

**Hannah Elliott**

---

**From:** Holman, Claire B. <CHolman@SCHWABE.com>  
**Sent:** Wednesday, January 17, 2024 3:34 PM  
**To:** Katie McDonald; Plan  
**Cc:** Smith, Adam  
**Subject:** Crook County File No. 217-23-001215-PLNG [IWOV-PDX.FID4923157]  
**Attachments:** LT Crook County Planning Commission with Exhibits - sent 1.17.2024.pdf

Received by Crook County  
Planning 1/17/2024

Good Afternoon,

Attached please find correspondence from Adam Smith dated January 17, 2024. Please confirm receipt. Thank you.

Best regards,

**Claire Holman**

Legal Assistant  
Pronouns: she, her, hers  
D: (541) 749-1750  
cholman@schwabe.com

**Schwabe**



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January 17, 2024

**D. Adam Smith**  
D: 541-749-1759  
asmith@schwabe.com

**VIA E-MAIL**

Crook County Planning Commission  
c/o Katie McDonald, Senior Planner  
300 NE 3<sup>rd</sup> Street  
Prineville, OR 97754  
katie.mcdonald@crookcountyor.gov  
plan@crookcountyor.gov

RE: Crook County File No. 217-23-001215-PLNG  
Our File No.: 140521-277231

Dear Crook:

This letter constitutes the Applicant's rebuttal submittal and provides the attached evidence to respond to issues raised during the open record period concluding on January 10, 2024. Additional legal arguments based upon the evidence attached hereto will be included as part of the Applicant's final legal argument, to be filed on or before January 24, 2024.

Please note that the Applicant's attached exhibits are labeled following the nomenclature and ordering utilized for the original application and open record submittal, with the first exhibit attached hereto labeled as "Exhibit JJ."

Sincerely,

A handwritten signature in blue ink, appearing to read "D. Adam Smith", with a stylized flourish at the end.

D. Adam Smith

DASM

PDX\140521\277231\BMOW\41087046.1

Crook County Planning Commission  
January 17, 2024

Index:

- Exhibit JJ: January 16, 2024 Technical Letter #1 – Transportation Response to Public Comments
- Exhibit KK: January 17, 2024 Letter from G. Kelso
- Exhibit LL: January 17, 2024 Email from T. MacLeod
- Exhibit MM: January 16, 2024 Statement from G. Huston
- Exhibit NN: January 17, 2024 Statement from R. Campbell
- Exhibit OO: Photographs of Campbell Ranch Road



January 16, 2024

Crook County Planning Commission  
c/o Katie McDonald, Senior Planner  
300 NE 3rd Street, Room 12  
Prineville, Oregon 97754

[plan@crookcountyor.gov](mailto:plan@crookcountyor.gov)

**Re: Huston Agri-Tourism and Other Commercial Events Use – Crook County, Oregon**  
*Technical Letter #1 - Transportation Response to Public Comments*

Crook County File Number 217-23-001215-PLNG  
C&A Project Number 20230902.00

Dear County Commissioners,

This office prepared the September 25, 2023 Transportation Assessment Letter (“TAL”) for the above-referenced application. Several transportation-related issues have been raised during the subsequent public hearing and open record period. Below are the issues that were raised, followed by my brief response.

**1. The entirety of Campbell Ranch Road is not a public roadway and is not functionally classified as a *Local* roadway.**

NW Campbell Ranch Road, from the NW Elliot Lane intersection in the east to the point where the roadway turns to the north (away from the Prineville Railroad) in the west, is a paved roadway located within the Prineville Railroad right-of-way. This portion of NW Campbell Ranch Road is public and is functionally classified as a *Local* roadway in the Crook County Transportation System Plan (TSP). The remainder of NW Campbell Ranch Road to the north is a privately maintained gravel roadway.

As identified in the TAL, background traffic volumes on the roadway system are low during proposed event times (weekends) and the transportation system is operating significantly below capacity. Roadway safety, on both the public and private portions, will not be significantly affected by the proposed conditional use, and the roadway is anticipated to continue to operate safely and efficiently.

**2. The TAL does not include properties (motorists) that use NW Spring Creek Road for access, noting these properties also use the public portion of NW Campbell Ranch Road.**

The TAL considered all existing/current use of NW Campbell Ranch Road, including impacts from vehicles with origins/destinations on NW Spring Creek Road. Overall, NW Campbell Ranch Road is a very low-volume roadway, and the existing geometric design is able to safely and efficiently accommodate the proposed conditional use.

**3. The TAL does not evaluate the maximum conditional use trip generation.**

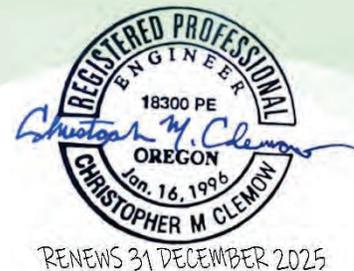
It is customary to evaluate the average trip generation of proposed conditional uses or specific developments. It is not customary to evaluate the maximum trip generation, unless one is evaluating truly large event impacts (e.g., events with thousands of attendees – not the proposed conditional use) wherein transportation system operations break down and specific event management practices are necessary.

In this case, the proposed conditional use events will result in increased traffic volumes on event days, and potentially on the days with set-up and break-down operations, but it will not cause transportation system operations to be significantly affected as measured by adopted Crook County evaluation criteria. If there are existing/anticipated vehicle conflicts resulting from the proposed conditional use, it may be beneficial for the applicant to notify NW Campbell Ranch Road users of upcoming events and to work with them to minimize conflicts (perceived or real).

Sincerely,

Christopher M. Clemow  
  
Clemow

Christopher M. Clemow, PE, PTOE  
Transportation Engineer



# Kelso Land Surveying, LLC

765 NW Third Street, Prineville, OR 97754 - (541) 420-8057 phone - greg@crestviewcable.com

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January 17, 2024

Mr. Adam Smith  
Schwabe, Williamson & Wyatt  
600 SW Bond Street, #500  
Bend, OR 97702

RE: Crook County Survey and Easement Research for Gregory A. Huston and Karen S. Huston

Mr. Smith,

At your request I have completed research of the Crook County Survey Records with respect to properties located in Sections 16, 17, 20 and 21 of Township 14 South, Range 15 East, W.M., Crook County, Oregon. In particular those properties include Crook County tax lots owned by Gregory A. Huston and Karen S. Huston (tax lots 141520600, 141520601, 14141519100, 1415600 & 1415603); John C. Fahlstrom and Connie R. Fahlstrom (tax lots 1415400, 1415401 & 1415402); and David A. Orr tax lot (141520300). These properties were all created through the partitioning process. I have included copies of the following record Crook County surveys:

Crook County Survey No. 829

Survey by David B. Armstrong, LS 1026, recorded January 7, 1985, being a boundary line adjustment survey and reflects the current Crook County tax lot 141520300 (Orr)

Crook County Survey No. 1327

Partition Plat No. 1994-03 by David B. Armstrong, LS 1026, recorded January 13, 1994 for Peter B. King and Sandra J. King, being an unsurveyed partitioning of property located in Sections 9, 16, 17 and 20 of T.14S., R.15E., W.M., Crook County, Oregon. This property was the parent parcel to the subsequent partitions that are the subject of the research. No access easements were dedicated on this plat. The approximate location of a 14 feet wide road easement to the United States of America, Book 95 at Page 421, Records of Crook County, Oregon is shown on sheets 1, 2 and 3 of that plat. Portions of that road easement are located over the existing access road to subject properties.

Crook County Survey No. 1686

Partition Plat No. 1997-18 by David B. Armstrong, LS 1026, recorded August 21, 1997 for Donald E. Campbell and Theora G. Campbell, being a partition of Parcel 2 of Partition Plat No. 1994-03. This plat dedicated a 60 feet wide joint access and public utility easement for the benefit of Parcels 1, 2 and 3 of that plat. Said easement begins on the East line of Section 20, approximately 300 feet Southerly of the Northeast corner of Section 20 and runs Southwesterly approximately 670 feet as shown on sheet 1 of 4 of said Partition Plat No. 1997-18.

Crook County Survey No. 1731

By David B. Armstrong, LS 1026, recorded January 28, 1998 for Donald E. Campbell, Theora G. Campbell, Herbert R. Gray and Karen Gray. This survey was necessary to survey, map and described a new access road to serve the parcels of Partition Plat No. 1997-18. The easement was recorded at Crook County Instrument No. 138986.

# Kelso Land Surveying, LLC

765 NW Third Street, Prineville, OR 97754 - (541) 420-8057 phone - greg@crestviewcable.com

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## Crook County Survey No. 1859

Partition Plat No. 1999-15 by David B. Armstrong, LS 1026, recorded June 30, 1999 for Donald E. Campbell and Theora G. Campbell, being a partition of a portion of Parcel 3 of Partition Plat No. 1997-18. This plat shows the realigned location of the access easement as recorded at Crook County Instrument No. 138986. The plat erroneously shows a similar dedication for a joint access easement and public utility easement (the same as mapped on Partition Plat No. 1997-18), however the Declaration on sheet 4 of 4 of Partition Plat No. 1999-15 does not contain language to such a dedication and I believe this was a simple drafting error by Armstrong.

## Crook County Survey No. 1937

Partition Plat No. 2000-11 by David B. Armstrong, LS 1026, recorded May 10, 2000 for Donald E. Campbell and Theora G. Campbell, being a replat of Parcel 2 and Parcel 3 of Partition Plat No. 1999-15. This plat dedicated a 30 feet wide non-exclusive joint access road easement and public utility easement over the as constructed roadway for the benefit of Parcel 1 and Parcel 2 of that plat. That easement begins on the East line of Section 20 at the end of Campbell Ranch Road and extends through the Campbell property through Sections 17 and 20 as shown on sheets 1 and 2 of said Partition Plat No. 2000-11.

## Crook County Survey No. 2809

Partition Plat No. 2008-13 by Todd R. Catterson, LS 53270, recorded June 5, 2008 for John C Fahlstrom and Connie R. Fahlstrom, being a partition of a portion of Parcel 2 of Partition Plat No. 2000-11. This plat denotes access to Campbell Ranch Road via the 30 feet non-exclusive joint access easement dedicated on Partition Plat No. 2000-11 and as shown on sheet 1 of 3 of said Partition Plat No. 2008-13. The Fahlstrom's also dedicated a 60 feet wide non-exclusive access and public utility easement across Parcel 3 of said Partition Plat No. 2008-11 for the benefit of Parcels 1, 2 and 3 and as mapped on sheet 1 of 3 of said plat.

## Crook County Survey No. 2833

Partition Plat No. 2008-21 by Todd R. Catterson, LS 53270, recorded November 25, 2008 for John C Fahlstrom and Connie R. Fahlstrom, being a partition of Parcel 1 of Partition Plat No. 2008-13. Access to Campbell Ranch Road is shown as the same 30 feet non-exclusive access road dedicated on Partition Plat No. 2000-11. It appears that an additional 30 feet width was dedicated by Fahlstrom on this plat within Parcel 2. That additional dedication is shown on sheet 1 of 3 of said Partition Plat No. 2008-21.

## Crook County Survey No. 4516

By Todd R. Catterson, LS 53270, recorded September 7, 2021 for John C. Fahlstrom and Connie R. Fahlstrom, being a boundary survey of Parcel 2 of Partition Plat No. 2008-1. That survey indicates an access road as per Partition Plat No. 2008-21, 60 feet in width.

## Summary

My research of the Crook County Survey records found that the Huston, Fahlstrom and Orr properties are all served by joint access easements that were dedicated through the partitioning process as outlined above. None of these easements were dedicated for public access but rather for the benefit of the parcels of these specific partitions. You provided me with an access easement from Campbell to Yeager, no recording information shown. I believe this easement

# Kelso Land Surveying, LLC

765 NW Third Street, Prineville, OR 97754 - (541) 420-8057 phone - greg@crestviewcable.com

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was granted to Yeager (predecessor in title to Orr) for access to Campbell Ranch Road. Item No. 4 of that document indicates that the easement is pertinent to the property owned by Yeager and described in exhibit B (not attached). There is wording in item No. 4 about any subdivision or sale of any portion of this property then the easement would remain pertinent to only the largest remaining portion, etc. It does not appear that the Orr property has been divided since the easement was created.

Sincerely,

A handwritten signature in black ink that reads "Gregory R. Kelso". The signature is written in a cursive style with a long horizontal flourish extending to the right.

Gregory R. Kelso, PLS  
President

C-LP CBJ 481-84  
BOUNDARY LINE ADJUSTMENT  
SURVEY OF A PORTION OF THE  
SOUTH HALF SECTION 17 AND  
A PORTION OF THE NORTH HALF  
SECTION 20, TOWNSHIP 14  
SOUTH, RANGE 15 EAST, W.M.,  
CROOK COUNTY, OREGON  
W.O. 84-444

**SURVEY FOR**

PHYLLIS TICOLUAT  
1961 N.E. LOCUST DRIVE  
BEND, OR 97701  
503 J 389-2182  
MARK SEVERSON  
RT. 3 BOX 504  
PRINEVILLE, OR 97754  
503 J 447-5868  
PETER B. KING  
10455 MARINE VIEW DR., S.W.  
SEATTLE, WA 98146  
206 J 935-9859

**SURVEY BY**

ARMSTRONG SURVEYING  
& ENGINEERING, INC.  
378 EAST SECOND STREET  
PRINEVILLE, OREGON 97754  
503 J 447-7791

**BASIS OF BEARINGS**

BEARINGS ARE BASED ON BACHAND SURVEY  
DATED JULY 16, 1963, RECORDED AS C.S. 89  
ENTITLED "MAP OF 2 PARCELS OF LAND IN  
SECTIONS 17 AND 20, T14S, R15E, W.M.",  
BEARING USED WAS FROM 1/4 CORNER COM-  
MON TO SECTIONS 17 AND 20 TO SJ8" IRON  
ROD FOUND 1.91 FT. N72°22'E OF TRUE CORNER  
TO SECTIONS 17, 18, 19 AND 20.

**LEGEND**

- FOUND SJ8" IRON ROD AS PER C.S. 89 BY EMILE P. BACHAND.
- FOUND 1/2" IRON ROD AS PER C.S. 89 BY EMILE P. BACHAND.
- FOUND 3/4" IRON PIPE AS PER C.S. 89 BY EMILE P. BACHAND.
- SET SJ8" X 30" LONG IRON ROD WITH YELLOW PLASTIC CAP MARKED "A.S.E. L51026".
- > < DEED RECORD ~ BOOK 40 ON PAGE 33.
- [ ] DEED RECORD ~ BOOK 90 ON PAGE 368.
- +— EXISTING FENCE LINE.
- +— PARCEL BOUNDARY LINE ~ BOOK 90 PAGE 368.

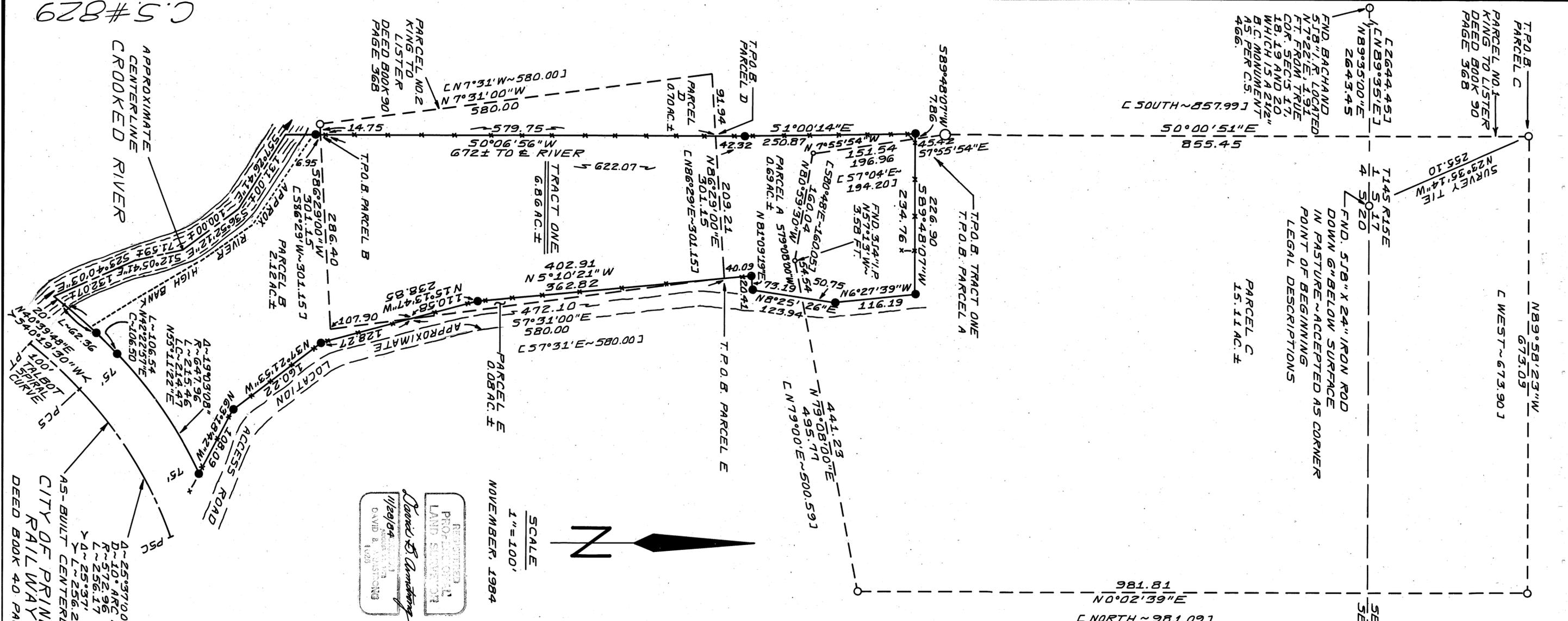
**CERTIFICATION**

I, DAVID B. ARMSTRONG, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF OREGON, ON THE BASIS OF MY KNOWLEDGE, INFORMATION, AND BELIEF CERTIFY TO PHYLLIS TICOLUAT, MARK SEVERSON AND PETER B. KING THAT, AS A RESULT OF A SURVEY MADE ON THE GROUND TO THE NORMAL STANDARD OF CARE OF PROFESSIONAL LAND SURVEYORS PRACTICING IN OREGON, I HAVE SET OR FOUND THE MONUMENTS AS SHOWN HEREON AND HAVE PREPARED THIS MAP, NARRATIVE AND LEGAL DESCRIPTIONS TO REPRESENT SAID SURVEY.

**APPROVED**

*David B. Armstrong*  
11/28/84  
LEGALS ~ 8 SHEETS.  
NARRATIVE ~ 3 SHEETS.  
FIELD BOOK 45  
W.O. 84-444

RECORDATION  
STATE OF OREGON, }  
COUNTY OF CROOK, }  
I CERTIFY that the within instrument of writing was received for record on the 17th day of NOV A.D. 1985, and recorded in Surveys # 829 of said County.  
*David B. Armstrong*  
County Surveyor



REGISTERED PROFESSIONAL LAND SURVEYOR  
*David B. Armstrong*  
11/28/84  
DAVID B. ARMSTRONG  
DAVID B. ARMSTRONG

SCALE  
1"=100'  
NOVEMBER, 1984

CITY OF PRINEVILLE  
RAILWAY  
DEED BOOK 40 PAGE 33  
AS-BUILT CENTERLINE  
D-25°37'00"  
R-10. ARC DEFINITION  
D-572.96  
L-256.17  
D-25°37' D-10° <  
L-256.2

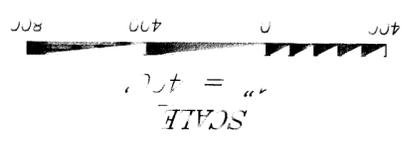
C.S.#829

PARTITION PLAT NO. 1994-03  
 PARTITION MAP OF THE W1/2 SW1/4  
 OF SECTION 9, W1/2 NW1/4 AND THE  
 NW1/4 SW1/4 OF SECTION 16, N1/2,  
 S1/4, 1, N1/2 SW1/4 AND THE  
 S1/4 SW1/4 OF SECTION 17, AND A  
 PORTION OF SECTION 20, T.14S., R.15E.,  
 W.M., CROOK COUNTY, OREGON  
 W.C. 93-1100  
 C-IP-793-93

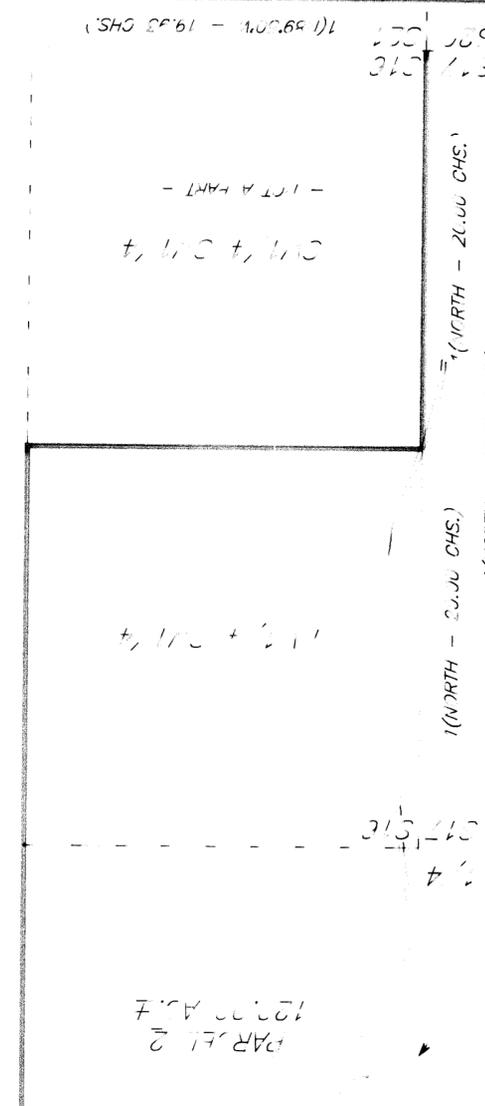
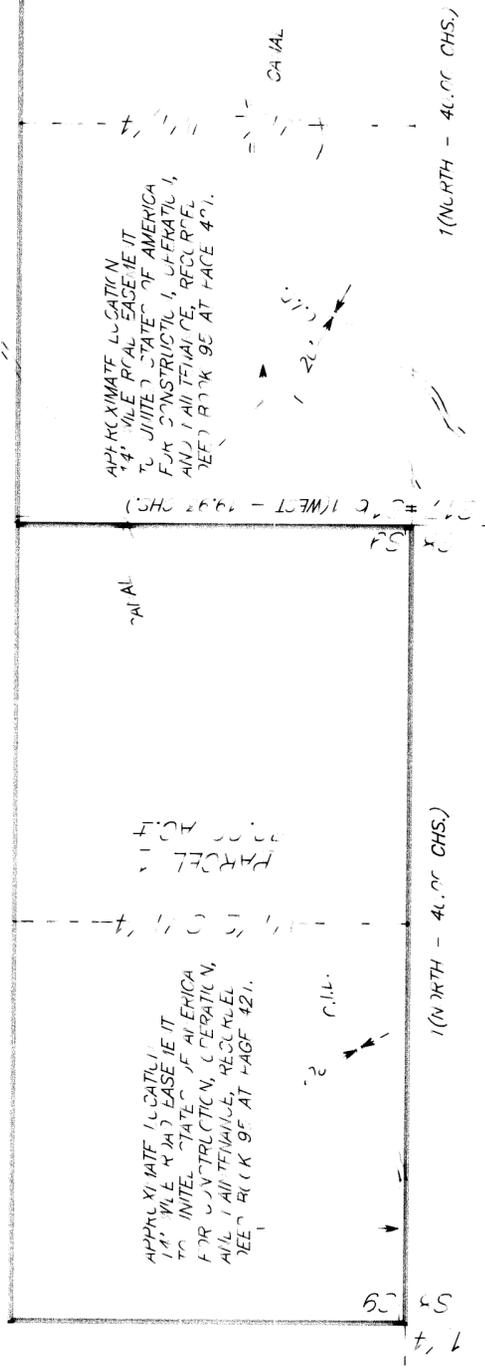
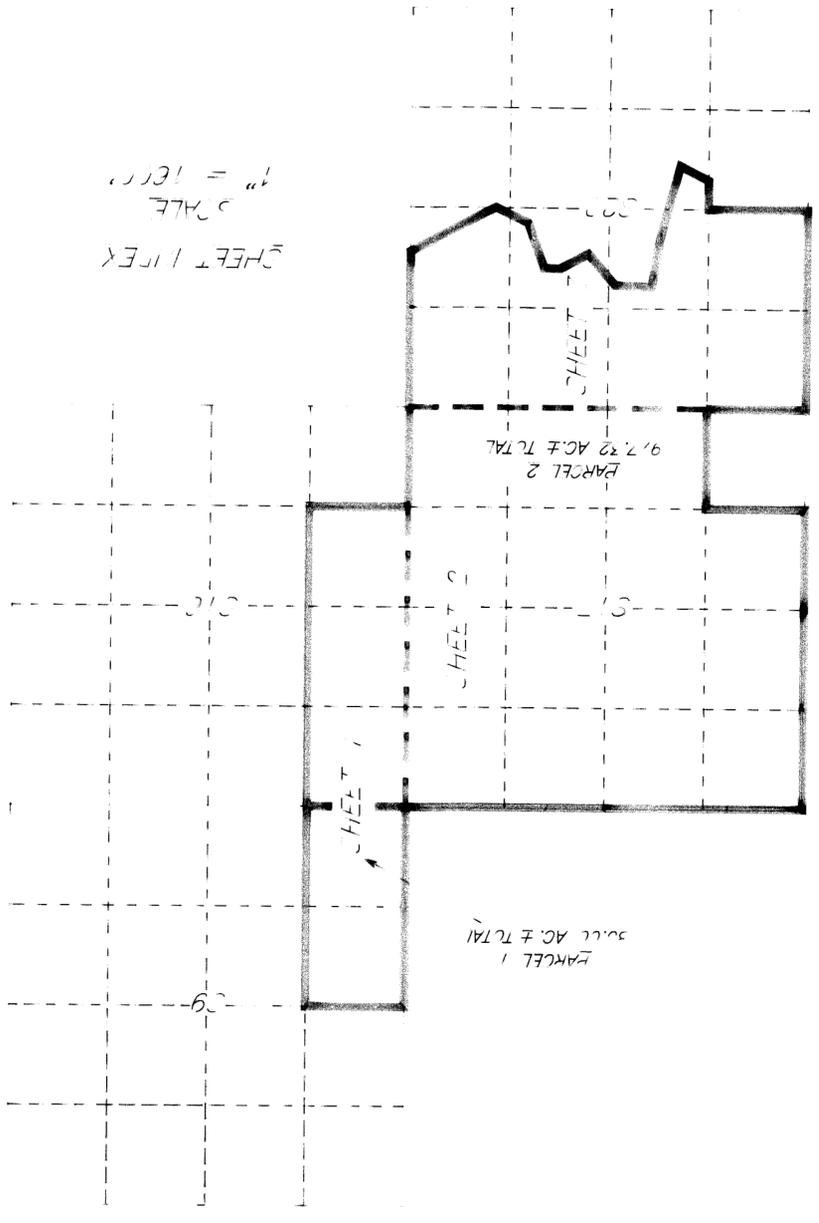
*David B. Armstrong*  
 1/6/94

Renewed 12/31/95

**PARCEL AREA**  
 PARCEL 1 - 66.66 AC.±  
 PARCEL 2 - 977.00 AC.±  
 SEC. 16 - 126.00 AC.±  
 SEC. 17 - 596.50 AC.±  
 SEC. 20 - 287.00 AC.±  
 TOTAL - 977.02 AC.±



SCALE  
 1" = 400'  
 1" = 1600'



**LEGEND**

- (1) RECORD AS PER OFFICIAL G.L.C. SURVEY BY JOHN W. HIGGLING & JOHN W. MELLORUM, SENIORITY SURVEYORS, UNDER JOINT G.L.C. CONTRACT NO. 123, DATE LINE 7, 1969.
- SUBJECT PROPERTY LINE

*David B. Armstrong* 1/2/94

**IRRIGATION WATER RIGHTS**

- CROOK IRRIGATION DISTRICT
- PARCEL 1 - 80.0 AC. PRIMARY IRRIGATION RIGHTS & CROOK RIVER
- 80.0 AC. SUPPLEMENTAL IRRIGATION RIGHTS & CROOK RIVER
- PARCEL 2 - 136.5 AC. PRIMARY IRRIGATION RIGHTS & CROOK RIVER
- 136.5 AC. SUPPLEMENTAL IRRIGATION RIGHTS & CROOK RIVER
- 43.0 AC. PRIMARY IRRIGATION RIGHTS & CROOK RIVER
- 43.0 AC. SUPPLEMENTAL IRRIGATION RIGHTS & CROOK RIVER

SHEET 1 OF 4  
 W.C. 93-1100

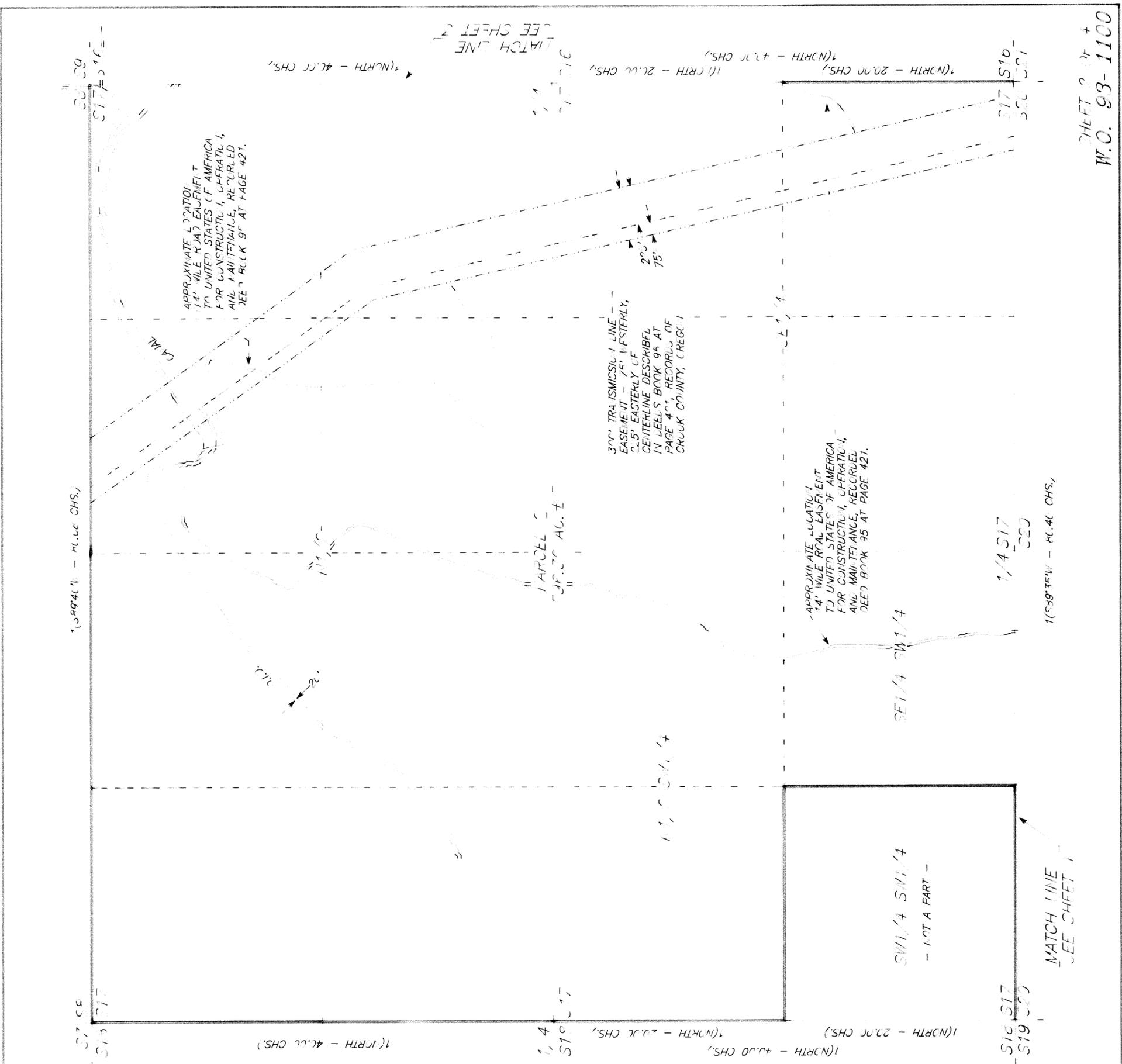
PARTITION PLAT NO. - 1994-03  
 PARTITION MAP OF THE W1/2 SW1/4  
 OF SECTION 8, W1/2 NW1/4 AND THE  
 NW1/4 SW1/4 OF SECTION 16, N1/2,  
 SE1/4, N1/2 SW1/4 AND THE  
 SE1/4 SW1/4 OF SECTION 17, AND A  
 PORTION OF SECTION 20, T.14S., R.15E.,  
 W.M., CROOK COUNTY, OREGON  
 W.O. 93-1100  
 C-LP-792-93

*David B. Armstrong*  
 1/6/94  
 Renewed 12/31/95



**LEGEND**

- 1) RECORD AS PER ORIGINAL G.L.C. SURVEY BY JOHN W. McCLUNG & JOHN W. MELDRUM, DEPUTY SURVEYORS, UNDER JOINT G.L.C. CONTRACT NO. 129, DATED JUNE 7, 1969.
- SUBJECT PROPERTY LINE
- 1) LINE DATA - SEE LINE TABLE



SHEET 2 OF 4  
 W.O. 93-1100

*David B. Armstrong*  
 1/2/94

PARTITION PLAT NO. 1994-03  
 PARTITION MAP OF THE W1/2 SW1/4  
 OF SECTION 9, W1/2 NW1/4 AND THE  
 NW1/4 SW1/4 OF SECTION 16, N1/2,  
 SE1/4, N1/2 SW1/4 AND THE  
 SE1/4 SW1/4 OF SECTION 17, AND A  
 PORTION OF SECTION 20, T.14S., R.15E.,  
 W.M., CROOK COUNTY, OREGON  
 W.O. 93-1100  
 C-LP-792-93

PREPARED FOR  
 PETE B. KING  
 RT. 3 BOX 506  
 PRINEVILLE, OR 97754  
 (503) 447-6141

PREPARED BY  
 ARMSTRONG SURVEYING  
 & ENGINEERING, INC.  
 378 EAST SECOND ST.  
 PRINEVILLE, OR 97754  
 (503) 447-7791

*David B. Armstrong*  
 1/6/94

Renews 12/31/95

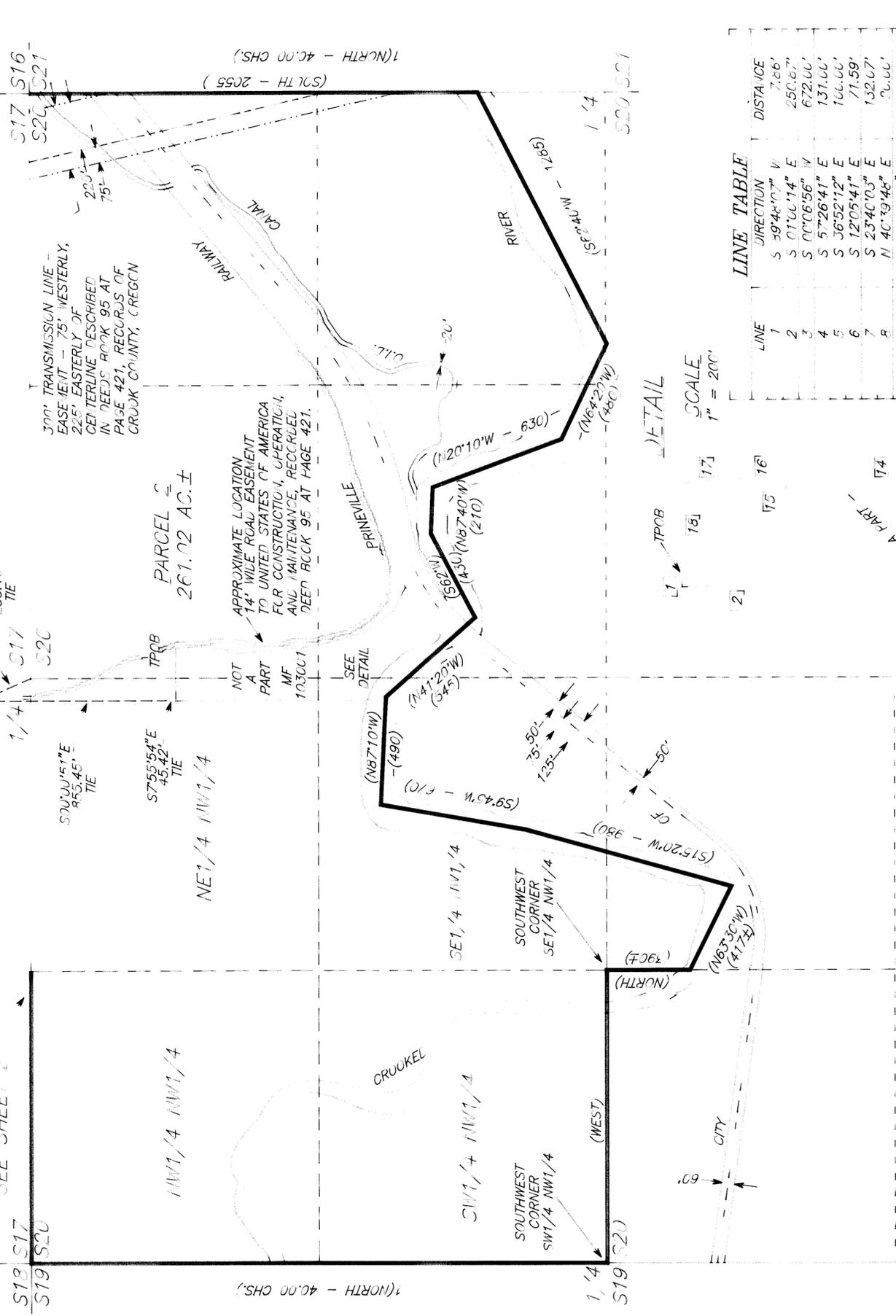


**LEGEND**

- ( ) RECORD AS PER DEED RECORDED IN DEEDS MF 16088, RECORDED NOV. 10, 1971, RECORDS OF CROOK COUNTY, OREGON.
- 1( ) RECORD AS PER ORIGINAL G.L.C. SURVEY BY JOHN W. McCLUNG & JOHN W. MELLORUM, DEPUTY SURVEYORS, UNDER JOINT G.L.C. CONTRACT NO. 129, DATED JUNE 7, 1869.
- SUBJECT PROPERTY LINE
- LINE DATA - SEE LINE TABLE
- TPOB TRUE POINT OF BEGINNING
- CH. CHORD

*David B. Armstrong* 1/10/94

MATCH LINE  
 SEE SHEET C



**LINE TABLE**

LINE	DIRECTION	DISTANCE
1	S 59°48'07" W	7.86'
2	S 01°00'14" E	250.87'
3	S 07°06'56" W	672.00'
4	S 5°26'41" E	131.00'
5	S 36°52'12" E	106.00'
6	S 12°05'41" E	71.59'
7	S 23°40'03" E	132.07'
8	N 40°39'48" E	76.00'
9 CH.	N 42°22'57" E	106.50'
10 CH.	N 55°11'22" E	214.47'
11	N 63°18'42" W	108.09'
12	N 37°21'53" W	160.22'
13	N 15°13'47" W	238.85'
14	N 05°10'21" W	402.91'
15	N 81°09'19" E	20.41'
16	N 08°25'26" E	123.94'
17	N 06°27'39" W	116.19'
18	S 89°48'07" W	226.90'

SCALE  
 1" = 200'

DETAIL

75' SPIRAL  
 L = 106.54  
 CHORD = 106.50  
 N42°22'57"E  
 T = 108.73'  
 R = 647.96'  
 Δ = 190°30'8"

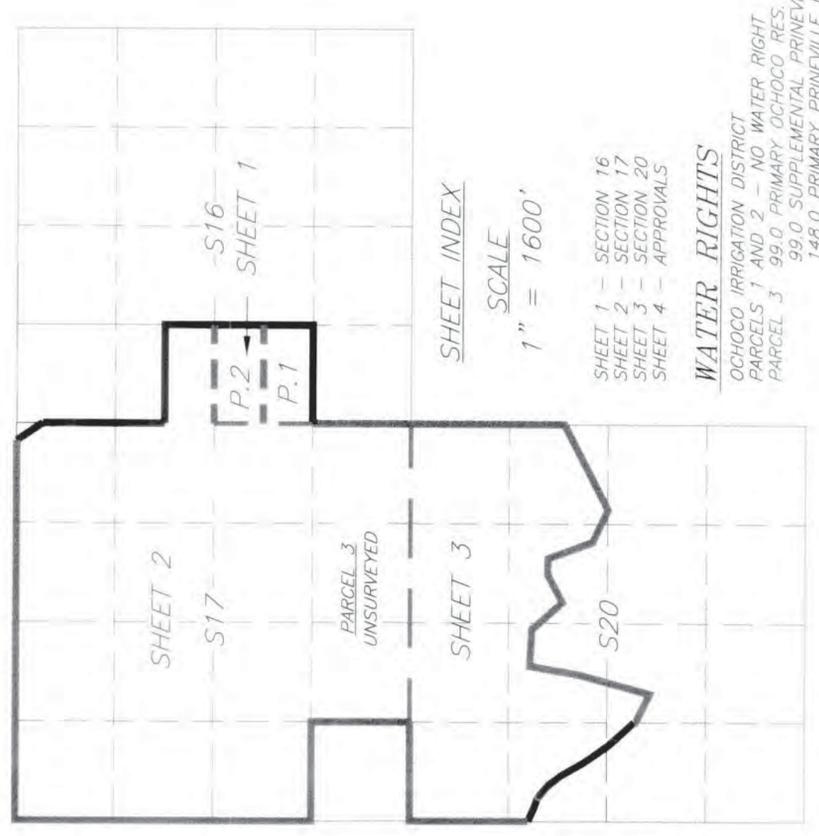


**PARTITION PLAT NO. 1997-18**  
 PARTITION PLAT OF A PORTION OF PARCEL 2 OF  
 PARTITION PLAT NO. 1994-03 LOCATED IN NW1/4 AND  
 SW1/4 OF SECTION 16, IN THE NE1/4, SE1/4, NW1/4  
 AND SW1/4 OF SECTION 17 AND IN THE NE1/4, SW1/4  
 AND NW1/4 OF SECTION 20, T.14S., R.15E., W.M.,  
 CROOK COUNTY, OREGON  
 C-LP-013-96  
 W.O. 97-1579

**SURVEY FOR**  
 DONALD E. CAMPBELL  
 THEORA G. CAMPBELL  
 8790 NW CAMPBELL RANCH RD.  
 PRINEVILLE, OR 97754  
 (541)447-6375

**SURVEY BY**  
 ARMSTRONG SURVEYING  
 & ENGINEERING INC.  
 378 EAST SECOND ST.  
 PRINEVILLE, OR 97754  
 (541)447-7791

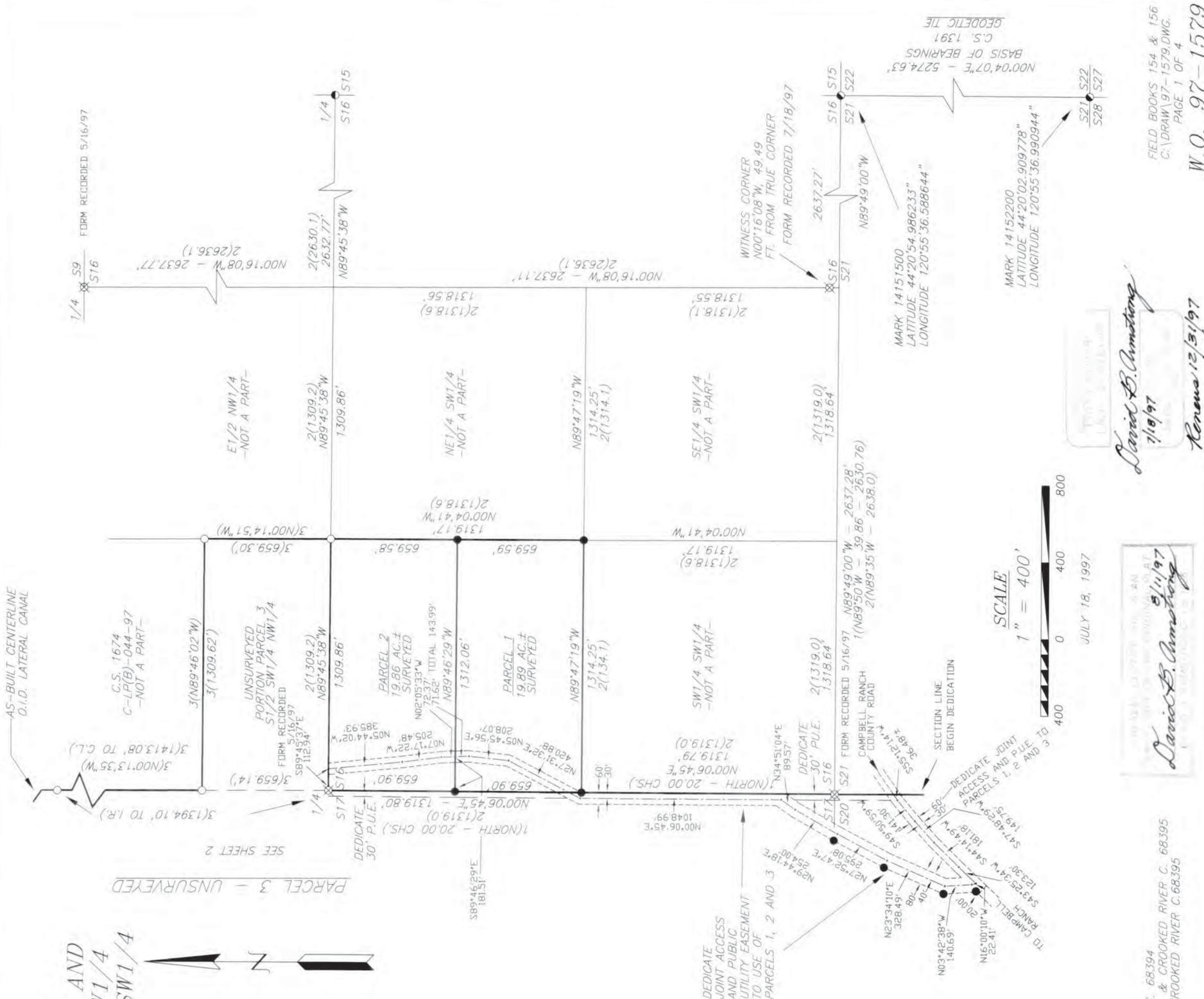
- LEGEND**
- SET 5/8" X 30" LONG IRON ROD WITH YELLOW PLASTIC CAP MARKED "ARMSTRONG LS1026"
  - FOUND 5/8" IRON ROD WITH YELLOW PLASTIC CAP MARKED "ARMSTRONG LS1026" AS PER C.S. 1674 BY DAVID B. ARMSTRONG, LS 1026, RECORDED JULY 18, 1997.
  - ⊗ FOUND 2-1/2" ALUM. CAP MONUMENT AS PER C.S. 1674 BY DAVID B. ARMSTRONG, LS1026, RECORDED JULY 18, 1997 AND C.R.L.C.M. FORM RECORDED ON DATE NOTED.
  - FOUND 2-1/2" ALUM. CAP MONUMENT AS PER C.S. 1091 BY DAVID B. ARMSTRONG, LS1026, RECORDED MAY 11, 1990, C.R.L.C.M. FORM RECORDED MAY 16, 1997.
  - FOUND 2" ALUM. CAP ON IRON ROD IN MONUMENT BOX AS PER C.R.L.C.M. FORM BY DAVID B. ARMSTRONG, LS1026, RECORDED APRIL 14, 1987.
  - ( ) RECORD AS PER GENERAL LAND OFFICE SURVEY BY JOHN W. MCCLUNG, DEPUTY SURVEYOR, UNDER G.L.O. CONTRACT NO. 129 DATED JUNE 7, 1869.
  - 2( ) RECORD AS PER OCHOCO IRRIGATION DISTRICT LAND CLASSIFICATION PLATS BY R.W. REA, PROJECT ENGINEER, DATED AUGUST, 1919.
  - 3( ) RECORD AS PER C.S. 1674 BY DAVID B. ARMSTRONG, LS1026, FOR C-LP-044-97 RECORDED JULY 18, 1997.



**SHEET INDEX**  
 SCALE  
 1" = 1600'

SHEET 1 - SECTION 16  
 SHEET 2 - SECTION 17  
 SHEET 3 - SECTION 20  
 SHEET 4 - APPROVALS

**WATER RIGHTS**  
 OCHOCO IRRIGATION DISTRICT  
 PARCELS 1 AND 2 - NO WATER RIGHT  
 PARCEL 3 99.0 PRIMARY OCHOCO RES. & CROOKED RIVER C. 68394  
 99.0 SUPPLEMENTAL PRINEVILLE RES. & CROOKED RIVER C. 68395  
 148.0 PRIMARY PRINEVILLE RES. & CROOKED RIVER C. 68395



David B. Armstrong  
 7/18/97  
 Renewed 12/31/97

David B. Armstrong  
 7/18/97  
 Renewed 12/31/97

**PARTITION PLAT NO. 1997-18**  
 PARTITION PLAT OF A PORTION OF PARCEL 2 OF  
 PARTITION PLAT NO. 1994-03 LOCATED IN NW1/4 AND  
 SW1/4 OF SECTION 16, IN THE NE1/4, SE1/4, NW1/4  
 AND SW1/4 OF SECTION 17 AND IN THE NE1/4, SW1/4  
 AND NW1/4 OF SECTION 20, T.14S., R.15E.,  
 W.M., CROOK COUNTY, OREGON  
 C-LP-013-96  
 W.O. 97-1579



DAVID B. ARMSTRONG  
 7/19/97  
 Renewed 12/31/97

**LEGEND**

- SET 5/8" X 30" LONG IRON ROD WITH YELLOW PLASTIC CAP MARKED "ARMSTRONG LS1026".
- RECORD 5/8" IRON ROD WITH YELLOW PLASTIC CAP AS PER C.S. 1674.
- ⊗ FOUND 2-1/2" ALUM. CAP MONUMENT AS PER C.S. 1674 BY DAVID B. ARMSTRONG, LS1026, RECORDED JULY 18, 1997 AND C.R.L.C.M. FORM RECORDED ON DATE NOTED.
- SUBJECT PROPERTY LINE
- ① LINE DATA - SEE LINE TABLE
- 1( ) RECORD AS PER ORIGINAL G.L.O. SURVEY BY JOHN W. McCLUNG, DEPUTY SURVEYOR, UNDER JOINT G.L.O. CONTRACT NO. 129, DATED JUNE 7, 1869.
- 2( ) RECORD AS PER OCHOCO IRRIGATION DISTRICT LAND CLASSIFICATION PLATS BY R.W. REA, PROJECT ENGINEER, DATED AUGUST, 1919.
- 3( ) RECORD AS PER C.S. 1674 BY DAVID B. ARMSTRONG, LS1026.
- 4( ) RECORD AS PER C.S. 687 BY EMILE P. BACHAND, LS1122, RECORDED JULY 16, 1981.

**SURVEY NARRATIVE**

WE WERE EMPLOYED BY DONALD E. CAMPBELL AND THEORA G. CAMPBELL TO COMPLETE THE SURVEY AND PLAT REQUIREMENTS OF THIS PARTITION. THE SURVEY OF PARCELS 1 AND 2 WAS REQUIRED WHILE THE SURVEY OF PARCEL 3 WAS WAIVED BECAUSE OF ITS SIZE. THIS SURVEY WAS PERFORMED IN CONJUNCTION WITH A BOUNDARY LINE ADJUSTMENT SURVEY FOR DONALD E. CAMPBELL AND WILLIAM GUTHRIE IN C.S. 1674 (C-LP(B)-044-97). DURING THAT PROJECT I RETRACED AND SUBDIVIDED SECTION 16 AND REMONUMENTED THE CONTROLLING CORNERS THEREOF. THIS PROJECT INVOLVED COMPLETING THE SUBDIVISION OF THE SW1/4 OF SAID SECTION 16. THIS COMPLETED THE SURVEY OF PARCELS 1 AND 2 WHICH WERE SURVEYED. THE ACCESS ROAD WAS THEN SURVEYED AS DESIRED BY DON CAMPBELL TO SERVE PARCELS 1, 2 AND 3 FROM CAMPBELL RANCH ROAD. A PUBLIC UTILITY EASEMENT WAS CREATED TO SERVE SAID PARCELS ALONG THE WEST LINE OF SAID SECTION 16. A GEODETIC TIE WAS MADE IN C.S. 1674 AND IS ALSO SHOWN ON THIS PLAT. BEARINGS ARE BASED ON THAT TIE.

**RECORD (3)**

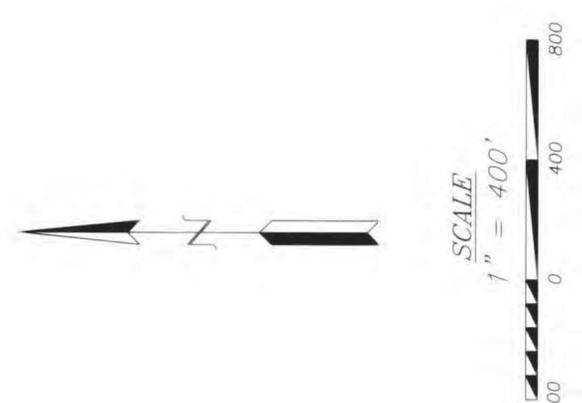
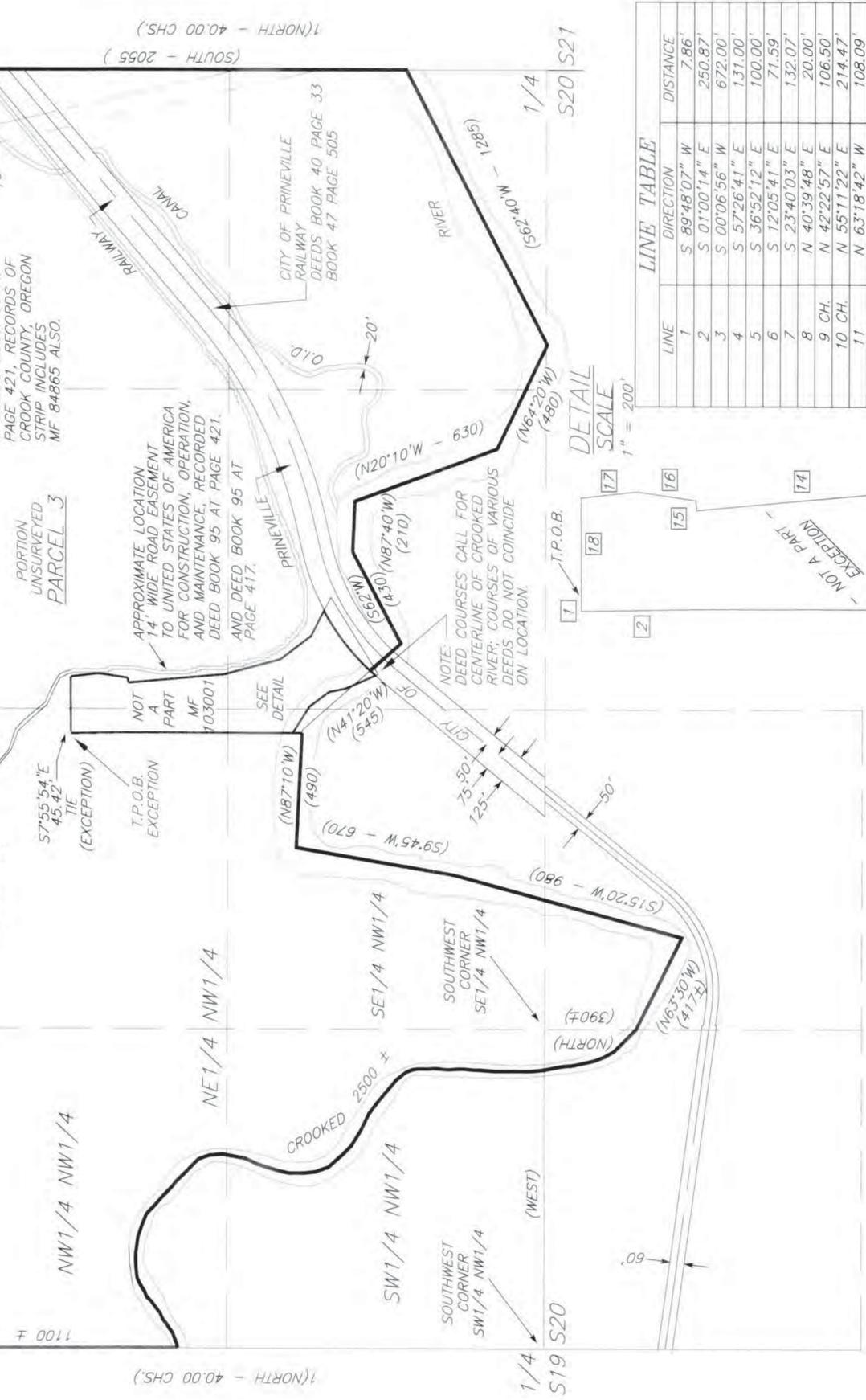
NO.	BEARING	DISTANCE
1	N00°13'35"W	18.98'
2	N00°13'35"W	18.98'
3	N52°26'20"W	52.88'
4	N40°51'33"W	59.30'
5	N58°14'37"W	39.36'
6	N41°00'51"W	94.16'
7	N31°49'04"W	143.10'
8	N00°13'35"W	28.63'
9	N00°13'35"W	243.08'



I HEREBY CERTIFY THIS IS AN  
 EXACT COPY OF THE ORIGINAL PLAT.  
 David B. Armstrong  
 8/11/97  
 DAVID B. ARMSTRONG, LS1026

W.O. 97-1579  
 SHEET 3 OF 4  
 C:\DRAWING\97-1579.DWG

**PARTITION PLAT NO. 1997-18**  
 PARTITION PLAT OF A PORTION OF PARCEL 2 OF  
 PARTITION PLAT NO. 1994-03 LOCATED IN NW1/4 AND  
 SW1/4 OF SECTION 16, IN THE NE1/4, SE1/4, NW1/4  
 AND SW1/4 OF SECTION 17 AND IN THE NE1/4, SW1/4  
 AND NW1/4 OF SECTION 20, T.14S., R.15E., W.M.,  
 CROOK COUNTY, OREGON  
 C-LP-013-96  
 W.O. 97-1579



**LINE TABLE**

LINE	DIRECTION	DISTANCE
1	S 89°48'07" W	7.86'
2	S 01°00'14" E	250.87'
3	S 00°06'56" W	672.00'
4	S 57°26'41" E	131.00'
5	S 36°52'12" E	100.00'
6	S 12°05'41" E	71.59'
7	S 23°40'03" E	132.07'
8	N 40°39'48" E	20.00'
9 CH.	N 42°22'57" E	106.50'
10 CH.	N 55°11'22" E	214.47'
11	N 63°18'42" W	108.09'
12	N 37°21'53" W	160.22'
13	N 75°13'47" W	238.85'
14	N 05°10'21" W	402.91'
15	N 81°09'19" E	20.41'
16	N 08°25'26" E	123.94'
17	N 06°27'39" W	116.19'
18	S 89°48'07" W	226.90'

DETAIL SCALE  
 1" = 200'

**LEGEND**

- ( ) RECORD AS PER DEED RECORDED IN DEEDS MF 16088, RECORDED NOV. 10, 1971, RECORDS OF CROOK COUNTY, OREGON.
- ( ) RECORD AS PER ORIGINAL G.L.O. SURVEY BY JOHN W. McCLUNG, DEPUTY SURVEYOR, UNDER JOINT G.L.O. CONTRACT NO. 129, DATED JUNE 7, 1869.
- SUBJECT PROPERTY LINE
- [ ] LINE DATA - SEE LINE TABLE
- T.P.O.B. TRUE POINT OF BEGINNING
- CH. CHORD

75' SPIRAL  
 L = 106.54  
 CHORD - 106.50  
 N42°22'57"E

Δ = 191°03'08"  
 R = 647.96'  
 T = 108.73'  
 L = 215.46'

**DAVID B. ARMSTRONG**  
 7/19/97  
 Renew 12/31/97

C:\DRAW\97-1579.DWG.  
 SHEET 3 OF 4  
 W.O. 97-1579

PARTITION PLAT NO. 1997-18
PARTITION PLAT OF A PORTION OF PARCEL 2 OF
PARTITION PLAT NO. 1994-03 LOCATED IN NW1/4 AND
SW1/4 OF SECTION 16, IN THE NE1/4, SE1/4, NW1/4
AND SW1/4 OF SECTION 17 AND IN THE NE1/4, SW1/4
AND NW1/4 OF SECTION 20, T.14S., R.15E., W.M.,
CROOK COUNTY, OREGON
C-LP-013-96
W.O. 97-1579

DECLARATION
KNOW ALL PEOPLE BY THESE PRESENT THAT DONALD E. CAMPBELL AND THEORA G. CAMPBELL, HUSBAND AND WIFE,
ARE THE FEE SIMPLE OWNERS AND LES SCHWAB WAREHOUSE CENTER INC., AN OREGON CORPORATION, BENEFICIARY
UNDER COMMERCIAL DEED OF TRUST RECORDED FEBRUARY 1, 1995, AT MF 119392, RECORDS OF CROOK COUNTY,
OREGON, AND PETER B. KING AND SONDRA J. KING AND/OR SURVIVOR THEREOF BENEFICIARY, UNDER JUNIOR TRUST
DEED RECORDED JULY 25, 1995, AT MF 122351, RECORDS OF CROOK COUNTY, OREGON, ARE SECURITY OWNERS OF
THE LANDS MORE PARTICULARLY DESCRIBED IN THE ACCOMPANYING SURVEYOR'S CERTIFICATE AND HAVE CAUSED THE
SAME TO BE PARTITIONED INTO PARCELS, JOINT ACCESS ROAD AND PUBLIC UTILITY EASEMENT AS SHOWN HEREON IN
ACCORDANCE WITH THE PROVISIONS OF ORS CHAPTER 92 AND DO HEREBY DEDICATE TO THE PRIVATE USE OF PARCELS
1, 2 AND 3 THE JOINT ACCESS ROAD SHOWN HEREON AND DO HEREBY DEDICATE TO THE PUBLIC THE PUBLIC UTILITY
EASEMENT SHOWN HEREON. ALL WATER RIGHTS ARE APPURTENANT TO PARCEL 3 OF THIS PLAT UNDER CERTIFICATES
68394 AND 68395; PARCELS 1 AND 2 HAVE NO WATER RIGHTS.

Donald E. Campbell
DONALD E. CAMPBELL
Theora G. Campbell
THEORA G. CAMPBELL

AFFIDAVIT OF CONSENT BY LES SCHWAB WAREHOUSE CENTER, INC., AN OREGON CORPORATION, RECORDED AT
MF 135842, RECORDS OF CROOK COUNTY, OREGON.
AFFIDAVIT OF CONSENT BY PETER B. KING, RECORDED AT MF 135843, RECORDS OF CROOK COUNTY, OREGON.
AFFIDAVIT OF CONSENT BY SONDRA J. KING, RECORDED AT MF 135844, RECORDS OF CROOK COUNTY, OREGON.

ACKNOWLEDGEMENT
KNOW ALL PEOPLE BY THESE PRESENT THAT ON THIS 7th DAY OF August, 1997, BEFORE ME, A NOTARY
PUBLIC IN AND FOR THE STATE OF OREGON, COUNTY OF CROOK, PERSONALLY APPEARED THE ABOVE NAMED DONALD
E. CAMPBELL AND THEORA G. CAMPBELL, AND WHO ACKNOWLEDGED THE FOREGOING INSTRUMENT TO BE THEIR
VOLUNTARY ACT AND DEED.



Bonnie M. McCoy
NOTARY PUBLIC FOR
THE STATE OF OREGON

APPROVALS
Darryl S. Jamuth
COUNTY SURVEYOR
JEFFERSON COUNTY
O.R.S. 92.100(4)
DATE 7-16-97
Sandra Mire for
CROOK COUNTY PLANNER
DATE 8-19-97
OCHOCO IRRIGATION DISTRICT
DATE 8-8-97

I HEREBY CERTIFY THAT ALL AD VALOREM TAXES, SPECIAL ASSESSMENTS, FEES AND OTHER CHARGES REQUIRED
BY LAW TO BE PLACED ON THE 1997-98 TAX ROLL WHICH BECAME A LIEN OR WILL BECOME A LIEN
ON THIS PARTITION DURING THIS TAX YEAR BUT NOT YET CERTIFIED TO THE TAX COLLECTOR FOR COLLECTION
HAVE BEEN PAID TO ME.

County Assessor
I HEREBY CERTIFY THAT ALL TAXES ARE PAID AS OF THIS DATE.
DATE 8/18/97
County Tax Collector
DATE 8/18/97

RECORDER - CLERK
STATE OF OREGON } SS 135845
COUNTY OF CROOK }
I CERTIFY THAT THE WITHIN INSTRUMENT WAS
RECORDED FOR RECORD ON THE 23rd DAY OF
AUGUST 1997 AT 9:00 A.M.
AND RECORDED IN PARCELS
RECORDS OF SAID COUNTY, MF NO. 135845
DEANNEY E. BERMAN, CROOK COUNTY CLERK
BY: Debra A. Schlem, DEPUTY

RECORDER - SURVEYOR
STATE OF OREGON } SS
COUNTY OF CROOK }
I CERTIFY THAT THE WITHIN INSTRUMENT WAS
RECEIVED FOR RECORD ON THE 23rd DAY OF
AUGUST A.D. 1997, AND
RECORDED IN SURVEYS # 1686
OF SAID COUNTY.
DAVID B. ARMSTRONG
COUNTY SURVEYOR

SURVEYOR'S CERTIFICATE

I, DAVID B. ARMSTRONG, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF OREGON, HEREBY CERTIFY THAT I HAVE
CORRECTLY SURVEYED AND MARKED WITH PROPER MONUMENTS IN ACCORDANCE WITH THE STATUTES OF THE STATE OF OREGON,
CHAPTER 92, PARCELS 1 AND 2 OF LANDS REPRESENTED ON THIS PLAT, PARCEL 3 OF THIS PLAT IS UNSURVEYED, SAID LANDS
ARE A PORTION OF PARCEL 2 OF PARTITION PLAT NO. 1994-03, RECORDS OF CROOK COUNTY, OREGON, AND ARE MORE
PARTICULARLY DESCRIBED AS FOLLOWS: IN TOWNSHIP 14 SOUTH, RANGE 15 EAST, WILLAMETTE MERIDIAN; SECTION 16, SOUTH
ONE-HALF SOUTHWEST ONE-QUARTER NORTHWEST ONE-QUARTER (S1/2 SW1/4 NW1/4); NORTHWEST ONE-QUARTER SOUTHWEST
ONE-QUARTER (NW1/4 SW1/4); SECTION 17, NORTH ONE-HALF SOUTHWEST ONE-QUARTER (N1/2 SW1/4); SOUTHWEST
ONE-QUARTER SOUTHWEST ONE-QUARTER (SE1/4 SW1/4); SOUTHWEST ONE-QUARTER (NW1/4 SW1/4); NORTH ONE-HALF (N1/2);
EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PARCEL LOCATED IN THE NORTHEAST ONE-QUARTER NORTHEAST ONE-QUARTER
(NE1/4 NE1/4), BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 17, THENCE SOUTH 00°13'35" EAST ALONG THE EAST
LINE OF SAID SECTION 17 A DISTANCE OF 564.36 FEET TO THE AS-BUILT CENTERLINE OF THE OCHOCO IRRIGATION DISTRICT
LATERAL CANAL; THENCE ALONG SAID CENTERLINE ALONG THE FOLLOWING COURSES: NORTH 52°26'20" WEST A DISTANCE OF 52.88
FEET; THENCE NORTH 40°31'33" WEST A DISTANCE OF 59.30 FEET; THENCE NORTH 58°14'37" WEST A DISTANCE OF 39.36 FEET;
THENCE NORTH 41°00'51" WEST A DISTANCE OF 94.16 FEET; THENCE NORTH 31°49'04" WEST A DISTANCE OF 143.10 FEET TO A
POINT; THENCE LEAVING SAID CANAL CENTERLINE, NORTH 00°13'35" WEST A DISTANCE OF 271.22 FEET TO THE NORTH LINE OF
SAID SECTION 17; THENCE NORTH 89°32'51" EAST ALONG SAID LINE A DISTANCE OF 250.00 FEET TO THE POINT OF BEGINNING;
SECTION 20; BEGINNING AT THE NORTHEAST CORNER OF SECTION 20, THENCE SOUTH 20°55' FEET, MORE OR LESS, TO THE
CENTERLINE OF THE CROOKED RIVER; THENCE FOLLOWING ALONG THE CENTERLINE OF SAID CROOKED RIVER AS FOLLOWS: SOUTH
62°40' WEST, 1285 FEET; THENCE NORTH 64°20' WEST, 480 FEET; THENCE NORTH 20°10' WEST, 630 FEET; THENCE NORTH
87°40' WEST, 215 FEET; THENCE SOUTH 62° WEST, 430 FEET; THENCE NORTH 41°20' WEST, 545 FEET; THENCE NORTH 87°10'
WEST, 490 FEET; THENCE SOUTH 9°45' WEST, 670 FEET; THENCE SOUTH 15°20' WEST, 980 FEET; THENCE NORTH 63°30' WEST,
417 FEET, MORE OR LESS, TO THE 1/16 LINE RUNNING NORTH AND SOUTH THROUGH THE SOUTHWEST QUARTER OF SAID SECTION
20; THENCE ALONG SAID LINE TO THE INTERSECTION OF SAID LINE WITH THE THREAD OF THE CROOKED RIVER; THENCE
NORTHWESTERLY, NORTHEASTERLY, NORTHWESTERLY AND SOUTHWESTERLY ALONG THE THREAD OF THE CROOKED RIVER A DISTANCE
OF 3000 FEET MORE OR LESS TO THE WEST LINE OF THE NORTHWEST ONE-QUARTER NORTHWEST ONE-QUARTER (NW1/4 NW1/4)
OF SAID SECTION 20; THENCE NORTH ALONG SAID LINE A DISTANCE OF 1100 FEET, MORE OR LESS, TO THE NORTHWEST CORNER
OF SAID SECTION 20; THENCE SOUTH 89°35' WEST ALONG THE NORTH LINE OF SAID SECTION 20 A DISTANCE OF 5306.4 FEET
MORE OR LESS TO THE POINT OF BEGINNING. EXCEPTING THEREFROM THE RIGHT-OF-WAY OF THE CITY OF PRINEVILLE RAILWAY;
RECORDED BOOK 40 OF DEEDS AT PAGE 33 AND BOOK 47 OF DEEDS AT PAGE 505, RECORDS OF CROOK COUNTY, OREGON.
EXCEPTING THEREFROM A TRACT OF LAND DESCRIBED AS FOLLOWS: A TRACT OF LAND LOCATED IN THE NORTH HALF OF SECTION
20, TOWNSHIP 14 SOUTH, RANGE 15 EAST OF THE WILLAMETTE MERIDIAN; MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING
AT THE QUARTER CORNER COMMON TO SECTIONS 17 AND 20, THENCE NORTH 23°35'14" WEST A DISTANCE OF 255.10 FEET TO THE
NORTHWEST CORNER OF PARCEL NO. 1 OF THAT LAND DEEDED TO ROBERT T. LISTER BY PETER B. KING ET. AL. BY DEED
RECORDED IN BOOK 90 OF DEEDS AT PAGE 368, RECORDS OF CROOK COUNTY, OREGON, THENCE SOUTH 0°00'51" EAST ALONG THE
WEST LINE OF SAID PARCEL NO. 1 A DISTANCE OF 855.45 FEET, THENCE SOUTH 7°55'54" EAST ALONG THE WEST LINE OF SAID
PARCEL NO. 1 A DISTANCE OF 45.42 FEET TO THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE SOUTH 89°48'07"
WEST A DISTANCE OF 7.86 FEET, THENCE SOUTH 1°00'14" EAST A DISTANCE OF 250.87 FEET, THENCE SOUTH 0°06'56" WEST A
DISTANCE OF 672 FEET, MORE OR LESS, TO THE CENTERLINE OF THE CROOKED RIVER; THENCE ALONG SAID CENTERLINE OF THE
CROOKED RIVER APPROXIMATELY ALONG THE FOLLOWING COURSES: SOUTH 57°26'41" EAST, 131.00 FEET, SOUTH 36°52'12" EAST,
100.00 FEET, SOUTH 12°05'41" EAST, 71.59 FEET, SOUTH 23°40'03" EAST, 132.07 FEET TO INTERSECTION WITH THE NORTHERLY
RIGHT-OF-WAY LINE OF THE CITY OF PRINEVILLE RAILWAY AS LOCATED AND CONSTRUCTED AND DESCRIBED IN BOOK 40 OF DEEDS
AT PAGE 33, RECORDS OF CROOK COUNTY, OREGON, THENCE NORTH 40°39'48" EAST ALONG SAID NORTHERLY LINE A DISTANCE OF
20 FEET, MORE OR LESS, THENCE ALONG SAID NORTHERLY LINE AROUND 75.00 FOOT OFFSET SPIRAL CURVE TO THE RIGHT A
DISTANCE OF 106.54 FEET (CHORD BEARS NORTH 42°22'57" EAST 106.50 FEET) THENCE ALONG SAID NORTHERLY LINE AROUND A
647.96 FOOT RADIUS CURVE RIGHT A DISTANCE OF 215.46 FEET, (LONG CHORD BEARS NORTH 55°11'22" EAST, 214.47 FEET)
THENCE LEAVING SAID NORTHERLY LINE, NORTH 63°18'42" WEST A DISTANCE OF 108.09 FEET, THENCE NORTH 37°21'53" WEST A
DISTANCE OF 160.22 FEET, THENCE NORTH 15°13'47" WEST A DISTANCE OF 238.85 FEET, THENCE NORTH 5°10'21" WEST A
DISTANCE OF 402.91 FEET, THENCE NORTH 81°09'19" EAST A DISTANCE OF 20.41 FEET, THENCE NORTH 8°25'26" EAST A DISTANCE
OF 123.94 FEET, THENCE NORTH 6°27'39" WEST A DISTANCE OF 116.19 FEET, THENCE SOUTH 89°48'07" WEST A DISTANCE OF
226.90 FEET TO THE TRUE POINT OF BEGINNING, CONTAINING APPROXIMATELY 895.63 ACRES, MORE OR LESS.

SUBJECT TO THE FOLLOWING EASEMENTS AND RIGHTS OF WAY, ALL RECORDED IN CROOK COUNTY, OREGON:
1. RESERVATION OF RIGHT OF WAY AND EASEMENT TO OCHOCO IRRIGATION DISTRICT RECORDED DEEDS BOOK 48 AT PAGE 607.
2. ACCESS ROAD AGREEMENT TO UNITED STATES OF AMERICA AND PORTLAND GENERAL ELECTRIC COMPANY RECORDED DEEDS BOOK
95 AT PAGE 265 AND BOOK 95 AT PAGE 417.
3. TRANSMISSION LINE EASEMENT TO THE UNITED STATES OF AMERICA RECORDED DEEDS BOOK 95 AT PAGE 421; AND MF 84865
4. EASEMENTS TO PACIFIC POWER AND LIGHT COMPANY RECORDED DEEDS BOOK 90 AT PAGE 639; BOOK 96 AT PAGE 442;
BOOK 97 AT PAGE 565; MF 45716 AND MF 45926.
5. POWER LINE RIGHT OF WAY AND EASEMENT TO DESCHUTES POWER COMPANY RECORDED DEED BOOK 30 AT PAGE 27.
SUBJECT TO ALL OTHER EXISTING EASEMENTS AND RIGHTS OF WAY FOR ROADS, HIGHWAYS, IRRIGATION DITCHES AND CANALS AND
POLE LINES.

THE PARCEL AREA OF PARCEL 3 WAS COMPUTED FROM CROOK COUNTY ASSESSOR'S RECORDS AND WAS UNSURVEYED.
THE FOLLOWING EASEMENTS NOTED ABOVE ARE GENERAL IN NATURE AND NOT MAPPED.
1. OCHOCO IRRIGATION DISTRICT AT DEEDS BOOK 48 AT PAGE 607.
2. PACIFIC POWER AND LIGHT COMPANY AT DEEDS BOOK 90 AT PAGE 639; BOOK 96 AT PAGE 442; BOOK 97 AT PAGE 565;
MF 45716 AND MF 45926.
3. DESCHUTES POWER COMPANY DEEDS BOOK 30 AT PAGE 27.

David B. Armstrong
9/18/97
Renews 12/31/97
David B. Armstrong
9/21/97
RECORDS OF CROOK COUNTY

**JOINT ACCESS ROAD EASEMENT SURVEY  
LOCATED IN THE SW1/4 OF SECTION 16,  
THE SE1/4 OF SECTION 17, THE NE1/4  
OF SECTION 20 AND THE NW1/4 OF SECTION  
21, T.14S., R.15E., W.M., CROOK COUNTY,  
OREGON  
W.O. 98-1661**

**SURVEY FOR**  
DONALD E. CAMPBELL  
THEORA S. CAMPBELL  
8790 NW CAMPBELL RANCH RD  
PRINEVILLE, OR 97754  
(541) 442-6326

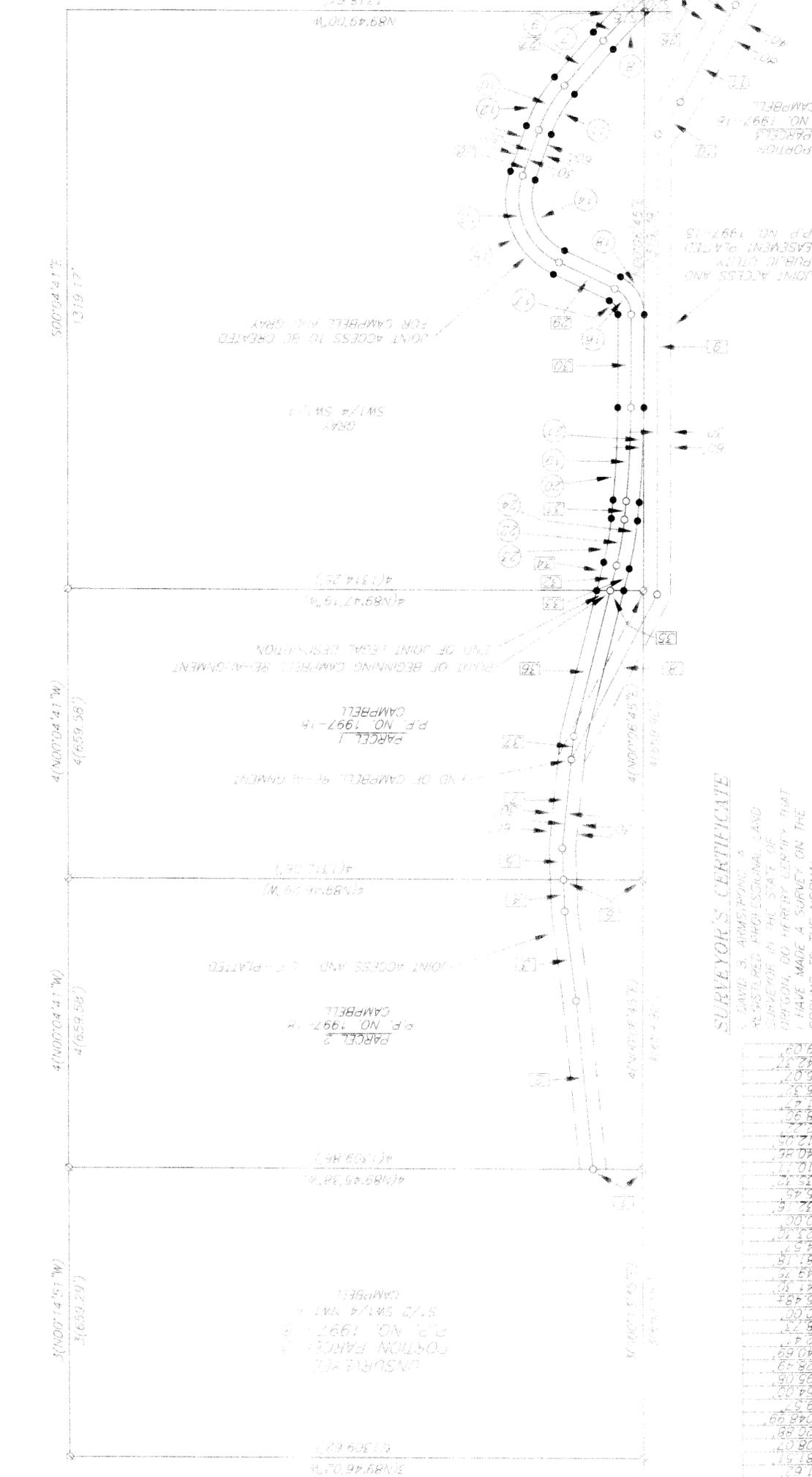
HERBERT R. GRAY  
KAREN GRAY  
24109 NE HOLLADAY ST.  
TROUTDALE, OR 97060

**SURVEY BY**  
ARMSTRONG SURVEYING  
& ENGINEERING, INC.  
378 EAST SECOND STREET  
PRINEVILLE, OR 97754  
(541) 447-7791

**LEGEND**

- SET 5/8"x30" LONG IRON ROD WITH YELLOW PLASTIC CAP MARKED "ARMSTRONG SW1 LS1026"
- NO MONUMENT SET - COMPUTED POINT ONLY
- ✦ FOUND 2-1/2" ALUM. CAP MONUMENT AS PER C.S. 1674 RECORDED JULY 18, 1997, AND C.R.L.C.M. FORM RECORDED MAY 16, 1997, BY DAVID B. ARMSTRONG, LS1026.
- ⊙ RECORD 5/8" IRON ROD WITH YELLOW PLASTIC CAP MARKED "ARMSTRONG LS1026" AS PER C.S. 1666 RECORDED AUG 21, 1997, BY DAVID B. ARMSTRONG, LS 1026
- ⊙ RECORD 5/8" IRON ROD WITH YELLOW PLASTIC CAP MARKED "ARMSTRONG LS 1026" AS PER C.S. 1674, RECORDED JULY 18, 1997, BY DAVID B. ARMSTRONG, LS 1026.

**SURVEY NARRATIVE**  
WE WERE EMPLOYED BY DON CAMPBELL TO SURVEY AND DESCRIBE A NEW ROADWAY EASEMENT TO RUN FROM THE END OF THE CAMPBELL RANCH COUNTY ROAD WHERE IT INTERSECTS HIS FASD PROPERTY LINE TO THE PARCELS PLATTED IN PARTITION PLAT NO. 1997-18. THIS ROADWAY EASEMENT WOULD FOLLOW THE EXISTING RANCH ACCESS ROAD ABOUT THE BASE OF ROUND BUTTE ON THE WEST SIDE OF LYLE CREEK, THEN DEPART FROM THE RANCH ROAD AND RUN NORTHERLY THROUGH CAMPBELL'S PARCELS 3 LANDS AND GRAY'S LANDS IN SECTION 16 AND TERMINATE AT THE SOUTH LINE OF PARCEL 2 OF CAMPBELL'S LANDS. IT WAS INTENDED THAT BOTH THE CAMPBELLS AND GRAYS WOULD HAVE USE OF THIS ROAD. THE ROAD WAS CONSTRUCTED AT THE TIME OF THE SURVEY BY A CONTRACTOR EMPLOYED BY DON CAMPBELL TO FOLLOW THE ROAD AND THE SIDELINES OF THE EASEMENT WERE MONUMENTED TO ENTRY THE LANDS SUBJECT TO THE EASEMENT. A SHORT SECTION OF EASEMENT WAS ALSO DESCRIBED TO CONNECT THE NEW ROAD ALIGNMENT WITH THE PLATTED ACCESS EASEMENT IN PARCEL 1. THE PLAT OF PARTITION PLAT NO. 1997-18 CREATED A ROAD ACCESS ACROSS PARCELS 3 TO PROVIDE ACCESS TO PARCELS 1 AND 2. THE ROADWAY EASEMENT IS 30' WIDE. THE ROADWAY EASEMENT IS 30' WIDE. THE ROADWAY EASEMENT IS 30' WIDE.



NO.	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
1	51.03	70.35	42.06	64.91	N07°04'53"W	78°59'08"
2	21.03	28.99	17.33	26.75	N07°04'53"W	78°59'08"
3	81.03	111.70	66.78	103.07	N07°04'53"W	78°59'08"
4	525.00	170.73	86.12	169.98	N41°43'40"E	18°37'56"
5	495.00	160.97	81.05	160.26	N41°43'40"E	18°37'56"
6	555.00	180.48	91.05	179.69	N41°43'40"E	18°37'56"
7	1000.00	326.58	163.05	326.58	N45°56'11"E	10°12'54"
8	900.00	292.94	146.70	292.94	N45°56'11"E	10°12'54"
9	1030.00	313.63	156.26	313.63	N30°08'58"W	21°21'32"
10	315.00	117.43	59.40	116.75	N30°08'58"W	21°21'32"
11	285.00	106.24	53.75	105.63	N30°08'58"E	21°21'32"
12	345.00	128.61	65.06	127.87	N30°08'58"E	21°21'32"
13	150.00	235.26	144.69	214.63	N22°39'12"W	84°14'48"
14	130.00	391.75	117.56	374.39	N22°39'12"W	84°14'48"
15	190.00	279.37	171.82	264.85	N22°39'12"W	84°14'48"
16	65.00	23.24	41.07	40.85	N32°16'33"W	65°00'05"
17	35.00	39.97	22.40	37.67	N32°16'33"W	65°00'05"
18	95.00	107.78	60.52	102.09	N32°16'33"W	65°00'05"
19	2300.00	213.28	106.72	213.20	N02°52'53"E	51°18'47"
20	2370.00	210.50	106.17	210.45	N02°52'53"E	51°18'47"
21	2370.00	216.05	108.17	215.95	N02°52'53"E	51°18'47"
22	710.00	106.53	53.77	106.23	N03°43'42"E	8°34'57"
23	680.00	101.86	51.03	101.70	N03°43'42"E	8°34'57"
24	740.00	110.85	55.53	110.74	N03°43'42"E	8°34'57"

**SURVEYOR'S CERTIFICATE**  
I, DAVID B. ARMSTRONG, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF OREGON, DO HEREBY CERTIFY THAT I HAVE MADE A SURVEY ON THE GROUND TO THE NORMAL STANDARD OF CARE OF LAND SURVEYOR'S PRACTICING IN OREGON AND HAVE FOUND OR SET THE MONUMENTS AS SHOWN HEREON AND THAT THIS MAP AND ACCOMPANYING LEGAL DESCRIPTIONS ACCURATELY REPRESENT SAID SURVEY TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

NO.	BEARING	DISTANCE
1	S89°45'37"	112.94
2	N89°44'02"	385.32
3	N07°17'32"	205.48
4	N02°05'33"	22.37
5	N02°05'33"	21.67
6	S89°46'29"	181.51
7	N05°45'56"	208.02
8	N27°31'32"	420.89
9	N00°06'45"	1048.69
10	N34°51'04"	89.37
11	N29°44'18"	254.02
12	N27°52'47"	295.08
13	N27°34'10"	328.43
14	N03°42'58"	140.69
15	N16°00'10"	22.47
16	S55°12'17"	50.00
17	S55°12'17"	50.00
18	S55°12'17"	36.48
19	S49°50'59"	143.75
20	S47°48'29"	149.75
21	S44°14'49"	181.48
22	S43°25'34"	34.57
23	S43°25'34"	123.40
24	N46°34'28"	30.00
25	N32°24'42"	432.62
26	N51°02'38"	65.45
27	N40°49'44"	132.73
28	N19°28'13"	110.17
29	N64°46'16"	140.85
30	N00°14'30"	212.05
31	N05°32'12"	47.23
32	N14°07'08"	58.93
33	N14°07'08"	51.27
34	N14°07'08"	66.32
35	N14°07'08"	76.07
36	N14°07'08"	442.37
37	N05°45'56"	49.04

**RECORDATION - SURVEYOR**  
STATE OF OREGON } SS  
COUNTY OF CROOK }  
I CERTIFY THAT THE WITHIN INSTRUMENT WAS RECEIVED FOR RECORD ON THE 20th DAY OF JANUARY A.D. 1998, AND RECORDED IN SURVEYS # 173.  
DAVID B. ARMSTRONG  
COUNTY SURVEYOR

*David B. Armstrong*  
1/29/98  
Renewal 12/31/99

JANUARY 26, 1998  
SCALE  
1" = 200'  
0 200 400

SEE ACCOMPANYING LEGAL DESCRIPTIONS TWO SHEETS  
FIELD BOOK  
W.O. 98-1661.DWG  
1131

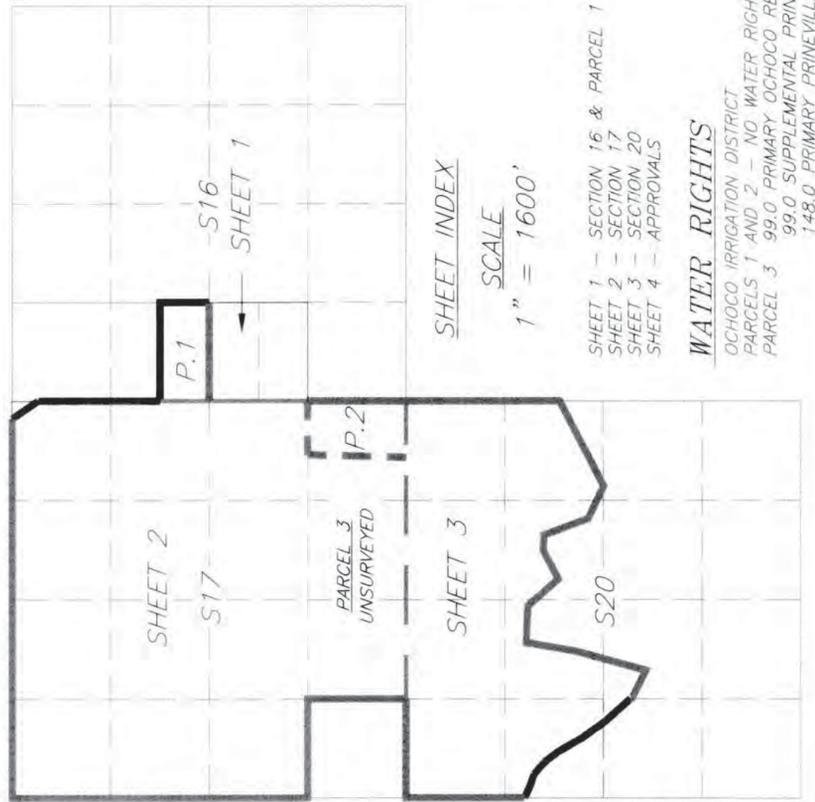
**PARTITION PLAT NO. 1999-15**  
 PARTITION PLAT OF A PORTION OF PARCEL 3 OF  
 PARTITION PLAT NO. 1997-18 LOCATED IN THE NW1/4  
 OF SECTION 16, IN THE NE1/4, SE1/4, NW1/4  
 AND SW1/4 OF SECTION 17 AND IN THE NE1/4, SW1/4  
 AND NW1/4 OF SECTION 20, T.14S., R.15E., W.M.,  
 CROOK COUNTY, OREGON  
 C-LP-138-98  
 W.O. 98-1784

**SURVEY FOR**  
 DONALD E. CAMPBELL  
 THEORA G. CAMPBELL  
 8790 NW CAMPBELL RANCH RD.  
 PRINEVILLE, OR 97754  
 (541)447-6375

**SURVEY BY**  
 ARMSTRONG SURVEYING  
 & ENGINEERING INC.  
 378 EAST SECOND ST.  
 PRINEVILLE, OR 97754  
 (541)447-7791

**LEGEND**

- SET 5/8" X 30" LONG IRON ROD WITH YELLOW PLASTIC CAP MARKED "ARMSTRONG S&E LS1026"
- FOUND 5/8" IRON ROD WITH YELLOW PLASTIC CAP MARKED "ARMSTRONG LS1026", AS PER C.S. 1686 BY DAVID B. ARMSTRONG, LS 1026, RECORDED AUGUST 21, 1997.
- FOUND 5/8" IRON ROD WITH YELLOW PLASTIC CAP MARKED "ARMSTRONG LS1026" AS PER C.S. 1674 BY DAVID B. ARMSTRONG, LS 1026, RECORDED JULY 18, 1997.
- ⊗ RECORD 2-1/2" ALUM. CAP MONUMENT AS PER C.S. 1674 BY DAVID B. ARMSTRONG, LS1026, RECORDED JULY 18, 1997 AND C.R.L.C.M. FORM RECORDED ON DATE NOTED.
- RECORD 2-1/2" ALUM. CAP MONUMENT AS PER C.S. 1091 BY DAVID B. ARMSTRONG, LS1026, RECORDED MAY 11, 1990, C.R.L.C.M. FORM RECORDED MAY 16, 1997.
- RECORD 2" ALUM. CAP ON IRON ROD IN MONUMENT BOX AS PER C.R.L.C.M. FORM BY DAVID B. ARMSTRONG, LS1026, RECORDED APRIL 14, 1987.
- 1( ) RECORD AS PER GENERAL LAND OFFICE SURVEY BY JOHN W. MCCLUNG, DEPUTY SURVEYOR, UNDER G.L.O. CONTRACT NO. 129 DATED JUNE 7, 1869.
- 2( ) RECORD AS PER OCHOCO IRRIGATION DISTRICT LAND CLASSIFICATION PLATS BY R.W. REA, PROJECT ENGINEER, DATED AUGUST, 1919.
- 3( ) RECORD AS PER C.S. 1674 BY DAVID B. ARMSTRONG, LS1026, RECORDED JULY 18, 1997, AND/OR C.S. 1686 BY DAVID B. ARMSTRONG, LS 1026, RECORDED AUG. 21, 1997, AS PARTITION PLAT NO. 1997-18.



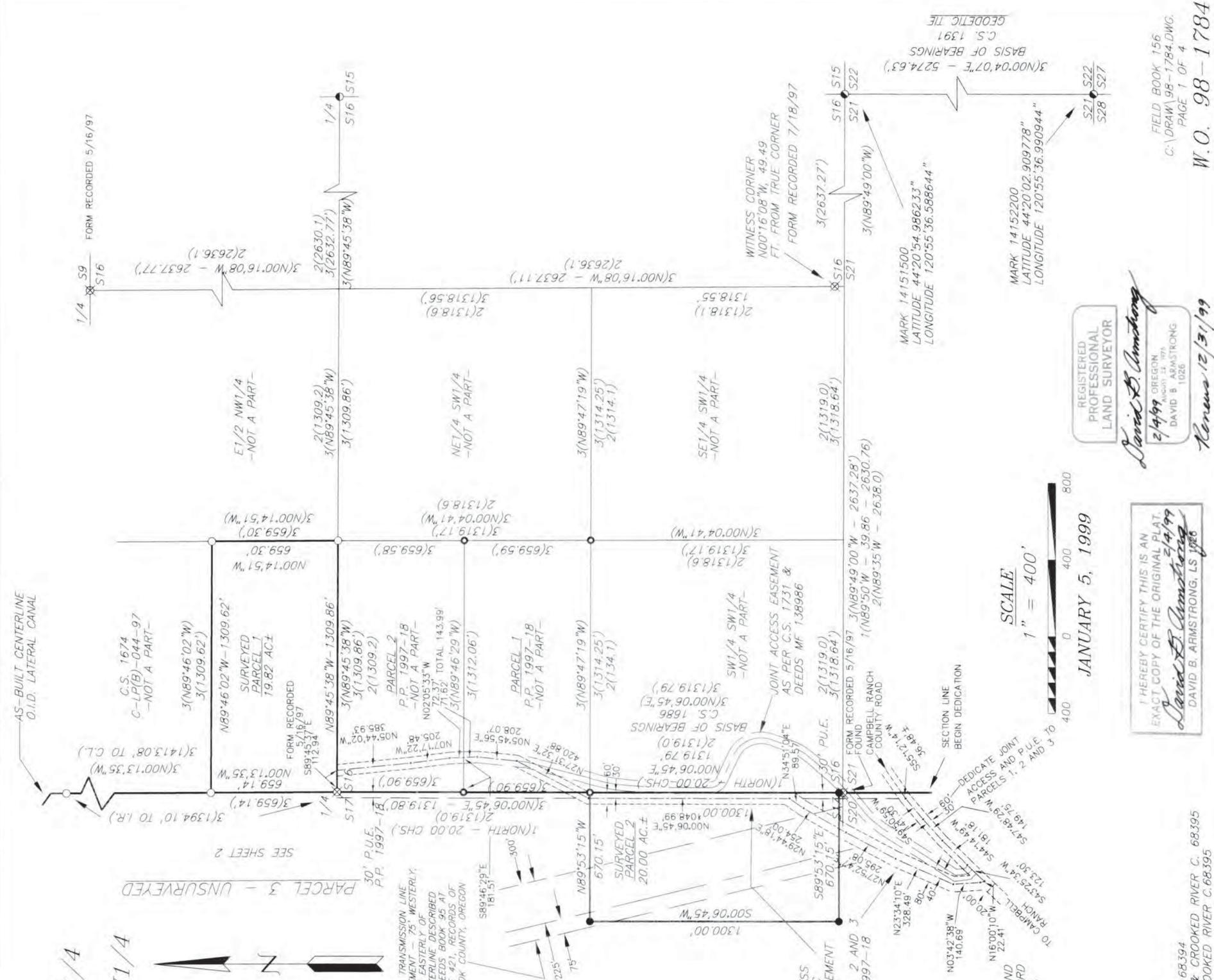
**SHEET INDEX**

SCALE  
 1" = 1600'

- WATER RIGHTS**
- SHEET 1 - SECTION 16 & PARCEL 1
  - SHEET 2 - SECTION 17
  - SHEET 3 - SECTION 20
  - SHEET 4 - APPROVALS

**WATER RIGHTS**

- OCHOCO IRRIGATION DISTRICT
- PARCELS 1 AND 2 - NO WATER RIGHTS
- PARCEL 3 99.0 PRIMARY OCHOCO RES. & CROOKED RIVER C. 68395
- 148.0 PRIMARY PRINEVILLE RES. & CROOKED RIVER C. 68395



JANUARY 5, 1999

REGISTERED  
 PROFESSIONAL  
 LAND SURVEYOR

*David B. Armstrong*  
 2/4/99 OREGON  
 DAVID B. ARMSTRONG  
 1026  
 Renew 12/31/99

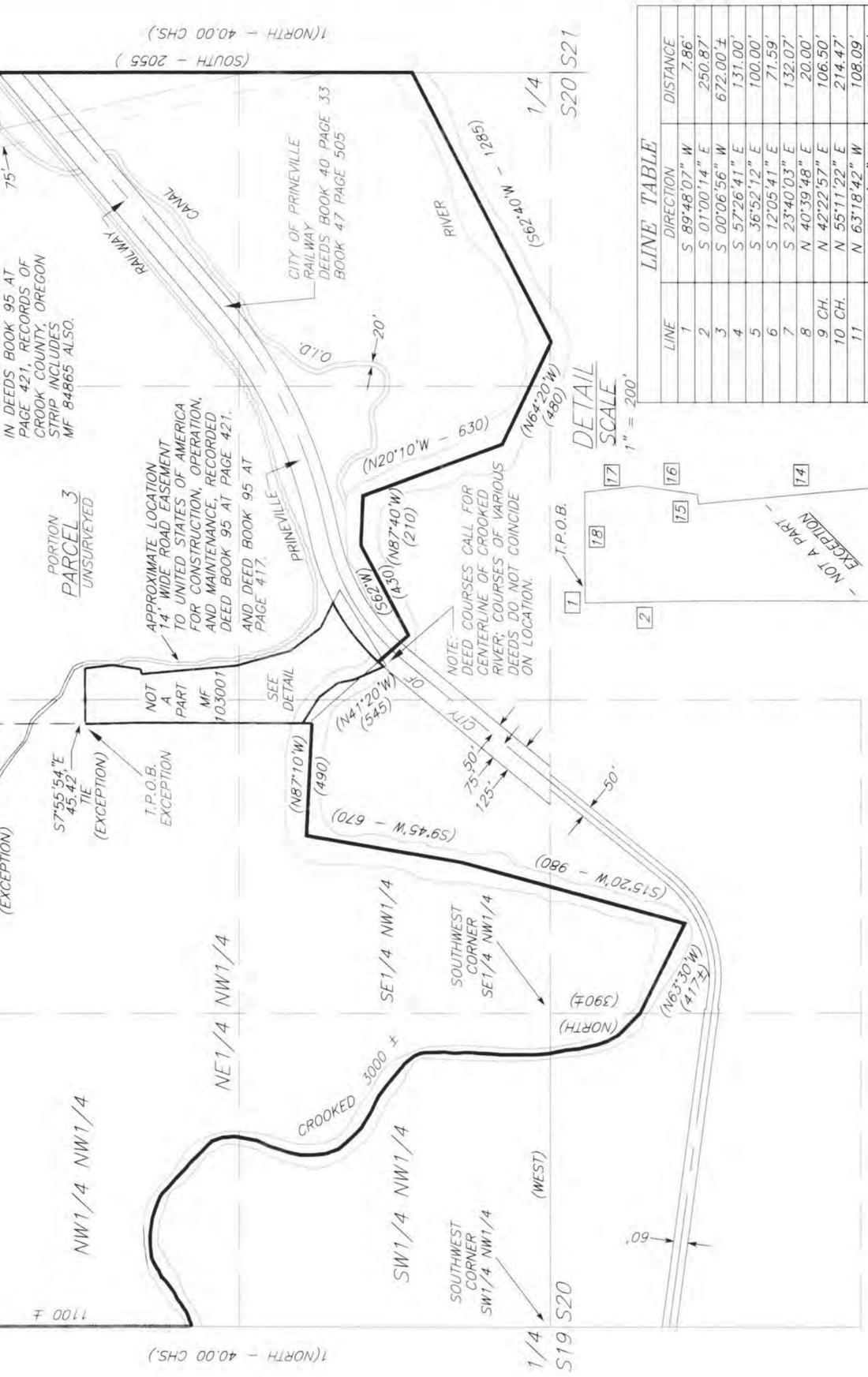
I HEREBY CERTIFY THIS IS AN  
 EXACT COPY OF THE ORIGINAL PLAT.  
*David B. Armstrong*  
 DAVID B. ARMSTRONG, LS 1026

FIELD BOOK 156  
 C:\DRAW\98-1784.DWG.  
 PAGE 1 OF 4  
 W.O. 98-1784

1-6581



PARTITION PLAT NO. 1999-15  
 PARTITION PLAT OF A PORTION OF PARCEL 3 OF  
 PARTITION PLAT NO. 1997-18 LOCATED IN THE NW1/4  
 OF SECTION 16, IN THE NE1/4, SE1/4, NW1/4  
 AND SW1/4 OF SECTION 17 AND IN THE NE1/4, SW1/4  
 AND NW1/4 OF SECTION 20, T.14S., R.15E., W.M.,  
 CROOK COUNTY, OREGON  
 C-LP-138-98  
 W.O. 98-1784

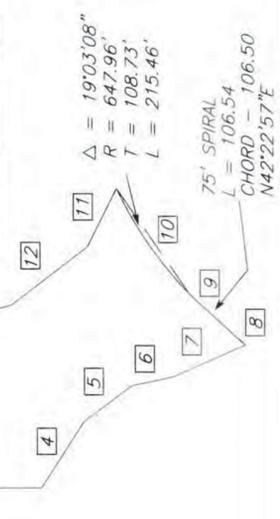


REGISTERED  
 PROFESSIONAL  
 LAND SURVEYOR  
*David B. Armstrong*  
 3/4/92 OREGON 1025  
 DAVID B. ARMSTRONG  
 1025  
 Renew 12/31/99

**LEGEND**  
 ( ) RECORD AS PER DEED RECORDED IN DEEDS MF 16088, RECORDED NOV. 10, 1971, RECORDS OF CROOK COUNTY, OREGON.  
 (( ) RECORD AS PER ORIGINAL G.L.O. SURVEY BY JOHN W. McCLUNG, DEPUTY SURVEYOR, UNDER JOINT G.L.O. CONTRACT NO. 129, DATED JUNE 7, 1869.  
 — SUBJECT PROPERTY LINE  
 [ ] LINE DATA - SEE LINE TABLE  
 T.P.O.B. TRUE POINT OF BEGINNING  
 CH. CHORD

**LINE TABLE**

LINE	DIRECTION	DISTANCE
1	S 89°48'07" W	7.86'
2	S 01°00'14" E	250.87'
3	S 00°06'56" W	672.00'±
4	S 57°26'41" E	131.00'
5	S 36°52'12" E	100.00'
6	S 12°05'41" E	71.59'
7	S 23°40'03" E	132.07'
8	N 40°39'48" E	20.00'
9 CH.	N 42°22'57" E	106.50'
10 CH.	N 55°11'22" E	214.47'
11	N 37°18'42" W	108.09'
12	N 37°21'53" W	160.22'
13	N 15°13'47" W	238.85'
14	N 05°10'21" W	402.91'
15	N 81°09'19" E	20.41'
16	N 08°25'26" E	123.94'
17	N 06°27'39" W	116.19'
18	S 89°48'07" W	226.90'



I HEREBY CERTIFY THIS IS AN  
 EXACT COPY OF THE ORIGINAL PLAT.  
*David B. Armstrong*  
 DAVID B. ARMSTRONG, L.S. 1025



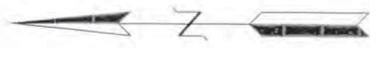


**PARTITION PLAT NO. 2000-11**  
**A REPLAT OF PARCELS 2 AND 3 OF PARTITION PLAT**  
**NO. 1999-15 LOCATED IN SECTION 17 AND IN THE NE1/4, SW1/4**  
**AND NW1/4 OF SECTION 20, T.14S., R.15E.,**  
**W.M., CROOK COUNTY, OREGON**  
**C-LP-209-00**  
**W.O. 00-2020**

MATCH LINE  
 SEE SHEET 1

**SURVEY FOR**  
 DONALD E. CAMPBELL  
 THEORA G. CAMPBELL  
 8790 NW CAMPBELL RANCH ROAD  
 PRINEVILLE, OR 97754  
 (541) 447-6375

**SURVEY BY**  
 ARMSTRONG SURVEYING  
 & ENGINEERING, INC.  
 378 NE SECOND STREET  
 PRINEVILLE, OR 97754  
 (541) 447-7791



**WATER RIGHTS**

- OCHOCO IRRIGATION DISTRICT
- PARCEL 1 53.3 AC. PRIMARY OCHOCO RES. & CR. C. 68394
- 53.3 AC. SUPPLEMENTAL PRINEVILLE RES. & CROOKED RIVER C. 68395.
- PARCEL 2 45.7 AC. PRIMARY OCHOCO RES. & CR. C. 68394
- 45.7 AC. SUPPLEMENTAL PRINEVILLE RES. & CROOKED RIVER C. 68395.
- 148.0 AC. PRIMARY PRINEVILLE RES. & CROOKED RIVER C. 68395.

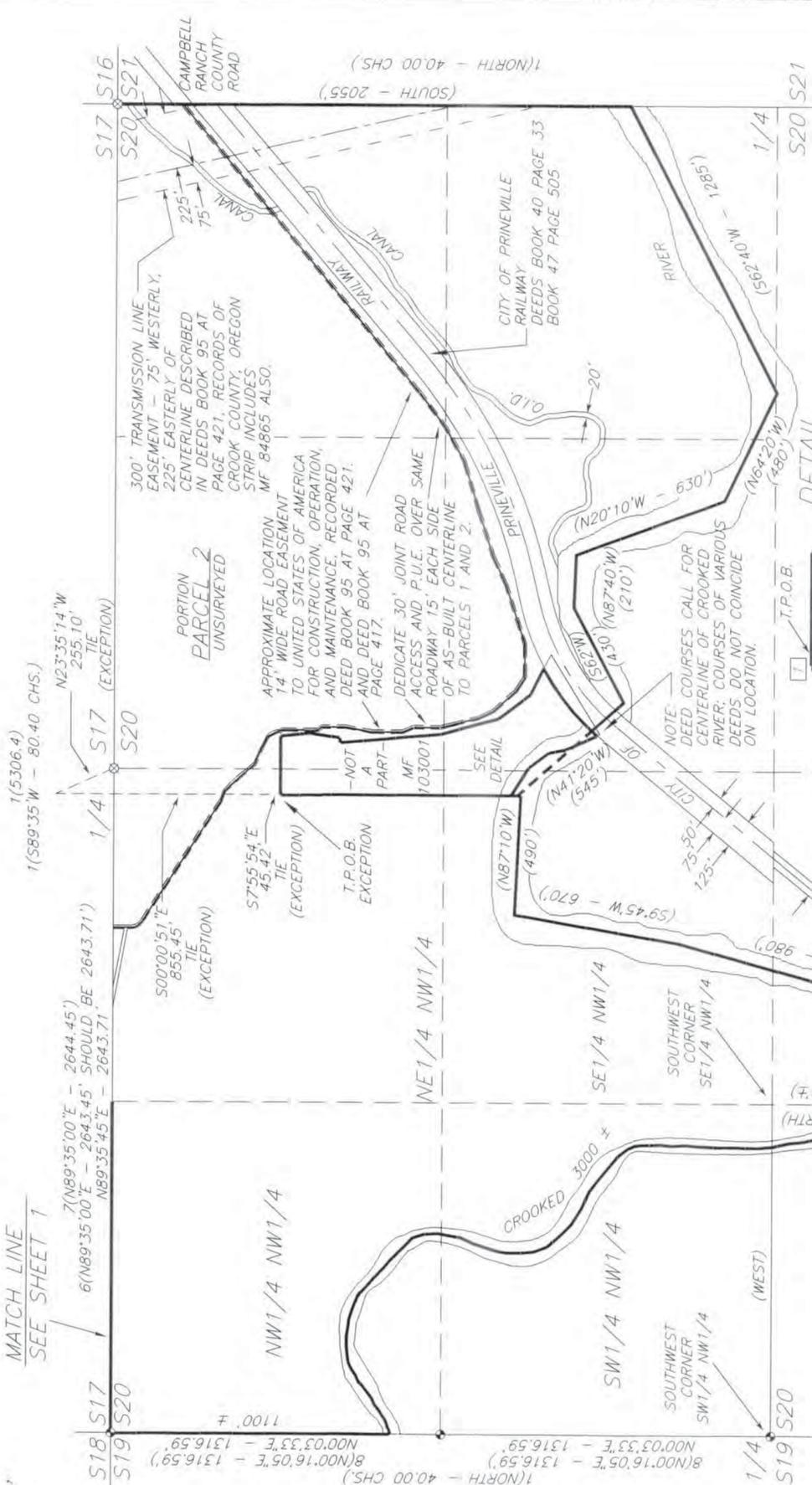
**LEGEND**

- SET 2-1/2" X 30" LONG ALUMINUM PIPE MONUMENT AS PER C.R.L.C.M. FORM RECORDED CONCURRENTLY WITH THIS SURVEY.
- ⊙ FOUND 2-1/2" ALUM. CAP MONUMENT AS PER C.S. 1674 BY DAVID B. ARMSTRONG, LS 1026, RECORDED JULY 18, 1997 AND C.R.L.C.M. FORM RECORDED MAY 16, 1997.
- FOUND 2-1/2" ALUM. CAP MONUMENT AS PER C.R.L.C.M. FORM BY DAVID B. ARMSTRONG, LS 1026, CROOK COUNTY SURVEYOR, RECORDED JULY 18, 1997.
- FOUND 2-1/2" GALV. IRON PIPE WITH 2-1/2" BRASS CAP AS PER C.S. 466 BY DAVID B. ARMSTRONG, LS 1026, RECORDED MAY, 1978.
- ( ) RECORD AS PER DEED RECORDED IN DEEDS MF 16088, RECORDED NOV. 10, 1971, RECORDS OF CROOK COUNTY, OREGON.
- 1( ) RECORD AS PER ORIGINAL G.L.O. SURVEY BY JOHN W. McCLUNG, DEPUTY SURVEYOR, UNDER JOINT G.L.O. CONTRACT NO. 129, DATED JUNE 7, 1869.
- 6( ) RECORD AS PER C.S. 829 BY DAVID B. ARMSTRONG, LS 1026, RECORDED JAN. 7, 1985.
- 7( ) RECORD AS PER C.S. 89 BY EMILE P. BACHAND, PE 3700, RECORDED NOV. 28, 1984 DATED JUNE 14, 1967.
- 8( ) RECORD AS PER C.S. 466 BY DAVID B. ARMSTRONG, LS 1026, RECORDED MAY, 1978.

- SUBJECT PROPERTY LINE
- [ ] LINE DATA — SEE LINE TABLE
- T.P.O.B. TRUE POINT OF BEGINNING
- CH. CHORD
- ROAD DEDICATION

I HEREBY CERTIFY THIS IS AN EXACT COPY OF THE ORIGINAL PLAT.  
 David B. Armstrong  
 DAVID B. ARMSTRONG, LS 1026

REGISTERED PROFESSIONAL LAND SURVEYOR  
 David B. Armstrong  
 5/1/00 OREGON  
 AUGUST 21, 1995  
 DAVID B. ARMSTRONG  
 1026  
 Renew 12/31/01



**LINE TABLE**

LINE	DIRECTION	DISTANCE
1	S 89°48'07" W	7.86'
2	S 01°00'14" E	250.87'
3	S 00°06'56" W	672.00'
4	S 57°26'41" E	131.00'
5	S 36°52'12" E	100.00'
6	S 12°05'41" E	71.50'
7	S 23°40'03" E	132.07'
8	N 40°39'48" E	20.00'
9	N 42°22'57" E	106.50'
10	N 55°11'22" E	214.47'
11	N 63°18'42" W	108.09'
12	N 37°21'53" W	160.22'
13	N 15°13'47" W	238.85'
14	N 05°10'21" W	402.91'
15	N 81°09'19" E	20.41'
16	N 08°25'26" E	123.94'
17	N 06°27'39" W	116.19'
18	S 89°48'07" W	226.90'

DETAIL SCALE  
 1" = 200'

PARTITION PLAT NO. 2000-11  
A REPLAT OF PARCELS 2 AND 3 OF PARTITION PLAT NO. 1999-15 LOCATED IN SECTION 17 AND IN THE NE1/4, SW1/4 AND NW1/4 OF SECTION 20, T.14S., R.15E., W.M., CROOK COUNTY, OREGON  
C-LP-209-00 W.O. 00-2020  
SURVEY NARRATIVE

WE WERE EMPLOYED BY DON CAMPBELL TO COMPLETE THE SURVEY AND MAP REQUIREMENTS OF THIS LAND PARTITION. THIS PARTITION IS UNUSUAL IN THAT TWO EXISTING PARCELS CREATED IN PARTITION PLAT NO. 1999-15 ARE BEING COMBINED AND THEN THIS PLAT IS CREATED WITHIN PARCEL 2 OF THIS MAP WILL CEASE TO EXIST. PARCEL 2 OF THIS PARTITION PLAT IS SURVEYED AND LOCATED ENTIRELY WITHIN PARCEL 2 OF THIS MAP WILL CEASE TO EXIST. PARCEL 1 OF THIS PARTITION PLAT IS SURVEYED AND WAS LOCATED AS FOLLOWS: THE EAST LINE WAS SURVEYED DURING THE PERFORMANCE OF C.S. 1686 IN 1997 BY MYSELF. THE NORTH LINE WAS SURVEYED IN C.S. 1674 AND LOCATED BY THE MONUMENTS OF THAT SURVEY. THE WEST LINE WAS SURVEYED FROM THE NORTH LINE OF SECTION 17 ALONG THE NORTH-SOUTH CENTERLINE OF THE NW1/4 SOUTHERLY TO THE OCHOCO IRRIGATION DISTRICT CANAL. THE LINE THEN FOLLOWED THE AS-BUILT CANAL CENTERLINE WESTERLY TO THE AS-BUILT ROADWAY. WE THEN PERFORMED AN AS-BUILT SURVEY OF THIS ROADWAY SOUTHEASTERLY TO A POINT LOCATED WEST OF THE WEST CORNER COMMON TO PARCELS 1 AND 2 OF PARTITION PLAT NO. 1997-18, WHICH LINE FORMED THE SOUTH LINE OF PARCEL 1. THE SW CORNER OF SECTION 17 AS SHOWN ON THE MAP OF C.S. 466 HAD BEEN DESTROYED DURING CONSTRUCTION OF A PIPELINE AND THE ORIGINAL BEARING TREE REMOVED DURING REMOVAL OF BARNYARD STRUCTURES. I RESTORED THIS CORNER AT DISTANCE - DISTANCE INTERSECTION FROM THE 1/4 CORNER COMMON TO SECTIONS 17 AND 20 AND THE NT/16 CORNER COMMON TO SECTIONS 19 AND 20. REVIEW OF MY FIELD NOTES REVEALED A DRAFTING ERROR FOR THE DISTANCE BETWEEN THE SW AND S1/4 CORNER OF SECTION 17. IT SHOULD BE 2643.71 AS IT WAS MEASURED DIRECT IN 1985. THE DISTANCE TO THE NT/16 SECTIONS 19 AND 20 WAS HELD AS PER C.S. 466. THE ROAD POINTS OF INTERSECTION WERE MONUMENTED AND CURVES COMPUTED TO FOLLOW THE AS-BUILT ALIGNMENT. THE REMAINING PORTION OF THE ACCESS ROAD SOUTHERLY, SOUTHEASTERLY AND NORTHEASTERLY TO THE CAMPBELL RANCH COUNTY ROAD WAS NOT SURVEYED BUT WAS MAPPED FROM U.S.G.S. QUADRANGLE LOCATION. THIS SAME ROADWAY WAS MAPPED AND A 14 FEET WIDE ROAD EASEMENT CREATED FOR OPERATION AND MAINTENANCE OF THE B.P.A. POWER TRANSMISSION LINES ON THE PROPERTY. THOSE ROAD EASEMENTS AS THEY AFFECT THESE PARCELS ARE MAPPED AS PER THE DEED EXHIBIT MAPS. THE WATER RIGHTS WERE APPORTIONED AS PER THE O.L.D. DISTRICT RECORDS. A DIVERSION POND AND PUMP SITE AREA WHICH WILL SERVE BOTH PROPERTIES HAS A JOINT USE EASEMENT DEDICATED BY THIS PLAT. NO SURVEY OF THE REMAINING LINES OF PARCEL 2 WAS PERFORMED EXCEPT ALONG THE WEST LINE OF SECTIONS 17 WHICH WAS RETRACED TO COMPLETE THE SUBDIVISION OF SECTION 17.

**DECLARATION AND DEDICATION**  
KNOW ALL PEOPLE BY THESE PRESENTS THAT DONALD E. CAMPBELL AND THEORA G. CAMPBELL, HUSBAND AND WIFE, ARE THE FEE SIMPLE OWNERS OF THE LANDS MORE PARTICULARLY DESCRIBED IN THE ACCOMPANYING SURVEYOR'S CERTIFICATE AND HAVE CAUSED THE SAME TO BE PARTITIONED INTO PARCELS, NON-EXCLUSIVE JOINT ROAD ACCESS AND PUBLIC UTILITY EASEMENTS AND IRRIGATION POND, PUMP PIPELINE AND PUBLIC UTILITY EASEMENTS FOR OPERATION AND MAINTENANCE OF AN IRRIGATION PUMP STATION AS SHOWN HEREON IN ACCORDANCE WITH THE PROVISIONS OF O.R.S. CHAPTER 92, AND DO HEREBY DEDICATE TO THE NON-EXCLUSIVE JOINT USE OF PARCELS 1 AND 2 THE ROAD ACCESS EASEMENTS AND THE IRRIGATION POND, PUMP, PIPELINE EASEMENTS FOR OPERATION AND MAINTENANCE OF AN IRRIGATION PUMP STATION AS SHOWN HEREON AND DO HEREBY DEDICATE TO THE PUBLIC THE PUBLIC UTILITY EASEMENTS AS SHOWN HEREON. ALL WATER RIGHTS ARE APPURTENANT TO PARCELS 1 AND 2 OF THIS PLAT UNDER OCHOCO IRRIGATION DISTRICT CERTIFICATES 68394 AND 68395.

*Donald E. Campbell*  
DONALD E. CAMPBELL  
*Theora G. Campbell*  
THEORA G. CAMPBELL  
NORTHWEST FARM CREDIT SERVICES, A.C.A., A CORPORATION ORGANIZED UNDER THE FARM CREDIT ACT OF 1971, AS AMENDED, IS THE BENEFICIARY OF THAT DEED OF TRUST RECORDED IN MORTGAGES MF 139988, RECORDS OF CROOK COUNTY, OREGON, AND DOES HEREBY CONSENT TO THE PARTITIONING OF THESE LANDS AND THE DECLARATION AND DEDICATION HEREON OF DONALD E. CAMPBELL AND THEORA G. CAMPBELL UNDER THE PROVISIONS OF OREGON REVISED STATUTES, CHAPTER 92.

BY: *Steve Beards*  
NORTHWEST FARM CREDIT SERVICES, ACA  
TITLE: *Branch Manager AUP*

**ACKNOWLEDGEMENT**  
KNOW ALL PEOPLE BY THESE PRESENTS THAT ON THIS 4 DAY OF May, 2000, BEFORE ME, A NOTARY PUBLIC IN AND FOR THE STATE OF OREGON, COUNTY OF CROOK, PERSONALLY APPEARED THE ABOVE NAMED DONALD E. CAMPBELL AND THEORA G. CAMPBELL, AND WHO ACKNOWLEDGED THE FOREGOING INSTRUMENT TO BE THEIR VOLUNTARY ACT AND DEED.

*April F. Hensley*  
APRIL F. HENSBLEY  
NOTARY PUBLIC - OREGON  
MY COMMISSION EXPIRES FEB. 11, 2001

*Cindy L. Duff*  
CINDY L. DUFF  
NOTARY PUBLIC - OREGON  
MY COMMISSION EXPIRES FEB. 11, 2001

*Dany d. Dufant*  
DANY D. DUFANT  
COUNTY SURVEYOR  
JEFFERSON COUNTY SURVEYOR  
O.R.S. 92.100(4)  
DATE: 5/10/00

*Frank Moore*  
FRANK MOORE  
OCHOCO IRRIGATION DISTRICT  
DATE: 5-7-00

**SURVEYOR'S CERTIFICATE**  
I, DAVID B. ARMSTRONG, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF OREGON, HEREBY CERTIFY THAT I HAVE CORRECTLY SURVEYED AND MARKED WITH PROPER MONUMENTS IN ACCORDANCE WITH THE STATUTES OF THE STATE OF OREGON, CHAPTER 92, PARCEL 1 OF THE LANDS REPRESENTED ON THIS PLAT, PARCEL 2 OF THIS PLAT IS UNSURVEYED. SAID LANDS ARE SURVEYED PARCEL 2 AND UNSURVEYED PARCEL 3 OF PARTITION PLAT NO. 1999-15, RECORDS OF CROOK COUNTY, OREGON, AND ARE MORE PARTICULARLY DESCRIBED AS FOLLOWS: IN TOWNSHIP 14 SOUTH, RANGE 15 EAST, WILLAMETTE MERIDIAN; SECTION 17, NORTH ONE-HALF SOUTHWEST ONE-QUARTER (N1/2 SW1/4); SOUTHEAST ONE-QUARTER SOUTHWEST ONE-QUARTER (SE1/4 SW1/4); SOUTHEAST ONE-QUARTER (SE1/4); NORTH ONE-HALF (N1/2); EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PARCEL LOCATED IN THE NORTHEAST ONE-QUARTER NORTHEAST ONE-QUARTER (NE1/4 NE1/4), BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 17, THENCE SOUTH 00°13'35" EAST ALONG THE EAST LINE OF SAID SECTION 17 A DISTANCE OF 564.36 FEET TO THE AS-BUILT CENTERLINE OF THE OCHOCO IRRIGATION DISTRICT LATERAL CANAL; THENCE ALONG SAID CENTERLINE ALONG THE FOLLOWING COURSES: NORTH 52°26'20" WEST A DISTANCE OF 52.86 FEET; THENCE NORTH 40°31'33" WEST A DISTANCE OF 94.16 FEET; THENCE NORTH 58°14'37" WEST A DISTANCE OF 39.36 FEET; THENCE NORTH 41°00'51" WEST A DISTANCE OF 94.16 FEET; THENCE NORTH 31°49'04" WEST A DISTANCE OF 143.10 FEET TO A POINT; THENCE LEAVING SAID CANAL CENTERLINE, NORTH 00°13'35" WEST A DISTANCE OF 271.72 FEET TO THE NORTH LINE OF SAID SECTION 17; THENCE NORTH 89°32'51" EAST ALONG SAID LINE A DISTANCE OF 250.00 FEET TO THE POINT OF BEGINNING; SECTION 20, BEGINNING AT THE NORTHEAST CORNER OF SECTION 20, THENCE SOUTH 20°55' FEET, MORE OR LESS, TO THE CENTERLINE OF THE CROOKED RIVER, THENCE FOLLOWING ALONG THE CENTERLINE OF SAID CROOKED RIVER AS FOLLOWS: SOUTH 62°40' WEST, 1285 FEET; THENCE NORTH 64°20' WEST, 480 FEET; THENCE NORTH 20°10' WEST, 630 FEET; THENCE NORTH 87°40' WEST, 210 FEET; THENCE SOUTH 62° WEST, 430 FEET; THENCE NORTH 41°20' WEST, 545 FEET; THENCE NORTH 87°10' WEST, 490 FEET; THENCE SOUTH 09°45' WEST, 670 FEET; THENCE SOUTH 15°20' WEST, 980 FEET; THENCE NORTH 63°30' WEST, 417 FEET, MORE OR LESS, TO THE 1/16 LINE RUNNING NORTH AND SOUTH THROUGH THE SOUTHWEST QUARTER OF SAID SECTION 20; THENCE ALONG SAID LINE TO THE INTERSECTION OF SAID LINE WITH THE THREAD OF THE CROOKED RIVER; THENCE NORTHEASTERLY, NORTHEASTERLY AND SOUTHWESTERLY ALONG THE THREAD OF THE CROOKED RIVER A DISTANCE OF 3000 FEET MORE OR LESS TO THE WEST LINE OF THE NORTHWEST ONE-QUARTER NORTHWEST ONE-QUARTER (NW1/4 NW1/4) OF SAID SECTION 20; THENCE NORTH 89°35' EAST ALONG THE NORTH LINE OF SAID SECTION 20 A DISTANCE OF 5306.4 FEET MORE OR LESS TO THE POINT OF BEGINNING. EXCEPTING THEREFROM THE RIGHT-OF-WAY OF THE CITY OF PRINEVILLE RAILWAY, RECORDED BOOK 40 OF DEEDS AT PAGE 33 AND BOOK 47 OF DEEDS AT PAGE 505, RECORDS OF CROOK COUNTY, OREGON, EXCEPTING THEREFROM A TRACT OF LAND DESCRIBED AS FOLLOWS: A TRACT OF LAND LOCATED IN THE NORTH HALF OF SECTION 20, TOWNSHIP 14 SOUTH, RANGE 15 EAST OF THE WILLAMETTE MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE QUARTER CORNER COMMON TO SECTIONS 17 AND 20, THENCE NORTH 23°35'14" WEST A DISTANCE OF 255.10 FEET TO THE NORTHWEST CORNER OF PARCEL NO. 1 OF THAT LAND DEED TO ROBERT T. LISTER BY PETER B. KING ET. AL. BY DEED RECORDED IN BOOK 90 OF DEEDS AT PAGE 368, RECORDS OF CROOK COUNTY, OREGON, THENCE SOUTH 00°00'51" EAST ALONG THE WEST LINE OF SAID PARCEL NO. 1 A DISTANCE OF 855.45 FEET, THENCE SOUTH 07°55'54" EAST ALONG THE WEST LINE OF SAID PARCEL NO. 1 A DISTANCE OF 45.42 FEET TO THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE SOUTH 89°48'07" WEST A DISTANCE OF 7.86 FEET, THENCE SOUTH 01°00'14" EAST A DISTANCE OF 250.87 FEET, THENCE SOUTH 00°06'56" WEST A DISTANCE OF 672 FEET, MORE OR LESS, TO THE CENTERLINE OF THE CROOKED RIVER, THENCE ALONG SAID CENTERLINE OF THE CROOKED RIVER APPROXIMATELY ALONG THE FOLLOWING COURSES: SOUTH 57°26'41" EAST, 131.00 FEET, SOUTH 36°52'12" EAST, 100.00 FEET, SOUTH 12°05'41" EAST, 71.59 FEET, SOUTH 23°40'03" EAST, 132.07 FEET TO INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF THE CITY OF PRINEVILLE RAILWAY AS LOCATED AND CONSTRUCTED AND DESCRIBED IN BOOK 40 OF DEEDS AT PAGE 33, RECORDS OF CROOK COUNTY, OREGON, THENCE NORTH 40°39'48" EAST ALONG SAID NORTHERLY LINE A DISTANCE OF 20 FEET, MORE OR LESS, THENCE ALONG SAID NORTHERLY LINE AROUND 75.00 FOOT OFFSET SPIRAL CURVE TO THE RIGHT A DISTANCE OF 106.54 FEET (CHORD BEARS NORTH 42°22'57" EAST 106.50 FEET, THENCE ALONG SAID NORTHERLY LINE AROUND A 647.96 FOOT CURVE RIGHT A DISTANCE OF 215.46 FEET, (LONG CHORD BEARS NORTH 55°11'22" EAST, 214.47 FEET) THENCE LEAVING SAID NORTHERLY LINE, NORTH 63°18'42" WEST A DISTANCE OF 108.09 FEET, THENCE NORTH 37°21'53" WEST A DISTANCE OF 160.22 FEET, THENCE NORTH 15°13'47" WEST A DISTANCE OF 238.85 FEET, THENCE NORTH 05°10'21" WEST A DISTANCE OF 402.91 FEET, THENCE NORTH 81°09'19" EAST A DISTANCE OF 20.41 FEET, THENCE NORTH 08°25'26" EAST A DISTANCE OF 123.94 FEET, THENCE NORTH 06°27'39" WEST A DISTANCE OF 116.19 FEET, THENCE SOUTH 89°48'07" WEST A DISTANCE OF 226.90 FEET TO THE TRUE POINT OF BEGINNING, CONTAINING APPROXIMATELY 836.06 ACRES, MORE OR LESS.

SUBJECT TO AND TOGETHER WITH THAT ROADWAY EASEMENT AS RECORDED IN DEEDS MF 136986, RECORDS OF CROOK COUNTY, OREGON, SUBJECT TO THE FOLLOWING EASEMENTS AND RIGHTS OF WAY, ALL RECORDED IN CROOK COUNTY, OREGON:

1. RESERVATION OF RIGHT OF WAY AND EASEMENT TO OCHOCO IRRIGATION DISTRICT RECORDED DEEDS BOOK 48 AT PAGE 607.
2. ACCESS ROAD AGREEMENT TO UNITED STATES OF AMERICA AND PORTLAND GENERAL ELECTRIC COMPANY RECORDED DEEDS BOOK 95 AT PAGE 265 AND BOOK 95 AT PAGE 417.
3. TRANSMISSION LINE EASEMENT TO THE UNITED STATES OF AMERICA RECORDED DEEDS BOOK 95 AT PAGE 421; AND MF 84865 AND MF 45716 AND MF 45926.
5. POWER LINE RIGHT OF WAY AND EASEMENT TO DESCHUTES POWER COMPANY RECORDED DEED BOOK 30 AT PAGE 27.

SUBJECT TO ALL OTHER EXISTING EASEMENTS AND RIGHTS OF WAY FOR ROADS, HIGHWAYS, IRRIGATION DITCHES AND CANALS AND POLE LINES.  
PARCEL 1 WAS SURVEYED AND THE AREA SHOWN WAS MEASURED BY FIELD SURVEY.  
THE PARCEL AREA OF PARCEL 2 WAS COMPUTED FROM CROOK COUNTY ASSESSOR'S RECORDS AND WAS UNSURVEYED.  
THE FOLLOWING EASEMENTS NOTED BELOW ARE GENERAL IN NATURE AND NOT MAPPED.

1. OCHOCO IRRIGATION DISTRICT AT DEEDS BOOK 48 AT PAGE 607.
2. PACIFIC POWER AND LIGHT COMPANY AT DEEDS BOOK 90 AT PAGE 639; BOOK 96 AT PAGE 442.
3. DESCHUTES POWER COMPANY DEEDS BOOK 30 AT PAGE 27.

**TAX CERTIFICATE**  
I HEREBY CERTIFY THAT ALL AD VALOREM TAXES, SPECIAL ASSESSMENTS, FEES AND OTHER CHARGES REQUIRED BY LAW TO BE PLACED ON THE 1999 - 2000 TAX ROLL WHICH BECAME A LIEN OR WILL BECOME A LIEN ON THIS PARTITION DURING THIS TAX YEAR BUT NOT YET CERTIFIED TO THE TAX COLLECTOR FOR COLLECTION HAVE BEEN PAID TO ME.

*Don B. Armstrong*  
DONALD B. ARMSTRONG  
REGISTERED PROFESSIONAL LAND SURVEYOR  
5/1/00 OREGON  
AUGUST 23, 1993  
DAVID B. ARMSTRONG  
1026  
Renewed 12/3/01

*Don B. Armstrong*  
DONALD B. ARMSTRONG  
COUNTY ASSESSOR  
DATE: 5/8/00

*Don B. Armstrong*  
DONALD B. ARMSTRONG  
COUNTY TAX COLLECTOR  
DATE: 5/9/00

STATE OF OREGON }  
COUNTY OF CROOK }  
I HEREBY CERTIFY THAT ALL TAXES ARE PAID AS OF THIS DATE.  
RECORDED IN SURVEYS # 1997  
DAVID B. ARMSTRONG  
COUNTY SURVEYOR

STATE OF OREGON }  
COUNTY OF CROOK }  
I CERTIFY THAT THE WITHIN INSTRUMENT WAS RECEIVED FOR RECORD ON THE 10th DAY OF MAY, 2000 AT 9:45 A.M.  
RECORDED IN SURVEYS # 1997  
RECORDS OF SAID COUNTY MF NO. 155360  
DEANNA E. BERMAN, CROOK COUNTY CLERK  
BY: *Deanna E. Beraman*  
DEANNA E. BERMAN, CROOK COUNTY CLERK DEPUTY

RECORDATION - SURVEYOR  
RECORDATION - CLERK  
SS 155360  
W.O. 00-2020  
SHEET 3 OF 3  
C:\DRAW\00-2020.DWG  
I HEREBY CERTIFY THIS IS AN EXACT COPY OF THE ORIGINAL PLAT  
*David B. Armstrong*  
DAVID B. ARMSTRONG  
REGISTERED PROFESSIONAL LAND SURVEYOR  
5/1/00 OREGON  
AUGUST 23, 1993  
DAVID B. ARMSTRONG  
1026  
Renewed 12/3/01



PARTITION PLAT NO. 2008-13  
PARTITION PLAT OF A PORTION OF PARCEL 2 OF PARTITION PLAT NO. 2000-11,  
LOCATED IN SECTIONS 17 AND 18, T.14S., R.15E., W.M., CROOK COUNTY, OREGON  
C-LP-555-06  
W.O. 07-3534

I HEREBY CERTIFY THIS IS AN  
 EXACT COPY OF THE ORIGINAL PLAT.  
*Todd R. Catterson* 5/30/08  
 TODD R. CATTERSON, LS53270

SURVEYOR'S CERTIFICATE

I, TODD R. CATTERSON, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF OREGON, HEREBY CERTIFY THAT I HAVE SURVEYED AND MARKED WITH PROPER MONUMENTS IN ACCORDANCE WITH OREGON REVISED STATUTES, CHAPTER 92, THE LANDS REPRESENTED ON THIS PLAT, PARCEL 1 OF THIS PLAT IS UNSURVEYED AND PARCELS 2 AND 3 ARE SURVEYED, SAID LANDS ARE LOCATED IN SECTIONS 17 AND 18, T.14S., R.15E., W.M., CROOK COUNTY, OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS: A PORTION OF THE SOUTHWEST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER (SW1/4 SW1/4) OF SECTION 17 AND A PORTION OF SECTION 18 TOWNSHIP 14 SOUTH, RANGE 15 EAST, W.M., CROOK COUNTY, OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF THE NORTH ONE-HALF OF THE SOUTHEAST ONE-QUARTER (N1/2 SE1/4) OF SAID SECTION 18, THENCE NORTH 89°26'45" WEST ALONG THE SOUTH LINE OF SAID N1/2 SE1/4 A DISTANCE OF 2635.40 FEET TO THE SOUTHWEST CORNER OF SAID N1/2 SE1/4; THENCE NORTH 00°24'21" WEST ALONG THE EAST LINE OF THE WEST ONE-HALF (W1/2) OF SECTION 18 A DISTANCE OF 2637.13 FEET TO THE NORTHEAST CORNER OF THE SOUTHEAST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER (SE1/4 NW1/4) OF SAID SECTION 18; THENCE NORTH 89°22'03" WEST ALONG THE NORTH LINE OF SAID SE1/4 NW1/4 AND GOVERNMENT LOT 2 A DISTANCE OF 2608.74 FEET TO THE NORTHWEST CORNER OF SAID LOT 2; THENCE SOUTH 00°03'35" EAST ALONG THE WEST LINE OF SAID SECTION 18 A DISTANCE OF 1318.96 FEET TO THE WEST ONE-QUARTER CORNER OF SAID SECTION 18; THENCE SOUTH 00°00'08" EAST ALONG SAID WEST LINE A DISTANCE OF 1409.52 FEET; THENCE SOUTH 89°26'45" EAST A DISTANCE OF 5261.68 FEET TO THE EAST LINE OF SAID SW1/4 SW1/4 OF SECTION 17; THENCE NORTH 00°08'42" WEST ALONG SAID LINE A DISTANCE OF 88.01 FEET TO THE NORTHEAST CORNER OF SAID SW1/4 SW1/4; THENCE SOUTH 89°34'55" WEST ALONG THE NORTH LINE OF SAID SW1/4 SW1/4 A DISTANCE OF 1323.10 FEET TO THE POINT OF BEGINNING.

ALSO A PORTION OF PARCEL 2 OF PARTITION PLAT NO. 2000-11, RECORDS OF CROOK COUNTY, OREGON, LOCATED IN SECTION 17, TOWNSHIP 14 SOUTH, RANGE 15 EAST, W.M., MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 17, THENCE SOUTH 00°04'47" EAST ALONG THE WEST LINE OF SAID SECTION 17 AND SAID PARCEL 2 A DISTANCE OF 2636.22 FEET TO THE WEST ONE-QUARTER CORNER OF SAID SECTION 17; THENCE SOUTH 00°11'59" EAST ALONG THE WEST LINE OF SAID SECTION 17 A DISTANCE OF 1312.38 FEET TO THE NORTHWEST CORNER OF THE SOUTHWEST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER (SW1/4 SW1/4) OF SAID SECTION 17; THENCE NORTH 89°34'55" EAST ALONG THE NORTH LINE OF THE SW1/4 SW1/4 OF SAID SECTION 17 A DISTANCE OF 1323.10 FEET TO THE NORTHWEST CORNER OF THE SOUTHWEST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER (SE1/4 SW1/4) OF SAID SECTION 17; THENCE SOUTH 00°08'42" EAST ALONG THE WEST LINE OF SAID SE1/4 SW1/4 A DISTANCE OF 88.01 FEET; THENCE NORTH 89°34'55" EAST A DISTANCE OF 1323.03 FEET TO THE WEST LINE OF THE SOUTH ONE-HALF OF THE SOUTHEAST ONE-QUARTER (S1/2 SE1/4) OF SAID SECTION 17; THENCE NORTH 89°42'48" EAST A DISTANCE OF 1978.50 FEET; THENCE SOUTH 00°06'45" WEST A DISTANCE OF 1207.45 FEET; THENCE SOUTH 89°53'15" EAST A DISTANCE OF 670.15 FEET TO THE EAST LINE OF SAID SECTION 17 AND SAID PARCEL 2; THENCE NORTH 00°06'45" EAST ALONG SAID LINE A DISTANCE OF 1300.12 FEET TO THE NORTHEAST CORNER OF THE SOUTHEAST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER (SE1/4 SE1/4) OF SAID SECTION 17; THENCE NORTH 00°07'32" EAST ALONG SAID LINE A DISTANCE OF 659.96 FEET TO THE SOUTHEAST CORNER OF PARCEL 1 OF SAID PARTITION PLAT NO. 2000-11; THENCE ALONG THE LINE COMMON TO PARCELS 1 AND 2 OF SAID PLAT ALONG FOLLOWING COURSES: WEST A DISTANCE OF 3406.59 FEET; THENCE NORTH 29°50'49" WEST A DISTANCE OF 135.38 FEET; THENCE AROUND A 310.00 FEET RADIUS CURVE RIGHT A DISTANCE OF 182.29 FEET, LONG CHORD BEARS NORTH 13°00'05" WEST, 179.67 FEET; THENCE NORTH 03°50'39" EAST A DISTANCE OF 120.38 FEET; THENCE AROUND A 180.00 FEET RADIUS CURVE LEFT A DISTANCE OF 203.42 FEET, LONG CHORD BEARS NORTH 28°31'52" WEST, 192.77 FEET; THENCE NORTH 60°54'23" WEST A DISTANCE OF 9.66 FEET; THENCE AROUND A 250.00 FEET RADIUS CURVE RIGHT A DISTANCE OF 83.41 FEET, LONG CHORD BEARS NORTH 51°20'53" WEST, 83.03 FEET; THENCE NORTH 41°47'23" WEST A DISTANCE OF 114.80 FEET; THENCE AROUND A 320.00 FEET RADIUS CURVE RIGHT A DISTANCE OF 35.72 FEET, LONG CHORD BEARS NORTH 38°35'30" WEST, 35.70 FEET; THENCE NORTH 35°23'38" WEST A DISTANCE OF 264.32 FEET; THENCE AROUND A 160.00 FEET RADIUS CURVE LEFT A DISTANCE OF 83.67 FEET, LONG CHORD BEARS NORTH 50°22'28" WEST, 82.72 FEET; THENCE NORTH 65°21'19" WEST A DISTANCE OF 9.00 FEET; THENCE AROUND 170.00 FEET RADIUS CURVE RIGHT A DISTANCE OF 86.43 FEET, LONG CHORD BEARS NORTH 50°47'26" WEST, 85.50 FEET; THENCE NORTH 36°13'31" WEST A DISTANCE OF 40.32 FEET; THENCE AROUND A 90.00 FEET RADIUS CURVE LEFT A DISTANCE OF 77.87 FEET, LONG CHORD BEARS NORTH 61°00'47" WEST, 75.47 FEET; THENCE NORTH 85°48'04" WEST A DISTANCE OF 43.66 FEET; THENCE AROUND A 200.00 FEET RADIUS CURVE RIGHT A DISTANCE OF 121.04 FEET, LONG CHORD BEARS NORTH 68°27'41" WEST, 119.20 FEET; THENCE ALONG THE CENTERLINE OF THE OCHOCO IRRIGATION DISTRICT CANAL APPROXIMATELY ALONG THE FOLLOWING COURSES: NORTH 51°01'57" EAST, 16.39 FEET; THENCE NORTH 69°08'02" EAST, 15.57 FEET; THENCE NORTH 88°05'05" EAST, 39.77 FEET; THENCE SOUTH 81°12'57" EAST, 49.87 FEET; THENCE NORTH 88°14'11" EAST, 50.53 FEET; THENCE NORTH 71°03'47" EAST, 34.69 FEET; THENCE NORTH 76°27'56" EAST, 64.96 FEET; THENCE NORTH 82°40'24" EAST, 65.99 FEET TO A POINT; THENCE LEAVING SAID CANAL CENTERLINE, NORTH 00°05'07" WEST A DISTANCE OF 2026.00 FEET TO THE NORTH LINE OF SAID SECTION 17 AND THE TERMINUS OF THE COMMON LINE DESCRIPTION OF SAID PARCEL 1 AND 2; THENCE SOUTH 89°34'00" WEST ALONG SAID NORTH LINE A DISTANCE OF 1324.12 FEET TO THE POINT OF BEGINNING, CONTAINING 386.67 ACRES, MORE OR LESS.

- SUBJECT TO AN EASEMENT IN FAVOR OF PACIFIC POWER & LIGHT COMPANY AS PER DEEDS BOOK 69 AT PAGE 224, RECORDS OF CROOK COUNTY, OREGON. NOT MAPPABLE.
- SUBJECT TO AN EASEMENT IN FAVOR OF THE UNITED STATES OF AMERICA AS PER DEEDS BOOK 94 AT PAGE 129, RECORDS OF CROOK COUNTY, OREGON. NOT MAPPABLE.
- SUBJECT TO AN EASEMENT IN FAVOR OF THE UNITED STATES OF AMERICA AND PORTLAND GENERAL ELECTRIC COMPANY AS PER DEEDS BOOK 94 AT PAGE 131, RECORDS OF CROOK COUNTY, OREGON. NOT MAPPABLE.
- SUBJECT TO AN EASEMENT IN FAVOR OF PORTLAND GENERAL ELECTRIC, AN OREGON CORPORATION AS PER DEEDS BOOK 94 AT PAGE 229, RECORDS OF CROOK COUNTY, OREGON. NOT MAPPABLE.
- SUBJECT TO AN EASEMENT IN FAVOR OF THE UNITED STATES OF AMERICA AS PER DEEDS BOOK 95 AT PAGE 421, RECORDS OF CROOK COUNTY, OREGON. MAPPED.
- SUBJECT TO AN EASEMENT IN FAVOR OF PACIFIC POWER & LIGHT COMPANY AS PER DEEDS BOOK 96 AT PAGE 442, RECORDS OF CROOK COUNTY, OREGON. NOT MAPPABLE.
- SUBJECT TO AN EASEMENT IN FAVOR OF DONALD E. CAMPBELL AND THEORA G. CAMPBELL, HUSBAND AND WIFE, AND RICHARD C. MORTON AS PER MF 155653, RECORDS OF CROOK COUNTY, OREGON. NOT MAPPABLE.
- SUBJECT TO AN EASEMENT IN FAVOR OF DONALD E. CAMPBELL AND THEORA G. CAMPBELL HUSBAND AND WIFE AS PER MF 155654, RECORDS OF CROOK COUNTY, OREGON. MAPPED.
- SUBJECT TO AN EASEMENT AS PER PARTITION PLAT NO. 1997-18, MF 158286, RECORDS OF CROOK COUNTY, OREGON. MAPPED.
- SUBJECT TO ANY EXISTING EASEMENTS & RIGHT-OF-WAYS.

DECLARATION

KNOW ALL PEOPLE BY THESE PRESENTS THAT JOHN C. FAHLSTROM AND CONNIE R. FAHLSTROM, HUSBAND AND WIFE ARE THE OWNERS OF THE LANDS REPRESENTED ON THIS PLAT AND MORE PARTICULARLY DESCRIBED IN THE ACCOMPANYING SURVEYOR'S CERTIFICATE AND HAVE CAUSED SAID LANDS TO BE SURVEYED AND PLATTED INTO PARCELS, NON-EXCLUSIVE ACCESS EASEMENT, DRAIN FIELD EASEMENTS AND PUBLIC UTILITY EASEMENT AS SHOWN HEREON AND DOES HEREBY DEDICATE TO THE USE OF PARCELS 1, 2 AND 3 THE NON-EXCLUSIVE ACCESS EASEMENT AND DOES HEREBY DEDICATE TO THE USE OF PARCELS 2 AND 3 THE DRAIN FIELD EASEMENTS AND DOES HEREBY DEDICATE TO THE PUBLIC THE PUBLIC UTILITY EASEMENT IN ACCORDANCE WITH OREGON REVISED STATUTES, CHAPTER 92. THERE ARE NO IRRIGATION WATER RIGHT APPURTENANT TO THIS PROPERTY.

*John C. Fahlstrom*  
 JOHN C. FAHLSTROM

*Connie R. Fahlstrom*  
 CONNIE R. FAHLSTROM

AFFIDAVIT OF CONSENT FOR DECLARATION AND DEDICATION BY WEST COAST TRUST, SUCCESSOR BENEFICIARY UNDER DEED OF TRUST RECORDED AT MORTGAGEES MF 192677 ON AUGUST 6, 2004, RECORDS OF CROOK COUNTY, OREGON, IS RECORDED AT DEEDS MF 228907, RECORDS OF CROOK COUNTY, OREGON.

ACKNOWLEDGEMENT

KNOW ALL PEOPLE BY THESE PRESENTS THAT ON THIS 2 DAY OF June, 2008, BEFORE ME, A NOTARY PUBLIC IN AND FOR THE COUNTY OF CROOK, STATE OF OREGON, PERSONALLY APPEARED THE ABOVE NAMED JOHN C. FAHLSTROM AND CONNIE R. FAHLSTROM, HUSBAND AND WIFE, AND WHO ACKNOWLEDGED TO ME THAT HE EXECUTED THE FOREGOING DECLARATION AND DEDICATION FREELY AND VOLUNTARILY.

*Jennifer Clark*  
 NOTARY PUBLIC FOR THE STATE OF OREGON



TAX CERTIFICATES

I HEREBY CERTIFY THAT ALL AD VALOREM TAXES, SPECIAL ASSESSMENTS, FEES, AND OTHER CHARGES REQUIRED BY LAW TO BE PLACED ON THE 2008-2009 TAX ROLL WHICH BECAME A LIEN OR WILL BECOME A LIEN ON THIS PARTITION DURING THIS TAX YEAR BY NOT YET CERTIFIED TO THE TAX COLLECTOR FOR COLLECTION HAVE BEEN PAID TO ME.

*Carol W. Smith* 5/30/08  
 COUNTY ASSESSOR DATE

I HEREBY CERTIFY THAT ALL TAXES ARE PAID AS OF THIS DATE.

*Laura Sladung* Deputy 5/30/08  
 COUNTY TAX COLLECTOR DATE

APPROVALS

*David B. Armstrong* 5/30/2008  
 COUNTY SURVEYOR JEFFERSON COUNTY SURVEYOR O.R.S. 92.100(4) DATE

*Dorinda Munn* 6/3/08  
 CROOK COUNTY PLANNING DIRECTOR DATE



*Todd R. Catterson* 5/30/08  
 OREGON JAN. 15, 2002  
 TODD R. CATTERSON 53270  
 RENEWS 12/31/09

SHEET 3 OF 3  
 FIELD BOOK 242  
 DRG. NO. 07-3534.DWG

W.O. 07-3534

RECORDATION - CLERK

STATE OF OREGON } ss 2008-228908  
 COUNTY OF CROOK }  
 I CERTIFY THAT THE WITHIN INSTRUMENT WAS RECEIVED FOR RECORD ON THE 5th DAY OF June, 2008, AT 1:25 P.M. AND RECORDED IN DEPT RECORDS OF SAID COUNTY MF NO. 228908 DEANN E. BERMAN, CROOK COUNTY CLERK BY: *Deanne E. Berman* DEPUTY

RECORDATION - SURVEYOR

STATE OF OREGON } ss  
 COUNTY OF CROOK }  
 I CERTIFY THAT THE WITHIN INSTRUMENT WAS RECEIVED FOR RECORD ON THE 5th DAY OF JUNE, A.D. 2008, AND RECORDED IN SURVEYS # 2809 OF SAID COUNTY. *Todd R. Catterson*, DEPUTY COUNTY SURVEYOR

SURVEY NARRATIVE

WE WERE EMPLOYED BY JOHN C. FAHLSTROM AND CONNIE R. FAHLSTROM TO COMPLETE THE SURVEY AND MAPPING REQUIREMENTS OF THIS APPROVED PARTITION. PARCEL 1 OF THIS PARTITION IS UNSURVEYED AND PARCELS 2 AND 3 ARE SURVEYED. THE NORTH LINE OF PARCEL 2 IS LOCATED ALONG THE NORTH LINE OF PARCEL 2 OF PARTITION PLAT NO. 2000-11. SEARCH IN THE FIELD RECOVERED THE MONUMENTS FROM SAID NORTH LINE OF PARCEL 2 AND I SET THE NORTHWEST CORNER OF PARCEL 2 ALONG THIS LINE AT THE LOCATION DESIRED BY THE FAHLSTROMS. THE EAST LINE OF PARCELS 2 AND 3 LIE ALONG THE EAST LINE OF SAID PARCELS 2 OF PARTITION PLAT NO. 2000-11. SEARCH IN THE FIELD RECOVERED THE MONUMENTS ALONG THIS LINE AND I HELD THEM AS FOUND. THE REMAINING PARCEL LINES ARE FREE LINES AS DESIRED BY THE CLIENT. THIS SURVEY WAS PERFORMED USING A TRIMBLE 5700 GPS SYSTEM IN RTK MODE.

2008-3-3

PARTITION PLAT NO. 2008-13  
 PARTITION PLAT OF A PORTION OF PARCEL 2 OF PARTITION PLAT NO. 2000-11,  
 LOCATED IN SECTIONS 17 AND 18, T.14S., R.15E., W.M., CROOK COUNTY, OREGON  
 C-LP-555-06  
 W.O. 07-3534

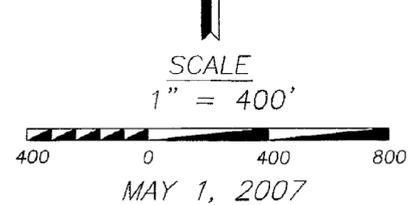
**LEGEND**

- RECORD 5/8" IRON ROD WITH 2" ALUMINUM CAP MARKED "ARMSTRONG S&E T14S R15E C1/4 S18 2000 LS 1026" AS PER C.S. 1979 BY DAVID B. ARMSTRONG, LS 1026, RECORDED SEPTEMBER 5, 2000.
- RECORD 5/8" IRON ROD WITH YELLOW PLASTIC CAP MARKED "ARMSTRONG S&E LS 1026" AS PER C.S. 1979 BY DAVID B. ARMSTRONG, LS 1026, RECORDED SEPTEMBER 5, 2000.
- ⊙ RECORD 2-1/2" ALUMINUM PIPE WITH 2-1/2" ALUMINUM CAP MONUMENT AS PER C.S. 1979 BY DAVID B. ARMSTRONG, LS 1026, RECORDED SEPTEMBER 5, 2000, C.R.L.C.M. FORM RECORDED CONCURRENTLY WITH THIS PROJECT.
- RECORD 2-1/2" BRASS CAP ON 2-1/2" O.D. GALVANIZED IRON PIPE AS PER C.S. 466 BY DAVID B. ARMSTRONG, LS 1026, RECORDED MAY, 1978, C.R.L.C.M. FORM RECORDED CONCURRENTLY WITH THIS PROJECT.
- ⊙ RECORD 2-1/2" ALUMINUM CAP MONUMENT AS PER C.S. 1937 AND C.R.L.C.M. FORM BY DAVID B. ARMSTRONG, LS 1026, RECORDED MAY 10, 2000.
- ⊙ RECORD 2-1/2" ALUMINUM CAP MONUMENT AS PER C.S. 1674 BY DAVID B. ARMSTRONG, LS 1026, RECORDED JULY 18, 1997 AND C.R.L.C.M. FORM RECORDED MAY 16, 1997.
- RECORD 2-1/2" BRASS CAP ON 2-1/2" O.D. GALVANIZED IRON PIPE AS PER C.R.L.C.M. FORM BY DAVID B. ARMSTRONG, LS 1026, RECORDED DECEMBER 24, 1990.
- 1( ) RECORD AS PER ORIGINAL G.L.O. SURVEY BY JOHN W. MELDRUM, DEPUTY SURVEYOR, UNDER JOINT G.L.O. CONTRACT NO. 129, DATED JUNE 7, 1869.
- 2( ) RECORD AS PER C.S. 466 BY DAVID B. ARMSTRONG, LS 1026, RECORDED MAY, 1978.
- (( )) RECORD AS PER C.S. 1979 BY DAVID B. ARMSTRONG, LS 1026, RECORDED SEPTEMBER 5, 2000.

T TOTAL

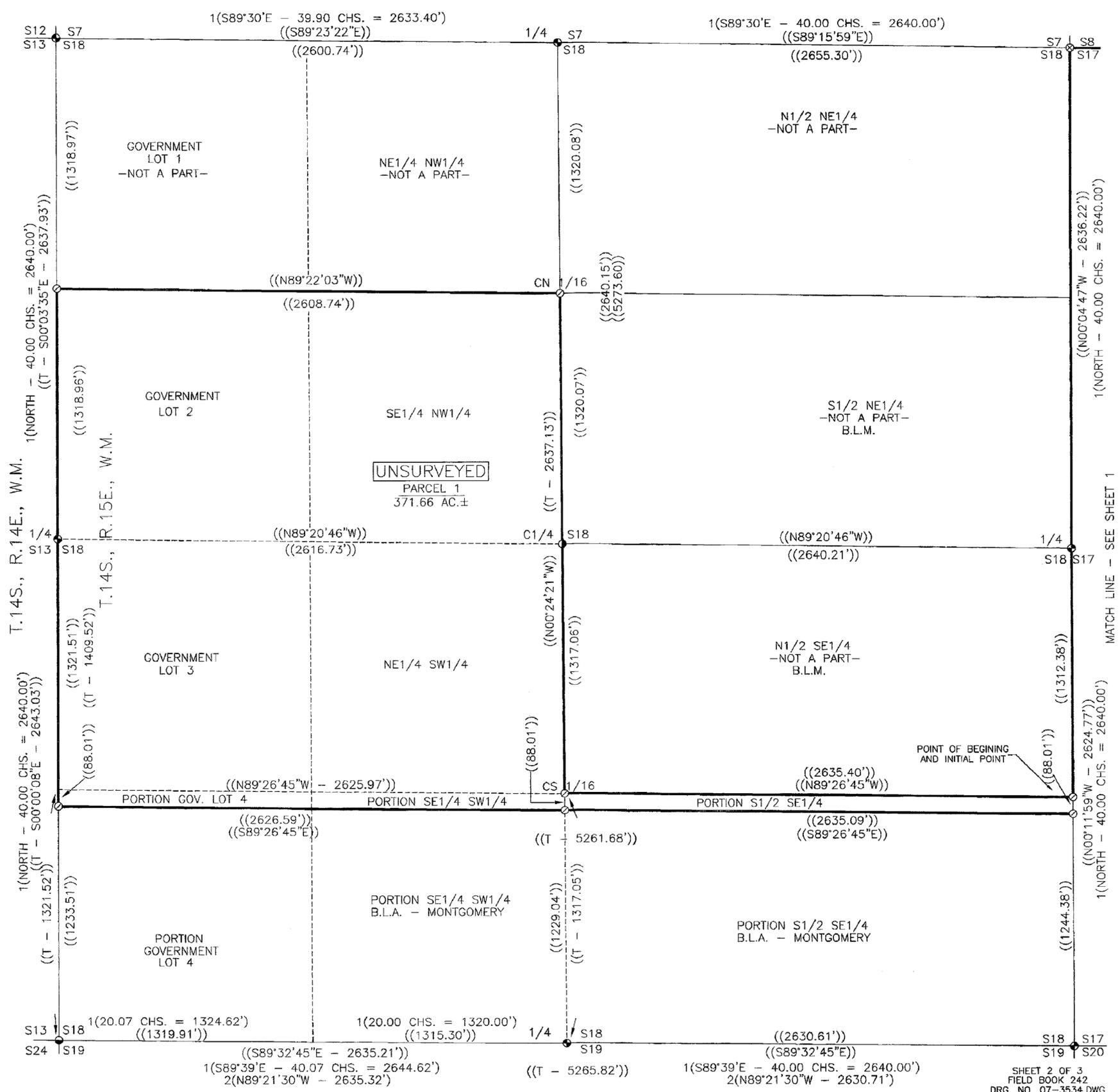
REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*Todd R. Catterson*  
5/30/08 OREGON  
JAN. 15, 2002  
**TODD R. CATTERSON**  
53270  
RENEWS 12/31/09



I HEREBY CERTIFY THIS IS AN  
EXACT COPY OF THE ORIGINAL PLAT.

*Todd R. Catterson 5/30/08*  
**TODD R. CATTERSON, LS53270**



SHEET 2 OF 3  
FIELD BOOK 242  
DRG. NO. 07-3534.DWG  
W.O. 07-3534

2809 2-3

**PARTITION PLAT NO. 2008-21**  
**PARTITION PLAT OF PARCEL 1 OF PARTITION PLAT NO. 2008-13, LOCATED IN SECTIONS 17 AND 18, T.14S., R.15E., W.M., CROOK COUNTY, OREGON**

LP-08-0248 SURVEY FOR  
 W.O. 08-3829

**SURVEY BY**  
 JOHN C. FAHLSTROM  
 CONNIE R. FAHLSTROM  
 8899 NW CAMPBELL RANCH RD.  
 PRINEVILLE, OR 97754  
 (541) 416-0345

**SURVEY BY**  
 ARMSTRONG SURVEYING  
 & ENGINEERING, INC  
 267 NE SECOND ST. STE 100  
 PRINEVILLE, OR 97754  
 (541) 447-7791

REGISTERED  
 PROFESSIONAL  
 LAND SURVEYOR

TODD R. CATTERSON  
 JAN. 15, 2002  
 OREGON  
 53270

**LEGEND**

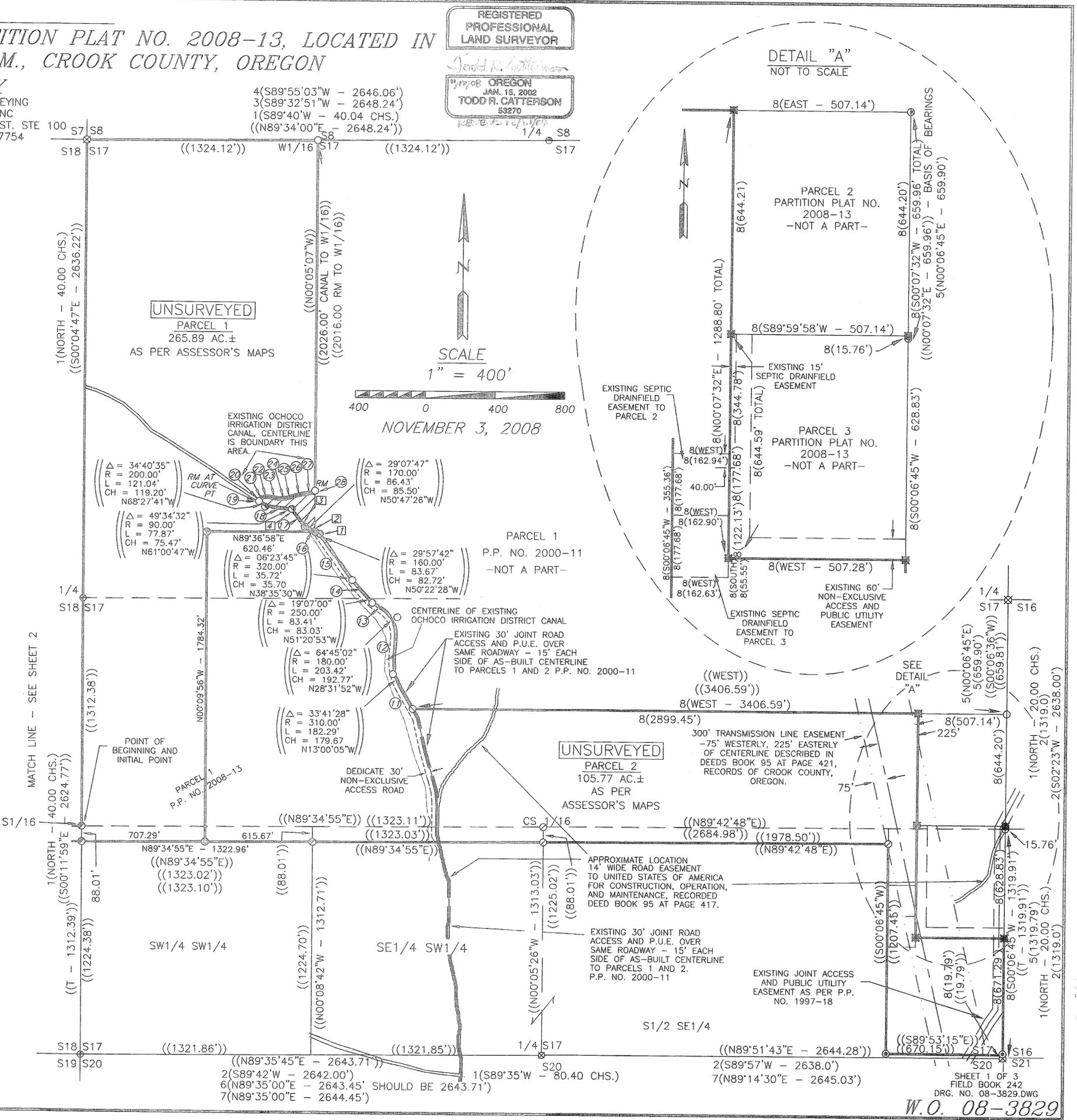
- SET 5/8" X 30" LONG IRON ROD WITH YELLOW PLASTIC CAP MARKED "ARMSTRONG S&E".
- FOUND 5/8" IRON ROD WITH YELLOW PLASTIC CAP MARKED "ARMSTRONG S&E" AS PER PARTITION PLAT NO. 2008-13 C.S. 2809 BY TODD R. CATTERSON, LS53270, RECORDED MAY 30, 2008.
- ⊙ FOUND 5/8" IRON ROD WITH YELLOW PLASTIC CAP MARKED "ARMSTRONG S&E LS1026" AS PER C.S. 1859 BY DAVID B. ARMSTRONG, LS 1026, RECORDED JUNE 30, 1999 (PARTITION PLAT NO. 1999-15).
- ⊙ FOUND 5/8" IRON ROD WITH YELLOW PLASTIC CAP MARKED "ARMSTRONG S&E LS1026", AS PER C.S. 1686, BY DAVID B. ARMSTRONG, LS 1026, RECORDED AUGUST 21, 1997.
- ⊙ FOUND 5/8" IRON ROD WITH YELLOW PLASTIC CAP MARKED "ARMSTRONG S&E LS 1026" AS PER C.S. 1937.
- ⊙ RECORD 5/8" IRON ROD WITH YELLOW PLASTIC CAP MARKED "ARMSTRONG S&E LS1026" AS PER C.S. 1979 BY DAVID B. ARMSTRONG, LS1026, RECORDED SEPTEMBER 5, 2000.
- ⊙ FOUND 5/8" IRON ROD WITH YELLOW PLASTIC CAP MARKED "ARMSTRONG S&E LS1026" AS PER C.S. 1979 BY DAVID B. ARMSTRONG, LS1026, RECORDED SEPTEMBER 5, 2000.
- ⊙ RECORD 5/8" IRON ROD WITH YELLOW PLASTIC CAP MARKED "ARMSTRONG S&E LS 1026" AS PER C.S. 1937.
- ⊙ FOUND 5/8" IRON ROD WITH YELLOW PLASTIC CAP MARKED "ARMSTRONG S&E LS 1026" AS PER C.S. 1937.
- ⊙ RECORD 2-1/2" ALUMINUM CAP MONUMENT AS PER C.S. 1937, PARTITION PLAT NO. 2000-11, AND C.R.L.C.M. FORM BY DAVID B. ARMSTRONG, LS 1026, RECORDED MAY 10, 2000.
- ⊙ RECORD 5/8" IRON ROD WITH YELLOW PLASTIC CAP MARKED "ARMSTRONG LS1026", AS PER C.S. 1686, BY DAVID B. ARMSTRONG, LS 1026, RECORDED AUGUST 21, 1997.
- ⊙ RECORD 2-1/2" ALUM. CAP MONUMENT AS PER C.S. 1674 BY DAVID B. ARMSTRONG, LS1026, RECORDED JULY 18, 1997 AND C.R.L.C.M. FORM RECORDED MAY 16, 1997.
- ⊙ RECORD 2-1/2" ALUM. CAP MONUMENT AS PER C.R.L.C.M. FORM BY DAVID B. ARMSTRONG, LS 1026, CROOK COUNTY SURVEYOR, RECORDED JULY 18, 1979.
- ( ) RECORD AS PER C.S. 1937 AND C.S. 1979 BY DAVID B. ARMSTRONG, LS 1026, RECORDED MAY 10, 2000 AND SEPTEMBER 5, 2000.
- 1( ) RECORD AS PER ORIGINAL G.L.O. SURVEY BY JOHN W. MELDRUM, DEPUTY SURVEYOR, UNDER JOINT G.L.O. CONTRACT NO. 129, DATED JUNE 7, 1869.
- 2( ) RECORD AS PER OCHOCO IRRIGATION DISTRICT LAND CLASSIFICATION PLATS BY R.W. REA, PROJECT ENGINEER, DATED AUGUST, 1919.
- 3( ) RECORD AS PER C.S. 1674 BY DAVID B. ARMSTRONG, LS1026, RECORDED JULY 18, 1997, AND/OR C.S. 1686 BY DAVID B. ARMSTRONG, LS 1026, RECORDED AUG. 21, 1997, AS PARTITION PLAT NO. 1997-18.
- 4( ) RECORD AS PER C.S. 687 BY EMILE P. BACHAND, LS1122, RECORDED JULY 16, 1981.
- 5( ) RECORD AS PER C.S. 1859 BY DAVID B. ARMSTRONG, LS 1026, RECORDED JUNE 30, 1999.
- 6( ) RECORD AS PER C.S. 829 BY DAVID B. ARMSTRONG, LS 1026, RECORDED JAN. 7, 1985.
- 7( ) RECORD AS PER C.S. 89 BY EMILE P. BACHAND, PE 3700, RECORDED NOV. 28, 1984 DATED JUNE 14, 1967.
- 8( ) RECORD AS PER PARTITION PLAT NO. 2008-13, C.S. 2809, BY TODD R. CATTERSON, LS53270, RECORDED JUNE 5, 2008.

- P.P. PARTITION PLAT
- IRRIGATION EASEMENT
- P.U.E. PUBLIC UTILITY EASEMENT
- T TOTAL
- SUBJECT PROPERTY BOUNDARY LINE
- ① LINE DATA - SEE LINE TABLE
- ② CURVE DATA - SEE CURVE TABLE

I HEREBY CERTIFY THIS IS AN EXACT COPY OF THE ORIGINAL PLAT.  
 Todd R. Catterson 11/17/08  
 TODD R. CATTERSON, LS53270

CURVE DATA TABLE					
NO.	DELTA	RADIUS	LENGTH	CHORD	BEARING
1	24°43'36"	160.04'	69.07'	68.53'	S47°41'36"E
2	05°14'07"	160.04'	14.62'	14.62'	N62°40'28"W
3	29°07'44"	170.04'	86.45'	85.52'	N50°43'38"W
4	49°33'54"	90.02'	77.87'	75.47'	N60°57'38"W

LINE DATA TABLE AS PER C.S. 1979		
NO.	BEARING	DISTANCE
((11))	N29°50'49"W	135.38'
((12))	N03°50'39"E	120.38'
((13))	N60°54'23"W	9.66'
((14))	N41°47'23"W	114.80'
((15))	N35°23'38"W	264.32'
((16))	N65°21'19"W	9.00'
16	N65°17'31"W	8.97'
((17))	N36°13'31"W	40.32'
17	N36°09'43"W	40.29'
((18))	N85°48'04"W	43.66'
((19))	N46°44'14"W	10.00'
((20))	N51°01'57"E	16.39'
((21))	N69°08'02"E	15.57'
((22))	N88°05'05"E	39.77'
((23))	S81°12'57"E	49.87'
((24))	N88°14'11"E	50.53'
((25))	N71°03'47"E	34.69'
((26))	N76°27'56"E	64.96'
((27))	N82°40'24"E	65.99'
((28))	N00°05'07"W	10.00'



DETAIL "A"  
 NOT TO SCALE

SCALE  
 1" = 400'  
 NOVEMBER 3, 2008

W.O. 08-3829

PARTITION PLAT NO. 2008-21  
 PARTITION PLAT OF PARCEL 1 OF PARTITION PLAT NO. 2008-13, LOCATED IN  
 SECTIONS 17 AND 18, T.14S., R.15E., W.M., CROOK COUNTY, OREGON  
 LP-08-0248  
 W.O. 08-3829

**LEGEND**

- ⊕ RECORD 5/8" IRON ROD WITH 2" ALUMINUM CAP MARKED "ARMSTRONG S&E T14S R15E C1/4 S18 2000 LS 1026" AS PER C.S. 1979 BY DAVID B. ARMSTRONG, LS 1026, RECORDED SEPTEMBER 5, 2000.
- ⊙ RECORD 5/8" IRON ROD WITH YELLOW PLASTIC CAP MARKED "ARMSTRONG S&E LS 1026" AS PER C.S. 1979 BY DAVID B. ARMSTRONG, LS 1026, RECORDED SEPTEMBER 5, 2000.
- ⊕ RECORD 2-1/2" ALUMINUM PIPE WITH 2-1/2" ALUMINUM CAP MONUMENT AS PER C.R.L.C.M. FORM BY DAVID B. ARMSTRONG, LS 1026, CROOK COUNTY SURVEYOR RECORDED SEPTEMBER 5, 2000.
- ⊙ RECORD 2-1/2" BRASS CAP ON 2-1/2" O.D. GALVANIZED IRON PIPE AS PER C.R.L.C.M. FORM BY DAVID B. ARMSTRONG, LS 1026, CROOK COUNTY SURVEYOR RECORDED SEPTEMBER 5, 2000.
- ⊕ RECORD 2-1/2" ALUMINUM CAP MONUMENT AS PER C.S. 1937 AND C.R.L.C.M. FORM BY DAVID B. ARMSTRONG, LS 1026, RECORDED MAY 10, 2000.
- ⊙ RECORD 2-1/2" ALUMINUM CAP MONUMENT AS PER C.S. 1674 BY DAVID B. ARMSTRONG, LS 1026, RECORDED JULY 18, 1997 AND C.R.L.C.M. FORM RECORDED MAY 16, 1997.
- ⊕ RECORD 2-1/2" BRASS CAP ON 2-1/2" O.D. GALVANIZED IRON PIPE AS PER C.R.L.C.M. FORM BY DAVID B. ARMSTRONG, LS 1026, RECORDED DECEMBER 24, 1990.
- 1 ( ) RECORD AS PER ORIGINAL G.L.O. SURVEY BY JOHN W. MELDRUM, DEPUTY SURVEYOR, UNDER JOINT G.L.O. CONTRACT NO. 129, DATED JUNE 7, 1869.
- 2 ( ) RECORD AS PER C.S. 466 BY DAVID B. ARMSTRONG, LS 1026, RECORDED MAY, 1978.
- (( )) RECORD AS PER C.S. 1979 BY DAVID B. ARMSTRONG, LS 1026, RECORDED SEPTEMBER 5, 2000.

T TOTAL

I HEREBY CERTIFY THIS IS AN  
 EXACT COPY OF THE ORIGINAL PLAT.  
*Todd R. Catterson 11/17/08*  
 TODD R. CATTERSON, LS53270

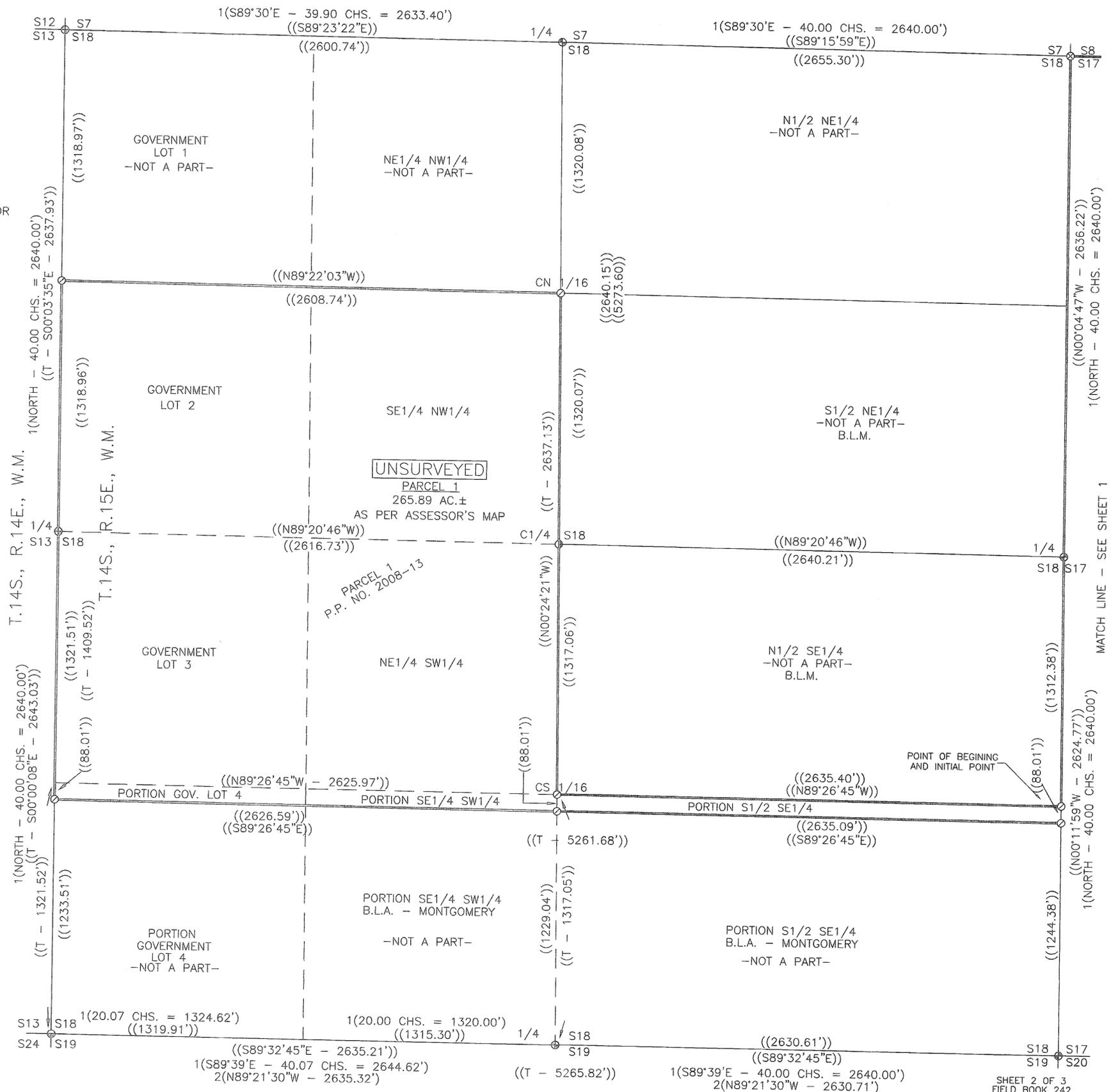
REGISTERED  
 PROFESSIONAL  
 LAND SURVEYOR

*Todd R. Catterson*  
 11/17/08 OREGON  
 JAN. 15, 2002  
 TODD R. CATTERSON  
 53270  
 REVIEWS re/3/10/09

SCALE  
 1" = 400'



NOVEMBER 3, 2008



SHEET 2 OF 3  
 FIELD BOOK 242  
 DRG. NO. 08-3829.DWG  
 W.O. 08-3829

2533-2

PARTITION PLAT NO. 2008-21  
PARTITION PLAT OF PARCEL 1 OF PARTITION PLAT NO. 2008-13, LOCATED IN  
SECTIONS 17 AND 18, T.14S., R.15E., W.M., CROOK COUNTY, OREGON  
LP-08-0248  
W.O. 08-3829

SURVEYOR'S CERTIFICATE

I, TODD R. CATTERSON, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF OREGON, HEREBY CERTIFY THAT I HAVE SURVEYED AND MARKED WITH PROPER MONUMENTS IN ACCORDANCE WITH OREGON REVISED STATUTES, CHAPTER 92, THE PARTITION LINE BETWEEN PARCELS 1 AND 2 AS REPRESENTED ON THIS PLAT. PARCEL 1 AND PARCEL 2 OF THIS PLAT ARE UNSURVEYED, SAID LANDS ARE LOCATED IN SECTIONS 17 AND 18, T.14S., R.15E., W.M., CROOK COUNTY, OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS: PARCEL 1 OF PARTITION PLAT NO. 2008-13, C.S. 2809, RECORDED JUNE 5, 2008 IN PARTITIONS MF2008-228908, RECORDS OF CROOK COUNTY, OREGON, CONTAINING 371.66 ACRES, MORE OR LESS, AS PER ASSESSOR'S RECORDS.

SUBJECT TO AN EASEMENT IN FAVOR OF PACIFIC POWER & LIGHT COMPANY AS PER DEEDS BOOK 69 AT PAGE 224, RECORDS OF CROOK COUNTY, OREGON. NOT MAPPABLE.

SUBJECT TO AN EASEMENT IN FAVOR OF THE UNITED STATES OF AMERICA AS PER DEEDS BOOK 94 AT PAGE 129, RECORDS OF CROOK COUNTY, OREGON. NOT MAPPABLE.

SUBJECT TO AN EASEMENT IN FAVOR OF THE UNITED STATES OF AMERICA AND PORTLAND GENERAL ELECTRIC COMPANY AS PER DEEDS BOOK 94 AT PAGE 131, RECORDS OF CROOK COUNTY, OREGON. NOT MAPPABLE.

SUBJECT TO AN EASEMENT IN FAVOR OF PORTLAND GENERAL ELECTRIC, AN OREGON CORPORATION AS PER DEEDS BOOK 94 AT PAGE 229, RECORDS OF CROOK COUNTY, OREGON. NOT MAPPABLE.

SUBJECT TO AN EASEMENT IN FAVOR OF THE UNITED STATES OF AMERICA AS PER DEEDS BOOK 95 AT PAGE 421, RECORDS OF CROOK COUNTY, OREGON. MAPPED.

SUBJECT TO AN EASEMENT IN FAVOR OF PACIFIC POWER & LIGHT COMPANY AS PER DEEDS BOOK 96 AT PAGE 442, RECORDS OF CROOK COUNTY, OREGON. NOT MAPPABLE.

SUBJECT TO AN EASEMENT IN FAVOR OF DONALD E. CAMPBELL AND THEORA G. CAMPBELL, HUSBAND AND WIFE, AND RICHARD C. MORTON AS PER MF 155653, RECORDS OF CROOK COUNTY, OREGON. NOT MAPPABLE.

SUBJECT TO AN EASEMENT IN FAVOR OF DONALD E. CAMPBELL AND THEORA G. CAMPBELL HUSBAND AND WIFE AS PER MF 155654, RECORDS OF CROOK COUNTY, OREGON. MAPPED.

SUBJECT TO AN EASEMENT AS PER PARTITION PLAT NO. 1997-18, MF 135845, RECORDS OF CROOK COUNTY, OREGON. MAPPED.

SUBJECT TO ANY EXISTING EASEMENTS & RIGHT-OF-WAYS.

SURVEY NARRATIVE

WE WERE EMPLOYED BY JOHN C. FAHLSTROM AND CONNIE R. FAHLSTROM TO COMPLETE THE SURVEY AND MAPPING REQUIREMENTS OF THIS APPROVED PARTITION. PARCELS 1 AND 2 OF THIS PARTITION ARE UNSURVEYED, WITH ONLY THE PARTITION LINE BEING SURVEYED WHICH IS A FREE LINE AS DESIRED BY THE CLIENT. THE IRON ROD SET DURING C.S. 1937 AT THE P.T. FOR CURVE 3 (SEE TABLE) WAS NOT FOUND SO I RESET IT'S LOCATION USING THE GRANT BOUNDARY SURVEY METHOD HOLDING THE FOUND MONUMENTS AT THE CURVE P.I.S ON EACH SIDE OF IT'S LOCATION. WITH THE P.I.'S LOCATION DETERMINED I COMPUTED THE CURVE LOCATION TO INTERSECTION WITH THE PARTITION LINE. I FOUND AND HELD THE IRON RODS SET ALONG THE SOUTH LINE OF SUBJECT PROPERTY DURING C.S. 1937. TO COMPUTE THE INTERSECTION POINT WITH THE PARTITION LINE. THIS SURVEY WAS PERFORMED USING A TRIMBLE 5700 GPS SYSTEM IN RTK MODE.

WATER RIGHTS

PARCEL 1 - NO WATER

PARCEL 2  
SECTION 17

SW1/4 NW1/4 - 4.0  
 SE1/4 NW1/4 - 0.2  
 NW1/4 SW1/4 - 17.3  
 NE1/4 SW1/4 - 9.9  
 SE1/4 SW1/4 - 0.4  
 TOTAL = 31.8 AC.

I HEREBY CERTIFY THIS IS AN EXACT COPY OF THE ORIGINAL PLAT.  
 Todd R. Catterson 11/12/08  
 TODD R. CATTERSON, LSS53270

RECORDATION - CLERK

STATE OF OREGON } ss 2008-231731  
 COUNTY OF CROOK }  
 I CERTIFY THAT THE WITHIN INSTRUMENT WAS RECEIVED FOR RECORD ON THE 23<sup>RD</sup> DAY OF NOVEMBER, 2008, AT 9:48 AM, AND RECORDED IN DEEDS BOOK 231731 RECORDS OF SAID COUNTY MF NO. 2008-231731  
 DEANNA E. BERMAN, CROOK COUNTY CLERK  
 BY: [Signature] DEPUTY

RECORDATION - SURVEYOR

STATE OF OREGON } ss  
 COUNTY OF CROOK }  
 I CERTIFY THAT THE WITHIN INSTRUMENT WAS RECEIVED FOR RECORD ON THE 23<sup>RD</sup> DAY OF NOVEMBER, A.D. 2008, AND RECORDED IN SURVEYS # 2008 OF SAID COUNTY.  
 DAVID B. ARMSTRONG  
[Signature] DEPUTY  
 COUNTY SURVEYOR

REGISTERED PROFESSIONAL LAND SURVEYOR

[Signature]  
 11/12/08 OREGON  
 JAN. 15, 2002  
 TODD R. CATTERSON  
 53270  
 RENEWS 12/31/09

DECLARATION & DEDICATION

KNOW ALL PEOPLE BY THESE PRESENTS THAT JOHN C. FAHLSTROM AND CONNIE R. FAHLSTROM, HUSBAND AND WIFE ARE THE OWNERS OF THE LANDS REPRESENTED ON THIS PLAT AND MORE PARTICULARLY DESCRIBED IN THE ACCOMPANYING SURVEYOR'S CERTIFICATE AND HAVE CAUSED SAID LANDS TO BE SURVEYED AND PLATTED INTO PARCELS AND NON-EXCLUSIVE ACCESS EASEMENT AS SHOWN HEREON AND DOES HEREBY DEDICATE TO THE USE OF PARCELS 1 AND 2 THE NON-EXCLUSIVE ACCESS EASEMENT IN ACCORDANCE WITH OREGON REVISED STATUTES, CHAPTER 92. IRRIGATION WATER RIGHTS APPURTENANT TO THIS PROPERTY ARE APPORTIONED AS SHOWN.

[Signature]  
 JOHN C. FAHLSTROM

[Signature]  
 CONNIE R. FAHLSTROM

ACKNOWLEDGEMENT

KNOW ALL PEOPLE BY THESE PRESENTS THAT ON THIS 20<sup>th</sup> DAY OF November, 2008, BEFORE ME, A NOTARY PUBLIC IN AND FOR THE COUNTY OF CROOK, STATE OF OREGON, PERSONALLY APPEARED THE ABOVE NAMED JOHN C. FAHLSTROM AND CONNIE R. FAHLSTROM, HUSBAND AND WIFE, AND WHO ACKNOWLEDGED TO ME THAT THEY EXECUTED THE FOREGOING DECLARATION AND DEDICATION FREELY AND VOLUNTARILY.

[Signature]  
 NOTARY PUBLIC FOR THE STATE OF OREGON



TAX CERTIFICATES

I HEREBY CERTIFY THAT ALL AD VALOREM TAXES, SPECIAL ASSESSMENTS, FEES, AND OTHER CHARGES REQUIRED BY LAW TO BE PLACED ON THE 2008-2009 TAX ROLL WHICH BECAME A LIEN OR WILL BECOME A LIEN ON THIS PARTITION DURING THIS TAX YEAR BY NOT YET CERTIFIED TO THE TAX COLLECTOR FOR COLLECTION HAVE BEEN PAID TO ME.

[Signature] 11-19-08  
 COUNTY ASSESSOR DATE

I HEREBY CERTIFY THAT ALL TAXES ARE PAID AS OF THIS DATE.

[Signature] 11-19-08  
 COUNTY TAX COLLECTOR DATE

APPROVALS

[Signature] 11/18/2008  
 COUNTY SURVEYOR DATE  
 JEFFERSON COUNTY SURVEYOR  
 O.R.S. 92.100(4)

[Signature] 11/24/08  
 CROOK COUNTY PLANNING DIRECTOR DATE

[Signature] 11-20-2008  
 OCHOCO IRRIGATION DISTRICT DATE

SHEET 3 OF 3  
 FIELD BOOK 242  
 DRG. NO. 08-3829.DWG  
 W.O. 08-3829

2833-13

BOUNDARY SURVEY OF PARCEL 2 OF PARTITION PLAT NO. 2008-21, LOCATED IN SECTION 17, T.14S., R.15E., W.M., CROOK COUNTY, OREGON W.O. 21-5622

SURVEY FOR

JOHN C. FAHLSTROM  
CONNIE R. FAHLSTROM  
8899 NW CAMPBELL RANCH RD.  
PRINEVILLE, OR 97754  
(541) 416-0345

SURVEY BY

ARMSTRONG SURVEYING, INC  
267 NE SECOND ST. STE 100  
PRINEVILLE, OR 97754  
(541) 447-7791

LEGEND

- FOUND 5/8" IRON ROD AS PER C.S. 2833, PARTITION PLAT NO. 2008-21, BY TODD R. CATTERSON, LS 53270, RECORDED NOVEMBER 28, 2008.
■ FOUND 5/8" IRON ROD WITH YELLOW PLASTIC CAP MARKED "ARMSTRONG S&E" AS PER PARTITION PLAT NO. 2008-13 C.S. 2809 BY TODD R. CATTERSON, LS53270, RECORDED MAY 30, 2008.
○ FOUND 5/8" IRON ROD WITH YELLOW PLASTIC CAP MARKED "ARMSTRONG S&E 30, 1999 (PARTITION PLAT NO. 1999-15).
○ FOUND 5/8" IRON ROD WITH YELLOW PLASTIC CAP MARKED "ARMSTRONG S&E LS 1026" AS PER C.S. 1859 BY DAVID B. ARMSTRONG, LS 1026, RECORDED JUNE 30, 1999 (PARTITION PLAT NO. 1999-15).
○ FOUND 5/8" IRON ROD WITH YELLOW PLASTIC CAP MARKED "ARMSTRONG S&E LS 1026" AS PER C.S. 1937.
○ FOUND 5/8" IRON ROD WITH YELLOW PLASTIC CAP MARKED "ARMSTRONG S&E LS AS PER C.S. 1979 BY DAVID B. ARMSTRONG, LS1026, RECORDED SEPTEMBER 5, 2000.
○ FOUND 5/8" IRON ROD WITH YELLOW PLASTIC CAP MARKED "ARMSTRONG S&E LS1026" AS PER C.S. 1979 BY DAVID B. ARMSTRONG, LS1026, RECORDED SEPTEMBER 5, 2000.
○ FOUND 5/8" IRON ROD WITH YELLOW PLASTIC CAP MARKED "ARMSTRONG S&E LS 1026" AS PER C.S. 1937.
○ FOUND 5/8" IRON ROD WITH YELLOW PLASTIC CAP MARKED "ARMSTRONG S&E LS 1026" AS PER C.S. 1937.
○ RECORD 2-1/2" ALUM. CAP MONUMENT AS PER C.S. 1674 BY DAVID B. ARMSTRONG, LS1026, RECORDED JULY 18, 1997 AND C.R.L.C.M. FORM RECORDED MAY 16, 1997.
○ RECORD AS PER ORIGINAL G.L.O. SURVEY BY JOHN W. MELDRUM, DEPUTY SURVEYOR, UNDER JOINT G.L.O. CONTRACT NO. 129, DATED JUNE 7, 1869.
○ RECORD AS PER OCHOCO IRRIGATION DISTRICT LAND CLASSIFICATION PLATS BY R.W. REA, PROJECT ENGINEER, DATED AUGUST, 1919.
○ RECORD AS PER C.S. 1674 BY DAVID B. ARMSTRONG, LS1026, RECORDED JULY 18, 1997.
○ RECORD AS PER C.S. 1686 BY DAVID B. ARMSTRONG, LS 1026, RECORDED AUG. 21, 1997, AS PARTITION PLAT NO. 1997-18.
○ RECORD AS PER C.S. 1937, PARTITION PLAT NO. 2000-11 BY DAVID B. ARMSTRONG, LS 1026, RECORDED JUNE 30, 1999.
○ RECORD AS PER C.S. 1979 BY DAVID B. ARMSTRONG, LS 1026, RECORDED SEPTEMBER 5, 2000.
○ RECORD AS PER C.S. 2809, PARTITION PLAT NO. 2008-13, BY TODD R. CATTERSON, LS53270, RECORDED JUNE 5, 2008.
○ RECORD AS PER C.S. 2833, PARTITION PLAT NO. 2008-21, BY TODD R. CATTERSON, LS 53270, RECORDED NOVEMBER 28, 2008.
○ SUBJECT PROPERTY BOUNDARY LINE
○ LINE DATA - SEE LINE TABLE
○ CURVE DATA - SEE CURVE TABLE
○ COMPUTED NOT SET
○ P.I. POINT OF CURVE INTERSECTION

Table with 4 columns: NO., BEARING, LENGTH, CHORD. Contains 5 rows of curve data.

Table with 4 columns: NO., DELTA, RADIUS, CHORD. Contains 5 rows of curve data.

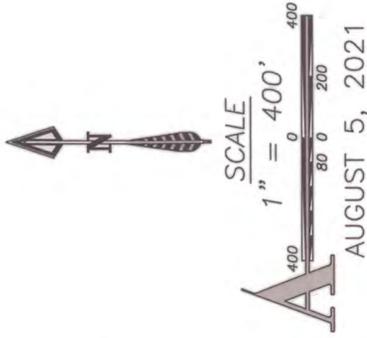
SURVEY NARRATIVE

WE WERE EMPLOYED BY JOHN C. FAHLSTROM AND CONNIE R. FAHLSTROM TO COMPLETE A BOUNDARY SURVEY OF THEIR PROPERTY DESCRIBED AS PARCEL 2 OF PARTITION PLAT NO. 2008-21 RECORDS OF CROOK COUNTY, OREGON SEARCH IN THE FIELD RECOVERED ALL OF THE CORNERS SET AROUND SAID PARCEL 2 AND I HELD THEM AS FOUND FOR THE BOUNDARY OF THIS SURVEY. THIS SURVEY WAS PERFORMED USING A TRIMBLE R10 GPS SYSTEM IN RTK MODE.

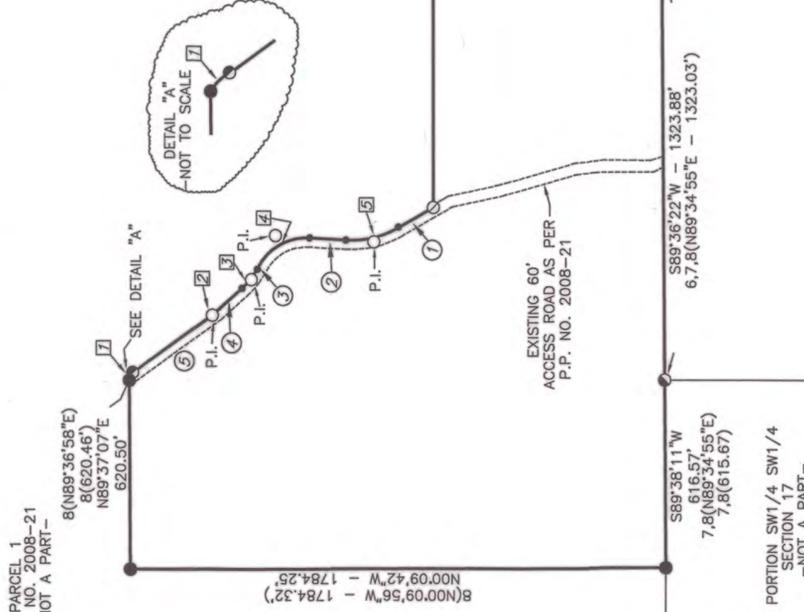
BASIS OF BEARINGS

BEARINGS ARE BASED ON GPS SURVEY MEASUREMENTS USING THE WGS 1984 ELLIPSOID AND A TRANSVERSE MERCATOR MAPPING PROJECTION WITH THE FOLLOWING PARAMETERS:

ORIGIN OF LATITUDE = 44°21'16.63082"N  
ORIGIN OF LONGITUDE = 120°58'56.05894"W  
SCALE FACTOR = 1.000000000000



PARCEL 1  
P.P. NO. 2008-21  
-NOT A PART-



SURVEYOR'S CERTIFICATE

I, TODD R. CATTERSON, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF OREGON, ON THE BASIS OF MY KNOWLEDGE, INFORMATION AND BELIEF, CERTIFY TO JOHN C. FAHLSTROM AND CONNIE R. FAHLSTROM THAT AS A RESULT OF A SURVEY MADE ON THE GROUND TO THE NORMAL STANDARD OF CARE OF PROFESSIONAL LAND SURVEYORS PRACTICING IN OREGON, I HAVE FOUND OR SET THE MONUMENTS AS SHOWN HEREON AND HAVE PREPARED THIS MAP AND NARRATIVE TO REPRESENT SAID SURVEY.

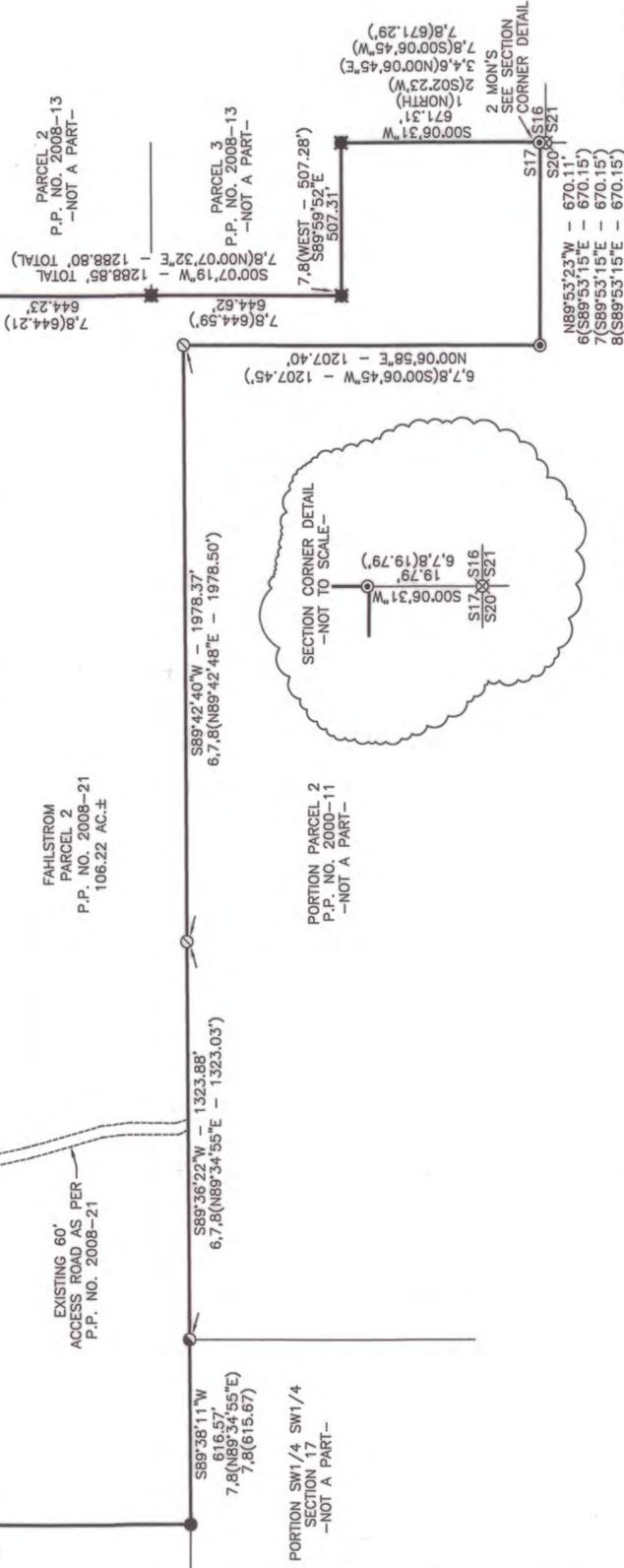
SURVEY NARRATIVE

WE WERE EMPLOYED BY JOHN C. FAHLSTROM AND CONNIE R. FAHLSTROM TO COMPLETE A BOUNDARY SURVEY OF THEIR PROPERTY DESCRIBED AS PARCEL 2 OF PARTITION PLAT NO. 2008-21 RECORDS OF CROOK COUNTY, OREGON SEARCH IN THE FIELD RECOVERED ALL OF THE CORNERS SET AROUND SAID PARCEL 2 AND I HELD THEM AS FOUND FOR THE BOUNDARY OF THIS SURVEY. THIS SURVEY WAS PERFORMED USING A TRIMBLE R10 GPS SYSTEM IN RTK MODE.

BASIS OF BEARINGS

BEARINGS ARE BASED ON GPS SURVEY MEASUREMENTS USING THE WGS 1984 ELLIPSOID AND A TRANSVERSE MERCATOR MAPPING PROJECTION WITH THE FOLLOWING PARAMETERS:

ORIGIN OF LATITUDE = 44°21'16.63082"N  
ORIGIN OF LONGITUDE = 120°58'56.05894"W  
SCALE FACTOR = 1.000000000000



REGISTERED PROFESSIONAL LAND SURVEYOR  
Todd R. Catterson  
9/7/81 OREGON  
TODD R. CATTERSON  
58270  
RENEWS 12/31/21

STATE OF OREGON } SS  
COUNTY OF CROOK }  
I CERTIFY THAT THE WITHIN INSTRUMENT WAS  
RECEIVED FOR RECORD ON THE 17th DAY OF  
SEPTEMBER A.D. 2021, AND  
RECORDED IN SURVEYS # 4516  
OF SAID COUNTY.  
TODD R. CATTERSON  
COUNTY SURVEYOR

ARMSTRONG  
surveying inc. - established 1977  
SHEET 1 OF 1  
DRG. NO. 21-5622.DWG  
W.O. 21-5622

**From:** [Tami MacLeod](#)  
**To:** [Smith, Adam](#); [Oswald, Bailey M.](#)  
**Subject:** RE: Huston 217-23-001215-PLNG [IWOV-PDX.FID4923157]  
**Date:** Wednesday, January 17, 2024 10:30:46 AM

---

Good morning –

I have discussed with the Orrs and they respectfully decline the renewed offer.

Please let me know if you would like to discuss.

Thank you,  
Tami MacLeod

---

**From:** Smith, Adam <[asmith@schwabe.com](mailto:asmith@schwabe.com)>  
**Sent:** Monday, January 15, 2024 3:03 PM  
**To:** Tami MacLeod <[tmacleod@lynchmurphy.com](mailto:tmacleod@lynchmurphy.com)>  
**Subject:** RE: Huston 217-23-001215-PLNG [IWOV-PDX.FID4923157]  
**Importance:** High

Tami,

We spent some time reviewing the evidence that you and your clients added to the record last week. My understanding of your clients' argument is that they are asserting that event traffic will preclude them from finding a contractor to cut the hay on their field, thus causing a "farm impact." (Please let me know if I misunderstood the argument). In years past, my clients' employees cut the hay on your clients' field. That arrangement stopped a couple of years ago because of the neighborhood dispute regarding my clients' event venue and because my clients determined it was not economical to continue cutting your clients' relatively small hayfield.

I talked about this issue further why my clients. My clients do not agree that the event traffic is the cause of your clients struggling to find a hay contractor, especially because of the timing of when those events occur. Instead, my clients believe that the difficulty is caused by the relatively small size of your clients' field. Nevertheless, as stated in my December 29, 2023 email, my clients are interested in resolving the neighborhood dispute. To accordingly resolve this particularly issue and as a sign of our good faith to resolve the neighborhood dispute, my clients are willing to enter into a side agreement whereby they will commit to cutting your clients' hayfield each and every year that the event center operates. Further, my clients are generally willing to cut your clients' hayfield based on the same terms and conditions that both parties found agreeable in year's past.

Please note that this offer would be in addition to the proposed conditions of approval outlined in my December 29, 2023 email. If agreeable to your clients and as noted in my December 29, 2023 email, it is imperative that your clients add documentation to the record clarifying that these conditions of approval (in addition to the above-mentioned side agreement regarding haying your clients' hayfield) satisfactorily address the asserted impacts such that the proposed events will no

longer force a significant change in farm practices nor significantly increase the cost of those farm practices. That documentation will need to be added to the record by the close of the rebuttal period – this Wednesday, January 17, 2024 at 4:00 pm. I know it is a quick deadline, but please let me know if this offer is agreeable to your clients by **noon on Wednesday, January 17, 2024**. (If you need more time to consider the offer, please let me know as well as so we can discuss how to address the record deadline.)

I look forward to hearing from you.  
-Adam

**Adam Smith**

Shareholder  
*Pronouns: he, him, his*  
D: 541-749-1759  
[asmith@schwabe.com](mailto:asmith@schwabe.com)

**SCHWABE, WILLIAMSON & WYATT**  
**CLIENT SHOWCASE | INNOVATING FOR GOOD**

---

**From:** Tami MacLeod <[tmacleod@lynchmurphy.com](mailto:tmacleod@lynchmurphy.com)>  
**Sent:** Wednesday, January 3, 2024 2:56 PM  
**To:** Smith, Adam <[asmith@schwabe.com](mailto:asmith@schwabe.com)>  
**Cc:** Elizabeth A. Dickson <[eadickson@dicksonhatfield.com](mailto:eadickson@dicksonhatfield.com)>  
**Subject:** Huston 217-23-001215-PLNG

Good afternoon –

Thank you for your email of December 29, 2023, proposing a path for resolving some of the issues surrounding the Hustons' proposed commercial event permit. I have discussed with my clients the Orrs, and while we appreciate the effort to reach resolution, particularly the offer for privacy fencing, the Orrs reject the proposal. After careful consideration, the Orrs just do not believe that the modifications and conditions of approval are sufficient to address the negative impacts on farming and ranching from the commercial events (whether 10 or 18).

TAMI MACLEOD  
**LYNCH MURPHY McLANE LLP**  
747 SW MILL VIEW WAY | BEND, OREGON 97702  
DIRECT: 541.323.0174 | OFFICE: 541.383.5857 | FAX: 541.383.3968  
[tmacleod@lynchmurphy.com](mailto:tmacleod@lynchmurphy.com) | [www.lynchmurphy.com](http://www.lynchmurphy.com)

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January 16, 2024

Crook County Planning Commission  
c/o Kaite McDonald, Senior Planner  
300 NE 3rd St, Room 12  
Prineville, OR 97754  
plan@crookcountyor.gov

Dear Commissioners,

Opposing parties raised a number of issues regarding the financial aspects of our ranch operation and our event venue. I offer additional information to address those issues and to provide more clarity on how we run our ranch, our event venue, the financial aspects of our ranch operation.

As I noted in my testimony at the Planning Commission hearing, I own two farm properties in central Oregon. One is the subject property in Crook County and the other is in Deschutes County. The financial statement from our CPA, dated June 7, 2023, includes income and expenses from both our Crook County property and our Deschutes County property. Our CPA's financial statement included both properties because we move hay and cattle between the properties, share farming equipment, and operate our properties as one larger ranch operation. The company that operates our ranch and our event venue is Ponderosa Land and Livestock, LLC (see attached Oregon Secretary of State business data). Notably, the example venue agreement attached to our initial application also shows that Ponderosa Land and Livestock, LLC operates the event venue.

Our Deschutes County property is smaller than our Crook County property. We primarily use that property for raising hay, and it produces less income and generates less expenses than our Crook County property. In a typical year, we generate \$50,000-\$60,000 from the sale of hay crops on our Deschutes County property and the expenses of our Deschutes County property are \$30,000-\$40,000.

As typical for other ranches, our farm income from year to year can vary widely depending on a number of factors, such as the fluctuation in market price of cattle and crops, when we sell our hay crops or cattle, how much crops or cattle we sell in a given year, and many other factors. For example, crops harvested during the summer months are often sold in the following year, and we may sell hay crops a few years after it was harvested. Likewise for cattle, if we sell a large number of cattle one year we could generate a lot of income in that year, but the following year we would need to rebuild the herd and we would generate far less income the next year. The June 7, 2023 statement from my CPA (included in our original application) documents the fluctuating nature of both the income and expenses year-to-year.

A question was raised regarding why our income from the event venue was higher in 2021 than 2022. The income and expenses for our event venue cannot be allotted to the exact calendar year in which the events take place. When we book events, we typically schedule them well in advance and we charge a deposit at the time of booking. Accordingly, some of our event venue income in 2021 was for events that ultimately took place in 2022. Additionally, we frequently donate the Pavilion for charitable events,

which further makes it impossible to correlate precisely the number of events that occurred in either 2021 and 2022 to the income received in those two years. Last, we were also ultimately forced to give refunds to several clients because of the County's code enforcement case.

As stated during the public hearing, our Crook County ranch property is near a break-even point on many years and it often loses money. Selling crops and cattle is clearly the main source of revenue for our ranch operation, but the event venue is important because it gives us a small amount of additional revenue that can keep us in operation. Our goal is to keep our ranch operating, and to avoid continued parcelization of our ranch property to make ends meet. We ask that the Planning Commission approve our land use application to help us achieve that goal.

Sincerely,



Greg Huston

# AMENDED ANNUAL REPORT



Corporation Division  
[www.filinginoregon.com](http://www.filinginoregon.com)

**E-FILED**  
Jun 14, 2023  
**OREGON SECRETARY OF STATE**

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**REGISTRY NUMBER**

44353795

**REGISTRATION DATE**

06/14/2007

**BUSINESS NAME**

PONDEROSA LAND AND LIVESTOCK, LLC

**BUSINESS**

PONDEROSA LAND AND LIVESTOCK IS A RANCH THAT SELLS ALFALFA AND LIVESTOCK

**MAILING ADDRESS**

PO BOX 741  
SALEM OR 97308 USA

**TYPE**

DOMESTIC LIMITED LIABILITY COMPANY

**PRIMARY PLACE OF BUSINESS**

8790 NW CAMPBELL RANCH RD  
PRINEVILLE OR 97754 USA

**JURISDICTION**

OREGON

**REGISTERED AGENT**

CON P LYNCH

841 SAGINAW ST S  
SALEM OR 97302 USA

If the Registered Agent has changed, the new agent has consented to the appointment.

**MANAGER**

KAREN HUSTON

5110 NW 83RD ST  
REDMOND OR 97756 USA

**MANAGER**

GREGORY HUSTON

5110 NW 83RD ST  
REDMOND OR 97756 USA



I declare, under penalty of perjury, that this document does not fraudulently conceal, fraudulently obscure, fraudulently alter or otherwise misrepresent the identity of the person or any officers, managers, members or agents of the limited liability company on behalf of which the person signs. This filing has been examined by me and is, to the best of my knowledge and belief, true, correct, and complete. Making false statements in this document is against the law and may be penalized by fines, imprisonment, or both.

By typing my name in the electronic signature field, I am agreeing to conduct business electronically with the State of Oregon. I understand that transactions and/or signatures in records may not be denied legal effect solely because they are conducted, executed, or prepared in electronic form and that if a law requires a record or signature to be in writing, an electronic record or signature satisfies that requirement.

**ELECTRONIC SIGNATURE**

**NAME**

CON P LYNCH

**TITLE**

AUTHORIZED AGENT

**DATE**

06-14-2023

OREGON SECRETARY OF STATE  
**Corporation Division**

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### Business Entity Data

01-15-2024  
11:00

Registry Nbr	Entity Type	Entity Status	Jurisdiction	Registry Date	Next Renewal Date	Renewal Due?
443537-95	DLLC	ACT	OREGON	06-14-2007	06-14-2024	
<b>Entity Name</b>	PONDEROSA LAND AND LIVESTOCK, LLC					
<b>Foreign Name</b>						

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### Associated Names

Type	PPB	PRINCIPAL PLACE OF BUSINESS					
<b>Addr 1</b>	8790 NW CAMPBELL RANCH RD						
<b>Addr 2</b>							
<b>CSZ</b>	PRINEVILLE	OR	97754		<b>Country</b>	UNITED STATES OF AMERICA	

Please click [here](#) for general information about registered agents and service of process.

Type	AGT	REGISTERED AGENT		Start Date	03-18-2020	Resign Date	
<b>Name</b>	CON	P	LYNCH				
<b>Addr 1</b>	841 SAGINAW ST S						
<b>Addr 2</b>							
<b>CSZ</b>	SALEM	OR	97302		<b>Country</b>	UNITED STATES OF AMERICA	

Type	MAL	MAILING ADDRESS					
<b>Addr 1</b>	PO BOX 741						
<b>Addr 2</b>							
<b>CSZ</b>	SALEM	OR	97308		<b>Country</b>	UNITED STATES OF AMERICA	

Type	MGR	MANAGER			Resign Date	
<b>Name</b>	KAREN		HUSTON			
<b>Addr 1</b>	5110 NW 83RD ST					
<b>Addr 2</b>						
<b>CSZ</b>	REDMOND	OR	97756		<b>Country</b>	UNITED STATES OF AMERICA

Type	MGR	MANAGER			Resign Date	
<b>Name</b>	GREGORY		HUSTON			
<b>Addr 1</b>	5110 NW 83RD ST					
<b>Addr 2</b>						

CSZ	REDMOND	OR	97756		Country	UNITED STATES OF AMERICA
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## Name History

Business Entity Name	Name Type	Name Status	Start Date	End Date
PONDEROSA LAND AND LIVESTOCK, LLC	EN	CUR	04-19-2013	
PONDEROSA LAND AND DEVELOPMENT, LLC	EN	PRE	06-14-2007	04-19-2013

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## Summary History

Image Available	Action	Transaction Date	Effective Date	Status	Name/Agent Change	Dissolved By
	AMENDED ANNUAL REPORT	06-14-2023		FI		
	AMENDED ANNUAL REPORT	06-16-2022		FI		
	AMENDED ANNUAL REPORT	06-15-2021		FI		
	AMENDED ANNUAL REPORT	06-15-2020		FI		
	AMNDMT TO ANNUAL RPT/INFO STATEMENT	03-18-2020		FI	Agent	
	AMENDED ANNUAL REPORT	08-06-2019		FI	Agent	
	REINSTATEMENT AMENDED	09-12-2018		FI		
	ADMINISTRATIVE DISSOLUTION	08-16-2018		SYS		
	ANNUAL REPORT PAYMENT	06-09-2017		SYS		
	ANNUAL REPORT PAYMENT	05-27-2016		SYS		
	AMENDED ANNUAL REPORT	07-08-2015		FI		
	ANNUAL REPORT PAYMENT	05-19-2014		SYS		
	AMENDED ANNUAL REPORT	06-03-2013		FI		
	ARTICLES OF AMENDMENT	04-19-2013		FI	Name	
	AMENDED ANNUAL REPORT	06-22-2012		FI	Agent	
	AMENDED ANNUAL REPORT	06-10-2011		FI		
	REINSTATEMENT AMENDED	03-15-2011		FI		

	ADMINISTRATIVE DISSOLUTION	08-13-2010		SYS		
	ANNUAL REPORT	05-22-2009		FI		
	AMENDED ANNUAL REPORT	07-08-2008		FI		
	CHANGE OF MAILING ADDRESS	04-24-2008		FI		
	CHANGE OF REGISTERED AGENT/ADDRESS	04-24-2008		FI		
	ARTICLES OF ORGANIZATION	06-14-2007		FI	Agent	

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January 17, 2024

Crook County Planning Commission  
c/o Kaite McDonald, Senior Planner  
300 NE 3rd St, Room 12  
Prineville, OR 97754  
plan@crookcountyor.gov

Re: 217-23-001215-PLNG; Farm Practices on the Orr Property

Dear Commissioners,

I submit these additional comments in regard to the farm practices that have occurred on the Orr property in the past and the Orrs' claim that the proposed commercial events will significantly impact their farm practices. These comments are intended to supplement the discussion of the Orrs' farm practices contained in my January 10, 2024, letter.

### **Orr Property**

The Orrs claim that it has not been possible to harvest hay on their property in the past two years because farm equipment cannot share the use of Campbell Ranch Road with vehicles traveling to and from the event site. I question the veracity of the Orrs' argument because the Hustons have hired haying contractors to harvest crops on their property during the past two years and those haying contractors have not had any issues sharing the use of Campbell Ranch Road with vehicles traveling to and from the event site.

Attached as Exhibit A is a letter from Jason Dennis, a local farmer and haying contractor, who has harvested crops on the Huston property in the past two years. As noted in Mr. Dennis' letter, during both 2022 and 2023 Mr. Dennis harvested grass seed on the Huston property using two combines, three semi-trucks, and swathers. Mr. Dennis and his employees moved all of their farm equipment on Campbell Ranch Road and they did not have any issues sharing use of the road with traffic from the events. Although the Orrs urge you to believe that it is not possible for farm equipment to use the road due to traffic from the event site, Mr. Dennis who regularly does custom farming on farms and ranches in the Prineville area, specially noted that Campbell Ranch Road is wide and safe for vehicles and heavy equipment, such as tractors and semi-trucks, to pass each other with no issues.

In their submittals and hearing testimony, the Orrs urge you to believe that they have not hired a haying contractor to hay property in the past two years because a haying contractor that they might hire would not be able to move their farm equipment on Campbell Ranch Road and the haying contractor would need to work around the scheduled events at the event site. As discussed above, Campbell Ranch Road is wide and safe for farm equipment and vehicles to pass each other with no issues. Comments from Mr. Dennis clearly refute the Orrs claims. Additionally, the photographs submitted by the Orrs also refute their claims.

The Orrs' photographs show combines and semi-trucks traveling past their house on Campbell Ranch Road during 2023. The Orrs' photograph from 2022 shows two combines and three semi-trucks harvesting grass seed on one of the Hustons' fields that is adjacent to the Orr property. As noted in his letter, when Mr. Dennis harvested grass seed on the Huston property, he and his employees used two combines, three semi-trucks, and swathers. A typical haying contractor hired to custom farm the Orr property would use one tractor for swathing and baling, one tractor for raking and tedding, and a harrow bed (i.e. bale wagon) and/or a semi-truck to pick up the baled hay and transport it to a hay barn for storage. The farm equipment that Mr. Dennis has used on the Huston property in 202 and 2023 includes more pieces of equipment and larger pieces of equipment than a haying contractor would use to hay the Orr property. It is clear from the evidence in the record that farm equipment, such as the haying equipment that the Orrs would need to harvest hay on their property, can travel safely on Campbell Ranch Road without conflicting with event traffic.

I also question the veracity of the Orrs' argument that they have not hired a haying contractor because the haying contractor would need to work around the schedule of events held on the Huston property. Mr. Dennis specifically discussed the fact that there have been events occurring on the Huston property while he and his employees used the road to move their farm equipment and they had no issues with event traffic.

Although the Orrs urge you to believe they have not hired a haying contractor in the past two years because farm equipment cannot travel on Campbell Ranch Road due to events being held on the Huston property, I believe the true reason the Orrs have not hired a haying contractor is because the Orr property is not feasible to hay by itself and, even if the Orrs were able to find a haying contractor willing to hay their property, the haying contractor would charge the Orrs more money than the Orrs' hay is worth.

The Orrs concede that they have not harvested and sold hay from their property since 2021. Attached as Exhibit B is a letter from Blair Parsons, ranch manager of the Hustons' ranch. Mr. Parsons' letter outlines the haying activities that have occurred on the Orr property in the past, addresses the fact that when the Orr property has been hayed it was hayed in conjunction with the larger, neighboring Huston or Morton properties, and discusses why it is not profitable to hay the Orr property by itself.

Mr. Parsons has first-hand knowledge of the feasibility of haying the Orr property because he hayed their property in 2021 and prior years. As discussed in Mr. Parsons' letter, when he hayed the Orr property, he hayed it in conjunction with the other, larger fields that he was haying on the Huston property. Mr. Parsons also discussed that prior to the time he hayed the Orr property, Rick Morton, another neighbor of the Orrs, hayed the Orr property in conjunction with other, larger fields on the Morton property.

As noted in Mr. Parsons' letter, Mr. Parsons and Mr. Morton hayed the Orr property because they were already haying nearby fields and they would work the Orr property into our own haying schedules. Based on his first-hand knowledge of haying the Orr property, Mr. Parsons specifically noted that it would not be profitable to hay the Orr property by itself because it is simply too small to generate enough income to justify moving haying equipment to the Orr property and having haying equipment tied up on the Orrs' small pasture when their property only produces a small amount of hay.

Mr. Dennis, who is a local farmer and haying contractor, also addressed the feasibility of haying the Orr property in his letter. As noted in his letter, Mr. Dennis worked in fields adjacent to the Orr property and he observed the Orr property on a number of occasions. Mr. Dennis specifically noted that it would not be feasible or profitable for a haying contractor to hay the Orr property because it is such a small amount of hay ground that he or a different haying contractor would have to upcharge based on the inconvenience. Mr. Dennis further explained that when he provides custom farming services, he chooses not to do small properties like the Orrs' property because from an efficiency standpoint, it is expensive to move equipment to small properties like the Orr property, just to harvest a few tons of hay.

The fact that it is not feasible to obtain a profit in money by haying the Orr property is further supported by the Orrs' own testimony and comments. In his hearing testimony, Mr. Orr stated that it is expensive to hire a haying contractor to hay their property and that haying contractors charge a premium to hay small areas such as the Orrs' pasture. Additionally, in their January 10, 2024, letter, the Orrs argued that "Mr. Orr will pay more for contractor harvesting and those contractors and the Orrs will be inconvenienced by the Event Center." Although it is not clear what the Orrs mean by arguing they "will pay more for contractor harvesting," I understand this statement to mean that the Orrs will pay more money to a new haying contractor than the Orrs previously paid to Mr. Parsons to hay their property.

Based on comments from Mr. Parsons and Mr. Dennis, as well as my own knowledge of hiring haying contractors, I believe the Orrs are correct that it will cost them more to hire a different haying contractor than it previously cost the Orrs to hire Mr. Parsons. However, the reason it would cost them more money to hire a different haying contractor in the future has nothing to do with alleged impacts from event traffic. The Orrs know it is only feasible to hay their property in conjunction with one of the larger, neighboring properties. The Orrs have not hired a haying contractor during the past two years because haying contractors will not hay their property and, even if they did find a haying contractor willing to hay their pasture, the Orrs know the cost to hire a haying contractor to hay their property will exceed any small amount of income that they might receive from selling a few tons of hay produced on their property.

As explained in detail above, the Orr property is not currently used for, nor has it been historically used for, "farm use" as defined by ORS 215.203(2)(a). The Orrs choose to live on a small parcel surrounded by farmland because they enjoy living in a rural setting. This is a lifestyle choice. The fact that the Orrs may use their property for some hobby farming as part of their lifestyle choice does not mean they are putting their property to farm use. ORS 215.203(2)(a) defines "farm use" to mean the current employment of land for the primary purpose of obtaining a profit in money by raising, harvesting and selling crops[.]" The evidence clearly shows that the Orr property is too small to be profitably farmed alone and that the Orrs are not using their property for the primary purpose of obtaining a profit in money by raising, harvesting and selling hay, as required by ORS 215.203(2)(a) and CCC 18.16.055(3)(d).

The proposed commercial events "will not force a significant change in accepted farm practices" on the Orr property nor will the proposed events "significantly increase the cost of accepted farm practices" on the Orr property as prohibited CCC 18.16.055(3)(d). As explained in Mr. Parsons' letter, the Orrs chose to have Mr. Parsons stop haying their property in 2021. They now urge you to believe that they are using their property for the primary purpose of obtaining a profit in money by raising, harvesting and selling hay. The Orrs further urge you to believe that traffic from the proposed events prevent them from obtaining a profit in money by raising, harvesting and selling hay. When, in fact, the Orrs made a choice

in 2021 to no longer have Mr. Parsons, the only person that would hay their property, stop haying their property. It is evident that any significant increase in cost for the Orrs to hay their property is due to a choice the Orrs made, rather than the alleged traffic impacts that the Orrs argue are the cause.

### **Fahlstrom Property**

In the Orrs' January 10, 2024, letter they argue that the proposed commercial events will have negative impacts not only to their property but also to all nearby farm and ranch operations. Based on letters submitted to the Planning Commission, it is evident that the nearby farm and ranch operations are in support of this application. As you know, the Fahlstroms are opposed to this application. My January 10, 2024, describes in detail that the Fahlstroms are not putting their properties to "farm use" as defined by ORS 215.203(2)(a). A key factor in my analysis of the Fahlstrom properties was the fact that the Fahlstroms divided and sold off portions of the larger ranch operation that they once owned and that they created smaller parcels that are now difficult to farm or ranch. Attached as Exhibit C is the County decision that approved the Fahlstroms' nonfarm dwelling. I submit this nonfarm dwelling decision to show that the proposed events are not the cause of negative impacts to the Fahlstroms alleged farm practices, but rather the Fahlstroms created separate and disjunctive tracts of land that are now difficult to use for ranching and farming. The Fahlstroms nonfarm dwelling decision discusses the fact that the parcel they sold to the Kuenzis contains the irrigated land which previously produced the grass that the rest of their former ranching operation was dependent on. The decision specifically states "that neither proposed nonfarm parcel can reasonably be put to farm us in conjunction with other lands."

Thank you for considering my comments.

Sincerely,



Rand Campbell

January 15, 2024

Crook County Planning Commission  
c/o Kaite McDonald, Senior Planner  
300 NE 3rd St, Room 12  
Prineville, OR 97754  
plan@crookcountyor.gov

Dear Commissioners,

I am a local farmer and I also do custom farming on farms and ranches in the Prineville area. I am also related to the Parsons, as I am Blair Parsons' brother-in-law. I submit this letter regarding my experience using Campbell Ranch Road to move farming equipment and the feasibility of contract haying on the Orr property.

In the past two years, during both 2022 and 2023, the Ponderosa Ranch hired me to harvest grass seed from one of their fields. In order to harvest the grass seed on the Ponderosa Ranch, me and my employees used two combines and three semi-trucks, and swathers. We moved all our equipment to and from the Ponderosa Ranch on Campbell Ranch Road. We have never had any issues moving our farming equipment to and from the Ponderosa Ranch or sharing the road with traffic from the events that were taking place on the Ponderosa Ranch.

There have been events and weddings being held on the Ponderosa Ranch at the same time that me and my employees were working at the Ponderosa Ranch and moving our equipment to and from the ranch. Campbell Ranch Road is wide and safe for vehicles and heavy equipment, such as tractors and semi-trucks, to pass each other with no issues.

I have harvested grass seed a couple of times from a field that is next to the Orr property. I have seen the Orr property in person, and I can speak to the feasibility of custom farming the Orr property. The Orr property includes one small hay field, which is a total of about 4.5 acres.

It would not be feasible or profitable for a haying contractor to hay the Orr property because it is such a small amount that we would have to upcharge based on the inconvenience. We choose not to do small properties like the Orrs' property because from an efficiency standpoint, it is expensive to move equipment to these small properties just to harvest a few tons of hay. Also, because there is no storage on the Orr property, we would need to haul the hay somewhere else to store in a barn which increases our cost and the gates are too small for our equipment.

Thank you for considering my letter and the opinion of a local farmer.

Sincerely,

  
Jason Dennis (Jan 17, 2024 12:08 PST)  
Jason Dennis

January 16, 2024

Crook County Planning Commission  
c/o Kaite McDonald, Senior Planner  
300 NE 3rd St, Room 12  
Prineville, OR 97754  
plan@crookcountyor.gov

Dear Commissioners,

I have been the ranch manager of the Hustons' ranch since the Fall of 2013. I submit this letter to explain how the Orr property has been hayed in conjunction with either Rick Morton's property or the Huston property during this time and why it is not profitable to hay the Orr property by itself.

From 2013 until 2016, our neighbor Rick Morton hired the Wilkinsons to contract hay his property and Rick would have the Wilkinsons hay the Orr property at the same time. Rick Morton would then take the hay from the Orr property to feed his cows.

In 2016, Rick Morton, I as the ranch manager, and owner Greg Huston made an agreement that Rick Morton would help with the daily hay operations on the Huston property and in exchange the Huston ranch equipment and ranch manager would, alongside Rick Morton's labor and some equipment, hay Rick Morton's property. From 2016 on, Rick Morton no longer hired the Wilkinsons to hay his property and the Orr property. In 2016, I hayed the Orr property as part of our agreement with Rick Morton and he took the hay from the Orr property to feed his cows.

In 2017, the Orrs decided they did not want me to hay their property because they believed their pasture was growing too much cheatgrass. So, in 2017 no one hayed the Orr property and the Orrs mowed their pasture with their lawn mower.

In 2018, I started haying the Orr property again and I continued to hay their property until 2021. I hayed the Orr property to be neighborly and by haying their property in conjunction with our adjacent fields it was financially feasible for me to hay their property. However, had I not already been haying adjacent fields, I would not have hayed the Orr property since it is not financially feasible for me to have our haying equipment tied up at the Orr property only to harvest a few tons of hay.

In the fall of 2021, the Orrs informed me that they no longer wanted me to hay their property. The 2021 season was the last year that I hayed the Orr property. Since then, the Orrs have not harvested any hay on their property, and they have been mowing their pasture with their lawn mower.

In the past, Rick Morton and I have hayed the Orr property because we were already haying nearby fields and we would work the Orr property into our own haying schedules. It is not profitable to hay the Orr property by itself because it is simply too small to generate enough income to justify moving haying equipment to the Orr property and having haying equipment tied up on the Orrs' small pasture when their property only produces a small amount of hay.

Thank you for considering my comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Blair Parsons", written in a cursive style.

Blair Parsons

Ranch Manager

541-788-1947

luckyhatcattle@gmail.com

CROOK COUNTY

BEFORE THE PLANNING COMMISSION

IN THE MATTER OF AN APPLICATION  
FOR PARTITIONING AND TWO  
CONDITIONAL USE APPROVALS IN AN  
EXCLUSIVE FARM USE ZONE EFU-2

NO. C-LP-555-06 NF  
C-CU-2296-06 NF Parcel 2  
C-CU-2297-06 NF Parcel 3

FINAL DECISION

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**SUMMARY:**

**APPLICANT:** John and Connie Fahlstrom  
8899 NW Campbell Ranch Road  
Prineville OR 97754

**AGENT:** Craig Kilpatrick  
13790 NW O'Neil Highway  
Redmond OR 97756

**PROPOSAL:** A partitioning to divide a 386.67 acre farm parcel to create a 372.67 acre farm parcel (Parcel 1), and two 7.0 acre nonfarm parcels (Parcels 2 and 3); and conditional use approval for a nonfarm residence on each nonfarm parcel in an Exclusive Farm Use EFU-3.

**FINAL DECISION:** Approved 7-0

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**DATE OF FINAL DECISION:** March 28, 2007

**DEADLINE FOR SUBMISSION OF APPEAL:** April 9, 2007

**THE ABOVE ENTITLED MATTER** came before the Crook County Planning Commission at its regular meetings of March 8, 2006, March 22, 2006, May 10, 2006, October 25, 2006, and March 14, 2007.

**LEGAL CRITERIA**

**CROOK COUNTY CODE:** The property is zoned Exclusive Farm Use EFU-2. Chapter 18.20.020(14) of the Crook County Code permits dwellings not in conjunction with farm use in the EFU-2 zone, subject to CCC 18.20.080.

Under CCC 18.20.070 the following requirements apply:

- (1) Farm Parcels: Division of land for farm parcels shall be appropriate for the continuation of the existing

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commercial agricultural operations in the area, but shall not be less than the minimum parcel size established in ORS 215.780 and CCC 18.20.090.

(2) Nonfarm Parcels: Division of land for nonfarm parcels shall comply with the following requirements including CCC 18.20.080:

(a) Nonfarm dwellings have been approved for the proposed parcels pursuant to CCC 18.24.020(14):

(b) The parcels for the nonfarm dwellings are divided from a lot or parcel that was lawfully created prior to July 1, 2001;

(c) Two (2) nonfarm parcels may be created as long as the remainder of the original parcel meets or exceeds the minimum standards established by Subsection 9 of this section.

Under CCC 18.20.080, the Planning Commission may approve a nonfarm dwelling upon a finding that the proposed dwelling is compatible with farm use, does not interfere seriously with accepted farming practices, does not materially alter the stability of the overall land use pattern of the area, is situated on generally unsuitable land for the production of crops and livestock, and complies with such other conditions as the Commission considers necessary. The property must be removed from farm deferral prior to issuance of a building permit.

Under CCC 18.20.070(1) division of land for farm parcels shall be appropriate for the continuation of the existing commercial agricultural operations in the area, but shall not be less than the minimum parcel size established in ORS 215.780 and CCC 18.20.090.

Under CCC 18.20.090, a lot or parcel of less than 160, but equal to or greater than the minimum lot size established by ORS 215.780 may be approved as a farm unit, when found to comply with the following:

(a) Any proposed parcel below 160 acres shall have usable water right and water availability of adequate quantity to ensure the operation of irrigated farming techniques of commercial

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levels;

(b) The proposed parcels must be of a size and shape that is efficient for the use of farm machinery including: cultivating, harvesting, and spraying equipment. The proposed division shall not materially alter the stability of the overall land use pattern of the area.

Under CCC 18.20.090(4), a land division for a nonfarm dwelling may be approved only if the nonfarm dwelling has first been approved.

Chapter 17.24 of the Crook County Code contains general requirements for partitionings.

Chapter 17.24.030 states that no application for partitioning shall be approved unless the following requirements are met:

- (1) Proposal is in compliance with the Comprehensive Plan.
- (2) Proposal is in compliance with the applicable zoning.
- (3) An approved water rights division plan has been submitted.

Chapter 17.24.040 states that the following factors may be considered by the Commission:

- (1) Placement and availability of utilities.
- (2) Safety from fire, flood, and other natural hazards.
- (3) Adequate provision of public facilities and services.
- (4) Possible effects on natural, scenic, and historical resources.
- (5) Need for on-site or off-site improvements.
- (6) Need for additional setback, screening, landscaping, and other requirements relative to the protection of adjoining and area land uses.

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**COMPREHENSIVE PLAN:** Pages 40-47 of the Crook County-Prineville Area Comprehensive Plan contain policies for agricultural areas of the County.

**BACKGROUND**

**PREVIOUS LAND DIVISIONS:** The subject property constitutes a separate parcel from the neighboring parcel described as T 14 S R 15 EWM (Sec 17) TL 600 and 601, and Sec 20 TL 600.

An interim zoning ordinance for Crook County was adopted on April 7, 1971. It was replaced by Crook County Zoning Ordinance No. 5, adopted during June 1973, and Land Development Ordinance No. 6, adopted during December 1973.

The subject property was a separately-deeded parcel as of January 1, 1958, at which time it was in separate ownership from T 14 S R 15 EWM (Sec 17, 18) TL 600 and 601, and Sec 20 TL 600.

Partitioning C-LP-209-00, approved by Planning staff on April 12, 2000, partitioned the 836 acre Campbell Ranch into two farm parcels measuring 295 and 541 acres.

Condition (9) of that partitioning stated that "The proposed parcels are not to be further divided." The property owner/applicant, Don Campbell, did not appeal this condition, and a final plat was filed for the partitioning.

On November 8, 2006, the Planning Commission issued a modification to the above partitioning, which eliminated Condition 9. The Commission found that this decision was to apply to all lands which were a part of T 14 S R 15 EWM (Sec 17) TL 600, 601; (Sec 20) TL 600 when the partitioning was initially approved, regardless of the parcel(s) of which they presently constitute a part.

Boundary adjustment C-LP(B)-243-00, approved by Planning staff on August 18, 2000, transferred acreage between the subject property and T 14 S R 16 EWM (Sec 17, 18) TL 600 and 601. 148.50 acres was transferred from the subject property to the neighboring parcel, and 215.23 acres was transferred from the neighboring parcel to the subject property. The size of the subject property was increased by 66.73 net acres. A final plat was filed. The boundary adjustment decision does not include any language

prohibiting future partitionings of the subject property.

On January 8, 2003, the Crook County Assessor's office recalculated the acreage of the subject property, and determined that the property measures 386.67 acres, rather than 426.77 acres as previously stated in the Assessor's records.

#### **PROPERTY CHARACTERISTICS**

**ACREAGE:** The property measures 386.67 acres. Three parcels are to be created, to measure 372.67 acres (Parcel 1), 7.0 acres (Parcel 2), and 7.0 acres (Parcel 3).

**PROPERTY SHAPE:** The subject parcel is of unusual shape, consisting of three "lobes". The eastern lobe is L-shaped, with the base of the L pointing south and the upright portion pointing west. The eastern lobe includes the two proposed nonfarm parcels in its northeastern corner. Its western end connects to the almost rectangular central lobe, which extends a considerable distance to the north. The larger, approximately square western lobe is connected to the central lobe by a narrow east-west strip.

**CURRENT USE OF THE PROPERTY:** An existing primary farm residence is located on the proposed farm parcel (Parcel 1). Grass hay is produced on a 31.8 acre irrigated portion of the proposed farm parcel, located in the southeastern part of the central lobe. The remainder of the proposed farm parcel consists of hilly dryland, very steep in some areas. The proposed farm parcel is used for a small cow-calf operation, which depends on the grass hay produced on the irrigated portion of the parcel. Electrical transmission lines crosses the eastern lobe of the proposed farm parcel from south to north between the proposed nonfarm parcels and the rimrocks. The transmission lines are on an easement which is located primarily on the farm parcel, but extends onto the proposed nonfarm parcels.

The two proposed nonfarm parcels (Parcels 2 and 3) are located in the northeastern corner of the eastern lobe of the property, and are vacant.

The transmission line easement extends onto the southwestern corner of the northern nonfarm parcel (Parcel 2), and the western part of the southern nonfarm parcel (Parcel 3).

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**AREA LAND USE:** The property is bounded on the north by a 799.42 acre dryland farm parcel, a 289.4 acre farm parcel with 40.0 acres of irrigation, and a 160 acre dryland BLM parcel.

It is bounded on the northeast by a 19.86 acre nonfarm parcel with a residence, and on the east by a 19.89 acre nonfarm parcel with a residence. These parcels and three residences are located a short distance to the northeast of the proposed nonfarm parcels, on and at the foot of the hillside which borders the nonfarm parcels on the east.

The property is bounded on the southeast by the 1000+ acre Quail Valley Ranch. The property is bordered on the south by a 281.30 acre farm parcel and a 238.64 acre farm parcel, the latter bordering the southward extension of the eastern lobe of the property on the south.

The property is bordered on the west, southwest, and northwest by the 1000+ acre Tognoli (River Run) Ranch.

The applicant's representative has designated a study area extending one mile from the property boundaries.

All lands within the study area are zoned Exclusive Farm Use EFU-2. Due to the size and irregular shape of the property, the study area includes approximately 5,987 acres. The total area of all parcels entirely or partially within the study area totals more than 10,468 acres.

There are 44 private ownerships entirely or partially within the Study Area, including the subject property. These ownerships range in size from 6.86 acres to 2,758.18 acres.

The ownerships include 24 (55%) which measure less than 40 acres, 3 (1%) measuring at least 40 acres but less than 80 acres, and 20 (44%) which measuring larger than 80 acres or larger, including the property presently proposed to be divided.

There are 30 residences on parcels entirely or partially within the Study Area. 27 of the 44 parcels partially or entirely within the Study Area are occupied by residences; three of these 27 parcels are occupied by two residences each.

Of the 30 residences on parcels entirely or partially

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within the Study Area, 19 were placed in 1993 or earlier, and 11 were placed after 1993. Of those placed after 1993, 8 were approved as nonfarm residences.

There are 15 residences located on parcels measuring less than 40 acres within the study area. There are three residences on parcels measuring at least 40 acres but less than 80 acres, and 12 residences on parcels measuring 80 acres or larger.

**The remainder of this section deals with potential future residential development within the study area. The figures provided are based upon current land use regulations. They do not take into account the possible impact of Measure 37 claims, which cannot be determined until such claims are filed and reviewed.**

There are 12 vacant parcels in the study area measuring less than 40 acres, each of which has sufficient non-irrigated land for one residence. A maximum of 12 nonfarm residences could be placed on these parcels.

There are no vacant parcels measuring at least 40 acres but less than 80 acres. There are three parcels measuring at least 40 acres but less than 80 acres with one residence each, and sufficient non-irrigated acreage for creation of one additional nonfarm parcel each. Each of these parcels was created prior to January 1, 2001. A total of three additional residences could be placed on these parcels.

Each of the twenty parcels measuring 80 acres or over has sufficient non-irrigated acreage for creation of two nonfarm parcels. Each of them was created prior to January 1, 2001.

One of the twenty parcels is the subject property, which cannot be further divided if the present applications are approved. The remaining nineteen parcels can potentially be partitioned to create a maximum of two nonfarm parcels each, for a total of 38 potential nonfarm residences.

There are three potential lot of record parcels, all of which are included among the above described parcels.

On the basis of the above, a total of fifty-three additional nonfarm residences could be placed within the study area, as follows:

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**CATEGORY**

**POTENTIAL NONFARM DWELLINGS**

Vacant Nonfarm Parcels <40 acres	12
Nonfarm Parcels 40-80 acres with one residence	3
Divisible Farm Parcels >80 Acres	38
Total	<b>53</b>

**ACCESS:** The existing residence on Proposed Parcel 1 is accessed by an existing graveled private road which constitutes an extension of Campbell Ranch Road, a paved public road.

Campbell Ranch Road borders the property on the south, and connects to Elliott Lane, a county road, about one-half mile to the east of the property. Elliott Lane connects to the O'Neil Highway, a state highway, about one mile to the south.

Access to proposed Parcels 2 and 3 is provided by Spring Creek Road, a private road which connects to the extension of Campbell Ranch Road on the south, and skirts the eastern edge of the property. Spring Creek Road is a dirt road on a 60 foot right-of-way. It follows a winding path up a steep grade to reach the hillside bench on which the proposed parcels are located. The road descends another steep grade to the north of the proposed parcels, to serve three residences in other ownership. There is presently a road maintenance agreement under which the owners of those residences share the cost of maintaining the road.

Spring Creek Road is adjacent to the eastern boundary of proposed Parcel 3, but passes to the east of proposed Parcel 2.

An existing PGE access road, which is little more than a trail, connects to Spring Creek Road on the northern part of Parcel 3, and provides access to a PGE electrical transmission tower to the south of Parcel 3.

The applicants propose a single access to both proposed nonfarm parcels, to connect to Spring Creek Road on the southern edge of Parcel 3. The access road is to connect to the existing PGE road, which is to provide access to the proposed residence to be located near the center of Parcel 3. The portion of the PGE road

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between the proposed residence and the road's existing access to Spring Creek Road is to be abandoned. PGE will use the applicants' proposed access road to access the remaining portion of the PGE road to reach their tower to the south of Parcel 3.

An easement must be granted to PGE for this purpose.

Another road is to connect to the PGE road north of its junction with the access road, to provide access to the proposed residence near the center of Parcel 2.

The proposed access roads on the proposed parcels must be constructed to County road standards, and the portion of the existing PGE road on the parcels to be used for access to the proposed residences must be improved to County Road Standards.

Planning staff has observed that Spring Creek Road is muddy in wet weather, as well as being steep and winding, with poor visibility in places. The road is probably impassible in extreme weather.

The applicant and his representative have indicated that the applicant is willing to share the cost of improving Spring Creek Road with its present users.

Prineville Fire and Rescue recommends that all roads providing access to the proposed parcels, including Spring Creek Road, be constructed or improved to county road standards.

The purchasers of the proposed nonfarm parcels must be required to participate in the existing road maintenance agreement for Spring Creek Road, and in any road maintenance agreement for Campbell Ranch Road or its private extension.

**FARM DEFERRAL:** The property is under farm deferral.

**SOILS:** According to unpublished data provided by the Crook County GIS Department, soils on the property are as follows:

**Proposed Parcel 1:**

- (1) Meadowridge ashy sandy loam, Class 4e if non-irrigated.
- (2) Meadowridge-Argentia-Era complex, Class 6e if non-irrigated.

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- (3) Ochoco-Prineville complex, Class 6 if irrigated, 3 if non-irrigated.
- (4) Aridic-Haploxerolls complex, Class 6e if non-irrigated.
- (5) Stukmond-Lickskillet-Redmond complex, Class 6e or 7s if non-irrigated.
- (6) Redmond-Stukmond complex - Class 6e.
- (7) Lickskillet-Rock Outcrop-Searles complex, Lickskillet 7e, Rock Outcrop 8, Searles 6e.
- (8) Searles-Lickskillet complex, Class 6e or 7s if non-irrigated.
- (9) Bakeoven-Rubble Land complex, Class 7s or 8 if non-irrigated.
- (10) Lickskillet-Bakeoven complex, Class 7s if non-irrigated.
- (11) Era cobbly ash sandy loam, Class 6e if non-irrigated.

**Proposed Parcel 2:**

- (1) Lickskillet-Bakeoven complex, Class 7s if non-irrigated.

**Proposed Parcel 3:**

- (1) Lickskillet-Bakeoven complex, Class 7s if non-irrigated.
- (2) Era cobbly ash sandy loam, Class 6e if non-irrigated.

**Published soils data for proposed Parcels 2 and 3**

- (1) Lookout very stony loam, Class 7s-1 if non-irrigated.

**IRRIGATION:** Proposed Parcel 1 has 31.8 acres of irrigation water located on the central lobe of the property. The remainder of Parcel 1 is dry. Parcels 2 and 3 are not irrigated and have no water rights.

**TOPOGRAPHY:** The proposed farm parcel consists of some level land in the southeastern part of the central lobe of the parcel, where the irrigated land and the existing residence are located. The rest of the farm parcel consists of hilly dryland with some steep

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slopes, and rimrocks.

Both proposed nonfarm parcels are located on a hillside bench which slopes upward from east to west, in the northeastern corner of the eastern lobe of the property. Steep rimrocks border the bench a short distance to the south, west, and north of the proposed nonfarm parcels, and severely limit access from the nonfarm parcels to the rest of the eastern lobe of the property.

A steep hillside borders the bench and the nonfarm parcels on adjacent properties to the east of the eastern lobe. The hillside descends to level farmlands which stretch away to the east, north, and south.

**FLOOD ZONE:** The proposed homesites are in Flood Zone X, outside the 500 year flood zone.

**WETLAND:** The proposed homesites are not in a designated wetland area.

**WILDLIFE:** The Oregon Department of Fish and Wildlife indicates that the proposed farm parcel (Parcel 1) is within 0.25 mile of three golden eagle nests. However, the proposed nonfarm parcels (Parcels 2 and 3) and nonfarm residences are outside the 0.25 mile radius of the nests. ODFW indicates that the applicants have followed the agency's recommendations for mitigating adverse impact on the nests, and that the agency has no objection to the proposal.

Planning staff observed several golden eagles on and near the property.

**FIRE:** Prineville Fire and Rescue provides fire protection to the property.

Prineville Fire and Rescue recommends that all roads providing access to the property, including Spring Creek Road, be constructed or improved to county road standards.

Planning staff observed that the proposed nonfarm parcels are covered by an unusually dense growth of sagebrush and bitterbrush, with scattered junipers and some bunch grass, which constitutes a potential wildfire hazard.

**UTILITIES:** Electricity and telephone service are available to the proposed parcels from lines on Campbell Ranch Road and Spring Creek Road.

**WATER:** Water is provided to the existing primary farm residence on proposed Parcel 1 by an existing well on the parcel. Water is to be provided to the proposed residences on Parcels 2 and 3 by a shared well on Parcel 3, to be located adjacent to the boundary with Parcel 2.

**SEPTIC:** The existing primary farm residence on Parcel 1 is served by an existing septic system. The proposed residences on Parcels 2 and 3 are to be served by individual septic systems. Soil evaluations have been conducted and approvals granted for both nonfarm parcels.

**VEGETATION:** Except for the area under irrigation, all of the proposed parcels are covered by junipers, sagebrush, bitterbrush, and some bunch grass.

Planning staff observed that this vegetation forms an unusually dense growth on both proposed nonfarm parcels, indicating that they have not been grazed or put to other use in the recent past.

**HERBACEOUS FORAGE REPORT:** An herbaceous forage report is not required for the present application, in accordance with CCC 18.24.120.

## TESTIMONY

### WRITTEN/VERBAL TESTIMONY

Letters in opposition to the proposal were received from area property owners. The writers of these letters also submitted verbal testimony.

Three of these letters referred to condition (9) of partitioning C-LP-209-00, approved by Crook County Planning staff on April 12, 2000, which stated that, "The proposed parcels are not to be further divided".

One of the opponents stated that condition (9) should apply to the present application, because boundary adjustment C-LP(B)-243-00, approved by Planning staff on August 18, 2000,

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transferred part of one of the parcels created by partitioning C-LP-209-00, and subject to condition (9), to the subject property.

All of the opponents stated that they were told at the time they purchased their property that there would be no further divisions of the property involved in partitioning C-LP-209-00.

One opponent asked whether the owners of the proposed parcels would be required to participate in the existing road maintenance agreement for Spring Creek Road.

He also stated that the area now provides food and shelter and is a spring and summer nursery for mule deer, that the area is part of a migratory corridor for elk, and that the proposed residences would further encroach on nesting cliffs used by golden eagles. He asked what mitigation measures will be taken to protect all of these wildlife.

This opponent stated that the proposed locations are a poor choice for new homes, and that the proposal would benefit no one except the developers, but would harm wildlife.

**VERBAL TESTIMONY**

**PROPONENT TESTIMONY:** The applicant's representative stated that the issue of whether condition (9) of partitioning C-LP-209-00 applies to the property was settled by the modification to the approval of that partitioning approved by the Commission on November 8, 2006, and should not be addressed at the present hearing.

He stated that the property is not in any wildlife overlay zone. He said that two registered eagle nests are in the general area, but that the proposed nonfarm residences are to be outside the one-quarter mile impact area, and will be screened from view of the nests.

He stated that no subdivision is being created, and that other lots created previously are not germane to the issue.

**OPPOSITION TESTIMONY:** Three area residents testified in opposition to the proposal.

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One stated that the addition of two new nonfarm parcels to those already in the area will constitute a subdivision. She stated that the addition of two new wells may adversely impact groundwater supplies in the area.

A second resident asked what the responsibilities of the developer will be to improve and maintain Spring Creek Road and Campbell Ranch Road. She stated that the present residents have a road maintenance agreement, but should not be required to help improve the roads to accommodate the additional residences.

A third resident stated that she sees deer and elk every day. She said that she is concerned about the impact of two additional residences on wildlife.

**STAFF ANALYSIS**

**(A) Generally Unsuitable Standard:** The Commission must consider each of the criteria required by ORS 215.263(5), including terrain, adverse soil or land conditions, drainage or flood conditions, vegetation, location, and size, in order to determine whether each of the proposed nonfarm parcels can be operated independently as a farm or ranch operation.

**(1) Terrain:** Both proposed nonfarm parcels are located on a hillside bench which slopes upward from east to west. The slope appears too steep for cultivation, but would potentially permit grazing.

**(2) Adverse Soil or Land Conditions:** Both proposed nonfarm parcels have no irrigation water rights. The soils on Proposed Parcel 2 are in Class 7s if non-irrigated. The soils on Proposed Parcel 3 are in Classes 6e and 7s if non-irrigated.

Published soils data for proposed Parcels 2 and 3 indicates that the soils on both proposed parcels are in Class 7s-1 if non-irrigated.

**(3) Drainage or Flood Conditions:** Both proposed nonfarm parcels are well drained and are not subject to flood hazard, in accordance with the Federal Emergency Management Agency (FEMA) July 17, 1989 Flood Insurance Rate Map. The map indicates that the entire property is in Flood Zone X, outside the 500 year flood zone.

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Drainage or flood conditions do not in themselves make a parcel unsuitable for farm use, but do not help to make it more suitable for farm use.

**(4) Vegetation:** An herbaceous forage report is not required. Visual inspection by Planning staff indicates that both proposed nonfarm parcels are covered by an unusually dense growth of sagebrush and bitterbrush, with scattered junipers and some bunch grass. This vegetation cover appears to be of poor quality for forage.

**(5) Location:** Both proposed nonfarm parcels are located on a hillside bench. The bench is isolated from the remainder of the property by rimrocks on the west, southwest, and northwest. It is isolated from other properties by steep hillsides on the east, southeast, and northeast. The proposed parcels are accessed by a steep, winding roadway which climbs a hillside to the south and southeast.

**(6) Size:** The existing parcel measures 386.67 acres. The proposed nonfarm parcels are to measure 7.0 acres each. Each proposed parcel measures about 2% percent of the original parcel; together they measure about 4%.

**(B) Use in Conjunction Test:** In addition to the six factors of the Unsuitability test above, the Commission must find that each proposed nonfarm parcel cannot reasonably be put to farm use in conjunction with other lands.

Both proposed nonfarm parcels lacks irrigation water. The soils on Parcel 2 are in Class 7s; those on Parcel 3 are in Classes 6e and 7s. Published soils data indicates that soils on both proposed nonfarm parcels are in Class 7s-1.

On the basis of these factors, it appears that neither proposed nonfarm parcel can reasonably be put to farm use in conjunction with other lands.

**(C) Significant Change Test:** Both proposed nonfarm parcels are located on a hillside bench. On the basis of visual observation, the entire bench shares the general terrain, soil and vegetation conditions of the proposed parcels. It appears never to have been used for any form of agriculture or grazing.

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The bench is isolated from the remainder of the subject property by rimrocks; and from other farm operations to the east, southeast, and southwest by steep hillsides and by nonfarm parcels with residences at the foot of the hillside on the east and northeast.

On the basis of these factors, it appears that neither proposed nonfarm residence will cause significant changes to farming practices in the area.

**(D) Stability Test:** Planning staff has determined that a maximum of fifty-three additional nonfarm residences could potentially be placed within the study area. (See the AREA LAND USE section, above.)

Because of the factors described under **(C)** above, the proposed nonfarm residences will be substantially isolated from other residential development in the general area, and can therefore be expected to have less impact on development trends than otherwise.

In view of the above, the Commission must determine whether the two proposed additional nonfarm residences would constitute a significant change in the overall land use pattern of the area.

**(E) Will the proposed nonfarm residences comply with such other conditions as the Commission considers necessary?**

If the applications are approved, the Commission must require the applicants to sign a nonremonstrance agreement to protect farm and forestry operations in the area. The buyers or owners of the nonfarm parcels must be required to submit a conservation plan prior to obtaining a building permit.

**(F) Does proposed Parcel 1 qualify as a farm parcel?**

Proposed Parcel 1 is to measure 372.67 acres. In accordance with CCC 18.20.090, a parcel of 160 acres or more shall be considered to be a farm unit.

**(G) Is access to the proposed parcels adequate?**

Access to the primary farm residence on proposed Parcel 1 is existing and adequate.

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Proposed Parcels 2 and 3 are to have a joint access from Spring Creek Road.

**COMMISSION ANALYSIS**

**(1) Generally Unsuitable Standard:** On the basis of the staff findings under (A) above, the Commission finds that the proposed nonfarm parcels are generally unsuitable for the production of crops and livestock.

**(2) Use in Conjunction Test:** On the basis of the staff findings under (B) above, the Commission finds that the proposed nonfarm parcels cannot reasonably be put to agricultural use in combination with other lands.

**(3) Significant Change Test:** On the basis of the staff findings under (C) above, the Commission finds that neither proposed nonfarm residence will cause significant changes to farming practices in the area.

**(4) Stability Test:** On the basis of the staff findings under (D) above, the Commission finds that the proposed nonfarm residences will not constitute a significant change in the overall land use pattern of the area.

**(5) Compliance With Other Conditions:** The applicants must be required to sign a nonremonstrance agreement to protect farm and forestry operations in the area. The buyers or owners of the nonfarm parcels must be required to submit a conservation plan prior to obtaining a building permit.

**(6) Farm Parcel:** Proposed Parcel 1 is to measure 372.67 acres. In accordance with CCC 18.20.090, a parcel of 160 acres or more shall be considered to be a farm unit.

**(6) Access:** The Commission finds that access to the property will be adequate, provided that the applicant improves that portion of Spring Creek Road providing access to the nonfarm parcels to county road standards, and purchasers of the proposed parcels are required to participate in the existing road maintenance agreement for Spring Creek Road.

**(7) Wildlife:** The proposed nonfarm parcels are not within any

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wildlife overlay zone, are not within one-quarter mile of any eagle nest, and are screened from view of eagle nests in the vicinity. Therefore, there will not be any adverse impacts on wildlife.

**DECISION**

The subject applications are hereby **APPROVED**, subject to the following **CONDITIONS** and **REQUIREMENTS**:

(1) A final partitioning plat is to be filed no earlier than 8:00 a.m. on Tuesday, **April 10, 2007**, and no later than 5:00 p.m. on **September 28, 2007** in accordance with Section 17.24.060 of the Crook County Code.

(2) All taxes, fees, and assessments must be paid as required under ORS 92.095 before the final plat is filed.

(3) Site plan approval is to be obtained from the Planning Department prior to construction or placement of each approved nonfarm residence.

(4) The necessary building permits are to be obtained prior to construction of each approved nonfarm residence, or any other construction on either approved parcel.

(5) The applicants are to sign a letter of non-remonstrance to area farm operations, which complies with the requirements of ORS 215 and is binding on future owners of both approved nonfarm parcels prior to filing a final plat.

(6) A **conservation plan** addressing animal management, weed control, juniper/fire issues, and erosion control measures for sloped land is to be submitted to the Planning Department prior to obtaining a building permit for each approved nonfarm residence.

(7) The applicant is to **improve that portion of Spring Creek Road providing access to the proposed nonfarm parcels** to Crook County Road Standards, with final inspection by the Crook County Roadmaster.

(8) The purchasers of both proposed nonfarm parcels are to participate in the existing road maintenance agreement for

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Spring Creek Road.

(9) All recommendations of Crook County Fire and Rescue are to be adhered to.

(10) All requirements of the Crook County Sanitarian are to be adhered to.

(11) If either approved nonfarm residence is a manufactured home, it is to comply with the minimum requirements of Chapter 18.142.040 of the Crook County Code, and is to have a continuous concrete or concrete block foundation.

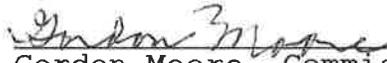
(12) Each approved nonfarm residence is to be placed in the location shown on the site plan submitted.

(13) There is to be no more than one residence on either approved nonfarm parcel.

(14) All construction signs are to be temporary, and are to be removed at the time of final building permit approval for each approved nonfarm residence.



\_\_\_\_\_  
W. R. Gowen, Commission Chairman



\_\_\_\_\_  
Gordon Moore, Commission Secretary

**NOTICE TO APPLICANTS**

A final partitioning plat may be filed no earlier than 8:00 a.m. on Tuesday, **April 10, 2007**, and no later than 5:00 p.m. on **September 28, 2007** in accordance with Section 17.24.060 of the Crook County Code. Any request for an extension must be filed on or before the expiration date and time.

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**NOTICE TO PERSONS PROVIDING TESTIMONY**

The above approval may be appealed in writing to the Crook County Court no later than 5:00 p.m. on Monday, **April 9, 2007** on payment of an appeal fee of \$1850.00 + 20% of the initial application fee. The appellant must also provide transcripts of the relevant meeting tapes at the appellant's expense. Cassette tape dubbing is available at \$5.00 per tape.

Appeals must be submitted to the Crook County Planning Department, 300 NE Third Street, Prineville, Oregon; and must be received, together with the appeal fee and advance deposit, by the Planning Department no later than the above time and date.

**STAFF REPORT**

**DATE:** March 14, 2006

**APPLICATION NO.:** C-LP-555-06(NF); C-CU-2296-06(NF);  
C-CU-2297-06(NF)

**APPLICANTS:** John and Connie Fahlstrom  
8899 NW Campbell Ranch Road  
Prineville OR 97754

**AGENT:** Craig Kilpatrick  
13790 NW O'Neil Highway  
Redmond OR 97756

**PROPERTY LOCATION:** 8899 NW Campbell Ranch Road (T 14 S R 15 EWM  
(Sec 17, 18) TL 400).(Staff Exhibit 1).

**PROPOSAL:** A partitioning to divide a 386.67 acre farm parcel to  
create a 372.67 acre farm parcel (Parcel 1), and two 7.0 acre  
nonfarm parcels (Parcels 2 and 3); and conditional use approval  
for a nonfarm residence on each nonfarm parcel in an Exclusive  
Farm Use EFU-3. (Staff Exhibit 2, 3)

**APPLICATION DATE:** January 30, 2006

**DEEMED COMPLETE:** February 7, 2006

**50-DAY REVIEW PERIOD ENDS:** July 7, 2006

**PUBLIC NOTICE:** February 13, 2006

**PROPERTY OWNER NOTICE:** February 13, 2006

**STAFF SITE VISIT:** March 6, 2006

**HEARING DATE:** March 8, 2006, March 22, 2006

**BACKGROUND**

**PREVIOUS LAND DIVISIONS:** The subject property constitutes a  
separate parcel from the neighboring parcel described as T 14 S R  
15 EWM (Sec 17) TL 600 and 601, and Sec 20 TL 600.

An interim zoning ordinance for Crook County was adopted on  
April 7, 1971. It was replaced by Crook County Zoning Ordinance  
No. 5, adopted during June 1973, and Land Development Ordinance  
No. 6, adopted during December 1973.

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The subject property was a separately-deeded parcel as of January 1, 1958, at which time it was in separate ownership from T 14 S R 15 EWM (Sec 17, 18) TL 600 and 601, and Sec 20 TL 600. (Staff Exhibit 4)

Partitioning C-LP-209-00, approved by Planning staff on April 12, 2000, partitioned the 836 acre Campbell Ranch into two farm parcels measuring 295 and 541 acres.

Condition (9) of that partitioning stated that "The proposed parcels are not to be further divided." The property owner/applicant, Don Campbell, did not appeal this condition, and a final plat was filed for the partitioning.

On November 8, 2006, the Planning Commission issued a modification to the above partitioning, which eliminated Condition 9. The Commission found that this decision was to apply to all lands which were a part of T 14 S R 15 EWM (Sec 17) TL 600, 601; (Sec 20) TL 600 when the partitioning was initially approved, regardless of the parcel(s) of which they presently constitute a part.

Boundary adjustment C-LP(B)-243-00, approved by Planning staff on August 18, 2000, transferred acreage between the subject property and T 14 S R 16 EWM (Sec 17, 18) TL 600 and 601. 148.50 acres was transferred from the subject property to the neighboring parcel, and 215.23 acres was transferred from the neighboring parcel to the subject property. The size of the subject property was increased by 66.73 net acres. A final plat was filed.

The boundary adjustment decision does not include any language prohibiting future partitionings of the subject property. (Staff Exhibit 5)

On January 8, 2003, the Crook County Assessor's office recalculated the acreage of the subject property, and determined that the property measures 386.67 acres, rather than 426.77 acres as previously stated in the Assessor's records. (Staff Exhibit 4)

#### **PROPERTY CHARACTERISTICS**

**ACREAGE:** The property measures 386.67 acres. Three parcels are to be created, to measure 372.67 acres (Parcel 1), 7.0 acres (Parcel 2), and 7.0 acres (Parcel 3).

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**PROPERTY SHAPE:** The subject parcel is of unusual shape, consisting of three "lobes". The eastern lobe is L-shaped, with the base of the L pointing south and the upright portion pointing west. The eastern lobe includes the two proposed nonfarm parcels in its northeastern corner. Its western end connects to the almost rectangular central lobe, which extends a considerable distance to the north. The larger, approximately square western lobe is connected to the central lobe by a narrow east-west strip. (Staff Exhibit 6)

**CURRENT USE OF THE PROPERTY:** An existing primary farm residence is located on the proposed farm parcel (Parcel 1). Grass hay is produced on a 31.8 acre irrigated portion of the proposed farm parcel, located in the southeastern part of the central lobe. The remainder of the proposed farm parcel consists of hilly dryland, very steep in some areas. The proposed farm parcel is used for a small cow-calf operation, which depends on the grass hay produced on the irrigated portion of the parcel. Electrical transmission lines crosses the eastern lobe of the proposed farm parcel from south to north between the proposed nonfarm parcels and the rimrocks. The transmission lines are on an easement which is located primarily on the farm parcel, but extends onto the proposed nonfarm parcels.

The two proposed nonfarm parcels (Parcels 2 and 3) are located in the northeastern corner of the eastern lobe of the property, and are vacant.

The transmission line easement extends onto the southwestern corner of the northern nonfarm parcel (Parcel 2), and the western part of the southern nonfarm parcel (Parcel 3).  
(Staff Exhibits 2, 3, 6).

**AREA LAND USE:** The property is bounded on the north by a 799.42 acre dryland farm parcel, a 289.4 acre farm parcel with 40.0 acres of irrigation, and a 160 acre dryland BLM parcel.

It is bounded on the northeast by a 19.86 acre nonfarm parcel with a residence, and on the east by a 19.89 acre nonfarm parcel with a residence. These parcels and three residences are located a short distance to the northeast of the proposed nonfarm parcels, on and at the foot of the hillside which borders the nonfarm parcels on the east.

The property is bounded on the southeast by the 1000+ acre Quail Valley Ranch. The property is bordered on the south by a 281.30

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acre farm parcel and a 238.64 acre farm parcel, the latter bordering the southward extension of the eastern lobe of the property on the south.

The property is bordered on the west, southwest, and northwest by the 1000+ acre Tognoli (River Run) Ranch. (Staff Exhibit 7)

The applicant's representative has designated a study area extending one mile from the property boundaries. (Staff Exhibit 7)

All lands within the study area are zoned Exclusive Farm Use EFU-2. Due to the size and irregular shape of the property, the study area includes approximately 5,987 acres. The total area of all parcels entirely or partially within the study area totals more than 10,468 acres.

There are 44 private ownerships entirely or partially within the Study Area, including the subject property. These ownerships range in size from 6.86 acres to 2,758.18 acres.

The ownerships include 24 (55%) which measure less than 40 acres, 3 (1%) measuring at least 40 acres but less than 80 acres, and 20 (44%) which measuring larger than 80 acres or larger, including the property presently proposed to be divided.

There are 30 residences on parcels entirely or partially within the Study Area. 27 of the 44 parcels partially or entirely within the Study Area are occupied by residences; three of these 27 parcels are occupied by two residences each.

Of the 30 residences on parcels entirely or partially within the Study Area, 19 were placed in 1993 or earlier, and 11 were placed after 1993. Of those placed after 1993, 8 were approved as nonfarm residences.

There are 15 residences located on parcels measuring less than 40 acres within the study area. There are three residences on parcels measuring at least 40 acres but less than 80 acres, and 12 residences on parcels measuring 80 acres or larger.

**The remainder of this section deals with potential future residential development within the study area. The figures provided are based upon current land use regulations. They do not take into account the possible impact of Measure 37 claims, which cannot be determined until such claims are filed and reviewed.**

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There are 12 vacant parcels in the study area measuring less than 40 acres, each of which has sufficient non-irrigated land for one residence. A maximum of 12 nonfarm residences could be placed on these parcels.

There are no vacant parcels measuring at least 40 acres but less than 80 acres. There are three parcels measuring at least 40 acres but less than 80 acres with one residence each, and sufficient non-irrigated acreage for creation of one additional nonfarm parcel each. Each of these parcels was created prior to January 1, 2001. A total of three additional residences could be placed on these parcels.

Each of the twenty parcels measuring 80 acres or over has sufficient non-irrigated acreage for creation of two nonfarm parcels. Each of them was created prior to January 1, 2001.

One of the twenty parcels is the subject property, which cannot be further divided if the present applications are approved. The remaining nineteen parcels can potentially be partitioned to create a maximum of two nonfarm parcels each, for a total of 38 potential nonfarm residences.

There are three potential lot of record parcels, all of which are included among the above described parcels.

On the basis of the above, a total of fifty-three additional nonfarm residences could be placed within the study area, as follows:

<u>CATEGORY</u>	<u>POTENTIAL NONFARM DWELLINGS</u>
Vacant Nonfarm Parcels <40 acres	12
Nonfarm Parcels 40-80 acres with one residence	3
Divisible Farm Parcels >80 Acres	38
Total	53

**ACCESS:** The existing residence on Proposed Parcel 1 is accessed by an existing graveled private road which constitutes an extension of Campbell Ranch Road, a paved public road. (Staff Exhibit 6)

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Campbell Ranch Road borders the property on the south, and connects to Elliott Lane, a county road, about one-half mile to the east of the property. Elliott Lane connects to the O'Neil Highway, a state highway, about one mile to the south.

Access to proposed Parcels 2 and 3 is provided by Spring Creek Road, a private road which connects to the extension of Campbell Ranch Road on the south, and skirts the eastern edge of the property. Spring Creek Road is a dirt road on a 60 foot right-of-way. It follows a winding path up a steep grade to reach the hillside bench on which the proposed parcels are located. The road descends another steep grade to the north of the proposed parcels, to serve three residences in other ownership. There is presently a road maintenance agreement under which the owners of those residences share the cost of maintaining the road.

Spring Creek Road is adjacent to the eastern boundary of proposed Parcel 3, but passes to the east of proposed Parcel 2.  
(Staff Exhibit 8)

An existing PGE access road, which is little more than a trail, connects to Spring Creek Road on the northern part of Parcel 3, and provides access to a PGE electrical transmission tower to the south of Parcel 3.

The applicants propose a single access to both proposed nonfarm parcels, to connect to Spring Creek Road on the southern edge of Parcel 3. The access road is to connect to the existing PGE road, which is to provide access to the proposed residence to be located near the center of Parcel 3. The portion of the PGE road between the proposed residence and the road's existing access to Spring Creek Road is to be abandoned. PGE will use the applicants' proposed access road to access the remaining portion of the PGE road to reach their tower to the south of Parcel 3.

An easement must be granted to PGE for this purpose.

Another road is to connect to the PGE road north of its junction with the access road, to provide access to the proposed residence near the center of Parcel 2. (Staff Exhibit 8)

The proposed access roads on the proposed parcels must be constructed to County road standards, and the portion of the existing PGE road on the parcels to be used for access to the proposed residences must be improved to County Road Standards.

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Planning staff has observed that Spring Creek Road is muddy in wet weather, as well as being steep and winding, with poor visibility in places. The road is probably impassible in extreme weather.

The applicant and his representative have indicated that the applicant is willing to share the cost of improving Spring Creek Road with its present users.

Prineville Fire and Rescue recommends that all roads providing access to the proposed parcels, including Spring Creek Road, be constructed or improved to county road standards.

The purchasers of the proposed nonfarm parcels must be required to participate in the existing road maintenance agreement for Spring Creek Road, and in any road maintenance agreement for Campbell Ranch Road or its private extension.

**FARM DEFERRAL:** The property is under farm deferral.

**SOILS:** According to unpublished data provided by the Crook County GIS Department, soils on the property are as follows (Staff Exhibit 9):

**Proposed Parcel 1:**

- (1) Meadowridge ashy sandy loam, Class 4e if non-irrigated.
- (2) Meadowridge-Argentia-Era complex, Class 6e if non-irrigated.
- (3) Ochoco-Prineville complex, Class 6 if irrigated, 3 if non-irrigated.
- (4) Aridic-Haploxerolls complex, Class 6e if non-irrigated.
- (5) Stukmond-Lickskillet-Redmond complex, Class 6e or 7s if non-irrigated.
- (6) Redmond-Stukmond complex - Class 6e.
- (7) Lickskillet-Rock Outcrop-Searles complex, Lickskillet 7e, Rock Outcrop 8, Searles 6e.
- (8) Searles-Lickskillet complex, Class 6e or 7s if non-irrigated.
- (9) Bakeoven-Rubble Land complex, Class 7s or 8 if non-irrigated.

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(10) Lickskillet-Bakeoven complex, Class 7s if non-irrigated.

(11) Era cobbly ash sandy loam, Class 6e if non-irrigated.

**Proposed Parcel 2:**

(1) Lickskillet-Bakeoven complex, Class 7s if non-irrigated.

**Proposed Parcel 3:**

(1) Lickskillet-Bakeoven complex, Class 7s if non-irrigated.

(2) Era cobbly ash sandy loam, Class 6e if non-irrigated.

**Published soils data for proposed Parcels 2 and 3**

**(Staff Exhibit 10):**

(1) Lookout very stony loam, Class 7s-1 if non-irrigated.

**IRRIGATION:** Proposed Parcel 1 has 31.8 acres of irrigation water located on the central lobe of the property. The remainder of Parcel 1 is dry. Parcels 2 and 3 are not irrigated and have no water rights.

**TOPOGRAPHY:** The proposed farm parcel consists of some level land in the southeastern part of the central lobe of the parcel, where the irrigated land and the existing residence are located. The rest of the farm parcel consists of hilly dryland with some steep slopes, and rimrocks.

Both proposed nonfarm parcels are located on a hillside bench which slopes upward from east to west, in the northeastern corner of the eastern lobe of the property. Steep rimrocks border the bench a short distance to the south, west, and north of the proposed nonfarm parcels, and severely limit access from the nonfarm parcels to the rest of the eastern lobe of the property.

A steep hillside borders the bench and the nonfarm parcels on adjacent properties to the east of the eastern lobe. The hillside descends to level farmlands which stretch away to the east, north, and south.

**FLOOD ZONE:** The proposed homesites are in Flood Zone X, outside the 500 year flood zone.

**WETLAND:** The proposed homesites are not in a designated wetland

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area.

**WILDLIFE:** The Oregon Department of Fish and Wildlife indicates that the proposed farm parcel (Parcel 1) is within 0.25 mile of three golden eagle nests. However, the proposed nonfarm parcels (Parcels 2 and 3) and nonfarm residences are outside the 0.25 mile radius of the nests. ODFW indicates that the applicants have followed the agency's recommendations for mitigating adverse impact on the nests, and that the agency has no objection to the proposal. (Staff Exhibit 11)

Planning staff observed several golden eagles on and near the property.

**FIRE:** Prineville Fire and Rescue provides fire protection to the property.

Prineville Fire and Rescue recommends that all roads providing access to the property, including Spring Creek Road, be constructed or improved to county road standards.

Planning staff observed that the proposed nonfarm parcels are covered by an unusually dense growth of sagebrush and bitterbrush, with scattered junipers and some bunch grass, which constitutes a potential wildfire hazard.

**UTILITIES:** Electricity and telephone service are available to the proposed parcels from lines on Campbell Ranch Road and Spring Creek Road.

**WATER:** Water is provided to the existing primary farm residence on proposed Parcel 1 by an existing well on the parcel. Water is to be provided to the proposed residences on Parcels 2 and 3 by a shared well on Parcel 3, to be located adjacent to the boundary with Parcel 2.

**SEPTIC:** The existing primary farm residence on Parcel 1 is served by an existing septic system. The proposed residences on Parcels 2 and 3 are to be served by individual septic system. Soil evaluations have been conducted and approvals granted for both nonfarm parcels.

**VEGETATION:** Except for the area under irrigation, all of the proposed parcels are covered by junipers, sagebrush, bitterbrush, and some bunch grass.

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Planning staff observed that this vegetation forms an unusually dense growth on both proposed nonfarm parcels, indicating that they have not been grazed or put to other use in the recent past.

HERBACEOUS FORAGE REPORT: An herbaceous forage report is not required for the present application, in accordance with CCC 18.24.120.

#### PUBLIC COMMENT

Four letters in opposition to the proposal have been received from area property owners. (Staff Exhibits 12, 13, 14, 15)

Three of these letters refer to condition (9) of partitioning C-LP-209-00, approved by Crook County Planning staff on April 12, 2000, which stated that, "The proposed parcels are not to be further divided". (Staff Exhibits 13, 14, 15)

However, partitioning C-LP-209-00 divided the parcel described as T 14 S R 15 EWM (Sec 17) TL 600 and 601, and Sec 20 TL 600, and did not involve the subject property. (Staff Exhibit 16)

One of the opponents states that condition (9) should apply to the present application, because boundary adjustment C-LP(B)-243-00, approved by Planning staff on August 18, 2000, transferred part of one of the parcels created by partitioning C-LP-209-00, and subject to condition (9), to the subject property. (Staff Exhibits 5, 13)

All of the opponents stated that they were told at the time they purchased their property that there would be no further divisions of the property involved in partitioning C-LP-209-00. (Staff Exhibits 12, 13, 14, 15)

One opponent asks whether the owners of the proposed parcels will be required to participate in the existing road maintenance agreement for Spring Creek Road. (*This must be required if the applications are approved.*)

He also states that the area now provides food and shelter and is a spring and summer nursery for mule deer. He also states that the area is part of a migratory corridor for elk, and that the proposed residences will further encroach on nesting cliffs used by golden eagles. He asks what mitigation measures will be taken to protect all of these wildlife.

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This opponent states that the proposed locations are a poor choice for new homes, and that the proposal will benefit no one except the developers, but will harm wildlife. (Staff Exhibit 12)

#### LEGAL CRITERIA

CROOK COUNTY CODE: The property is zoned Exclusive Farm Use EFU-2. Chapter 18.20.020(14) of the Crook County Code permits dwellings not in conjunction with farm use in the EFU-2 zone, subject to CCC 18.20.080.

Under CCC 18.20.070 the following requirements apply:

- (1) Farm Parcels: Division of land for farm parcels shall be appropriate for the continuation of the existing commercial agricultural operations in the area, but shall not be less than the minimum parcel size established in ORS 215.780 and CCC 18.20.090.
- (2) Nonfarm Parcels: Division of land for nonfarm parcels shall comply with the following requirements including CCC 18.20.080:
  - (a) Nonfarm dwellings have been approved for the proposed parcels pursuant to CCC 18.24.020(14):
  - (b) The parcels for the nonfarm dwellings are divided from a lot or parcel that was lawfully created prior to July 1, 2001;
  - (c) Two (2) nonfarm parcels may be created as long as the remainder of the original parcel meets or exceeds the minimum standards established by Subsection 9 of this section.

Under CCC 18.20.080, the Planning Commission may approve a nonfarm dwelling upon a finding that the proposed dwelling is compatible with farm use, does not interfere seriously with accepted farming practices, does not materially alter the stability of the overall land use pattern of the area, is situated on generally unsuitable land for the production of crops and livestock, and complies with such other conditions as the Commission considers necessary. The property must be removed from farm deferral prior to issuance of a building permit.

Under CCC 18.20.070(1) division of land for farm parcels shall

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be appropriate for the continuation of the existing commercial agricultural operations in the area, but shall not be less than the minimum parcel size established in ORS 215.780 and CCC 18.20.090.

Under CCC 18.20.090, a lot or parcel of less than 160, but equal to or greater than the minimum lot size established by ORS 215.780 may be approved as a farm unit, when found to comply with the following:

(a) Any proposed parcel below 160 acres shall have usable water right and water availability of adequate quantity to ensure the operation of irrigated farming techniques of commercial levels;

(b) The proposed parcels must be of a size and shape that is efficient for the use of farm machinery including: cultivating, harvesting, and spraying equipment. The proposed division shall not materially alter the stability of the overall land use pattern of the area.

Under CCC 18.20.090(4), a land division for a nonfarm dwelling may be approved only if the nonfarm dwelling has first been approved.

Chapter 17.24 of the Crook County Code contains general requirements for partitionings.

Chapter 17.24.030 states that no application for partitioning shall be approved unless the following requirements are met:

- (1) Proposal is in compliance with the Comprehensive Plan.
- (2) Proposal is in compliance with the applicable zoning.
- (3) An approved water rights division plan has been submitted.

Chapter 17.24.040 states that the following factors may be considered by the Commission:

- (1) Placement and availability of utilities.
- (2) Safety from fire, flood, and other natural hazards.
- (3) Adequate provision of public facilities and services.

(4) Possible effects on natural, scenic, and historical resources.

(5) Need for on-site or off-site improvements.

(6) Need for additional setback, screening, landscaping, and other requirements relative to the protection of adjoining and area land uses.

**COMPREHENSIVE PLAN:** Pages 40-47 of the Crook County-Prineville Area Comprehensive Plan contain policies for agricultural areas of the County.

#### ANALYSIS

**(A) Generally Unsuitable Standard:** The Commission must consider each of the criteria required by ORS 215.263(5), including terrain, adverse soil or land conditions, drainage or flood conditions, vegetation, location, and size, in order to determine whether each of the proposed nonfarm parcels can be operated independently as a farm or ranch operation.

**(1) Terrain:** Both proposed nonfarm parcels are located on a hillside bench which slopes upward from east to west. The slope appears too steep for cultivation, but would potentially permit grazing.

**(2) Adverse Soil or Land Conditions:** Both proposed nonfarm parcels have no irrigation water rights. The soils on Proposed Parcel 2 are in Class 7s if non-irrigated. The soils on Proposed Parcel 3 are in Classes 6e and 7s if non-irrigated. (Staff Exhibit 9)

Published soils data for proposed Parcels 2 and 3 indicates that the soils on both proposed parcels are in Class 7s-1 if non-irrigated. (Staff Exhibit 10)

**(3) Drainage or Flood Conditions:** Both proposed nonfarm parcels are well drained and are not subject to flood hazard, in accordance with the Federal Emergency Management Agency (FEMA) July 17, 1989 Flood Insurance Rate Map. The map indicates that the entire property is in Flood Zone X, outside the 500 year flood zone.

Drainage or flood conditions do not in themselves make a parcel unsuitable for farm use, but do not help to make it more suitable

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for farm use.

**(4) Vegetation:** An herbaceous forage report is not required. Visual inspection by Planning staff indicates that both proposed nonfarm parcels are covered by an unusually dense growth of sagebrush and bitterbrush, with scattered junipers and some bunch grass. This vegetation cover appears to be of poor quality for forage.

**(5) Location:** Both proposed nonfarm parcels are located on a hillside bench. The bench is isolated from the remainder of the property by rimrocks on the west, southwest, and northwest. It is isolated from other properties by steep hillsides on the east, southeast, and northeast. The proposed parcels are accessed by a steep, winding roadway which climbs a hillside to the south and southeast. (Staff Exhibit 6)

**(6) Size:** The existing parcel measures 386.67 acres. The proposed nonfarm parcels are to measure 7.0 acres each. Each proposed parcel measures about 2% percent of the original parcel; together they measure about 4%.

**(B) Use in Conjunction Test:** In addition to the six factors of the Unsuitability test above, the Commission must find that each proposed nonfarm parcel cannot reasonably be put to farm use in conjunction with other lands.

Both proposed nonfarm parcels lacks irrigation water. The soils on Parcel 2 are in Class 7s; those on Parcel 3 are in Classes 6e and 7s. Published soils data indicates that soils on both proposed nonfarm parcels are in Class 7s-1.  
(Staff Exhibits 9, 10)

On the basis of these factors, it appears that neither proposed nonfarm parcel can reasonably be put to farm use in conjunction with other lands.

**(C) Significant Change Test:** Both proposed nonfarm parcels are located on a hillside bench. On the basis of visual observation, the entire bench shares the general terrain, soil and vegetation conditions of the proposed parcels. It appears never to have been used for any form of agriculture or grazing.

The bench is isolated from the remainder of the subject property by rimrocks; and from other farm operations to the east, southeast, and southwest by steep hillsides and by nonfarm

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parcels with residences at the foot of the hillside on the east and northeast.

On the basis of these factors, it appears that neither proposed nonfarm residence will cause significant changes to farming practices in the area.

**(D) Stability Test:** Planning staff has determined that a maximum of fifty-three additional nonfarm residences could potentially be placed within the study area. (See the AREA LAND USE section, above.)

Because of the factors described under **(C)** above, the proposed nonfarm residences will be substantially isolated from other residential development in the general area, and can therefore be expected to have less impact on development trends than otherwise.

In view of the above, the Commission must determine whether the two proposed additional nonfarm residences would constitute a significant change in the overall land use pattern of the area.

**(E) Will the proposed nonfarm residences comply with such other conditions as the Commission considers necessary?**

If the applications are approved, the Commission must require the applicants to sign a nonremonstrance agreement to protect farm and forestry operations in the area. The buyers or owners of the nonfarm parcels must be required to submit a conservation plan prior to obtaining a building permit.

**(F) Does proposed Parcel 1 qualify as a farm parcel?**

Proposed Parcel 1 is to measure 372.67 acres. In accordance with CCC 18.20.090, a parcel of 160 acres or more shall be considered to be a farm unit.

**(G) Is access to the proposed parcels adequate?**

Access to the primary farm residence on proposed Parcel 1 is existing and adequate. (Staff Exhibit 8)

Proposed Parcels 2 and 3 are to have a joint access from Spring Creek Road. The access must be constructed to county road standards.

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The buyers of the proposed nonfarm parcels must be required to participate in the existing road maintenance agreement for Spring Creek Road, and to participate in any road maintenance agreement for Campbell Ranch Road or its private extension.

Prineville Fire and Rescue recommends that all roads providing access to the proposed residences be constructed or improved to county road standards. Spring Creek Road appears to be in need of improvements to meet county standards, and the applicant has indicated that he is willing to share the cost of improvements with the present users of the road. (Staff Exhibit 8)

**(H) Does Condition (9) of partitioning C-LP-209-00, prohibiting further partitionings, apply to the present applications?**

Condition (9) has been voided by the Planning Commission in the modification to C-LP-209-00, approved on November 8, 2006.

  
Gordon Moore, AICP  
Commission Secretary











