

Twp	Rng	Mer	Sec	Q-Q	Acres
26 S	34 E	WM	29	NW NE	20.8
Total:					82.0

20. Transfer Application T-12378 proposes additional points of appropriation, described as follows, with the approximate distance in feet from the existing point of appropriation (POA) as identified below:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate Distance from authorized POA
26 S	34 E	WM	19	SE SW	WEST WELL: 1320 FEET NORTH AND 1480 FEET EAST FROM THE SW CORNER OF SECTION 19	1.1
26 S	34 E	WM	19	SW NE	NORTH WELL: 1230 FEET NORTH AND 170 FEET WEST FROM THE NE CORNER OF THE NW SE OF SECTION 19	1.1
26 S	34 E	WM	19	NW SE	MIDDLE WELL: 70 FEET SOUTH AND 40 FEET WEST FROM THE NE CORNER OF THE NW SE OF SECTION 19	0.9

21. Transfer Application T-12378 also proposes to change the place of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Gov't Lot	Acres
26 S	34 E	WM	19	NE SW		31.8
26 S	34 E	WM	19	NW SW	3	3.5
26 S	34 E	WM	19	NW SE		2.7
26 S	34 E	WM	20	SE SW		15.9
26 S	34 E	WM	20	SW SE		18.4
26 S	34 E	WM	29	NW NE		9.7
Total:						82.0

Transfer Review Criteria (OAR 690-380-4010)

22. Water has been used within the last five years according to the terms and conditions of the rights. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
23. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights were present within the five-year period prior to submittal of Transfer Application T-12378.
24. The proposed change would not result in enlargement of the rights.
25. The proposed change would not result in injury to other water rights.
26. All other application requirements are met.

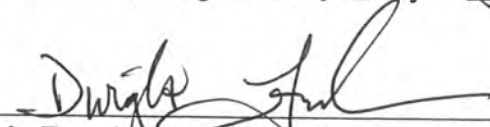
Determination and Proposed Action

The change in point of appropriation, additional points of appropriation and change in place of use proposed in Transfer Application T-12378 appear to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved.

If Transfer Application T-12378 is approved, the final order will include the following:

- 1. The change in point of appropriation, additional points of appropriation and change in place of use proposed in Transfer Application T-12378 are approved.*
- 2. The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificates 46775, 55569, 55570, 55571, and 85182, and any related decree.*
- 3. Water right Certificates 46775, 55569, 55570, 55571, and 85182 are cancelled.*
- 4. The quantity of water diverted at the new or additional points of appropriation, together with that diverted at the original points of appropriation, shall not exceed the quantity of water lawfully available at the original points of appropriation.*
- 5. Water use measurement conditions:*
 - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device at each point of appropriation (new and existing).*
 - b. The water user shall maintain the meters or measuring devices in good working order.*
 - c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.*
- 6. Water shall be acquired from the same aquifer (water source) as the original point of appropriation.*
- 7. The former place of use of the transferred right shall no longer receive water under the right.*
- 8. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2018**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.*
- 9. After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.*

Dated at Salem, Oregon this 30 day of December 2016.


Dwight French, Water Right Services Administrator, for
Thomas M. Bylet, Director
Oregon Water Resources Department

This Preliminary Determination was prepared by a Reimbursement Authority Contractor and reviewed by Department Staff. If you have questions about the information in this document, you may reach Joan Smith at 503 986-0892 or Joan.M.SMITH@oregon.gov .

Protests should be addressed to the attention of Water Rights Division, Water Resources Department, 725 Summer St. NE, Suite A, Salem, OR 97301-1266.

Notice Regarding Service Members: Active duty service members have a right to stay proceedings under the federal Service Members Civil Relief Act. 50 U.S.C. App. §§501-597b. You may contact the Oregon State Bar or the Oregon Military Department for more information. The toll-free telephone number for the Oregon State Bar is: 1 (800) 452-8260. The toll-free telephone number of the Oregon Military Department is: 1 (800) 452-7500. The Internet address for the United States Armed Forces Legal Assistance Legal Services Locator website is: <http://legalassistance.law.af.mil>

Land Use Information Form



Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem, Oregon 97301-1266
 (503) 986-0900
 www.wrd.state.or.us

Applicant(s): MARTIN THOMPSON

Mailing Address: 53743 HWY 78

City: BURNS State: OR Zip Code: 97720-9482 Daytime Phone: _____

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. Applicants for municipal use, or irrigation uses within irrigation districts may substitute existing and proposed service-area boundaries for the tax-lot information requested below.

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:	Proposed Land Use:
<u>26 S</u>	<u>33E</u>	_____	_____	<u>1900,2000</u> <u>2100,2200</u> <u>2300</u>	<u>EFRU-2</u>	<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	<u>FARMING</u>
"	<u>34E</u>	_____	_____	<u>400, 700,</u> <u>1900,</u>	<u>EFRU- 1</u>	<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	"
"	"	_____	_____	<u>2100,2200</u> <u>2300</u>	<u>EFRU-1</u>	<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	"

List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed:

HARNEY COUNTY

B. Description of Proposed Use

Type of application to be filed with the Water Resources Department:

- Permit to Use or Store Water
 Water Right Transfer
 Permit Amendment or Ground Water Registration Modification
 Limited Water Use License
 Allocation of Conserved Water
 Exchange of Water

Source of water: Reservoir/Pond
 Ground Water
 Surface Water (name) _____

Estimated quantity of water needed: 8,045 cubic feet per second
 gallons per minute
 acre-feet

Intended use of water: Irrigation
 Commercial
 Industrial
 Domestic for _____ household(s)
 Municipal
 Quasi-Municipal
 Instream
 Other _____

Briefly describe:

TRANSFERRING WATER TO MORE PRODUCTIVE GROUND

Note to applicant: If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt at the bottom of the next page and include it with the application filed with the Water Resources Department.

See bottom of Page 3. →

For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

Please check the appropriate box below and provide the requested information

- Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s):
- Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued

Local governments are invited to express special land-use concerns or make recommendations to the Water Resources Department regarding this proposed use of water below, or on a separate sheet.

Name: _____ Title: _____

Signature: _____ Phone: _____ Date: _____

Government Entity: _____

Note to local government representative: Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.

Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

Land Use Information Form



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

NOTE TO APPLICANTS

In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be used and developed. The planning official may choose to complete the form while you wait, or return the receipt stub to you. Applications received by WRD without the Land Use Form or the receipt stub will be returned to you. Please be aware that your application will not be approved without land use approval.

This form is NOT required if:

- 1) Water is to be diverted, conveyed, and/or used only on federal lands; **OR**
- 2) The application is for a water right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and **all** of the following apply:
 - a) The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
 - b) The application involves a change in place of use only;
 - c) The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; **and**
 - d) The application involves irrigation water uses only.

NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for or modifying a water right. The Water Resources Department (WRD) requires its applicants to obtain land-use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan. Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land-use form and return it to the WRD. If no land-use information is received from you within that 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan. Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0801.

HARNEY County Assessor's Summary Report

Real Property Assessment Report

FOR ASSESSMENT YEAR 2017

NOT OFFICIAL VALUE

December 22, 2016 4:48:53 pm

Account # 10517
 Map # 26S33E00-00-01900
 Code - Tax # 0420-10517

Tax Status ASSESSABLE
 Acct Status ACTIVE
 Subtype NORMAL

Legal Descr Metes & Bounds - See legal report for full description.

Mailing Name THOMPSON, NEVIN L (DC) & SHIRLEY M TTEE

Deed Reference # 1994-943 (SOURCE ID(T): 940943)

Agent

Sales Date/Price 05-01-1994 / \$0.00

In Care Of

Appraiser

Mailing Address 53743 HWY 78
 BURNS, OR 97720-9482

Prop Class 550 MA SA NH Unit
 RMV Class 550 04 00 042 3612-1

Situs Address(s)	Situs City
------------------	------------

Value Summary					
Code Area	AV	RMV	MAV	RMV Exception	CPR %
0420 Land		40,000		Land	0
Impr.		0		Impr.	0
Code Area Total	1,121	40,000	5,240		0
Grand Total	1,121	40,000	5,240		0

Land Breakdown											
Code Area	ID#	RFD	Ex	Plan Zone	Value Source	TD%	LS	Size	Land Class	LUC	Trended RMV
0420	1	R		EFRU-2	Farm Use Zoned	100	A	46.19	6	006*	40,000
Grand Total								46.19			40,000

Improvement Breakdown										
Code Area	ID#	Yr Built	Stat Class	Description	TD%	Total Sq. Ft.	Ex% MS Acct #	Trended RMV		
Grand Total										0

940943

STATUTORY BARGAIN AND SALE DEED

NEVIN L. THOMPSON and SHIRLEY M. THOMPSON, husband and wife, as tenants in partnership, doing business as Thompson Ranch, and THOMPSON RANCH, an Oregon partnership, Grantors, convey to NEVIN L. THOMPSON, Trustee, U/D/T dated August 30, 1993, F/B/O the Nevin L. Thompson Family Trust, an undivided one-half interest, and SHIRLEY M. THOMPSON, Trustee, U/D/T dated August 30, 1993, F/B/O the Shirley M. Thompson Family Trust, an undivided one-half interest, Grantees, the following-described real property:

See attached Exhibit A.

The true and actual consideration for this transfer is \$-0-.

Until a change is requested, send all tax statements to: Nevin L. Thompson, Trustee, and Shirley M. Thompson, Trustee, S. R. 2 3561 Highway 78, Burns, OR 97720.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

By execution of this instrument, Grantors certify that they are not "foreign persons" as that term is defined in the Internal Revenue Code, Section 1445.

Bargain and
Sale Deed

MERRILL, O'SULLIVAN, MACRITCHIE, PETERSEN, BRADY & DIXON

ATTORNEYS AT LAW
2000 14th Street
BURNS, OREGON 97720

Page 1
940943

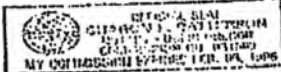
340943

THOMPSON RANCH DATED this 28th day of Feb., 1994.

By: Nevin L. Thompson Individually and as Partner
Shirley M. Thompson Individually and as Partner

STATE OF OREGON }
County of Harney } ss.

The foregoing instrument was acknowledged before me this 28th day of February, 1994, by NEVIN L. THOMPSON and SHIRLEY M. THOMPSON, husband and wife.



William J. Callister
Notary Public for Oregon
My Commission Expires: 2-4-96



STATE OF OREGON }
County of Harney } ss.
I certify that this within instrument was received for record on the 28th day of Feb., 1994, and recorded 10:54 a.m. at 10:54 a.m. and recorded 10:54 a.m. My Commission Expires: 2-4-96
Records of said County.
Deputy Harney County Clerk
By: [Signature]

Bargain and Sale Deed

MERRILL, O'SULLIVAN, MACRITCHIE, PETERSEN, BRADY & DIXON

88 Thompson at a bar
50701 10-00-90
BANK, 2003
NOTARY SPECIMEN #1203

Page 2
rls/thompson/dl/st

940943

EXHIBIT "A"

The following described real property located in Harney County, Oregon:

Township 26 South, Range 33 East of the Willamette Meridian:

- Section 2: Beginning at the SW corner of the SE1/4, thence East 200 feet; thence North 200 feet; thence West 200 feet; thence South 200 feet; to the point of beginning.
- Section 11: SE1/4NE1/4, N1/2NE1/4, NE1/4NW1/4, N1/2NW1/4NW1/4.
- Section 11: S1/2NW1/4NW1/4.
- Section 12: SE1/4NE1/4. Subject to a reservation of one-half (1/2) of the oil, gas and mineral rights as contained in the Contract of Sale dated November 22, 1976.
- Section 13: E1/2SW1/4, SE1/4NW1/4. SAVE AND EXCEPT one acre of land in the SE1/4NW1/4 conveyed to School District No. 12, by deed recorded September 27, 1915, in Book "X", Page 450, Deed Records.
- Section 13: S1/2NE1/4, SE1/4, SAVE AND EXCEPT highway right of way conveyed to the State of Oregon, by and through its State Highway Commission, by deed recorded November 1, 1947, in Book 47, Page 250, Deed Records.
- Section 13: NW1/4NE1/4, N1/2N1/2NE1/4NE1/4, S1/2S1/2NE1/4NE1/4.
- Section 13: SW1/4NW1/4.

Township 26 South, Range 34 East of the Willamette Meridian:

- Section 9: NE1/4SW1/4, SE1/4.
- Section 10: SE1/4NW1/4, N1/2SW1/4, W1/2SE1/4, S1/2SW1/4.
- Section 15: W1/2NE1/4, SE1/4NE1/4, NE1/4SE1/4.
- Section 16: S1/2.
- Section 16: NW1/4.

940943

Section 17: NE1/4, SE1/4NW1/4, E1/2SW1/4, SW1/4SE1/4.

Section 18: Lot 1 and NE1/4NW1/4, SAVE AND EXCEPT the following beginning at a point on the South line of said Lot 1 of Sec. 18, which is 1330 feet South & 29 feet East of the Northwest corner of said Section 18; thence S. 89° 44' E., along the South line of Lot 1, a distance of 1112 feet; thence N. 05° 23' W. 660 feet; thence North 89° 44' W. 1076.4 feet to a point on the West line of said Section 18; thence S. 0° 20' W., along said West line 616 feet; thence S. 36° 17' E. 50.6 feet to the point of beginning.

Section 18: Lot 2, SAVE AND EXCEPT highway right of way conveyed to the State of Oregon, by and through its State Highway Commission, by deed recorded November 1, 1947, in Book 47, page 250, Deed Records.

Section 18: Lot 3, E1/2SW1/4, S1/2SE1/4, SAVE AND EXCEPT highway right of way over Lot 3 conveyed to the State of Oregon, by and through its State Highway Commission, by deed recorded November 10, 1947, in Book 47, Page 315, Deed Records. ALSO SAVE AND EXCEPT that portion of Lot 3, which is described as follows: Beginning at a point on the South line of Lot 3 of said Sec. 18, said point 40 feet distant Easterly from (when measured at right angles to) the relocated center line of the Diamond Valley Secondary Highway at Engineer's Station 405+26.5; said point also being 1324.2 feet North and 46.0 feet East of the Southwest corner of said Sec. 18; thence S. 89° 36' E. along the South line of said Lot 3, 560 feet; thence North 330 feet; thence N. 89° 36' W. 660 feet to a point which is 40 feet distant Easterly from (when measured at right angles to) the center line of said highway at Station 401+96.5; thence South, along a line which is parallel to and 40 feet distant from said center line, 330 feet to the point of beginning.

Section 18: SE1/4SE1/4

Section 19: NE1/4SW1/4, SE1/4.

Exhibit "A", page 2

rlw/thompson

940943

- Section 19: NE1/4, E1/2NW1/4, SAVE AND EXCEPT the NW1/4SW1/4NE1/4 and E1/2NE1/4SE1/4NW1/4. ALSO SAVE AND EXCEPT that portion of the SE1/4NW1/4, which is described as follows: Beginning at a point on the West line of the SE1/4NW1/4 of said Section 19, which is 2605.2 feet South and 1120.9 feet East of the Northwest corner of said Sec. 19; thence N. 49° 25' E. 1185.1 feet to the West line of the E1/2NE1/4SE1/4NW1/4 of said Section 19; thence South 39.5 feet; thence S. 49° 25' W. 1185.1 feet; thence North 39.5 feet to the point of beginning.
- Section 20: N1/2N1/2, SW1/4NW1/4.
- Section 20: SW1/4, SW1/4SE1/4.
- Section 20: SE1/4SE1/4, NW1/4SE1/4.
- Section 20: NW1/4SE1/4, SE1/4SE1/4, SUBJECT TO a reservation of an undivided one-fourth of all mineral rights, plus any mineral reservations of record on December 22, 1976.
- Section 21: S1/2S1/2, NE1/4SE1/4, SE1/4NE1/4.
- Section 22: SE1/4NW1/4, SW1/4SW1/4, N1/2SE1/4, N1/2 SW1/4, W1/2NW1/4; SE1/4SW1/4, S1/2SE1/4.
- Section 26: N1/2S1/2, SW1/4SW1/4.
- Section 27: SE1/4SE1/4, SE1/4NE1/4, NE1/4SE1/4, W1/2E1/2, NW1/4, SE1/4SW1/4.
- Section 28: NE1/4NW1/4, NW1/4NE1/4.
- Section 29: NW1/4NE1/4.
- Section 34: NE1/4NE1/4, NW1/4NE1/4, NE1/4NW1/4.
- Section 35: NW1/4NW1/4.
- In Township 32 South, Range 32 3/4 East Willametta Meridian:
- Section 15: W1/2SW1/4, SE1/4SW1/4, SW1/4SE1/4.
- Section 21: N1/2NE1/4.
- Section 22: N1/2, E1/2SE1/4.

Exhibit "A", page 3

rls/thompson

HARNEY County Assessor's Summary Report

Real Property Assessment Report

FOR ASSESSMENT YEAR 2017

NOT OFFICIAL VALUE

December 22, 2016 4:49:54 pm

Account #	10519	Tax Status	ASSESSABLE
Map #	26S33E00-00-02000	Acct Status	ACTIVE
Code - Tax #	0420-10519	Subtype	NORMAL

Legal Descr Metes & Bounds - See legal report for full description.

Mailing Name THOMPSON, SHIRLEY M - TRUSTEE

Deed Reference # 2006-1126 (SOURCE ID(T): 20061126)

Agent

Sales Date/Price 06-02-2006 / \$16,750.00

In Care Of

Appraiser

Mailing Address 53743 HWY 78
BURNS, OR 97720-9482

Prop Class	550	MA	SA	NH	Unit
RMV Class	550	04	00	042	3614-1

Situs Address(s)	Situs City
------------------	------------

Value Summary					
Code Area	AV	RMV	MAV	RMV Exception	CPR %
0420 Land		34,000		Land	0
Impr.		0		Impr.	0
Code Area Total	742	34,000	8,710		0
Grand Total	742	34,000	8,710		0

Land Breakdown											
Code Area	ID#	RFD	Ex	Plan Zone	Value Source	TD%	LS	Size	Land Class	LUC	Trended RMV
0420	1	R		EFRU-2	Farm Use Zoned	100	A	18.29	5	006*	34,000
Grand Total								18.29			34,000

Improvement Breakdown											
Code Area	Yr Built	Stat Class	Description	TD%	Total Sq. Ft.	Ex%	MS Acct#	Trended RMV			
Grand Total								0	0		

2000112
263300
54

After recording return to:
SHIRLEY M. THOMPSON, Trustee
53743 HWY 78
BURNS, OR 97720

Until a change is requested all
tax statements shall be sent to
The following address:

SHIRLEY M. THOMPSON, Trustee
53743 HWY 78
BURNS, OR 97720

SWD

STATE OF OREGON } ss
County of Harney

I certify that the within instrument was received
for record on the 2nd day of June
2006 at 4:00'clock P.M. and
recorded Microfilm number 20061126

Deed Records of said County

María Durriaga, County Clerk

By: *Naicia Durriaga*

STATUTORY WARRANTY DEED

LYNNE BRIGHTMAN, Grantor(s) hereby convey and warrant to SHIRLEY M. THOMPSON, as Trustee of
the Shirley M. Thompson Family Trust, Grantee(s) the following described real property in the County of
HARNEY and State of Oregon free of encumbrances except as specifically set forth herein:

Land in Harney County, Oregon, as follows:

In Twp. 26 S., R. 33 E., W.M.:

Sec. 13: S1/2N1/2NE1/4NE1/4, N1/2S1/2NE1/4NE1/4, SAVE & EXCEPT highway right of
way conveyed

to Harney County, Oregon, by deed recorded October 7, 1926, in Book 32,
Page 512, Deed Records and highway right of way conveyed to the State
of Oregon, by and through its State Highway Commission, by deed
recorded October 14, 1947, in Book 47, Page 152, Deed Records and
highway right of way conveyed to the State of Oregon, by and through
its State Highway Commission, recorded March 18, 1992, Instrument No.
920403, Deed Records.

ACCT# 10519; CODE# 4-2

Map: 26S 33E LOT 2000

The above-described property is free of encumbrances except all those items of record, if any, as of the date of this deed and
those shown below, if any:

The true and actual consideration for this conveyance is \$16,750.00.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD
INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER CHAPTER 1, OREGON LAWS 2005 (BALLOT MEASURE
37 (2004)). THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN
VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS
INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE
APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE
ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 AND TO
INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY UNDER CHAPTER 1, OREGON
LAWS 2005 (BALLOT MEASURE 37 (2004)).

Dated this 26th day of May, 2006

Lynne Brightman
LYNNE BRIGHTMAN

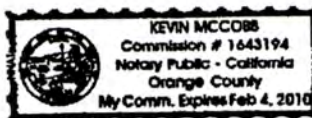
STATE OF CALIFORNIA

COUNTY OF Orange ss.

On May 26, 2006 before me, Kevin McLoys personally appeared LYNNE
BRIGHTMAN personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s)
is/are subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity(ies), and
that by her signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the
instrument.

WITNESS my hand and official seal.

Signature *Kevin McLoys*



HARNEY County Assessor's Summary Report

Real Property Assessment Report

FOR ASSESSMENT YEAR 2017

NOT OFFICIAL VALUE

December 22, 2016 4:51:22 pm

Account # 10518
 Map # 26S33E00-00-02100
 Code - Tax # 0420-10518

Tax Status ASSESSABLE
 Acct Status ACTIVE
 Subtype NORMAL

Legal Descr Metes & Bounds - See legal report for full description.

Mailing Name THOMPSON, NEVIN L (DC) & SHIRLEY M TTEE

Deed Reference # 1994-943 (SOURCE ID(T): 940943)

Agent

Sales Date/Price 05-01-1994 / \$0.00

In Care Of

Appraiser JOHN CLEMENS

Mailing Address 53743 HWY 78
 BURNS, OR 97720-9482

Prop Class 551 MA SA NH Unit
 RMV Class 551 04 00 042 3613-1

Situs Address(s) Situs City

Value Summary					
Code Area	AV	RMV	MAV	RMV Exception	CPR %
0420 Land		41,600		Land	0
Impr.		14,500		Impr.	0
Code Area Total	11,924	56,100	16,320		0
Grand Total	11,924	56,100	16,320		0

Land Breakdown											
Code Area	ID#	RFD	Ex	Plan Zone	Value Source	TD%	LS	Size	Land Class	LUC	Trended RMV
0420	1	R		EFRU-2	Farm Use Zoned	100	A	49.22	6	006*	41,600
Grand Total								49.22			41,600

Improvement Breakdown										
Code Area	ID#	Yr Built	Stat Class	Description	TD%	Total Sq. Ft.	Ex%	MS Acct #	Trended RMV	
0420	1		300	Farm Bldg	100	0			5,000	
0420	2		300	Farm Bldg	100	0			4,500	
0420	3	2004	300	Farm Bldg	100	0			2,800	
0420	4	2004	300	Farm Bldg	100	0			2,200	
Grand Total						0			14,500	

HARNEY County Assessor's Summary Report

Real Property Assessment Report

FOR ASSESSMENT YEAR 2017
NOT OFFICIAL VALUE

December 22, 2016 4:51:41 pm

Account # 10520	Tax Status ASSESSABLE	
Map # 26S33E00-00-02200	Acct Status ACTIVE	
Code - Tax # 0420-10520	Subtype NORMAL	
Legal Descr Metes & Bounds - See legal report for full description.		
Mailing Name THOMPSON, NEVIN L (DC) & SHIRLEY M TTEE	Deed Reference # 1994-943 (SOURCE ID(T): 940943)	
Agent	Sales Date/Price 05-01-1994 / \$0.00	
In Care Of	Appraiser JOHN CLEMENS	
Mailing Address 53743 HWY 78 BURNS, OR 97720-9482		
Prop Class 551 MA SA NH Unit		
RMV Class 551 04 00 042 3615-1		

Situs Address(s)	Situs City
------------------	------------

Code Area	Value Summary				CPR %
	AV	RMV	MAV	RMV Exception	
0420 Land		296,770		Land	0
Impr.		18,550		Impr.	0
Code Area Total	99,511	315,320	208,770		0
Grand Total	99,511	315,320	208,770		0

Land Breakdown											
Code Area	ID#	RFD	Ex	Plan Zone	Value Source	TD%	LS	Size	Land Class	LUC	Trended RMV
0420	1	R		EFRU-2	Farm Use Zoned	100	A	140.00	2	006*	216,350
0420	2	R		EFRU-2	Farm Use Zoned	100	A	56.00	3	006*	62,990
0420	4	R		EFRU-2	Farm Use Zoned	100	A	39.21	5	006*	5,520
0420	5	R		EFRU-2	Farm Use Zoned	100	A	0.00	IW	006*	3,970
0420	6	R		EFRU-2	Farm Use Zoned	100	A	0.00	IW	006*	3,970
0420	7	R		EFRU-2	Farm Use Zoned	100	A	0.00	IW	006*	3,970
Grand Total								235.21			296,770

Improvement Breakdown										Trended RMV
Code Area	Yr Built	Stat Class	Description	TD%	Total Sq. Ft.	Ex%	MS Acct #			
0420	1	300	Farm Bldg	100	0					15,800
0420	2	300	Farm Bldg	100	0					2,750
Grand Total								0		18,550

HARNEY County Assessor's Summary Report

Real Property Assessment Report

FOR ASSESSMENT YEAR 2017

NOT OFFICIAL VALUE

December 22, 2016 4:52:06 pm

Account #	10523	Tax Status	ASSESSABLE
Map #	26S33E00-00-02300	Acct Status	ACTIVE
Code - Tax #	0420-10523	Subtype	NORMAL

Legal Descr Metes & Bounds - See legal report for full description.

Mailing Name THOMPSON, NEVIN L (DC) & SHIRLEY M TTEE

Deed Reference # 1994-943 (SOURCE ID(T): 940943)

Agent

Sales Date/Price 05-01-1994 / \$0.00

In Care Of

Appraiser JOHN CLEMENS

Mailing Address 53743 HWY 78
BURNS, OR 97720-9482

Prop Class	550	MA	SA	NH	Unit
RMV Class	550	04	00	042	3618-1

Situs Address(s)	Situs City
------------------	------------

Value Summary					
Code Area	AV	RMV	MAV	RMV Exception	CPR %
0420 Land		143,880		Land	0
Impr.		0		Impr.	0
Code Area Total	43,976	143,880	94,450		0
Grand Total	43,976	143,880	94,450		0

Land Breakdown											
Code Area	ID#	RFD	Ex	Plan Zone	Value Source	TD%	LS	Size	Land Class	LUC	Trended RMV
0420	1	R		EFRU-2	Farm Use Zoned	100	A	60.00	2	006*	92,660
0420	2	R		EFRU-2	Farm Use Zoned	100	A	43.50	3	006*	48,900
0420	3	R		EFRU-2	Farm Use Zoned	100	A	16.50	5	006*	2,320
Grand Total								120.00			143,880

Improvement Breakdown										
Code Area	ID#	Yr Built	Stat Class	Description	TD%	Total Sq. Ft.	Ex%	MS Acct #	Trended RMV	
Grand Total										0

HARNEY County Assessor's Summary Report

Real Property Assessment Report

FOR ASSESSMENT YEAR 2017
NOT OFFICIAL VALUE

December 22, 2016 4:52:48 pm

Account # 11063	Tax Status ASSESSABLE	
Map # 26S34E18-00-00400	Acct Status ACTIVE	
Code - Tax # 0420-11063	Subtype NORMAL	
Legal Descr Metes & Bounds - See legal report for full description.		
Mailing Name THOMPSON, NEVIN L (DC) & SHIRLEY M TTEE	Deed Reference # 1994-943 (SOURCE ID(T): 940943)	
Agent	Sales Date/Price 05-01-1994 / \$0.00	
In Care Of	Appraiser AARON SCHEEN	
Mailing Address 53743 HWY 78 BURNS, OR 97720-9482		
Prop Class 551 MA SA NH Unit		
RMV Class 551 04 00 042 4120-1		

Situs Address(s)	Situs City
ID# 53743 HIGHWAY 78	BURNS

Code Area	Value Summary				CPR %
	AV	RMV	MAV	RMV Exception	
0420 Land		48,680		Land 0	
Impr.		172,180		Impr. 0	
Code Area Total	138,361	220,860	155,250	0	
Grand Total	138,361	220,860	155,250	0	

Land Breakdown											
Code Area	ID#	RFD	Ex	Plan Zone	Value Source	TD%	LS	Size	Land Class	LUC	Trended RMV
0420	4	R		EFRU-1	Farm Use Zoned	100	A	22.00	5	006*	18,780
0420	5	R		EFRU-1	Farm Use Zoned	100	A	4.68	7A	006*	1,970
0420	6	R		EFRU-1	Farm Use Zoned	100	A	1.00	HS	006*	15,930
0420					SITE AMENTIES	100					12,000
Grand Total								27.68			48,680

Improvement Breakdown										Trended RMV
Code Area	ID#	Yr Built	Stat Class	Description	TD%	Total Sq. Ft.	Ex%	MS	Acct #	
0420	1	1974	141	One story	100	0				119,730
0420	2	1990	131	One story	100	0				1,850
0420	3		300	Farm Bldg	100	1,800				11,350
0420	4		300	Farm Bldg	100	2,700				22,850
0420	5		300	Farm Bldg	100	0				5,000
0420	6		300	Farm Bldg	100	372				7,700
0420	7		300	Farm Bldg	100	948				2,030
0420	8		110	Residential Other Improvements	100	0				1,240
0420	9		110	Residential Other Improvements	100	0				430
Grand Total							5,820			172,180

HARNEY County Assessor's Summary Report

Real Property Assessment Report

FOR ASSESSMENT YEAR 2017

NOT OFFICIAL VALUE

December 22, 2016 4:53:48 pm

Account #	10813	Tax Status	ASSESSABLE
Map #	26S34E00-00-01900	Acct Status	ACTIVE
Code - Tax #	0420-10813	Subtype	NORMAL

Legal Descr Metes & Bounds - See legal report for full description.

Mailing Name THOMPSON, NEVIN L (DC) & SHIRLEY M TTEE

Deed Reference # 1994-943 (SOURCE ID(T): 940943)

Agent

Sales Date/Price 05-01-1994 / \$0.00

In Care Of

Appraiser AARON SCHEEN

Mailing Address 53743 HWY 78
BURNS, OR 97720-9482

Prop Class	551	MA	SA	NH	Unit
RMV Class	551	04	00	042	3894-1

Situs Address(s)		Situs City
ID#	53439 HIGHWAY 78	BURNS
ID#	53441 HIGHWAY 78	BURNS

Value Summary					
Code Area	AV	RMV	MAV	RMV Exception	CPR %
0420	Land	371,440		Land	0
	Impr.	74,240		Impr.	0
Code Area Total		107,821	445,680	180,850	0
Grand Total		107,821	445,680	180,850	0

Land Breakdown											
Code Area	ID#	RFD	Ex	Plan Zone	Value Source	TD%	LS	Size	Land Class	LUC	Trended RMV
0420	1	R		EFRU-1	Farm Use Zoned	100	A	34.00	3	006*	80,480
0420	2	R		EFRU-1	Farm Use Zoned	100	A	92.00	4	006*	135,970
0420	3	R		EFRU-1	Farm Use Zoned	100	A	31.00	6	006*	7,380
0420	4	R		EFRU-1	Farm Use Zoned	100	A	767.78	7A	006*	112,190
0420	5	R		EFRU-1	Farm Use Zoned	100	A	2.00	HS	006*	3,070
0420	8	R		EFRU-1	Farm Use Zoned	100	A	0.00	IW	006*	8,350
0420					SITE AMENTIES	100					12,000
0420					SITE AMENTIES	100					12,000
Grand Total								926.78			371,440

Improvement Breakdown											
Code Area	ID#	Yr Built	Stat Class	Description	TD%	Total Sq. Ft.	Ex%	MS Acct #			Trended RMV
0420	1		131	One story	100	1,428					53,930
0420	2		300	Farm Bldg	100	112					1,060
0420	3		300	Farm Bldg	100	0					13,120
0420	4		110	Residential Other Improvements	100	0					2,960
0420	5		110	Residential Other Improvements	100	0					1,680
0420	6		110	Residential Other Improvements	100	0					1,490
Grand Total						1,540					74,240

MS Account(s): 0420-P-76169

HARNEY County Assessor's Summary Report

Real Property Assessment Report

FOR ASSESSMENT YEAR 2017
NOT OFFICIAL VALUE

December 22, 2016 4:54:19 pm

Account # 10814
Map # 26S34E00-00-02100
Code - Tax # 0420-10814

Tax Status ASSESSABLE
Acct Status ACTIVE
Subtype NORMAL

Legal Descr Metes & Bounds - See legal report for full description.

Mailing Name THOMPSON, SHIRLEY M - TRUSTEE

Deed Reference # 2005-937 (SOURCE ID(T): 20050937)

Agent

Sales Date/Price 05-16-2005 / \$0.00

In Care Of

Appraiser GLENN WHITMORE (LEFT IN 2009)

Mailing Address 53743 HWY 78
BURNS, OR 97720-9482

Prop Class 400 MA SA NH Unit
RMV Class 400 04 00 042 3895-1

Situs Address(s) Situs City

Value Summary					
Code Area	AV	RMV	MAV	RMV Exception	CPR %
0420	Land	87,760		Land	0
	Impr.	0		Impr.	0
Code Area Total		31,090	87,760	31,090	0
Grand Total		31,090	87,760	31,090	0

Land Breakdown											
Code Area	ID#	RFD	Ex	Plan Zone	Value Source	TD%	LS	Size	Land Class	LUC	Trended RMV
0420	1	R		EFRU-1	Market	100	A	153.97	RA	*	87,760
Grand Total								153.97			87,760

Improvement Breakdown									
Code Area	ID#	Yr Built	Stat Class	Description	TD%	Total Sq. Ft.	Ex%	MS Acct #	Trended RMV
Grand Total							0		0

HARNEY County Assessor's Summary Report

Real Property Assessment Report

FOR ASSESSMENT YEAR 2017

NOT OFFICIAL VALUE

December 22, 2016 4:55:02 pm

Account #	10815	Tax Status	ASSESSABLE
Map #	26S34E00-00-02300	Acct Status	ACTIVE
Code - Tax #	0420-10815	Subtype	NORMAL

Legal Descr Metes & Bounds - See legal report for full description.

Mailing Name THOMPSON, NEVIN L (DC) & SHIRLEY M TTEE

Deed Reference # See Record

Agent

Sales Date/Price See Record

In Care Of

Appraiser AARON SCHEEN

Mailing Address 53743 HWY 78
BURNS, OR 97720-9482

Prop Class	551	MA	SA	NH	Unit
RMV Class	551	04	00	042	3896-1

Situs Address(s)	Situs City
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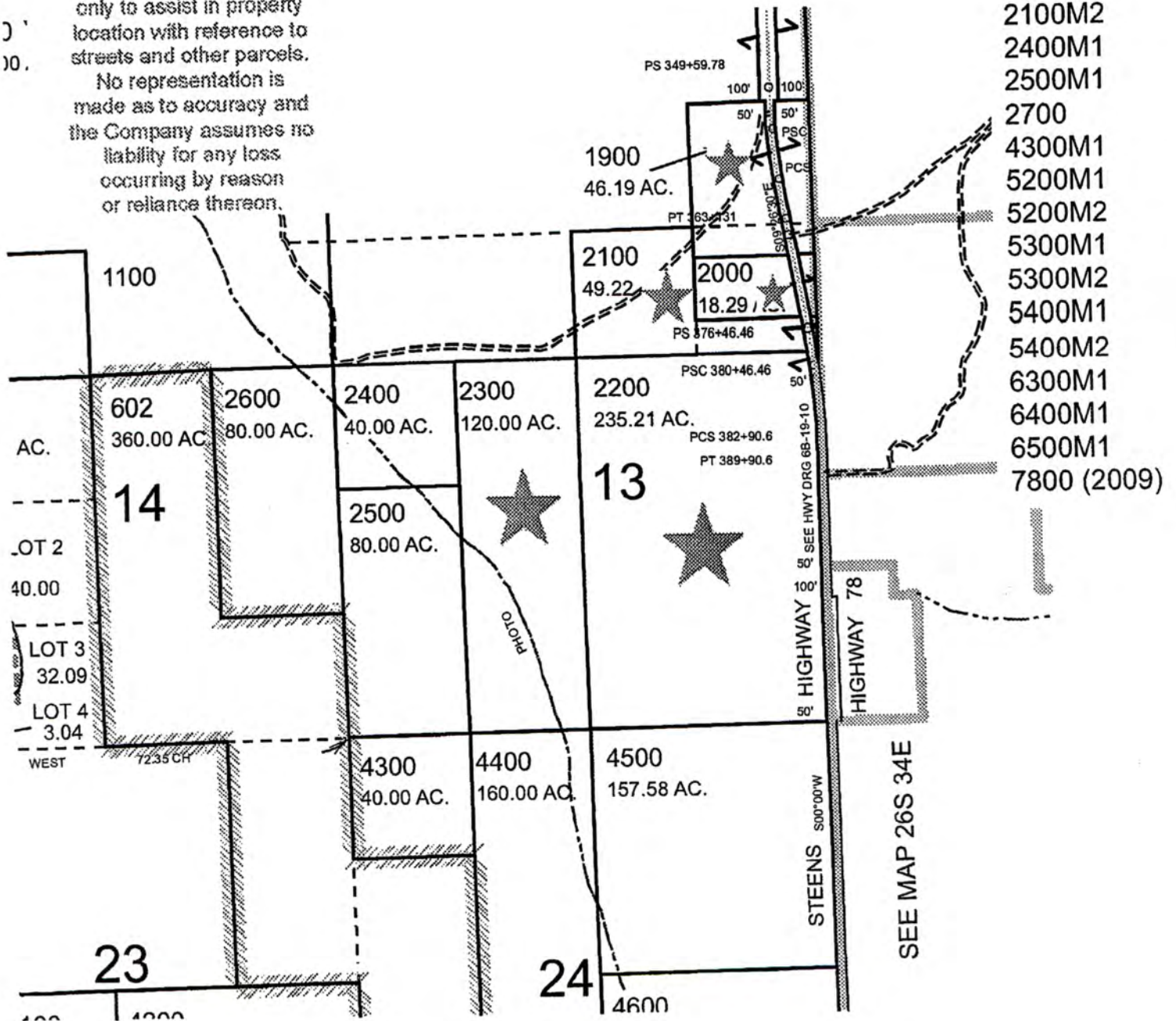
Value Summary					
Code Area	AV	RMV	MAV	RMV Exception	CPR %
0420	Land	409,380		Land	0
	Impr.	33,120		Impr.	0
Code Area Total	114,484	442,500	204,240		0
Grand Total	114,484	442,500	204,240		0

Land Breakdown											
Code Area	ID#	RFD	Ex	Plan Zone	Value Source	TD%	LS	Size	Land Class	LUC	Trended RMV
0420	1	R		EFRU-1	Farm Use Zoned	100	A	200.00	2	006*	369,860
0420	2	R		EFRU-1	Farm Use Zoned	100	A	173.50	5	006*	29,240
0420	3	R		EFRU-1	Farm Use Zoned	100	A	66.50	7A	006*	5,530
0420	4	R		EFRU-1	Farm Use Zoned	100	A	0.00	IW	006*	4,750
Grand Total								440.00			409,380

Improvement Breakdown										
Code Area	ID#	Yr Built	Stat Class	Description	TD%	Total Sq. Ft.	Ex%	MS Acct #	Trended RMV	
0420	1		300	Farm Bldg	100	0			33,120	
Grand Total								0	33,120	


COMPLIMENTS OF
AmeriTitle

This sketch is furnished
 for information purposes
 only to assist in property
 location with reference to
 streets and other parcels.
 No representation is
 made as to accuracy and
 the Company assumes no
 liability for any loss
 occurring by reason
 or reliance thereon.

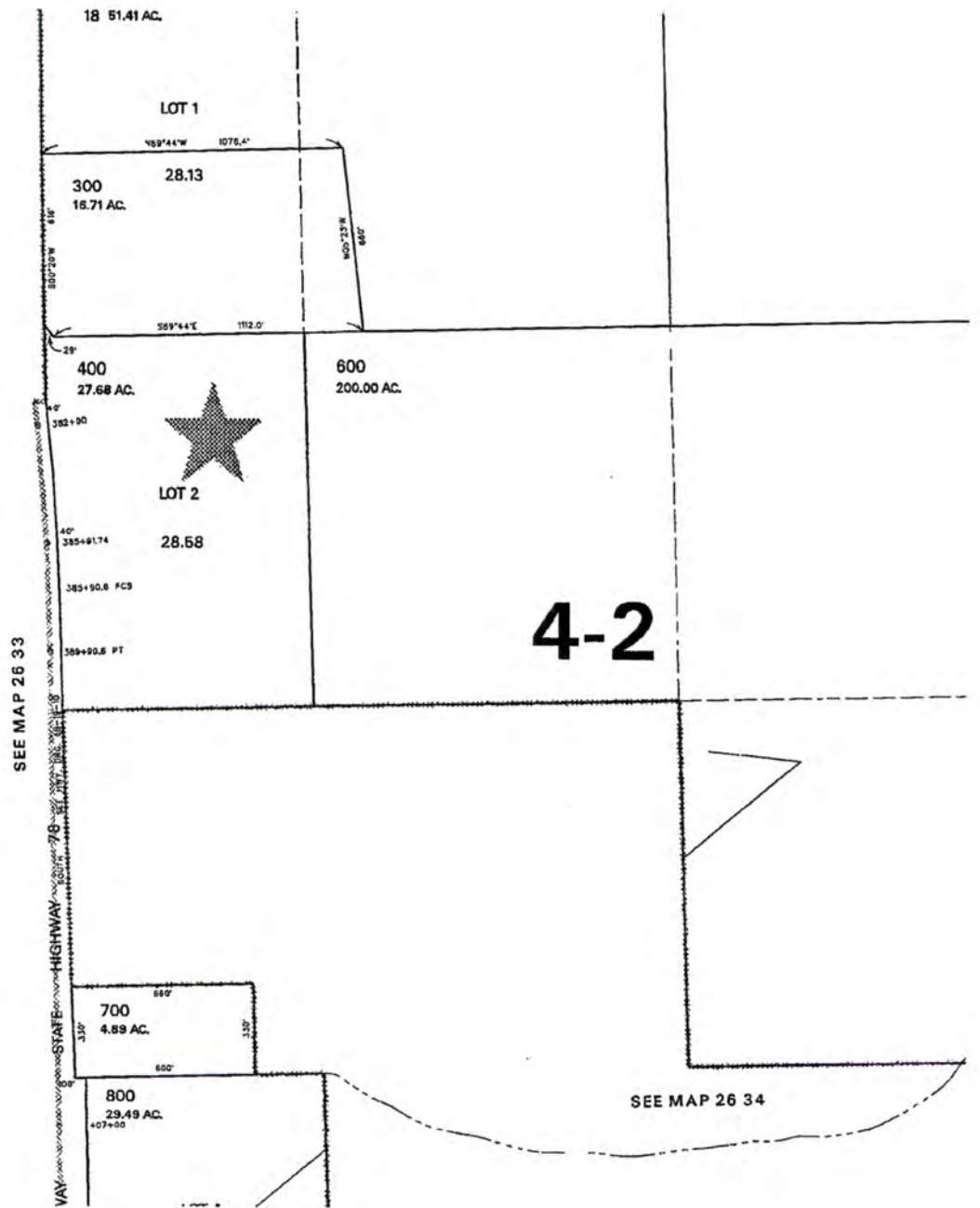




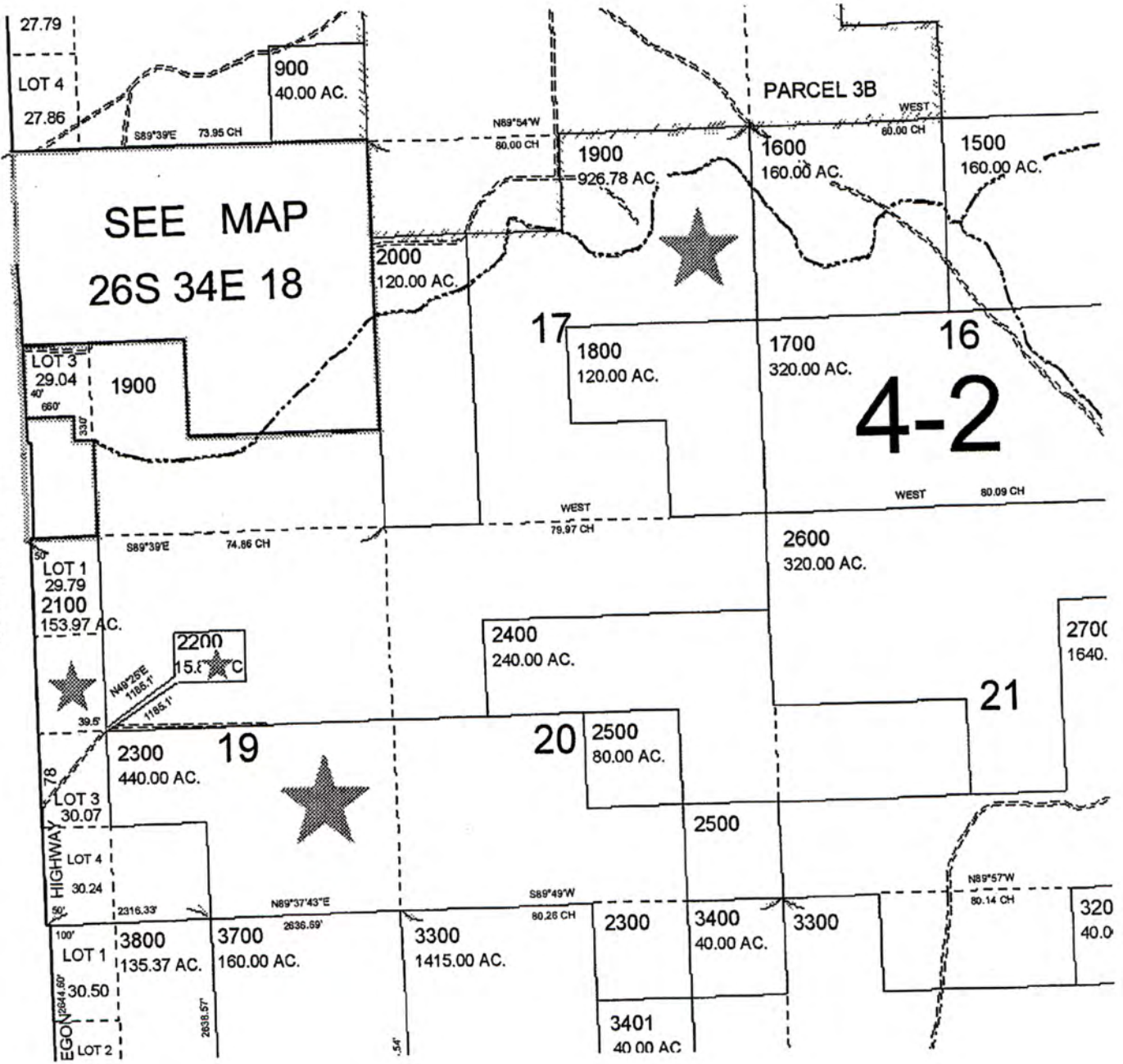
COMPLIMENTS OF
AmeriTitle

This sketch is furnished for information purposes only to assist in property location with reference to streets and other parcels.

No representation is made as to accuracy and the Company assumes no liability for any loss occurring by reason or reliance thereon.



SEE MAP 26S 33E



SEE MAP
26S 34E 18

PARCEL 3B

4-2

HIGHWAY

EGO
LOT 2

SMITH Joan M * WRD

From: smittyct74 . <smittyct@gmail.com>
Sent: Friday, December 23, 2016 9:47 AM
To: joan.m.smith@state.or.us
Subject: Fwd: List Kit Request enclosed
Attachments: DOC122316-001.pdf

Hi Joan,

Here is the list kit for Transfer App T-12378

----- Forwarded message -----

From: **Stan Falley** <stan.falley@amerititle.com>
Date: Fri, Dec 23, 2016 at 9:39 AM
Subject: List Kit Request enclosed
To: "smittyct@gmail.com" <smittyct@gmail.com>

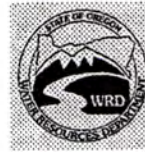


Stan Falley | Title Officer
111 W. Washington | Burns, OR | 97720
☎: [\(541\) 573-2030](tel:(541)573-2030) | 📠: [\(541\) 573-5844](tel:(541)573-5844)

✉: Stan.Falley@amerititle.com | www.AmeriTitle.com

--
Chris Smith

Land Use Information Form



Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem, Oregon 97301-1266
 (503) 986-0900
 www.wrd.state.or.us

Applicant(s): MARTIN THOMPSON

Mailing Address: 53743 HWY 78

City: BURNS

State: OR

Zip Code: 97720-9482

Daytime Phone: _____

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. Applicants for municipal use, or irrigation uses within irrigation districts may substitute existing and proposed service-area boundaries for the tax-lot information requested below.

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
<u>26 S</u>	<u>33E</u>	_____	_____	<u>1900.2000</u> <u>2100.2200</u> <u>2300</u>	<u>EFRU-2</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>FARMING</u>
"	<u>34E</u>	_____	_____	<u>400, 700,</u> <u>1900,</u>	<u>EFRU- 1</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	"
"	"	_____	_____	<u>2100.2200</u> <u>2300</u>	<u>EFRU-1</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	"

List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed:

HARNEY COUNTY

B. Description of Proposed Use

Type of application to be filed with the Water Resources Department:

- Permit to Use or Store Water
 Water Right Transfer
 Permit Amendment or Ground Water Registration Modification
 Limited Water Use License
 Allocation of Conserved Water
 Exchange of Water

Source of water: Reservoir/Pond Ground Water Surface Water (name) _____

Estimated quantity of water needed: 8,045 cubic feet per second gallons per minute acre-feet

Intended use of water: Irrigation Commercial Industrial Domestic for _____ household(s)
 Municipal Quasi-Municipal Instream Other _____

Briefly describe:

TRANSFERRING WATER TO MORE PRODUCTIVE GROUND

Note to applicant: If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt at the bottom of the next page and include it with the application filed with the Water Resources Department.

See bottom of Page 3. →

Land Use Information Form - Page 2 of 3

For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

Please check the appropriate box below and provide the requested information

- Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s):

- Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued

Local governments are invited to express special land-use concerns or make recommendations to the Water Resources Department regarding this proposed use of water below, or on a separate sheet.

Name: _____ Title: _____

Signature: _____ Phone: _____ Date: _____

Government Entity: _____

Note to local government representative: Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.

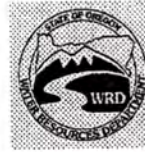
Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

Land Use Information Form



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

NOTE TO APPLICANTS

In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be used and developed. The planning official may choose to complete the form while you wait, or return the receipt stub to you. Applications received by WRD without the Land Use Form or the receipt stub will be returned to you. Please be aware that your application will not be approved without land use approval.

This form is NOT required if:

- 1) Water is to be diverted, conveyed, and/or used only on federal lands; **OR**
- 2) The application is for a water right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and all of the following apply:
 - a) The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
 - b) The application involves a change in place of use only;
 - c) The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; and
 - d) The application involves irrigation water uses only.

NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for or modifying a water right. The Water Resources Department (WRD) requires its applicants to obtain land-use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan. Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land-use form and return it to the WRD. If no land-use information is received from you within that 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan. Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0801.

HARNEY County Assessor's Summary Report

Real Property Assessment Report

FOR ASSESSMENT YEAR 2017

NOT OFFICIAL VALUE

December 22, 2016 4:48:53 pm

Account #	10517	Tax Status	ASSESSABLE
Map #	26S33E00-00-01900	Acct Status	ACTIVE
Code - Tax #	0420-10517	Subtype	NORMAL

Legal Descr Metes & Bounds - See legal report for full description.

Mailing Name THOMPSON, NEVIN L (DC) & SHIRLEY M TTEE	Deed Reference # 1994-943 (SOURCE ID(T): 940943)
Agent	Sales Date/Price 05-01-1994 / \$0.00
In Care Of	Appraiser

Mailing Address 53743 HWY 78
BURNS, OR 97720-9482

Prop Class	550	MA	SA	NH	Unit
RMV Class	550	04	00	042	3612-1

Situs Address(s)	Situs City
------------------	------------

Value Summary					
Code Area	AV	RMV	MAV	RMV Exception	CPR %
0420	Land	40,000	Land	0	
	Impr.	0	Impr.	0	
Code Area Total		1,121	40,000	5,240	0
Grand Total		1,121	40,000	5,240	0

Land Breakdown											
Code Area	ID#	RFD	Ex	Plan Zone	Value Source	TD%	LS	Size	Land Class	LUC	Trended RMV
0420	1	R		EFRU-2	Farm Use Zoned	100	A	46.19	6	006*	40,000
Grand Total								46.19			40,000

Improvement Breakdown										
Code Area	ID#	Yr Built	Stat Class	Description	TD%	Total Sq. Ft.	Ex%	MS Acct #	Trended RMV	
Grand Total										0

940943

STATUTORY BARGAIN AND SALE DEED

NEVIN L. THOMPSON and SHIRLEY M. THOMPSON, husband and wife, as tenants in partnership, doing business as Thompson Ranch, and THOMPSON RANCH, an Oregon partnership, Grantors, convey to NEVIN L. THOMPSON, Trustee, U/D/T dated August 30, 1993, F/B/O the Nevin L. Thompson Family Trust, an undivided one-half interest, and SHIRLEY M. THOMPSON, Trustee, U/D/T dated August 30, 1993, F/B/O the Shirley M. Thompson Family Trust, an undivided one-half interest, Grantees, the following-described real property:

See attached Exhibit A.

The true and actual consideration for this transfer is \$-0-.

Until a change is requested, send all tax statements to: Nevin L. Thompson, Trustee, and Shirley M. Thompson, Trustee, S. R. 2 3551 Highway 78, Burns, OR 97720.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

By execution of this instrument, Grantors certify that they are not "foreign persons" as that term is defined in the Internal Revenue Code, Section 1445.

Bergain and
Sale Deed

MERRILL, O'SULLIVAN, MACRITCHIE, PETERSEN, BRADY & DIXON

ATTORNEYS AT LAW
1000 14th Street
Suite 200
Portland, Oregon 97202

Page 1
940943

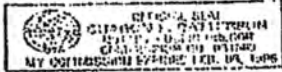
940943

THOMPSON RANCH DATED this 28th day of Feb., 1994.

By: Nevin L. Thompson Individually and as Partner
Shirley M. Thompson Individually and as Partner

STATE OF OREGON }
County of Harney } ss.

The foregoing instrument was acknowledged before me this 28th day of February, 1994, by NEVIN L. THOMPSON and SHIRLEY M. THOMPSON, husband and wife.



Gerald L. Cotton
Notary Public for Oregon
My Commission Expires: 2-04-96



STATE OF OREGON }
County of Harney } ss.
I certify that the within instrument was received for record on the 28th day of February, 1994, at 10:24 a.m. and recorded in Book 114, Page 114. My Commission Expires: 2-04-96

Bargain and Sale Deed

MERRILL, O'SULLIVAN, MACCRITCHE, PETERSEN, BRADY & DIXON

ATTORNEYS AT LAW
SUITE 205
200 WEST 11TH STREET
SEASIDE, OREGON 97138

Page 2
rls/thompson1/at

940943

EXHIBIT "A"

The following described real property located in Harney County, Oregon:

Township 26 South, Range 33 East of the Willamette Meridian:

- Section 2: Beginning at the SW corner of the SE1/4, thence East 200 feet; thence North 200 feet; thence West 200 feet; thence South 200 feet; to the point of beginning.
- Section 11: SE1/4NE1/4, N1/2NE1/4, NE1/4NW1/4, N1/2NW1/4NW1/4.
- Section 11: S1/2NW1/4NW1/4.
- Section 12: SE1/4NE1/4. Subject to a reservation of one-half (1/2) of the oil, gas and mineral rights as contained in the Contract of Sale dated November 22, 1976.
- Section 13: E1/2SW1/4, SE1/4NW1/4, SAVE AND EXCEPT one acre of land in the SE1/4NW1/4 conveyed to School District No. 12, by deed recorded September 27, 1915, in Book "X", Page 450, Deed Records.
- Section 13: S1/2NE1/4, SE1/4, SAVE AND EXCEPT highway right of way conveyed to the State of Oregon, by and through its State Highway Commission, by deed recorded November 1, 1947, in Book 47, Page 250, Deed Records.
- Section 13: NW1/4NE1/4, N1/2N1/2NE1/4NE1/4, S1/2S1/2NE1/4NE1/4.
- Section 13: SW1/4NW1/4.

Township 26 South, Range 34 East of the Willamette Meridian:

- Section 9: NE1/4SW1/4, SE1/4.
- Section 10: SE1/4NW1/4, N1/2SW1/4, W1/2SE1/4, S1/2SW1/4.
- Section 15: W1/2NE1/4, SE1/4NE1/4, NE1/4SE1/4.
- Section 16: S1/2.
- Section 16: NW1/4.

940943

Section 17: NE1/4, SE1/4NW1/4, E1/2SW1/4, SW1/4SE1/4.

Section 18: Lot 1 and NE1/4NW1/4, SAVE AND EXCEPT the following beginning at a point on the South line of said Lot 1 of Sec. 18, which is 1330 feet South & 29 feet East of the Northwest corner of said Section 18; thence S. 89° 44' E., along the South line of Lot 1, a distance of 1112 feet; thence N. 05° 23' W. 660 feet; thence North 89° 44' W. 1076.4 feet to a point on the West line of said Section 18; thence S. 0° 20' W., along said West line 616 feet; thence S. 36° 17' E. 50.6 feet to the point of beginning.

Section 18: Lot 2, SAVE AND EXCEPT highway right of way conveyed to the State of Oregon, by and through its State Highway Commission, by deed recorded November 1, 1947, in Book 47, page 250, Deed Records.

Section 18: Lot 3, E1/2SW1/4, S1/2SE1/4, SAVE AND EXCEPT highway right of way over Lot 3 conveyed to the State of Oregon, by and through its State Highway Commission, by deed recorded November 10, 1947, in Book 47, Page 315, Deed Records. ALSO SAVE AND EXCEPT that portion of Lot 3, which is described as follows: Beginning at a point on the South line of Lot 3 of said Sec. 18, said point 40 feet distant Easterly from (when measured at right angles to) the relocated center line of the Diamond Valley Secondary Highway at Engineer's Station 405+26.5; said point also being 1324.2 feet North and 46.0 feet East of the Southwest corner of said Sec. 18; thence S. 89° 36' E. along the South line of said Lot 3, 660 feet; thence North 330 feet; thence N. 89° 36' W. 660 feet to a point which is 40 feet distant Easterly from (when measured at right angles to) the center line of said highway at Station 401+96.5; thence South, along a line which is parallel to and 40 feet distant from said center line, 330 feet to the point of beginning.

Section 18: SE1/4SE1/4

Section 19: NE1/4SW1/4, SE1/4.

Exhibit "A", page 2

rls/thompson

940943

- Section 19: NE1/4, E1/2NW1/4, SAVE AND EXCEPT the NW1/4SW1/4NE1/4 and E1/2NE1/4SE1/4NW1/4. ALSO SAVE AND EXCEPT that portion of the SE1/4NW1/4, which is described as follows: Beginning at a point on the West line of the SE1/4NW1/4 of said Section 19, which is 2605.2 feet South and 1120.9 feet East of the Northeast corner of said Sec. 19; thence N. 49° 25' E. 1185.1 feet to the West line of the E1/2NE1/4SE1/4NW1/4 of said Section 19; thence South 39.5 feet; thence S. 49° 25' W. 1185.1 feet; thence North 39.5 feet to the point of beginning.
- Section 20: N1/2N1/2, SW1/4NW1/4.
- Section 20: SW1/4, SW1/4SE1/4.
- Section 20: SE1/4SE1/4, NW1/4SE1/4.
- Section 20: NW1/4SE1/4, SE1/4SE1/4, SUBJECT TO a reservation of an undivided one-fourth of all mineral rights, plus any mineral reservations of record on December 22, 1976.
- Section 21: S1/2S1/2, NE1/4SE1/4, SE1/4NE1/4.
- Section 22: SE1/4NW1/4, SW1/4SW1/4, N1/2SE1/4, N1/2 SW1/4, W1/2NW1/4; SE1/4SW1/4, S1/2SE1/4.
- Section 26: N1/2S1/2, SW1/4SW1/4.
- Section 27: SE1/4SE1/4, SE1/4NE1/4, NE1/4SE1/4, W1/2E1/2, NW1/4, SE1/4SW1/4.
- Section 28: NE1/4NW1/4, NW1/4NE1/4.
- Section 29: NW1/4NE1/4.
- Section 34: NE1/4NE1/4, NW1/4NE1/4, NE1/4NW1/4.
- Section 35: NW1/4NW1/4.
- In Township 32 South, Range 32 3/4 East Willamette Meridian:
- Section 15: W1/2SW1/4, SE1/4SW1/4, SW1/4SE1/4.
- Section 21: N1/2NE1/4.
- Section 22: N1/2, E1/2SE1/4.

Exhibit "A", page 3

rls/thompsonL

HARNEY County Assessor's Summary Report

Real Property Assessment Report

FOR ASSESSMENT YEAR 2017

NOT OFFICIAL VALUE

December 22, 2016 4:49:54 pm

Account #	10519	Tax Status	ASSESSABLE
Map #	26S33E00-00-02000	Acct Status	ACTIVE
Code - Tax #	0420-10519	Subtype	NORMAL

Legal Descr Metes & Bounds - See legal report for full description.

Mailing Name THOMPSON, SHIRLEY M - TRUSTEE

Deed Reference # 2006-1126 (SOURCE ID(T): 20061126)

Agent

Sales Date/Price 06-02-2006 / \$16,750.00

In Care Of

Appraiser

Mailing Address 53743 HWY 78
BURNS, OR 97720-9482

Prop Class	550	MA	SA	NH	Unit
RMV Class	550	04	00	042	3614-1

Situs Address(s)	Situs City
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Value Summary					
Code Area	AV	RMV	MAV	RMV Exception	CPR %
0420 Land		34,000		Land	0
Impr.		0		Impr.	0
Code Area Total	742	34,000	8,710		0
Grand Total	742	34,000	8,710		0

Land Breakdown											
Code Area	ID#	RFD	Ex	Plan Zone	Value Source	TD%	LS	Size	Land Class	LUC	Trended RMV
0420	1	R		EFRU-2	Farm Use Zoned	100	A	18.29	5	006*	34,000
Grand Total								18.29			34,000

Improvement Breakdown											
Code Area	ID#	Yr Built	Stat Class	Description	TD%	Total Sq. Ft.	Ex%	MS Acct #	Trended RMV		
Grand Total										0	0

20061126

THIS SPACE RESERVED FOR RECORDER'S USE

2000112
263300
54

After recording return to:
SHIRLEY M. THOMPSON, Trustee
53743 HWY 78
BURNS, OR 97720

Until a change is requested all
tax statements shall be sent to
The following address:

SHIRLEY M. THOMPSON, Trustee
53743 HWY 78
BURNS, OR 97720

SWD

STATE OF OREGON }
County of Harney } ss

I certify that the within instrument was received
for record on the 26th day of May
2006 at 4:00 o'clock P.M. and
recorded Microfilm number 20061126
Deed Records of said County.

Maria Sturriaga, County Clerk
By: Maria Sturriaga

STATUTORY WARRANTY DEED

LYNNE BRIGHTMAN, Grantor(s) hereby convey and warrant to SHIRLEY M. THOMPSON, as Trustee of
the Shirley M. Thompson Family Trust, Grantee(s) the following described real property in the County of
HARNEY and State of Oregon free of encumbrances except as specifically set forth herein:

Land in Harney County, Oregon, as follows:

In Twp. 26 S., R. 33 E., W.M.:

Sec. 13: S1/2N1/2NE1/4NE1/4, N1/2S1/2NE1/4NE1/4, SAVE & EXCEPT highway right of
way conveyed

to Harney County, Oregon, by deed recorded October 7, 1926, in Book 32,
Page 512, Deed Records and highway right of way conveyed to the State
of Oregon, by and through its State Highway Commission, by deed
recorded October 14, 1947, in Book 47, Page 152, Deed Records and
highway right of way conveyed to the State of Oregon, by and through
its State Highway Commission, recorded March 18, 1992, Instrument No.
920403, Deed Records.

ACCT# 10519; CODE# 4-2

Map: 26S 33E LOT 2000

The above-described property is free of encumbrances except all those items of record, if any, as of the date of this deed and
those shown below, if any:

The true and actual consideration for this conveyance is \$16,750.00.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD
INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER CHAPTER 1, OREGON LAWS 2005 (BALLOT MEASURE
37 (2004)). THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN
VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS
INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE
APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE
ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 AND TO
INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY UNDER CHAPTER 1, OREGON
LAWS 2005 (BALLOT MEASURE 37 (2004)).

Dated this 26th day of May, 2006

Lynne Brightman
LYNNE BRIGHTMAN

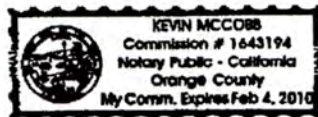
STATE OF CALIFORNIA

COUNTY OF Orange ss.

On May 26, 2006 before me, Kevin McCobb personally appeared LYNNE
BRIGHTMAN personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s)
is/are subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity(ies), and
that by her signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the
instrument.

WITNESS my hand and official seal.

Signature [Signature]



HARNEY County Assessor's Summary Report

Real Property Assessment Report

FOR ASSESSMENT YEAR 2017

NOT OFFICIAL VALUE

December 22, 2016 4:51:22 pm

Account # 10518
 Map # 26S33E00-00-02100
 Code - Tax # 0420-10518

Tax Status ASSESSABLE
 Acct Status ACTIVE
 Subtype NORMAL

Legal Descr Metes & Bounds - See legal report for full description.

Mailing Name THOMPSON, NEVIN L (DC) & SHIRLEY M TTEE

Deed Reference # 1994-943 (SOURCE ID(T): 940943)

Agent

Sales Date/Price 05-01-1994 / \$0.00

In Care Of

Appraiser JOHN CLEMENS

Mailing Address 53743 HWY 78
 BURNS, OR 97720-9482

Prop Class 551 MA SA NH Unit
 RMV Class 551 04 00 042 3613-1

Situs Address(s) Situs City

Value Summary					
Code Area	AV	RMV	MAV	RMV Exception	CPR %
0420 Land		41,600		Land	0
Impr.		14,500		Impr.	0
Code Area Total	11,924	56,100	16,320		0
Grand Total	11,924	56,100	16,320		0

Land Breakdown											
Code Area	ID#	RFD	Ex	Plan Zone	Value Source	TD%	LS	Size	Land Class	LUC	Trended RMV
0420	1	R		EFRU-2	Farm Use Zoned	100	A	49.22	6	006*	41,600
Grand Total								49.22			41,600

Improvement Breakdown										
Code Area	ID#	Yr Built	Stat Class	Description	TD%	Total Sq. Ft.	Ex%	MS Acct #	Trended RMV	
0420	1		300	Farm Bldg	100	0			5,000	
0420	2		300	Farm Bldg	100	0			4,500	
0420	3	2004	300	Farm Bldg	100	0			2,800	
0420	4	2004	300	Farm Bldg	100	0			2,200	
Grand Total							0		14,500	

HARNEY County Assessor's Summary Report

Real Property Assessment Report

FOR ASSESSMENT YEAR 2017
NOT OFFICIAL VALUE

December 22, 2016 4:51:41 pm

Account # 10520
Map # 26S33E00-00-02200
Code - Tax # 0420-10520

Tax Status ASSESSABLE
Acct Status ACTIVE
Subtype NORMAL

Legal Descr Metes & Bounds - See legal report for full description.

Mailing Name THOMPSON, NEVIN L (DC) & SHIRLEY M TTEE

Deed Reference # 1994-943 (SOURCE ID(T): 940943)

Agent

Sales Date/Price 05-01-1994 / \$0.00

In Care Of

Appraiser JOHN CLEMENS

Mailing Address 53743 HWY 78
BURNS, OR 97720-9482

Prop Class 551 MA SA NH Unit
RMV Class 551 04 00 042 3615-1

Situs Address(s) Situs City

		Value Summary				
Code Area		AV	RMV	MAV	RMV Exception	CPR %
0420	Land		296,770		Land	0
	Impr.		18,550		Impr.	0
Code Area Total		99,511	315,320	208,770		0
Grand Total		99,511	315,320	208,770		0

Land Breakdown											
Code Area	ID#	RFD	Ex	Plan Zone	Value Source	TD%	LS	Size	Land Class	LUC	Trended RMV
0420	1	R		EFRU-2	Farm Use Zoned	100	A	140.00	2	006*	216,350
0420	2	R		EFRU-2	Farm Use Zoned	100	A	56.00	3	006*	62,990
0420	4	R		EFRU-2	Farm Use Zoned	100	A	39.21	5	006*	5,520
0420	5	R		EFRU-2	Farm Use Zoned	100	A	0.00	IW	006*	3,970
0420	6	R		EFRU-2	Farm Use Zoned	100	A	0.00	IW	006*	3,970
0420	7	R		EFRU-2	Farm Use Zoned	100	A	0.00	IW	006*	3,970
Grand Total								235.21			296,770

Improvement Breakdown											Trended RMV
Code Area	Yr Built	Stat Class	Description	TD%	Total Sq. Ft.	Ex%	MS Acct #				
0420	1	300	Farm Bldg	100	0						15,800
0420	2	300	Farm Bldg	100	0						2,750
Grand Total											18,550

HARNEY County Assessor's Summary Report

Real Property Assessment Report

FOR ASSESSMENT YEAR 2017

NOT OFFICIAL VALUE

December 22, 2016 4:52:06 pm

Account # 10523
 Map # 26S33E00-00-02300
 Code - Tax # 0420-10523

Tax Status ASSESSABLE
 Acct Status ACTIVE
 Subtype NORMAL

Legal Descr Metes & Bounds - See legal report for full description.

Mailing Name THOMPSON, NEVIN L (DC) & SHIRLEY M TTEE

Deed Reference # 1994-943 (SOURCE ID(T): 940943)

Agent

Sales Date/Price 05-01-1994 / \$0.00

In Care Of

Appraiser JOHN CLEMENS

Mailing Address 53743 HWY 78
 BURNS, OR 97720-9482

Prop Class 550 MA SA NH Unit
 RMV Class 550 04 00 042 3618-1

Situs Address(s)	Situs City
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Value Summary					
Code Area	AV	RMV	MAV	RMV Exception	CPR %
0420 Land		143,880		Land	0
Impr.		0		Impr.	0
Code Area Total	43,976	143,880	94,450		0
Grand Total	43,976	143,880	94,450		0

Land Breakdown											
Code Area	ID#	RFD	Ex	Plan Zone	Value Source	TD%	LS	Size	Land Class	LUC	Trended RMV
0420	1	R		EFRU-2	Farm Use Zoned	100	A	60.00	2	006*	92,660
0420	2	R		EFRU-2	Farm Use Zoned	100	A	43.50	3	006*	48,900
0420	3	R		EFRU-2	Farm Use Zoned	100	A	16.50	5	006*	2,320
Grand Total								120.00			143,880

Improvement Breakdown										
Code Area	Yr ID#	Stat Built	Class	Description	TD%	Total Sq. Ft.	Ex%	MS Acct #	Trended RMV	
Grand Total										0

HARNEY County Assessor's Summary Report

Real Property Assessment Report

FOR ASSESSMENT YEAR 2017
NOT OFFICIAL VALUE

December 22, 2016 4:52:48 pm

Account # 11063
Map # 26S34E18-00-00400
Code - Tax # 0420-11063

Tax Status ASSESSABLE
Acct Status ACTIVE
Subtype NORMAL

Legal Descr Metes & Bounds - See legal report for full description.

Mailing Name THOMPSON, NEVIN L (DC) & SHIRLEY M TTEE

Deed Reference # 1994-943 (SOURCE ID(T): 940943)

Agent

Sales Date/Price 05-01-1994 / \$0.00

In Care Of

Appraiser AARON SCHEEN

Mailing Address 53743 HWY 78
BURNS, OR 97720-9482

Prop Class 551 MA SA NH Unit
RMV Class 551 04 00 042 4120-1

Situs Address(s)	Situs City
ID# 53743 HIGHWAY 78	BURNS

Code Area	AV	Value Summary		RMV Exception	CPR %
		RMV	MAV		
0420 Land		48,680		Land 0	
Impr.		172,180		Impr. 0	
Code Area Total	138,361	220,860	155,250	0	
Grand Total	138,361	220,860	155,250	0	

Code Area	ID#	RFD	Ex	Plan Zone	Value Source	Land Breakdown			Land Class	LUC	Trended RMV
						TD%	LS	Size			
0420	4	R		EFRU-1	Farm Use Zoned	100	A	22.00	5	006*	18,780
0420	5	R		EFRU-1	Farm Use Zoned	100	A	4.68	7A	006*	1,970
0420	6	R		EFRU-1	Farm Use Zoned	100	A	1.00	HS	006*	15,930
0420					SITE AMENTIES	100					12,000
								Grand Total	27.68		48,680

Code Area	ID#	Yr Built	Stat Class	Description	Improvement Breakdown		Total Sq. Ft.	Ex% MS Acct #	Trended RMV
					TD%				
0420	1	1974	141	One story	100		0		119,730
0420	2	1990	131	One story	100		0		1,850
0420	3		300	Farm Bldg	100		1,800		11,350
0420	4		300	Farm Bldg	100		2,700		22,850
0420	5		300	Farm Bldg	100		0		5,000
0420	6		300	Farm Bldg	100		372		7,700
0420	7		300	Farm Bldg	100		948		2,030
0420	8		110	Residential Other Improvements	100		0		1,240
0420	9		110	Residential Other Improvements	100		0		430
							Grand Total	5,820	172,180

HARNEY County Assessor's Summary Report

Real Property Assessment Report

FOR ASSESSMENT YEAR 2017

NOT OFFICIAL VALUE

December 22, 2016 4:53:48 pm

Account # 10813	Tax Status ASSESSABLE
Map # 26S34E00-00-01900	Acct Status ACTIVE
Code - Tax # 0420-10813	Subtype NORMAL
Legal Descr Metes & Bounds - See legal report for full description.	
Mailing Name THOMPSON, NEVIN L (DC) & SHIRLEY M TTEE	Deed Reference # 1994-943 (SOURCE ID(T): 940943)
Agent	Sales Date/Price 05-01-1994 / \$0.00
In Care Of	Appraiser AARON SCHEEN
Mailing Address 53743 HWY 78 BURNS, OR 97720-9482	

Prop Class 551	MA	SA	NH	Unit
RMV Class 551	04	00	042	3894-1

Situs Address(s)	Situs City
ID# 53439 HIGHWAY 78	BURNS
ID# 53441 HIGHWAY 78	BURNS

Value Summary					
Code Area	AV	RMV	MAV	RMV Exception	CPR %
0420 Land		371,440		Land	0
Impr.		74,240		Impr.	0
Code Area Total	107,821	445,680	180,850		0
Grand Total	107,821	445,680	180,850		0

Land Breakdown											
Code Area	ID#	RFD	Ex	Plan Zone	Value Source	TD%	LS	Size	Land Class	LUC	Trended RMV
0420	1	R		EFRU-1	Farm Use Zoned	100	A	34.00	3	006*	80,480
0420	2	R		EFRU-1	Farm Use Zoned	100	A	92.00	4	006*	135,970
0420	3	R		EFRU-1	Farm Use Zoned	100	A	31.00	6	006*	7,380
0420	4	R		EFRU-1	Farm Use Zoned	100	A	767.78	7A	006*	112,190
0420	5	R		EFRU-1	Farm Use Zoned	100	A	2.00	HS	006*	3,070
0420	8	R		EFRU-1	Farm Use Zoned	100	A	0.00	IW	006*	8,350
0420					SITE AMENTIES	100					12,000
0420					SITE AMENTIES	100					12,000
Grand Total								926.78			371,440

Improvement Breakdown											
Code Area	ID#	Yr Built	Stat Class	Description	TD%	Total Sq. Ft.	Ex%	MS Acct #	Trended RMV		
0420	1		131	One story	100	1,428			53,930		
0420	2		300	Farm Bldg	100	112			1,060		
0420	3		300	Farm Bldg	100	0			13,120		
0420	4		110	Residential Other Improvements	100	0			2,960		
0420	5		110	Residential Other Improvements	100	0			1,680		
0420	6		110	Residential Other Improvements	100	0			1,490		
Grand Total						1,540			74,240		

MS Account(s): 0420-P-76169

HARNEY County Assessor's Summary Report

Real Property Assessment Report

FOR ASSESSMENT YEAR 2017
NOT OFFICIAL VALUE

December 22, 2016 4:54:19 pm

Account # 10814
Map # 26S34E00-00-02100
Code - Tax # 0420-10814

Tax Status ASSESSABLE
Acct Status ACTIVE
Subtype NORMAL

Legal Descr Metes & Bounds - See legal report for full description.

Mailing Name THOMPSON, SHIRLEY M - TRUSTEE

Deed Reference # 2005-937 (SOURCE ID(T): 20050937)

Agent

Sales Date/Price 05-16-2005 / \$0.00

In Care Of

Appraiser GLENN WHITMORE (LEFT IN 2009)

Mailing Address 53743 HWY 78
BURNS, OR 97720-9482

Prop Class 400 MA SA NH Unit
RMV Class 400 04 00 042 3895-1

Situs Address(s) Situs City

		Value Summary				
Code Area		AV	RMV	MAV	RMV Exception	CPR %
0420	Land		87,760		Land	0
	Impr.		0		Impr.	0
Code Area Total		31,090	87,760	31,090		0
Grand Total		31,090	87,760	31,090		0

		Land Breakdown						Trended		
Code Area	ID#	RFD	Ex	Plan Zone	Value Source	TD% LS	Size	Land Class	LUC	RMV
0420	1	R		EFRU-1	Market	100 A	153.97	RA	*	87,760
Grand Total							153.97			87,760

		Improvement Breakdown				Total			Trended
Code Area	Yr ID#	Built	Stat Class	Description	TD%	Sq. Ft.	Ex% MS	Acct #	RMV
Grand Total						0			0

HARNEY County Assessor's Summary Report

Real Property Assessment Report

FOR ASSESSMENT YEAR 2017

NOT OFFICIAL VALUE

December 22, 2016 4:55:02 pm

Account #	10815	Tax Status	ASSESSABLE
Map #	26S34E00-00-02300	Acct Status	ACTIVE
Code - Tax #	0420-10815	Subtype	NORMAL

Legal Descr Metes & Bounds - See legal report for full description.

Mailing Name THOMPSON, NEVIN L (DC) & SHIRLEY M TTEE	Deed Reference # See Record
Agent	Sales Date/Price See Record
In Care Of	Appraiser AARON SCHEEN

Mailing Address 53743 HWY 78
BURNS, OR 97720-9482

Prop Class	551	MA	SA	NH	Unit
RMV Class	551	04	00	042	3896-1

Situs Address(s)	Situs City
------------------	------------

Value Summary					
Code Area	AV	RMV	MAV	RMV Exception	CPR %
0420 Land		409,380		Land	0
Impr.		33,120		Impr.	0
Code Area Total	114,484	442,500	204,240		0
Grand Total	114,484	442,500	204,240		0

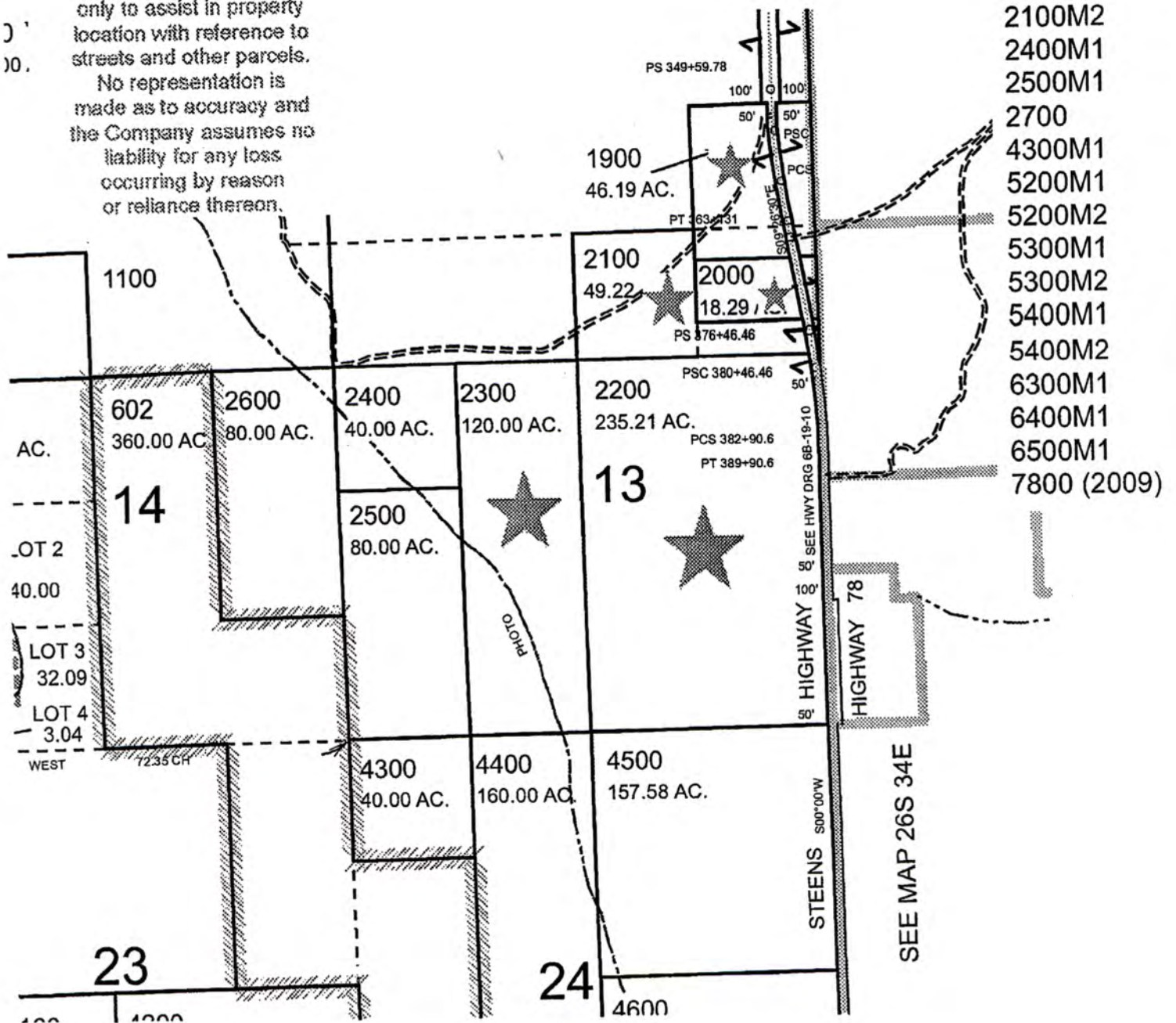
Land Breakdown											
Code Area	ID#	RFD	Ex	Plan Zone	Value Source	TD%	LS	Size	Land Class	LUC	Trended RMV
0420	1	R		EFRU-1	Farm Use Zoned	100	A	200.00	2	006*	369,860
0420	2	R		EFRU-1	Farm Use Zoned	100	A	173.50	5	006*	29,240
0420	3	R		EFRU-1	Farm Use Zoned	100	A	66.50	7A	006*	5,530
0420	4	R		EFRU-1	Farm Use Zoned	100	A	0.00	IW	006*	4,750
Grand Total								440.00			409,380

Improvement Breakdown							
Code Area	ID#	Yr Built	Stat Class	Description	TD%	Total Sq. Ft.	Trended RMV
0420	1		300	Farm Bldg	100	0	33,120
Grand Total							33,120


COMPLIMENTS OF
AmeriTitle

This sketch is furnished for information purposes only to assist in property location with reference to streets and other parcels. No representation is made as to accuracy and the Company assumes no liability for any loss occurring by reason or reliance thereon.

10.
 10.

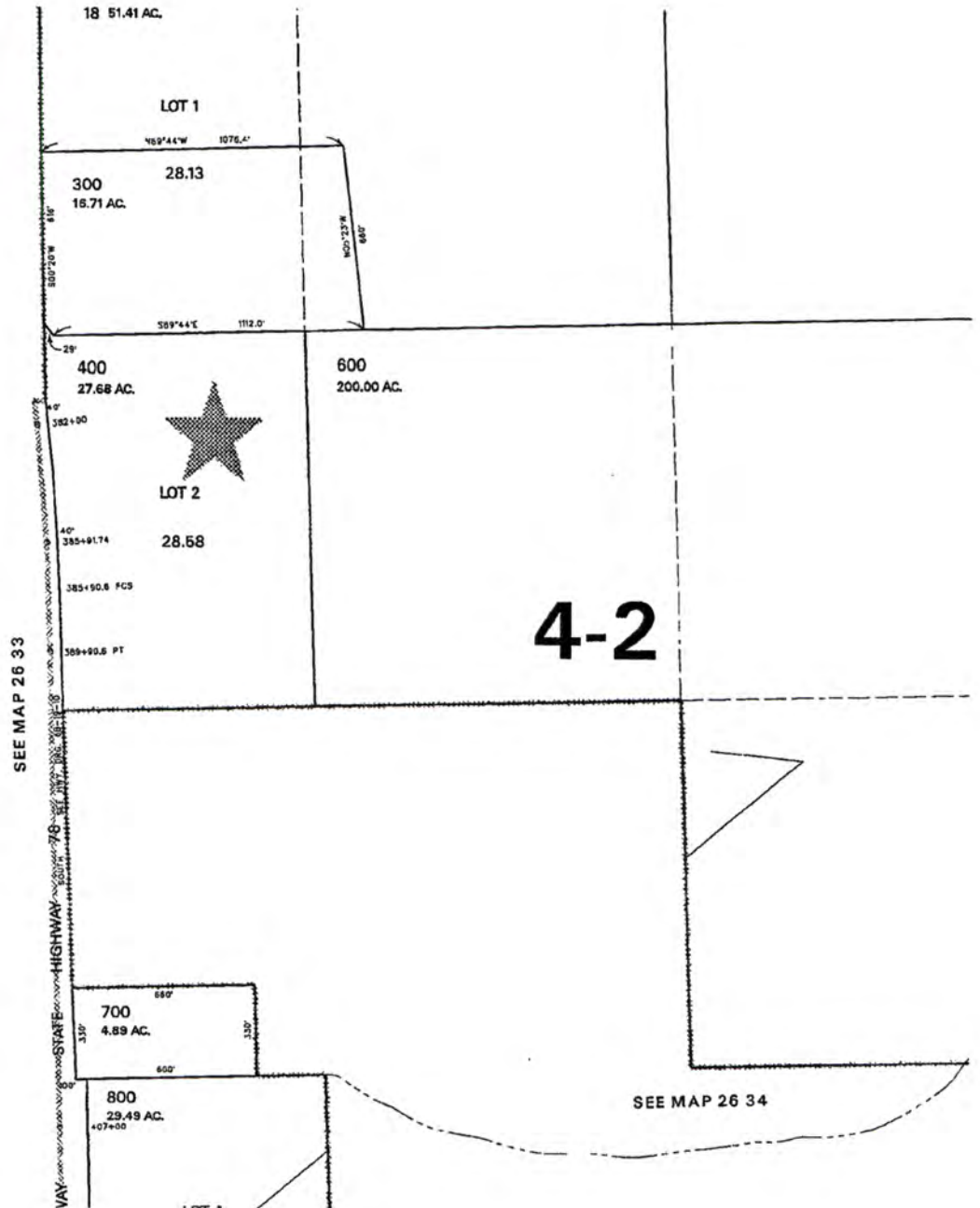




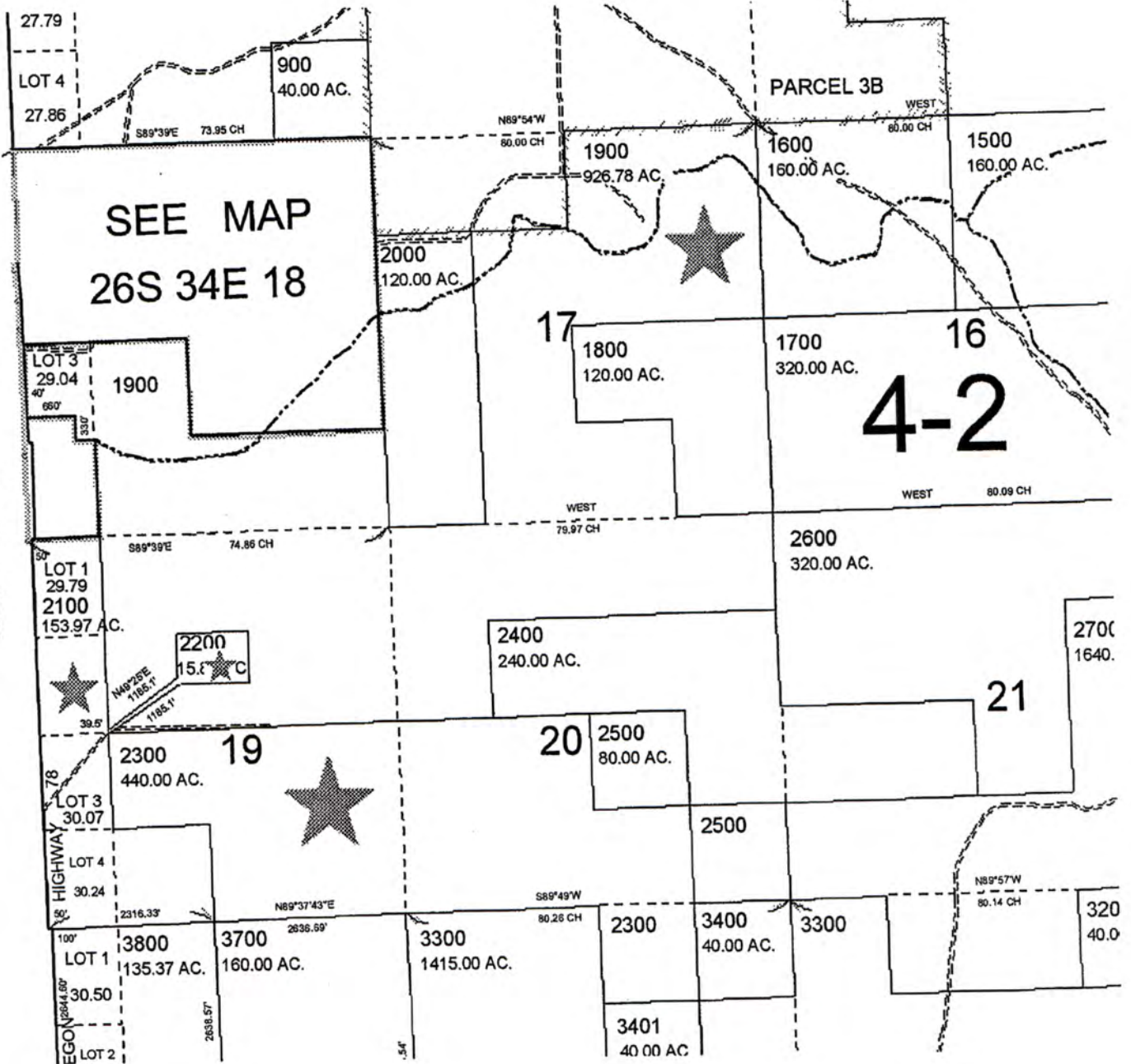
COMPLIMENTS OF
AmeriTitle

This sketch is furnished for information purposes only to assist in property location with reference to streets and other parcels.

No representation is made as to accuracy and the Company assumes no liability for any loss occurring by reason or reliance thereon.



SEE MAP 26S 33E



**Notice of Preliminary Determination for
Water Right Transfer T-12378**

T-12378 filed by Shirley Thompson, 53743 Hwy 78, Burns OR 97720, proposes additional points of appropriation, changes in points of appropriation, and changes in place of use under Certificate (C) 46775, and additional points of appropriation and changes in place of use under C-55569, C-55570, C-55571, and C-85182. C 46775 allows the use of 4.01 cfs from two wells in Sec. 13, T26S, R33E, WM for irrigation in Sec 13, T26S, R33E, WM and Sec 18, T26S, R34E, WM and supplemental irrigation in Sects.13 and 18, T26S, R34E, WM. The applicant proposes additional points of appropriation and a change in point of appropriation in Sects 18, 19, 20, T26S, R34E, WM, and to change the place of use in Sec. 13, T26S, R33E, WM and Sects.18, and 19, T26S, R34E, WM. C-55569 allows the use of 1.48 cfs from a well in Sec. 19, T26S, R34E, WM for irrigation in Sects.19 and 20, T26S, R34E, WM. The applicant proposes additional points of appropriation in Sects 19 and 20, T26S, R34E, WM and changes in place of use in Sects. 19 and 20, T26S, R34E, WM. C-55570 allows the use of 0.5 cfs from a well in Sec. 19, T26S, R34E, WM for irrigation in Sect.19, T26S, R34E, WM. The applicant proposes additional points of appropriation in Sects 19 and 20, T26S, R34E, WM and changes in place of use in Sec 19, T26S, R34E, WM. C-55571 allows the use of 1.03 cfs from a well in Sec. 19, T26S, R34E, WM, for irrigation in Sects.19 and 20, T26S, R34E, WM. The applicant proposes additional points of appropriation in Sects. 19 and 20, T26S, R34E, WM and changes in place of use in Sec. 19, T26S, R34E, WM. C-85182 allows the use of 1.025 cfs from a well in Sec. 20, T26S, R34E, WM for irrigation in Sects. 20 and 29, T26S, R34E, WM. The applicant proposes additional points of appropriation in Sec 19, T26S, R34E, WM and changes in place of use in Sects. 19 and 20, T26S, R34E, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

Any person may file, jointly or severally, a protest or standing statement within 30 days after the last date of newspaper publication of this notice, MM/DD/YEAR. Call (503) 986-0807 to obtain additional information or a protest form. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.

SMITH Joan M * WRD

From: SMITH Joan M
Sent: Monday, November 14, 2016 12:54 PM
To: johnshort@usa.com
Cc: JOHNSON JR
Subject: T-12378-dpd approve
Attachments: 12378-dpd.docm; 12378-dpd-cvr-ltr.pdf

SUBJECT: Water Right Transfer Application T-12378

Your water right transfer is in one of three phases of processing. Attached is a draft of our Preliminary Determination regarding Transfer Application T-12378. The document reflects the Department's conclusion that, based on the information currently available, the transfer will be approved.

Items needed before the next phase of processing...

1. Please review the draft carefully to see if it accurately reflects the changes you intend to make, and to become familiar with all proposed conditions. **You will need to respond in writing** by the deadline provided below, whether you agree with the proposed action and conditions. Also we will appreciate having you let us know if there are typographical errors that need to be corrected.
2. A report of landownership for the lands to which the water rights are appurtenant (the FROM lands) is required. **The report must be prepared by a title company and meet the criteria below.** (*Reports may be called by various names, such as Customer Service Report, Property Analysis Report (PAR), List Pack, Lot Book Report, etc.*)
 - a) The title company's report must either be:
 - i) prepared within 3 months of the draft Preliminary Determination showing current ownership, or
 - ii) prepared within 3 months of recording of a water right conveyance agreement, or
 - iii) prepared at any time, but showing ownership at the time a water right conveyance agreement was recorded.
 - b) The ownership report shall include:
 - i) Date reflected by the ownership information
 - ii) List of owners at that time
 - iii) Legal description of the property where the water right to be transferred is currently located.
 - c) You will need to submit a notarized statement of consent from any landowner listed in the ownership report who is not already included in the transfer application, or other information such as a water right conveyance agreement, if applicable.
3. Notice of this transfer will need to be published in a newspaper with general circulation in the area where the water rights are currently located. You will be responsible for the charges. Please indicate the newspaper you prefer to publish in so we can get an accurate estimate of the cost.

Conditions to your water right...

The Watermaster has required a water measurement device at each new and existing appropriation points prior to diversion of water. Enclosed is a contact information sheet to assist you in pursuing additional information or approval of the required (or alternate) devices.

Please note the proposed date by which all conditions must be met: October 1, 2018. If the required completion date is insufficient to comply with any of the conditions, you may extend the date at no cost to you during this stage of processing. Please let me know by the comment deadline so we can make the proper arrangements to get you the time you need.

What happens next...

Once the Preliminary Determination is issued a publication period is required. Because there is more than ¼ mile between the new and the authorized points of appropriation, the Department will publish notice of the transfer in a local newspaper having a general circulation in the area of the water right at least once per week for two consecutive weeks. You are responsible for sending a check to cover the cost of publication prior to the issuance of the Preliminary Determination and publication of notice.

Issuance of the Preliminary Determination will occur shortly after we receive:

1. your written response to the conditions and proposed action in the draft Preliminary Determination (e-mail is acceptable); and
2. report of ownership, and affidavits of consent from any landowners shown in the ownership report who have not signed the transfer application; and
3. name of the newspaper you wish the Department to use for publication of the notice of the Preliminary Determination.

If we do not receive the items listed above by December 14, 2016, a Preliminary Determination may be issued denying the application as incomplete.

Please do not hesitate to contact me at Joan.M.SMITH@wrd.state.or.us or 503-986-0892 if I may be of assistance.

Sincerely,

Joan Smith
Transfer Specialist
Transfer and Conservation Section

cc: Transfer Application File T-12378
Shirley Thompson, hard copy
JR Johnson, District 10 Watermaster (via e-mail)
Linda Lee Miller, CWRE #47708 (via e-mail)

enclosures

Joan Smith

Joan M Smith
Transfer Specialist
Oregon Department of Water Resources
725 Summer St NE Suite A
Salem Oregon 97301

phone 503-986-0892

Please Note: Under Oregon Law, messages to and from this e-mail address may be available to the public.

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

In the Matter of Transfer Application
T-12378, Harney County

) **D R A F T**
)
) PRELIMINARY DETERMINATION
) PROPOSING APPROVAL OF A
) CHANGE IN POINTS OF
) APPROPRIATION, ADDITIONAL
) POINTS OF APPROPRIATION AND
) PLACE OF USE CHANGES

Authority

Oregon Revised Statutes (ORS) 537.705 and 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of appropriation, place of use, or character of use authorized under an existing water right. Oregon Administrative Rules (OAR) Chapter 690, Division 380 implement the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

SHIRLEY THOMPSON
53743 HWY 78
BURNS, OR 97720

Findings of Fact

1. On May 9, 2016, SHIRLEY THOMPSON filed an application to change the points of appropriation and for additional points of appropriation and to change the place of use under Certificates 46775, 55569, 55570, 55571, and 85182. The Department assigned the application number T-12378.
2. Notice of the application for transfer was published on May 17, 2016, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On September 15, 2016, the Department contacted the applicant's agent via telephone and email to notify them of deficiencies in the application. The deficiencies being: clarification was requested regarding the applicants/landowners; clarification was requested as to whether there is a "receiving landowner"; two of the maps were missing the location of the authorized wells; and minor inconsistencies within the application with regard to the well locations.
4. On October 21, 2016, the applicant's agent submitted amended application pages and on October 25, 2016, the applicant submitted new maps resolving the deficiencies.

5. The first right to be transferred is as follows:

Certificate: 46775 in the name of NEVIN L THOMPSON (perfected under Permit G-5240)
Use: IRRIGATION of 287.3 ACRES and SUPPLEMENTAL IRRIGATION of 48.2 ACRES
Priority Date: SEPTEMBER 10, 1974
Rate: 4.01 CUBIC FEET PER SECOND (cfs), being 0.71 cfs from OLD WELL and 3.3 cfs from NEW WELL
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.
Source: OLD and NEW THOMPSON WELLS within the MALHEUR LAKE BASIN

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
26 S	33 E	WM	13	NE SE	OLD THOMPSON WELL: 2490 FEET NORTH AND 100 FEET WEST FROM THE SE CORNER OF SECTION 13
26 S	33 E	WM	13	NW SE	NEW THOMPSON WELL: 2490 FEET NORTH AND 1370 FEET WEST FROM THE SE CORNER OF SECTION 13

Authorized Place of Use:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Gov't Lot	Acres	Source
26 S	33 E	WM	13	SW NE		40.0	New Thompson Well
26 S	33 E	WM	13	SE NE		37.5	
26 S	33 E	WM	13	SE NW		40.0	
26 S	33 E	WM	13	NE SW		40.0	
26 S	33 E	WM	13	SE SW		40.0	
26 S	33 E	WM	13	NW SE		40.0	
26 S	33 E	WM	13	SW SE		40.0	
26 S	34 E	WM	18	NE SW		8.0	Old Thompson Well
26 S	34 E	WM	18	SW SW	4	0.5	
26 S	34 E	WM	18	SE SW		1.3	
Total:						287.3	

SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Gov't Lot	Acres	Source
26 S	34 E	WM	18	SW NW	2	20.0	Old Thompson Well
26 S	34 E	WM	18	NW SW	3	19.5	
26 S	34 E	WM	18	SE SW		8.7	
Total:						48.2	

6. Transfer Application T-12378 proposes an additional point of appropriation approximately 350 feet and 1490 feet respectively from the existing points of appropriation "Old Thompson Well" and "New Thompson Well" located as follows:

Twp	Rng	Mer	Sec	Q-Q	Gov't lot	Measured Distances
26 S	34 E	WM	18	NW SW	3	NEWEST WELL: 2200 FEET NORTH AND 90 FEET EAST FROM THE SW CORNER OF SECTION 18

7. Transfer Application T-12378 also proposes a change in points of appropriation, described as follows, with the approximate distance in miles from the existing points of appropriation as identified below:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate Distances	
						Old Thompson Well	New Thompson Well
26 S	34 E	WM	19	SE SW	WEST WELL: 1320 FEET NORTH AND 1480 FEET EAST FROM THE SW CORNER OF SECTION 19	1.3	1.4
26 S	34 E	WM	19	SW NE	NORTH WELL: 1230 FEET NORTH AND 170 FEET WEST FROM THE NE CORNER OF THE NW SE OF SECTION 19	1.0	1.2
26 S	34 E	WM	19	NW SE	MIDDLE WELL: 70 FEET SOUTH AND 40 FEET WEST FROM THE NE CORNER OF THE NW SE OF SECTION 19	1.2	1.4
26 S	34 E	WM	20	SE SW	EAST WELL: 17 FEET NORTH AND 123 FEET WEST FROM THE SOUTH 1/4 CORNER OF SECTION 20	2.0	2.2

8. Transfer Application T-12378 also proposes to change the place of use(POU) of the right in the table below the type of change is also described POA for point of appropriation and APOA for additional point of appropriation:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Gov't Lot	Acres	Type of Change
26 S	33 E	WM	13	NE NE		26.1	APOA/POU
26 S	33 E	WM	13	NW NE		28.9	APOA/POU
26 S	33 E	WM	13	SW NE		29.0	APOA/POU
26 S	33 E	WM	13	SE NE		26.0	APOA/POU
26 S	33 E	WM	13	NE SW		31.0	APOA/POU
26 S	33 E	WM	13	SE SW		31.7	APOA/POU
26 S	33 E	WM	13	NW SE		31.3	APOA/POU
26 S	34 E	WM	13	SW SE		31.6	APOA/POU
26 S	34 E	WM	18	NE SW		1.9	APOA/POU
26 S	34 E	WM	19	NE SW		2.3	POA/POU
26 S	34 E	WM	19	NW SW	3	16.6	POA/POU
26 S	34 E	WM	19	SW SW	4	20.0	POA/POU
26 S	34 E	WM	19	SE SW		10.9	POA/POU
Total:						287.3	

SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Gov't Lot	Acres	Type of Change
26 S	34 E	WM	18	SW NW	2	20.0	APOA/POU
26 S	34 E	WM	18	NW SW	3	19.5	APOA/POU

SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Gov't Lot	Acres	Type of Change
26 S	34 E	WM	18	SE SW		8.7	APOA/POU
Total:						48.2	

9. The second right to be transferred is as follows:

Certificate: 55569 in the name of NEVIN THOMPSON (perfected under Permit G-5183)

Use: IRRIGATION of 118.2 ACRES

Priority Date: APRIL 4, 1973

Rate: 1.48 CFS

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: JAMES WELL within the MALHEUR LAKE BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
26 S	34 E	WM	19	NW SE	70 FEET SOUTH AND 40 FEET WEST FROM THE NE CORNER OF THE NW SE OF SECTION 19

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	Acres
26 S	34 E	WM	19	NE SE	39.0
26 S	34 E	WM	19	NW SE	39.0
26 S	34 E	WM	19	SE SE	39.5
26 S	34 E	WM	20	NW SW	0.7
Total:					118.2

10. Transfer Application T-12378 proposes additional points of appropriation, described as follows, with the approximate distance in miles from the existing point of appropriation as identified below:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate Distance from the authorized POA
26 S	34 E	WM	19	SE SW	WEST WELL: 1320 FEET NORTH AND 1480 FEET EAST FROM THE SW CORNER OF SECTION 19	0.5
26 S	34 E	WM	19	SW NE	NORTH WELL: 1230 FEET NORTH AND 170 FEET WEST FROM THE NE CORNER OF THE NW SE OF SECTION 19	0.3
26 S	34 E	WM	20	SE SW	EAST WELL: 17 FEET NORTH AND 123 FEET WEST FROM THE SOUTH 1/4 CORNER OF SECTION 20	0.9

11. Transfer Application T-12378 also proposes to change the place of use of the right to:

Twp	Rng	Mer	Sec	Q-Q	Acres
26 S	34 E	WM	19	SE NE	1.6
26 S	34 E	WM	19	NE SE	37.7
26 S	34 E	WM	19	NW SE	4.4
26 S	34 E	WM	19	SW SE	3.6
26 S	34 E	WM	19	SE SE	15.1
26 S	34 E	WM	20	SW NW	0.5
26 S	34 E	WM	20	NW SW	28.4
26 S	34 E	WM	20	SW SW	26.9
Total:					118.2

12. The third right to be transferred is as follows:

Certificate: 55570 in the name of NEVIN THOMPSON (perfected under Permit G-8242)

Use: IRRIGATION of 40.0 ACRES

Priority Date: MAY 8, 1978

Rate: 0.5 CFS

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: A WELL within the MALHEUR LAKE BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
26 S	34 E	WM	19	NW SE	70 FEET SOUTH AND 40 FEET WEST FROM THE NE CORNER OF THE NW SE OF SECTION 19

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	Acres
26 S	34 E	WM	19	SW SE	40.0

13. Transfer Application T-12378 proposes additional points of appropriation, described as follows, with the approximate distance in feet from the existing point of appropriation (POA) as identified below:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate Distance from the authorized POA
26 S	34 E	WM	19	SE SW	WEST WELL: 1320 FEET NORTH AND 1480 FEET EAST FROM THE SW CORNER OF SECTION 19	0.5
26 S	34 E	WM	19	SW NE	NORTH WELL: 1230 FEET NORTH AND 170 FEET WEST FROM THE NE CORNER OF THE NW SE OF SECTION 19	0.3
26 S	34 E	WM	20	SE SW	EAST WELL: 17 FEET NORTH AND 123 FEET WEST FROM THE SOUTH 1/4 CORNER OF SECTION 20	0.9

14. Transfer Application T-12378 also proposes to change the place of use of the right to:

Twp	Rng	Mer	Sec	Q-Q	Acres
26 S	34 E	WM	19	SE SW	18.0
26 S	34 E	WM	19	SW SE	0.6
26 S	34 E	WM	19	SE SE	21.4
Total:					40.0

15. The fourth right to be transferred is as follows:

Certificate: 55571 in the name of NEVIN THOMPSON (perfected under Permit G-8372)

Use: IRRIGATION of 82.4 ACRES

Priority Date: OCTOBER 18, 1978

Rate: 1.03 CFS

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: A WELL within the MALHEUR LAKE BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
26 S	34 E	WM	19	SW NE	1230 FEET NORTH AND 170 FEET WEST FROM THE NE CORNER OF THE NW SE OF SECTION 19

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	Acres
26 S	34 E	WM	19	SW NE	22.0
26 S	34 E	WM	19	SE NE	23.0
26 S	34 E	WM	19	NE NW	5.0
26 S	34 E	WM	19	SE NW	31.8
26 S	34 E	WM	20	SW NW	0.6
Total:					82.4

16. Transfer Application T-12378 proposes additional points of appropriation, described as follows, with the approximate distance in feet from the existing point of appropriation (POA) as identified below:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate Distance from authorized POA
26 S	34 E	WM	19	SE SW	WEST WELL: 1320 FEET NORTH AND 1480 FEET EAST FROM THE SW CORNER OF SECTION 19	0.6
26 S	34 E	WM	19	NW SE	MIDDLE WELL: 70 FEET SOUTH AND 40 FEET WEST FROM THE NE CORNER OF THE NW SE OF SECTION 19	0.3
26 S	34 E	WM	20	SE SW	EAST WELL: 17 FEET NORTH AND 123 FEET WEST FROM THE SOUTH 1/4	1.1

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate Distance from authorized POA
					CORNER OF SECTION 20	

17. Transfer Application T-12378 also proposes to change the place of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Gov't Lot	Acres
26 S	34 E	WM	19	SW NE		6.4
26 S	34 E	WM	19	SW NW	2	19.0
26 S	34 E	WM	19	SE NW		37.4
26 S	34 E	WM	19	NE SW		3.0
26 S	34 E	WM	19	SE SW		8.3
26 S	34 E	WM	19	NW SE		2.8
26 S	34 E	WM	19	SW SE		5.5
Total:						82.4

18. The fifth right to be transferred is as follows:

Certificate: 85182 in the name of NEVIN AND SHIRLEY THOMPSON and NW FARM CREDIT SERVICES, FLCA (perfected under Permit G-11679)

Use: IRRIGATION of 82.0 ACRES

Priority Date: MARCH 10, 1992

Rate: 1.025 CFS

Limit/Duty: The amount of water used for irrigation, 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 for each acre irrigated, and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Period of Use: MARCH 1 THROUGH OCTOBER 31

Source: A WELL in the MALHEUR LAKE BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
26 S	34 E	WM	20	SE SW	17 FEET NORTH AND 123 FEET WEST FROM THE SOUTH 1/4 CORNER OF SECTION 20

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	Acres
26 S	34 E	WM	20	NE SW	0.6
26 S	34 E	WM	20	SE SW	28.4
26 S	34 E	WM	20	NW SE	0.6
26 S	34 E	WM	20	SW SE	31.6
26 S	34 E	WM	29	NW NE	20.8
Total:					82.0

19. Transfer Application T-12378 proposes additional points of appropriation, described as follows, with the approximate distance in feet from the existing point of appropriation (POA) as identified below:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate Distance from authorized POA
26 S	34 E	WM	19	SE SW	WEST WELL: 1320 FEET NORTH AND 1480 FEET EAST FROM THE SW CORNER OF SECTION 19	1.1
26 S	34 E	WM	19	SW NE	NORTH WELL: 1230 FEET NORTH AND 170 FEET WEST FROM THE NE CORNER OF THE NW SE OF SECTION 19	1.1
26 S	34 E	WM	19	NW SE	MIDDLE WELL: 70 FEET SOUTH AND 40 FEET WEST FROM THE NE CORNER OF THE NW SE OF SECTION 19	0.9

20. Transfer Application T-12378 also proposes to change the place of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Gov't Lot	Acres
26 S	34 E	WM	19	NE SW		31.8
26 S	34 E	WM	19	NW SW	3	3.5
26 S	34 E	WM	19	NW SE		2.7
26 S	34 E	WM	20	SE SW		15.9
26 S	34 E	WM	20	SW SE		18.4
26 S	34 E	WM	29	NW NE		9.7
Total:						82.0

Transfer Review Criteria (OAR 690-380-4010)

21. Water has been used within the last five years according to the terms and conditions of the rights. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
22. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights were present within the five-year period prior to submittal of Transfer Application T-12378.
23. The proposed change would not result in enlargement of the rights.
24. The proposed change would not result in injury to other water rights.
25. All other application requirements are met.

Determination and Proposed Action

The change in point of appropriation, additional points of appropriation and change in place of use proposed in Transfer Application T-12378 appear to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved.

If Transfer Application T-12378 is approved, the final order will include the following:

1. *The change in point of appropriation, additional points of appropriation and change in place of use proposed in Transfer Application T-12378 are approved.*

2. *The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificates 46775, 55569, 55570, 55571, and 85182, and any related decree.*
3. *Water right Certificates 46775, 55569, 55570, 55571, and 85182 are cancelled.*
4. *The quantity of water diverted at the new or additional points of appropriation, together with that diverted at the original points of appropriation, shall not exceed the quantity of water lawfully available at the original points of appropriation.*
5. *Water use measurement conditions:*
 - a. *Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device at each point of appropriation (new and existing).*
 - b. *The water user shall maintain the meters or measuring devices in good working order.*
 - c. *The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.*
6. *Water shall be acquired from the same aquifer (water source) as the original point of appropriation.*
7. *The former place of use of the transferred right shall no longer receive water under the right.*
8. *Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2018**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.*
9. *After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.*

Dated at Salem, Oregon this ____ day of _____ 2016.

D R A F T

Dwight French, Water Right Services Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department

This draft Preliminary Determination was prepared by a Reimbursement Authority Contractor and reviewed by Department Staff. If you have questions about the information in this document, you may reach Joan Smith at 503 986-0892 or Joan.M.SMITH@wr.d.state.or.us .



Oregon

Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

November 14, 2016

SHIRLEY THOMPSON
53743 HWY 78
BURNS, OR 97720

SUBJECT: Water Right Transfer Application T-12378

Your water right transfer is in one of three phases of processing. Enclosed is a draft of our Preliminary Determination regarding Transfer Application T-12378. The document reflects the Department's conclusion that, based on the information currently available, the transfer will be approved.

Items needed before the next phase of processing...

1. Please review the draft carefully to see if it accurately reflects the changes you intend to make, and to become familiar with all proposed conditions. **You will need to respond in writing** by the deadline provided below, whether you agree with the proposed action and conditions. Also we will appreciate having you let us know if there are typographical errors that need to be corrected.
2. A report of landownership for the lands to which the water rights are appurtenant (the FROM lands) is required. **The report must be prepared by a title company and meet the criteria below.** (*Reports may be called by various names, such as Customer Service Report, Property Analysis Report (PAR), List Pack, Lot Book Report, etc.*)
 - a) The title company's report must either be:
 - i) prepared within 3 months of the draft Preliminary Determination showing current ownership, or
 - ii) prepared within 3 months of recording of a water right conveyance agreement, or
 - iii) prepared at any time, but showing ownership at the time a water right conveyance agreement was recorded.
 - b) The ownership report shall include:
 - i) Date reflected by the ownership information
 - ii) List of owners at that time
 - iii) Legal description of the property where the water right to be transferred is currently located.
 - c) You will need to submit a notarized statement of consent from any landowner listed in the ownership report who is not already included in the transfer application, or other information such as a water right conveyance agreement, if applicable.
3. Notice of this transfer will need to be published in a newspaper with general circulation in the area where the water rights are currently located. You will be responsible for the charges. Please indicate the newspaper you prefer to publish in so we can get an accurate estimate of the cost.

Conditions to your water right...

The Watermaster has required a water measurement device at each new and existing appropriation points prior to diversion of water. Enclosed is a contact information sheet to assist you in pursuing additional information or approval of the required (or alternate) devices.

Please note the proposed date by which all conditions must be met: October 1, 2018. If the required completion date is insufficient to comply with any of the conditions, you may extend the date at no cost to you during this stage of processing. Please let me know by the comment deadline so we can make the proper arrangements to get you the time you need.

What happens next...

Once the Preliminary Determination is issued a publication period is required. Because there is more than ¼ mile between the new and the authorized points of appropriation, the Department will publish notice of the transfer in a local newspaper having a general circulation in the area of the water right at least once per week for two consecutive weeks. You are responsible for sending a check to cover the cost of publication prior to the issuance of the Preliminary Determination and publication of notice.

Issuance of the Preliminary Determination will occur shortly after we receive:

1. your written response to the conditions and proposed action in the draft Preliminary Determination (e-mail is acceptable); and
2. report of ownership, and affidavits of consent from any landowners shown in the ownership report who have not signed the transfer application; and
3. name of the newspaper you wish the Department to use for publication of the notice of the Preliminary Determination.

If we do not receive the items listed above by December 14, 2016, a Preliminary Determination may be issued denying the application as incomplete.

Please do not hesitate to contact me at Joan.M.SMITH@wr.d.state.or.us or 503-986-0892 if I may be of assistance.

Sincerely,

Joan Smith
Transfer Specialist
Transfer and Conservation Section

cc: Transfer Application File T-12378
JR Johnson, District 10 Watermaster (via e-mail)
John A. Short, Agent for the applicant (via e-mail)
Linda Lee Miller, CWRE #47708 (via e-mail)

enclosures

SMITH Joan M * WRD

From: SMITH Joan M * WRD
Sent: Thursday, December 01, 2016 1:29 PM
To: 'johnshort@usa.com'
Subject: RE: Thompson Ranch T-12378

I just got the news quote and am putting together the letter. It's kind of a steep one at \$355.20 , I will send the letter shortly. J

From: johnshort@usa.com [<mailto:johnshort@usa.com>]
Sent: Thursday, December 01, 2016 1:17 PM
To: Joan M Smith
Subject: Thompson Ranch T-12378

Hello Joan,

Just following up to see if you are waiting on anything from me for this one.

Thanks,
John

John A. Short CCB# 197121

541-389-2837

Water Right Services, LLC
PO Box 1830
Bend, OR 97709
johnshort@usa.com
oregonwater.us

SMITH Joan M * WRD

From: SMITH Joan M * WRD
Sent: Thursday, December 01, 2016 1:33 PM
To: 'johnshort@usa.com'; JOHNSON JR * WRD
Subject: T-12378
Attachments: 12378-news notice fees



Oregon
Kate Brown, Governor

Water Resources Department
725 Summer St NE, Suite A
Salem, OR 97301
(503) 986-0900
Fax (503) 986-0904

December 1, 2016

VIA E-MAIL

SHIRLEY THOMPSON
53743 HWY 78
BURNS, OR 97720

SUBJECT: Water Right Transfer Application T-12378

Your water right transfer is ready for issuance of the Preliminary Determination, once the Department receives payment for publication of the newspaper notice.

Items needed before the next phase of processing...

At this time you need to:

1. submit a check for \$355.20 (to cover cost of publication of the notice), made out to the Oregon Water Resources Department.
2. **write "for T-12378 NOTICE" on the front of your check, and**
3. submit it with the tracking stub at the bottom of this letter.

Mail the check to 725 Summer St. NE, Suite A, Salem, OR 97301-1266, **no later than January 2, 2017.**

What happens next...

Shortly after receiving payment, the Department will issue the Preliminary Determination, initiate publication in the **Burns Times Herald** newspaper, and publish the notice on the Department's weekly notice. Publication of the notice will initiate a protest period during which any person may file either a protest opposing the decision proposed by the Department in the Preliminary Determination or a standing statement supporting the Department's decision.

If we do not receive payment for newspaper notice, a Preliminary Determination may be issued denying the application as incomplete.

Please do not hesitate to contact me at 503-986-0892 or Joan.M.Smith@wrdd.state.or.us if I may be of assistance.

✂-----

Attached is a check for \$355.20 (**PCA #46117**) for Newspaper Notice for Transfer T-1237812378

- made out to Oregon Water Resources Department (or WRD)
- **"for T12378-12378-NOTICE" written on front of check**

Mail to: Oregon Water Resources Department
725 Summer St. NE, Suite A
Salem, OR 97301-1266

Sincerely,

A handwritten signature in black ink, appearing to read "Joan Smith". The signature is fluid and cursive, with the first name "Joan" being more prominent than the last name "Smith".

Joan Smith
Transfer Specialist
Transfer and Conservation Section

cc: T-12378 File copy
J R. Johnson, District 10 Watermaster *(via e-mail)*
John A. Short, Agent for the applicant *(via e-mail)*

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

In the Matter of Transfer Application
T-12378, Harney County

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D R A F T

PRELIMINARY DETERMINATION
PROPOSING APPROVAL OF A
CHANGE IN POINTS OF
APPROPRIATION, ADDITIONAL
POINTS OF APPROPRIATION AND
PLACE OF USE CHANGES

Authority

Oregon Revised Statutes (ORS) 537.705 and 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of appropriation, place of use, or character of use authorized under an existing water right. Oregon Administrative Rules (OAR) Chapter 690, Division 380 implement the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

SHIRLEY THOMPSON
53743 HWY 78
BURNS, OR 97720

Findings of Fact

1. On May 9, 2016, SHIRLEY THOMPSON filed an application to change the points of appropriation and for additional points of appropriation and to change the place of use under Certificates 46775, 55569, 55570, 55571, and 85182. The Department assigned the application number T-12378.
2. Notice of the application for transfer was published on May 17, 2016, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On September 15, 2016, the Department contacted the applicant's agent via telephone and email to notify them of deficiencies in the application. The deficiencies being: clarification was requested regarding the applicants/landowners; clarification was requested as to whether there is a "receiving landowner"; two of the maps were missing the location of the authorized wells; and minor inconsistencies within the application with regard to the well locations.
4. On October 21, 2016, the applicant's agent submitted amended application pages and on October 25, 2016, the applicant submitted new maps resolving the deficiencies.

5. The first right to be transferred is as follows:

- Certificate:** 46775 in the name of NEVIN L THOMPSON (perfected under Permit G-5240)
- Use:** IRRIGATION of 287.3 ACRES and SUPPLEMENTAL IRRIGATION of 48.2 ACRES
- Priority Date:** SEPTEMBER 10, 1974
- Rate:** 4.01 CUBIC FEET PER SECOND (cfs), being 0.71 cfs from OLD WELL and 3.3 cfs from NEW WELL
- Limit/Duty:** The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.
- Source:** OLD and NEW THOMPSON WELLS within the MALHEUR LAKE BASIN

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
26 S	33 E	WM	13	NE SE	OLD THOMPSON WELL: 2490 FEET NORTH AND 100 FEET WEST FROM THE SE CORNER OF SECTION 13
26 S	33 E	WM	13	NW SE	NEW THOMPSON WELL: 2490 FEET NORTH AND 1370 FEET WEST FROM THE SE CORNER OF SECTION 13

Authorized Place of Use:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Gov't Lot	Acres	Source
26 S	33 E	WM	13	SW NE		40.0	New Thompson Well
26 S	33 E	WM	13	SE NE		37.5	
26 S	33 E	WM	13	SE NW		40.0	
26 S	33 E	WM	13	NE SW		40.0	
26 S	33 E	WM	13	SE SW		40.0	
26 S	33 E	WM	13	NW SE		40.0	
26 S	33 E	WM	13	SW SE		40.0	
26 S	34 E	WM	18	NE SW		8.0	Old Thompson Well
26 S	34 E	WM	18	SW SW	4	0.5	
26 S	34 E	WM	18	SE SW		1.3	
Total:						287.3	

SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Gov't Lot	Acres	Source
26 S	34 E	WM	18	SW NW	2	20.0	Old Thompson Well
26 S	34 E	WM	18	NW SW	3	19.5	
26 S	34 E	WM	18	SE SW		8.7	
Total:						48.2	

6. Transfer Application T-12378 proposes an additional point of appropriation approximately 350 feet and 1490 feet respectively from the existing points of appropriation “Old Thompson Well” and “New Thompson Well” located as follows:

Twp	Rng	Mer	Sec	Q-Q	Gov't lot	Measured Distances
26 S	34 E	WM	18	NW SW	3	NEWEST WELL: 2200 FEET NORTH AND 90 FEET EAST FROM THE SW CORNER OF SECTION 18

7. Transfer Application T-12378 also proposes a change in points of appropriation, described as follows, with the approximate distance in miles from the existing points of appropriation as identified below:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate Distances	
						Old Thompson Well	New Thompson Well
26 S	34 E	WM	19	SE SW	WEST WELL: 1320 FEET NORTH AND 1480 FEET EAST FROM THE SW CORNER OF SECTION 19	1.3	1.4
26 S	34 E	WM	19	SW NE	NORTH WELL: 1230 FEET NORTH AND 170 FEET WEST FROM THE NE CORNER OF THE NW SE OF SECTION 19	1.0	1.2
26 S	34 E	WM	19	NW SE	MIDDLE WELL: 70 FEET SOUTH AND 40 FEET WEST FROM THE NE CORNER OF THE NW SE OF SECTION 19	1.2	1.4
26 S	34 E	WM	20	SE SW	EAST WELL: 17 FEET NORTH AND 123 FEET WEST FROM THE SOUTH 1/4 CORNER OF SECTION 20	2.0	2.2

8. Transfer Application T-12378 also proposes to change the place of use(POU) of the right in the table below the type of change is also described POA for point of appropriation and APOA for additional point of appropriation:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Gov't Lot	Acres	Type of Change
26 S	33 E	WM	13	NE NE		26.1	APOA/POU
26 S	33 E	WM	13	NW NE		28.9	APOA/POU
26 S	33 E	WM	13	SW NE		29.0	APOA/POU
26 S	33 E	WM	13	SE NE		26.0	APOA/POU
26 S	33 E	WM	13	NE SW		31.0	APOA/POU
26 S	33 E	WM	13	SE SW		31.7	APOA/POU
26 S	33 E	WM	13	NW SE		31.3	APOA/POU
26 S	34 E	WM	13	SW SE		31.6	APOA/POU
26 S	34 E	WM	18	NE SW		1.9	APOA/POU
26 S	34 E	WM	19	NE SW		2.3	POA/POU
26 S	34 E	WM	19	NW SW	3	16.6	POA/POU
26 S	34 E	WM	19	SW SW	4	20.0	POA/POU
26 S	34 E	WM	19	SE SW		10.9	POA/POU
Total:						287.3	

SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Gov't Lot	Acres	Type of Change
26 S	34 E	WM	18	SW NW	2	20.0	APOA/POU
26 S	34 E	WM	18	NW SW	3	19.5	APOA/POU

SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Gov't Lot	Acres	Type of Change
26 S	34 E	WM	18	SE SW		8.7	APOA/POU
Total:						48.2	

9. The second right to be transferred is as follows:

Certificate: 55569 in the name of NEVIN THOMPSON (perfected under Permit G-5183)

Use: IRRIGATION of 118.2 ACRES

Priority Date: APRIL 4, 1973

Rate: 1.48 CFS

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: JAMES WELL within the MALHEUR LAKE BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
26 S	34 E	WM	19	NW SE	70 FEET SOUTH AND 40 FEET WEST FROM THE NE CORNER OF THE NW SE OF SECTION 19

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	Acres
26 S	34 E	WM	19	NE SE	39.0
26 S	34 E	WM	19	NW SE	39.0
26 S	34 E	WM	19	SE SE	39.5
26 S	34 E	WM	20	NW SW	0.7
Total:					118.2

10. Transfer Application T-12378 proposes additional points of appropriation, described as follows, with the approximate distance in miles from the existing point of appropriation as identified below:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate Distance from the authorized POA
26 S	34 E	WM	19	SE SW	WEST WELL: 1320 FEET NORTH AND 1480 FEET EAST FROM THE SW CORNER OF SECTION 19	0.5
26 S	34 E	WM	19	SW NE	NORTH WELL: 1230 FEET NORTH AND 170 FEET WEST FROM THE NE CORNER OF THE NW SE OF SECTION 19	0.3
26 S	34 E	WM	20	SE SW	EAST WELL: 17 FEET NORTH AND 123 FEET WEST FROM THE SOUTH 1/4 CORNER OF SECTION 20	0.9

11. Transfer Application T-12378 also proposes to change the place of use of the right to:

Twp	Rng	Mer	Sec	Q-Q	Acres
26 S	34 E	WM	19	SE NE	1.6
26 S	34 E	WM	19	NE SE	37.7
26 S	34 E	WM	19	NW SE	4.4
26 S	34 E	WM	19	SW SE	3.6
26 S	34 E	WM	19	SE SE	15.1
26 S	34 E	WM	20	SW NW	0.5
26 S	34 E	WM	20	NW SW	28.4
26 S	34 E	WM	20	SW SW	26.9
Total:					118.2

12. The third right to be transferred is as follows:

Certificate: 55570 in the name of NEVIN THOMPSON (perfected under Permit G-8242)

Use: IRRIGATION of 40.0 ACRES

Priority Date: MAY 8, 1978

Rate: 0.5 CFS

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: A WELL within the MALHEUR LAKE BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
26 S	34 E	WM	19	NW SE	70 FEET SOUTH AND 40 FEET WEST FROM THE NE CORNER OF THE NW SE OF SECTION 19

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	Acres
26 S	34 E	WM	19	SW SE	40.0

13. Transfer Application T-12378 proposes additional points of appropriation, described as follows, with the approximate distance in feet from the existing point of appropriation (POA) as identified below:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate Distance from the authorized POA
26 S	34 E	WM	19	SE SW	WEST WELL: 1320 FEET NORTH AND 1480 FEET EAST FROM THE SW CORNER OF SECTION 19	0.5
26 S	34 E	WM	19	SW NE	NORTH WELL: 1230 FEET NORTH AND 170 FEET WEST FROM THE NE CORNER OF THE NW SE OF SECTION 19	0.3
26 S	34 E	WM	20	SE SW	EAST WELL: 17 FEET NORTH AND 123 FEET WEST FROM THE SOUTH 1/4 CORNER OF SECTION 20	0.9

14. Transfer Application T-12378 also proposes to change the place of use of the right to:

Twp	Rng	Mer	Sec	Q-Q	Acres
26 S	34 E	WM	19	SE SW	18.0
26 S	34 E	WM	19	SW SE	0.6
26 S	34 E	WM	19	SE SE	21.4
Total:					40.0

15. The fourth right to be transferred is as follows:

Certificate: 55571 in the name of NEVIN THOMPSON (perfected under Permit G-8372)

Use: IRRIGATION of 82.4 ACRES

Priority Date: OCTOBER 18, 1978

Rate: 1.03 CFS

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: A WELL within the MALHEUR LAKE BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
26 S	34 E	WM	19	SW NE	1230 FEET NORTH AND 170 FEET WEST FROM THE NE CORNER OF THE NW SE OF SECTION 19

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	Acres
26 S	34 E	WM	19	SW NE	22.0
26 S	34 E	WM	19	SE NE	23.0
26 S	34 E	WM	19	NE NW	5.0
26 S	34 E	WM	19	SE NW	31.8
26 S	34 E	WM	20	SW NW	0.6
Total:					82.4

16. Transfer Application T-12378 proposes additional points of appropriation, described as follows, with the approximate distance in feet from the existing point of appropriation (POA) as identified below:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate Distance from authorized POA
26 S	34 E	WM	19	SE SW	WEST WELL: 1320 FEET NORTH AND 1480 FEET EAST FROM THE SW CORNER OF SECTION 19	0.6
26 S	34 E	WM	19	NW SE	MIDDLE WELL: 70 FEET SOUTH AND 40 FEET WEST FROM THE NE CORNER OF THE NW SE OF SECTION 19	0.3
26 S	34 E	WM	20	SE SW	EAST WELL: 17 FEET NORTH AND 123 FEET WEST FROM THE SOUTH 1/4	1.1

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate Distance from authorized POA
					CORNER OF SECTION 20	

17. Transfer Application T-12378 also proposes to change the place of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Gov't Lot	Acres
26 S	34 E	WM	19	SW NE		6.4
26 S	34 E	WM	19	SW NW	2	19.0
26 S	34 E	WM	19	SE NW		37.4
26 S	34 E	WM	19	NE SW		3.0
26 S	34 E	WM	19	SE SW		8.3
26 S	34 E	WM	19	NW SE		2.8
26 S	34 E	WM	19	SW SE		5.5
Total:						82.4

18. The fifth right to be transferred is as follows:

Certificate: 85182 in the name of NEVIN AND SHIRLEY THOMPSON and NW FARM CREDIT SERVICES, FLCA (perfected under Permit G-11679)

Use: IRRIGATION of 82.0 ACRES

Priority Date: MARCH 10, 1992

Rate: 1.025 CFS

Limit/Duty: The amount of water used for irrigation, 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 for each acre irrigated, and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Period of Use: MARCH 1 THROUGH OCTOBER 31

Source: A WELL in the MALHEUR LAKE BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
26 S	34 E	WM	20	SE SW	17 FEET NORTH AND 123 FEET WEST FROM THE SOUTH 1/4 CORNER OF SECTION 20

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	Acres
26 S	34 E	WM	20	NE SW	0.6
26 S	34 E	WM	20	SE SW	28.4
26 S	34 E	WM	20	NW SE	0.6
26 S	34 E	WM	20	SW SE	31.6
26 S	34 E	WM	29	NW NE	20.8
Total:					82.0

19. Transfer Application T-12378 proposes additional points of appropriation, described as follows, with the approximate distance in feet from the existing point of appropriation (POA) as identified below:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate Distance from authorized POA
26 S	34 E	WM	19	SE SW	WEST WELL: 1320 FEET NORTH AND 1480 FEET EAST FROM THE SW CORNER OF SECTION 19	1.1
26 S	34 E	WM	19	SW NE	NORTH WELL: 1230 FEET NORTH AND 170 FEET WEST FROM THE NE CORNER OF THE NW SE OF SECTION 19	1.1
26 S	34 E	WM	19	NW SE	MIDDLE WELL: 70 FEET SOUTH AND 40 FEET WEST FROM THE NE CORNER OF THE NW SE OF SECTION 19	0.9

20. Transfer Application T-12378 also proposes to change the place of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Gov't Lot	Acres
26 S	34 E	WM	19	NE SW		31.8
26 S	34 E	WM	19	NW SW	3	3.5
26 S	34 E	WM	19	NW SE		2.7
26 S	34 E	WM	20	SE SW		15.9
26 S	34 E	WM	20	SW SE		18.4
26 S	34 E	WM	29	NW NE		9.7
Total:						82.0

Transfer Review Criteria (OAR 690-380-4010)

- 21. Water has been used within the last five years according to the terms and conditions of the rights. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
- 22. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights were present within the five-year period prior to submittal of Transfer Application T-12378.
- 23. The proposed change would not result in enlargement of the rights.
- 24. The proposed change would not result in injury to other water rights.
- 25. All other application requirements are met.

Determination and Proposed Action

The change in point of appropriation, additional points of appropriation and change in place of use proposed in Transfer Application T-12378 appear to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved.

If Transfer Application T-12378 is approved, the final order will include the following:

- 1. *The change in point of appropriation, additional points of appropriation and change in place of use proposed in Transfer Application T-12378 are approved.*

2. *The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificates 46775, 55569, 55570, 55571, and 85182, and any related decree.*
3. *Water right Certificates 46775, 55569, 55570, 55571, and 85182 are cancelled.*
4. *The quantity of water diverted at the new or additional points of appropriation, together with that diverted at the original points of appropriation, shall not exceed the quantity of water lawfully available at the original points of appropriation.*
5. *Water use measurement conditions:*
 - a. *Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device at each point of appropriation (new and existing).*
 - b. *The water user shall maintain the meters or measuring devices in good working order.*
 - c. *The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.*
6. *Water shall be acquired from the same aquifer (water source) as the original point of appropriation.*
7. *The former place of use of the transferred right shall no longer receive water under the right.*
8. *Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2018**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.*
9. *After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.*

Dated at Salem, Oregon this ____ day of _____ 2016.

D R A F T

Dwight French, Water Right Services Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department

This draft Preliminary Determination was prepared by a Reimbursement Authority Contractor and reviewed by Department Staff. If you have questions about the information in this document, you may reach Joan Smith at 503 986-0892 or Joan.M.SMITH@wrp.state.or.us.

SMITH Joan M * WRD

From: SMITH Joan M * WRD
Sent: Thursday, December 01, 2016 1:29 PM
To: 'johnshort@usa.com'
Subject: RE: Thompson Ranch T-12378

I just got the news quote and am putting together the letter. It's kind of a steep one at \$355.20 , I will send the letter shortly. J

From: johnshort@usa.com [<mailto:johnshort@usa.com>]
Sent: Thursday, December 01, 2016 1:17 PM
To: Joan M Smith
Subject: Thompson Ranch T-12378

Hello Joan,

Just following up to see if you are waiting on anything from me for this one.

Thanks,
John

John A. Short CCB# 197121

541-389-2837

Water Right Services, LLC
PO Box 1830
Bend, OR 97709
johnshort@usa.com
oregonwater.us

SMITH Joan M * WRD

From: SMITH Joan M * WRD
Sent: Thursday, December 01, 2016 1:33 PM
To: 'johnshort@usa.com'; JOHNSON JR * WRD
Subject: T-12378
Attachments: 12378-news notice fees



Oregon
Kate Brown, Governor

Water Resources Department
725 Summer St NE, Suite A
Salem, OR 97301
(503) 986-0900
Fax (503) 986-0904

December 1, 2016

VIA E-MAIL

SHIRLEY THOMPSON
53743 HWY 78
BURNS, OR 97720

SUBJECT: Water Right Transfer Application T-12378

Your water right transfer is ready for issuance of the Preliminary Determination, once the Department receives payment for publication of the newspaper notice.

Items needed before the next phase of processing...

At this time you need to:

1. submit a check for \$355.20 (to cover cost of publication of the notice), made out to the Oregon Water Resources Department.
2. **write "for T-12378 NOTICE" on the front of your check,** and
3. submit it with the tracking stub at the bottom of this letter.

Mail the check to 725 Summer St. NE, Suite A, Salem, OR 97301-1266, **no later than January 2, 2017.**

What happens next...

Shortly after receiving payment, the Department will issue the Preliminary Determination, initiate publication in the **Burns Times Herald** newspaper, and publish the notice on the Department's weekly notice. Publication of the notice will initiate a protest period during which any person may file either a protest opposing the decision proposed by the Department in the Preliminary Determination or a standing statement supporting the Department's decision.

If we do not receive payment for newspaper notice, a Preliminary Determination may be issued denying the application as incomplete.

Please do not hesitate to contact me at 503-986-0892 or Joan.M.Smith@ wrd.state.or.us if I may be of assistance.

✂-----

Attached is a check for \$355.20 (**PCA #46117**) for Newspaper Notice for Transfer T-1237812378

- made out to Oregon Water Resources Department (or WRD)
- **"for T12378-12378-NOTICE" written on front of check**

Mail to: Oregon Water Resources Department
725 Summer St. NE, Suite A
Salem, OR 97301-1266

Sincerely,

A handwritten signature in black ink, appearing to read "Joan Smith". The signature is fluid and cursive, with the first name "Joan" being more prominent than the last name "Smith".

Joan Smith
Transfer Specialist
Transfer and Conservation Section

cc: T-12378 File copy
J R. Johnson, District 10 Watermaster *(via e-mail)*
John A. Short, Agent for the applicant *(via e-mail)*

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

In the Matter of Transfer Application
T-12378, Harney County

)
) **D R A F T**
) PRELIMINARY DETERMINATION
) PROPOSING APPROVAL OF A
) CHANGE IN POINTS OF
) APPROPRIATION, ADDITIONAL
) POINTS OF APPROPRIATION AND
) PLACE OF USE CHANGES

Authority

Oregon Revised Statutes (ORS) 537.705 and 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of appropriation, place of use, or character of use authorized under an existing water right. Oregon Administrative Rules (OAR) Chapter 690, Division 380 implement the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

SHIRLEY THOMPSON
53743 HWY 78
BURNS, OR 97720

Findings of Fact

1. On May 9, 2016, SHIRLEY THOMPSON filed an application to change the points of appropriation and for additional points of appropriation and to change the place of use under Certificates 46775, 55569, 55570, 55571, and 85182. The Department assigned the application number T-12378.
2. Notice of the application for transfer was published on May 17, 2016, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On September 15, 2016, the Department contacted the applicant's agent via telephone and email to notify them of deficiencies in the application. The deficiencies being: clarification was requested regarding the applicants/landowners; clarification was requested as to whether there is a "receiving landowner"; two of the maps were missing the location of the authorized wells; and minor inconsistencies within the application with regard to the well locations.
4. On October 21, 2016, the applicant's agent submitted amended application pages and on October 25, 2016, the applicant submitted new maps resolving the deficiencies.

5. The first right to be transferred is as follows:

Certificate: 46775 in the name of NEVIN L THOMPSON (perfected under Permit G-5240)
Use: IRRIGATION of 287.3 ACRES and SUPPLEMENTAL IRRIGATION of 48.2 ACRES
Priority Date: SEPTEMBER 10, 1974
Rate: 4.01 CUBIC FEET PER SECOND (cfs), being 0.71 cfs from OLD WELL and 3.3 cfs from NEW WELL
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.
Source: OLD and NEW THOMPSON WELLS within the MALHEUR LAKE BASIN

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
26 S	33 E	WM	13	NE SE	OLD THOMPSON WELL: 2490 FEET NORTH AND 100 FEET WEST FROM THE SE CORNER OF SECTION 13
26 S	33 E	WM	13	NW SE	NEW THOMPSON WELL: 2490 FEET NORTH AND 1370 FEET WEST FROM THE SE CORNER OF SECTION 13

Authorized Place of Use:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Gov't Lot	Acres	Source
26 S	33 E	WM	13	SW NE		40.0	New Thompson Well
26 S	33 E	WM	13	SE NE		37.5	
26 S	33 E	WM	13	SE NW		40.0	
26 S	33 E	WM	13	NE SW		40.0	
26 S	33 E	WM	13	SE SW		40.0	
26 S	33 E	WM	13	NW SE		40.0	
26 S	33 E	WM	13	SW SE		40.0	
26 S	34 E	WM	18	NE SW		8.0	Old Thompson Well
26 S	34 E	WM	18	SW SW	4	0.5	
26 S	34 E	WM	18	SE SW		1.3	
Total:						287.3	

SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Gov't Lot	Acres	Source
26 S	34 E	WM	18	SW NW	2	20.0	Old Thompson Well
26 S	34 E	WM	18	NW SW	3	19.5	
26 S	34 E	WM	18	SE SW		8.7	
Total:						48.2	

6. Transfer Application T-12378 proposes an additional point of appropriation approximately 350 feet and 1490 feet respectively from the existing points of appropriation "Old Thompson Well" and "New Thompson Well" located as follows:

Twp	Rng	Mer	Sec	Q-Q	Gov't lot	Measured Distances
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26 S	34 E	WM	18	NW SW	3	NEWEST WELL: 2200 FEET NORTH AND 90 FEET EAST FROM THE SW CORNER OF SECTION 18
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7. Transfer Application T-12378 also proposes a change in points of appropriation, described as follows, with the approximate distance in miles from the existing points of appropriation as identified below:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate Distances	
						Old Thompson Well	New Thompson Well
26 S	34 E	WM	19	SE SW	WEST WELL: 1320 FEET NORTH AND 1480 FEET EAST FROM THE SW CORNER OF SECTION 19	1.3	1.4
26 S	34 E	WM	19	SW NE	NORTH WELL: 1230 FEET NORTH AND 170 FEET WEST FROM THE NE CORNER OF THE NW SE OF SECTION 19	1.0	1.2
26 S	34 E	WM	19	NW SE	MIDDLE WELL: 70 FEET SOUTH AND 40 FEET WEST FROM THE NE CORNER OF THE NW SE OF SECTION 19	1.2	1.4
26 S	34 E	WM	20	SE SW	EAST WELL: 17 FEET NORTH AND 123 FEET WEST FROM THE SOUTH 1/4 CORNER OF SECTION 20	2.0	2.2

8. Transfer Application T-12378 also proposes to change the place of use of the right in the table below the type of change is also described POA for point of appropriation and APOA for additional point of appropriation:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Gov't Lot	Acres	Type of Change
26 S	33 E	WM	13	NE NE		26.1	APOA / <i>Pou</i>
26 S	33 E	WM	13	NW NE		28.9	APOA
26 S	33 E	WM	13	SW NE		29.0	APOA
26 S	33 E	WM	13	SE NE		26.0	APOA
26 S	33 E	WM	13	NE SW		31.0	APOA
26 S	33 E	WM	13	SE SW		31.7	APOA
26 S	33 E	WM	13	NW SE		31.3	APOA
26 S	34 E	WM	13	SW SE		31.6	APOA
26 S	34 E	WM	18	NE SW		1.9	APOA
26 S	34 E	WM	19	NE SW		2.3	POA
26 S	34 E	WM	19	NW SW	3	16.6	POA
26 S	34 E	WM	19	SW SW	4	20.0	POA
26 S	34 E	WM	19	SE SW		10.9	POA
Total:						287.3	

Should this also show pou?

SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Gov't Lot	Acres	Type of Change
26 S	34 E	WM	18	SW NW	2	20.0	APOA / <i>Pou</i>
26 S	34 E	WM	18	NW SW	3	19.5	APOA
26 S	34 E	WM	18	SE SW		8.7	APOA
Total:						48.2	

9. The second right to be transferred is as follows:

Certificate: 55569 in the name of NEVIN THOMPSON (perfected under Permit G-5183)

Use: IRRIGATION of 118.2 ACRES

Priority Date: APRIL 4, 1973

Rate: 1.48 CFS

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: JAMES WELL within the MALHEUR LAKE BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
26 S	34 E	WM	19	NW SE	70 FEET SOUTH AND 40 FEET WEST FROM THE NE CORNER OF THE NW SE OF SECTION 19

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	Acres
26 S	34 E	WM	19	NE SE	39.0
26 S	34 E	WM	19	NW SE	39.0
26 S	34 E	WM	19	SE SE	39.5
26 S	34 E	WM	20	NW SW	0.7
Total:					118.2

10. Transfer Application T-12378 proposes additional points of appropriation, described as follows, with the approximate distance in miles from the existing point of appropriation as identified below:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate Distance from the authorized POA
26 S	34 E	WM	19	SE SW	WEST WELL: 1320 FEET NORTH AND 1480 FEET EAST FROM THE SW CORNER OF SECTION 19	0.5
26 S	34 E	WM	19	SW NE	NORTH WELL: 1230 FEET NORTH AND 170 FEET WEST FROM THE NE CORNER OF THE NW 1/4 SE 1/4 OF SECTION 19	0.3
26 S	34 E	WM	20	SE SW	EAST WELL: 17 FEET NORTH AND 123 FEET WEST FROM THE SOUTH 1/4 CORNER OF SECTION 20	0.9

11. Transfer Application T-12378 also proposes to change the place of use of the right to:

Twp	Rng	Mer	Sec	Q-Q	Acres
26 S	34 E	WM	19	SE NE	1.6
26 S	34 E	WM	19	NE SE	37.7
26 S	34 E	WM	19	NW SE	4.4
26 S	34 E	WM	19	SW SE	3.6

Twp	Rng	Mer	Sec	Q-Q	Acres
26 S	34 E	WM	19	SE SE	15.1
26 S	34 E	WM	20	SW NW	0.5
26 S	34 E	WM	20	NW SW	28.4
26 S	34 E	WM	20	SW SW	26.9
Total:					118.2

12. The third right to be transferred is as follows:

Certificate: 55570 in the name of NEVIN THOMPSON (perfected under Permit G-8242)

Use: IRRIGATION of 40.0 ACRES

Priority Date: MAY 8, 1978

Rate: 0.5 CFS

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: A WELL within the MALHEUR LAKE BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
26 S	34 E	WM	19	NW SE	70 FEET SOUTH AND 40 FEET WEST FROM THE NE CORNER OF THE NW 1/4 SE 1/4 OF SECTION 19

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	Acres
26 S	34 E	WM	19	SW SE	40.0

13. Transfer Application T-12378 proposes additional points of appropriation, described as follows, with the approximate distance in feet from the existing point of appropriation (POA) as identified below:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate Distance from the authorized POA
26 S	34 E	WM	19	SE SW	WEST WELL: 1320 FEET NORTH AND 1480 FEET EAST FROM THE SW CORNER OF SECTION 19	0.5
26 S	34 E	WM	19	SW NE	NORTH WELL: 1230 FEET NORTH AND 170 FEET WEST FROM THE NE CORNER OF THE NW SE OF SECTION 19	0.3
26 S	34 E	WM	20	SE SW	EAST WELL: 17 FEET NORTH AND 123 FEET WEST FROM THE SOUTH 1/4 CORNER OF SECTION 20	0.9

14. Transfer Application T-12378 also proposes to change the place of use of the right to:

Twp	Rng	Mer	Sec	Q-Q	Acres
26 S	34 E	WM	19	SE SW	18.0

Twp	Rng	Mer	Sec	Q-Q	Acres
26 S	34 E	WM	19	SW SE	0.6
26 S	34 E	WM	19	SE SE	21.4
Total:					40.0

15. The fourth right to be transferred is as follows:

Certificate: 55571 in the name of NEVIN THOMPSON (perfected under Permit G-8372)

Use: IRRIGATION of 82.4 ACRES

Priority Date: OCTOBER 18, 1978

Rate: 1.03 CFS

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: A WELL within the MALHEUR LAKE BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
26 S	34 E	WM	19	SW NE	1230 FEET NORTH AND 170 FEET WEST FROM THE NE CORNER OF THE NW SE OF SECTION 19

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	Acres
26 S	34 E	WM	19	SW NE	22.0
26 S	34 E	WM	19	SE NE	23.0
26 S	34 E	WM	19	NE NW	5.0
26 S	34 E	WM	19	SE NW	31.8
26 S	34 E	WM	20	SW NW	0.6
Total:					82.4

16. Transfer Application T-12378 proposes additional points of appropriation, described as follows, with the approximate distance in feet from the existing point of appropriation (POA) as identified below:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate Distance from authorized POA
26 S	34 E	WM	19	SE SW	WEST WELL: 1320 FEET NORTH AND 1480 FEET EAST FROM THE SW CORNER OF SECTION 19	0.6
26 S	34 E	WM	19	NW SE	MIDDLE WELL: 70 FEET SOUTH AND 40 FEET WEST FROM THE NE CORNER OF THE NW SE OF SECTION 19	0.3
26 S	34 E	WM	20	SE SW	EAST WELL: 17 FEET NORTH AND 123 FEET WEST FROM THE SOUTH 1/4 CORNER OF SECTION 20	1.1

17. Transfer Application T-12378 also proposes to change the place of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Gov't Lot	Acres
26 S	34 E	WM	19	SW NE		6.4
26 S	34 E	WM	19	SW NW	2	19.0
26 S	34 E	WM	19	SE NW		37.4
26 S	34 E	WM	19	NE SW		3.0
26 S	34 E	WM	19	SE SW		8.3
26 S	34 E	WM	19	NW SE		2.8
26 S	34 E	WM	19	SW SE		5.5
Total:						82.4

18. The fifth right to be transferred is as follows:

Certificate: 85182 in the name of NEVIN AND SHIRLEY THOMPSON and NW FARM CREDIT SERVICES, FLCA (perfected under Permit G-11679)

Use: IRRIGATION of 82.0 ACRES

Priority Date: MARCH 10, 1992

Rate: 1.025 CFS

Limit/Duty: The amount of water used for irrigation, 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 for each acre irrigated, and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Period of Use: MARCH 1 THROUGH OCTOBER 31

Source: A WELL in the MALHEUR LAKE BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
26 S	34 E	WM	20	SE SW	17 FEET NORTH AND 123 FEET WEST FROM THE SOUTH 1/4 CORNER OF SECTION 20

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	Acres
26 S	34 E	WM	20	NE SW	0.6
26 S	34 E	WM	20	SE SW	28.4
26 S	34 E	WM	20	NW SE	0.6
26 S	34 E	WM	20	SW SE	31.6
26 S	34 E	WM	29	NW NE	20.8
Total:					82.0

19. Transfer Application T-12378 proposes additional points of appropriation, described as follows, with the approximate distance in feet from the existing point of appropriation (POA) as identified below:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate Distance from authorized POA
26 S	34 E	WM	19	SE SW	WEST WELL: 1320 FEET NORTH AND 1480 FEET EAST FROM THE SW CORNER OF SECTION 19	1.1

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate Distance from authorized POA
26 S	34 E	WM	19	SW NE	NORTH WELL: 1230 FEET NORTH AND 170 FEET WEST FROM THE NE CORNER OF THE NW SE OF SECTION 19	1.1
26 S	34 E	WM	19	NW SE	MIDDLE WELL: 70 FEET SOUTH AND 40 FEET WEST FROM THE NE CORNER OF THE NW SE OF SECTION 19	0.9

20. Transfer Application T-12378 also proposes to change the place of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Gov't Lot	Acres
26 S	34 E	WM	19	NE SW		31.8
26 S	34 E	WM	19	NW SW	3	3.5
26 S	34 E	WM	19	NW SE		2.7
26 S	34 E	WM	20	SE SW		15.9
26 S	34 E	WM	20	SW SE		18.4
26 S	34 E	WM	29	NW NE		9.7
Total:						82.0

Transfer Review Criteria (OAR 690-380-4010)

21. Water has been used within the last five years according to the terms and conditions of the rights. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
22. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights were present within the five-year period prior to submittal of Transfer Application T-12378.
23. The proposed change would not result in enlargement of the rights.
24. The proposed change would not result in injury to other water rights.
25. All other application requirements are met.

Determination and Proposed Action

The change in point of appropriation, additional points of appropriation and change in place of use proposed in Transfer Application T-12378 appear to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved.

If Transfer Application T-12378 is approved, the final order will include the following:

1. *The change in point of appropriation, additional points of appropriation and change in place of use proposed in Transfer Application T-12378 are approved.*

2. *The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificates 46775, 55569, 55570, 55571, and 85182, and any related decree.*
3. *Water right Certificates 46775, 55569, 55570, 55571, and 85182 are cancelled.*
4. *The quantity of water diverted at the new or additional points of appropriation, together with that diverted at the original points of appropriation, shall not exceed the quantity of water lawfully available at the original points of appropriation.*
5. *Water use measurement conditions:*
 - a. *Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device at each point of appropriation (new and existing).*
 - b. *The water user shall maintain the meters or measuring devices in good working order.*
 - c. *The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.*
6. *Water shall be acquired from the same aquifer (water source) as the original point of appropriation.*
7. *The former place of use of the transferred right shall no longer receive water under the right.*
8. *Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2017**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.*
9. *After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.*

Dated at Salem, Oregon this ____ day of _____ 2016.

D R A F T

Dwight French, Water Right Services Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department

This draft Preliminary Determination was prepared by a Reimbursement Authority Contractor and reviewed by Department Staff. If you have questions about the information in this document, you may reach Joan Smith at 503 986-0892 or Joan.M.SMITH@wr.d.state.or.us.

**Notice of Preliminary Determination for
Water Right Transfer T-12378**

T-12378 filed by Shirley Thompson, 53743 Hwy 78, Burns OR 97720, proposes points of appropriation, additional points of appropriation, and place of use changes under Certificates 46775, 55569, 55570, 55571, and 85182. The rights allow the use of 8.045 cubic feet per second from wells, Sec. 13, T26S R33E WM for irrigation and supplemental irrigation in Sects. 13, 18, T26S R34E WM, and wells in Sec. 19, T26S R34E WM for irrigation in Sec. 19, 20, T26S R34E WM and from a well in Sec. 20, T26S R34E WM for irrigation in Sects. 20, 29, T 26S R 34E WM. The applicant proposes to move the points of appropriation, and additional points of appropriation, in Sec. 13, T 26S R33E WM. and in Sects. 19, 20, T26S R34E WM and to change the place of use to Sec. 13, T26S R33E WM and Sects. 18, 19, 20, 29, T26S R34E WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

Any person may file, jointly or severally, a protest or standing statement within 30 days after the last date of newspaper publication of this notice, MM/DD/YEAR. Call (503) 986-0807 to obtain additional information or a protest form. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.

might want to talk to Kelly, I think they
have to be broke out per cert. Not
combined-

SMITH Joan M

From: ANDREWS Marissa L <marissa.l.andrews@state.or.us>
Sent: Friday, November 18, 2016 8:22 AM
To: STARNES Kelly
Cc: SMITH Joan M (joan.m.smith@state.or.us)
Subject: RE: Newspaper Estimate for Transfer Application T-12378

The applicant will need to pay \$355.20.

From: STARNES Kelly
Sent: Tuesday, November 15, 2016 1:52 PM
To: ANDREWS Marissa L
Cc: SMITH Joan M (joan.m.smith@state.or.us)
Subject: Newspaper Estimate for Transfer Application T-12378

Hi Marissa -

Joan will need an estimate for the attached TRANSFER APPLICATION notice to run in the Burns Times Herald newspaper. Run time is two weeks.

Thanks!

Kelly

Kelly Starnes, Transfer Program Analyst
Oregon Water Resources Department
725 Summer St NE Suite A
Salem OR 97301-1271
Telephone: 503-986-0886 Fax: 503-986-0903
E-mail: Patrick.K.STARNES@ wrd.state.or.us

Please Note: Under Oregon Law, messages to and from this e-mail address may be available to the public.

File Prep

CW		CW	
<input checked="" type="checkbox"/>	File Assigned (computer entry)	<input checked="" type="checkbox"/>	Print Tax Lot Map(s)/Ownership info if available on the web
<input checked="" type="checkbox"/>	Make Copies App, Map, GW review, (WM Review, ODFW to send to applicant later) Affidavits if applicable	<input checked="" type="checkbox"/>	Print: Certs, WR maps, (Tabulations, Sp Or, Air Photos or other helpful info to aid in processing)
<input checked="" type="checkbox"/>	Bundle Originals with cover sheet	<input checked="" type="checkbox"/>	Check Area of Interest – print if needed
<input checked="" type="checkbox"/>	Check for any public comments submitted electronically. Print any comments received.	<input checked="" type="checkbox"/>	Any irrigation districts that need notice based on Area of Interest Check. <input type="checkbox"/> Yes <input type="checkbox"/> No Note:

APPLICATION/MAP REVIEW

PR	CW	<i>*see attached Review checklist</i>	PR	CW	
<input type="checkbox"/>	<input type="checkbox"/>	Appropriately signed <i>maybe missing signatures</i>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Ditch Company, Irr. Dist. and/or BOR sent copies
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Checked WRIS contact address/e-mail for accuracy	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Appropriate Fees Paid
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Revisit application checklist & Supporting Docs	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Overpayment of Fees, Refund Request with FO
<input type="checkbox"/>	<input type="checkbox"/>	Any deficiencies that need to be addressed? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Notes:	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Land Use Form matches Tax Lots, is signed by proper official and is APPROVED

DETERMINING THE "FROM" AND "TO" LANDS

PR	CW	<i>*see attached From/To checklist</i>	PR	CW	
<input type="checkbox"/>	<input type="checkbox"/>	Only the authorized POD's/POA's and POU's to be transferred are listed.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Application & certificate tabulations match. (Mark on appl. and cert. copies and note corrections needed)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Marked on certificate the acreage being transferred, cancelled and remaining by 1/4 1/4.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Marked on certificate the quantity of water being transferred, cancelled, and remaining <i>entire right</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Compare Water Right map to App Map for Accuracy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Check and notate on Plat Card for Conflicts (To and From Lands) N/A if no change in POU or Use

INJURY REVIEWS/COMMENTS/CONDITIONS

<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	ODFW	<input type="checkbox"/>	Fish Screens	<input type="checkbox"/>	Other:
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Ground water	<i>no issues identified, no condition requested</i>			
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Watermaster	<input type="checkbox"/>	Headgate	<input type="checkbox"/>	Prior to diverting
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	Measuring Devices	<input checked="" type="checkbox"/>	Prior to diverting
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Injury	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	Enlargement	<input type="checkbox"/>	Yes
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Conditions to Avoid Enlargement/Injury	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	No
<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	

DPD PD FO COV DPD/PD/ FINAL ORDER/COVER LETTER

PR	CW	PR	CW	PR	CW	PR	CW	
	<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>	UPDATE WRIS APPS FOLDER (FIELD STAFF ONLY)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Check tenses ex...Find & Replace point(s), Right(s) Meter(s), Device(s) Is/Are, Was/Were
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Correct address? Add Agent, Receiving Landowner if applicable etc...
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Compare "from lands" with marked up Certificate
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Compare Authorized POD(s)/POA(s) with marked up Certificate
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Add Watermaster conditions (send copy of review to applicant if applicable)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Add Ground water conditions
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	ODFW recommendations (send copy of review to applicant if applicable)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Hidden findings unveiled?
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Add any cancellation language or special situations
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Attach supporting documents to cover letter if applicable

RECEIVED BY OWA

AUG 23 2016

SALEM OR

OWNERSHIP VERIFICATION

PR	CW		PR	CW	
<input type="checkbox"/>	<input type="checkbox"/>	The deed/ROI matches the <i>“from”</i> lands.	<input type="checkbox"/>	<input type="checkbox"/>	Notarized, signed statement of consent (if applicable)
<input type="checkbox"/>	<input type="checkbox"/>	<i>All</i> owners on the deed/ROI have signed the application.	<input type="checkbox"/>	<input type="checkbox"/>	Compare with current tax lot map.

PD PUBLIC NOTICE/NEWSPAPER NOTICE/COVER LETTER

PR	CW	
<input type="checkbox"/>	<input type="checkbox"/>	UPDATE WRIS APPS FOLDER (FIELD STAFF ONLY)
<input type="checkbox"/>	<input type="checkbox"/>	Check tenses ex...Find & Replace point(s), Right(s) Meter(s), Device(s) Is/Are, Was/Were
<input type="checkbox"/>	<input type="checkbox"/>	Format matches current template
<input type="checkbox"/>	<input type="checkbox"/>	Content matches PD info?
<input type="checkbox"/>	<input type="checkbox"/>	Spell checked?
<input type="checkbox"/>	<input type="checkbox"/>	Correct address?
<input type="checkbox"/>	<input type="checkbox"/>	Cost Estimate for Newspaper if applicable send email to support staff <input type="checkbox"/> 2 weeks <input type="checkbox"/> three weeks
<input type="checkbox"/>	<input type="checkbox"/>	Send Letter to Applicant/Agent regarding newspaper notice cost
<input type="checkbox"/>	<input type="checkbox"/>	Have funds been received from Applicant/Agent for newspaper costs?

REMAINING RIGHT CERTIFICATE

PR	CW	
<input type="checkbox"/>	<input type="checkbox"/>	UPDATE WRIS APPS FOLDER (FIELD STAFF ONLY)
<input type="checkbox"/>	<input type="checkbox"/>	Check tenses ex...Find & Replace point(s), Right(s) Meter(s), Device(s) Is/Are, Was/Were
<input type="checkbox"/>	<input type="checkbox"/>	Table Format matches current template
<input type="checkbox"/>	<input type="checkbox"/>	Content format matches original certificate
<input type="checkbox"/>	<input type="checkbox"/>	Spell checked?
<input type="checkbox"/>	<input type="checkbox"/>	Name and address matches originating certificate?

CASEWORKER WRAP UP

CW	
<input type="checkbox"/>	Organize Working Docs For Peer Review (Remove Duplicates)
<input type="checkbox"/>	Update Computer entry (add postal confirmation receipt number and date file was mailed)
<input type="checkbox"/>	Put file contents on Salem Exchange Folder
<input type="checkbox"/>	Print e-mail and correspondence put it in order of the findings of PD (if applicable)
<input type="checkbox"/>	Has Affidavit of Publication been received? <input type="checkbox"/> N/A <input type="checkbox"/> Yes--Date for FO: _____ <input type="checkbox"/> No—have Codi call newspaper

Record Keeping: DPD Mailed (Date) _____ PD Mailed (Date) _____

COMMENTS:

RECEIVED BY OWRD

AUG 23 2016

SALEM, OR

February 18, 2015

Shirley Thompson
53743 HWY 78
BURNS, OR 97720

REFERENCE: Water Right Transfer Application T-12378

Shirley Thompson,

The Department has conducted an initial review of your water right transfer application. There are a few deficiencies that need to be resolved before we can continue processing your application.

- 1) This application appears to be missing signatures and/or affidavits from all of the landowners. Page 4 of the application says that the applicant is not the sole owner of the land. Page 1 of the application says that the affidavits of consent from landowners are "Pending". Page 5 of the application has the "receiving landowner will be responsible" box checked, but no receiving landowner is listed. Please provide the Department with A) the names of all the land owners; B1) an updated signature page with their signatures or B2) an Affidavit of Consent from each landowner; and C1) the name of the receiving landowner responsible for completing the changes or C2) an updated Page 5 stating that the applicant is responsible for completion of the changes.
- 2) The "Off" map for Certificate 46775 shows 10 acres combined for Primary and Supplemental Irrigation in the SE ¼ SW ¼ S 18. The "On" map shows the exact same area marked 8.7 acres for Supplemental Irrigation. Please resolve this mapping discrepancy and provide corrected "On" and "Off" maps.
- 3) Two of the "Off" maps included in the transfer application did not meet current mapping standards. Specifically, the Authorized Point of Appropriation is not shown on the "Off" maps for Certificate 55571 and for Certificate 85182. Please provide updated "Off" maps for these two certificates that include the Authorized Point of Appropriation.
- 4) Table 1 of the Transfer application on Page 7, 11, 14, 17, and 20 appears to contain clerical errors for one or more of the Measured Distances Descriptions for Authorized and/or Proposed Points of Appropriation. The Measured Distances Descriptions in Table 1 are not in agreement with those specified on the transfer maps, which appear to be accurate. Please review, correct the Measured Distances Descriptions in each Table 1 to coincide with those on the transfer maps, initial each, and return to the Department. Alternatively, you may update the transfer maps and Table 1 as necessary, sign, and return to the Department.

If the Department does not receive the above requested materials by September XX, 2016, a Preliminary Determination may be issued denying the application as incomplete.

Please do not hesitate to contact me, at xx or (503) xx, if I may be of assistance.

Sincerely,

xxx

Transfer Specialist
Transfer and Conservation Section

cc: John A. Short, Agent for the applicant (*via e-mail*)

SMITH Joan M

From: HENDERSON Sarah A
Sent: Wednesday, October 19, 2016 3:46 PM
To: SMITH Joan M
Subject: FW: T12378 Shirley Thompson

This was tracy file now yours...

From: johnshort@usa.com [<mailto:johnshort@usa.com>]
Sent: Wednesday, October 19, 2016 3:43 PM
To: Sarah A Henderson
Subject: Fwd: T12378 Shirley Thompson

Hi Sarah - I don't know who has this now but we need another 10 days.

Thanks,
John

John A. Short CCB# 197121

541-389-2837

Water Right Services, LLC
PO Box 1830
Bend, OR 97709
johnshort@usa.com
oregonwater.us

Begin forwarded message:

From: FOX Tracy L <tracy.l.fox@state.or.us>
Subject: T12378 Shirley Thompson
Date: September 15, 2016 at 4:23:44 PM PDT
To: John Short <johnshort@usa.com>
Cc: JOHNSON JR <jr.johnson@state.or.us>

John,

Thanks for speaking with me this afternoon regarding this transfer application. Per our conversation, the Department has conducted an initial review of this water right transfer application. There are a few deficiencies that need to be resolved before we can continue processing the application.

- 1) The "Off" map for Certificate 46775 shows 10.0 acres for Primary and Supplemental Irrigation in the SESW T26E R34E Sec. 18. The map needs to differentiate between the Primary and Supplemental Irrigation.
- 2) The "Off" maps for Certificate 55571 and for Certificate 85182 do not show the authorized point of appropriation. Please provide amended "Off" maps for these two certificates that include the authorized point of appropriation. These will need to be originals with the CWRE stamp and signature.
- 3) Certificate 46775: on Table 1 the well designations for "Old Well" and "New Well" appear to be switched (when compared to the certificate).
- 4) For all five certificates:

- a. Table 1 appears to contain clerical errors for one or more of the “Measured Distances” descriptions. The “Measured Distances” descriptions in Table 1 do not agree with those specified on the transfer maps, which appear to be accurate. Please review, correct as necessary, date and initial the changes, and return the amended pages to the Department.
- 5) I forgot to mention this on the phone, however Page 5 of the application has the “receiving landowner will be responsible” box checked, but no receiving landowner is listed, in fact it says “N/A”. Please clarify.

If the Department does not receive the above requested materials by October 17, 2016, a Preliminary Determination may be issued denying the application as incomplete. Please do not hesitate to contact me at Tracy.L.Fox@wrд.state.or.us or 503-986-0827 if I may be of assistance. Thank you.

Tracy Fox | Transfer Specialist

Oregon Water Resources Department | 725 Summer St. NE, Suite A | Salem, Oregon 97301
Phone: 503 986-0827 | Fax: 503 986-0901
Email: tracy.l.fox@wrд.state.or.us | Web: <http://www.wrd.state.or.us>

Please Note: Under Oregon Law, messages to and from this e-mail address may be available to the public.

FITZGERALD Kate M

From: Terry Sprecher <terry.sprecher@sprechergroup.com>
Sent: Sunday, August 21, 2016 3:19 PM
To: FITZGERALD Kate M
Subject: T-12378, Shirley Thompson Initial Deliverables
Attachments: 1.12378-DRFT.defic-letter.docm; 2.12378-DRFT.dpd.docm; 3.12378-DRFT.dpd-cov-approve.docm; 4.12378-DRFT.pd-notice.docm; 5.12378DRFT.-pd-cov-approve.docm

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Kate,

Have completed the file review for T-12378, and the initial deliverables. This transfer included 5 separate certificates. A minor comment: None of the T maps show the major water delivery system features – I've not requested this to be added to the T maps in the attached draft documents.

✓ This application looks to be missing signatures/affidavits from landowners:

- ✓ - P 4 says the applicant is not the sole owner of the land.
- ✓ - P 1 says the affidavits of consent from landowners are Pending. *not rec'd as of 9/14/16*
- ✓ - P 5 has the "receiving landowner will be responsible" box checked, but no receiving landowner is listed.
- ✓ - The Land Use Information Form names Martin Thompson, same address as Shirley.

The ownership and receiving landowner information is requested in the attached **draft deficiency letter (#1)**, because it is needed before issuing the draft DPD.

Cert 46775, major:

- ✓ the "Off" map shows 10 acres combined for Primary (should be 1.3 A) and Supplemental (should be 8.7 A) in the SE of the SW of S 18. The final proof map doesn't separate these either. During the plat card/conflict search, I looked at cert 44942 (the primary associated with the supplemental) and its application/permit map, which shows 10 acres of primary in this $\frac{1}{4}$ $\frac{1}{4}$, all S of the irrigation ditch and creek. I'm assuming the 1.3 A of primary is really N of the irrigation ditch – see attached marked up maps and notes.
- ✓ The "on" map shows the exact same area discussed above, but marked 8.7 A for the "on" map. There is clearly an error somewhere – can't have the same land be both 8.7 A and 10 A. I've marked up the "on" map showing my assumption. The draft Deficiency Letter requests the applicant to provide corrected "on" and "off" maps to resolve this discrepancy (**#2**).
- ✓ the application description of proposed POAs - North, Middle, and East wells, is slightly different from that on the T map – may be clerical errors? The T map description looks to be correct, so I've used that in the draft DPD. The **draft deficiency letter** asks for the applicant to review and verify in writing (**#4**).

Cert 55569 and 55570, major:

- ✓ the application description of the proposed POA - North and East wells, is slightly different from that on the T map – see above. The **draft deficiency letter** asks for the applicant to review and verify in writing (**#4**).

Cert 55571, major:

- ✓ authorized POA, the North well, is not shown on the "off" map. The **draft deficiency letter** requests a revised T map showing authorized POA (**#3**).
- ✓ the application description of the proposed POA East well is slightly different from that on the T map – see above. The **draft deficiency letter** asks for the applicant to review and verify in writing (**#4**).

Cert 85182, major:

- ✓ authorized POA, the East well, is not shown on the "off" map. The **draft deficiency letter** requests a revised T map showing authorized POA (#3).
- ✓ the application description of the authorized POA (East well) is slightly different from that on the certificate. The application description of the proposed POA North well is slightly different from that on the T map – see above. The **draft deficiency letter** asks for the applicant to review and verify in writing (#4).

Cert 46775, minor:

- In the NW of the SW of S 18, the tax lot maps seem to show that TL 1900 is G Lot 3, but TL 700 is not G Lot 3. Certificate 46775 states that all 19.5 acres are in G Lot 3. Table 2, P. 8, shows all 19.5 acres in G Lot 3, and doesn't separate the acres by tax lot. I've left this alone, on the assumption that the Certificate is correct.
- "to" lands are broken down by ¼ ¼ section. But the NE of the NE of S 13 has 3 tax lots & the "to" acres aren't separated into these 3 tax lots. Also, on P. 8, one extra tax lot is listed for the SE of the NE of S 13. I don't think the tax lot breakdown is required, so have left this alone.

Cert 55571, minor:

- "to" lands are broken down by ¼ ¼ section. But the SE of the NW of S 19 has 2 tax lots; the SW NE has 2 tax lots, 1 was left off the table on P 18; the "to" acres aren't separated into these 2 tax lots. I don't think the tax lot breakdown is required, so have left this alone. If "to" lands need to be broken down by tax lot, these deficiencies will need to be added to the draft Deficiency Letter.

The DPD and DPD cover were prepared assuming that the deficiency letter is sent, and the issues are all corrected. If that is not the case, deficiencies will need to be inserted into the DPD cover letter.

Attached please find:

- Draft deficiency letter
- Draft DPD
- Draft DPD Cover Letter
- Draft PD Notice
- Draft PD Cover

Hard copy initial deliverables, and the RA Deliverables Cover Sheet, are being mailed to WRD, to your attention. Scans of these documents are too large to email. They are posted on Microsoft's One Drive, at this link https://1drv.ms/f/s!At_vd5s2Ty7_hhGcc34WWGjoOSCG

Let me know if questions. thank you.

Terry Sprecher RG, CWRE

Licensed Geologist - OR, WA, ID, AK/ Certified Water Rights Examiner – OR

Sprecher group

DBE/WBE/ESB #5687

2445 NE Division Street, Suite 300

Bend, Oregon 97703

Phone: 541/306-3709

Cell: 541/419-0883

terry.sprecher@sprechergroup.com

www.sprechergroup.com

FOX Tracy L

From: FOX Tracy L <tracy.l.fox@state.or.us>
Sent: Thursday, September 22, 2016 9:06 AM
To: John Short
Cc: SMITH Joan M
Subject: T12378 Shirley Thompson

Good morning John,
I wanted to let you know that Joan Smith is taking this file to finish since I am starting a new job here Monday. Please send your response to my Sep. 15, 2016, deficiency email to her. Thank you.

Tracy Fox | Transfer Specialist

Oregon Water Resources Department | 725 Summer St. NE, Suite A | Salem, Oregon 97301

Phone: 503 986-0827 | Fax: 503 986-0901

Email: tracy.l.fox@wrd.state.or.us | Web: <http://www.wrd.state.or.us>

Please Note: Under Oregon Law, messages to and from this e-mail address may be available to the public.

FOX Tracy L

From: FOX Tracy L <tracy.l.fox@state.or.us>
Sent: Thursday, September 15, 2016 4:24 PM
To: John Short
Cc: JOHNSON JR
Subject: T12378 Shirley Thompson

John,

Thanks for speaking with me this afternoon regarding this transfer application. Per our conversation, the Department has conducted an initial review of this water right transfer application. There are a few deficiencies that need to be resolved before we can continue processing the application.

- 1) The "Off" map for Certificate 46775 shows 10.0 acres for Primary and Supplemental Irrigation in the SESW T26E R34E Sec. 18. The map needs to differentiate between the Primary and Supplemental Irrigation.
- 2) The "Off" maps for Certificate 55571 and for Certificate 85182 do not show the authorized point of appropriation. Please provide amended "Off" maps for these two certificates that include the authorized point of appropriation. These will need to be originals with the CWRE stamp and signature.
- 3) Certificate 46775: on Table 1 the well designations for "Old Well" and "New Well" appear to be switched (when compared to the certificate).
- 4) For all five certificates:
 - a. Table 1 appears to contain clerical errors for one or more of the "Measured Distances" descriptions. The "Measured Distances" descriptions in Table 1 do not agree with those specified on the transfer maps, which appear to be accurate. Please review, correct as necessary, date and initial the changes, and return the amended pages to the Department.
- 5) I forgot to mention this on the phone, however Page 5 of the application has the "receiving landowner will be responsible" box checked, but no receiving landowner is listed, in fact it says "N/A". Please clarify.

If the Department does not receive the above requested materials by October 17, 2016, a Preliminary Determination may be issued denying the application as incomplete. Please do not hesitate to contact me at Tracy.L.Fox@wrд.state.or.us or 503-986-0827 if I may be of assistance. Thank you.

Tracy Fox | Transfer Specialist

Oregon Water Resources Department | 725 Summer St. NE, Suite A | Salem, Oregon 97301
Phone: 503 986-0827 | Fax: 503 986-0901
Email: tracy.l.fox@wrд.state.or.us | Web: <http://www.wrд.state.or.us>

Please Note: Under Oregon Law, messages to and from this e-mail address may be available to the public.

T 17378

Certs: 46775 - has 2 wells auth., add 5 poas
55569 - also poa 1/2 of ones adding are
55570 - same as poas below
55571 - each have 1 auth poa
85182 - x fer adds 3 to each. All 4
would have same 4 poas.
All include poa change.

wm review: +fm at each poa
no gw conditions/issues

- Table 3 is complete for all certs. There are well logs w/ the app. however they aren't identified as they are on Table 1. But Table 1 has log references so they can be determined.

~~- get 2nd opinion on use for 55569, 55570
check
etc with corners of 46775, looks like they went
to circle prior to 8/17/2011 aerial photo~~

- 46775 Table 1: 'old well' + 'new well' @ Q2s are switched + North + middle
* East well fix msrd dist. on Table 1

- 55569 + 55570
Table 1: fix msrd dist. North + East wells

- 55571 Table 1: fix msrd dist. East well
with well

	m^1 West	m^2 North	m^3 East	m^4 Middle
m^1 West	—	3762' / 0.6	6090' / 1.1	2447' / 0.5
m^2 North	3265' / 0.6	—	5534' / 1.1	1306' / 0.3
m^3 East	6089' / 1.1	5534' / 1.1	—	4640' / 0.9
m^4 Middle	2248' / 0.5	1306' / 0.3	4641' / 0.9	—
m^5 Old	6676' / 1.3	5778' / 1.0	10807' / 2.0	6355' / 1.2
m^6 New	7115' / 1.4	6727' / 1.2	11750' / 2.2	7187' / 1.4
m^7 newest	6346' / 1.2	4938' / 0.9	10408' / 2.0	6009' / 1.1
to old	347' / 0.1			
to new	489' / 0.3			

-8518-2
 Table 1: Fix word dist. Northwest wells
 auth. well not shown on map

9-15-16 14:45 spoke to John

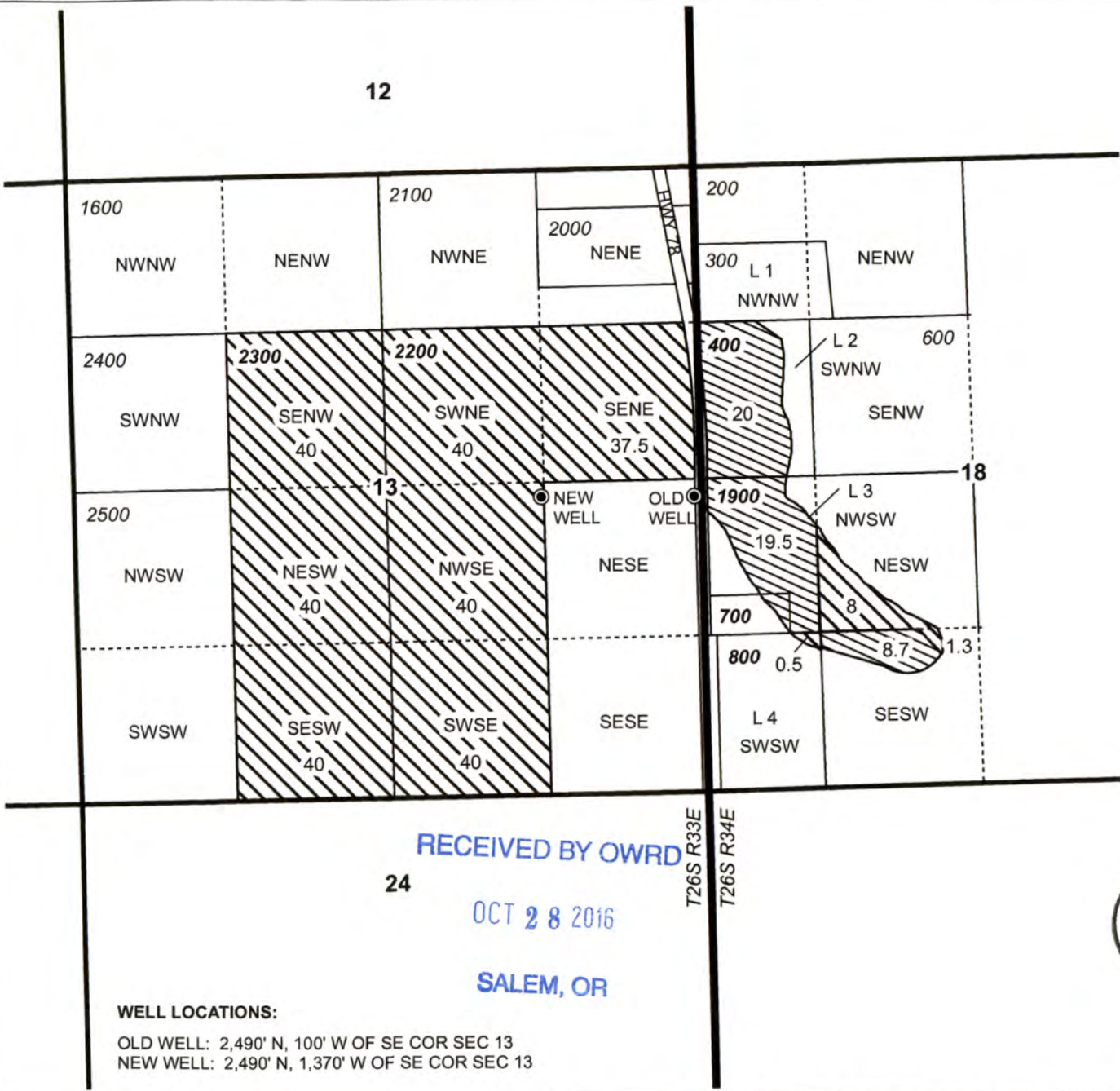
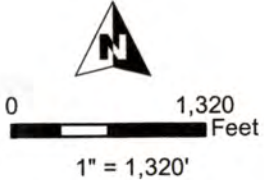
re: 1) consent forms, not sole owner =
will deal w/ after dpt. Is small
part owned by State.

2) 46775 "off" map needs to
differentiate between IP12 + SI
in sec 18 SESW.

3) "off" maps for 55571 + 85182

**T26S, R33E & 34E,
SECTIONS 13 & 18, WM**

HARNEY COUNTY, OREGON



- TRANSFER OFF**
- Cert 46775, Primary
 - Cert 46775, Supplemental
 - Township
 - Section
 - Quarter Quarter
 - Tax Lot
 - Well

RECEIVED BY OWRD
OCT 28 2016
SALEM, OR

WELL LOCATIONS:
 OLD WELL: 2,490' N, 100' W OF SE COR SEC 13
 NEW WELL: 2,490' N, 1,370' W OF SE COR SEC 13



RENEWAL DATE 12/31/2016

**TRANSFER "OFF" MAP
Thompson Ranch**

CERTIFICATE 46775

NOTE: THIS MAP IS NOT INTENDED TO
PROVIDE LEGAL DIMENSIONS OR LOCATIONS
OF PROPERTY OWNERSHIP LINES.

OCT 26, 2016

WATER RIGHT SERVICES, LLC
 PO BOX 1830, BEND, OR 97709
CCB# 197121 www.oregonwater.us
 541-389-2837 JOHNSHORT@USA.COM

**T26S, R34E,
SECTIONS 20 & 29, WM**

HARNEY COUNTY, OREGON

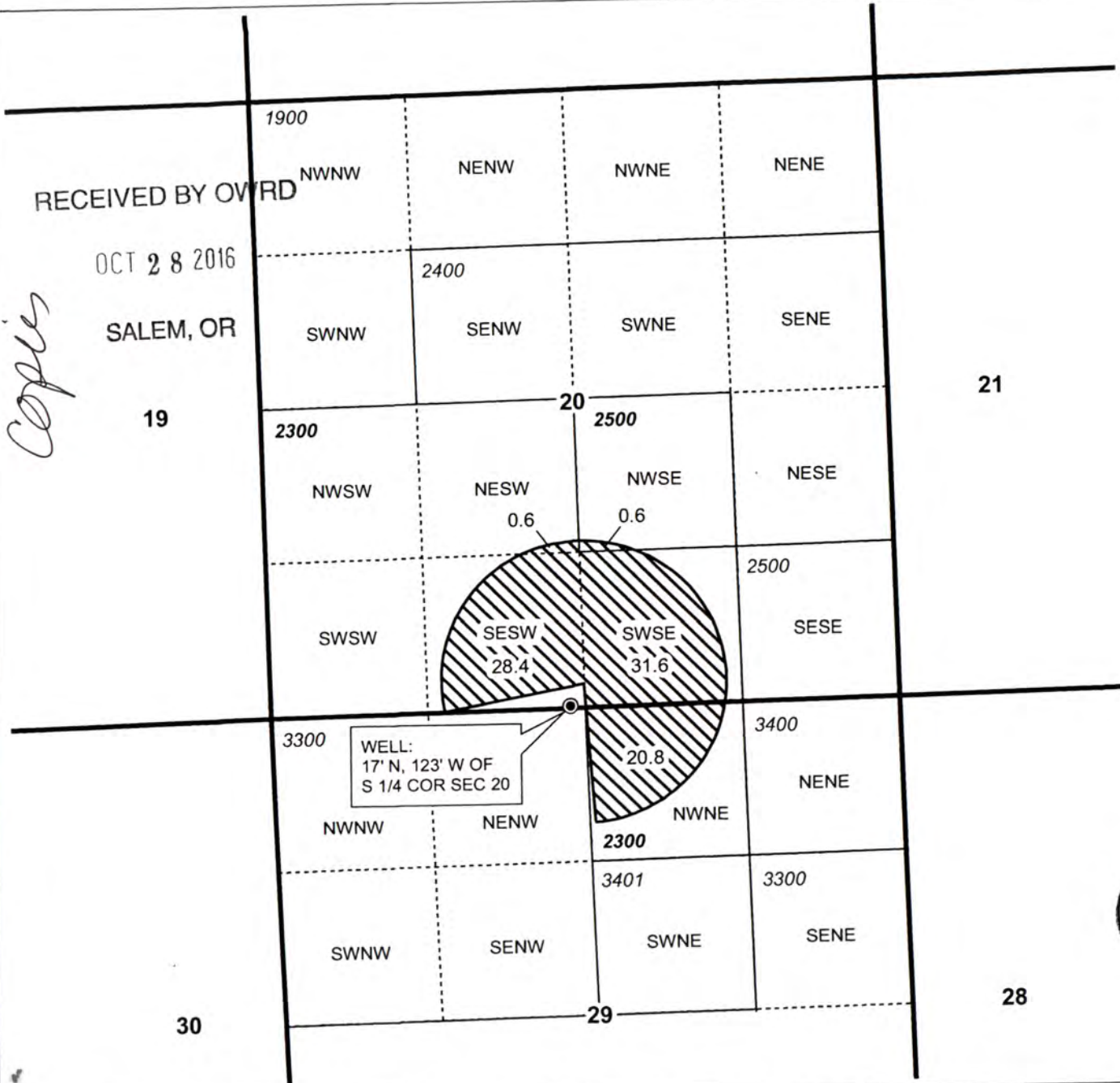


TRANSFER OFF

-  Cert 85182
-  Section
-  Quarter Quarter
-  Tax Lot
-  Well



RENEWAL DATE 12/31/2016



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Copies

19

21

30

28

**TRANSFER "OFF" MAP
Thompson Ranch**

CERTIFICATE 85182

NOTE: THIS MAP IS NOT INTENDED TO
PROVIDE LEGAL DIMENSIONS OR LOCATIONS
OF PROPERTY OWNERSHIP LINES.

OCT 26, 2016

WATER RIGHT SERVICES, LLC

PO BOX 1830, BEND, OR 97709

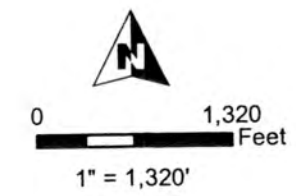
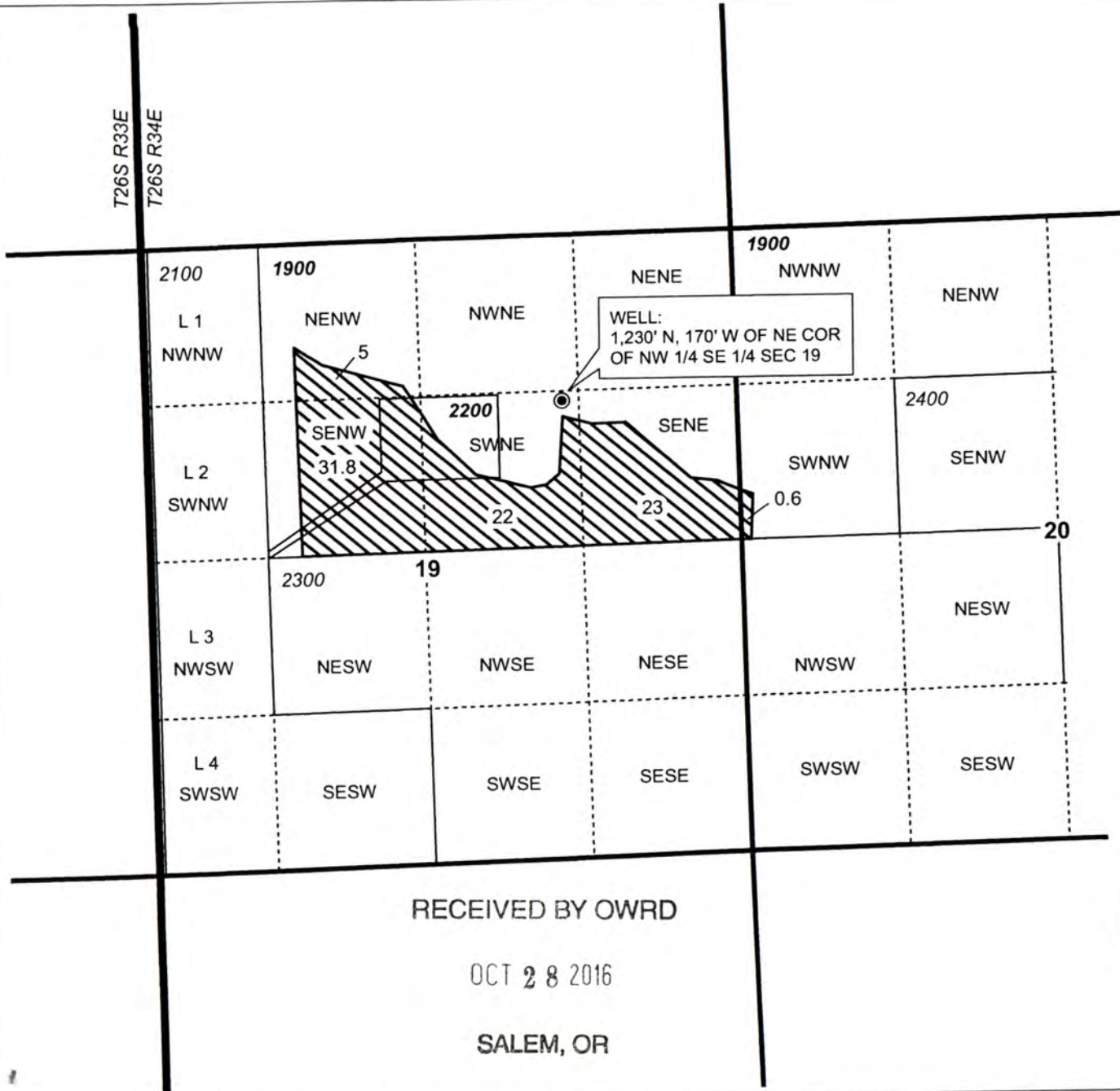
CCB# 197121 www.oregonwater.us

541-389-2837 JOHNSHORT@USA.COM

T-12228

**T26S, R34E,
SECTIONS 19 & 20, WM**

HARNEY COUNTY, OREGON



TRANSFER OFF

-  Cert 55571
-  Township
-  Section
-  Quarter Quarter
-  Tax Lot
-  Well

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SALEM, OR



RENEWAL DATE 12/31/2016

TRANSFER "OFF" MAP
Thompson Ranch

CERTIFICATE 55571

NOTE: THIS MAP IS NOT INTENDED TO
PROVIDE LEGAL DIMENSIONS OR LOCATIONS
OF PROPERTY OWNERSHIP LINES.

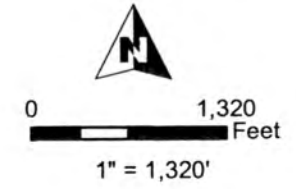
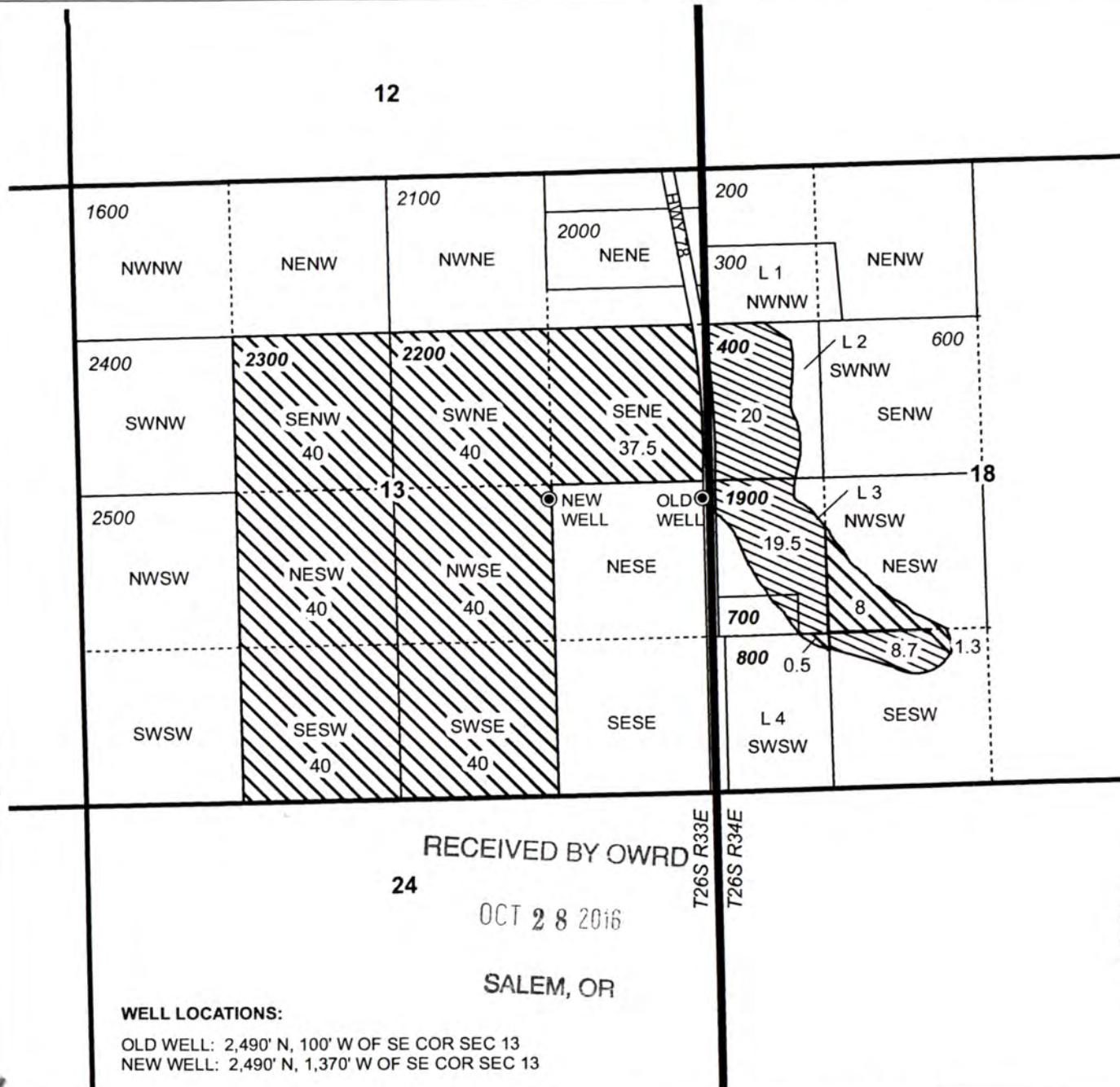
OCT 26, 2016

WATER RIGHT SERVICES, LLC
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CCB# 197121 www.oregonwater.us
541-389-2837 JOHNSHORT@USA.COM








T-12378

**T26S, R33E & 34E,
SECTIONS 13 & 18, WM**

HARNEY COUNTY, OREGON



TRANSFER OFF

-  Cert 46775, Primary
-  Cert 46775, Supplemental
-  Township
-  Section
-  Quarter Quarter
-  Tax Lot
-  Well

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24
OCT 28 2016
SALEM, OR

WELL LOCATIONS:

OLD WELL: 2,490' N, 100' W OF SE COR SEC 13
NEW WELL: 2,490' N, 1,370' W OF SE COR SEC 13



RENEWAL DATE 12/31/2016

**TRANSFER "OFF" MAP
Thompson Ranch**

CERTIFICATE 46775

NOTE: THIS MAP IS NOT INTENDED TO
PROVIDE LEGAL DIMENSIONS OR LOCATIONS
OF PROPERTY OWNERSHIP LINES.

OCT 26, 2016

WATER RIGHT SERVICES, LLC

PO BOX 1830, BEND, OR 97709

CCB# 197121 www.oregonwater.us

541-389-2837 JOHNSHORT@USA.COM

10228

**T26S, R34E,
SECTIONS 20 & 29, WM**

HARNEY COUNTY, OREGON

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SALEM, OR



0 1,320 Feet

1" = 1,320'

TRANSFER OFF

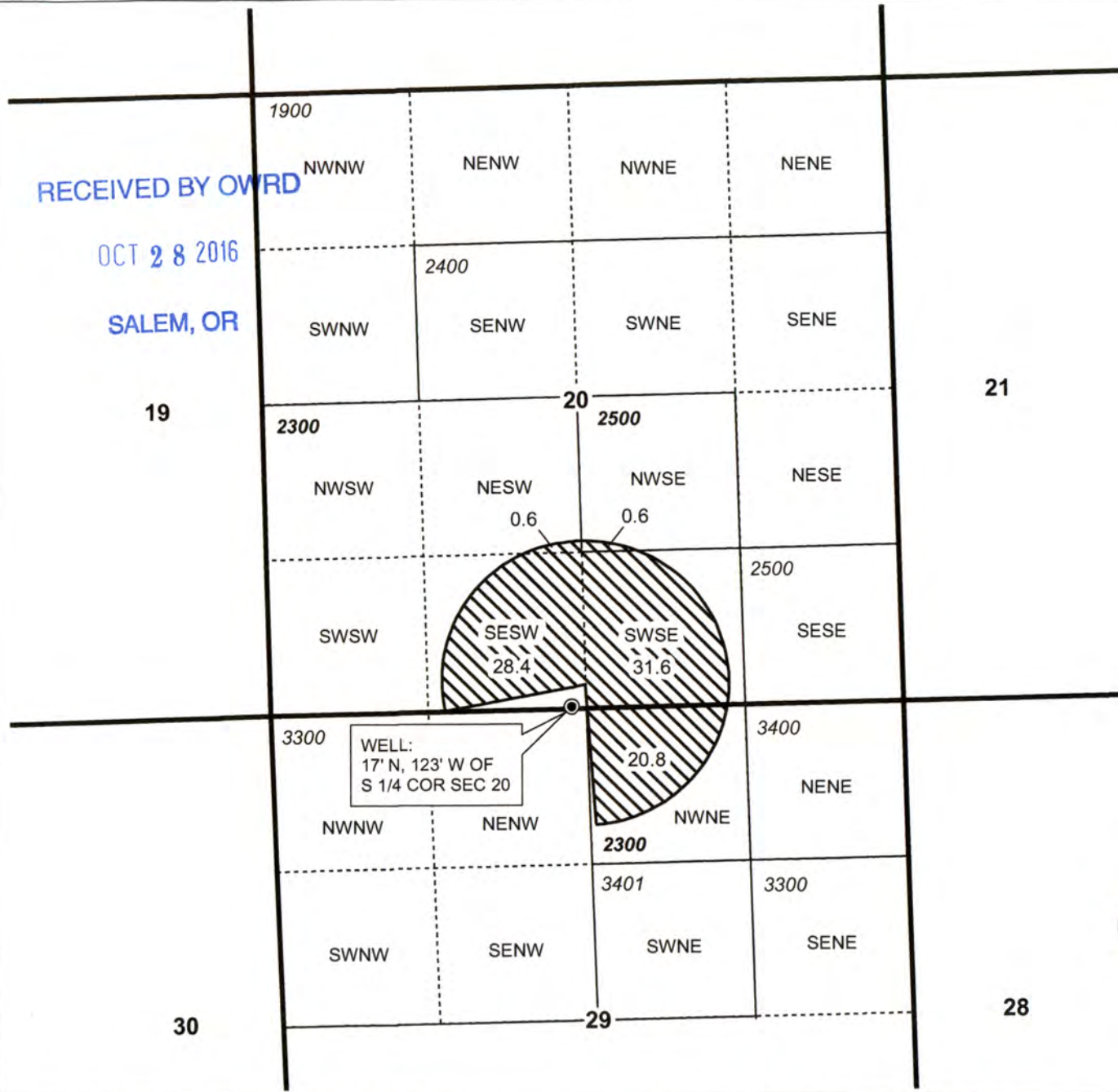
Cert 85182

Section

Quarter Quarter

Tax Lot

Well



RENEWAL DATE 12/31/2016

**TRANSFER "OFF" MAP
Thompson Ranch**

NOTE: THIS MAP IS NOT INTENDED TO
PROVIDE LEGAL DIMENSIONS OR LOCATIONS
OF PROPERTY OWNERSHIP LINES.

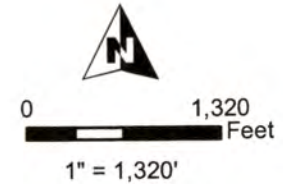
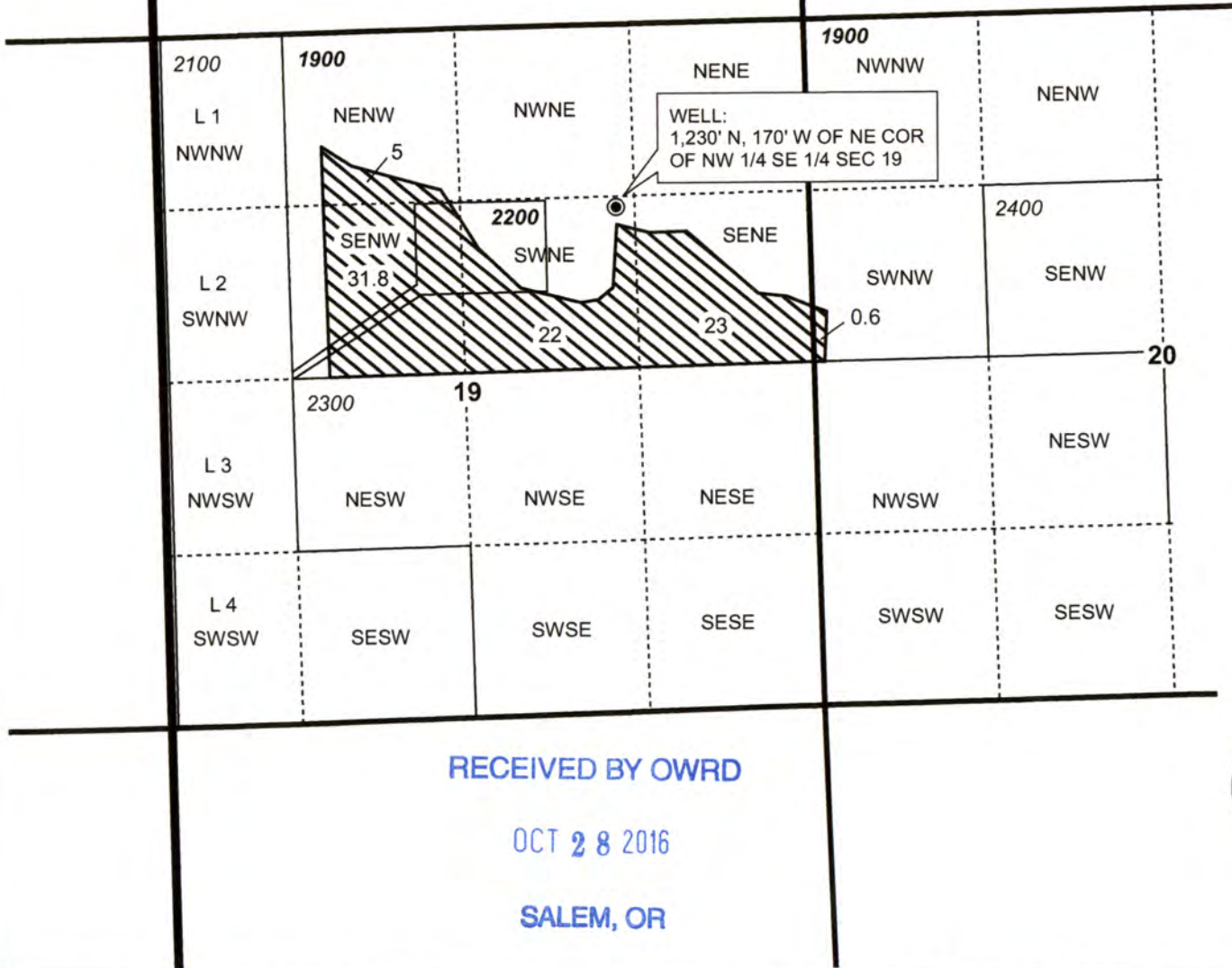
WATER RIGHT SERVICES, LLC
PO BOX 1830, BEND, OR 97709
CCB# 197121 www.oregonwater.us
541-389-2837 JOHNSHORT@USA.COM

CERTIFICATE 85182

OCT 26, 2016

**T26S, R34E,
SECTIONS 19 & 20, WM**
HARNEY COUNTY, OREGON

T26S R33E
T26S R34E



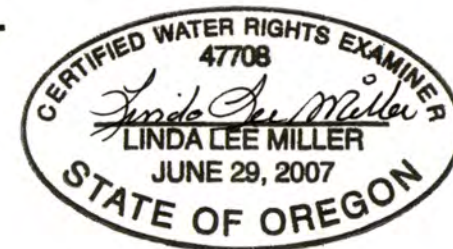
TRANSFER OFF

-  Cert 55571
-  Township
-  Section
-  Quarter Quarter
-  Tax Lot
-  Well

RECEIVED BY OWRD

OCT 28 2016

SALEM, OR



RENEWAL DATE 12/31/2016

TRANSFER "OFF" MAP
Thompson Ranch

CERTIFICATE 55571

NOTE: THIS MAP IS NOT INTENDED TO
PROVIDE LEGAL DIMENSIONS OR LOCATIONS
OF PROPERTY OWNERSHIP LINES.

OCT 26, 2016

WATER RIGHT SERVICES, LLC
PO BOX 1830, BEND, OR 97709
CCB# 197121 www.oregonwater.us
541-389-2837 JOHNSHORT@USA.COM

10228

STATE OF OREGON

*all average involved
in T 12378*

COUNTY OF

HARNEY

CERTIFICATE OF WATER RIGHT

This Is to Certify, That NEVIN L. THOMPSON

of Princeton, State of Oregon, 97721, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Old & New Thompson Wells

a tributary of Malheur Lake for the purpose of irrigation of 287.3 acres and supplemental irrigation of 48.2 acres

under Permit No. G-5240 and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from September 10, 1974

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 4.01 cubic feet per second, being 0.71 c.f.s. from old well and 3.3 c.f.s. from new well

or its equivalent in case of rotation, measured at the point of diversion from the well. The well is located in the NW 1/4 SE 1/4, NE 1/4 SE 1/4, Section 13, T. 26 S., R. 33 E., W. M., New-2490 feet North and 1370 feet West; Old-2490 feet North and 100 feet West, both from the SE Corner, Section 13

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3 acre feet per acre for each acre irrigated during the irrigation season of each year,

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

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

<u>New Well</u>	<u>Old Well</u>
<u>Primary</u>	<u>Primary</u>
- / 40.0 acres SW 1/4 NE 1/4	- / 8.0 acres NE 1/4 SW 1/4
- / 37.5 acres SE 1/4 NE 1/4	- / 0.5 acre Lot 4 (SW 1/4 SW 1/4)
- / 40.0 acres SE 1/4 NW 1/4	- 1.3 acres SE 1/4 SW 1/4
- / 40.0 acres NE 1/4 SW 1/4	
- / 40.0 acres SE 1/4 SW 1/4	<u>Supplemental</u>
- / 40.0 acres NW 1/4 SE 1/4	- / 20.0 acres Lot 2 (SW 1/4 NW 1/4)
- / 40.0 acres SW 1/4 SE 1/4	- / 19.5 acres Lot 3 (NW 1/4 SW 1/4)
Section 13	- 8.7 acres SE 1/4 SW 1/4
T. 26 S., R. 33 E., W. M.	Section 18
	T. 26 S., R. 34 E., W. M.

*not distinguished
on final
proof
survey
map*

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the Water Resources Director, affixed

this date. November 2, 1978

James E. Saxon
Water Resources Director

*T 12378
"from"
map
but see SG
water on map
w/ Application #
2313*

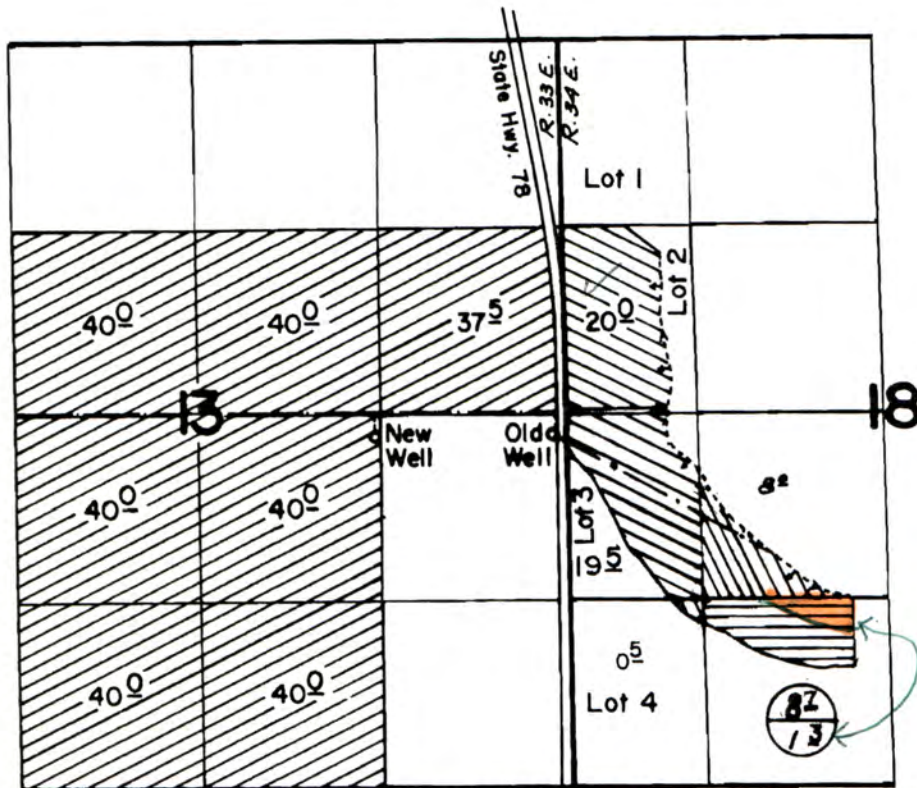
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AUG 23 2016

SALEM, OR

Recorded in State Record of Water Right Certificates, Volume 39, page 46775

T.26S., R.33 & 34E., W.M.



Wells Loc: New-2490' N & 1370' W; Old-2490' N & 100' W both from SE cor. sec. 13

FINAL PROOF SURVEY UNDER

Application No. G-6148 Permit No. G-5240
IN NAME OF

NEVIN L. THOMPSON

Surveyed April 23 1976, by D. Norby

- Primary-New Well
- Primary-Old Well
- Supplemental-Old Well
- Supplemental & Primary-Old Well

- Supplemental
- Primary

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AUG 23 2016

SALEM, OR

EFI-11V-88

STATE OF OREGON

COUNTY OF

HARNEY

*all acreage involved
in T-1237B*

CERTIFICATE OF WATER RIGHT

This is to certify, That NEVIN THOMPSON

of Star Rt. 2, Box 3561, Hwy. 78, Burns, State of OR 97720, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of James Well

a tributary of Malheur Lake for the purpose of irrigation of 118.2 acres

under Permit No. G-5183 and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from April 4, 1973

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 1.48 cubic feet per second

or its equivalent in case of rotation, measured at the point of diversion from the well. The well is located in the NW 1/4 SE 1/4, Section 19, T26S, R34E, WM; 70 feet South and 40 feet West from NE corner NW 1/4 SE 1/4, Section 19.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year,

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

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

- 39.0 acres NE 1/4 SE 1/4
- 39.0 acres NW 1/4 SE 1/4
- 39.5 acres SE 1/4 SE 1/4
- Section 19

- 0.7 acre NW 1/4 SW 1/4
- Section 20
- Township 26 South, Range 34 East, WM

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the Water Resources Director, affixed

this date. February 11, 1987

/s/ William H. Young
Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 51, page 55569

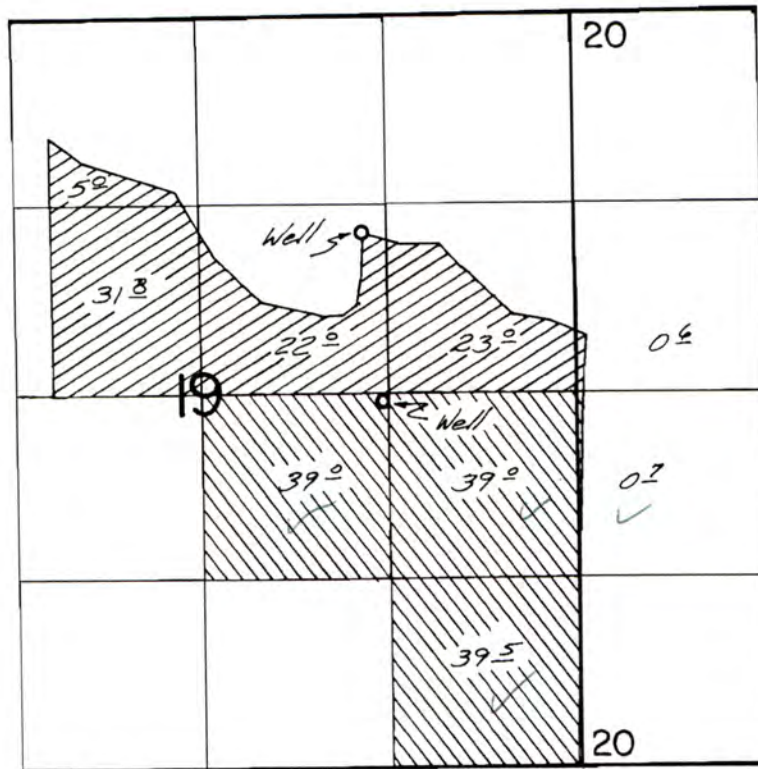
71300/SPA
G-6056

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AUG 23 2016

SALEM, OR

T.26S., R.34E., W.M.



Wells Loc: 70' S & 40' W; 1230' N. & 170' W., both from the NE corner NW 1/4 SE 1/4

FINAL PROOF SURVEY UNDER

Application No. G-6056 G-8973 Permit No. G-5183 G-8372
IN NAME OF

Nevin Thompson

Surveyed Aug 26, 1979 by R.G. MUCKEN

wt 55569



RECEIVED BY OWRD

AUG 23 2016

SALEM, OR

PT5-1979-H1 JLB

STATE OF OREGON

COUNTY OF

HARNEY

CERTIFICATE OF WATER RIGHT

This is to certify, That NEVIN THOMPSON

of Star Rt. 2, Box 3561, Hwy. 78, Burns, State of OR 97720, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of a well

a tributary of Malheur Lake for the purpose of irrigation of 40.0 acres

under Permit No. G-8242 and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from May 8, 1978 that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.5 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the well. The well is located in the NW 1/4 SE 1/4, Section 19, T26S, R34E, WM; 70 feet South and 40 feet West from NE corner NW 1/4 SE 1/4, Section 19.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year,

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

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

40.0 acres SW 1/4 SE 1/4
Section 19
Township 26 South, Range 34 East, WM

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the Water Resources Director, affixed

this date. February 11, 1987

/s/ William H. Young

Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 51, page 55570

7132D/SPA
G-8801

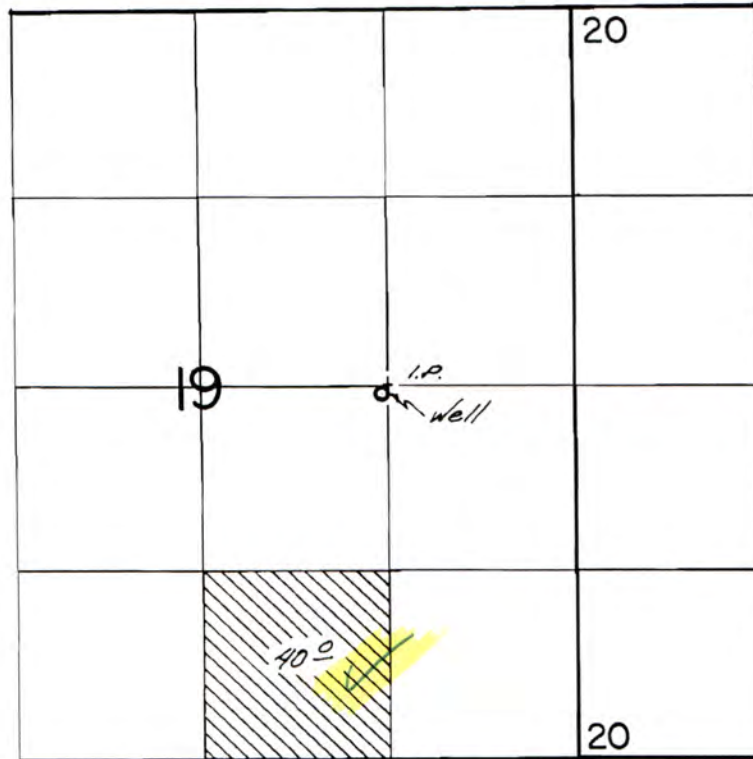
RECEIVED BY OWRD

AUG 23 2016

SALEM, OR

all acreage involved
in T 12378

T.26S.,R.34E.,W.M.



Well Loc.: 70' S. & 40' W. from NE corner NW 1/4 SE 1/4

RECEIVED BY OWRD

AUG 23 2016

SALEM, OR

FINAL PROOF SURVEY
UNDER

Application No. G-8801 Permit No. G-8242
IN NAME OF

Nevin Thompson

Surveyed AUG 26, 1979, by R.G. MACKEN

PTS-1979-H1

all acreage involved
in T 12378

STATE OF OREGON

COUNTY OF HARNEY

CERTIFICATE OF WATER RIGHT

This is to certify, That NEVIN THOMPSON

of Star Rt. 2, Box 3561, Hwy. 78, Burns, State of OR 97720, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of a well

a tributary of Malheur Lake for the purpose of irrigation of 82.4 acres

under Permit No. G-8372 and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from

October 18, 1978 that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 1.03 cubic feet per second

or its equivalent in case of rotation, measured at the point of diversion from the well. The well is located in the SW 1/4 NE 1/4, Section 19, T26S, R34E, WM; 1230 feet North and 170 feet West from NE corner NW 1/4 SE 1/4, Section 19.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year,

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

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

- ✓ 22.0 acres SW 1/4 NE 1/4
- ✓ 23.0 acres SE 1/4 NE 1/4
- ✓ 5.0 acres NE 1/4 NW 1/4
- ✓ 31.8 acres SE 1/4 NW 1/4
Section 19
- ✓ 0.6 acre SW 1/4 NW 1/4
Section 20
Township 26 South, Range 34 East, WM

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AUG 23 2016

SALEM, OR

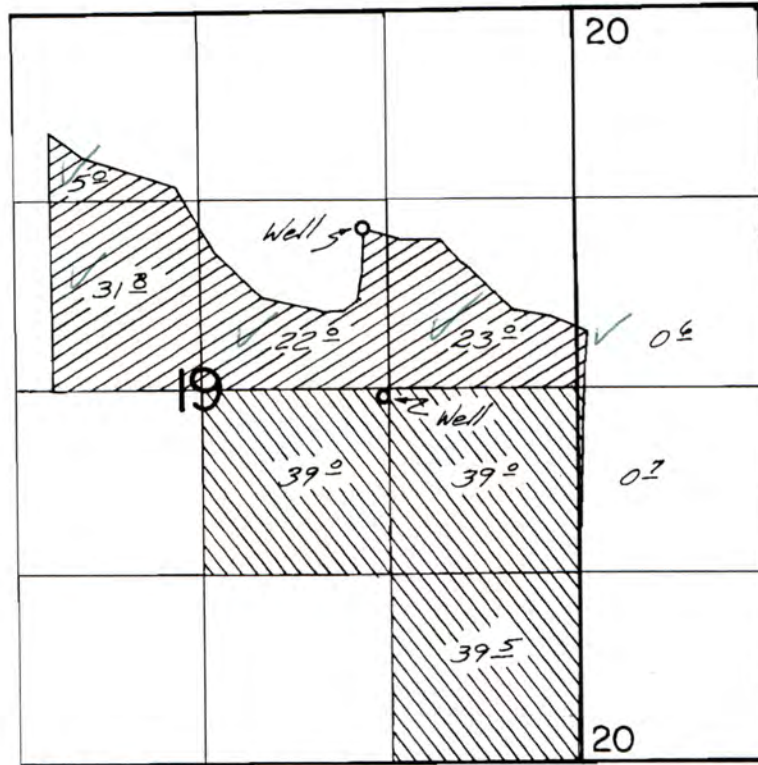
The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the Water Resources Director, affixed

this date. February 11, 1987

/s/ William H. Young
Water Resources Director

T.26S., R.34E., W.M.



Wells Loc: 70' S & 40' W; 1230' N. & 170' W., both from the NE corner NW 1/4 SE 1/4

RECEIVED BY OWRD

AUG 23 2016

SALEM, OR

FINAL PROOF SURVEY UNDER

Application No. G-6056 Permit No. G-5183
~~G-8973~~ G-8372
 IN NAME OF

Nevin Thompson

Surveyed Aug 26, 1979 by R.G. MUCKEN

Cont 55571

PTS-1979-H1 JAB

STATE OF OREGON
COUNTY OF HARNEY

*all acreage included
in T - 1237B*

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

NEVIN AND SHIRLEY THOMPSON
53743 HWY 78
BURNS OR 97720

NW FARM CREDIT SERVICES, FLCA
559 SOUTH SEVENTH STREET
PO BOX 607
REDMOND OR 97756

confirms the right to use the waters of **A WELL** in the Malheur Lake Basin for IRRIGATION of **82.0 ACRES**.

This right was perfected under Permit G-11679. The date of priority is **MARCH 10, 1992**. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed **1.025 CUBIC FEET PER SECOND** or its equivalent in case of rotation, measured at the well.

The well is located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Measured Distances
26 S	34 E	WM	20	SE SW			17 FEET NORTH & 123 FEET WEST FROM S1/4 CORNER, SECTION 20

The amount of water used for irrigation, 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 for each acre irrigated, and shall be further limited to a diversion of not to exceed 3 acre-feet per acre for each acre irrigated during the irrigation season of each year.

The period of allowed use is March 1 through October 31.

A description of the place of use to which this right is appurtenant is as follows:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
26 S	34 E	WM	20	NE SW			0.6
26 S	34 E	WM	20	SE SW			28.4

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AUG 23 2016

SALEM, OR

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate at any time before it has issued, and after the time has expired for the completion of the appropriation under the permit, or within three months after issuance of the certificate.

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
26 S	34 E	WM	20	NW SE			0.6
26 S	34 E	WM	20	SW SE			31.6
26 S	34 E	WM	29	NW NE			20.8

The well shall be maintained 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.

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or measuring device in good working order.
- B. The water user 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.
- C. The Director may require the water user to keep and maintain a record of the amount (volume) of water used and may require the water user to report water use on a periodic schedule as established by the Director. In addition, the Director may require the water user to report general water use information, the periods of water use and the place and nature of use of water under the right. The Director may provide an opportunity for the water user to submit alternative reporting procedures for review and approval.

The Director may require water level or pump test results every ten years.

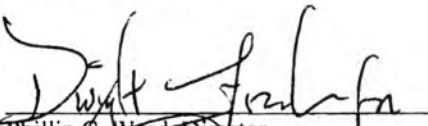
Failure to comply with any provisions of this right may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the right.

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

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

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

Issued DEC 19 2008

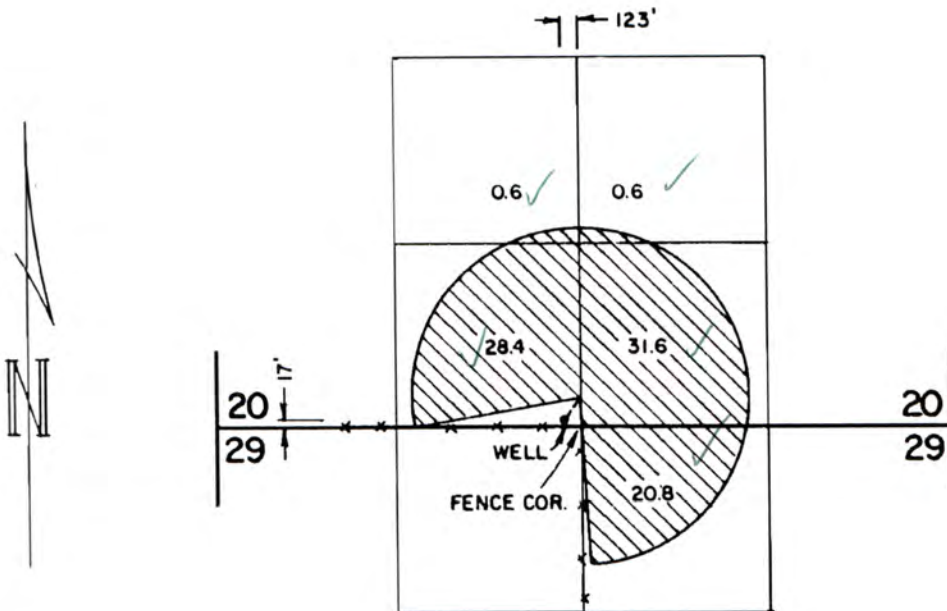

 Phillip C. Ward, Director
 Water Resources Department

RECEIVED BY OWRD

AUG 23 2016

SALEM, OR

T 26 S, R 34 E, WM



RECEIVED

MAY - 3 1996

WATER RESOURCES DEPT.
SALEM, OREGON

RECEIVED BY OWRD

AUG 23 2016

SALEM, OR

THE PURPOSE OF THIS MAP IS TO IDENTIFY THE LOCATION OF THE WATER RIGHT IT IS NOT INTENDED TO PROVIDE INFORMATION RELATIVE TO THE LOCATION OF PROPERTY OWNERSHIP.

	FINAL PROOF SURVEY		
	UNDER APPLICATION NO. G-12817 PERMIT NO. G-11679		IN THE NAME OF NEVIN AND SHIRLEY M. THOMPSON
	Scale: 4" = 1 MILE	Date: APRIL 1996	Job: 1157-96
	Dgn: Drn: CHRIS Ckd:	M. A. PALMER & SONS, INC. ENGINEERING & SURVEYING 254 N. Alder - Box 61 Burns, Oregon 97720	Sht. No. of 1

SMITH Joan M

From: smittyct74 . <smittyct@gmail.com>
Sent: Friday, October 21, 2016 3:33 PM
To: joan.m.smith@state.or.us
Subject: Transfer corrections for T-12378
Attachments: Scan0006.pdf

Hi Joan,

Here are the corrections for cert 46775 table 1, table 1 clerical errors for all 5 associated certs, and the page 5 receiving landowner correction. The necessary corrections will be made on the maps as well. If you need anything else, please contact John at johnshort@usa.com, or at 541-389-2837. Have a great weekend!

Chris Smith

Received Oct 21, 2016

Check the following boxes that apply:

- The applicant is responsible for completion of change(s). Notices and correspondence should continue to be sent to the applicant.
- The receiving landowner will be responsible for completing the proposed change(s) after the final order is issued. Copies of notices and correspondence should be sent to this landowner.
- Both the receiving landowner and applicant will be responsible for completion of change(s). Copies of notices and correspondence should be sent to this landowner and the applicant.

At this time, are the lands in this transfer application in the process of being sold? Yes No

If YES, and you know who the new landowner will be, please complete the receiving landowner information table below. If you do not know who the new landowner will be, then a request for assignment will have to be filed for at a later date.

If a property sells, the certificated water right(s) located on the land belong to the new owner, unless a sale agreement or other document states otherwise. For more information see: <http://www.oregon.gov/owrd/docs/transfer-propertytransactions.pdf>

RECEIVING LANDOWNER NAME APPLICANT			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS				FAX NO.
CITY	STATE	ZIP	E-MAIL	

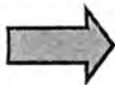
Describe any special ownership circumstances here: N/A

- Check here if any of the water rights proposed for transfer are or will be located within or served by an irrigation or other water district. (**Tip:** Complete and attach Supplemental Form D.)

IRRIGATION DISTRICT NAME N/A	ADDRESS	
CITY	STATE	ZIP

- Check here if water for any of the rights supplied under a water service agreement or other contract for stored water with a federal agency or other entity.

ENTITY NAME N/A	ADDRESS	
CITY	STATE	ZIP



To meet State Land Use Consistency Requirements, you must list all county, city, municipal corporation, or tribal governments within whose jurisdiction water will be diverted, conveyed or used.

ENTITY NAME HARNEY CO. PLANNING DEPT	ADDRESS 450 N. BUENA VISTA	
CITY BURNS	STATE OR	ZIP 97720

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

Received Oct 21, 2014

Part 5 of 5 – Water Right Information

Please use a separate Part 5 for each water right being changed. See instructions on page 6, to copy and paste additional Part 5s, or to add additional rows to tables within the form.

CERTIFICATE # 46775

Description of Water Delivery System

System capacity: **4.01** cubic feet per second (cfs) **OR**
 _____ gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines and sprinklers used to divert, convey and apply the water at the authorized place of use. **WELL PUMP DRIVES PIVOTS AND WHEEL LINES DIRECTLY**

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)
 (Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-_____)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
NEW WELL	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	HARN 1388	26 S	33 E	13	NW SE	2200	2490' N, 1370' W OF SE COR SEC 13
OLD WELL	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	HARN 1387	" "	" "	"	NE SE	2200	2490' N, 100' W OF SE COR SEC 13
NEWEST WELL	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	N/A	" "	34 "	18	NW SW	3	2200' N, 90' E OF SW COR SEC 18
WEST WELL	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	L-118055	" "	34 "	19	SE SW	2100	1320' N, 1480' E OF SW COR SEC 19
NORTH WELL	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	HARN 1426	" "	" "	"	SW NE	1900	1230' N, 170' W OF NE COR OF NW/SE 1/4 COR SEC 19
MIDDLE WELL	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	HARN 1428	" "	" "	"	NW SE	2300	70' S, 40' W OF NE COR OF NW/SE 1/4 COR SEC 19
EAST WELL	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	HARN 1429	" "	" "	20	SE SW	"	17' N, 123' W OF S 1/4 COR SEC 20

Check all type(s) of change(s) proposed below (change "CODES" are provided in parentheses):

- | | |
|--|--|
| <input checked="" type="checkbox"/> Place of Use (POU) | <input type="checkbox"/> Supplemental Use to Primary Use (S to P) |
| <input type="checkbox"/> Character of Use (USE) | <input checked="" type="checkbox"/> Point of Appropriation/Well (POA) |
| <input type="checkbox"/> Point of Diversion (POD) | <input checked="" type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input type="checkbox"/> Additional Point of Diversion (APOD) | <input type="checkbox"/> Substitution (SUB) |
| <input type="checkbox"/> Surface Water POD to Ground Water POA (SW/GW) | <input type="checkbox"/> Government Action POD (GOV) |

Will all of the proposed changes affect the entire water right?

- Yes Complete only the Proposed ("to" or "on" lands) section of Table 2 on the next page. Use the "CODES" listed above to describe the proposed changes.
- No Complete all of Table 2 to describe the portion of the water right to be changed.

Please use a separate Part 5 for each water right being changed. See instructions on page 6, to copy and paste additional Part 5s, or to add additional rows to tables within the form.

CERTIFICATE # 55569

Description of Water Delivery System

System capacity: **1.48** cubic feet per second (cfs) **OR**
 _____ gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines and sprinklers used to divert, convey and apply the water at the authorized place of use. **WELL PUMP DRIVES PIVOTS DIRECTLY**

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)
 (Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
MIDDLE WELL	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	HARN 1428	26 S	34 E	19	NW SE	2300	70' S, 40' W OF NE COR OF NW/SE 1/4 SEC 19
WEST WELL	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	L-118055	" "	34 "	19	SE SW	2100	1320' N, 1480' E OF SW COR SEC 19
NORTH WELL	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	HARN 1426	" "	" "	"	SW NE	1900	1230' N, 170' W OF NE COR OF NW/SE 1/4 COR SEC 19
EAST WELL	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	HARN 1429	" "	" "	20	SE SW	2300	17' N, 123' W OF S 1/4 COR SEC 20

Check all type(s) of change(s) proposed below (change "CODES" are provided in parentheses):

- | | |
|--|--|
| <input checked="" type="checkbox"/> Place of Use (POU) | <input type="checkbox"/> Supplemental Use to Primary Use (S to P) |
| <input type="checkbox"/> Character of Use (USE) | <input type="checkbox"/> Point of Appropriation/Well (POA) |
| <input type="checkbox"/> Point of Diversion (POD) | <input checked="" type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input type="checkbox"/> Additional Point of Diversion (APOD) | <input type="checkbox"/> Substitution (SUB) |
| <input type="checkbox"/> Surface Water POD to Ground Water POA (SW/GW) | <input type="checkbox"/> Government Action POD (GOV) |

Will all of the proposed changes affect the entire water right?

- Yes Complete only the Proposed ("to" or "on" lands) section of Table 2 on the next page. Use the "CODES" listed above to describe the proposed changes.
- No Complete all of Table 2 to describe the portion of the water right to be changed.

Received Oct 21, 2016

Please use a separate Part 5 for each water right being changed. See instructions on page 6, to copy and paste additional Part 5s, or to add additional rows to tables within the form.

CERTIFICATE # 55570

Description of Water Delivery System

System capacity: .5 cubic feet per second (cfs) **OR**
 _____ gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines and sprinklers used to divert, convey and apply the water at the authorized place of use. **WELL PUMP DRIVES PIVOTS DIRECTLY**

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)
 (Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp		Rng		Sec		¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
MIDDLE WELL	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	HARN 1428	26	S	34	E	19	NW	SE	2300	70' S, 40' W OF NE COR OF NW/SE 1/4 SEC 19
WEST WELL	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	L-118055	"	"	34	"	19	SE	SW	2100	1320' N, 1480' E OF SW COR SEC 19
NORTH WELL	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	HARN 1426	"	"	"	"	"	SW	NE	1900	1230' N, 170' W OF NE COR OF NW/SE 1/4 COR SEC 19
EAST WELL	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	HARN 1429	"	"	"	"	20	SE	SW	2300	17' N, 123' W OF S 1/4 COR SEC 20

Check all type(s) of change(s) proposed below (change "CODES" are provided in parentheses):

- | | |
|--|--|
| <input checked="" type="checkbox"/> Place of Use (POU) | <input type="checkbox"/> Supplemental Use to Primary Use (S to P) |
| <input type="checkbox"/> Character of Use (USE) | <input type="checkbox"/> Point of Appropriation/Well (POA) |
| <input type="checkbox"/> Point of Diversion (POD) | <input checked="" type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input type="checkbox"/> Additional Point of Diversion (APOD) | <input type="checkbox"/> Substitution (SUB) |
| <input type="checkbox"/> Surface Water POD to Ground Water POA (SW/GW) | <input type="checkbox"/> Government Action POD (GOV) |

Will all of the proposed changes affect the entire water right?

- Yes** Complete only the Proposed ("to" or "on" lands) section of Table 2 on the next page. Use the "CODES" listed above to describe the proposed changes.
- No** Complete all of Table 2 to describe the portion of the water right to be changed.

Received Oct. 21, 2016

Please use a separate Part 5 for each water right being changed. See instructions on page 6, to copy and paste additional Part 5s, or to add additional rows to tables within the form.

CERTIFICATE # 55571

Description of Water Delivery System

System capacity: 1.03 cubic feet per second (cfs) **OR**
 _____ gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines and sprinklers used to divert, convey and apply the water at the authorized place of use. **WELL PUMP DRIVES PIVOTS DIRECTLY**

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)
 (Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-____)	Twp		Rng		Sec	1/4 1/4		Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
NORTH WELL	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	HARN 1426	26	S	34	E	19	SW	NE	1900	1230' N, 170' W OF NE COR OF NW/SE 1/4 SEC 19
MIDDLE WELL	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	HARN 1428	26	S	34	E	19	NW	SE	2300	70' S, 40' W OF NE COR OF NW/SE 1/4 SEC 19
WEST WELL	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	L-118055	"	"	34	"	19	SE	SW	2100	1320' N, 1480' E OF SW COR SEC 19
EAST WELL	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	HARN 1429	"	"	"	"	20	SE	SW	2300	17' N, 123' W OF S 1/4 COR SEC 20

Check all type(s) of change(s) proposed below (change "CODES" are provided in parentheses):

- | | |
|--|--|
| <input checked="" type="checkbox"/> Place of Use (POU) | <input type="checkbox"/> Supplemental Use to Primary Use (S to P) |
| <input type="checkbox"/> Character of Use (USE) | <input type="checkbox"/> Point of Appropriation/Well (POA) |
| <input type="checkbox"/> Point of Diversion (POD) | <input checked="" type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input type="checkbox"/> Additional Point of Diversion (APOD) | <input type="checkbox"/> Substitution (SUB) |
| <input type="checkbox"/> Surface Water POD to Ground Water POA (SW/GW) | <input type="checkbox"/> Government Action POD (GOV) |

Will all of the proposed changes affect the entire water right?

- Yes Complete only the Proposed ("to" or "on" lands) section of Table 2 on the next page. Use the "CODES" listed above to describe the proposed changes.
- No Complete all of Table 2 to describe the portion of the water right to be changed.

Received Oct 21, 2016

Please use a separate Part 5 for each water right being changed. See instructions on page 6, to copy and paste additional Part 5s, or to add additional rows to tables within the form.

CERTIFICATE # 85182

Description of Water Delivery System

System capacity: 1.025 cubic feet per second (cfs) OR
 _____ gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines and sprinklers used to divert, convey and apply the water at the authorized place of use. **WELL PUMP DRIVES PIVOTS DIRECTLY**

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)
 (Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
EAST WELL	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	HARN 1429	" "	" "	20	SE SW	2300	17' N, 123' W OF S 1/4 COR SEC 20
MIDDLE WELL	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	HARN 1428	26 S	34 E	19	NW SE	2300	70' S, 40' W OF NE COR OF NW/SE 1/4 SEC 19
WEST WELL	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	L-118055	" "	34 "	19	SE SW	2100	1320' N, 1480' E OF SW COR SEC 19
NORTH WELL	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	HARN 1426	" "	" "	" "	SW NE	1900	1230' N, 170' W OF NE COR OF NW/SE 1/4 COR SEC 19

Check all type(s) of change(s) proposed below (change "CODES" are provided in parentheses):

- | | |
|--|--|
| <input checked="" type="checkbox"/> Place of Use (POU) | <input type="checkbox"/> Supplemental Use to Primary Use (S to P) |
| <input type="checkbox"/> Character of Use (USE) | <input type="checkbox"/> Point of Appropriation/Well (POA) |
| <input type="checkbox"/> Point of Diversion (POD) | <input checked="" type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input type="checkbox"/> Additional Point of Diversion (APOD) | <input type="checkbox"/> Substitution (SUB) |
| <input type="checkbox"/> Surface Water POD to Ground Water POA (SW/GW) | <input type="checkbox"/> Government Action POD (GOV) |

Will all of the proposed changes affect the entire water right?

- Yes Complete only the Proposed ("to" or "on" lands) section of Table 2 on the next page. Use the "CODES" listed above to describe the proposed changes.
- No Complete all of Table 2 to describe the portion of the water right to be changed.



State of Oregon
 Water Resources Department
 725 Summer Street NE, Suite A
 Salem, Oregon 97301-1266
 (503) 986-0900

Application for Permanent Water Right Transfer

Part 1 of 5 – Minimum Requirements Checklist

This transfer application will be returned if Parts 1 through 5 and all required attachments are not completed and included.

For questions, please call (503) 986-0900, and ask for Transfer Section.

RECEIVED BY OWRD

AUG 23 2016

SALEM, OR

Check all items included with this application. (N/A = Not Applicable)

- Part 1 – Completed Minimum Requirements Checklist.
- Part 2 – Completed Transfer Application Map Checklist.
- Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at: http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator. If you have questions, call Customer Service at (503) 986-0801.
- Part 4 – Completed Applicant Information and Signature. *may be missing landowners*
- Part 5 – Information about Water Rights to be Transferred: **How many water rights are to be transferred? 5 List them here: 46775, 55569, 55570, 55571, 85182**
Please include a separate Part 5 for each water right. (See instructions on page 6)

Attachments:

- Completed Transfer Application Map. *several issues noted - see checklists & email descriptions*
- Completed Evidence of Use Affidavit and supporting documentation.
- Pending** Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land the water right is on.)
- N/A Supplemental Form D – For water rights served by or issued in the name of an irrigation district. Complete when the transfer applicant is not the irrigation district.
- N/A Land Use Information Form with approval and signature (or signed land use form receipt stub). Not required if water is to be diverted, conveyed, and/or used only on federal lands or if **all** of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone.
- N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation.
- N/A Geologist Report for a change from a surface water point of diversion to a ground water point of appropriation (well), if the proposed well is more than 500' from the surface water source and more than 1000' upstream or downstream from the point of diversion. See OAR 690-380-2130 for requirements and applicability.

2 are missing auth. well

RECEIVED BY OWRD

MAY 09 2016

SALEM, OR

(For Staff Use Only)

WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):

- Application fee not enclosed/insufficient
- Land Use Form not enclosed or incomplete
- Additional signature(s) required
- Map not included or incomplete
- Part _____ is incomplete

Other/Explanation _____
 Staff: _____ 503-986-0 _____ Date: ____/____/____

see attached T map checklist, separated by certificate - several issues noted

Part 2 of 5 - Transfer Application Map Checklist

Your transfer application will be returned if any of the map requirements listed below are not met.

Please be sure that the transfer application map you submit includes all the required items and matches the existing water right map. Check all boxes that apply.

- N/A Certified Water Right Examiner (CWRE) Stamp and Original Signature. For a list of CWREs, see http://apps.wrd.state.or.us/apps/wr/cwre_license_view/. CWRE stamp and signature are not required for substitutions.
- N/A If **more than three** water rights are involved, separate maps are needed for each water right.
- Permanent quality printed with dark ink on good quality paper.
- The size of the map can be 8½ x 11 inches, 8½ x 14 inches, 11 x 17 inches, or up to 30 x 30 inches. For 30 x 30 inch maps, one extra copy is required.
- A north arrow, a legend, and scale.
- The scale of the map must be: 1 inch = 400 feet, 1 inch = 1,320 feet, the scale of the Final Proof/Claim of Beneficial Use Map (the map used when the permit was certificated), the scale of the county assessor map if the scale is not smaller than 1 inch = 1,320 feet, or a scale that has been pre-approved by the Department.
- Township, Range, Section, ¼ ¼, DLC, Government Lot, and other recognized public land survey lines.
- Tax lot boundaries (property lines) are required. Tax lot numbers are recommended.
- Major physical features including rivers and creeks showing direction of flow, lakes and reservoirs, roads, and railroads.
- Major water delivery system features from the point(s) of diversion/appropriation such as main pipelines, canals, and ditches.
- Existing place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions. If less than the entirety of the water right is being changed, a separate hachuring is needed for lands left unchanged.
- N/A Proposed place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions.
- Existing point(s) of diversion or well(s) with distance and bearing or coordinates from a recognized survey corner. This information can be found in your water right certificate or permit.
- N/A If you are proposing a change in point(s) of diversion or well(s), show the proposed location and label it clearly with distance and bearing or coordinates. If GPS coordinates are used, latitude-longitude coordinates may be expressed as either degrees-minutes-seconds with at least one digit after the decimal (example - 42°32'15.5") or degrees-decimal with five or more digits after the decimal (example - 42.53764°).

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AUG 23 2016

SALEM, OR

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MAY 09 2016

SALEM, OR 2013

T-12378

Shirley Thompson

Agent: John Short

Caseworker: RA; Sprecher Group

Certificate # or Water Right Decree/ Priority Date	Part 2: Transfer Application Map Checklist								
	CWRE stamp/ signature; separate maps for each right if more than 3 rights	permanent quality; appropriately-sized; N arrow, legend, scale bar; T map is an acceptable scale	T R S, 1/4 1/4, DLC, G lots; TL boundaries are required; TL #s are recommended	major physical features, including streams, direction of flow, roads, etc	major water delivery system features	existing POU w/ separate hachuring for each right, priority date, etc	Proposed POU w/ separate hachuring for each right, priority date, etc	Existing POD/As w/ distance/bearing or coords from a recognized survey corner	for change in POD/A, show proposed location & label clearly with distance/ bearing or coords
46775	✓	✓	From/ To ✓/ G lot issue in SIB	✓	not shown	except P & S spot mixed together in "off" map	suspected mapping error in S E SW SIB	✓	N, M, Z E wells application decar not po/As is slightly different
55569	✓	✓	✓/✓	✓	not shown	✓	✓	✓	✓ N E wells
55570	✓	✓	✓/✓	✓	not shown	✓	✓	✓	✓ N E wells
55571	✓	✓	✓/✓	✓	not shown	✓	✓	not shown	✓ E well
85182	✓	✓	✓/✓	✓	not shown	✓	✓	not shown & applic. decar is slightly different	✓ N well
RECEIVED BY OWRD									
AUG 23 2016									
SALEM, OR									

Check the following boxes that apply:

- The applicant is responsible for completion of change(s). Notices and correspondence should continue to be sent to the applicant.
- The receiving landowner will be responsible for completing the proposed change(s) after the final order is issued. Copies of notices and correspondence should be sent to this landowner.
- Both the receiving landowner and applicant will be responsible for completion of change(s). Copies of notices and correspondence should be sent to this landowner and the applicant.

At this time, are the lands in this transfer application in the process of being sold? Yes No

If YES, and you know who the new landowner will be, please complete the receiving landowner information table below. If you do not know who the new landowner will be, then a request for assignment will have to be filed for at a later date.

If a property sells, the certificated water right(s) located on the land belong to the new owner, unless a sale agreement or other document states otherwise. For more information see: <http://www.oregon.gov/owrd/docs/transfer-propertytransactions.pdf>

RECEIVING LANDOWNER NAME N/A		PHONE NO.	ADDITIONAL CONTACT NO.	
ADDRESS			FAX NO.	
CITY	STATE	ZIP	E-MAIL	

Describe any special ownership circumstances here: N/A

- Check here if any of the water rights proposed for transfer are or will be located within or served by an irrigation or other water district. (Tip: Complete and attach Supplemental Form D.)

IRRIGATION DISTRICT NAME N/A	ADDRESS	
CITY	STATE	ZIP

- Check here if water for any of the rights supplied under a water service agreement or other contract for stored water with a federal agency or other entity.

RECEIVED BY OWRD

ENTITY NAME N/A	ADDRESS	
CITY	STATE	ZIP

AUG 23 2016

SALEM, OR

To meet State Land Use Consistency Requirements, you must list all county, city, municipal corporation, or tribal governments within whose jurisdiction water will be diverted, conveyed or used.

ENTITY NAME HARNEY CO. PLANNING DEPT	ADDRESS 450 N. BUENA VISTA	
CITY BURNS	STATE OR	ZIP 97720

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

RECEIVED BY OWRD

T 12378

MAY 09 2016

INSTRUCTIONS for editing the Application Form

To add additional lines to tables within the forms or to copy and paste additional Part 5 pages, please **save the application form to your computer**. Unlock the document by using one of the following instructions for your Microsoft Word software version:

Microsoft Word 2003

Unlock the document by one of the following:

- Using the **Tools** menu => click **Unprotect Document**;
- OR**
- Using the **Forms** toolbar => click on the **Protect/Unprotect** icon.

To relock the document to enable the checkboxes to work, you will need to:

- Using the **Tools** menu => click **Protect Document**;
- OR**
- Using the **Forms** toolbar => click on the **Protect/Unprotect** icon.

Microsoft Word 2007

- Unlock the document by clicking the **Review** tab, then click **Protect Document**, then click **Stop Protect**
- To relock the document, click **Editing Restrictions**, then click **Allow Only This Type of Editing**, select **Filling In Forms** from the drop-down menu, then check **Yes, Start Enforcing Protection**.

Microsoft Word 2010

- Unlock the document by clicking the **Review** tab, toggle the **Restrict Editing** icon at the upper right, then click **Stop Protect** at the bottom right. Then uncheck the “**Allow only this type of editing** in the document: **Filling in forms**” in the “Editing restrictions” section on the right-hand list of options.
- To relock the document, check the **Editing Restrictions/Allow Only This Type of Editing/Filling In Forms** box from the drop-down menu, then check **Yes, Start Enforcing Protection**. You do not need to assign a password for the editing restrictions.

Other Alternatives:

- Photocopy pages or tables in Part 5, ~~mark-through~~ any non-applicable information, insert/attach photocopied pages to document in the appropriate location, and manually amend page numbers as necessary (e.g. Page 5 6 of 9 10).
- You may refer to additional attachments that you may include, such as separately produced tables or spreadsheets to convey large numbers of rows of place of use listings, owner/property parcels, etc. You may contact the Department at 503-986-0900 and ask for Transfer Staff if you have questions.

Once the application has been unlocked, you may:

- add additional rows to tables using the Table tools, and
- select and copy the pages of Part 5 and paste as many additional sets of Part 5 pages as needed at the end of the application.

After editing, re-lock the document to enable checkboxes to work.

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Part 5 of 5 – Water Right Information

Please use a separate Part 5 for each water right being changed. See instructions on page 6, to copy and paste additional Part 5s, or to add additional rows to tables within the form.

CERTIFICATE # 46775

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Description of Water Delivery System

System capacity: **4.01** cubic feet per second (cfs) OR
 _____ gallons per minute (gpm)

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Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines and sprinklers used to divert, convey and apply the water at the authorized place of use. **WELL PUMP DRIVES PIVOTS AND WHEEL LINES DIRECTLY**

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)
 (Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
OLD WELL	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	HARN 1388	26 S	33 E	13	NW SE	2200	2490' N, 100' W OF SE COR SEC 13
NEW WELL	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	HARN 1387	" "	" "	"	NE SE	2200	2490' N, 1370' W OF SE COR SEC 13
NEWEST WELL	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	N/A	" "	34 "	18	NW SW	2200 3	2200' N, 90' E OF SW COR SEC 18
WEST WELL	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	L-118055	" "	34 "	19	SE SW	2100	1320' N, 1480' E OF SW COR SEC 19
NORTH WELL	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	HARN 1426	" "	" "	"	SW NE	1900	1230' N, 170' W OF NE COR OF NW/SE ¼ COR SEC 19
MIDDLE WELL	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	HARN 1428	" "	" "	"	NW SE	2300	70' S, 40' W OF NE COR OF NW/SE ¼ COR SEC 19
EAST WELL	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	HARN 1429	" "	" "	20	SE SW	"	17' N, 123' W OF SE/SW ¼ COR SEC 19

editor to input map of 2, 10"

Check all type(s) of change(s) proposed below (change "CODES" are provided in parentheses):

- | | |
|--|--|
| <input checked="" type="checkbox"/> Place of Use (POU) | <input type="checkbox"/> Supplemental Use to Primary Use (S to P) |
| <input type="checkbox"/> Character of Use (USE) | <input checked="" type="checkbox"/> Point of Appropriation/Well (POA) for 519 |
| <input type="checkbox"/> Point of Diversion (POD) | <input checked="" type="checkbox"/> Additional Point of Appropriation (APOA) for 513 |
| <input type="checkbox"/> Additional Point of Diversion (APOD) | <input type="checkbox"/> Substitution (SUB) |
| <input type="checkbox"/> Surface Water POD to Ground Water POA (SW/GW) | <input type="checkbox"/> Government Action POD (GOV) 218 |

Will all of the proposed changes affect the entire water right?

- Yes Complete only the Proposed ("to" or "on" lands) section of Table 2 on the next page. Use the "CODES" listed above to describe the proposed changes.
- No Complete all of Table 2 to describe the portion of the water right to be changed.

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Please use and attach additional pages of Table 2 as needed.
See page 6 for instructions.

Do you have questions about how to fill-out the tables?
Contact the Department at 503-986-0900 and ask for Transfer Staff.

Table 2. Description of Changes to Water Right Certificate # 46775

List the change proposed for the acreage in each 1/4 1/4. If more than one change is proposed, specify the acreage associated with each change.
If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.										Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.												
Twp	Rng	Sec	1/4	1/4	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)		Priority Date	Twp	Rng	Sec	1/4	1/4	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date	
											POU/APOA	26	S	33	E	13	NE	NE	1900, 2000, 2100	26.1	IR	Old Well New Well Newest Well	9-10-74
											"	"	"	"	"	NW	NE	2100	28.9	"	"	"	
											"	"	"	"	"	SE	NE	2100, 2200	26	"	"	"	
											"	"	"	"	"	SW	NE	2200	29	"	"	"	
											"	"	"	"	"	NW	SE	"	31.3	"	"	"	
											"	"	"	"	"	NE	SW	2300	31	"	"	"	
											"	"	"	"	"	SW	SE	"	31.6	"	"	"	
											"	"	"	"	"	SE	SW	2300	31.7	"	"	"	
											"	"	34	"	18	SW	NW	400	2	20	IS	"	"
											"	"	"	"	"	NW	SW	700, 1900	3	19.5	IS	"	"
											"	"	"	"	"	NE	SW	1900	"	1.9	IR	"	"
											"	"	"	"	"	SE	SW	"	"	8.7	IS	"	"

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Additional remarks: N/A.

700 ^{not} part of GLot 3
1900 is GLot 3 - does this need to be separated out?

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48.2 IS
237.5 IR } this page

Table 2. Description of Changes to Water Right Certificate # 46775

List the change proposed for the acreage in each 1/4 1/4. If more than one change is proposed, specify the acreage associated with each change.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.										Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.													
Twp	Rng	Sec	1/4	1/4	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)		Priority Date	Twp	Rng	Sec	1/4	1/4	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date		
											POU/POA	26	S	34	E	19	NW	SW	2100	3	16.6	IR	North Well West Well Middle Well East Well	9-10-74
											"	"	"	"	"	NE	SW	2300		2.3	IR	"	"	
											"	"	"	"	"	SE	SW	2100		10.9	"	"	"	
											"	"	"	"	"	SW	SW	2100	4	20	"	"	"	
TOTAL ACRES:											TOTAL ACRES: 335.5													

If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

Additional remarks: N/A.

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49.8 IR this page
Total 267.3 IR ✓
48.2 IS ✓

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For Place of Use or Character of Use Changes

Are there other water right certificates, water use permits or ground water registrations associated with the "from" or the "to" lands? Yes No

primary associated w/ supplemental right

If YES, list the certificate, water use permit, or ground water registration numbers: 44942.



Pursuant to ORS 540.510, any "layered" water use such as an irrigation right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled. Any change to a ground water registration must be filed separately in a ground water registration modification application.

N/A

For Substitution (ground water supplemental irrigation will be substituted for surface water primary irrigation)

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Ground water supplemental Permit or Certificate # N/A;
Surface water primary Certificate # N/A.

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N/A

For a change from Supplemental Irrigation Use to Primary Irrigation Use

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Identify the primary certificate to be cancelled. Certificate # N/A

For a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation:

- Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map.

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Tip: You may search for well logs on the Department's web page at:
http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx

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AND/OR

- Describe the construction of the authorized and proposed well(s) in Table 3 for any wells that do not have a well log. For *proposed wells not yet constructed or built*, provide "a best estimate" for each requested information element in the table. The Department recommends you consult a licensed well driller, geologist, or certified water right examiner to assist with assembling the information necessary to complete Table 3.

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Table 3. Construction of Point(s) of Appropriation

Any well(s) in this listing must be clearly tied to corresponding well(s) described in Table 1 and shown on the accompanying application map. Failure to provide the information will delay the processing of your transfer application until it is received. The information is necessary for the department to assess whether the proposed well(s) will access the same source aquifer as the authorized point(s) of appropriation (POA). The Department is prohibited by law from approving POA changes that do not access the same source aquifer.

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well: OWRD Well ID Tag No. L-	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well -specific rate (cfs or gpm). If less than full rate of water right
NEWEST WELL	NO		150'	12'		20'		40'	Red Cinders	
WEST WELL	YES	L-118055	220'	12"		20'		40'	Pumice	

Please use a separate Part 5 for each water right being changed. See instructions on page 6, to copy and paste additional Part 5s, or to add additional rows to tables within the form.

CERTIFICATE # 55569

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Description of Water Delivery System

System capacity: 1.48 cubic feet per second (cfs) OR
_____ gallons per minute (gpm)

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Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines and sprinklers used to divert, convey and apply the water at the authorized place of use. WELL PUMP DRIVES PIVOTS DIRECTLY

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)
(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

James well

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp	Rng	Sec	¼	¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
MIDDLE WELL	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	HARN 1428	26 S	34 E	19	NW	SE	2300	70' S, 40' W OF NE COR OF NW/SE 1/4 SEC 19
WEST WELL	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	L-118055	" "	34 "	19	SE	SW	2100	1320' N, 1480' E OF SW COR SEC 19
NORTH WELL	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	HARN 1426	" "	" "	"	SW	NE	1900	1230' N, 170' W OF NE COR OF NW/SE 1/4 COR SEC 19
EAST WELL	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	HARN 1429	" "	" "	20	SE	SW	"	17' N, 123' W OF SE/SW 1/4 COR SEC 19

Check all type(s) of change(s) proposed below (change "CODES" are provided in parentheses):

- Place of Use (POU)
- Character of Use (USE)
- Point of Diversion (POD)
- Additional Point of Diversion (APOD)
- Surface Water POD to Ground Water POA (SW/GW)
- Supplemental Use to Primary Use (S to P)
- Point of Appropriation/Well (POA)
- Additional Point of Appropriation (APOA)
- Substitution (SUB)
- Government Action POD (GOV)

Will all of the proposed changes affect the entire water right?

- Yes Complete only the Proposed ("to" or "on" lands) section of Table 2 on the next page. Use the "CODES" listed above to describe the proposed changes.
- No Complete all of Table 2 to describe the portion of the water right to be changed.

Please use and attach additional pages of Table 2 as needed.
See page 6 for instructions.

Do you have questions about how to fill-out the tables?
Contact the Department at 503-986-0900 and ask for Transfer Staff.

Table 2. Description of Changes to Water Right Certificate # 55569

List the change proposed for the acreage in each 1/4 1/4. If more than one change is proposed, specify the acreage associated with each change.
If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.										Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.													
Twp	Rng	Sec	1/4	1/4	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)		Priority Date	Twp	Rng	Sec	1/4	1/4	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date		
											POU/APOA	26	S	34	E	20	SW	NW	1900		.5	IR	North Well West Well Middle Well East Well	4-4-73
											"	"	"	"	"	"	NW	SW	2300		28.4	"	"	"
											"	"	"	"	"	"	SW	SW	"		26.9	"	"	"
											"	"	"	"	"	19	SE	NE	1900		1.6	"	"	"
											"	"	"	"	"	"	NE	SE	2300		37.7	"	"	"
											"	"	"	"	"	"	NW	SE	"		4.4	"	"	"
											"	"	"	"	"	"	SW	SE	"		3.6	"	"	"
											"	"	"	"	"	"	SE	SE	"		15.1	"	"	"
TOTAL ACRES:								TOTAL ACRES:										118.2						

Additional remarks: N/A.

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