

ASSIGNED
FILE#: G 14379
MR DARRELL PIEPER
PIEPER, MRS DARRELL
9 CORTE ENCINA PO Box 2170
MORAGA, CA 94578 Sisters, OR 97159-2170

Application No. G14379
Permit No. G13145
Certificate No. 97940

Stream Index, Page No. _____

FEES PAID		
Date	Amount	Receipt No.
9-23-96	280.00	6764
5-15-97	196.00	12288
Ext. 7-23-01	100.00	46953
4-16-09	350.00	96173
12-14-15	175.00 Cert. Fee	118315

FEES REFUNDED		
Date	Amount	Check No.

Date filed _____
Priority _____
Action suspended until 6-15
"On ext. db"
Return to applicant _____
Date of approval 6-18-97

ASSIGNMENTS

Date	To Whom	Address	Volume	Page
8/23/2022	Julie Ann Underwood	PO Box 7968; Bend, OR. 97708		

REMARKS

CONSTRUCTION
Date for beginning 6-18-98
Date for completion _____
Extended to _____
Date for application of water 10-1-01
Extended to 10-1-2010, 10-1-2015

5.31.2024 Proposed Certificate sent
Fees Paid
8-19-2022 \$120.00 138953

PROSECUTION OF WORK

Form "A" filed _____
Form "B" filed _____
Form "C" filed _____

FINAL PROOF

Blank mailed _____
Proof received C.P.B.U. 12/14/2015
Date certificate issued 10-18-2024

COBU MAP # **964**



(541) 382-4123 BUS., 385-3253 FAX
(541) 383-4365 DIRECT LINE

TERRY DWYER, GRI
Sales Associate



COLDWELL BANKER
MORRIS REAL ESTATE
209 NE GREENWOOD
BEND, OR 97701

An Independently Owned and Operated Member of Coldwell Banker Residential Affiliates, Inc.

"drp@panoramavarch.com"

E-mail

1-17-03

Mailing List for Final Certificate

Application: G-14379

Permit: G-13145

Certificate: 97940

Permit/Certificate Holder:

JULIE ANN UNDERWOOD

PO BOX 7968

BEND OR 97708

Is the Permit Holder(s) of record currently identified as a landowner of any tax lots involved as confirmed by the County records? **YES**

Copies of Final Certificate to be sent to:

1. Watermaster District #: 11 (auto email)
2. File
3. Vault

Other persons to receive copies: (include map):

- 1.

Copies Mailed	
by:	<u>TM</u> (STAFF)
on:	<u>10-18-2024</u> (DATE)



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

www.oregon.gov/owrd

DATE MAILED: OCT 18 2024

NOTICE OF CERTIFICATE ISSUANCE

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

The certificate is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, you may petition for judicial review and petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate within three months after issuance of the certificate.

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

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

If you have any questions, please contact Codi Holmes at 503-979-3814.

STATE OF OREGON

COUNTY OF DESCHUTES

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JULIE ANN UNDERWOOD
PO BOX 7968
BEND OR 97708

confirms the right to the use of water perfected under the terms of Permit G-13145. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of diversion from the source. The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-14379

SOURCE OF WATER: A WELL IN DESCHUTES RIVER BASIN

PURPOSE or USE: IRRIGATION OF 20.5 ACRES AND LIVESTOCK USE

MAXIMUM RATE: 0.256 CUBIC FOOT PER SECOND (CFS), BEING NO MORE THAN 0.256 CFS FOR IRRIGATION AND NO MORE THAN 0.005 CFS FOR LIVESTOCK USE

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31 FOR IRRIGATION AND YEAR-ROUND FOR LIVESTOCK USE

DATE OF PRIORITY: SEPTEMBER 23, 1996

POINT OF DIVERSION LOCATION:

Twp	Rng	Mer	Sec	Q-Q
15 S	11 E	WM	34	NW SE

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:

Twp	Rng	Mer	Sec	Q-Q	Acres
15 S	11 E	WM	34	NE SW	9.3
15 S	11 E	WM	34	SE SW	6.2
15 S	11 E	WM	34	NW SE	3.4
15 S	11 E	WM	34	SW SE	1.6

Measurement, recording and reporting conditions:

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, you may petition for judicial review and petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate within three months after issuance of the certificate.

- A. The water user shall maintain the meter or other suitable measuring device as approved by the Director in good working order.
- B. The water user 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 water user to keep and maintain a record of the amount (volume) of water used and may require the water user to report water use on a periodic schedule as established by the Director. In addition, the Director may require the water user to report general water use information, the periods of water use and the place and nature of use of water under the right. The Director may provide an opportunity for the water user to submit alternative reporting procedures for review and approval.

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this right, 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.

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

The well(s) shall be maintained 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 the water level elevation in the well at all times.

The Director may require water level or pump test results every ten years.

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

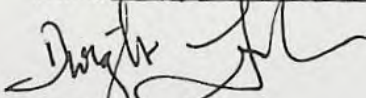
This right is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

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

Issued OCT 18 2024



Dwight French
Water Right Services Division Administrator, for
Ivan Gall, Director
Oregon Water Resources Department

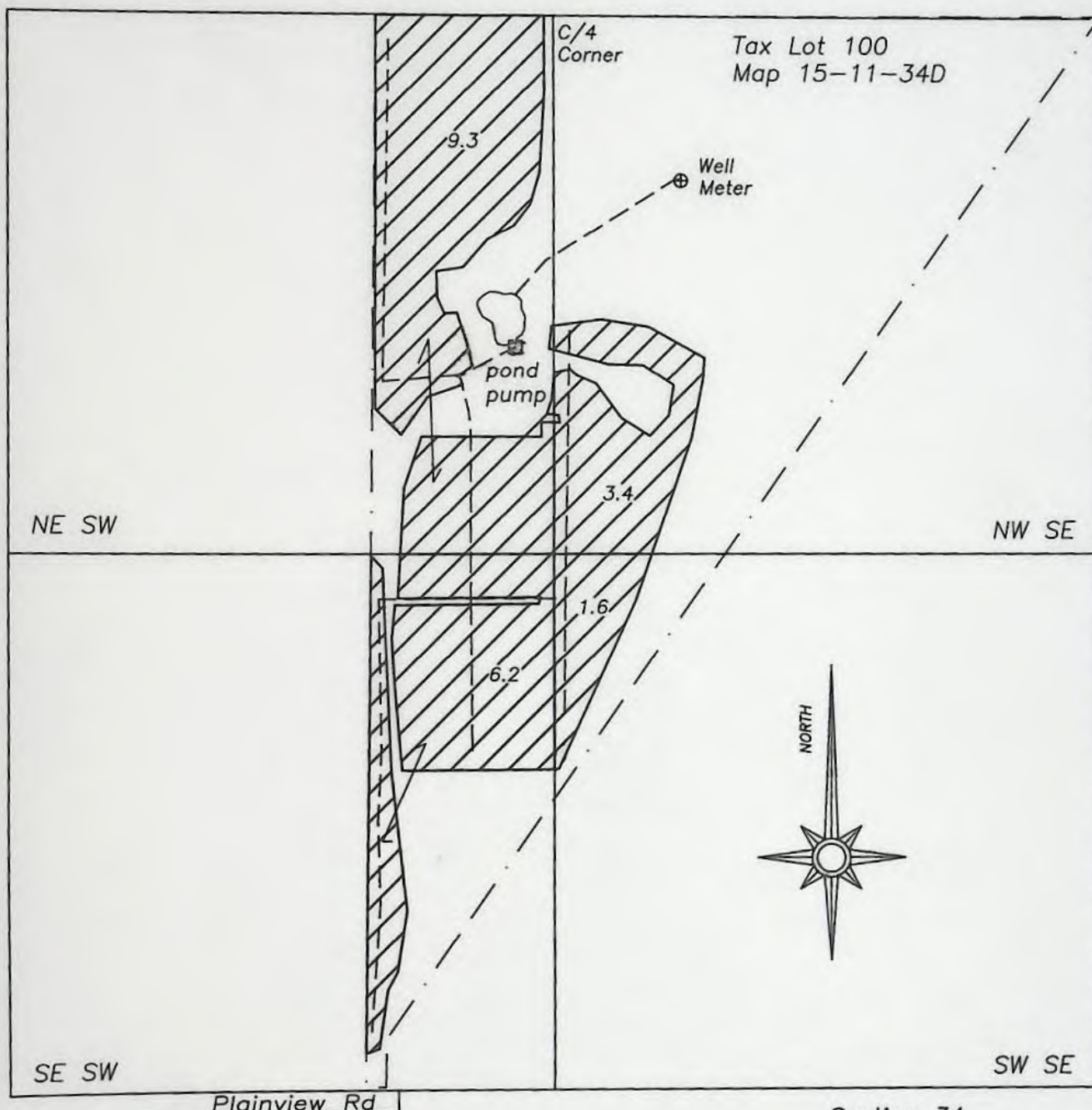
Claim of Beneficial Use

Application G-14379

Permit G-13145

Barbara and Darrell Pieper
Deschutes County, Oregon

964



Section 34
T15S, R11E, W.M.
Deschutes County, OR



Water beneficially applied under Permit
G-13145, priority date 9/23/1996



Tax lot boundary



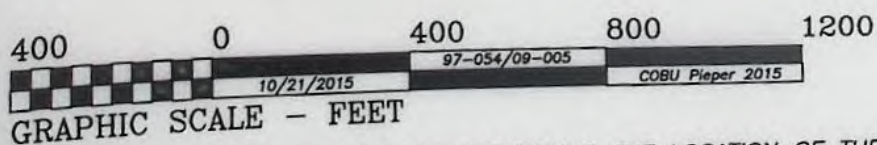
Buried mainline



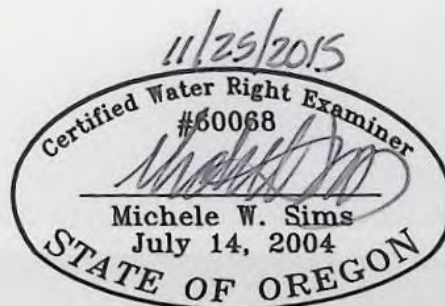
Well and meter



1/16 Section lines



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



Renewal date: 6/30/2016

Michele W. Sims, Consultant, LLC, Sisters, OR 97759 541-408-4777

964

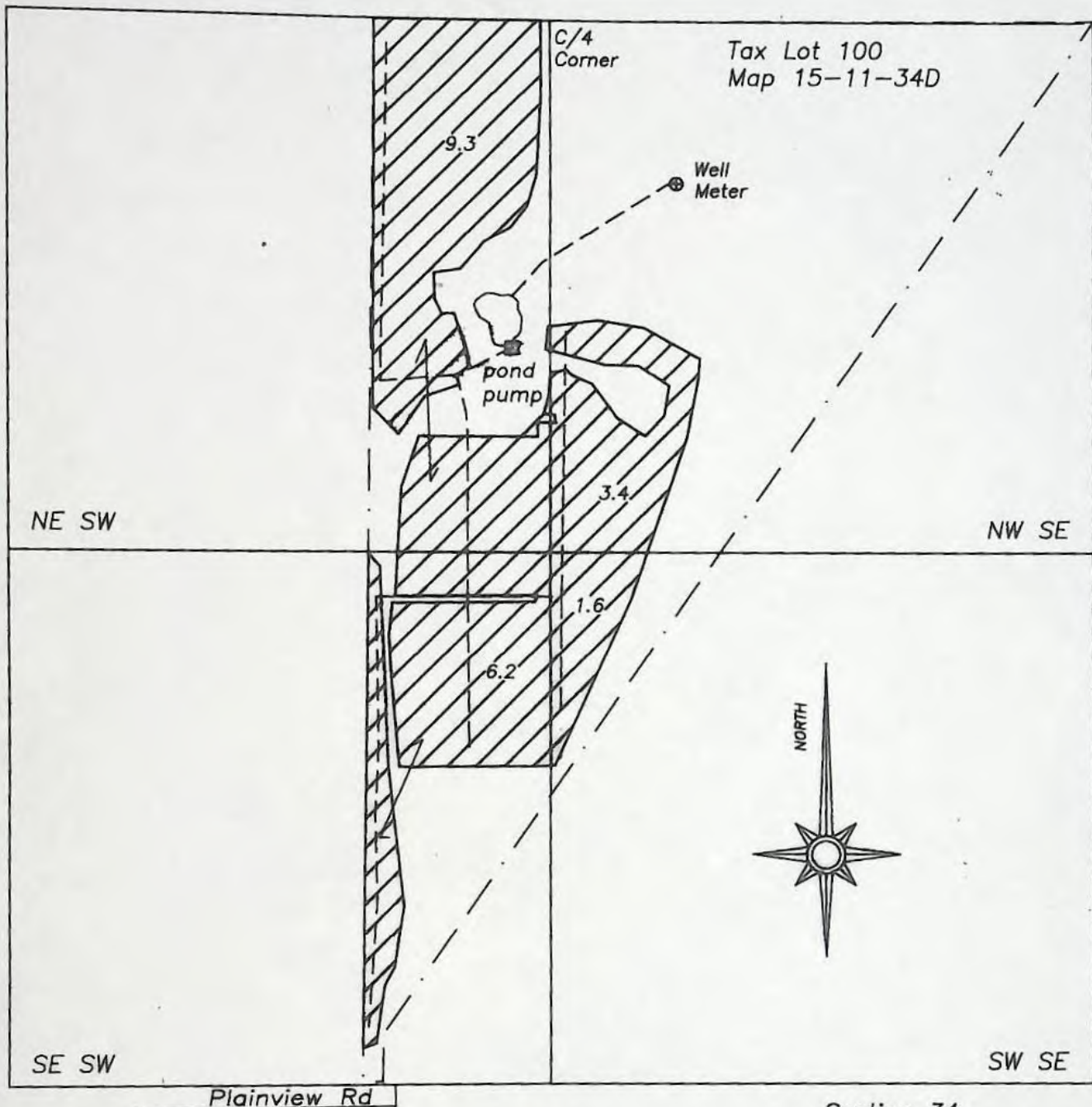
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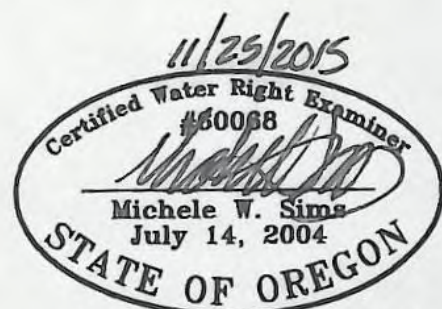
Buried mainline



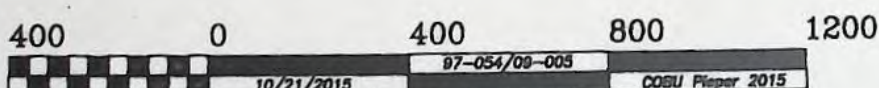
Well and meter



1/16 Section lines



Renewal date: 6/30/2016



GRAPHIC SCALE - FEET

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Michele W. Sims, Consultant, LLC, Sisters, OR 97759 541-408-4777

964

Mailing List for Proposed Certificate

Application: G-14379

Permit: G-13145

Certificate:

Permit/Certificate Holder:

JULIE ANN UNDERWOOD
PO BOX 7968
BEND OR 97708

Is the Permit Holder(s) of record currently identified as a landowner of any tax lots involved as confirmed by the County records? **YES**

Copies of Proposed Certificate to be sent to:

1. Watermaster District #: 11
2. File

Other persons to receive copies: (include map):

- 1.

Copies Mailed

by: TM
(STAFF)

on: 5.31.2024
(DATE)



Oregon

Tina Kotek, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

www.oregon.gov/owrd

Date Mailed: MAY 31 2024

Reference: Application G-14379 Permit G-13145

Enclosed is a proposed certificate of water right and map. The map and proposed certificate represent the extent water was used within the terms of the permit based upon Claims of Beneficial Use, prepared by a Certified Water Right Examiner, that either you or a previous permit holder submitted.

The certificate is the final step in the water right process. The Department encourages you to review these proposals. If you do not agree with the proposed certificate, Oregon Administrative Rule 690-330-010 (2) allows the permittee or landowner 60 days from the mailing date of this notice to request the Department to reconsider the contents of the proposed certificate.

If you agree with the proposed certificate, no response to this notice is required. Sometime after comment period, the recorded certificate of water right will be mailed to the permit holder of record.

If your name is not listed on the proposed certificate, and you are the current landowner, and would like to have the final certificate issued in your name, you may apply through the Department to have the permit assigned to you. If you have any questions about the assignment process, please contact Mary Bjork at 503-979-9895.

If you have any questions please contact Codi Holmes at 503-979-3184.

Sincerely,

Dwight French
Administrator
Water Right Services

STATE OF OREGON

COUNTY OF DESCHUTES

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JULIE ANN UNDERWOOD
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Issued _____

PROPOSED
Dwight French
Water Right Services Division Administrator, for
Douglas E. Woodcock, Acting Director
Oregon Water Resources Department

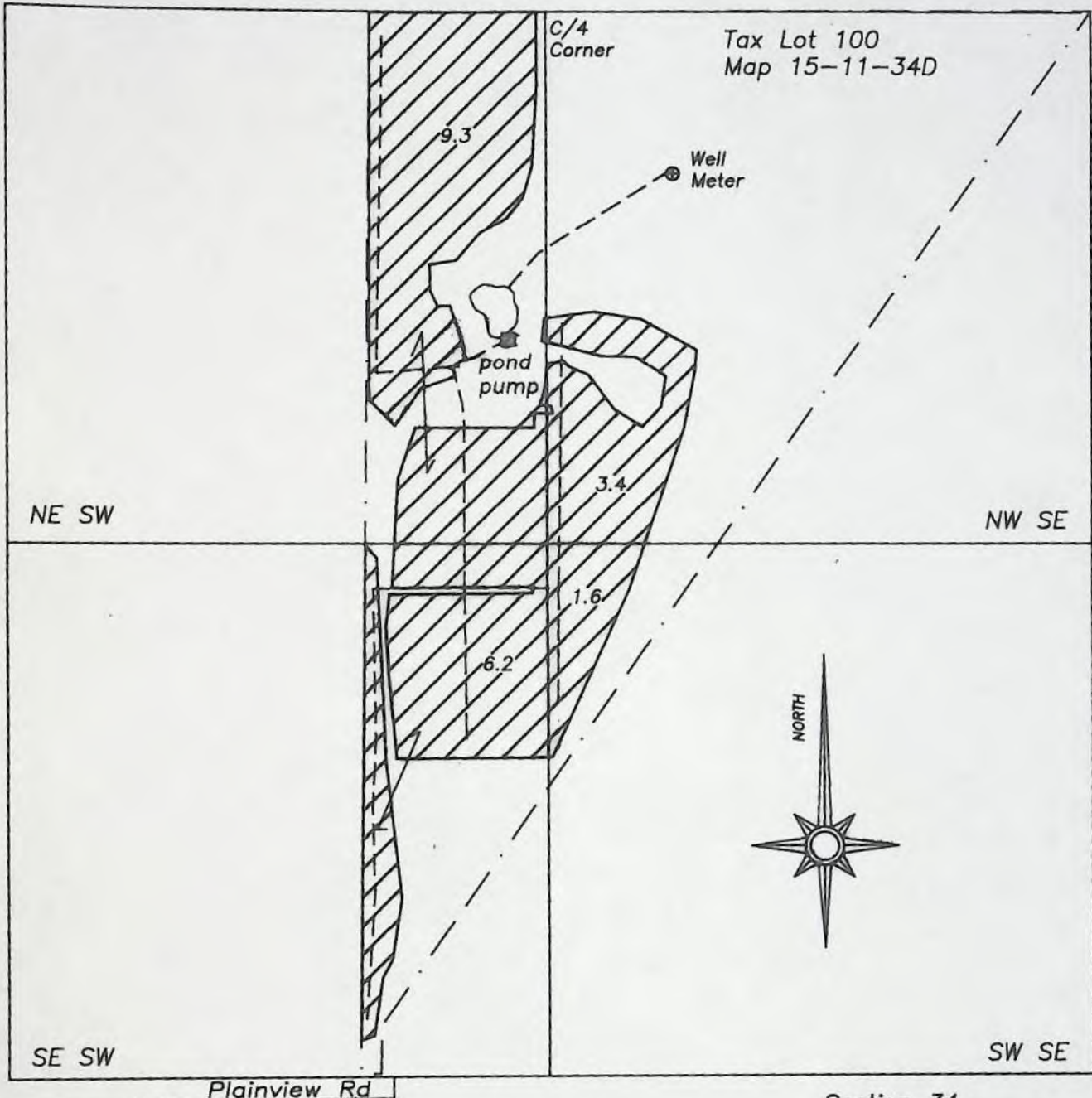
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Application G-14379

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Barbara and Darrell Pieper
Deschutes County, Oregon

964



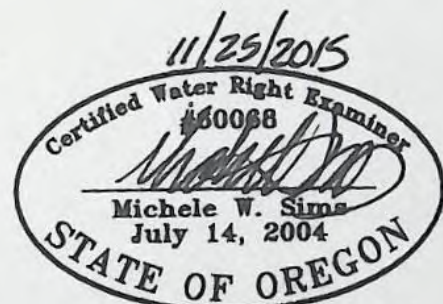
Water beneficially applied under Permit G-13145, priority date 9/23/1996

--- Tax lot boundary

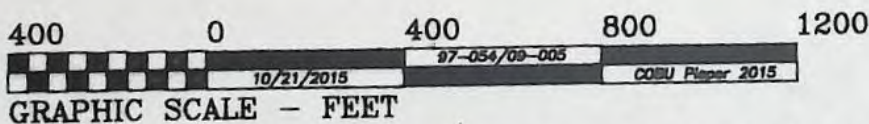
--- Buried mainline

⊕ Well and meter

--- 1/16 Section lines



Renewal date: 6/30/2016



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

Michele W. Sims, Consultant, LLC, Sisters, OR 97759 541-408-4777

964

New
Document done

Last Reviewed Oct. 2021

PERMIT

proposed

MEMO -Proof to Satisfaction

Application # <u>G-14379</u>	Permit # <u>G-13145</u>	Permit Amendment (T-FILE)#
WRD Reviewer (CW) <u>nll</u>	Date <u>2/28/24</u>	
WRD Peer Reviewer (PR) <u>holmes</u>	Date <u>Apr 24</u>	
Related Files:		

CW	PR	RESEARCH
☐	☒	Organize: file in chronological Order; Pull following items from paper file:
		☒ CBU Report/Map ☐ App (Permit) Map ☒ Assignment ☒ Extension ☐ n/a ☐ n/a ☐ n/a ☐ n/a
		☐ Fish Screen Doc ☒ Pump Test ☐ SWL (paper) ☐ Water Use Charts ☐ n/a ☐ n/a ☐ n/a ☐ n/a
		☐ Permit Amendment ☐ n/a
☒	☒	Electronic Application Folder:
		☒ Create CBU folder ☒ Create Work Packet folder
☐	☒	Scan: Above documents into "CBU Folder"
☐	☐	Save other docs electronically: save these in the Work Packet folder per naming conventions
		☒ Permit ☐ Transfer Order ☒ POU Report (conflict) <u>None</u> ☐ Water Use Report ☐ n/a ☐ n/a ☐ n/a ☐ n/a
		☐ SWL (GW) ☒ OrMap Tax Lot Map ☒ Ownership Report ☒ BLM Map ☐ n/a <u>Tax lot 100</u> ☐ n/a ☐ n/a
		☒ PT Approve/Deny ☐ Dam Safety ☐ Mitigation ☐ Others ☐ n/a <u>Rejected</u> ☐ n/a ☐ n/a ☐ n/a
☐	☐	Search :
☒	☐	☒ Interactive Mapper ☒ AOI <u>NONE</u> ☒ Map and TaxLot New Owner & Address:
		Research Comments:

REVIEW OF CLAIM: Comments on Second Page

Required By Permit/Order	Complied Y/N	CONDITIONS	NOTES:
☐ Yes ☐ No ☐ n/a	☐ Y ☐ N	Fish Condition	
☒ Yes ☐ No ☐ n/a	☒ Y ☐ N	Meter/Measuring Device	<u>Mcrometer 2009</u>
☐ Yes ☒ No ☐ n/a	☐ Y ☐ N	Water Use Reporting	<u>May reg.</u>
☒ Yes ☐ No ☐ n/a	☒ Y ☒ N	Pump Test	<u>12/14/2023</u> <u>Rejected</u>
☐ Yes ☐ No ☐ n/a	☐ Y ☐ N	SWL (Month)	
☐ Yes ☐ No ☐ n/a	☐ Y ☐ N	Dam Safety	
☐ Yes ☐ No ☐ n/a	☐ Y ☐ N	Well Id	
☐ Yes ☐ No ☐ n/a	☐ Y ☐ N	Other:	
☐ Yes ☐ No ☐ n/a	☐ Y ☐ N	C-date <u>10/1/2001</u>	Ext C-date <u>10/1/2015</u>

REVIEW OF MAP: ☒ Yes ☐ No is a REVISED Map required? yes

CW	PR	Notes:
☒	☐	Verify POA/POD Location
☒	☐	Verify POU
☒	☐	POU clearly identified use type
☒	☐	DLC/GOV'T LOT <u>NONE</u>

No description of well location on map
CWRE Revised Listing POA as QQ only w/o descript

RUN CAPACITY CALCULATOR AND SAVE CALCS TO APPLICATION FOLDER:

POD/POA PERMIT	POD/POA CLAIM	PERMITTED RATE	CLAIM RATE	CALCULATED RATE	NOTES:
		<u>0.65</u>	<u>0.26</u>		<u>less Acres</u>

40 HP 60 PSI 296 lft = 0.003200 0.757
Turbine 342 lft = 0.073 cfs
CWRE 0.63 ?

DETERMINATION:

CW	PR	DOCUMENT	NOTES:
☐	☐	LETTER FOR CLARIFICATION	
☐	☐	DRAFT (PLEASE EXPLAIN)	
☒	☐	PROPOSED	
☐	☐	FINAL	
☐	☐	PROPOSED ORDER TO CANCEL	

FINAL CHECKS: Review your document; BEFORE printing proposed for Support

CW	PR	DID YOU CHECK?	NOTES:
☐	☐	DATA REVIEW	
		☐ POA/POD/DAM TABLES/DESCRIPTIONS	☐ PLACE OF USE TABLES, INCLUDING ACRES FOR GOV'T LOTS/DLC
☐	☐	SPELL CHECKED DOC	
☐		CERT NUMBER ISSUED	CERT #

EXTRAS: BEFORE Printing your Final Certificate

CW	PR	DID YOU CHECK?	NOTES:
☐	☐	DATA REVIEW COMMENTS	
☐	☐	SPELL CHECKED DOC BEFORE FINAL CERTIFICATE PRINTED	

CASEWORKER REVIEW COMMENTS:

PEER REVIEWER COMMENTS:

IR pasture 0.26 cfs

LS n/a

H₂O pumped from well into a pond. Pond → the distribution lines
take H₂O to pastures, meadows & drip IR system to trees.

Permit 52.8 AC developed 20.5 AC

Pump Pond 7.5HP 60psi 8 - 2 = 0.33 cfs

$$\frac{(7.5)(6.61)}{-2 + 152.4} = 0.33 \text{ cfs}$$

20HP booster pump @ well house to maintain system pressure
 Bulge in system (POND) 0.6 ac ft

Begin 6/18/98 9/1/15 system built meter installed water
 2001 pump test

STATE OF OREGON
COUNTY OF DESCHUTES

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

MR. AND MRS. DARRELL PIEPER
9 CORTE ENCINA
MORAGA, CALIFORNIA 94570

PHONE: (510) 283-9143

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

APPLICATION FILE NUMBER: G-14379

SOURCE OF WATER: A WELL IN THE DESCHUTES RIVER BASIN

PURPOSE OR USE: IRRIGATION OF ^{20.5}~~52.8~~ ACRES AND LIVESTOCK USE @ $\frac{1}{80} = 0.256$

MAXIMUM RATE: ^{0.256}~~0.65~~ CUBIC FOOT PER SECOND (CFS), BEING NO MORE THAN 0.65 CFS FOR IRRIGATION AND NO MORE THAN 0.005 CFS FOR LIVESTOCK USE

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31 FOR IRRIGATION AND YEAR ROUND FOR LIVESTOCK USE

DATE OF PRIORITY: SEPTEMBER 23, 1996

POINT OF DIVERSION LOCATION: NW 1/4 SE 1/4, SECTION 34, T15S, R11E, W.M.; 375 FEET SOUTH AND 500 FEET EAST FROM CENTER 1/4, SECTION 34

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:

NE 1/4 SW 1/4 ~~13.4~~ ACRES 9.3
SE 1/4 SW 1/4 ~~9.4~~ ACRES 6.2
NW 1/4 SE 1/4 ~~27.2~~ ACRES 3.4 AC
SW 1/4 SE 1/4 ~~2.8~~ ACRES 1.6 AC

SECTION 34

TOWNSHIP 15 SOUTH, RANGE 11 EAST, W.M.

Measurement, recording and reporting conditions:

meter
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

Application G-14379 Water Resources Department

PERMIT G-13145

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.

✓ 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.

✓ 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.

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.

Pump test
✓ 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.

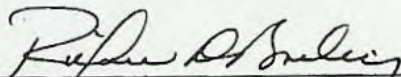
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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 June 18, 1997



for Martha O. Pagel, Director
Water Resources Department

Application G-14379
Basin 05
LKS

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

PERMIT G-13145
District 11

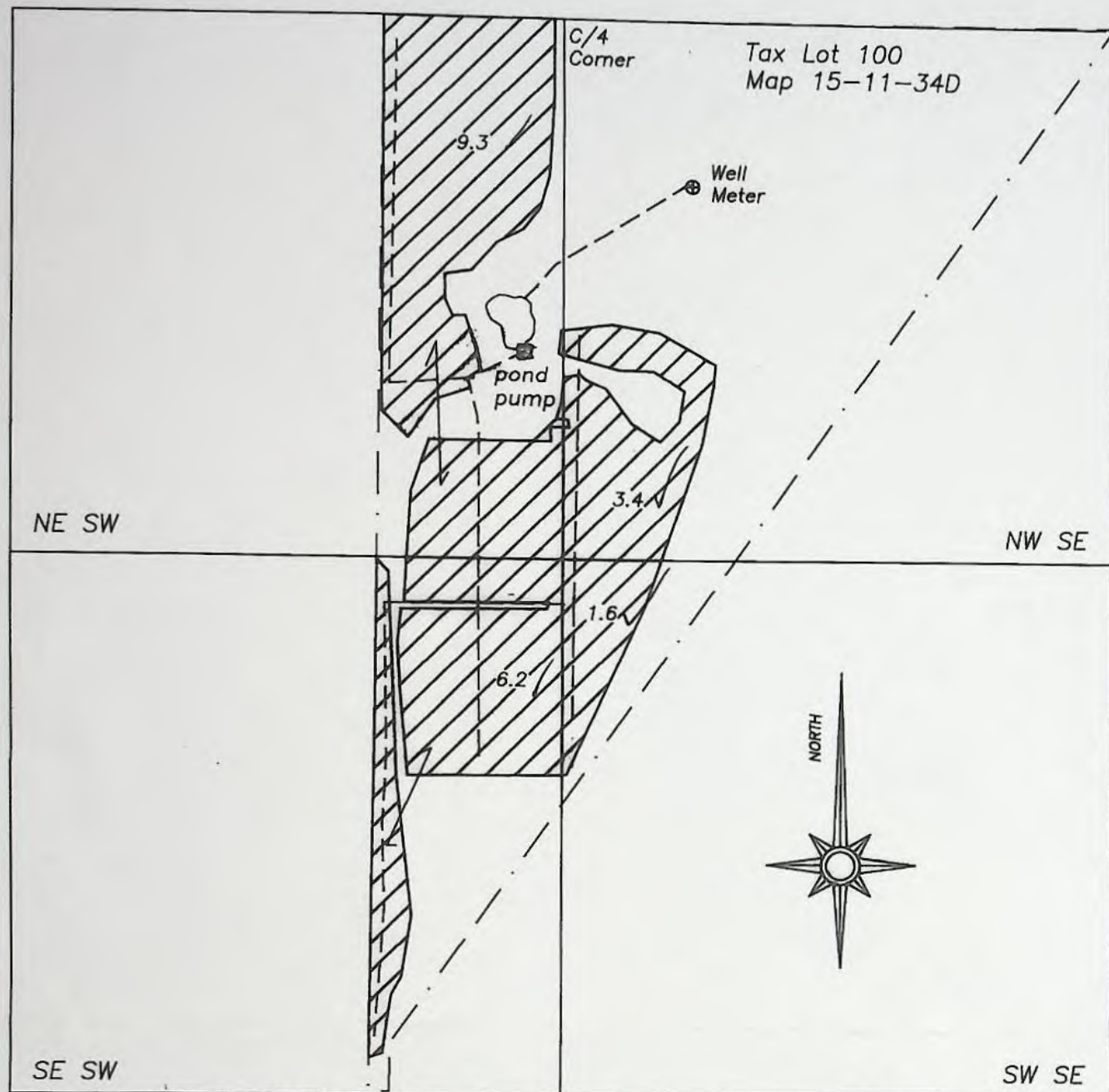
Claim of Beneficial Use

Application G-14379

Permit G-13145

Barbara and Darrell Pieper
Deschutes County, Oregon

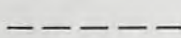
964



Water beneficially applied under Permit
G-13145, priority date 9/23/1996



Tax lot boundary



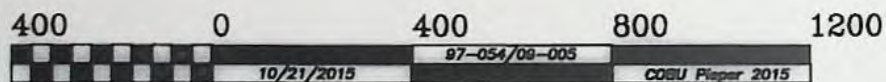
Buried mainline



Well and meter



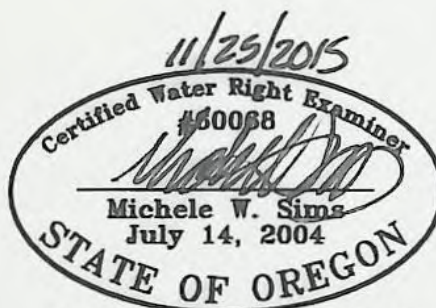
1/16 Section lines



GRAPHIC SCALE - FEET

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

Section 34
T15S, R11E, W.M.
Deschutes County, OR



Renewal date: 6/30/2016

964

*no measurement
to well from known
corner.

Need new map
CWRE Retired
per Gerry
List well in QQ
only.

Michele W. Sims, Consultant, LLC, Sisters, OR 97759 541-408-4777



Oregon

Iina Koteck, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503)986-0900

Fax (503) 986-0904

December 14, 2023

Julie Ann Underwood
PO BOX 7968
BEND, OR 97708

GW

The Department has reviewed the status of your pump test and any requests for extension(s) or exemption(s) for the following permitted well(s). The results are summarized in the following table:

Application	Water Right	Permitted Well	Pumped Well	Test Date	Request Status	Exemption	Well Name
G 14379	Permit: G 13145 *	DESC0051370	DESC0051370	09/07/2001	APPROVED	None	

The test(s) was/were rejected for the following reason(s):

- ☐ The discharge rate was not held constant.
- ☐ The pump was turned off for a portion of the pumping phase.
- ☐ The discharge was not measured at the specified time intervals during the pumping phase of the test.
- ☒ Water levels were not measured to an accuracy of 0.1 feet.
- ☐ Pre-test static water levels or shut in pressures were not measured at the specified intervals.
- ☐ Water levels or shut in pressures were not measured at the specified time intervals during the test.
- ☐ Water levels or shut in pressures were not measured during the recovery phase of the test.
- ☐ Airline measurements are not allowed if the depth to water is less than or equal to 300 feet.
- ☐ Airline or sonic measurements were not verified by an electric tape measurement.
- ☐ Test data and the supporting documentation were not reported on the Department's forms.
- ☐ A graph indicates that the data is probably corrupt.
- ☐ Rising water levels during some or all of the pumping phase of the test indicate that the pumping rate was not held constant or that water-level measurements are inaccurate.

Pump tests are intended to provide aquifer and well information for ground water resource characterization and to help solve well problems (OAR 690-217-0015(9)). A review of the test results indicates that there are one or more deficiencies (listed below) related to the requirements for pump tests outlined in OAR 690-217, however; it is likely that any re-testing would constitute an unreasonable burden on the permittee and would provide data of only marginal value in satisfying the intent of the rules.

- o Water levels were not measured to an accuracy of 0.1 feet

Although this test is being approved for this well on the above listed permit(s), it is unlikely that the approval will carry forward onto any new permits or multiple-well exemption requests. If a new permit is issued for this particular well that requires a pump test or if you wish to request a multiple-well exemption on any other wells using this approved test, you may be denied and will need to perform a new test.

Please contact me if you have any questions.

Sincerely,

Joe Kemper
503-437-5305
Groundwater Section

cc: GW Pump Test File
cc: Certificates Section/Application File



Oregon Water Resources Department PUMP TEST COVER SHEET



Well Owner:
Name Darrell Pieper
Address _____
City, State, Zip _____
County Deschutes

Well Location:
Township 15.5 (N or S), Range 11E (E or W)
Section 34.0 1/4, 1/4, 1/4 NW SE
Well Depth 376' Date Drilled 10/97
Owner's Well No. (if any) _____
POD-ID _____

Water Right Information:

Application No. _____ Permit No. _____ Certificate No. _____
Is this well used for more than one water right? (Y/N) If Yes, fill out numbers below:
App. No. _____ Permit No. _____ Cert. No. _____
App. No. _____ Permit No. _____ Cert. No. _____

Pump Test:

Test conducted by Paul Sloan Well Owner? NO (Y/N)
Company Chadwick Pump & Eng
Address 62967 Lynden Ave Date of Test 9/7/01
City, State, Zip Bend OR 97701

Method of Discharge Measurement Water meter
Method of Water Level Measurement Probe
Depth of Air Line (if used) _____
Pump Type (Turbine, Submersible, etc.) Submersible
Was pump test conducted during normal use of the well Yes (Y/N)

Description of point from which water level was measured Well head
Is measuring point above or below ground level? Above
Distance between measuring point and ground level (correction factor) 18"

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? NO (Y/N) 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 1/4 mile of the tested well? NO (Y/N)
If yes, give approximate distance from the well and approximate elevation difference between the surface water and the well head: Approximate distance _____
Approximate elevation difference _____
Is well elevation above or below the surface water body? _____

Static Water Level Measurements: (Three measurements at least 20 minutes apart are required in the hour before pumping begins):

Time: <u>9:30</u>	Depth to Water: <u>318'</u>	(ft/in)
Time: <u>9:40</u>	Depth to Water: <u>318'</u>	(ft/in)
Time: <u>10:00 AM</u>	Depth to Water: <u>318'</u>	(ft/in)

Discharge Measurements: (A discharge measurement is required at the start of pumping and once an hour during the test):

Time: <u>10:00 AM</u>	Discharge Rate: <u>300</u>	(gpm)
Time: <u>11:00</u>	Discharge Rate: <u>300</u>	(gpm)
Time: <u>12:00</u>	Discharge Rate: <u>300</u>	(gpm)
Time: <u>1:00 PM</u>	Discharge Rate: <u>300</u>	(gpm)
Time: <u>2:00 PM</u>	Discharge Rate: <u>300</u>	(gpm)

Pump turned on: Date: 9/7/01 Time: 10:00 AM Pump turned off: Date: 9/7/01 Time: 2:00 PM
Total pumping time: 4 hours, 0 minutes.

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

OWRD 11/90

SEP-13-09 MON 01:44 PM COLDWELL BANKER REED BRO FAX NO. 15415490171
STATE OF OREGON WATER RESOURCE DEPARTMENT

P. 03.

PUMP TEST DATA SHEET

Page ____ of ____

APPLICATION NO. _____

PERMIT NO. _____

P.O.D.-ID _____

All water level measurements must either be in 1) feet and inches, or 2) feet and decimal fractions. (Circle one)

DRAWDOWN DATA

RECOVERY DATA

DATE	TIME	TIME SINCE PUMP STARTED (minutes)	DEPTH TO WATER FROM MEASURING PT	CORRECTION FACTOR	DEPTH TO WATER FROM GROUND LEVEL	COMMENTS	DATE	TIME	TIME SINCE PUMP STOPPED (minutes)	DEPTH TO WATER FROM MEASURING PT	CORRECTION FACTOR	DEPTH TO WATER FROM GROUND LEVEL	COMMENTS
9/1/09	9:30		31.9	18"	318'		9/1/09	2:00		324.6	18"	323	
	9:40			18"	318			2:02		324.6		323	
	10:00			18"	318			2:04		323.6		321	
	10:02		320.6		319			2:06		322.6		319	
	10:04		320.6		319			2:08		320.6		319	
	10:06		320.6		321			2:10		319.6		318	
	10:08		324.6		323			2:15				318	
	10:10				323			2:20				318	
	10:15				323								
	10:20				323								
	10:25				323								
	10:30				323								
	10:35												
	10:40												
	10:45												
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	11:45												
	12:00												
	12:15												
	12:30												
	12:45												
	1:00												
	1:15												
	1:30												
	1:45												
	2:00												

RECEIVED BY OWRD

- OWRD 10/30

DEC 14 2015

SALEM, OR

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **138953**

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

INVOICE # _____

RECEIVED FROM: Julie A Underwood

BY: _____

APPLICATION	6-14379
PERMIT	
TRANSFER	

CASH: ☐ CHECK:# ☒ 3161 OTHER: (IDENTIFY) ☐ _____

TOTAL REC'D \$ 120.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES \$ _____
 _____ OTHER: (IDENTIFY) _____ \$ _____
 0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS

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

WATER RIGHTS:

	EXAM FEE		RECORD FEE
0201 SURFACE WATER	\$ _____	0202	\$ _____
0203 GROUND WATER	\$ _____	0204	\$ _____
0205 TRANSFER	\$ _____		

WELL CONSTRUCTION

	EXAM FEE		LICENSE FEE
0218 WELL DRILL CONSTRUCTOR	\$ _____	0219	\$ _____
LANDOWNER'S PERMIT		0220	\$ _____

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: **138953**

DATED: 8-19-2022 BY: [Signature]



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

August 23, 2022

Julie Ann Underwood
PO Box 7968
Bend, OR 97708

Reference: Application G-14379, Permit G-13145

The assignment from Mr. and Mrs. Darrell Pieper to Julie Ann Underwood has been recorded in the records of the Water Resources Department.

The Departments records will now show Julie Ann Underwood as the permit holder of record.

Our records have been changed accordingly and the original request is enclosed. Receipt number 138953 covering the recording fee is also enclosed.

A permit is not a perfected water right, and has conditions and timelines that must be satisfied prior to a Certificate of Water Right being issued. Please review the permit to be familiar with the conditions and timelines contained in the permit.

Please note that this permit required complete application of water to the proposed use by October 1, 2015, and within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

A Claim of Beneficial Use was received by the Department on December 14, 2015, and is currently pending review.

Sincerely,

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

Enclosure: Original Request and Receipt #138953

cc: Mr. & Mrs. Darrell Pieper – PO Box 2170, Sisters, OR 97759
Data Center, OWRD (cover letter & request)
File



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

Request for Assignment

RECEIVE

AUG 19 2021

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, DARRELL R. PIEPER BARBARA B. PIEPER
(Name of Current Holder of Record)
PO Box 2170 SISTERS OR 97759 541.390.8895
(Mailing Address) (City) (State) (Zip) (Phone #)

- ☒ hereby assign all my interest in and to the entire application/permit/transfer/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/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/limited license/groundwater statement; (example, adding an additional person)

Application # G-14379; Permit # G-13145; Transfer # _____;

Limited License # _____; Groundwater Statement # _____;

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

Julie Ann Underwood

(Name of New Owner) P.O. Box 7968, Bend, Oregon 97708 (541) 241-0599
(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 _____.

X 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 for Assignment.

Witness my hand this 18th day of April, 20 21.
(Day) (Month) (Year)

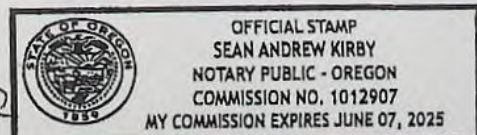
Signature of Current Holder of Record Darrell R Pieper Barbara B. Pieper 8/18/2022

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 # 138953
For Director by Mary F. Bjork, Program Analyst in Water Rights Division. MBB

The completed "Request for Assignment" form must be submitted to the Department along with the recording fee of \$100.

Last updated: September 18, 2017 Request for Assignment
Verified this 18th day of April, 2022
Notary Public M. E. G.



Assign - Approve
WXB 8-23-2022



Oregon

Kate Brown, Governor

RECEIVED

AUG 19 2022

OWRD

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

June 13, 2022

Julie Ann Underwood
PO Box 7968
Bend, OR 97708

Reference: Application G-14379, Permit G-13145

The requested assignment from Darrell R. Pieper to Julie Ann Underwood cannot be performed at this time for the following reasons.

The Request for Assignment must be signed by the permit holder(s) of record or proof of ownership must be provided. The permit holders of record are Mr. and Mrs. Darrell Pieper. The Request for Assignment was only signed by Darrell R. Pieper, and is missing a signature for Mrs. Darrell Pieper.

Additionally, the form submitted is outdated and lists an outdated fee. As of July 1, 2021, the fee for a Request for Assignment is \$120.

Please return the Request with the required items so that the Department may process it in a timely manner.

Should you have any questions, please contact me at 503-979-9895 or mary.f.bjork@water.oregon.gov.

Sincerely,

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

Enclosures: Original Request and Fee

cc: File



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

Request for Assignment

RECEIVED

AUG 1 2022

OWRD

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I, DARRELL R. PIEPER
(Name of Current Holder of Record)
P.O. Box 2170 SISTERS OR 97759 541-390-8895
(Mailing Address) (City) (State) (Zip) (Phone #)

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Application # G-14379; Permit # G-13145; Transfer # _____;
Limited License # _____; Groundwater Statement # _____;

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

Julie Ann Underwood

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Witness my hand this 18th day of April, 20 21
(Day) (Month) (Year)

Signature of Current Holder of Record

Darrell R Pieper

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

DO NOT WRITE IN THIS BOX



The completed "Request for Assignment" form must be submitted to the Department along with the recording fee of \$100.

Last updated: September 18, 2017

Request for Assignment

Verified this 18th day of April, 2022
notary Public Mr. E. G.



OFFICIAL STAMP
SEAN ANDREW KIRBY
NOTARY PUBLIC - OREGON
COMMISSION NO. 1012907
MY COMMISSION EXPIRES JUNE 07, 2025

Julie Underwood
P.O. Box 7968
Bend OR 97708

F

USPS FIRST

OR Water
SHIP TO: 725 S.
SALEM OR 97301

Mary F. Bjork
OR Water Resources
725 Summer Street NE
Salem OR 97301



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

June 13, 2022

Julie Ann Underwood
PO Box 7968
Bend, OR 97708

Reference: Application G-14379, Permit G-13145

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Sincerely,

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

Enclosures: Original Request and Fee

cc: File





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

Request for Assignment

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

Application # G-14379; Permit # G-13145; Transfer # _____

Limited License # _____; Groundwater Statement # _____

RECEIVED

JUN 02 2022

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

Julie Ann Underwood

OWRD

(Name of New Owner) P.O. Box 7968, Bend, Oregon 97708 (541) 241-0599
(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 18th day of April, 2021.
(Day) (Month) (Year)

Signature of Current Holder of Record Darrell R Pieper

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

DO NOT WRITE IN THIS BOX

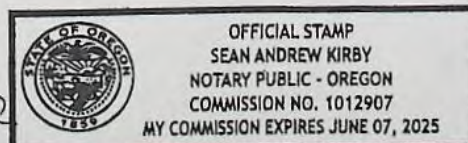


The completed "Request for Assignment" form *must* be submitted to the Department along with the recording fee of \$100.

Last updated: September 18, 2017

Request for Assignment

Verified this 18th day of April, 2021
notary Public M. E. L.



VR

Julie Underwood
P.O. Box 7968
Bend OR 97708

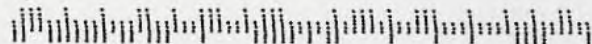
PORTLAND OR 972

31 MAY 2022 PM 2 L



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

97301-126673



Application # G 14379
Date Received 12/14/15
CWRE Name Michele Sims
File Marked _____
Oversized Map # 964
Reviewer C.U.

Transfer # _____

Claim Logged yes

Map Review:

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

Report Review:

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

DEF = deficient

N/A = Not Applicable

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

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

Check Area of Interest ☐ YES ☐ NO

Identified Party _____

Staff Recommendations:

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

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

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

Proposed Actions:

Send letter requesting the following items/information: _____

_____ Send letter recommending extension to cure deficiencies: _____

Can certificate be processed further?

_____ Yes

If "Yes":

_____ Proposed

_____ Final

Certificate # _____

Mailing list:

Proposed:

Final:

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



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

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

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

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

A separate form shall be completed for each permit.

In cases where a permit has been amended through the permit amendment process, a separate claim for the permit amendment is not required. Incorporate the permit amendment into the claim for the permit.

This form is subject to revision. **Begin each new claim** by checking for a new version of this form at:
http://www.oregon.gov/owrd/pages/wr/cwre_info.aspx

The completion of this form is required by OAR 690-014-0100(1) and 690-014-0110(4).

Please type or print in dark ink. If this form is found to contain errors or omissions, it may be returned to you. **Every item must have a response.** If any requested information does not apply to the claim, insert "NA." **Do not delete or alter any section of this form unless directed by the form.** The Department may require the submittal of additional information from any water user or authorized agent.

"Section 8" of this form is intended to aid in the completion of this form and should not be submitted.

If you have questions regarding the completion of this form, please call 503-986-0900 and ask for the Certificate Section.

The Department has a program that allows it to enter into a voluntary agreement with an applicant for expedited services. Under such an agreement, the applicant pays the cost to hire additional staff that would not otherwise be available. This program means a certificate may be issued in about a month. For more information on this program see
http://www.oregon.gov/owrd/pages/mgmt_reimbursement_authority.aspx

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**SECTION 1
GENERAL INFORMATION**

SALEM, OR

1. File Information

APPLICATION # (G, R, S or T)	PERMIT # (IF APPLICABLE)	PERMIT AMENDMENT # (IF APPLICABLE)
G-14379	G-13145	

2. Property Owner (current owner information)

APPLICANT/BUSINESS NAME Barbara and Darrell Pieper		PHONE NO. 541-317-4623	ADDITIONAL CONTACT NO.
ADDRESS POB 2170			
CITY Sisters	STATE OR	ZIP 97759	E-MAIL

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

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

PERMIT OR TRANSFER HOLDER OF RECORD same		
ADDRESS		
CITY	STATE	ZIP

ADDITIONAL PERMIT OR TRANSFER HOLDER OF RECORD na		
ADDRESS		
CITY	STATE	ZIP

4. Date of Site Inspection: **09/17/15**

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

NAME	DATE	ASSOCIATION WITH THE PROJECT
Barbara Pieper	09/17/15	landowner
Darrell Pieper	09/17/15	landowner

6. County: **Deschutes**

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

OWNER OF RECORD NA		
ADDRESS		
CITY	STATE	ZIP

Add additional tables for owners of record as needed

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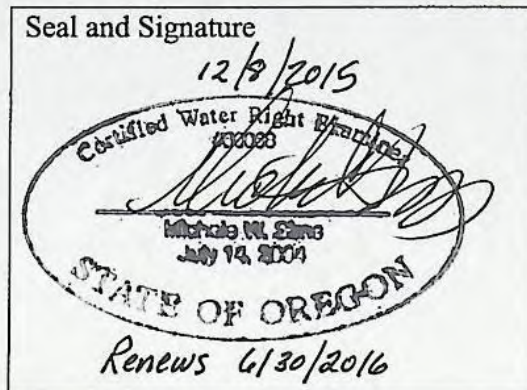
SALEM, OR

WR

SECTION 2 SIGNATURES

CWRE Statement, Seal and Signature

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



CWRE NAME Michele Wright Sims		PHONE No. 541-408-4777	ADDITIONAL CONTACT No.
ADDRESS 14865 Checkrein			
CITY Sisters	STATE OR	ZIP 97759	E-MAIL sims.mw@gmail.com

Permit or Transfer Holder's of Record Signature or Acknowledgement

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

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

SIGNATURE	PRINT OR TYPE NAME	TITLE	DATE
<i>Darrell R Pieper</i>	DARRELL R PIEPER	OWNER	12/8/2015
<i>Barbara B Pieper</i>	BARBARA B. PIEPER	Owner	12/8/2015

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SECTION 2 SIGNATURES

CWRE Statement, Seal and Signature

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

Seal and Signature

CWRE NAME Michele Wright Sims		PHONE No. 541-408-4777	ADDITIONAL CONTACT No.
ADDRESS 14865 Checkrein			
CITY Sisters	STATE OR	ZIP 97759	E-MAIL sims.mw@gmail.com

Permit or Transfer Holder's of Record Signature or Acknowledgement

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

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

SIGNATURE	PRINT OR TYPE NAME	TITLE	DATE
		RECEIVED BY OWRD	

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SECTION 3

CLAIM DESCRIPTION

1. Point of diversion/appropriation name or number:

POINT OF DIVERSION/APPROPRIATION (POD/POA) NAME OR NUMBER (CORRESPOND TO MAP)	WELL LOG ID # FOR ALL WORK PERFORMED ON THE WELL (IF APPLICABLE)	WELL TAG # (IF APPLICABLE)
Well	9520	

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

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

POD/POA NAME OR NUMBER	SOURCE	TRIBUTARY
Well	Deschutes River basin	

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

POD/POA NAME OR NUMBER	USES	IF IRRIGATION, LIST CROP TYPE	SEASON OR MONTHS WHEN WATER WAS USED	ACTUAL RATE OR VOLUME USED (CFS, GPM, OR AF)
Well	IR	pasture	3/1 to 10/31	0.26 cfs
	livestock		All year	na
Total Quantity of Water Used				0.26 cfs

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

Water is pumped from well into a pond. From pond, the distribution lines take water to pastures, meadows and drip irrigation system for trees.

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

5. Variations:

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

(e.g. "The permit allowed three points of diversion. The water user only developed one of the points." or "The permit allowed 40.0 acres of irrigation. The water user only developed 10.0 acres.")

The permit was for 52.8 acres of irrigation. The water user developed 20.5 acres.

6. Claim Summary:

POD / POA NAME OR #	MAXIMUM RATE AUTHORIZED	CALCULATED THEORETICAL RATE BASED ON SYSTEM	AMOUNT OF WATER MEASURED	USE	# OF ACRES ALLOWED	# OF ACRES DEVELOPED
Well	0.65 cfs	0.63 cfs	na	IR	52.8	20.5

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SECTION 4

SYSTEM DESCRIPTION

Are there multiple PODs or POAs?

NO

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

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

Well

A. Place of Use

1. Is the right for municipal use?

NO

TWP	RNG	MER	SEC	QQ	GLot	DLC	USE	IF IRRIGATION, # PRIMARY ACRES	IF IRRIGATION, # SUPPLEMENTAL ACRES
15 S	11 E	WM	34	NW SE				3.4	NA
				SW SE				1.6	
				NE SW				9.3	
				SE SW				6.2	
Total Acres Irrigated								20.5	NA

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

B. Diversion and Delivery System Information

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

1. Is a pump used?

YES

2. Pump Information Well Pump

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE
unknown		9A10	turbine		4"

3. Motor Information

MANUFACTURER	HORSEPOWER
Baldor	40

4. Theoretical Pump Capacity

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP *If a well, the water level during pumping	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
40	60	319'	-23'	0.63 cfs

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5. Provide pump calculations:

$$Q = \frac{(40\text{hp})(7.04)}{319' + (-23') + 152.4'} = 0.63 \text{ cfs}$$

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

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

2. Pump Information **Pond Pump**

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE
Baldor	B1 1/2 TPMS	7769	centrifugal	4"	4"

3. Motor Information

MANUFACTURER	HORSEPOWER
Baldor	7.5

4. Theoretical Pump Capacity

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP *If A WELL, THE WATER LEVEL DURING PUMPING	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
7.5	60	8'	-2	0.33 cfs

5. Provide pump calculations:

$$Q = \frac{(7.5 \text{ hp})(6.61)}{-2 + 152.4} = 0.33 \text{ cfs}$$

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6. Measured Pump Capacity (using meter if meter was present and system was operating) **SALEM, OR**

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

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

7. Is the distribution system piped?

YES

8. Mainline Information

MAINLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
4"	1800'	PVC	buried
3"	2100'	PVC	buried

9. Lateral or Handline Information

LATERAL OR HANDLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
2" and 1 1/2"	4150'	PVC	buried
1/2"	1060'	Flexible plastic	Buried/above

10. Sprinkler Information

SIZE	OPERATING PSI	SPRINKLER OUTPUT (GPM)	TOTAL NUMBER OF SPRINKLERS	MAXIMUM NUMBER USED	TOTAL SPRINKLER OUTPUT (CFS)
Falcon 6504	50	9.1	244	12	4.94 cfs
Dripline emitters	50	0.08	131	131	0.02 cfs

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

11. Pivot Information

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

12. Additional notes or comments related to the system:

20 hp booster pump at well house to maintain system pressure

C. Groundwater Source Information (Well and Sump)

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

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

Well

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

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

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

DESC 51370

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

D. Storage

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

YES

2.

If "YES" is it a: Storage Tank

Bulge in System / Reservoir

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NO

YES

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2. Storage Tank:

MATERIAL (CONCRETE, FIBERGLASS, METAL, ETC.)	CAPACITY (IN GALLONS)	ABOVE GROUND OR BURIED
NA		

3. Bulge in System / Reservoir:

RESERVOIR NAME OR NUMBER (CORRESPOND TO MAP)	APPROXIMATE DAM HEIGHT	APPROXIMATE CAPACITY (IN ACRE FEET)
Pond	NA	0.6 ac ft

E. Gravity Flow Pipe

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

1. Does the system involve a gravity flow pipe?

NO

F. Gravity Flow Canal or Ditch

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

1. Is a gravity flow canal or ditch used to convey the water as part of the distribution system?

NO

G. Reservoir

1. Does the claim involve a reservoir modified through a transfer?

NO

SECTION 5

CONDITIONS

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

1. Time Limits:

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

	DATE FROM PERMIT OR TRANSFER	DATE ACCOMPLISHED*	DESCRIPTION OF ACTIONS TAKEN BY WATER USER TO COMPLY WITH THE TIME LIMITS
ISSUANCE DATE	06/18/97		
BEGIN CONSTRUCTION (A)	06/18/98		
COMPLETE CONSTRUCTION (B)	na		
COMPLETE APPLICATION OF WATER (C)	10/1/2001 10/1/2015 (ext)	09/01/15	System built, meter installed, water applied to all areas. Pump test completed in 2001.

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

2. Is there an extension final order(s)?

YES

3. If for a transfer extension order, provide the following information:

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VOLUME	PAGE	DATE EXTENDED TO
12/29/09		10/01/15

4. Initial Water Level Measurements:

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

5. Annual Static Water Level Measurements:

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

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

a. Did the permit require the submittal of a pump test? YES

b. Has the pump test been previously submitted to the Department? NO

c. Is the pump test attached to this claim? YES

d. Has the pump test been approved by the Department? NO

e. Has a pump test exemption been approved by the Department? NO

**** Claims will not be reviewed until a pump test or exemption has been approved by the Department**

7. Measurement Conditions:

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

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

b. Has a meter been installed? YES

c. Meter Information

POD/POA NAME OR #	MANUFACTURER	SERIAL #	CONDITION (WORKING OR NOT)	CURRENT METER READING	DATE INSTALLED
Well	McCrometer		working	636628	2009

8. Recording and reporting conditions

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

9. Fish Screening

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

10. By-pass Devices

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

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

a. Were there special well construction standards? NO

b. Was submittal of a ground water monitoring plan required? NO

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SALEM, OR

- c. Was the water user required to restore the riparian area if it was disturbed? NO
- d. Was a fishway required? NO
- e. Was submittal of a letter from an engineer required prior to storage of water? NO
- f. Was submittal of a water management and conservation plan required? NO
- g. Other conditions? NO

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

NA

SECTION 6 ATTACHMENTS

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

ATTACHMENT NAME	DESCRIPTION
Well log	DESC 51370
Pump test	Dated 9/7/2001

SECTION 7 CLAIM OF BENEFICIAL USE MAP

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

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

Mapped with Geodimeter 600+ total station. Also used aerial photo from GoogleEarth, image date 7/2014.

Map Checklist

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

DEC 14 2015

SALEM, OR

- ☒ Map on polyester film
- ☒ Appropriate scale (1" = 400 feet, 1" = 1320 feet, or the original full-size scale of the county assessor map)
- ☒ Township, Range, Section, Donation Land Claims, and Government Lots
- ☒ If irrigation, number of acres irrigated within each projected Donation Land Claims, Government Lots, Quarter-Quarters

- ☐ Locations of fish screens and/or fish by-pass devices in relationship to point of diversion
- ☒ Locations of meters and/or measuring devices in relationship to point of diversion or appropriation
- ☒ Conveyance structures illustrated (pumps, reservoirs, pipelines, ditches, etc.)
- ☒ Point(s) of diversion or appropriation (illustrated and coordinates)
- ☒ Tax lot boundaries and numbers
- ☐ Source illustrated if surface water
- ☒ Disclaimer ("This map is not intended to provide legal dimensions or locations of property ownership lines")
- ☒ Application and permit number or transfer number
- ☒ North arrow
- ☒ Legend
- ☒ CWRE stamp and signature

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SALEM, OR

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

WELL I.D.# 9520

OCT 27 1997

102249

WATER RESOURCES DEPT.
SALEM, OREGON

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

(1) OWNER:

Well Number _____

Name Darrell Piper
Address P.O. Box 6687
City Moraga Ca 94570 State Ca Zip 94570

(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 376 ft.
Explosives used ☐ Yes ☒ No Type _____ Amount _____

HOLE

SEAL

Diameter From To Material From To Sacks or pounds
14" 0 48 1/2 Bentonite 0 48 1/2 170 sks

10" -48 1/2 376

How was seal placed: Method ☐ A ☐ B ☐ C ☐ D ☐ E
☒ Other poured

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: 10"	+1 1/2	48 1/2	.250	☒	☐	☒	☐
				☐	☐	☐	☐
				☐	☐	☐	☐
Liner: 8"	-16'	376'		☒	☐	☒	☐
				☐	☐	☐	☐

Final location of shoe(s) _____

(7) PERFORATIONS/SCREENS:

☒ Perforations Method factory double row

☐ Screens Type _____ Material _____

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
356'	376'	1/8x3/16"	640	8"		☐	☒
						☐	☐
						☐	☐
						☐	☐

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

☐ Pump ☐ Bailer ☒ Air ☐ Flowing
Yield gal/min 300+ Drawdown unknown Drill stem at 376 Time 1 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: _____

(9) LOCATION OF WELL by legal description:

County Deschutes Latitude _____ Longitude _____
Township 15S N or S Range 11E E or W. WM.
Section 34D NW 1/4 SE 1/4
Tax Lot 100 Lot _____ Block _____ Subdivision _____
Street Address of Well (or nearest address) Plainview Rd.

(10) STATIC WATER LEVEL:

319' ft. below land surface. Date 10-10-97

Artesian pressure _____ lb. per square inch. Date _____

(11) WATER BEARING ZONES:

Depth at which water was first found 319'

From	To	Estimated Flow Rate	SWL
319'	376'	300+	319'

(12) WELL LOG:

Ground Elevation _____

Material	From	To	SWL
sandy top soil	0	6'	
sand, gravel blds	6'	28'	
large blds n.r.	28'	34'	
blds soft n.r.	34'	42'	
hard gray lava	42'	80'	
soft n.r.	80'	106'	
coarse brwn congl	106'	119'	
fact gray lava	119'	166'	
3 yds cement			
red cinders	166'	190'	
brkn rock congl	190'	219'	
brkn gray lava	219'	230'	
hard gray lava	230'	252'	
brkn gray lava	252'	263'	
red cinder congl	263'	291'	
brkn rock congl	291'	327'	W.B.
brwn coarse congl	327'	376'	319'

Date started 10-6-97 Completed 10-13-97

(unbonded) Water Well Constructor Certification:

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

WWC Number _____

Signed _____

Date _____

(bonded) Water Well Constructor Certification:

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

WWC Number 1658Signed SalvadorDate 10-15-97

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



Oregon

Kate Brown, Governor

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

December 17, 2015

Darrell Pieper
PO Box 2170
Sisters OR 97759

On December 14, 2015, the Water Resources Department received the Claim of Beneficial Use (COBU) for the following file(s):

Application G-14379 Permit G-13145

The COBU included a report and map. In the future the Department will review your submittal. At that time we will review these items and provide a final certificate, proposed certificate, or a request for additional information.

If you are interested in having your COBU reviewed sooner, you may pay to have your file processed immediately, using the Reimbursement Authority program, which is described at: http://www.wrd.state.or.us/OWRD/mgmt_reimbursement_authority.shtml

Customer Service phone: (503) 986-0801

If you sell the property, please contact the Department, or have the new owners contact the Department about the need to file an assignment.

Cc: file

Oregon Water Resources Department
Water Rights Division



Water Rights Application
Number G-14379

Final Order
Extension of Time for Permit Number G-13145

Appeal Rights

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

Application History

Permit G-13145 was issued by the Department on June 18, 1997. The permit called for complete application of water to beneficial use by October 1, 2001. On April 16, 2009 Darrell Pieper submitted to the Department an Application for Extension of Time for Permit G-13145. In accordance with OAR 690-315-0050(2), on November 3, 2009 the Department issued a Proposed Final Order proposing to extend the time to apply water to full beneficial use to October 1, 2015. The protest period closed December 18, 2009 in accordance with OAR 690-315-0060(1). No protest was filed.

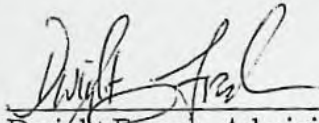
At time of issuance of the Proposed Final Order the Department concluded that, based on the factors demonstrated by the applicant, the permit may be extended subject to no additional conditions.

The applicant has demonstrated good cause for the permit extension pursuant to ORS 537.630, 539.010(5) and OAR 690-315-0040(2).

Order

The extension of time for Application G-14379, Permit G-13145, therefore, is approved.
The deadline for applying water to full beneficial use is extended to October 1, 2015.

DATED: December 29, 2009



Dwight French, Administrator of
Water Rights and Adjudications
for
Phillip C. Ward, Director

-
- If you have any questions about statements contained in this document, please contact Scott Kudlemyer at (503) 986-0813.
 - If you have other questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at (503) 986-0900
-

Mailing List for Extension FO Copies

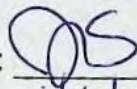
Note: Include a copy of the "Important Notice" document along with the original copy of the Final Order being sent to the permit holder.

FO Date: December 29, 2009

Copies Mailed

Application G-14379

Permit G-13145

By: 
On: 1/6/10

Original mailed to permit holder

Mr. and Mrs. Darrell Pieper
PO Box 2170
Sisters, OR 97759

Copies sent to:

1. WRD - App. File G-14379/ Permit G-13145
2. WRD - Watermaster District 11, Jeremy Giffin
- ~~3. WRD - Support Staff, Salem~~

Fee paid as specified under ORS 536.050 to receive copy:

4. None

Receiving via e-mail (10 AM day of signature date)

5. None

CASEWORKER: SBK

**Oregon Water Resources Department
Water Rights Division**



Application for Extension of Time

In the Matter of the Application for an Extension of Time)
for Permit G-13145, Water Right Application G-14379)
in the name of Mr. and Mrs. Darrell Pieper.)
PROPOSED FINAL ORDER

Permit Information

Application File G-14379 Permit G-13145

Basin: 5 – Deschutes / Watermaster District 11

Date of Priority: September 23, 1996

Authorized Use of Water

Source of Water: One well within the Deschutes River Basin

Purpose of Use: Irrigation of 52.8 Acres

Maximum Rate: 0.65 cfs Cubic Feet per Second (cfs)

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

Please read this Proposed Final Order in its entirety.

This Proposed Final Order applies only to Permit G-13145, water right Application G-14379.
A copy of Permit G-13145 is enclosed as Attachment 1.

Summary of Proposed Final Order for Extension of Time

The Department proposes to:

- Grant an extension of time to apply water to full beneficial use from October 1, 2010 to October 1, 2015.

ACRONYM QUICK REFERENCE

Department – Oregon Department of Water Resources
PFO – Proposed Final Order

Units of Measure

cfs – cubic feet per second
gpm – gallons per minute

AUTHORITY

Generally, see ORS 537.630 and OAR Chapter 690 Division 315.

ORS 537.630(1) provide in pertinent part that the Oregon Water Resources Department (Department) may, for good cause shown, order an extension of time within which: irrigation or other works shall be completed; the well or other means of developing and securing ground water shall be completed; or the right perfected. In determining the extension, the Department shall give due weight to the considerations described under ORS 539.010(5) and to whether other governmental requirements relating to the project have significantly delayed completion of construction or perfection of the right.

ORS 539.010(5) provides in pertinent part that the Water Resources Director, for good cause shown, may extend the time within which the full amount of the water appropriated shall be applied to a beneficial use. This statute instructs the Director to consider: the cost of the appropriation and application of the water to a beneficial purpose; the good faith of the appropriator; the market for water or power to be supplied; the present demands therefore; and the income or use that may be required to provide fair and reasonable returns upon the investment.

OAR 690-315-0040 provides in pertinent part that the Water Resources Department shall make findings to determine if an extension of time may be approved to complete construction and/or apply water to full beneficial use.

FINDINGS OF FACT

Background

1. Permit G-13145 was granted by the Department on June 18, 1997. The permit authorizes the use of up to 0.65 cfs of water, being no more than 0.65 cfs for irrigation of 52.8 acres and no more than 0.005 cfs for livestock use, from one well in the Deschutes River Basin. The permit specified complete application of water was to be made on or before October 1, 2001.
2. One prior permit extensions have been granted for Permit G-13145. The most recent extension request resulted in the completion dates for construction and full application of water being extended from October 1, 2001 to October 1, 2010.
3. The permit holder submitted an "Application for Extension of Time" to the Department on April 16, 2009 requesting the time to apply water to full beneficial use under the terms and conditions of Permit G-13145 be extended from October 1, 2010 to October 1, 2015.
4. Notification of the Application for Extension of Time for Permit G-13145 was published in the Department's Public Notice dated April 28, 2009. No public comments were received regarding the extension application.

Review Criteria [OAR 690-315-0040]

The time limits to complete construction and/or apply water to full beneficial use may be extended if the Department finds that the permit holder has met the requirements set forth under OAR 690-315-0040. This determination shall consider the applicable requirements of ORS 537.230¹, 537.248², 537.630³ and/or 539.010(5)⁴.

Complete Extension of Time Application [OAR 690-315-0040(1)(a)]

5. On April 16, 2009 the Department received a completed Application for Extension of Time and the fee specified in ORS 536.050 from the permit holder.

Start of Construction [OAR 690-315-0040(1)(b) and 690-315-0040(5)]

6. Actual construction of the well began prior to the June 18, 1998 deadline specified in the permit.

Duration of Extension [OAR 690-315-0040(1)(c)]

Under OAR 690-315-0040(1)(c), in order to approve an extension of time for water use permits the Department must find that the time requested is reasonable and the applicant can complete the project within the time requested.

¹ORS 537.230 applies to surface water permits only.

²ORS 537.248 applies to reservoir permits only.

³ORS 537.630 applies to ground water permits only.

⁴ORS 539.010(5) applies to surface water and ground water permits.

7. As of April 16, 2009 the remaining work to complete consists of installing 2000 ft of underground waterlines, 3000 ft of moveable four inch water supply lines and hand lines and applying water to full beneficial use.
8. Given the amount of development left to occur, the Department has determined that the permit holder's request to have until October 1, 2015, to accomplish the application of water to beneficial use under the terms and conditions of Permit G-13145 is both reasonable and necessary.

Good Cause [OAR 690-315-0040(1)(d)]

The Department's determination of good cause shall consider the requirements set forth under OAR 690-315-0040(2).

Reasonable Diligence of the Appropriator [OAR 690-315-0040(2)(a)]

The Department's determination of reasonable diligence shall consider the requirements set forth under OAR 690-315-0040(3)(a-d). In accordance with OAR 690-315-0040(3), the Department shall consider, but is not limited to, the following factors when determining whether the applicant has demonstrated reasonable diligence in previous performance under the permit:

Amount of Construction [OAR 690-315-0040(3)(a)]

9. Work was accomplished within the time allowed in the permit or previous extension as follows:
 - a. Construction of the well and water system began prior to the June 18, 1998 deadline specified in the permit.
 - b. Work was completed (specified in the Application for an Extension of Time) during the original development time frame under Permit G-13145.
 - c. During the most recent extension period, from October 1, 2001 to current, the drip irrigation system for all planted trees and shrubs was installed.

Beneficial Use of Water [OAR 690-315-0040(3)(b)]

10. The following beneficial use of water was made during the permit or previous extension time limits:
 - a. Since the issuance of Permit G-13145 on June 18, 1997, a maximum rate of 0.65 cfs of water has been appropriated from the well for irrigation of 8.0 acres and livestock use.
 - b. Delay of full beneficial use of water under Permit G-13145 was due, in part, to capital resources being redirected to increase the Alpaca herd and a drop in the economy which diminished the permit holder's funding source.

Compliance with Conditions [OAR 690-315-0040(3)(c)]

11. The water right permit holder's conformance with the permit or previous extension conditions.
 - a. The Department has considered the permit holder's compliance with conditions, and did not identify any concerns.

Financial Investments [OAR 690-315-0040(3)(d)]

12. Financial investments made toward developing the beneficial water use.
 - a. As of April 16, 2009 the permit holder has invested approximately \$63,200 which is approximately 60 percent of the total projected cost for complete development of this project. The permit holder anticipates an additional \$42,800 investment is needed for the completion of this project.

Cost to Appropriate and Apply Water to a Beneficial Purpose [OAR 690-315-0040(2)(b)]

13. As of April 16, 2009 the permit holder has invested approximately \$63,200 which is approximately 60 percent of the total projected cost for complete development of this project. The permit holder anticipates an additional \$42,800 investment is needed for the completion of this project.

Good Faith of the Appropriator [OAR 690-315-0040(2)(c)]

14. The Department has found good faith of the appropriator under Permit G-13145.

The Market and Present Demands for Water [OAR 690-315-0040(2)(d-e)]

The Department's determinations of market and present demand for water or power to be supplied shall consider the requirements set forth under OAR 690-315-0040(4)(a-f). In accordance with OAR 690-315-0040(4), the Department shall consider, but is not limited to, the following factors when determining the market and the present demand for water or power to be supplied:

15. The amount of water available to satisfy other affected water rights and scenic waterway flows; special water use designations established since permit issuance, including but not limited to state scenic waterways, federal wild and scenic rivers, serious water management problem areas or water quality limited sources established under 33 U.S.C. 1313(d); or the habitat needs of sensitive, threatened or endangered species, in consultation with the Oregon Department of Fish and Wildlife [OAR 690-315-0040(4)(a-c)].
 - a. The amount of water available to satisfy other affected water rights and scenic waterway flows was determined at the time of issuance of Permit G-13145; furthermore, water availability for other affected water rights and scenic waterway flows after the permit was issued is determined at such time that such application for a new water right is submitted. The point of appropriation for Permit G-13145, located within the Deschutes River Basin, is not located within

a limited or critical ground water area. The Deschutes River Basin is located above The Deschutes Scenic Waterway, is located within an area ranked "moderate" for stream flow restoration needs as determined by the Department in consultation with the Oregon Department of Fish and Wildlife, and is not located within a Sensitive, Threatened or Endangered Fish Species Area as identified by the Department in consultation with Oregon Department of Fish and Wildlife. Deschutes River Basin is not listed by the Department of Environmental Quality as a water quality limited stream.

16. Economic investment in the project to date [OAR 690-315-0040(4)(d)].
 - a. As of April 16, 2009 the permit holder has invested approximately \$63,200
17. Other economic interests dependent on completion of the project [OAR 690-315-0040(4)(e)].
 - a. None have been identified.
18. Other factors relevant to the determination of the market and present demand for water and power [OAR 690-315-0040(4)(f)].
 - a. None have been identified.

Fair Return Upon Investment [OAR 690-315-0040(2)(f)]

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

Other Governmental Requirements [OAR 690-315-0040(2)(g)]

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

Unforeseen Events [OAR 690-315-0040(2)(h)]

21. Drops in the financial market during 2008 hindered the ability to complete the project under the permitted timeline.

CONCLUSIONS OF LAW

1. The applicant is entitled to apply for an extension of time to complete construction and/or completely apply water to the full beneficial use pursuant to ORS 537.630(1).
2. The applicant has submitted a complete extension application form and the fee specified in ORS 536.050, as required by OAR 690-315-0040(1)(a).
3. The applicant complied with begin actual construction timeline requirements pursuant to ORS 537.630 as required by OAR 690-315-0040(1)(b) and OAR 690-315-0040(5).

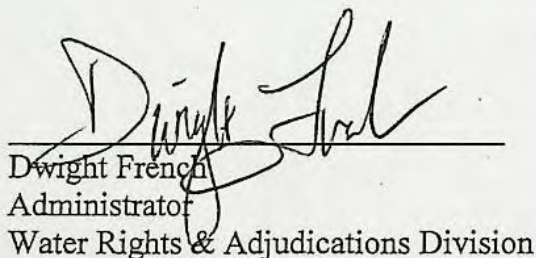
4. Full application of water to beneficial use can be accomplished by October 1, 2015⁵, as required by OAR 690-315-0040(1)(c).
5. The Department has considered the reasonable diligence and good faith of the appropriator, the cost to appropriate and apply water to a beneficial purpose, the market and present demands for water to be supplied, the financial investment made and fair and reasonable return upon the investment, the requirements of other governmental agencies, and unforeseen events over which the permit holder had no control, whether denial of the extension will result in undue hardship to the applicant and whether there are no other reasonable alternatives for meeting water use needs, any other factors relevant to a determination of good cause, and has determined that the applicant has shown that good cause exists for an extension of time to apply water to full beneficial use pursuant to OAR 690-315-0040(1)(d).

Proposed Order

Based upon the foregoing Findings of Fact and Conclusions of Law, the Department proposes to issue an order to:

Extend the time to apply water to beneficial use under Permit G-13145 from October 1, 2010 to October 1, 2015.

DATED: November 3, 2009


Dwight French
Administrator
Water Rights & Adjudications Division

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

Proposed Final Order Hearing Rights

1. Under the provisions of OAR 690-315-0100(1) and 690-315-0060, the applicant or any other person adversely affected or aggrieved by the proposed final order may submit a written protest to the proposed final order. The written protest must be received by the Water Resources Department no later than **December 18, 2009**, being 45 days from the date of publication of the proposed final order in the Department's weekly notice.

⁵Pursuant to ORS 537.630(4), upon the completion of beneficial use of water allowed under the permit, the permittee shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permittee shall submit a map of the survey and a new or revised claim of beneficial use as deemed appropriate by the Department.

2. A written protest shall include:
 - a. The name, address and telephone number of the petitioner;
 - b. A description of the petitioner's interest in the proposed final order and if the protestant claims to represent the public interest, a precise statement of the public interest represented;
 - c. A detailed description of how the action proposed in the proposed final order would adversely affect or aggrieve the petitioner's interest;
 - d. A detailed description of how the proposed final order is in error or deficient and how to correct the alleged error or deficiency;
 - e. Any citation of legal authority supporting the petitioner, if known;
 - f. Proof of service of the protest upon the water right permit holder, if petitioner is other than the water right permit holder; and
 - g. The applicant or non-applicant protest fee required under ORS 536.050.
3. Within 60 days after the close of the period for requesting a contested case hearing, the Director shall:
 - a. Issue a final order on the extension request; or
 - b. Schedule a contested case hearing if a protest has been submitted, and:
 - 1) Upon review of the issues, the Director finds there are significant disputes related to the proposed agency action; or
 - 2) The applicant submits a written request for a contested case hearing within 30 days after the close of the period for submitting protests.

-
- If you have any questions about statements contained in this document, please contact Scott Kudlemyer at 503-986-0813.
 - If you have questions about how to file a protest or if you have previously filed a protest and you want to know the status, please contact Patricia McCarty at 503-986-0819.
 - If you have any questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at 503-986-0801.
 - Address any correspondence to : Water Rights and Adjudications Division
725 Summer St NE, Suite A
Fax: 503-986-0901 Salem, OR 97301-1266
-

Mailing List for Extension PFO Copies

PFO Date: November 3, 2009

Copies Mailed

Application G-14379
Permit G-13145

By: MS
On: 11/3/09

Original mailed to Applicant:

Mr. and Mrs. Darrell Pieper
PO Box 2170
Sisters, OR 97759

Copies sent to:

1. WRD - App. File G-14379/ Permit G-13145
2. WRD - Watermaster District 11, Jeremy Giffin

Fee paid as specified under ORS 536.050 to receive copy:

3. None

Receiving via e-mail (10 AM Tuesday of signature date)

4. None

CASEWORKER: SBK

STATE OF OREGON

COUNTY OF DESCHUTES

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

MR. AND MRS. DARRELL PIEPER
9 CORTE ENCINA
MORAGA, CALIFORNIA 94570

PHONE: (510) 283-9143

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

APPLICATION FILE NUMBER: G-14379

SOURCE OF WATER: A WELL IN THE DESCHUTES RIVER BASIN

PURPOSE OR USE: IRRIGATION OF 52.8 ACRES AND LIVESTOCK USE

MAXIMUM RATE: 0.65 CUBIC FOOT PER SECOND (CFS), BEING NO MORE THAN 0.65 CFS FOR IRRIGATION AND NO MORE THAN 0.005 CFS FOR LIVESTOCK USE

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31 FOR IRRIGATION AND YEAR ROUND FOR LIVESTOCK USE

DATE OF PRIORITY: SEPTEMBER 23, 1996

POINT OF DIVERSION LOCATION: NW 1/4 SE 1/4, SECTION 34, T15S, R11E, W.M.; 375 FEET SOUTH AND 500 FEET EAST FROM CENTER 1/4, SECTION 34

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:

NE 1/4 SW 1/4 13.4 ACRES
SE 1/4 SW 1/4 9.4 ACRES
NW 1/4 SE 1/4 27.2 ACRES
SW 1/4 SE 1/4 2.8 ACRES

SECTION 34

TOWNSHIP 15 SOUTH, RANGE 11 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.

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.

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.

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.

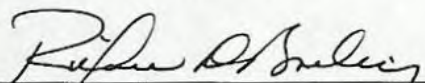
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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 June 18, 1997



for Marsha O. Pagel, Director
Water Resources Department

Application G-14379
Basin 05
LKS

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

PERMIT G-13145
District 11

Application # G-14379

Permit # G-13145

Public Notice Route Slip ... New Application Extension of Time
per Division 315 Rules... (Extensions received on July 1, 2001 or after)

♦ **WRIG...**

Money Received on:

4/16/09

♦ **Extension Specialist...**

☒ Added to tracking spreadsheet

After fee is receipted and app is added to spreadsheet, route to...

♦ **Jonnine Skaug...**

☒ Publish on Public Notice (initial 30-day comment): Date of notice 4-28-09

☒ Update WRIS Database

☒ In the "PNotice Date" field... Enter the date the Extension Application was published on the Public Notice.

☒ In the "Ext Filed" field... Enter the date the Extension Application was received.

Yes or No?

Return file to Extension Specialist after PN

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

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

RECEIPT # **96173**

INVOICE # _____

RECEIVED FROM: Pandora Ranch, LLC

APPLICATION G-14379

BY: _____

PERMIT

TRANSFER

CASH: ☐ CHECK: # 2254 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 350.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES

\$

OTHER: (IDENTIFY) _____

\$

0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES

\$

0410 RESEARCH FEES

\$

0408 MISC REVENUE: (IDENTIFY) _____

\$

TC162 DEPOSIT LIAB. (IDENTIFY) _____

\$

0240 EXTENSION OF TIME

\$ 350.00

WATER RIGHTS:

0201 SURFACE WATER

EXAM FEE

\$

0202

\$

0203 GROUND WATER

\$

0204

\$

0205 TRANSFER

\$

WELL CONSTRUCTION

EXAM FEE

0218 WELL DRILL CONSTRUCTOR

\$

0219

\$

LANDOWNER'S PERMIT

0220

\$

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE

\$

CARD #

0210 MONITORING WELLS

\$

CARD #

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD)

\$

0231 HYDRO LICENSE FEE (FW/WRD)

\$

HYDRO APPLICATION

\$

TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION _____

\$

RECEIPT:

96173

DATED:

4/16/09

BY:

DAK



Oregon

Theodore R. Kulongoski, Governor

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

April 28, 2009

REFERENCE: Application for Extension of Time

Dear Extension of Time Applicant:

The Water Rights Section has received your application for an extension of time for **APPLICATION FILE#: G-14379 (PERMIT#: G-13145)**. Your application will be reviewed in the near future. Following the review, you will receive a Proposed Final Order either approving or rejecting the extension of time request. A 45-day protest period begins upon issuance of the Proposed Final Order. After the protest period closes, a Final Order is issued.

If you have questions concerning your extension of time application, please contact Scott Kudlemyer at (503) 986-0813. For general information about the Water Resources Department, you may contact the Water Resources' Customer Service Group at (503) 986-0801 or you may access the Department's Internet home page at: "www.wrd.state.or.us".

Extension PFO Checklist for
Other than Muni or Quasi-Municipal

Water Use Permits
(OAR 690-315-0010 through OAR 690-315-0060)

Application: G- 14379 Permit: G- 13145 Permit Amendment? No ☒ Yes ☐ T- ☐ pending ☐ approved

Permit Holder's Name: Darrell Pieper

Permit Holder's Mailing Address: PO Box 2170 Sisters OR, 97759 email DRP@PanoramaRanch.com

Phone Number: 541-317-4623

POD Location: Township 15 S Range 11 E Section 34 $\frac{1}{4}$ NWSE

Drainage Basin: 5 County: Deschutes Watermaster District: 11 Watermaster: Jeremy Giffin

Date Permit was issued: 6/18/1997

Priority Date: 9/23/1996

Date of PN: 4/28/2009

Source: One well in the Deschutes River Basin

Use: Irrigation of 52.8 acres and livestock use

"Q": 0.65 cfs, being no more than 0.65 cfs for irrigation and no more than 0.005 cfs for livestock use

Orig "A" Date: 6/18/1998

Orig "B" Date: 10/1/

Orig "C" Date: 10/1/2001

Extension
request rec'd: 4/16/2009

Last Authorized
"B" Date: 10/1/

Last Authorized
"C" Date: 10/1/2010

Request Number (1, 2, 3...): 2

Proposed
"B" Date: 10/1/

Proposed
C Date: 10/1/2015

Conditions of Permit:

Condition Met?	Condition Not Met?	Permit Condition
☒	☐	Install meter before water use
☐	☐	
☐	☐	
☐	☐	
☐	☐	

Factors to consider in determining "Reasonable Diligence" [OAR 690-315-0040(3)]:

Yes No

- ☒ ☐ Work was accomplished within the time allowed in the permit or previous extension
- ☒ ☐ Water right permit holder conformed with the permit or previous extension conditions
- ☒ ☐ Financial investments were made toward developing the beneficial water use.
 - Amount Invested to date: \$63,200 Estimated Remaining Cost: \$42,800
- ☒ ☐ Beneficial use made of the water during the permit or previous extension time limits
 - Permit holder has beneficially used 0.65 ☒ cfs ☐ gpm ☐ af of the total permitted quantity of water on 8 acres

Has the applicant pursued perfection of the right in good faith and with reasonable diligence? Yes ☒ No ☐

Application: - Permit: - Township Range Section

Determination of the market and the present demand for water or power to be supplied:

Identify the closest surface water or localized water basin. Deschutes

Ground Water Permits: Is the POA located...

Surface Water Permits: Is the POD located...

Yes No

☒ ☐ above a state scenic waterway? Name Deschutes Scenic Waterway Source: OWRD "Areas Above State Scenic Waterways" Map

☐ ☒ within a stream segment designated as a federal wild and scenic river? Source: www.rivers.gov/wildriverslist.html

☐ ☒ within a sensitive, threatened or endangered species area Source: "/gisdata/dev/projects/salmon/div33map.aml"

☐ ☒ within a critical or limited Ground Water Area? Name of area

☐ ☒ within a Withdrawn Area? Name of area

☐ ☒ in a waterbody listed on the DEQ Section 303(d) List of Water Quality Limited Areas? Date added to list

☒ ☐ within an area ranking ☐ low / ☒ moderate / ☐ high / ☐ highest for stream flow restoration needs Source: OWRD "Streamflow Restoration Needs" Maps (by region)

Based on the written record, can the Department make a finding of "Good Cause" to approve the extension request?

Yes... "Good Cause" can be found. ☒ Approval of Extension Request

No ... "Good Cause" cannot be found. ☐ Denial of Extension Request

Conditions to be included in Extension PFO (if applicable)? Yes ☐ No ☐

(NOTE: Check the file record for documentation to add a condition(s) at the extension stage.)

☐ 5-year Progress Report Checkpoints (Years:)

☐ Other:

Footnote regarding Claim of Beneficial Use. Choose the appropriate language below and insert as a footnote in the PFO:

☐ **COBU Requirement - Surface/Ground Water - on or prior to July 9, 1987**

"For permits applied for or received on or before July 9, 1987, upon complete development of the permit, you must notify the Department that the work has been completed and either: (1) Hire a water right examiner certified under ORS 537.798 to conduct a survey, the original to be submitted as required by the Water Resources Department, for issuance of a water right certificate; or (2) Continue to appropriate water under the water right permit until the Water Resources Department conducts a survey and issues a water right certificate under ORS 537.250 or 537.625."

☐ **COBU Requirement - Surface Water - post July 9, 1987**

"Pursuant to ORS 537.230(4), upon the completion of beneficial use of water allowed under the permit, the permit holder shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permit holder shall submit a map of the survey and the claim of beneficial use."

☒ **COBU Requirement - Ground Water - post July 9, 1987**

"Pursuant to ORS 537.630(4), upon the completion of beneficial use of water allowed under the permit, the permit holder shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permit holder shall submit a map of the survey and the claim of beneficial use."

NOTES:

Extension "PFO" Dates

Mailing / Issuance Date: Protest Deadline Date:

Reviewer's Name: Date:



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

Application for
Extension of Time
for a Water Right Permit
(Non-Municipal / Non-Quasi-municipal Water Use)

TO THE DIRECTOR OF THE OREGON WATER RESOURCES DEPARTMENT

*A separate extension application must be submitted for each permit as per
OAR 690-315-0020(2).*

*This application and a summary of review criteria and procedures that are generally applicable to this
application are available at <http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml>.*

I, MR AND MRS DARRELL PIEPER
NAME OF PERMIT HOLDER [OAR 690-315-0020(1) and (3)(a)]
18560 PLAINVIEW RD BEND OR 97701
ADDRESS CITY STATE ZIP
541 317 4623 DRP@PANORAMA RANCH.COM
PHONE E-MAIL ADDRESS
MAIL ADDRESS P.O. Box 2170 SISTERS, OR 97759

the permit holder of: Application Number G - 124379

Permit Number G - 13145
[OAR 690-315-0020(3)(b)]

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do hereby request that the time in which to:

☒ complete construction (of diversion/appropriation works and/or purchase and installation of the
equipment necessary to the use of water), which time now expires on October 1, 2010, be
extended to October 1, 2015,

and/or the time in which to:

☒ apply water to full beneficial use under the terms and conditions of the permit, which time now
expires on October 1, 2010, be extended to October 1, 2015.

Before submitting your Application for Extension of Time, make sure the following items are included:

- This completed Application for Extension of Time.
- Statutory fee of \$350.
- Signature page (last page of this Application for Extension of Time).
- All supporting documentation and/or evidence referenced in the Application for Extension of Time.

MAIL COMPLETED APPLICATION

along with the

\$350 STATUTORY FEE TO:

**Water Resources Department
Attn: Water Right Permit Extensions
725 Summer Street NE, Suite A
Salem, Oregon 97301**



GENERAL TIPS:

- Permit holders of municipal or quasi-municipal water use permits DO NOT use this form. The correct form is *Application for Extension of Time for Municipal and Quasi-Municipal Water Use Permits*, available at the following link:
http://www1.wrd.state.or.us/pdfs/muni_quasi_ext_app_form_6_20_08.pdf
- Request the reasonable amount of time necessary to fully complete the water construction project and/or to fully use the permitted quantity of water under the terms and conditions of your permit. Should this request be approved, it will be OWRD's expectation that you will complete your project within the new time period allowed. Future extensions may not be granted.
- A separate Application for Extension of Time must be submitted for each permit. OAR 690-315-0020(2).
- An instruction sheet (Instructions for Filling Out Extension of Time Application for Permits) provides details that will help you answer each question on the application. Permit extensions

are evaluated under OAR Chapter 690, Division 315. These rules may be viewed at:
<http://www.wrd.state.or.us/OWRD/LAW/index.shtml>.

- You may provide OWRD with any additional information or evidence that will aid us in making our decision. Please note that OWRD may require other information that is necessary to evaluate the application. OAR 315-0020(3)(n).
- After careful review of the Application for Extension of Time, you may contact OWRD at (503) 986-0900, to ask questions and request assistance from a Permit Extensions Specialist in the Water Rights and Adjudications Division.
- Once an Application for Extension of Time is received by OWRD, it will be reviewed for completeness. OWRD will return any incomplete or deficient applications to the applicant. OAR 690-315-0040(1)(a).

Reference Materials Needed to Complete this Application:

- The water right permit. If needed, a copy of the water right permit can be downloaded from the Department's Website at <http://www.wrd.state.or.us> (find the link to the Water Rights Information System (WRIS)). Or, a copy of the permit (or other documents) may be requested by water right application number from the Water Rights Division at 503-986-0900 (copy fees will apply).
- Documentation which demonstrates compliance with permit conditions (for example, well construction logs; static water level measurement reports; annual water use reports; ODFW fish screen certification; a plan to monitor the effect of water use on ground water aquifers utilized under the permit; etc.).

Answer the Following Questions to Complete this Application for Extension of Time

1. Did the actual construction of the water system/well drilling begin within the time specified in the permit? [yes/no] YES [OAR 690-315-0020(3)(d)]



TIP: Not all permits specify a date by which construction was to begin.

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Date construction began is: SEPT, 1997

Details of construction: DRILLED WELL TO A DEPTH OF
376 FEET BELOW SURFACE. SEE WELL LOG COMPLETED
10/15/1997. CONSTRUCTED POND OF 350,000 GALLON CAPACITY,
LINED POND, CONSTRUCTED PUMPHOUSE, INSTALLED
UNDERGROUND LINES, POPUP SPRINKLER HEADS & BUBBLERS
TO IRRIGATE APPROXIMATELY 8 ACRES.

2. Permits typically contain standard or special conditions that must be satisfied to lawfully develop and use permitted water. In the development of this water right, have you satisfied the conditions contained in your permit? [yes/no] YES

- A) Describe how you have complied with each condition contained in the original permit [and, if applicable, each condition contained in any order approving a permit amendment and/or a final order approving a prior extension of time]. Include the date when the condition was satisfied.



TIP: The instruction sheet for the Application for Extension of Time provides an explanation of the typical conditions that must be addressed in this question.

CHART-A

Condition No.**	Date Satisfied	Describe How Permit Condition Has Been Satisfied
①	SEPT 1998	WATER METER INSTALLED PRIOR TO FILLING POND
②	SEPT 1998	WELL & WATER METER AVAILABLE TO WATER MASTER
③		WATER RECORDS STARTED WITH FIRST WATER PUMPED AFTER POND WAS COMPLETED

** Condition No: Hand-number each condition on a copy of your permit (and, if applicable, permit amendment and prior extension).

- B) If you have NOT complied with all applicable conditions, explain the reasons why and indicate with a date certain (in the near future) when compliance will occur.

CHART-B

Condition No.**	Date Will Comply	Explain Why Each Permit Condition Has NOT Been Satisfied
		ALL LISTED CONDITIONS SATISFIED

** Condition No: Hand-number each condition on a copy of your permit (and, if applicable, permit amendment and prior extension).

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3. Provide evidence of physical progress made toward completion of the water system, and of progress made toward making beneficial use of water within the permitted time period (CHART-C); and if applicable, within the time period of the most recent extension granted (CHART-D).

A) CHART-C (below) must be completed for all Application for Extension of Time requests. Use chronological order.

CHART-C

DATE	WORK ACCOMPLISHED BEFORE PERMIT WAS ISSUED <i>List any work done before the permit was issued – eg. well drilled.</i>	COST*
	NONE	

DATE	WORK ACCOMPLISHED AFTER PERMIT WAS ISSUED and PRIOR TO DATE SPECIFIED IN PERMIT FOR COMPLETE APPLICATION OF WATER <i>List work/actions done during the permitted time period.</i>	COST*
6/18/1997	The permit was signed - find date above signature on last page of permit.	\$200
6/18/1998	The permit specified "Actual Construction Work" shall begin ("A-Date") - not all permits contain this date.	\$60,000
10/1/2001	The permit specified complete application of water to the use shall be made ("C-Date") - all permits contain this date.	

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CHART-C (continued)

DATE	WORK ACCOMPLISHED AFTER "C-DATE" <u>COMPETE ONLY IF THIS IS YOUR 1st APPLICATION FOR EXTENSION OF TIME:</u> List work done after the date specified in the permit for complete application of water up to the date of this Application for Extension of Time.	COST*
Total Cost for Chart-C		60,200

* If exact cost is not known, you must provide your best estimate.

- B) If this is not your 1st Application for Extension of Time request, fill out CHART-D below (in addition to CHART-C above). Use chronological order.

CHART-D

DATE	WORK ACCOMPLISHED DURING THE LAST EXTENSION PERIOD <i>List all work done during the last authorized extension period.</i>	COST*
10/1/2001	"Extended From" date for complete application of water used in the 1 st (or the most recent) Application for Extension of Time.	
	INSTALLED DRIP SYSTEM FOR ALL TREES &	
	SHRUBS PLANTED (APPROXIMATELY 100)	\$3000
10/1/2010	"Extended To" date for complete application of water resulting from the 1 st (or the most recent) Application for Extension of Time.	

CHART-D (Continued)

DATE	WORK ACCOMPLISHED AFTER THE LAST EXTENSION PERIOD EXPIRED <i>List all work done after the last authorized date for complete application of water up to the date of this Application for Extension of Time.</i>	COST*
Total Cost of Chart-D		\$3000

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* If exact cost is not known, you must provide your best estimate.

[OAR 690-315-0020(3)(f)]

4. Cost of project to date: 63,200
(The total combined cost from CHART-C and CHART-D)

5. Provide the maximum rate, or duty, of water diverted for beneficial use under this permit, made to date.



TIP: Report the rate in the same units of measurement as specified in the permit, being cfs (cubic feet per second), gpm (gallons per minute) or AF (acre-feet – usually only specified on a reservoir water right). Do not provide daily, monthly or annual water volume totals.

Maximum rate used to date = 0.65 cfs (cubic feet per second)

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Maximum rate used to date = _____ gpm (gallons per minute)

or, **APR 16 2009**

Acre-feet stored to date = _____ AF

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6. Provide the total number of acres irrigated to date under this permit (if applicable).

Total acres irrigated to date: 8

7. Provide a summary of your future plans and schedule to complete the construction of the water system, and/or apply water to full beneficial use under the terms and conditions of the permit.

CHART-E

APPROXIMATE DATE RANGE (projected)	WORK OR ACTION TO BE ACCOMPLISHED (projected)	ESTIMATED COST (projected)
2010	INSTALL ^{2000'} 3000' OF UNDERGROUND WATER LINES	\$20,000
2011-2013	INSTALL 3000' OF MOVEABLE 4" WATER SUPPLY LINES	\$18,000
2014	INSTALL EQUIPMENT & HAND LINES	\$4,800
Year: 2015	Intend to apply water to full beneficial use under the terms and conditions of this permit.	
Total Cost		\$42,800

8. Estimated remaining cost to complete the project: 42,800
(The total cost from CHART-E)

9. List the reasons why the project was not constructed, and/or water was not beneficially used within permit time limits. Provide supporting information for the reason(s) that best fits your circumstances (A, B, C or D).

A) The project is of a size and scope that was originally planned to be phased in over a time frame longer than the one allowed in the permit.

B) The financial resources needed to develop the project precluded completion of the project within authorized time frames.

MONEY WAS SPENT BUILDING UP ALPACA HERD.
FIRST ANIMALS WERE SOLD IN 2007. THE MARKET
DROPPED SIGNIFICANTLY AT THE END OF 2008. MY
IRA (SOURCE OF FUNDS FOR DEVELOPMENT) DROPPED IN
HALF THE LAST QUARTER OF 2008.

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

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- D) Acts of God or other unforeseen events delayed full development of the water system and use of water within the authorized time frames.

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[OAR 690-315-0020(3)(k)]

10. Justify the time requested to complete the project and/or apply the water to full beneficial use. Your justification should combine information from your answers from Questions 2, 3-A, 3-B, 7 and 9 of this Application for Extension of Time, and should also include any other information or evidence to establish that the requested amount of time is sufficient and that you will be able to complete the project within the amount of time requested.

FULFILLED ALL LISTED CONDITIONS FOR MY ORIGINAL WATER PERMIT AS DESCRIBED IN QUESTIONS 2 AND 3A. DURING THE INITIAL PERMIT TIME, INSTALLED THE WELL AND PUMPS OF SUFFICIENT SIZE TO MEET THE MAXIMUM RATE OF 0.65 CFS. DURING THIS TIME PERIOD, ALSO INSTALLED THE UNDERGROUND PIPE, VALVES, CONTROL WIRE AND SPRINKLERS TO IRRIGATE APPROXIMATELY FIVE ACRES OF LAND. DURING THE FIRST TIME EXTENSION, ADDED DRIP IRRIGATION FOR ABOUT THREE ADDITIONAL ACRES. STATEMENT (QUESTION) 7 INDICATES THE EXPECTED ADDITIONAL COSTS TO COMPLETE THE IRRIGATION SYSTEM. I HAVE IN MY 401K ACCOUNT SUFFICIENT FUNDS TO INSTALL 2000 FEET OF UNDERGROUND WATER LINE. (ASSUMES NO DROP IN THE FINANCIAL SYSTEM SIMILAR TO 2008) I AM EXPECTING A LEGAL SETTLEMENT IN 2011 THAT WILL PAY FOR ALL COSTS AFTER 2010.

11. Provide any other information you wish OWRD to consider while evaluating your Extension of Time Application.

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

Danell R. Pieper
Signature

April 15, 2009
Date

App(G 14379 / Permit G 13145

Route Slip ... Extension of Time

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

♦ ☒ WRIG...

Money Received: \$100.⁰⁰ on 7-23-01

♦ ☒ Lisa Juul...

Extension Completeness: OK water meter?
livestock use? Certified letter sent 10-3-01
(If NOT complete, send certified letter requesting add'l information.)

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

♦ Jonnine Fuss...

Initial 30-day Public Notice: Done 9-25-01

Files back to filing cabinets: _____

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

♦ Lisa Juul...

Pull files for Ext PFO review: _____

Extension PFO completed: _____

Once Extension PFO signed by Dwight French...

♦ Jonnine Fuss...

Prepare Ext PFO for mailing to applicant: _____

Mail to those who commented and paid copy fee: _____

Include Ext PFO on weekly Public Notice: _____

Within 60 days after the close of the 45-day PFO Protest Period...

(PFO Protest Period ends 45 days from PFO sign date)...

♦ Lisa Juul...

Issue an Extension FO: _____

... per Division 315 Rules
EXTENSION REVIEW CHECKLIST for PFO

Application #: G-14379 Permit #: G-13145

Permittee's Name: Mr. & Mrs. Darrell Pieper

Permittee's Mailing Address: PO Box 2170, Sisters OR 97759

POD Location: Township 15 S Range 11 E Section 34 $\frac{1}{4}$ $\frac{1}{4}$ NWSE

Stream Basin: Deschutes R. County: Deschutes

- ✓ 1. Has the applicant completely filled out the updated Extension Application form? Yes / No OK \$100.00
***If "No"..... has certified request for the new extension form been sent? Yes / No
- ✓ 2. Shortcomings of Extension Request..... based upon review of updated extension form Yes / No
*** (NOTE: Any missing Extension information that is needed before an Extension PFO can be completed???)
Meter installed?
Livestock use? OK - See response rcvd 10-15-01.
- ✓ 3. Date Permit was issued: 6-18-97 (priority = 9-23-96)
- ✓ 4. Source: One Well
- ✓ 5. Use: Irrig. of 52.8 ac & Livestock Use
- ✓ 6. "Q": 0.65 cfs (upto 0.65 cfs for IR & upto 0.005 cfs)
- ✓ 7. Original "B" Date: _____ Original "C" Date: 10-1-2001
Orig. "A" Date: 6-18-98
- ✓ 8. Conditions of Permit: SWW Fj Condition included.
Before Water Use begins - shall install meter
"Fj" - SWW Condition
- ✓ 9. Extension request received: 7-23-01 Request Number (...1st 2nd, 3rd): 1st
- ✓ 10. Last Authorized "B" Date: _____ Last Authorized "C" Date: 10-1-2001
- ✓ 11. Proposed "B" Date: _____ Proposed C Date: 10-1-2003 2010 - See 12-2-03 memo
- See Ext. Appl.
- ✓ 12. Amount Invested to date: \$58,000.00 Estimated Total Cost: \$118,000.00
Estimated Remaining Cost: \$60,000.00
See 12-2-03 memo providing add'l info.

- ✓ 13. The water project development made to date has been accomplished in accordance with the terms and conditions contained in the permit. (Yes/No) ***If "No"..... What permit terms and/or conditions have not been met?
- Meter installed ~~?~~ - Yes installed in 2000 (See letter received 10-15-01)
 OK ~~OK~~ A Date: OK Met - well drilled 10-13-97.
- ✓ 14. Work on the water development project completed to date includes:
- 5 Acres have been irrigated. • Well installed • electrical installed
 • underground lines installed • pond & liner in place • underground irrig. lines
 • Have used water for livestock use in place & operating on 5.2 Acres • Meter installed.
- ✓ 15. The work remaining to be completed consists of:
- system for remaining acreage • irrig. of remaining 47.8 ac
 • completion of construction • Full beneficial use of water.
- ✓ 16. Progress in perfecting the permit is being held up by:
- Was waiting for completion of the Desc GW Study & possible future litigation involving these issues.
- ✓ 17. Has the applicant pursued perfection of the right in good faith and with reasonable diligence? (Yes/No)

Some Factors that may be considered in determining "Reasonable Diligence" [OAR 690-315-040(3)]

- The amount of construction completed within the time allowed in the permit or previous extension;
- The amount of beneficial use made of the water during the permit or previous extension time limits;
- Water right permit holder conformance with the permit or previous extension conditions; and
- Financial investments made toward developing the beneficial water use.

- Construction is approx. 50% complete.
 • Irrigated approx 10% of permitted lands
 • Have complied w/ conditions
 • Invested approx 47% of total expected cost.
 • Have used approx 10% of total permitted "Q".
- ✓ 18. Determination of the market and the present demand for water or power to be supplied:

Some factors to consider in determining the Market and the Present Demand for water or power [OAR 690-315-040(4)]:

- The amount of water available to satisfy other affected water rights and scenic waterway flows;
- Special water use designations established since permit issuance (such as...state scenic waterways, federal wild and scenic rivers, serious water management problem areas, water quality limited sources, etc.);
- The habitat needs of sensitive, threatened or endangered species, in consultation with ODFW;
- Economic investment in the project to date;
- Other economic interests dependent on completion of the project; and
- Other factors relevant to the determination of the market and the present demand for water or power.

- Is within an ODFW "High" needs ranking area for flow restoration for fish
 • Is within the Desc GW Study Area
 • Is within or above the Desc. SWW
 • Is within an ODFW ST&E Area
 • Desc. R. is a federal wild & scenic river
 • Desc. R. is a DEQ water quality limited stream/river
- ✓ 19. Based on the written record, can the Department make a finding of "Good Cause" to approve the extension request?

Yes... "Good Cause" can be found. → Approval of Extension Request

No ... "Good Cause" cannot be found. → Denial of Extension Request

- ✓ 20. Conditions to be included on Extension PFO: No

Extension "PFO" Dates

Mailing / Issuance Date: 12-9-03

Protest Deadline Date: 1-23-04

Checklist last Revised: 9/12/2001

Reviewer's Name: [Signature]

Date: 12-1-03

G - 14379

Philip Ward
Oregon Water Resources Department
725 NE Summers, Suite A
Salem, OR 97310

November 18, 2008

Subject: Extension of Time for Permit Number G-13145
Follow-up letter

Dear Mr. Ward,

On February 4, 2004, Mr. Paul Cleary issued a Final Order for my original request for a time extension for full beneficial water use by October 10, 2010 for Permit Number G-13145.

I have been planning the irrigation layout and costing out the materials for this Final Order. Unfortunately, the recent stock market downturn depleted a considerable amount of my IRA, a portion of which I had been planning to use to buy the materials.

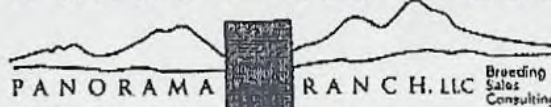
I am therefore requesting a two year extension on this Final Order to October 2012 to enable me to complete the project.

Sincerely,

Darrell Ray Pieper
PO Box 2170
Sisters, Oregon 97759

*Returned
Cleary has return
Alpacas. With a view.*

PANORAMA



*wrote new
letter
to Philip Ward*

Since 1993

Paul R. Cleary
Oregon Water Resources Department
Water Rights Division
158 12th Street NE
Salem, OR 97310-0210

October 11, 2008

Subject: Extension of Time for Permit Number G-13145

Dear Mr. Cleary,

On February 4, 2004, you issued a Final Order for my original request for a time extension for full beneficial water use by October 10, 2010 for Permit Number G-13145.

I have been planning the irrigation layout and costing out the materials for this Final Order. Unfortunately, the recent stock market downturn depleted a considerable amount of my IRA, a portion of which I had been planning to use to buy the materials.

I am therefore requesting a two year extension on this Final Order to October 2012 to enable me to complete the project.

Sincerely,

Darrell Ray Pieper

Darrell Ray Pieper
Panorama Ranch, LLC
Mail: PO Box 2170 Sisters, OR 97759
Ranch: 18560 Plainview Rd. Bend, OR 97701
541.317.4623

PANORAMA

**Oregon Water Resources Department
Water Rights Division**

Application for Extension of Time

In the Matter of the Application	)	
for an Extension of Time for	)	PROPOSED FINAL
Permit #G-13145, Water Right	)	ORDER
Application #G-14379	)	
(Mr. and Mrs. Darrell Pieper)	)	

Permit Information

Application File #G-14379 / Permit #G-13145

Basin: #05 - Deschutes Basin / Watermaster District: #11

Date of Priority: September 23, 1996

Authorized Use of Water

Source of Water:	One Well in the Deschutes River Basin
Purpose or Use:	Irrigation of 52.8 acres and Livestock Use
Maximum Rate:	0.65 cubic foot per second (cfs), being no more than 0.65 cfs for Irrigation and no more than 0.005 cfs for Livestock Use

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

Please read this Proposed Final Order in its entirety.

This Proposed Final Order applies only to Permit #G-13145, water right Application #G-14379. A copy of Permit #G-13145 is enclosed as Attachment 1.

Summary of Proposed Final Order for Extension of Time

The Department proposes to:

- grant the extension for complete application of water from October 1, 2001, to October 1, 2010.

AUTHORITY

- ◆ **ORS 537.230 and ORS 537.630(1)** provide in pertinent part that the Water Resources Department shall, for good cause shown, order an extension of time within which: irrigation or other works shall be completed; the well or other means of developing and securing ground water shall be completed; or the right perfected. In determining the extension, the Department shall give due weight to the considerations described under ORS 539.010(5).
- ◆ **ORS 539.010(5)** provides in pertinent part that the Water Resources Director, for good cause shown, may extend the time within which the full amount of the water appropriated shall be applied to a beneficial use. This statute instructs the Director to consider: the cost of the appropriation and application of the water to a beneficial purpose; the good faith of the appropriator; the market for water or power to be supplied; the present demands therefore; and the income or use that may be required to provide fair and reasonable returns upon the investment.
- ◆ **OAR 690-315-0040** provides in pertinent part that the Water Resources Department shall make findings to determine if an extension of time may be approved to complete construction and/or apply water to full beneficial use.
- ◆ **OAR 690-315-0050(5)** states that extension orders may include, but are not limited to, any condition or provision needed to: ensure future diligence; mitigate the effects of the subsequent development on competing demands on the resource; and periodically document the continued need for the permit.

FINDINGS OF FACT

Background

1. Permit #G-13145 was issued by the Water Resources Department on June 18, 1997. The permit authorizes the use of up to 0.65 cfs of water from one well, within the Deschutes River Basin, for irrigation of 52.8 acres and livestock use. The permit specified that complete application of water was to be made on or before October 1, 2001.
2. The permit holder submitted an "Application for Extension of Time" to the Department, on July 23, 2001, requesting the time in which to accomplish beneficial use of water to the full extent under the terms of Permit #G-13145 be extended from October 1, 2001, to October 1, 2003.
3. On December 2, 2003, the permit holder revised the time requested to complete full beneficial use of water under Permit #G-13145 to October 1, 2010, in order to allow time for any litigation issues involving permits located within the Deschutes Ground Water Study Area to be resolved before investing additional money into the project.
4. Notification of the extension of time request for Permit #G-13145 was published in the Department's Public Notice dated September 25, 2001. No public comment on the extension application was received.

Review Criteria [OAR 690-315-0040]

As set forth under OAR 690-315-0040 the time limits to complete construction or to apply the water to a beneficial use may be extended upon showing of good cause for the untimely completion. This determination shall consider the applicable requirements of ORS 537.230, 537.248¹, 537.630 and 539.010(5).

Start of Construction [ORS 537.630]

5. Construction of the well and water system began within the time specified in the permit, being June 18, 1998.

¹ ORS 537.248 applies to reservoir permits only.

Financial Investment and Cost to Appropriate and Apply Water to a Beneficial Purpose [ORS 539.010(5), OAR 690-325-0040(2)(b)]

6. As of July 23, 2001, the permit holders had invested a total of \$58,000 into the project, consisting of complete construction of the well, installation of electrical components, installation of a meter, installation of underground irrigation lines, installation of a pond, and the appropriation of water for irrigation of 5.0 acres of land and livestock use. An additional \$60,000 investment is anticipated for the completion of this project.

Reasonable Diligence and Good Faith of the Appropriator [ORS 537.230, 537.630(1) and 539.010(5), OAR 690-315-0040(2)(a), (c) and (3)]

Reasonable diligence during the permit period constitutes a continuing test of whether and under what conditions to grant an extension [ORS 537.260, OAR 690-315-0040(3)].

In accordance with OAR 690-315-0040(3), the Department shall consider, but is not limited to, the following factors when determining whether the applicant has demonstrated reasonable diligence in previous performance under the permit:

7. The following construction was completed within the time allowed in the permit or previous extension:
 - a. Construction of the well and water system began within the time specified in the permit, being June 18, 1998.
 - b. Prior to October 1, 2001, the following work was accomplished: complete construction of the well, installation of electrical components, installation of a meter, installation of underground irrigation lines, installation of a pond, and the appropriation of water for irrigation of 5.0 acres of land and livestock use.
 - c. Delay in the development of this project was not caused by any other governmental requirements.
8. The following beneficial use was made of the water during the permit or previous extension time limits:

- a. Since the issuance of Permit #G-13145, water has been appropriated from the well for the irrigation of 5.0 acres of land and livestock use.
 - b. Delay of full beneficial use of water under Permit #G-13145 was due, in part, to issues involving permits located with the Deschutes Ground Water Study Area and to the permit holder's desire to know the final outcome of the study and whether or not any action would be necessary to maintain the usability of the permit before expending any additional money to complete the project.
9. The water right permit holder's conformance with the permit or previous extension conditions.

Based upon information contained in the permit record the permit holder is in compliance with all permit and previous extension conditions.

10. Financial investments made toward developing the beneficial water use.

As of July 23, 2001, the permit holders had invested 49 percent of the total projected cost for complete development of this project. A total of \$58,000 has been invested into the project, consisting of complete construction of the well, installation of electrical components, installation of a meter, installation of underground irrigation lines, installation of a pond, and the appropriation of water for irrigation of 5.0 acres of land and livestock use. An additional \$60,000 investment is anticipated for the completion of this project.

The Market and Present Demands for Water (ORS 539.010(5) and OAR 690-315-0040(2)(d), (e) and (4))

11. In accordance with OAR 690-315-0040(4)(a)(b)(c), the Department shall consider, but is not limited to, the following factors when determining the market and the present demand for water or power to be supplied:

The amount of water available to satisfy other affected water rights and scenic waterway flows; special water use designations established since permit issuance, including but not limited to state scenic waterways, federal wild and scenic rivers, serious water management problem areas or water quality limited sources established under 33 U.S.C. 1313(d); and the habitat needs of sensitive, threatened or endangered species, in consultation with the Oregon Department of Fish and Wildlife.

- a. The authorized point of appropriation, under Permit #G-13145, is located within or above the Deschutes River State Scenic Waterway and within the Deschutes Ground Water Study Area.
- b. The point of diversion is also above a portion of the Deschutes River that: contains instream water rights; has been identified by the Oregon Department of Fish and Wildlife as a "high" needs ranking area for streamflow restoration for fish; has been designated a sensitive, threatened or endangered species area for aquatic species utilizing surface water resources; has been identified by the Oregon Department of Environmental Quality as water quality limited; and has been designated a federal wild and scenic river.
- c. When Permit #G-13145 was issued in June 1997, the Department concluded that the proposed use will, if properly conditioned, adequately protect the surface water from interference. However, pursuant to ORS 390.835(9)(g), the Department included a condition that provides for the regulation of the use of water upon finding 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. Permit #G-13145 is also conditioned to provide for regulation for senior water rights.
- d. Since the issuance of Permit #G-13145, the Department, in conjunction with the United States Geological Survey, completed a ground water study quantifying a hydraulic connection between ground water and surface water within the Deschutes Ground Water Study Area. Based in part on the study, in September 2002, the Water Resources Commission adopted rules under OAR Chapter 690, Division 505 to implement the provisions of the Scenic Waterway Act regarding mitigation. ORS 390.835(9) through (12).
- e. As part of the OAR Chapter 690, Division 505 rules, the Commission determined that the "measurably reduce" standard in ORS 390.835(12) had been triggered and that holders of existing ground water rights in the Deschutes Ground Water Study Area that were specifically conditioned to allow for regulation for scenic waterway flows may choose to provide mitigation (meeting the standards of the rules) in order to avoid future regulation.

- f. The Commission's OAR Chapter 690, Division 505 rules also establish a comprehensive mitigation program monitoring structure. Under the rules, the Department shall evaluate ground water appropriations, streamflow, and mitigation activity in order to determine whether scenic waterway flows and instream water right flows in the Deschutes Basin continue to be met on at least an equivalent or more frequent basis as compared to long-term, representative base period flows.

If the evaluation described above indicates the mitigation program is resulting in scenic waterway flows and instream water right flows in the Deschutes Basin being met less frequently as compared to long-term, representative base period flows, then the Commission is required to initiate proceedings to designate all or portions of the Deschutes Ground Water Study Area as a critical ground water area(s) under ORS 537.730, immediately close certain areas of the Deschutes Basin to further ground water appropriations, or take other administrative action(s) to ensure scenic waterway flows and instream water right flows in the Deschutes Basin continue to be met on at least an equivalent or more frequent basis as compared to long-term, representative base period flows.

12. In accordance with OAR 690-315-0040(4)(d)(e)(f), the Department shall also consider the following factors when determining the market and the present demand for water or power to be supplied:

The economic investments in the project to date; other economic interests dependant on completion of the project; and other factors relevant to the determination of the market and present demand for water and power. [OAR 690-315-0040(d)(e)(f)]

- a. As of July 23, 2001, the permit holders had invested 49 percent of the total projected cost for complete development of this project. A total of \$58,000 has been invested into the project, consisting of complete construction of the well, installation of electrical components, installation of a meter, installation of underground irrigation lines, installation of a pond, and the appropriation of water for irrigation of 5.0 acres of land and livestock use. An additional \$60,000 investment is anticipated for the completion of this project.
- b. There is no evidence in the record regarding other economic interests dependent on completion of the project.

- c. No other factors relevant to the determination of the market and present demand for water and power have been identified.

Fair Return Upon Investment [ORS 539.010(5), OAR 690-315-0040(2)(f)]

13. Use from the permitted water development will result in reasonable returns upon the investment made to date.

Duration of Extension [OAR 690-315-0040(1)(c), ORS 539.010(5)]

As set forth under OAR 690-315-0040(1)(c), time extensions granted shall be for the reasonable time period necessary to complete construction and application of water to beneficial use.

14. As of July 23, 2001, the remaining work to be completed consists of complete application of water to beneficial use.
15. The permit holder has requested an extension through the year 2010 to allow time for any litigation issues involving permits located within the Deschutes Ground Water Study Area to be resolved before investing additional money into the project.

Unforeseen Events [OAR 690-315-0040(2)(h)]

16. Unforeseen events extended the length of time needed to fully develop and perfect the permit, caused mainly by issues involving permits located with the Deschutes Ground Water Study Area and the permit holder's desire to know the final outcome of the study and whether or not any action would be necessary to maintain the usability of the permit before expending any additional money to complete the project.

CONCLUSIONS OF LAW

1. The applicant is entitled to apply for an extension of time to complete construction and/or completely apply water to the full beneficial use pursuant to ORS 537.230 and ORS 537.630.

2. The applicant has submitted a complete extension application form and the fee required by ORS 536.050(1)(k).
3. The applicant has pursued perfection of the right in good faith and prosecuted construction with reasonable diligence.
4. In addition to the demand for water by the permittee, there may be competing demands for the water used under permit #G-13145. However, these competing demands may be addressed either through the Commission's comprehensive Deschutes Basin Mitigation Program, the direct regulation of water use under the permit, or through administrative actions by the Water Resources Commission as required by OAR Chapter 690, Division 505.
5. The Department has considered the requirements of other governmental agencies, the financial investment made, the reasonable diligence and good faith of the appropriator, the market and present demands for water and the fair return upon the investment, and has determined that the applicant has shown good cause exists for an extension to complete construction and apply water to full beneficial use pursuant to ORS 537.630(1).
6. Full application of water to beneficial use can be completed by October 1, 2010².
7. Given the development of the permit to date, the department has determined an extension of the timelines to complete construction of the water system and to accomplish full beneficial use of water under Permit #G-13145 through October 1, 2010, is both reasonable and necessary to perfect the permit.

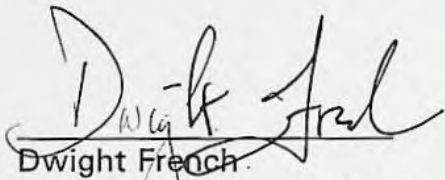
² Pursuant to ORS 537.630(3), upon the completion of beneficial use of water allowed under the permit, the permittee shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permittee shall submit a map of the survey and the claim of beneficial use.

Proposed Order

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

Extend the time for complete application of water to beneficial use under Permit #G-13145 from October 1, 2001, to October 1, 2010.

DATED: December 9, 2003



Dwight French
Water Rights Section Manager

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

Proposed Final Order Hearing Rights

1. Under the provisions of OAR 690-315-0060, the applicant or any other person adversely affected or aggrieved by the proposed final order may request a contested case hearing on the proposed final order. Your request for contested case hearing must be in writing and must be received by the Water Resources Department no later than **Friday, January 23, 2004**, being 45 days from the date of publication of the proposed final order in the Department's weekly public notice.
2. A written request for contested case hearing shall include:
 - a. The name, address and telephone number of the petitioner;
 - b. A description of the petitioner's interest in the final order and if the protestant claims to represent the public interest, a precise statement of the public interest represented;
 - c. A detailed description of how the action proposed in the final order would adversely affect or aggrieve the petitioner's interest;
 - d. A detailed description of how the final order is in error or deficient and how to correct the alleged error or deficiency;
 - e. Any citation of legal authority supporting the petitioner, if known;
 - f. Proof of service of the petition upon the water right permit holder, if petitioner is other than the water right permit holder; and
 - g. The protest fee required under ORS 536.050.

3. Within 60 days after the close of the period for requesting a contested case hearing, the Director shall:
 - a. Issue a final order on the extension request; or
 - b. Schedule a contested case hearing if a request for contested case hearing has been submitted, and:
 - A. Upon review of the issues, the Director finds there are significant disputes related to the proposed agency action; or
 - B. The applicant submitted a timely request for a contested case hearing.

If you have other questions about the Department, or any of its programs, please contact our Water Rights Information Group at (503) 986-0801. Address all other correspondence to:

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

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

If you have questions about how to file a protest or if you have previously filed a protest and want to know the status, please contact Renee Moulun. Her telephone number is (503) 986-0824.

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

Scott Kudlemyer

From: drp@panoramaranch.com
Sent: Wednesday, January 28, 2009 11:32 AM
To: Scott Kudlemyer
Subject: Application Number G-14379, Permit Number G-13145

Scott

Per our conversation on January 28, 2009, I request a time extension of five years to the year 2015 for the subject application and permit.

Darrell Pieper

Darrell says he sent
a Certified letter on
11/18/08 asking for extension
until 2015, No app or
letter found in file
SK 1/29/08

Application No. 6-14379
Permit No. G13145

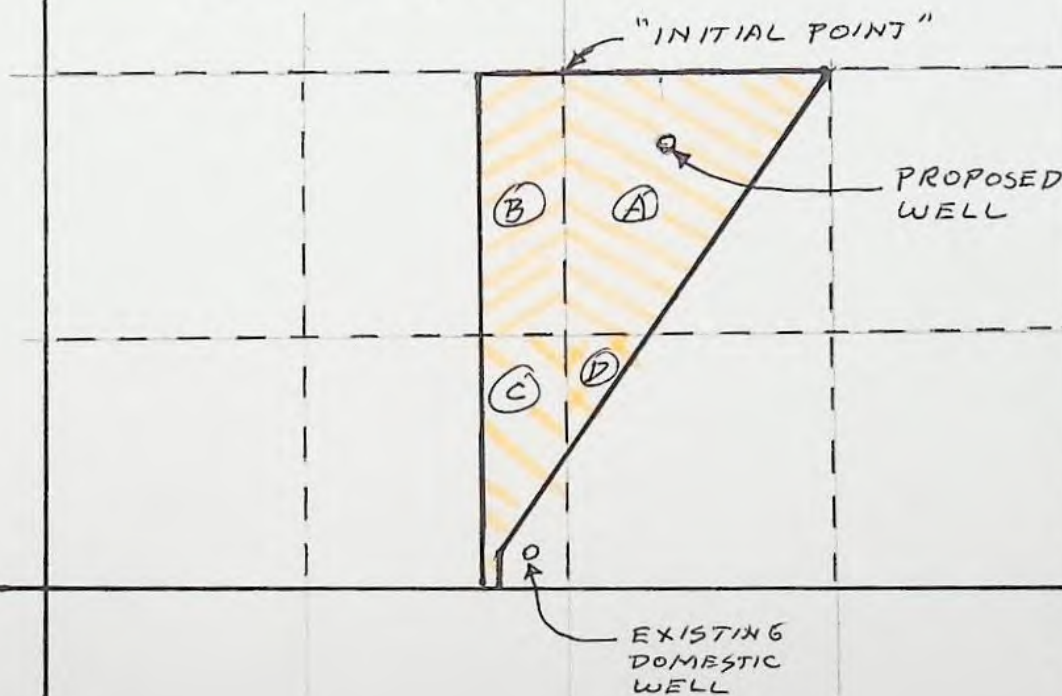
RECEIVED

SEP 23 1996

WATER RESOURCES DEPT.
SALEM, OREGON



← SECT 34, T15S, R11E W.M. →



(A) = 27.2 ACRES

(B) = 13.4 ACRES

(C) = 9.4 ACRES

(D) = 2.8 ACRES

TOTAL = 52.8 ACRES

P.O.D. LOCATION - 375 FEET SOUTH
AND 500 FEET EAST FROM
C 1/4 CORNER,
SECTION 34

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number G-14379

Final Order¹
Extension of Time for Permit Number G-13145

Application History

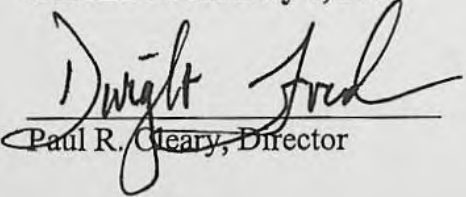
On JULY 23, 2001, MR. And MRS. DARRELL PIEPER submitted an application to the Department for an extension of time for permit number G-13145. The Department issued permit number G-13145 on JUNE 18, 1997. The permit called for complete application of water to the full beneficial use by OCTOBER 1, 2001. In accordance with OAR 690-315-0050(2), on DECEMBER 9, 2003, the Department issued a Proposed Final Order proposing to extend the time to fully apply water to beneficial use to OCTOBER 1, 2010. The protest period closed JANUARY 23, 2004, in accordance with OAR 690-315-0060(1). No protest was filed.

The applicant has demonstrated good cause for the permit extension pursuant to ORS 537.230, 537.248, 537.630, 539.010(5) and/or OAR 690-315-0040(2).

Order

The extension of time for Application Number G-14379, Permit Number G-13145, therefore, is approved. The deadline for applying water to full beneficial use is extended to OCTOBER 1, 2010.

DATED: February 4, 2004


Paul R. Cleary, Director

¹

Appeal Rights

Under the provisions of ORS 536.075, the applicant may appeal this order by filing a petition for review in the Circuit Court for Marion County or the circuit court for the county in which the applicant resides or has a principal business office. The petition for review must be filed within 60 days after the date this order is served. ORS 183.484.

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

Mailing List for Extension FO Copies

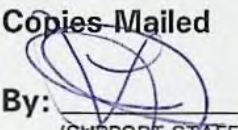
Application #G-14379

FO Date: February 4, 2004

Permit #G-13145

Original mailed to:

Applicant: ✓ **Mr. and Mrs. Darrell Pieper**
PO Box 2170
Sisters, OR 97759-2170

Copies Mailed
By:  (SUPPORT STAFF)
on: <u>2-4-04</u> (DATE)

For Extension PFO's - Copies sent to:

1. ✓ WRD - Appl. File #G-14379 / Permit #G-13145
2. ✓ WRD - Watermaster District: #11 - Jeremy Giffin, Bend
3. ✓ WRD - Regional Manager: SCR - Kyle Gorman, Bend
4. ✓ ODFW - Biologist District: #7 - Steve Marx, Bend
5. ✓ DEQ - Regional Office: Eastern - Dick Nichols, Bend
6. ✓ WRD - Jonnine Fuss, Salem...*Permit record update*

Other interested parties:

7. **NONE**

CASEWORKER: LJJ

2-2-04
Div 315
Extension "Final Order" Checklist

Application # G-14379 / Permit # G-13145

Permit Holder's Name Mr. & Mrs Darrell Pieper
PO Box 2170, Sisters, OR 97759-2170

- ✓ 1. Date Extension Request submitted: ~~7-23-01~~ 7-23-01
- ✓ 2. Date permit was issued: 6-18-97
- ✓ 3. Original "B" Date from permit:
(Date for completion of construction)
- ✓ 4. Original "C" Date from permit: 10-1-2001
(Date for complete application of water)
- ✓ 5. Extension PFO Date: 12-9-03
- ✓ 6. WRD recommends extending "B" Date to:
and extending the "C" Date to: 10-1-2010
- ✓ 7. Protest Deadline Date from PFO: 1-23-04
- ✓ 8. Any written Protests or written Comments received within the Protest period? Yes ☐ No ☒
- ✓ 9. Conditions from Extension PFO? No



15~ App# G-14379
Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

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

February 7, 2003

G 13145
MR DARRELL, PIEPER
PIEPER, MRS DARRELL
PO BOX 2170
SISTERS, OR 97759-2170

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>

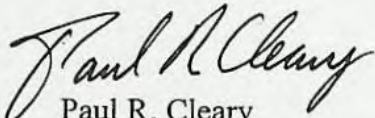
The primary purpose of the rules is to provide a mechanism for those with pending ground water use applications in the Study Area to mitigate for the impact of their proposed ground water use on surface water flows. The rules do not require those with existing conditioned ground water permits (or subsequent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

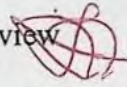
Sincerely,



Paul R. Cleary
Director

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

MEMORANDUM

Date: December 2, 2003
To: Appl #G-14379 (Permit #G-13145)
From: Lisa Juul, Permit Extension Review 
Subject: Revision made to the Extension Request and Additional Information

Today, I spoke with Darrell Pieper concerning his extension of time application for Permit #G-13145 (Application #G-14379). He revised the extension request and provided additional information as follows:

1. **Mr. Pieper requested that the proposed date for extension be revised to indicate October 1, 2010.** He wishes to request a longer period of time based upon the unknowns involved with permits located within the Deschutes Ground Water Study Area and litigation that may be brought on concerning mitigation issues with these permits. He would like more time for these issues to be settled before investing additional money into the project.... without knowing what the final outcome may be.
2. **Mr. Pieper anticipates that an additional \$60,000 investment may be needed in order to complete the development under Permit #G-13145.**

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **46953**

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

INVOICE # _____

RECEIVED FROM: Darrell R. Pieper

BY: _____

APPLICATION	
PERMIT	
TRANSFER	

CASH: ☐ CHECK: # 90-2267 OTHER: (IDENTIFY) _____

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

66111

MISCELLANEOUS

\$

0407 COPY & TAPE FEES

\$

0410 RESEARCH FEES

\$

0408 MISC REVENUE: (IDENTIFY) _____

\$

(New) TC162 DEPOSIT LIAB. (IDENTIFY) _____

\$

WATER RIGHTS:

EXAM FEE

RECORD FEE

0201 SURFACE WATER

\$

0202

\$

0203 GROUND WATER

\$

0204

\$

0205 TRANSFER

\$

0206

\$

WELL CONSTRUCTION

EXAM FEE

LICENSE FEE

0218 WELL DRILL CONSTRUCTOR

\$

0219

\$

LANDOWNER'S PERMIT

0220

\$

240 OTHER (IDENTIFY) Ext. of time \$ 100.00

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 # **46953**

DATED: 2/23/01 BY: C. Vance

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

RECEIVED

JUL 23 2001

WATER RESOURCES DEPT
SALEM, OREGON

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

I, DARRELL RAY PIEPER
NAME

PO BOX 2170 SISTERS OR 97759 541 317 4623
ADDRESS CITY STATE ZIP PHONE

owner of record, or duly authorized agent, of Application No. G 14379, Permit No. G 13145, do hereby request that the time in which to:

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

and/or the time in which to:

☐ accomplish beneficial use of water to the full extent under the terms of the permit, which time now expires on October 1, 2001, be extended to October 1, _____. TWO YEARS AFTER DESCHUTES BASIN WATER MANAGEMENT PLAN IS APPROVED BY COURTS

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

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

After reviewing the application form and the instruction contact the Department at 1-800-624-3199, or locally in 1 request assistance from the Water Rights Division, per

1-Did water system construction/well drilling begin within
YES

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

A) Please describe how you have complied with each applicable permit condition (NOTE: the

gf 9/25

entered as
Oct. 1, 2003.
2010
9-25-01

RECEIVED

JUL 23 2001

WATER RESOURCES DEPT
SALEM, OREGON

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

I, DARRELL RAY PIEPER
NAME

PO BOX 2170 SISTERS OR 97759 541 317 4623
ADDRESS CITY STATE ZIP PHONE

owner of record, or duly authorized agent, of Application No. G 14379, Permit No. G 13145, do hereby request that the time in which to:

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

and/or the time in which to:

☐ accomplish beneficial use of water to the full extent under the terms of the permit, which time now expires on October 1, 2001, be extended to October 1, _____. TWO YEARS AFTER DESCHUTES BASIN WATER MANAGEMENT PLAN IS APPROVED BY COURTS

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

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

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

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

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

A) Please describe how you have complied with each applicable permit condition (NOTE: the

gf 9/25

instruction sheet for permit extension applications provides some direction as to what is an "applicable" condition at time of permit extension review).

WELL INSTALLED, ELECTRICAL INSTALLED, UNDERGROUND LINES INSTALLED, POND AND LINER IN PLACE, UNDERGROUND IRRIGATION LINES IN PLACE AND OPERATING FOR 5 ACRES

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

DO NOT HAVE IRRIGATION SET UP YET ON REMAINING ACREAGE. WILL BE IN COMPLIANCE TWO YEARS AFTER THE DESCHUTES WATER BASIN MANAGEMENT "STRATEGY" AND MITIGATION MEASURES ARE SET AND APPROVED BY COURTS

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

A) Within the past year or, if a prior extension was authorized, during the last permit extension period:

B) Prior to the past year or, if a prior extension was authorized, prior to the last extension period:

C) I have accomplished beneficial use of water under the permit to the extent of (amount of water used or acres irrigated): 5 ACRES UNDER IRRIGATION

4-Cost of project to date \$58,000. Estimated remaining cost to complete the project UNKNOWN.

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

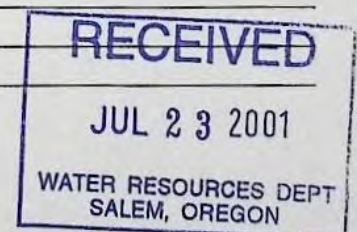
A) The project is of a size and scope that the original intent was to phase it in over a period longer than the timeframes allowed in the permit. _____

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

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

D) Acts of God or other unforeseen events delayed full development of the water system and use of water. THE DESCHUTES WATER BASIN MANAGEMENT STRATEGY AND PROPOSED MITIGATION MEASURES MUST BE DEFINED BEFORE ANY MORE MONEY IS SPENT TO DEVELOP THE WHOLE ACREAGE. IN ORDER TO KEEP MY PERMIT, DO I HAVE TO BUY PRE-1995 WATER RIGHTS OR MITIGATION BANK RIGHTS - HOW MUCH DO THESE COST? ALL HAS TO BE DEFINED BEFORE ANY MORE MONEY IS SPENT,

6-Please identify the economic market or markets to which beneficial use of water under the permit is responding. WILL BE RAISING, FEEDING & SELLING ALPACAS.
CURRENT MARKET FOR ALPACAS IS STRONG



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

B) Have these changes, if any, affected the economic feasibility of your project? —

7-Are there other present competing demands for water in your community? DO NOT KNOW

A) Has there been any change in these demands for water since the permit was issued? DO NOT KNOW

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

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

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

ALLOCATION AS DESCRIBED IN PERMIT IS MAINTAINED
WITHOUT REQUIRING PURCHASE OF "OLD" WATER RIGHTS
OR PURCHASE OF MITIGATION BANK CREDIT

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

CANNOT ANSWER BECAUSE QUESTION ASSUMES WATER
RIGHTS WILL NOT BE TAKEN AWAY OR NO ADDITIONAL
FUNDS NEED TO BE APPROPRIATED TO USE EXISTING
WATER

REQUEST A REFUND OF THE \$100 FEE BECAUSE THIS
APPLICATION FOR EXTENSION WAS BROUGHT ON BY THE
STATES POTENTIAL ADVERSE EFFECTS ON THE BECAUSE OF THE
I am the permittee, or have authorization from the permittee, to apply for an extension of time under this permit. I understand that false or misleading statements in this extension application are grounds for the Department to suspend processing of the request and/or reason to deny the extension.

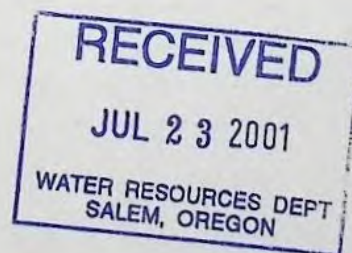
Danell R. Preper
Signature

4/24/2001
Date

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

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

m:\exchange\leep\extfm98
revised: June 21, 1999



"MITIGATION" PLAN
WATER BASIN
DESCRIBES



P A N O R A M A R A N C H A l p a c a s

PO Box 2170. Sisters OR 97759-2170

* E-Mail = drp@panoramaranch.com

October 10, 2001

Lisa J. Juul
Water Rights Specialist
Water Resources Department
1158 12th Street NE
Salem, OR 97301-4172

Reference: File # G-14379 and permit # G-13145

Dear Ms. Juul

Reference is made to your letter to me of October 3, 2001 requesting additional data on my well permit.

A water meter was installed on my well in the year 2000.

I am currently using water from the well to water livestock, specifically 11 alpacas and one llama. This number will be increasing as the females give birth next spring, and as additional animals are purchased.

Sincerely,

Darrell R. Pieper

Darrell R. Pieper

RECEIVED

OCT 15 2001

WATER RESOURCES DEPT.
SALEM, OREGON

P A N O R A M A
P A N O R A M A
P A N O R A M A



Oregon

John A. Kitzhaber, M.D., Governor

CERTIFIED MAIL
Return Receipt Requested

Water Resources Department

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

October 3, 2001

Darrell R. Pieper
PO Box 2170
Sisters, OR 97759

REFERENCE: File # G-14379 (Permit #G-13145)

Dear Mr. Pieper:

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

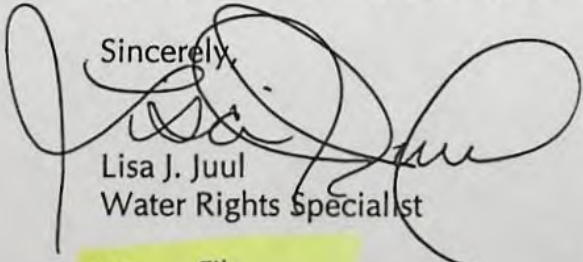
- ▶ **Has the water meter been installed yet, as the permit requires? The extension cannot be approved until the metering is installed.**
- ▶ **In addition to irrigation, your permit allows the use of 0.005 cubic foot per second of ground water for livestock watering. Has any beneficial use of water for livestock use occurred and to what extent?**

Please submit this information by **Friday, November 2, 2001**. Failure to submit the requested information by this deadline may result in the proposed rejection of your extension request.

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

If you should have any questions concerning your extension request or the required materials listed above, you may contact me at (503) 378-8455, extension 272.

Sincerely,


Lisa J. Juul
Water Rights Specialist

cc: File
Watermaster District #11

RECEIVED

DESC

51370

WELL I.D.#

9520

001 27 1997

102249

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.

WATER RESOURCES DEPT.
SALEM, OREGON

(1) OWNER:

Well Number _____

Name Darrell Piper
Address P.O. Box 6687
City Moraga Ca State Ca Zip 94570

(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 376 ft.
Explosives used ☐ Yes ☒ No Type _____ Amount _____

HOLE		SEAL					
Diameter	From	To	Material	From	To	Sacks or pounds	
14"	0	48 1/2	Bentonite	0	48 1/2	170 sks	
10"	-48 1/2	376					

How was seal placed: Method ☐ A ☐ B ☐ C ☐ D ☐ E
☒ Other poured

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:	10"	+1 1/2	48 1/2	.250	☒	☐	☒	☐
Liner:	8"	-16'	376'		☒	☐	☒	☐

Final location of shoe(s) _____

(7) PERFORATIONS/SCREENS:

		Method		Type		Material	
☒ Perforations		factory double row					
☐ Screens							
From	To	Slot size	Number	Diameter	Tele/plpe size	Casing	Liner
356'	376'	1/8x3/16"	640	8"		☐	☒

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

☐ Pump	☐ Bailer	☒ Air	☐ Flowing Artesian
Yield gal/min	Drawdown	Drill stem at	Time
300+	unknown	376	1 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: _____

(9) LOCATION OF WELL by legal description:

County Deschutes Latitude _____ Longitude _____
Township 15S N or S Range 11E E or W. WM.
Section 34D NW 1/4 SE 1/4
Tax Lot 100 Lot _____ Block _____ Subdivision _____
Street Address of Well (or nearest address) Plainview Rd.

(10) STATIC WATER LEVEL:

319' ft. below land surface. Date 10-10-97
Artesian pressure _____ lb. per square inch. Date _____

(11) WATER BEARING ZONES:

Depth at which water was first found 319'

From	To	Estimated Flow Rate	SWL
319'	376'	300+	319'

(12) WELL LOG:

Ground Elevation _____

Material	From	To	SWL
sandy top soil	0	6'	
sand, gravel blds	6'	28'	
large blds n.r.	28'	34'	
blds soft n.r.	34'	42'	
hard gray lava	42'	80'	
soft n.r.	80'	106'	
coarse brwn congl	106'	119'	
fact gray lava	119'	166'	
3 yds cement			
red cinders	166'	190'	
brkn rock congl	190'	219'	
brkn gray lava	219'	230'	
hard gray lava	230'	252'	
brkn gray lava	252'	263'	
red cinder congl	263'	291'	
brkn rock congl	291'	327'	W.B.
brwn coarse congl	327'	376'	319'

Date started 10-6-97 Completed 10-13-97

(unbonded) Water Well Constructor Certification:

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

Signed _____ WWC Number _____ Date _____

(bonded) Water Well Constructor Certification:

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

Signed John D. Kil WWC Number 1658 Date 10-15-97

Water Right Conditions Tracking Slip

Groundwater/Hydrology Section

FILE ## G-14379

ROUTED TO: Water Rights

TOWNSHIP/

RANGE-SECTION: 15S/11E-34

CONDITIONS ATTACHED? ☒ Yes ☐ No

REMARKS OR FURTHER INSTRUCTIONS:

Permit should include GW
conditions 7B & 7J

Reviewer: K. Lite

gwg

TO: Water Rights Section

Nov. 4, 1996

FROM: Groundwater/Hydrology Section K. Lite

Reviewer's Name

SUBJECT: Application G- 14379

GROUNDWATER/SURFACE WATER CONSIDERATIONS

1. PER THE Basin rules, one or more of the proposed POA's is/is not within feet/mile of a surface water source () and taps a groundwater source hydraulically connected to the surface water.
2. BASED UPON OAR 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. will not surface water source, namely ; or
 - c. ☒ will if properly conditioned, adequately protect the surface water from interference:
 - i. ☒ The permit should contain condition #(s) 7B;
 - ii. The permit should contain special condition(s) as indicated in "Remarks" below;
 - iii. The permit should be conditioned as indicated in item 4 below; or
 - 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. ☒ will if properly conditioned, avoid injury to existing rights or to the groundwater resource:
 - i. ☒ The permit should contain condition #(s) 7B;
 - ii. The permit should contain special condition(s) as indicated in "Remarks" below;
 - iii. The permit should be conditioned as indicated in item 4 below; or
4.
 - a. THE PERMIT should allow 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 Considerations on Reverse Side)

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

5. THE WELL which is the point of appropriation for this application does not meet current well construction standards based upon:
- a. ☐ review of the well log;
 - b. ☐ field inspection by _____;
 - c. ☐ report of CWRE _____;
 - d. ☐ other: (specify) _____
6. THE WELL construction deficiency:
- a. ☐ constitutes a health threat under Division 200 rules;
 - b. ☐ commingles water from more than one 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)

MEMO

Nov. 4, 1996

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

SUBJECT Scenic Waterway Interference Evaluation

☒ Yes☐ No

The source of appropriation is within or above a Scenic Waterway.

☒ Yes☐ No

Use the Scenic Waterway condition (Condition 7J).

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.

[illegible]

Wells in the vicinity of application G 14379

■ 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)

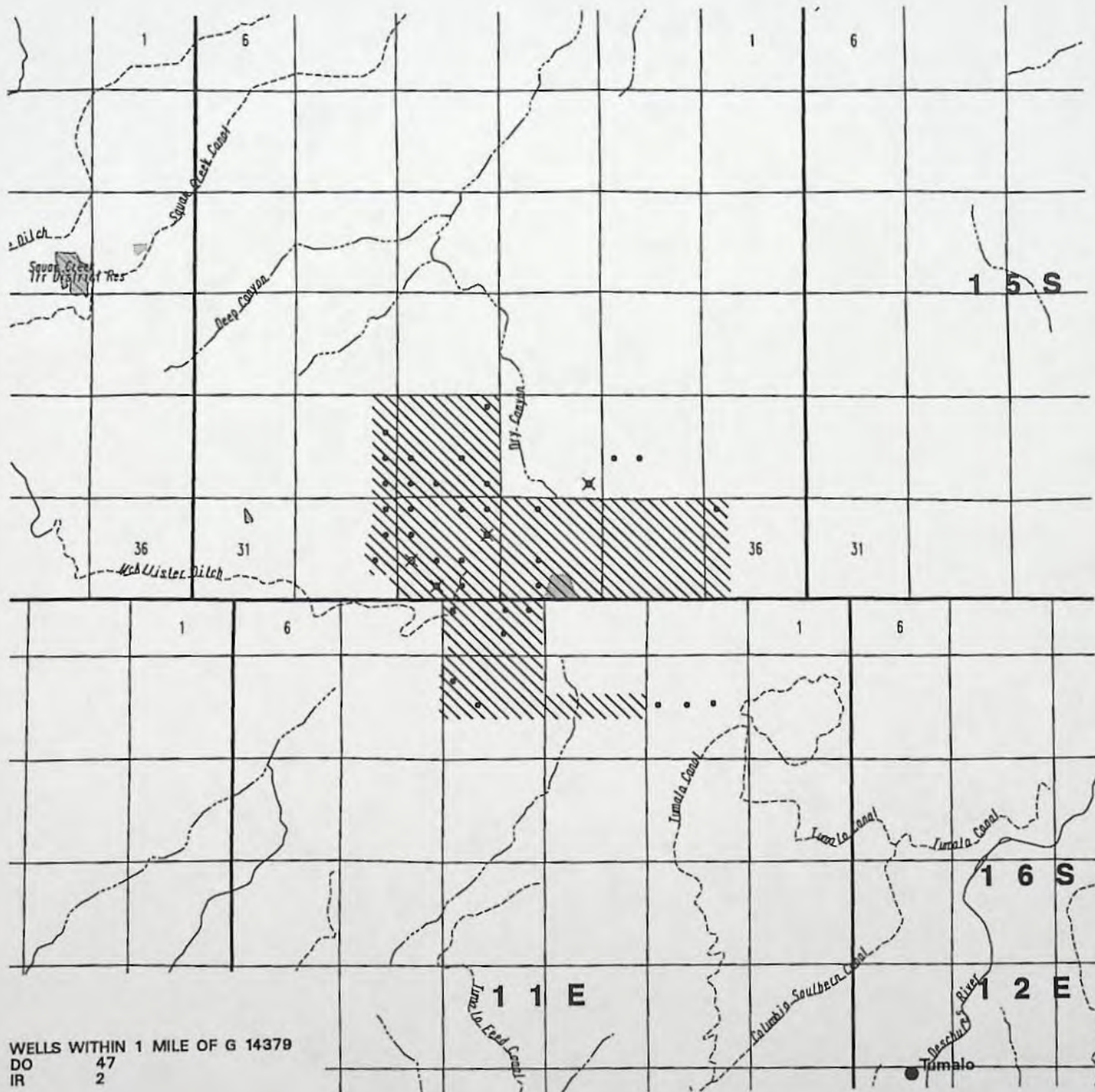
• Well(s) identified in this 1/4-1/4 section from OWRD's well log database within 1 mi. radius of application well(s)

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

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

— Critical GW Area

— Regulated GW Area



PERMITTED WELLS WITHIN 1 MILE OF APPLICATION G 14379

	PERMIT	T/R/S/QQ	USE	RATE	UNITS
G	11400	15.00S11.00E27SESE	IR	0.7813	C
G	9105	15.00S11.00E33SENE	IS	0.1000	C
G	11328	15.00S11.00E33NWSW	DN	0.2230	C
G	11328	15.00S11.00E33NWSW	DN	0.6230	C
G	12043	15.00S11.00E33SESW	IR	0.3400	C

INITIALS: IR 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

IR,PFO,SPFO,PROTEST,FO - CONDITIONAL

DIVISION 33-115 thru 140 Y (N) ODFW Co _____ Col Riv Intertribal
Fish Comm; USF&W; NW Power Plan Council; & NMFS)

DIVISION 33-310 thru 340 Y (N) (ODFW County _____;
Agriculture;DEQ)

~~CONFIDENTIAL~~ Mr + Mrs Light heart
2965 SW 53rd St
Corvallis, OR 97330

PFO, SPFO, PROTEST, FO - STANDARD:

REGION & DIST: (see ir standard above)

ODFW ~~COUNTY~~ Deschutes Dist
Dist. Bio

PFO, SPFO, PROTEST, FO - CONDITIONAL

WATER AVAILABILITY Y/N

AGENT _____

\$10 Letter To: See Mr. & Mrs. Light hart above

MAILERS INITIALS & DATE

IR	PFO	SPFO	PROTEST	FO
----	-----	------	---------	----

4-1-97
1998

4-1-97 1W8 _____

OVER Y / N

FO CHECKLIST

FILE # G-14379

REVIEW DATE: 6 / 5 / 97

WEEK # 88

PFO TO FO CONVERSION

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. ☒ / N Have affected landowners been notified?
4. Y / ☒ N Is the file lacking a signed oath of accuracy for the application?
5. Y / ☒ N 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. ☒ Verify payment of recording fees (circle the appropriate option)

53 AC
 200
 100
 86
 10
 396
 1st 10
 2x43

 - (1) 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
 - (2) Issue FO w/o permit if fees are lacking
9. ☒ 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:\T\FO\TOOLS if possible)
11. ☒ Assign permit numbers to files with oath, fees, and no protests or other issues
12. ☒ N Do the PFO conclusions requires modification? Why? POD to agree w/map
(If YES, circle FOMOD and one other type below)

FO Type: (circle types)

DENIAL

☒ FO w/o PERMIT

☒ FO & PERMIT

☒ FOMOD

COMMENTS:

713

Modify FO as needed to:

Initials **DB**

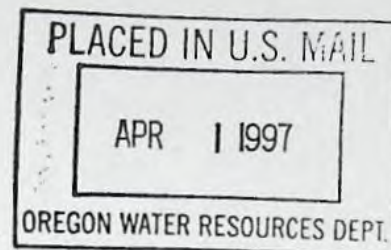
13. ☒ Respond to significant comments, issues, or disputes related to the proposed use of water (see notes, if any, listed above)
14. ☒ Include or exclude permit conditions and management codes
15. ☒ Correct PFO errors (such as POD or POU location (verify from map), Permit format)

Fix QQ NW SE
 Fix EAST Dist - 500'

Once FO document is completed:

16. ☒ Save WordPerfect document in M:\T\FO\WEEK 88& 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-14379

Proposed Final Order

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

Additional Information Required: Before a permit may be issued a revised application map needs to be submitted to the Department. The map submitted with the application only shows the location where water will be used for Irrigation. The revised application map needs to show where water will be used for Livestock Use in addition to Irrigation Use. If applicable, the revised application map also needs to show the location of main canals, pipelines, ditches, and/or flumes.

Application History

On September 23, 1996, MR. AND MRS. DARRELL PIEPER submitted an application to the Department for the following water use permit:

- Amount of Water: 0.65 CUBIC FOOT PER SECOND (CFS)
- Use of Water: IRRIGATION OF 52.8 ACRES (according to the application map) AND LIVESTOCK USE
- Source of Water: A WELL IN THE DESCHUTES RIVER BASIN
- Area of Proposed Use: DESCHUTES County within SECTION 34, TOWNSHIP 15 SOUTH, RANGE 11 EAST, W.M.

On JANUARY 17, 1997, the Department mailed the applicant notice of its Initial Review, determining that the use of 0.65 CFS from a well for Irrigation and Agricultural Use on 52.0 acres may be allowed March 1 through October 31 for Irrigation and Year Round for Agricultural Use. The applicant did not notify the Department to stop processing the application within 14 days of that date.

On FEBRUARY 4, 1997, 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 findings of the Initial Review require modification. Based upon additional review of the application, it appears that the application was misinterpreted in the Initial Review. The Department has determined that the applicant is requesting to use water for Irrigation Use rather than Agricultural and Irrigation Use. The Deschutes Basin Program allows the following uses: IRRIGATION OF 52.8 ACRES AND LIVESTOCK USE (watering of Alpacas).

The use of groundwater for Livestock Use is exempt from permitting and certificate requirements. No permit is necessary for this use.

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 FOR IRRIGATION AND YEAR ROUND FOR LIVESTOCK USE.

The Department finds that no more than 0.66 CFS would be necessary for Irrigation 52.8 acres and 0.005 CFS for Livestock Use. The amount of water requested, 0.65 CFS, is allowable but the amount of water used for Livestock Use shall be restricted to no more than 0.005 CFS.

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, if properly conditioned, adequately protect the surface water from interference.

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.

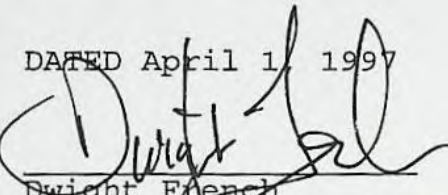
The Department therefore concludes that water is available in the amount necessary for the proposed use; the proposed use will not result in

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 April 1, 1997


Dwight French
Water Rights Section Manager

Protest Rights

Under the provisions of ORS 537.621(7), you have the right to submit a protest against 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 that a contested case hearing be held. If you do not request a hearing, the Department will presume that you do not wish for a hearing to be held.

Your protest must be received in the Water Resources Department no later than May 16, 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.

LKS

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

MR. AND MRS. DARRELL PIEPER
9 CORTE ENCINA
MORAGA, CALIFORNIA 94570

PHONE: (510) 283-9143

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

APPLICATION FILE NUMBER: G-14379

SOURCE OF WATER: A WELL IN THE DESCHUTES RIVER BASIN

PURPOSE OR USE: IRRIGATION OF 52.8 ACRES AND LIVESTOCK USE

MAXIMUM RATE: 0.65 CUBIC FOOT PER SECOND (CFS), BEING NO MORE THAN 0.65 CFS FOR IRRIGATION AND NO MORE THAN 0.005 CFS FOR LIVESTOCK USE

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31 FOR IRRIGATION AND YEAR ROUND FOR LIVESTOCK USE

DATE OF PRIORITY: SEPTEMBER 23, 1996

POINT OF DIVERSION LOCATION: SW 1/4 SE 1/4, SECTION 34, T15S, R11E, W.M.; 375 FEET SOUTH AND 550 FEET EAST FROM CENTER 1/4, SECTION 34

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:

NE 1/4 SW 1/4 13.4 ACRES
SE 1/4 SW 1/4 9.4 ACRES
NW 1/4 SE 1/4 27.2 ACRES
SW 1/4 SE 1/4 2.8 ACRES
SECTION 34
TOWNSHIP 15 SOUTH, RANGE 11 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.

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.

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.

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

Application G-14379
Basin 05
LKS

Water Resources Department
Volume 1 DESCHUTES R MISC
MGMT.CODE

PERMIT DRAFT
District 11

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APR 14 1997

WATER RESOURCES DEPT.
SALEM, OREGON

April 11, 1997

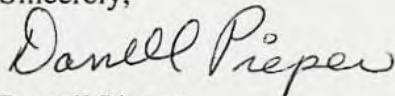
Laura K. Snedaker
Senior Water Rights Examiner
Oregon Water Resources Department
158 12th Street NE
Salem, Or 97310-0210

Application File # G-14379

Dear Ms. Snedaker

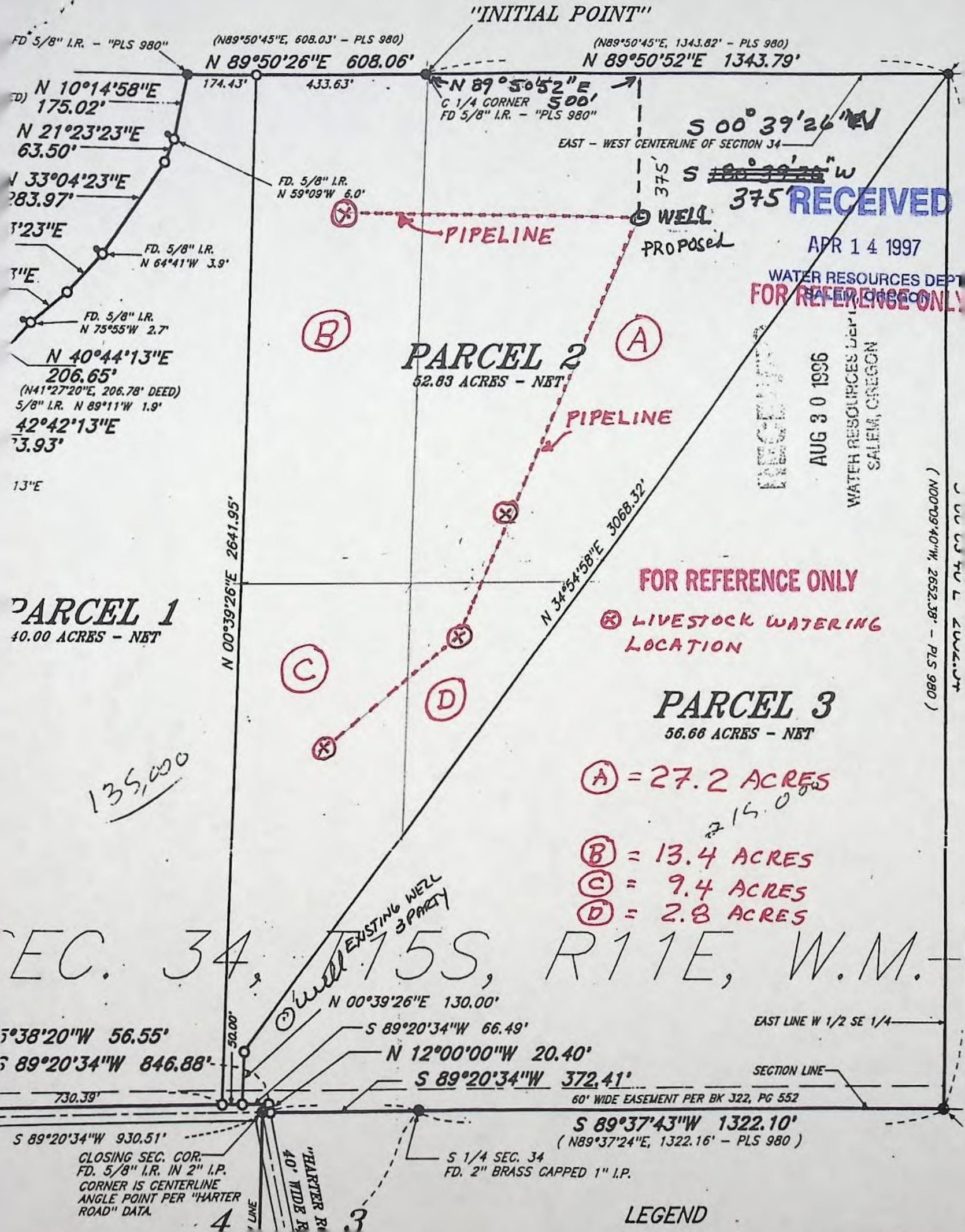
Enclosed, in accordance with your letter of April 1, 1997, is a revised application map showing the locations for livestock watering and the pipelines between the proposed well and the livestock watering locations.

Sincerely,



Darrell Pieper
9 Corte Encina
Moraga, CA 94556
Phone 510-283-8958
Fax 510-283-9143

Enclosure:



**COLDWELL
BANKER**

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SEP 23 1996

209 NE GREENWOOD
BEND, OR 97701
BUS. (503) 382-4123
FAX (503) 385-3253
MES. (503) 383-4365

MORRIS
REAL ESTATE

WATER RESOURCES DEPT.
SALEM, OREGON



TERRY DWYER, GRI
Sales Associate

August 27, 1996

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

Dear Sirs:

On behalf of my clients: Mr. Mrs. Darrell Pieper I am submitting this application form for a well for irrigation purposes.

They are in the process of purchasing this property from Mr. Mrs. Lighthart, and we have a signed contract between the Buyers and Sellers. A contingency of the contract is based upon the ability of the Buyers to obtain ground water irrigation rights. Hence the reason for this application being made by the buyers, Mr. Mrs. Darrell Pieper.

I am in hopes that we have included all the information you may need to process the application as quickly as possible. We have included a map showing the location of the proposed well.

Please do not hesitate to call me or my client should you need any further information.

Thank you:

Terry Dwyer
Terry Dwyer
Sales Associate

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AUG 30 1996

WATER RESOURCES DEPT.
SALEM, OREGON

Proposed Well Location Description

Situated in the Southeast Quarter of Section 34, T15S, R11E, W.M., Deschutes County, Oregon. Beginning at the center quarter corner of said Section 34 ("Initial Point"): thence N89°50'52"E 500 feet, thence S 00°39'26"W to the well location.

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WATER RESOURCES DEPT.
SALEM, OREGON

Application No. 614379
Permit No.

Metes and bounds legal description of property

The land situated in the southwest and southeast quarters of Section 34, T15S, R11E, W.M., Deschutes County, Oregon. Beginning at the center quarter corner of said Section 34 ("Initial Point"): thence N89°50'52"E, 1343.79 feet to a 5/8" iron rod at the center east sixteenth corner; thence S34° 54'58"W, 3068.32 feet, thence S00°39'26"W, 130.00 feet; thence S89°20'34"W, 50 feet; thence N00°39'26"E, 2641.95 feet; thence N89°50'26"E, 433.63 feet to the point of beginning.

Application No. G-14379
Permit No.

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WATER RESOURCES DEPT.
SALEM, OREGON

SENDER:

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

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

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Mr AND Mrs Darrell Pieper
9 Corte Encina
Moraga CA 94570

4a. Article Number

4-56192

4b. Service Type

- | | |
|---|---|
| ☐ Registered | ☒ Certified |
| ☐ Express Mail | ☐ Insured |
| ☐ Return Receipt for Merchandise | ☐ COD |

7. Date of Delivery

4-7-97

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

X Darrell R Pieper

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

UNITED STATES POSTAL SERVICE

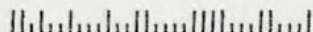


First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

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

WATER RESOURCES DEPARTMENT
158 12TH STREET NE
SALEM, OR 97310

Laura Sredaker - G-14379



CERTIFIED MAIL
Return Receipt Requested

WATER
RESOURCES
DEPARTMENT

APRIL 1, 1997

MR. AND MRS. DARRELL PIEPER
9 CORTE ENCINA
MORAGA, CALIFORNIA 94570

RE: Application File # G-14379

Dear MR. AND MRS. DARRELL PIEPER:

On JANUARY 17, 1997, a Proposed Final Order was sent from the Department requesting additional information necessary to complete your application for water use. This information must be submitted:

- ▶ A revised application map needs to be submitted to the Department. The map needs to show the following information:

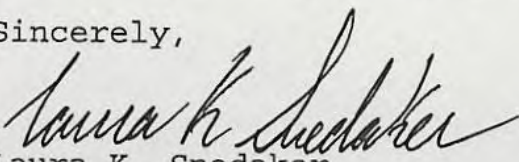
The place of use for Livestock Watering (Alpacas) also needs to be shown on the application map.

If applicable, the location of any main canals, ditches, pipelines, and/or flumes also need to be shown on the location map.

Please submit these items by MAY 16, 1997. If we do not receive the items requested above by this date, we may reject your application consistent with ORS 537.153. If your application is rejected, any fees submitted in excess of the examination fee will be refunded; however, the examination fee is non-refundable and will not be returned. In addition, the priority date associated with your application will be lost.

Should you have any questions regarding your application or the required materials listed above, or if you need to request an extension of time, please call me personally at 1-800-624-3199, extension 331.

Sincerely,


Laura K. Snedaker
Senior Water Rights Examiner

Enclosures: Department Map Requirements
Copy of Applicant's Maps

cc: Kyle Gorman, Watermaster District 11



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

MAP REQUIREMENTS
OAR 690-310-050

690-310-050(1) Each application shall be accompanied by a map or drawing which shall be considered a part of the application.

(2) Maps submitted with water use applications shall meet the following criteria:

(a) The application map, which is made part of the record, shall be of permanent quality and drawn in ink or otherwise printed in an indelible form with sufficient clarity so as to be easily reproduced.

(b) Maps shall be drawn on good-quality paper. If the map is larger than 11 inches by 17 inches, four copies must be submitted or the map must be drawn of tracing linen, tracing vellum or mylar.

(c) All maps shall be drawn to a standard, even scale of not less than 4 inches=1 mile. All maps must include the scale to which the map is drawn and a north directional symbol.

(3) A platted and recorded subdivision map, deed description survey map or county assessor map may be submitted as the application map if all of the required information is clearly shown.

(4) Each copy of the map shall show clearly each of the following requirements that apply to the proposed appropriation:

(a) the location of each diversion point, well, or dam by reference to a recognized public land survey corner. The locations may be shown by distance and bearing or by coordinates (distance north or south and distance east or west from the corner).

(b) The location of main canals, ditches, pipelines, or flumes.

(c) The location of the place where water is to be used identified by tax lot, township, range, section and nearest quarter-quarter section along with a notation of the acreage of the proposed place of use, if appropriate. The Department also shall accept any locational coordinate information that the applicant may wish to provide, including latitude and longitude as established by a global positioning system. If for irrigation, the area to be irrigated in each quarter-quarter of a section shall be indicated by shading or hatchuring and the number of acres in each quarter-quarter section, donation land claim, government lot or other recognized public land survey lines indicated.

Application No. C-14379
Permit No.

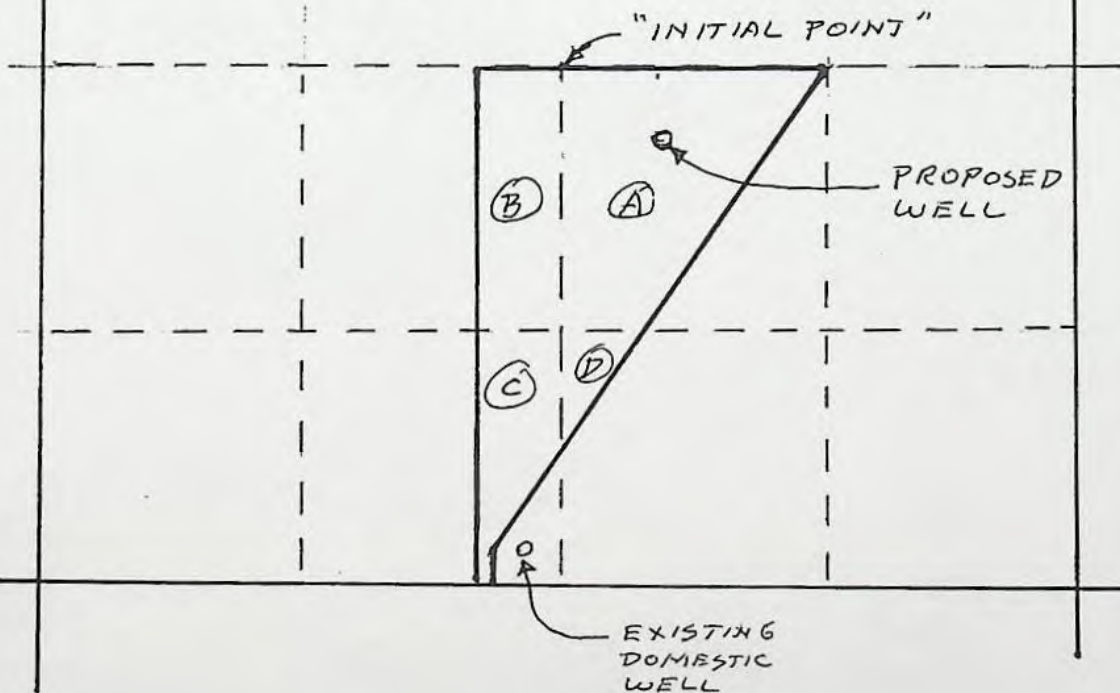
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SALEM, OREGON



← SECT 34, T15S, R11E W.M. →



(A) = 27.2 ACRES

(B) = 13.4 ACRES

(C) = 9.4 ACRES

(D) = 2.8 ACRES

TOTAL = 52.8 ACRES

File: G-14379

Date: 4-7-97

Name: DARREL PIEPER PHONE: (510) 283-8958

?s regarding request for revised map and findings of PFO - PFO indicates that livestock use is exempt and that a permit is not required - do need to show location of livestock use on map?, how detailed?, and what if change location of use? when this is also an exempt use

will review file and discuss with other staff and call back

4-8-97

Discussed file with Mike Mattick.

called and left message for Mr. Pieper.

Mr. Pieper called me back.

discussed what needs to be shown on map. location of use needs to be shown if want permit for use, even if exempt. needs to be as accurate me can make it (mentioned that when make proof for certificate will be required to hire CWRE to prepare a more accurate map)

also discussed option to not get permit for livestock use - what could mean in terms of regulation and priority dates

discussed permit priority dates, transfer potential if change place of use and option to apply for additional permits if increase use

discussed that this is based on conversation with Mike Mattick and referred him to Mike for more detailed information

Mr. Pieper called and further discussed these issues with Mike Mattick.

Application No.

G-14379

State of Oregon

WATER RESOURCES DEPARTMENT

Application for a Permit to Appropriate Groundwater

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WATER RESOURCES DEPT.
SALEM, OREGON

Applicant(s) MR. MRS. DARRELL PIEPER

(Please print or type - use dark ink)

Mailing Address: 9 CORTE ENCINA

MORAGA

City

CA

State

94570

Zip

510-283-9143

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.):

N/A

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WATER RESOURCES DEPT.
SALEM, OREGON

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

Distance from development to stream: N/A

Elevation difference between streambed and development: N/A

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

Diameter of well: 12" Depth in feet: 375"

Type and size of well casing: 10" STEEL No. of feet: 375

Estimated depth to water: 300'

Type of access port or measuring device: 1/2" PLUG AND SANITARY SEAL

Wells to be drilled by: TO BE DETERMINED AT LATER DATE

Address: _____

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

N/A

2. TOTAL AMOUNT OF WATER to be applied to beneficial use: 0.65 cubic feet per second, OR 292 gallons per minute. If water is to be used from more than one groundwater source, give the quantity of water from each: N/A

3. INTENDED USE(s) OF WATER: AGRICULTURE - IRRIGATION FOR:

ALFALFA AND GRASS, WATERING OF ALPACAS

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

N/A

If for DOMESTIC use, state the number of households to be supplied; N/A

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.)

N/A

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

52

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).

WELL WITH 10" CASING, 50 HORSEPOWER PUMP, DITCH OF 500 FEET LENGTH TO AN IRRIGATION POND. FOR PASTURES, UNDERGROUND PIPELINES + SPRINKLER HEADS, FOR TREES, UNDERGROUND PIPES AND A DRIP SYSTEM.

5. PROJECT SCHEDULE: (List month and year)

Proposed date construction work will begin JUNE 1997

Proposed date construction work will be completed JUNE 1998

Proposed date water use will be completed SEPT 1999

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)

7. Are all lands involved (including the proposed diversion site, place of use, and access for conveying the water) under your ownership? NO. 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: MR. MRS. PIEPER ARE IN CONTRACT TO BUY THE PROPERTY FROM MR. MRS. LIGHTHANT. A CONTINGENCY OF THE CONTRACT IS THE ABILITY TO OBTAIN GROUND IRRIGATION WATER RIGHTS - HENCE THE REASON FOR THE BUYERS MR. MRS. PIEPER, MAKING APPLICATION. THE CONTRACT IS THRU INVEST WEST - AS LISTING COMPANY COLDWELL BANKER - AS SELLING COMPANY ESCROW # 375-247

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:

T. Dwyer For Darrell Pieper 8-27-96
Signature Date

Signature Date

OWNER: MR. MRS. LIGHTHANT
2965 SW 53RD ST.
CORVALLIS, OR. 97330
541-757-2442

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WATER RESOURCES DEPT.
SALEM, OREGON

RECEIVED

AUG 30 1996

WATER RESOURCES DEPT.
SALEM, OREGON

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 23rd day of September, 1996 at 8 o'clock, A-M.

APPLICATION NO: G-14379

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

(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.

TO IRRIGATE 33 ACRES OF LAND.
MEASURE WATER WITH A WATER METER AT THE WELL.

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

NO SURFACE STREAMS IN THE VICINITY

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 MR. MRS. DARRELL PIEPER. File No. 6-4379

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SALEM, OREGON

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WATER RESOURCES DEPT.
SALEM, OREGON

Voice mail

12:29 - Terry Dwier
541-383-4365
re: Pieper

4-28-97

Voice mail - 11:40

Terry Dwier - Caldwell 541-383-4365
re: Mr. & Mrs. Darryl Pieper
G- 14379

4-29-97

8:26 returned call & left message

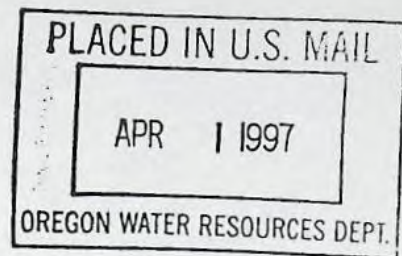
Voice mail 12:29

Terry Dwier 541-383-4366
re: Pieper application

1:15 - returned her call

described PFO to FO general timeline
indicated map appears to be OK

Oregon Water Resources Department
Water Rights Division



Water Rights Application
Number G-14379

Proposed Final Order

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

Additional Information Required: Before a permit may be issued a revised application map needs to be submitted to the Department. The map submitted with the application only shows the location where water will be used for Irrigation. The revised application map needs to show where water will be used for Livestock Use in addition to Irrigation Use. If applicable, the revised application map also needs to show the location of main canals, pipelines, ditches, and/or flumes.

Application History

On September 23, 1996, MR. AND MRS. DARRELL PIEPER submitted an application to the Department for the following water use permit:

- Amount of Water: 0.65 CUBIC FOOT PER SECOND (CFS)
- Use of Water: IRRIGATION OF 52.8 ACRES (according to the application map) AND LIVESTOCK USE
- Source of Water: A WELL IN THE DESCHUTES RIVER BASIN
- Area of Proposed Use: DESCHUTES County within SECTION 34, TOWNSHIP 15 SOUTH, RANGE 11 EAST, W.M.

On JANUARY 17, 1997, the Department mailed the applicant notice of its Initial Review, determining that the use of 0.65 CFS from a well for Irrigation and Agricultural Use on 52.0 acres may be allowed March 1 through October 31 for Irrigation and Year Round for Agricultural Use. The applicant did not notify the Department to stop processing the application within 14 days of that date.

On FEBRUARY 4, 1997, 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 findings of the Initial Review require modification. Based upon additional review of the application, it appears that the application was misinterpreted in the Initial Review. The Department has determined that the applicant is requesting to use water for Irrigation Use rather than Agricultural and Irrigation Use. The Deschutes Basin Program allows the following uses: IRRIGATION OF 52.8 ACRES AND LIVESTOCK USE (watering of Alpacas).

The use of groundwater for Livestock Use is exempt from permitting and certificate requirements. No permit is necessary for this use.

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 FOR IRRIGATION AND YEAR ROUND FOR LIVESTOCK USE.

The Department finds that no more than 0.66 CFS would be necessary for Irrigation 52.8 acres and 0.005 CFS for Livestock Use. The amount of water requested, 0.65 CFS, is allowable but the amount of water used for Livestock Use shall be restricted to no more than 0.005 CFS.

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, if properly conditioned, adequately protect the surface water from interference.

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.

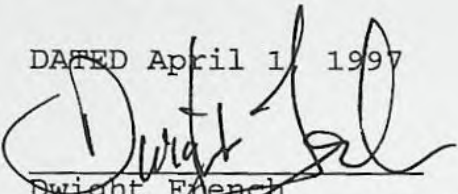
The Department therefore concludes that water is available in the amount necessary for the proposed use; the proposed use will not result in

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 April 1, 1997


Dwight French
Water Rights Section Manager

Protest Rights

Under the provisions of ORS 537.621(7), you have the right to submit a protest against 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 that a contested case hearing be held. If you do not request a hearing, the Department will presume that you do not wish for a hearing to be held.

Your protest must be received in the Water Resources Department no later than **May 16, 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.

LKS

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

MR. AND MRS. DARRELL PIEPER
9 CORTE ENCINA
MORAGA, CALIFORNIA 94570

PHONE: (510) 283-9143

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

APPLICATION FILE NUMBER: G-14379

SOURCE OF WATER: A WELL IN THE DESCHUTES RIVER BASIN

PURPOSE OR USE: IRRIGATION OF 52.8 ACRES AND LIVESTOCK USE

MAXIMUM RATE: 0.65 CUBIC FOOT PER SECOND (CFS), BEING NO MORE THAN 0.65 CFS FOR IRRIGATION AND NO MORE THAN 0.005 CFS FOR LIVESTOCK USE

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31 FOR IRRIGATION AND YEAR ROUND FOR LIVESTOCK USE

DATE OF PRIORITY: SEPTEMBER 23, 1996

POINT OF DIVERSION LOCATION: SW 1/4 SE 1/4, SECTION 34, T15S, R11E, W.M.; 375 FEET SOUTH AND 550 FEET EAST FROM CENTER 1/4, SECTION 34

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:

NE 1/4 SW 1/4 13.4 ACRES

SE 1/4 SW 1/4 9.4 ACRES

NW 1/4 SE 1/4 27.2 ACRES

SW 1/4 SE 1/4 2.8 ACRES

SECTION 34

TOWNSHIP 15 SOUTH, RANGE 11 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.

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.

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.

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.

Application G-14379

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

Application G-14379
Basin 05
LKS

Water Resources Department
Volume 1 DESCHUTES R MISC
MGMT.CODE

PERMIT DRAFT
District 11

JANUARY 17, 1997

MR. AND MRS. DARRELL PIEPER
9 CORTE ENCINA
MORAGA, CALIFORNIA 94570

Reference: File G-14379

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 52.0 ACRES AND AGRICULTURAL USE is allowed under OAR 505, the Deschutes Basin Program.
4. The Department determined, based upon OAR 690-09, that the proposed groundwater use will, if properly conditioned, adequately protect the surface water from interference.
5. Water for the use of 0.65 CUBIC FOOT PER SECOND (CFS) for IRRIGATION OF 52.0 ACRES AND AGRICULTURAL USE is available.
6. Use of water for Irrigation shall be limited to the Irrigation Season, March 1 through October 31. Use of water for Agricultural Use is allowable Year Round.

Summary of Initial Determinations

The use of 0.65 cfs from a well for Irrigation and Agricultural Use on 52.0 acres may be allowed March 1 through October 31 for Irrigation and Year Round for Agricultural Use.



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

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.

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.

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 **JANUARY 31, 1997**. For your convenience you may use the enclosed "STOP PROCESSING" form.

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

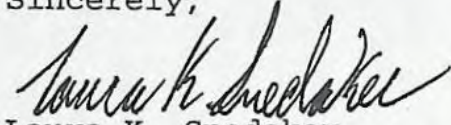
1. You may be required to measure the amount of water used and report that use annually.
2. If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this permit, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences.
3. You will be required to comply with state and federal water quality standards.
4. The priority date for this application is September 23, 1996.
5. 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 you have any questions:

Feel free to call me at (503) 378-8455 ext. 331 or 1 (800) 624-3199 if you have any questions. Please have your application number available if you call.

Sincerely,



Laura K. Snedaker
Senior Water Rights Examiner

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

dw

P.N. = 2/4/97

PFO CHECKLIST

Application #: 6 14379Basin: Deschutes

WAB: _____

Township 15S Range 11E Section 34 1/4 1/4 _____

- ☒ 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 conditions 7B (convert old gw conditions to the 7 series and add to the PFO, if necessary)
 - ☒ a. Is second groundwater review necessary? (comments) Y / (N)
 - ☒ b. 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
- ☒ 11. Is the proposed use located in a TMDL Basin? (Tualatin, Yamhill, Pudding) Y / (N)
- ☒ 12. Division 33 has been addressed - if applicable (Above Bonn after July 17, 1992 & Below Bonn after April 8, 1994; June 3, 1994; or Statewide - in shaded areas on T, E, and S Map - after June 3, 1994) Y / N (NA)
- ☒ 13. Have conflicts been identified, verified and/or addressed? Y / (N) none identified by I.R.
- ☒ 14. Rate 1/40 Duty 3.0 Irrigation Season March -> Oct
- ☒ 15. Period of Allowed Use Irrig March -> Oct / Live Stock - Year Round
- ☒ 16. Allowed Rate of Use 0.65 cfs, being no more than 1/40 (Alpacas are a type of requesting 0.65 cfs 0.005 cfs for livestock use)
- ☒ 17. Is the use Small (≤ 0.1 cfs, ≤ 9.2 AF), Medium (> 0.1 or < 1.5 cfs, > 9.2 or < 100 AF) or Large (≥ 1.5 cfs, ≥ 100 AF)?
- ☒ 18. Conditions 7B, 75
- ☒ 19. Documents used in determination are attached and highlighted
See also I.R. checklist
- ☒ 20. Spell Check
- ☒ 21. Check for Accuracy
 $52.8 \text{ ac} \times \frac{1}{80} = 0.66 \text{ cfs max for Irrig.}$
- ☒ 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 IR/PFO/FO 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 SmedakerDate: 6-21-97

IR CHECKLIST

✓ 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 7B, 7J Signed Land Use
 ✓ a. Is the well located in a groundwater limited area? Y N Found

4. SWW (Y) N Triage Y / (N) conditions/restrictions (Y) N 75

✓ 5. Basin Program limitations? Y / N

✓ 6. Withdrawn? Y (N) season allowed

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 1/80 / 3.0 / March → Oct

✓ 10. Use Irrigation Period of Allowed Use March → Oct

11. Priority Date(s) Sept 23, 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 73.75

✓ 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 _____

requesting 0.65 cfs for Irrigation 52 acres

$$52 \times \frac{1}{80} = 0.65 \text{ cfs max}$$

Name: Laurie Sweetaker Date: 1-10-97

(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.

(E) The maximum economic development of this state, the attainment of the highest and best use of the waters of the natural lakes 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, irrigation of lawn or noncommercial garden not to exceed one-half acre in area, power development not to exceed 7 1/2 theoretical horsepower, recreation, wildlife and fish life uses.

(b) Applications for the use of the waters of the Middle Deschutes River Basin shall not be accepted by any state agency for any other use and the granting of applications for such other uses is declared to be prejudicial to the public interest and the granting of applications for such other uses would be contrary to the integrated and coordinated program for the use and control of the water resources of the state.

(c) Structures or works for the utilization of the waters in accordance with the aforementioned classifications are also declared to be prejudicial to the public interest unless planned, constructed, and operated in conformity with the applicable provisions of ORS 536.310 and any such structures or works are further declared to be prejudicial to the public interest which do not give proper cognizance to the multiple-purpose concept.

(2) Minimum Perennial Streamflows

For the purpose of maintaining a minimum perennial streamflow sufficient to support aquatic life, no appropriations of water except for domestic or livestock uses shall be made or granted by any state agency or public corporation of the state for the waters of Lake Creek or its tributaries above the confluence of Lake Creek with the Metolius River for flows of Lake Creek below 20 cubic feet per second measured at the mouth of Lake Creek except that this limitation shall not apply to waters legally stored or legally released from storage (priority date - May 24, 1962).

(3) Water Quality

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

Lower Deschutes River Basin

690-505-003

(1) Classifications

(a) The maximum economic development of this state, the attainment of the highest and best use of the waters of the Lower 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 Lower Deschutes River Basin are hereby so classified with the following exceptions:

RECEIVED

SEP 23 1996

DELIVER OR MAIL TO:

COLDWELL BANKER MORRIS
TERRY DWYER
209 NE GREENWOOD
BEND, OR 97701-0000

PREPARED BY:

CHARLIE
09/17/96
11:21:55

WATER RESOURCES DEPT.
SALEM, OREGON

Western Title & Escrow Company

We appreciate your business and hope to serve you in
the near future!

Any questions with this report please call our Customer Service department.

389-5751

Application No. 6-14379
Permit No.

This information has been furnished, without charge, in conformance with the guidelines approved by the State of Oregon Insurance Commissioner. The insurance division cautions intermediaries that this service is designed to benefit the ultimate insured. Indiscriminate use which only benefits intermediaries will not be permitted, and if so, these services may be discontinued. No liability is assumed for any errors in the report.

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NORTH



SEC. 34, T15S, R11E, W.M.

"DEED" - STATUTORY WARRANTY DEED, BOOK 220, PAGE 8713 (NO 80-28689)
AN "AGREEMENT FOR EASEMENT" - BOOK 322, PAGE 332 (RECORDING NO. 31308)
PLS 880 - SURVEY BY PLS 880, DATED 12/27/78, FOR "CAMPBELL HAYES, ALLEN" (CS00780)

THE PURPOSE OF THIS SURVEY WAS TO PARTITION A PORTION OF THE E 1/2 OF THE SW 1/4 AND ALL OF THE W 1/2 OF THE SE 1/4 OF SECTION 34, T155, R11E, W4E, DESCHUTES COUNTY, OREGON. MONUMENTS FOUND AT THE CENTER 1/4, SOUTH 1/4, CENTER EAST 1/4, EAST 1/4 AND WEST 1/4 OF THE SOUTH LINE, SOUTHWEST 1/4 AND THE NORTH AND SOUTH ENDS OF THE "IRREGULAR BOUNDARY" WERE ACCEPTED AS BEING THE CORRECT POSITIONS OF THE MONUMENTS. THE "IRREGULAR BOUNDARY" HAS ANGLE POINTS ALONG THE "IRREGULAR BOUNDARY" OF "PARCEL 1". WAS USED TO DEFINE SAID ANGLE POINTS BETWEEN THE NORTH AND SOUTH ENDS OF THE "IRREGULAR BOUNDARY". THE RELATIVE POSITION OF MONUMENTS FOUND BUT NOT FIELD ARE SHOWN ON THE MAP ABOVE. ADDITIONAL MONUMENTS WERE SET DURING THE COURSE OF THIS SURVEY TO DEFINE THE BOUNDARY LINES OF THE PARCELS AND THE ADDITIONAL 1/4 ACRE DEDICATION OR ACRE-OF-WAY FOR "FOOTER ROAD". NO OTHER MONUMENTS OR BOUNDARY CORNERS WERE FOUND TO EXIST DURING THE COURSE OF THIS SURVEY. NO KNOWN EJECTING CONTROL POSTS WITHIN 65.0 MILES OF THIS SITE.

I, FRED A. ST. JR., OREGON REGISTERED PROFESSIONAL LAND SURVEYOR NO. 1934, BEING FIRST DULY SWORN, DO HEREBY CERTIFY THAT I HAVE CORRECTLY SURVEYED AND MARKED WITH PROPER MONUMENTS, THE LAND REPRESENTED ON THE PLAT OF "JUNIOR LAND PARTITION NO. 93-12", SITUATED IN THE SOUTHWEST AND SOUTHEAST QUARTERS OF SECTION 34, T15S, R11E, W4E, DESCHUTES COUNTY, OREGON, AND THAT THE 5/8" IRON ROD FOUND AT THE CENTER QUARTER CORNER OF SAID SECTION 34 HAS ACCEPTED TO REPRESENT THE "INITIAL POINT" OF SAID "JUNIOR LAND PARTITION NO. 93-12". THE BOUNDARY OF WHICH IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE CENTER QUARTER CORNER OF SAID SECTION 34 ("NORTH POINT"), THENCE S00°08'40"E, 3652.31 FEET TO A 1" BRASS CAPPED IRON PIPE AT THE EAST SIXTEENTH CORNER OF SAID SECTION 34; THENCE S00°08'40"E, 3652.31 FEET TO A 1" BRASS CAPPED IRON PIPE AT THE EAST SIXTEENTH CORNER OF SAID SECTION 34; THENCE S89°20'34"E, 372.41 FEET TO A 5/8" IRON ROD ON THE RIGHT-OF-WAY LINE OF "HARVEY ROAD"; THENCE N12°00'00"W, 60.37 FEET TO A 5/8" IRON ROD ON THE RIGHT-OF-WAY LINE, 20.40 FEET THENCE S89°20'34"E, ON SAID RIGHT-OF-WAY LINE, 656.68 FEET TO A 5/8" IRON ROD; THENCE N00°37'15"W, 100.00 FEET TO A 5/8" IRON ROD; THENCE N89°34'24"E, 40.00 FEET TO A 5/8" IRON ROD; THENCE N45°48'20"W, 100.00 FEET TO A 5/8" IRON ROD; THENCE S00°08'40"E, 3652.31 FEET PARALLEL TO AND ALONG THE WEST LINE OF SAID SECTION 34, 3652.31 FEET EASTWARD TO AN ANGLE TO THE WEST LINE OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 34, 1658.61 FEET TO A 5/8" IRON ROD; THENCE N42°42'13"E, 165.83 FEET TO A 5/8" IRON ROD; THENCE N40°44'13"E, 204.65 FEET TO A 5/8" IRON ROD; THENCE N48°00'31"E, 120.03 FEET TO A 5/8" IRON ROD; THENCE N40°53'23"E, 152.37 FEET TO A 5/8" IRON ROD; THENCE N33°04'23"E, 263.97 FEET TO A 5/8" IRON ROD; THENCE S00°08'40"E, 3652.31 FEET PARALLEL TO AND ALONG THE WEST LINE OF SAID SECTION 34, 3652.31 FEET WESTWARD TO A 5/8" IRON ROD ON THE EAST WEST CENTERLINE OF SAID SECTION 34; THENCE N89°20'34"E, 400.00 FEET TO THE POINT OF BEGINNING.

CONTAINING A NET AREA OF 148.48 ACRES, MORE OR LESS

QUARTER ROAD R/W - DEDICATION - BOUNDARY"

5°38'20"W 56.55'
89°20'34"E 40.00

S 89°20'34"W 855.07'

4	3
T16S	R11E

95-31361

PARTITION PLAT NO.

1995-35

PL 5/8" W - "PLS 980"
CE 1/16

MINOR LAND PARTITION NO. 93-12

THE PARTITIONING OF A TRACT OF LAND
SITUATED IN THE SW AND SE QUARTERS OF
SECTION 34, TOWNSHIP 15 SOUTH, RANGE 11 EAST, W.M.,
DESCHUTES COUNTY, OREGON.

LEGEND

- MONUMENTS WERE FOUND AS DESCRIBED
- SET 5/8"x30" IRON ROD WITH "FAST - PLS 1938"
YELLOW PLASTIC CAP
- (---) RECORD DATA PER THE "REFERENCE MATERIAL"

OWNERS: FKA= 15-11-00-5800

BRUCE LIGHTHART AND GLORIA A. LIGHTHART

SURVEYOR:

FRED A. AST, JR. AND ASSOCIATES
351 W. CASCADE P.O. BOX 751
SISTERS, OREGON 97759REGISTERED
PROFESSIONAL
LAND SURVEYOROREGON
JULY 21, 1981
FREDERICK A. AST, JR.
1938

12-02-94

DECLARATION AND DEDICATION:

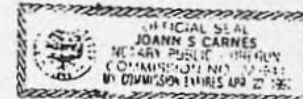
KNOW ALL MEN BY THESE PRESENT, THAT WE, BRUCE LIGHTHART AND GLORIA A. LIGHTHART, OWNERS IN FEE SIMPLE, HAVE CAUSED SAID LAND TO BE SURVEYED AND PLATTED INTO THE PARCELS, EASEMENTS AND RIGHT-OF-WAYS AS SHOWN, AND DO HEREBY DEDICATE SAID RIGHT-OF-WAYS TO THE PUBLIC, AND DO HEREBY SUBMIT FOR RECORD AND APPROVAL THE PLAT OF LAND PARTITION "MP-93-12".

Bruce Lighthart → Gloria A. Lighthart
BRUCE LIGHTHART GLORIA A. LIGHTHART

ACKNOWLEDGEMENTS:

THIS IS TO CERTIFY THAT ON THIS 29 DAY OF Nov., 1994, BEFORE ME, A NOTARY PUBLIC, PERSONALLY APPEARED BRUCE LIGHTHART AND GLORIA A. LIGHTHART, TO ME KNOWN TO BE THE INDIVIDUALS WHO EXECUTED THE FOREGOING "DECLARATION" FREELY AND VOLUNTARILY FOR THE PURPOSES THEREIN NAMED.COUNTY OF Oregon
STATE Oregon

Joann S. Carnes
NOTARY SIGNATURE



APPROVALS:

WATER MASTER-NO WATER RIGHT EXISTS ON THIS PARCEL

DATE

Jeff Kern
DESCHUTES COUNTY SURVEYOR

2-9-95
DATE

Joann S. Carnes
DESCHUTES COUNTY PUBLIC WORKS DIRECTOR

2-16-95
DATE

Joann S. Carnes
DESCHUTES COUNTY ENVIRONMENTAL HEALTH DIRECTOR

2-21-95
DATE

Joann S. Carnes
DESCHUTES COUNTY TAX COLLECTOR I CERTIFY THAT ALL TAXES HAVE BEEN PAID AS OF THIS DATE

2-21-95
DATE

Joann S. Carnes
DESCHUTES COUNTY ASSESSOR

2-21-95
DATE

I HEREBY CERTIFY THAT ALL AD VALOREM TAXES AND ALL SPECIAL ASSESSMENTS FEES AND OTHER CHARGES REQUIRED BY LAW TO BE PLACED ON THE 1994-1995 TAX ROLL, WHICH HAS OR WILL BECOME A LIEN DURING THIS CALENDAR YEAR, BUT NOT YET CERTIFIED TO THE TAX COLLECTOR FOR COLLECTION HAVE BEEN PAID TO ME.

Joann S. Carnes
DESCHUTES COUNTY PLANNING DIRECTOR

6-21-95
DATE

Berny A. Plaugher
DESCHUTES COUNTY COMMISSIONER

6/28/95
DATE

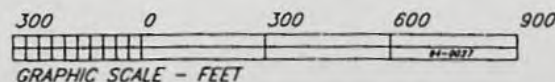
Nancy Pope Schlegel
DESCHUTES COUNTY COMMISSIONER

6/28/95
DATE

Joann S. Carnes
DESCHUTES COUNTY COMMISSIONER

6/28/95
DATE

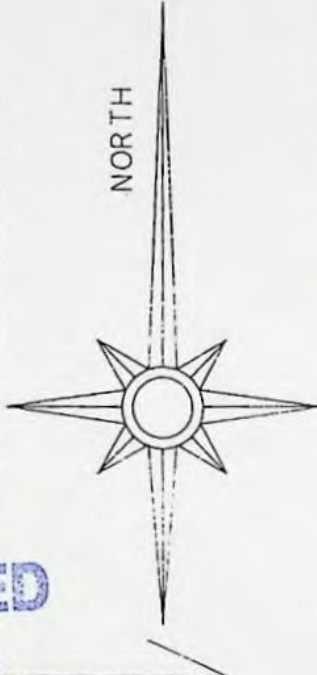
Signature of the Board of Commissioners constitutes acceptance by the county of any right-of-way dedicated to the public.



PPI-440

**BASIS OF BEARING PER "PLS 980"*

NORTH



RECEIVED

SEP 23 1996

WATER RESOURCES DEPT.
SALEM, OREGONE 1/16
TO 2" BRASS CAPPED 1" LP.

2E 0213 (NO 90-28649)
32 (RECORDING NO. 31,506)
FOR "CAMPELL, HAYES, ALLEN" (C500780)

THE SW 1/4 AND ALL OF THE W 1/2 OF THE SE 1/4
IS FOUND AT THE CENTER 1/4, SOUTH 1/4, CENTER
AND THE NORTH AND SOUTH ENDS OF THE "IRREGULAR
'STRENT'". BASED ON DEED DATA FOR THE INTERMEDIATE
LIZED TO DEFINE SAID ANGLE POINTS BETWEEN THE
TION OF MONUMENTS FOUND BUT NOT HELD ARE SHOWN
OF THIS SURVEY TO DEFINE THE BOUNDARY LINES OF
"WATER ROAD".
PVT.

NOT DULY SWORN, DO HEREBY CERTIFY THAT I HAVE
ED ON THE PLAT OF "MINOR LAND PARTITION NO. 93-12".
H. DESCHUTES COUNTY, OREGON, AND THAT THE 5/8"
REPRESENT THE "WATER POINT" OF SAID "MP NO. 93-12".

1. 189°50'52"E, 1343.79 FEET TO A 5/8" IRON ROD
5 CAPPED IRON PIPE AT THE EAST SIXTEENTH CORNER
2" BRASS CAPPED IRON PIPE AT THE SOUTH QUARTER
3. THE RIGHT-OF-WAY LINE OF "WATER ROAD"; THENCE
4. RIGHT-OF-WAY LINE, 888.88 FEET TO A 5/8" IRON
5. FEET TO A 5/8" IRON ROD; THENCE N 43°38'20"W,
6. 60.00 FEET EASTERLY OF WHEN MEASURED AT RIGHT
ON 34, 1858.81 FEET TO A 5/8" IRON ROD; THENCE N
7. 1/8" IRON ROD; THENCE N48°00'53"E, 120.03 FEET
8. N 33°44'23"E, 263.97 FEET TO A 5/8" IRON ROD;
9. FEET TO A 5/8" IRON ROD ON THE EAST - WEST
WING.

September 4, 1996

RECEIVED

SEP 23 1996

WATER RESOURCES DEPT.
SALEM, OREGON

WATER
RESOURCES
DEPARTMENT

Darrell Ray Pieper
Barbara B. Pieper
9 Corte Encina
Moraga, CA 94556

We have received your application to use water. At this time your application does not meet the minimum filing requirements, so we are unable to accept your application. We need additional information so we can accept, review and decide if the application may be approved.

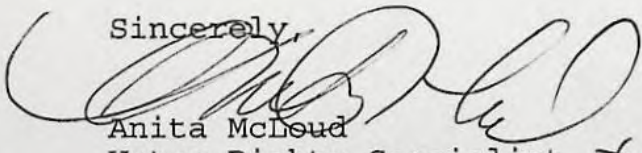
Please provide the following:

- ☒ A metes and bounds legal description of the property where you plan to use water. You can copy this from your deed, title insurance policy or sales contract.
- ☒ A Land Use Information Form signed by your local planning official (a form is enclosed).
- ☒ A map showing the place where water is to be used and the point where water will be diverted. The map must show the specific location of where the water will be used for each purpose. It must also show the location of the point of diversion referenced by bearing and distance or coordinates relative to an established survey corner. For example, "XX feet south and YY feet west from the northeast corner of Section 5, Township 4 South, Range 2 West." Refer to the enclosed Map Requirements Sheet for more information.

The application, supporting data and check no. #2071 in the amount of \$200 is being returned. We will complete our analysis when the application and information noted above is received.

Please contact the Water Rights Section at 1-800-624-3199 if you have any questions.

Sincerely,


Anita McCloud
Water Rights Specialist x 2.73

cc: Fiscal
GEN COR



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: MR. MRS. DANNIEL PIEPER
 Address: 9 CORTE ENCINA
MARANA CA 94556
 Phone: 510-283-9143

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): ALFALFA, GRASS
- ☒ Livestock (type of livestock, feedlot, slaughterhouse): ALPACAS
- ☐ 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): _____

Application No. 6-14379
 Permit No. _____

Indicate sources for the proposed water use below:	Indicate the estimated quantity of water the use will require.
☐ Surface Water Name sources: _____ _____ _____	_____ Cubic feet per second. <u>292</u> Gallons per minute. _____ Acre-Feet
☐ Reservoir or pond	
☒ Ground Water	

RECEIVED

SEP 23 1996

WATER RESOURCES DEPT.
SALEM, OREGON

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

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.

Applicant's Name: MR. MRS. DARRELL PIEPEN
 Address: 9 CORTE ENCLITA
 City: MONMOUTH State: CA Zip: 94536 Day Phone: 510-283-9143

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
15-11-00	Agriculture (EFU SC				
TAX LOT 5000	Parcel 2				

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): 18, 16, 020(A). 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: _____
 Staff Contact: _____ Phone: _____
 Signature: _____ Date of Information Request: _____

RECEIVED

SEP 23 1996

WATER RESOURCES DEPT.
SALEM, OREGON

(for Local Use Continued)

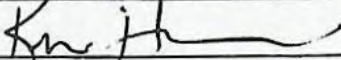
(CHECK THE BOX THAT APPLIES)

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
N/A				

b) Please provide printed name and written signature.

Name: KEVIN HARRISON Date: 9/17/96

Title: PRINCIPAL PLANNER Phone: (541) 388-6575

Signature: 

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:

RECEIVED

SEP 23 1996

WATER RESOURCES DEPT.
SALEM, OREGON

Water Resources Department
158 12th NE
Salem, OR 97310
(503)378-3739

8/94

Application No. C-14379
Permit No.

RECEIVED

SEP 23 1996

WATER RESOURCES DEPT.
SALEM, OREGON

Oregon

WATER
RESOURCES
DEPARTMENT

NOTE TO LOCAL GOVERNMENTS

RECEIVED

AUG 30 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.



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: MR. MRS DARRELL PIEPERAddress: 9 CORTE ENCINA
MORAGA, CA. 94556Phone: (925) 510-283-8958 (DMS) 510-283-9143

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): ALFALFA, GRASS

☒ Livestock (type of livestock, feedlot, slaughterhouse): ALPACAS

☐ 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.

☐ Surface Water
Name sources: _____

_____ Cubic feet per second.

292 Gallons per minute.

_____ Acre-Feet

☐ Reservoir or pond

☒ Ground Water

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

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.

Applicant's Name: _____
Address: _____
City: _____ State: _____ Zip: _____ Day Phone: _____

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

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); _____. 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: _____
Staff Contact: _____ Phone: _____
Signature: _____ Date of Information Request: _____

RECEIVED

SEP 23 1996

WATER RESOURCES DEPT.
SALEM, OREGON

RECEIVED

AUG 30 1996

WATER RESOURCES DEPT.
SALEM, OREGON

(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: _____ Date: _____

Title: _____ Phone: _____

Signature: _____

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:

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.



Lisa J. Juul
Water Rights Specialist
Water Resources Department
1158 12th Street NE
Salem, OR 97301-4172

PANORAMA



SENDER: COMPLETE THIS SECTION

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

1. Article Addressed to:

DARRELL R. PIEPER

PO BOX 2170

SISTERS OR 97759

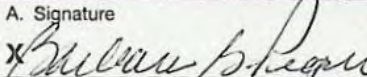
2. Article Number

(Transfer from service label)

0407-5879

COMPLETE THIS SECTION ON DELIVERY

A. Signature

 ☐ Agent ☐ Addressee

B. Received by (Printed Name)

Darrell R. Pieper

C. Date of Delivery

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

3. Service Type

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

4. Restricted Delivery? (Extra Fee)

☐ Yes

UNITED STATES POSTAL SERVICE



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

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

Dept Wtr. Resources
158 12th St - NE
Salem OR 97301



**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **118315**

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

INVOICE # _____

RECEIVED FROM: DARRELL R PIEPER
BY: BARBARA B PIEPER

APPLICATION	G14379
PERMIT	
TRANSFER	

CASH: ☐ CHECK: # ☒ 950 OTHER: (IDENTIFY) ☐ _____

TOTAL REC'D \$ 175.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES \$
____ OTHER: (IDENTIFY) \$
0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS

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	RECORD FEE \$
0203 GROUND WATER	\$	0204	\$
0205 TRANSFER	\$		

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR	EXAM FEE \$	0219	LICENSE FEE \$
LANDOWNER'S PERMIT		0220	\$

0200 OTHER (IDENTIFY) COBU \$ 175.00

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: **118315**

DATED: 12-14-15 BY: S. Phillips

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **6764**

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

INVOICE # _____

RECEIVED FROM: Darrell Ray Pieper
BY: _____

APPLICATION	14374
PERMIT	
TRANSFER	

CASH: ☐ CHECK: # X 11-8079 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 200.

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 6611

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

\$ 200.

0204

\$

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 #

6764

DATED:

9-23-96

BY:

D. Bushnell

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

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **12288**

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

INVOICE # _____

RECEIVED FROM: Darrell Ray Piper
BY: _____

APPLICATION	614379
PERMIT	
TRANSFER	

CASH: ☐ CHECK: # 11-8079 ☒ OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 196.

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

\$

0204

\$ 1710

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 # **12288**

DATED: 5-15-97 BY: L. K.

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

FILE#: G 14379

MR DARRELL PIEPER
PIEPER, MRS DARRELL
9 CORTE ENCINA
MORAGA, CA 94570

FILE#: G 14379

MR DARRELL PIEPER
PIEPER, MRS DARRELL
9 CORTE ENCINA
MORAGA, CA 94570

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MR DARRELL PIEPER
PIEPER, MRS DARRELL
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FILE#: G 14379

MR DARRELL PIEPER
PIEPER, MRS DARRELL
9 CORTE ENCINA
MORAGA, CA 94570

NUMBER

9495

Check 196.5 Mo _____ Cash _____

- _____ Surface Application
- _____ Reservoir Application
- ☒ Ground Water Application 0
- _____ Transfer Application 196
- _____ PFO Request
- _____ Research
- _____ Hydroelectric Fees
- _____ Copying PFO
- _____ Assignment
- _____ Extension of Time
- _____ Protest
- _____ Other

2101
Application No. G-14379

Permit No. G13145

Name Mr & Mrs Darrell Pieper

Address 9 Corte Encina, Moraga CA 94570

Assigned _____

Address _____

Beginning construction 6-18-98

Completion of construction _____

Extended to _____

Complete application of water 10-1-01

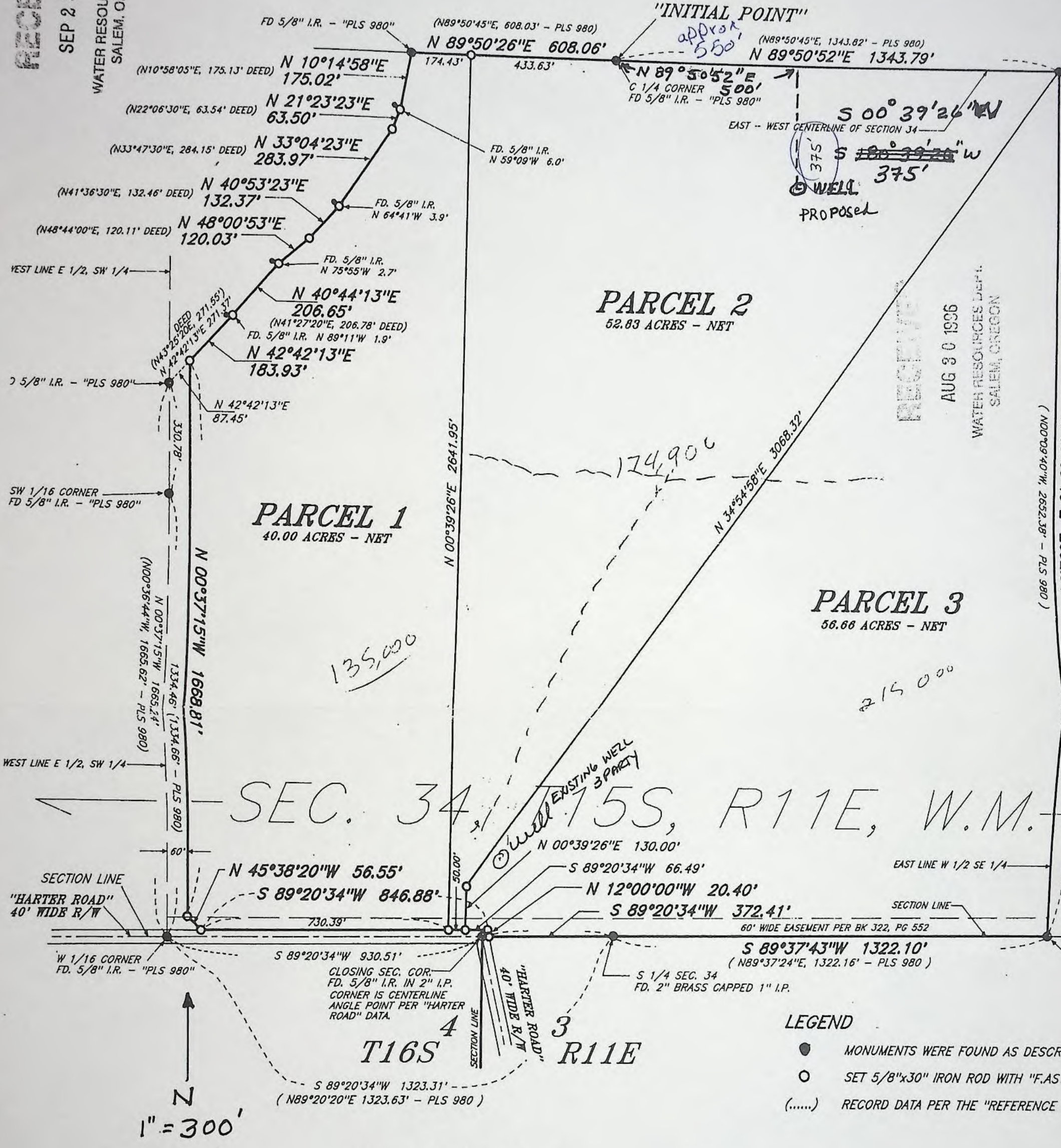
Extended to _____

RECEIVED

SEP 23 1996

WATER RESOURCES DEPT.
SALEM, OREGON

Working Copy
614379
Permit No.



SURVEYOR'S CERTIFICATE:

I, FRED A. AST, JR., OREGON REGISTERED PROFESSIONAL LAND SURVEYOR NO. 1938, BEING FIRST DULY SWORN, DO HEREBY CERTIFY THAT I HAVE CORRECTLY SURVEYED AND MARKED WITH PROPER MONUMENTS, THE LAND REPRESENTED ON THE PLAT OF "MINOR LAND PARTITION NO. 93-12", SITUATED IN THE SOUTHWEST AND SOUTHEAST QUARTERS OF SECTION 34, T15S, R11E, W.M., DESCHUTES COUNTY, OREGON, AND THAT THE 5/8" IRON ROD FOUND AT THE CENTER QUARTER CORNER OF SAID SECTION 34 IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE CENTER QUARTER CORNER OF SAID SECTION 34 ("INITIAL POINT"); THENCE N89°50'52"E, 1343.79 FEET TO A 5/8" IRON ROD AT THE CENTER EAST SIXTEENTH CORNER; THENCE S00°09'40"E, 2652.34 FEET TO A 2" BRASS CAPPED IRON PIPE AT THE EAST SIXTEENTH CORNER ON THE SOUTH LINE OF SAID SECTION 34; THENCE S 89°37'43"W, 1322.10 FEET TO A 2" BRASS CAPPED IRON PIPE AT THE SOUTH QUARTER CORNER OF SAID SECTION 34; THENCE S 89°20'34"W, 372.41 FEET TO A 5/8" IRON ROD ON THE RIGHT-OF-WAY LINE OF "HARTER ROAD"; THENCE N 12°00'00"W, ON SAID RIGHT-OF-WAY LINE, 20.40 FEET TO A 5/8" IRON ROD; THENCE S 89°20'34"W, ON SAID RIGHT-OF-WAY LINE, 846.88 FEET TO A 5/8" IRON ROD; THENCE N 45°38'20"W, LEAVING SAID RIGHT-OF-WAY LINE, 56.55 FEET TO A 5/8" IRON ROD; THENCE N 00°37'15"W, ON A LINE PARALLEL TO AND 60.00 FEET EASTERLY OF WHEN MEASURED AT RIGHT ANGLES TO THE WEST LINE OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 34, 1668.81 FEET TO A 5/8" IRON ROD; THENCE N 42°42'13"E, 183.93 FEET TO A 5/8" IRON ROD; THENCE N 40°44'13"E, 206.65 FEET TO A 5/8" IRON ROD; THENCE N48°00'53"E, 120.03 FEET TO A 5/8" IRON ROD; THENCE N 40°53'23"E, 132.37 FEET TO A 5/8" IRON ROD; THENCE N 33°04'23"E, 283.97 FEET TO A 5/8" IRON ROD; THENCE N 21°23'23"E, 63.50 FEET TO A 5/8" IRON ROD; THENCE N 10°14'58"E, 175.02 FEET TO A 5/8" IRON ROD ON THE EAST - WEST CENTERLINE OF SAID SECTION 34; THENCE N 89°50'26"E, 608.06 FEET TO THE POINT OF BEGINNING.

CONTAINING A NET AREA OF 149.48 ACRES, MORE OR LESS.

NARRATIVE:

THE PURPOSE OF THIS SURVEY WAS TO PARTITION A PORTION OF THE W 1/2 OF THE SE 1/4 OF SECTION 34, T15S, R11E, W.M. MONUMENTS FOUND AT THE CENTER 1/4, SOUTH 1/4, CENTER THE SOUTH LINE, SOUTHWEST 1/16 AND THE NORTH AND S WERE ACCEPTED AS MONUMENTED. A "BROKEN BOUNDARY", INTERMEDIATE ANGLE POINTS ALONG THE "IRREGULAR BOUNDARY" DEFINE SAID ANGLE POINTS BETWEEN THE NORTH AND SOUTH. RELATIVE POSITION OF MONUMENTS FOUND BUT NOT HELD ARE MONUMENTS WERE SET DURING THE COURSE OF THIS SURVEY. PARCELS WHICH INCLUDE THE "HARTER ROAD RIGHT-OF-WAY".

NO UNUSUAL CONDITIONS WERE FOUND TO EXIST DURING THE COURSE OF THIS SURVEY. NO KNOWN GEODETIC CONTROL EXISTS WITHIN 0.5 MILE OF THIS SURVEY.

REFERENCE MATERIAL

"DEED" - STATUTORY WARRANTY DEED, BOOK 220, PAGE 0213 (N: 90) AN "AGREEMENT FOR EASEMENT" - BOOK 322, PAGE 552 (RECORDING "PLS 980" - SURVEY BY PLS 980, DATED 12/27/79, FOR "CAMPBELL

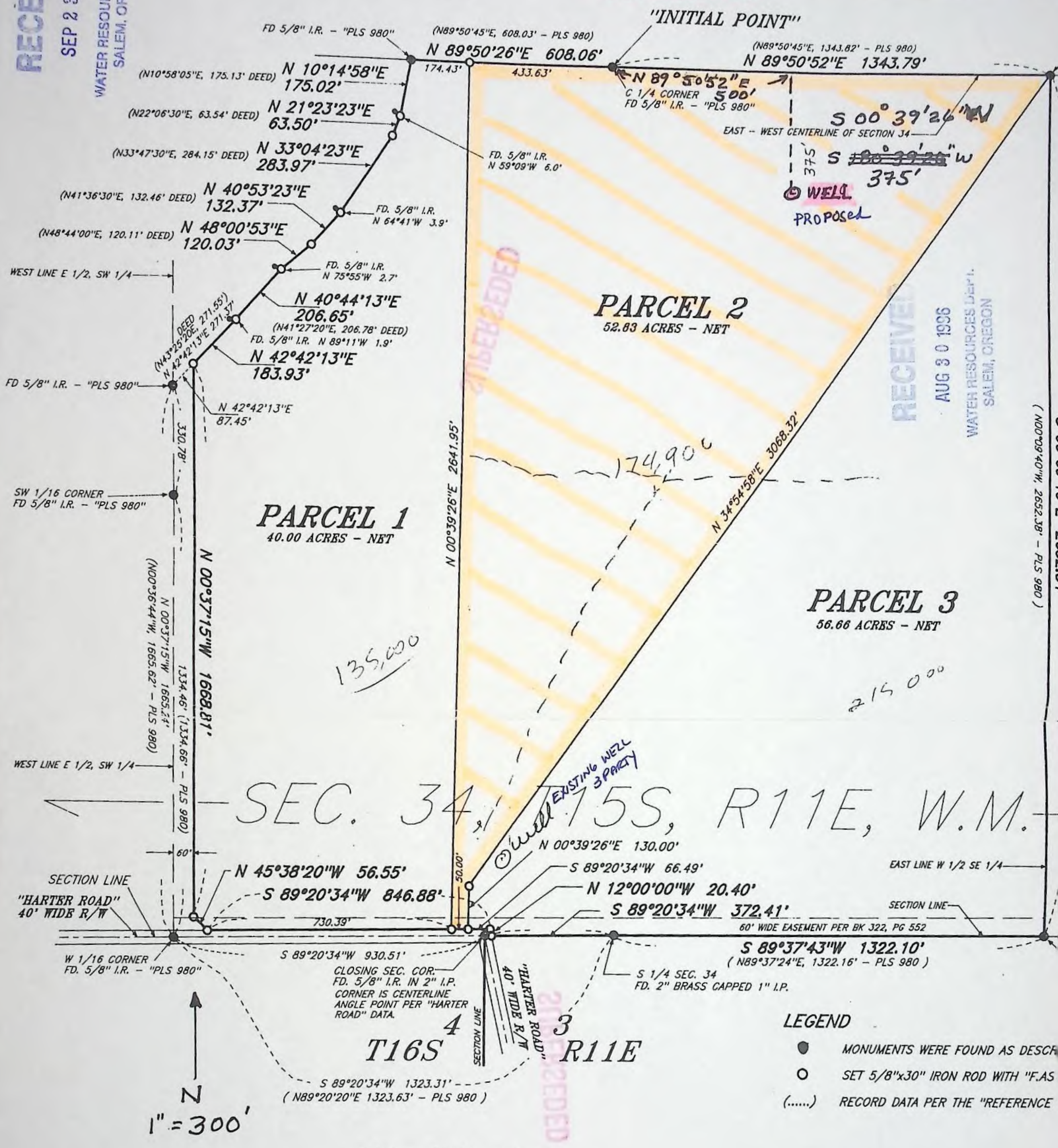
RECEIVED

SEP 23 1996

WATER RESOURCES DEPT.
SALEM, OREGON

Application No. 614379

Permit No. SUPERSEDED



SURVEYOR'S CERTIFICATE:
I, FRED A. AST, JR., OREGON REGISTERED PROFESSIONAL LAND SURVEYOR NO. 1938, BEING FIRST DULY SWORN, DO HEREBY CERTIFY THAT I HAVE CORRECTLY SURVEYED AND MARKED WITH PROPER MONUMENTS, THE LAND REPRESENTED ON THE PLAT OF "MINOR LAND PARTITION NO. 93-12", SITUATED IN THE SOUTHWEST AND SOUTHEAST QUARTERS OF SECTION 34, T16S, R11E, W.M., DESCHUTES COUNTY, OREGON, AND THAT THE 5/8" IRON ROD FOUND AT THE CENTER QUARTER CORNER OF SAID SECTION 34 WAS ACCEPTED TO REPRESENT THE "INITIAL POINT" OF SAID "MP NO. 93-12", THE BOUNDARY OF WHICH IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE CENTER QUARTER CORNER OF SAID SECTION 34 ("INITIAL POINT"); THENCE N89°50'52"E, 1343.79 FEET TO A 5/8" IRON ROD AT THE CENTER EAST SIXTEENTH CORNER; THENCE S00°09'40"E, 2652.34 FEET TO A 2" BRASS CAPPED IRON PIPE AT THE EAST SIXTEENTH CORNER ON THE SOUTH LINE OF SAID SECTION 34; THENCE S89°37'43"W, 1322.10 FEET TO A 2" BRASS CAPPED IRON PIPE AT THE SOUTH QUARTER CORNER OF SAID SECTION 34; THENCE S89°20'34"W, 372.41 FEET TO A 5/8" IRON ROD ON THE RIGHT-OF-WAY LINE OF "HARTER ROAD"; THENCE N12°00'00"W, ON SAID RIGHT-OF-WAY LINE, 20.40 FEET TO A 5/8" IRON ROD; THENCE S89°20'34"W, ON SAID RIGHT-OF-WAY LINE, 846.88 FEET TO A 5/8" IRON ROD; THENCE N45°38'20"W, LEAVING SAID RIGHT-OF-WAY LINE, 56.55 FEET TO A 5/8" IRON ROD; THENCE N00°37'15"W, ON A LINE PARALLEL TO AND 60.00 FEET EASTERLY OF WHEN MEASURED AT RIGHT ANGLES TO THE WEST LINE OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 34, 1668.81 FEET TO A 5/8" IRON ROD; THENCE N42°42'13"E, 183.93 FEET TO A 5/8" IRON ROD; THENCE N40°44'13"E, 206.65 FEET TO A 5/8" IRON ROD; THENCE N48°00'53"E, 120.03 FEET TO A 5/8" IRON ROD; THENCE N33°04'23"E, 283.97 FEET TO A 5/8" IRON ROD; THENCE N21°23'23"E, 63.50 FEET TO A 5/8" IRON ROD; THENCE N10°14'58"E, 175.02 FEET TO A 5/8" IRON ROD ON THE EAST - WEST CENTERLINE OF SAID SECTION 34; THENCE N89°50'26"E, 608.06 FEET TO THE POINT OF BEGINNING.

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REFERENCE MATERIAL
"DEED" - STATUTORY WARRANTY DEED, BOOK 220, PAGE 0213 (N: 9)
AN "AGREEMENT FOR EASEMENT" - BOOK 322, PAGE 552 (RECORDING)
"PLS 980" - SURVEY BY PLS 980, DATED 12/27/79, FOR "CAMPBELL"

RECEIVED
AUG 30 1996
WATER RESOURCES DEPT.
SALEM, OREGON

1" = 300'

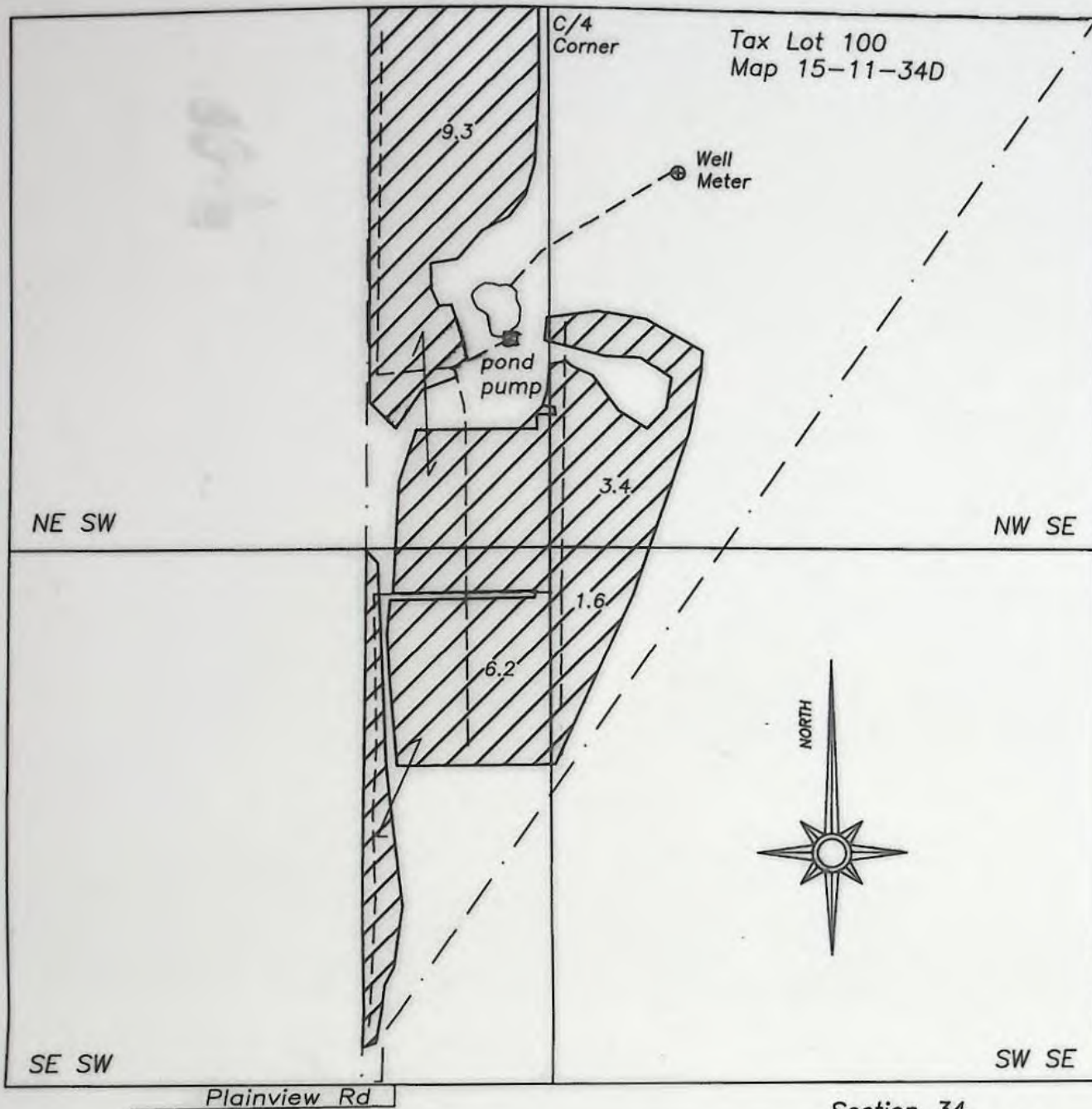
Claim of Beneficial Use

Application G-14379

Permit G-13145

Barbara and Darrell Pieper
Deschutes County, Oregon

964



Section 34
T15S, R11E, W.M.
Deschutes County, OR



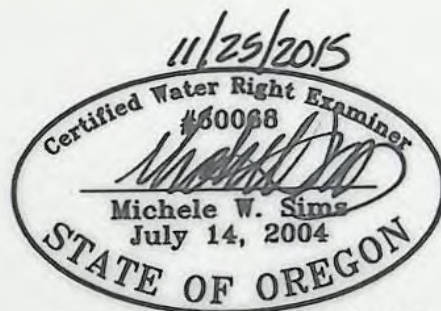
Water beneficially applied under Permit
G-13145, priority date 9/23/1996

--- Tax lot boundary

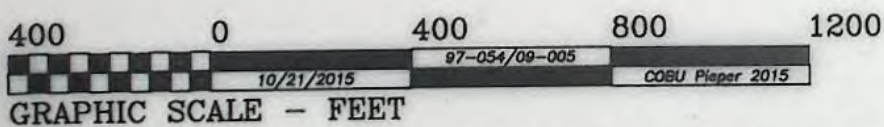
--- Buried mainline

⊕ Well and meter

--- 1/16 Section lines



Renewal date: 6/30/2016



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

Michele W. Sims, Consultant, LLC, Sisters, OR 97759 541-408-4777

964

NCR

[illegible]

