

United States Department of the Interior
Bureau of Land Management

Land Report
Deschutes Market Road Parcel

Prepared by: Doug Vandergon Date: July 2, 2008.
Title: Realty Specialist, Prineville District, Bureau of Land Management (BLM)

Proposed Action: Examination of public lands identified for transfer to the State of Oregon, Department of State Lands (DSL), as Indemnity Selection.

Background: BLM has been directed by judicial decree (Civil No. 85-646-MA) to transfer a designated acreage of public lands selected by the State of Oregon as their remaining entitlement under the Oregon Admission Act of February 14, 1859 (11 Stat.383; 43 U.S.C. 851, 852). The selected land would be clearlisted (transferred) to the State of Oregon from the United States for use in providing financial support to schools throughout the State. The public lands would be transferred to the DSL subject to existing encumbrances and reservations required by law.

The subject parcel has been specifically selected by the DSL in an application, filed February 4, 2008, with the knowledge and consent of the Governor of Oregon and appropriate representative State agencies. Selection of these lands has been reviewed by the State, and it is consistent with their goals and directives. The lands are located in Deschutes County. The city of Bend and Deschutes County officials have supported DSL in the selection and potential disposal of the parcel.

Case Serial Number: OR 061026

Parcel Name: Deschutes Market Road

Legal Description and Acreage: Willamette Meridian, Oregon,

T. 17 S., R. 12 E., Deschutes County
sec. 1, lots 1-4, S1/2N1/2, S1/2 (640.8 acres);
sec. 12, lot 1, NE1/4NW1/4, NE1/4NE1/4, W1/2NE1/4 (180.77 acres).

T. 17 S., R. 13 E., Deschutes County
sec. 5, lot 4, W1/2SW1/4NW1/4 (59.92 acres);
sec. 6, lots 1-7, lots 9-11, S1/2NE1/4, SE1/4NW1/4, E1/2SW1/4, NW1/4SE1/4 (583.33 acres);
sec. 7, lots 1, 6, 7, 8, & 10 (112.6 acres).

Land Status: Unreserved public domain land managed by the BLM.

Resource Management Plan: Upper Deschutes Resource Management Plan (UDRMP). Date Approved/Record of Decision: September 2005.

Surface Jurisdiction: United States

Subsurface Jurisdiction: United States

Land Report – In Lieu Selection
Deschutes Market Road Parcel

Encumbrances of Record:

OR 58465 - Avion Water Co., water transmission line right-of-way (ROW) parallels McGrath Rd., 20' x 6864" (affects NENE of section 1, T17S, R12E and the NWNW, SWNW, SENW, SWNE, NWSE, SWSE of section 6, T17S, R13E).

OR 17094 - Bureau of Reclamation, canal and access road, perpetual ROW (affects the SWNE of section 12, T17S, R12E; SWNW, SENW, NENWNWNE of section 7, T17S, R13E; SWSE, SESE, NESE, SENE of section 6; NWNW of section 5, T17S, R13E)

OR 02086 - Bonneville Power Administration, electric transmission line ROW, perpetual ROW (affects lot 1 and NENE of section 12, T17S, R12E; NWNW of section 7, T17S, R13E; SWSW, NWSW, SWNW, NWNW of section 6, T17S, R13E)

OR 46977 - Bonneville Power Administration, access road 20' wide, perpetual ROW along transmission line, (affects NENE of section 12, T17S, R12E; SWSW, NWSW, SWNW, NWNW of section 6, T17S, R13E)

OR 38429 - Bonneville Power Administration, 230 kV electric line, perpetual ROW (affects W1/2SWNW, NWNW of section 5, T17S, R13E)

OR 51362 - Deschutes County, road ROW 60' wide (McGrath Rd.), expires 2025 (affects W1/2SE, NWNW, SWNW, SENW of section 6, T17S, R13E)

OR 13966 - Central Electric Cooperative, electric transmission line ROW, expires 2104, will be changed to perpetual ROW, 30' wide (affects lot 1 and NENE of section 12, T17S, R12E; NWNW of section 7, T17S, R13E; SWSW, NWSW, SWNW, NWNW of section 6, T17S, R13E)

Grazing Allotment 5122 - Ron and Jeanne Kokes (affects a portion of sections 1 and 12 of T17S, R12E and a small portion of section 7, T17S, R13E)

Grazing Allotment 5118 - Pronghorn Investors LLC (affects portions of sections 5, 6, and 7 of T17S, R13E)

Grazing Rights: Two grazing authorizations are in effect on most of the selected parcel. Authorization holders have been given a two year notice per 43 CFR 4110.4-2(b) prior to any potential adjustment to an existing authorization.

Segregations: T. 17 S., R. 12 E., section 1 was segregated from all forms of location and entry for a period of two (2) years. That segregation expires on 8/31/2008. The remainder of the Deschutes Market Road parcel was segregated upon receipt of the State's application.

Land Tenure Zone: The parcel is currently zoned for retention (Z-1) in the UDRMP. Z-1 lands allocated for retention are identified as having high public resource values. They include areas that will generally be retained in public ownership, and where emphasis will be placed on increasing public land holdings. These Z-1 lands will be reclassified to Z-3 lands prior to any transfer of ownership. Z-3 lands are those lands identified for disposal that generally do not provide substantial resource, public, or tribal benefits that may not be cost effective for the BLM to manage or that will represent a greater public benefit in other ownership.

Land Use Restrictions: The subject parcel is zoned EFUAL (Exclusive Farm Use, Alfalfa Subzone). Permitted uses include, among others: Farm Use as defined in Deschutes County Code Title 18; propagation or harvesting of a forest product; mineral exploration.

The past use of the property by BLM has been for open space land management. Current uses include grazing and assorted recreation activities including hiking and use of the Huntington Road Interpretive Trail.

Special Management Areas: None

Mineral Development: None

Water Rights: Owned by United States

Access to Public Streets/Highways: Primary access to the parcel is by way of McGrath Road that enters the parcel approximately half way across the northern border. McGrath Road is a public road through the Boonesborough subdivision to the N and W of the subject parcel. Most of the W ½ of the parcel has no transportation infrastructure. The E ½ of the parcel has numerous primitive roads on it. Roads parallel the power lines and the irrigation canal. All roads on the parcel require high clearance vehicles.

Date of Survey: The original field notes on the survey of the township including this property were "...examined and approved..." by the Surveyor General of Oregon on August 19, 1871.