

# Application for a Permit to Use Groundwater



**Oregon Water Resources Department**  
725 Summer Street NE, Suite A  
Salem, Oregon 97301-1266  
503-986-0900  
www.oregon.gov/OWRD

## SECTION 1: APPLICANT INFORMATION AND SIGNATURE

### Applicant

NAME David and Stacy Welsh			PHONE (HM)
PHONE (WK)	CELL 925-708-4376		FAX
ADDRESS POB 587			
CITY Diablo	STATE CA	ZIP 94528	E-MAIL* stacylwelsh@yahoo.com

### Organization

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

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

AGENT / BUSINESS NAME MICHELE WRIGHT SIMS CONSULTANT LLC		PHONE 541-408-4777	FAX
ADDRESS 14865 CHECKREIN			CELL
CITY SISTERS	STATE OR	ZIP 97759	E-MAIL* SIMS.MW@GMAIL.COM

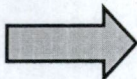
Note: Attach multiple copies as needed

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

**RECEIVED**  
**FEB 12 2020**  
**OWRD**

### 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.



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

*MS Wehl*  
Applicant Signature

*Stacy Welsh*  
Applicant Signature

DAVID WELSH  
Print Name and Title if applicable

STACY WELSH  
Print Name and Title if applicable

1/27/20  
Date

1-27-20  
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.

RECEIVED

FEB 12 2020

OWRD

- YES, there are no encumbrances.
- YES, the land is encumbered by easements, rights of way, roads or other encumbrances.
- NO, I have a recorded easement or written authorization permitting access.
- NO, I do not currently have written authorization or easement permitting access.
- NO, 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).
- NO, because water is to be diverted, conveyed, and/or used only on federal lands.

**Affected Landowners:** List the names and mailing addresses of all owners of any lands that are not owned by the applicant and that are crossed by the proposed ditch, canal or other work, even if the applicant has obtained written authorization or an easement from the owner. *(Attach additional sheets if necessary).*

NA

**Legal Description:** 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	DESCHUTES RIVER	4400'	+288'

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).*

see log

**SECTION 3: WELL DEVELOPMENT, continued**

**Total maximum rate requested:** 20.6 af/yr (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 1	<input type="checkbox"/>	<input checked="" type="checkbox"/>	L09911	<input type="checkbox"/>	8"	18.5'	20'	18.5'	425'	pumice	510'	20 gpm	20.6
	<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.

**RECEIVED**

**FEB 12 2020**

**OWRD**



**SECTION 4: SENSITIVE, THREATENED OR ENDANGERED FISH SPECIES PUBLIC INTEREST INFORMATION**

This information must be provided for your application to be accepted as complete. The Water Resources Department will determine whether the proposed use will impair or be detrimental to the public interest with regard to sensitive, threatened or endangered fish species if your proposed groundwater use is determined to have the potential for substantial interference with nearby surface waters.

To answer the following questions, use the map provided in [Attachment 3](#) or the link below to determine whether the proposed point of appropriation (POA) is located in an area where the Upper Columbia, the Lower Columbia, and/or the Statewide public interest rules apply.

For more detailed information, click on the following link and enter the TRSQQ or the Lat/Long of a POA and click on "Submit" to retrieve a report that will show which section, if any, of the rules apply:

[https://apps.wrd.state.or.us/apps/misc/lkp\\_trsqq\\_features/](https://apps.wrd.state.or.us/apps/misc/lkp_trsqq_features/)

If you need help to determine in which area the proposed POA is located, please call the customer service desk at (503) 986-0801.

**Upper Columbia - OAR 690-033-0115 thru -0130**

Is the well or proposed well located in an area where the Upper Columbia Rules apply?

Yes  No

**If yes, you are notified** that the Water Resources Department will consult with numerous federal, state, local and tribal governmental entities so it may determine whether the proposed use is consistent with the "Columbia River Basin Fish and Wildlife Program" adopted by the Northwest Power Planning Council in 1994 for the protection and recovery of listed fish species. The application may be denied, heavily conditioned, or if appropriate, mitigation for impacts may be needed to obtain approval for the proposed use.

**If yes, and if the Department determines that proposed groundwater use has the potential for substantial interference with nearby surface waters:**

- I understand that the permit, if issued, will not allow use during the time period April 15 to September 30, except as provided in OAR 690-033-0140.
- I understand that the Department of Environmental Quality will review my application to determine if the proposed use complies with existing state and federal water quality standards.
- I understand that I will install and maintain water use measurement and recording devices as required by the Water Resources Department, and comply with recording and reporting permit condition requirements.

**Lower Columbia - OAR 690-033-0220 thru -0230**

Is the well or proposed well located in an area where the Lower Columbia rules apply?

Yes  No

**If yes, and the proposed groundwater use is determined to have the potential for substantial interference with nearby surface waters you are notified** that the Water Resources Department will determine, by reviewing recovery plans, the Columbia River Basin Fish and Wildlife Program, and regional restoration programs applicable to threatened or endangered fish species, in coordination with state and federal agencies, as

RECEIVED

FEB 12 2020

OWRD



appropriate, whether the proposed use is detrimental to the protection or recovery of a threatened or endangered fish species and whether the use can be conditioned or mitigated to avoid the detriment.

If a permit is issued, it will likely contain conditions to ensure the water use complies with existing state and federal water quality standards; and water use measurement, recording and reporting required by the Water Resources Department. The application may be denied, or if appropriate, mitigation for impacts may be needed to obtain approval of the proposed use.

**If yes, you will be required to provide the following information, if applicable.**

Yes  No The proposed use is for more than **one** cubic foot per second (448.8 gpm) and is not subject to the requirements of OAR 690, Division 86 (Water Management and Conservation Plans).

If yes, provide a description of the measures to be taken to assure reasonably efficient water use:

\_\_\_\_\_

**Statewide - OAR 690-033-0330 thru -0340**

Is the well or proposed well located in an area where the Statewide rules apply?

Yes  No

E-RECEIVED  
**April 16, 2021**  
 OWRD

**If yes, and the proposed groundwater use is determined to have the potential for substantial interference with nearby surface waters you are notified** that the Water Resources Department will determine whether the proposed use will occur in an area where endangered, threatened or sensitive fish species are located. If so, the Water Resources Department, Department of Fish and Wildlife, Department of Environmental Quality, and the Department of Agriculture will recommend conditions required to achieve “no loss of essential habitat of threatened and endangered (T&E) fish species,” or “no net loss of essential habitat of sensitive (S) fish species.” If conditions cannot be identified that meet the standards of no loss of essential T E fish habitat or no net loss of essential S fish habitat, the agencies will recommend denial of the application unless they conclude that the proposed use would not harm the species.

**SECTION 5: WATER USE\*\*REVISED\*\***

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
MP	1/1 to 12/31	9.6 af
PM	1/1 to 12/31	0.6 af

**For irrigation use only:**  
 Please indicate the number of primary and supplemental acres to be irrigated (*must match map*).  
 Primary: NA Acres                      Supplemental: \_\_\_\_ Acres  
 If you listed supplemental acres, list the Permit or Certificate number of the underlying primary water right(s):  
 NA  
 Indicate the maximum total number of acre-feet you expect to use in an irrigation season: NA

- If the use is **municipal or quasi-municipal**, attach **Form M**
- If the use is **domestic**, indicate the number of households: NA (**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.)

- If the use is **mining**, describe what is being mined and the method(s) of extraction (*attach additional sheets if necessary*): NA

## SECTION 6: WATER MANAGEMENT

RECEIVED

FEB 12 2020

### A. Diversion and Conveyance

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

- Pump (give horsepower and type): 3hp submersible  
 Other means (describe): \_\_\_\_\_

OWRD

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. **Water is to be pumped from well into ponds**

### B. Application Method

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler) (*attach additional sheets if necessary*)  
 NA

### 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 (*attach additional sheets if necessary*).  
**Ponds are lined and will have a filtration system.**

## SECTION 7: PROJECT SCHEDULE

- Date construction will begin: 2020
- Date construction will be completed: 2022
- Date beneficial water use will begin: 2022

## SECTION 8: RESOURCE PROTECTION

In granting permission to use water the state encourages, and in some instances requires, careful control of activities that may affect adjacent waterway or streamside area. See instruction guide for a list of possible permit requirements from other agencies. Please indicate any of the practices you plan to undertake to protect water resources.

- Water quality will be protected by preventing erosion and run-off of waste or chemical products.  
 Describe: Ponds are lined and filled from a well. Water surface is approximately 5 ft below grade, with landscaped area surrounding them. Water will be filtered.

- Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas.  
**Note: If disturbed area is greater than one acre, applicant should contact the Oregon Department of Environmental Quality to determine if a 1200C permit is required.**  
 Describe planned actions and additional permits required for project implementation: NA

- Other state and federal permits or contracts required and to be obtained, if a water right permit is granted:  
 List: NA



**SECTION 9: WITHIN A DISTRICT**

Check here if the point of appropriation (POA) or place of use (POU) are located within or served by an irrigation or other water district.

Irrigation District Name Tumalo Irrigation District	Address 64697 Cook Ave.	
City Bend	State OR	Zip 97703

**SECTION 10: REMARKS**

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

Applicants propose to use groundwater to (1) fill ponds for standard multipurpose use and (2) maintain water levels in the ponds throughout the year.

The main pond is currently used to store surface water (Tumalo Irrigation District Certificate 74146 and 74147) during irrigation season before distribution to fields. This pond will be enlarged and maintained outside of the irrigation season. Two smaller ponds (existing) will also be maintained outside of the irrigation season.

RECEIVED

FEB 12 2020

OWRD

## Minimum Requirements Checklist

Minimum Requirements (OAR 690-310-0040, OAR 690-310-0050 & ORS 537.140)

### 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.

Please submit the original application and signatures to the Water Resources Department. Applicants are encouraged to keep a copy of the completed application.

- SECTION 1: Applicant Information and Signature
- SECTION 2: Property Ownership
- SECTION 3: Well Development
- SECTION 4: Sensitive, Threatened or Endangered Fish Species Public Interest Information
- SECTION 5: Water Use
- SECTION 6: Water Management
- SECTION 7: Project Schedule
- SECTION 8: Resource Protection
- SECTION 9: Within a District
- SECTION 10: Remarks

RECEIVED

FEB 12 2020

OWRD

#### Include the following additional items:

- Land Use Information Form with approval and signature of local planning department (*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.
- Fees - Amount enclosed: \$ 2210

See the Department's Fee Schedule at [www.oregon.gov/owrd](http://www.oregon.gov/owrd) or call (503) 986-0900.

- Map that includes the following items:
  - 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 diversion, by reference to a recognized public land survey corner (distances north/south and east/west)
  - Indicate the area of use by Quarter/Quarter and tax lot identified clearly.
  - NA Number of acres per Quarter/Quarter and hatching to indicate area of use if for primary irrigation, supplemental irrigation, or nursery
  - NA Location of main canals, ditches, pipelines or flumes (if well is outside of the area of use)

Note: In addition to a groundwater application, a standard reservoir application is required to store groundwater in a reservoir. If an applicant proposes to divert water from a reservoir, a surface water application is also required.





RECEIVED

FEB 12 2020

OWRD

**CERTIFICATE OF MAILING**

**FILE NUMBER:** 247-19-000889-PS

**DOCUMENTS MAILED:** OWRD LUCS

**MAP/TAX LOT NUMBER:** 17-11-01, Tax Lot 405

I certify that on the 31<sup>st</sup> day of January 2020, the attached documents, dated January 30<sup>th</sup>, 2020, was/were mailed by first class mail, postage prepaid, to the person(s) and address(es) set forth below/on the attached list.

Dated this 30<sup>th</sup> of January, 2020.

**COMMUNITY DEVELOPMENT DEPARTMENT**

By: Tarik Rawlings

Michele Wright Sims Consultant LLC  
14865 Checkrein  
Sisters, OR 97759

-----  
David S. & Stacy L. Welsh  
PO Box 587  
Diablo, CA 94528

# Land Use Information Form



**Oregon Water Resources Department**  
 725 Summer Street NE, Suite A  
 Salem, Oregon 97301-1266  
 503-986-0900  
 www.oregon.gov/OWRD

**RECEIVED**  
 FEB 12 2020

**Applicant**

**OWRD**

NAME Michele Wright Sims Consultant LLC		PHONE (HM) 541-408-4777	
PHONE (WK)	CELL	FAX	
ADDRESS 14865 <i>check in</i>			
CITY <i>Sisters</i>	STATE <i>OR</i>	ZIP <i>97759</i>	E-MAIL* <i>sims.mw@gmail.com</i>

**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	11E	01	SWNE	405	EFU	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Pond
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<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 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 Groundwater Registration Modification
- Limited Water Use License
- Allocation of Conserved Water
- Exchange of Water

Source of water:  Reservoir/Pond  Groundwater  Surface Water (name) \_\_\_\_\_

Estimated quantity of water needed: \_\_\_\_\_  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 pond maintenance

Briefly describe:

Application to appropriate groundwater for pond maintenance for 3 ponds with an total surface area of 2.0 ac.



**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.



## 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): \_\_\_\_\_.

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:	
Conditional Use Permit file # CU-89-107	DCC 18.16	<input checked="" 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
	RECEIVED	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	FEB 12 2020	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	OWRD	<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.

Approved water source: groundwater via well for residential + ag uses.

NAME: <b>TARIK RAWLINGS</b>	TITLE: <b>Assistant Planner</b>	
SIGNATURE: <i>Tarik Rawlings</i>	PHONE: <b>541-317-3148</b>	DATE: <b>1/30/2020</b>
GOVERNMENT ENTITY: <b>Deschutes County.</b>		

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

FEB 12 2020

247-19-000889-PS

OWRD

**Tax Map: 17-11-01, Tax Lot 405** – Zoned Exclusive Farm Use (EFUTRB) and Wildlife Area (WA) Combining Zone.

The applicant did not provide a site plan. Building permits and land use permits may be required for any associated structures. This LUCS does not confirm compliance with wetlands or floodplain regulations if these exist on the property.

The applicant has requested a permit sign off to store groundwater, supplied from a well, for residential and crop irrigation purposes in three (3) ponds located on property at 64311 High Mowing Lane, Bend, OR 97703. Staff notes that an existing irrigation pond is present on the subject property. Correspondence with the applicant indicates that one of the requested ponds will be used as a continued irrigation use for farm use on the subject property, and two (2) of the requested ponds will be used as landscaping features. Staff interprets the applicant's request for water storage in the first pond as a new proposal for crop irrigation. Farm Use, as defined in DCC 18.04, is allowed outright in this zone.

***“Farm use” means the current employment of land for the primary purpose of obtaining a profit in money by raising, harvesting and selling crops or by the feeding, breeding, management and sale of, or the produce of, livestock, poultry, fur-bearing animals or honeybees or for dairying and the sale of dairy products or any other agricultural or horticultural use or animal husbandry or any combination thereof. “Farm use” includes the preparation, storage and disposal by marketing or otherwise of the products or by-products raised on such land for human or animal use. “Farm Use” also includes the current employment of the land for the primary purpose of obtaining a profit in money by stabling or training equines, including but not limited to, providing riding lessons, training clinics and schooling shows. “Farm use” also includes the propagation, cultivation, maintenance and harvesting of aquatic species and bird and animal species to the extent allowed by the rules adopted by the State Fish and Wildlife Commission. “Farm use” includes the on-site construction and maintenance of equipment and facilities used for the activities described above. “Farm use” does not include the use of land subject to the provisions of ORS chapter 321, except land used exclusively for growing cultured Christmas trees as defined in ORS 215.203(3). Current employment of the land for farm use also includes those uses listed under ORS 215.203(2)(b).***

Staff interprets the applicant's request for water storage for the other two (2) ponds as a landscaping use allowed accessory to the residential use of the property. The residential use on the property is established through the approval of a farm dwelling in 1989 (CU-89-107). The application materials do not indicate if the water storage will be put to recreational, commercial, or other uses with may require additional permitting. Uses of the water storage beyond residential accessory uses (e.g. landscaping, emergency fire-fighting, or non-motorized recreational use by the residents of the property) are not reviewed or approved by this LUCS.



Staff notes this LUCS does not confirm or establish single family dwelling uses for those EFU properties which have not previously received land use approval. All EFU properties attempting to establish residential uses on site must secure land use approval prior to development pursuant to DCC 18.16. Staff notes that this LUCS refers to storage of groundwater in one (1) irrigation pond and two (2) landscaping ponds for the above uses, not to include any other uses outside of this proposed scope.

For more information, please contact the Planning Division office at 541-388-6560.

**RECEIVED**

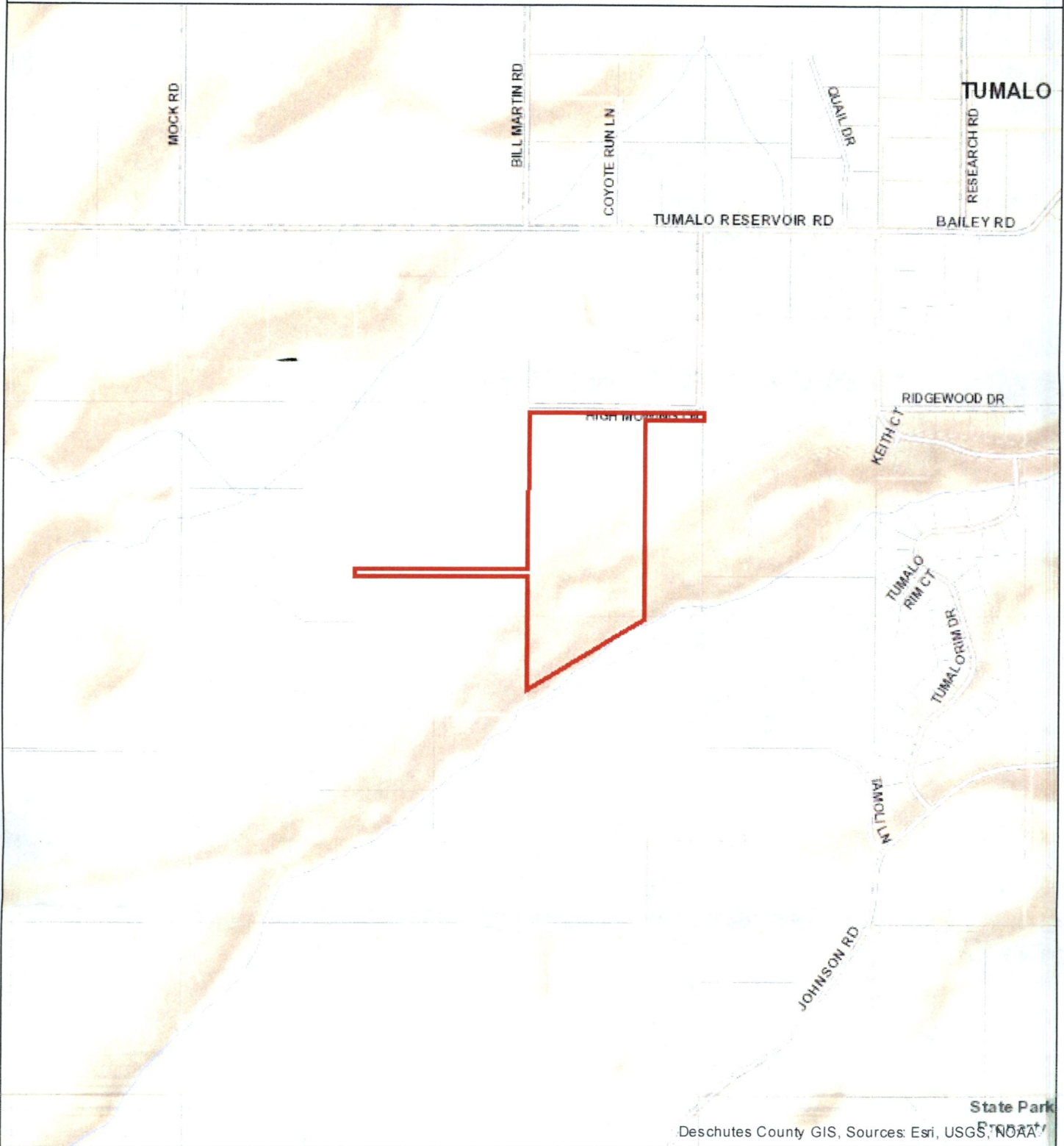
**FEB 12 2020**

**OWRD**

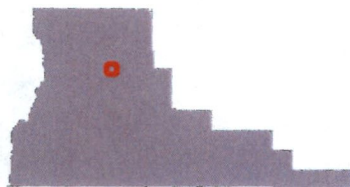
247-19-000889-PS

64311 High Mowing Lane

OWRD



State Park  
Deschutes County GIS, Sources: Esri, USGS, NOAA





7061-2716978 SSN

**RECORDING COVER SHEET** (Please print or type)

This cover sheet was prepared by the person presenting the instrument for recording. The information on this sheet is a reflection of the attached instrument and was added for the purpose of meeting first page recording requirements in the State of Oregon, and does NOT affect the instrument. ORS 205.234

Deschutes County Official Records **2017-021214**  
D-D  
Stn=0 PG **06/02/2017 01:25:00 PM**  
\$30.00 \$6.00 \$21.00 \$11.00 \$10.00 **\$78.00**

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

**AFTER RECORDING RETURN TO:** ORS 205.234(1)(c)

David S Welsh and Stacy L Welsh

64311 High Mowing Lane

Bend, OR 97703

After recording return to:  
First American Title

395 SW Bluff Drive, Suite 100  
Bend, OR 97702

<b>1. TITLE(S) OF THE TRANSACTION(S)</b> <span style="float: right;">ORS 205.234(1)(a)</span>	
Statutory Warranty Deed	
<b>2. DIRECT PARTY(IES) / GRANTOR(S)</b> <span style="float: right;">ORS 205.234(1)(b)</span>	
Stephen Marshall and Sharon L. Oldknow Marshall, as tenants by the entirety	
<b>RECEIVED</b>	
<b>FEB 12 2020</b>	
<b>OWRD</b>	
<b>3. INDIRECT PARTY(IES) / GRANTEE(S)</b> <span style="float: right;">ORS 205.234(1)(b)</span>	
David S Welsh and Stacy L Welsh, as tenants by the entirety	
<b>4. TRUE and ACTUAL CONSIDERATION</b> Amount in dollars or other value/property ORS 205.234(1)(d) \$ 1,500,000.00 <input type="checkbox"/> Other Value <input type="checkbox"/> Other Property Other value/property is <b>Whole</b> <input type="checkbox"/> or <b>Part</b> <input type="checkbox"/> of the consideration	<b>5. SEND TAX STATEMENTS TO:</b> ORS 205.234(1)(e) David S Welsh and Stacy L Welsh 64311 High Mowing Lane Bend, OR 97703
<b>6. SATISFACTION of ORDER or WARRANT</b> Check one if applicable: ORS 205.234(1)(f) <input type="checkbox"/> FULL <input type="checkbox"/> PARTIAL	<b>7. The amount of the monetary obligation imposed by the order or warrant:</b> ORS 205.234(1)(f) \$ _____
<b>8. If this instrument is being Re-Recorded, complete the following statement:</b> <span style="float: right;">ORS 205.244(2)</span>	
Re-recorded at the request of <u>First American Title</u>	
to correct the Grantees to: <u>David S Welsh and Stacy L Welsh, as tenants by the entirety</u>	
_____ previously recorded in	
Book/Volume _____ and Page _____, or as Fee Number _____	2017-021156

RECEIVED

FEB 12 2020

OWRD

After recording return to:  
First American Title  
395 SW Bluff Drive, Suite 100  
Bend, OR 97702



After recording return to:  
David S Welsh and Stacy Welsh  
64311 High Mowing Lane  
Bend, OR 97703

Until a change is requested all tax  
statements shall be sent to the  
following address:  
David S Welsh and Stacy Welsh  
64311 High Mowing Lane  
Bend, OR 97703

File No.: 7061-2716978 (SJN)  
Date: May 26, 2017

THIS SPACE RESERVED FOR RECORDER'S USE

Deschutes County Official Records **2017-021156**  
D-D  
Stn=0 BN **06/02/2017 11:53:02 AM**  
\$11.00 \$10.00 \$20.00 \$6.00 \$21.00 **\$68.00**

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

### STATUTORY WARRANTY DEED

**Stephen Marshall and Sharon L. Oldknow Marshall, as tenants by the entirety, Grantor,**  
conveys and warrants to **David S Welsh and Stacy Welsh, Grantee,** the following described real  
property free of liens and encumbrances, except as specifically set forth herein:

**LEGAL DESCRIPTION:** Real property in the County of Deschutes, State of Oregon, described as  
follows:

**See attached Exhibit A**

**Subject to:**

1. Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

The true consideration for this conveyance is **\$1,500,000.00.** (Here comply with requirements of ORS 93.030)



After recording return to:  
First American Title  
395 SW Bluff Drive, Suite 100  
Bend, OR 97702

RECEIVED

FEB 12 2020

OWRD

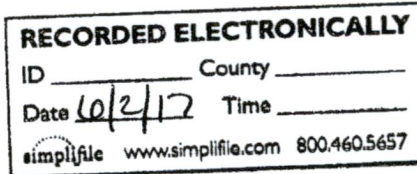


After recording return to:  
David S Welsh and Stacy Welsh  
64311 High Mowing Lane  
Bend, OR 97703

Until a change is requested all tax  
statements shall be sent to the  
following address:  
David S Welsh and Stacy Welsh  
64311 High Mowing Lane  
Bend, OR 97703

File No.: 7061-2716978 (SJN)  
Date: May 26, 2017

THIS SPACE RESERVED FOR RECORDER'S USE



### STATUTORY WARRANTY DEED

**Stephen Marshall and Sharon L. Oldknow Marshall, as tenants by the entirety**, Grantor,  
conveys and warrants to **David S Welsh and Stacy Welsh**, Grantee, the following described real  
property free of liens and encumbrances, except as specifically set forth herein:

**LEGAL DESCRIPTION:** Real property in the County of Deschutes, State of Oregon, described as  
follows:

**See attached Exhibit A**

**Subject to:**

1. Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in  
the public record, including those shown on any recorded plat or survey.

The true consideration for this conveyance is **\$1,500,000.00**. (Here comply with requirements of ORS 93.030)

APN: 168004

Statutory Warranty Deed  
- continued

File No.: 7061-2716978 (SJN)

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.

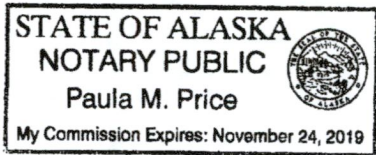
Dated this 26<sup>th</sup> day of May, 2017.

Stephen Marshall  
Stephen Marshall

Sharon L. Oldknow Marshall  
Sharon L. Oldknow Marshall

STATE OF Alaska )  
County of 3rd Judicial District

This instrument was acknowledged before me on this 26 day of May, 2017  
by **Stephen Marshall and Sharon L. Oldknow Marshall**



Paula M. Price  
Notary Public for Alaska  
My commission expires: 11/24/19



RECEIVED

FEB 12 2020

OWRD

**Exhibit "A"**

Real property in the County of Deschutes, State of Oregon, described as follows:

**Parcel I:**

A parcel of land located in the Southwest One quarter of the Northeast One quarter (SW $\frac{1}{4}$  NE $\frac{1}{4}$ ) and in the Northwest One quarter of the Southeast One quarter (NW $\frac{1}{4}$  SE $\frac{1}{4}$ ) and in the Southeast One quarter of the Northwest One quarter (SE $\frac{1}{4}$  NW $\frac{1}{4}$ ) of Section 1, Township 17 South, Range 11, East of the Willamette Meridian, Deschutes County, Oregon, being more particularly described as follows:

Commencing at the Northeast One sixteenth corner of said Section 1, said point being a 5/8" iron rod; thence South 00° 04' 51" West, along the East line of the SW $\frac{1}{4}$  NE $\frac{1}{4}$ , 64.96 feet to the True Point of Beginning; thence continuing along said East line, South 00° 07' 08" West, 59.99 feet; thence leaving said East line, North 89° 55' 56" West, 441.00 feet; thence South 00° 07' 08" West, 1523.75 feet; thence South 59° 22' 59" West, 1035.94 feet to a point on the West line of the NW $\frac{1}{4}$  SE $\frac{1}{4}$  of said Section 1, thence North 00° 09' 31" East, along said West line, 856.79 feet to the Center One quarter corner of said Section 1; thence North 00° 09' 54" East, along the West line of the SW $\frac{1}{4}$  NE $\frac{1}{4}$  of said Section 1, 1255.63 feet; thence South 89° 55' 56" East, 1269.84 feet to the Point of Beginning.

Together with the Southerly 59.6 feet of the SE $\frac{1}{4}$  NW $\frac{1}{4}$  of said Section 1.

**Parcel II:**

A parcel of land located in Lot 2 of HIGH MOWING FARMS, Deschutes County, Oregon, and also a parcel of land located in the Southwest One quarter of the Northeast One quarter (SW $\frac{1}{4}$  NE $\frac{1}{4}$ ) and in the Northwest One quarter of the Southeast One quarter (NW $\frac{1}{4}$  SE $\frac{1}{4}$ ) of Section 1, Township 17 South, Range 11, East of the Willamette Meridian, Deschutes County, Oregon, all being more particularly described as follows:

Commencing at the Northeast One sixteenth corner of said Section 1, said point being a 5/8" iron rod; thence South 00° 04' 51" West, along the East line of the SW NE $\frac{1}{4}$ , 64.96 feet; thence continuing along said East line, South 00° 07' 08" West, 59.99 feet to the True Point of Beginning; thence leaving said East line, North 89° 55' 56" West, 441.00 feet; thence South 00° 07' 08" West, 1523.75 feet; thence South 59° 22' 59" West, 1035.94 feet to a point on the West line of the NW $\frac{1}{4}$  SE $\frac{1}{4}$  of said Section 1; thence South 00° 09' 31" West, along said West line, 193.04 feet; thence North 59° 22' 59" East, 1549.11 feet to a point on the East line of the NW $\frac{1}{4}$  SE $\frac{1}{4}$  of said Section 1; thence North 00° 07' 45" East, along said East line, 259.08 feet to the Center-East One sixteenth corner of said Section 1; thence North 00° 07' 08" East along the East line of the SW $\frac{1}{4}$  NE $\frac{1}{4}$  of said Section 1, 1195.83 feet to the Point of Beginning.

**Parcel III:**

The Southwest one-quarter of Section 1, Township 17 South, Range 11 East, W.M., Deschutes County, Oregon, as described in Volume 165, Page 619, Deschutes County Book of Records.

APN: 168004

Statutory Warranty Deed  
- continued

File No.: 7061-2716978 (SJM)

Excepting therefrom the following described tract of land:

Beginning at the Southeast corner of the Southwest one-quarter of Section 1, Township 17 South, Range 11 East, W.M.; thence North 00° 09' 55" East, along the East line of said Southwest one-quarter, a distance of 1587.82 feet; thence leaving said line North 89° 56' 37" West, 704.61 feet; thence South 00° 09' 02" West, 579.79 feet; thence South 89° 54' 53" West, 611.96 feet; thence North 00° 05' 07" West, 316.39 feet; thence North 00° 01' 54" West, 1314.83 feet to a point on the North line of said Southwest one-quarter; thence North 89° 56' 27" West, along said line, 1322.16 feet to the Northwest corner of said Southwest one-quarter; thence leaving said line South 00° 04' 19" East, along the West line of said Southwest one-quarter, 2644.33 feet to the Southwest corner of said Southwest one-quarter; thence leaving said line North 89° 54' 53" East, along the South line of said Southwest one-quarter, 2633.55 feet to the point of beginning.

Tax Parcel Number: 168004 and 193743 and 249168 and 193744 and 184031 and 243738

RECEIVED

FEB 12 2020

OWRD



deck  
51131

RECEIVED

RECEIVED

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

SEP 29 1997

L09911

FEB 18 2020

(START CARD) # 102619

OWRD

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

SALEM, OREGON

(1) OWNER: Well Number \_\_\_\_\_  
Name Tim Coogan  
Address 64311 Highmowing Ln.  
City Bend State Ore. Zip 97701

(2) TYPE OF WORK  
 New Well  Deepening  Alteration (repair/recondition)  Abandonment

(3) DRILL METHOD:  
 Rotary Air  Rotary Mud  Cable  Auger  
 Other

(4) PROPOSED USE:  
 Domestic  Community  Industrial  Irrigation  
 Thermal  Injection  Livestock  Other

(5) BORE HOLE CONSTRUCTION:  
Special Construction approval  Yes  No Depth of Completed Well 510 ft.  
Explosives used  Yes  No Type \_\_\_\_\_ Amount \_\_\_\_\_

HOLE		SEAL		Sacks or pounds	
Diameter	From To	Material	From To		
12	0	184 Bentonite	0	184	13
8	184	510			

How was seal placed: Method  A  B  C  D  E  
 Other Poured in dry

Backfill placed from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Material \_\_\_\_\_  
Gravel placed from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Size of gravel \_\_\_\_\_

Diameter	From	To	Gauge	Steel				Threaded
				Plastic	Welded			
Casing: 8	+14	184	.250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Liner: 6	-5	510	184	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final location of shoe(s) \_\_\_\_\_

(7) PERFORATIONS/SCREENS:  
 Perforations Method Factory  
 Screens Type \_\_\_\_\_ Material \_\_\_\_\_

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
490	510	4x3	256	6		<input type="checkbox"/>	<input checked="" type="checkbox"/>

(8) WELL TESTS: Minimum testing time is 1 hour  
 Pump  Bailer  Air  Flowing Artesian  
Yield gal/min 20 Drawdown 0 Drill stem at 505 Time 1 hr.

Temperature of water 53 Depth Artesian Flow Found \_\_\_\_\_  
Was a water analysis done?  Yes By whom \_\_\_\_\_  
Did any strata contain water not suitable for intended use?  Too little  
 Salty  Muddy  Odor  Colored  Other \_\_\_\_\_  
Depth of strata: \_\_\_\_\_

(9) LOCATION OF WELL by legal description:  
County Deschutes Latitude \_\_\_\_\_ Longitude \_\_\_\_\_  
Township 17 N or S Range 11 E or W. WM.  
Section 1 SW 1/4 NE 1/4   
Tax Lot 00405 Lot \_\_\_\_\_ Block \_\_\_\_\_ Subdivision \_\_\_\_\_  
Street Address of Well (or nearest address) 64311 Highmowing Ln. Bend Ore. 97701

(10) STATIC WATER LEVEL:  
425 ft. below land surface. Date 9-19-97  
Artesian pressure \_\_\_\_\_ lb. per square inch. Date \_\_\_\_\_

(11) WATER BEARING ZONES:  
Depth at which water was first found 464

From	To	Estimated Flow Rate	SWL
464	510	20	425

(12) WELL LOG:  
Ground Elevation \_\_\_\_\_

Material	From	To	SWL
TOP SOIL	0	1	
Gray sand	1	12	
Brown sand stone	12	49	
Gravel	49	54	
Pumice	54	73	
Brown clay Congl.	73	99	
Brown sand stone Congl.	99	132	
Pumice	132	145	
Brown sand stone	145	264	
Coarse Causing Congl.	264	269	
BASALT	269	321	
Brown congl.	321	367	
BASALT	367	464	
W.B. Pumice	464	468	
W.B. Broken Lava	468	510	

Date started 9-18-97 Completed 9-19-97

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

Signed Jeff Randalls WWC Number \_\_\_\_\_ Date 9-19-97

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

Signed Doug Linton WWC Number 1255 Date 9-19-97