-11 → NESE 1-17-11  
 M-152 1.4 A. Trsf. Sp. Or. Vol. 13, p. 510 NW NW 2-17-11 → NWSW 35-16-11  
 T-61 0.7 A. Trsf. Sp. Or. Vol. 12, p. 117 NW NE 28-16-11 → SESE 35-16-11  
 T-67 52 A. Trsf. Sp. Or. Vol. 11, p. 159 NW SE 22-16-11 → NE SE 22-16-11  
 T-118 222 ac. Trsf. Sp. Or. V. 16, p. 189  
 ⑥ D-139 75 ac. Trsf. Sp. Or. V. 30, p. 10  
 ⑨ M-201 15<sup>2</sup> A. Trsf. Sp. Or. V. 30, p. 4  
 ⑩ S-210 0<sup>2</sup> A. Trsf. Sp. Or. V. 30, p. 13  
 ⑪ 2402 82 A. Trsf. Sp. Or. V. 21, p. 55  
 ⑫ 2498 70 ac. Trsf. Sp. Or. V. 21, p. 64  
 ⑬ 2500 102 ac. Trsf. Sp. Or. V. 21, p. 70  
 ⑭ 2499 13 ac. Trsf. Sp. Or. V. 21, p. 79  
 ⑮ 2558 102 ac. Trsf. Sp. Or. Vol. 21, p. 313  
 ⑯ 2559 412 ac. Trsf. Sp. Or. Vol. 21, p. 319  
 ⑰ 2560 12 ac. Trsf. Sp. Or. Vol. 21, p. 310  
 ⑱ 2561 32 ac. Trsf. Sp. Or. Vol. 21, p. 362  
 ⑲ 2667 42 ac. Trsf. Sp. Or. Vol. 22, p. 304  
 ⑳ 2668 102 ac. Trsf. Sp. Or. Vol. 22, p. 323  
 ㉑ 2721 2 ac. Trsf. Sp. Or. Vol. 24, p. 137  
 ㉒ 2724 2.7 ac. Trsf. Sp. Or. Vol. 24, p. 146  
 ㉓ 2724 10.5 ac. Trsf. Sp. Or. Vol. 24, p. 143  
 ㉔ 2727 6.0 ac. Trsf. Sp. Or. Vol. 24, p. 233  
 ㉕ 2727 6.0 ac. Trsf. Sp. Or. Vol. 24, p. 140  
 ㉖ 3008 4.5 ac. Trsf. Sp. Or. Vol. 24, p. 419  
 ㉗ 2927 32 ac. Trsf. Sp. Or. Vol. 24, p. 436  
 ㉘ 2940 6.5 ac. Trsf. Sp. Or. Vol. 24, p. 424  
 ㉙ 2928 20.0 ac. Trsf. Sp. Or. Vol. 24, p. 427  
 ㉚ 2930 3.0 ac. Trsf. Sp. Or. Vol. 24, p. 430  
 ㉛ 2935 19.5 ac. Trsf. Sp. Or. Vol. 24, p. 433  
 ㉜ 2935 1.8 ac. Trsf. Sp. Or. Vol. 24, p. 165  
 ㉝ 3007 6.0 ac. Trsf. Sp. Or. Vol. 24, p. 416  
 ㉞ 3006 6.0 ac. Trsf. Sp. Or. Vol. 24, p. 413

㉟ 2926 75 ac. Trsf. Sp. Or. Vol. 24, p. 456  
 ㉟ 2929 Trsf. Sp. Or. Vol. 27, p. 136  
 ㉟ 2501 4.0 ac. Trsf. V. 21, p. 67  
 V. 28, p. 259  
 ㉟ T-3125 POU 22A  
 ㉟ T-2925 POU 24B AC  
 ㉟ T-4053 POU 22  
 ㉟ T-4050 POU 82  
 ㉟ T-4049 POU 42 from T-2498  
 ㉟ T-4054 POU  
 ㉟ T-4143 POU  
 ㉟ T-4193 POU  
 ㉟ T-4194 POU

NOTE: The tabulation of acreage contained in this certificate of water right shows all of the acreage having water rights under the Tumalo Irrigation District to date of issuance, having incorporated therein all transfers of water rights affecting the Tumalo Irrigation District which have been completed.

Pending transfers, T-55, T-56, T-58 and E-42, approved by Orders of the State Engineer dated July 20, 1962, July 27, 1962, October 23, 1962 and October 4, 1963 respectively, are not included in this certificate.

And said right shall be subject to all other conditions and limitations contained in said decree.  
 The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer, affixed  
 this 3rd day of February , 19 64

CHRIS L. WHEELER

State Engineer

## BEFORE THE STATE ENGINEER OF OREGON

Deschutes County

IN THE MATTER OF THE APPLICATION )  
 OF THE CITY OF BEND, OREGON, FOR )  
 THE APPROVAL OF A CHANGE IN USE, )  
 PLACE OF USE AND POINT OF DIVER- )  
 SION OF WATER FROM TUMALO CREEK )  
 AND A CHANGE IN PLACE OF USE OF )  
 WATER FROM DESCHUTES RIVER. )

O R D E R

APPROVING APPLICATION

On December 29, 1958, the City of Bend, Oregon, filed an application in the office of the State Engineer for the approval of a change in use, place of use and point of diversion of water from Tumalo Creek and a change in place of use of water from Deschutes River pursuant to the provisions of ORS 540.510 to 540.530.

In the adjudication proceedings determining the relative rights to the use of the waters of Tumalo Creek and its tributaries a water right was established for the irrigation of 39.4 acres in the SE $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 8 and 37.8 acres in the SW $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 9, Township 16 South, Range 12 East, W. M., with a date of priority of June 1, 1907. These lands are irrigated through either the Tumalo Feed Canal or the Columbia Southern Canal, the point of diversion of the Tumalo Feed Canal being within the SW $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 23, Township 17 South, Range 11 East, W. M., and the point of diversion of the Columbia Southern Canal being within the NW $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 2, Township 18 South, Range 10 East, W. M. The right to the use of water from Tumalo Creek for the irrigation of these lands is limited to a rate of flow of one-seventieth of one cubic foot per second per acre and the quantity of water diverted during the irrigation season from April 15 to October 15 of each year is limited to a diversion of not to exceed 1.8 acre feet per acre.

In the Deschutes River adjudication proceedings the Deschutes County Municipal Improvement District was adjudicated a right to the use of 9.5 cubic feet per second of the waters of Deschutes River with a date of

37.8 acres & EQUIVALENT WATER  
 TRANSFERRED TO MUNICIPAL USE  
 CITY OF BEND

priority of 1905, which right was made appurtenant to all lands within the district.

The district has made proof of application of water to a beneficial use under Permits Nos. 624 and 19628 for supplemental supply for the irrigation of, among other lands, the lands involved herein. Permit No. 624 is for the use of water stored in Crescent Lake Reservoir and Permit No. 19628 is for the use of water from Tumalo, Crater and Little Crater Creeks and three spring branches.

An agreement dated December 12, 1957 between the City of Bend and Deschutes County Municipal Improvement District provides that the right to the use of water from Tumalo Creek only for the irrigation of 77.2 acres is to be transferred to the City of Bend for municipal purposes. The agreement further provides that the City of Bend will perpetually pay to the Deschutes County Municipal Improvement District the annual assessments for operation and maintenance, the payment of outstanding indebtedness including outstanding bonds, and for replacements and capital repairs on the basis of 77.2 acres, each acre to be assessed equally as all other lands within the district are assessed.

It is the desire of the district to divest the  $SE\frac{1}{4}$   $NE\frac{1}{4}$ , Section 8 and  $SW\frac{1}{4}$   $NW\frac{1}{4}$ , Section 9, Township 16 South, Range 12 East, W. M., of all remaining water rights. That part of the 9.5 cubic feet per second right from Deschutes River appurtenant to the above lands is to be transferred to the remaining lands within the district and that part of the right from Tumalo, Crater and Little Crater Creeks and three spring branches under Permit No. 19628 and storage from Crescent Lake Reservoir under Permit No. 624 for supplemental irrigation of said lands is to be eliminated from the certificates of water right being issued to the district.

The applicant herein, owner of 77.2 acres described in the second paragraph herein, proposes to transfer the water right from Tumalo Creek with a date of priority of June 1, 1907 for irrigation purposes to that of municipal use within the corporate limits of the City of Bend, Oregon and surrounding territory served by its water supply pipeline and to divert the water at the City of Bend's intake from Tumalo Creek in the SE $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 7, Township 18 South, Range 10 East, W. M.

Notice of the filing of the application was given by publication setting forth a time and place certain for hearing objections to the proposed change in use, place of use and point of diversion of water, if any there were, namely: at the county courthouse in Bend, Oregon on April 23, 1959, beginning at 9:30 o'clock a.m. The notice was published in the Bend Bulletin, a newspaper printed and having general circulation in Deschutes County, Oregon, for a period of three weeks in the issues of February 27, and March 6 and 13, 1959. The date set for hearing in said notice was not less than thirty days after the last publication of the notice.

No objections having been filed and it appearing that the proposed change in use, place of use and point of diversion of water may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the water right from Tumalo Creek hereinbefore described as appurtenant to 39.4 acres in the SE $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 8, and 37.8 acres in the SW $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 9, Township 16 South, Range 12 East, W. M., with a date of priority of June 1, 1907, be severed therefrom and simultaneously and without loss of priority transferred to the City of Bend, Oregon for municipal use within the corporate limits of the said city and surrounding territory served by its water supply

pipelines and said water shall be diverted at the City of Bend's intake from Tumalo Creek located in the SE $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 7, Township 18 South, Range 10 East, W. M.

It is FURTHER ORDERED that the water so transferred shall be applied to beneficial use by the City of Bend, Oregon, on or before October 1, 1965 or within such extension of time as may be granted by the State Engineer for good cause shown.

It is FURTHER ORDERED that the quantity of water heretofore used for the irrigation of 77.2 acres from Tumalo Creek described in paragraph 7 hereof and by this order transferred to municipal purposes by the City of Bend, Oregon, shall be limited to a maximum diversion of 1.103 cubic feet per second, beginning on April 15 and ending on October 15 of each year, and the total quantity diverted during said period shall not exceed 129.96 acre feet, measured at the existing meters in the city's parallel pipelines.

It is FURTHER ORDERED that that part of the right to the use of 9.5 cubic feet per second of the waters of Deschutes River with a date of priority of 1905, appurtenant to the SE $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 8, and the SW $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 9, Township 16 South, Range 12 East, W. M., be severed therefrom and simultaneously and without loss of priority transferred to the remaining lands having water rights within the Deschutes County Municipal Improvement District.

It is FURTHER ORDERED that the right to the use of water from Tumalo Creek, Crater and Little Crater Creeks and three spring branches under Permit No. 19628, and water stored in Crescent Lake Reservoir under Permit No. 624, for the irrigation of the SE $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 8, and the SW $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 9, Township 16 South, Range 12 East, W. M., be eliminated from the certificates of water right in the process of being issued to the Deschutes County Municipal Improvement District, now Tumalo Irrigation District.

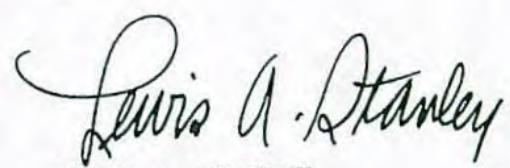
It is FURTHER ORDERED that upon receipt of proof satisfactory to the State Engineer of application of water to beneficial use for municipal purposes within the corporate limits of the City of Bend, Oregon, and surrounding territory served by its water supply pipelines, a certificate of water right shall be issued to the City of Bend, Oregon, to the extent to which the water has been used beneficially.

Dated at Salem, Oregon this 8th day of May, 1959.

Noted on Decr.

Vol. 16, p. 191

Cert. #26508 as issued  
confirms this Order.



LEWIS A. STANLEY  
State Engineer

8-

## BEFORE THE STATE ENGINEER OF OREGON

## Deschutes County

IN THE MATTER OF THE APPLICATION )  
 OF TUMALO IRRIGATION DISTRICT FOR)  
 THE APPROVAL OF A CHANGE IN PLACE)  
 OF USE OF WATER FROM DESCHUTES )  
 RIVER. )

O R D E R

Tc<sup>#</sup> T-50APPROVING APPLICATION

## I

On February 15, 1961, Tumalo Irrigation District filed an application in the office of the State Engineer for the approval of a change in place of use of water from Deschutes River pursuant to the provisions of ORS 540.510 to 540.530.

## II

The Tumalo Irrigation District has heretofore acquired title to lands with certain water rights appurtenant thereto located within the boundaries of the district, said lands and water rights being described as follows:

Sub- division (1)	Sec- tion (2)	Township & Range (3)	Des- chutes River (4)	Tumalo Creek (5)	Little Creeks and 3 Springs (6)	Crater and Crescent Lake Storage (7)
SW $\frac{1}{4}$ SW $\frac{1}{4}$	14	16S 11E	3.0		3.0 P	3.0
NW $\frac{1}{4}$ SW $\frac{1}{4}$	21	16S 11E	2.8		2.8 P	2.8
SW $\frac{1}{4}$ SW $\frac{1}{4}$	21	16S 11E	8.6		8.6 P	8.6
NE $\frac{1}{4}$ NE $\frac{1}{4}$	22	16S 11E	17.0		17.0 P	17.0
SW $\frac{1}{4}$ NW $\frac{1}{4}$	22	16S 11E	12.0 (1) 7.3	( 4.7 P )	( 7.3 S )	12.0
SW $\frac{1}{4}$ NE $\frac{1}{4}$	23	16S 11E	1.0		1.0 P	1.0
SE $\frac{1}{4}$ NW $\frac{1}{4}$	23	16S 11E	5.0		5.0 P	5.0
NW $\frac{1}{4}$ NE $\frac{1}{4}$	33	16S 11E	4.0		4.0 P	4.0
SE $\frac{1}{4}$ NE $\frac{1}{4}$	34	16S 11E	3.3		3.3 P	3.3
NE $\frac{1}{4}$ SE $\frac{1}{4}$	34	16S 11E	0.7		0.7 P	0.7
SE $\frac{1}{4}$ SE $\frac{1}{4}$	35	16S 11E	0.6 (2) 0.6			
NW $\frac{1}{4}$ NE $\frac{1}{4}$	17	16S 12E	11.6 (1) 11.6		11.6 S	11.6
SE $\frac{1}{4}$ NE $\frac{1}{4}$	17	16S 12E	12.1		12.1 P	12.1
NW $\frac{1}{4}$ NW $\frac{1}{4}$	1	17S 11E	6.0 (2) 6.0		6.0 S	6.0
NW $\frac{1}{4}$ NE $\frac{1}{4}$	4	17S 11E	5.8		5.8 P	5.8
NE $\frac{1}{4}$ NE $\frac{1}{4}$	11	17S 11E	5.6 (2) 5.6		5.6 S	5.6
SW $\frac{1}{4}$ NE $\frac{1}{4}$	11	17S 11E	2.5 (2) 2.5		2.5 S	2.5
NE $\frac{1}{4}$ SE $\frac{1}{4}$	12	17S 11E	1.2		1.2 P	1.2

NOTE: See Column (5) - - (1) Date of Priority of June 1, 1907  
 (2) Date of Priority of September, 1900.

NOTE: See Column (6) - - P means primary water right  
 S means supplemental water right

In the matter of the determination of the relative rights to the use of the waters of Deschutes River and its tributaries, a water right was established in the name of the Deschutes County Municipal Improvement District, now Tumalo Irrigation District, for the use of 9.5 cubic feet per second of the waters of Deschutes River, with a date of priority of 1905, for the irrigation of all lands within the District, which include those lands described in Column 4 on the preceding page.

In the matter of the determination of the relative rights to the use of the waters of Tumalo Creek and its tributaries, a water right was established for the irrigation of those lands described in Column 5 above with dates of priority of June 1, 1907 and September, 1900.

Certificate of water right issued to Tumalo Irrigation District and recorded at Page 26050, Volume 18, State Record of Water Right Certificates, confirms a right, under Permit No. 19628, to the use of the waters of Tumalo, Crater and Little Crater Creeks and three springs, with a date of priority of October 29, 1913, for the irrigation of, among other lands, those described in Column 6 on the preceding page.

Certificate of water right issued to the Tumalo Irrigation District and recorded at Page 26051, Volume 18, State Record of Water Right Certificates, confirms a right under Permit No. 624 to the use of the waters stored in Crescent Lake Reservoir, with a date of priority of April 7, 1911, for supplemental irrigation of all lands within the District which include those described in Column 7 on the preceding page.

### III

The District proposes to transfer the water rights described in Paragraph II above, except 2.2 acres in the SW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 21, and 1.3 acres in the SW $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 22, Township 16 South, Range 11 East, W. M., from sources set forth in Columns 4, 6 and 7 of said Paragraph II, without loss of priority, to the lands set forth in the following table:

Sub- division (1)	Sec- tion (2)	Township & Range (3)	Des- chutes River (4)	Tumalo Creek (5)	Little Crater Creeks and 3 Springs (6)	Crescent Lake Storage (7)
SW $\frac{1}{4}$ NE $\frac{1}{4}$	34	16S 11E	2.43		2.43 P	2.43
NW $\frac{1}{4}$ SE $\frac{1}{4}$	35	16S 11E	3.40		3.40 P	3.40
SE $\frac{1}{4}$ SE $\frac{1}{4}$	35	16S 11E	2.70		2.70 P	2.70
SE $\frac{1}{4}$ NE $\frac{1}{4}$	8	16S 12E	39.40 (3) 33.6		(33.00 S) ( 5.80 P)	38.80
SW $\frac{1}{4}$ NW $\frac{1}{4}$	9	16S 12E	37.80		37.80 P	37.80
SW $\frac{1}{4}$ NW $\frac{1}{4}$	17	16S 12E	.26		.26 P	.26
NE $\frac{1}{4}$ SW $\frac{1}{4}$	17	16S 12E	3.70		3.70 P	3.70
NE $\frac{1}{4}$ NE $\frac{1}{4}$	18	16S 12E	.36		.36 P	.36
SW $\frac{1}{4}$ SW $\frac{1}{4}$	18	16S 12E	4.10		4.10 P	4.10
NE $\frac{1}{4}$ NE $\frac{1}{4}$	1	17S 11E	.70		.70 P	.70
SE $\frac{1}{4}$ NE $\frac{1}{4}$	1	17S 11E	4.45		4.45 P	4.45

NOTE: See Column 5 - - (3) 18.9 acres have a date of priority of June 1, 1907  
14.7 acres have a date of priority of September, 1900.

#### IV

Notice by publication as provided by ORS 540.520 was not given in connection with this application for the reason that said section provides notice is not required on an application for a change in place of use of water only.

#### V

No objections having been filed and it appearing such change in place of use of water will inure to the benefit of the District, and may be made without injury to existing rights, the application should be approved.

#### VI

NOW, THEREFORE, it hereby is ORDERED that the proposed change in place of use of water be and the same hereby is approved and the water rights hereinbefore described in Paragraph II, except for 2.2 acres in the SW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 21 and 1.3 acres in SW $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 22, Township 16 South, Range 11 East, W. M., from sources set forth in Columns 4, 6 and 7 of said Paragraph II, be severed therefrom and simultaneously and without loss of priority, transferred to the lands set forth in the tabulation in Paragraph III hereof.

VII

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1962, or within such extension of time as may be granted by the State Engineer for good cause shown.

VIII

It is FURTHER ORDERED that upon receipt of proof satisfactory to the State Engineer of the complete application of water to beneficial use on the lands to which the water is transferred hereby, certificate of water right shall be issued to Tumalo Irrigation District, or their successor in interest, to the extent to which the water has been applied beneficially and the certificates of water right heretofore issued to Tumalo Irrigation District and recorded at pages 26050 and 26051, Volume 18, and page 26508, Volume 18, State Record of Water Right Certificates, shall be canceled.

Dated at Salem, Oregon, this 10th day of April, 1961.

Noted on Decree  
Vol. 16, p. 192  
Cert. # 26508

App # 3263 81343  
Cert # 26051 & 26050

T-26508-1

*Lewis A. Stanley*  
LEWIS A. STANLEY  
State Engineer

Trst. "T-50"

V. 31 p.56

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON  
DESCHUTES COUNTY

IN THE MATTER OF THE APPLICATION )  
OF TUMALO IRRIGATION DISTRICT FOR )  
APPROVAL OF A CHANGE IN PLACE OF )  
USE OF WATER )

ORDER APPROVING  
TRANSFER NO. 3990

On July 3, 1978, Tumalo Irrigation District filed an application in the office of the Water Resources Director for approval of a change in place of use of water from Tumalo Creek, Deschutes River, Crater Creek, Little Crater Creek and three springs and Crescent Lake Reservoir, pursuant to the provisions of ORS 540.510 to 540.530.

As modified in accord with the provisions of the order of the State Engineer, entered April 10, 1961, approving transfer application No. T-50, the right previously described by the certificate of water right issued to Tumalo Irrigation District and recorded at page 26050, Volume 18, State Record of Water Right Certificates, now exists for the use of water from Tumalo Creek, supplemented by the use of water from Crater Creek, from Little Crater Creek and from three spring branches, for irrigation of, among other lands, 37.8 acres in SW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 9, Township 16 South, Range 12 East, W.M., with a date of priority of October 29, 1913.

As modified in accord with the provisions of said order of the State Engineer, the lands above described also have supplemental rights, being rights to the use of water from Deschutes River, with a date of priority of 1905, previously described by certificate recorded at page 31412, Volume 23, State Record of Water Right Certificates; and to the use of waters of Crescent Lake Reservoir, with a date of priority of April 7, 1911, previously described by certificate recorded at page 26051, Volume 18, State Record of Water Right Certificates.

FROM

TO

The applicant herein, owner of the lands above described, proposes to transfer the water rights therefrom, without loss of priority, and to irrigate in lieu thereof a certain 20.0 acres in NW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 11, Township 16 South, Range 11 East, W.M.; 5.0 acres in SW $\frac{1}{4}$  SW $\frac{1}{4}$ , 5.0 acres in SE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 17; 5.0 acres in NW $\frac{1}{4}$  NW $\frac{1}{4}$  and 2.8 acres in NE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 20, Township 17 South, Range 12 East, W.M.

The lands involved herein are within the boundaries of the Tumalo Irrigation

District and the Board of Directors of said District approved the proposed change in place of use of water at a regular meeting held May 9, 1978.

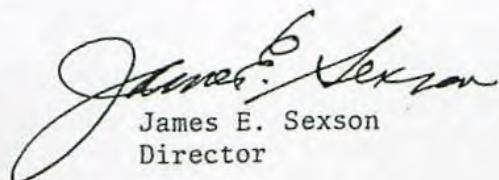
No objections having been filed and it appearing that the proposed change in place of use of water may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the requested change in place of use described herein, without loss of priority, is approved.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1979.

It is FURTHER ORDERED that upon receipt of proof satisfactory to the Water Resources Director of complete application of water to beneficial use on the lands to which the water is transferred hereby, certificate of water right shall be issued to Tumalo Irrigation District confirming this and prior changes within the District.

Dated at Salem, Oregon this 14th day of July, 1978.



James E. Sexson  
Director

TUMALO IRRIGATION DISTRICT

64697 COOK AVE  
BEND, OREGON 97701  
Phone (541) 382-3053  
FAX (541) 383-3287

RECEIVED

JUL 21 1997

July 17, 1997

WATER RESOURCES DEPT.  
SALEM, OREGON

Mr. Corey Engel  
Oregon Water Resources Department  
158 12<sup>th</sup> St. NE  
Salem, Oregon 97310

Re: Ben Lindner Water Right Application  
16-12-09-SW/NW-502, G14413

Dear Mr. Engel:

In a conversation with Mr. Lindner about two weeks ago, he indicated that the State had issued a permit for an irrigation well for 9.73 acres on his property. The total acres on his property is 9.73 acres. He has a water right under Tumalo Irrigation District for 1.43 acres, and also has a long driveway and house, etc.

1. Is there an overlap of water rights?
2. Has the State in fact issued a water right?
3. Does the State issue a water right within the boundaries of an irrigation district without notifying the irrigation district?

If he does have a permit for an irrigation well, please send the District a map of the area to be irrigated to prevent an overlap with the District's water right area.

I would appreciate any help you can give me in this matter.

Respectfully,

TUMALO IRRIGATION DISTRICT



Elmer G. McDaniels  
Manager/Secretary

EGM:ss

July 22, 1997

Elmer G. McDaniels  
Tumalo Irrigation District  
64697 Cook Ave.  
Bend OR 97701

*Copy*

RE: Lindner Application, G-14413

Dear Mr. McDaniels,

This is in reply to your letter dated July 17, 1997. In answer to your questions:

1. *Is there an overlap of water rights?* Before I performed the Initial Review for G-14413, a conflict check was done to ensure that there were no existing primary irrigation rights on the same land proposed to be irrigated under this application. No existing rights were found.
2. *Has the State in fact issued a water right [in light of Mr. Lindner's comment that "the State had issued a permit for an irrigation well for 9.73 acres"]?* I am unable to locate any existing permit or right on the same lands proposed to be irrigated under this application. Perhaps Mr. Lindner was referring to this application.
3. *Does the State issue a water right within the boundaries of an irrigation district without notifying the irrigation district?* It is the current practice of the Department to notify irrigation districts of water right applications only in cases where the applicant proposes to either cross district-owned land, or use water directly from district ditches, pipelines, or other conveyance structures. The Department does not currently inform irrigation districts of any other applications within district boundaries. If you would like to be informed of applications within T.I.D., I recommend subscribing to the weekly Public Notice of water right filings. This notice contains applicant information (including location), which would indicate whether it is within district boundaries.

If you have any questions, please feel free to call me at 503-378-8455, extension 457.

Sincerely,

Mr. Cory C. Engel  
Water Right Processing Technician

Cole & Lindner  
20420 Harper Rd.  
Bend OR 97701

FIRM MAP 140c  
WETLAND

SECTION 9 T16S R12E.W.M.  
DECHUTES COUNTY

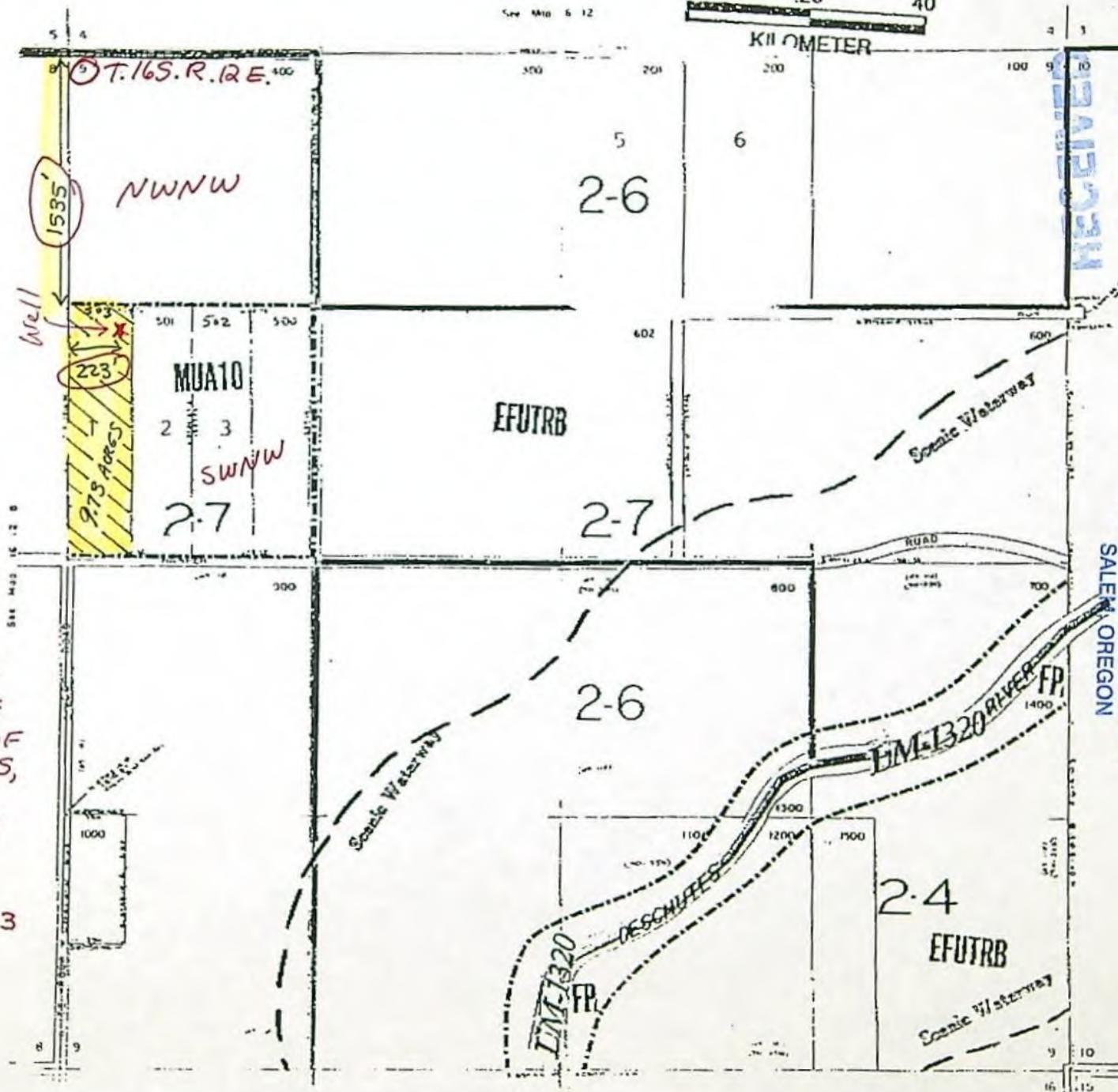
2009 SUMMER GDT 601

16 12 9

Registration No. C-14413  
Serial No. 613332

WELL LOCATION :  
1535' S + 223' E  
FROM NW COR. OF  
SEC. 9 IN T. 16 S,  
R. 12 E.  
BEING IN SW  $\frac{1}{4}$   
NW  $\frac{1}{4}$ .

TAX LOT  
16-12-09-00-00503



WATER RESOURCES DEPT.  
SALEM, OREGON

NOV 18 1996

WATER RESOURCES DEPT.  
SALEM, OREGON

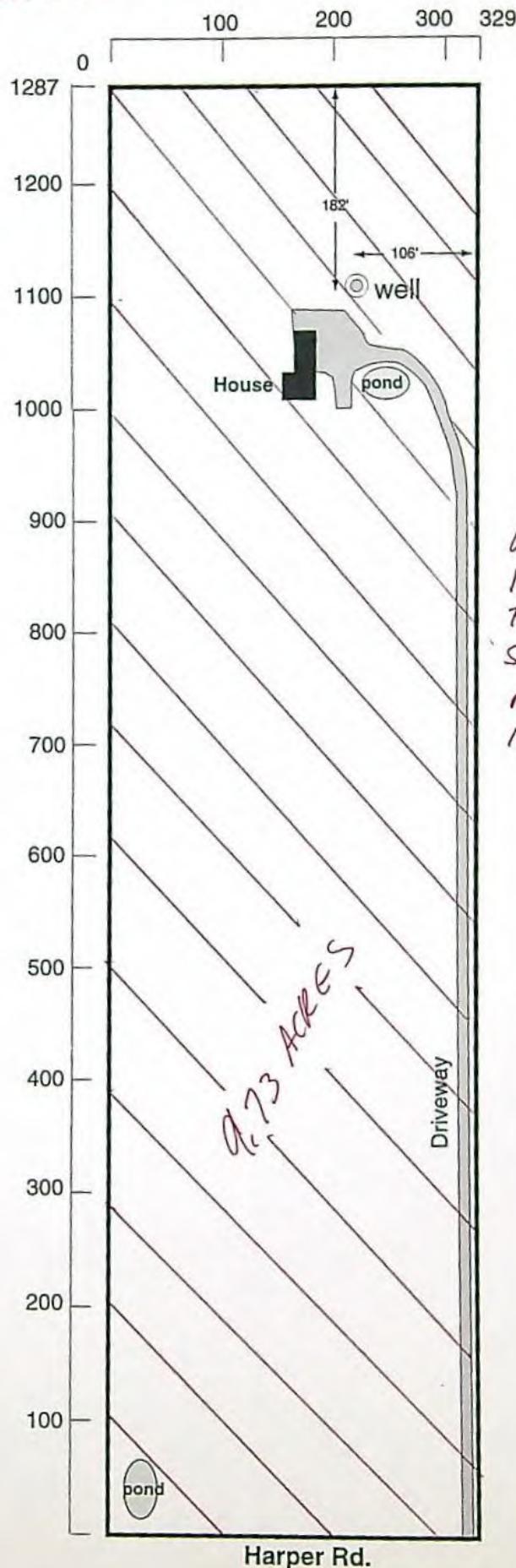
RECEIVED

Application No. 6-14413  
Permit No. FOR REFERENCE ONLY

RECEIVED

NOV 18 1996

WATER RESOURCES DEPT.  
SALEM, OREGON



WELL LOCATION:  
1535' S + 223' E  
FROM NW COR. OF  
SEC. 9 IN T. 16 S,  
R. 12 E. BEING  
IN SW 1/4 NW 1/4.

TL  
16-12-09-00-00503

Cole & Lindner  
20420 Harper Rd.  
Bend OR 97701

one inch = 150'



RECEIVED

OCT 29 1996

WATER RESOURCES DEPT.  
SALEM, OREGON

STATE OF OREGON  
COUNTY OF DESCHUTES  
PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

BENJAMIN LINDNER  
LESLIE D. COLE  
20420 HARPER RD.  
BEND, OREGON 97701

PHONE: (541) 383-3100

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

APPLICATION FILE NUMBER: G-14413

SOURCE OF WATER: A WELL IN THE DESCHUTES RIVER BASIN

PURPOSE OR USE: IRRIGATION OF 9.73 ACRES

MAXIMUM RATE: 0.122 CUBIC FOOT PER SECOND

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: NOVEMBER 18, 1996

POINT OF DIVERSION LOCATION: SW 1/4 NW 1/4, SECTION 9, T16S, R12E, W.M.;  
1535 FEET SOUTH & 223 FEET EAST FROM NW CORNER, SECTION 9

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SW 1/4 NW 1/4 9.73 ACRES  
SECTION 9  
TOWNSHIP 16 SOUTH, RANGE 12 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.
- 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.

C. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

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.

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.

#### STANDARD CONDITIONS

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

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

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

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

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

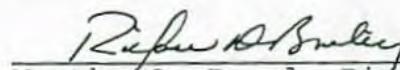
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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

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

Actual construction of the well shall begin within one year from permit issuance. Complete application of water to the use shall be made on or before October 1, 2002.

Issued February 25, 1998

  
\_\_\_\_\_  
Martha O. Pagel, Director  
Water Resources Department

# Mailing List for PFO Copies

Application #G-14413

PFO Date August 26, 1997

## Original mailed to:

Applicant: BENJAMIN LINDNER & LESLIE D. COLE, 20420 HARPER RD, BEND, OREGON 97701

### Copies sent to:

1. WRD - File # G-14413
2. WRD - Water Availability: Ken Stahr

Copies Mailed
By: <u>can</u>
(SUPPORT STAFF)
on: <u>9/4/97</u>
(DATE)

### PFO, Map, and Fact Sheet Copies sent to:

3. WRD - Watermaster # District 3
4. WRD - Regional Manager (not Bob Main):
5. ODFW District Biologist: Deschutes District

6. State Parks

Copies sent to Other Interested Persons (*CWRE, Agent, Well Driller, Commenter, etc.*)

6. \_\_\_\_\_
7. \_\_\_\_\_
8. \_\_\_\_\_
9. \_\_\_\_\_
10. \_\_\_\_\_
11. \_\_\_\_\_
12. \_\_\_\_\_
13. \_\_\_\_\_

"\$10 LETTER" sent to Interested Persons who have not protested or paid for copies

1. Elmer G. McDaniels, Tumalo Irrigation District, 64697 Cook Ave., Bend, Oregon 97701

2. \_\_\_\_\_
3. \_\_\_\_\_

CASEWORKER : LKS

STATE OF OREGON  
WATER RESOURCES DEPARTMENT

RECEIPT # 18854

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

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

RECEIVED FROM: Rockin' C + L Ranch  
BY: \_\_\_\_\_

APPLICATION	G 14413
PERMIT	
TRANSFER	

CASH: CHECK: # OTHER: (IDENTIFY)

X 24-738  \_\_\_\_\_

TOTAL REC'D \$ 100.00

**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**

PCA 6011

MISCELLANEOUS

\$

0407 COPY & TAPE FEES

\$

0410 RESEARCH FEES

\$

0408 MISC REVENUE: (IDENTIFY)

\$

(New) 0408 TC165 DEPOSIT LIAB. (IDENTIFY)

\$

(Existing) 0408 TC168 WATER RIGHTS:

EXAM FEE

RECORD FEE

0201 SURFACE WATER

0202

\$

0203 GROUND WATER

0204

\$ 100.00

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 # 18854

DATED: 7-3-98 BY: D. Bushnell

Oregon Water Resources Department  
Water Rights Division

Water Rights Application  
Number G-14413

Final Order

*Application History*

On November 18, 1996, BENJAMIN LINDNER and LESLIE D COLE submitted an application to the Department for a water use permit. The Department issued a Proposed Final Order on September 9, 1997. The protest period closed October 24, 1997, and no protest was filed.

The proposed use would not impair or be detrimental to the public interest.

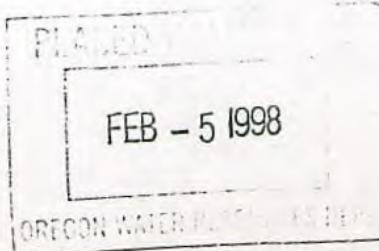
Order

Upon payment of outstanding permit recording fees, Application G-14413 shall be approved as proposed by the Proposed Final Order and as provided on the attached draft permit.

Permit recording fees are required in the amount of \$ 100.00. Said fees are due and payable no later than 60 days from the date of this Final Order. Failure to pay the required permit recording fees within 60 days from the date of this Final Order will result in the proposed rejection of Application G-14413.

DATED January 28, 1998

*Martha O. Pagel*  
Martha O. Pagel  
Director



*Appeal Rights*

No changes have been made to the findings of the Proposed Final Order and no protests were filed during the protest period following the Proposed Final Order, therefore, there is no opportunity for appeal or judicial review of this final order (690-310-160(5)).

STATE OF OREGON

COUNTY OF DESCHUTES

DRAFT PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS DRAFT PERMIT IS HEREBY ISSUED TO

BENJAMIN LINDNER  
LESLIE D. COLE  
20420 HARPER RD.  
BEND, OREGON 97701

PHONE: (541) 383-3100

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

APPLICATION FILE NUMBER: G-14413

SOURCE OF WATER: A WELL IN THE DESCHUTES RIVER BASIN

PURPOSE OR USE: IRRIGATION OF 9.73 ACRES

MAXIMUM RATE: 0.122 CUBIC FOOT PER SECOND

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: NOVEMBER 18, 1996

POINT OF DIVERSION LOCATION: SW 1/4 NW 1/4, SECTION 9, T16S, R12E, W.M.;  
1535 FEET SOUTH & 223 FEET EAST FROM NW CORNER, SECTION 9

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SW 1/4 NW 1/4 9.73 ACRES  
SECTION 9  
TOWNSHIP 16 SOUTH, RANGE 12 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.
- 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.

C. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

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.

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.

#### STANDARD CONDITIONS

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

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

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

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

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

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

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

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

Actual construction of the well shall begin within one year from permit issuance. Complete application of the water to the use shall be made on or before October 1, 2002.

Issued \_\_\_\_\_, 199\_

**DRAFT - THIS IS NOT A PERMIT**

Martha O. Pagel, Director  
Water Resources Department

FILE # G14413  
 WEEK # 111

# FO CHECKLIST

## PFO TO FO CONVERSION

REVIEW DATE: 1/12/98  
 INITIALS : DB

In preparing the FO, you should check the following:

1. Y / N Were comments or protests received? If so, from whom and when?
2. / On the PFO CC list, verify names and addresses of ALL commentors (regardless of comment date), affected landowners, and those who paid the \$10 fee.
3. Y / N / NA If for Surface water, Have affected landowners been notified?
4. Y / N Is the file lacking a signed oath of accuracy for the application?
5. Y / N / NA Has ODFW asked for self certification of screening condition? If so, write "ODFW CERT" in the permit blank on the front of the file.
6. Y / N Is water use prohibited for one or more months of the normal use period?
7. Y / N If # 6 = "Y", is short season letter on file? Note: If short season letter is lacking, see Item #10 below. Give applicant 60 days to submit required information.
8. 100 Verify payment of recording fees (*circle the appropriate option*)
  - Issue FO w/permit if fees are paid -- Prepare refund request for excess fees, including standing fees if no protest is filed and no modifications are being made to the PFO
  - Issue FO w/o permit if fees are lacking
9. Y / N Is further processing possible? If not state reason: \_\_\_\_\_
10. / Notify applicant of additional information or fees required prior to permit issuance. (SEND CERTIFIED LETTER & use standard wording from M:\...\FO\TOOLS if possible)
11. / Assign permit numbers to files with oath, fees, and no protests or other issues
12. Y / N Do the PFO conclusions require modification? Why? \_\_\_\_\_  
 (If YES, circle FOMOD and one other type below)

FO Type: (circle types)	DENIAL	FO w/o PERMIT Fee	FO & PERMIT	FOMOD
COMMENTS:				MGMT CODES: 7A 7B

Modify FO as needed to:

13. / Respond to significant comments, issues, or disputes related to the proposed use of water (see notes, if any, listed above)
14. / Include or exclude permit conditions and management codes
15. / Correct PFO errors (such as POD or POU location (verify from map), Permit format)

Initials DB

Once FO document is completed:

16. / Save WordPerfect document in M:\...\FO\WEEK 120 & delete duplicates
17. / Print final draft of document and submit to team leader for review
18. Y / N Team leader review completed

Oregon Water Resources Department  
Water Rights Division

Water Rights Application  
Number G-14413

**Proposed Final Order**

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

*Application History*

On November 18, 1996, BENJAMIN LINDNER AND LESLIE D. COLE submitted an application to the Department for the following water use permit:

- Amount of Water: 56.0 GALLONS PER MINUTE (GPM)
- Use of Water: IRRIGATION OF 9.73 ACRES
- Source of Water: A WELL IN THE DESCHUTES RIVER BASIN
- Area of Proposed Use: DESCHUTES County within SECTION 9, TOWNSHIP 16 SOUTH, RANGE 12 EAST, W.M.

On 4/25/97, the Department mailed the applicant notice of its Initial Review, determining that the use of 0.12 Cubic Foot per Second (CFS) from a well in the Deschutes River Basin for Irrigation of 9.73 acres is allowable from March 1 to October 31 of each year. The applicant did not notify the Department to stop processing the application within 14 days of that date and did not submit any additional information about the pond identified on the application as part of the delivery system.

On 5/13/97, 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 30 days.

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 following uses: IRRIGATION OF 9.73 ACRES.

The applicant has identified a pond as part of the delivery system. Additional information regarding use of the pond was requested from the applicant, in the Initial Review, if water was to be stored in the pond for uses in addition to irrigation or beyond the irrigation season. No additional information has been received by the Department.

Senior water rights exist on A WELL, IN THE DESCHUTES RIVER BASIN, or on downstream waters.

A WELL, IN THE DESCHUTES RIVER BASIN, is above a State Scenic Waterway.

Water is available for further appropriation for the period MARCH 1 THROUGH OCTOBER 31, the Irrigation Season.

The Department finds that no more than 0.122 CFS (54.7 GPM) would be necessary for the proposed use. The amount of water requested, 56.0 GPM (0.125 CFS), shall be restricted to 0.122 CFS (54.7 GPM).

The well is not within a designated critical ground water area.

The Department determined, based upon OAR 690-09, that the proposed groundwater use will not have the potential for substantial interference with the nearest surface water source, namely the Deschutes River.

The Groundwater Section finds that there is NOT a preponderance of evidence that the proposed use of groundwater 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.

*Conclusions of Law*

Under the provisions of ORS 537.621, the Department must presume that a proposed use will ensure the preservation of the public welfare, safety and health 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 Plan.

No preference for this use is granted under the provisions of ORS 536.310(12).

Water is available for the proposed use.

The proposed use will not injure other water rights.

The proposed use complies with rules of the Water Resources Commission.

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.

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.

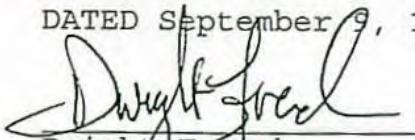
In this application, all criteria for establishing the presumption have been satisfied, as noted above. The presumption has not been overcome by a preponderance of evidence that the proposed use would impair or be detrimental to the public interest.

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 9, 1997



Dwight French  
Water Rights Section Manager

Protest Rights

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.
- 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.

Your protest must be received in the Water Resources Department no later than October 24, 1997.

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.

DRAFT

This is not a permit!!!  
STATE OF OREGON

DRAFT

COUNTY OF DESCHUTES

DRAFT PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS DRAFT PERMIT IS HEREBY ISSUED TO

BENJAMIN LINDNER  
LESLIE D. COLE  
20420 HARPER RD.  
BEND, OREGON 97701

PHONE: (541) 383-3100

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

APPLICATION FILE NUMBER: G-14413

SOURCE OF WATER: A WELL IN THE DESCHUTES RIVER BASIN

PURPOSE OR USE: IRRIGATION OF 9.73 ACRES

MAXIMUM RATE: 0.122 CUBIC FOOT PER SECOND

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: NOVEMBER 18, 1996

POINT OF DIVERSION LOCATION: SW 1/4 NW 1/4, SECTION 9, T16S, R12E, W.M.; 1535 FEET SOUTH & 223 FEET EAST FROM NW CORNER, SECTION 9

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SW 1/4 NW 1/4 9.73 ACRES  
SECTION 9  
TOWNSHIP 16 SOUTH, RANGE 12 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.
- 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.

C. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

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.

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.

#### STANDARD CONDITIONS

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

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

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

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

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

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

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

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

Actual construction of the well shall begin within one year from permit issuance. Complete application of the water to the use shall be made on or before October 1, 2001.

Issued \_\_\_\_\_, 199\_

DRAFT - THIS IS NOT A PERMIT

---

Water Resources Department  
Director

*Cole & Lindner*  
541-383-3100

---

**RECEIVED**

JAN - 2 1998

WATER RESOURCES DEPT.  
SALEM, OREGON

December 30, 1997

Water Rights Division  
Water Resources Dept.  
Attention: Dwight French, Section Manager  
158 12th St. NE  
Salem OR 97310-0210

Re: Application #G-14413. initiated Nov. 18, 1996

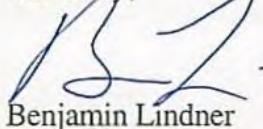
Dear Mr. French:

We were led to expect, according to the time line mandated by Administrative Procedures Act ORS 183, that the application process would be completed by mid-August.

We received a draft permit that was issued on September 9, 1997. The letter accompanying the draft said the final permit could be issued on October 24th, two months after the mandated deadline.

Please be advised that, almost five months past the original mandated completion date, we still have not received our final permit.

Sincerely,

  
Benjamin Lindner

  
Leslie D. Cole

&

cc: Representative Lynn Lundquist, 12503 S. Shumway Rd., Powell Butte, OR 97753

---

20420 Harper Rd.  
Bend OR 97701 USA  
Fax 541-383-7667

# Oregon

APRIL 25, 1997

WATER  
RESOURCES  
DEPARTMENT

BENJAMIN LINDNER & LESLIE D COLE  
20420 HARPER RD  
BEND, OREGON 97701

Reference: File G-14413

Dear Applicant:

THIS IS NOT A PERMIT AND IS  
SUBJECT TO CHANGE AT NEXT PHASE OF PROCESS

This letter is to inform you of the status of your application for water use. Based on the information you have supplied, the Water Resources Department has reached the following conclusions:

Initial Review Determinations:

1. Your application is complete and not defective.
2. The proposed use is not prohibited by law or rule.
3. The use of water for IRRIGATION OF 9.73 ACRES is allowable under OAR 690-505-002(1)(a), the Deschutes Basin Program.
4. The Department finds that no more than 53.9 gallons per minute is necessary for the proposed use. The amount of water requested, 56.0 gallons per minute, shall be limited to 53.9 gallons per minute, or 0.12 CUBIC FOOT PER SECOND (CFS).
5. The Department determined, based upon OAR 690-09, that the proposed groundwater use will not have the potential for substantial interference with surface water sources.
6. Water in the amount of 0.12 CFS for IRRIGATION OF 9.73 ACRES is available March 1 through October 31.

Summary of Initial Determinations

The use of 0.12 CFS from A WELL IN DESCHUTES RIVER BASIN for IRRIGATION OF 9.73 ACRES is allowable from March 1 to October 31 of each year.

Because of these favorable determinations to your application the Department can now move your application to the next phase of the water rights application review process. This phase is where public interest factors will be evaluated.



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

Please reference the application number when sending any correspondence regarding the conclusions of this initial review. Comments received within the comment period will be evaluated at the next phase of the process.

NOTE: If more water is pumped into the pond than is used for irrigation (i.e. if additional water is used in the pond for aesthetic or other uses), it will be necessary to amend your application to include an additional amount of water for maintenance of the pond for uses in addition to irrigation. If you choose to amend your application for uses in addition to irrigation, please do so within 30 days. (If no more water is pumped into the pond than is used for irrigation, and the pond is empty at the end of each irrigation season, then no amendment is necessary.)

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.

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 MAY 9, 1997. For your convenience you may use the enclosed "STOP PROCESSING" form.

If A Permit Is Issued It Will Likely Include The Following Conditions:

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.
  - 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.
  - C. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In

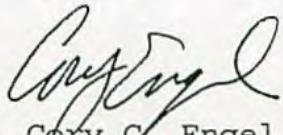
addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

2. 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.
3. 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.
4. You will be required to comply with state and federal water quality standards.
5. The priority date for this application is November 18, 1996.

If you have any questions:

Feel free to call me at (503) 378-8455 or 1 (800) 624-3199 extension 457 if you have any questions. Please have your application number available if you call.

Sincerely,



Mr. Cory C. Engel  
Initial Reviewer

cc: Regional Manager, Watermaster District 03, Water Availability Section  
enclosures: Flow Chart of Water Right Process  
Stop Processing Form

State of Oregon  
WATER RESOURCES DEPARTMENT

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## Application for a Permit to Appropriate Groundwater

WATER RESOURCES DEPT.  
SALEM, OREGONApplicant(s) Benjamin Lindner & Leslie D. Cole

(Please print or type - use dark ink)

Mailing Address: 20420 Harper Rd.Bend

City

OR97701

State

541-383-3100

Zip

Daytime Phone No.

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

1. THE DEVELOPMENT (number of wells, tile lines, infiltration galleries, etc.): one well

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

NOV 18 1996

Distance from development to stream: \_\_\_\_\_

WATER RESOURCES DEPT.

Elevation difference between streambed and development: \_\_\_\_\_

SALEM, OREGON

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

SEE WELL REPORT ENCLOSED

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

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

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

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

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

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

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

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

2. TOTAL AMOUNT OF WATER to be applied to beneficial use: \_\_\_\_\_ cubic feet per second, OR 56 gallons per minute. If water is to be used from more than one groundwater source, give the quantity of water from each:

\_\_\_\_\_

3. INTENDED USE(s) OF WATER: Irrigate pasture

If for more than one use, give the quantity of water from each source for each use; \_\_\_\_\_

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

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

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

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

Irrigation 9.73

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

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

5 HP well pump to lined pond.

Application by big gun system powered by  
7/2 HP pump thru 3" buried main line.

5. PROJECT SCHEDULE: (List month and year)

Proposed date construction work will begin \_\_\_\_\_

Proposed date construction work will be completed all work has been completed.

Proposed date water use will be completed \_\_\_\_\_

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

Applicant

CWRE

Other (Identify in REMARKS section)

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

Applicant

CWRE

Other (Identify in REMARKS section)

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OCT 29 1996

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

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

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

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WATER RESOURCES DEPT.  
SALEM, OREGON

8. If you answered "NO" to question #7 above, do you have written authorization or an easement permitting access to the lands you do not own?

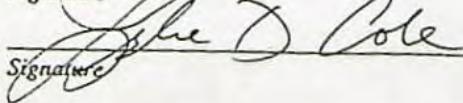
YES \_\_\_\_\_

NO \_\_\_\_\_

I understand that if I do not own all property associated with this application, I may be required to submit a copy of my written authorization or easement for access before a permit can be issued.

I/We certify that the information I have provided in this application is an accurate representation of the proposed water use and is true and correct to the best of my knowledge:

Signature



10/18/96

Date

10/18/96

Date

FOR WATER RESOURCES DEPARTMENT USE ONLY

Dear Applicant:

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

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

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

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

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

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

This instrument was first received in the office of the Water Resources Director at Salem,  
Oregon, on the 18<sup>th</sup> day of November, 1971, at 8 o'clock, P M.

APPLICATION NO: 6-14413

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OAR 690-310-040(1)(K)  
APPLICATION REQUIREMENTS  
INFORMATIONAL SHEET

OCT 29 1996

WATER RESOURCES DEPT.  
SALEM, OREGON

(If information is not available, or does not apply, please indicate)

Describe why the amount of water requested is needed, measures you propose to prevent waste and how you propose to measure the amount of water appropriated/diverted.

No irrigation water is available in our district.

We have lined our pond to prevent seepage, and we use a big gun irrigation system, which is closely monitored. Our pump is on a timer so we can accurately measure the amount of water we are applying.

Describe measures to prevent the discharge of contaminated water to a surface stream.

We will have no discharge, and there are no streams in our area.

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If for surface water, describe how you plan to protect damage to aquatic life and riparian habitat and measures to prevent damage to public uses of affected surface waters.

N/A

Applicant Name Benjamin Hincher Leslie D Cole File No.

# Water Right Conditions Tracking Slip

*Groundwater/Hydrology Section*

FILE # 6-14413

ROUTED TO: Craig

TOWNSHIP/

RANGE-SECTION: 16S/12E/09

APPLICATION ACCEPTED?  yes  no

CONDITIONS ATTACHED?  yes  no

REMARKS OR FURTHER      INSTRUCTIONS:

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Reviewer: Sarah

## Water Resources Department

**MEMO**

12/10

199 6

TO Application G- 14413  
FROM GW: Sarah  
(Reviewer's Name)  
SUBJECT Scenic Waterway Interference Evaluation

Yes      The source of appropriation is within or above a Scenic Waterway.  
 No

Yes      Use the Scenic Waterway condition (Condition 7J).  
 No

**PREPONDERANCE OF EVIDENCE FINDING:** (Check box only if statement is true)

At this time the Department is unable to find 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 a scenic waterway in quantities necessary for recreation, fish and wildlife.

FLOW REDUCTION: (To be filled out only if Preponderance of Evidence box is not checked)

Exercise of this permit is calculated to reduce monthly flows in \_\_\_\_\_ Scenic Waterway by the following amounts expressed as a proportion of the consumptive use by which surface water flow is reduced.

TO: Water Rights Section  
FROM: Groundwater/Hydrology Section  
SUBJECT: Application G-14413

12/10, 1996

*Sarah Gates*  
Reviewer's Name

#### GROUNDWATER/SURFACE WATER CONSIDERATIONS

1. PER THE Deschutes Basin rules, one or more of the proposed POA's is/is not within \_\_\_\_\_ feet/mile of a surface water source (\_\_\_\_\_ ) and taps a groundwater source hydraulically connected to the surface water.
2. BASED UPON 0AR 690-09 currently in effect, I have determined that the proposed groundwater use
  - a. will, or have the potential for substantial interference with the nearest
  - b. X will not surface water source, namely Deschutes River; or
  - c. will if properly conditioned, adequately protect the surface water from interference:
    - i. The permit should contain condition #(s) 7J, HB;
    - 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.

#### GROUNDWATER AVAILABILITY CONSIDERATIONS

3. BASED UPON available data, I have determined that groundwater 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 groundwater resource:
    - i. The permit should contain condition #(s) 7J, HB;
    - 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 groundwater production from no deeper than \_\_\_\_\_ ft. below land surface;  
b. The permit should allow groundwater production from no shallower than \_\_\_\_\_ ft. below land surface;  
c. The permit should allow groundwater production only from the \_\_\_\_\_ groundwater 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 (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 groundwater reservoir;
- c.  permits the loss of artesian head;
- d.  permits the de-watering of one or more groundwater 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)

STATE OF OREGON  
WATER RESOURCES DEPARTMENT

INTEROFFICE MEMO

TO: FILE G- 14413  
FROM: SARAH M. GATES  
SUBJECT: SURFACE/GROUND WATER CONSIDERATIONS

DATE: 12/10/96

The applicant seeks 56 gpm from a well for irrigation of pasture

Township 16S Range 12E Section 9 County Deschutes  
1535' S and 223' E from NW CORNER

Per Division 9

The well is located 4000 feet from Deschutes River  
Elevation of well 3170 river 3020 difference 150  
Well # L0000114

Well was drilled in 12/8/95 LOG # 545  
and deepened 10/10/96 Depth of well 545  
Casing to 18 1/2 Lined to 528  
Sealed to 18 1/2 SWL 443 on 10/10/96  
Depth water first found 465

Applicant Benjamin Lindner + Leslie D. Cole  
20420 Harper Road  
Bend, OR 97701  
541-383-3100

Perforations/screens 480-500 <sup>(replaced?)</sup> units Brown Sandstone  
508-528 units Brown Sandstone  
/ units /

Well Tests (P/A/B/FA) 40+ 0' / @ 540' / 1 hr

Information sources well log, Tumalo Creek,  
Observation wells?

Conceptual model Thick capping lava @ top (with some thin ss layers)  
and a thick Brown Sandstone layer / conglomerate layer  
below. Groundwater flows to the NNE direction for  
several miles before discharging into the  
Deschutes River. Several domestic users  
nearby (90 total) and 4 Municipal Wells.  
Recommend interference Condition.

Confined, semi-confined, or unconfined?

YES YES NO NO?

DIRECT hydraulic connection?

Potential to cause substantial interference?

Objections? NO

CONDITIONS: FJ, FB

County: Deschutes

Quad name & #: \_\_\_\_\_

## REVIEW CHECKLIST

### FOR G-144B

- Appropriate parts of the stream index
- Estimated number of wells within a one-mile radius & identified types.
- State Observation wells within a five-mile radius.
- Verify that well log is in file. If not provide one.
- List groundwater permits within a five-mile radius with extraordinary conditions.

Number of wells: \_\_\_\_\_

Well location: 16S/12E - Sec 09

### APPLICATIONS WITH PERMIT CONDITIONS:

G-12905

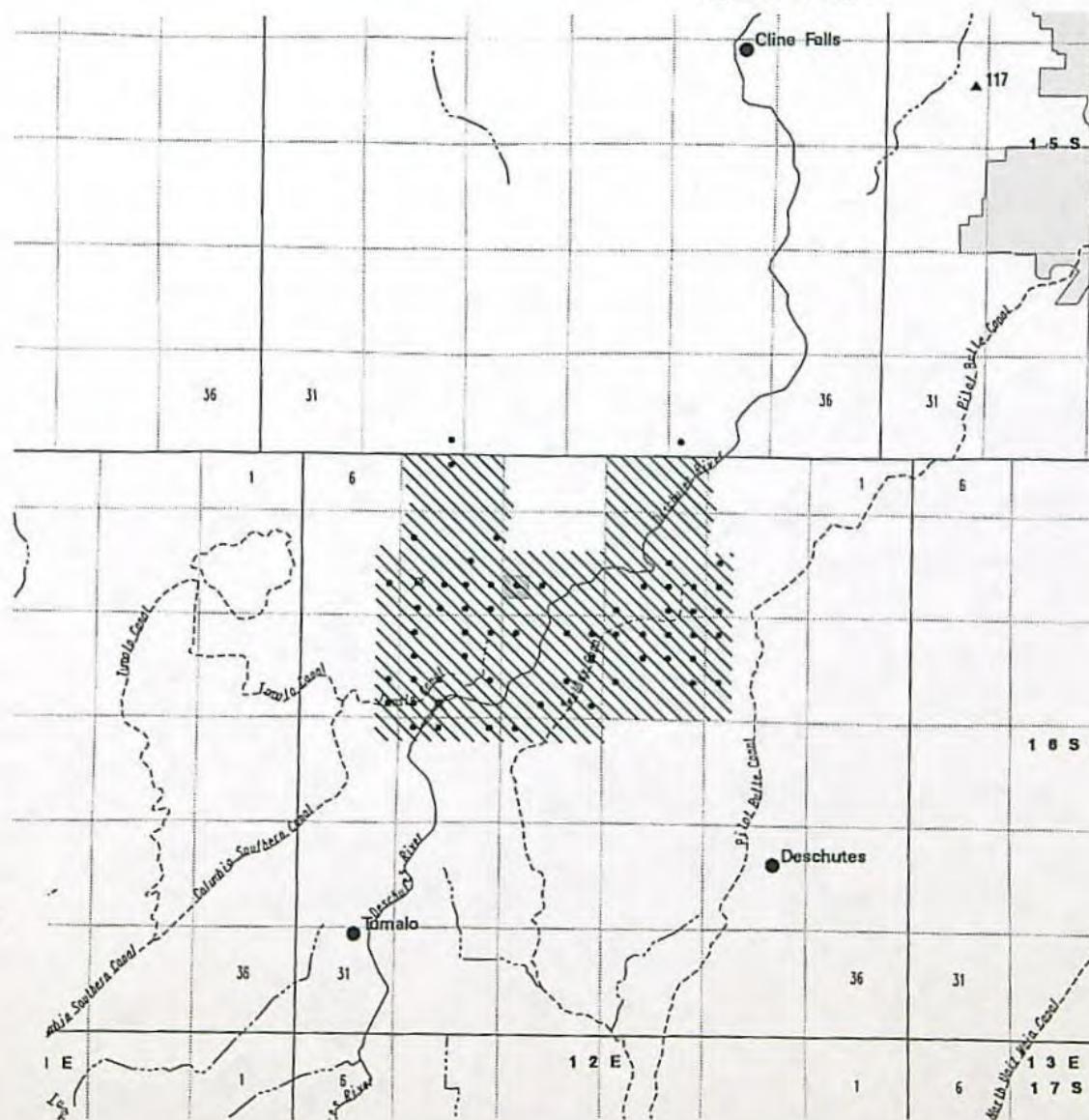
G-12942

G-13100

G-13345

W e l l s i n t h e v i c i n i t y o f a p p l i c a t i o n G 14413

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



WELLS WITHIN 1 MILE OF G 14413  
DO 90  
MU 4

PERMITTED WELLS WITHIN 1 MILE OF APPLICATION G 14413

PERMIT	T/R/S/QQ	USE	RATE	UNITS
G 11016	16.00S12.00E 8SWNW	IS	0.8200	C
G 11018	16.00S12.00E17NESW	IR	0.0400	C

Deschutes Co

PFO CHECKLIST

Application #: 6 14413

Basin: Deschutes - 5 WAB: \_\_\_\_\_  
Township 16S Range 12E Section 9 1/4 1/4 SW NW

✓ 1. Is the file complete by the Completeness Checklist? Y / N

✓ 2. Shortcomings (items needed before a permit and/or FO can be issued) Y / N

✓ 3. Check file for indicators that the process should not continue until a later date (ie - protest, letter to file indicating hold, or other)

✓ 4. Groundwater Review A B C D River/Stream Name Deschutes R. Conditions 75,7B  
a. Groundwater Availability A B C  
b. Is second groundwater review necessary? (comments) Y / N  
c. Is HB 1033 review complete? Y / N

✓ 5. If source is groundwater, is the well located in a groundwater limited area? (If applicable, include map with POD) Y / N

✓ 6. Is use from a B.O.R. project? Y / N Contract in file? Y / N Contract # \_\_\_\_\_

✓ 7. Is the use allowed by the Basin Program? Y / N Limited? Y / N

✓ 8. Water Availability Data OK / REDONE / NA (50% before July 17, 1992; 80% live flow & 50% storage after July 17, 1992)

✓ 9. Is the source withdrawn or limited by statute or Department withdrawal order? Y / N

✓ 10. Is the Proposed Use located in or above a Scenic Waterway? Y / N Deschutes R.

✓ 11. Division 33: Above Bonn (after July 17, 1992) Y / N / NA  
Below Bonn (after April 8, 1994; June 3, 1994) Y / N / NA  
Statewide - (in shaded areas on T, E, and S Map - after June 3, 1994) Y / N / NA

✓ 12. Have conflicts been identified, verified and/or addressed? Y / N None identified by I.R.

✓ 13. Rate 1/80 Duty 3.0 Irrigation Season March -> Oct

✓ 14. Period of Allowed Use March -> Oct

✓ 15. Allowed Rate of Use 0.122 cfs (54.7 gpm)  
Requesting 56 gpm = 0.125 cfs

✓ 16. Is the use Small ( $\leq 0.1 \text{ cfs}$ ,  $\leq 9.2 \text{ AF}$ ), Medium ( $> 0.1 \text{ or } < 1.5 \text{ cfs}$ ,  $> 9.2 \text{ or } < 100 \text{ AF}$ ) or Large ( $\geq 1.5 \text{ cfs}$ ,  $\geq 100 \text{ AF}$ )?

✓ 17. Conditions 75,7B

✓ 18. IR Public Notice Date 5-13-97

✓ 19. Documents used in determination are attached and highlighted  
See I.R. checklist

✓ 20. Spell Check

✓ 21. Check for Accuracy

✓ 22. Final PFO report hard copy check (format, margins, etc.)

✓ 23. Final PFO has been saved to m:\t\pfo\done\week#\application #

✓ 24. 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

Name: Laura Smealaker

Date: 8-14-97

$$9.73 \text{ ac} \times \frac{1}{80} = 0.122 \text{ cfs}$$

measured  
or 54.7 gpm

Application No. C-14413  
Permit No.

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WATER RESOURCES DEPT.  
SALEM, OREGON

Oregon

NOTE TO LOCAL GOVERNMENTS

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WATER  
RESOURCES  
DEPARTMENT

NOV 18 1996

WATER RESOURCES DEPT.  
SALEM, OREGON

The person presenting the attached request for land use information is applying for a water right. The Water Resources Department (WRD) requires its applicants to obtain land use information to be sure water rights do not result in land uses that would violate your comprehensive plan.

WRD will not accept applications which are not accompanied by this completed land use form or the signed, dated receipt stub detached from the bottom of the land use information form.

You will receive notice once the applicant formally submits his or her request to WRD. The notice will give more detailed information about WRD's water rights process and comment opportunities. If you give the applicant the receipt stub in lieu of completing the form, you will have 30 days from the date of the notice mentioned above to complete the form and return it to WRD. If no land use information is received from you within that 30 day period, 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 both the applicant and WRD. If you have questions concerning the form, please contact WRD at 378-3739.

Oscott County  
Planning



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

**Description of Water Use**

**Note to Applicant:** This sheet will provide local planning staff with a basic description of your proposed water use. Please fill out this sheet before bringing the attached land use form to your local planning office. It will help local planning offices complete your land use information form quickly.

**Note to Local Planning Officials:** Please initial this sheet. Do not separate it from the land use information form. If needed, please make a separate copy for your records.

Applicant Name: Benjamin Lindner & Leslie Cole  
 Address: 20420 Harper Rd.  
Bend OR 97701  
 Phone: 541-383-3100

Please indicate what you will use the water for. Check all boxes that apply and fill in the blanks with key characteristics of the project

Irrigation (crop type, golf course, nursery or greenhouse): pasture

Livestock (type of livestock, feedlot, slaughterhouse): \_\_\_\_\_

Residential (# units, single or multi-family, # lots if partition or subdivision): \_\_\_\_\_

Commercial (i.e., retail, office, restaurant, gas station, hotel, service, etc.): \_\_\_\_\_

Industrial (i.e., factory, pulp mill, research and development, processing, etc.): \_\_\_\_\_

Institutional (i.e., school, library, etc.): \_\_\_\_\_

Mining (aggregate, metal, open pit, placer, etc.): \_\_\_\_\_

Recreation (park, campsite, pond, etc.): \_\_\_\_\_

Fish and Wildlife (pond, hatchery, etc.): \_\_\_\_\_

Hydropower (dam, reservoir, power generating or transmitting facilities): \_\_\_\_\_

Other (Name and list key characteristics): \_\_\_\_\_

Indicate sources for the proposed water use below:	Indicate the estimated quantity of water the use will require.
<input type="checkbox"/> Surface Water Name sources _____ _____	Cubic feet per second. <u>56</u> Gallons per minute. Acre-Feet
<input type="checkbox"/> Reservoir or pond	
<input checked="" type="checkbox"/> Ground Water	

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SALEM, OREGON

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Land Use Information Form: Permits, Hydroelectric Licenses,  
Water Uses in Addition to Classified Uses

OCT 29 1996

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, and/or used only on federal lands.

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Applicant's Name: Benjamin Lindner & Leslie D. Cole

NOV 18 1996

Address: 20420 Harper Rd.

WATER RESOURCES DEPT.

City: Bend

State: OR

Zip: 97701

Day Phone: 541-383-3100

SALEM, OREGON

Please provide information as requested below for all tax lots on or through which water will be diverted or used. (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.

(CHECK ALL THAT APPLY)

TAX LOT LOCAL ID #	PLAN DESIGNATION/ZONING Rural Residential/RR-5)	(e.g.	WATER DIVERTED	WATER CONVEYED	WATER USE
<u>16-12-09-00-00503</u>	<u>MUA-10</u>				<input checked="" type="checkbox"/>

Please list all counties and cities within which water is proposed to be diverted, conveyed, and/or used.

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.

=====

For Local Government Use Only

Local planning officials are to complete the remainder of this form. If it cannot be completed while the applicant waits, sign and detach the receipt as instructed below. You will receive notice when the applicant's water right request is filed with the Water Resources Department (WRD). You will have 30 days from the notice date to return this completed land use form to WRD. If no land use information is received from you within that period, WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan.

a) 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): SECT. 18.32.020. Go to section b) on reverse side.

Land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table on the reverse of this form. Note: Please attach documentation of applicable local land use approvals which have already been obtained. (Record of Action plus accompanying findings is sufficient.)

=====

Receipt for Request for Land Use Information

WRD Applicant Name: \_\_\_\_\_

This receipt must be signed by a local government representative and returned to the applicant for inclusion in the WRD application IF the local government cannot provide the above requested land use information while the applicant waits.

City or County: DESCHUTES COUNTY PLANNING  
Staff Contact: JAMES J. LEWIS Phone: 541-388-6575  
Signature: James J. Lewis Date of Information Request: 10-23-96

(for Local Use Continued)

(CHECK THE BOX THAT APPLIES)

Type of Land Use Approval Needed (e.g. plan amendments, rezones, conditional use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Already Obtained	Already Denied	Being Pursued Satisfactorily

b) Please provide printed name and written signature.

Name: JAMES J. LEWIS Date: 10-23-96  
Title: ASSOCIATE PLANNER Phone: 541-388-6575  
Signature: James J. Lewis

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.

Additional Comments:

\* AGRICULTURAL USE & SINGLE-FAMILY DWELLING  
PERMITTED OUTRIGHT. (18.32.020)  
\* NO LAND-USE PERMITS NECESSARY.



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

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

Application No. 614413

(START CARD) # 92990

10000114

(1) OWNER: Well Number \_\_\_\_\_  
Name Ben Lindner  
Address 20420 Harper Rd  
City Bend State Ore. Zip 97701

(2) TYPE OF WORK

New Well  Deepening  Alteration (repair/recondition)  Abandonment

(3) DRILL METHOD:

Rotary Air  Rotary Mud  Cable  Auger  
 Other

(4) PROPOSED USE:

Domestic  Community  Industrial  Irrigation  
 Thermal  Injection  Livestock  Other

(5) BORE HOLE CONSTRUCTION:

Special Construction approval  Yes  No Depth of Completed Well 545 ft.  
Explosives used  Yes  No Type \_\_\_\_\_ Amount \_\_\_\_\_

HOLE		SEAL	
Diameter	From	To	Material

8	500	545	ALREADY GROUTED
6	500	545	

How was seal placed: Method  A  B  C  D  E

Other \_\_\_\_\_

Backfill placed from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Material \_\_\_\_\_

Gravel placed from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Size of gravel \_\_\_\_\_

(6) CASING/LINER:

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing:				<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"/>	<input type="checkbox"/>
Liner:	10	0	500	128	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final location of shoe(s)

(7) PERFORATIONS/SCREENS:

Perforations		Method		Material	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Screens	Type	Material	
From	To	Slot size	Number	Diameter	Tele/pipe size
508	528	1/8	3	256	6

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

<input type="checkbox"/> Pump	<input type="checkbox"/> Bailer	<input checked="" type="checkbox"/> Air	<input type="checkbox"/> Artesian	Flowing
Yield gal/min	Drawdown	Drill stem at	Time	
40+	0	540	10t	

Temperature of water 540 Depth Artesian Flow Found \_\_\_\_\_

Was a water analysis done?  Yes By whom \_\_\_\_\_

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

Salty  Muddy  Odor  Colored  Other \_\_\_\_\_

Depth of strata: \_\_\_\_\_

(9) LOCATION OF WELL by legal description:

County Deschutes Latitude \_\_\_\_\_ Longitude \_\_\_\_\_

Township 16 N or S Range 17 E or W. WM.

Section 09 SW 1/4 NW 1/4

Tax Lot 503 Lot Block Subdivision \_\_\_\_\_

Street Address of Well (or nearest address) 20420 Harper Rd Bend Ore. 97701

(10) STATIC WATER LEVEL:

443 ft. below land surface.

Artesian pressure \_\_\_\_\_ lb. per square inch.

(11) WATER BEARING ZONES:

Depth at which water was first found 465

From	To	Estimated Flow Rate	SWL
465	545	40+	443

(12) WELL LOG:

Ground Elevation \_\_\_\_\_

Material	From	To	SWL
Li-B. CROWN SANDST. 500	500	543	
Java	513	545	

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SALEM, OREGON

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WATER RESOURCES DEPT.  
SALEM, OREGON

Date started 10-9-96 Completed 10-10-96  
(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.

*Helpie*  
Signed *Jeff Handel* WWC Number \_\_\_\_\_  
(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.

*Jeff Handel*  
Signed *Jeff Handel* WWC Number 12517  
Date 12-12-96

Sandra Smith, 10:31 AM 5/5/97 -, Initial Review G-14413

Received: from tdl11.netcnct.net (tdl11.netcnct.net [206.58.160.20]) by  
klamath.wrd.state.or.us (8.7.5/8.7.3) with SMTP id KAA10715; Mon, 5 May 1997  
10:31:12 -0700 (PDT)  
Date: Mon, 5 May 1997 10:31:12 -0700 (PDT)  
Message-Id: <1.5.4.16.19970505092621.1d2f2b28@mailhub.wrd.state.or.us>  
X-Sender: smithsr@mailhub.wrd.state.or.us (Unverified)  
X-Mailer: Windows Eudora Light Version 1.5.4 (16)  
Mime-Version: 1.0  
Content-Type: text/plain; charset="us-ascii"  
To: Cory.C.ENGEL@wrd.state.or.us  
From: Sandra Smith <Sandra.R.SMITH@wrd.state.or.us>  
Subject: Initial Review G-14413  
X-UIDL: 845e45234054d4d00f93095d09b80821

Cory, we just received the Initial Review for Benjamin Lindner & Leslie D. Cole, G-14413. The Initial Review shows a carbon copy to Watermaster District #3, this should be changed to Watermaster District #11. We mailed the copy we received to Kyle.

## 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-14413

Applicant: BENJAMIN LINDNER COLE, LESLIE D

County: DESCHUTES

Watermaster: District 03

Priority Date: November 18, 1996

Source: A WELL IN DESCHUTES RIVER BASIN

Use: IRRIGATION OF 9.73 ACRES

Quantity: 0.12 CUBIC FOOT PER SECOND

Basin Name & Number: Deschutes, #05

Stream Index Reference: Volume 1 DESCHUTES R MISC

Point of Diversion Location: SWNW, SECTION 9, T16, R12E, W.M.; 1535 FEET

SOUTH & 223 FEET EAST FROM NW CORNER, SECTION 9

Place of Use: SWNW 9.73 ACRES, SECTION 9, TOWNSHIP 16 SOUTH, RANGE 12 EAST, W.M.

14 DAY STOP PROCESSING DEADLINE DATE: MAY 9, 1997

PUBLIC NOTICE DATE: Tuesday, MAY 13, 1997

30 DAY COMMENT DEADLINE DATE: Thursday, JUNE 12, 1997

# Oregon

APRIL 25, 1997

WATER  
RESOURCES  
DEPARTMENT

BENJAMIN LINDNER & LESLIE D COLE  
20420 HARPER RD  
BEND, OREGON 97701

Reference: File G-14413

Dear Applicant:

THIS IS NOT A PERMIT AND IS  
SUBJECT TO CHANGE AT NEXT PHASE OF PROCESS

This letter is to inform you of the status of your application for water use. Based on the information you have supplied, the Water Resources Department has reached the following conclusions:

Initial Review Determinations:

1. Your application is complete and not defective.
2. The proposed use is not prohibited by law or rule.
3. The use of water for IRRIGATION OF 9.73 ACRES is allowable under OAR 690-505-002(1)(a), the Deschutes Basin Program.
4. The Department finds that no more than 53.9 gallons per minute is necessary for the proposed use. The amount of water requested, 56.0 gallons per minute, shall be limited to 53.9 gallons per minute, or 0.12 CUBIC FOOT PER SECOND (CFS).
5. The Department determined, based upon OAR 690-09, that the proposed groundwater use will not have the potential for substantial interference with surface water sources.
6. Water in the amount of 0.12 CFS for IRRIGATION OF 9.73 ACRES is available March 1 through October 31.

Summary of Initial Determinations

The use of 0.12 CFS from A WELL IN DESCHUTES RIVER BASIN for IRRIGATION OF 9.73 ACRES is allowable from March 1 to October 31 of each year.

Because of these favorable determinations to your application the Department can now move your application to the next phase of the water rights application review process. This phase is where public interest factors will be evaluated.



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

Please reference the application number when sending any correspondence regarding the conclusions of this initial review. Comments received within the comment period will be evaluated at the next phase of the process.

NOTE: If more water is pumped into the pond than is used for irrigation (i.e. if additional water is used in the pond for aesthetic or other uses), it will be necessary to amend your application to include an additional amount of water for maintenance of the pond for uses in addition to irrigation. If you choose to amend your application for uses in addition to irrigation, please do so within 30 days. (If no more water is pumped into the pond than is used for irrigation, and the pond is empty at the end of each irrigation season, then no amendment is necessary.)

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.

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 **MAY 9, 1997**. For your convenience you may use the enclosed "STOP PROCESSING" form.

If A Permit Is Issued It Will Likely Include The Following Conditions:

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.
- 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.
- C. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In

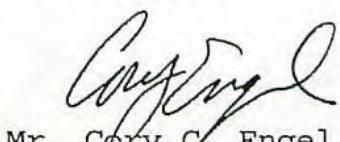
addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

2. 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.
3. 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.
4. You will be required to comply with state and federal water quality standards.
5. The priority date for this application is November 18, 1996.

If you have any questions:

Feel free to call me at (503) 378-8455 or 1 (800) 624-3199 extension 457 if you have any questions. Please have your application number available if you call.

Sincerely,



Mr. Cory C. Engel  
Initial Reviewer

cc: Regional Manager, Watermaster District 03, Water Availability Section  
enclosures: Flow Chart of Water Right Process  
Stop Processing Form

LINE 7 19413

INITIALS: IR CB PFO SPFO PROTEST FO

IR - STANDARD

REGION & DIST: (1 2 16 18 - NWR) (3 4 5 - NCR)  
(6 8 9 10 - ER) (11 12 17 - SCR) (14 15 19 - SWR)

WATER AVAILABILITY

DISTRICT BIO TO DWSE

IR, PFO, SPFO, PROTEST, FO - CONDITIONAL

DIVISION 33-115 thru 140 Y / N (ODFW District Bio \_\_\_\_\_)

Col Riv Intertribal Fish Comm; USF&W; NW Power Plan Council; & NMFS

DIVISION 33-310 thru 340 Y / N (ODFW District Bio \_\_\_\_\_);

Agriculture; DEQ Office \_\_\_\_\_; WM) Send IR Fact Sheet & Map

AGENT

MAILERS INITIALS & DATE

IR PFO SPFO PROTEST FO

CB 4/25

PFO, SPFO, PROTEST, FO - STANDARD:

REGION, DIST & ODFW BIO (see ir standard above)

ODFW DIST BIO (see ir standard above)

PFO, SPFO, PROTEST, FO - CONDITIONAL

WATER AVAILABILITY Y / N

AGENT

\$10 Letter To:

OVER Y / N

---

# NEW APPLICATION ROUTING SLIP

---

RECEIPTING 11/21/96 cak

DATA CENTER 12/2/96 ms

FRED LISSNER \_\_\_\_\_

WR DATA ENTRY 12/12/96 jwg

INITIAL REVIEW 4/16/97 cbs

WR SUPPORT 12/12/96 can

STATE OF OREGON  
WATER RESOURCES DEPARTMENT

RECEIPT #

8537

158 12TH ST. N.E.

SALEM, OR 97310-0210

INVOICE #

378-8455 / 378-8130 (FAX)

RECEIVED FROM: Leopold S. Coko

BY: \_\_\_\_\_

APPLICATION	6-104412
PERMIT	
TRANSFER	

CASH: CHECK: # OTHER: (IDENTIFY)

X

24-7837

TOTAL REC'D

\$ 200.00

**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)

\$

TC165 DEPOSIT LIAB. (IDENTIFY)

\$

WATER RIGHTS:

EXAM FEE

RECORD FEE

0201 SURFACE WATER

\$

0202

\$

0203 GROUND WATER

\$20.00

0204

\$ -0-

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 #

8537

DATED:

11-18-96

BY:

C. Richard

FILE#: G 14413

BENJAMIN LINDNER  
COLE, LESLIE D  
20420 HARPER RD  
BEND, OR 97701

FILE#: G 14413

BENJAMIN LINDNER  
COLE, LESLIE D  
20420 HARPER RD  
BEND, OR 97701

FILE#: G 14413

BENJAMIN LINDNER  
COLE, LESLIE D  
20420 HARPER RD  
BEND, OR 97701

Application No. G-14413  
Permit No.

Oregon

November 1, 1996

COPY  
COPY

RECEIVED

R CES  
R TMEN

NOV 18 1996

WATER RESOURCES DEPT.  
SALEM, OREGON

Patricia Linder  
Lee Cole  
214 Harper Rd.  
Post R 97701

We received your application to use water. We need additional information so we can accept, review and decide if the application is approved.

We provide the following:

A map that shows the Township, Range, Section, Quarter-quarter section and Tax Lot for the place of use. The location must be referenced by distance and bearing or coordinates to a recognized public land survey corner. And the place must be shown on the map by hatching or shading with the number of acres irrigated in each quarter-quarter indicated. Please refer to the Map Requirements for more information.

The application, supporting data and check no. 2582 in the amount of \$100 are being returned. We will complete our analysis when the application and information noted above is received.

If you contact the Water Rights Information Group at 1-800-626-4949 or 503-986-4999 if you need any assistance with the map.

Very truly yours,  
Amy McCloud  
Water Rights Specialist

SCAL  
EN COR  
WM DIST 11

Dear Ms. McCloud -  
We added the  
requested information  
to the map.  
Enclosed.

Thank you.  
Lee Cole



Building  
Street NE  
97310-0211  
39  
78-8130

RECORDATION REQUESTED BY:

BANK OF THE CASCADES  
61250 S HWY 97  
P O BOX 9099  
BEND, OR 97708

WHEN RECORDED MAIL TO:

BANK OF THE CASCADES  
61250 S HWY 97  
P O BOX 9099  
BEND, OR 97708

Application No. C-14413  
Permit No.

RECEIVED

NOV 18 1996

WATER RESOURCES DEPT.  
SALEM, OREGON

RECEIVED

OCT 29 1996

WATER RESOURCES DEPT.  
SALEM, OREGON

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE ONLY



Bank of the Cascades

### MODIFICATION OF DEED OF TRUST

THIS MODIFICATION OF DEED OF TRUST IS DATED MARCH 18, 1996, BETWEEN BENJAMIN LINDNER and LESLIE D COLE, HUSBAND AND WIFE (referred to below as "Grantor"), whose address is 7162 SW BARBARA LANE, TIGARD, OR 97223; and BANK OF THE CASCADES (referred to below as "Lender"), whose address is 61250 S HWY 97, P O BOX 9099, BEND, OR 97708.

DEED OF TRUST. Grantor and Lender have entered into a Deed of Trust dated January 3, 1996 (the "Deed of Trust") recorded in DESCHUTES County, State of Oregon as follows:

RECORDED JANUARY 9, 1996 IN BOOK 396, PAGE 0659 DESCHUTES COUNTY OFFICIAL RECORDS

REAL PROPERTY DESCRIPTION. The Deed of Trust covers the following described real property (the "Real Property") recorded in DESCHUTES County, State of Oregon:

A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER (SW1/4 NW1/4) OF SECTION NINE (9), TOWNSHIP SIXTEEN (16) SOUTH, RANGE TWELVE (12), EAST OF THE WILLAMETTE MERIDIAN, DESCHUTES COUNTY, OREGON, MORE PARTICULARLY DESCRIBED AS PARCEL 1, OF MINOR LAND PARTITION MP95-45 AND FILED DECEMBER 28, 1995, IN THE OFFICE OF THE COUNTY CLERK, AS PLAT PARTITION 1995-60.

The Real Property or its address is commonly known as 20420 HARPER RD, BEND, OR 97701. The Real Property tax identification number is 16 12 09 00 00501.

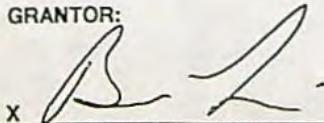
MODIFICATION. Grantor and Lender hereby modify the Deed of Trust as follows:

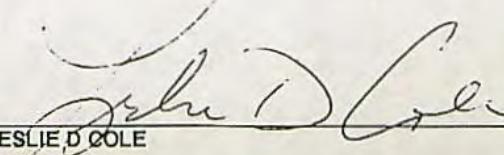
INCREASE AMOUNT TO \$168,000.00

CONTINUING VALIDITY. Except as expressly modified above, the terms of the original Deed of Trust shall remain unchanged and in full force and effect. Consent by Lender to this Modification does not waive Lender's right to require strict performance of the Deed of Trust as changed above nor obligate Lender to make any future modifications. Nothing in this Modification shall constitute a satisfaction of the promissory note or other credit agreement secured by the Deed of Trust (the "Note"). It is the intention of Lender to retain as liable all parties to the Deed of Trust and all parties, makers and endorsers to the Note, including accommodation parties, unless a party is expressly released by Lender in writing. Any maker or endorser, including accommodation makers, shall not be released by virtue of this Modification. If any person who signed the original Deed of Trust does not sign this Modification, then all persons signing below acknowledge that this Modification is given conditionally, based on the representation to Lender that the non-signing person consents to the changes and provisions of this Modification or otherwise will not be released by it. This waiver applies not only to any initial extension or modification but also to all such subsequent actions.

EACH GRANTOR ACKNOWLEDGES HAVING READ ALL THE PROVISIONS OF THIS MODIFICATION OF DEED OF TRUST, AND EACH GRANTOR AGREES TO ITS TERMS.

GRANTOR:

  
X  
BENJAMIN LINDNER

  
X  
LESLIE D COLE

PRE-TR APPLICATION PROCESSING OUTLINE G14413  
Application File #

MINIMUM REQUIREMENTS TO FILE

OAR 690-11-020

DATE STAMP

<u>DATE</u> 4.9.97	<u>INITIAL</u> DWP	Name and mailing address of applicant
		Source of water
		Quantity of water
		Map showing location of POD & POU
		Use of water
		Names and addresses of legal owners
		Signature of applicant
		Oath
		Application date stamped per money receipt date
	✓	Land use approved _____ pending _____
	AM	If reservoir < 5 AF \$ _____, if > 5 AF \$ _____
	✓	HB 2153/HB 2107 APPLICATION -- SEE REVERSE
	✓	Route to Data Center (Unless 2153/2107)

## DATA CENTER

Stream Code \_\_\_\_\_  
Entered into WRIS

## SUPPORT SERVICES

12/14/96 c **SUPPORT SERVICES**  
Stamp contents with application number  
Mail ack letter (provided by Data Center) with  
receipt to applicant, cc to CWRE and file  
Place label on file and calender card

## APPLICATION SECTION

\_\_\_\_ Stream Indexed Basin # \_\_\_\_\_  
\_\_\_\_ Plat Carded and copy made YES NO  
\_\_\_\_ If dam is over 10 feet or storage exceeds 9.2  
\_\_\_\_ AC-FT, route file to Dam Safety Section

TR CASEWORKER

\_\_\_\_    TR Checklist complete       YES    NO     
\_\_\_\_    Within Irrigation District     
\_\_\_\_    District Notified     
\_\_\_\_    District excerpt received

TR Mailed DATE

Public Interest Checklist complete

## Management Codes

REMARKS:

C62

Application No. G 14413  
Permit No. G13352

BENJAMIN LINONER

Name COLE, LESLIE D

Address 20420 HARPER RD  
BEND, OR 97701

Assigned

Address

Beginning construction 2/25/99

Completion of construction

Extended to

Complete application of water 10/6/62

Extended to