

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

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). 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. 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

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: \$ 2200
See the Department's Fee Schedule at www.oregon.gov/owrd or call (503) 986-0900.

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 _____

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Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
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SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant Information

| | | | |
|----------------------------|----------------------|--------------|-----------------------------|
| NAME K Bar J Ranch, LLC | | | PHONE (HIM) |
| PHONE (WK) 541-259-3901 | CELL 541-931-1162 | | FAX |
| ADDRESS 200 Hansard Ave | | | |
| CITY Lebanon | STATE OR | ZIP 97355 | E-MAIL* lkeith@entek.com |

Organization Information

| | | | |
|---------|-------|-------|---------|
| NAME | | PHONE | FAX |
| ADDRESS | | | CELL |
| CITY | STATE | ZIP | E-MAIL* |

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

| | | | |
|---------------------------------------|-------------|-----------------------|----------------------------------|
| AGENT / BUSINESS NAME Myles Conway | | PHONE 541-408-9291 | FAX |
| ADDRESS 404 SW Columbia, Suite 212 | | | CELL 541-480-0811 |
| CITY Bend | STATE OR | ZIP 97701 | E-MAIL* mconway@martenlaw.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.)

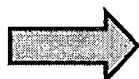
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By my signature below I confirm that I understand:

- 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.

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

[Signature]
Applicant Signature

Laura Keith Manaster 12/19/16
Print Name and title if applicable Date

Applicant Signature

Print Name and title if applicable Date

| | | |
|--------------------------|------------------|------------|
| For Department Use | | |
| App. No. <u>6-109162</u> | 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.

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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.

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

No other landowners affected

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 |
| 1 | Little Deschutes River | 850-feet | 10-feet |
| 2 | Little Deschutes River | 1500-feet | 20-feet |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

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*).

____ Applicant will utilize mitigation credits generated under the Deschutes Basin Mitigation Program (MP-143) to offset any impacts to Little Deschutes River. See Section 10 remarks.

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G-189462

SECTION 3: WELL DEVELOPMENT, CONTINUED

Total maximum rate requested: _____ (each well will be evaluated at the maximum rate unless you indicate well-specific rates and annual volumes in the table below). Well No. 1 - .145 cfs
Well No. 2 - .39 cfs

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) |
| 1 | <input checked="" type="checkbox"/> | <input type="checkbox"/> | N/A | <input type="checkbox"/> | 6-12 inch | TBD* | TBD | min 18-ft | N/A | Deschutes aquifer | | | |
| 2 | <input checked="" type="checkbox"/> | <input type="checkbox"/> | N/A | <input type="checkbox"/> | 6-12 inch | TBD* | TBD | min 18-ft | N/A | Deschutes aquifer | | | |
| | <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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*To be determined during drilling process

SECTION 4: WATER USE

| USE | PERIOD OF USE | ANNUAL VOLUME (ACRE-FEET) |
|------------|-------------------|------------------------------------|
| irrigation | irrigation season | 3 acre-feet/acre (127.5 acre-feet) |
| | | |
| | | |
| | | |

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: 42.5 Acres Supplemental: 0 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: 127.5

- If the use is **municipal or quasi-municipal**, attach **Form M**

- If the use is **domestic**, indicate the number of households: _____

If the use is **mining**, describe what is being mined and the method(s) of extraction: RECEIVED BY OWRD

SECTION 5: WATER MANAGEMENT

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A. Diversion and Conveyance

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

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Pump (give horsepower and type): Turbine or submersible. Precise type and horsepower to be determined.

Other means (describe): _____

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. Water to be pumped from wells to center pivot with end guns

B. Application Method

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler) Center pivot system. Type of sprinkler system (high or low pressure) to be determined at time of design.

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. Modern wells, buried pipelines, modern sprinkler and delivery systems. Applicant to apply water in morning/evening hours to minimize evaporative loss. Other conservation methods to be applied as applicable.

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: _____

6-19962

Use(s): _____

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

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: _____ Within 5 years of permit issuance

Date construction will be completed: _____ Within 5 years of permit issuance

Date beneficial water use will begin: _____ Within 5 years of permit issuance

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SECTION 9: WITHIN A DISTRICT Property not within boundaries of irrigation 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 | 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*).

Applicant has executed Deschutes Mitigation Credit Transfer Agreement with Paulina Meadows, LLC - the holder of 76.5 mitigation credits in the Deschutes Basin, Little Deschutes Subzone (the "Mitigation Credits.") The Mitigation Credits were generated from the retirement and transfer of water rights on 42.5 acres of land in the Little Deschutes Subzone. The Mitigation Credits will be applied to mitigate against any impact of the subject application on the Little Deschutes River.

247-17-000001-PS

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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

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Applicant: K Bar J Ranch LLC c/o Myles Conway
First Last

FEB 16 2017

Mailing Address: 200 Hansard Ave

SALEM, OR

Lebanon
City

OR
State

97355
Zip

Daytime Phone: 541-408-9291

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: |
|----------|-------|---------|----------|-----------|---|--|-----------------------------------|--|--------------------|
| 225 | 10 E | 10 | NNW SWW | 225 | EFU | <input checked="" type="checkbox"/> Diverted | <input type="checkbox"/> Conveyed | <input checked="" type="checkbox"/> Used | farm |
| 225 | 10 E | 2 | SEW NESW | 200 | EFU | <input checked="" type="checkbox"/> Diverted | <input type="checkbox"/> Conveyed | <input checked="" type="checkbox"/> Used | farm |
| | | | | | | <input type="checkbox"/> Diverted | <input type="checkbox"/> Conveyed | <input 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:

Deschutes

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: 127.5 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:

Water to be used to irrigate for agricultural operations on land zoned EFU

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

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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)
DCC 18.16 / 18.36 / 18.40 / 18.96
- 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.

Name: Irene Liu, Title: Assistant Planner

Signature: [Signature] Phone: 541-388-6554 Date: 2/9/17

Government Entity: Deschutes 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: _____

G-18462



MARTEN LAW

February 22, 2017

Via Email and Regular Mail

Tamera Smith
Water Rights Customer Service Group
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1266
Tamera.L.Smith@oregon.gov

RE: K Bar J Ranch Ground Water Application

Dear Ms. Smith:

We are writing on behalf of the applicant, K Bar J Ranch LLC, to provide additional information regarding the legal descriptions associated with our pending "Application for a Permit to Use Ground Water." As referenced in the two attached maps provided by GSI Water Solutions, Inc., the applicant intends to utilize two different points of appropriation (designated as "Well 1" and "Well 2") and to apply water in the following locations:

- Well 1 will be located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 2, T 22S, R 10E (W.M). Water from Well 1 will be applied in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ and the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 2 as referenced on the attached map.
- Well 2 will be located in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 10, T22S, R 10E (W.M). Water from Well 2 will be applied in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, the SW $\frac{1}{4}$ NW $\frac{1}{4}$ and the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 10 as referenced on the attached map.

No other portions of property are affected by the proposed application. A copy of the deed showing ownership of the real property in Section 2 (where Well 1 will be located and water will be applied) is attached (recorded document 2012-36706). A copy of the deed showing ownership of the real property in Section 10 (where Well 2 will be located and water will be applied) is attached (recorded document 2012-39703). Please let us know if any additional information is required to process this proposal. Thank you.

Sincerely,

Myles A. Conway

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Tamera Smith- Oregon Water Resources Department
February 22, 2017
Page 2

Enclosures

cc: Larry Keith, Bruce Brody-Heine (by email)

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After recording return to:

DESCHUTES COUNTY OFFICIAL RECORDS
NANCY BLANKENSHIP, COUNTY CLERK

2012-36706

9
Attn: Myles A. Conway
Schwabe, Williamson & Wyatt
360 SW Bond Street, Suite 400
Bend, OR 97702



\$58.00

09/17/2012 03:34:43 PM

D-D Cnt=1 Str=1 BN
\$15.00 \$11.00 \$16.00 \$10.00 \$6.00

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

No change

3
BARGAIN AND SALE DEED

K Bar J Ranch, LLC, an Oregon limited liability company, Grantor, with an address of 52255 Huntington Road, LaPine, Oregon conveys to K Bar J Ranch, LLC, an Oregon limited liability company, Grantee, with an address of 52255 Huntington Road, LaPine, Oregon 97739, the real property described on the attached Exhibit A.

Other property or value was either part or the whole consideration for this conveyance.

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.

[signature lines on separate page]

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.

Return to:



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OWRD

1 - BARGAIN AND SALE DEED
PDX/111543/136228/HJH/10072375.1

G-18462

Dated this 10th days of September, 2012.

Grantor:

K Bar J Ranch, LLC

James Young
James Young, Member

Kelly Ann Young
Kelly Ann Young, Member

State of Oregon)
)
County of Deschutes) ss.

This instrument was acknowledged before me on September 10, 2012 by James Young as a member of K Bar J Ranch, LLC.



Heather J. Hepburn
Notary Public for Oregon
Commission No.: 441746
My Commission Expires: Nov. 3, 2013

State of Oregon)
)
County of Deschutes) ss.



This instrument was acknowledged before me on September 10, 2012 by Kelly Ann Young as a member of K Bar J Ranch, LLC.



Heather J. Hepburn
Notary Public for Oregon
Commission No.: 441746
My Commission Expires: Nov 3, 2013

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OWRD

2010

EXHIBIT A

That portion of Lot Six (6) of NEWBERRY NEIGHBORHOOD recorded October 15, 2003 in Cabinet G, page 72, lying west of Huntington Road, located in the Southeast Quarter (SE1/4) of Section Two (2), Township Twenty-two (22) South, Range Ten (10), East of the Willamette Meridian, Deschutes County, Oregon, described as follows:

Beginning at the Center Quarter corner of said Section 2; thence South 89°08'03" East 273.00 feet, along the north line of said Southeast Quarter, to a 3 1/4" brass cap on the westerly right of way of Huntington Road; thence leaving said north line and following said westerly right of way, 45.73 feet along the arc of an 788.51 foot radius curve right (the long chord of which bears South 11°52'24" West 45.72 feet) to a 2" brass cap set in concrete; thence South 13°32'05" West 830.07 feet to a 3" brass cap; thence leaving said westerly right of way, North 04°37'43" West 858.92 feet to the point of beginning.

That portion of the Southwest 1/4 of the Northeast 1/4 (SW1/4NE1/4) lying Westerly of the West right of way line of Pengra Huntington Road; the North 1/2 of the Southwest 1/4; and the South 1/2 of the Northwest 1/4 of Section Two (2), Township Twenty-two (22) South, Range Ten (10), East of the Willamette Meridian, Deschutes County, Oregon;

EXCEPTING THEREFROM:

- a) Any portion lying within the limits of Pengra Huntington Road
- b) Any portion lying within the limits of Glenwood Acres Subdivision
- c) The West 750 feet of the Southwest 1/4 of the Northwest 1/4 (SW1/4NW1/4) of said Section 2
- d) The West 750 feet of the Northwest 1/4 of the Southwest 1/4 (NW1/4SW1/4) of said Section 2

RECEIVED

FEB 22 2017

OWRD

After recording return to:

DESCHUTES COUNTY OFFICIAL RECORDS
NANCY BLANKENSHIP, COUNTY CLERK

2012-36702

Attn: Myles A. Conway
Schwabe, Williamson & Wyatt
360 SW Bond Street, Suite 400
Bend, OR 97702



\$58.00

09/17/2012 03:34:43 PM

D-D Cnt=1 Str=1 BN
\$15.00 \$11.00 \$16.00 \$10.00 \$8.00

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

Rerecord at the request of Schwabe, Williamson & Wyatt to correct legal description previously recorded in 2012-36702

No change

BARGAIN AND SALE DEED

James Young and Kelly Ann Young, as tenants by the entirety, Grantor, with an address of P.O. Box 39, Lebanon, Oregon, conveys to K Bar J Ranch, LLC, an Oregon limited liability company, Grantee, with an address of 52255 Huntington Road, LaPine, Oregon 97739, the real property described on the attached Exhibit A.

Other property or value was either part or the whole consideration for this conveyance.

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.

[signature lines on separate page]

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

Return to:



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Deschutes County Official Records **2012-039703**
D-D **10/04/2012 03:10:47 PM**
Stn=1 PG
\$20.00 \$11.00 \$10.00 \$16.00 \$6.00 **\$63.00**

I, Nancy Blankenship, County Clerk for Deschutes County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.

Nancy Blankenship - County Clerk

2012-36702

Dated this 10 days of September, 2012.

Grantor:

James Young
James Young

Kelly Ann Young
Kelly Ann Young

State of Oregon)
)
County of Deschutes) ss.

This instrument was acknowledged before me on September 10, 2012 by James Young.



Heather J. Hepburn
Notary Public for Oregon
Commission No.: 441746
My Commission Expires: Nov. 3, 2013

State of Oregon)
)
County of Deschutes) ss.

This instrument was acknowledged before me on September 19, 2012 by Kelly Ann Young.



Heather J. Hepburn
Notary Public for Oregon
Commission No.: 441746
My Commission Expires: Nov. 3, 2013

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EXHIBIT A

~~The Northwest Quarter of the Southwest Quarter (NW1/4SW1/4) and the Southwest Quarter of the Northwest Quarter (SW1/4NW1/4) and the South Half of the South Half of the Northwest Quarter of the Northwest Quarter (S1/2S1/2NW1/4NW1/4) and the East Half of the Northwest Quarter (E1/2NW1/4) and the North Half of the Northeast Quarter (N1/2NE1/4) and the Southwest Quarter of the Northeast Quarter (SW1/4NE1/4) of Section Ten (10), Township Twenty-two (22) South, Range Ten (10), East of the Willamette Meridian, Deschutes County, Oregon.~~

~~AND ALSO the Northwest Quarter of the Northwest Quarter (NW1/4NW1/4) of Section Eleven (11), Township Twenty-two (22) South, Range Ten (10), East of the Willamette Meridian, Deschutes County, Oregon.~~

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FEB 22 2017

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EXHIBIT A

The Northwest Quarter of the Southwest Quarter (NW1/4SW1/4) and the Southwest Quarter of the Northwest Quarter (SW1/4NW1/4) and the South Half of the South Half of the Northwest Quarter of the Northwest Quarter (S1/2S1/2NW1/4NW1/4) and the East Half of the Northwest Quarter (E1/2NW1/4) and the North Half of the Northeast Quarter (N1/2NE1/4) and the Southwest Quarter of the Northeast Quarter (SW1/4NE1/4) of Section Ten (10), Township Twenty-two (22) South, Range Ten (10), East of the Willamette Meridian, Deschutes County, Oregon.

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G-18462



Oregon Water Resources Department
Apply for a Permit to Appropriate Ground Water and/or Store Ground Water

- [Main](#) [Help](#)
- [Return](#) [Contact Us](#)

Today's Date: Thursday, February 16, 2017

| | | |
|---|-------------|------------|
| Base Application Fee for use of Ground, Surface and optionally Stored Water. | | \$1,150.00 |
| Number of proposed cubic feet per second (cfs) to be appropriated. (1 cfs = 448.83 gallons per minute) | .5 | \$300.00 |
| Number of proposed Use's for the appropriated water. (i.e. Irrigation, Supplemental Irrigation, Pond Maintenance, Industrial, Commercial, etc) * | 1 | |
| Number of proposed Ground Water points of appropriation. (i.e. number of wells) (include all injection wells, if applicable) ** | 2 | \$300.00 |
| Number of Acre Feet to be stored in a reservoir/pond from Ground Water. | 0 | |
| Number of Acre Feet to be appropriated from reservoir/pond (Only Applies to reservoir/pond constructed under Ground Water Application) | 0 | |
| Number of reservoirs. | 0 | |
| Permit Recording Fee. *** | | \$450.00 |
| * the 1st Water Use is included in the base cost. ** the 1st Ground Water point of appropriation is included in the base cost. *** the Permit Recording Fee is not required when the application is submitted but, must be paid before a permit will be issued. It is fully refundable if a permit is not issued. If the recording fee is not paid prior to issuance of the Final Order, permit issuance will be delayed. | Recalculate | |
| Estimated cost of Permit Application | | \$2,200.00 |

Handwritten signature/initials

OWRD Fee Schedule

| |
|----------------------------------|
| |
| Fee Calculator Version B20130709 |

G-194162