



Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem Oregon 97301-1271
 (503) 986-0900
 www.wrd.state.or.us

Application for a Permit to Store Water in a Reservoir

(Standard Review)

Standard Review Process (ORS 537): You must use this form for any reservoir storing more than 9.2 acre-feet and with a dam more than 10 feet high.

Use a separate form for each reservoir. However, to obtain authorization for multiple reservoirs, multiple forms may be combined into one application if filed at the same time.

Please type or print in dark ink. If your application is found to be incomplete or inaccurate, we will return it to you. 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 INFORMATION

Applicant: Waibel Ranches, LLC ^(Properties) by Bob Williams
First Last

Mailing Address: 3672 Juniper Canyon Rd
Prineville OR 97754
City State Zip

Phone: _____ (541) 419-1853 _____
Home Work Other

Fax: _____ E-Mail Address*: twentytwo cows@yahoo.com

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

I(We) make application for a permit to construct a reservoir and store the following described waters of the State of Oregon. The name of the reservoir is Sarvis Creek Res.

2. SOURCE OF WATER for the proposed use: Sarvis Creek,
 a tributary of Crooked River

Is the proposed use an enlargement of an existing dam/reservoir? Yes No

If the reservoir is not in channel of a stream, state how it is to be filled:

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For Department Use		
App. No. <u>R-88155</u>	Permit No. _____	Date _____

3. DAM HEIGHT AND COMPOSITION

The maximum height of the structure will be 75'± feet above streambed or ground surface at the centerline of the crest of the dam.

Attach preliminary plans, specifications and supporting information for the dam and impoundment area including dam height, width, crest width and surface area.

Note: If your dam height is greater than or equal to 10.0' above land surface AND your reservoir will store equal to or greater than 9.2 acre-feet, engineered plans and specifications must be approved prior to storage of water.

Plans & Specs will be provided later

H = 75'±, LC 800'±, Top width 16', SA 14.8 acres

The dam will be (check one): Earthfill Concrete Flash board Other

If "other" give description:

4. PRIMARY OUTLET WORKS

Describe the location and the dimensions of the outlet conduit through the dam:

*Located near original creek alignment
8" OUTLET*

NOTE: Most dams across a natural stream channel will need an outlet conduit having a minimum diameter of 8 inches or greater.

5. EMERGENCY SPILLWAY

Describe the location and the dimensions of the spillway channel:

*Around right side (east) of dam
4' bottom, 25' deep with 2:1 side slopes*

6. THE USE(s) of the impounded water will be: *Multipurpose*

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7. THE AMOUNT OF WATER to be stored is: 108 acre-feet.
The area submerged by the reservoir, when filled, will be 14.8 acres.

8. PROJECT SCHEDULE: (List Month and Year)

Proposed date construction work will begin: Spring 2016

Proposed date construction work will be completed: Oct 1, 2017

Proposed date water use will be completed: Oct 1, ~~2017~~ 2021

Is this project fully or partially funded by the American Recovery and Reinvestment Act? (Federal stimulus dollars) No

9. PROPERTY OWNERSHIP

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

Yes (Please check appropriate box below then skip to section 10)

There are no encumbrances

This land is encumbered by easements, rights of way, roads or other encumbrances (please provide a copy of the recorded deed(s))

No (Please check the appropriate box below)

I have a recorded easement or written authorization permitting access.

I do not currently have written authorization or an easement permitting access.

Written authorization or an easement is not necessary, because the only affected lands I do not own are state-owned submersible lands, and this application is for irrigation and/or domestic use only (ORS 274.040).

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

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List the names and mailing addresses of all affected landowners: NA

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11. WITHIN A DISTRICT NA

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Check here if the point of diversion or place of use are located within or served by an irrigation or other water district.

Irrigation District Name	Address	
City	State	Zip

R-88155

11. 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 reservoir location and place of use. The map must provide tax lot numbers. See the map guidelines sheet for detailed map specifications.

12. SIGNATURE

By my signature below I confirm that I understand:

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

I 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:

Applicant: Bud Waite 12-3-15
Signature (If more than one applicant, all must sign.) Date
OWNER

Before you submit your application be sure to:

- Answer each question completely.
- Attach a legible map that includes township, range, section, quarter/quarter and tax lot.
- Include a Land Use Information Form or receipt stub signed by a local official.
- Include the legal description of all the property involved with this application. You may include a copy of your deed land sales contract or title insurance policy to meet this requirement.
- Include 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.

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I, Deanna Berman, County Clerk for Crook County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.

Deanna E. Berman



After recording, return to:
Les Schwab Tire Centers
PO Box 5350
Bend, OR 97708
Attn: David Gibson

Until a change is requested, all tax statements shall be sent to:
No change.

STATUTORY SPECIAL WARRANTY DEED

Les Schwab Tire Centers of Oregon, Inc., an Oregon corporation, as Grantor, conveys and specially warrants to Waibel Properties LLC, an Oregon limited liability company, as Grantee, the real property legally described on the attached Exhibit A, free of encumbrances created or suffered by Grantor, except for: (a) all matters set forth on the attached Exhibit B; (b) real estate taxes that are a lien, but not yet due and payable; and (c) the rights of parties in possession.

This deed is given pursuant to the terms of an Exchange Agreement between Grantor and Grantee dated Sept. 9, 2013, pursuant to which Grantee is prohibited from transferring all or any portion of Grantee's interest in the real property conveyed herein for a period of two (2) years from the date of this deed, except with Grantor's prior written consent, which consent may be granted or withheld in Grantor's sole discretion.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

The actual consideration consists of or includes other property or other value given or promised, which was either part or the whole consideration.

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AMERITITLE
CRT-B

Recorded by AmeriTitle as an accommodation only. No liability is accepted for the condition of title or for the validity, sufficiency, or effect of this document.

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IN WITNESS WHEREOF, this Statutory Special Warranty Deed was executed as of October 1, 2013.

GRANTOR:

LES SCHWAB TIRE CENTERS OF OREGON, INC., an Oregon corporation

By: *Corey J. Parks*
Corey J. Parks, Secretary

STATE OF OR)
County of Deschutes) ss.

The foregoing instrument was acknowledged before me on September 9, 2013, by Corey J. Parks, as Secretary of Les Schwab Tire Centers of Oregon, Inc., an Oregon corporation, on behalf of the corporation.

Mary Jo Grimes
Notary Public for OR
My Commission Expires: 1-24-15



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EXHIBIT A

Legal Description

The following real property located in Crook County, Oregon:

TRACT I

IN TOWNSHIP 16 SOUTH, RANGE 20 EAST OF THE WILLAMETTE MERIDIAN,
SECTION 24: THE E $\frac{1}{2}$ OF THE E $\frac{1}{2}$ AND THE EAST 50 RODS OF THE SOUTH 60 RODS
OF THE S $\frac{1}{2}$ SW $\frac{1}{4}$.

TRACT II

IN TOWNSHIP 16 SOUTH, RANGE 20 EAST OF THE WILLAMETTE MERIDIAN:
SECTION 24: W $\frac{1}{2}$ E $\frac{1}{2}$, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, AND THE NORTH 20 RODS OF THE S $\frac{1}{2}$ SW $\frac{1}{4}$
EXCEPTING THE WEST 110 RODS OF THE NW $\frac{1}{4}$, THE WEST 110 RODS OF THE
N $\frac{1}{2}$ SW $\frac{1}{4}$, AND THE WEST 110 RODS OF THE NORTH 20 RODS OF THE S $\frac{1}{2}$ SW $\frac{1}{4}$.
SECTION 25: ALL.

IN TOWNSHIP 16 SOUTH, RANGE 21 EAST OF THE WILLAMETTE MERIDIAN:
SECTION 8: SE $\frac{1}{4}$ SE $\frac{1}{4}$.
SECTION 16: SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$.
SECTION 17: ALL.
SECTION 18: ALL.
SECTION 19: ALL.
SECTION 20: ALL.
SECTION 21: ALL.
SECTION 22: S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$.
SECTION 28: ALL.
SECTION 29: ALL.
SECTION 30: LOTS 1 AND 2, AND THE E $\frac{1}{2}$ NW $\frac{1}{4}$.
SECTION 31: ALL

TRACT IV

PARCEL 1:
IN TOWNSHIP 16 SOUTH OF RANGE 21 EAST OF THE WILLAMETTE MERIDIAN:
SECTION 33: ALL, EXCEPTING THE W $\frac{1}{2}$ SW $\frac{1}{4}$.

IN TOWNSHIP 17 SOUTH OF RANGE 20 EAST OF THE WILLAMETTE MERIDIAN:
SECTION 13: ALL.

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IN TOWNSHIP 17 SOUTH OF RANGE 21 EAST OF THE WILLAMETTE MERIDIAN:
SECTION 4: THE SOUTH HALF OF THE SOUTH HALF.
SECTION 5: ALL.
SECTION 7: ALL.
SECTION 8: THE NORTH HALF OF THE NORTH HALF.
SECTION 17: ALL.
SECTION 18: ALL.
SECTION 19: ALL.
SECTION 20: ALL.
SECTION 9: THAT PORTION OF SECTION 9 LYING NORTH OF THE STATE
HIGHWAY, AS IT IS NOW LOCATED AND CONSTRUCTED, AND THAT PORTION OF
THE WEST HALF OF THE WEST HALF OF SECTION 9 LYING SOUTH OF THE STATE
HIGHWAY, AS IT IS NOW LOCATED AND CONSTRUCTED.

PARCEL 2:

IN TOWNSHIP 17 SOUTH OF RANGE 21 EAST OF THE WILLAMETTE MERIDIAN:
SECTION 9: ALL THAT PORTION LYING SOUTH OF THE STATE HIGHWAY, AS
LOCATED AND CONSTRUCTED EXCEPTING THAT COMPRISED IN THE WEST HALF
OF THE WEST HALF.
SECTION 10: THE NORTH HALF, THE EAST HALF OF THE SOUTHEAST QUARTER,
THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER, THE WEST HALF OF
THE SOUTHWEST QUARTER, AND THE NORTHEAST QUARTER OF THE
SOUTHWEST QUARTER.
SECTION 11: THE SOUTHEAST QUARTER, THE SOUTH HALF OF THE NORTHEAST
QUARTER, THE SOUTHWEST QUARTER, AND THE SOUTH HALF OF THE
NORTHWEST EXCEPTING A TRACT OF LAND DEEDED TO MAURY CEMETARY
ASSOCIATION BY DEED RECORDED IN BOOK 49 OF DEEDS AT PAGE 225, RECORDS
OF CROOK COUNTY, OREGON.
SECTION 12: THE SOUTHWEST QUARTER, AND SOUTH HALF OF THE NORTHWEST
QUARTER, EXCEPTING A TRACT OF LAND DEEDED TO H.H. HAWLEY BY DEED
RECORDED IN BOOK 46 OF DEEDS AT PAGE 629, RECORDS OF CROOK COUNTY,
OREGON.
SECTION 15: ALL.
SECTION 16: ALL.
SECTION 21: ALL.
SECTION 22: ALL.
SECTION 23: ALL.

EXCEPTING FROM THE ABOVE DESCRIBED LANDS THOSE PORTIONS DEEDED TO
THE STATE OF OREGON, BY AND THROUGH ITS STATE HIGHWAY COMMISSION,
AS RECORDED IN BOOK 52 OF DEEDS AT PAGE 295, BOOK 83 OF DEEDS AT PAGE
387, AND IN BOOK 83 OF DEEDS AT PAGE 552, RECORDS OF CROOK COUNTY,
OREGON.

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TRACT V

PARCEL 1:

IN TOWNSHIP 17 SOUTH, RANGE 21 EAST OF THE WILLAMETTE MERIDIAN:

SECTION 13: ALL.

SECTION 24: ALL.

SECTION 25: SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER.

SECTION 26: SOUTH HALF OF THE SOUTHEAST QUARTER.

SECTION 35: SOUTHEAST QUARTER, NORTH HALF OF THE NORTHEAST QUARTER,
SOUTHEAST QUARTER OF THE NORTHEAST QUARTER.

SECTION 36: WEST HALF OF THE NORTHWEST QUARTER.

IN TOWNSHIP 17 SOUTH, RANGE 22 EAST OF THE WILLAMETTE MERIDIAN:

SECTION 19: ALL.

PARCEL 2:

IN TOWNSHIP 17 SOUTH, RANGE 21 EAST OF THE WILLAMETTE MERIDIAN:

SECTION 30: SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER.

PARCEL 3:

IN TOWNSHIP 17 SOUTH, RANGE 22 EAST OF THE WILLAMETTE MERIDIAN:

SECTION 18: LOT 2, THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER,
THE EAST HALF OF THE SOUTHWEST QUARTER, AND THE SOUTHWEST QUARTER
OF THE SOUTHEAST QUARTER.

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Land Use Information Form

Crook County



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

Applicant: Bob Williams for Waibel Ranches, LLC
First Last

(Properties)

Mailing Address: 3672 Juniper Canyon Rd

Prineville OR 97754 Daytime Phone: (541) 419-1853
City State Zip

A. Land and Location

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:	Proposed Land Use:
17S	21E	9	SE NW	700		<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	Storage
"	"	9	NESW	700		<input checked="" type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	"
"	"	9	NWSW	400		<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	"
						<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	

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

Crook County

B. Description of Proposed Use

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

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

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

Estimated quantity of water needed: 108 cubic feet per second
 gallons per minute
 acre-feet

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

Briefly describe:

Raise existing Sarvis Cr Res to store more of the spring run off.

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

See bottom of Page 3. →

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For Local Government Use Only

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

Please check the appropriate box below and provide the requested information

- Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): Permitted use EF4-1
18.16.010
- Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

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

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

Name: Ann Beier Title: Asst Planning Dir.
 Signature: A Beier Phone: 541 447 8156 Date: 12/1/2015
 Government Entity: Cook County

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

Receipt for Request for Land Use Information

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