



Oregon

Kate Brown, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone (503) 986-0900

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www.wrd.state.or.us

November 6, 2015

Golden Rule Farms, Inc.
PO Box 255
Christmas Valley, OR 97641

Re: Split a Permit Application T-12174

Enclosed please find the draft Proposed Final Order proposing approval of the application to Split a Permit and Request for Issuance of Replacement Permits. Also enclosed are copies of the draft replacement permits.

Subsequent to the mailing of this draft Proposed Order, notice of the application will be published in the Department's weekly notice on November 10, 2015. Anyone can comment to the application within 30 days of the date of publication.

Please do not hesitate to contact me at 503-986-0881 or teri.k.hranac@wrd.state.or.us, if you should have any questions or concerns.

Sincerely,

Teri Hranac

Transfer and Conservation Section

Enclosures

cc w/enc.: John A. Short, Water Right Services, LLC, PO Box 1830, Bend, OR 97709
Carpenter Ranch, LLC, 1930 Lewis Street SE, Salem, OR 97302 (w/cc of application and original permit)
J.R. Johnson, District #10 Watermaster



**BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON**

In the Matter of Permit G-13767, Harney
County

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DRAFT

PROPOSED FINAL ORDER
APPROVING ASSIGNMENT OF
WATER RIGHT PERMIT AND
ISSUANCE OF REPLACEMENT
WATER RIGHT PERMITS

Authority

ORS 537.225 establishes the process in which a water right permit holder may submit a request for full or partial assignment of a water right permit and issuance of replacement permits. OAR chapter 690, Division 325 establishes the requirements and procedures to be used by the Department to evaluate an application by a landowner of record holding a water right permit for irrigation, nursery, temperature control, stock watering or agricultural water use, to assign all or part of the water right permit and to issue a replacement permit to reflect an assignment from the current permit holder to one or more additional permit holders.

Applicant:

Golden Rule Farms, Inc.
PO Box 255
Christmas Valley, OR 97641

Findings of Fact

Background

1. On October 5, 2015, GOLDEN RULE FARMS, INC. filed an application for partial assignment of Water Right Permit G-13767 and requested issuance of replacement permits. The Department assigned the application number T-12174.
2. On December 26, 2014, the Department approved an extension of time for complete application of water to October 30, 2019.
3. The Applicant identified the following landowner within the authorized place of use, who is not participating in the request for assignment:

Carpenter Ranch, LLC, 1930 Lewis Street, SE, Salem, OR 97302

4. The Permit to be modified and assigned is as follows:

Permit: G-13767, in the name of Carpenter Ranch, LLC (as modified by transfer application T-8477 adding 3 additional points of appropriation)

Use: IRRIGATION of 577.4 ACRES and AGRICULTURAL USE (DAIRY OPERATIONS)

Priority Date: FEBRUARY 8, 1999

Quantity: 7.49 CUBIC FEET PER SECOND, BEING 7.22 CFS FOR IRRIGATION AND 0.27 CFS FOR AGRICULTURAL USE (DAIRY OPERATIONS)

Rate/Duty: The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

Period of Use: MARCH 1 THROUGH OCTOBER 31

Source: 13 WELLS in MALHEUR LAKE BASIN

Authorized Points of Appropriation:

| Twp | Rng | Mer | Sec | Q-Q | Measured Distances |
|------|------|-----|-----|-------|--|
| 25 S | 31 E | WM | 27 | NW SW | WELL 5: 1360 FEET NORTH AND 1260 FEET EAST FROM SW CORNER, SECTION 27 |
| 25 S | 31 E | WM | 28 | NE SE | WELL 3: 1380 FEET NORTH AND 150 FEET WEST FROM SW CORNER, SECTION 27 |
| 25 S | 31 E | WM | 28 | NE SE | WELL 4: 1375 FEET NORTH AND 30 FEET WEST FROM SW CORNER, SECTION 27 |
| 25 S | 31 E | WM | 28 | NW SE | WELL 1: 1340 FEET NORTH AND 1620 FEET WEST FROM SW CORNER, SECTION 27 |
| 25 S | 31 E | WM | 28 | NW SE | WELL 2: 1340 FEET NORTH AND 1340 FEET WEST FROM SW CORNER, SECTION 27 |
| 25 S | 31 E | WM | 29 | SE SE | WELL 9: 960 FEET NORTH AND 1270 FEET WEST FROM NE CORNER, SECTION 32 |
| 25 S | 31 E | WM | 32 | NE NE | WELL 6: 40 FEET SOUTH AND 1055 FEET WEST FROM NE CORNER, SECTION 32 |
| 25 S | 31 E | WM | 32 | NE NE | WELL 7: 40 FEET SOUTH AND 1200 FEET WEST FROM NE CORNER, SECTION 32 |
| 25 S | 31 E | WM | 32 | NE NE | WELL 14: 500 FEET SOUTH AND 20 FEET WEST FROM NE CORNER, SECTION 32 |
| 25 S | 31 E | WM | 32 | SW NE | WELL 13: 2630 FEET SOUTH AND 1340 FEET WEST FROM NE CORNER, SECTION 32 |
| 25 S | 31 E | WM | 33 | NE NW | WELL 20: 1320 FEET SOUTH AND 2640 FEET EAST FROM NW CORNER, SECTION 33 |
| 25 S | 31 E | WM | 33 | NW NW | WELL 18: 770 FEET SOUTH AND 1320 FEET EAST FROM NW CORNER, SECTION 33 |
| 25 S | 31 E | WM | 34 | SW NW | WELL 19: 1895 FEET SOUTH AND 860 FEET EAST FROM NW CORNER, SECTION 34 |

Authorized Place of Use:

| AGRICULTURE USES | | | | |
|------------------|------|-----|-----|-------|
| Twp | Rng | Mer | Sec | Q-Q |
| 25 S | 31 E | WM | 28 | NW SW |
| 25 S | 31 E | WM | 29 | NE SE |
| 25 S | 31 E | WM | 29 | SE SE |

| IRRIGATION | | | | | |
|------------|------|-----|-----|-------|-------|
| Twp | Rng | Mer | Sec | Q-Q | Acres |
| 25 S | 31 E | WM | 27 | NE SW | 40.0 |
| 25 S | 31 E | WM | 27 | NW SW | 40.0 |
| 25 S | 31 E | WM | 27 | NE SE | 24.6 |
| 25 S | 31 E | WM | 27 | NW SE | 29.0 |
| 25 S | 31 E | WM | 27 | SW SE | 29.0 |
| 25 S | 31 E | WM | 27 | SE SE | 24.6 |
| 25 S | 31 E | WM | 28 | NE SE | 31.4 |
| 25 S | 31 E | WM | 29 | SE SW | 33.0 |
| 25 S | 31 E | WM | 29 | SW SE | 8.0 |
| 25 S | 31 E | WM | 32 | NE NE | 37.0 |
| 25 S | 31 E | WM | 32 | NW NE | 38.8 |
| 25 S | 31 E | WM | 32 | SW NE | 31.4 |
| 25 S | 31 E | WM | 32 | SE NE | 31.4 |
| 25 S | 31 E | WM | 32 | NE SE | 31.4 |
| 25 S | 31 E | WM | 32 | NW SE | 31.4 |
| 25 S | 31 E | WM | 34 | NE NE | 27.9 |
| 25 S | 31 E | WM | 34 | NW NE | 30.3 |
| 25 S | 31 E | WM | 34 | SW NE | 30.3 |
| 25 S | 31 E | WM | 34 | SE NE | 27.9 |
| TOTAL | | | | | 577.4 |

5. The Applicants request Permit G-13767 be split and replacement permits be issued as follows:

Permit A: Golden Rule Farms, Inc.
Use: IRRIGATION OF 335.0 ACRES
Priority Date: FEBRUARY 8, 1999
Quantity: 4.19 CUBIC FEET PER SECOND
Rate/Duty: The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 3.0 acre-feet for each acre irrigated during the irrigation of each year.
Period of Use: MARCH 1 THROUGH OCTOBER 31
Source: 13 WELLS in MALHEUR LAKE BASIN
Authorized Points of Appropriation:

| Twp | Rng | Mer | Sec | Q-Q | Measured Distances |
|------|------|-----|-----|-------|---|
| 25 S | 31 E | WM | 27 | NW SW | WELL 5: 1360 FEET NORTH AND 1260 FEET EAST FROM SW CORNER, SECTION 27 |
| 25 S | 31 E | WM | 28 | NE SE | WELL 3: 1380 FEET NORTH AND 150 FEET WEST FROM SW CORNER, SECTION 27 |

| Twp | Rng | Mer | Sec | Q-Q | Measured Distances |
|------|------|-----|-----|-------|--|
| 25 S | 31 E | WM | 28 | NE SE | WELL 4: 1375 FEET NORTH AND 30 FEET WEST FROM SW CORNER, SECTION 27 |
| 25 S | 31 E | WM | 28 | NW SE | WELL 1: 1340 FEET NORTH AND 1620 FEET WEST FROM SW CORNER, SECTION 27 |
| 25 S | 31 E | WM | 28 | NW SE | WELL 2: 1340 FEET NORTH AND 1340 FEET WEST FROM SW CORNER, SECTION 27 |
| 25 S | 31 E | WM | 29 | SE SE | WELL 9: 960 FEET NORTH AND 1270 FEET WEST FROM NE CORNER, SECTION 32 |
| 25 S | 31 E | WM | 32 | NE NE | WELL 6: 40 FEET SOUTH AND 1055 FEET WEST FROM NE CORNER, SECTION 32 |
| 25 S | 31 E | WM | 32 | NE NE | WELL 7: 40 FEET SOUTH AND 1200 FEET WEST FROM NE CORNER, SECTION 32 |
| 25 S | 31 E | WM | 32 | NE NE | WELL 14: 500 FEET SOUTH AND 20 FEET WEST FROM NE CORNER, SECTION 32 |
| 25 S | 31 E | WM | 32 | SW NE | WELL 13: 2630 FEET SOUTH AND 1340 FEET WEST FROM NE CORNER, SECTION 32 |
| 25 S | 31 E | WM | 33 | NE NW | WELL 20: 1320 FEET SOUTH AND 2640 FEET EAST FROM NW CORNER, SECTION 33 |
| 25 S | 31 E | WM | 33 | NW NW | WELL 18: 770 FEET SOUTH AND 1320 FEET EAST FROM NW CORNER, SECTION 33 |
| 25 S | 31 E | WM | 34 | SW NW | WELL 19: 1895 FEET SOUTH AND 860 FEET EAST FROM NW CORNER, SECTION 34 |

Authorized Place of Use:

| IRRIGATION | | | | | |
|------------|------|-----|-----|-------|-------|
| Twp | Rng | Mer | Sec | Q-Q | Acres |
| 25 S | 31 E | WM | 27 | NE SW | 40.0 |
| 25 S | 31 E | WM | 27 | NW SW | 40.0 |
| 25 S | 31 E | WM | 27 | NE SE | 24.6 |
| 25 S | 31 E | WM | 27 | NW SE | 29.0 |
| 25 S | 31 E | WM | 27 | SW SE | 29.0 |
| 25 S | 31 E | WM | 27 | SE SE | 24.6 |
| 25 S | 31 E | WM | 28 | NE SE | 31.4 |
| 25 S | 31 E | WM | 34 | NE NE | 27.9 |
| 25 S | 31 E | WM | 34 | NW NE | 30.3 |
| 25 S | 31 E | WM | 34 | SW NE | 30.3 |
| 25 S | 31 E | WM | 34 | SE NE | 27.9 |
| TOTAL | | | | | 335.0 |

Permit B: Carpenter Ranch, LLC

Use: IRRIGATION OF 242.4 ACRES and AGRICULTURAL USE (DAIRY OPERATIONS)

Priority Date: FEBRUARY 8, 1999

Quantity: 3.30 CUBIC FEET PER SECOND, BEING 3.03 CFS FOR IRRIGATION AND 0.27 CFS FOR AGRICULTURAL USE (DAIRY OPERATIONS)

Rate/Duty: The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 3.0 acre-feet for each acre irrigated during the irrigation of each year.

Period of Use: MARCH 1 THROUGH OCTOBER 31
Source: 13 WELLS in MALHEUR LAKE BASIN
Authorized Points of Appropriation:

| Twp | Rng | Mer | Sec | Q-Q | Measured Distances |
|------|------|-----|-----|-------|--|
| 25 S | 31 E | WM | 27 | NW SW | WELL 5: 1360 FEET NORTH AND 1260 FEET EAST FROM SW CORNER, SECTION 27 |
| 25 S | 31 E | WM | 28 | NE SE | WELL 3: 1380 FEET NORTH AND 150 FEET WEST FROM SW CORNER, SECTION 27 |
| 25 S | 31 E | WM | 28 | NE SE | WELL 4: 1375 FEET NORTH AND 30 FEET WEST FROM SW CORNER, SECTION 27 |
| 25 S | 31 E | WM | 28 | NW SE | WELL 1: 1340 FEET NORTH AND 1620 FEET WEST FROM SW CORNER, SECTION 27 |
| 25 S | 31 E | WM | 28 | NW SE | WELL 2: 1340 FEET NORTH AND 1340 FEET WEST FROM SW CORNER, SECTION 27 |
| 25 S | 31 E | WM | 29 | SE SE | WELL 9: 960 FEET NORTH AND 1270 FEET WEST FROM NE CORNER, SECTION 32 |
| 25 S | 31 E | WM | 32 | NE NE | WELL 6: 40 FEET SOUTH AND 1055 FEET WEST FROM NE CORNER, SECTION 32 |
| 25 S | 31 E | WM | 32 | NE NE | WELL 7: 40 FEET SOUTH AND 1200 FEET WEST FROM NE CORNER, SECTION 32 |
| 25 S | 31 E | WM | 32 | NE NE | WELL 14: 500 FEET SOUTH AND 20 FEET WEST FROM NE CORNER, SECTION 32 |
| 25 S | 31 E | WM | 32 | SW NE | WELL 13: 2630 FEET SOUTH AND 1340 FEET WEST FROM NE CORNER, SECTION 32 |
| 25 S | 31 E | WM | 33 | NE NW | WELL 20: 1320 FEET SOUTH AND 2640 FEET EAST FROM NW CORNER, SECTION 33 |
| 25 S | 31 E | WM | 33 | NW NW | WELL 18: 770 FEET SOUTH AND 1320 FEET EAST FROM NW CORNER, SECTION 33 |
| 25 S | 31 E | WM | 34 | SW NW | WELL 19: 1895 FEET SOUTH AND 860 FEET EAST FROM NW CORNER, SECTION 34 |

Authorized Place of Use:

| AGRICULTURE USES | | | | |
|------------------|------|-----|-----|-------|
| Twp | Rng | Mer | Sec | Q-Q |
| 25 S | 31 E | WM | 28 | NW SW |
| 25 S | 31 E | WM | 29 | NE SE |
| 25 S | 31 E | WM | 29 | SE SE |

| IRRIGATION | | | | | |
|------------|------|-----|-----|-------|-------|
| Twp | Rng | Mer | Sec | Q-Q | Acres |
| 25 S | 31 E | WM | 29 | SE SW | 33.0 |
| 25 S | 31 E | WM | 29 | SW SE | 8.0 |
| 25 S | 31 E | WM | 32 | NE NE | 37.0 |
| 25 S | 31 E | WM | 32 | NW NE | 38.8 |
| 25 S | 31 E | WM | 32 | SW NE | 31.4 |
| 25 S | 31 E | WM | 32 | SE NE | 31.4 |
| 25 S | 31 E | WM | 32 | NE SE | 31.4 |
| 25 S | 31 E | WM | 32 | NW SE | 31.4 |
| TOTAL | | | | | 242.4 |

6. The Department provided copies of the draft Proposed Final Order, draft replacement permits, the application, map, and existing water right permit to each owner of land upon which the water right permit is appurtenant.

Permit Amendment Review Criteria

7. The Department has verified the mailing address of each owner of the authorized place of use, other than the applicant, as follows:

| Name and Address | Use | Acres | Proportionate Rate | Twp. | Rng. | Sec. | Q-Q | Tax Lot |
|--|-----|--------------|--------------------|------|------|------|-------|---------|
| Carpenter Ranch, LLC 1930 Lewis Street, SE Salem, OR 97302 | AG | | .09 | 25 S | 31 E | 28 | NW SW | 6000 |
| Carpenter Ranch, LLC 1930 Lewis Street, SE Salem, OR 97302 | AG | | .09 | 25 S | 31 E | 29 | NE SE | 6000 |
| Carpenter Ranch, LLC 1930 Lewis Street, SE Salem, OR 97302 | AG | | .09 | 25 S | 31 E | 29 | SE SE | 6000 |
| Carpenter Ranch, LLC 1930 Lewis Street, SE Salem, OR 97302 | IR | 33.0 | 0.4125 | 25 S | 31 E | 29 | SE SW | 6200 |
| Carpenter Ranch, LLC 1930 Lewis Street, SE Salem, OR 97302 | IR | 8.0 | 0.1000 | 25 S | 31 E | 29 | SW SE | 6200 |
| Carpenter Ranch, LLC 1930 Lewis Street, SE Salem, OR 97302 | IR | 37.0 | 0.4625 | 25 S | 31 E | 32 | NE NE | 6000 |
| Carpenter Ranch, LLC 1930 Lewis Street, SE Salem, OR 97302 | IR | 38.8 | 0.4850 | 25 S | 31 E | 32 | NW NE | 6000 |
| Carpenter Ranch, LLC 1930 Lewis Street, SE Salem, OR 97302 | IR | 31.4 | 0.3925 | 25 S | 31 E | 32 | SW NE | 300 |
| Carpenter Ranch, LLC 1930 Lewis Street, SE Salem, OR 97302 | IR | 31.4 | 0.3925 | 25 S | 31 E | 32 | SE NE | 300 |
| Carpenter Ranch, LLC 1930 Lewis Street, SE Salem, OR 97302 | IR | 31.4 | 0.3925 | 25 S | 31 E | 32 | NW SE | 300 |
| Carpenter Ranch, LLC 1930 Lewis Street, SE Salem, OR 97302 | IR | 31.4 | 0.3925 | 25 S | 31 E | 32 | NE SE | 300 |
| Totals | | 242.4 | 3.3000 | | | | | |

OAR 690-32-0070(1)(a).

8. The deed supplied with the application, matches the property proposed for assignment.
OAR 690-325-0070(1)(b).

9. The applicant affirmed the most recent water use under the permit has been exercised within the relevant terms and conditions of the water right permit. OAR 690-325-0070(1)(c).
10. The assignment and issuance of replacement permits, as outlined in Finding of Fact #6 above, would not result in injury to other water right holders. OAR 690-325-0070(1)(d).
11. The assignment and issuance of replacement permits, as outlined in Finding of Fact #6 above, would not result in enlargement of the permit. OAR 690-325-0070(1)(d).
12. The assignment and issuance of replacement permits does not alter any other terms of Permit # G-13767.

Conclusions of Law

The assignment and issuance of replacement permits proposed by Application T-12174 are consistent with the requirements of ORS 537.225 and OAR Chapter 690, Division 325. If no protests are filed, an Order will be issued which will include the following:

Now, therefore, it is ORDERED:

1. *The assignment and issuance of replacement permits proposed by Application T-12174 are approved.*
2. *Permit G-13767, name of Carpenter Ranch LLC, is cancelled. Permit G-XXXXX, in the name of Golden Rule Farm, LLC, and Permit G-XXXXX in the name of Carpenter Ranch, LLC, are issued to supersede Permit G-13767.*
3. *All other terms and conditions under Permit G-13767 are incorporated into Permits G-XXXXX and G-XXXXX (new permits).*

Dated at Salem, Oregon this _____ day of _____, 2015.

DRAFT

Dwight French, Water Right Services Administrator, for
THOMAS M. BYLER, DIRECTOR

Mailing Date: _____

STATE OF OREGON

COUNTY OF HARNEY

DRAFT PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS **DRAFT PERMIT** IS HEREBY ISSUED TO

CARPENTER RANCH, LLC
JIM HALL
1930 LEWIS STREET SE
SALEM, OREGON 97302

This superseding permit is issued to describe an amendment for additional points of diversion under Permit Amendment Application T-8477, and approved by Special Order Volume 54, Page 810, entered on October 26, 2000, to describe an extension of time for complete application of water approved December 26, 2014, and an assignment of a portion of Permit G-13767 approved January ____, 2016. This permit, together with Permit XXXXX, supersedes Permit G-13767.

The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-14923

SOURCE OF WATER: 13 WELLS IN MALHEUR LAKE BASIN

PURPOSE OR USE: IRRIGATION OF 242.4 ACRES AND AGRICULTURAL USE (DAIRY OPERATIONS)

MAXIMUM RATE: 3.30 CUBIC FEET PER SECOND, BEING 3.03 CFS FOR IRRIGATION AND 0.27 CFS FOR AGRICULTURAL USE (DAIRY OPERATIONS)

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: FEBRUARY 8, 1999

POINT OF DIVERSION LOCATIONS:

| Twp | Rng | Mer | Sec | Q-Q | Measured Distances |
|------|------|-----|-----|-------|---|
| 25 S | 31 E | WM | 27 | NW SW | WELL 5: 1360 FEET NORTH AND 1260 FEET EAST FROM SW CORNER, SECTION 27 |
| 25 S | 31 E | WM | 28 | NE SE | WELL 3: 1380 FEET NORTH AND 150 FEET WEST FROM SW CORNER, SECTION 27 |
| 25 S | 31 E | WM | 28 | NE SE | WELL 4: 1375 FEET NORTH AND 30 FEET WEST FROM SW CORNER, SECTION 27 |
| 25 S | 31 E | WM | 28 | NW SE | WELL 1: 1340 FEET NORTH AND 1620 FEET WEST FROM SW CORNER, SECTION 27 |

| Twp | Rng | Mer | Sec | Q-Q | Measured Distances |
|------|------|-----|-----|-------|--|
| 25 S | 31 E | WM | 28 | NW SE | WELL 2: 1340 FEET NORTH AND 1340 FEET WEST FROM SW CORNER, SECTION 27 |
| 25 S | 31 E | WM | 29 | SE SE | WELL 9: 960 FEET NORTH AND 1270 FEET WEST FROM NE CORNER, SECTION 32 |
| 25 S | 31 E | WM | 32 | NE NE | WELL 6: 40 FEET SOUTH AND 1055 FEET WEST FROM NE CORNER, SECTION 32 |
| 25 S | 31 E | WM | 32 | NE NE | WELL 7: 40 FEET SOUTH AND 1200 FEET WEST FROM NE CORNER, SECTION 32 |
| 25 S | 31 E | WM | 32 | NE NE | WELL 14: 500 FEET SOUTH AND 20 FEET WEST FROM NE CORNER, SECTION 32 |
| 25 S | 31 E | WM | 32 | SW NE | WELL 13: 2630 FEET SOUTH AND 1340 FEET WEST FROM NE CORNER, SECTION 32 |
| 25 S | 31 E | WM | 33 | NE NW | WELL 20: 1320 FEET SOUTH AND 2640 FEET EAST FROM NW CORNER, SECTION 33 |
| 25 S | 31 E | WM | 33 | NW NW | WELL 18: 770 FEET SOUTH AND 1320 FEET EAST FROM NW CORNER, SECTION 33 |
| 25 S | 31 E | WM | 34 | SW NW | WELL 19: 1895 FEET SOUTH AND 860 FEET EAST FROM NW CORNER, SECTION 34 |

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

| AGRICULTURE USES | | | | |
|------------------|------|-----|-----|-------|
| Twp | Rng | Mer | Sec | Q-Q |
| 25 S | 31 E | WM | 28 | NW SW |
| 25 S | 31 E | WM | 29 | NE SE |
| 25 S | 31 E | WM | 29 | SE SE |

| IRRIGATION | | | | | |
|------------|------|-----|-----|-------|-------|
| Twp | Rng | Mer | Sec | Q-Q | Acres |
| 25 S | 31 E | WM | 29 | SE SW | 33.0 |
| 25 S | 31 E | WM | 29 | SW SE | 8.0 |
| 25 S | 31 E | WM | 32 | NE NE | 37.0 |
| 25 S | 31 E | WM | 32 | NW NE | 38.8 |
| 25 S | 31 E | WM | 32 | SW NE | 31.4 |
| 25 S | 31 E | WM | 32 | SE NE | 31.4 |
| 25 S | 31 E | WM | 32 | NE SE | 31.4 |
| 25 S | 31 E | WM | 32 | NW SE | 31.4 |
| TOTAL | | | | | 242.4 |

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.
- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this permit, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences.

STANDARD CONDITIONS

The wells shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the well at all times.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the department's standards, to the Water Resources Department. The Director may require water level or pump test results every ten years thereafter.

Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit.

This permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use of water shall be limited when it interferes with any prior surface or ground water rights.

The Director finds that the proposed use(s) of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

Actual construction of the well shall begin by September 30, 2000. Complete application of the water to the use shall be made on or before **October 30, 2019**. Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

Issued January ____, 2016.

DRAFT - THIS IS NOT A PERMIT

Dwight French, Water Right Services Administrator, for
THOMAS M. BYLER, DIRECTOR
WATER RESOURCES DEPARTMENT

STATE OF OREGON

COUNTY OF HARNEY

DRAFT PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS DRAFT PERMIT IS HEREBY ISSUED TO

GOLDEN RULE FARMS, INC.
PO BOX 255
CHRISTMAS VALLEY, OR 97641

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The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-14923

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PURPOSE OR USE: IRRIGATION OF 335.0 ACRES

MAXIMUM RATE: 4.19 CUBIC FEET PER SECOND

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: FEBRUARY 8, 1999

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| 25 S | 31 E | WM | 28 | NE SE | WELL 3: 1380 FEET NORTH AND 150 FEET WEST FROM SW CORNER, SECTION 27 |
| 25 S | 31 E | WM | 28 | NE SE | WELL 4: 1375 FEET NORTH AND 30 FEET WEST FROM SW CORNER, SECTION 27 |
| 25 S | 31 E | WM | 28 | NW SE | WELL 1: 1340 FEET NORTH AND 1620 FEET WEST FROM SW CORNER, SECTION 27 |
| 25 S | 31 E | WM | 28 | NW SE | WELL 2: 1340 FEET NORTH AND 1340 FEET WEST FROM SW CORNER, SECTION 27 |
| 25 S | 31 E | WM | 29 | SE SE | WELL 9: 960 FEET NORTH AND 1270 FEET WEST FROM NE CORNER, SECTION 32 |

| Twp | Rng | Mer | Sec | Q-Q | Measured Distances |
|------|------|-----|-----|-------|--|
| 25 S | 31 E | WM | 32 | NE NE | WELL 6: 40 FEET SOUTH AND 1055 FEET WEST FROM NE CORNER, SECTION 32 |
| 25 S | 31 E | WM | 32 | NE NE | WELL 7: 40 FEET SOUTH AND 1200 FEET WEST FROM NE CORNER, SECTION 32 |
| 25 S | 31 E | WM | 32 | NE NE | WELL 14: 500 FEET SOUTH AND 20 FEET WEST FROM NE CORNER, SECTION 32 |
| 25 S | 31 E | WM | 32 | SW NE | WELL 13: 2630 FEET SOUTH AND 1340 FEET WEST FROM NE CORNER, SECTION 32 |
| 25 S | 31 E | WM | 33 | NE NW | WELL 20: 1320 FEET SOUTH AND 2640 FEET EAST FROM NW CORNER, SECTION 33 |
| 25 S | 31 E | WM | 33 | NW NW | WELL 18: 770 FEET SOUTH AND 1320 FEET EAST FROM NW CORNER, SECTION 33 |
| 25 S | 31 E | WM | 34 | SW NW | WELL 19: 1895 FEET SOUTH AND 860 FEET EAST FROM NW CORNER, SECTION 34 |

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

| IRRIGATION | | | | | |
|------------|------|-----|-----|-------|-------|
| Twp | Rng | Mer | Sec | Q-Q | Acres |
| 25 S | 31 E | WM | 27 | NE SW | 40.0 |
| 25 S | 31 E | WM | 27 | NW SW | 40.0 |
| 25 S | 31 E | WM | 27 | NE SE | 24.6 |
| 25 S | 31 E | WM | 27 | NW SE | 29.0 |
| 25 S | 31 E | WM | 27 | SW SE | 29.0 |
| 25 S | 31 E | WM | 27 | SE SE | 24.6 |
| 25 S | 31 E | WM | 28 | NE SE | 31.4 |
| 25 S | 31 E | WM | 34 | NE NE | 27.9 |
| 25 S | 31 E | WM | 34 | NW NE | 30.3 |
| 25 S | 31 E | WM | 34 | SW NE | 30.3 |
| 25 S | 31 E | WM | 34 | SE NE | 27.9 |
| TOTAL | | | | | 335.0 |

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.

- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this permit, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences.

STANDARD CONDITIONS

The wells shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the well at all times.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the department's standards, to the Water Resources Department. The Director may require water level or pump test results every ten years thereafter.

Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit.

This permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use of water shall be limited when it interferes with any prior surface or ground water rights.

The Director finds that the proposed use(s) of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

Actual construction of the well shall begin by September 30, 2000. Complete application of the water to the use shall be made on or before **October 30, 2019**. Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

Issued January ____, 2016.

DRAFT - THIS IS NOT A PERMIT

Dwight French, Water Right Services Administrator, for
THOMAS M. BYLER, DIRECTOR
WATER RESOURCES DEPARTMENT