

Attention: Laura Wilke



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

# Application for a Permit to Use Ground Water

## Water-Use Permit Application Processing

### 1. Completeness Determination

The Department evaluates whether the application and accompanying map contain all of the information required under OAR 690-310-0040 and OAR 690-310-0050 ([www.oregon.gov/owrd/law](http://www.oregon.gov/owrd/law)). The Department also determines whether the proposed use is prohibited by statute. If the Department determines that the application is incomplete, all fees have not been paid, or the use is prohibited by statute, the application and all fees submitted are returned to the applicant.

### 2. Initial Review

The Department reviews the application to determine whether water is available during the period requested, whether the proposed use is restricted or limited by rule or statute, and whether other issues may preclude approval of or restrict the proposed use. An Initial Review (IR) containing preliminary determinations is mailed to the applicant. The applicant has 14 days from the mailing date to withdraw the application from further processing and receive a refund of all fees paid minus \$200. The applicant may put the application on hold for up to 180 days and may request additional time if necessary.

### 3. Public Notice

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

### 4. Proposed Final Order Issued

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

### 5. Public Notice

Within 7 days of issuing the PFO, the Department gives public notice in the weekly notice. Notice includes information about the application and the PFO. Protest must be received by the Department within 45 days after publication of the PFO in the weekly notice. Anyone may file a protest. The protest filing fee is \$350.00 for the applicant and \$700.00 for non-applicants. Protests are filed on approximately 10% of Proposed Final Orders. If a protest is filed, the Department will attempt to settle the protest but will schedule a contested case hearing if necessary.

### 6. Final Order Issued

If no protests are filed, the Department issues a Final Order consistent with the PFO. If the application is approved, a permit is issued that specifies the details of the authorized use and any terms, limitations or conditions that the Department deems appropriate.

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# Minimum Requirements Checklist

Minimum Requirements (OAR 690-310-0040, OAR 690-310-0050 & ORS 537.615)

## Include this checklist with the application

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

- SECTION 1: applicant information and signature
- SECTION 2: property ownership
- SECTION 3: well development
- SECTION 4: water use
- SECTION 5: water management
- SECTION 6: storage of groundwater in a reservoir
- SECTION 7: use of stored groundwater from the reservoir
- SECTION 8: project schedule
- SECTION 9: within a district
- SECTION 10: remarks

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### Attachments:

- Land Use Information Form with approval and signature (*must be an original*) or signed receipt
- Provide the legal description of: (1) the property from which the water is to be diverted, (2) any property crossed by the proposed ditch, canal or other work, and (3) any property on which the water is to be used as depicted on the map. Example: A copy of the deed, land sales contract or title insurance policy.
- Fees - Amount enclosed: \$\$1900  
See the Department's Fee Schedule at [www.oregon.gov/owrd](http://www.oregon.gov/owrd) or call (503) 986-0900.

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### Provide a map and check that each of the following items is included:

- Permanent quality and drawn in ink
- Even map scale not less than 4" = 1 mile (example: 1" = 400 ft, 1" = 1320 ft, etc.)
- North Directional Symbol
- Township, Range, Section, Quarter/Quarter, Tax Lots
- Reference corner on map
- Location of each well, and/or dam if applicable, by reference to a recognized public land survey corner (distances north/south and east/west). Each well must be identified by a unique name and/or number.
- Indicate the area of use by Quarter/Quarter and tax lot clearly identified
- Number of acres per Quarter/Quarter and hatching to indicate area of use if for primary irrigation, supplemental irrigation, or nursery
- Location of main canals, ditches, pipelines or flumes (if well is outside of the area of use)
- Other N/A

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SALEM, OR

# Application for a Permit to Use Ground Water



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

## SECTION 1: APPLICANT INFORMATION AND SIGNATURE

### Applicant Information

NAME BOB WILLIAMS		PHONE (HM)	
PHONE (WK)	CELL 541 419 1853		FAX
ADDRESS 3672 SE JUNIPER CANYON RD			
CITY PRINEVILLE	STATE OR	ZIP 97754	E-MAIL* twentytwo@Yahoo.com

### Organization Information

NAME WAIBAL Prop, LLC & THE RUSSELL LLC <del>LES SCHWAB TIRE CENTERS OF OREGON</del>		PHONE		FAX
ADDRESS PO BOX 5350			CELL	
CITY BEND	STATE OR	ZIP 97708	E-MAIL*	

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

AGENT / BUSINESS NAME JOHN A. SHORT / WATER RIGHT SERVICES		PHONE 541-389-2837		FAX
ADDRESS PO BOX 1830			CELL	
CITY BEND	STATE OR	ZIP 97709	E-MAIL* JOHNSHORT@USA.COM	

Note: Attach multiple copies as needed

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

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### By my signature below I confirm that I understand:

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application.
- I cannot use water legally until the Water Resources Department issues a permit.
- Oregon law requires that a permit be issued before beginning construction of any proposed well, unless the use is exempt. Acceptance of this application does not guarantee a permit will be issued.
- If I get a permit, I must not waste water.
- If development of the water use is not according to the terms of the permit, the permit can be cancelled.
- The water use must be compatible with local comprehensive land-use plans.
- Even if the Department issues a permit, I may have to stop using water to allow senior water-right holders to get water to which they are entitled.

SALEM, OR

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

  
Applicant Signature

Brad Whitel for WAIBal Prop, LLC & The Russell LLC  
Date 9-8-16

Applicant Signature

Print Name and title if applicable

Date

For Department Use		
App. No. 618784	Permit No. _____	Date _____

**SECTION 2: PROPERTY OWNERSHIP**

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

Yes

There are no encumbrances.

This land is encumbered by easements, rights of way, roads or other encumbrances.

No

I have a recorded easement or written authorization permitting access.

I do not currently have written authorization or 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).

Water is to be diverted, conveyed, and/or used only on federal lands.

List the names and mailing addresses of all affected landowners (*attach additional sheets if necessary*).

N/A

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

**SECTION 3: WELL DEVELOPMENT**

WELL NO.	NAME OF NEAREST SURFACE WATER	IF LESS THAN 1 MILE:	
		DISTANCE TO NEAREST SURFACE WATER	ELEVATION CHANGE BETWEEN NEAREST SURFACE WATER AND WELL HEAD
WELL	OCHOCO RESERVOIR		

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

**PROPOSED WELL WILL BE LOCATED 950' N, 80'E OF SW CORNER SECTION 19**

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64274

**SECTION 3: WELL DEVELOPMENT, CONTINUED**

Total maximum rate requested: 0.266 CFS (each well will be evaluated at the maximum rate unless you indicate well-specific rates and annual volumes in the table below).

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

OWNER'S WELL NAME OR NO.	PROPOSED	EXISTING	WELL ID (WELL TAG) NO.* OR WELL LOG ID**	FLOWING ARTESIAN	CASING DIAMETER	CASING INTERVALS (IN FEET)	PERFORATED OR SCREENED INTERVALS (IN FEET)	SEAL INTERVALS (IN FEET)	MOST RECENT STATIC WATER LEVEL & DATE (IN FEET)	PROPOSED USE			
										SOURCE AQUIFER***	TOTAL WELL DEPTH	WELL-SPECIFIC RATE (GPM)	ANNUAL VOLUME (ACRE-FEET)
WELL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	N/A	<input type="checkbox"/>	8	2-26		0-26		SOFT BROWN SAND STONE	100'	120	120
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									

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

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**SECTION 4: WATER USE**

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
IR	IRRIGATION SEASON	120

**Exempt Uses:** Please note that 15,000 gallons per day for single or group **domestic** purposes and 5,000 gallons per day for a single **industrial or commercial** purpose are exempt from permitting requirements.

**For irrigation use only:**

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

Primary: 40 Acres                      Supplemental: N/A Acres

List the Permit or Certificate number of the underlying primary water right(s): N/A

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 120

- If the use is **municipal or quasi-municipal**, attach **Form M**
  - If the use is **domestic**, indicate the number of households: N/A
- If the use is **mining**, describe what is being mined and the method(s) of extraction: N/A

**SECTION 5: WATER MANAGEMENT**

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**A. Diversion and Conveyance**

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

Pump (give horsepower and type): SUBMERSIBLE, HORSEPOWER TBD

SALEM, OR

Other means (describe): \_\_\_\_\_

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. WELL PUMP DRIVES PIVOT DIRECTLY

**B. Application Method**

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler)  
PIVOT IRRIGATION

**C. Conservation**

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

WATER TO BE APPLIED WITH LOW EVAPORATION METHODS

**SECTION 6: STORAGE OF GROUND WATER IN A RESERVOIR**

If you would like to store ground water in a reservoir, complete this section (*if more than one reservoir, reproduce this section for each reservoir*).

Reservoir name: N/A    Acreage inundated by reservoir: N/A

Use(s): N/A

Volume of Reservoir (acre-feet): N/A Dam height (feet, if excavated, write "zero"): N/A

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

**SECTION 7: USE OF STORED GROUND WATER FROM THE RESERVOIR**

If you would like to use stored ground water from the reservoir, complete this section (if more than one reservoir, reproduce this section for each reservoir).

Annual volume (acre-feet): N/A

USE OF STORED GROUND WATER	PERIOD OF USE

**SECTION 8: PROJECT SCHEDULE**

Date construction will begin: 2016

Date construction will be completed: 2021

Date beneficial water use will begin: 10-1-2021

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**SECTION 9: WITHIN A DISTRICT**

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 N/A	Address	
City	State	Zip

**SECTION 10: REMARKS**

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

GROUNDWATER APPLICATION TO BE OFFSET WITH 40 ACRES (0.267 CFS) FROM CERT 60424 IN LIEU OF MITIGATION

# Land Use Information Form



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

AUG 22 2016

## NOTE TO APPLICANTS

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

**This form is NOT required if:**

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

## NOTE TO LOCAL GOVERNMENTS

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

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Revised 3/4/2010

Ground Water/8

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WR

SALEM, OR

G-18284



# Land Use Information Form



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

Applicant: BOB

First

WILLIAMS

Last

Mailing Address: 3672 SE JUNIPER CANYON RD

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PRINEVILLE  
City

OR  
State

Zip

97754 Daytime Phone: \_\_\_\_\_

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SALEM, OR

## 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:
15S	16E	24		1300	EFU2	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	IR
15S	16E	24		1302	"	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	IR
15S	17E	19		802	"	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	IR
						<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) \_\_\_\_\_

Estimated quantity of water needed: 0.266     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 \_\_\_\_\_

Briefly describe:

PASTURE

**Note to applicant:** If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt at the bottom of the next page and include it with the application filed with the Water Resources Department. See bottom of Page 3. →

## For Local Government Use Only

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

**Please check the appropriate box below and provide the requested information**

- Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): Crook County Code 18.20.010
- 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
		<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.

Agricultural uses are outright uses in  
County's exclusive farm use zones  
(property located in Exclusive farm use -  
Prineville Valley-Lone Pine (EFU-2)).

Name: \_\_\_\_\_ Title: Ann Beier, Asst Planning Dir.  
 Signature: A Beier Phone: \_\_\_\_\_ Date: 8-22-2016  
 Government Entity: Crook County 541-447-8156

**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: \_\_\_\_\_

**RECEIVED BY OWRD**

Date \_\_\_\_\_

(For staff use only)



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

**WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):**

- SECTION 1: \_\_\_\_\_
- SECTION 2: \_\_\_\_\_
- SECTION 3: \_\_\_\_\_
- SECTION 4: \_\_\_\_\_
- SECTION 5: \_\_\_\_\_
- SECTION 6: \_\_\_\_\_
- SECTION 7: \_\_\_\_\_
- SECTION 8: \_\_\_\_\_
- SECTION 9: \_\_\_\_\_

Land Use Information Form \_\_\_\_\_

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

Fees \_\_\_\_\_

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MAP

SALEM, OR

- Permanent quality and drawn in ink
- Even map scale not less than 4" = 1 mile (example: 1" = 400 ft, 1" = 1320 ft, etc.)
- North Directional Symbol
- Township, Range, Section, Quarter/Quarter, Tax Lots
- Reference corner on map
- Location of each well, and/or dam if applicable, by reference to a recognized public land survey corner (distances north/south and east/west). Each well must be identified by a unique name and/or number.
- Indicate the area of use by Quarter/Quarter and tax lot clearly identified
- Number of acres per Quarter/Quarter and hatching to indicate area of use if for primary irrigation, supplemental irrigation, or nursery
- Location of main canals, ditches, pipelines or flumes (if well is outside of the area of use)
- Other \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Exhibit A**

**Property**

**EXHIBIT A**

Legal Description

The following real property located in Crook County, Oregon:

**TRACT VII**

**IN TOWNSHIP 15 SOUTH, RANGE 17 EAST OF THE WILLAMETTE MERIDIAN:**

**SECTION 16: THAT PORTION OF THE SW<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub> AND THE SW<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub> LYING SOUTH OF THE RIGHT OF WAY OF THE PAULINA HIGHWAY, AS LOCATED AND CONSTRUCTED, EXCEPTING THEREFROM THAT PORTION CONVEYED TO COY F. BOWEN AND WIFE BY DEED RECORDED IN DEEDS MICROFILM NO. 38073, RECORDS OF CROOK COUNTY, OREGON.**

**SECTION 17: ALL THAT PORTION LYING SOUTH OF THE RIGHT OF WAY OF THE PAULINA HIGHWAY, AS LOCATED AND CONSTRUCTED, EXCEPTING THAT PORTION CONVEYED TO THE STATE OF OREGON, BY AND THROUGH ITS STATE HIGHWAY COMMISSION BY DEED RECORDED IN BOOK 66 OF DEEDS AT PAGE 563, RECORDS OF CROOK COUNTY, OREGON, AND EXCEPTING THAT PORTION CONVEYED TO COY F. BOWEN AND WIFE BY DEED RECORDED IN DEEDS MICROFILM NO. 38073, RECORDS OF CROOK COUNTY, OREGON.**

**SECTION 18: ALL THAT PORTION OF THE E<sup>1</sup>/<sub>2</sub>, E<sup>1</sup>/<sub>2</sub>W<sup>1</sup>/<sub>2</sub>, AND LOTS 1, 2, AND 3 LYING SOUTH OF THE RIGHT OF WAY OF THE PAULINA HIGHWAY, AS LOCATED AND CONSTRUCTED.**

**SECTION 19: LOT 1, THE NORTH HALF OF LOT 2, THE NE<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub>, N<sup>1</sup>/<sub>2</sub>NE<sup>1</sup>/<sub>4</sub>, N<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub>, AND N<sup>1</sup>/<sub>4</sub>S<sup>1</sup>/<sub>2</sub>NE<sup>1</sup>/<sub>4</sub>.**

**SECTION 20: N<sup>1</sup>/<sub>2</sub>N<sup>1</sup>/<sub>4</sub>, SE<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub>, AND THE NORTH 30 ACRES OF S<sup>1</sup>/<sub>2</sub>NE<sup>1</sup>/<sub>4</sub>, EXCEPTING THAT PORTION CONVEYED TO THE STATE OF OREGON, BY AND THROUGH ITS STATE HIGHWAY COMMISSION, BY DEED RECORDED IN BOOK 66 OF DEEDS AT PAGE 563, RECORDS OF CROOK COUNTY, OREGON, AND EXCEPTING THAT PORTION CONVEYED TO COY F. BOWEN AND WIFE BY DEED RECORDED IN DEEDS MICROFILM NO. 38073, RECORDS OF CROOK COUNTY, OREGON.**

**SECTION 21: ALL THAT PORTION LYING SOUTH OF THE RIGHT OF WAY OF THE PAULINA HIGHWAY, AS LOCATED AND CONSTRUCTED, EXCEPTING THAT PORTION CONVEYED TO COY F. BOWEN AND WIFE BY DEED RECORDED IN DEEDS MICROFILM NO. 38073, RECORDS OF CROOK COUNTY, OREGON.**

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G-198184

**TRACT VIII**

**IN TOWNSHIP 15 SOUTH OF RANGE 16 EAST OF THE WILLAMETTE MERIDIAN:  
SECTION 12: ALL THAT PART OF THE SOUTH HALF LYING SOUTH OF THE COMBS  
FLAT ROAD, AS NOW LOCATED AND CONSTRUCTED.**

**SECTION 13: ALL.**

**SECTION 14: THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER, THE  
NORTHEAST QUARTER OF THE SOUTHWEST QUARTER, AND THE WEST HALF OF  
THE SOUTHEAST QUARTER; AND ALL THAT PORTION OF THE NORTH HALF OF  
THE NORTHEAST QUARTER AND THE NORTHEAST QUARTER OF THE  
NORTHWEST QUARTER LYING SOUTH OF THE COMBS FLAT ROAD, AS NOW  
LOCATED AND CONSTRUCTED.**

**SECTION 23: THE NORTHEAST QUARTER, THE EAST HALF OF THE NORTHWEST  
QUARTER, AND THE SOUTH HALF.**

**SECTION 24: ALL.**

**SECTION 25: THE NORTH HALF.**

**SECTION 26: THE SOUTH HALF OF THE NORTH HALF.**

**IN TOWNSHIP 15 SOUTH OF RANGE 17 EAST OF THE WILLAMETTE MERIDIAN:**

**SECTION 19: THE SOUTH HALF, AND THE SOUTH HALF OF THE SOUTH HALF OF  
THE NORTH HALF.**

**SECTION 20: THE EAST HALF OF THE SOUTHWEST QUARTER, THE SOUTHEAST  
QUARTER, AND THE SOUTH 50 ACRES OF THE SOUTH HALF OF THE NORTHEAST  
QUARTER.**

**SECTION 30: ALL.**

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**SEP 12 2016**

**SALEM, OR**

Proposed

AFFIDAVIT FOR THE PARTIAL CANCELLATION OF A WATER RIGHT CERTIFICATE

Contingent on Attached GWA for Les Schwab Tires of Oregon.

State of Oregon )
County of Deschutes ) ss

I/We (or authorized agent), John A. Short, Water Right Services, LLC, Authorized Agent, residing at PO Box 1830, Bend, OR 97709, telephone 541-389-2837, being first duly sworn depose and say:

- 1. I/We are the legal owner(s) of the property described as tax lot number 700 & 702, within the XXX 1/4 SE 1/4, Section 35, Township 15 S N/S, Range 14 E E/W, of the Willamette Meridian, in Crook County, Oregon...
2. A portion of water right certificate number 60424 issued to Rodney S. Johnson, with a date of priority of January 25, 1978 for use of 0.4 cubic foot per second of water from Two Wells (source) for the purpose of IR (use) is appurtenant to my/our property;
3. The appurtenant water right is/is not located within the boundaries of an irrigation, drainage, water improvement, or water control district...
4. If the water right is issued in the name of an irrigation district then the affiant must have the concurrence of the district to the cancellation of the portion of the water right.

Signature of district manager, Printed Name, Date

5. I/We have abandoned any and all interest in the portion of this water right shown on the attached map and described as follows: The right to the use of 0.267 cubic foot per second from Two Wells for IR, and irrigation of 40.0 acres located:

Table with 3 columns: (use), Area, (if applicable). Rows include NE 1/4 SE 1/4 (3.2 Acres), NW 1/4 SE 1/4 (20.6 Acres), SW 1/4 SE 1/4 (6.4 Acres), SE 1/4 SE 1/4 (9.8 Acres).

Section 35, Township 15 S N/S, Range 14 E E/W, WM; and

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6. I/We request the portion of the water right described above be canceled.

[Signature]  
Signature of legal owner as listed on deed, or authorized agent

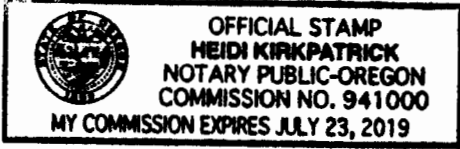
8-23-2016  
Date

\_\_\_\_\_  
Signature of legal co-owner as listed on deed  
(if applicable)

\_\_\_\_\_  
Date

Subscribed and Sworn to Before Me this 23rd day of August, 2016.

[Signature: Heidi Kirkpatrick]  
Notary Public for Oregon



My Commission Expires July 23, 2019

**PLEASE ATTACH A LEGIBLE COPY OF : 1) A DEED WHICH LISTS LAND OWNERS AND INCLUDES A LEGAL DESCRIPTION OF AFFECTED LANDS, AND 2) AN ADJUDICATION MAP, WATER RIGHT FINAL PROOF MAP, OR A TAX LOT MAP WITH THE PORTION OF THE ABANDONED RIGHT CLEARLY DRAWN AND IDENTIFIED. IF ACTING AS AN AUTHORIZED AGENT, INCLUDE COPY OF POWER OF ATTORNEY OR OTHER DOCUMENTS GRANTING AUTHORITY TO ACT ON BEHALF OF LEGAL OWNER(S) AS LISTED ON THE DEED.**

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SALEM, OR

STATE OF OREGON  
COUNTY OF CROOK  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

RODNEY S. JOHNSON  
ROUTE 1, BOX 420  
POWELL BUTTE, OR 97753

confirms the right to use the waters of TWO WELLS in the CROOKED RIVER BASIN for the purpose of IRRIGATING 60.0 ACRES.

The right has been perfected under Permit G-7909. The date of priority is JANUARY 25, 1978. The right is limited to not more than 0.4 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the wells.

The wells are located as follows:

SE 1/4 SE 1/4, SECTION 35, T 15 S, R 14 E, W.M.; WELL 1-60 FEET NORTH AND 190 FEET WEST; WELL 2-250 FEET NORTH AND 360 FEET WEST BOTH FROM SE CORNER SECTION 35.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

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

A description of the place of use under the right, and to which such right is appurtenant, is as follows:

NE 1/4 SE 1/4	3.2 ACRES
NW 1/4 SE 1/4	20.6 ACRES
SW 1/4 SE 1/4	6.4 ACRES
SE 1/4 SE 1/4	29.8 ACRES
SECTION 35	
TOWNSHIP 15 SOUTH, RANGE 14 EAST, W.M.	

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

WITNESS the signature of the Water Resources Director, affixed this date MARCH 23, 1989.

/s. WILLIAM H. YOUNG  
Water Resources Director

Recorded in State Record of Water Right Certificates numbered 60424

G-8625.TES