

July 2, 2026

Filed via email: [John.Eisler@crookcountyor.gov](mailto:John.Eisler@crookcountyor.gov)

Crook County Hearings Officer  
In % John Eisler, Community Development Director  
Community Development Department  
300 NE Third Street  
Prineville, OR 97754

**Exhibit 4**

**Received by CCCD  
7/2/2026**

**Re: Record Number 217-26-000166-PLNG**

Dear Hearings Officer Soper:

On behalf of Central Oregon LandWatch, (“COLW” or “LandWatch”) please accept the following comments in favor of initiating revocation or modification proceedings under CCC 18.172.100(1) for the Conditional Use Permit (CUP) File No. 217-15-000115-PLNG (“The CUP”).

**I. Background:**

The subject property is located at 4755 NW Stahancyk Lane approximately 2.5 miles northwest of the City of Prineville. The property is approximately 112 acres in size. It contains two map tax lots: 1415140000702 and 1415140000703. Importantly, the property is split-zoned. Lot 702 on the West is zoned Heavy Industrial (H-M) and lot 703 to the north and east is zoned Exclusive Farm Use (EFU-2). Within 500 feet to the northwest of the property is a rural residentially-zoned (R5) neighborhood.

The CUP was originally granted on September 24, 2015 to allow mining on the property. At the time of issuance, concerns about the negative and dangerous impacts of the proposed mining operation were widespread. Numerous nearby and adjacent property owners opposed the application. Some nearby residents hired land use attorneys and hydro-geologists to oppose the issuance of the permit. Nevertheless, over the objections of neighbors, the Crook County Planning Commission issued the permit.

The permit itself is 13 pages long. The first eight pages of the permit contain 31 “CONDITIONS AND REQUIREMENTS” covering a broad range of issues, including General Conditions, Mining Setbacks, Processing Plant Location, Traffic Safety, Operating Hours, Dust



Mitigation, Berms, Timing of Mining, Reclamation, Groundwater Protection, Mosquitos, and Weed Control. Beginning on Page 9, the permit contains findings specific to the applicable criteria within Crook County Code, including CCC 18.72 (H-M Zone) and CCC 18.144 (Aggregate Resource Sites). The applicant's site plan was attached and incorporated into the final decision. The Final Decision also incorporates the County Staff Report by reference.

In 2018, the original CUP was modified by 217-18-000347-PLNG to allow twice the amount of truck traffic. In 2021, the original CUP was further modified by 217-21-000573-PLNG and 217-22-000540-PLNG to permit an expansion onto an adjoining farm property at 6487 NW Lamonta Rd and map tax lot 141514000103.

## II. Legal Standards:

Crook County **Order 2026-018** provides that the Hearings Officer shall make a decision “on the limited issue of whether there is a reasonable suspicion to substantiate the initiation of a modification or revocation proceeding under a specific subsection or subsections of the relevant code provisions.” **Order 2026-018**. And, “[t]he sole purpose of the hearing’s officer’s decision is to determine if a modification or revocation proceeding will advance, and the decision shall not make any factual or legal findings with respect to the outcome of a modification or revocation proceeding”. **Order 2026-018**.

LandWatch notes that the “reasonable suspicion” standard that governs the present proceeding was borrowed from criminal law. *Emami v. City of Lake Oswego*, LUBA no. 2006-010, 51 Or LUBA 18, 30 (2006). In *Emami*, LUBA held that “where the code does not provide procedures or standards governing a specific decision, a local government may, consistent with the due process clause, essentially borrow procedures and standards applicable to other types of decisions.” *Id* at slip op 11. The Reasonable Suspicion standard asks whether there is “any reason to believe.” *Id*. at slip op 15. As a result, the applicable standard in this case is whether there is any reason to believe that the County may exercise their authority to revoke the CUP under any specific subsection or subsections of Crook County Code.

## III. Evidence and Argument:

In Crook County, the primary and universal method to modify or revoke a conditional use permit is **CCC 18.172.100**. CCC 18.172.100 provides that the County hearing authority may revoke or modify a permit granted on one or more of several grounds, including:





*“(a) For fraud, concealment, or misrepresentation or on the basis of wrong information supplied on the application, or given at a public hearing which materially relates to the reasons on which the permit was granted.*

....

*(d) The permit granted is being or recently has been exercised contrary to the terms and conditions of such approval.”*

CCC 18.172.100 grants the County broad authority to modify or revoke a permit, requiring only that the permit was issued based on a material misrepresentation or has currently or recently been exercised contrary to the terms and conditions of such approval.

LandWatch believes that material misrepresentations were made and relied upon in the granting of the permit. However, at this early juncture, we find it adequate to focus on the substantial and well-documented evidence that the CUP has been exercised contrary to the terms and conditions of approval.

Specifically, we provide evidence of (1) A pattern of documented permit violations; (2) Uncontested violations admitted by Knife River; (3) Independent findings by state agencies; and (4) Groundwater protection and ongoing regulatory investigation.

#### 1. Pattern of Documented Permit Violations:

Crook County is in possession of several dozen specific complaints and allegations of violations from at least fifteen nearby or adjacent landowners. The complaints are wide-ranging and include credible allegations of the following:

- Vehicles parked off-site in violation of CUP Term 18.72.030(5). See **LandWatch Exhibit A**.
- Vehicles operating outside permitted operating hours in violation of Condition of Approval #12. See **LandWatch Exhibit B**.
- Use of a private road other than Stahancyk Lane in violation of CUP Term 18.72.030(7). See **LandWatch Exhibit C**.
- Failure to perform well water reports as required by Condition of Approval #25. See **LandWatch Exhibit D**.
- Failure to replant the South Farm Lot Berm with similar-sized trees after existing trees died, as required by Condition of Approval #20. See **LandWatch Exhibit E**.
- Mining ponds backfilled with material sourced from off-site in violation of Condition of Approval #26. See **LandWatch Exhibit F**.



- Mining ponds with standing water backfilled with sediment from the settling ponds in violation of Condition of Approval #26. See **LandWatch Exhibit V**.
- Failure to submit annual weed control reports as required by Condition of Approval #30 and CCC 18.144.050(6)(a)(xi). See **LandWatch Exhibit G**.
- Failure to work with the Crook County Vector Control District to develop a mosquito control plan in violation of Condition of Approval #29. See **LandWatch Exhibit H**.

This list is far from comprehensive. Indeed, the amount of evidence of violations of the terms and conditions of the CUP is too voluminous to include at this early stage. More to the point, when a permit-holder repeatedly violates the terms and conditions of a permit in ways large and small, it becomes near impossible to catalog. Regardless, this evidence substantiates a reasonable suspicion that the terms and conditions of the CUP are being violated.

## 2. Uncontested violations admitted by Knife River:

On December 29, 2025, Knife River was served with formal notice of 3 violations of the CUP 217-15-000115-PLNG (Section #12). **Exhibit I** and **Exhibit J**. On May 27, 2026, Knife River was served with an additional notice of violation of Section (4) of the CUP for failure to install gates or barriers on the mine site. **Exhibit K** and **Exhibit L**. In both instances, Knife River did not contest the violations and paid the assessed penalties. Those undisputed violations occurred within months of this proceeding and independently establish a reason to believe the permit has recently been exercised contrary to its terms and conditions.

## 3. Independent Findings by State Agencies:

Similarly, in 2022, DEQ levied a Civil Penalty against Knife River for dewatering and discharging washwater into a creek that flows directly into the Crooked River, in direct violation of the terms and conditions of the CUP. **Exhibit M**. More specifically, Knife River was fined for discharging hundreds of thousands of gallons of washwater, industrial stormwater, and excavation dewatering water into the Rye Grass Irrigation Canal over the course of more than four months. The Rye Grass Irrigation Canal is relied upon by farmers in the area for crop irrigation. **Exhibit N**. Standing alone, this evidence is sufficient to satisfy the reasonable-suspicion standard.

In an October 2025 memorandum, DOGAMI confirmed that operation of settling ponds on the EFU-zoned portion of the subject property is inconsistent with both the state and county approvals,” and further concluded that “DOGAMI has confirmed that “[n]o portion of the DOGAMI permit or permit conditions prohibits Crook County from enforcing the land use conditions of approval.” And, “[t]he fact that the other two areas, the portion of the site



containing the process water ponds, and the portion of the site that was mined and is now being used for stockpiling, have not been concurrently reclaimed to agriculture per the Woodward CUP condition 22 is inconsistent with both the CUP and the DOGAMI operating and reclamation plan.” See **Exhibit O**. This evidence independently supports initiation of proceedings under CCC.

#### 4. Groundwater Protection and Ongoing Regulatory Investigation:

In recent years, more than 50 neighboring groundwater wells have experienced contamination with metals and metalloids such as arsenic, aluminum, and manganese. The water contamination has resulted in substantial health problems for people and livestock relying on groundwater in the area. LandWatch is aware that several farmers in the area have suffered unusual losses in their livestock herds. Tests of deceased animals have revealed high concentrations of heavy metals and metalloids in their blood. As a result, at least one neighbor has ceased raising livestock. **Exhibit P**. Between 2015 and 2023, DEQ has issued more than \$330,000 in penalties against Knife River and its’ subsidiaries for water quality violations. **Exhibit P**. The CUP contains five separate conditions of approval intended to demonstrate protection of the groundwater resource. See Conditions #24, #25, and #26 on page 7 of the CUP. Knife River has admitted to violating three of them. **Exhibits M and Q**.

Knife River disputes responsibility. However, DEQ and DOGAMI have directed Knife River to conduct groundwater investigations specifically because they suspect mining operations may have caused or contributed to groundwater contamination. **Exhibit R**. In late 2025, DEQ observed that Knife River failed to conduct the necessary sampling in compliance with the approved sampling plan. **Exhibit T**.

In March 2024, Crook County and the State of Oregon were served with a Notice of Tort Claim “for allowing Knife River to mine on adjacent property when there is clear evidence that the mining activities of Knife River is causing significant groundwater contamination that has caused damages to adjoining property owners. Crook County has failed to exercise a proper duty of care in investigating the claims against Knife River.” **Exhibit S**. Whether ultimately proven or not, this evidence plainly warrants further proceedings.

#### **IV. Conclusion**

The question before the Hearings Officer is intentionally narrow. Under **Order 2026-018**, this proceeding does not require findings that Knife River has violated the Conditional Use Permit or that revocation is ultimately warranted. It requires only a determination whether there



is a reasonable suspicion that proceedings under CCC 18.172.100 or other sections or subsections of the County Code should move forward.

At a minimum, the record establishes reasonable suspicion under subsection (d). To the extent the evidence also demonstrates material misrepresentations supporting subsection (a), those issues are appropriately addressed during the revocation proceeding.

The evidence includes documented code enforcement actions by Crook County, admitted violations of permit conditions, civil penalties issued by DEQ, findings by DOGAMI identifying operations inconsistent with the approved land use authorization, and extensive evidence submitted by neighboring property owners regarding ongoing noncompliance. None of these facts must ultimately be accepted as true for purposes of this proceeding. They need only provide reason to believe that the permit has been exercised contrary to its terms and conditions. Again, the record plainly meets that threshold.

Because the record contains substantial evidence supporting that conclusion, LandWatch respectfully requests that the Hearings Officer determine there is reasonable suspicion to initiate modification or revocation proceedings under the subsections of CCC 18.172.100 and any other subsection the Hearings Officer concludes is supported by the record.

Regards,

Robin Hayakawa  
Associate Staff Attorney  
Central Oregon LandWatch  
2843 NW Lolo Dr. Ste 200  
Bend, Oregon 97703  
[robin@colw.org](mailto:robin@colw.org)



**Exhibits:**

|                  | Date       | Description                                                                                                                              |
|------------------|------------|------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Exhibit A</b> | 02/18/2025 | Vehicles parked off-site in violation of CUP Term 18.72.030(5).                                                                          |
| <b>Exhibit B</b> | 05/01/2026 | Diesel water transfer pump operating outside permitted operating hours in violation of Condition of Approval #12.                        |
| <b>Exhibit C</b> | 12/04/2025 | Use of a private road other than Stahancyk Lane in violation of CUP Term 18.72.030(7).                                                   |
| <b>Exhibit D</b> | 02/10/2025 | Failure to perform well water reports as required by Condition of Approval #25.                                                          |
| <b>Exhibit E</b> | 12/23/2024 | Failure to replant the South Farm Lot Berm with similar-sized trees after existing trees died, as required by Condition of Approval #20. |
| <b>Exhibit F</b> | 1/27/2025  | Mining ponds backfilled with material sourced from off-site in violation of Condition of Approval #26.                                   |
| <b>Exhibit G</b> | 01/27/2025 | Failure to submit annual weed control reports as required by Condition of Approval #30 and CCC 18.144.050(6)(a)(xi).                     |

|                  |            |                                                                                                                                             |
|------------------|------------|---------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Exhibit H</b> | 02/18/2025 | Failure to work with the Crook County Vector Control District to develop a mosquito control plan in violation of Condition of Approval #29. |
| <b>Exhibit I</b> | 12/29/2025 | CC Director's Notice of Violation (CUP Violation #12)                                                                                       |
| <b>Exhibit J</b> | 02/04/2026 | KR Letter - No contest on violating terms of CUP (Operating Hours).                                                                         |
| <b>Exhibit K</b> | 05/27/2026 | CC Director's Notice of Violation (CUP Violation Section (4))                                                                               |
| <b>Exhibit L</b> | 06/08/2026 | KR Letter - No contest on violating terms of CUP (Egress and Ingress)                                                                       |
| <b>Exhibit M</b> | 07/19/2022 | DEQ Civil Penalty Assessment and Order Case No. WQ/SW-ER-2021-548                                                                           |
| <b>Exhibit N</b> | 12/07/2021 | Knife River Notice of Noncompliance - DEQ File #124758, DOGAMI #07-0159                                                                     |
| <b>Exhibit O</b> | 10/31/2025 | DOGAMI Memo (note: memo is incorrectly dated 2024) demonstrating noncompliance with DOGAMI Operating Permit Condition #9 and CUP #2, #22,   |
| <b>Exhibit P</b> | 06/13/2023 | 2023 OPB article demonstrating KR history of DEQ water violations and negative effect on nearby agriculturalists of water contamination.    |
| <b>Exhibit Q</b> | 02/15/2025 | KR Letter admitting dumping off-site concrete waste in violation of Condition of Approval #26.                                              |
| <b>Exhibit R</b> | 02/12/2025 | DEQ & DOGAMI Testing - "Suspicion" that groundwater contamination is caused by mining operations.                                           |
| <b>Exhibit S</b> | 03/20/2024 | Notice of Tort Claim                                                                                                                        |
| <b>Exhibit T</b> | 6/23/2026  | DEQ Sampling Plan - showing noncompliance by Knife River in conducting the sampling plan.                                                   |
| <b>Exhibit U</b> | 2/10/2025  | Mine dewatering in violation of Condition of Approval #24.                                                                                  |
| <b>Exhibit V</b> | 1/28/2025  | Mining ponds backfilled with sediment into standing water                                                                                   |



|  |  |                                            |
|--|--|--------------------------------------------|
|  |  | in violation of Condition of Approval #26. |
|--|--|--------------------------------------------|





## Preliminary Compliance Report

Crook County Building Department  
300 NE 3rd Street - Rm 12, Prineville, OR 97754  
(541) 447-3211 Fax (541) 416-2139

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CASEFILE #

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### ALLEGED VIOLATOR /PROPERTY /OWNER INFORMATION

*If property does not have a legal address, you must submit a detailed map and directions to the site in order for this report to be accepted.*

Property Owner Name:  
Clay Woodward

Is this a rental property? ☐ Yes ☐ No If yes, please list renter's name (if you know):  
It is leased by Knife River Corporation - Northwest.

Address of Violation:  
Knife River's Woodward Pit at 4755 NW Stahancyk Lane., Prineville, OR 97754

Tax Map #: Subdivision: Lot:  
Township 14 South, Range 15 East, Section 14 Tax Lot 702 & 703

Directions to the site: Knife River's Woodward Pit: North on Lamonta Road, West on Stahancyk Lane., Prineville, OR97754

### ALLEGED VIOLATOR

Last Name: First Name: Middle Name:  
Knife River Corporation - Northwest

Address:  
82260 Old Highway 34

City: State: ZIP: Phone:  
Tangent, OR 97389 541-918-5100

### DESCRIPTION OF ALLEGED VIOLATION

| Code                                                    | Type                                                                                                                                                                                                                                                                       |
|---------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (check all that apply)                                  |                                                                                                                                                                                                                                                                            |
| <b>Crook County Code<br/>Title 15<br/>Chapter 15.04</b> | <input type="checkbox"/> No Permit <input type="checkbox"/> New Construction <input type="checkbox"/> Remodel <input type="checkbox"/> Roof failure                                                                                                                        |
|                                                         | <input type="checkbox"/> Building <input type="checkbox"/> Plumbing <input type="checkbox"/> Mechanical <input type="checkbox"/> Electrical                                                                                                                                |
|                                                         | <input type="checkbox"/> Fire, Life, Safety issues with Residence <input type="checkbox"/> Foundation failure                                                                                                                                                              |
|                                                         | <input type="checkbox"/> Discharge of sewage on top of ground <input type="checkbox"/> Faulty electrical wiring                                                                                                                                                            |
| <b>Crook County Code<br/>Title 08<br/>Chapter 8.08</b>  | <input type="checkbox"/> Accumulation of useless or discarded materials <input type="checkbox"/> Unlicensed, in-operable, wrecked, dismantled or partially dismantled vehicles stored on property                                                                          |
|                                                         | <input type="checkbox"/> Discharge of sewage on top of ground                                                                                                                                                                                                              |
| <b>Crook County Code<br/>Title 18</b>                   | <input type="checkbox"/> Person or persons residing in RV <input type="checkbox"/> Failure to remove Medical Hardship or Temporary Use Residence                                                                                                                           |
|                                                         | <input type="checkbox"/> Operating a Business in Residential Zone without Conditional Use Permit <input type="checkbox"/> Residence on property without planning approval.                                                                                                 |
|                                                         | <input checked="" type="checkbox"/> Violation of Conditional Use Permit <input type="checkbox"/> Two (2) or more dwellings on property.                                                                                                                                    |
| <b>Other</b>                                            | Enter authority by statute or rule number and description of violation.<br><input type="checkbox"/> _____ <input type="checkbox"/> _____<br><input type="checkbox"/> _____ <input type="checkbox"/> _____<br><input type="checkbox"/> _____ <input type="checkbox"/> _____ |

### VIOLATION INFORMATION

It is essential that this report be as complete as possible in order for the Code Enforcement Officer to proceed with an investigation. Whenever possible, the report should include a detailed description of the complaint, complete names of individuals who made the alleged violation, and photos or other related information that can be used as evidence of this violation. Attach additional pages if necessary.

#### Details of complaint: *(be specific)*

Knife River Woodward Aggregate Site CUP Page 10 Under "IV. Site Plan Approval Criteria for Industrial Uses",

Section "B" 18.72.030 Use Limitations, Number 5 states: "All parking demand created by any use permitted

by this chapter shall be accommodated on the subject premises entirely off street." Additionally below #7

it states in bold: "All vehicles will be parked on site. The subject property is large enough to manage traffic

and parking on-site in order to meet this requirement. Ingress to and egress from the site will be from

Stahancyk Lane." Knife River and their contractor trucks park along Elliott Road and at times on Stahancyk Ln.

waiting to gain access onto the site. See attached picture. This clearly violates this section of the CUP.

#### What direct impact does this complaint (violation) have on you, your property and/or your neighborhood?

Trucks parked along Elliott Rd. and Stahancyk Ln. create a traffic hazard. Stahancyk Ln. is narrow with no

painted center line so vehicles traveling east must cross over to the other side of the road to maneuver around

the parked trucks that are waiting to enter the site. The incline of the road makes it difficult to see if there is any

oncoming vehicles on that side of the road. The speed limit on Stahancyk is 45mph and too fast for this road.

#### ARE THERE ANY KNOWN OR SUSPECTED HAZARDS AT THIS LOCATION?

IE: Dangerous or unstable residents, dogs, criminal activity, etc.

☐ Yes ☐ No ☒ Unknown If Yes, please identify hazard in detail:

☆ Can the violation be seen from the road? ☒ Yes ☐ No

☆ To the best of your knowledge, are there any "No Trespass" signs posted at/on property site? ☒ Yes ☐ No

☆ Is the violation property a neighboring property? ☒ Yes ☐ No

☆ The complainant hereby gives the Code Enforcement Officer permission to use their property for viewing the alleged violation:

☒ Yes ☐ No If not, why?:

☆ Will you the complainant, testify in court should the need arise? ☒ Yes ☐ No

**"CROOK COUNTY ATTEMPTS TO PROTECT THE IDENTITY OF COMPLAINANTS IF DESIRED BY COMPLAINANT. (DESIRED - INIT.\_\_\_\_). UNDER OREGON LAW, DISCLOSURE OF PUBLIC RECORDS MAY BE REQUIRED AND THERE IS NO GUARANTEE THAT DISCLOSURE WILL NOT OCCUR. COMPLAINANT UNDERSTANDS AND ACKNOWLEDGES THIS POSSIBILITY AND BY SIGNATURE BELOW ACKNOWLEDGES THAT DISCLOSURE OF IDENTITY MAY OCCUR."**

**"THE COUNTY WILL ACCEPT ANONYMOUS COMPLAINTS; PROVIDED, HOWEVER, THAT DUE TO THE COUNTY'S BELIEF THAT SUCH COMPLAINTS ARE NOT AS RELIABLE AS THOSE FROM INDIVIDUALS WILLING TO IDENTIFY THEMSELVES, THE INVESTIGATION OF ANONYMOUS COMPLAINTS WILL HAVE LOWER PRIORITY THAN OTHER COMPLAINTS."**

### COMPLAINANT INFORMATION

Last Name: Adam and Karen Mikulski First Name: Middle initial:

Title (if agency) Jurisdiction

Address:  
3992 NW Stahancyk Lane

City: Prineville, OR 97754 State: ZIP: Phone: 541-410-9964

Signature: Date Signed:  
2/18/25

If you DO NOT live in Crook County, you must list the address or Tax Map # of your Real Property located within Crook County.



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City: State: ZIP: Phone:  
Tangent, OR 97389 541-918-5100

### DESCRIPTION OF ALLEGED VIOLATION

| Code                                                    | Type                                                                                                                                                                                                                                                                       |
|---------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                         | (check all that apply)                                                                                                                                                                                                                                                     |
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| <b>Other</b>                                            | Enter authority by statute or rule number and description of violation.<br><input type="checkbox"/> _____ <input type="checkbox"/> _____<br><input type="checkbox"/> _____ <input type="checkbox"/> _____<br><input type="checkbox"/> _____ <input type="checkbox"/> _____ |



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**Details of complaint: (be specific)**

Saturday April 25, 2026 Knife River Corp was running their diesel fueled water transfer pump from approximately 7:30 am to 5:00 pm. This is in violation of the CUP under "conditions related to operation mitigating noise" item 12 "operating hours". That paragraph states operating hours shall be Monday through Friday, November 1st through May 31st. There are exceptions to the operating hours provided the aggregate operator provided 72 hours advance written notice to the residential neighbors. No notice was given in this case.

**What direct impact does this complaint (violation) have on you, your property and/or your neighborhood?**

Impacts include noise pollution. The pump station is 650 feet from my property line and we can hear it. Other impacts include traffic to and from the pump station which is a direct impact on my privacy since the unapproved road Knife River uses is within 5 feet of my property. According to the CUP the entrance point for the operation is off of Stahanczyk Rd, not Puckett.

**ARE THERE ANY KNOWN OR SUSPECTED HAZARDS AT THIS LOCATION?**

IE: Dangerous or unstable residents, dogs, criminal activity, etc.

☐ Yes ☐ No ☒ Unknown If Yes, please identify hazard in detail:

☆ Can the violation be seen from the road? ☒ Yes ☐ No

☆ To the best of your knowledge, are there any "No Trespass" signs posted at/on property site? ☒ Yes ☐ No

☆ Is the violation property a neighboring property? ☒ Yes ☐ No

☆ The complainant hereby gives the Code Enforcement Officer permission to use their property for viewing the alleged violation:  
☒ Yes ☐ No If not, why?:

☆ Will you the complainant, testify in court should the need arise? ☒ Yes ☐ No

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### COMPLAINANT INFORMATION

Last Name: Zednik, Bryan R First Name: Middle initial:

Title (if agency) Jurisdiction

Address:  
6222 NW Puckett Rd

City: Prineville, OREGON 97754

State:

ZIP:

Phone:  
541-280-4227

Signature:

Date Signed:  
05/01/2026

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Property Owner Name:

Clay Woodward

Is this a rental property? ☐ Yes ☐ No If yes, please list renter's name (if you know):

It is leased by Knife River Corporation - Northwest.

Address of Violation:

Knife River's Woodward Pit at 4755 NW Stahancyk Lane., Prineville, OR 97754

Tax Map #:

Township 14 South, Range 15 East, Section 14

Subdivision:

Lot:

Tax Lot 702 & 703

Directions to the site: Knife River's Woodward Pit: North on Lamonta Road, West on Stahancyk Lane., Prineville, OR97754

### ALLEGED VIOLATOR

Last Name:

Knife River Corporation - Northwest

First Name:

Middle Name:

Address:

82260 Old Highway 34

City:

Tangent, OR 97389

State:

ZIP:

Phone:

541-918-5100

### DESCRIPTION OF ALLEGED VIOLATION

| Code                                                    | Type                                                                                             |                                           |                                                                                                                           |                                       |
|---------------------------------------------------------|--------------------------------------------------------------------------------------------------|-------------------------------------------|---------------------------------------------------------------------------------------------------------------------------|---------------------------------------|
| <i>(check all that apply)</i>                           |                                                                                                  |                                           |                                                                                                                           |                                       |
| <b>Crook County Code<br/>Title 15<br/>Chapter 15.04</b> | <input type="checkbox"/> No Permit                                                               | <input type="checkbox"/> New Construction | <input type="checkbox"/> Remodel                                                                                          | <input type="checkbox"/> Roof failure |
|                                                         | <input type="checkbox"/> Building                                                                | <input type="checkbox"/> Plumbing         | <input type="checkbox"/> Mechanical                                                                                       | <input type="checkbox"/> Electrical   |
|                                                         | <input type="checkbox"/> Fire, Life, Safety issues with Residence                                |                                           | <input type="checkbox"/> Foundation failure                                                                               |                                       |
|                                                         | <input type="checkbox"/> Discharge of sewage on top of ground                                    |                                           | <input type="checkbox"/> Faulty electrical wiring                                                                         |                                       |
|                                                         |                                                                                                  |                                           |                                                                                                                           |                                       |
| <b>Crook County Code<br/>Title 08<br/>Chapter 8.08</b>  | <input type="checkbox"/> Accumulation of useless or discarded materials                          |                                           | <input type="checkbox"/> Unlicensed, in-operable, wrecked, dismantled or partially dismantled vehicles stored on property |                                       |
|                                                         | <input type="checkbox"/> Discharge of sewage on top of ground                                    |                                           |                                                                                                                           |                                       |
| <b>Crook County Code<br/>Title 18</b>                   | <input type="checkbox"/> Person or persons residing in RV                                        |                                           | <input type="checkbox"/> Failure to remove Medical Hardship or Temporary Use Residence                                    |                                       |
|                                                         | <input type="checkbox"/> Operating a Business in Residential Zone without Conditional Use Permit |                                           | <input type="checkbox"/> Residence on property without planning approval.                                                 |                                       |
|                                                         | <input checked="" type="checkbox"/> Violation of Conditional Use Permit                          |                                           | <input type="checkbox"/> Two (2) or more dwellings on property.                                                           |                                       |
| <b>Other</b>                                            | Enter authority by statute or rule number and description of violation.                          |                                           |                                                                                                                           |                                       |
|                                                         | <input type="checkbox"/>                                                                         | _____                                     | <input type="checkbox"/>                                                                                                  | _____                                 |
|                                                         | <input type="checkbox"/>                                                                         | _____                                     | <input type="checkbox"/>                                                                                                  | _____                                 |
|                                                         | <input type="checkbox"/>                                                                         | _____                                     | <input type="checkbox"/>                                                                                                  | _____                                 |

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**Details of complaint: (be specific)**

Knife River Woodward Aggregate Site CUP Page 10 Under "IV. Site Plan Approval Criteria for Industrial Uses", Section "B" 18.72.030 Use Limitations, Number 5 states: "All parking demand created by any use permitted by this chapter shall be accommodated on the subject premises entirely off street." Additionally below #7 it states in bold: "All vehicles will be parked on site. The subject property is large enough to manage traffic and parking on-site in order to meet this requirement. Ingress to and egress from the site will be from Stahancyk Lane." Knife River and their contractor trucks park along Elliott Road and at times on Stahancyk Ln. waiting to gain access onto the site. See attached picture. This clearly violates this section of the CUP.

**What direct impact does this complaint (violation) have on you, your property and/or your neighborhood?**

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**ARE THERE ANY KNOWN OR SUSPECTED HAZARDS AT THIS LOCATION?**

IE: Dangerous or unstable residents, dogs, criminal activity, etc.

☐ Yes ☐ No ☒ Unknown If Yes, please identify hazard in detail:

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Last Name: First Name: Middle initial:

Adam and Karen Mikulski

Title (if agency) Jurisdiction

Address:  
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City: State: ZIP: Phone:  
Prineville, OR 97754 541-410-9964

Signature: Date Signed:  
2/18/25

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First Name:

Middle Name:

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|---------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------|
| <i>(check all that apply)</i>                           |                                                                                                                           |
| <b>Crook County Code<br/>Title 15<br/>Chapter 15.04</b> | <input type="checkbox"/> No Permit                                                                                        |
|                                                         | <input type="checkbox"/> New Construction                                                                                 |
|                                                         | <input type="checkbox"/> Remodel                                                                                          |
|                                                         | <input type="checkbox"/> Roof failure                                                                                     |
|                                                         | <input type="checkbox"/> Building                                                                                         |
| <b>Crook County Code<br/>Title 08<br/>Chapter 8.08</b>  | <input type="checkbox"/> Plumbing                                                                                         |
|                                                         | <input type="checkbox"/> Mechanical                                                                                       |
|                                                         | <input type="checkbox"/> Electrical                                                                                       |
|                                                         | <input type="checkbox"/> Fire, Life, Safety issues with Residence                                                         |
|                                                         | <input type="checkbox"/> Foundation failure                                                                               |
| <b>Crook County Code<br/>Title 18</b>                   | <input type="checkbox"/> Discharge of sewage on top of ground                                                             |
|                                                         | <input type="checkbox"/> Faulty electrical wiring                                                                         |
|                                                         | <input type="checkbox"/> Accumulation of useless or discarded materials                                                   |
|                                                         | <input type="checkbox"/> Unlicensed, in-operable, wrecked, dismantled or partially dismantled vehicles stored on property |
|                                                         | <input type="checkbox"/> Discharge of sewage on top of ground                                                             |
| <b>Crook County Code<br/>Title 18</b>                   | <input type="checkbox"/> Person or persons residing in RV                                                                 |
|                                                         | <input type="checkbox"/> Failure to remove Medical Hardship or Temporary Use Residence                                    |
|                                                         | <input type="checkbox"/> Operating a Business in Residential Zone without Conditional Use Permit                          |
|                                                         | <input type="checkbox"/> Residence on property without planning approval.                                                 |
|                                                         | <input checked="" type="checkbox"/> Violation of Conditional Use Permit                                                   |
| <b>Other</b>                                            | <input type="checkbox"/> Two (2) or more dwellings on property.                                                           |
|                                                         | Enter authority by statute or rule number and description of violation.                                                   |
|                                                         | <input type="checkbox"/> _____                                                                                            |
|                                                         | <input type="checkbox"/> _____                                                                                            |
|                                                         | <input type="checkbox"/> _____                                                                                            |

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|-------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <i>(check all that apply)</i>                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
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### ALLEGED VIOLATOR /PROPERTY /OWNER INFORMATION

*If property does not have a legal address, you must submit a detailed map and directions to the site in order for this report to be accepted.*

Property Owner Name:

Clay Woodward

Is this a rental property? ☐ Yes ☐ No If yes, please list renter's name (if you know):

It is leased by Knife River Corporation - Northwest.

Address of Violation:

Knife River's Woodward Pit at 4755 NW Stahancyk Lane., Prineville, OR 97754

Tax Map #:

Township 14 South, Range 15 East, Section 14

Subdivision:

Lot:

Tax Lot 702 & 703

Directions to the site: Knife River's Woodward Pit: North on Lamonta Road, West on Stahancyk Lane., Prineville, OR97754

### ALLEGED VIOLATOR

Last Name:

Knife River Corporation - Northwest

First Name:

Middle Name:

Address:

82260 Old Highway 34

City:

Tangent, OR 97389

State:

ZIP:

Phone:

541-918-5100

### DESCRIPTION OF ALLEGED VIOLATION

| Code                                            | Type                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|-------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <i>(check all that apply)</i>                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b>Crook County Code Title 15 Chapter 15.04</b> | <input type="checkbox"/> No Permit <input type="checkbox"/> New Construction <input type="checkbox"/> Remodel <input type="checkbox"/> Roof failure<br><input type="checkbox"/> Building <input type="checkbox"/> Plumbing <input type="checkbox"/> Mechanical <input type="checkbox"/> Electrical<br><input type="checkbox"/> Fire, Life, Safety issues with Residence <input type="checkbox"/> Foundation failure<br><input type="checkbox"/> Discharge of sewage on top of ground <input type="checkbox"/> Faulty electrical wiring |
| <b>Crook County Code Title 08 Chapter 8.08</b>  | <input type="checkbox"/> Accumulation of useless or discarded materials <input type="checkbox"/> Unlicensed, in-operable, wrecked, dismantled or partially dismantled vehicles stored on property<br><input type="checkbox"/> Discharge of sewage on top of ground                                                                                                                                                                                                                                                                     |
| <b>Crook County Code Title 18</b>               | <input type="checkbox"/> Person or persons residing in RV <input type="checkbox"/> Failure to remove Medical Hardship or Temporary Use Residence<br><input type="checkbox"/> Operating a Business in Residential Zone without Conditional Use Permit <input type="checkbox"/> Residence on property without planning approval.<br><input checked="" type="checkbox"/> Violation of Conditional Use Permit <input type="checkbox"/> Two (2) or more dwellings on property.                                                              |
| <b>Other</b>                                    | Enter authority by statute or rule number and description of violation.<br><input type="checkbox"/> _____ <input type="checkbox"/> _____<br><input type="checkbox"/> _____ <input type="checkbox"/> _____<br><input type="checkbox"/> _____ <input type="checkbox"/> _____                                                                                                                                                                                                                                                             |

### VIOLATION INFORMATION

It is essential that this report be as complete as possible in order for the Code Enforcement Officer to proceed with an investigation. Whenever possible, the report should include a detailed description of the complaint, complete names of individuals who made the alleged violation, and photos or other related information that can be used as evidence of this violation. Attach additional pages if necessary.

**Details of complaint: (be specific)**

Knife River Woodward Aggregate Site CUP Page 10 Under "IV. Site Plan Approval Criteria for Industrial Uses", Section "B" 18.72.030 Use Limitations, Number 5 states: "All parking demand created by any use permitted by this chapter shall be accommodated on the subject premises entirely off street." Additionally below #7 it states in bold: "All vehicles will be parked on site. The subject property is large enough to manage traffic and parking on-site in order to meet this requirement. Ingress to and egress from the site will be from Stahancyk Lane." Knife River and their contractor trucks park along Elliott Road and at times on Stahancyk Ln. waiting to gain access onto the site. See attached picture. This clearly violates this section of the CUP.

**What direct impact does this complaint (violation) have on you, your property and/or your neighborhood?**

Trucks parked along Elliott Rd. and Stahancyk Ln. create a traffic hazard. Stahancyk Ln. is narrow with no painted center line so vehicles traveling east must cross over to the other side of the road to maneuver around the parked trucks that are waiting to enter the site. The incline of the road makes it difficult to see if there is any oncoming vehicles on that side of the road. The speed limit on Stahancyk is 45mph and too fast for this road.

**ARE THERE ANY KNOWN OR SUSPECTED HAZARDS AT THIS LOCATION?**

IE: Dangerous or unstable residents, dogs, criminal activity, etc.

☐ Yes ☐ No ☒ Unknown If Yes, please identify hazard in detail:

☆ Can the violation be seen from the road? ☒ Yes ☐ No

☆ To the best of your knowledge, are there any "No Trespass" signs posted at/on property site? ☒ Yes ☐ No

☆ Is the violation property a neighboring property? ☒ Yes ☐ No

☆ The complainant hereby gives the Code Enforcement Officer permission to use their property for viewing the alleged violation:

☒ Yes ☐ No If not, why?:

☆ Will you the complainant, testify in court should the need arise? ☒ Yes ☐ No

**"CROOK COUNTY ATTEMPTS TO PROTECT THE IDENTITY OF COMPLAINANTS IF DESIRED BY COMPLAINANT. (DESIRED - INIT. \_\_\_\_). UNDER OREGON LAW, DISCLOSURE OF PUBLIC RECORDS MAY BE REQUIRED AND THERE IS NO GUARANTEE THAT DISCLOSURE WILL NOT OCCUR. COMPLAINANT UNDERSTANDS AND ACKNOWLEDGES THIS POSSIBILITY AND BY SIGNATURE BELOW ACKNOWLEDGES THAT DISCLOSURE OF IDENTITY MAY OCCUR."**

**"THE COUNTY WILL ACCEPT ANONYMOUS COMPLAINTS; PROVIDED, HOWEVER, THAT DUE TO THE COUNTY'S BELIEF THAT SUCH COMPLAINTS ARE NOT AS RELIABLE AS THOSE FROM INDIVIDUALS WILLING TO IDENTIFY THEMSELVES, THE INVESTIGATION OF ANONYMOUS COMPLAINTS WILL HAVE LOWER PRIORITY THAN OTHER COMPLAINTS."**

### COMPLAINANT INFORMATION

Last Name: First Name: Middle initial:

Adam and Karen Mikulski

Title (if agency) Jurisdiction

Address:  
3992 NW Stahancyk Lane

City: State: ZIP: Phone:  
Prineville, OR 97754 541-410-9964

Signature: Date Signed:  
2/18/25

If you DO NOT live in Crook County, you must list the address or Tax Map # of your Real Property located within Crook County.



## Preliminary Compliance Report

Crook County Building Department  
300 NE 3rd Street - Rm 12, Prineville, OR 97754  
(541) 447-3211 Fax (541) 416-2139

[www.co.crook.or.us](http://www.co.crook.or.us)

FOR OFFICE USE ONLY

CASEFILE #

**This report is to be used to provide information about possible violations of the Crook County Code. In order for your report to be accepted, you must fill in all questions completely and to the best of your knowledge. It is important that you supply as much detail as possible. Please be sure to print legibly throughout the entire form.**

### ALLEGED VIOLATOR /PROPERTY /OWNER INFORMATION

*If property does not have a legal address, you must submit a detailed map and directions to the site in order for this report to be accepted.*

Property Owner Name:

Clay Woodward

Is this a rental property? ☐ Yes ☐ No If yes, please list renter's name (if you know):

It is leased by Knife River Corporation - Northwest.

Address of Violation:

Knife River's Woodward Pit at 4755 NW Stahancyk Lane., Prineville, OR 97754

Tax Map #:

Township 14 South, Range 15 East, Section 14

Subdivision:

Lot:

Tax Lot 702 & 703

Directions to the site: Knife River's Woodward Pit: North on Lamonta Road, West on Stahancyk Lane., Prineville, OR97754

### ALLEGED VIOLATOR

Last Name:

Knife River Corporation - Northwest

First Name:

Middle Name:

Address:

82260 Old Highway 34

City:

Tangent, OR 97389

State:

ZIP:

Phone:

541-918-5100

### DESCRIPTION OF ALLEGED VIOLATION

| Code                                            | Type                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|-------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <i>(check all that apply)</i>                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b>Crook County Code Title 15 Chapter 15.04</b> | <input type="checkbox"/> No Permit <input type="checkbox"/> New Construction <input type="checkbox"/> Remodel <input type="checkbox"/> Roof failure<br><input type="checkbox"/> Building <input type="checkbox"/> Plumbing <input type="checkbox"/> Mechanical <input type="checkbox"/> Electrical<br><input type="checkbox"/> Fire, Life, Safety issues with Residence <input type="checkbox"/> Foundation failure<br><input type="checkbox"/> Discharge of sewage on top of ground <input type="checkbox"/> Faulty electrical wiring |
| <b>Crook County Code Title 08 Chapter 8.08</b>  | <input type="checkbox"/> Accumulation of useless or discarded materials <input type="checkbox"/> Unlicensed, in-operable, wrecked, dismantled or partially dismantled vehicles stored on property<br><input type="checkbox"/> Discharge of sewage on top of ground                                                                                                                                                                                                                                                                     |
| <b>Crook County Code Title 18</b>               | <input type="checkbox"/> Person or persons residing in RV <input type="checkbox"/> Failure to remove Medical Hardship or Temporary Use Residence<br><input type="checkbox"/> Operating a Business in Residential Zone without Conditional Use Permit <input type="checkbox"/> Residence on property without planning approval.<br><input checked="" type="checkbox"/> Violation of Conditional Use Permit <input type="checkbox"/> Two (2) or more dwellings on property.                                                              |
| <b>Other</b>                                    | Enter authority by statute or rule number and description of violation.<br><input type="checkbox"/> _____ <input type="checkbox"/> _____<br><input type="checkbox"/> _____ <input type="checkbox"/> _____<br><input type="checkbox"/> _____ <input type="checkbox"/> _____                                                                                                                                                                                                                                                             |

### VIOLATION INFORMATION

It is essential that this report be as complete as possible in order for the Code Enforcement Officer to proceed with an investigation. Whenever possible, the report should include a detailed description of the complaint, complete names of individuals who made the alleged violation, and photos or other related information that can be used as evidence of this violation. Attach additional pages if necessary.

**Details of complaint: (be specific)**

Knife River Woodward Aggregate Site CUP Page 10 Under "IV. Site Plan Approval Criteria for Industrial Uses", Section "B" 18.72.030 Use Limitations, Number 5 states: "All parking demand created by any use permitted by this chapter shall be accommodated on the subject premises entirely off street." Additionally below #7 it states in bold: "All vehicles will be parked on site. The subject property is large enough to manage traffic and parking on-site in order to meet this requirement. Ingress to and egress from the site will be from Stahancyk Lane." Knife River and their contractor trucks park along Elliott Road and at times on Stahancyk Ln. waiting to gain access onto the site. See attached picture. This clearly violates this section of the CUP.

**What direct impact does this complaint (violation) have on you, your property and/or your neighborhood?**

Trucks parked along Elliott Rd. and Stahancyk Ln. create a traffic hazard. Stahancyk Ln. is narrow with no painted center line so vehicles traveling east must cross over to the other side of the road to maneuver around the parked trucks that are waiting to enter the site. The incline of the road makes it difficult to see if there is any oncoming vehicles on that side of the road. The speed limit on Stahancyk is 45mph and too fast for this road.

**ARE THERE ANY KNOWN OR SUSPECTED HAZARDS AT THIS LOCATION?**

IE: Dangerous or unstable residents, dogs, criminal activity, etc.

☐ Yes ☐ No ☒ Unknown If Yes, please identify hazard in detail:

☆ Can the violation be seen from the road? ☒ Yes ☐ No

☆ To the best of your knowledge, are there any "No Trespass" signs posted at/on property site? ☒ Yes ☐ No

☆ Is the violation property a neighboring property? ☒ Yes ☐ No

☆ The complainant hereby gives the Code Enforcement Officer permission to use their property for viewing the alleged violation:

☒ Yes ☐ No If not, why?:

☆ Will you the complainant, testify in court should the need arise? ☒ Yes ☐ No

**"CROOK COUNTY ATTEMPTS TO PROTECT THE IDENTITY OF COMPLAINANTS IF DESIRED BY COMPLAINANT. (DESIRED - INIT. \_\_\_\_). UNDER OREGON LAW, DISCLOSURE OF PUBLIC RECORDS MAY BE REQUIRED AND THERE IS NO GUARANTEE THAT DISCLOSURE WILL NOT OCCUR. COMPLAINANT UNDERSTANDS AND ACKNOWLEDGES THIS POSSIBILITY AND BY SIGNATURE BELOW ACKNOWLEDGES THAT DISCLOSURE OF IDENTITY MAY OCCUR."**

**"THE COUNTY WILL ACCEPT ANONYMOUS COMPLAINTS; PROVIDED, HOWEVER, THAT DUE TO THE COUNTY'S BELIEF THAT SUCH COMPLAINTS ARE NOT AS RELIABLE AS THOSE FROM INDIVIDUALS WILLING TO IDENTIFY THEMSELVES, THE INVESTIGATION OF ANONYMOUS COMPLAINTS WILL HAVE LOWER PRIORITY THAN OTHER COMPLAINTS."**

### COMPLAINANT INFORMATION

Last Name: First Name: Middle initial:

Adam and Karen Mikulski

Title (if agency) Jurisdiction

Address:  
3992 NW Stahancyk Lane

City: State: ZIP: Phone:  
Prineville, OR 97754 541-410-9964

Signature: Date Signed:  
2/18/25

If you DO NOT live in Crook County, you must list the address or Tax Map # of your Real Property located within Crook County.



# CROOK COUNTY COMMUNITY DEVELOPMENT

*Code Compliance Division*

## NOTICE OF VIOLATION

December 29, 2025

Jeff Steyaert  
Knife River Corporation - NW  
32260 Old Hwy 34  
Tangent, OR 97389-9770

Case: 217-25-000108-NVST  
Map: 14151400  
Lot: 702/703

Re: Notice of CUP Violation – Operating outside of approved hours x 3

The Planning Director of Crook County has determined that violations of the CUP have occurred. This notice serves to formally inform you of these violations.

### **Nature of the Violation:**

Upon review, it has been determined that the following conditions have not been adhered to:

CUP 217-15-000115-PLNG (Section #12) CUP Violation: Operating outside approved CUP hours of operation on (3) different dates: Operation of pumping equipment to fill ponds. Violation #1 (Mon. Nov 10<sup>th</sup>), Violation #2 (Tue. Nov 25<sup>th</sup>), Violation #3 (Fri. Nov 28<sup>th</sup>)

### **Assessment of Fine:**

In accordance with Crook County Code 18.144.070(1)(a), a fine has been assessed for each of the three dates of violation. Consideration was given to factors such as past compliance history and the gravity of the violation, among others.

- **Proposed Fine: \$500.00 per each of the three (3) violations**
  - Fine factors considered include:
    - Past efforts to correct violations
    - Prior violations applicable to the site
    - Economic conditions and gravity of the violation
    - Whether actions were accidental, negligent, or intentional
    - Whether the violation was repeated

Building • Planning • Code Enforcement • Addressing • On-Site Septic

300 NE 3rd Street, RM 12, Prineville, OR 97754 • (541) 447-3211

Exhibit 4 - COLW



**Process for Contesting this Notice:**

Within 10 days of receiving this notice, you may:

1. Contest the violation by filing an answer with the Planning Department and requesting a hearing, or
2. Admit the violation and provide a written argument and evidence regarding mitigation of the proposed fine.

Upon failure to file an answer within the specified time, the violation will be established and the fine imposed as initially assessed.

**Hearing Details:**

Should you choose to contest the violation, a hearing will be held before the Planning Commission as per ORS 215.402 to 215.438. The county holds the burden of proof in establishing the violation's existence.

**Appeal Process:**

As stipulated in 18.144.070(1)(e), any decision made by the Planning Commission can be appealed to the County Court within 10 days of the final decision.

Should you have any questions regarding this notice or the processes outlined, please contact the Planning Director's office at 541-447-3211.

Pursuant to 215.296(5) and Crook County code 18.144.070(2), you are hereby warned against the commission of further violations. Failure to correct these conditions or the commission of further violations will result in suspension of the use or revocation of the permit.

Sincerely,

*John Eisler*

Community Development Director  
Phone: (541)447-3211  
Address: 300 NE Court Street, Prineville, OR 97754

Certified Mail – Return Receipt Requested

**From:** Steyaert, Jeff <Jeff.Steyaert@Kniferiver.com>  
**Sent time:** 02/04/2026 04:00:34 PM  
**To:** John Eisler <John.Eisler@crookcountyor.gov>  
**Cc:** Louis Seals <Louis.Seals@crookcountyor.gov>; Ropp, Matt <Matt.Ropp@kniferiver.com>  
**Subject:** RE: Knife River Woodward - NOV Case 217-25-000108-NVST  
**Attachments:** RE: Knife River Woodward - NOV Case 217-25-000108-NVST.eml

---

Sender: Jeff.Steyaert@Kniferiver.com  
Subject: RE: Knife River Woodward - NOV Case 217-25-000108-NVST  
Message-Id:  
Recipient: John.Eisler@crookcountyor.gov



---

**Knife River Corporation – Northwest**

32260 Old Hwy 34  
Tangent, OR 97389-9770  
Ph: (541) 918-5100

February 4, 2026

John Eisler  
Crook County Development Director  
Crook County Community Development  
300 NE 3<sup>rd</sup> St., RM 12  
Prineville, OR 97754

RE: 217-25-0000108-NVST (Notice of Violation)

Mr. Eisler,

Please note that Knife River does not contest the fact that it is responsible for a portable water pump running outside of the prescribed hours of operation for the Woodward mining site. In the spirit of cooperation, Knife River is submitting a check for payment of fees assessed by Crook County (\$200 per violation, times three days, totaling \$600). However, we do so in protest regarding the lack of clarity the county is able to provide regarding what constitutes “operating” as the term is used in the context of our regulated hours of operation. Crook County Code Section 18.144.060(8)- Hours of Operation – states: *All **mining** [1] extraction, [2] processing and [3] equipment operation shall be subject to the following limitations...* We interpret this provision to apply to active aggregate extraction, aggregate processing, and operation of mining equipment. It seems a stretch to consider a portable water pump operating off-site, even if for the purpose of filling on-site settling ponds, to be included in the “mining equipment” this provision was intended to apply to.

Knife River requests the county provide guidance regarding what the county considers “mining equipment.” Does it include a gas-powered generator on a service truck performing maintenance (i.e changing a flat tire) at the site? For example, if Les Schwab shows up 5 minutes after hours of operation to fix a tire on a loader, will the county consider this a violation? Does it include an electric water pump installed in a groundwater well that is running/pumping for the purpose of filling Knife River’s settling ponds? Please advise. Thank you for your thoughtful consideration.

Attachments:

- Crook County Letter of Notice of Violation, dated Jan. 27, 2026
- Knife River Check in the amount of \$600

Sincerely,

A handwritten signature in black ink that reads "Jeff Steyaert".

Jeff Steyaert

COUNTY OF CROOK  
200 NE 2ND STREET  
PRINEVILLE OR 97754

| Check Number |
|--------------|
| 24799108     |
| Check Date   |
| 01/29/26     |
| Payee        |
| 684118       |

| Description    | Total  | Discount | Payment |
|----------------|--------|----------|---------|
| OURS VIOLATION | 600.00 |          | 600.00  |

Totals

600.00

600.00

<https://www.kniferiver.com/about-us/>

**From:** Steyaert, Jeff <Jeff.Steyaert@Kniferiver.com>  
**Sent time:** 02/04/2026 03:57:08 PM  
**To:** John Eisler <John.Eisler@crookcountyor.gov>  
**Cc:** Louis Seals <Louis.Seals@crookcountyor.gov>; Ropp, Matt <Matt.Ropp@kniferiver.com>  
**Subject:** RE: Knife River Woodward - NOV Case 217-25-000108-NVST  
**Attachments:** Hours.pdf Check.pdf

John,  
Please see attached letter dated Feb. 4, 2026, that is also being sent to you certified mail along with the check.  
Thanks

Jeff Steyaert  
Environmental, Permitting & Property MGR  
Knife River Corporation – NW  
32260 Old Hwy 34  
Tangent, OR 97389  
Email: [Jeff.steyaert@kniferiver.com](mailto:Jeff.steyaert@kniferiver.com)  
Phone Desk:541-918-5142; Cell:541-968-1898

---

**From:** John Eisler <John.Eisler@crookcountyor.gov>  
**Sent:** Tuesday, January 27, 2026 2:57 PM  
**To:** Steyaert, Jeff <Jeff.Steyaert@Kniferiver.com>  
**Cc:** Ropp, Matt <Matt.Ropp@kniferiver.com>; Louis Seals <Louis.Seals@crookcountyor.gov>  
**Subject:** RE: Knife River Woodward - NOV Case 217-25-000108-NVST

**\*\* WARNING: EXTERNAL SENDER. NEVER click links or open attachments without positive sender verification of purpose. DO NOT provide your user ID or password on sites or forms linked from this email. \*\***

Hi Jeff,

I appreciate your patience. Please see the attached letter.

I also wanted to let you know that we received a complaint yesterday regarding the traffic cones in the right of way. I assume those were placed there to prevent your drivers from stopping on the shoulder. Is that correct? Are these traffic cones to be temporary?

Also, can you please let me know if you've completed your review of the records regarding the prior NOV for parking such that you have decided if Knife River desires to appeal that NOV to the Planning Commission? Please let me know.

Best,



**John Eisler**  
Community Development Director  
Phone: (541)447-3211  
Address: 300 NE Third Street, Prineville, OR 97754  
Website: <http://www.co.crook.or.us>

---

**From:** Steyaert, Jeff <Jeff.Steyaert@Kniferiver.com>  
**Sent:** Tuesday, January 20, 2026 7:01 AM  
**To:** John Eisler <John.Eisler@crookcountyor.gov>  
**Cc:** Ropp, Matt <Matt.Ropp@kniferiver.com>  
**Subject:** FW: Knife River Woodward - NOV Case 217-25-000108-NVST  
**Importance:** High

John,  
Has Crook County decided on the civil penalty amount assessed so, Knife River can make payment.  
Thanks

Jeff Steyaert  
Environmental, Permitting & Property MGR

**Exhibit 4 - COLW**

Knife River Corporation – NW  
32260 Old Hwy 34  
Tangent, OR 97389  
Email: [Jeff.steyaert@kniferiver.com](mailto:Jeff.steyaert@kniferiver.com)  
Phone Desk:541-918-5142; Cell:541-968-1898

---

**From:** Steyaert, Jeff  
**Sent:** Wednesday, January 7, 2026 10:14 AM  
**To:** John Eisler <[john.eisler@crookcountyor.gov](mailto:john.eisler@crookcountyor.gov)>  
**Cc:** Ropp, Matt <[Matt.Ropp@kniferiver.com](mailto:Matt.Ropp@kniferiver.com)>; Doan, Chris <[Chris.Doan@Kniferiver.com](mailto:Chris.Doan@Kniferiver.com)>  
**Subject:** Knife River Woodward - NOV Case 217-25-000108-NVST  
**Importance:** High

John,  
Please see attached response to NOV Case 217-25-000108-NVST.  
Thanks

Jeff Steyaert  
Environmental, Permitting & Property MGR  
Knife River Corporation – NW  
32260 Old Hwy 34  
Tangent, OR 97389  
Email: [Jeff.steyaert@kniferiver.com](mailto:Jeff.steyaert@kniferiver.com)  
Phone Desk:541-918-5142; Cell:541-968-1898

[CAUTION:This email originated from outside of the organization. DO NOT CLICK LINKS or open attachments unless you recognize the sender and know the content is safe]

Disclaimer: Please note that the information in this email is an informal statement and shall not be deemed to constitute final County action effecting a change in the status of a person's property or conferring any rights, including any reliance rights, on any person.

---

CONFIDENTIALITY NOTICE - This e-mail may contain information that is privileged, confidential, or otherwise exempt from disclosure under applicable law. If you are not the addressee or it appears from the context or otherwise that you have received this e-mail in error, please advise me immediately by reply e-mail, keep the contents confidential, and immediately delete the message and any attachments from your system.

**Beware of Scams – Crook County will never ask for payment via wire, Venmo, Cash App, or Zelle. If you have questions about an invoice, please call 541-447-6554 to confirm before sending payment.**

[CAUTION:This email originated from outside of the organization. DO NOT CLICK LINKS or open attachments unless you recognize the sender and know the content is safe]





# CROOK COUNTY COMMUNITY DEVELOPMENT

*Code Compliance Division*

## NOTICE OF VIOLATION

May 27, 2026

Jeff Steyaert  
Knife River Corporation - NW  
32260 Old Hwy 34  
Tangent, OR 97389-9770

Case: 217-26-000056-NVST  
Map: 14151400  
Lot: 702/703

Re: Notice of CUP Violation – No barriers or gates at access points to the site.

The Planning Director of Crook County has determined that violations of the CUP have occurred. This notice serves to formally inform you of these violations.

### **Nature of the Violation:**

Upon review, it has been determined that the following conditions have not been adhered to:

CUP 217-15-0001114-PLNG (Staff Report, page 23, section (4) CUP Violation: Effective vehicle barriers or gates shall be required at all access points to the site.

### **Assessment of Fine:**

In accordance with Crook County Code 18.144.070(1)(a), a fine has been assessed for this violation. Consideration was given to factors such as past compliance history and the gravity of the violation, among others.

- **Proposed Fine: \$500.00**
  - Fine factors considered include:
    - Past efforts to correct violations
    - Prior violations applicable to the site
    - Economic conditions and gravity of the violation
    - Whether actions were accidental, negligent, or intentional
    - Whether the violation was repeated

## **Process for Contesting this Notice:**

Within 10 days of receiving this notice, you may:

1. Contest the violation by filing an answer with the Planning Department and requesting a hearing, or
2. Admit the violation and provide a written argument and evidence regarding mitigation of the proposed fine.

Upon failure to file an answer within the specified time, the violation will be established and the fine imposed as initially assessed.

## **Hearing Details:**

Should you choose to contest the violation, a hearing will be held before the Planning Commission as per ORS 215.402 to 215.438. The county holds the burden of proof in establishing the violation's existence.

## **Appeal Process:**

As stipulated in 18.144.070(1)(e), any decision made by the Planning Commission can be appealed to the County Court within 10 days of the final decision.

Should you have any questions regarding this notice or the processes outlined, please contact the Planning Director's office at 541-447-3211.

Pursuant to 215.296(5) and Crook County code 18.144.070(2), you are hereby warned against the commission of further violations. Failure to correct these conditions or the commission of further violations will result in suspension of the use or revocation of the permit.

Sincerely,

*John Eisler*

Community Development Director  
Phone: (541)447-3211  
Address: 300 NE Court Street, Prineville, OR 97754

Certified Mail – Return Receipt Requested



---

**Knife River Corporation – Northwest**

32260 Old Hwy 34  
Tangent, OR 97389-9770  
Ph: (541) 918-5100

June 8, 2026

John Eisler  
Crook County Community Development  
300 NE 3<sup>rd</sup> St., RM 12  
Prineville, OR 97754

RE: 217-26-000046-NVST

Mr. Eisler,

Knife River Corporation Northwest (Knife River) is in receipt of "Notice of Violation" letter dated May 27, 2026. This violation states "CUP 217-15-0001114-PLNG (Staff Report, page 23, section (4) CUP Violation: Effective vehicle barriers or gates shall be required at all access points to the site." Knife River Corporation Northwest has effective vehicle barriers at its main entrance, exit (scales) and gate to access the frontage berm. These barriers have not been closed. Knife River will immediately correct this and will make sure these are closed when there are no operations onsite. There is no effective vehicle barrier at the SE corner of Woodward site. Knife River will get an effective barrier put in place by June 15<sup>th</sup>, 2026. Knife River has enclosed with this letter the assessed fine of \$500.

If you should require any further information, you can reach me at 541-918-5142 or via email at [Jeff.steyaert@kniferiver.com](mailto:Jeff.steyaert@kniferiver.com).

Sincerely,

A handwritten signature in black ink that reads "Jeffrey Steyaert".

Jeff Steyaert  
Environmental MGR.



# Oregon

Kate Brown, Governor

Department of Environmental Quality  
Office of Compliance and Enforcement  
700 NE Multnomah Street, Suite 600  
Portland, OR 97232-4100  
(503) 229-5696  
FAX (503) 229-5100  
TTY 711

July 19, 2022

CERTIFIED MAIL: 7018 1830 0001 5906 3657

Knife River Corporation – Northwest  
c/o C.T. Corporation System, Registered Agent  
780 Commercial St., Suite 100  
Salem, OR 97301

Re: Notice of Civil Penalty Assessment and Order  
Case No. WQ/SW-ER-2021-548

This letter is to inform you that the Oregon Department of Environmental Quality (DEQ) has issued you a civil penalty of \$20,822 for discharging comingled washwater, stormwater and excavation dewatering water from the Woodward Site mine and quarry, located at 4547 NW Stahancyk Lane, in Prineville, Oregon to the Rye Grass Irrigation Canal.

DEQ issued this penalty because unpermitted discharges can be harmful to beneficial uses of the waters of the state, including agricultural uses and aquatic life and habitat. Discharge permits require registrants to develop plans and implement and maintain best management practices to minimize and mitigate pollutants in the discharge. DEQ appreciates the Noncompliance Notice (dated December 7, 2021) that you submitted and has considered this reporting in preparing this formal enforcement action.

You may pay the civil penalty as follows:

Pay online with e-check (ACH) or Credit Card. Go to Your DEQ Online here: <https://ydo.oregon.gov>. Select Register Account or Login, then select Pay Invoices/Fees on your account dashboard. Enter the Invoice number and Account ID included on the attached payment slip. Note: US Bank charges a 2.3% convenience charge for credit card transactions. ACH payments have no additional charges.

Pay by check or money order: Make checks payable to “Department of Environmental Quality” and mail to the address on the enclosed payment slip. Please make sure to include the payment slip with your check or money order.

If you wish to appeal this matter, DEQ must receive a request for a hearing within 20 calendar days from your receipt of this letter. The hearing request must be in writing. Send your request to DEQ Office of Compliance and Enforcement:

Via mail – 700 NE Multnomah Street, Suite 600, Portland, Oregon 97232

Via email – [DEQappeals@deq.oregon.gov](mailto:DEQappeals@deq.oregon.gov)

Via fax – 503-229-6762

EXHIBIT M - 1 of 9

Once DEQ receives your request, we will arrange to meet with you to discuss this matter. If DEQ does not receive a timely written hearing request, the penalty will become due.

The attached Notice further details DEQ's reasons for issuing the penalty and provides further instructions for appealing the penalty. Please review and refer to it when discussing this case with DEQ.

DEQ may allow you to resolve part of your penalty through the completion of a Supplemental Environmental Project (SEP). SEPs are environmental improvement projects that you sponsor instead of paying a penalty. Further information is available by calling the number below or at <http://www.oregon.gov/deq/Regulations/Pages/SEP.aspx>.

DEQ's rules are available at <http://www.oregon.gov/deq/Regulations/Pages/Statutes.aspx> or by calling the number below.

If you have any questions, please contact Courtney Brown at 503-229-6839 or toll free in Oregon at 800-452-4011, extension 6839.

Sincerely,



Kieran O'Donnell, Manager  
Office of Compliance and Enforcement

Enclosures

cc: Lisa Reinhart, DOGAMI  
Jeff Steyaert, Knife River Corporation – Northwest, Environmental, Permitting & Property  
Manager, 32260 Old Hwy 34, Tangent, OR 97389-9770  
Accounting, DEQ



BEFORE THE ENVIRONMENTAL QUALITY COMMISSION  
OF THE STATE OF OREGON

IN THE MATTER OF: )  
KNIFE RIVER CORPORATION - ) NOTICE OF CIVIL PENALTY  
NORTHWEST, ) ASSESSMENT AND ORDER  
an Oregon corporation, )  
Respondent. ) CASE NO. WQ/SW-ER-2021-548

I. AUTHORITY

The Department of Environmental Quality (DEQ) issues this Notice of Civil Penalty Assessment and Order (Notice) pursuant to Oregon Revised Statutes (ORS) 468.100 and 468.126 through 468.140, ORS Chapter 183, ORS Chapter 468B, and Oregon Administrative Rules (OAR) Chapter 340, Divisions 011, 012, and 045.

II. FINDINGS OF FACT

1. Respondent owns or operates the Woodward Site located at 4547 NW Stahancyk Lane in Prineville, Oregon (the Facility).
2. The Facility conducts mining and quarry activities and has a Standard Industrial Classification (SIC) code 1442.
3. On or about May 2020 through August 2020, for 3 days each month, Respondent discharged sand and gravel washwater comingled with excavation dewatering water and stormwater that had been exposed to mining and quarrying activities from the Facility to the Rye Grass Irrigation Canal.
4. The Rye Grass Irrigation Canal conveys water from Ochoco Creek and the Crooked River and ultimately joins with Lytle Creek, which flows to the Crooked River.
5. The Facility is not permitted to discharge to the Rye Grass Irrigation Canal.

III. CONCLUSIONS

Respondent has violated ORS 468B.050(1)(a) by discharging wastes into waters of the state without a permit. Specifically, the Facility discharged comingled washwater, industrial stormwater, and excavation dewatering water to the Rye Grass Irrigation Canal, as alleged in Section II, paragraph 3. Washwater, industrial stormwater and excavation dewatering water are considered "wastes" pursuant to

1 ORS 468B.005(9) as they will or may cause pollution to waters of the state. The Rye Grass Irrigation  
2 Canal is a “waters of the state” pursuant to ORS 468B.005(10) because it is a canal and it effects a  
3 junction with natural surface waters. This is a Class I violation, according to OAR 340-012-0055(1)(c).  
4 DEQ assesses a \$20,822 civil penalty for this violation.

#### 5 IV. ORDER TO PAY CIVIL PENALTY

6 Based upon the foregoing FINDINGS OF FACTS AND CONCLUSIONS, Respondent is  
7 hereby ORDERED TO: Pay a total civil penalty of \$20,822. The determinations of the civil penalties are  
8 attached as Exhibit No.1 and are incorporated as part of this Notice.

9 If you do not file a request for hearing as set forth in Section V below, please pay the penalty as  
10 follows:

11 Pay online with e-check (ACH) or Credit Card. Go to Your DEQ Online here:  
12 <https://ydo.oregon.gov>. Select Register Account or Login, then select Pay Invoices/Fees on your account  
13 dashboard. Enter the Invoice number and Account ID included on the attached payment slip. Note: US  
14 Bank charges a 2.3% convenience charge for credit card transactions. ACH payments have no additional  
15 charges.

16 Pay by check or money order: Make checks payable to “Department of Environmental  
17 Quality” and mail to the address on the enclosed payment slip. Please make sure to include the payment  
18 slip with your check or money order.

#### 19 V. NOTICE OF RIGHT TO REQUEST A CONTESTED CASE HEARING

20 You have a right to a contested case hearing on this Notice, if you request one in writing. DEQ  
21 must receive your request for hearing **within 20 calendar days** from the date you receive this Notice. If  
22 you have any affirmative defenses or wish to dispute any allegations of fact in this Notice or attached  
23 exhibit, you must do so in your request for hearing, as factual matters not denied will be considered  
24 admitted, and failure to raise a defense will be a waiver of the defense. (See OAR 340-011-0530 for  
25 further information about requests for hearing.) You must send your request to: **DEQ, Office of**  
26 **Compliance and Enforcement, 700 NE Multnomah Street, Suite 600, Portland, Oregon 97232**, fax  
27 it to **503-229-6762** or email it to [DEQappeals@deq.oregon.gov](mailto:DEQappeals@deq.oregon.gov). An administrative law judge



1 employed by the Office of Administrative Hearings will conduct the hearing, according to ORS  
2 Chapter 183, OAR Chapter 340, Division 011 and OAR 137-003-0501 to 0700. You have a right to be  
3 represented by an attorney at the hearing, however you are not required to be. If you are an individual,  
4 you may represent yourself. If you are a corporation, partnership, limited liability company,  
5 unincorporated association, trust or government body, you must be represented by an attorney or a duly  
6 authorized representative, as set forth in OAR 137-003-0555.

7 Active duty Service members have a right to stay proceedings under the federal Service  
8 Members Civil Relief Act. For more information contact the Oregon State Bar at 1-800-  
9 452-8260, the Oregon Military Department at 503-584-3571, or the nearest United States Armed  
10 Forces Legal Assistance Office through <http://legalassistance.law.af.mil>. The Oregon Military  
11 Department does not have a toll free telephone number.

12 If you fail to file a timely request for hearing, the Notice will become a final order by default  
13 without further action by DEQ, as per OAR 340-011-0535(1). If you do request a hearing but later  
14 withdraw your request, fail to attend the hearing or notify DEQ that you will not be attending the  
15 hearing, DEQ will issue a final order by default pursuant to OAR 340-011-0535(3). DEQ designates  
16 the relevant portions of its files, including information submitted by you, as the record for purposes of  
17 proving a prima facie case.

18  
19  
20  
21 7 / 19 / 2022  
22 Date

23   
24 Kieran O'Donnell, Manager  
25 Office of Compliance and Enforcement  
26  
27

EXHIBIT No.1

FINDINGS AND DETERMINATION OF RESPONDENT'S CIVIL PENALTY  
PURSUANT TO OREGON ADMINISTRATIVE RULE (OAR) 340-012-0045

VIOLATION: Discharging wastes into the waters of the state from an industrial establishment without a permit, in violation of ORS 468B.050(1)(a).

CLASSIFICATION: This is a Class I violation pursuant to OAR 340-012-0055(1)(c).

MAGNITUDE: The magnitude of the violation is moderate pursuant to OAR 340-012-0130(1), as there is no selected magnitude specified in OAR 340-012-0135 applicable to this violation, and the information reasonably available to DEQ does not indicate a minor or major magnitude.

CIVIL PENALTY FORMULA: The formula for determining the amount of penalty of each violation is:  $BP + [(0.1 \times BP) \times (P + H + O + M + C)] + EB$

"BP" is the base penalty, which is \$6,000 for a Class I, moderate magnitude violation in the matrix listed in OAR 340-012-0140 (2)(b)(A)(ii) and applicable pursuant to OAR 340-012-0140(2)(a)(D) because Respondent does not have an NPDES permit.

"P" is whether Respondent has any prior significant actions, as defined in OAR 340-012-0030(19), in the same media as the violation at issue that occurred at a facility owned or operated by the same Respondent and receives a value of 10 according to OAR 340-012-0145(2)(b), which provides that the value of "P" will not exceed 10. Respondent has hundreds of Class I and Class I equivalent violations as described in Case No. WQ/SW-NWR-2017-204 issued on January 23, 2018, and over one hundred Class I and Class I Equivalent violations as described in Case No. WQ/SW-NWR-2017-080 issued on July 24, 2017, and 30 class I violations as described in Case No.:WQ/SW-WR-2018-142, and 3 class II violation in Case No.:WQ/SW-NWR-2019-009 in the same media as the violations that are the subject of the current formal enforcement action.

"H" is Respondent's history of correcting prior significant actions and receives a value of 0 according to OAR 340-012-0145(3)(c) because there is insufficient information on which to base a finding under paragraphs (3)(a) or (b).

"O" is whether the violation was repeated or ongoing and receives a value of 3 according to OAR 340-012-0145(4)(c), because there were from seven to 28 occurrences of the violation. Respondent discharged for three days per month during the months of May 2020, June 2020, July 2020, and August 2020 for a total of 12 occurrences. Each day of violation constitutes a separate occurrence.

- "M" is the mental state of the Respondent and receives a value of 8 according to OAR 340-012-0145(5)(d), because Respondent's conduct was reckless. Respondent is a holder of various discharge permits throughout the state and has been issued multiple enforcement actions for permit and discharge violations. Respondent is, therefore, aware of the requirement to obtain a permit prior to discharging to waters of the state. By discharging wastes from the Facility without permit coverage, Respondent consciously disregarded a substantial and unjustifiable risk that it would violate Oregon law requiring a permit for discharges from industrial activities.
- "C" is Respondent's efforts to correct or mitigate the violation and receives a value of 0 according to OAR 340-012-0145(6)(f), because there is insufficient information to make a finding under paragraphs (6)(a) through (6)(e), or (6)(g).
- "EB" is the approximate dollar value of the benefit gained and the costs avoided or delayed as a result of the Respondent's noncompliance. It is designed to "level the playing field" by taking away any economic advantage the entity gained and to deter potential violators from deciding it is cheaper to violate and pay the penalty than to pay the costs of compliance. In this case, "EB" receives a value of \$2,222. This is the amount Respondent gained by avoiding spending \$2,734 on the NPDES 1200-A permit fee and annual fee. This "EB" was calculated pursuant to OAR 340-012-0150(1) using the U.S. Environmental Protection Agency's BEN computer model.

PENALTY CALCULATION:  $\text{Penalty} = \text{BP} + [(0.1 \times \text{BP}) \times (\text{P} + \text{H} + \text{O} + \text{M} + \text{C})] + \text{EB}$

$$= \$6,000 + [(0.1 \times \$6,000) \times (10 + 0 + 3 + 8 + 0)] + \$2,222$$

$$= \$6,000 + [\$600 \times 21] + \$2,222$$

$$= \$6,000 + \$12,600 + \$2,222$$

$$= \$20,822$$



Phone: 503-229-5437  
Fax: 503-229-5850

**CIVIL PENALTY - ORS 468.135(2)**

|                        |                    |
|------------------------|--------------------|
| <b>DATE:</b>           | July 19, 2022      |
| <b>RESPONSE DATE :</b> | September 27, 2022 |
| <b>TOTAL PENALTY:</b>  | \$20,822.00        |

|                      |                             |                          |              |
|----------------------|-----------------------------|--------------------------|--------------|
| <b>Account Name:</b> | KNIFE RIVER CORP. NW        |                          |              |
| <b>Account Type:</b> | Vendor/Organization/Company | <b>Reference Number:</b> | CPGFD2300007 |
| <b>SubSystem ID:</b> | 207062                      | <b>FIMS Acct. ID:</b>    | 8399         |

**Penalty Summary**

| Penalty Amount | Interest | Adjustment | Amount Paid | Total Penalty |
|----------------|----------|------------|-------------|---------------|
| \$ 20,822.00   | \$ 0.00  | \$ 0.00    | \$ 0.00     | \$ 20,822.00  |

Payment of this penalty is subject to the exercise of your options or right to appeal as described in the enclosed enforcement documents.

To Pay Online with ACH or Credit Card Visit <https://ydo.oregon.gov> and select 'Register Account'



-----  
PLEASE RETURN THIS PORTION WITH YOUR PAYMENT



|                        |                                       |                           |               |
|------------------------|---------------------------------------|---------------------------|---------------|
| <b>REFERENCE NO.</b>   | CPGFD2300007                          |                           |               |
| <b>PAYCODE:</b>        | 00401 7400 10040 74001 0500 000000 00 |                           |               |
| <b>FEE PROGRAM ID:</b> | 950                                   | <b>RESPONSE DATE:</b>     | September 27, |
| <b>FIMS ACCT. ID:</b>  | 8399                                  | <b>TOTAL PENALTY DUE:</b> | \$20822.00    |

**AMOUNT ENCLOSED:**

MAKE CHECK PAYABLE TO: Department of Environmental Quality

☐

Check this box if updated address information has been provided on the back of the form.

DEQ FINANCIAL SERVICES - LBX4244  
PO BOX 4244  
PORTLAND OR 97208-4244

00401 7400 10040 74001 0500 000000 00950000083992CPGFD230000700020822003

EXHIBIT M - 8 of 9



State of Oregon  
Department of  
Environmental  
Quality

# State of Oregon Department of Environmental Quality

**CIVIL PENALTY - ORS 468.135(2)**

700 NE Multnomah Street, Suite 600  
Portland, OR 97232-4100  
Phone: 503-229-5437  
Fax: 503-229-5850

## Penalty Detail

| Transaction Date | Description                | Amount      |
|------------------|----------------------------|-------------|
| 7/15/2022        | 2021-548 WQ-SW-ER-2021-548 | \$20,822.00 |

### SFMS Agencies Use:

| Trans Code | Treasury Fund | SFMS | Index | PCA (5) | Agency Object | Project # | Phase |
|------------|---------------|------|-------|---------|---------------|-----------|-------|
| 723        | 00401         | 7400 | 10040 | 74001   | 0500          | 00000     | 00    |

## Address Changes

Please visit <https://ydo.oregon.gov> to update your mailing address online or provide the following information:

Name \_\_\_\_\_  
Address \_\_\_\_\_  
City, State, Zip \_\_\_\_\_





**Knife River Corporation – Northwest**  
32260 Old Hwy 34  
Tangent, OR 97389-9770  
Ph: (541) 918-5100

CCB# 2101

www.kniferiver.com

|                    |                    |
|--------------------|--------------------|
| Corporate Office:  | Fax (541) 918-5375 |
| AR Dept.:          | Fax (541) 918-5376 |
| Payroll Dept.:     | Fax (541) 918-5378 |
| Willamette Valley: | Fax (541) 928-6490 |
| Human Resources:   | Fax (541) 918-5383 |

December 7, 2021

Patty Isaak  
Oregon DEQ  
Eastern Region  
700 SE Emigrant, Suite 330  
Pendleton, OR 97201

RE: Knife River Woodward Site, 4547 NW Stahancyk Lane, Prineville, OR. (Noncompliance Notice).  
Oregon DEQ File#124758, DOGAMI#07-0159

Dear Patty:

Per Section B.3,a,b,c of the Oregon DEQ General Water Pollution Control Facility Permit, Knife River Corporation Northwest is hereby notifying Oregon DEQ of a Noncompliance activity (discharge of excavation dewatering water offsite).

Knife River Corporation – Northwest operates the Knife River Woodward Sand & Gravel mining operation located at 4547 NW Stahancyk Lane in Prineville. This operation requires the washing of sand and gravel, so it has an Oregon DEQ General 1000, WPCF permit for that activity. All of the washwater generated onsite is recycled back into the onsite settling ponds for continue washing of sand and gravel. When the settling ponds need more water due to evaporation and absorption, Knife River has a water right that allows the use water from the nearby Rye Grass Irrigation Canal to fill the ponds. These ponds are monitored daily while operating for freeboard and silt and clay are removed frequently and stored onsite to dry prior to being use as reclamation fill onsite. Knife River is required to reclaim some of the mined areas of the site back to farmland. Knife River had encountered water in the excavation back in May 2020 and pumped this water out of the mining area and placed it into the settling ponds for use of washing sand and gravel. It was however, just found out that some of the water from the excavation was pumped into the Rye Grass Irrigation Canal when the freeboard on the Settling ponds got to within 1 foot of overflowing. The pumping into the Rye Grass Irrigation Canal occurred about 3 days each month at a rate of 300-500 GPM from May 2020 to August 2020 when mining dewatering stopped. The water being pumped from the mine excavation was observed to be clean and free of any sediment prior to pumping into the Irrigation Canal. This Irrigation Canal is used by many farmers irrigating crops and would have been in high demand during these months. There has been no further mine dewatering nor discharge of excavated dewatering water offsite since August 2020. Onsite employees have been trained that there is to be no discharge offsite under the Oregon DEQ General 1000, WPCF permit and will continue to monitor the process water ponds for freeboard daily. This operation was recently inspected by Lisa Reinhart, Oregon Dept. of Geology in June 2021 and determined to be in compliance with the Oregon DEQ Gen.1000, WPCF permit at the time of the inspection.

If you should have any further questions, I can be reached at 541-918-5142.

Sincerely,

Jeff Steyaert,

Environmental, Permitting and Property MGR.

CC: Lisa Reinhart, Oregon Dept. of Geology



October 31, 2024

To: John Eisler  
Crook County Community Development Director  
300 NE 3<sup>rd</sup> Street  
Prineville, OR 97754

RE: October 20, 2025, Letter with Questions from Crook County to DOGAMI.

Dear John:

DOGAMI appreciates the concerns and questions expressed by Crook County to DOGAMI in the letter dated October 20, 2025. Before responding we would like to note that definitions set at the local land use level can be and often are different than definitions set at the state level. For example, the Deschutes County definition of “surface mining” (see Deschutes County Code copied and linked below) is similar to, but has significant differences, from DOGAMI’s definition of “surface mining” (see ORS 517.750(16) copied below). As such, the definitions and perspective provided below should not be applied without considering Crook County’s authority related to land use and authority related to surface mining operations.

Although the questions below are being asked in relation to a particular mine site, the Knife River Woodward Site (DOGAMI ID# 07-0159), Crook County should consider their applicability to other mine sites more generally, especially those mine sites conducting similar activities within the area surrounding the Woodward and Vanier properties.

**Select Deschutes County Code definitions related to Surface Mining ([DCC 18.04.030](#), [DCC 18.52; Surface Mining](#)):**

- **"Surface mining":**
  - A. Includes:
    1. All or any part of the process of mining by removal of the overburden and extraction of natural mineral deposits thereby exposed by any method including, open pit mining operations, auger mining operations, processing, surface impacts of underground mining, production of surface mining refuse and the

construction of adjacent or off-site borrow pits, except those constructed for access roads; and

2. Mining which involves more than 1,000 cubic yards of material or excavation prior to mining of a surface area of more than one acre.

B. Does not include:

1. The construction of adjacent or off-site borrow pits which are used for access roads to the surface mine;
  2. Excavation and crushing of sand, gravel, clay, rock or other similar materials conducted by a landowner, contractor or tenant on the landowner's property for the primary purpose of construction, reconstruction or maintenance of access roads and excavation or grading operations conducted in the process of farming or cemetery operations, on-site road construction and other on-site construction, or nonsurface impacts of underground mines; and
  3. Batching and blending of mineral and aggregate into asphaltic concrete or portland cement concrete.
- **"Surface mining, minerals"**: means includes, but is not limited to, soil, select fill, coal, clay, stone, sand, gravel, aggregate, pumice, cinders, metallic ore, and any other inorganic solid excavated from a natural deposit in the earth for commercial, industrial, or construction use.
  - **"Surface mining, operator"**: means any person or entity engaged in surface mining.
  - **"Surface mining, processing"**: means processing includes crushing, washing, milling and screening as well as batching and blending of mineral aggregate into asphaltic concrete and portland cement concrete. (NOTE: Processing of mineral and aggregate material into secondary products, such as building materials, is allowed in industrial zones and may be sited as part of a limited use combining zone in conformance with all plan amendment and zone change requirements of the County comprehensive plan and zoning ordinance.)

**Select DOGAMI Definitions from Oregon Revised Statute (ORS) [Chapter 517](#):**

ORS 517.750 Definitions for ORS 517.702 to 517.989. As used in ORS 517.702 to 517.989, unless the context requires otherwise:

**(12) "Processing"** includes, but is not limited to, crushing, washing, milling and screening as well as the batching and blending of mineral aggregate into asphalt and portland cement concrete located within the operating permit area.

**(13) "Reclamation"** means the employment in a surface mining operation or exploration of procedures reasonably designed to:

- (a) Minimize, as much as practicable, the adverse effects of the surface mining operation or exploration on land, air and water resources; and
- (b) Provide for the rehabilitation of surface resources adversely affected by the surface mining operations or exploration through the rehabilitation of plant cover, soil stability and water resources and through other measures that contribute to the subsequent beneficial use of the explored, mined or reclaimed lands.

**(16)(a) "Surface mining" includes:**

(A) All or any part of the process of mining minerals by the removal of overburden and the extraction of natural mineral deposits thereby exposed by any method by which more than 5,000 cubic yards of minerals are extracted or by which at least one acre of land is affected within a period of 12 consecutive calendar months, including open-pit mining operations, auger mining operations, processing, surface impacts of underground mining, production of surface mining refuse and the construction of adjacent or off-site borrow pits, except those constructed for use as access roads.

(B) Removal or filling, or both, within the beds or banks of any waters of this state that is the subject of a memorandum of agreement between the Department of State Lands and the State Department of Geology and Mineral Industries in which the State Department of Geology and Mineral Industries is assigned sole responsibility for permitting as described in ORS 517.797.

**(b) "Surface mining" does not include:**

(A) Excavations of sand, gravel, clay, rock or other similar materials conducted by the landowner or tenant for the primary purpose of construction, reconstruction or maintenance of access roads on the same parcel or on an adjacent parcel that is under the same ownership as the parcel that is being excavated;

(B) Excavation or grading operations, reasonably necessary for farming;

(C) Nonsurface effects of underground mining;

(D) Removal of rock, gravel, sand, silt or other similar substances removed from the beds or banks of any waters of this state pursuant to a permit issued under ORS 196.800 to 196.900;

(E) Excavations or reprocessing of aggregate material, or grading operations, within the highway right of way reasonably necessary for the construction, reconstruction or maintenance of a highway as defined in ORS 801.305;

(F) Excavation or movement of materials on site at a landfill, as defined in ORS 459.005, for the primary purpose of construction, reconstruction or maintenance of access roads or for landfill operations, including but not limited to landfill cell construction and daily, interim and final cover operations, if the excavation or movement of materials is covered by a permit issued by the Department of Environmental Quality under ORS 459.205 to 459.385;

(G) Excavation or grading operations necessary for construction and maintenance of utilities or drainage facilities, where the excavated material is used on site and is not sold into the commercial market as aggregate material; or

(H) Excavation or grading operations that:

(i) Are associated with on-site construction activities; and

(ii) Do not result in any excavated materials being sold into the commercial market.

**DOGAMI Responses to Questions**

**Question 1:** *CUP Condition of Approval 2 states that activities on tax lot 703 (the EFU parcel) "will be limited to sand and gravel extraction and water storage only. No processing will be allowed on this portion of the subject property zoned for exclusive farm use." The "water storage" refers to what is now termed the "settling ponds." I am not sure if the Planning*

*Commission was fully aware of exactly how the operations at this site would take place, but to me, the settling ponds seem to be an inseparable part of processing. Does DOGAMI view the "settling ponds" as solely water storage or a component of aggregate processing?*

**DOGAMI and DEQ regulatory considerations related to processing:**

- **DOGAMI statutory definition of processing ORS 517.750(12):** "Processing" includes, but is not limited to, crushing, washing, milling and screening as well as the batching and blending of mineral aggregate into asphalt and portland cement concrete located within the operating permit area.
- **DEQ WPCF 1000 General Permit, "SOURCES COVERED BY THIS PERMIT":** Sand, gravel and other non-metallic mineral quarrying and mining operations that dispose of all process wastewater and storm water by recirculation, evaporation, and/or controlled seepage with no discharge to surface waters. Asphalt mix batch plants, concrete batch plants, and other related activities located on site are also covered.

Based on DOGAMI's statutory definition of processing (see ORS 517.750(12) above) and the use of the ponds for the disposal of process water under the DEQ WPCF 1000 General Permit, the settling ponds are an integral part of the facility processing operations. The settling ponds are also used for water storage. Note that a 7-acre pond is shown in the western portion of tax lot 703 on the site plan map, dated August 3, 2015 (attached), that was submitted to both Crook County and DOGAMI as part of the initial permitting of the site by both agencies. However, it was not clear in the application materials that the pond was going to be used for process water settling as part of the processing operations. DOGAMI Operating Permit Condition #9 (attached) states "The Permittee must, conduct all processing within Tax Lot 702". Based on the above considerations, the current use of the "settling ponds" on tax lot 703 for the settling of process water is inconsistent with both the state and county approvals. DOGAMI suggests a follow-up conversation to discuss compliance options.

**Question 2:** *CUP Condition of Approval 26 uses the undefined term "mining ponds." It has been explained to me that a mining pond is a cell excavated below the water table such that there is standing water in the open cell. Once fill is provided to a level that the open cell no longer has standing water it is no longer a "mining pond." Is my understanding consistent with DOGAMI's interpretation of that term?*

Yes, your understanding is consistent with DOGAMI's general use of the term "mine ponds". Please note that DOGAMI Statutes and Administrative Rules do not provide a formal definition of the term "mine pond(s)". Also, DOGAMI reviewed several reputable glossaries of geologic and mining terms but could not find any common definition of the term "mine pond(s)". As DOGAMI's Floodplain Mining Reclamationist, I have used the term very generally to mean any excavation pit created by mining that has since filled or partially filled with groundwater or surface water if the ponding occurs on a seasonal basis. The operating and reclamation plan for any mine site must specify if a pond will be left following the completion of mining operations. The operating and reclamation plan dated June 5, 2015, for the Woodward site (attached)

notes that ponds will be created during the mining operation, however, no ponds will be left following final site reclamation.

**Question 3:** *CUP Condition of Approval 22 and 23 state, respectively:*

- *The site will be reclaimed concurrently with mining as cells are completed; and*
- *All reclamation activities will be subject to a reclamation plan approved by the Department of Geology and Mineral Industries.*

*These two conditions have proven to be incompatible. With DOGAMI permit no. 07-0159, both the Woodward site and the subsequent Vanier site are considered the same project, with final reclamation not due until all aggregate operations are complete. Under our local land use, these are two separate CUPs and any activities on Vanier are irrelevant to the timeliness obligations of final reclamation on the Woodward site. My issue is that the wording- "All reclamation activities will be subject to" DOGAMI's reclamation plan seemingly trumps the previous condition of approval. In DOGAMI's eyes, can Crook County enforce the prior condition requiring final reclamation ( other than the cell open as part of the Sampling Plan) despite being in compliance with the DOGAMI permit? Alternatively, could the DOGAMI permit enforce the CUP reclamation requirements in this unique case?*

From DOGAMI's perspective, the Woodward CUP conditions 22 and 23, mentioned above, are not necessarily incompatible. The DOGAMI approved operating and reclamation plan, dated June 5, 2015, for the Woodward site (attached) states the site will be reclaimed concurrently, which is consistent with the intent of Woodward CUP Condition of Approval #22. There are several portions of the Woodward Site where former excavation areas have not been reclaimed back to agriculture consistent with the Woodward CUP condition 22. These include, 1) the excavation area (mine cell) that has been incorporated into the Groundwater Investigation Sample Analysis Plan, 2) the portion of the site with the settling ponds, and 3) an area in the south-central portion of tax lot 703 just north of tax lot 702 that is currently being used for stockpiling. The mine cell that was incorporated into the Groundwater Investigation Sample Analysis Plan (SAP) should be considered an exception to allow for at least one year of sampling data to be collected under the SAP to address concerns regarding potential impacts to groundwater. The fact that the other two areas, the portion of the site containing the process water ponds, and the portion of the site that was mined and is now being used for stockpiling, have not been concurrently reclaimed to agriculture per the Woodward CUP condition 22 is inconsistent with both the CUP and the DOGAMI operating and reclamation plan.

The Woodward site and proposed Vanier expansion being covered under the same DOGAMI permit but separate land use approvals is not necessarily problematic. The operating and reclamation plans for the Woodward and Vanier properties (attached) include concurrent reclamation. DOGAMI notes that mining of the processing area on Tax Lot 702 is not yet complete so concurrent reclamation per CUP 217-15-000115-PLNG (Woodward CUP) Condition of Approval #22 does not yet apply to the unmined portions of the processing area. In addition, processing of aggregate is an allowed activity in some industrial zones (see the Deschutes County Code definition for "Surface mining, processing" above). If the processing of aggregate is allowed in the heavy industrial zone encompassing tax lot 702, then the continuation of

aggregate processing on that tax lot following the excavation of the aggregate material could be considered concurrent reclamation. Tax Lot 702 would be 'reclaimed' to heavy industry, in this case, aggregate processing with the aggregate coming from the Vanier property.

One of the challenges with concurrent reclamation for DOGAMI is that there is often no specific time frame or specific trigger in the reclamation plan for when the concurrent reclamation needs to be completed. Woodward CUP Condition of Approval #22 appears to be clear in that as soon as excavation is completed in a mine cell the mine cell should be reclaimed back to agriculture. No portion of the DOGAMI permit or permit conditions prohibits Crook County from enforcing the land use conditions of approval.

Please let us know if you have any additional questions or would like to discuss these responses in more detail. You can contact me at 541 231-8368 or [vaughn.balzer@dogami.oregon.gov](mailto:vaughn.balzer@dogami.oregon.gov).

Sincerely,

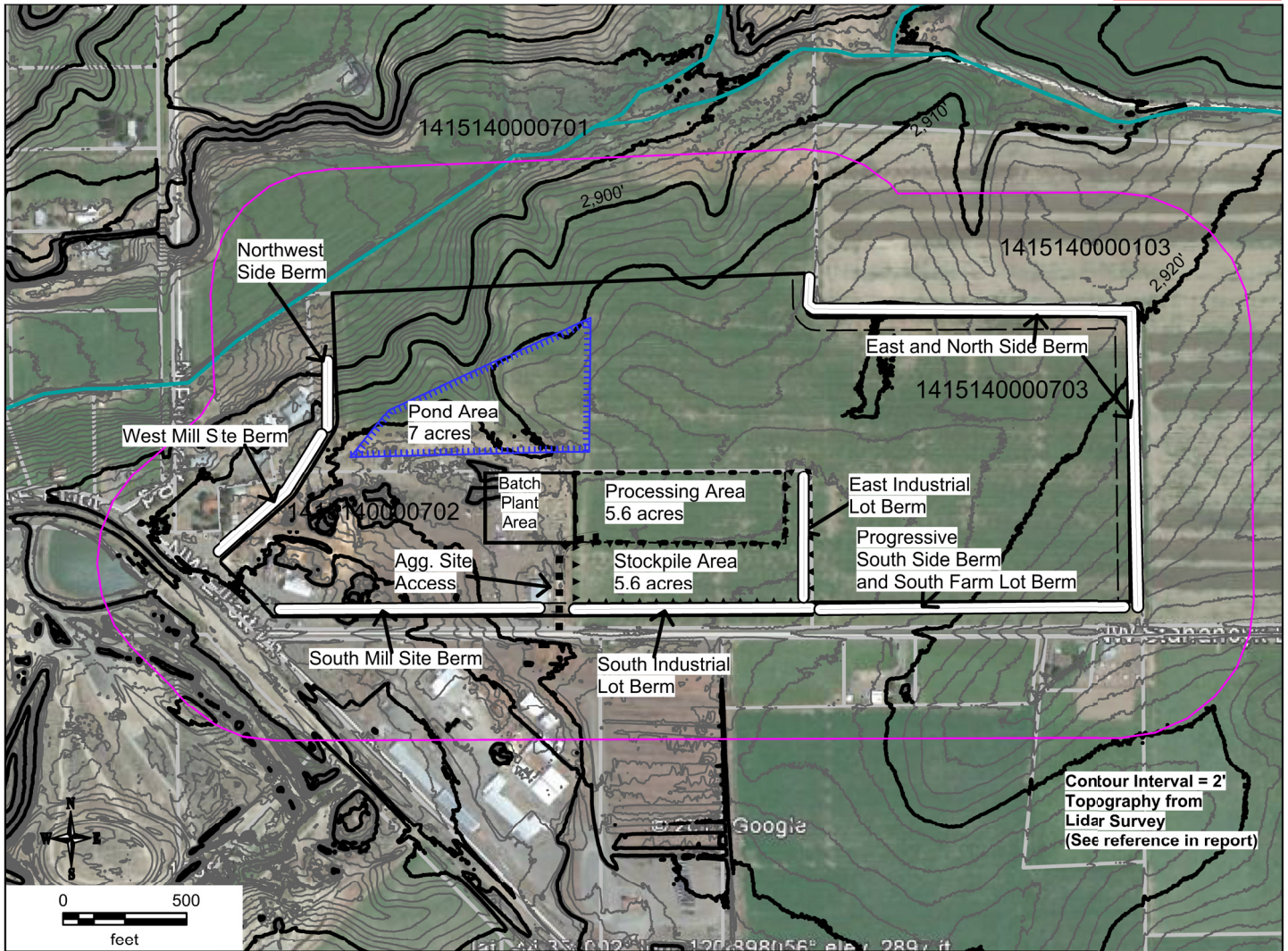


Vaughn Balzer  
Floodplain Mining Reclamationist – Rules Coordinator  
DOGAMI – MLRR

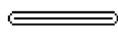
Attachments:

1. August 3, 2015, Woodward Site Plan
2. DOGAMI Operating Permit ID# 07-0159
3. June 5, 2015, Woodward Operating and Reclamation Plan
4. February 12, 2024, Vanier Application, and Operating and Reclamation Plan





### Screening Berm

 Berms constructed in accordance with the Screening Plan.

### Proposed Mining Area



### Stockpile Area



### Aggregate Site Ingress/Egress Route



### Aggregate Processing Area



### Pond Area for Water Management

 2 ponds

### Un-named Drainage (OID Drain)

 Flows toward the southwest.

**Modified Figure 6. Site Plan  
Woodward Site  
August 3, 2015**



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# Crook County residents fear mining company polluted their water. Here's how Oregon investigated

By [Emily Cureton Cook](#) (OPB)

June 13, 2023 6 a.m.

Federal lawmakers are pushing back on the way a state agency handled complaints about a mining giant.



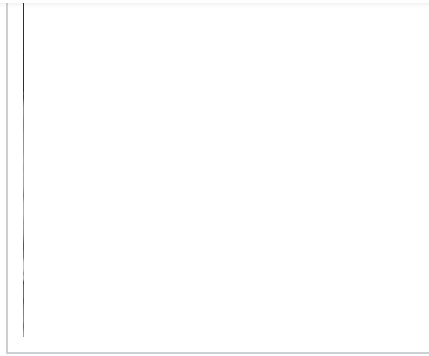
Don Porfily sits in the dining room of his Crook County farmhouse with a sample of his tap water on May 1, 2023.

Emily Cureton Cook / OPB

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Don Porfily first noticed the change in his tap water last March. Out of nowhere, it tasted bad, “like mud,” said the 84-year-old feed store owner.

He stopped drinking it. Then, the plumbing in his Central Oregon farmhouse went haywire. Spigots lost pressure. The washing machine broke and so did the fridge and the water heater. When Porfily lifted the lid of a toilet tank, he found a layer of thick black sludge.

He’s lived in the house for 26 years and has never seen anything like this.

His neighbors also grappled with mysterious calamities. Down the road at Ashley McCormick’s house, they went through three dishwashers in a year. At Billie Johnson’s dairy, a record number of calves had been born dead. Same story at Bryan Zednik’s place.

Now, at least a dozen residents in this agricultural valley near Prineville are worried about the safety of their only drinking water supply, which is pumped from the ground.

“A neighbor will tell a neighbor, and they’ll call and say, ‘You better come look: black in the toilet, taste in the water,’” Porfily said.

He and others lay blame on a multi-billion-dollar construction materials company.



A view of the rock washing machine at Knife River's Woodward pit on April 12, 2023.

Emily Cureton Cook / OPB

In 2016, Knife River Corporation leased 100 acres in the valley and started digging for rocks.

The company denies its sand and gravel pit is hurting the groundwater. It’s a titan in developing the West, with tens of millions in state contracts to build roads and bridges. Near McCormick and Byrd’s houses, it harvests materials used to make concrete. Knife River is nearly finished at the site but has plans to open a new mine nearby.

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Neighbors are galvanized against this. Some say they've already witnessed broken promises from the company, all while state regulators have balked at groundwater complaints and ignored possible permit violations.

Neighbors feel the lack of oversight has effectively shifted the burden of proof from a huge corporation to a gaggle of local residents, a troubling dynamic that is now getting the attention of federal lawmakers.

## A giant washing machine

People living near the mining operation, known as the Woodward pit, launched their own investigation last fall.

Porfily and others paid to have tap water samples analyzed at a lab. Results from a dozen homes near the mine show varying levels of manganese.

Depending on the concentration, this metal can cause a range of problems, from stained laundry to liver issues and neurological dysfunction.

In some wells, like Porfily's and McCormick's, the manganese levels were well above federal health advisory limits.

Knife River and state officials have said the element was there all along, a common geologic side effect of the volcanic eruptions that shaped the region. But residents and their advocates argue mining released previously undisturbed contaminants.

On a recent site tour, a leader from Knife River compared its operation to a giant washing machine.



Knife River VP South Central Division Chris Doan tours the Woodward pit on April 12, 2023.

Emily Cureton Cook / OPB

"We mine material from the field, and then we introduce it into this wash plant," said South Central Division Vice President Chris Doan.

The wash plant scours dirt from the rocks so they can be sorted and shipped out to the company's concrete mix plants, Doan explained.

"It goes into home foundations, slabs for buildings," he said. "It goes into building roads and highways."

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The wastewater from the mining process ends up in a series of settling ponds. From there it evaporates, infiltrates back into the ground, or gets pumped back through the washing machine.

The Woodward pit is one of the company's 51 mining permits in Oregon. Over the last decade, the company has been awarded nearly \$57 million in state contracts, mostly through the Oregon Department of Transportation. Its footprint spans 14 states in all, with a reported \$2.2 billion in annual revenue.

## 'A mine in the middle'

Oregon regulators are now considering whether Knife River can expand in Crook County, population of 26,000.

If it's permitted, the new pit would share ground with a determined opponent.

Dick Zimmerlee is a farmer who leases land inside the expansion area. He can see the existing mine from his house, and for the last two years has spent a lot of time and money trying to stop it from growing.



Farmer Dick Zimmerlee drives around the valley in Crook County, Oregon where he grew up. He decided to retire there and share ground with a Knife River sand and gravel mine, but now he's staunchly opposed to the company, and believes its processes tainted the groundwater. April 6, 2023.

Emily Cureton Cook / OPB

"It just chapped my backside that the Goliath could get away with running over everybody else," Zimmerlee said.

At first, he was worried about the amount of water the company was allowed to take to run its rock washing machine.

"Now, that's really the least of our problems," Zimmerlee said.



underground. Zimmerlee contends this caused drainage problems in his fields. He began to file numerous complaints with state regulators in 2021. Knife River has denied his allegations. In 2022, Zimmerlee too, found a black toilet tank.

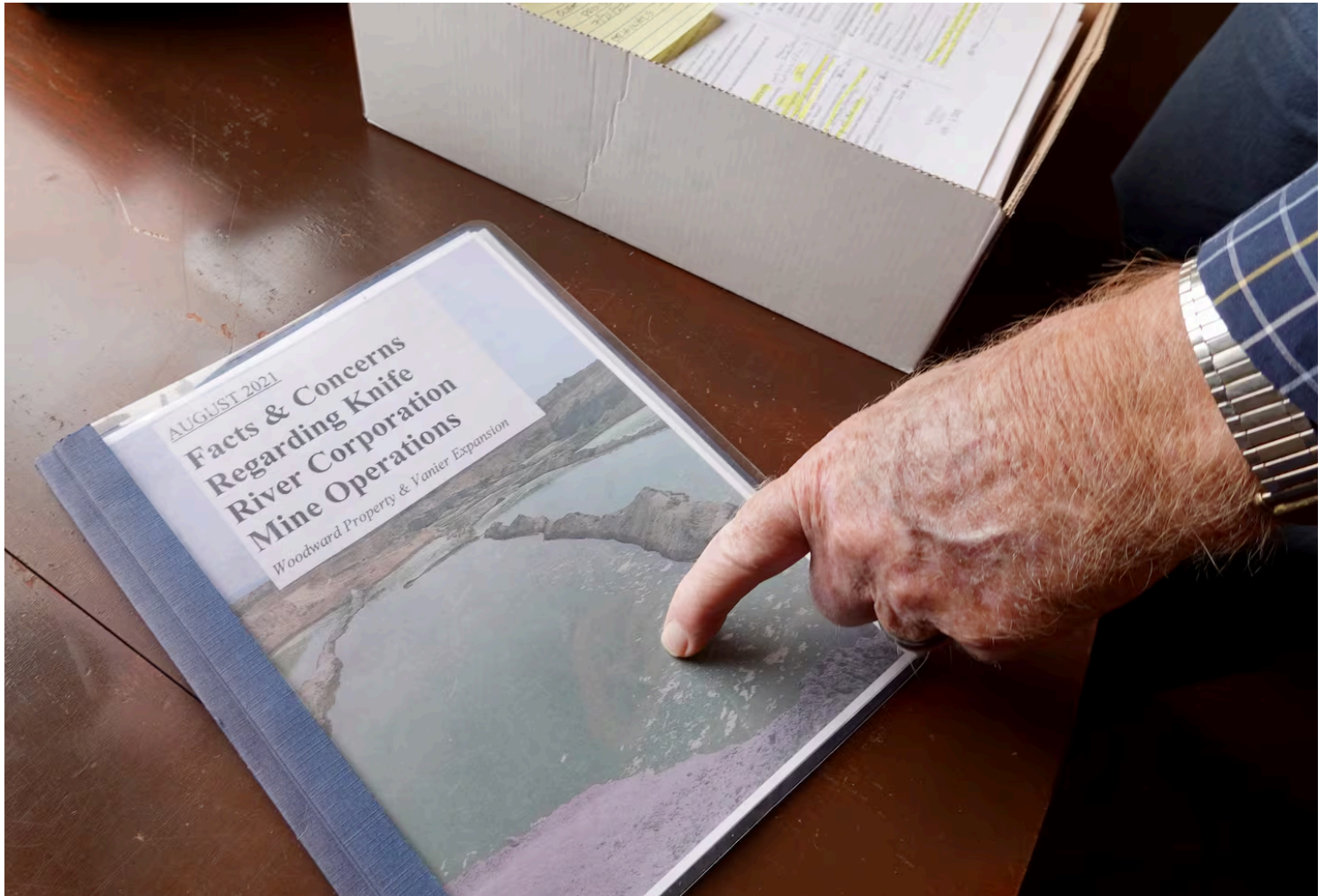
He hired a hydrogeologist to assess the situation.

Jim Newton runs an engineering consulting firm out of Bend. He said until this site he's always worked for mining companies, not opposing them.

"I've never worked for NIMBYs, to put it bluntly," Newton said.

This year, he drove to find 30 domestic wells in the immediate area of the Woodward pit, noting their GPS coordinates. He reviewed about a dozen available water test results. Then, Newton laid the data out on a map. He found a pattern in which homes have higher manganese concentrations.

"What's different from one side of the map to the other side of the map? There's a mine in the middle," he said.



Farmer and retired agricultural business consultant Dick Zimmerlee points to a dossier he created in opposition to Knife River's plans for an expansion near Zimmerlee's home in Crook County, Oregon. April 6, 2023.

Emily Cureton Cook / OPB

Newton theorizes that miners removed the earth's filtration system: the sand and gravel beneath the topsoil. Pre-mining, anything on the surface would have to percolate through that natural filter. If you take out those layers, Newton said, the groundwater becomes more vulnerable.

"All of a sudden that layer above the aquifer is very thin and more permeable, you don't have that advantage of additional material to filter out things like fertilizers, or really anything that hits the surface of the ground," according to Newton.

State permits limited the mining depth at the Woodward pit to 20 feet below the surface, and according to Knife River's planning



Digging in the water table agitated manganese that had long been suspended as a solid in the ground, Newton said. The mining allowed it to dissolve in the aquifer. Picture dropping a lump of sugar into a glass of water, he said.

"You can see the crystals. There they are. Then, you give it a good stir and they're gone. You can still taste the difference."

## Debate over manganese risks

Manganese is one of the most abundant elements on Earth, and an essential nutrient in food. But, too much of it can be toxic.

In [2011](#) and [2014](#), studies found exposure to manganese in drinking water was associated with poorer memory, attention and motor skills in children. In [2020](#), researchers drew a link between exposure during childhood and attention-deficit hyperactivity disorder.

The studies documented neurobehavioral differences when manganese concentrations ranged from 120 micrograms per liter to more than 400 micrograms per liter.



Farmer Dick Zimmerlee collected two bottles of water from his toilet tank in Crook County, Oregon on May 1, 2023. Water in his toilet bowl looks perfectly clear, as does what runs from his taps. Only after the water stands and is exposed to air do fine black particles reveal themselves.

Emily Cureton Cook / OPB

Ten of the 13 wells residents had tested near the mine were at or above that threshold. All of them were above concentrations known to give water a bad taste and leave stains.

Despite the growing concern over manganese, federal clean water laws don't apply to it. In decades-old guidelines, the U.S.

Environmental Protection Agency advises that at 50 micrograms per liter, manganese can cause aesthetic problems that could stop

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Three of the 13 Crook County wells exceeded that benchmark.

Other countries and public health organizations have recently adopted much stricter health standards.

In 2019, Canada lowered its maximum acceptable concentration to 120 micrograms per liter. The World Health Organization is considering lowering its health-based guideline to just 80 micrograms per liter.

Oregon follows the EPA's 2004 guidelines. Oregon Health Authority public health toxicologist Dave Farrer said in an email exchange that other countries have added "very large safety buffers," based on studies that exposed animals to exponentially higher concentrations than any of the regulatory health limits for people.

Anyone who isn't an infant could safely drink water with up to 1,000 micrograms per liter for up to a year, Farrer said. Above that level, "It would be best for no one to drink it even for a day."

## 'Not a home'

Don Porfily said he drank from his kitchen tap for 25 years, until last fall.

The water recently contained 1,120 micrograms of manganese per liter, nearly four times the EPA's health advisory level. That's according to lab testing of a May sample collected by OPB, which also revealed arsenic above the federal maximum contamination limit.



On the northern edge of the Woodward pit a natural stream runs on April 6, 2023. The stream becomes an irrigation canal during summer months. After a neighbor complained in 2021, Knife River admitted it had discharged water from the mine into the canal without permit, resulting in a \$20,822 penalty from the Oregon Department of Environmental Quality.

Emily Cureton Cook / OPB



so clogged.

"I haven't got any water to speak of in the house," he said. "It's not a home."

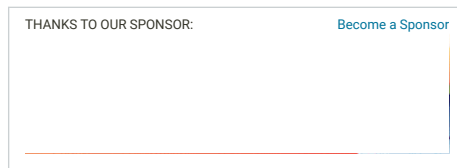
When his neighbor Ashley McCormick first sent her own tap water sample to a lab, it found 400 micrograms per liter of manganese. She's since spent thousands on a new well pump and a filtration system to make the water more usable for her family of five.

The costly system is online, but the smell and discoloration remain. Subsequent testing paid for by OPB showed tap water manganese concentrations still above the federal aesthetic contamination level, at 160 micrograms per liter.

Her family doesn't drink it anymore. She even stopped bathing her three kids in it. The water leaves stains, she said, and recently one of her boys came down with severe hives that doctors couldn't explain.

Experts say manganese isn't readily absorbed through the skin, but at this point, McCormick is freaked out.

"We just take super quick showers," she said.



She has considered selling. Though, as a real estate agent, she knows she'll have to disclose the water problems. It was once her dream home. Now, she wonders, "Who's going to want to buy it?"



Windy Acres Dairy owner Billie Johnson worries a spate of 9 stillborn calves in a year at her property near the mine site are related to water problems. May 1, 2023.

Emily Cureton Cook / OPB

Byran Zednik is also feeling done. He raises cattle in the valley. After having to cut a bloated, dead calf from its mother's womb piece by piece, killing both— he sent a blood sample from the mother to a lab. The blood showed manganese levels outside the normal range, according to a text from his veterinarian that Zednik shared. He wants to get out of the meat business and focus on raising crops.

## Reluctant regulators

The problem for homeowners around the Woodward pit mining site is that there is no data on manganese levels before the mine opened. Real estate transactions in Oregon don't require such tests, and without that information, it's difficult to say if all the broken appliances, dead cattle and hives are attributable to Knife River.

State regulators have relied on this lack of data to dismiss complaints against the mining company, too. To independently assess the complaints, OPB reviewed hundreds of public records detailing the state response and spoke to key officials, geologists, Knife River representatives, eight residents living near the mine, and an independent expert on manganese.

Private wells in Oregon are not regulated. It's a homeowner's responsibility to know what's in their drinking water, said Oregon Department of Environmental Quality spokesperson Laura Gleim.



Trucks haul aggregates out of the Woodward pit on April 12, 2023.

Emily Cureton Cook / OPB

Still, per DEQ rules, mining sites are not allowed to degrade groundwater. The agency can bring enforcement actions against polluters. **Since 2015, DEQ has issued more than \$330,000 in penalties against Knife River and one of its subsidiaries for water quality violations, including a \$20,822 fine last year related to the Woodward pit.**

But when it comes to investigating complaints about water pollution by mining operations, DEQ passes responsibility to a different state agency, one that has much closer ties to the mining industry.

The Oregon Department of Geology and Mineral Industries employed geologist Bob Houston for more than 20 years before he became an environmental manager for Knife River in November 2021.

The hire wasn't unusual, Houston said.

"When I was in the [DOGAMI] role, we did have some staff that retired and then went back to private consulting," he said. "There's a boundary there that our integrity and our professionalism won't cross."

This year, DOGAMI officially concluded that the Knife River's Woodward pit is not responsible for contaminating groundwater.

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"We lack critical evidence to prove/disprove contamination from the mining activities," DEQ Water Quality Permitting Manager Mike Hiatt wrote in a Jan. 25 email to a supervisor.

By then, key DOGAMI staff had already made up their minds. They'd been aware of various grievances about the mine for a year before allegations of groundwater contamination surfaced.



Farmer Dick Zimmerlee shares an office with his partner Debbie Magard on April 6, 2023. The couple has taken the lead in shouldering expenses to oppose Knife River's expansion in Crook County, Oregon. "David slew Goliath," Zimmerlee said.

Emily Cureton Cook / OPB

Since December 2021, neighbor Zimmerlee filed complaints on a variety of issues and repeatedly pressed DOGAMI for a site inspection, to no avail. Instead, the agency asked Knife River to respond.

DOGAMI shelved that complaint without drafting a formal response to Zimmerlee, according to records reviewed by OPB.

Feeling ignored and frustrated, Zimmerlee bypassed DOGAMI last October and went directly to DEQ with water quality concerns. But, the environmental agency kicked the complaint back to DOGAMI.

Its staff was immediately dismissive, their emails show. They did not want to investigate at all, saying Zimmerlee did not include enough new information or evidence that Knife River was to blame. They said the metals turning up in local water test results – manganese and in some cases aluminum — aren't associated with sand and gravel mining.

## A history of complaints

Zimmerlee wasn't the only neighbor to contact state regulators about the Woodward pit.



stream.

Within days of receiving the account, DOGAMI staff virtually met with Knife River representatives.

At that online meeting, the company reportedly said a few neighbors were organizing to oppose the expansion, and “their objective is to portray [Knife River Corporation] as bad operators,” according to notes DOGAMI staff took.

The company’s environmental manager Jeff Steyaert admitted water from a pit had flowed to a creek, though only for a fraction of the time Mikulski said she witnessed it. The admission would lead to a \$20,822 DEQ fine.



On the northern edge of the Woodward pit, a natural stream runs on April 6, 2023. The stream becomes an irrigation canal during the summer months. After a neighbor complained in 2021, Knife River admitted it had discharged water from the mine into the canal without a permit, resulting in a \$20,822 penalty from the Oregon Department of Environmental Quality.

Emily Cureton Cook / OPB

Knife River also acknowledged burying concrete debris in the mined farmland, a possible violation of its permit.

In an interview this month, Knife River Northwest Technical Services Manager Matt Ropp initially denied the company had buried construction materials in the mine until confronted with DOGAMI records obtained through a public records request.

“I was not aware of that,” Ropp said.

In a subsequent email, he confirmed that staff buried 8,000 cubic yards of concrete — roughly 31 million pounds — in the Woodward pit between June and August of 2019.

DOGAMI spokesperson Alex Lopez acknowledged that burying the debris was “clearly inconsistent” with Knife River’s operating permit, but said any regulatory action would be DEQ’s responsibility, not his agency’s.

The agency’s hydrogeologist Bob Brinkmann said that, generally, it’s on mining operators to make sure they follow the rules.



## Knife River responds

Knife River said it began quarterly monitoring of two residential wells near the Woodward pit before it opened in 2016. Those tests have shown the water is safe, according to Knife River, but neighbors and their experts say the wells aren't actually located in areas where groundwater would flow from the mining site.

Last year, the company hired a water quality consultant, Amber Hudspeth, to summarize its data in a memo to DOGAMI. Hudspeth found the monitored wells hadn't changed much in seven years.

She concluded that the manganese and aluminum turning up in other water tests was naturally occurring and the result of volcanic geology, or possibly related to historical land uses.



A field at the Woodward site on April 12, 2023. Knife River's permit for sand and gravel mining requires it to return the land to a farmable condition.

Emily Cureton Cook / OPB

There has been gravel mining in this area before, and the Woodward pit is partially located on the site of a defunct lumber mill. Hudspeth also pointed to the presence of manganese in the city of Redmond's well water supply, 20 miles away.

DOGAMI geologist Brinkmann agreed with the company's conclusions. He said in an interview that the data show a pattern linking metals in groundwater to certain well depths.

Knife River geologist Bob Houston added another theory to the mix in a recent email to OPB. Houston said there are wells throughout Crooked River Basin with warm temperatures, according to DOGAMI data, and that geothermal activity could cause dissolved minerals to appear in water tests.

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Knife River and state officials have also pointed out that Zimmerlee's house isn't in the path of the groundwater's flow, yet he reports manganese detections and a black toilet tank.

When Hudspeth tested Zimmerlee's water in 2022, she found much lower levels of manganese and aluminum than his own samples had shown. OPB's 2023 testing did not find concerning levels of either metal.

"I don't know that Knife River, as a private business, is the correct party to go beyond our operations in order to try to figure out why a person's toilet is stained," said Knife River's Matt Ropp.

He encouraged people with concerns to bring them directly to the company, instead of regulators.

"We do our best to try to manage our operations and, and to communicate with our neighbors in order to minimize impacts to them," Ropp said.

OPB asked Ropp if, as a way to restore goodwill with the neighbors opposing the expansion, the company would consider paying for residential water filtration systems without admitting fault.

Ropp said no: "I am not fond of the idea of buying people off."

## The price of non-disclosure

Adam Mikulski came to Knife River with concerns about its Woodward pit before it opened in 2016.

State records suggest those negotiations led the company to pay for a new well at Mikulski's house, across the street from the pit. The driller initially listed Knife River as the owner of the well. The company's name was later crossed out of the paperwork and replaced with Mikulski's.

Knife River monitors that well now, and its data was used to support dismissing the recent groundwater complaints.

Mikulski won't discuss the deal, he said, because of a non-disclosure agreement.

That didn't stop his wife Karen from contacting DOGAMI in 2021 to report the company for illegal dumping, resulting in the DEQ penalty.

The agencies' response left Adam Mikulski feeling cynical.

"They just take [Knife River's] word for it and, and they don't come out and check," he said of the regulators.





Heavy machinery mingles with irrigation equipment on the edge Knife River's Woodward pit in Crook County, Oregon. April 12, 2023

Emily Cureton Cook / OPB

DOGAMI has not sent an inspector to the site since June 2021, before the complaints began.

Mikulski said he regrets initially going directly to the company because there is no public record of his concerns, nor the promises made to smooth them over.

Lately, DOGAMI appears to be rethinking its conclusions.

On June 5, the geologist working for local residents, Jim Newton, got an email from the DOGAMI's Executive Director and State Geologist Ruairi J. Day-Stirrat. It asked Newton to come to a closed-door meeting in Portland at the end of June.

The purpose is to discuss the manganese in Crook County's water. Knife River and Hudspeth are also invited.

"There will be no other participants," Day-Stirrat wrote to Newton. "I expect a series of slides laying out your data, your hypotheses, and a discussion of solutions based on your hypotheses."

Meanwhile, two U.S. Senators want to shift the responsibility and expense of providing answers away from the local residents and their paid consultant.

On June 7, Democratic Sens. Ron Wyden and Jeff Merkley sent a letter to the EPA's top Administrator Michael Regan, saying they "have a particular concern about a mine in Oregon that is currently seeking an expansion," and calling on the agency to examine the groundwater allegations as soon as possible.

In an interview, Merkley, a former state lawmaker, questioned the thoroughness of DOGAMI's conclusions, and the state agency's objectivity in investigating the industry.

"I know from my time in the state legislature that DOGAMI is basically often an advocate for mining," Merkley said.

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EXHIBIT 14 of 15  
Woodward Pit 4 COL 15



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February 15, 2025  
Louis Seals  
Crook County Community Development  
300 NE 3<sup>rd</sup> St., RM 12  
Prineville, OR 97754

**Crook County**

**FEB 18 2025**

**Community Development**

RE: 217-25-000005-NVST

Mr. Seals,

Knife River Corporation Northwest (Knife River) is in receipt of "Notice of Complaint Letter" dated February 12, 2025. This complaint states "Sediment from settling ponds being placed in mining pond along with backfill from off site are being placed into cell D". The Crook County conditions of approval for Land Use Decision 217-15-000115-PLNG under the Groundwater Protection section it was indicated that "groundwater may be encountered in the mining of the area in lot 703 that is east of the Industrial lot 702" and therefore, condition #26 states that " All mining ponds will be backfilled with materials sourced on the site, except that sediment from the settling ponds will not be placed within the water of any mining pond". As part of our reclamation requirements, Knife River has placed onsite overburden into the mining cells east of lot 702. The maximum mining depth was 20' below grade surface and there was about 10-12' of onsite overburden material that was backfilled for reclamation of this area. Sediment from the onsite settling ponds has been and continues to be placed on top of overburden material onsite. Knife River's consultant Hudspeth Land + Water collected recent groundwater level data from the 3 monitoring wells (WW-1A, WW-2A and WW-3A) in the eastern side of our mining area and the groundwater static water level was about 16' below ground surface on 1-13-2025 and is now 16.4' on 2-10-2025. Therefore, any continued placement settling pond fines would be at least 6' higher than the groundwater surface level. **Knife River had accepted some small amount of offsite concrete debris fill material in 2021 from its Redmond concrete plant that was placed on top of the overburden material.** There has been no further fill material accepted from offsite since 2021.

Attachments:

- Well Logs – WW-1A, WW-2A and WW-3A.
- Water level static data

If you should require any further information, you can reach me at 541-918-5142 or via email at [Jeff.steyaert@kniferiver.com](mailto:Jeff.steyaert@kniferiver.com).

Sincerely,

Jeff Steyaert  
Environmental MGR.



# Crook County Groundwater Summary

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**Date:** February 12, 2025

**Subject:** Crook County Groundwater Summary

## Groundwater Sampling and Data Collection

In November 2024, DEQ hired an environmental consultant, Maul Foster and Alongi (MFA), to sample private drinking water wells in Crook County. The purpose of this sampling event was to provide homeowners with drinking water quality information and to provide Oregon Health Authority (OHA) with initial data to begin a health consultation. Results from the study were mailed to landowners and residents in January and February of 2025. This sampling event was not intended to identify the source of any contaminants found because there was insufficient funding to complete a more comprehensive source investigation.

MFA collected 61 samples from 55 private wells over a two-week period. Final sampling results in January showed that:

- 28 (51%) wells had manganese levels at or above EPA's secondary drinking water standards of 50 micrograms per liter (µg/L), with a high of 414 µg/L. Contaminants in EPA's secondary drinking water standards provide guidelines for aesthetic considerations, such as taste, color, and odor and are not considered to present a risk to human health.
- Total metals showed detections of other metals such as arsenic and lead that may be of concern for the health assessment.
- Nitrate concentrations were detected in 10 wells slightly above the primary Maximum Contaminant Level, or MCL, of 10 milligrams per liter (mg/L), with a high of 13.75 mg/L.
- Finally, there were 13 wells that had positive detections for Total Coliform but were negative for E.Coli. Individual residents with these detections were notified via a letter from OHA.

## Public Health Consultation

Individual well sampling results and their related health-based screening levels for contaminants were mailed to landowners and residents. OHA will also use these results to complete a health consultation. This health consultation report will assess community-wide health risks based on the levels of various contaminants, including manganese, and provide recommendations to well user and other agencies to reduce exposure to contaminants. For additional information about the health consultation, please visit OHA's webpage [www.oregon.gov/crookcowells](http://www.oregon.gov/crookcowells).

## Future Sampling Initiatives

DEQ and partners are nearing completion of two other sampling plans related to manganese concerns and mining operations. These sampling plans are being designed to gather additional data on the groundwater quality and understand potential sources of contamination in the region. One plan focuses on the mining footprint, while a more comprehensive plan includes sampling of the larger basin.



Citing a suspicion of groundwater contamination, DEQ and DOGAMI directed Knife River to conduct a groundwater assessment to evaluate whether mining operations caused or contributed to groundwater contamination. That sampling plan is currently being reviewed and finalized by DEQ and DOGAMI. DEQ and DOGAMI are requiring this sampling before considering permits to allow an expansion of the Woodward mining site.

In collaboration with EPA, DOGAMI, OHA, OWRD and ODA, DEQ is also developing a larger Groundwater Investigation Sampling and Analysis Plan (SAP). If funded, this plan would help understand flow and transport in the vicinity, while also gathering information to determine potential sources of any contamination found in the groundwater. Data gathered from Knife River and private domestic wells will be incorporated into the SAP. SAP implementation will require approximately \$1.4 million, and DEQ submitted a federal funding request in 2024 for this project. That federal funding request is pending.

### **Next Steps**

DEQ is putting forward a funding request directly to the Oregon legislature in February 2025 to include a \$150,000 reimbursement for the initial domestic well sampling and an additional \$100,000 to fund a second round of private domestic well sampling to confirm the initial round of data and better support an assessment of health risks.

### **Non-discrimination statement**

DEQ does not discriminate on the basis of race, color, national origin, disability, age, sex, religion, sexual orientation, gender identity, or marital status in the administration of its programs and activities. Visit DEQ's [Civil Rights and Environmental Justice page](#).

### **Translation or other formats**

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800-452-4011 | TTY: 711 | [deqinfo@deq.oregon.gov](mailto:deqinfo@deq.oregon.gov)

Program name

700 NE Multnomah Street, Suite 600, Portland, OR 97232

503-229-5263, Toll-free in Oregon: 800-452-4011

DEQ's mission is to be a leader in restoring, maintaining and enhancing the quality of Oregon's air, land and water.





Edward P. Fitch  
[ed@fitchandneary.com](mailto:ed@fitchandneary.com)

Linda J. Nichols  
 Paralegal  
[linda@fitchandneary.com](mailto:linda@fitchandneary.com)

**VIA EMAIL, FIRST-CLASS MAIL  
 AND CERTIFIED MAIL – RETURN RECEIPT REQUESTED**

March 20, 2024

**TO:**

Crook County  
 Attn: John Eisler, Asst. County Counsel  
 300 NE 3<sup>rd</sup> St.  
 Prineville OR 97754  
 Email: [john.eisler@crookcountyor.gov](mailto:john.eisler@crookcountyor.gov)

**NOTICE OF TORT CLAIM  
 AGAINST CROOK COUNTY AND THE STATE OF OREGON**

1. Claimants' Names: The Neighbors ("Claimants") are described in Exhibit A attached hereto and incorporated by reference.
2. This office represents The Claimants. All correspondence or any type of communication regarding this claim should be sent to:

Edward P. Fitch, Fitch & Neary, P.C.  
 210 SW 5<sup>th</sup> St., Ste #2, Redmond OR 97756  
 Phone: 541-316-1588  
 Fax: 541-316-1943  
 Email: [ed@fitchlawgroup.com](mailto:ed@fitchlawgroup.com)

3. Pursuant to ORS 30.275 this Notice of Tort Claim is against Crook County for allowing Knife River to continue mining on the property located in Crook County, Oregon and to allow Knife River to mine on adjacent property when there is clear evidence that the mining activities of Knife River is causing significant groundwater contamination that has caused damages to adjoining property owners. Crook County has failed to exercise a proper duty of care in investigating the claims against Knife River. Notice of this issue has been provided to the county on multiple occasions and most recently on February 27, 2024, by correspondence, a copy of which is enclosed, as well as at prior hearings before the Crook County Court.

4. A claim for damages is being asserted against Crook County for failure to properly investigate and shut down the mining activities of Knife River in Crook County, Oregon. The cause of these incidents occurred between January 1, 2021, up to and including the present.



**FITCH & NEARY**  
P.C.

Edward P. Fitch  
[ed@fitchandneary.com](mailto:ed@fitchandneary.com)

Linda J. Nichols  
Paralegal  
[linda@fitchandneary.com](mailto:linda@fitchandneary.com)

Damages arise because of Crook County's negligence in investigating the contamination of groundwater by the mining activities of Knife River resulting in manganese in the Claimants' groundwater systems creating considerable amounts of damages to the water systems to each of the Claimants.

Dated this 20<sup>th</sup> day March 2024.

FITCH & NEARY, P.C.

By:

Edward P. Fitch, OSB #782026  
Attorney for Claimants

EPF:ljn

Cc: Claimants

Enc.

G:\Clients\EPF\Zimmerlee, Richard\Zimmerlee, Richard LU\2024-03-18 Not-Tort Claim-CC.Docx

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CLAIMANT LIST

Janice & Paul Elbeck  
Danny & Tawndy Byrd  
Michael & Ashley McCormick  
Dick Zimmerlee  
Alec Stewart  
Don Porfily  
Kara & Joe Becker  
Leo Nunez  
Roy Pack  
Julie & Joe Thompson  
Andrea Rutledge  
Bryan Zednik  
Leatitia Langston  
Quail Valley Ranch  
Monique Davis  
Adam Mikolski  
Valerie Rhoden  
Steven Chappell  
Rosemary Putnam  
Jill Bernard  
Steve Fleury  
Donna Kriege  
Hank Simmons  
Mrs. Simons  
Judy Falkner  
Tim Cross  
Don Pomraning



Edward P. Fitch  
Attorney at Law  
[ed@fitchandneary.com](mailto:ed@fitchandneary.com)

Patricia Jane Roberts  
Paralegal  
[patricia@fitchandneary.com](mailto:patricia@fitchandneary.com)

February 27, 2024

***VIA EMAIL AND US MAIL***

Seth Crawford, County Judge  
Crook County Court  
203 NE Court St.  
Prineville, OR 97754  
Email: [seth-crawford@crookcountyor.gov](mailto:seth-crawford@crookcountyor.gov)

Susan Hermreck, County Commissioner  
Crook County Court  
203 NE Court St.  
Prineville, OR 97754  
Email: [Susan.Hermreck@crookcountyor.gov](mailto:Susan.Hermreck@crookcountyor.gov)

Brian Barney, County Commissioner  
Crook County Court  
203 NE Court St.  
Prineville, OR 97754  
Email: [brian.barney@crookcountyor.gov](mailto:brian.barney@crookcountyor.gov)

***Re: Water Contamination by Knife River and Conditional Use Permit  
regarding the Vanier Property***

As you know, I have been working with a number of neighbors of the Woodward site regarding the contamination of their well water from the Woodward mining site which was conducted by Knife River. Submitted herewith is a map showing the elevated levels of Manganese which are downstream (groundwater) from the Woodward site. This stands in stark contrast to the lower levels of Manganese up river (groundwater) to the Woodward site. From an evidentiary standpoint, it is very clear that the manner in which Knife River has mined the Woodward site has caused significant amounts of Manganese to be discharged into ground water which has had serious adverse effects on many of the neighbors to the Woodward site.

As you also know, there is a Conditional Use Permit that was approved by the County Court in 2023 to allow further mining on the Vanier site which is adjacent to the Woodward site. They are scheduled to begin mining on the Vanier site sometime in the spring.





The purpose of this letter is to request that the County Court initiate a process under County Code 18.172.100 for revocation or modification of the Conditional Use Permit for Knife River on the Vanier site. We would recommend that given the gravity of this situation that a clear evidentiary record be made with the facilitation of a hearings officer with a recommendation to the County Court based upon that record or action under County Code 18.172.100.

The neighbors believe that Knife River misrepresented the effect of their mining on the groundwater when this matter was initially heard. There is strong evidence that what Knife River represented and what actually turned out are, in fact, are completely different. There is an urgency to have this process initiated by the County and to suspend the Conditional Use Permit until that process is completed. The neighbors and my office are ready, willing and able to help the County in this matter.

Please get back to me at your earliest convenience.

Thank you.

Very truly yours,

A handwritten signature in blue ink, appearing to read "E. Fitch", is written over a horizontal line.

EDWARD P. FITCH

EPF:pjr

Enclosure

cc: Client

cc: Will Van Vactor

G:\Clients\EPF\Zimmerlee, Richard\Zimmerlee, Richard LU\Crook County ltr 02724.wpd

=

## Ed Fitch

---

**From:** John Eisler <John.Eisler@crookcountyor.gov>  
**Sent:** Wednesday, February 15, 2023 11:24 AM  
**To:** Ed Fitch  
**Cc:** Will VanVactor  
**Subject:** DOGAMI Report  
**Attachments:** 07-0159\_20230210\_WoodwardComplaintResponse\_FINAL (004).pdf

Mr. Fitch,

Attached is the report from DOGAMI. After your review, feel free to give me a call. Today probably isn't good, but tomorrow I should be at my desk most of the day.

Also, thanks for coming out to our meeting. We appreciate it when folks make the effort to see us in person.

Best,



### JOHN EISLER

#### ASSISTANT COUNSEL

Crook County Legal Counsel's Office  
Physical: 301 NE 3<sup>rd</sup> St., Ste. 200, Prineville, OR 97754  
Mailing: 300 NE 3<sup>rd</sup> St., Prineville, OR 97754  
Office: (541) 416-3919 Ext. 279 Fax: (541) 447-6705

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Edward P. Fitch  
Attorney at Law  
[ed@fitchandneary.com](mailto:ed@fitchandneary.com)

Patricia Jane Roberts  
Paralegal  
[patricia@fitchandneary.com](mailto:patricia@fitchandneary.com)

December 8, 2021

Will Van Vactor, Director  
Crook County Community Development  
300 NE 3<sup>rd</sup> St, Rm 12  
Prineville, OR 97754

**Re: Zimmerlee/Knife River/Veneer Property**

Dear Will:

Jim Newton and Mr. and Mrs. Zimmerlee came in to see me regarding the mining application on the Veneer property. As I understand it, this is an expansion of the mining activity that occurred on the Woodward property. I understand the Crook County Court is going to take this up in January for a decision. I also understand that the record is closed. Please consider this letter a request to reopen the record just for the purpose of adding this letter to it. If that is not feasible, then this letter is just directed to you in drafting your staff report.

The Planning Commission, as relayed to me, denied the permit under the ESEE analysis Section 3(b). From our perspective, obviously, that was the correct decision because the adverse impacts on this mining on other uses is just way to severe to be alleviated by mitigate. First, the county has been misled regarding the static water level on the Veneer property. Although bore drilling information is provided to the County, the well logs that were associated with them were not provided. Those are public records. As I understand it, the static water level on the Veneer property ranges from 18' from the surface to the south to 2' feet in the north. Near the residence on the Veneer property at 6487 NE Lamonta Road the static water level is at approximately 10' below ground surface.

The applicant's proposal to mine out approximately 15' to 33' below the surface to reach the aggregate that ranges in estimated thickness from 9' to 14' is simply not feasible given the static water level on the Veneer property. Further, with estimated reduction in reclaimed surface elevations reducing the Veneer site the average 12' of thickness of the aggregate removed may have impacts to groundwater and post-mine reclamation use as farm land in an EFU zone area not reasonably possible. The Zimmerlees have already experienced levels of water saturation on the property which now makes it impossible for them to farm parts of the Veneer property. There is also the very real prospect that this mining will have a significant adverse impact on the groundwater particularly, if the septic drainfield is flooded.

There is also a significant concern regarding the quality of the information provided by Knife River.



The geologist, Mr. Christopher Lidstone, who testified at the December 3, 2021 hearing is not licensed in the State of Oregon, nor was the report submitted with the Vanier application noted to have been prepared by an Oregon licensed geologist. The report that was submitted and StanTec is now under investigation by the Oregon State Board of Geologist Examiners. In a nutshell, they did not follow the guidelines issued by the State of Oregon for appropriate report on hydrology.

In sum, our recommendation is that with the information already submitted to the County Court, there is ample information to show that the Planning Commission had it right. There are two many negative impacts associated with this mining proposal to warrant approval. This includes the interference with the ongoing farming operation on the Veneer property, the potential adverse impact on the groundwater in this area because of the mining operation in the water table itself as well as a history of poor implementation of their Conditional Use Permit on the Woodward property which has resulted in severe saturation of parts of the Veneer property.

Finally, as much as Knife River has apparently tried to shift the burden of proof to the neighbors and opponents, the burden of proof remains with Knife River.

If you have any questions, please advise.

Thank you.

Very truly yours,

A handwritten signature in black ink, appearing to read "Edward P. Fitch", is written over a horizontal line.

EDWARD P. FITCH

EPF:pjr

cc: Client

Jim Newton

G:\Clients\EPF\Zimmerlee, Richard\Zimmerlee, Richard LU\Van Vactor ltr 120921.wpd



STATE OF OREGON  
**GEOTECHNICAL HOLE REPORT**  
 (as required by OAR 690-240-0035)

8/20/2019

**(1) OWNER/PROJECT** Hole Number B-1PROJECT NAME/NBR: 110-19-1059First Name ROBERT J (JR.) Last Name VANIER

Company \_\_\_\_\_

Address PO BOX 326City DAYVILLE State OR Zip 97825**(2) TYPE OF WORK** ☒ New ☐ Deepening ☒ Abandonment  
☐ Alteration (repair/recondition)**(3) CONSTRUCTION**☐ Rotary Air ☐ Hand Auger ☐ Hollow stem auger☐ Rotary Mud ☐ Cable ☐ Push Probe☒ Other SONIC**(4) TYPE OF HOLE:**☒ Uncased Temporary ☐ Cased Permanent☐ Uncased Permanent ☐ Slope Stability☐ Other

Other: \_\_\_\_\_

**(5) USE OF HOLE**

SOIL SAMPLES

**(6) BORE HOLE CONSTRUCTION** Special Standard ☐ Attach copyDepth of Completed Hole 35.00 ft.

| BORE HOLE |      |    | SEAL            |      |    | sacks/ |     |
|-----------|------|----|-----------------|------|----|--------|-----|
| Dia       | From | To | Material        | From | To | Amt    | lbs |
| 6         | 0    | 35 | Other           | 0    | 2  | 2      | S   |
|           |      |    | Bentonite Chips | 2    | 35 | 9      | S   |
|           |      |    |                 |      |    |        |     |
|           |      |    |                 |      |    |        |     |

Backfill placed from 0 ft. to 2 ft. Material SOIL / GRAVEL

Filter pack from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Material \_\_\_\_\_ Size \_\_\_\_\_

**(7) CASING/SCREEN**

| Casing                   | Screen                   | Dia | +                        | From | To | Gauge | Stl                      | Plstc                    | Wld                      | Thrd                     |
|--------------------------|--------------------------|-----|--------------------------|------|----|-------|--------------------------|--------------------------|--------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> |     | <input type="checkbox"/> |      |    |       | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | <input type="checkbox"/> |     | <input type="checkbox"/> |      |    |       | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | <input type="checkbox"/> |     | <input type="checkbox"/> |      |    |       | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | <input type="checkbox"/> |     | <input type="checkbox"/> |      |    |       | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

**(8) WELL TESTS**☐ Pump ☐ Bailer ☐ Air ☐ Flowing Artesian

Yield gal/min Drawdown Drill stem/Pump depth Duration(hr)

|  |  |  |  |
|--|--|--|--|
|  |  |  |  |
|  |  |  |  |

Temperature 52 °F Lab analysis ☐ Yes By \_\_\_\_\_

Supervising Geologist/Engineer \_\_\_\_\_

Water quality concerns? ☐ Yes (describe below) TDS amount 110 ppm

| From | To | Description | Amount | Units |
|------|----|-------------|--------|-------|
|      |    |             |        |       |
|      |    |             |        |       |

**(9) LOCATION OF HOLE (legal description)**County CROOK Twp 14.00 S N/S Range 15.00 E E/W WMSec 14 SE 1/4 of the SE 1/4 Tax Lot 00103

Tax Map Number \_\_\_\_\_ Lot \_\_\_\_\_

Lat \_\_\_\_\_ " or \_\_\_\_\_ DMS or DD

Long \_\_\_\_\_ " or \_\_\_\_\_ DMS or DD

☒ Street address of hole ☐ Nearest address6487 NW LAMONTA ROAD, PRINEVILLE, OR 97754**(10) STATIC WATER LEVEL**

Date SWL(psi) + SWL(ft)

|                              |           |  |    |
|------------------------------|-----------|--|----|
| Existing Well / Predeepening |           |  |    |
| Completed Well               | 6/12/2019 |  | 18 |

Flowing Artesian? ☐WATER BEARING ZONES Depth water was first found 18.00

| SWL Date  | From | To | Est Flow | SWL(psi) | + SWL(ft) |
|-----------|------|----|----------|----------|-----------|
| 6/12/2019 | 18   | 35 |          |          | 18        |
|           |      |    |          |          |           |
|           |      |    |          |          |           |
|           |      |    |          |          |           |

**(11) SUBSURFACE LOG**

Ground Elevation

| Material             | From | To |
|----------------------|------|----|
| Sandy Silt           | 0    | 9  |
| Silty sand w/ gravel | 9    | 19 |
| Sand and Gravel      | 19   | 29 |
| Silt                 | 29   | 35 |
|                      |      |    |
|                      |      |    |
|                      |      |    |
|                      |      |    |

Date Started 6/12/2019 Completed 6/12/2019**(12) ABANDONMENT LOG:**

| Material        | From | To | Amt | sacks/ |
|-----------------|------|----|-----|--------|
| Other           | 0    | 2  | 2   | S      |
| Bentonite Chips | 2    | 35 | 9   | S      |
|                 |      |    |     |        |
|                 |      |    |     |        |
|                 |      |    |     |        |
|                 |      |    |     |        |
|                 |      |    |     |        |

Date Started 6/12/2019 Completed 6/12/2019**Professional Certification** (to be signed by an Oregon licensed water or monitoring well constructor, Oregon registered geologist or professional engineer).

I accept responsibility for the construction, deepening, alteration, or abandonment work performed during the construction dates reported above. All work performed during this time is in compliance with Oregon geotechnical hole construction standards. This report is true to the best of my knowledge and belief.

License/Registration Number 10637 Date 8/20/2019First Name ZANE Last Name SHADRICKAffiliation ZANESHADRICK

ORIGINAL - WATER RESOURCES DEPARTMENT

THIS REPORT MUST BE SUBMITTED TO THE WATER RESOURCES DEPARTMENT WITHIN 30 DAYS OF COMPLETION OF WORK

Form Version:

<http://www.oregon.gov>

## Water Quality Programs

DEQ is committed to advancing environmental protection and justice for all communities and ecosystems in Oregon, now and for future generations.

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> [Water Quality Programs \(/deq/wq/programs/Pages/default.aspx\)](#) > [Crook County Groundwater Investigation](#)

# Crook County Groundwater Investigation

Site Navigation



(<http://www.oregon.gov>)

Since late summer of 2023, DEQ has been coordinating with Governor Kotek's office, Department of Geological and Mining Industry, Oregon Health Authority and Oregon Water Resources Department to address groundwater issues in Crook County.

Private well owners north of the city of Prineville have submitted concerns to multiple state agencies about their well water quality, including concerns for potential impacts on human health. The reports include concerns about drinking water quality and its impact on their health, household pipes, appliances and suitability for use by livestock and animals.

## DEQ's top priorities

To adequately investigate groundwater issues in Crook County, DEQ's priorities are to oversee Knife River's groundwater investigation in partnership with DOGAMI. Additionally, DEQ will continue to support OHA as they complete their public health consultation.

While EPA has established maximum contaminant levels to protect the public against contaminants that present a risk to human health and secondary maximum contaminant levels for aesthetic considerations, such as scaling, taste and odor, that are not considered to present a risk to human health, these enforceable standards are for public water systems only. **The quality and safety of drinking water from private domestic wells are not regulated by the Federal or State Government.**

## Knife River Sampling and Analysis Plan

In September 2024, DEQ and DOGAMI directed Knife River Corporation to conduct a groundwater investigation at the Knife River Woodward Mine. This investigation was to evaluate whether mining operations contributed to groundwater contamination or potential water quality impacts in nearby domestic drinking water wells. Quarterly sampling began in December 2025 and will run through 2026.

- [Read Knife River's state agency-approved Sampling and Analysis Plan](http://deq.wq/programs/Documents/crookWoodwardSP102025.pdf) ([/deq/wq/programs/Documents/crookWoodwardSP102025.pdf](http://deq.wq/programs/Documents/crookWoodwardSP102025.pdf)).

## Q4 2025 sampling results

In December 2025, Knife River's consultant conducted its first split water quality sampling as part of its sampling and analysis plan. DEQ conducted simultaneous split-sampling. Because this is the first data set in a series, it is too early to draw conclusions as to the source of contamination. While this initial sampling is a first step, completing Knife River's sampling and analysis plan is critical to understanding groundwater conditions.

During sampling, DEQ observed multiple instances in which the sampling methods employed by Knife River's consultant deviated from their approved sampling and analysis plan.

([/deq/wq/Documents/KnifeRiverDEQResponse20260223.pdf](http://deq.wq/Documents/KnifeRiverDEQResponse20260223.pdf)) DEQ and DOGAMI are holding Knife River responsible for implementing their sampling and analysis plan as written, including following sampling protocols for future sampling events.

## Domestic drinking well sampling

Sampling domestic drinking water wells is an important first step in addressing water quality issues. DEQ hired an environmental consultant, Maul Foster and Alongi, to sample private drinking water wells in Crook County in the

Fall of 2024 and Spring of 2025. The purpose of the domestic well water sampling was not to identify the source of any contaminants found, but to provide homeowners with drinking water quality information, and to provide the data with initial data to develop an area-wide public health consultation.

 [Read the groundwater summary for more information. \(/deq/wq/Documents/CrookCountyMemo2025.pdf\)](http://www.oregon.gov/deq/wq/Documents/CrookCountyMemo2025.pdf)

The combined results from the domestic well sampling showed the following:

| Contaminant                                   | Screening Level                                                                                                                 | Spring 2025 results: 58 private wells                                                                     | Fall 2024 results: 55 private wells                                                                 |
|-----------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------|
| Manganese                                     | EPA's secondary maximum contaminant level: 50 µg/L                                                                              | 32 (55%) wells had manganese at or above the secondary drinking water standard, with a high of 464 µg/L.  | 28 (51%) wells had manganese above the secondary drinking water standards, with a high of 414 µg/L. |
| Arsenic                                       | EPA's maximum contaminant level: 10 µg/L                                                                                        | Approximately 40% of wells exceeded the drinking water standard for arsenic.                              | Approximately 35% of wells exceeded the drinking water standard for arsenic.                        |
| Vanadium                                      | Agency for Toxic Substances and Disease Registry risk level: 63 ug/L                                                            | Two wells had levels of vanadium slightly higher than the risk level, with a high of 69.9 ug/L.           | Three wells had levels of vanadium slightly higher than the risk level with a high of 73.2 ug/L.    |
| Nitrate                                       | EPA's maximum contaminant level: 10 mg/L                                                                                        | Nine wells with nitrate at or above maximum contaminant level, with a high of 20.73 mg/L.                 | 10 wells with nitrate at or above maximum contaminant level, with a high of 20.73 mg/L.             |
| Lead                                          | EPA has set the maximum contaminant level for lead in drinking water at zero because it is harmful even at low exposure levels. | Two household wells had lead. Only one of these elevated concentrations was confirmed.                    | Two different household wells had confirmed levels of lead above maximum contaminant level.         |
| Total Coliform Bacteria                       | Detection                                                                                                                       | Four of the Fall 2024 tested wells still had coliform detections, with no new households tested positive. | 13 wells tested positive for total coliform bacteria.                                               |
| Remaining analytes listed in the full report. | Detection                                                                                                                       | Detects, but not at levels posing a risk of harm to health.                                               | Detects, but not at levels posing a risk of harm to health.                                         |

Read the [full results and report \(/deq/wq/Documents/GWP-DomesticWellSampling.pdf\)](http://www.oregon.gov/deq/wq/Documents/GWP-DomesticWellSampling.pdf).

## Regional Sampling and Analysis Plan

EXHIBIT 1 - GOW



DEQ requires more data to understand what is causing elevated manganese concentrations in groundwater in the region. In collaboration with EPA, DOGAMI, OHA, and OWRD, DEQ has developed a larger comprehensive Sampling and Analysis Plan. If funded, this plan would provide further information about manganese distribution and groundwater flow patterns in the area, while also gathering information to evaluate potential sources of any contamination found in the groundwater.

## Non-discrimination Statement

The Oregon Department of Environmental Quality does not discriminate on the basis of race, color, national origin, disability, age, sex, religion, sexual orientation, gender identity, or marital status in administration of its programs or activities. DEQ does not intimidate or retaliate against any individual or group because they have exercised their rights to participate in actions protected, or oppose action prohibited, by 40 C.F.R. Parts 5 and 7, or for the purpose of interfering with such rights.

For more information visit [Civil Rights, Environmental Justice and Accessibility \(/deq/about-us/Pages/titleVIaccess.aspx\)](#) web page.

## Vehicle Inspection Program Contacts

[Vehicle Inspection Program home page \(/deq/Vehicle-Inspection/Pages/default.aspx\)](#)  
[\(/deq/Vehicle-Inspection/Pages/default.aspx\) Submit a Question or a Comment \(/deq/Vehicle-Inspection/Pages/Contact-general.aspx\)](#)

Portland Area: 503-229-5066

Medford Area: 541-776-6145

Toll-Free in Oregon: 877-476-0583

Hearing Impaired: 711

## Administrative Offices

[Map of office locations \(/deq/Pages/Offices.aspx\)](#)

Office Hours: Mon-Fri, 8 a.m.- 5 p.m

DEQ is closed from 12-1 p.m.

[Contact Form \(/deq/Pages/Contact.aspx\)](#) for questions not related to Vehicle inspection

Reception: 503-229-5696

Fax: 503-229-6124

Toll free in Oregon: 800-452-4011

Oregon TTY: 800-735-2900 or 711

## Resources

[Oregon Department of Environmental Quality](#) »

(<http://www.oregon.gov>)

[Contact DEQ \(/deq/Pages/Contact.aspx\)](/deq/Pages/Contact.aspx)

[DEQ Programs \(/deq/Pages/DEQ-Programs.aspx\)](/deq/Pages/DEQ-Programs.aspx)

[DEQ Projects \(/deq/Programs/Pages/default.aspx\)](/deq/Programs/Pages/default.aspx)

[Enforcement Actions \(/deq/Pages/Enforcement-Actions.aspx\)](/deq/Pages/Enforcement-Actions.aspx)

[Internal Management Directives \(/deq/Get-Involved/Pages/imd.aspx\)](/deq/Get-Involved/Pages/imd.aspx)

[Jobs \(/jobs/pages/index.aspx\)](/jobs/pages/index.aspx)

[Media contacts \(/deq/about-us/Pages/Media-Contact.aspx\)](/deq/about-us/Pages/Media-Contact.aspx)

[News Releases \(https://apps.oregon.gov/oregon-newsroom/OR/DEQ/Posts\)](https://apps.oregon.gov/oregon-newsroom/OR/DEQ/Posts)

[Online Services \(/deq/permits/Pages/default.aspx\)](/deq/permits/Pages/default.aspx)

[Pollution Complaints \(/deq/Get-Involved/Pages/File-Pollution-Complaint.aspx\)](/deq/Get-Involved/Pages/File-Pollution-Complaint.aspx)

[Public Notices \(/deq/Get-Involved/Pages/Public-Notices.aspx\)](/deq/Get-Involved/Pages/Public-Notices.aspx)

[Public Records \(/deq/about-us/Pages/Request-Public-Record.aspx\)](/deq/about-us/Pages/Request-Public-Record.aspx)

[Rulemaking at DEQ \(/deq/rulemaking/Pages/default.aspx\)](/deq/rulemaking/Pages/default.aspx)

[Your DEQ Online \(/deq/Permits/Pages/Your-DEQ-Online.aspx\)](/deq/Permits/Pages/Your-DEQ-Online.aspx)



## About Oregon

[Oregon.gov \(https://www.oregon.gov\)](https://www.oregon.gov)

[State Employee Search \(https://employeeearch.dasapp.oregon.gov\)](https://employeeearch.dasapp.oregon.gov)

[Agencies Listing \(https://www.oregon.gov/pages/a\\_to\\_z\\_listing.aspx\)](https://www.oregon.gov/pages/a_to_z_listing.aspx)

[Accessibility \(https://www.oregon.gov/pages/accessibility.aspx\)](https://www.oregon.gov/pages/accessibility.aspx)

[Privacy Policy \(https://www.oregon.gov/pages/terms-and-conditions.aspx\)](https://www.oregon.gov/pages/terms-and-conditions.aspx)

[Supported Browsers \(https://www.oregon.gov/pages/supported-browsers.aspx\)](https://www.oregon.gov/pages/supported-browsers.aspx)

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## Preliminary Compliance Report

Crook County Building Department  
300 NE 3rd Street - Rm 12, Prineville, OR 97754  
(541) 447-3211 Fax (541) 416-2139

[www.co.crook.or.us](http://www.co.crook.or.us)

FOR OFFICE USE ONLY

CASEFILE #

**This report is to be used to provide information about possible violations of the Crook County Code. In order for your report to be accepted, you must fill in all questions completely and to the best of your knowledge. It is important that you supply as much detail as possible. Please be sure to print legibly throughout the entire form.**

### ALLEGED VIOLATOR /PROPERTY /OWNER INFORMATION

*If property does not have a legal address, you must submit a detailed map and directions to the site in order for this report to be accepted.*

Property Owner Name:

Clay Woodward

Is this a rental property? ☐ Yes ☐ No If yes, please list renter's name (if you know):

It is leased by Knife River Corporation - Northwest.

Address of Violation:

Knife River's Woodward Pit at 4755 NW Stahancyk Lane., Prineville, OR 97754

Tax Map #:

Township 14 South, Range 15 East, Section 14

Subdivision:

Lot:

Tax Lot 702 & 703

Directions to the site: Knife River's Woodward Pit: North on Lamonta Road, West on Stahancyk Lane., Prineville, OR97754

### ALLEGED VIOLATOR

Last Name:

Knife River Corporation - Northwest

First Name:

Middle Name:

Address:

82260 Old Highway 34

City:

Tangent, OR 97389

State:

ZIP:

Phone:

541-918-5100

### DESCRIPTION OF ALLEGED VIOLATION

| Code                                                    | Type                                                                                                                      |
|---------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------|
| <i>(check all that apply)</i>                           |                                                                                                                           |
| <b>Crook County Code<br/>Title 15<br/>Chapter 15.04</b> | <input type="checkbox"/> No Permit                                                                                        |
|                                                         | <input type="checkbox"/> Building                                                                                         |
|                                                         | <input type="checkbox"/> Fire, Life, Safety issues with Residence                                                         |
|                                                         | <input type="checkbox"/> Discharge of sewage on top of ground                                                             |
|                                                         | <input type="checkbox"/> Faulty electrical wiring                                                                         |
| <b>Crook County Code<br/>Title 08<br/>Chapter 8.08</b>  | <input type="checkbox"/> Accumulation of useless or discarded materials                                                   |
|                                                         | <input type="checkbox"/> Discharge of sewage on top of ground                                                             |
|                                                         | <input type="checkbox"/> Unlicensed, in-operable, wrecked, dismantled or partially dismantled vehicles stored on property |
| <b>Crook County Code<br/>Title 18</b>                   | <input type="checkbox"/> Person or persons residing in RV                                                                 |
|                                                         | <input type="checkbox"/> Operating a Business in Residential Zone without Conditional Use Permit                          |
|                                                         | <input checked="" type="checkbox"/> Violation of Conditional Use Permit                                                   |
|                                                         | <input type="checkbox"/> Two (2) or more dwellings on property.                                                           |
| <b>Other</b>                                            | Enter authority by statute or rule number and description of violation.                                                   |
|                                                         | <input type="checkbox"/> _____                                                                                            |
|                                                         | <input type="checkbox"/> _____                                                                                            |
|                                                         | <input type="checkbox"/> _____                                                                                            |

### VIOLATION INFORMATION

It is essential that this report be as complete as possible in order for the Code Enforcement Officer to proceed with an investigation. Whenever possible, the report should include a detailed description of the complaint, complete names of individuals who made the alleged violation, and photos or other related information that can be used as evidence of this violation. Attach additional pages if necessary.

#### Details of complaint: *(be specific)*

Knife River Woodward Aggregate Site CUP Page 10 Under "IV. Site Plan Approval Criteria for Industrial Uses", Section "B" 18.72.030 Use Limitations, Number 5 states: "All parking demand created by any use permitted by this chapter shall be accommodated on the subject premises entirely off street." Additionally below #7 it states in bold: "All vehicles will be parked on site. The subject property is large enough to manage traffic and parking on-site in order to meet this requirement. Ingress to and egress from the site will be from Stahancyk Lane." Knife River and their contractor trucks park along Elliott Road and at times on Stahancyk Ln. waiting to gain access onto the site. See attached picture. This clearly violates this section of the CUP.

#### What direct impact does this complaint (violation) have on you, your property and/or your neighborhood?

Trucks parked along Elliott Rd. and Stahancyk Ln. create a traffic hazard. Stahancyk Ln. is narrow with no painted center line so vehicles traveling east must cross over to the other side of the road to maneuver around the parked trucks that are waiting to enter the site. The incline of the road makes it difficult to see if there is any oncoming vehicles on that side of the road. The speed limit on Stahancyk is 45mph and too fast for this road.

#### ARE THERE ANY KNOWN OR SUSPECTED HAZARDS AT THIS LOCATION?

IE: Dangerous or unstable residents, dogs, criminal activity, etc.

☐ Yes ☐ No ☒ Unknown If Yes, please identify hazard in detail:

☆ Can the violation be seen from the road? ☒ Yes ☐ No

☆ To the best of your knowledge, are there any "No Trespass" signs posted at/on property site? ☒ Yes ☐ No

☆ Is the violation property a neighboring property? ☒ Yes ☐ No

☆ The complainant hereby gives the Code Enforcement Officer permission to use their property for viewing the alleged violation:

☒ Yes ☐ No If not, why?:

☆ Will you the complainant, testify in court should the need arise? ☒ Yes ☐ No

**"CROOK COUNTY ATTEMPTS TO PROTECT THE IDENTITY OF COMPLAINANTS IF DESIRED BY COMPLAINANT. (DESIRED - INIT. \_\_\_\_). UNDER OREGON LAW, DISCLOSURE OF PUBLIC RECORDS MAY BE REQUIRED AND THERE IS NO GUARANTEE THAT DISCLOSURE WILL NOT OCCUR. COMPLAINANT UNDERSTANDS AND ACKNOWLEDGES THIS POSSIBILITY AND BY SIGNATURE BELOW ACKNOWLEDGES THAT DISCLOSURE OF IDENTITY MAY OCCUR."**

**"THE COUNTY WILL ACCEPT ANONYMOUS COMPLAINTS; PROVIDED, HOWEVER, THAT DUE TO THE COUNTY'S BELIEF THAT SUCH COMPLAINTS ARE NOT AS RELIABLE AS THOSE FROM INDIVIDUALS WILLING TO IDENTIFY THEMSELVES, THE INVESTIGATION OF ANONYMOUS COMPLAINTS WILL HAVE LOWER PRIORITY THAN OTHER COMPLAINTS."**

### COMPLAINANT INFORMATION

Last Name: First Name: Middle initial:

Adam and Karen Mikulski

Title (if agency) Jurisdiction

Address:  
3992 NW Stahancyk Lane

City: State: ZIP: Phone:  
Prineville, OR 97754 541-410-9964

Signature: Date Signed:  
2/18/25

If you DO NOT live in Crook County, you must list the address or Tax Map # of your Real Property located within Crook County.





## Preliminary Compliance Report

Crook County Building Department  
300 NE 3rd Street - Rm 12, Prineville, OR 97754  
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FOR OFFICE USE ONLY

**Crook County**

**JAN 28 2025**

**Community Development**

CASEFILE #

This report is to be used to provide information about possible violations of the Crook County Code. In order for your report to be accepted, you must fill in all questions completely and to the best of your knowledge. It is important that you supply as much detail as possible. Please be sure to print legibly throughout the entire form.

### ALLEGED VIOLATOR /PROPERTY /OWNER INFORMATION

*If property does not have a legal address, you must submit a detailed map and directions to the site in order for this report to be accepted.*

Property Owner Name:  
Clay Woodward

Is this a rental property? ☐ Yes ☐ No If yes, please list renter's name (if you know):  
It is leased by Knife River Corporation - Northwest.

Address of Violation:  
Knife River's Woodward Pit at 4755 NW Stahancyk Lane., Prineville, OR 97754

Tax Map #: Township 14 South, Range 15 East, Section 14 Subdivision: Tax Lot 702 Lot:

Directions to the site: Knife River's Woodward Pit: North on Lamonta Road, West on Stahancyk Lane., Prineville, OR97754

### ALLEGED VIOLATOR

Last Name: First Name: Middle Name:  
Knife River Corporation - Northwest

Address:  
82260 Old Highway 34

City: State: ZIP: Phone:  
Tangent, OR 97389 541-918-5100

### DESCRIPTION OF ALLEGED VIOLATION

| Code                                           | Type                                                                                                                                                                                                                                                                       |
|------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <i>(check all that apply)</i>                  |                                                                                                                                                                                                                                                                            |
| Crook County Code<br>Title 15<br>Chapter 15.04 | <input type="checkbox"/> No Permit <input type="checkbox"/> New Construction <input type="checkbox"/> Remodel <input type="checkbox"/> Roof failure                                                                                                                        |
|                                                | <input type="checkbox"/> Building <input type="checkbox"/> Plumbing <input type="checkbox"/> Mechanical <input type="checkbox"/> Electrical                                                                                                                                |
|                                                | <input type="checkbox"/> Fire, Life, Safety issues with Residence <input type="checkbox"/> Foundation failure                                                                                                                                                              |
|                                                | <input type="checkbox"/> Discharge of sewage on top of ground <input type="checkbox"/> Faulty electrical wiring                                                                                                                                                            |
| Crook County Code<br>Title 08<br>Chapter 8.08  | <input type="checkbox"/> Accumulation of useless or discarded materials <input type="checkbox"/> Unlicensed, in-operable, wrecked, dismantled or partially dismantled vehicles stored on property                                                                          |
|                                                | <input type="checkbox"/> Discharge of sewage on top of ground                                                                                                                                                                                                              |
| Crook County Code<br>Title 18                  | <input type="checkbox"/> Person or persons residing in RV <input type="checkbox"/> Failure to remove Medical Hardship or Temporary Use Residence                                                                                                                           |
|                                                | <input type="checkbox"/> Operating a Business in Residential Zone without Conditional Use Permit <input type="checkbox"/> Residence on property without planning approval.                                                                                                 |
|                                                | <input checked="" type="checkbox"/> Violation of Conditional Use Permit <input type="checkbox"/> Two (2) or more dwellings on property.                                                                                                                                    |
| Other                                          | Enter authority by statute or rule number and description of violation.<br><input type="checkbox"/> _____ <input type="checkbox"/> _____<br><input type="checkbox"/> _____ <input type="checkbox"/> _____<br><input type="checkbox"/> _____ <input type="checkbox"/> _____ |

JAN 28 2025

## VIOLATION INFORMATION

It is essential that this report be as complete as possible in order for the Code Enforcement Officer to proceed with an investigation. Whenever possible, the report should include a detailed description of the complaint, complete names of individuals who made the alleged violation, and photos or other related information that can be used as evidence of this violation. Attach additional pages if necessary.

## Details of complaint: (be specific)

Knife River is violating Crook County's 9-24-2015 CUP for the Woodward Pit by

backfilling the last open mining cell/Area D and South of Area D

with sediment from the settling ponds from Area C

The 2015 217-15-000115-PLNG CUP states under Groundwater Protection,

#26 All mining ponds will be backfilled with material sourced on the site, except that sediment from the

settling ponds will not be placed within the water of any mining ponds. Dates Knife River dumped

sediment into this open mining cell that has standing water: Sept 2024; Jan. 22nd, 23rd, 24th and 27th, 2025.

Large dump trucks dumped loads 8 hrs. a day of wet sediment & will cont. until pond(s) are

cleaned out. Note: dumping into Area D has occurred more times in the past than listed above.

## What direct impact does this complaint (violation) have on you, your property and/or your neighborhood?

N/A Crook County CUP violation.

## ARE THERE ANY KNOWN OR SUSPECTED HAZARDS AT THIS LOCATION?

(E: Dangerous or unstable residents, dogs, criminal activity, etc.)

☐ Yes ☐ No ☒ Unknown If Yes, please identify hazard in detail:

☆ Can the violation be seen from the road? ☐ Yes ☒ No

☆ To the best of your knowledge, are there any "No Trespass" signs posted at/on property site? ☒ Yes ☐ No

☆ Is the violation property a neighboring property? ☐ Yes ☒ No

☆ The complainant hereby gives the Code Enforcement Officer permission to use their property for viewing the alleged violation:  
☒ Yes ☐ No If not, why?:

☆ Will you the complainant, testify in court should the need arise? ☒ Yes ☐ No

"CROOK COUNTY ATTEMPTS TO PROTECT THE IDENTITY OF COMPLAINANTS DESIRED BY COMPLAINANTS DESIRED. UNDER OREGON LAW, DISCLOSURE OF PUBLIC RECORDS MAY BE REQUIRED AND THERE IS NO GUARANTEE THAT DISCLOSURE WILL NOT OCCUR. COMPLAINANT UNDERSTANDS AND ACKNOWLEDGES THIS POSSIBILITY AND BY SIGNATURE BELOW ACKNOWLEDGES THAT DISCLOSURE OF IDENTITY MAY OCCUR."

"THE COUNTY WILL ACCEPT ANONYMOUS COMPLAINTS; PROVIDED, HOWEVER, THAT DUE TO THE COUNTY'S BELIEF THAT SUCH COMPLAINTS ARE NOT AS RELIABLE AS THOSE FROM INDIVIDUALS WILLING TO IDENTIFY THEMSELVES, THE INVESTIGATION OF ANONYMOUS COMPLAINTS WILL HAVE LOWER PRIORITY THAN OTHER COMPLAINTS."

## COMPLAINANT INFORMATION

|                                                                     |                   |                      |
|---------------------------------------------------------------------|-------------------|----------------------|
| Last Name: Utterback                                                | First Name: Traci | Middle initial: R    |
| Title (if agency): Owner - Coldwell Banker Sun Country Realty, Inc. |                   |                      |
| Address: 715 NW 3rd Street                                          |                   |                      |
| City: Prineville                                                    | State: OR         | ZIP: 97754           |
| Signature: Traci Utterback                                          |                   | Phone: 503-580-1179  |
|                                                                     |                   | Date Signed: 1-28-25 |

If you DO NOT live in Crook County, you must list the address or Tax Map # of your Real Property located within Crook County



## Preliminary Compliance Report

Crook County Building Department  
300 NE 3rd Street - Rm 12, Prineville, OR 97754  
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FOR OFFICE USE ONLY

**Crook County**

**JAN 29 2025**

**Community Development**

CASEFILE #

**This report is to be used to provide information about possible violations of the Crook County Code. In order for your report to be accepted, you must fill in all questions completely and to the best of your knowledge. It is important that you supply as much detail as possible. Please be sure to print legibly throughout the entire form.**

### ALLEGED VIOLATOR / PROPERTY OWNER INFORMATION

*If property does not have a legal address, you must submit a detailed map and directions to the site in order for this report to be accepted.*

Property Owner Name:  
Clay Woodward

Is this a rental property? ☐ Yes ☐ No If yes, please list renter's name (if you know):  
It is leased by Knife River Corporation - Northwest.

Address of Violation:  
Knife River's Woodward Pit at 4755 NW Stahancyk Lane., Prineville, OR 97754

Tax Map #: Subdivision: Lot:  
Township 14 South, Range 15 East, Section 14 Tax Lot 702

Directions to the site: Knife River's Woodward Pit: North on Lamonta Road, West on Stahancyk Lane., Prineville, OR 97754

### ALLEGED VIOLATOR

Last Name: First Name: Middle Name:  
Knife River Corporation - Northwest

Address:  
82260 Old Highway 34

City: State: ZIP: Phone:  
Tangent, OR 97389 541-918-5100

### DESCRIPTION OF ALLEGED VIOLATION

| Code                                                    | Type                                                                                                                                                                                                                                                                       |
|---------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Crook County Code<br/>Title 15<br/>Chapter 15.04</b> | (check all that apply)                                                                                                                                                                                                                                                     |
|                                                         | <input type="checkbox"/> No Permit <input type="checkbox"/> New Construction <input type="checkbox"/> Remodel <input type="checkbox"/> Roof failure                                                                                                                        |
|                                                         | <input type="checkbox"/> Building <input type="checkbox"/> Plumbing <input type="checkbox"/> Mechanical <input type="checkbox"/> Electrical                                                                                                                                |
|                                                         | <input type="checkbox"/> Fire, Life, Safety issues with Residence <input type="checkbox"/> Foundation failure                                                                                                                                                              |
|                                                         | <input type="checkbox"/> Discharge of sewage on top of ground <input type="checkbox"/> Faulty electrical wiring                                                                                                                                                            |
| <b>Crook County Code<br/>Title 08<br/>Chapter 8.08</b>  | <input type="checkbox"/> Accumulation of useless or discarded materials <input type="checkbox"/> Unlicensed, in-operable, wrecked, dismantled or partially dismantled vehicles stored on property                                                                          |
|                                                         | <input type="checkbox"/> Discharge of sewage on top of ground                                                                                                                                                                                                              |
| <b>Crook County Code<br/>Title 18</b>                   | <input type="checkbox"/> Person or persons residing in RV <input type="checkbox"/> Failure to remove Medical Hardship or Temporary Use Residence                                                                                                                           |
|                                                         | <input type="checkbox"/> Operating a Business in Residential Zone without Conditional Use Permit <input type="checkbox"/> Residence on property without planning approval.                                                                                                 |
|                                                         | <input checked="" type="checkbox"/> Violation of Conditional Use Permit <input type="checkbox"/> Two (2) or more dwellings on property.                                                                                                                                    |
|                                                         |                                                                                                                                                                                                                                                                            |
| <b>Other</b>                                            | Enter authority by statute or rule number and description of violation.<br><input type="checkbox"/> _____ <input type="checkbox"/> _____<br><input type="checkbox"/> _____ <input type="checkbox"/> _____<br><input type="checkbox"/> _____ <input type="checkbox"/> _____ |



JAN 29 2025

Community Development

| VIOLATION INFORMATION                                                                                                                                                                                                                                                                                                                                                                                                     |              |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|
| It is essential that this report be as complete as possible in order for the Code Enforcement Officer to proceed with an investigation. Whenever possible, the report should include a detailed description of the complaint, complete names of individuals who made the alleged violation, and photos or other related information that can be used as evidence of this violation. Attach additional pages if necessary. |              |
| <b>Details of complaint: (be specific)</b>                                                                                                                                                                                                                                                                                                                                                                                |              |
| Knife River is violating Crook County's 9-24-2015 CUP for the Woodward Pit by                                                                                                                                                                                                                                                                                                                                             |              |
| backfilling the last open mining cell/Area D and South of Area D                                                                                                                                                                                                                                                                                                                                                          |              |
| with sediment from the settling ponds from Area C                                                                                                                                                                                                                                                                                                                                                                         |              |
| The 2015 217-15-000115-PLNG CUP states under Groundwater Protection,                                                                                                                                                                                                                                                                                                                                                      |              |
| #26 All mining ponds will be backfilled with material sourced on the site, except that sediment from the                                                                                                                                                                                                                                                                                                                  |              |
| settling ponds will not be placed within the water of any mining ponds. Dates Knife River dumped                                                                                                                                                                                                                                                                                                                          |              |
| sediment into this open mining cell that has standing water: Sept 2024; Jan. 22nd, 23rd, 24th and 27th, 2025.                                                                                                                                                                                                                                                                                                             |              |
| Large dump trucks dumped loads 8 hrs. a day of wet sediment & will continue until pond(s) are                                                                                                                                                                                                                                                                                                                             |              |
| cleaned out. Note: dumping into Area D has occurred more times in the past than listed above.                                                                                                                                                                                                                                                                                                                             |              |
| What direct impact does this complaint (violation) have on you, your property and/or your neighborhood?                                                                                                                                                                                                                                                                                                                   |              |
| N/A Crook County CUP violation.                                                                                                                                                                                                                                                                                                                                                                                           |              |
| ARE THERE ANY KNOWN OR SUSPECTED HAZARDS AT THIS LOCATION?                                                                                                                                                                                                                                                                                                                                                                |              |
| If: Dangerous or unstable residents, dogs, criminal activity, etc.                                                                                                                                                                                                                                                                                                                                                        |              |
| <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unknown If Yes, please identify hazard in detail:                                                                                                                                                                                                                                                                            |              |
| ★ Can the violation be seen from the road? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No                                                                                                                                                                                                                                                                                                            |              |
| ★ To the best of your knowledge, are there any "No Trespass" signs posted at/on property site? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No                                                                                                                                                                                                                                                        |              |
| ★ Is the violation property a neighboring property? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No                                                                                                                                                                                                                                                                                                   |              |
| ★ The complainant hereby gives the Code Enforcement Officer permission to use their property for viewing the alleged violation:                                                                                                                                                                                                                                                                                           |              |
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If not, why?:                                                                                                                                                                                                                                                                                                                                         |              |
| ★ Will you the complainant, testify in court should the need arise? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No                                                                                                                                                                                                                                                                                   |              |
| "CROOK COUNTY ATTEMPTS TO PROTECT THE IDENTITY OF COMPLAINANTS IF DESIRED BY COMPLAINANT. (DESIRED - INIT. _____). UNDER OREGON LAW, DISCLOSURE OF PUBLIC RECORDS MAY BE REQUIRED AND THERE IS NO GUARANTEE THAT DISCLOSURE WILL NOT OCCUR. COMPLAINANT UNDERSTANDS AND ACKNOWLEDGES THIS POSSIBILITY AND BY SIGNATURE BELOW ACKNOWLEDGES THAT DISCLOSURE OF IDENTITY MAY OCCUR."                                         |              |
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| COMPLAINANT INFORMATION                                                                                                                                                                                                                                                                                                                                                                                                   |              |
| Last Name:                                                                                                                                                                                                                                                                                                                                                                                                                | First Name:  |
| LANCASTON                                                                                                                                                                                                                                                                                                                                                                                                                 | JASON        |
| Middle Initial:                                                                                                                                                                                                                                                                                                                                                                                                           |              |
| Title (if agency)                                                                                                                                                                                                                                                                                                                                                                                                         | Jurisdiction |
| Address:                                                                                                                                                                                                                                                                                                                                                                                                                  |              |
| 6530 NW Green Valley Rd                                                                                                                                                                                                                                                                                                                                                                                                   |              |
| City:                                                                                                                                                                                                                                                                                                                                                                                                                     | State:       |
| Prineville                                                                                                                                                                                                                                                                                                                                                                                                                | OR           |
| ZIP:                                                                                                                                                                                                                                                                                                                                                                                                                      | Phone:       |
| 97754                                                                                                                                                                                                                                                                                                                                                                                                                     | 541 408-1717 |
| Signature:                                                                                                                                                                                                                                                                                                                                                                                                                | Date Signed: |
|                                                                                                                                                                                                                                                                                                                                        | 1/29/2025    |
| If you DO NOT live in Crook County, you must list the address or Tax Map # of your Real Property located within Crook County.                                                                                                                                                                                                                                                                                             |              |





## Preliminary Compliance Report

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FUR OFFICE USE ONLY

**Crook County**

**JAN 29 2025**

CASEFILE #

This report is to be used to provide information about possible violations of the **Community Development** report to be accepted, you must fill in all questions completely and to the best of your knowledge. It is important that you supply as much detail as possible. Please be sure to print legibly throughout the entire form.

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Tax Map #: Township 14 South, Range 15 East, Section 14 Subdivision: Tax Lot 702 Lot:

Directions to the site: Knife River's Woodward Plt: North on Lamonta Road, West on Stahancyk Lane., Prineville, OR97754

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Last Name:  
Knife River Corporation - Northwest

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Middle Name:

Address:  
82260 Old Highway 34

City:  
Tangent, OR 97389

State:

ZIP:

Phone:  
541-918-5100

### DESCRIPTION OF ALLEGED VIOLATION

| Code                                                    | Type                                                                                                                                                                                                                                                                       |
|---------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <i>(check all that apply)</i>                           |                                                                                                                                                                                                                                                                            |
| <b>Crook County Code<br/>Title 15<br/>Chapter 15.04</b> | <input type="checkbox"/> No Permit <input type="checkbox"/> New Construction <input type="checkbox"/> Remodel <input type="checkbox"/> Roof failure                                                                                                                        |
|                                                         | <input type="checkbox"/> Building <input type="checkbox"/> Plumbing <input type="checkbox"/> Mechanical <input type="checkbox"/> Electrical                                                                                                                                |
|                                                         | <input type="checkbox"/> Fire, Life, Safety issues with Residence <input type="checkbox"/> Foundation failure                                                                                                                                                              |
|                                                         | <input type="checkbox"/> Discharge of sewage on top of ground <input type="checkbox"/> Faulty electrical wiring                                                                                                                                                            |
|                                                         | <input type="checkbox"/> Accumulation of useless or discarded materials <input type="checkbox"/> Unlicensed, in-operable, wrecked, dismantled or partially dismantled vehicles stored on property                                                                          |
| <b>Crook County Code<br/>Title 08<br/>Chapter 8.08</b>  | <input type="checkbox"/> Discharge of sewage on top of ground                                                                                                                                                                                                              |
|                                                         | <input type="checkbox"/> Person or persons residing in RV <input type="checkbox"/> Failure to remove Medical Hardship or Temporary Use Residence                                                                                                                           |
| <b>Crook County Code<br/>Title 18</b>                   | <input type="checkbox"/> Operating a Business in Residential Zone without Conditional Use Permit <input type="checkbox"/> Residence on property without planning approval.                                                                                                 |
|                                                         | <input checked="" type="checkbox"/> Violation of Conditional Use Permit <input type="checkbox"/> Two (2) or more dwellings on property.                                                                                                                                    |
| <b>Other</b>                                            | Enter authority by statute or rule number and description of violation.<br><input type="checkbox"/> _____ <input type="checkbox"/> _____<br><input type="checkbox"/> _____ <input type="checkbox"/> _____<br><input type="checkbox"/> _____ <input type="checkbox"/> _____ |

JAN 29 2025

## Community Development

| VIOLATION INFORMATION                                                                                                                                                                                                                                                                                                                                                                                                     |               |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| It is essential that this report be as complete as possible in order for the Code Enforcement Officer to proceed with an investigation. Whenever possible, the report should include a detailed description of the complaint, complete names of individuals who made the alleged violation, and photos or other related information that can be used as evidence of this violation. Attach additional pages if necessary. |               |
| Details of complaint: (be specific)                                                                                                                                                                                                                                                                                                                                                                                       |               |
| Knife River is violating Crook County's 9-24-2015 CUP for the Woodward Pit by                                                                                                                                                                                                                                                                                                                                             |               |
| backfilling the last open mining cell/Area D and South of Area D                                                                                                                                                                                                                                                                                                                                                          |               |
| with sediment from the settling ponds from Area C                                                                                                                                                                                                                                                                                                                                                                         |               |
| The 2015 217-15-000115-PLNG CUP states under Groundwater Protection,                                                                                                                                                                                                                                                                                                                                                      |               |
| #26 All mining ponds will be backfilled with material sourced on the site, except that sediment from the                                                                                                                                                                                                                                                                                                                  |               |
| settling ponds will not be placed within the water of any mining ponds. Dates Knife River dumped                                                                                                                                                                                                                                                                                                                          |               |
| sediment into this open mining cell that has standing water: Sept 2024; Jan. 22nd, 23rd, 24th and 27th, 2025.                                                                                                                                                                                                                                                                                                             |               |
| Large dump trks dumped loads 8 hrs. a day of wet sediment & will cont. until pond(s) are                                                                                                                                                                                                                                                                                                                                  |               |
| cleaned out. Note: dumping into Area D has occurred more times in the past than listed above.                                                                                                                                                                                                                                                                                                                             |               |
| What direct impact does this complaint (violation) have on you, your property and/or your neighborhood?                                                                                                                                                                                                                                                                                                                   |               |
| N/A Crook County CUP violation.                                                                                                                                                                                                                                                                                                                                                                                           |               |
| ARE THERE ANY KNOWN OR SUSPECTED HAZARDS AT THIS LOCATION?                                                                                                                                                                                                                                                                                                                                                                |               |
| IE: Dangerous or unstable residents, dogs, criminal activity, etc.                                                                                                                                                                                                                                                                                                                                                        |               |
| <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unknown If Yes, please identify hazard in detail:                                                                                                                                                                                                                                                                            |               |
| ☆ Can the violation be seen from the road? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No                                                                                                                                                                                                                                                                                                            |               |
| ☆ To the best of your knowledge, are there any "No Trespass" signs posted at/on property site? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No                                                                                                                                                                                                                                                        |               |
| ☆ Is the violation property a neighboring property? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No                                                                                                                                                                                                                                                                                                   |               |
| ☆ The complainant hereby gives the Code Enforcement Officer permission to use their property for viewing the alleged violation:                                                                                                                                                                                                                                                                                           |               |
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If not, why?:                                                                                                                                                                                                                                                                                                                                         |               |
| ☆ Will you the complainant, testify in court should the need arise? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No                                                                                                                                                                                                                                                                                   |               |
| <b>"CROOK COUNTY ATTEMPTS TO PROTECT THE IDENTITY OF COMPLAINANTS IF DESIRED BY COMPLAINANT. (DESIRED - INIT. ____). UNDER OREGON LAW, DISCLOSURE OF PUBLIC RECORDS MAY BE REQUIRED AND THERE IS NO GUARANTEE THAT DISCLOSURE WILL NOT OCCUR. COMPLAINANT UNDERSTANDS AND ACKNOWLEDGES THIS POSSIBILITY AND BY SIGNATURE BELOW ACKNOWLEDGES THAT DISCLOSURE OF IDENTITY MAY OCCUR."</b>                                   |               |
| <b>"THE COUNTY WILL ACCEPT ANONYMOUS COMPLAINTS; PROVIDED, HOWEVER, THAT DUE TO THE COUNTY'S BELIEF THAT SUCH COMPLAINTS ARE NOT AS RELIABLE AS THOSE FROM INDIVIDUALS WILLING TO IDENTIFY THEMSELVES, THE INVESTIGATION OF ANONYMOUS COMPLAINTS WILL HAVE LOWER PRIORITY THAN OTHER COMPLAINTS."</b>                                                                                                                     |               |
| COMPLAINANT INFORMATION                                                                                                                                                                                                                                                                                                                                                                                                   |               |
| Last Name:                                                                                                                                                                                                                                                                                                                                                                                                                | First Name:   |
| Thompson                                                                                                                                                                                                                                                                                                                                                                                                                  | Julie         |
| Middle initial:                                                                                                                                                                                                                                                                                                                                                                                                           |               |
| Title (if agency):                                                                                                                                                                                                                                                                                                                                                                                                        | Jurisdiction: |
| Address:                                                                                                                                                                                                                                                                                                                                                                                                                  |               |
| 5950 NW Greenvally Rd Pineville OR 97754                                                                                                                                                                                                                                                                                                                                                                                  |               |
| City:                                                                                                                                                                                                                                                                                                                                                                                                                     | State:        |
|                                                                                                                                                                                                                                                                                                                                                                                                                           | ZIP:          |
| Phone:                                                                                                                                                                                                                                                                                                                                                                                                                    | 541-419-0950  |
| Signature:                                                                                                                                                                                                                                                                                                                                                                                                                | Date Signed:  |
| Julie Thompson                                                                                                                                                                                                                                                                                                                                                                                                            | 1/29/2025     |
| If you DO NOT live in Crook County, you must list the address or Tax Map # of your Real Property located within Crook County.                                                                                                                                                                                                                                                                                             |               |

|                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                  |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                                                                                                                                                                                 | <h2 style="text-align: center; margin: 0;">Preliminary Compliance Report</h2> <p style="margin: 0;">Crook County Building Department<br/>300 NE 3rd Street - Rm 12, Prineville, OR 97754<br/>(541) 447-3211 Fax (541) 416-2139<br/><a href="http://www.co.crook.or.us">www.co.crook.or.us</a></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <p style="font-size: small; margin: 0;">FOR OFFICE USE ONLY</p> <h1 style="margin: 0;">Crook County</h1> <h2 style="margin: 0;">JAN 29 2025</h2> |
| <p>CASEFILE #</p>                                                                                                                                                                                                                                                                                                                                                | <h3>Community Development</h3>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                  |
| <p><b>This report is to be used to provide information about possible violations of the Crook County Code. In order for your report to be accepted, you must fill in all questions completely and to the best of your knowledge. It is important that you supply as much detail as possible. Please be sure to print legibly throughout the entire form.</b></p> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                  |
| <b>ALLEGED VIOLATOR /PROPERTY /OWNER INFORMATION</b>                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                  |
| <p><i>If property does not have a legal address, you must submit a detailed map and directions to the site in order for this report to be accepted.</i></p>                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                  |
| <p>Property Owner Name:<br/>Clay Woodward</p>                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                  |
| <p>Is this a rental property? <input type="checkbox"/> Yes <input type="checkbox"/> No      If yes, please list renter's name (if you know):<br/>It is leased by Knife River Corporation - Northwest.</p>                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                  |
| <p>Address of Violation:<br/>Knife River's Woodward Pit at 4755 NW Stahancyk Lane., Prineville, OR 97754</p>                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                  |
| <p>Tax Map #:      Subdivision:      Lot:<br/>Township 14 South, Range 15 East, Section 14      Tax Lot 702</p>                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                  |
| <p>Directions to the site: Knife River's Woodward Pit: North on Lamonta Road, West on Stahancyk Lane., Prineville, OR 97754</p>                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                  |
| <b>ALLEGED VIOLATOR</b>                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                  |
| <p>Last Name:      First Name:      Middle Name:<br/>Knife River Corporation - Northwest</p>                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                  |
| <p>Address:<br/>82260 Old Highway 34</p>                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                  |
| <p>City:      State:      ZIP:      Phone:<br/>Tangent, OR 97389      541-918-5100</p>                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                  |
| <b>DESCRIPTION OF ALLEGED VIOLATION</b>                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                  |
| <b>Code</b>                                                                                                                                                                                                                                                                                                                                                      | <b>Type</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                  |
| <i>(check all that apply)</i>                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                  |
| <p><b>Crook County Code<br/>Title 15<br/>Chapter 15.04</b></p>                                                                                                                                                                                                                                                                                                   | <div style="display: flex; flex-wrap: wrap;"> <div style="width: 50%;"><input type="checkbox"/> No Permit</div> <div style="width: 50%;"><input type="checkbox"/> New Construction</div> <div style="width: 50%;"><input type="checkbox"/> Remodel</div> <div style="width: 50%;"><input type="checkbox"/> Roof failure</div> <div style="width: 50%;"><input type="checkbox"/> Building</div> <div style="width: 50%;"><input type="checkbox"/> Plumbing</div> <div style="width: 50%;"><input type="checkbox"/> Mechanical</div> <div style="width: 50%;"><input type="checkbox"/> Electrical</div> <div style="width: 50%;"><input type="checkbox"/> Fire, Life, Safety issues with Residence</div> <div style="width: 50%;"><input type="checkbox"/> Foundation failure</div> <div style="width: 50%;"><input type="checkbox"/> Discharge of sewage on top of ground</div> <div style="width: 50%;"><input type="checkbox"/> Faulty electrical wiring</div> </div> |                                                                                                                                                  |
| <p><b>Crook County Code<br/>Title 08<br/>Chapter 8.08</b></p>                                                                                                                                                                                                                                                                                                    | <div style="display: flex; flex-wrap: wrap;"> <div style="width: 50%;"><input type="checkbox"/> Accumulation of useless or discarded materials</div> <div style="width: 50%;"><input type="checkbox"/> Unlicensed, in-operable, wrecked, dismantled or partially dismantled vehicles stored on property</div> <div style="width: 50%;"><input type="checkbox"/> Discharge of sewage on top of ground</div> </div>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                  |
| <p><b>Crook County Code<br/>Title 18</b></p>                                                                                                                                                                                                                                                                                                                     | <div style="display: flex; flex-wrap: wrap;"> <div style="width: 50%;"><input type="checkbox"/> Person or persons residing in RV</div> <div style="width: 50%;"><input type="checkbox"/> Failure to remove Medical Hardship or Temporary Use Residence</div> <div style="width: 50%;"><input type="checkbox"/> Operating a Business in Residential Zone without Conditional Use Permit</div> <div style="width: 50%;"><input type="checkbox"/> Residence on property without planning approval.</div> <div style="width: 50%;"><input checked="" type="checkbox"/> Violation of Conditional Use Permit</div> <div style="width: 50%;"><input type="checkbox"/> Two (2) or more dwellings on property.</div> </div>                                                                                                                                                                                                                                                     |                                                                                                                                                  |
| <p><b>Other</b></p>                                                                                                                                                                                                                                                                                                                                              | <p>Enter authority by statute or rule number and description of violation.</p> <div style="display: flex; flex-wrap: wrap;"> <div style="width: 50%;"><input type="checkbox"/> _____</div> <div style="width: 50%;"><input type="checkbox"/> _____</div> <div style="width: 50%;"><input type="checkbox"/> _____</div> <div style="width: 50%;"><input type="checkbox"/> _____</div> </div>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                  |





Crook County

JAN 29 2025

Community Development

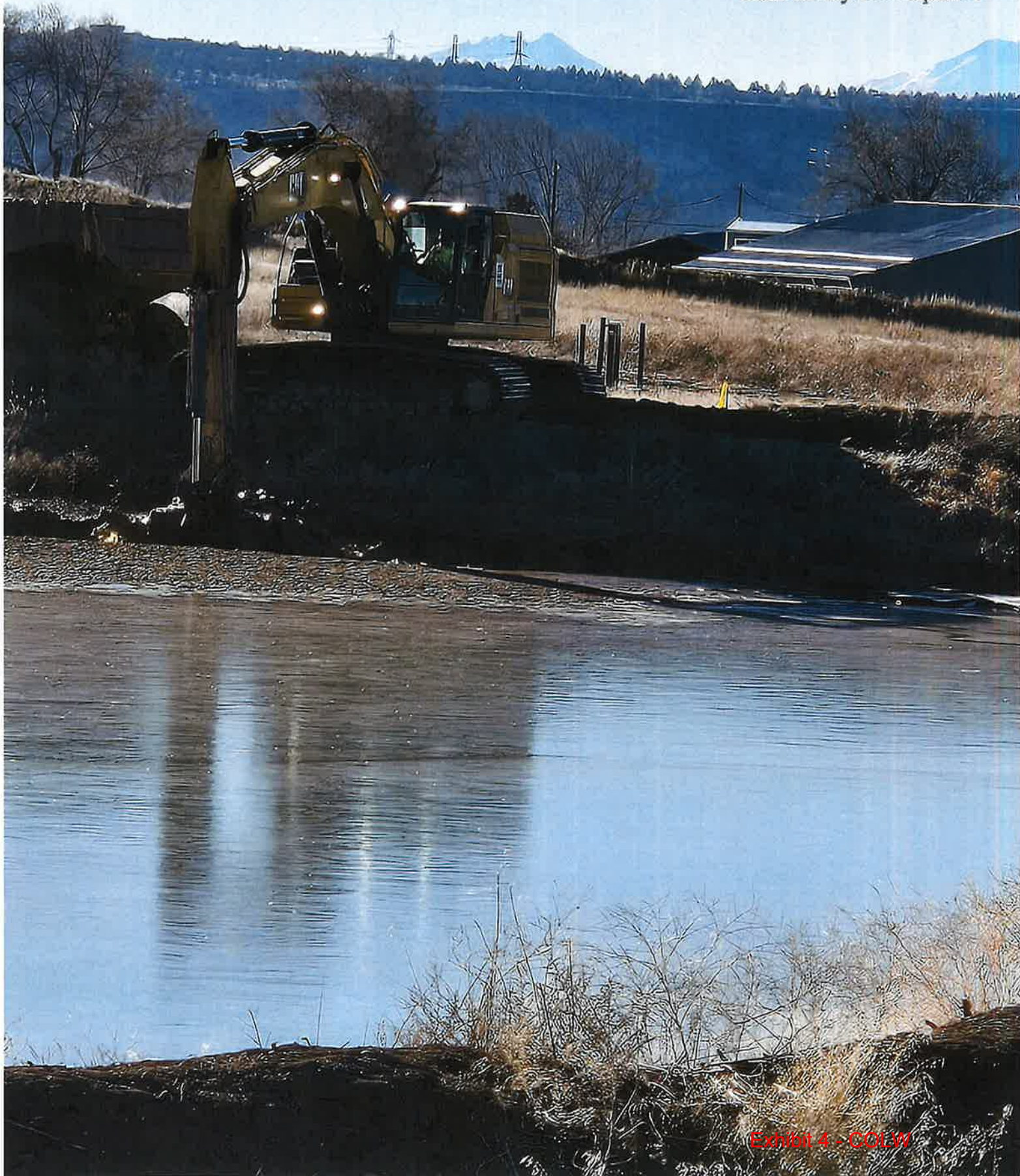


Exhibit 4 - COLW



Crook County

JAN 29 2025

Community Development



Exhibit 4 - COLW



Crook County

JAN 29 2025

Community Development



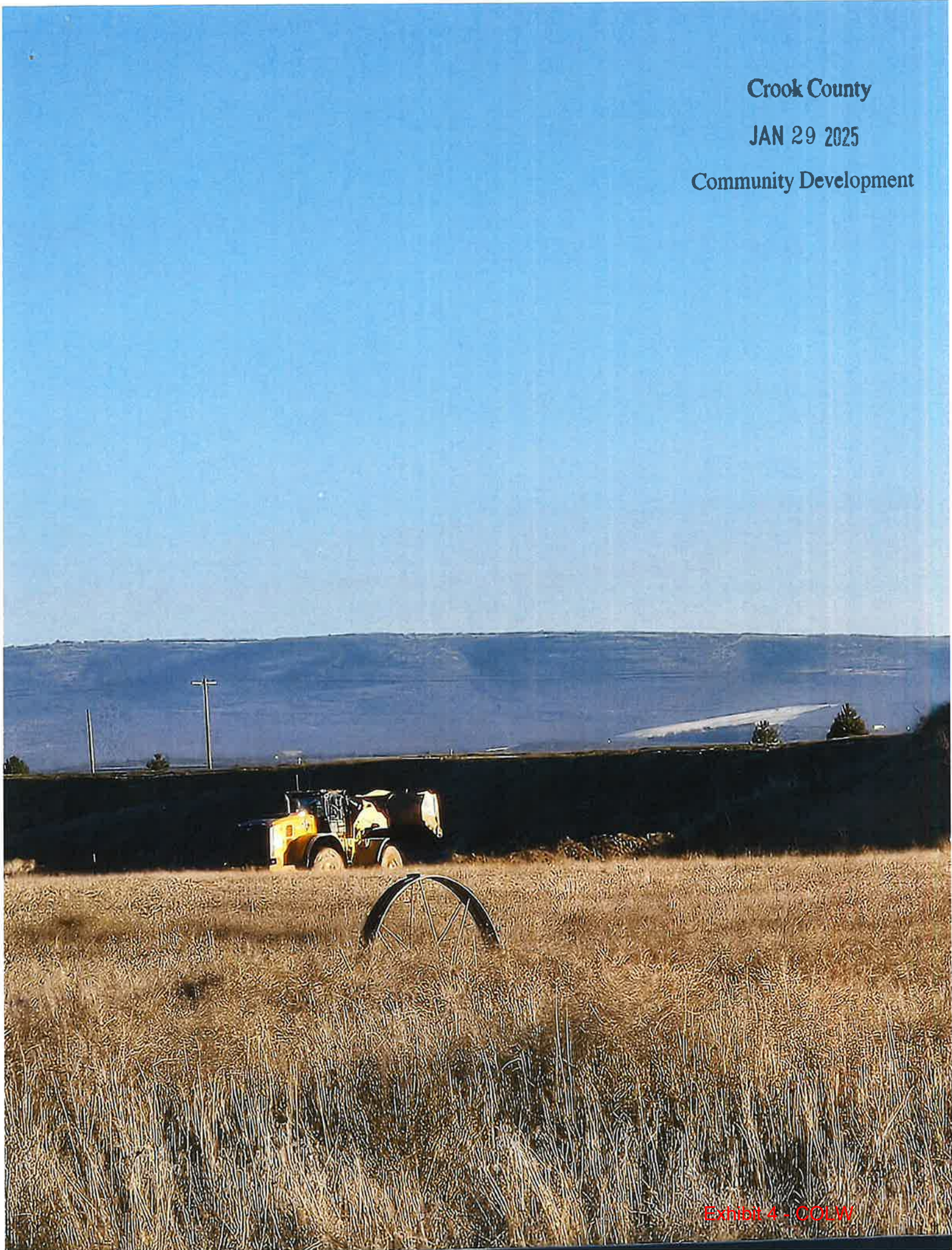
Exhibit 4 - COLW



**Crook County**

**JAN 29 2025**

**Community Development**



**Exhibit 4 - COLW**