

Regular

RA

Name Golden Rule Farms, Inc.Address P.O. Box 225
Christmas Valley, OR 97641
goldenrulefarms@gmail.comChange in POU, APOADate Filed 2-18-2022Initial notice date 3-1-2022

DPD issued date _____

PD issued date _____

PD notice date _____

Date of FO 9/24/2023 Vol 129 Page 114-18C-Date 10/1/2026COBU due date 10/1/2027

COBU Received date _____

Certificate issued _____

DESCRIPTION OF WATER RIGHT(s)

Name of Stream Well 1Trib. of Malheur Lake BasinUse Irrigation County Harney

Quantity of water (CFS) _____ No. of Acres _____

Name of ditch _____

App# G-1593 Per # G-1463 Cert # 32394 PR Date 10/2/1959

App# _____ Per # _____ Cert # _____ PR Date _____

App# _____ Per # _____ Cert # _____ PR Date _____

App# _____ Per # _____ Cert # _____ PR Date _____

App# _____ Per # _____ Cert # _____ PR Date _____

FEES PAID

Date	Amount	Receipt #
<u>2-18-2022</u>	<u>\$3,340.00</u>	<u>137522</u>
<u>2-18-2022</u>	<u>\$125.00</u>	<u>137512</u>
<u>3-18-2022</u>	<u>\$1,564.60</u>	<u>137708</u>

FEES REFUNDED

Date	Amount	Receipt #

Assignments: _____

Irrigation District _____

Agent Elizabeth Howard - ehoward@schwabe.com

CWRE _____

CC's list Harney County☐ - Oversized map - Location _____



ALL POINTS
ENGINEERING & SURVEYING

P.O. Box 767
Terrebonne, Oregon 97760

TRANSMITTAL

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

Date: 11/19/2024 Job: 24-111
Attention: Certificate Section

Re: T-13925 COBU

☒ Prints ☐ Plans ☒ Map/Plat ☐ Specifications ☐ Change order ☐ Other

Copies	No.	Description
1	1	Revised COBU Page 4 (1 sheet letter bond)

These are transmitted as checked below:

☐ For OWRD approval ☐ Approved as submitted ☐ Approved as noted
☐ Copies for distribution ☐ Returned for corrections ☒ Returned corrected prints
☐ Review and comment ☐ For bids due ☐ Other

Remarks:

I've amended the report to include in the Variation Section for POAs that one of the allowed POAs wasn't developed or included in the report/map.

Thanks, and if you have questions please don't hesitate to call (541) 548-5833.

Signed: _____

RECEIVED

NOV 26 2024

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SECTION 3

Changes Made

Note: The Claim only needs to describe the changes that were authorized in the transfer final order.

Change #1

Change in POA(s) or Additional POA(s)

Did the transfer order authorize a change in the points of appropriation or additional points of appropriation? **YES**

1. New or additional point of appropriation name or number:

POINT OF APPROPRIATION (POA) NAME OR NUMBER (CORRESPOND TO MAP)	WELL LOG ID # FOR ALL WORK PERFORMED ON THE WELL (IF APPLICABLE)	WELL TAG # (IF APPLICABLE)	SOURCE (IF LISTED IN TRANSFER FINAL ORDER)
#2 Briggs	HARN 1460		Malheur Lake Basin
#3 Crow	HARN 1461		Malheur Lake Basin

2. Variations:

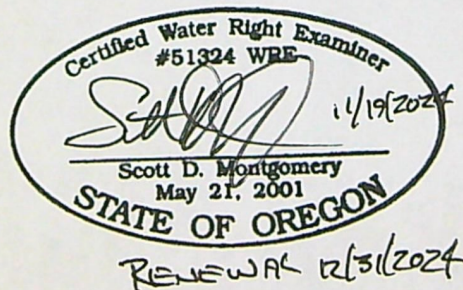
Was the use developed differently from what was authorized by the transfer final order, or extension final?

YES

If yes, describe below.

(e.g. "The order allowed three new/additional points of appropriation. The water user only developed one of the points.")

The water user didn't develop Briggs #1, so the well has been left off this claim.



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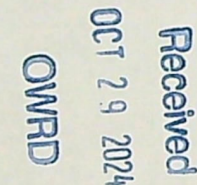
NOV 26 2024

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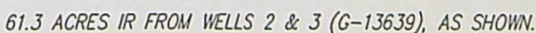
TO CHANGE PLACE OF USE AND ADD A POINT OF APPROPRIATION
PER T-13925 FOR GOLDEN RULE FARMS, INC.

TAX LOTS: 200 & 300

TAX LOTS: 900 & 1000



FLOW METER IS LOCATED 4.0' WEST FROM WELL.



RENEWAL DATE: 12/31/2024

ALL POINTS ENGINEERING AND SURVEYING, INC.
P.O. BOX 767 TERREBONNE, OR 97760
(541) 548-5833 www.APEandS.com



Oregon

Tina Kotek, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

www.oregon.gov/owrd

October 31, 2024

Golden Rule Farms
Attn: Time Puckett
PO Box 255
Christmas Valley, OR 97641

On October 29, 2024, the Water Resources Department received the Claim of Beneficial Use (COBU) for the following file:

T-13925

The COBU included a report and map. In the future the Department will review your submittal. At that time we will review these items and provide a final certificate, proposed certificate, or a request for additional information.

If you are interested in having your COBU reviewed sooner, you may pay to have your file processed immediately, using the Reimbursement Authority program, which is described at: <https://www.oregon.gov/owrd/programs/WaterRights/RA/Pages/default.aspx>

Customer Service phone: (503) 986-0900

If you sell the property, please contact the Department, or have the new owners contact the Department about the need to file an assignment.

Cc: file T-13925

Checklist for Claims of Beneficial Use Received at CSG Counter

Application #:	WRD Reviewer:Corie
Transfer #:T-13925	
Date Received:10/29/2024	
CWRE Name:Scott Montgomery	
Priority Date (s):10/2/1959	

Fees Required:

- ☐ YES ☐ NO ☐ A fee of \$230 must accompany this form for permits with priority dates of July 9, 1987, or later.
- ☐ YES ☒ NO ☐ A fee of \$230 must accompany this form for any transfers including a water right with a priority date of July 9, 1987, or later.
- Example – A transfer involves 5 rights and one of the rights has a priority date of July 9, 1987, or later, the fee is required.

Fill in App or Transfer Number

Map Review:

- ☒ Map on polyester film (OAR 690-014-0170(1) & 310-0050(1)(b))
- ☒ Application & permit #; or transfer # (OAR 690-014-0100(1))
- ☒ Disclaimer (OAR 690-014-0170(5))
- ☒ North arrow (OAR 690-310-0050(2)(c))
- ☒ CWRE stamp and signature (OAR 690-014 & 310-0050)
- ☒ Appropriate scale (1" = 1320', 1" = 400', or the original full-size scale of the county assessor map) (014 & 310)
- ☒ Township, range, section, and tax lot numbers (OAR 690-310-0050(4))

Report Review:

- ☒ On form provided by the Department (OAR 690-014-0100(1))
- ☒ Application & permit #; or transfer # (OAR 690-014)
- ☒ Ownership information (OAR 690-014)
- ☒ Date of survey (OAR 690-014)
- ☒ Person interviewed (OAR 690-014)
- ☒ County (OAR 690-014)
- ☒ CWRE stamp and signature (OAR 690-014-0100)
- ☒ Signature(s) of all permittee of transfer holder (OAR 690-014-0100)

MONEY SLIP	
DATE:	RECEIPT #:
RECEIVED FROM:	APPLICATION:
CASH <input type="checkbox"/> CHECK # <input type="checkbox"/> OTHER (IDENTIFY) <input type="checkbox"/>	PERMIT <input type="checkbox"/> TRANSFER <input type="checkbox"/>
1063 TREASURY 4178 MISC CASH ACCT	TOTAL REC'D \$
0407 COMES <input type="checkbox"/> OTHER (IDENTIFY) <input type="checkbox"/>	
0243 Indirect Loans 0244 Multi Water Right Plan 0245 Cont. Water	
1063 TREASURY 4276 WRD OPERATING ACCT	
MISCELLANEOUS	
0407 COPY & TIME FEES	
0410 RESEARCH FEES	
0408 MISC REVENUE (IDENTIFY)	
TC162 DEPOSIT (MISC. IDENTIFY)	
0040 EXTENSION OF TIME	
WATER RIGHTS	
6201 SURFACE WATER	
6203 GROUND WATER	
6205 TRANSFER	
WELL CONSTRUCTION	
0218 WELL DRILL CONSTRUCTION	
LANDOWNER'S PLUMET	
OTHER (IDENTIFY)	
0000 TREASURY 0407 HYDROELECTRIC	
0233 POWER LICENSE FEE (PWWPDC)	
0231 HYDRO LICENSE FEE (PWWPDC)	
HYDRO APPLICATION	
SPECIAL INSTRUCTIONS:	

☐ RETURN TO APPLICANT - LETTER ATTACHED

Groundwater File Review:

- ☐ Pump Test not required (Priority Date prior to December 20, 1988) *If no, include pump test flyer w/acknowledgment letter
- ☐ Pump Test required (Priority Date on or after December 20, 1988)
- ☐ Pump Test submitted
- ☐ Pump Test not submitted

**CLAIM OF
BENEFICIAL USE
for Transfer with Multiple
Changes - Groundwater**



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.oregon.gov/OWRD

A fee of \$230 must accompany this form for any Transfer final orders including a water right with a priority date of July 9, 1987, or later.

Example – A transfer involves 5 rights and one of the rights has a priority date of July 9, 1987, or later, the fee is required.

A separate form shall be completed for each transfer.

This form is subject to revision. **Begin each new claim** by checking for a new version of this form at:
<https://www.oregon.gov/OWRD/Forms/Pages/default.aspx>

The completion of this form is required by OAR 690-014-0100(1) and 690-014-0110(4).

Please type or print in dark ink. If this form is found to contain errors or omissions, it may be returned to you. **Every item must have a response.** If any requested information does not apply to the claim, insert "NA." **Do not delete or alter any section of this form unless directed by the form.** The Department may require the submittal of additional information from any water user or authorized agent.

"Section 7" of this form is intended to aid in the completion of this form and should not be submitted.

A claim of beneficial use includes both this report and a map. If the map is being mailed separately from this form, please include a note with this form indicating such.

If you have questions regarding the completion of this form, please call 503-979-9103.

The Department has a program that allows it to enter into a voluntary agreement with an applicant for expedited services. Under such an agreement, the applicant pays the cost to hire additional staff that would not otherwise be available. This program means a certificate may be issued in about a month. For more information on this program see:

<https://www.oregon.gov/OWRD/programs/WaterRights/RA/Pages/default.aspx>

GENERAL INFORMATION

Type of Authorized Change

This Claim is being submitted for a transfer involving multiple changes.

YES

Mark all that apply:

1. ☒ Change in POA(s) or Additional POA(s)

2. ☒ Change in Place of Use

3. ☐ Change in Character of Use

A separate section will be completed for each type of change authorized in the transfer final order.

1. File Information

APPLICATION #
T-13925

Received
OCT 29 2024
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2. Property Owner (current owner information)

APPLICANT/BUSINESS NAME Golden Rule Farms/Tim Puckett		PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS PO Box 255			
CITY Christmas Valley	STATE OR	ZIP	E-MAIL

If the current property owner is not the transfer holder of record, it is recommended that an assignment be filed with the Department. Each transfer holder of record must sign this form.

3. Transfer holder of record (this may, or may not, be the current property owner)

TRANSFER HOLDER OF RECORD Same as above		
ADDRESS		
CITY	STATE	ZIP

4. Date of Site Inspection:

09/12/24

5. Person(s) interviewed and description of their association with the project:

NAME	DATE	ASSOCIATION WITH THE PROJECT
Tim Puckett	09/12/24	Owner/Transfer Applicant

6. County:

Harney

7. If any property described in the place of use of the transfer final order is excluded from this report, identify the owner of record for that property (ORS 537.230(5)):

OWNER OF RECORD NA		
ADDRESS		
CITY	STATE	ZIP

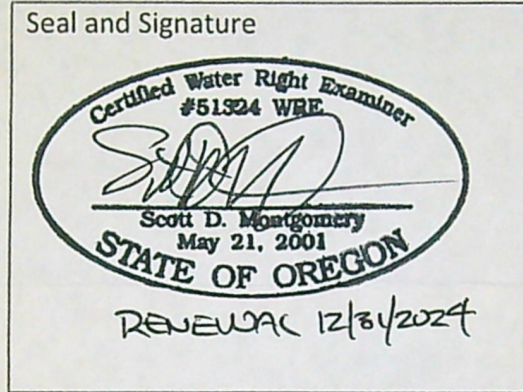
Add additional tables for owners of record as needed

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OCT 29 2024
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SECTION 2
SIGNATURES

CWRE Statement, Seal and Signature

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge.

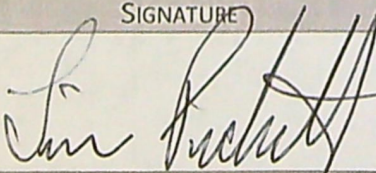


CWRE NAME Scott D Montgomery		PHONE NO. 541-548-5833	ADDITIONAL CONTACT NO. 541-420-0401
ADDRESS PO Box 767			
CITY Terrebonne	STATE OR	ZIP 97760	E-MAIL scott@apeands.com

Transfer Holder of Record Signature or Acknowledgement

Each transfer holder of record must sign this form in the space provided below.

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge. I request that the Department issue a water right certificate.

SIGNATURE	PRINT OR TYPE NAME	TITLE	DATE
	Tim Puckett	President, Golden Rule Farms, Inc.	

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OCT 29 2024
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SECTION 3

Changes Made

Note: The Claim only needs to describe the changes that were authorized in the transfer final order.

Change #1

Change in POA(s) or Additional POA(s)

Did the transfer order authorize a change in the points of appropriation or additional points of appropriation? **YES**

1. New or additional point of appropriation name or number:

POINT OF APPROPRIATION (POA) NAME OR NUMBER (CORRESPOND TO MAP)	WELL LOG ID # FOR ALL WORK PERFORMED ON THE WELL (IF APPLICABLE)	WELL TAG # (IF APPLICABLE)	SOURCE (IF LISTED IN TRANSFER FINAL ORDER)
#2 Briggs	HARN 1460		Malheur Lake Basin
#3 Crow	HARN 1461		Malheur Lake Basin

2. Variations:

Was the use developed differently from what was authorized by the transfer final order, or extension final?

NO

If yes, describe below.

(e.g. "The order allowed three new/additional points of appropriation. The water user only developed one of the points.")

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OCT 29 2024
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3. Claim Summary:

NEW OR ADDITIONAL POA NAME OR #	MAXIMUM RATE AUTHORIZED	CALCULATED THEORETICAL RATE BASED ON SYSTEM	AMOUNT OF WATER MEASURED
#2	0.94 cfs	3.48 cfs	2.12 cfs
#3	0.94 cfs	4.64 cfs	1.89 cfs

System Description

Are there multiple new or additional Points of Appropriation (POA)?

YES

POA Name or Number this section describes (only needed if there is more than one):

#2 Briggs

A. POA System Information

Provide the following information concerning the point of appropriation. Information provided must describe the equipment used to appropriate water from the point of appropriation.

1. Pump Information

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE
Goulds	UNK	MG3451	Turbine	16"	8"

2. Motor Information

MANUFACTURER	HORSEPOWER
US Motors	75

3. Theoretical Pump Capacity

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP *IF A WELL, THE WATER LEVEL DURING PUMPING	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
75	40	30'	20'	3.48

4. Provide pump calculations:

$$Q = \frac{7.04 \text{ ft}^3/\text{s}/\text{hp} \times \text{hp}}{\text{Total head, ft}} = \frac{(7.04)(75)}{151.6} = 3.48 \text{ cfs}$$

$$\text{Total head} = 101.6' + 30' + 20' = 151.6'$$

5. Measured Pump Capacity (using meter if meter was present and system was operating)

INITIAL METER READING	ENDING METER READING	DURATION OF TIME OBSERVED	TOTAL PUMP OUTPUT (IN CFS)
440053.9 galx1000	440055.8 galx1000	2 min	2.12

6. Additional notes or comments related to the system:

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OCT 29 2024

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B. Groundwater Source Information (Well and Sump)

1. Is the appropriation from a dug well (sump)?

NO

POA Name or Number this section describes (only needed if there is more than one):

#3 Crow

A. POA System Information

Provide the following information concerning the point of appropriation. Information provided must describe the equipment used to appropriate water from the point of appropriation.

1. Pump Information

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE
Goulds	UNK	142908	Turbine	12"	8"

2. Motor Information

MANUFACTURER	HORSEPOWER
GE	100

3. Theoretical Pump Capacity

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP *If a well, the water level during pumping	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
100	40	30'	20'	4.64

4. Provide pump calculations:

$Q = 7.04 \text{ ft}^4/\text{s}/\text{hp} \times \text{hp} = (7.04)(100) = 4.64 \text{ cfs}$ Total head, ft 151.6 Total head = 101.6' + 30' + 20' = 151.6'
--

5. Measured Pump Capacity (using meter if meter was present and system was operating)

INITIAL METER READING	ENDING METER READING	DURATION OF TIME OBSERVED	TOTAL PUMP OUTPUT (IN CFS)
236002.4 galx1000	236004.1 galx1000	2 min	1.89

Reminder: For pump calculations use the reference information at the end of this document.

6. Additional notes or comments related to the system:

B. Groundwater Source Information (Well and Sump)

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OCT 29 2024

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NO

1. Is the appropriation from a dug well (sump)?

Change #2

Change in Place of Use

Did the transfer order authorize a change in the place of use?

YES

1. Claim Summary – Authorized Use:

If Irrigation or Nursery Use:

THE # OF ACRES ALLOWED	THE # OF ACRES DEVELOPED
75.53 IR	75.53 IR

If the new use(s) was not irrigation or nursery:

NEW USE(S)	WAS THE NEW PLACE OF USE DEVELOPED TO THE FULL EXTENT AUTHORIZED UNDER THE ORDER? (INCLUDE THE LOCATION OF THE DEVELOPED PLACE USE ON THE CLAIM MAP)
NA	

2. Variations:

Was the use developed differently from what was authorized by the transfer final order? NO

If yes, describe below.

(e.g. "The order authorized a change in place of use for 40 acres. The water user only developed 38 acres.")

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Change #3

Change in Character of Use

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Did the transfer order authorize a change in character of use?

SECTION 4

CONDITIONS

All conditions contained in the transfer final order, or any extension final order shall be addressed. Reports that do not address all performance related conditions will be returned.

1. Time Limits:

Describe how the water user has complied with each of the development timelines established in the transfer final order and any extensions of time issued for the transfer:

	DATE FROM TRANSFER	DATE THE AUTHORIZED CHANGES WERE COMPLETED *THIS DATE MUST FALL BETWEEN THE "ISSUANCE DATE" AND THE "COMPLETENESS DATE"
ISSUANCE DATE	9/26/2023	
COMPLETENESS DATE FROM ORDER (C)	10/1/26	9/12/2024

* MUST BE WITHIN PERIOD BETWEEN TRANSFER FINAL ORDER, OR ANY EXTENSION FINAL ORDER ISSUANCE AND THE DATE TO COMPLETE THE CHANGE

2. Is there an extension final order(s)?

NO

3. Measurement Conditions:

a. Does the transfer final order, or any extension final order require the installation of a meter or other approved measuring device? YES

b. Has a meter been installed? YES

c. Meter Information

POA NAME OR #	MANUFACTURER	SERIAL #	CONDITION (WORKING OR NOT)	CURRENT METER READING	DATE INSTALLED
#2	Lindsay Growsmart	GT18083672	Running	440055.8 galx1000	Summer 2022
#3	Lindsay Growsmart	GT18100803	Running	236004.1 galx1000	Spring 2023

4. Recording and reporting conditions

a. Is the water user required to report the water use to the Department? NO

5. Other conditions required by the transfer final order or extension final order:

a. Were there special well construction standards? NO

b. Was submittal of a ground water monitoring plan required? NO

c. Other conditions?

NO

If "YES" to any of the above, identify the condition and describe the water user's actions to comply with the condition(s):

--

SECTION 5
ATTACHMENTS

Provide a list of any additional documents you are attaching to this report:

ATTACHMENT NAME	DESCRIPTION
Well logs	HARN 1460 & 1461
Site photos	Time/location stamped pictures of wells & place of Use

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SECTION 6

CLAIM OF BENEFICIAL USE MAP

The Claim of Beneficial Use Map must be submitted with this claim. Claims submitted without the Claim of Beneficial Use map will be returned. The map shall be submitted on poly film at a scale of 1" = 1320 feet, 1" = 400 feet, or the original full-size scale of the county assessor map for the location.

The changes that were authorized under the transfer final order must be mapped based on the developed locations; new or additional points of appropriation and place of use.

In cases where the order involved additional points of appropriation, the additional points should be mapped based on their developed locations. The original points of appropriation should be mapped based on the original right of record at the time the transfer final order was issued.

In cases where the order involved changing the place of use for a portion of a water right, the portion of the place of use being changed should be mapped based on the developed location. If the transfer also included portions of the place of use that were not being modified, but were receiving a new or additional point of appropriation, the place of use for those lands should be mapped based on the original right of record at the time the transfer final order was issued.

Provide a general description of the survey method used to prepare the map. Examples of possible methods include, but are not limited to, a traverse survey, GPS, or the use of aerial photos. If the basis of the survey is an aerial photo, provide the source, date, series and the aerial photo identification number.

The irrigation system & place of use were tied to approximate boundaries using a Topcon FC-6000 field controller with Magnet Field software in Statewide Lambert projection. Point data was compared with GIS data to confirm accuracy.

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Map Checklist

Please be sure that the map you submit includes ALL the items listed below.

(Reminder: Incomplete maps and/or claims may be returned.)

- ☒ Map on polyester film
- ☒ Appropriate scale (1" = 400 feet, 1" = 1320 feet, or the original full-size scale of the county assessor map)
- ☒ Township, Range, Section, Donation Land Claims, and Government Lots
- ☒ If irrigation, number of acres irrigated within each projected Donation Land Claims, Government Lots, Quarter-Quarters
- ☐ Locations of fish screens and/or fish by-pass devices in relationship to point of diversion
- ☒ Locations of meters and/or measuring devices in relationship to point of diversion or appropriation
- ☒ Conveyance structures illustrated (pumps, reservoirs, pipelines, ditches, etc.)
- ☒ Point(s) of diversion or appropriation (illustrated and coordinates)
- ☒ Tax lot boundaries and numbers
- ☐ Source illustrated if surface water
- ☒ Disclaimer ("This map is not intended to provide legal dimensions or locations of property ownership lines")
- ☒ Application and permit number or transfer number
- ☒ North arrow
- ☒ Legend
- ☒ CWRE stamp and signature

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CLAIM OF BENEFICIAL USE MAP

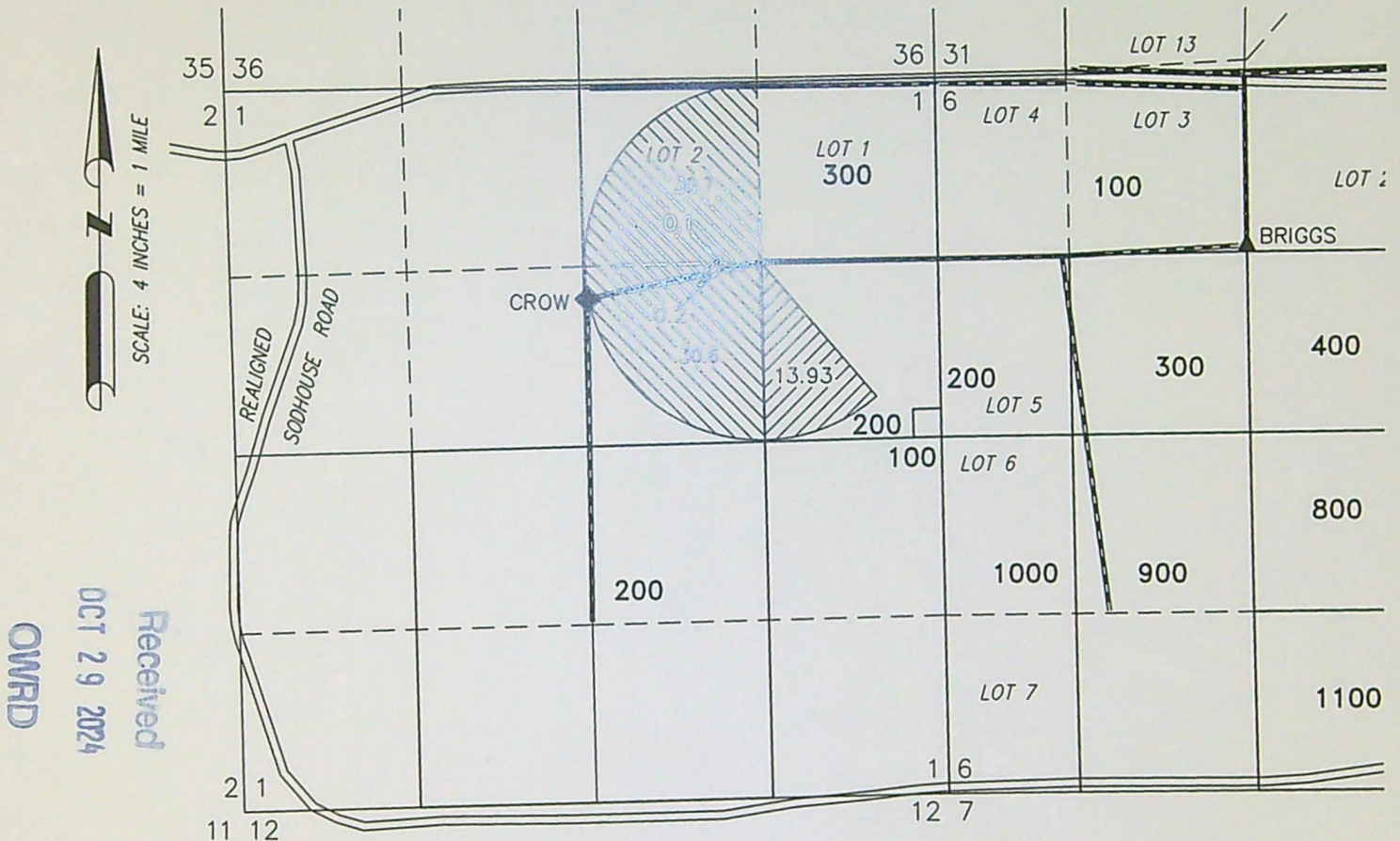
TO CHANGE PLACE OF USE AND ADD A POINT OF APPROPRIATION
PER T-13925 FOR GOLDEN RULE FARMS, INC.

SECTION 1, TOWNSHIP 27 SOUTH, RANGE 31 EAST, W.M.

TAX LOTS: 200 & 300

SECTION 6, TOWNSHIP 27 SOUTH, RANGE 32 EAST, W.M.

TAX LOTS: 900 & 1000

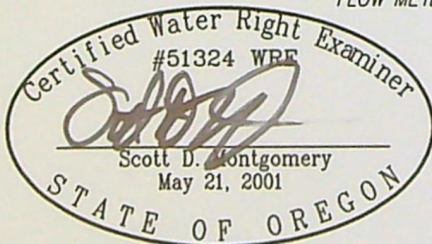


WELL 3 CROW (HARN 1461)

LOCATED IN THE SW 1/4 NE 1/4 SECTION 1, T27S R31E, W.M. AND 1542 FEET SOUTH AND 21 FEET EAST FROM THE N 1/4 CORNER OF SECTION 1.
FLOW METER IS LOCATED 4.0' SOUTH FROM WELL.

WELL 2 BRIGGS (HARN 1460)

LOCATED IN THE NE 1/4 NW 1/4 LOT 3) SECTION 6, T27S R32E, W.M. AND 1280 FEET SOUTH AND 1 FEET WEST FROM THE N 1/4 CORNER OF SECTION 6.
FLOW METER IS LOCATED 4.0' WEST FROM WELL.



RENEWAL DATE: 12/31/2024



14.23 ACRES IR FROM WELLS 2 & 3 (G-1463), AS SHOWN.



61.3 ACRES IR FROM WELLS 2 & 3 (G-13639), AS SHOWN.

THIS MAP IS FOR THE PURPOSE OF LOCATING A WATER RIGHT ONLY AND HAS NO INTENT TO PROVIDE LEGAL DIMENSIONS OR THE LOCATION OF PROPERTY LINES.

PREPARED FOR:

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

PREPARED BY:



ALL POINTS ENGINEERING AND SURVEYING, INC.
P.O. BOX 767
(541) 548-5833
TERREBONNE, OR 97760
www.APEandS.com

UOI 2 1959

STATE ENGINEER WATER WELL REPORT
SALEM, OREGON STATE OF OREGON

State Well No.

State Permit No.

27/31-15 G(1)

61593

(1) OWNER:

Name

Address

(2) LOCATION OF WELL:

County

Owner's number, if any—

1/4

Section

T.

27

R.

3/8

E.W.M.

Bearing and distance from section or subdivision corner

From N 1/4 Section 1 Corner Sec 1
T. 27 S. R. 3 E. W. M. 1/4
South along the 1/4 Sec. line,
distance 21' East.

(3) TYPE OF WORK (check):

New Well ☒

Deepening ☐

Reconditioning ☐

Abandon ☐

Abandonment, describe material and procedure in Item 11.

(4) PROPOSED USE (check):

Domestic ☐

Industrial ☐

Municipal ☐

Irrigation ☒

Test Well ☐

Other ☐

(5) TYPE OF WELL:

Rotary ☐

Driven ☐

Cable ☒

Jetted ☐

Dug ☐

Bored ☐

(6) CASING INSTALLED:

Threaded ☐ Welded ☐

12" Diam. from 0 ft. to 110 ft. Gage 4

" Diam. from ft. to ft. Gage 4

" Diam. from ft. to ft. Gage

(7) PERFORATIONS:

Perforated? ☐ Yes ☒ No

Type of perforator used

SIZE of perforations

in. by

in.

perforations from ft. to ft.

perforations from ft. to ft.

perforations from ft. to ft.

perforations from ft. to ft.

perforations from ft. to ft.

(8) SCREENS:

Well screen installed ☐ Yes ☒ No

Manufacturer's Name

Type

Model No.

Slot size Set from ft. to ft.

Diam. Slot size Set from ft. to ft.

(9) CONSTRUCTION:

Was well gravel packed? ☐ Yes ☒ No Size of gravel:

Gravel placed from ft. to ft.

Was a surface seal provided? ☐ Yes ☒ No To what depth? ft.

Material used in seal—

Did any strata contain unusable water? ☐ Yes ☒ No

Type of water? Pump Depth of strata

Method of sealing strata off

(10) WATER LEVELS:

Static level 12'-4" ft. below land surface Date

Artesian pressure lbs. per square inch Date

Log Accepted by:

[Signed] John Crow Date Sept 9, 1959

(11) WELL TESTS:

Drawdown is amount water level is lowered below static level

Was a pump test made? ☒ Yes ☐ No

If yes, by whom? Crow

Yield: 1400 gal./min. with 9 ft. drawdown after 8 hrs.

" " " "

" " " "

Bailer test gal./min. with ft. drawdown after hrs.

Artesian flow g.p.m. Date

Temperature of water Was a chemical analysis made? ☐ Yes ☒ No

(12) WELL LOG:

Diameter of well 12" inches.

Depth drilled 118 ft. Depth of completed well 118 ft.

Formation: Describe by color, character, size of material and structure, and show thickness of aquifers and the kind and nature of the material in each stratum penetrated, with at least one entry for each change of formation.

MATERIAL	FROM	TO
Top soil	0	5
Hard pan	5	12
Grey basalt rock	12	71
Red cinders	71	99
Block lava rock	99	103
Block cinders	103	110
yellow bentonite	110	118

Received

OCT 29 2024

OWRD

Work started July 18, 1959 Completed Sept 5, 1959

(13) PUMP:

Manufacturer's Name Berkey & Colman

Type: belt head H.P.

Well Driller's Statement:

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

NAME John Crow

(Person, firm, or corporation)

(Type or print)

Address Princeton Ore.

Driller's well number

[Signed] John W. Roersberg

(Well Driller)

License No. 272 Date Sept 9, 1959

Received

OCT 28, 2024

OWBD

2024-09-12 16:17:59

Lat: 43°15'30.98460", Lon: -118°48'35.32380"

09/12/24

Received

SEP 29 2024

OWBD

2024-09-12 16:17:59

Lat: 43°15'30.98460", Lon: -118°48'35.32380"

201/1/1/1/1/1

Received

SEP 29 2024

OWRD

2024-09-12 16:34:31

Lat: 43°15'27.80700", Lon: -118°49'41.28840"

Received

OCT 29 2024

OWRD

2024-09-12 16:35:46

Lat: 43°15'27.32580", Lon: -118°49'40.56600"

Keruge Hdqtrs / Windmill Farms



0 0.375 0.75 1.5 Miles

June 2020 aerial imagery from NRCS Gateway website imported into ArcMap GIS software in statewide Lambert projection. Water rights were imported from OWRD GIS data.

Received
OCT 29 2024
OWRD

Legend

	POA C 91644		C 91644
	POA C 91418		C 91418
	POA C 32394		C 32394
	POA T-12336		T-12336
	POA T-12420		T-12420
	POA T-12822		T-12822
	POA T-12833		T-12833



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

September 26, 2023

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

REFERENCE: Transfer Application T-13925

Enclosed is a copy of the final order approving your water right transfer application.

The time allowed to complete the transfer is specified in the final order. YOU SHOULD GIVE PARTICULAR ATTENTION TO THE TIME LIMIT. The water right for any portion of the authorized change in character of use or change in place of use NOT carried out within the time allowed will be lost.

An extension of the time limit can be allowed only upon a showing that diligent effort has been made to complete the actual change(s) within the time allowed.

You are required to hire a Certified Water Rights Examiner (CWRE) to complete a Claim of Beneficial Use report and map which must be submitted to this Department within one year of the date you complete the change(s) or within one year of the completion date authorized in the transfer final order, whichever occurs first.

If you have any questions related to this transfer, you may contact your caseworker, Arla Davis, by telephone at 503-979-3129 or by e-mail at Arla.L.Davis@oregon.gov.

Sincerely,

Julie C. Baustian
Water Rights Services Support
Transfers and Conservation Section

cc: J R. Johnson, Watermaster Dist. # 10 (via email)
Elizabeth Howard, Lindsay Thane, Agent
Enclosure

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application)	FINAL ORDER
T-13925, Harney County)	APPROVING ADDITIONAL POINTS OF
)	APPROPRIATION AND A CHANGE IN
)	PLACE OF USE

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

GOLDEN RULE FARMS INC.
PO BOX 225
CHRISTMAS VALLEY, OR 97641

Findings of Fact

1. On February 18, 2022, GOLDEN RULE FARMS, INC. filed an application for additional points of appropriation and to change the place of use under Certificate 32394. The Department assigned the application number T-13925.
2. Notice of the application for transfer was published on March 1, 2022, pursuant to OAR 690-380-4000.
3. Timely comments were submitted to the Department in response to the notice. The issues raised by the comments focused primarily on concerns that:
 - a) The application fails to meet statutory requirements.
 - b) The applicant failed to comply with measurement and reporting conditions for Certificate 32394.
 - c) There is no evidence of water use for Certificate 32394.
 - d) The application form does not conform to the statutory requirements.
 - e) Injury must include domestic water users, including any exempt water users that could be impacted

This final order is subject to judicial review by the Court of Appeals under ORS 183.482: Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482(1). Pursuant to ORS 536.075 and OAR 137-003-0675, you may 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.

- f) Injury Analysis should also include the surface water rights held by Malheur National Wildlife Refuge.
 - g) WRD lacks the authority to add additional well locations because the transfer statute allows only for a change of point of diversion.
 - h) OWRD should not allow GRF to have multiple overlapping transfer applications.
 - i) Rule OAR 690-008-001(8)(c) is unlawful, because it is contrary to ORS 537.525.
 - j) There are cones of depression in numerous areas in the GHVGAC (Greater Harney Valley Groundwater Area of Concern).
 - k) Water is severely over-allocated [in the GHVGAC].
 - l) Some commenters do not agree with, nor support, the transfer.
4. Not all issues raised by the commenters are relevant to the criteria for review of a water right transfer as per OAR 690-380-4010 and approval of a transfer application under OAR 690-380-5000. Many of the issues noted in Finding of Fact #3, though important to the residents and water resources of the area, do not directly relate to the transfer review criteria. Rather, the statutory basis for approving a water right transfer application is relatively narrow and confined to the Department finding or determining:
- a) The water right proposed for transfer is a water use subject to transfer;
 - b) The portion of the water right proposed for transfer is not cancelled nor subject to forfeiture for non-use pursuant to ORS 540.610;
 - c) The water user is ready, willing and able to use the full amount of water allowed under the right;
 - d) The proposed transfer would not result in enlargement of the water right proposed for transfer; and
 - e) The proposed transfer would not result in injury to other water rights.
5. On March 1, 2023, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-13925 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of April 1, 2023, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.
6. On June 23, 2023, the Department issued a Preliminary Determination proposing to approve Transfer T-13925 and mailed a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published on the Department's weekly notice on June 27, 2023, and in the Burns Times-Herald newspaper on June 28 and July 5, 2023, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.

7. The right to be transferred is as follows:

Certificate: 32394 in the name of JOHN OR GEORGIA CROW (perfected under Permit G-1463)
Use: IRRIGATION of 75.53 ACRES
Priority Date: OCTOBER 2, 1959
Rate: 0.94 CUBIC FOOT PER SECOND
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 acre feet per acre for each acre irrigated during the irrigation season of each year.
Source: WELL No. 1, a tributary of MALHEUR LAKE

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
27 S	31 E	WM	1	SW NE	WELL NO. 1 (CROW WELL) - 1562 FEET SOUTH AND 21 FEET EAST FROM THE N1/4 CORNER OF SECTION 1

Authorized Place of Use:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	Proposed change in POU and APOA acres	Proposed APOA only acres
27 S	31 E	WM	1	NW NE	2	9.83	30.7
27 S	31 E	WM	1	SW NE		4.4	30.6
SUB-TOTAL ACREAGE						14.23	61.3
TOTAL ACREAGE						75.53	

8. Transfer Application T-13925 proposes additional points of appropriation for all of the right with approximate distance from the authorized point of appropriation as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approx. distance from authorized point of appropriation in miles (mi.)
27 S	32 E	WM	6	NE NE	BRIGGS 1 (HARN 1893) - 125 FEET SOUTH AND 915 FEET WEST FROM THE NE CORNER OF SECTION 6	CROW WELL (HARN 1461) - 1.3 mi
27 S	32 E	WM	6	NE NW	BRIGGS 2 (HARN 1460) - 1280 FEET SOUTH AND 1 FOOT WEST FROM THE N1/4 CORNER OF SECTION 6	CROW WELL (HARN 1461) - 1.1 mi

9. Transfer Application T-13925 also proposes to change the place of use of a portion of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
27 S	31 E	WM	1	NW NE	2	0.1
27 S	31 E	WM	1	SW NE		0.2
27 S	31 E	WM	1	SE NE		13.93
TOTAL						14.23

Transfer Review Criteria [OAR 690-380-4000(14), 690-380-4010(2) and OAR 690-380-2110(2)]

10. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
11. A water delivery system sufficient to use the full amount of water allowed under the existing right was present within the five-year period prior to submittal of Transfer Application T-13925.
12. The water right is subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
13. The proposed points of appropriation develop groundwater from the same aquifer as the authorized point of appropriation, as required by OAR 690-380-2110(2).
14. The proposed changes, as conditioned, would not result in enlargement of the right.
15. The proposed changes, as conditioned, would not result in injury to other existing water rights.
16. All other application requirements are met.

Conclusion of Law

The additional points of appropriation and change in place of use proposed in Transfer Application T-13925 are consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000.

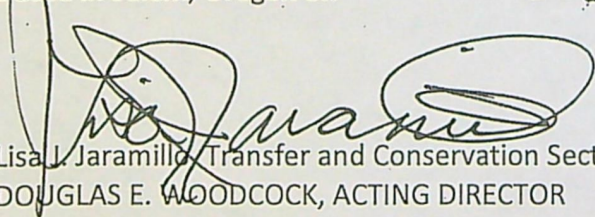
Now, therefore, it is ORDERED:

1. The additional points of appropriation and change in place of use proposed in Transfer Application T-13925 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 Certificate 32394 and any related decree.
3. Water right Certificate 32394 is cancelled.

4. The quantity of water diverted at the new additional points of appropriation (BRIGGS 1 and BRIGGS 2), together with that diverted at the original point of appropriation (CROW WELL), shall not exceed the quantity of water lawfully available at the original point of appropriation (CROW WELL).
5. Water shall be acquired from the same aquifer (water source) as the original point of appropriation.
6. The former place of use of the transferred right shall no longer receive water under the right.
7. 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.
8. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2026**. 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, a new certificate confirming the right transferred will be issued.

Dated in Salem, Oregon on

SEP 26 2023


Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
DOUGLAS E. WOODCOCK, ACTING DIRECTOR
Oregon Water Resources Department

SEP 27 2023

Mailing date: _____

WATER RIGHT TRANSFER COVER SHEET

Transfer: T- 13925

Transfer Specialist:

Transfer Type: Regular Transfer

2A
signed 3.23.22

Adan

Applicant: GOLDEN RULE FARMS INC. PO BOX 255 <i>225</i> CHRISTMAS VALLEY, OR 97641 Email: _____ Phone: _____		Agent: <input type="checkbox"/> N/A ELIZABETH HOWARD 1211 SW 5TH AVE SUITE 1900 PORTLAND, OR 97204 Email: _____ Phone: _____	
Irrigation District: <input type="checkbox"/> N/A Email: _____		CWRE: <input type="checkbox"/> N/A Email: _____	
Affected Local Gov'ts: <input type="checkbox"/> N/A County Of Harney Email: _____		Affected Tribal Gov't: <input type="checkbox"/> N/A UNAVAILABLE Email: _____	
Current Landowner if other than Applicant: <input type="checkbox"/> N/A Email: _____		Receiving Landowner: <input type="checkbox"/> N/A Email: _____	

Water Rights Affected

File Marked	App. File # or Decree Name	Permit	Certificate	RR/CR Needed	RR/CR Nos.
<input type="checkbox"/>	G-1593	G-1463	32394	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	

Key Dates & Initial Actions:

Rec'd: February 18, 2022	Proposed Action(s): ADDITIONAL POINT OF APPROPRIATION; PLACE OF USE	
Fees Pd: 3340.00	WM District: 10	ODFW District:
Initial Public Notice: March 1, 2022	WM Review sent:	ODFW Review sent:
Acknowledgement Letter Sent <input checked="" type="checkbox"/>		GW Review sent: <input type="checkbox"/> N/A
County sent cc: of Ack Letter <input checked="" type="checkbox"/>	BOR notified (date): <input type="checkbox"/> N/A	
Newspaper quote requested:	Request for news \$ sent:	News \$ received:
Request to publish sent:	Affidavit of publication received:	Last day of publication:

Document	Drafted	Peer Review	Changes Made	Coordinator	Changes Made	Signature Bin	Signature Date
DPD	Date: <i>1/4/23</i> Initials: <i>SW</i>	Date: <i>2/16/23</i> Initials: <i>SW</i>	Date: _____ Initials: _____	Date: _____ Initials: <i>Electronic</i>	Date: <i>3/1/23</i> Initials: <i>SW</i>	CW Sent: <i>3/1/23</i>	N/A
PD	Date: <i>5/1/23</i> Initials: <i>SW</i>	Date: <i>5/2/23</i> Initials: <i>SW</i>	Date: _____ Initials: _____	Date: <i>5/10/23</i> Initials: <i>PKS</i>	Date: <i>6/14/23</i> Initials: <i>SW</i>	Date: <i>6/14/23</i>	
FO	Date: <i>7/2/23</i> Initials: <i>SW</i>	Date: <i>7/10/23</i> Initials: <i>SW</i>	Date: _____ Initials: _____	Date: <i>7/14/23</i> Initials: <i>PKS</i>	Date: <i>8/17/23</i> Initials: <i>SW</i>	Date: <i>9/30/23</i>	<i>9/21/2023</i>

Special Issues: _____

Special Order Volume: Vol. *129* Pages *114*



United States Department of the Interior

FISH AND WILDLIFE SERVICE
911 NE 11th Avenue
Portland, Oregon 97232-4181



In Reply Refer to:
FWS/R1

August 2, 2023

Lisa Jaramillo
Transfer and Conservation Section Manager
Transfer and Conservation Section
Oregon Water Resources Department
725 Summer Street NE Suite A
Salem, OR 97301

Re: Letter of Concern on the approved Preliminary Determinations for transfer applications T-13924, T-13925, T-13926

Dear Lisa Jaramillo,

The US Fish and Wildlife Service (Service) wishes to provide a Letter of Concern to the Oregon Water Resources Department (Department) regarding the negative impact of the approval of Preliminary Determinations for Transfer Applications T-13924, T-13925, and T13926, which were posted in the Department's Public Notice of Water Use Requests on June 28, 2023. The Service does not find disagreement with Department's Preliminary Determination for approval of T-13924, T-13925, and T-13926 based on strict interpretation of statutes and the Department's procedures and criteria for evaluating transfer applications under Oregon Administrative Rules Chapter 690, Division 380. However, the Service expresses concern that continued overallocation of groundwater from existing permitted water rights will impair habitats in and around the Malheur National Wildlife Refuge (Refuge) and Malheur Lake. If the applications are approved, the Service strongly urges the Department to implement a requirement for consistent timely groundwater level monitoring at a monthly interval near each cluster of wells.

The Service has concerns that the currently permitted water rights under the transfer applications have already caused changes in groundwater availability that adversely affect the Refuge's two certified water rights: C93906 and C7343. Groundwater levels in numerous observation wells in the area frequently show a decline since the well's inception, with a most precipitous decline occurring in the last 10 years. C93906, a point of appropriation with a priority date of 2002, is a well drilled to access aquifer depths up to 111 feet with a maximum rate of withdrawal of 0.07 CFS and period of use year-round for the purpose of Wildlife Refuge Management. C7343, a certified water right with a priority date of 1923, is the appropriation of 15.0 CFS of flow from a spring for the maintenance of the Refuge's Wildlife Management trust resources. Flows from this spring fill into a pond before flowing into Malheur Lake. Declines in the spring flow for the past 8 years have resulted in a lower pond levels and an increased frequency in episodes of the pond drying out. Since 2017, we have visual confirmation that there is minimal to no flow from the spring.

REGION 1
COLUMBIA-PACIFIC NORTHWEST

WASHINGTON, OREGON, IDAHO, PACIFIC
ISLANDS

REGION 8
PACIFIC SOUTHWEST

CALIFORNIA, NEVADA, OREGON (KLAMATH
BASIN)

Golden Rule Farms' transfer application, T-13924 and T-13926, requests to add eight new points of appropriation, six of which will be newly drilled wells (Windmill 1-4 and 6-7), ranging in depth between 75 and 150 feet. These new wells may access groundwater depths up to 4 times deeper than the currently authorized wells (Briggs 1 (36 feet deep) and Briggs 2 (35 feet deep)). It is difficult to fully understand the impact of this project on Refuge water rights. With the additional seven wells proposed under the transfer application and a presumption that this change would enable them to use their entire water right, there would effectively be an increase in groundwater use over what has been used historically. Given existing over-allocation of groundwater in the Harney Basin that is already contributing to declines in spring flow under C7343, effectively expanding groundwater use in this area is likely to cause further harm.

The Service is concerned that continued use of groundwater pumping and the operation of additional wells will continue to remove groundwater that would normally drain to Malheur Lake and provide essential habitat. Malheur Lake is important habitat for numerous plants and animal species, but especially for its location as a stopover on the Pacific Flyway and for the Great Basin Redband Trout. Malheur Lake is downgradient of shallow groundwater flow. Groundwater declines have been observed in and around Malheur Lake, especially in the Crane area east of Malheur Lake (Gingerich et al. 2021). The Service is concerned that Malheur Lake is receiving less groundwater inflow than it has historically due to the overallocation of groundwater use.

In the Division 512, Malheur Lake Basin Program, Oregon Administrative Rules 690-512-0020, outlines the rules for the Groundwater use in the Greater Harney Valley Groundwater Area of Concern, in which section (7)(a) requires that each new permit must include the construction of an observation well that is the same depth as the production well, within 6 months of issuance. If the transfer applications are authorized, then the Service strongly urges the Department to implement this requirement and to include timely measurements at least monthly for all wells associated with the transfer applications.

Groundwater level declines in the basin are the result of over-allocation and are a serious concern for all groundwater users and for the management of trust resources at the Refuge. In May 2020, OWRD posted a News Release (20-04) that cautions against further groundwater development in the Harney Basin. The News Release explains that the preliminary result from the Harney Basin Groundwater Study indicates that groundwater use is greater than recharge to the aquifer and the current annual groundwater pumping is unsustainable.

If you have questions, concerns, or need more information, please contact the Service's Water Resources Branch Rachel_Esralew@fws.gov (503-231-2395) or Refuge Deputy Project Leader, Tara Wertz (Tara_Wertz@fws.gov (541-493-2612)).

Sincerely,

RACHEL ESRALEW Digitally signed by RACHEL ESRALEW
Date: 2023.08.04 15:10:37 -07'00'

Rachel Esralew
Water Resources Branch Chief - Supervisory Hydrologist
U.S. Fish and Wildlife Service
Columbia Pacific Northwest and Pacific Southwest Region

CC:

Tara Wertz, Deputy Refuge Project Leader, Malheur NWR, USFWS

Mary Lindenberg, Hydrologist, Water Resources Branch, USFWS

References

Gingerich, S.B., Johnson, H.M., Boschmann, D.E., Grondin, G.H., Garcia, C.A., and Schibel, H.J., 2022, Location information, discharge, and water-quality data for selected wells, springs, and streams in the Harney Basin, Oregon: U.S. Geological Survey data release, <http://doi.org/10.5066/P9J0FE5M>.

STATE OF OREGON
WATER RESOURCES DEPARTMENT
725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

RECEIPT # **140792** INVOICE # _____

RECEIVED FROM: Golden Rule Farms APPLICATION _____
BY: _____ PERMIT _____
CASH: ☐ CHECK: # 20802 OTHER: (IDENTIFY) _____ TRANSFER T-13925
☐ TOTAL REC'D \$ 240.80

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES 46118 \$ _____
0207 OTHER: (IDENTIFY) Newspaper Notice \$ 240.80
0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407	COPY & TAPE FEES	\$	
0410	RESEARCH FEES	\$	
0408	MISC REVENUE: (IDENTIFY) _____	\$	
TC162	DEPOSIT LIAB. (IDENTIFY) _____	\$	
0240	EXTENSION OF TIME	\$	

WATER RIGHTS:

0201	SURFACE WATER	\$	0202	\$
0203	GROUND WATER	\$	0204	\$
0205	TRANSFER	\$		

WELL CONSTRUCTION

0218	WELL DRILL CONSTRUCTOR	\$	0219	\$
	LANDOWNER'S PERMIT		0220	\$

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211	WELL CONST START FEE	\$	CARD#	
0210	MONITORING WELLS	\$	CARD#	

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233	POWER LICENSE FEE (FWWRD)	\$	
0231	HYDRO LICENSE FEE (FWWRD)	\$	
	HYDRO APPLICATION	\$	

TREASURY OTHER / RDX

FUND _____ TITLE _____
OBJ. CODE _____ VENDOR # _____
DESCRIPTION _____ \$ _____

RECEIPT: **140792** DATED: 5/24/2023 BY: [Signature]

Distribution - White Copy - Customer, Yellow Copy - Fiscal, Blue Copy - File, Buff Copy - Fiscal

Selco-Checking

for T-13925 NOTICE

240.80

Golden Rule Farms
OWRD

5/15/2023

240.80

20802

RECEIVED
MAY 24 2023
OWRD
SALEM, OREGON

Attached is a check for \$240.80 (PCA #46118) for Newspaper Notice for Transfer T-13924 made out to Oregon Water Resources Department (or WRD)

- "for T-13925 NOTICE" written on front of check

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

Caseworker: Arla

RECEIVED
MAY 24 2023
OWRD
SALEM, OREGON

PUBLIC NOTICE

Notice of Preliminary Determination for Water Right Transfer T-13925

T-13925 filed by Golden Rule Farms Inc., PO Box 225, Christmas Valley, OR 97641, proposes additional points of appropriation and a change in place of use under Certificate 32394. The right allows the use of 0.94 cubic foot per second from a well in Sec. 1, T27S, R31E, WM for irrigation in Sec. 1, T27S, R31E, WM. The applicant proposes additional points of appropriation in Sec. 6, T27S, R32E, WM and to change the place of use within Sec. 1, T27S, R31E, 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, 07/05/2023. Call (503) 979-9931 to obtain additional information. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.

Publish June 28 and July 5, 2023

BURNS TIMES-HERALD

355 N. Broadway, Burns, Oregon 97720

AFFIDAVIT OF PUBLICATION

STATE OF OREGON

(
(S.S.

County of Harney

I Terri L. Smith, being first and duly sworn, depose and say that I am the Advertising Manager of the Burns Times-Herald, a newspaper of general circulation, as defined by ORS 193.010 and 193.020, published at Burns, in the aforesaid County and State by the Burns Times-Herald that the

Public Notice: T-13925

a printed copy of which is hereto annexed, was published in the said newspaper for

2

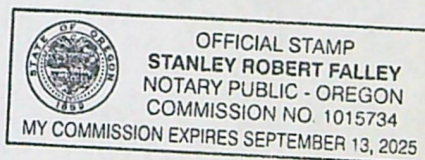
successive and consecutive weeks in the following issues:

Dates of Publication: 28th June & 5th July 2023

Signed Terri L. Smith
By Terri L. Smith, Advertising Manager
The Burns Times-Herald

Subscribed and sworn before me this 5 day of July 2023.

Stanley R. Falley
Notary Public for Oregon



No. _____

Received by OWRD

STATE OF OREGON
for the
COUNTY OF HARNEY

JUL 10 2023

Salem, OR

Filed _____, 21

Clerk

Deputy

From the Office of _____

Attorney for _____

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

GOLDEN RULE FARMS INC.

PO BOX 255

CHRISTMAS VALLEY, OR 97641



9590 9402 6816 1074 5300 14

2. Article Number (Transfer from service label)

7021 1970 0001 3950 3273

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

Rachel Cooper

☐ Agent☐ Addressee

B. Received by (Printed Name)

Rachel Cooper

C. Date of Delivery

7-5-23

delivery address different from item 1? ☐ YesYES, enter delivery address below: ☐ No

RECEIVED

JUL 10 2023

OWRD

3. Service Type

- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☐ Certified Mail®
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- ☐ Signature Confirmation Restricted Delivery



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

www.oregon.gov/owrd

June 23, 2023

VIA CERTIFIED MAIL AND E-MAIL

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

SUBJECT: Water Right Transfer Application T-13925

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-13925. This document is an intermediate step in the approval process; water may not be used legally as proposed in the transfer application until a Final Order has been issued by the Department. Please read this entire letter carefully to determine your responsibility for additional action.

A public notice is being published in the Department's weekly publication and in the Burns Times-Herald newspaper, simultaneously with issuance of the Preliminary Determination. The notice initiates a period in 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. The protest period will end 30 days after the last date of newspaper publication.

If no protest is filed, the Department will issue a Final Order consistent with the Preliminary Determination. You should receive a copy of the Final Order about 30 days after the close of the protest period.

If a protest is filed, the application may be referred to a contested case proceeding. A contested case provides an opportunity for the proponents and opponents of the decision proposed in the Preliminary Determination to present information and arguments supporting their position in a quasi-judicial proceeding.

Please don't hesitate to contact me at 503-979-3129 or arla.l.davis@water.oregon.gov, if I may be of assistance

Sincerely,

Arla L Davis

Arla L Davis

Transfer Specialist

Transfer and Conservation Section

cc: T-13925

Donald Swindlehurst, District 10 Watermaster (*via e-mail*)

Elizabeth Howard, Lindsay Thane, Agent for the applicant (*via e-mail*)

Commenters: Laurie O'Connor, Ben McCanna, Lisa Brown Waterwatch

encs

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application)	PRELIMINARY DETERMINATION
T-13925, Harney County)	PROPOSING APPROVAL OF
)	ADDITIONAL POINTS OF APPROPRIATION
)	AND A CHANGE IN PLACE OF USE

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

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

Findings of Fact

1. On February 18, 2022, GOLDEN RULE FARMS, INC. filed an application for additional points of appropriation and to change the place of use under Certificate 32394. The Department assigned the application number T-13925.
2. Notice of the application for transfer was published on March 1, 2022, pursuant to OAR 690-380-4000.
3. Timely comments were submitted to the Department in response to the notice. The issues raised by the comments focused primarily on concerns that:
 - a) The application fails to meet statutory requirements.
 - b) The applicant failed to comply with measurement and reporting conditions for Certificate 32394.
 - c) There is no evidence of water use for Certificate 32394.
 - d) The application form does not conform to the statutory requirements.
 - e) Injury must include domestic water users, including any exempt water users that could be impacted
 - f) Injury Analysis should also include the surface water rights held by Malheur National Wildlife Refuge.

Pursuant to OAR 690-380-4030, any person may file a protest or standing statement within 30 days after the last date of publication of the newspaper notice or the Department's weekly notice as prescribed by OAR 690-380-4020, whichever is later, of this preliminary determination.

- g) WRD lacks the authority to add additional well locations because the transfer statute allows only for a change of point of diversion.
 - h) OWRD should not allow GRF to have multiple overlapping transfer applications.
 - i) Rule OAR 690-008-001(8)(c) is unlawful, because it is contrary to ORS 537.525.
 - j) There are cones of depression in numerous areas in the GHVGAC (Greater Harney Valley Groundwater Area of Concern).
 - k) Water is severely over-allocated [in the GHVGAC].
 - l) Some commenters do not agree with, nor support, the transfer.
4. Not all issues raised by the commenters are relevant to the criteria for review of a water right transfer as per OAR 690-380-4010 and approval of a transfer application under OAR 690-380-5000. Many of the issues noted in Finding of Fact #3, though important to the residents and water resources of the area, do not directly relate to the transfer review criteria. Rather, the statutory basis for approving a water right transfer application is relatively narrow and confined to the Department finding or determining:
- a) The water right proposed for transfer is a water use subject to transfer;
 - b) The portion of the water right proposed for transfer is not cancelled nor subject to forfeiture for non-use pursuant to ORS 540.610;
 - c) The water user is ready, willing and able to use the full amount of water allowed under the right;
 - d) The proposed transfer would not result in enlargement of the water right proposed for transfer; and
 - e) The proposed transfer would not result in injury to other water rights.
5. On March 1, 2023, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-13925 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of April 1, 2023, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.
6. The right to be transferred is as follows:
- | | |
|-----------------------|--|
| Certificate: | 32394 in the name of JOHN OR GEORGIA CROW (perfected under Permit G-1463) |
| Use: | IRRIGATION of 75.53 ACRES |
| Priority Date: | OCTOBER 2, 1959 |
| Rate: | 0.94 CUBIC FOOT PER SECOND |
| 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 |

acre feet per acre for each acre irrigated during the irrigation season of each year.

Source: WELL No. 1, a tributary of MALHEUR LAKE

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
27 S	31 E	WM	1	SW NE	WELL NO. 1 (CROW WELL) - 1562 FEET SOUTH AND 21 FEET EAST FROM THE N1/4 CORNER OF SECTION 1

Authorized Place of Use:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	Proposed change in POU and APOA acres	Proposed APOA only acres
27 S	31 E	WM	1	NW NE	2	9.83	30.7
27 S	31 E	WM	1	SW NE		4.4	30.6
SUB-TOTAL ACREAGE						14.23	61.3
TOTAL ACREAGE						75.53	

8. Transfer Application T-13925 proposes additional points of appropriation for all of the right with approximate distance from the authorized point of appropriation as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approx. distance from authorized point of appropriation in miles (mi.)
27 S	32 E	WM	6	NE NE	BRIGGS 1 (HARN 1893) - 125 FEET SOUTH AND 915 FEET WEST FROM THE NE CORNER OF SECTION 6	CROW WELL (HARN 1461) - 1.3 mi
27 S	32 E	WM	6	NE NW	BRIGGS 2 (HARN 1460) - 1280 FEET SOUTH AND 1 FOOT WEST FROM THE N1/4 CORNER OF SECTION 6	CROW WELL (HARN 1461) - 1.1 mi

9. Transfer Application T-13925 also proposes to change the place of use of a portion of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
27 S	31 E	WM	1	NW NE	2	0.1
27 S	31 E	WM	1	SW NE		0.2
27 S	31 E	WM	1	SE NE		13.93
TOTAL						14.23

Transfer Review Criteria [OAR 690-380-4000(14), 690-380-4010(2) and OAR 690-380-2110(2)]

10. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.

11. A water delivery system sufficient to use the full amount of water allowed under the existing right was present within the five-year period prior to submittal of Transfer Application T-13925.
12. The water right is subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
13. The proposed points of appropriation develop groundwater from the same aquifer as the authorized point of appropriation, as required by OAR 690-380-2110(2).
14. The proposed changes, as conditioned, would not result in enlargement of the right.
15. The proposed changes, as conditioned, would not result in injury to other existing water rights.
16. All other application requirements are met.

Determination and Proposed Action

The additional points of appropriation and change in place of use proposed in Transfer Application T-13925 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-13925 is approved, the final order will include the following:

1. *The additional points of appropriation and change in place of use proposed in Transfer Application T-13925 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 Certificate 32394 and any related decree.*
3. *Water right Certificate 32394 is cancelled.*
4. *The quantity of water diverted at the new additional points of appropriation (BRIGGS 1 and BRIGGS 2), together with that diverted at the original point of appropriation (CROW WELL), shall not exceed the quantity of water lawfully available at the original point of appropriation (CROW WELL).*
5. *Water shall be acquired from the same aquifer (water source) as the original point of appropriation.*
6. *The former place of use of the transferred right shall no longer receive water under the right.*

Protests must be in writing and received in hard copy form with the appropriate statutory protest filing fee; protests cannot be filed by electronic mail. [OAR 690-002-0025(3) and 690-380-0100(9)]. The protest must include the following:

- The person's name, address, and telephone number;
- All reasonably ascertainable issues and all reasonably available arguments supporting the person's position by the close of the protest period. Failure to raise a reasonably ascertainable issue in a protest or failure to provide sufficient specificity to afford the Department an opportunity to respond to the issue may preclude consideration of the issue during the hearing;
- If you are the applicant, a protest fee of \$480 required by ORS 536.050; and
- If you are not the applicant, a protest fee of \$950 required by ORS 536.050 and proof of service of the protest upon the applicant.

Requests for Standing

Under the provisions of OAR 690-380-4030(5), the Department shall provide to persons who have filed standing statements as defined under OAR 690-380-0100(11) notice of any differences between the Department's Preliminary Determination and the Final Order, notice of a hearing on the application under OAR 137-003-0535, and an opportunity to request limited party status or party status in the hearing.

Requests for standing must be received in the Water Resources Department no later than 30 days after the last date of publication of the newspaper notice or the Department's weekly notice as prescribed by OAR 690-380-4020, whichever is later. Requests for standing must be in writing, and must include the following:

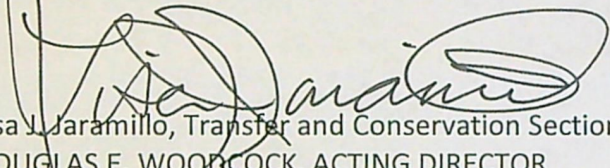
- The requester's name, mailing address and telephone number;
- If the requester is representing a group, association or other organization, the name, address and telephone number of the represented group;
- A statement that the requester supports the preliminary determination as issued.

After the protest period has ended, the Director will either issue a Final Order or schedule a contested case hearing. The contested case hearing will be scheduled only if a protest has been filed under OAR 690-380-4030. In accordance with OAR 690-380-4200, notice and conduct of the hearing shall:

- Be under the applicable provisions of ORS 183.310 to 183.550, pertaining to contested cases, and the hearing shall be held in the area where the rights are located unless all parties stipulate otherwise; and

7. *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.*
8. *Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2026**. 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, a new certificate confirming the right transferred will be issued.*

Dated in Salem, Oregon on **JUN 23 2023**


Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
DOUGLAS E. WOODCOCK, ACTING DIRECTOR
Oregon Water Resources Department

This Preliminary Determination was prepared by Arla Davis. If you have questions about the information in this document, you may reach me at 503-979-3129 or Arla.L.Davis@water.oregon.gov.

Protests

Under the provisions of ORS 540.520(6) & (7) and OAR 690-380-4030, within 30 days after the last date of publication of the newspaper notice or the Department's weekly notice as prescribed by OAR 690-380-4020, whichever is later, any person may file, jointly or severally, a protest expressing opposition of approval of the transfer application and disagreement with this Preliminary Determination or a standing statement in support of this Preliminary Determination. If this Preliminary Determination determines that a change in point of diversion or appropriation would result in injury, the applicant may file a notification of intent to pursue approval of the transfer under OAR 690-380-5030 to 690-380-5050. Protests and standing statements must be received by the Water Resources Department within 30 days after the last date of publication of the newspaper notice or the Department's weekly notice as prescribed by OAR 690-380-4020, whichever is later.

- If a protest has asserted that a water right to be transferred has been forfeited through non-use, include the notice and procedures described in OAR 690-017-0500 to 690-017-0900.

If after hearing the Department issues a proposed Final Order finding that a change in point of diversion or appropriation will result in injury, the applicant may file a notification of intent to pursue approval of the transfer under OAR 690-380-5030 to 690-380-5050 within 15 days of receipt of the proposed order. Notwithstanding 690-002-0175, if the applicant files a notification of intent to pursue approval of the transfer under 690-380-5030 to 690-380-5050, the deadline for filing exceptions to the proposed order shall be 30 days after the Department provides notice to the parties that the transfer does not meet the requirements of 690-380-5030 to 690-380-5050.

If you do not request a hearing within 30 days after the close of the protest period, or if you withdraw a request for a hearing, notify the Department or the administrative law judge that you will not appear, or fail to appear at a scheduled hearing, the Director may issue a final order by default. If the Director issues a Final Order by default, the Department designates the relevant portions of its files on this matter, including all materials that you have submitted relating to this matter, as the record for purpose of proving a *prima facie* case upon default.

You may be represented by an attorney at the hearing. Legal aid organizations may be able to assist a party with limited financial resources. Generally, partnerships, corporations, associations, governmental subdivisions, or public or private organizations are represented by an attorney. However, consistent with OAR 690-002-0020 and OAR 690-137-0555, an agency representative may represent partnerships, corporations, associations, governmental subdivisions or public, or private organizations if the Department determines that appearance of a person by an authorized representative will not hinder the orderly and timely development of the record in this case.

Notice Regarding Servicemembers: Active duty servicemembers have a right to stay proceedings under the federal Servicemembers Civil Relief Act. For more information contact the Oregon State Bar at 1-800-452-8260, the Oregon Military Department at 971-355-4420, or the nearest United States Armed Forces Legal Assistance Office through <http://legalassistance.law.af.mil>. The Oregon Military Department does not have a toll free number.

If you have questions about how to file a protest or if you have previously filed a protest and you want to know the status, please contact Patricia McCarty at 503-979-9160.

If you have questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at 503-986-0900.

Address any correspondence to: Oregon Water Resources Department, Transfer and Conservation Section, 725 Summer Street NE, Suite A, Salem OR 97301-1266.

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APR 03 2023

March 31, 2023

OWRD

Lindsay Thane

Admitted in Oregon, Washington and
Montana

T: 503-796-2059

C: 406-214-1918

lthane@schwabe.com

**VIA EMAIL (ARLA.L.DAVIS@WATER.OREGON.GOV)
AND FIRST CLASS MAIL**

Oregon Water Resources Department
Attn: Arla Davis
725 Summer St NE, Ste. A
Salem, OR 97301

RE: Response to Draft Preliminary Determination for Transfer Application T-13925
Our File No.: 135315-251156

Dear Arla:

This letter is sent on behalf of Golden Rule Farms, Inc. ("Golden Rule Farms"), the applicant under Transfer Application T-13925. This letter is being sent to confirm that Golden Rule Farms agrees to the proposed action and conditions set forth in the Draft Preliminary Determination for T-13925, with one exception. Golden Rule Farms requests that the completion date be revised to October 1, 2026.

Golden Rule Farms requests an additional two years to complete the T-13925 to allow it adequate time to complete beneficial use. A Final Order for T-13925 will not be issued until part way through or near the end of the 2023 irrigation season. If there are any protests of T-13925, issuance of a Final Order will be delayed even longer, likely by years. Golden Rule Farms wants to ensure it has an additional two irrigation seasons beyond what is proposed in the Draft Preliminary Determination to implement the changes proposed under T-13925. The additional time is necessary to allow Golden Rule Farms to ensure it has the resources to complete beneficial use across the entire proposed place of use and to develop the additional points of appropriation. The additional time is also necessary in case Golden Rule Farms encounters any unexpected delays in completing beneficial use.

In addition, Golden Rule Farms identified the following error that it requests be corrected in the Preliminary Determination:

- Page 3, Finding of Fact #10: It appears that the last sentence was accidentally cut short and the following language was not included "... is subject to forfeiture under ORS 540.610."

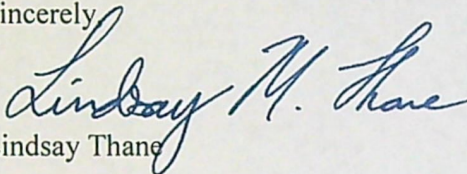
Enclosed please find a report of ownership in the form of a Lot Book Report demonstrating that the "from" lands are owned by Golden Rule Farms, Inc.

Oregon Water Resources Department
March 31, 2023
Page 2

Please utilize Schwabe's account with the Oregon Water Resources Department to pay the fees associated with the newspaper publication for T-13925. For our records, please note on Schwabe's account and invoice that such payment is made for the newspaper publication associated with T-13925 (Golden Rule Farms).

Please do not hesitate to contact me if you have any questions or require any additional information.

Sincerely,



Lindsay Thane

LTH:lm
Enclosure

cc: Tim Puckett (*via email only*)
Elizabeth Howard (*via email only*)
Scott Montgomery (*via email only*)

PDX\135315\251156\LTH\36289727.1

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111 W Washington St., Burns, OR 97720
PHONE (541)573-2039 FAX (541)573-5844

LOT BOOK REPORT

Nikos Klingenberg
Schwabe, Williamson & Wyatt
1211 SW 5th Ave., Ste. 1900
Portland, OR 97204

March 31, 2023
Title Number: 583351AM
Title Officer: Stan Falley
Client File #:
Fee: \$200.00

We have searched our Tract Indices as to the following described property:

Subject Property Address: Multiple Parcels, Burns, OR 97720

Legal Description:

Land in Harney County, Oregon, as follows:

In Twp. 26 S., R. 32 E., W.M.: (South of Malheur Lake)

Sec. 31: Lots 1, 2, 3, 4, 10, 11, 12 and 13, SAVE & EXCEPT road right of way.

Sec. 32: Lots 1, now known as Lot 8, and 2, SAVE & EXCEPT road right of way.

In Twp. 27 S., R. 31 E., W.M.:

Sec. 1: Lots 1 and 2, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SAVE & EXCEPT road right of way.

In Twp. 27 S., R. 32 E., W.M.:

Sec. 2: SW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$.

Sec. 3: Lot 1, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$.

Sec. 4: Lots 2, 3, 4, 5, 6, 7 and 8, S $\frac{1}{2}$ NW $\frac{1}{4}$, SAVE & EXCEPT that portion conveyed to Harney County, Oregon, by deed recorded August 6, 1958, in Book 65, Page 274, Deed Records.

Sec. 5: Lots 1, 3, 4, 5, 9 and 10, SE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, SAVE & EXCEPT that portion conveyed to Harney County, Oregon, by deed recorded August 6, 1958, in Book 65, Page 274, Deed Records.

Sec. 6: Lots 1, 2, 3, 4 and 5, SAVE & EXCEPT that portion conveyed to Harney County, Oregon, by deed recorded August 6, 1958, in Book 65, Page 274, Deed Records.

Sec. 10: NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$.

Sec. 11: W $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$.

And dated as of: March 17, 2023, at 7:30 a.m.

We find that the last deed of record runs to:

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Golden Rule Farms Inc.

We also find the following apparent monetary encumbrances within ten years prior to the effective date hereof and the following unpaid taxes and city liens:

1. N/A

We have also searched our General Index for judgments and state and federal tax liens against the above named grantees and find the following:

1. N/A

NOTE: Any map or sketch enclosed as an attachment herewith 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 of reliance thereon.

NOTE: This Lot Book Report is being made with the understanding that it does not represent any form of title insurance and is not a commitment for a policy of insurance. The information provided herein is not a full examination of the subject property. Further, if any person, corporation or entity of any kind should use this report as a basis to produce a title insurance product, it should be understood that it is clearly outside of Oregon law. Any liability hereunder is limited to the amount paid for said report.

THIS IS NOT A TITLE REPORT, A COMMITMENT TO ISSUE TITLE INSURANCE OR A GUARANTEE OF ANY KIND. No liability is assumed with this report. Our search was limited to our tract indices and no examination of the public record was made. The fee charged for this service does not include supplemental reports or other services. Further dissemination of the information in this report in a form purporting to insure title to the herein described land is prohibited by law.

"Superior Service with Commitment and Respect for Customers and Employees"

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Groundwater Transfer Review Summary Form

Transfer/PA # T- 13925

GW Reviewer Darrick E. Boschmann Date Review Completed: 03/03/2022

Summary of Same Source Review:

☐ The proposed change in point of appropriation is not within the same aquifer as per OAR 690-380-2110(2).

Summary of Injury Review:

☐ The proposed transfer will result in another, existing water right not receiving previously available water to which it is legally entitled or result in significant interference with a surface water source as per 690-380-0100(3).

Summary of GW-SW Transfer Similarity Review:

☐ The proposed SW-GW transfer doesn't meet the definition of "similarly" as per OAR 690-380-2130.

This is only a summary. Documentation is attached and should be read thoroughly to understand the basis for determinations.



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1271
(503) 986-0900
www.wrd.state.or.us

Ground Water Review Form:

- ☒ Water Right Transfer
☐ Permit Amendment
☐ GR Modification
☐ Other

Application: T-13925

Applicant Name: Golden Rule Farms Inc.

Proposed Changes: ☐ POA ☒ APOA ☐ SW→GW ☐ RA
☐ USE ☒ POU ☐ OTHER

Reviewer(s): Darrick E. Boschmann

Date of Review: 03/03/2022

Date Reviewed by GW Mgr. and Returned to WRSD: JTI 4/1/22

The information provided in the application is insufficient to evaluate whether the proposed transfer may be approved because:

- ☐ The water well reports provided with the application do not correspond to the water rights affected by the transfer.
- ☐ The application does not include water well reports or a description of the well construction details sufficient to establish the ground water body developed or proposed to be developed.
- ☐ Other _____

1. Basic description of the changes proposed in this transfer: _____

This application is related to certificate 32394 which authorizes groundwater pumping from one well (POD 1 = HARN 1461 "Crow Well") for primary irrigation of 75.53 acres in the Malheur Lake Basin. The following changes are proposed:

1. Add two APOA

• "Briggs 1" = HARN 1893

• "Briggs 2" = HARN 1460

2. Transfer 14.23 acres of the POU to be irrigated by all three wells. The remaining acres are also to be irrigated by all three wells.

2. Will the proposed POA develop the same aquifer (source) as the existing authorized POA?

☒ Yes ☐ No Comments: _____

Available data indicates a predominantly volcanic/tuffaceous sedimentary rock unit occurs beneath a predominantly basin fill sediment unit. Reports for the Malheur Lake Basin indicate groundwater occurs in both the basin fill and underlying rocks. The groundwater is hydraulically connected, making a single groundwater system occurring in different geologic units. Leonard (1970) found that near the edges of the valley there is likely good interconnection between individual water-bearing beds in the valley fill and those in the adjacent and underlying tertiary rocks.

In general, groundwater in the Harney Basin flows from several upland recharge areas to a common discharge area near Malheur and Harney Lakes, with some apparent discharge to the Malheur Basin through one or more areas along the eastern margin. While the rocks and sediments making up the aquifer system in the Harney Basin do constitute a single groundwater flow system, sub-watersheds within the basin contribute recharge to different parts of the system depending on groundwater flow-paths from recharge to discharge areas. In general, within these sub-watersheds water within the aquifer system is sourced from a common recharge area and can therefore be considered a single source.

Based on water well reports and available geologic mapping the authorized and proposed wells all produce groundwater from Voltage basalt.

3. a) Is there more than one source developed under the right (e.g., basalt and alluvium)?

☐ Yes ☒ No _____

b) If yes, estimate the portion of the right supplied by each of the sources and describe any limitations that will need to be placed on the proposed change (rate, duty, etc.): _____

4. a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with **another ground water right**?

☒ Yes ☐ No Comments: _____

The proposed APOA are located up to ~1.3 miles to the northeast of the currently authorized well. This will result in an incremental increase in interference with existing wells to the northeast.

b) If yes, would this proposed change, at its maximum allowed rate of use, likely result in another groundwater right not receiving the water to which it is legally entitled?

☐ Yes ☒ No If yes, explain: _____

The nearest authorized POA (under different ownership) to the proposed APOA is POD 1 under certificate 95997 (HARN 51800) which is over 5 miles east of HARN 1893. At this distance any increase in interference will be minimal.

5. a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with **another surface water source**?

☒ Yes ☐ No Comments: The proposed APOA are located a greater distance from the Donner und Blitzen River than the currently authorized wells. The proposed APOA are closer to Malheur Lake than the currently authorized well.

b) If yes, at its maximum allowed rate of use, what is the expected change in degree of interference with any **surface water sources** resulting from the proposed change?

Stream: Malheur Lake

☒ Minimal ☐ Significant

Stream: _____

☐ Minimal ☐ Significant

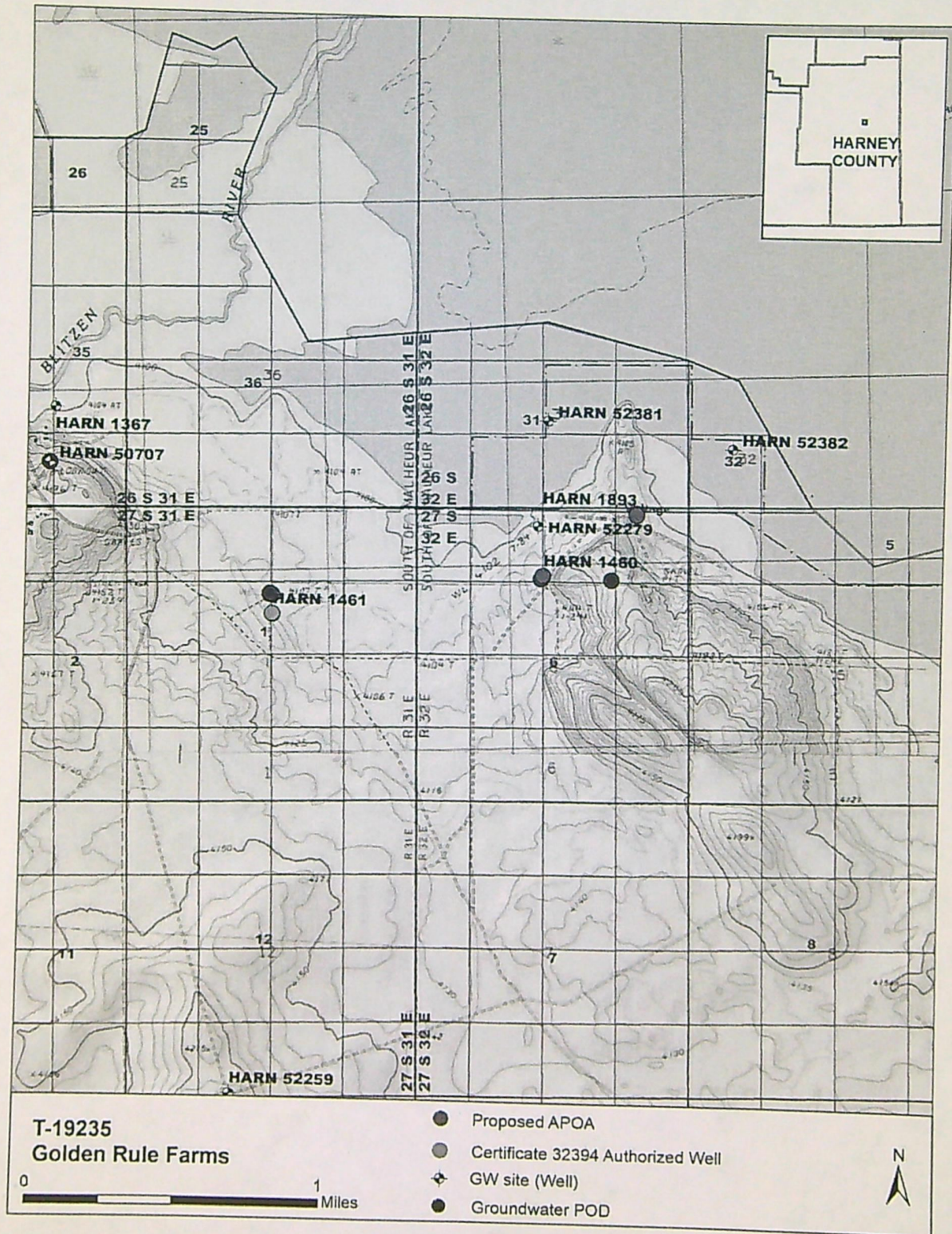
Provide context for minimal/significant impact: While it is recognized that groundwater is hydraulically connected to Malheur Lake, lake levels are primarily a function of inflows from the Donner und Blitzen and Silvies River, and any increase in interference will likely be minimal.

6. For SW-GW transfers, will the proposed change in point of diversion affect the surface water source similarly (as per OAR 690-380-2130) to the authorized point of diversion specified in the water use subject to transfer?

☐ Yes ☐ No Comments: _____

7. What conditions or other changes in the application are necessary to address any potential issues identified above: none.

8. Any additional comments: none.



Transfer: T 13925

Name First, Mi, Last Ben McCanna Received Date 3/21/2022 Time 8:56 AM

Company

Name Other

Street 60012 McCanna Rd.

City Burns

State Oregon

▼ Zip 97720

Home Phone

Cell Phone 5415890867

Company Phone

Fax Phone

Email Address benmccanna@yahoo.com

Comments

Transfers number 13925. I was wondering what injury to other users means? In this area we have found out that a number of wells have gone dry or had to be deepened. Does the agency look at how many wells have gone dry or had to be deepened in this area? If there are many wells that went dry or needing to be deepened, doesn't that show injuries to other water users? If this transfer goes through that will mean that new wells will be dug and a lot more water will be taken from this area, definately affecting other water users. 3/21/2022 Ben McCanna 60012 McCanna RD. Burns OR. 97720 Phone 541-589-0867

Transfer: T 13925

Name First, Mi, Last Laurie K O'Connor Received Date 3/31/2022 Time 10:02 AM

Company N/A

Name Other

Street PO Box 471

City Hines

State Oregon

Zip 97738

Home Phone

Cell Phone 5413061550

Company Phone

Fax Phone

Email Address laurieoc53@gmail.com

Comments As an exempt well resident (both domestic and stock well) in this area of critical decline, I request all transfers in our basin be stopped until the applicants and OWRD can PROVE no potential further declines in our aquifers! Every commercial development in this area will further injure our ability to live in our rural homes, and certainly end local livestock operations. As a lay person, understanding these applications can be very challenging. From the ground, living here and knowing the area and history, several questions come to mind on applications such as these. Typically, an irrigator seeks to transfer POA AFTER they have lost a well or two, or the costs of deepening no longer serve their profit margin. Speaking to neighbors, there is also some question as to the continuity of beneficial use on the original POA. Who monitors year-by-year, or even decade-by-decade? Not a local harried Water Master! There is a chance the original well(s) was/were technically abandoned. There may also be some challenge to whether these transfers are technically even in the same aquifer. The other sad fact is that OWRD has never actively sought information about injury to local wells anywhere, and certainly not adjacent to this transfer. Locals do not know they have recourse through filing reports on injured or dry wells. In fact, in the past two years, two historically sound stock wells and one domestic well in this area have completely failed. Another neighbor is currently experiencing drastic drawdown in their historic stock well, and fully expect total failure soon. All are being injured, but none trust an "agency" to protect them. How to change the culture in OWRD to embrace a sustainable future for our water? How can private citizens possibly find justice and science against the economic opportunism of heavily-lawyered corporations? The fact that Harney Basin has been in a critical water study for six years now and yet OWRD does nothing to decrease extraction is appalling. I hope that those of you reviewing these permits have the ability to serve science.



WaterWatch of Oregon
Protecting Natural Flows In Oregon Rivers

March 31, 2022

Tamara Smith

OWRD

via email: tamera.l.smith@oregon.gov

Re: WaterWatch of Oregon's Initial Comments regarding T-13925 (Golden Rule Farms)

Dear Ms. Smith:

Thank you for the opportunity to comment on T-13925 in the name of Golden Rule Farms (GRF). We urge that the transfer be denied for failing to meet statutory requirements outlined below. Should a PD be issued, we may raise additional issues as we compile additional information on this matter.

Background

T-13295 seeks to add two new wells to the one authorized by certificate 32394 and to change the POU for 14 acres. The location is just south of Malheur Lake. The certificate proposed for transfer is C 32394 (which is also one of the three certificates proposed for transfer in T-13363 (proposed for denial by PD dated 4-14-2021). Simultaneous to filing T-13925, GRF is also seeking T-13924 and T-13926, seeking to transfer the other two certificates involved in T-13363 (C 91644 and C 91418, respectively). WaterWatch incorporates its comments, standing statement and protest for T-13363 fully here.

Comments

1. The transfer cannot be granted because the water proposed for transfer has not been used "over the past five years according to the terms and conditions of the owner's water right certificate." ORS 540.520(1)(g).

- a) WRD should fully investigate and verify the water use that was reported for certificate 91644 in 2020 and 2021 to ensure it was made in accordance with the terms of the permit including the authorized POA and POU.

We urge WRD to fully investigate and confirm whether any water use occurred in accordance with the terms of certificate 91644 within the last five years.

2. Any injury analysis must include any domestic wells, including exempt domestic wells, that could be impacted by the five new wells, as well as injury to surface water rights.

If WRD considers issuing this transfer (which it should not for the reasons described above), WRD must consider domestic wells, including exempt domestic wells, in the injury analysis. A

WaterWatch of Oregon

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Southern Oregon Office: PO Box 261, Ashland, OR 97520

www.waterwatch.org

Main Office: 503.295.4039

S. OR Office: 541.708.0048

groundwater use that is exempt under ORS 537.545(1), including any exempt domestic well, "to the extent that the use is beneficial, constitutes a right to appropriate ground water equal to that established by a ground water right certificate issued under ORS 537.700 (Issuing ground water right certificate)." ORS 537.545(2). Further, exempt domestic wells can be regulated for or against, using the date of the well log for regulation involving exempt wells. ORS 537.545(4).

To the extent WRD relies upon the phrase "fully penetrates the aquifer" in OAR 690-008-0001(8)(c) to not evaluate any domestic well for injury if that well is not drilled to the bottom of the aquifer, either that interpretation of the rule is not consistent with the rule or the rule is unlawful because it is contrary to ORS 537.525 which requires WRD to manage groundwater so as to maintain reasonably stable groundwater levels and within the capacity of the resource. A rule requiring to fail to recognize injury to a well unless that well is drilled to the bottom of the aquifer would contravene the statute and therefore exceed WRD's authority and be unlawful.

Finally, the injury analysis should also carefully consider injury to nearby surface water rights including those held by the Malheur National Wildlife Refuge.

4. WRD lacks authority to add additional well locations because the transfer statute allows only a change of point of diversion.

ORS 540.510 and ORS 540.530 authorize WRD to approve a *change* a point of diversion if certain standards are met. WRD lacks authority to approve a transfer, such as this one, that proposes five well locations that are in addition to the authorized wells but does not in fact change the authorized well locations. WRD lacks statutory authority to approve the addition of wells proposed in a transfer.

5. WRD should not allow GRF to have multiple pending overlapping transfer applications.

GRF has multiple overlapping and conflicting transfer applications affecting the same acreage that are in various states of denial or processing. GRF makes various representations regarding withdrawing various applications or portions of applications if others were granted. WRD should not allow this. If GRF wants to file a new transfer application with "To" lands that overlap existing rights or other pending transfers, it needs to cancel those acres or amend the other pending transfer first. There is no authority for WRD to consider new transfer applications that conflict/overlap in this manner.

6. If the water cannot be accessed at the current points of appropriation or otherwise used at the current places of use, then the transfer would result in enlargement and cannot be granted.

The last thing the Harney Basin needs is five new wells to be brought into production that are replacing wells that cannot produce the full rate or duty. That would be enlargement and would only drive the basin further into its already alarming state of over-allocation. If WRD considers issuing this transfer, we urge WRD to fully investigate the status of water use and available water use for certificate 91418 to determine whether the transfer would result in enlargement.

Thank you for the opportunity to comment. Please do not hesitate to contact me with any questions.

Sincerely,

/s/Lisa Brown

Lisa Brown

Staff Attorney

WaterWatch of Oregon

503.295.4039 x4

lisa@waterwatch.org

STATE OF OREGON
COUNTY OF HARNEY
CERTIFICATE OF WATER RIGHT

This Is to Certify, That JOHN or GEORGIA CROW

of 86 South Fir, Burns, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of Well No. 1

a tributary of Malheur Lake
irrigation of 75.53 acres

for the purpose of

under Permit No. G-1463 of the State Engineer, 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 2, 1959

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 0.94 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 1, T. 27 S., R. 31 E., W. M. Well located 1562 feet South and 21 feet East from the North quarter corner of Section 1

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:

40.53 acres Lot 2 (NW $\frac{1}{4}$ NE $\frac{1}{4}$)
35.00 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
Section 1
T. 27 S., R. 31 E., W. M.

This certificate is issued to correct & supersede the water right certificate recorded in State Record of Water Right Certificates, Volume 24, page 32083, so as to correctly show the quantity of water.

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 State Engineer, affixed

this date. August 9, 1965

CHRIS L. WHEELER

State Engineer

Recorded in State Record of Water Right Certificates, Volume 24, page 32394



WaterWatch of Oregon

Protecting Natural Flows In Oregon Rivers

March 31, 2022

Tamara Smith
OWRD

via email: tamera.l.smith@oregon.gov

Re: WaterWatch of Oregon's Initial Comments regarding T-13925 (Golden Rule Farms)

Dear Ms. Smith:

Thank you for the opportunity to comment on T-13925 in the name of Golden Rule Farms (GRF). We urge that the transfer be denied for failing to meet statutory requirements outlined below. Should a PD be issued, we may raise additional issues as we compile additional information on this matter.

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1. The transfer cannot be granted because the water proposed for transfer has not been used "over the past five years according to the terms and conditions of the owner's water right certificate." ORS 540.520(1)(g).

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We urge WRD to fully investigate and confirm whether any water use occurred in accordance with the terms of certificate 91644 within the last five years.

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groundwater use that is exempt under ORS 537.545(1), including any exempt domestic well, "to the extent that the use is beneficial, constitutes a right to appropriate ground water equal to that established by a ground water right certificate issued under ORS 537.700 (Issuing ground water right certificate)." ORS 537.545(2). Further, exempt domestic wells can be regulated for or against, using the date of the well log for regulation involving exempt wells. ORS 537.545(4).

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Thank you for the opportunity to comment. Please do not hesitate to contact me with any questions.

Sincerely,

/s/Lisa Brown

Lisa Brown

Staff Attorney

WaterWatch of Oregon

503.295.4039 x4

lisa@waterwatch.org

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # **137708**

725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

INVOICE # _____

RECEIVED FROM: Golden Rule Farms
BY: _____

CASH: ☐ CHECK: # 19679 OTHER: (IDENTIFY) ☐

APPLICATION _____
PERMIT _____
TRANSFER T-13925

TOTAL REC'D \$ 1,564.60

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES 47124 R 11358.23 \$ _____
0412 OTHER: (IDENTIFY) Transfer Reimbursement Authority \$ 1,564.60
0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES \$ _____
0410 RESEARCH FEES \$ _____
0408 MISC REVENUE: (IDENTIFY) _____ \$ _____
TC162 DEPOSIT LIAB. (IDENTIFY) _____ \$ _____
0240 EXTENSION OF TIME \$ _____

WATER RIGHTS:

	EXAM FEE		RECORD FEE
0201 SURFACE WATER	\$ _____	0202	\$ _____
0203 GROUND WATER	\$ _____	0204	\$ _____
0205 TRANSFER	\$ _____		

WELL CONSTRUCTION

	EXAM FEE		LICENSE FEE
0218 WELL DRILL CONSTRUCTOR	\$ _____	0219	\$ _____
LANDOWNER'S PERMIT		0220	\$ _____

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$ _____ CARD# _____
0210 MONITORING WELLS \$ _____ CARD# _____
OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FWWRD) \$ _____
0231 HYDRO LICENSE FEE (FWWRD) \$ _____
HYDRO APPLICATION \$ _____

TREASURY OTHER / RDX

FUND _____ TITLE _____
OBJ. CODE _____ VENDOR # _____
DESCRIPTION \$ _____

RECEIPT: **137708**

DATE: 3-18-2022 BY: [Signature]

Selco-Checking

OWRD

MAR 18 2022

RECEIVED

T-13925 (Crow)

1,564.60

3/16/2022

19679

Golden Rule Farms
OWRD

MAR 18 2022

Salem, OR

**REIMBURSEMENT AUTHORITY
APPLICANT'S AGREEMENT**
Contract Number: R11-358-23

This Agreement is between the **Oregon Water Resources Department**, hereafter OWRD, and **Golden Rule Farms, Inc.**, hereafter Applicant, hereafter known together as the parties.

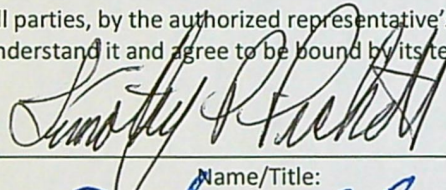
OWRD Information	Applicant's Information	Applicant's Representative
Contact: Kelly Starnes Title: Transfer Advisor Address: 725 Summer Street, NE, Suite A Salem, OR 97301-1266 Phone: 503 979-3511 Fax: 503 986-0901 Email: patrick.k.starnes@water.oregon.gov	Name: Golden Rule Farms, Inc. Contact: Address: PO Box 225 Christmas Valley, OR 97641 Phone: (541) 576-2273 Fax: Email: goldenrulefarms@gmail.com	Name: Schwabe, Williamson & Wyatt Contact: Elizabeth Howard/Lindsay Thane Address: 1211 SW 5 th Ave, Suite 1900 Portland, OR 97204 Phone: (503) 796-2093 Email: ehoward@schwabe.com Email: lthane@schwabe.com

Purpose The purpose of this Agreement is to expedite the processing of the **Transfer Application**. (**Application Number:** T-13925)

- Authority.** The OWRD has been authorized pursuant to ORS 536.055 to enter into a voluntary agreement with any applicant, permittee or regulated entity (collectively Applicant) for expediting or enhancing a regulatory process. In making this agreement, OWRD shall require the applicant to pay the full cost of expedited process.
- Restrictions.** Applicant and OWRD agree that this Agreement shall not be construed to restrict in any way the decisions and actions by OWRD. OWRD shall be free to exercise independent judgment consistent with existing laws and regulations.
- Effective Date and Duration.** Unless otherwise terminated by non-deposit of funds by the Applicant, this Agreement shall become effective on the date on which both parties have signed the Agreement and the full deposit of the estimated cost of the proposed service.
- Consideration.**
 - Applicant shall pay OWRD in advance for actual costs incurred by OWRD. The estimated maximum reimbursement payable to OWRD under this Agreement is **\$1,564.60**. Applicant agrees to pay the full amount of **\$1,564.60** to OWRD prior to commencement of any work stated in this Agreement. This payment will be placed in an account administered by OWRD and drawn upon as costs are actually incurred. If the actual cost of performing the work is less than payments received, OWRD will refund the unspent balance. If the actual cost of processing exceeds the estimate, the Applicant can either elect to terminate this Agreement or amend the Agreement to reflect the increase in cost.
 - The costs stated in this Agreement do not include the statutory application processing and filing fees.
- Confidentiality.** Applicant agrees that any information provided to or acquired by OWRD under this Agreement will be subject to the Oregon Public Records Law and shall be considered public records.
- Indemnity.** Applicant shall defend, save, hold harmless, and indemnify the State of Oregon, OWRD, and their officers, employees, and agents from and against all claims, suits, actions, losses, damages, liabilities, costs, and expenses of any nature resulting from or arising out of, or relating to the activities of Applicant or its representatives, officers, employees, contractors, or agents under this Agreement or with respect to the expedited service. The Applicant acknowledges that the Oregon Water Resources Department cannot and does not guarantee a favorable review under the subject regulatory process.

7. **Termination.** Applicant may request to terminate this agreement only in writing at anytime during the process. The Applicant agrees to pay for the work done by OWRD up until the time of the written termination request. OWRD, upon receiving such written termination request from the Applicant, will refund any unspent balance.
8. **Funds Authorized and Available.** By its execution of this Agreement, Applicants certify that sufficient funds are authorized and available to cover the expenditures contemplated by this Agreement.
9. **Duration of Estimate.** The Estimate of Time to completion is **approximately** 120 days once this Agreement has been fully executed and payment of the estimated cost deposited. If the Applicant's Agreement is not received by the Department within thirty (30) days of mailing the Agreement, the Applicant may need to re-apply for a new estimate. NOTE: Any time estimate is approximate; No guarantee of Final Order issuance of a date is certain. Duration estimates do not include any statutory waiting periods.
10. **Completion Date.** OWRD, by the execution of this Agreement does not guarantee the completion date indicated in this Agreement. Completion date is only an estimate and may be affected by the Department's workload, issues arising from the processing of the requested services and Applicant's timely response to requests for additional information. **IMPORTANT:** Due to COVID-19 and actions taken by the State of Oregon to facilitate teleworking as a tool to help prevent the spread of the disease, Department processes for Reimbursement Authority may be unavoidably delayed.
11. **Captions.** The captions or headings in this Agreement are for the convenience only and in no way define, limit, or describe the scope, or intent, of any provision of this Agreement.
12. **Amendment and Merger.** The terms of this Agreement shall not be waived, altered, modified, supplemented, or amended in any manner whatsoever, except by written instrument signed by both parties. Such waiver, consent, modification or change, if made, shall be effective only in the specific instance and for the specific purpose given. There are no understandings, agreements or representations, oral or written, not specified herein regarding this Agreement.
13. **Signatures.** All parties, by the authorized representative's signature below, hereby acknowledge that they have read this Agreement, understand it and agree to be bound by its terms and conditions.

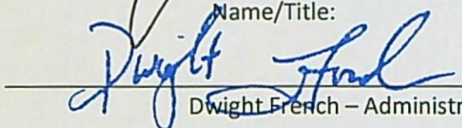
For Applicant:



Name/Title:

3-15-22
Date

For OWRD:



Dwight French – Administrator

3-23-2022
Date

Mail signed Agreement to:

Stacy Phillips
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1266

RECEIVED
MAR 18 2022
OWRD

GOLDEN RULE RA R11-358-23 T-13925				
Front Desk Staff receipts received AA funds				
Transfer Support process Application				
Administrator signs AA				
NRS 1 Support enters workflow record in WRIS and updates RA spreadsheet				
NRS 2 completes initial review of file for deficiencies				
NRS 2 consults with Kelly and/or Lisa				
NRS 2 writes and sends deficiency ltr (email and hard copy)				
NRS 2 addresses correspondence from app/agent regarding deficiencies				
Watermaster completes review				
Groundwater completes review				
NRS 2 completes DPD and PN				
Transfer staff peer reviews DPD and PN				
Transfer Analyst completes policy check at DPD stage				
NRS 2 sends DPD to app/agent by email and/or mail				
NRS 2 drafts and sends revised DPD				
Transfer Staff peer reviews revised DPD				
Transfer Analyst peer reviews revised DPD				
NRS 2 reviews report of ownership				
NRS 2 completes PD				
Transfer Staff peer reviews PD				
Transfer Analyst peer reviews PD				
Data Center reviews PD AND RR: (RR where applicable)				
Transfer Analyst completes peer review of PN review for newspaper noticing				
Transfer Support requests newspaper quote for PN publishing				
NRS 2 sends publishing fee request to applicant				
Transfer Support processes fee and newspaper publishing				
Transfer Support processes public notice (dept notice)				
Administrator signs PD				
NRS 2 completes FO				
Transfer Staff peer reviews FO				
Transfer Analyst peer reviews FO				
Administrator signs FO				
Transfer Support issues FO, updates WRIS, copy to file, record markings, and sends hard copy				
NRS 1 closes out RA Contract				
TOTAL ESTIMATE HOURS	28.22			
			TOTAL	\$1,564.60

PHILLIPS Stacy H * WRD

From: SMITH Tamera L * WRD
Sent: Thursday, March 17, 2022 11:19 AM
To: PHILLIPS Stacy H * WRD
Subject: FW: FW: Transfers South Malheur Lake, Harney Basin

Continued commentary for timely comments from Laurie O'Connor for the three new Golden Rule applications.

Thx, T

From: Laurie O'Connor <laurieoc53@gmail.com>
Sent: Tuesday, March 15, 2022 12:07 PM
To: SMITH Tamera L * WRD <Tamera.L.SMITH@water.oregon.gov>
Subject: Re: FW: Transfers South Malheur Lake, Harney Basin

Tamera,

As a lay person, unpeeling these applications can be very challenging. From the ground, living here and knowing the area and history, several questions come to mind on applications such as these. Typically, an irrigator seeks to transfer POA AFTER they have lost a well or two, or the costs of deepening no longer serve their profit margin. Speaking to neighbors, there is also some question as to the continuity of beneficial use on the original POA. Who monitors year-by-year, or even decade-by-decade? Not a local harried Water Master! There is a chance the original well(s) was/were technically abandoned. There may also be some challenge to whether these transfers are technically even in the same aquifer.

The other sad fact is that OWRD has never actively sought information about injury to local wells anywhere, and certainly not adjacent to this transfer. Locals do not know they have recourse through filing reports on injured or dry wells. In fact, in the past two years, two historically sound stock wells and one domestic well in this area have completely failed. Another neighbor is currently experiencing drastic drawdown in their historic stock well, and fully expect total failure soon. All are being injured, but none trust an "agency" to protect them.

How to change the culture in OWRD to embrace a sustainable future for our water? How can private citizens possibly find justice and science against the economic opportunism of heavily-lawyered corporations?

The fact that Harney Basin has been in a critical water study for six years now and yet OWRD does nothing to decrease extraction is appalling. I hope that those of you reviewing these permits have the ability to serve science.

Sincerely,
Laurie O'Connor
541-306-1550

On Mon, Mar 14, 2022 at 3:53 PM SMITH Tamera L * WRD <Tamera.L.SMITH@water.oregon.gov> wrote:

Good afternoon Laurie,

The Department understands your concerns about transfer applications T-13924, -25, and -26.

These are not yet in my caseload and unfortunately I do not have the ability at this time to tell you whether or not these transfers will be approved. What I can tell you is that water rights that are perfected (Certificated) can be subject to transfer as long as they do not cause injury to other water users or enlargement of the right. From a quick superficial look through the transfers, it appears that Golden Rule is applying to move some of their water rights around (POU - place of use changes) and changing and/or adding wells (POA/APOA). You might think of a transfer application as a request to make these changes. An application does not guarantee that the transfer will be approved.

It's early days so far as making any decisions on these transfers, which will require reviews by the watermaster and groundwater section.

Since you emailed during the comment period, your email is considered a timely comment. You will be added to the list to receive updates as the Department processes the transfers.

Thank you for your inquiry.

Kindest regards,

Tamera Smith

From: PHILLIPS Stacy H * WRD <Stacy.H.PHILLIPS@water.oregon.gov>
Sent: Monday, March 14, 2022 3:29 PM
To: Laurie O'Connor <laurieoc53@gmail.com>
Cc: SMITH Tamera L * WRD <Tamera.L.SMITH@water.oregon.gov>; STARNES Patrick K * WRD <Patrick.K.STARNES@water.oregon.gov>
Subject: RE: Transfers South Malheur Lake, Harney Basin

Hello Laurie,

Your request for information has been passed along to Kelly Starnes. He is the program lead for Transfers and can better assist you with your inquiry. My apologies with the delay in response.

Thanks,

PHILLIPS Stacy H * WRD

From: Laurie O'Connor <laurieoc53@gmail.com>
Sent: Wednesday, March 09, 2022 9:59 AM
To: PHILLIPS Stacy H * WRD
Subject: Transfers South Malheur Lake, Harney Basin

Stacy,

I am a rural resident in Harney County and a six year participant in the Harney Basin Water Collaborative. As a mere citizen, I try to keep an eye on local water applications, and am very aware of declining and failing wells all around me. Even though our area has been designated a critical water study and technically many regions here should have been regulated under severe decline conditions--years ago!--extensions, transfers, drilling are in frenzy mode. How can that be?

In the March 1 public notice for water use requests there are three transfer applications in an area that I know is under stress. T-13924, T-13925, T-13926, which combined add up to just about 5cfs asks. As a layperson, I find these documents very convoluted. But knowing that exempt wells and springs have failed right next to this exact area, convinces me that there will be injury to others if such requests move forward.

Can you give me a call and explain the background on these requests, and help me understand why they should be granted? I may be overlooking some legal or technical reason that Golden Rule Farms should be allowed to expand their production here, but aside from that, I am convinced that such practices have not been sustainable, and most definitely will not be sustainable in the near future.

Sincerely,
Laurie O'Connor
541-306-1550

P.S. I may not be able to take your call during the work day, but if you leave me a good time to reach you, I will return your call. Thank you!

PHILLIPS Stacy H * WRD

From: Thane, Lindsay M. <LThane@SCHWABE.com>
Sent: Sunday, February 27, 2022 6:16 PM
To: PHILLIPS Stacy H * WRD
Cc: 'Timothy P. Puckett (goldenrulefarms@gmail.com)'; Howard, Elizabeth E.
Subject: Additional Applicant Agent for T-13925 and T-13926 [IWOV-pdx.FID4532652]

Categories: Project

Good Evening Stacy,

Will you please add me as the applicant's agent, in addition to Elizabeth Howard, for transfer applications T-13925 and T-13926? I believe you are the caseworker assigned to both applications.

Thank you,
Lindsay

Lindsay Thane

Associate

Pronouns: she, her, hers

D: 503-796-2059

lthane@schwabe.com

SCHWABE, WILLIAMSON & WYATT
CLIENT SHOWCASE | INNOVATING FOR GOOD

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STATE OF OREGON
WATER RESOURCES DEPARTMENT
725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

RECEIPT # 137512

INVOICE #

RECEIVED FROM:

Golden Rule Farms

BY:

APPLICATION

PERMIT

TRANSFER

7-13725

CASH:

CHECK: #

OTHER: (IDENTIFY)

☐

19546

☐

TOTAL REC'D \$ *125.00*

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES

47124

R 11358.23

\$

0412 OTHER:

(IDENTIFY)

Transfer Reimbursement Authority

\$ *125.00*

0243 I/S Lease

0244 Muni Water Mgmt. Plan

0245 Cons. Water

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES

\$

0410 RESEARCH FEES

\$

0408 MISC REVENUE: (IDENTIFY)

\$

TC162 DEPOSIT LIAB. (IDENTIFY)

\$

0240 EXTENSION OF TIME

\$

WATER RIGHTS:

EXAM FEE

RECORD FEE

0201 SURFACE WATER

\$

0202

\$

0203 GROUND WATER

\$

0204

\$

0205 TRANSFER

\$

WELL CONSTRUCTION

EXAM FEE

LICENSE FEE

0218 WELL DRILL CONSTRUCTOR

\$

0219

\$

LANDOWNER'S PERMIT

0220

\$

OTHER

(IDENTIFY)

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE

\$

CARD#

0210 MONITORING WELLS

\$

CARD#

OTHER

(IDENTIFY)

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD)

\$

0231 HYDRO LICENSE FEE (FW/WRD)

\$

HYDRO APPLICATION

\$

TREASURY

OTHER / RDX

FUND TITLE

OBJ. CODE VENDOR #

DESCRIPTION

\$

RECEIPT: 137512

DATED: *2-18-2022*

BY: *[Signature]*

Distribution - White Copy - Customer, Yellow Copy - Fiscal, Blue Copy - File, Buff Copy - Fiscal

Selco-Checking

OWRD

FEB 18 2022

RECEIVED

FEB 14 2022

RECEIVED

Crow Reimbursement Authority Application

2/9/2022

125.00

19546

Golden Rule Farms
OWRD



OREGON WATER RESOURCES DEPARTMENT
TRANSFER REIMBURSEMENT AUTHORITY
ESTIMATE APPLICATION



ORS 536.055 authorizes the Oregon Water Resources Department to expedite or enhance regulatory processes voluntarily requested under the agreement.

Please contact Transfer Personnel before submitting this request; as the application fee is a non-refundable \$125.00 fee per request. Checks submitted for this application should be separate from Transfer fees.

The purpose of this application is to obtain estimates of the cost and time required to process a Transfer Application Request. **There is a non-refundable application fee of \$125.00 per request.**

REQUEST	TYPE	FILE NUMBER
<input checked="" type="checkbox"/>	Transfer Application	No transfer number yet designated. Transfer is for Certificate 32394. Transfer Number <u>T-13925</u>

Applicant Information		Applicant's Representative/Contact
Name:	<u>Golden Rule Farms, Inc.</u>	<u>Elizabeth Howard and Lindsay Thane</u>
Address:	<u>P.O. Box 225</u>	<u>1211 SW 5th Ave., Suite 1900</u>
	<u>Christmas Valley, OR 97641</u>	<u>Portland, OR 97204</u>
Phone:	<u>541-576-2273</u>	<u>503-796-2093</u>
Fax:	_____	_____
E-Mail Address:	<u>goldenrulefarms@gmail.com</u>	<u>ehoward@schwabe.com and lthane@schwabe.com</u>

I understand the following:

- That upon receipt of my non-refundable application fee of **\$ 125.00**, OWRD will, within fourteen (14) days, notify me in writing of the estimate of costs and time frame for the expedited service.
- That this fee covers the reimbursement authority staff to evaluate and provide the estimate for processing of the request.
- That OWRD will, within fourteen (14) days, notify me in writing of the estimates of costs and time frame for the expedited service.
- That upon receiving the estimate I may agree or decline to enter into a formal contract to pay the estimated cost in advance to initiate the expedited service.
- An incomplete or inaccurate application may delay the process and increase the cost to process my request.
- Expedited processing does not guarantee a favorable review of my request.
- Send completed Application and payment to:

Oregon Water Resources Department
Transfer Reimbursement Authority Program
725 Summer St. NE, Suite A
Salem, OR 97301-1271

I certify that I am the (check one):

☒ Applicant ☐ Applicant's Representative ☐ Other (Please specify) _____

Name: Tim Puckett

Signature: _____

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FEB 18 2022

OWRD

OWRD USE ONLY: Reimbursement Authority Number: R11-358-23



Oregon
Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

February 25, 2022

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

Reference: Application T-13925

On February 18, 2022, OWRD received your water right Permanent Transfer Application. The application was accompanied by \$3340.00. Our receipt number 137522 is enclosed.

By copy of this letter, we are asking the Watermaster for a report regarding the potential for injury to existing water rights which may be caused by the requested change. A review form will also be sent to our groundwater staff to determine whether the proposed well accesses the same source of water as the original well.

This application may require publication of a notice for two consecutive weeks in a newspaper with general circulation in the area where the water right is located. If it is determined that newspaper notice will be required, the Department will prepare the notice and notify you of the cost. You will be responsible for submitting payment to the Department prior to publication of the notice.

Except as provided under ORS 540.510(3) for municipalities, you may not use water in the new place of use or from the new point of appropriation until a final order approving the transfer application has been issued by the Department. In order to avoid any possible forfeiture of the water right, you should continue to use the water as described by your existing water right.

If the land is sold before the application is approved, the buyer's consent to the application will be required unless a recorded deed or other legal document clearly established that the water right was not conveyed in the sale.

Refer to the following page for a chart showing the steps and expected timelines for the processing of your application.

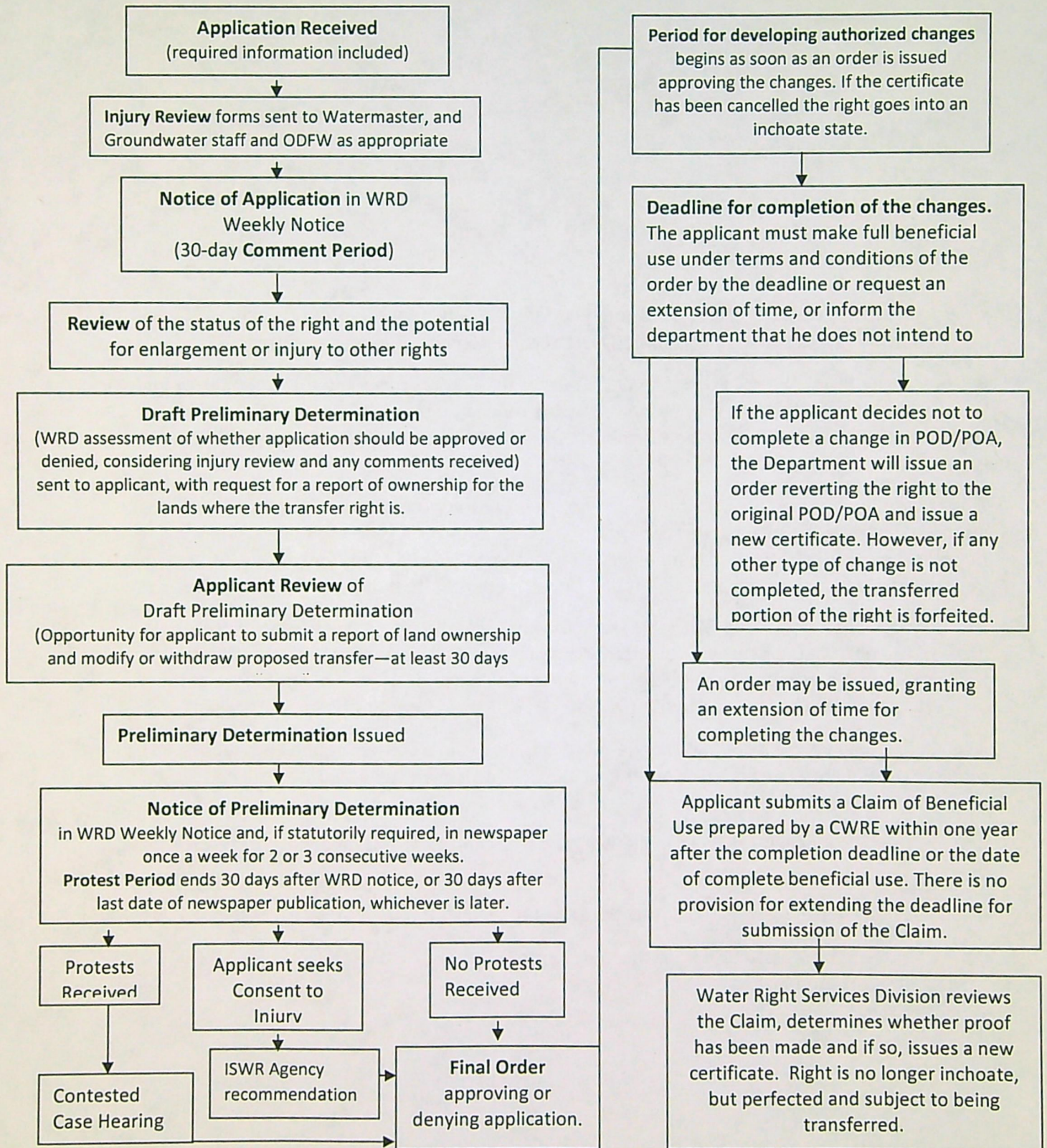
If you have any questions, please contact the Transfer Section at (503) 979-9931.

Cc: Watermaster Dist. #10, J R. Johnson (*via email*)
Elizabeth Howard, Agent
Harney County

Enclosure

Regular Transfer Process (including "Proving Up" on the changes)

OAR 690 Division 380



Golden Rule Farms
OWRD

Crow Transfer

2/9/2022

3,340.00

19543

RECEIVED

FEB 18 2022

RECEIVED

FEB 14 2022

OWRD

Selco-Checking

3,340.00

STATE OF OREGON
WATER RESOURCES DEPARTMENT
725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

RECEIPT # 137522

INVOICE #

RECEIVED FROM: Golden Rule Farms

BY:

CASH: ☐ CHECK: # 19543 OTHER: (IDENTIFY) ☐

APPLICATION
PERMIT
TRANSFER T-13925

TOTAL REC'D \$3,340.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES \$

OTHER: (IDENTIFY) \$

0243 I/S Lease 0244 Muni Water Mgmt. Plan 0245 Cons. Water

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES \$

0410 RESEARCH FEES \$

0408 MISC REVENUE: (IDENTIFY) \$

TC162 DEPOSIT LIAB. (IDENTIFY) \$

0240 EXTENSION OF TIME \$

WATER RIGHTS:

0201 SURFACE WATER \$

0203 GROUND WATER \$

0205 TRANSFER \$3,340.00

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR \$

LANDOWNER'S PERMIT

OTHER (IDENTIFY)

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$

0210 MONITORING WELLS \$

OTHER (IDENTIFY)

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD) \$

0231 HYDRO LICENSE FEE (FW/WRD) \$

HYDRO APPLICATION \$

TREASURY OTHER / RDX

FUND TITLE

OBJ. CODE VENDOR #

DESCRIPTION

\$

RECEIPT: 137522

DATED: 2-18-2022 BY: [Signature]

Distribution - White Copy - Customer, Yellow Copy - Fiscal, Blue Copy - File, Buff Copy - Fiscal

Application for Permanent Water Right Transfer



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.oregon.gov/OWRD

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.

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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.
- ☒ Part 4 – Completed Applicant Information and Signature.
- ☒ Part 5 – Information about Water Rights to be Transferred: **How many water rights are to be transferred? 1 List them here: 32394**

Please include a separate Part 5 for each water right. (See instructions on page 6)

NOTE: A separate transfer application is required for each water right unless the criteria in OAR 690-380-3220 are met.

Attachments:

- ☒ Completed Transfer Application Map.
- ☒ Completed Evidence of Use Affidavit and supporting documentation.
- ☐ ☒ N/A 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 Oregon Water Resources Department's Land Use Information Form with approval and signature (or signed land use form receipt stub) from each local land use authority in which water is to be diverted, conveyed, and/or used. 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.

(For Staff Use Only)

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

- | | |
|--|--|
| <input type="checkbox"/> Application fee not enclosed/insufficient | <input type="checkbox"/> Map not included or incomplete |
| <input type="checkbox"/> Land Use Form not enclosed or incomplete | <input type="checkbox"/> Evidence of Use Form not enclosed or incomplete |
| <input type="checkbox"/> Additional signature(s) required | <input type="checkbox"/> Part _____ is incomplete |

Other/Explanation _____

Staff: _____ 503- _____ Date: ____/____/____

FEB 18 2022

Part 2 of 5 – Transfer Application Map

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°).

Part 3 of 5 – Fee Worksheet

FEE WORKSHEET for PERMANENT TRANSFER (except Substitution)			
1	Base Fee (includes one type of change to one water right for up to 1 cfs)	1	\$1,360
	Types of change proposed: <input checked="" type="checkbox"/> Place of Use <input type="checkbox"/> Character of Use <input checked="" type="checkbox"/> Point of Diversion/Appropriation Number of above boxes checked = <u>2 (2a)</u> Subtract 1 from the number in line 2a = <u>1 (2b)</u> <i>If only one change, this will be 0</i>		
2	Multiply line 2b by \$1090 and enter »	2	\$1,090
	Number of water rights included in transfer <u>1 (3a)</u> Subtract 1 from the number in line 3a above: <u>0 (3b)</u> <i>If only one water right this will be 0</i>		
3	Multiply line 3b by \$610 and enter »	3	\$0
	Do you propose to add or change a well, or change from a surface water POD to a well? <input type="checkbox"/> No: enter 0 <input checked="" type="checkbox"/> Yes: enter \$480 for the 1 st well to be added or changed <u>\$480 (4a)</u> Do you propose to add or change additional wells? <input type="checkbox"/> No: enter 0 <input checked="" type="checkbox"/> Yes: multiply the number of additional wells by \$410 <u>\$410 (4b)</u>		
4	Add line 4a to line 4b and enter »	4	\$890
	Do you propose to change the place of use or character of use? <input type="checkbox"/> No: enter 0 on line 5 <input checked="" type="checkbox"/> Yes: enter the cfs for the portions of the rights to be transferred (see below*): <u>.018 (5a)</u> Subtract 1.0 from the number in 5a above: <u>0 (5b)</u> If 5b is 0 or less, enter 0 on line 5 » If 5b is greater than 0, round up to the nearest whole number: <u>0 (5c)</u> and multiply 5c by \$410, then enter on line 5 »		
5		5	0
6	Add entries on lines 1 through 5 above » » » » » » » » » » Subtotal:	6	\$3,340
	Is this transfer: <input type="checkbox"/> necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? <input type="checkbox"/> endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat? If one or more boxes is checked, multiply line 6 by 0.5 and enter on line 7 »		
7	If no box is applicable, enter 0 on line 7 »	7	0
8	Subtract line 7 from line 6 » Transfer Fee:	8	\$3,340

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*Example for Line 5a calculation to transfer 45.0 acres of Primary Certificate 12345 (total 1.25 cfs for 100 acres) and 45.0 acres of Supplemental Certificate 87654 (1/80 cfs per acre) on the same land:

1. For irrigation calculate cfs for each water right involved as follows:
 - a. Divide total authorized cfs by total acres in the water right (*for C12345, $1.25 \text{ cfs} \div 100 \text{ ac}$*); then multiply by the number of acres to be transferred to get the transfer cfs (*$\times 45 \text{ ac} = 0.56 \text{ cfs}$*).
 - b. If the water right certificate does not list total cfs, but identifies the allowable use as 1/40 or 1/80 of a cfs per acre; multiply number of acres proposed for change by either 0.025 (1/40) or 0.0125 (1/80). (*For C87654, $45.0 \text{ ac} \times 0.0125 \text{ cfs/ac} = 0.56 \text{ cfs}$*)
2. Add cfs for the portions of water rights on all the land included in the transfer; however **do not count cfs for supplemental rights on acreage for which you have already calculated the cfs fee for the primary right on the same land**. The fee should be assessed only once for each "on the ground" acre included in the transfer. (*In this example, blank 5a would be only 0.56 cfs, since both rights serve the same 45.0 acres. Blank 5b would be 0 and Line 5 would then also become 0).*

FEE WORKSHEET for SUBSTITUTION			
1	Base Fee (includes change to one well)	1	\$990.00
	Number of wells included in substitution _____ (2a) Subtract 1 from the number in 2a above: _____ (2b) <i>If only one well this will be 0</i>		
2	Multiply line 2b by \$480 and enter » » » » » » » » » » » » » » » »	2	
3	Add entries on lines 1 through 2 above » » » » » » Fee for Substitution:	3	

Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME Golden Rule Farms, Inc.		PHONE NO. 541-576-2273	ADDITIONAL CONTACT NO.
ADDRESS P.O. Box 225		FAX NO.	
CITY Christmas Valley	STATE OR	ZIP 97641	E-MAIL goldenrulefarms@gmail.com
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.			

Agent Information – The agent is authorized to represent the applicant in all matters relating to this application.

AGENT/BUSINESS NAME Elizabeth Howard		PHONE NO. 503-796-2093	ADDITIONAL CONTACT NO.
ADDRESS 1211 SW 5th Ave, Suite 1900		FAX NO.	
CITY Portland	STATE OR	ZIP 97204	E-MAIL ehoward@schwabe.com
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.			

Explain in your own words what you propose to accomplish with this transfer application, and why:
This transfer application proposes to move the place of use and the points of appropriation to a nearby property that will allow Golden Rule Farms to more efficiently farm the properties it owns. Transfer T-13363 is currently pending with OWRD and proposes to move the place of use under Certificate 32394. If the transfer that is proposed in this application is approved, Golden Rule Farms will withdraw the portion of T-13363 involving Certificate 32394.

If you need additional space, continue on a separate piece of paper and attach to the application as "Attachment 1".

Check One Box

- ☒ By signing this application, I understand that, upon receipt of the draft preliminary determination and prior to Department approval of the transfer, I will be required to provide landownership information and evidence that I am authorized to pursue the transfer as identified in OAR 690-380-4010(5); **OR**
- ☐ I affirm the applicant is a municipality as defined in ORS 540.510(3)(b) and that the right is in the name of the municipality or a predecessor; **OR**
- ☐ I affirm the applicant is an entity with the authority to condemn property and is acquiring by condemnation the property to which the water right proposed for transfer is appurtenant and have supporting documentation.

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FEB 18 2022

OWRD

FEB 18 2022

By my signature below, I confirm that I understand:

OWRD

- Prior to Department approval of the transfer application, I may be required to submit payment to the Department for publication of a notice in a newspaper with general circulation in the area where the water right is located, once per week for two consecutive weeks. If more than one qualifying newspaper is available, I suggest publishing the notice in the following newspaper: Burns Times-Herald.
- Amendments to the application may only be made in response to the Department's Draft Preliminary Determination (DPD). The applicant will have a period of at least 30 days to amend the application to address any issues identified by the Department in the DPD, or to withdraw the application. Note that amendments may be subject to additional fees, pursuant to ORS 536.050.
- Failure to complete an approved change in place of use and/or change in character of use, will result in loss of the water right (OAR 690-380-6010).
- Refunds may only be granted upon request and, as set forth in ORS 536.050(4)(a), if the Director determines that a refund of all or part of a fee is appropriate in the interests of fairness to the public or necessary to correct an error of the Department.

I (we) affirm that the information contained in this application is true and accurate.

Applicant signature

Timothy Puckett

Print Name (and Title if applicable)

Date

Applicant signature

Print Name (and Title if applicable)

Date

Is the applicant the sole owner of the land on which the water right, or portion thereof, proposed for transfer is located? ☒ Yes ☐ No*

*If NO, include signatures of all deeded landowners (and mailing and/or e-mail addresses if different than the applicant's) or attach affidavits of consent (and mailing and/or e-mail addresses) from all landowners or individuals/entities to which the water right(s) were conveyed.

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:

https://www.oregon.gov/owrd/WRDFormsPDF/Transfer_Property_Transactions.pdf

RECEIVING LANDOWNER NAME			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS				FAX NO.
CITY	STATE	ZIP	E-MAIL	
Describe any special ownership circumstances:				
The confirming Certificate shall be issued in the name of: <input type="checkbox"/> Applicant <input type="checkbox"/> Receiving Landowner				

☐ 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	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	ADDRESS	
CITY	STATE	CITY



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 County Planning Dept.	ADDRESS 360 N. Alvord Avenue	
CITY Burns	STATE OR	CITY Burns

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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INSTRUCTIONS for editing the Application Form

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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.

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 # 32394

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Description of Water Delivery System

FEB 18 2022

System capacity: 0.94 cubic feet per second (cfs) OR

_____ gallons per minute (gpm)

OWRD

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. Water is pumped from the authorized point of appropriation and conveyed by buried conduit to a mainline that supplies wheel line sprinklers to irrigate the authorized place of use.

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)
Crow Well	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	HARN 1461	27	S	31	E	1	SW	NE	300	1562 feet South and 21 feet East from the North quarter corner of Section 1.
Briggs 1	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	HARN 1893	27	S	32	E	6	NE	NE	100	125 feet South and 915 feet West from the NE corner Section 6.
Briggs 2	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	HARN 1460	27	S	32	E	6	NE	NW	100	1280 feet South and 1 feet West from the North quarter corner Section 6.

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.

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 # 32394

List the change proposed for the acreage in each ¼ ¼. 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	¼	¼	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	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date				
EXAMPLE																										
2	S	9	E	15	NE	NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0		POD #5	1901
														2	S	9	E	2	SW	NW	500		5.0		POD #6	1901
													APOA	27	S	31	E	1	NW	NE	300	2	30.7	Irrigation	Crow Well, Briggs 1, Briggs 2	10/2/1959
													POU/APOA	27	S	31	E	1	NW	NE	300	2	0.1	Irrigation	Crow Well, Briggs 1, Briggs 2	10/2/1959
													APOA	27	S	31	E	1	SW	NE	300		30.6	Irrigation	Crow Well, Briggs 1, Briggs 2	10/2/1959
													POU/APOA	27	S	31	E	1	SW	NE	300		0.2	Irrigation	Crow Well, Briggs 1, Briggs 2	10/2/1959
													POU/APOA	27	S	31	E	1	SE	NE	200		13.93	Irrigation	Crow Well, Briggs 1, Briggs 2	10/2/1959
TOTAL ACRES:													TOTAL ACRES:							75.53						

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Additional remarks: 61.3 acres will remain at the current place of use (POU) and 14.23 acres will be transferred to a new POU. Of the 14.23 acres that will be transferred to a new POU: 13.93 acres will be moved to tax lot 200 at the location depicted in the map; 0.1 acres will be moved to the NW1/4, NE1/4 of Section 1 to fill a hole in the existing place of use that otherwise covers that quarter-quarter section; and 0.2 acres will be moved to the SW1/4, NE1/4, Section 1 to fill a hole in the existing place of use that otherwise covers that quarter-quarter section. Well Briggs 1 and Briggs 2 will be added as additional POAs for the remaining POU and for the new POU.

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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

If YES, list the certificate, water use permit, or ground water registration numbers: _____.



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.

For Substitution (ground water supplemental irrigation will be substituted for surface water primary irrigation)

Ground water supplemental Permit or Certificate # _____;

Surface water primary Certificate # _____.

RECEIVED**FEB 18 2022****For a change from Supplemental Irrigation Use to Primary Irrigation Use**

Identify the primary certificate to be cancelled. Certificate # _____

OWRD**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.

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

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.

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
See Well Logs										

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OCT 2 1959

File Original and
First Copy with the
STATE ENGINEER,
SALEM, OREGON

STATE ENGINEER WATER WELL REPORT

SALEM, OREGON STATE OF OREGON

61593

State Permit No.

State Well No.

27/31-15

(1) OWNER:

Name John Crow

Address Princeton Oregon

(2) LOCATION OF WELL:

County HARNEY Owner's number, if any—
1/4 1/4 Section 1 T. 27 R. 318 E.W.M.

Bearing and distance from section or subdivision corner

From NW 1/4 Section 1, Corner of Sec 1, T. 27 S. R. 31 E. W. M. thence 15 1/2' south along the 1/4 sec. line, thence 21' East.

(3) TYPE OF WORK (check):

New Well ☒ Deepening ☐ Reconditioning ☐ Abandon ☐
Abandonment, describe material and procedure in Item 11.

(4) PROPOSED USE (check):

Domestic ☐ Industrial ☐ Municipal ☐ Rotary ☐ Driven ☐
Irrigation ☒ Test Well ☐ Other ☐ Cable ☒ Jetted ☐
Dug ☐ Bored ☐

(5) TYPE OF WELL:

(6) CASING INSTALLED: Threaded ☐ Welded ☐
12" Diam. from 0 ft. to 110 ft. Gage 4
" Diam. from 0 ft. to 110 ft. Gage 4
" Diam. from 0 ft. to 110 ft. Gage 4

(7) PERFORATIONS:

Perforated? ☐ Yes ☒ No

Type of perforator used

SIZE of perforations in. by in.
perforations from 0 ft. to 110 ft.
perforations from 0 ft. to 110 ft.
perforations from 0 ft. to 110 ft.
perforations from 0 ft. to 110 ft.
perforations from 0 ft. to 110 ft.

(8) SCREENS:

Well screen installed ☐ Yes ☒ No

Manufacturer's Name Beck Model No. 8
Type Beck Slot size 1/8" Set from 0 ft. to 110 ft.
Diam. 12" Slot size 1/8" Set from 0 ft. to 110 ft.

(9) CONSTRUCTION:

Was well gravel packed? ☐ Yes ☒ No Size of gravel: 1/4"
Gravel placed from 0 ft. to 110 ft.
Was a surface seal provided? ☐ Yes ☒ No To what depth? 110 ft.
Material used in seal—
Did any strata contain unusable water? ☐ Yes ☒ No
Type of water? Pump Depth of strata
Method of sealing strata off

(10) WATER LEVELS:

Static level 12'-4" ft. below land surface Date
Artesian pressure lbs. per square inch Date

Log Accepted by:

[Signed] John Crow (Owner) Date Sept. 9, 1959

(11) WELL TESTS:

Drawdown is amount water level is lowered below static level

Was a pump test made? ☒ Yes ☐ No If yes, by whom? Crow

Yield: 1480 gal./min. with 9 ft. drawdown after 8 hrs.

" " " "

" " " "

Bailer test gal./min. with ft. drawdown after hrs.

Artesian flow g.p.m. Date

Temperature of water Was a chemical analysis made? ☐ Yes ☒ No

(12) WELL LOG:

Diameter of well 12" inches.

Depth drilled 118 ft. Depth of completed well 118 ft.

Formation: Describe by color, character, size of material and structure, and show thickness of aquifers and the kind and nature of the material in each stratum penetrated, with at least one entry for each change of formation.

MATERIAL	FROM	TO
Top soil	0	5
Hard pan	5	12
Grey basalt rock	12	21
Red cinders	21	49
Black lava rock	49	103
Black cinders	103	110
yellow bentonite	110	118

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Work started July 18, 1959 Completed Sept 5, 1959

(13) PUMP:

Manufacturer's Name Beck Type Beck H.P. 8

Well Driller's Statement:

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

NAME John W. Rosenberg (Person, firm, or corporation) (Type or print)

Address Princeton Ore.

Driller's well number

[Signed] John W. Rosenberg (well Driller)

License No. 272 Date Sept 9, 1959

State Well No. 27/31-16(1)
County HARVEY
Application No. G1593

OWNER: John Crow OWNER'S NO. 100

Description of measuring point: Lip of access pipe at L.S.D.

[illegible]

REMARKS:

STATE OF OREGON
WATER WELL REPORT
(as required by ORS 537.765)

AUG 15 1991
WATER RESOURCES DEPT.
SALEM, OREGON

(START CARD) # 20914

(1) OWNER:

Name Fredd Briggs
Address HC 72 Box 158
City Princeton State OR Zip 97721

(2) TYPE OF WORK:

☒ New Well ☐ Deepen ☐ Recondition ☐ Abandon

(3) DRILL METHOD

☒ Rotary Air ☐ Rotary Mud ☐ Cable
☐ Other

(4) PROPOSED USE:

☒ Domestic ☐ Community ☐ Industrial ☐ Irrigation
☐ Thermal ☐ Injection ☐ Other

(5) BORE HOLE CONSTRUCTION:

Special Construction approval Yes ☐ No ☒ Depth of Completed Well 36 ft.
Explosives used ☐ Yes ☒ No ☐ Type _____ Amount _____

HOLE		SEAL		Amount	
Diameter	From To	Material	From To	sacks or pounds	
16"	0 20	Cement	0 20	4 sacks	

How was seal placed: Method ☐ A ☐ B ☒ C ☐ D ☐ E
☐ Other

Backfill placed from _____ ft. to _____ ft. Material _____
Gravel placed from _____ ft. to _____ ft. Size of gravel _____

(6) CASING/LINER:

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing: 12"	+2	20	250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Liner:				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final location of sheets: _____

(7) PERFORATIONS/SCREENS:

☒ Perforations Method _____
☐ Screens Type _____ Material _____

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
20	30	1/8"	192	12"		<input checked="" type="checkbox"/>	<input type="checkbox"/>

(8) WELL TESTS: Minimum testing time is 1 hour

☒ Pump ☐ Bailer ☐ Air ☐ Flowing Artesian
Yield gal/min 1000 Drawdown 2" Drill stem at _____ Time 1 hr.

Temperature of water 68° Depth Artesian Flow Found _____

Was a water analysis done? ☐ Yes By whom _____

Did any strata contain water not suitable for intended use? ☐ Too little

☐ Salty ☐ Muddy ☐ Odor ☐ Colored ☐ Other _____

Depth of strata: _____

(9) LOCATION OF WELL by legal description:

County Harney Latitude 42 Longitude _____
Township 26 N or S Range 32 E or W, WM.
Section 31 S.E. 1/4 S.E. 1/4
Tax Lot _____ Lot _____ Block _____ Subdivision _____
Street Address of Well (or nearest address) _____

(10) STATIC WATER LEVEL:

10 ft. below land surface. Date 7/20/91
Artesian pressure _____ lb. per square inch. Date _____

(11) WATER BEARING ZONES:

Depth at which water was first found		Estimated Flow Rate	SWL
From	To		
30'	35'	1,000 gal/min	10'

(12) WELL LOG:

Material	From	To	SWL
Soil	0'	5'	6'
Grey Rock	5'	30'	8'
Black cinder (W.B.)	30'	36'	10'

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FEB 18 2022

OWRD

Date started 7/15/91 Completed 7/20/91

(unbonded) Water Well Constructor Certification:

I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon well construction standards. Materials used and information reported above are true to my best knowledge and belief.

Signed Dan Woodruff WWC Number 1500
Date 7-20-91

(bonded) Water Well Constructor Certification:

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

Signed Harold Woodruff WWC Number 1254
Date 7-20-91

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OCT 2 1959

File Original and
First Copy with the
STATE ENGINEER,
SALEM, OREGON

STATE ENGINEER WATER WELL REPORT

SALEM, OREGON

STATE OF OREGON

61593

State Permit No.

State Well No.

27/31-1

6(1)

(1) OWNER:

Name

Address

(2) LOCATION OF WELL:

County

Owner's number, if any—

1/4

Section

T.

R.

E.W.M.

Bearing and distance from section or subdivision corner

(3) TYPE OF WORK (check):

New Well ☒

Deepening ☐

Reconditioning ☐

Abandon ☐

Abandonment, describe material and procedure in Item 11.

(4) PROPOSED USE (check):

Domestic ☐

Industrial ☐

Municipal ☐

Irrigation ☒

Test Well ☐

Other ☐

(5) TYPE OF WELL:

Rotary ☐

Driven ☐

Cable ☐

Jetted ☐

Dug ☐

Bored ☐

(6) CASING INSTALLED:

Threaded ☐ Welded ☐

12" Diam. from 0 ft. to 10 ft. Gage 1

" Diam. from ft. to ft. Gage 4

" Diam. from ft. to ft. Gage

(7) PERFORATIONS:

Perforated? ☐ Yes ☒ No

Type of perforator used

SIZE of perforations

in. by

in.

perforations from ft. to ft.

perforations from ft. to ft.

perforations from ft. to ft.

perforations from ft. to ft.

perforations from ft. to ft.

(8) SCREENS:

Well screen installed ☐ Yes ☒ No

Manufacturer's Name

Type

Model No.

Slot size Set from ft. to ft.

Diam. Slot size Set from ft. to ft.

(9) CONSTRUCTION:

Was well gravel packed? ☐ Yes ☒ No Size of gravel:

Gravel placed from ft. to ft.

Was a surface seal provided? ☐ Yes ☒ No To what depth? ft.

Material used in seal—

Did any strata contain unusable water? ☐ Yes ☒ No

Type of water? Durf Depth of strata

Method of sealing strata off

(10) WATER LEVELS:

Static level 12-4" ft. below land surface Date

Artesian pressure lbs. per square inch Date

Log Accepted by:

[Signed] John Crow Date Sept 9, 1959

(Owner)

(11) WELL TESTS:

Drawdown is amount water level is lowered below static level

Was a pump test made? ☒ Yes ☐ No If yes, by whom? Crow

Yield: 1400 gal./min. with 9 ft. drawdown after 8 hrs.

" " " "

" " " "

" " " "

Bailer test gal./min. with ft. drawdown after hrs.

Artesian flow g.p.m. Date

Temperature of water Was a chemical analysis made? ☐ Yes ☒ No

(12) WELL LOG:

Diameter of well 12" inches.

Depth drilled 118 ft. Depth of completed well 118 ft.

Formation: Describe by color, character, size of material and structure, and show thickness of aquifers and the kind and nature of the material in each stratum penetrated, with at least one entry for each change of formation.

MATERIAL	FROM	TO
Top soil	0	5
Hard pan	5	12
Grey basalt rock	12	21
Red cinders	21	49
Black lava rock	49	103
Black cinders	103	110
yellow bentonite	110	118

RECEIVED

FEB 18 2022

OWRD

Work started July 18 1959 Completed Sept 5 1959

(13) PUMP:

Manufacturer's Name Bey Rely 8 "Coleman

Type: belt head H.P.

Well Driller's Statement:

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

NAME John Crow (Person, firm, or corporation) (Type or print)

Address Princeton Ore.

Driller's well number

[Signed] John W. Roopberg (Well Driller)

License No. 272 Date Sept 9, 1959

(USE ADDITIONAL SHEETS IF NECESSARY)

State Well No. 27/31-16(1)
County HARNEY
Application No. G1593

OWNER: John Crow OWNER'S NO. _____

Description of measuring point: Lip of access pipe at L.S.D.

[illegible]

REMARKS: _____

STATE OF OREGON
WATER WELL REPORT
(as required by ORS 537.765)

3 AUG 15 1991
AUG 15 1991
WATER RESOURCES DEPT.
SALEM, OREGON

(START CARD) # 20914

(1) OWNER:

Name Fredd Briggs
Address HC 72 Box 150
City Princeton State OR Zip 97721

(2) TYPE OF WORK:

☒ New Well ☐ Deepen ☐ Recondition ☐ Abandon

(3) DRILL METHOD

☒ Rotary Air ☐ Rotary Mud ☐ Cable
☐ Other

(4) PROPOSED USE:

☒ Domestic ☐ Community ☐ Industrial ☐ Irrigation
☐ Thermal ☐ Injection ☐ Other _____

(5) BORE HOLE CONSTRUCTION:

Special Construction approval Yes ☐ No ☒ Depth of Completed Well 36 ft.

Explosives used Yes ☐ No ☒ Type _____ Amount _____

HOLE		SEAL		Amount
Diameter	From To	Material	From To	sacks or pounds
10"	0' 20'	Cement	0' 20'	4 sacks

How was seal placed: Method ☐ A ☐ B ☒ C ☐ D ☐ E
☐ Other

Backfill placed from _____ ft. to _____ ft. Material _____
 Gravel placed from _____ ft. to _____ ft. Size of gravel _____

(6) CASING/LINER:

	Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing:	12"	72	20	250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<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"/>	<input type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Liner:					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final location of shoe(x)

(7) PERFORATIONS/SCREENS:

☒ Perforations Method _____
☐ Screens Type _____ Material _____

[illegible]

(8) **WELL TESTS:** Minimum testing time is 1 hour

☒ Pump ☐ Bailer ☐ Air ☐ Flowing
Yield gal/min Drawdown Drill stem at Time

1000	2"		1 hr.

Temperature of water 68° .. Depth Artesian Flow Found

Was a water analysis done? ☐ Yes By whom _____

Did any strata contain water, not suitable for intended use? ☐ Too little
☐ Salty ☐ Muddy ☐ Odor ☐ Colored ☐ Other _____

Depth of strata: _____

(9) LOCATION OF WELL by legal description:

County Harney Latitude 32 Longitude 118
Township 21 North Range 32 East W. WM.
Section 31 S.E. $\frac{1}{4}$ S.E. $\frac{1}{4}$
Tax Lot _____ Lot _____ Block _____ Subdivision _____
Street Address of Well (or nearest address) _____

(10) STATIC WATER LEVEL:

10 ft. below land surface. Date 1/20/91
Artesian pressure _____ lb. per square inch. Date _____

(11) WATER BEARING ZONES:

From	To	Estimated Flow Rate	SWL
30'	35'	1,000 gal/min	10'

(12) WELL LOG:

[illegible]

Date started 7/15/91 Completed 7/20/91

(unbonded) Water Well Constructor Certification:

I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon well construction standards. Materials used and information reported above are true to my best knowledge and belief.

Signed D. A. M. M. M. WWC Number 1500
Date 7-20-9

(bonded) Water Well Constructor Certification:

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

Signed Harold Workwell Date 7-20-87 WC Number 1234

Application for Water Right Transfer Evidence of Use Affidavit



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

Please print legibly or type. Be as specific as possible. Attach additional pages if you need more spacing.
Supporting documentation must be attached.

State of Oregon)
) ss
County of HARNEY

I, TIM PUCKETT, in my capacity as PRESIDENT OF GOLDEN RULE FARMS, INC.,
mailing address P.O. BOX 255, CHRISTMAS VALLEY, OR 97641
telephone number (541)576-2273, being first duly sworn depose and say:

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1. My knowledge of the exercise or status of the water right is based on (check one):

☒ Personal observation ☐ Professional expertise

2. I attest that:

☒ Water was used during the previous five years on the entire place of use for
Certificate # 32394; OR

☐ My knowledge is specific to the use of water at the following locations within the last five years:

Certificate #	Township	Range	Mer	Sec	¼ ¼	Gov't Lot or DLC	Acres (if applicable)

OR

- ☐ Confirming Certificate # _____ has been issued within the past five years; OR
- ☐ Part or all of the water right was leased instream at some time within the last five years. The
instream lease number is: _____ (Note: If the entire right proposed for
transfer was not leased, additional evidence of use is needed for the portion not leased instream.); OR
- ☐ The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use
would be rebutted under ORS 540.610(2) is attached.
- ☐ Water has been used at the actual current point of diversion or appropriation for more than
10 years for Certificate # _____ (For Historic POD/POA Transfers)

(continues on reverse side)

3. The water right was used for: (e.g., crops, pasture, etc.): HAY AND PASTURE

4. I understand that if I do not attach one or more of the documents shown in the table below to support the above statements, my application will be considered incomplete.

Timothy J. Smith
Signature of Affiant

2-9-22
Date

Signed and sworn to (or affirmed) before me this 9 day of February, 2022.



Rachel Cooper
Notary Public for Oregon

My Commission Expires: August 16, 2024

Supporting Documents	Examples
<input type="checkbox"/> Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate)	Copy of confirming water right certificate that shows issue date
<input checked="" type="checkbox"/> Copies of receipts from sales of irrigated crops or for expenditures related to use of water	<ul style="list-style-type: none">• Power usage records for pumps associated with irrigation use• Fertilizer or seed bills related to irrigated crops• Farmers Co-op sales receipt
<input type="checkbox"/> Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers	<ul style="list-style-type: none">• District assessment records for water delivered• Crop reports submitted under a federal loan agreement• Beneficial use reports from district• IRS Farm Usage Deduction Report• Agricultural Stabilization Plan• CREP Report
<input type="checkbox"/> Aerial photos containing sufficient detail to establish location and date of photograph	<p>Multiple photos can be submitted to resolve different areas of a water right.</p> <p>If the photograph does not print with a "date stamp" or without the source being identified, the date of the photograph and source should be added.</p> <p>Sources for aerial photos: OSU – www.oregonexplorer.info/imagery OWRD – www.wrd.state.or.us Google Earth – earth.google.com TerraServer – www.terra-server.com</p>
<input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

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277 Lottery Lane • PO Box 587
Hines, Oregon 97738-0587

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BURNS OFFICE TELEPHONE (541) 573-2061
OROVADA SERVICE CENTER (775) 272-3336

GOLDEN RULE FARMS INC
PO BOX 255 C-1 P-5
CHRISTMAS VALLEY OR 97641-0255



- PAYMENTS MUST BE RECEIVED OR POSTMARKED BY THE DUE DATE TO RECEIVE THE 20% DISCOUNT.
- FAILURE TO RECEIVE BILL DOES NOT EXEMPT YOU FROM MONTHLY PAYMENT. IF YOU DON'T GET A BILL, CALL HEC.
- PLEASE READ YOUR METER BY THE 15TH, IF APPLICABLE, AND RETURN STUB WITH YOUR CURRENT PAYMENT.

BILLING SUMMARY	Billing Date	06/06/2018
	Balance Forward	0.00
	Current Billing	7,763.97
	Discount if Paid by	06/25/2018 -1,552.78
	Amount Due if Paid by	06/25/2018 6,211.19
	Amount Due After	06/25/2018 7,763.97

Account #: [REDACTED]

Page 1 of 3

Account #	Meter #	R A T E	M U L T	Previous Reading Service From:	Present Reading Service To:	KWH Used Demand Used	Energy Charge Demand/HP Charge	Other Charge Tax Charge	Security Light Gross* Amount
[REDACTED]	16319017	IR1	1.0	83688	87706	4018	281.26		
	35 HP Dog Mtn	REG		04/26/18	05/30/18	6			281.26 *
[REDACTED]	84411934	IR1	1.0	95754	1901	6147	430.29		
	25 HP Sod House	REG		05/04/18	05/31/18				430.29 *
[REDACTED]	17531414	IR1	40.0	2950	3016	2640	184.80		
	60+5.5hp Dog Mtn	REG		04/27/18	05/30/18	24	195.87		380.67 *
[REDACTED]	06280864	IR1	1.0	65576	65732	156	10.92		
	#4 60+5hp Dog Mtn	REG		04/27/18	05/30/18	1	422.41		433.33 *
[REDACTED]	13030605	IR1	1.0	66208	66250	42	2.94		
	#5 30HP Dog Mtn	REG		04/27/18	05/30/18	2	172.28		175.22 *

Payments Received Since Last Billing \$2,843.44

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GOLDEN RULE FARMS INC
PO BOX 255 C-1 P-5
CHRISTMAS VALLEY OR 97641-0255

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- PLEASE READ YOUR METER BY THE 15TH, IF APPLICABLE, AND RETURN STUB WITH YOUR CURRENT PAYMENT.

BILLING SUMMARY	Billing Date	07/06/2018
	Balance Forward	0.00
	Current Billing	8,619.01
	Discount if Paid by	07/25/2018 -1,723.80
	Amount Due if Paid by	07/25/2018 6,895.21
	Amount Due After	07/25/2018 8,619.01

Account #: [REDACTED]

Page 1 of 3

Account #	Meter #	R A T E	M U L T	Previous Reading	Present Reading	KWH Used	Energy Charge	Other Charge	Security Light
Service Description				Service From:	Service To:	Demand Used	Demand/HP Charge	Tax Charge	Gross Amount
[REDACTED]	16319017	IR1	1.0	87706	91815	4109	287.63		
35 HP Dog Mtn		REG		05/30/18	07/02/18	5			287.63 *
[REDACTED]	84411934	IR1	1.0	1901	1901	0			
25 HP Sod House		REG		05/31/18	07/06/18				*
[REDACTED]	17531414	IR1	40.0	3016	3144	5120	358.40		
60+5.5hp Dog Mtn		REG		05/30/18	07/02/18	23	78.26		436.66 *
[REDACTED]	06280864	IR1	1.0	65732	65758	26	1.82		
#4 60+5hp Dog Mtn		REG		05/30/18	07/02/18		431.52		433.34 *
[REDACTED]	13030605	IR1	1.0	66250	66906	656	45.92		
#5 30HP Dog Mtn		REG		05/30/18	07/02/18	2	154.08		200.00 *

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Payments Received Since Last Billing \$6,211.19

(If you fail to read your meter on any account for 2 consecutive months, HEC will read & charge the acct. \$15.00)

Return This Portion With Your Payment

DATE METERS READ: _____

Read your meter & place the readings on this stub.

Account #	Reading	Meter	Service Description
[REDACTED]	COOP READS MTR	16319017	35 HP Dog Mtn
[REDACTED]	COOP READS MTR	84411934	25 HP Sod House
[REDACTED]	COOP READS MTR	17531414	60+5.5hp Dog Mt
[REDACTED]	COOP READS MTR	06280864	#4 60+5hp Dog M
[REDACTED]	COOP READS MTR	13030605	#5 30HP Dog Mt

Amount Due 6,895.21

Amount Paid

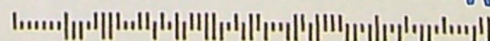
PAST DUE AFTER 07/25/2018 02

PAGE 1 OF 3

INV # [REDACTED]

ACCOUNT NAME: GOLDEN RULE FARMS INC

Harney Electric Cooperative, Inc.
PO Box 587
Hines, Oregon 97738-0587



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HARNEY ELECTRIC COOPERATIVE INC.
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OROVADA SERVICE CENTER (775) 272-3336

GOLDEN RULE FARMS INC
PO BOX 255 C-1 P-5
CHRISTMAS VALLEY OR 97641-0255

- PAYMENTS MUST BE RECEIVED OR POSTMARKED BY THE DUE DATE TO RECEIVE THE 20% DISCOUNT.
- FAILURE TO RECEIVE BILL DOES NOT EXEMPT YOU FROM MONTHLY PAYMENT. IF YOU DON'T GET A BILL, CALL HEC.
- PLEASE READ YOUR METER BY THE 15TH, IF APPLICABLE, AND RETURN STUB WITH YOUR CURRENT PAYMENT.

BILLING SUMMARY	Billing Date	08/07/2018
	Balance Forward	0.00
	Current Billing	13,700.15
	Discount if Paid by	08/25/2018 -2,740.03
	Amount Due if Paid by	08/25/2018 10,960.12
	Amount Due After	08/25/2018 13,700.15

Account #: [REDACTED]

Page 1 of 3

Account #	Meter #	R A T E	M U L T	Previous Reading Service From:	Present Reading Service To:	KWH Used Demand Used	Energy Charge Demand/HP Charge	Other Charge Tax Charge	Security Light Gross Amount
[REDACTED]	16319017	IR1	1.0	91815	95359	3544	248.08		
	35 HP Dog Mtn	REG		07/02/18	07/29/18	5			248.08 *
[REDACTED]	84411934	IR1	1.0	1901	23736	21835	1,528.46		
	25 HP Sod House	REG		07/06/18	08/01/18				1,528.46 *
[REDACTED]	17531414	IR1	40.0	3144	3423	11160	781.20		
	60+5.5hp Dog Mtn	REG		07/02/18	07/29/18	24	-274.13		507.07 *
[REDACTED]	06280864	IR1	1.0	65758	65768	10	.70		
	#4 60+5hp Dog Mtn	REG		07/02/18	07/29/18	5	432.63		433.33 *
[REDACTED]	13030605	IR1	1.0	66906	67574	668	46.76		
	#5 30HP Dog Mtn	REG		07/02/18	07/29/18	2	153.24		200.00 *

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Payments Received Since Last Billing \$6,895.21

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(If you fail to read your meter on any account for 2 consecutive months, HEC will read & charge the acct. \$15.00)

Return This Portion With Your Payment

DATE METERS READ: _____

Read your meter & place the readings on this stub.

Account #	Reading	Meter	Service Description
[REDACTED]	COOP READS MTR	16319017	35 HP Dog Mtn
[REDACTED]	COOP READS MTR	84411934	25 HP Sod House
[REDACTED]	COOP READS MTR	17531414	60+5.5hp Dog Mt
[REDACTED]	COOP READS MTR	06280864	#4 60+5hp Dog M
[REDACTED]	COOP READS MTR	13030605	#5 30HP Dog Mt

Amount Due	10,960.12
Amount Paid	
PAST DUE AFTER	08/25/2018 02
PAGE 1 OF 3	INV # 1744
ACCOUNT NAME:	GOLDEN RULE FARMS INC

Harney Electric Cooperative, Inc.
PO Box 587
Hines, Oregon 97738-0587

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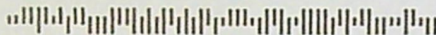


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Hines, Oregon 97738-0587

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GOLDEN RULE FARMS INC
PO BOX 255 C-1 P-5
CHRISTMAS VALLEY OR 97641-0255



PD 9-17-18
\$ 100.29

- PAYMENTS MUST BE RECEIVED OR POSTMARKED BY THE DUE DATE TO RECEIVE THE 20% DISCOUNT.
- FAILURE TO RECEIVE BILL DOES NOT EXEMPT YOU FROM MONTHLY PAYMENT. IF YOU DON'T GET A BILL, CALL HEC.
- PLEASE READ YOUR METER BY THE 15TH, IF APPLICABLE, AND RETURN STUB WITH YOUR CURRENT PAYMENT.

BILLING SUMMARY	Billing Date	09/07/2018
	Balance Forward	0.00
	Current Billing	13,763.49
	Discount if Paid by	09/25/2018 -2,752.69
	Amount Due if Paid by	09/25/2018 → 11,010.80
	Amount Due After	09/25/2018 13,763.49

Account #: [REDACTED]

Page 1 of 3

Account #	Meter #	RATE	MULT	Previous Reading	Present Reading	KWH Used	Energy Charge	Other Charge	Security Light
Service Description				Service From:	Service To:	Demand Used	Demand/HP Charge	Tax Charge	Gross Amount
[REDACTED]	16319017	IR1	1.0	95359	45	4686	328.02		
35 HP Dog Mtn		REG		07/29/18	09/02/18	5			328.02*
[REDACTED]	84411934	IR1	1.0	23736	23736	0			
25 HP Sod House		REG		08/01/18	09/07/18				*
[REDACTED]	17531414	IR1	40.0	3423	3645	8880	621.60		
60+5.5hp Dog Mtn		REG		07/29/18	09/02/18	23			621.60*
[REDACTED]	06280864	IR1	1.0	65768	65768	0			
#4 60+5hp Dog Mtn		REG		07/29/18	09/02/18				*
[REDACTED]	13030605	IR1	1.0	67574	68070	496	34.72		
#5 30HP Dog Mtn		REG		07/29/18	09/02/18	1	-34.72		*

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Payments Received Since Last Billing \$10,960.12

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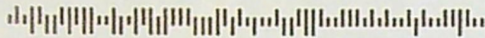


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GOLDEN RULE FARMS INC
PO BOX 255 C-1 P-5
CHRISTMAS VALLEY OR 97641-0255



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- FAILURE TO RECEIVE BILL DOES NOT EXEMPT YOU FROM MONTHLY PAYMENT. IF YOU DON'T GET A BILL, CALL HEC.
- PLEASE READ YOUR METER BY THE 15TH, IF APPLICABLE, AND RETURN STUB WITH YOUR CURRENT PAYMENT.

BILLING SUMMARY	Billing Date	10/05/2018
	Balance Forward	0.00
	Current Billing	12,126.73
	Discount if Paid by	10/25/2018 -2,425.35
	Amount Due if Paid by	10/25/2018 ✓ 9,701.38
	Amount Due After	10/25/2018 12,126.73

Account #: [REDACTED]

Page 1 of 3

Account #	Meter #	R A T E	M U L T	Previous Reading Service From:	Present Reading Service To:	KWH Used Demand Used	Energy Charge Demand/HP Charge	Other Charge Tax Charge	Security Light Gross* Amount
[REDACTED]	16319017	IR1	1.0	45	2962	2917	204.19		
	35 HP Dog Mtn	REG		09/02/18	09/29/18	7			204.19 *
[REDACTED]	84411934	IR1	1.0	23736	45506	21770	1,523.90		
	25 HP Sod House	REG		09/07/18	10/05/18				1,523.90 *
[REDACTED]	17531414	IR1	40.0	3645	3795	6000	420.00		
	60+5.5hp Dog Mtn	REG		09/02/18	09/29/18	22			420.00 *
[REDACTED]	06280864	IR1	1.0	65768	65768	0			
	#4 60+5hp Dog Mtn	REG		09/02/18	09/29/18				*
[REDACTED]	13030605	IR1	1.0	68070	68595	525	36.75		
	#5 30HP Dog Mtn	REG		09/02/18	09/29/18	2	-36.75		*

Payments Received Since Last Billing \$11,010.80

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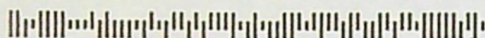


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Hines, Oregon 97738-0587

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OROVADA SERVICE CENTER (775) 272-3336

GOLDEN RULE FARMS INC
PO BOX 255 C-1 P-5
CHRISTMAS VALLEY OR 97641-0255



*pd 11-16-18
#10250*

- PAYMENTS MUST BE RECEIVED OR POSTMARKED BY THE DUE DATE TO RECEIVE THE 20% DISCOUNT.
- FAILURE TO RECEIVE BILL DOES NOT EXEMPT YOU FROM MONTHLY PAYMENT. IF YOU DON'T GET A BILL, CALL HEC.
- PLEASE READ YOUR METER BY THE 15TH, IF APPLICABLE, AND RETURN STUB WITH YOUR CURRENT PAYMENT.

BILLING SUMMARY	Billing Date	11/07/2018
	Balance Forward	0.00
	Current Billing	2,414.00
	Discount if Paid by	11/25/2018 -482.80
	Amount Due if Paid by	11/25/2018 ✓ 1,931.20
	Amount Due After	11/25/2018 2,414.00

Account #: [REDACTED]

Page 1 of 3

Account #	Meter #	RATE	MULT	Previous Reading	Present Reading	KWH Used	Energy Charge	Other Charge	Security Light
Service Description				Service From:	Service To:	Demand Used	Demand/HP Charge	Tax Charge	Gross Amount
[REDACTED]	16319017	IR1	1.0	2962	6177	3215	257.20		
	35 HP Dog Mtn	REG		09/29/18	10/29/18	5			257.20 *
[REDACTED]	84411934	IR1	1.0	45506	45506	0			
	25 HP Sod House	REG		10/05/18	11/07/18				*
[REDACTED]	17531414	IR1	40.0	3795	3806	440	35.20		
	60+5.5hp Dog Mtn	REG		09/29/18	10/29/18	22			35.20 *
[REDACTED]	06280864	IR1	1.0	65768	65768	0			
	#4 60+5hp Dog Mtn	REG		09/29/18	10/29/18				*
[REDACTED]	13030605	IR1	1.0	68595	68635	40	3.20		
	#5 30HP Dog Mtn	REG		09/29/18	10/29/18	2	-3.20		*

Payments Received Since Last Billing \$9,701.38

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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

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Applicant(s): Golden Rule Farms, Inc.

Mailing Address: P.O. Box 255

City: Christmas Valley

State: OR

Zip Code: 97641

Daytime Phone: (541) 576-2273

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>27 S</u>	<u>31 E</u>	<u>1</u>	<u>SW SE</u>	<u>300</u>	<u>EFRU</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Farm Use</u>
<u>27 S</u>	<u>31 E</u>	<u>1</u>	<u>SW NE</u>	<u>300</u>	<u>EFRU</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Farm Use</u>
<u>27 S</u>	<u>31 E</u>	<u>1</u>	<u>SE NE</u>	<u>200</u>	<u>EFRU</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Farm Use</u>
<u>27 S</u>	<u>32 E</u>	<u>6</u>	<u>NE NE</u>	<u>100</u>	<u>EFRU</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	<u>Farm Use</u>
<u>27 S</u>	<u>32 E</u>	<u>6</u>	<u>NW NE</u>	<u>100</u>	<u>EFRU</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	<u>Farm Use</u>
<u>27 S</u>	<u>32 E</u>	<u>6</u>	<u>NE NW</u>	<u>100</u>	<u>EFRU</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	<u>Farm Use</u>
<u>27 S</u>	<u>32 E</u>	<u>6</u>	<u>NW NW</u>	<u>100</u>	<u>EFRU</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	<u>Farm Use</u>

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: 0.94 ☒ 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:

This transfer proposes to change a portion of the place of use under Certificate 32394 to a more productive field to farm and add two points of diversion.

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. →

FEB 18 2022

For Local Government Use Only

OWRD

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): He20 3.010 / EPLV-1
- ☐ 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: Brandon M. Mullon Title: Planning Director
 Signature: [Signature] Phone: (571) 573-6658 Date: 1/28/2022
 Government Entity: Harvey County

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: _____

February 17, 2022

Lindsay Thane

Admitted in Oregon, Washington and
Montana

T: 503-796-2059

C: 406-214-1918

lthane@schwabe.com

VIA FIRST CLASS MAIL

Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301

RE: Applications for Permanent Water Right Transfers for Certificates: 91644, 32394,
and 91418
Our File No.: 135315-251156

To Whom it May Concern:

Enclosed for filing are three Permanent Water Right Transfer Applications for Certificates 91644, 32394, and 91418. The applications are submitted on behalf of Golden Rule Farms Inc.

The transfer applications are submitted along with the following documents:

1. Application fees for each Permanent Water Right Transfer application via a check made payable to OWRD in the amount of the required filing fee;
2. Land use information forms and attachments completed by Harney County;
3. Evidence of Use Affidavits for each transfer application;
4. Well logs for the proposed wells in each application;
5. Three Transfer Reimbursement Authority Estimate Applications, together with three checks made payable to OWRD in the amount of \$125.00 for each of the required filing fees.

The three water right certificates included in these three transfer applications have been proposed for transfer under transfer application T-13363. T-13363 is still pending and awaiting a contested case hearing on the protest of OWRD's preliminary determination that was filed.

Oregon Water Resources Department
February 17, 2022
Page 2

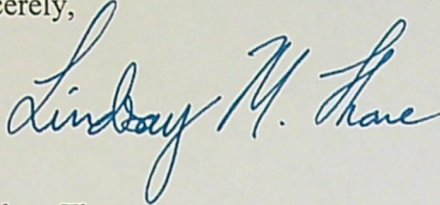
RECEIVED

FEB 18 2022

OWRD

Please let me know if you have any questions.

Sincerely,

A handwritten signature in blue ink that reads "Lindsay M. Thane". The signature is fluid and cursive, with the first name "Lindsay" being more prominent than the last name "Thane".

Lindsay Thane

LTH

Enclosures

cc: Tim Puckett (via email only)
Scott Montgomery (via email only)
Shonee Langford, Schwabe (via email only)
Elizabeth Howard, Schwabe (via email only)

MAP TO ACCOMPANY APPLICATION TO CHANGE PLACE OF USE AND CHANGE AND ADD POINTS OF APPROPRIATION FOR GOLDEN RULE FARMS, INC.

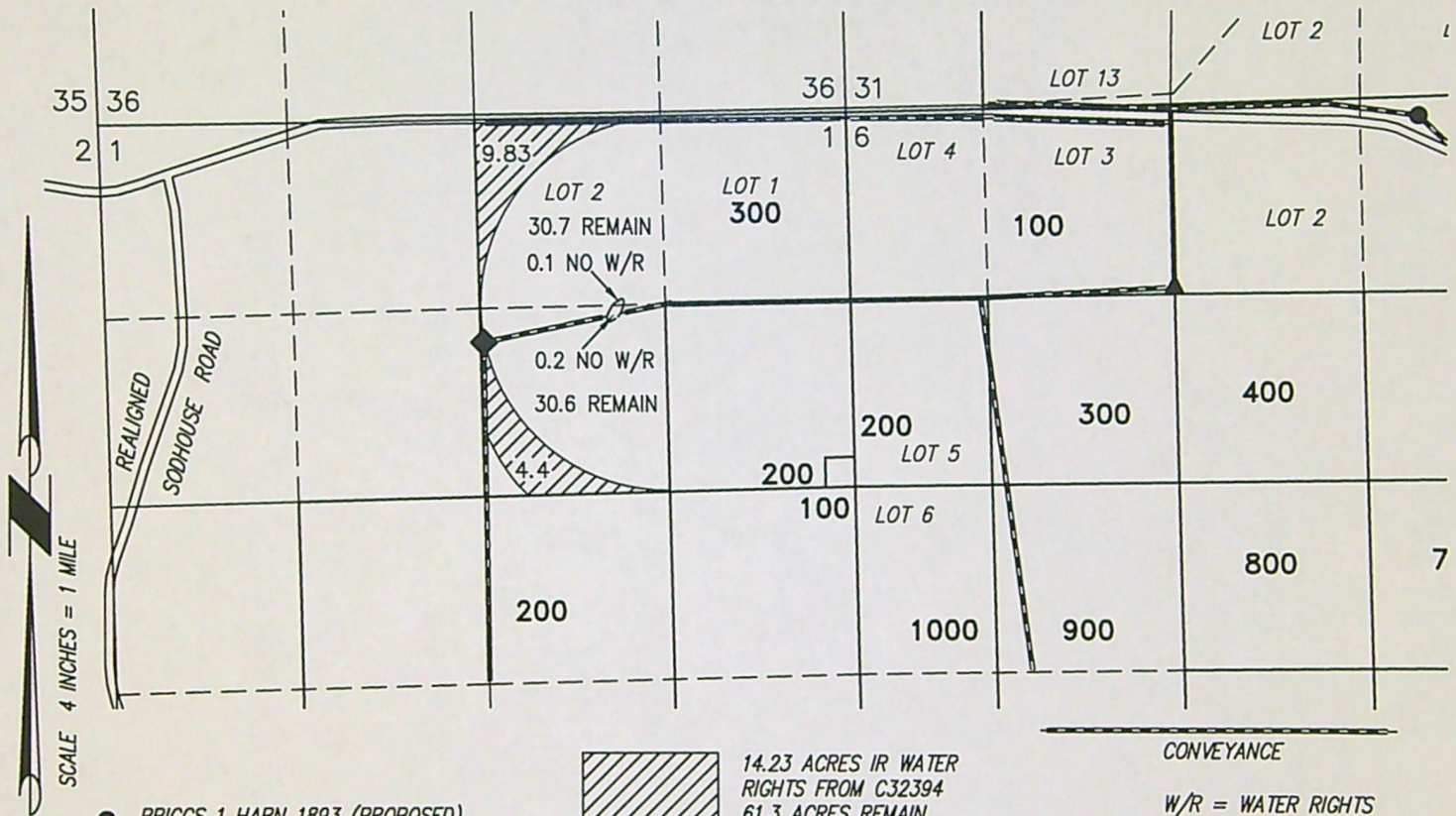
RECEIVED

FEB 18 2022

OWRD

SECTION 1, TOWNSHIP 27 SOUTH, RANGE 31 EAST, W.M.
TAX LOT: 300 AND
SECTION 6, TOWNSHIP 27 SOUTH, RANGE 32 EAST, W.M.
TAX LOT: 100

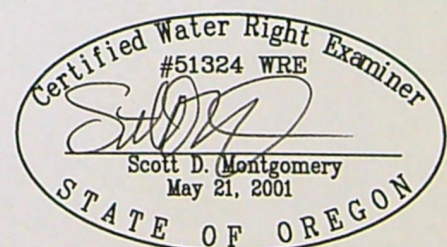
"FROM"



- BRIGGS 1 HARN 1893 (PROPOSED)
LOCATED IN THE NE 1/4 NE (LOT 1)
SECTION 6, T27S R32E, W.M. AND 125
FEET SOUTH AND 915 FEET WEST FROM
THE NE CORNER SECTION 6.

- ▲ BRIGGS 2 HARN 1460 (PROPOSED)
LOCATED IN THE NE 1/4 NW (LOT 3)
SECTION 6, T27S R32E, W.M. AND 1280
FEET SOUTH AND 1 FEET WEST FROM
THE N 1/4 CORNER SECTION 6.

- ◆ CROW WELL HARN 1461 (AUTHORIZED)
LOCATED IN THE SW 1/4 NE 1/4
SECTION 1, T27S R31E, W.M. AND 1562
FEET SOUTH AND 21 FEET EAST FROM
THE N 1/4 CORNER SECTION 1.



RENEWAL DATE: 12/31/2022

THIS MAP IS FOR THE PURPOSE OF LOCATING A WATER
RIGHT ONLY AND HAS NO INTENT TO PROVIDE LEGAL
DIMENSIONS OR THE LOCATION OF PROPERTY LINES.

PROJECT No. 21-081

PREPARED AT THE REQUEST OF:
GOLDEN RULE FARMS, INC.
P.O. BOX 255
CHRISTMAS VALLEY, OR 97641

ALL POINTS ENGINEERING
& SURVEYING, INC.



P.O. BOX 767
TERREBONNE, OREGON 97760
(541) 548-5833 PH
Scott@APEandS.com
www.APEandS.com

MAP TO ACCOMPANY APPLICATION TO CHANGE PLACE OF USE AND CHANGE AND ADD POINTS OF APPROPRIATION FOR GOLDEN RULE FARMS, INC.

RECEIVED

FEB 18 2022

OWRD

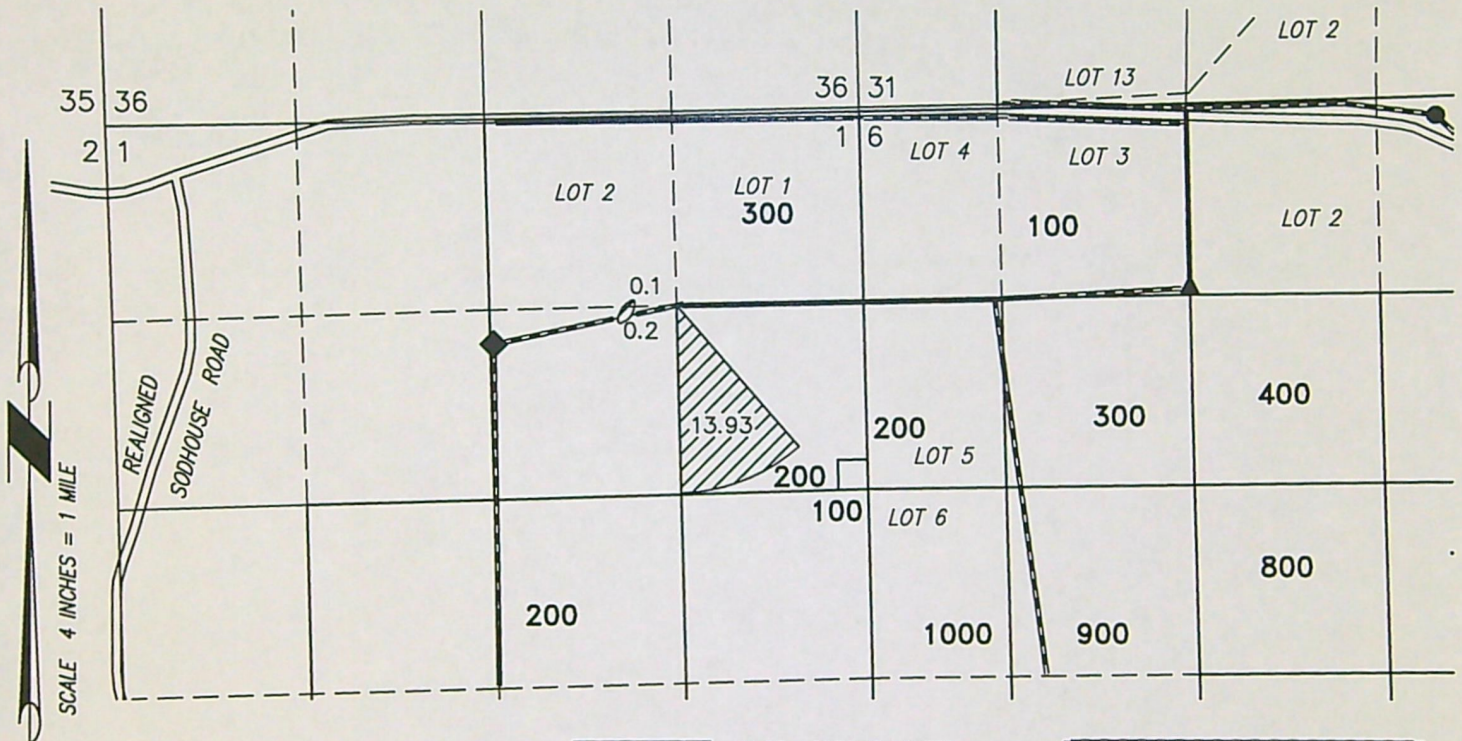
SECTION 1, TOWNSHIP 27 SOUTH, RANGE 31 EAST, W.M.

TAX LOTS: 200 AND 300

SECTIONS 6, TOWNSHIP 27 SOUTH, RANGE 32 EAST, W.M.

TAX LOT: 100

"TO"



● BRIGGS 1 HARN 1893 (PROPOSED)

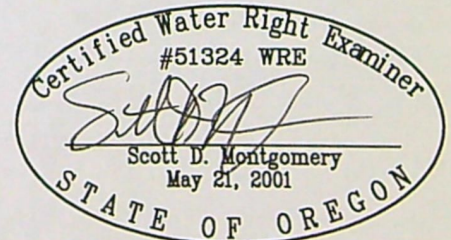
LOCATED IN THE NE 1/4 NE 1/4 (LOT 1)
SECTION 6, T27S R32E, W.M. AND 125
FEET SOUTH AND 915 FEET WEST FROM
THE NE CORNER SECTION 6.

▲ BRIGGS 2 HARN 1460 (PROPOSED)

LOCATED IN THE NE 1/4 NW 1/4 (LOT 3)
SECTION 6, T27S R32E, W.M. AND 1280
FEET SOUTH AND 1 FEET WEST FROM THE
N 1/4 CORNER SECTION 6.

◆ CROW HARN 1461 (AUTHORIZED)

LOCATED IN THE SW 1/4 NE 1/4
SECTION 1, T27S R31E, W.M. AND 1562
FEET SOUTH AND 21 FEET EAST FROM
THE N 1/4 CORNER SECTION 1.



RENEWAL DATE: 12/31/2022

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