

July 7, 2008

Oregon Water Resources Department 725 Summer Street NE, Suite A Salem, Oregon 97301-1271

Re: Bend Metro Park and Recreation District

Groundwater Permit Application – Riverbend Park

WHP File No.: 35626.1200

#### Gentlemen/Ladies:

On behalf of the Bend Metro Park and Recreation District (BMPRD), we are applying for a permit to use groundwater for the purpose of irrigating 8.0 acres of park land at the proposed Riverbend Park in Bend. Your review and approval are respectfully requested.

Riverbend Park is a high profile project along the Deschutes River near the Old Mill District. The Bend community river park development will include improvements to the Deschutes River Trail and is proposed as the site of the Community Recreation Center and District administrative offices. It is connected to Farewell Bend Park across the river by the trail and footbridge. The combination of the Riverbend and Farewell Bend properties provide a new, 39-acre park complex significantly expanding the District's river park inventory to meet the needs of rapid community growth.

BMPRD has a reputation for efficient use of water on existing park lands. BMPRD proposes a fully automated underground irrigation system for Riverbend Park to continue their efficient water management.

The proposed well data in the application is based on existing well logs in the area which show some variation in the depth to the regional aquifer. Our understanding of the Deschutes Basin aquifer in this area is that the river is perched high above the regional aquifer, which is 200 to 500+ feet below the existing ground surface. The intent is to seal the well from the perched river aquifer and extract water from the deep regional aquifer. Additionally, we have used standard modern rates and duties (1/80cfs/ac and 3.0ac-ft/ac) in our application. BMPRD is eager to work with the Department and invites comments regarding well construction, rate, duty and the application as a whole that will make this project successful.

We are applying for a maximum <u>instantaneous</u> pumping rate of 130gpm. This is due to the requirement that the entire park be watered during the time the public is not using the park. This restricts irrigation to 5-6 hours during the night. The landscape irrigation designer has determined that we need 130gpm to water the entire site within this restrictive time frame. The proposed irrigation system is automated, metered and will operate in zones designed to use irrigation water in the most efficient, water conserving and cost effective manner possible. When the use is averaged through a 24-hour day, the standard rate of use of 1/80cfs/ac will not be exceeded. Likewise, the amount of water used to irrigate the site will not exceed the duty requested.

We understand that groundwater withdrawal mitigation credits will be required to use groundwater. WHPacific and BMPRD have met with Swalley Irrigation District regarding this project. Swalley Irrigation District has indicated that they have available surface irrigation rights that are available to

RECEIVED

RECEIVED

OVER THE COUNTER WILL 199 2008

P: Bend Med 26 & Will Rikk as Optivary Stuiture (Grif Quadence Board) (Grif Quadence Stored) (G

W&H Pacific, Inc. July 7, 2008 Page 2

mitigate for this project. Other Central Oregon irrigation districts may also provide mitigation for our proposed permit. A check in the amount of \$820 is attached for Department fees. By implementing the Deschutes Basin groundwater mitigation program, this project will benefit the middle reaches of the Deschutes River by permanently dedicating mitigation water to in stream flows.

The fees were calculated from the OWRD fee schedule as follows:

\$500 Base: minimum fee to appropriate Groundwater

0.1cfs x\$200= \$20 1<sup>st</sup> cubic foot per second or fraction thereof

1x\$300= \$300 Permit recording fee

Total= \$820.00

BMPRD is fully committed to providing a valuable recreational and aesthetic asset to Bend with the construction of Riverbend Park while continuing to use water efficiently, without waste. Please consider the enclosed documents and our request for a permit to use groundwater. We appreciate your assistance and look forward to your review and response.

Very truly yours,

Cc:

Dave Crowther

Janet Lee Jeremy Giffin

Thomas A. Walker, PE, CWRE

RECEIVED



# Application for a Permit to Use Ground Water

Please type or print in dark ink. If your application is found to be incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "n/a." Please read and refer to the instructions when completing your application. A summary of review criteria and procedures that are generally applicable to these applications is available at www.wrd.state.or.us/OWRD/PUBS/forms.shtml.

		1. APPLICANT INFORMATI	<u>ON</u>	
A. Individual	s			
Applicant:	Don Horton, Exe	ecutive Director		
	First		Last	
Mailing addres	s:			
	City	State		Zip
Phone:				
	Home	Work		Other
*Fax:		*E-Mail address:		
B. Organizati	ons			
(Corporations, as.	sociations, firms, partnet	rships, joint stock companies, cooperati	ves, public and municipa	al corporations)
Name of organ	ization: Bend M	etro Park and Recreation	District	
Name and title	of person applying:	Don Horton, Executive I	Director	
Mailing addres	s of organization:	200 NW Pacific Park La	ne	
	Bend	Orego	on	97701
Phone: 541-	-389-7275	State		Zip
	Day	Even	ng	
*Fax:		*E-Mail address:	Don@bendpar	ksandrec.org
* Optional info				
Optional injo	rmation			
		For Department Use		
App. N	o	Permit No.	Date	

RECEIVED

Last updated: 2/13/2008

RECEIVED Ground Water/1
OVER THE COUNTER

JUL 09 2008

WR

D		ERIT OWNERSHIP
		livert, transport, and use water?
☑ Yes (Please check a	ppropriate box below the	en skip to section 3 ("Ground water Development")
There are no	o encumbrances	
☑ This land is provide a c	encumbered by easemen copy of the recorded deed	ats, rights of way, roads or other encumbrances (please $d(s)$ )
□ No (Please check the	e appropriate box below.	
☐ I have a reco	orded easement or written	n authorization permitting access.
☐ I do not curr	rently have written author	rization or easement permitting access.
	te-owned submersible lan	t is not necessary, because the only affected lands I do not nds, and this application is for irrigated and/or domestic use
	proposed ditch, canal or	ne property from which the water is to be diverted, (2) any other work, and (3) any property on which the water is to be
List the names and mai	ling addresses of all affect	cted landowners.
A. Well Information Number of well(s):one		WATER DEVELOPMENT  utes River
	o nearest stream or lake:	AEOL (compositionale)
• •		4)
	e water is less than one m	nile, indicate elevation difference between nearest surface water
2)	3)	4)
B. Well Characteristic Wells must be constructed a well is already constructed, this application. Identify each	cs according to standards set by t please enclose a copy of the w h well with a number corresp	the Department for the construction and maintenance of water wells. If the well constructor's log and the well ID number, if available, for each well with conding to the wells designated on the map and proceed to section 4 of the thave a well log, please complete the following:
Well(s) will be construct	cted by: to be determine	ned - A licensed well driller
NI/A		
		RECEIVED

Com	pletion d	ate:							
Plea	se provid	e a description	of your we	ll developi	ment. (Atta	ach additi	onal sheet	ts if needed.)	
Well No.	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
1		To be determined	400	290'-390'	280'	280'	290'	Air tube	400'
_									
Note:	Well number	s in this listing must	correspond to	well locations	(s) shown on a	accompanying	д тар.		
				4. WA	TER USI	<u> </u>	_		
identi		instruction bookle r source you prop se.	•	• •			•		•
A. T	ype(s) of	Use(s)							
		cial uses provided							
•		proposed use is cholds to be su			he number	· 			
•	If your j	proposed use is	irrigation	, please at	tach Forn	ıI			
•	If your p	proposed use is	mining, a	ttach Forn	n R				
•	If your p	proposed use is	municipa	l or quasi-	-municipa	ıl, attach I	Form M		
•	If your	proposed use is	commerc	ial/industi	rial, attach	Form Q			

RECEIVED

R	Δm	Auni	h of	Wo	tor
D.	AIII	OHILL		VV 3	HPF

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

Well No.	Source or aquifer	Type of use	Total rate of water requested (in gpm)	Total annual quantity (in gallons)	Production rate of well (in gpm)
1	Deschutes Aquifer	Irrigation	44.88	7,820,434	130 gpm
What is the The fees for you.  On Period o		rate of water that wil on this amount.)	1 be used? 130		
	time of year you propose uses like irrigation give dates	to use the water.			
umber of a	be applying water to land, acres where water will be should be consistent with your	applied or used:	8.0 acres		
. Diversio				_	
Vhat equip	ment will you use to pum				
🛭 Pu	mp (give horsepower and	l pump type):Vertion	cal Turbine or Su	bmersible Well F	Pump - 25 HP
☐ Ot	her means (describe):				
3. Transpo How will yo	ort ou transport water to you	r place of use?			
<b>□</b> Di	tch or canal (give average	e width and depth):			
		<b>5</b> 1			
V	Vidth	Depth			
	vidths the ditch or canal to be l		□No		
Is		ined? □ Yes			
Is ☑ Pij	s the ditch or canal to be l	ined? □ Yes al length):	□No		RECEIVI

What equipment will you use to irrigation pipe & sprinklers		your place of use? Pr	essurized permanent underground
Irrigation or land application met	thod (check al	l that apply):	
☐ Flood		essure sprinkler	☑ Low pressure sprinkler
☐ Drip	☐ Water ca	-	☐ Center pivot system
☐ Hand lines	☐ Wheel li	nes	
☐ Siphon tubes or gated pipe	e with furrows	S	
☐ Other, describe			
Distribution method			
☑ Direct pipe from source	☐ In-line st	orage (tank or pond)	☐ Open canal
-		•	is distribution or application method? tion, explain. If you need additional
Metered use, fully automat	ic electronic	c control with weathe	er inputs.
Indicate the anticipated dates that the fa please indicate that date.  Proposed date construction will b	ollowing constru	JECT SCHEDULE ction tasks should begin. If contempor 2008	nstruction has already begun, or is completed
Proposed date construction will b	e completed:	November 2009	
Proposed date beneficial water us		A 1 0000	
	7,	REMARKS	
If you would like to clarify any informat application question you are addressing		ovided in the application, plea	ise do so here and reference the specific
			RECEI

#### 8. MAP REQUIREMENTS

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

9	١.	SI	$\mathbf{G}$	NΑ	T	URE
---	----	----	--------------	----	---	-----

By my signature below I confirm that I understand:

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

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

Signature of Applicant (If more than one applicant, all must sign.)

Before you submit your application be sure you have:

- Answered each question completely.
- Attached a legible map which includes township, range, section, quarter/quarter and tax lot number.
- Included a Land Use Information Form or receipt stub signed by a local official.
- Included the legal description of all the property involved with this application. You may supply a copy of the deed, land sales contract, or title insurance policy, to meet this requirement.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount. The Department's fee schedule can be found at www.wrd.state.or.us or call (503) 986-0900.

RECEIVED

Oregon Water Resources Department 725 Summer Street NE., Suite A Salem, Oregon 97301-1271

Re: Bend Metro Park and Recreation District Groundwater Permit Application

Gentlemen/Ladies:

WHPacific, Inc. is hereby authorized to act as an agent of the Bend Metro Park and Recreation District, in regards to the attached groundwater permit application. We expect WHPacific to prepare and file appropriate application documents, respond to your questions and needs, and generally facilitate the desired groundwater application.

Thank you for your assistance.

Da 1. Darton

Sincerely,

**Bend Metro Park and Recreation District** 

Don Horton Executive Director

RECEIVED



# **Oregon Water Resources Department**

# **FORM I**

## FOR IRRIGATION WATER USE

Please indicate whether y	ou are requesting a pr	imary or supplemental irrigation	water right.
র্প Primary □ Su	pplemental If supplemental, plea will be irrigated for ea	se indicate the number of acres tach type of use.	that
	Primary:	Acres	
	Secondary:	Acres	
	List the permit or cer of the primary water		
Please list the anticipated partial season:	crops you will grow ar	nd whether you will be irrigating the	hem for a full or
1Turf	🗹 Full seaso	n 🛘 Partial season (from:	to)
2	□ Full seaso	n 🛘 Partial season (from:	to)
3	□ Full seaso	n 🛘 Partial season (from:	to)
4	□ Full seaso	n 🛘 Partial season (from:	to)
3. Indicate the maximum total	al number of acre-feet	you expect to use in an irrigation	season:
(1 acre-foot equals 12	24 inches of water spread over	acre-feet 1 acre, or 43,560 cubic feet, or 325,851 g	gallons.)
How will you schedule you twice a week, daily?	ur applications of water	r? Will you be applying water in t	the evenings,
<ul> <li>Daily during daytir</li> </ul>	me hours	☐ Daily during nighttime hours	
☐ Two or three times during daytime	s weekly	☑ Two or three times weekly during nighttime	
Weekly, during da	ytime hours	☐ Weekly, during nighttime hou	irs
☐ Other, explain:	· .		RECEIVED

Last revisible: Poctob 0391996

### For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form.

This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

	(e.g. plan amendments, rezones, conditional-use permits, etc.)  Policies & Ordinance Section References  Conditional-use permits, etc.)  Policies & Ordinance Section References  Cobtained  Denied  Denied  Not being pursued  Denied  Denied  Not being pursued  Denied  Denied  Not being pursued  Denied  Denied  Not being pursued	(e.g. plan amendment conditional-use per Site Plane)	nents, rezones, ermits, etc.)	Policies & Ordinance	Section References	Obtained Denied Denied Denied Denied Dobtained Denied Dobtained	☐ Being pursued ☐ Not being pursued ☐ Being pursued ☐ Not being pursued ☐ Being pursued
SHEPIAN Approved P2-08 - O	SHEPIAN Approved P2 08 - 04	SitePla governments are inv		P2-08-	οΥ ·	☐ Denied ☐ Obtained ☐ Denied ☐ Obtained ☐ Denied ☐ Denied ☐ Denied	☐ Not being pursued ☐ Being pursued ☐ Not being pursued ☐ Being pursued
Obtained   Being pursued   Not being pursued   Not being pursued   Denied   Denied   Not being pursued   Denied   De	Obtained   Being pursued   Not being pursued   Not being pursued   Denied   Denied   Not being pursued   Denied   Denied	governments are inv	Approved	1 VE-08-		☐ Obtained ☐ Denied ☐ Obtained ☐ Denied ☐ Denied ☐ Obtained	☐ Being pursued ☐ Not being pursued ☐ Being pursued
Obtained   Being pursued   Not being pursued   Not being pursued   Denied   Denied   Not being pursued   Denied   De	Obtained   Being pursued   Not being pursued   Not being pursued   Denied   Denied   Not being pursued   Denied   Denied	governments are inv				☐ Denied ☐ Obtained ☐ Denied ☐ Obtained	☐ Not being pursued ☐ Being pursued
Obtained Being pursued Denied Not being pursued Obtained Being pursued Denied Not being pursued Obtained Being pursued Denied Not being pursued Denied Not being pursued Obtained Being pursued Denied Not being pursued Not being pursued	Obtained Being pursued Denied Not being pursued Obtained Being pursued Denied Not being pursued Obtained Being pursued Obtained Being pursued Denied Not being pursued Obtained Being pursued Obtained Not being pursued Obtained Not being pursued	•				☐ Obtained ☐ Denied ☐ Obtained	☐ Being pursued
Denied Not being pursued  Obtained Being pursued  Denied Not being pursued  Obtained Being pursued  Denied Not being pursued  Denied Not being pursued  Denied Not being pursued	Denied Not being pursued  Obtained Being pursued  Denied Not being pursued  Obtained Being pursued  Denied Not being pursued  Denied Not being pursued  Denied Not being pursued					☐ Denied ☐ Obtained	
☐ Obtained ☐ Being pursued ☐ Denied ☐ Not being pursued ☐ Obtained ☐ Denied ☐ Not being pursued ☐ Denied ☐ Denied ☐ Not being pursued	☐ Obtained ☐ Being pursued ☐ Denied ☐ Not being pursued ☐ Obtained ☐ Denied ☐ Not being pursued ☐ Denied ☐ Denied ☐ Not being pursued					Obtained	☐ Not being pursued
Being pursued  Obtained Denied Denied Not being pursued Denied Not being pursued Not being pursued Not being pursued	Being pursued  Obtained Denied Denied Not being pursued Denied Not being pursued Not being pursued Not being pursued						
Governments are invited to express special land-use concerns or make recommendations to the Water Resour	Governments are invited to express special land-use concerns or make recommendations to the Water Resour					□ Dag! = 1	∐ Being pursued
governments are invited to express special land-use concerns or make recommendations to the Water Resour	governments are invited to express special land-use concerns or make recommendations to the Water Resour					⊔ Denied	☐ Not being pursued
governments are invited to express special land-use concerns or make recommendations to the Water Resour	governments are invited to express special land-use concerns or make recommendations to the Water Resour					☐ Obtained	□ Being pursued
governments are invited to express special land-use concerns or make recommendations to the Water Resour	governments are invited to express special land-use concerns or make recommendations to the Water Resour					☐ Denied	
			-	-			ns to the Water Resour

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

# Receipt for Request for Land Use Information Applicant name: City or County: Staff contact: Phone: 91-(43-71)4 Date: 7// US RECEIVED Last updated 12/22/06 WR

JUL 09 2008



# Oregon Water Resources Department Land Use Information Form

THIS FORM IS NOT REQUIRED IF: 1) water is to be diverted, conveyed, and/or used only on federal lands; or 2) the application is for a water-right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and all of the following apply: a) only the place of use is proposed for change, b) there are no structural changes, c) the use of water is for irrigation, and d) the use is located in an irrigation district or exclusive farm-use zone.

Applicant Name: Bend Metro Park and Recreation District

					200 NW Pacific	Park Lane		
		Beno	<u> </u>	State: _	OR Zip:9	<u>7701</u> Day	Phone: <u>54</u>	1-389 <u>-7275</u>
This app	olication	is related	d to a M	easure 37 cl	aim. 「Yes FNo			
<u>Land</u> and L	ocation	<u>l</u>						
insported), or	used. A	pplicant	s for mu	nicipal use,	ots where water will be or irrigation uses with mation requested belo	in irrigation		
Township	Range	Section	1/4 1/4	Tax Lot#	Plan Designation (e.g. Rural Residential/RR-5)		Water to be:	Proposed Land Use
18	12	05	NW SW	801	MR		☑ Conveyed ☑ Us	
18	12	05	NW SW	700	MR		☐ Conveyed ☐ Us	I aik
							☐ Conveyed ☐ Us	
						☐ Diverted	Conveyed Us	ed
Description  pe of applicat				ater Resour	rces Denartment			
					ces Department.			
☑ Permit	tion of C	Conserve	Water d Water	□ Li	ater-Right Transfer mited Water Use Lice stration Modification		nange of Water	
☑ Permit	tion of C Amend	Conserve ment or	Water d Water Ground	□ Li Water Regi	ater-Right Transfer mited Water Use Lice	nse		
☑ Permit □ Alloca □ Permit	tion of C t Amend	Conserve ment or ( ervoir/Po	Water d Water Ground	□ Li Water Regi	Tater-Right Transfer Imited Water Use Lices stration Modification  Tater   Surface	nse Water (name	e)	
☑ Permit ☐ Alloca ☐ Permit	tion of C Amenda Reseatly of wa	Conserve ment or ( ervoir/Po ter neede	Water d Water Ground ond Ged:	□ Li Water Regia Ground W	fater-Right Transfer Imited Water Use Lices stration Modification  fater □ Surface □ □ cubic feet per se al □ Industria	water (name cond ☑ ga al □ Dom	e)	□ acre-feet
☑ Permit ☐ Alloca ☐ Permit ☐ rce of water: ☐ rated quanti	tion of C Amenda Resoluty of wa	Conserve ment or o ervoir/Po ter neede Irrigation Munici	Water d Water Ground ond ed: on pal	☐ Li Water Regi Ground W  44.88 Commerci Quasi-mur	fater-Right Transfer Imited Water Use Lices stration Modification  fater □ Surface □ □ cubic feet per se al □ Industria	Water (name cond ☑ ga al ☐ Dom	c) llons per minute estic for r	□ acre-feet
☑ Permit ☐ Alloca ☐ Permit ☐ rce of water: ☐ rated quanti	tion of C Amend Rese ty of wa water:	Conserve ment or of the reconstruction of th	Water d Water Ground ond ed: pal currently	☐ Li Water Regis Ground W  44.88 Commerci Quasi-mun submitting for	fater-Right Transfer imited Water Use Lices stration Modification  fater □ Surface □ cubic feet per set al □ Industrianicipal □ Instream	Water (name cond ☑ garal ☐ Dom	llons per minute estic for r	acre-feet household(s)

representative sign the receipt below and include it with the application filed with the Water Resources Department.



Western Title & Escrow Company 450 SW Powerhouse Drive, Suite 429 Bend, OR 97702

Office Phone: (541) 389-5751 Office Fax: (541) 382-9182

Bend Metro Park and Recreation District Attn: Dave Crowther 200 NW Pacific Park Bend, OR 97701

Date Prepared: May 05, 2008

Report Number: 9099

Lot Book Service: \$200.00

#### LOT BOOK REPORT

We have searched our Tract Indices as to the following described real property:

Parcel 2 of Partition Plat No. 2004-100, City of Bend, Deschutes County, State of Oregon.

and dated as of April 30, 2008 at 5:00 p.m.

We find that the title is vested in:

#### Bend Metro Park and Recreation District, an Oregon Special District

We also find the following apparent encumbrances prior to the effective date hereof:

- As disclosed by the Tax Roll, the premises herein are not subject to assessment by reason of City Ownership, and at any time said land is returned to private ownership, the property will be subject to taxation.
   Account: 246416
- 2. City liens, if any of the City of Bend.
- 3. Regulations, including levies, liens, assessments, water and irrigation rights and easements for ditches and canals of the Central Oregon Irrigation District.
- Liens, fees, dues and assessments, if any of River Bend Master Owners' Association, Inc.
- 5. Liens, fees, dues and assessments, if any of The River Bend Limited Partnership Quasi-Municipal Water District.
- 6. Liens, fees, dues and assessments, if any, of Shevlin Center Owners' Committee
- 7. Covenants, easements and restrictions, but omitting restrictions, if any, based on race, color, religion, national origin, or physical or mental handicap, imposed by

RECEIVED

Lot Book Report Order No.: 9099

instrument, including the terms and provisions thereof,

Recorded: April 7, 1995

Document No.: 370-778, Deschutes County Records

8. Reservation of easement, as disclosed in document

Recorded: April 7, 1995

Document No.: 370-794, Deschutes County Records

9. Covenants, easements and restrictions, but omitting restrictions, if any, based on race, color, religion, national origin, or physical or mental handicap, imposed by

instrument, including the terms and provisions thereof,

Recorded:

November 4, 1997

Document No.:

468-1683, Deschutes County Records

Amended by instrument,

Recorded:

June 26, 1998

Document No.:

499-2948, Deschutes County Records

Amended by instrument,

Recorded:

August 6, 2001

Document No.:

2001-38340, Deschutes County Records

10. An easement created by instrument, including the terms and provisions thereof,

Recorded:

September 38, 1999

Document No.:

1999-47401, Deschutes County Records

In favor of:

The City of Bend

11. Development agreement, including the terms and provisions thereof,

Recorded:

November 15, 2000

Document No.:

2000-46322, Deschutes County Records

Between:

River Bend Limited Partnership, an Oregon limited

liability company

And:

The City of Bend, an Oregon municipal corporation

- 12. Notes, 100 year flood line and public utility easement as shown on Partition Plat 2003-10.
- 13. One hundred year flood line as shown on Partition Plat 2003-11.

14. Public facility improvements agreement, including the terms and provisions thereof,

Recorded:

April 1, 2003

Document No.:

2003-21503, Deschutes County Records

Between:

The City of Bend, an Oregon municipal corporation

And:

River Bend Ltd. Partnership

- 15. Relocatable access easement, storm drain easement, reciprocal ingress and egress easement, water level easement, as shown on the official plat and dedication of Partition Plat No. 2004-100.
- 16. Trust Deed to secure an indebtedness in the amount shown below, and any other obligations secured thereby:

Amount:

\$3,674,928.00

Dated:

Grantor:

December 21, 2004

Recorded:

December 22, 2004

Document No.:

2004-76374, Deschutes County Records

Bend Metro Park and Recreation District, an Oregon

JUL 09 2008

RECEIVED

WATER RESOURCES DEPT SALEM, OREGON

Western Title & Eburgw

Lot Book Report Page 2 of 3

Lot Book Report Order No.: 9099

special district

Trustee: First American Title Insurance Company

Beneficiary: River Bend Limited Partnership

The beneficial interest was assigned by Collateral Assignment of Trust Deed,

Dated:

December 21, 2004

Recorded:

December 22, 2004

Document No.:

2004-76375, Deschutes County Records

To:

U.S. Bank National Association, a national banking

association

17. Agreement to relocate easements, including the terms and provisions thereof,

Recorded:

May 31, 2007

Document No.:

2007-30699, Deschutes County Records

Between:

William Smith Properties, Inc., an Oregon corporation River Bend Limited Partnership, an Oregon limited

And: partnership

And:

Bend Metro Parks & Recreation District, an Oregon

special district

18. Sewer easement created by instrument, including the terms and provisions

thereof.

Recorded:

April 24, 2008

Document No.:

2008-17996, Deschutes County Records

In favor of:

City of Bend, an Oregon municipal corporation

Note: Tax lot information:

Tax Lot No.:

18-12-05-C0-00801

Account No.:

246416, Code 1-001

Note: We find no judgment liens or tax liens against the vestees herein

This report is to be utilized for information only. Any use of this report as a basis for transferring, encumbering or foreclosing the real property described will require payment in an amount equivalent to applicable title insurance premium as required by the rating schedule on file with the Oregon Insurance Division.

The liability of Western Title & Escrow Company is limited to the addressee and shall not exceed the premium paid hereunder.

Any questions concerning the Lot Book Report should be directed to Charlie Cookson at 541-322-9280, or email at titleofficersupport@westerntitle.com.

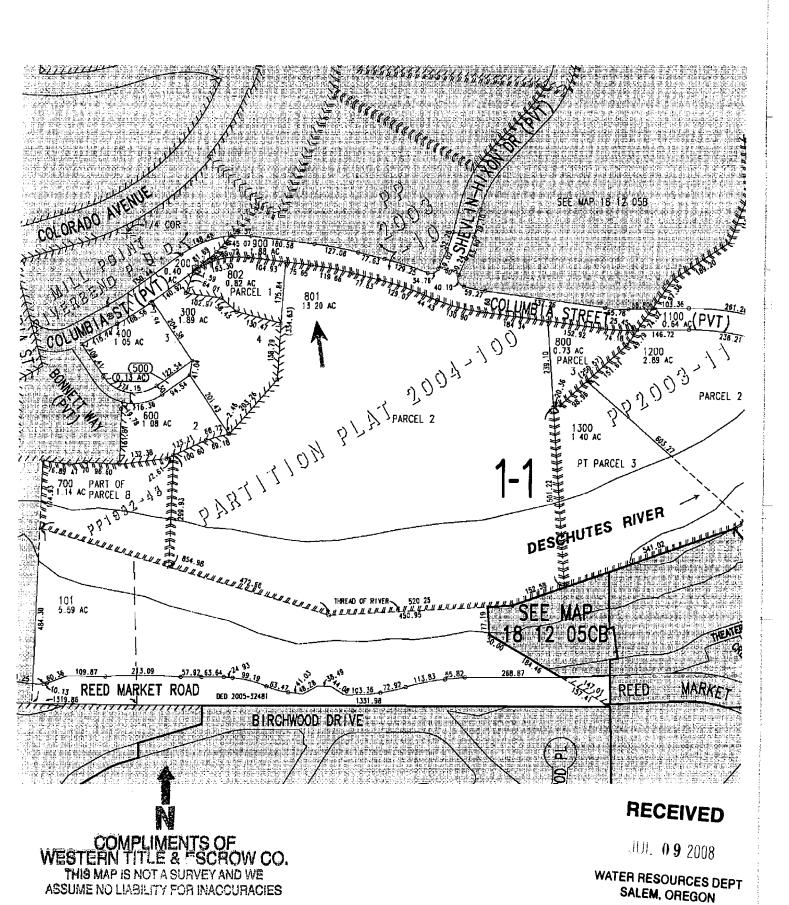
RECEIVED

JUL 09 2008

WATER RESOURCES DEPT SALEM, OREGON Western Title & Escrew

Lot Book Report

Page 3 of 3



Western Title & Escrow Company 450 SW Powerhouse Drive, Suite 429 Bend, OR 97702 (541) 389-5751

Invoice No: 0054213-IN

Invoice Date: 05/06/08

Bend Metro Park & Recreation 200 NW Pacific Park Ln

> Customer No: 00-BENDMET Order No: 10-9099

Bend

OR 97701

Contact:

SALES CD DESCRIPTION

Attn: Dave Crowther

104040 Lot Book Report

799 SW Columbia, Bend, OR 97702

Description:Lot Book Report

Please reference our invoice number on payment. \*\*\*Thank you for your business\*\*\*

NET INVOICE: 200.00

200.00

**RECEIVED** 

JUL 09 2008

7061.429641

RECORDING REQUESTED BY, AND WHEN RECORDED, RETURN TO: Bend Metro Park and Recreation District, An Oregon Special District 200 Pacific Park Lane Bend, OR 97701

DESCHUTES COUNTY OFFICIAL RECORDS NANCY BLANKENSHIP, COUNTY CLERK

12/22/2004 12:00:24 PM

2004-76373

\$36.00

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

UNTIL A CHANGE OF ADDRESS IS REQUESTED, SEND ALL TAX STATEMENTS TO: Bend Metro Park and Recreation District, An Oregon Special District 200 Pacific Park Lane Bend, OR 97701

#### WARRANTY DEED – STATUTORY FORM

RIVER BEND LIMITED PARTNERSHIP, an Oregon limited partnership ("Grantor"), conveys and warrants to BEND METRO PARK AND RECREATION DISTRICT, an Oregon Special District, ("Grantee"), the following described real property free of encumbrances, except as specifically set forth herein, situated in Deschutes County, Oregon, as follows:

Parcel 2 of Partition Plat No. 2004-100, Deschutes County, State of Oregon

The property is free from encumbrances, except matters of record.

The true consideration paid for this conveyance is other sensideration.

Value THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

Dated this 13th day of December, 2004.

RIVER BEND LIMITED PARTNERSHIP By The Bend Company, General Partner

William L. Smith, President

RECEIVED

STATE OF OREGON

) ss.

COUNTY OF DESCHUTES)

JUL 09 2008

WATER RESOURCES DEPT SALEM, OREGON

The foregoing instrument was acknowledged before me on this 13 to day of December, 2004 by William L. Smith who is the President of The Bend Company, an Oregon corporation, general partner of River Bend Limited Partnership, an Oregon limited partnership, on behalf of the partnership.

Notary Public for Oregon

My Commission Expires: 11-16-2006

OFFICIAL SEAL SUE FALLTRICK NOTARY PUBLIC-OREGON COMMISSION NO. 362873 ISSION EXPIRES NOV. 16, 2006

FIRST AMERICAN TITLE INSURANCE COMPANY OF OREGON P.O. BOX 323 **BEND, OR 97709** 

#### **GRANTEE:**

Accepted and Agreed:

BEND METRO PARK & RECREATION DISTRICT,

AN OREGON SPECIAL DISTRICT,

By: DON HORTON

Its: EXECUTIVE DIRECTOR

STATE OF OREGON, County of Deschutes, ss:

The foregoing instrument was acknowledged before me this 22 day of 2004, by Don Horton, the Executive Director for the Bend Metro Park & Recreation District, an Oregon Special District.

OFFICIAL SEAL
BLANCHE I TABER
NOTARY PUBLIC-OREGON
COMMISSION NO 363786
MY COMMISSION EXPIRES DEC. 11, 2006

Skanche Taber
Notary Public for Oregon
My Commission Expires: 12/11/06

RECEIVED

JUL 09 2008

#### **UPS Internet Shipping: View/Print Label**

- 1. **Print the label(s):** Select the Print button on the print dialog box that appears. Note: If your browser does not support this function select Print from the File menu to print the label.
- 2. Fold the printed label at the dotted line. Place the label in a UPS Shipping Pouch. If you do not have a pouch, affix the folded label using clear plastic shipping tape over the entire label.

#### 3. GETTING YOUR SHIPMENT TO UPS Customers without a Daily Pickup

- Schedule a same day or future day Pickup to have a UPS driver pickup all of your Internet Shipping packages.
- Hand the package to any UPS driver in your area.
- Take your package to any location of The UPS Store<sup>®</sup>, UPS Drop Box, UPS Customer Ceriter, UPS Alliances (Office Depot<sup>®</sup> or Staples<sup>®</sup>) or Authorized Shipping Outlet near you. Items sent via UPS Return Services<sup>SM</sup> (including via Ground) are accepted at Drop Boxes.
- To find the location nearest you, please visit the 'Find Locations' Quick link at ups.com.

#### **Customers with a Daily Pickup**

Your driver will pickup your shipment(s) as usual.

#### FOLD HERE

