

Regular

RA

T-13784

ASSIGNED

Name Oregon Desert Land Trust
Brent Fenty
 Address 2843 NW Lolo Drive
Bend or 97003

DESCRIPTION OF WATER RIGHT(S)

Name of Stream well
 Trib. of trout creek, tum-tum lake, little cottonwood cr.
 Use S. Irrigation, Irrigation County Harney
 Quantity of water (CFS) _____ No. of Acres _____
 Name of ditch _____
 App# G 3081 Per # G 3487 Cert # 410005 PR Date 9/23/2020
 App# G 4410 Per # G 4156 Cert # 51251 PR Date 8/22/2018
 App# G 85810 Per # G 9287 Cert # 81390 PR Date _____
 App# G 109 Per # G 23 Cert # 92009 PR Date _____
 App# _____ Per # _____ Cert # _____ PR Date _____

FEES PAID

Date	Amount	Receipt #
7-29-2021	\$1,220.00	135986
7-29-2021	\$4,700.00	135987
8-22-2022	\$125.00	138965
9-1-2022	\$2003.42	139048
9-5-2023	\$125.00	141571

FEES REFUNDED

Date	Amount	Receipt #

Change in POA POA
 Date Filed 7/29/2021
 Initial notice date 8/24/2021
 DPD issued date 8/26/24
 PD issued date 6/7/2024
 PD notice date 6/11/2024
 Date of FO 8/2/2024 Vol 131 Page 706-793

C-Date _____
 COBU due date _____
 COBU Received date _____
 Certificate issued _____

Assignments: 9-8-2023 Green Fields III, LLC One Embarcadero Center, Ste. 3860, San Francisco, CA 94111

app: Pueblo Mountain Land Company Duane Grant 707 E WOODN Rupert Idaho 83350

Irrigation District _____

Agent Nancy Borck - Nancy Borck Consulting

CWRE _____

CC's list Harney County

☐ - Oversized map - Location

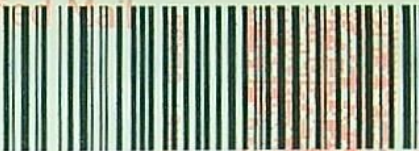
Oregon

Water Resources Department
Transfers and Conservation Section (TACS)
725 Summer St NE, Suite A
Salem, OR 97301-1266

ADDRESS SERVICE REQUESTED

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Certified Mail



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T-13784

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Oregon Desert Land Trust
Attn: Brent Fenty
2843 NW Lolo Dr.
Bend, OR 97703

Received

JUN 18 2024

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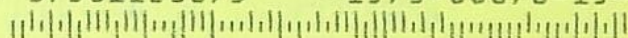
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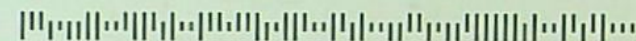
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GsinPB5



UTX

Lorin Sherburn
19497 Fields Denio Rd.
Fields, OR 97710

T-13784

Received
AUG 28 2024
OWRD



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

August 2, 2024

Oregon Desert Land Trust

C/O Brent Fenty

2843 NW Lolo Dr.

Bend, OR 97703

REFERENCE: Transfer Application T-13784

Green Fields III, LLC

1 Embarcadero Center, Suite 3860

San Francisco, CA 94111

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 the approval of this transfer, you may contact your caseworker, Arla Davis, by telephone at (503) 979-3129 or by e-mail at Arla.I.davis@water.oregon.gov.

Sincerely,

Elyse D. Richman

Water Rights Services Support

Transfers and Conservation Section

cc: Donald (dally) S. Swindlehurst, Watermaster Dist. # 10 (via email)
Nancy Rorick, Agent
Harney County Planning Department, Local Government

Enclosure

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application)	FINAL ORDER
T-13784, Harney County)	APPROVING A CHANGE IN POINTS OF
)	APPROPRIATION AND A CHANGE IN
)	PLACES 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.

Applicants

OREGON DESERT LAND TRUST
C/O BRENT FENTY
2843 NW LOLO DRIVE
BEND, OR 97703

GREEN FIELDS III, LLC
1 EMBARCADERO CENTER SUITE 3860
SAN FRANCISCO, CA 94111

Findings of Fact

1. On July 29, 2021, PUEBLO MOUNTAIN LAND COMPANY, LLC, ATTN: DUANE GRANT and OREGON DESERT LAND TRUST, C/O BRENT FENTY filed an application to change the points of appropriation and to change the places of use under Certificates 46665, 51251, 81390, and 92999. The Department assigned the application number T-13784.
2. Notice of the application for transfer was published on August 31, 2021, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On September 8, 2023, the Department approved an assignment of Transfer Application T-13784 from Pueblo Mountain Land Company, LLC, Duane Grant, to Green Fields III, LLC.

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.

4. On February 26, 2024, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-13784 to the applicants. The draft Preliminary Determination cover letter set forth a deadline of March 27, 2024, for the applicants to respond. The applicants requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicants are authorized to pursue the transfer.
5. On April 16, 2024, the agent for the applicant requested the completion date of Transfer Application T-13784 be extended due the complexity of the project pursuant to OAR 690-380-5140 (3). The Department has extended the completion date of the transfer to October 1, 2029.
6. On June 7, 2024, the Department issued a Preliminary Determination proposing to approve Transfer Application T-13784 and sent a copy to the applicants. Additionally, notice of the Preliminary Determination for the transfer application was published in the Department's weekly notice on June 11, 2024, and in the Burns Times Herald newspaper on June 12 and 19, 2024, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.

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

Certificate: 46665 in the name of MRS. J. E. CALDERWOOD (perfected under Permit G-3487)

Use: SUPPLEMENTAL IRRIGATION OF 44.8 ACRES

Priority Date: SEPTEMBER 23, 1966

Rate: 0.56 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 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: A WELL, a tributary of TROUT CREEK

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
39 S	36 E	WM	31	NE SW	350 FEET SOUTH AND 50 FEET EAST FROM THE NW CORNER OF THE NE¼ SW¼ OF SECTION 31

Authorized Place of Use:

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
39 S	35 E	WM	36	SE NE	17.4
39 S	35 E	WM	36	NE SE	27.4
Total					44.8

8. Transfer Application T-13784 proposes to move the authorized point of appropriation approximately 2.31 miles northwest from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
39 S	35 E	WM	23	SW SE	SW6 - 5 FEET NORTH AND 2250 FEET WEST FROM THE SE CORNER OF SECTION 23

9. Transfer Application T-13784 also proposes to change the place of use of the right to:

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
39 S	35 E	WM	23	NE SE	25.9
39 S	35 E	WM	23	SE SE	2.7
39 S	35 E	WM	26	NE NE	9.1
39 S	35 E	WM	26	NE NE	7.1
Total					44.8

10. The portion of the second right to be transferred is as follows:

Certificate: 51251 in the name of ORLANDO TROUT CREEK RANCH (perfected under Permit G-4156)

Use: SUPPLEMENTAL IRRIGATION OF 16.1 ACRES

Priority Date: AUGUST 22, 1968

Rate: 0.2 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 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: A WELL, a tributary of TROUT CREEK

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
39 S	35 E	WM	25	NW SE	2500 FEET NORTH AND 1830 FEET WEST FROM THE SE CORNER OF SECTION 25

Authorized Place of Use:

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
39 S	35 E	WM	24	SW NE	2.1
39 S	35 E	WM	24	NE NW	4.0
39 S	35 E	WM	24	SE NW	10.0
Total					16.1

11. Transfer Application T-13784 proposes to move the authorized point of appropriation approximately 1.21 miles northwest from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
39 S	35 E	WM	23	SW SE	SW6 - 5 FEET NORTH AND 2250 FEET WEST FROM THE SE CORNER OF SECTION 23

12. Transfer Application T-13784 also proposes to change the place of use of the right to:

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
39 S	35 E	WM	23	SE SE	16.1

13. The portion of the third right to be transferred is as follows:

Certificate: 81390 in the name of LORIN SHERBURN AND WILLIS E. STAFFORD
(perfected under Permit G-8135)

Use: IRRIGATION OF 104.1 ACRES

Priority Date: DECEMBER 19, 1977

Rate: 1.3 CUBIC FEET PER SECOND FROM WELL 1

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

Source: WELL 1, in the TROUT CREEK BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
39 S	35 E	WM	23	SE SW	WELL 1 - 280 FEET NORTH AND 1620 FEET EAST FROM THE SW CORNER OF SECTION 23

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
39 S	35 E	WM	23	SW NE	1.1
39 S	35 E	WM	23	SE NW	15.0
39 S	35 E	WM	23	NW SE	16.7
39 S	35 E	WM	23	NE SW	1.3
39 S	35 E	WM	26	NW NE	11.5
39 S	35 E	WM	26	SW NE	11.0
39 S	35 E	WM	26	NE NW	26.0
39 S	35 E	WM	26	SE NW	21.5
Total					104.1

14. Transfer Application T-13784 proposes to move the authorized point of appropriation approximately 0.26 mile east from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
39 S	35 E	WM	23	SW SE	SW6 - 5 FEET NORTH AND 2250 FEET WEST FROM THE SE CORNER OF SECTION 23

15. Transfer Application T-13784 also proposes to change the place of use of the right to:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Acres	Proposed Change	POA resulting from T-13784
39 S	35 E	WM	23	SW NE	0.5	POU	SW5 (WELL 1)
39 S	35 E	WM	26	SE NE	7.1	POU/POA	SW6
39 S	35 E	WM	26	SW NE	26.5	POU/POA	SW6
39 S	35 E	WM	26	NW NE	11.5	POA	SW6
39 S	35 E	WM	26	SW NE	11.0	POA	SW6
39 S	35 E	WM	26	NE NW	26.0	POA	SW6
39 S	35 E	WM	26	SE NW	21.5	POA	SW6
Total					104.1		

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

Certificate: 92999 in the name of PUEBLO MOUNTAIN LAND CO. LLC (perfected under Permit G-23)

Use: IRRIGATION OF 79.4 ACRES AND SUPPLEMENTAL IRRIGATION OF 20.0 ACRES

Priority Date: AUGUST 25, 1955

Rate: 1.24 CUBIC FEET 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, is limited to ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: TWO WELLS in TROUT CREEK BASIN

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
39 S	35 E	WM	23	SE SW	WELL SW5 - 280 FEET NORTH AND 1620 FEET EAST FROM THE SW CORNER OF SECTION 23
39 S	35 E	WM	26	NW NE	WELL SW6 - 100 FEET SOUTH AND 3530 FEET EAST FROM THE NW CORNER OF SECTION 26

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
39 S	35 E	WM	23	NE SW	3.8
39 S	35 E	WM	23	SE SW	24.7
39 S	35 E	WM	23	NW SE	26.0
39 S	35 E	WM	23	SW SE	20.0
39 S	35 E	WM	26	NE NW	4.9
Total					79.4

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
39 S	35 E	WM	23	SW SE	20.0

17. Transfer Application T-13784 proposes to move one of the authorized points of appropriation of (WELL SW6), with approximate distances from the existing points of appropriation, to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Distance from Authorized Wells in miles
39 S	35 E	WM	23	SW SE	SW6 - 5 FEET NORTH AND 2250 FEET WEST FROM THE SE CORNER OF SECTION 23	WELL SW5 - 0.26 mi WELL SW6 - 0.11 mi

18. Transfer Application T-13784 also proposes to change the place of use of the right to:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Acres	Proposed Change	POA resulting from T-13784
39 S	35 E	WM	23	SE SW	3.7	POU	SW6
39 S	35 E	WM	23	SE SW	6.8	POU	SW5
39 S	35 E	WM	23	NW SE	22.4	POU	SW6
39 S	35 E	WM	23	SW SE	7.0	POU	SW6
39 S	35 E	WM	26	SW SE	3.3	POU	SW6
39 S	35 E	WM	26	NW NE	28.5	POU	SW6
39 S	35 E	WM	26	SE NE	3.3	POU	SW6
39 S	35 E	WM	26	NE NW	4.4	POU	SW6
Total					79.4		

SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Acres	Proposed Change	POA resulting from T-13784
39 S	35 E	WM	23	SW SE	5.5	POU	SW6
39 S	35 E	WM	24	SW SE	12.8	POU	SW6
39 S	35 E	WM	23	SE SE	0.6	POU	SW6
39 S	35 E	WM	26	NE NE	1.1	POU	SW6
Total					20.0		

Transfer Review Criteria [OAR 690-380-0100(14), 690-380-4010(2) and OAR 690-380-2110(2)]

19. Water has been used within the last five years according to the terms and conditions of the rights. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
20. A water delivery system sufficient to use the full amount of water allowed under the existing rights were present within the five-year period prior to submittal of Transfer Application T-13784.
21. The water rights are subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
22. The proposed points of appropriation develop groundwater from the same aquifer as the authorized points of appropriation, as required by OAR 690-380-2110(2).

23. The proposed changes, as conditioned, would not result in enlargement of the rights.
24. The proposed change, as conditioned, would not result in injury to other existing water rights.
25. All other application requirements are met.

Conclusions of Law

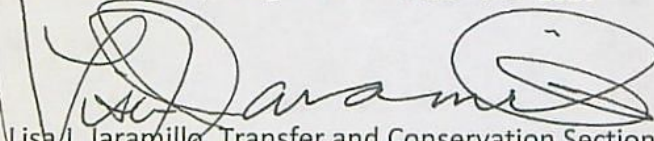
The change in points of appropriation and change in places of use proposed in Transfer Application T-13784 are consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000.

Now, therefore, it is ORDERED:

1. The change in points of appropriation and change in places of use proposed in Transfer Application T-13784 are approved.
2. The right to the use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Certificates 46665, 51251, 81390, and 92999 and any related decree.
3. Water right Certificates 46665 and 92999 are cancelled.
4. Approval of this transfer application does not constitute nor grant legal access onto or through another person's property for purposes of accessing the new point of appropriation or the new place of use.
5. Water right Certificates 51251 and 81390 are cancelled. New certificates will be issued describing those portions of the rights not affected by this transfer.
6. Under Certificate 46665, the quantity of water diverted at the new point of appropriation (SW6) shall not exceed the quantity of water lawfully available at the original point of appropriation.
7. Under Certificate 51251, the quantity of water diverted at the new point of appropriation (SW6) shall not exceed the quantity of water lawfully available at the original point of appropriation.
8. Under Certificate 81390, the quantity of water diverted at the new point of appropriation (SW6) shall not exceed the quantity of water lawfully available at the original point of appropriation (WELL 1).
9. Under Certificate 92999, the quantity of water diverted at the new point of appropriation (SW6) shall not exceed the quantity of water lawfully available at the original points of appropriation (WELL SW6).

10. Water shall be acquired from the same aquifer (water source) as the original points of appropriation.
11. The former places of use of the transferred rights shall no longer receive water under the rights.
12. 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.
13. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2029**. 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.
14. After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.

Dated in Salem, Oregon on **AUG 02 2024**



Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
IVAN GALL, DIRECTOR
Oregon Water Resources Department

Mailing date: **AUG 05 2024**



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

August 2, 2024

Lorin Sherburn
19497 Fields Denio Rd.
Fields, OR 97710

Willis E. Stafford
1110 Laughlin Rd.
Prineville, OR 97754

RE: Water Right Certificate 97614 – Remaining Right

The enclosed water right *may* be appurtenant to land you own. This water right certificate describes the water right that remains UNCHANGED as a result of Transfer Application T-13784.

The enclosed document (Certificate 97614) **does NOT confirm** the validity or status of the water right regarding the provisions of Oregon Revised Statute 540.610 pertaining to forfeiture or abandonment.

Please feel free to call the Department's Customer Service Group at (503) 986-0801, if you have any questions.

Sincerely,

Elyse Richman
Water Right Services Support
Transfers and Conservation Section



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

August 2, 2024

Orlando Trout Creek Ranch
20780 Boyce Lane
Saratoga, CA 95070

RE: Water Right Certificate 97613 – Remaining Right

The enclosed water right *may* be appurtenant to land you own. This water right certificate describes the water right that remains UNCHANGED as a result of Transfer Application T-13784.

The enclosed document (Certificate 97613) **does NOT confirm** the validity or status of the water right regarding the provisions of Oregon Revised Statute 540.610 pertaining to forfeiture or abandonment.

Please feel free to call the Department's Customer Service Group at (503) 986-0801, if you have any questions.

Sincerely,

Elyse Richman
Water Right Services Support
Transfers and Conservation Section

STATE OF OREGON

COUNTY OF HARNEY

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

LORIN SHERBURN
19497 FIELDS DENIO RD
FIELDS, OR 97710

WILLIS E. STAFFORD
1110 LAUGHLIN RD
PRINEVILLE, OR 97754

confirms the right to use the waters of 6 WELLS in the TROUT CREEK BASIN for IRRIGATION OF 775.8 ACRES AND SUPPLEMENTAL IRRIGATION of 31.0 ACRES.

This right was perfected under Permit G-9287. The date of priority is DECEMBER 19, 1977. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 10.09 CUBIC FEET PER SECOND; BEING 0.42 FROM WELL 1, 2.39 CFS FROM WELL 2, 2.37 CFS FROM WELL 3, 2.0 CFS FROM WELL 4, 0.39 CFS FROM WELL 5, AND 2.52 CFS FROM WELL 6, or its equivalent in case of rotation, measured at the well. This right is limited to any deficiency in the available supply of any prior right existing for the same land.

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
39 S	35 E	WM	23	SE SW	WELL 1 - 280 FEET NORTH AND 1620 FEET EAST FROM THE SW CORNER OF SECTION 23
39 S	35 E	WM	27	NE NE	WELL 2 - 960 FEET SOUTH AND 110 FEET WEST FROM THE SW CORNER OF SECTION 23
39 S	35 E	WM	23	NW SW	WELL 3 - 2300 FEET NORTH AND 250 FEET EAST FROM THE SW CORNER OF SECTION 23
39 S	35 E	WM	22	NE SW	WELL 4 - 2280 FEET NORTH AND 320 FEET WEST FROM THE S1/4 CORNER OF SECTION 22
39 S	35 E	WM	23	NW NE	WELL 5 - 1310 FEET SOUTH AND 50 FEET EAST FROM THE N1/4 CORNER OF SECTION 23
39 S	35 E	WM	22	SE SW	WELL 6 - 690 FEET NORTH AND 30 FEET WEST FROM THE S1/4 CORNER OF SECTION 22

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 3.0 FOR IRRIGATION for each acre per acre for each acre irrigated during the irrigation season of each year. This right is limited to any deficiency in the available supply of any prior right existing for the same land. The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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

SHERBORN					
PRIMARY IRRIGATION – WELL 1					
Twp	Rng	Mer	Sec	Q-Q	Acres
39 S	35 E	WM	23	SE NW	1.8
39 S	35 E	WM	23	NE SW	5.0
39 S	35 E	WM	23	SW SW	5.6
39 S	35 E	WM	23	SE SW	6.4
39 S	35 E	WM	23	NW SE	0.5
39 S	35 E	WM	26	NE NW	4.1
39 S	35 E	WM	26	NW NW	0.3
39 S	35 E	WM	26	SE NW	10.1
Total					33.8

SHERBORN					
PRIMARY IRRIGATION – WELL 2					
Twp	Rng	Mer	Sec	Q-Q	Acres
39 S	35 E	WM	21	SE SE	0.3
39 S	35 E	WM	22	SE SE	16.4
39 S	35 E	WM	23	SW SW	11.6
39 S	35 E	WM	26	NE NW	4.3
39 S	35 E	WM	26	NW NW	39.7
39 S	35 E	WM	26	SW NW	29.6
39 S	35 E	WM	26	SE NW	0.6
39 S	35 E	WM	27	NE NE	40.0
39 S	35 E	WM	27	NW NE	10.8
39 S	35 E	WM	27	SW NE	4.0
39 S	35 E	WM	27	SE NE	33.6
Total					190.9

SHERBORN					
PRIMARY IRRIGATION – WELL 3					
Twp	Rng	Mer	Sec	Q-Q	Acres
39 S	35 E	WM	22	SE NE	26.8
39 S	35 E	WM	22	NE SE	38.4
39 S	35 E	WM	22	NW SE	0.5
39 S	35 E	WM	22	SE SE	10.0
39 S	35 E	WM	23	SW NW	35.6
39 S	35 E	WM	23	SE NW	6.4
39 S	35 E	WM	23	NE SW	14.3
39 S	35 E	WM	23	NW SW	40.0
39 S	35 E	WM	23	SW SW	16.8
39 S	35 E	WM	23	SE SW	0.7
Total					189.5

SHERBORN					
PRIMARY IRRIGATION – WELL 4					
Twp	Rng	Mer	Sec	Q-Q	Acres
39 S	35 E	WM	22	SW NE	19.0
39 S	35 E	WM	22	SW NW	5.2
39 S	35 E	WM	22	SE NW	30.9
39 S	35 E	WM	22	NE SW	38.1
39 S	35 E	WM	22	NW SW	12.4

39 S	35 E	WM	22	SW SW	0.1
39 S	35 E	WM	22	SE SW	14.0
39 S	35 E	WM	22	NW SE	33.6
39 S	35 E	WM	22	SW SE	6.4
Total					159.7

SHERBORN					
PRIMARY IRRIGATION – WELL 6					
Twp	Rng	Mer	Sec	Q-Q	Acres
39 S	35 E	WM	21	SE NE	7.6
39 S	35 E	WM	21	NE SE	12.4
39 S	35 E	WM	21	SE SE	0.3
39 S	35 E	WM	22	SW NW	8.8
39 S	35 E	WM	22	NW SW	22.0
39 S	35 E	WM	22	SW SW	0.1
39 S	35 E	WM	22	SE SW	16.0
39 S	35 E	WM	22	SW SE	13.6
39 S	35 E	WM	27	NW NE	25.2
39 S	35 E	WM	27	SW NE	13.2
39 S	35 E	WM	27	NE NW	35.2
39 S	35 E	WM	27	NW NW	3.1
39 S	35 E	WM	27	SW NW	16.0
39 S	35 E	WM	27	SE NW	28.4
Total					201.9

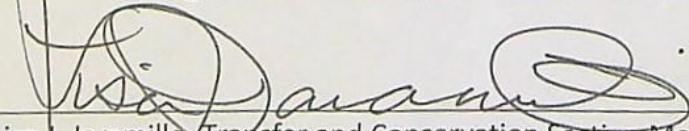
STAFFORD					
SUPPLEMENTAL IRRIGATION – WELL 5					
Twp	Rng	Mer	Sec	Q-Q	Acres
39 S	35 E	WM	14	NW SE	9.6
39 S	35 E	WM	14	SW SE	9.6
39 S	35 E	WM	23	NW NE	11.8
Total					31.0

This certificate describes that portion of water right Certificate 81390, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered AUG 02 2024, approving Transfer Application T-13784.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

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

WITNESS the signature of the Water Resources Director, affixed AUG 02 2024.


 Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
 IVAN GALL, DIRECTOR
 Oregon Water Resources Department

STATE OF OREGON

COUNTY OF HARNEY

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ORLANDO TROUT CREEK RANCH
20780 BOYCE LANE
SARATOGA, CA 95070

confirms the right to use the waters of A WELL, a tributary of TROUT CREEK, for PRIMARY IRRIGATION of 4.8 acres and SUPPLEMENTAL IRRIGATION of 181.2 ACRES.

This right was perfected under Permit G-4156. The date of priority is AUGUST 22, 1968. 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 2.33 cubic feet per second.

The well is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
39 S	35 E	WM	25	NW SE	2500 FEET NORTH AND 1830 FEET WEST FROM THE SE CORNER OF SECTION 25

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second, per acre, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year; and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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

PRIMARY IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
39 S	35 E	WM	24	NE SW	1.2
39 S	35 E	WM	24	SE SW	1.2
39 S	35 E	WM	24	NW SE	1.2
39 S	35 E	WM	24	SW SE	1.2
Total					4.8

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
39 S	35 E	WM	24	SW NE	3.5
39 S	35 E	WM	24	SE NW	9.5
39 S	35 E	WM	24	NE SW	40.0
39 S	35 E	WM	24	SE SW	40.0
39 S	35 E	WM	24	NE SE	4.6
39 S	35 E	WM	24	NW SE	40.0

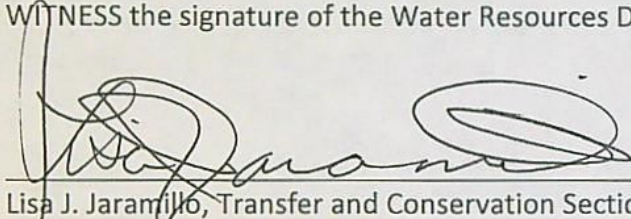
SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
39 S	35 E	WM	24	SW SE	40.0
39 S	35 E	WM	24	SE SE	3.6
Total					181.2

This certificate describes that portion of water right Certificate 51251, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered AUG 02 2024, approving Transfer Application T-13784.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

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

WITNESS the signature of the Water Resources Director, affixed AUG 02 2024.



Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
IVAN GALL, DIRECTOR
Oregon Water Resources Department

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # **142997** 725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172 INVOICE # _____
(503) 986-0900 / (503) 986-0904 (fax)

RECEIVED FROM: GSI Water Solutions, Inc. APPLICATION _____
BY: _____ PERMIT _____
CASH: ☐ CHECK: # X 26797 OTHER: (IDENTIFY) _____ TRANSFER T-13784
TOTAL REC'D \$ 374.40

1083 TREASURY 4170 WRD MISC CASH ACCT
0407 COPIES 46118 \$ _____
0207 OTHER: (IDENTIFY) Newspaper Notice \$ 374.40
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 EXAM FEE 0202 \$ _____ RECORD FEE \$ _____
0203 GROUND WATER EXAM FEE 0204 \$ _____
0205 TRANSFER EXAM FEE \$ _____
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: **142997** DATED: 5-28-24 BY: Lyndy Mire
Distribution - White Copy - Customer, Yellow Copy - Fiscal, Blue Copy - File, Buff Copy - Fiscal

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # **142997** 725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172 INVOICE # _____
(503) 986-0900 / (503) 986-0904 (fax)

RECEIVED FROM: GSI Water Solutions, Inc. APPLICATION _____
BY: _____ PERMIT _____
CASH: ☐ CHECK: # X 26797 OTHER: (IDENTIFY) _____ TRANSFER T-13784
TOTAL REC'D \$ 374.40

1083 TREASURY 4170 WRD MISC CASH ACCT
0407 COPIES 46118 \$ _____
0207 OTHER: (IDENTIFY) Newspaper Notice \$ 374.40
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 EXAM FEE 0202 \$ _____ RECORD FEE \$ _____
0203 GROUND WATER EXAM FEE 0204 \$ _____
0205 TRANSFER EXAM FEE \$ _____
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: **142997** DATED: 5-28-24 BY: Lyndy Mire
Distribution - White Copy - Customer, Yellow Copy - Fiscal, Blue Copy - File, Buff Copy - Fiscal

GSI WATER SOLUTIONS INC

Check Date: 5/22/2024

026797

Invoice Number	Date	Voucher	Amount	Discounts	Previous Pay	Net Amount
for T-13784 Notice	5/14/2024	0024036	374.40			374.40
Oregon Water Resources Department		TOTAL	374.40			374.40
Beneficial Checking	13	00275				

Received

MAY 28 2024

OWRD

Burns Times-Herald
Covers Harney County Like The Sagebrush

355. N. Broadway, Burns OR 97720
Phone: 541-573-2022 ♦ Fax: 541-573-3915

Oregon Dept. of Water Resources
725 Summer Street NE, Suite A
Salem, Oregon 97301

Date: 06/19/24

RUN DATE	LEGAL NOTICE FOR:	COST
06/12/24	T-13784 OREGON DESERT LAND TRUST	\$156.00
06/19/24	T-13784 OREGON DESERT LAND TRUST	\$156.00
TOTAL		\$312.00

THIS IS NOT A BILL

INVOICE FOR YOUR RECORDS
PLEASE PAY BALANCE UPON RECEIPT OF MONTHLY STATEMENT

Received

JUN 24 2024

PUBLIC NOTICE

Notice of Preliminary Determination for Water Right Transfer T-13784

T-13784 filed by Oregon Desert Land Trust, c/o Brent Fenty, 2843 NW Lolo Dr., Bend, OR 97703 and Green Fields III, LLC, 1 Embarcadero Center Suite 3860, San Francisco, CA 94111, proposes a change in points of appropriation and a change in places of use under Certificates 46665, 51251, 81390, and 92999. Under Certificate 46665, the right allows the use of 0.56 cfs from a well in Sec. 31, T39S, R35E, WM for supplemental irrigation in Sec 36, T39S, R35E, WM. Under Certificate 51251, the right allows the use of 0.2 cfs from a well in Sec. 25, T39S, R35E, WM for supplemental irrigation in Sec 24, T39S, R35E, WM. Under Certificate 81390, the right allows the use of 1.3 cfs from well 1 in Sec. 23, T39S, R35E, WM for irrigation in Sects. 23 and 26, T39S, R35E, WM. Under Certificate 92999, the right allows the use of 1.24 cfs from two wells in Sects. 23 and 26, T39S, R35E, WM for irrigation in Sects. 23 and 26, T39S, R35E, WM and supplemental irrigation in Sec. 23, T39S, R35E, WM. The applicant proposes to move the points of appropriation to Sec. 23, T39S, R35E WM and to change the place of use to within Sects. 23, 24, and 26, T39S, R35E, 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, 06/19/2024. 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 12 and 19, 2024

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-13784 Oregon Desert Land Trust

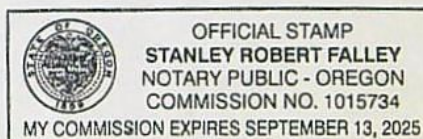
a printed copy of which is hereto annexed, was published in the said newspaper for

2 successive and consecutive weeks in the following issues:
Dates of Publication: 12th & 19th June 2024

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

Subscribed and sworn before me this 19 day of JUNE 2024.

Stanley Robert Falley
Notary Public for Oregon



No. _____

STATE OF OREGON
for the
COUNTY OF HARNEY

Filed _____, 24

Clerk

Deputy

From the Office of _____

Attorney for _____

Received

JUN 24 2024

OWRD

7022 3330 0000 2912 2615

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- ☐ Adult Signature Restricted Delivery \$ _____

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Total Postage and Fees

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City, State, ZIP+4®

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

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.

Green Fields III, LLC
 1 Embarcadero Center, Suite 3860
 San Francisco, CA 94111



9590 9402 7680 2122 9465 60

2. Article Number (Transfer from service label)

7022 3330 0000 2912 2615

PS Form 3811, July 2020 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent

☐ Addressee

B. Received by (Printed Name)

Ana Brocher

C. Date of Delivery

06/13/24

D. Is delivery address different from item 1? ☐ Yes
 If YES, enter delivery address below: ☐ No

Received

JUN 18 2024

OWRD

3. Service Type

- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☐ Certified Mail®
- ☐ Certified Mail Restricted Delivery
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- ☐ Collect on Delivery Restricted Delivery
- ☐ Insured Mail
- ☐ Insured Mail Restricted Delivery (over \$500)

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- ☐ Signature Confirmation Restricted Delivery

T-13704 TACS ER/AD

Domestic Return Receipt



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 7, 2024

VIA CERTIFIED MAIL AND E-MAIL

Applicants

GREEN FIELDS III, LLC

1 EMBARCADERO CENTER SUITE 3860

SAN FRANCISCO, CA 94111

OREGON DESERT LAND TRUST

C/O BRENT FENTY

2843 NW LOLO DRIVE

BEND, OR 97703

SUBJECT: Water Right Transfer Application T-13784

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-13784. 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-13784

Donal Swindlehurst, District 10 Watermaster (via e-mail)

Nancy Rorick, Agent for the applicant (via e-mail)

Adam Sussman, Agent for the applicant (via e-mail)

encs

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

In the Matter of Transfer Application)	PRELIMINARY DETERMINATION
T-13784, Harney County)	PROPOSING APPROVAL OF A CHANGE IN
)	POINTS OF APPROPRIATION AND A
)	CHANGE IN PLACES 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.

Applicants

OREGON DESERT LAND TRUST
C/O BRENT FENTY
2843 NW LOLO DRIVE
BEND, OR 97703

GREEN FIELDS III, LLC
1 EMBARCADERO CENTER SUITE 3860
SAN FRANCISCO, CA 94111

Findings of Fact

1. On July 29, 2021, PUEBLO MOUNTAIN LAND COMPANY, LLC, ATTN: DUANE GRANT and OREGON DESERT LAND TRUST, C/O BRENT FENTY filed an application to change the points of appropriation and to change the places of use under Certificates 46665, 51251, 81390, and 92999. The Department assigned the application number T-13784.
2. Notice of the application for transfer was published on August 31, 2021, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On September 8, 2023, the Department approved an assignment of Transfer Application T-13784 from Pueblo Mountain Land Company, LLC, Duane Grant, to Green Fields III, LLC.

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.

4. On February 26, 2024, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-13784 to the applicants. The draft Preliminary Determination cover letter set forth a deadline of March 27, 2024, for the applicants to respond. The applicants requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicants are authorized to pursue the transfer.
5. On April 16, 2024, the agent for the applicant requested the completion date of Transfer Application T-13784 be extended due the complexity of the project pursuant to OAR 690-380-5140 (3). The Department has extended the completion date of the transfer to October 1, 2029.
6. The first right to be transferred is as follows:

Certificate: 46665 in the name of MRS. J. E. CALDERWOOD (perfected under Permit G-3487)

Use: SUPPLEMENTAL IRRIGATION OF 44.8 ACRES

Priority Date: SEPTEMBER 23, 1966

Rate: 0.56 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 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: A WELL, a tributary of TROUT CREEK

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
39 S	36 E	WM	31	NE SW	350 FEET SOUTH AND 50 FEET EAST FROM THE NW CORNER OF THE NE $\frac{1}{4}$ SW $\frac{1}{4}$ OF SECTION 31

Authorized Place of Use:

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
39 S	35 E	WM	36	SE NE	17.4
39 S	35 E	WM	36	NE SE	27.4
Total					44.8

7. Transfer Application T-13784 proposes to move the authorized point of appropriation approximately 2.31 miles northwest from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
39 S	35 E	WM	23	SW SE	SW6 - 5 FEET NORTH AND 2250 FEET WEST FROM THE SE CORNER OF SECTION 23

8. Transfer Application T-13784 also proposes to change the place of use of the right to:

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
39 S	35 E	WM	23	NE SE	25.9
39 S	35 E	WM	23	SE SE	2.7
39 S	35 E	WM	26	NE NE	9.1
39 S	35 E	WM	26	NE NE	7.1
Total					44.8

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

Certificate: 51251 in the name of ORLANDO TROUT CREEK RANCH (perfected under Permit G-4156)

Use: SUPPLEMENTAL IRRIGATION OF 16.1 ACRES

Priority Date: AUGUST 22, 1968

Rate: 0.2 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 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: A WELL, a tributary of TROUT CREEK

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
39 S	35 E	WM	25	NW SE	2500 FEET NORTH AND 1830 FEET WEST FROM THE SE CORNER OF SECTION 25

Authorized Place of Use:

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
39 S	35 E	WM	24	SW NE	2.1
39 S	35 E	WM	24	NE NW	4.0
39 S	35 E	WM	24	SE NW	10.0
Total					16.1

10. Transfer Application T-13784 proposes to move the authorized point of appropriation approximately 1.21 miles northwest from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
39 S	35 E	WM	23	SW SE	SW6 - 5 FEET NORTH AND 2250 FEET WEST FROM THE SE CORNER OF SECTION 23

11. Transfer Application T-13784 also proposes to change the place of use of the right to:

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
39 S	35 E	WM	23	SE SE	16.1

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

Certificate: 81390 in the name of LORIN SHERBURN AND WILLIS E. STAFFORD
(perfected under Permit G-8135)

Use: IRRIGATION OF 104.1 ACRES

Priority Date: DECEMBER 19, 1977

Rate: 1.3 CUBIC FEET PER SECOND FROM WELL 1

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

Source: WELL 1, in the TROUT CREEK BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
39 S	35 E	WM	23	SE SW	WELL 1 - 280 FEET NORTH AND 1620 FEET EAST FROM THE SW CORNER OF SECTION 23

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
39 S	35 E	WM	23	SW NE	1.1
39 S	35 E	WM	23	SE NW	15.0
39 S	35 E	WM	23	NW SE	16.7
39 S	35 E	WM	23	NE SW	1.3
39 S	35 E	WM	26	NW NE	11.5
39 S	35 E	WM	26	SW NE	11.0
39 S	35 E	WM	26	NE NW	26.0
39 S	35 E	WM	26	SE NW	21.5
Total					104.1

13. Transfer Application T-13784 proposes to move the authorized point of appropriation approximately 0.26 mile east from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
39 S	35 E	WM	23	SW SE	SW6 - 5 FEET NORTH AND 2250 FEET WEST FROM THE SE CORNER OF SECTION 23

14. Transfer Application T-13784 also proposes to change the place of use of the right to:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Acres	Proposed Change	POA resulting from T-13784
39 S	35 E	WM	23	SW NE	0.5	POU	SW5 (WELL 1)
39 S	35 E	WM	26	SE NE	7.1	POU/POA	SW6
39 S	35 E	WM	26	SW NE	26.5	POU/POA	SW6
39 S	35 E	WM	26	NW NE	11.5	POA	SW6

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Acres	Proposed Change	POA resulting from T-13784
39 S	35 E	WM	26	SW NE	11.0	POA	SW6
39 S	35 E	WM	26	NE NW	26.0	POA	SW6
39 S	35 E	WM	26	SE NW	21.5	POA	SW6
Total					104.1		

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

Certificate: 92999 in the name of PUEBLO MOUNTAIN LAND CO. LLC (perfected under Permit G-23)

Use: IRRIGATION OF 79.4 ACRES AND SUPPLEMENTAL IRRIGATION OF 20.0 ACRES

Priority Date: AUGUST 25, 1955

Rate: 1.24 CUBIC FEET 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, is limited to ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: TWO WELLS in TROUT CREEK BASIN

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
39 S	35 E	WM	23	SE SW	WELL SW5 - 280 FEET NORTH AND 1620 FEET EAST FROM THE SW CORNER OF SECTION 23
39 S	35 E	WM	26	NW NE	WELL SW6 - 100 FEET SOUTH AND 3530 FEET EAST FROM THE NW CORNER OF SECTION 26

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
39 S	35 E	WM	23	NE SW	3.8
39 S	35 E	WM	23	SE SW	24.7
39 S	35 E	WM	23	NW SE	26.0
39 S	35 E	WM	23	SW SE	20.0
39 S	35 E	WM	26	NE NW	4.9
Total					79.4

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
39 S	35 E	WM	23	SW SE	20.0

16. Transfer Application T-13784 proposes to move one of the authorized points of appropriation of (WELL SW6), with approximate distances from the existing points of appropriation, to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Distance from Authorized Wells in miles
39 S	35 E	WM	23	SW SE	SW6 - 5 FEET NORTH AND 2250 FEET WEST FROM THE SE CORNER OF SECTION 23	WELL SW5 - 0.26 mi WELL SW6 - 0.11 mi

17. Transfer Application T-13784 also proposes to change the place of use of the right to:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Acres	Proposed Change	POA resulting from T-13784
39 S	35 E	WM	23	SE SW	3.7	POU	SW6
39 S	35 E	WM	23	SE SW	6.8	POU	SW5
39 S	35 E	WM	23	NW SE	22.4	POU	SW6
39 S	35 E	WM	23	SW SE	7.0	POU	SW6
39 S	35 E	WM	26	SW SE	3.3	POU	SW6
39 S	35 E	WM	26	NW NE	28.5	POU	SW6
39 S	35 E	WM	26	SE NE	3.3	POU	SW6
39 S	35 E	WM	26	NE NW	4.4	POU	SW6
Total					79.4		

SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Acres	Proposed Change	POA resulting from T-13784
39 S	35 E	WM	23	SW SE	5.5	POU	SW6
39 S	35 E	WM	24	SW SE	12.8	POU	SW6
39 S	35 E	WM	23	SE SE	0.6	POU	SW6
39 S	35 E	WM	26	NE NE	1.1	POU	SW6
Total					20.0		

Transfer Review Criteria [OAR 690-380-0100(14), 690-380-4010(2) and OAR 690-380-2110(2)]

18. Water has been used within the last five years according to the terms and conditions of the rights. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
19. A water delivery system sufficient to use the full amount of water allowed under the existing rights were present within the five-year period prior to submittal of Transfer Application T-13784.
20. The water rights are subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
21. The proposed points of appropriation develop groundwater from the same aquifer as the authorized points of appropriation, as required by OAR 690-380-2110(2).

22. The proposed changes, as conditioned, would not result in enlargement of the rights.
23. The proposed change, as conditioned, would not result in injury to other existing water rights.
24. All other application requirements are met.

Determination and Proposed Action

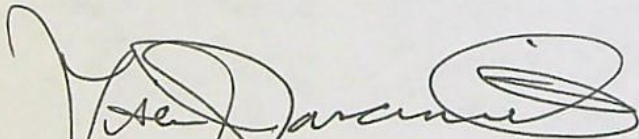
The change in points of appropriation and change in places of use proposed in Transfer Application T-13784 appear to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved.

If Transfer Application T-13784 is approved, the final order will include the following:

1. *The change in points of appropriation and change in places of use proposed in Transfer Application T-13784 are approved.*
2. *The right to the use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Certificates 46665, 51251, 81390, and 92999 and any related decree.*
3. *Water right Certificates 46665 and 92999 are cancelled.*
4. *Approval of this transfer application does not constitute nor grant legal access onto or through another person's property for purposes of accessing the new point of appropriation or the new place of use.*
5. *Water right Certificates 51251 and 81390 are cancelled. New certificates will be issued describing those portions of the rights not affected by this transfer.*
6. *Under Certificate 46665, the quantity of water diverted at the new point of appropriation (SW6) shall not exceed the quantity of water lawfully available at the original point of appropriation.*
7. *Under Certificate 51251, the quantity of water diverted at the new point of appropriation (SW6) shall not exceed the quantity of water lawfully available at the original point of appropriation.*
8. *Under Certificate 81390, the quantity of water diverted at the new point of appropriation (SW6) shall not exceed the quantity of water lawfully available at the original point of appropriation (WELL 1).*
9. *Under Certificate 92999, the quantity of water diverted at the new point of appropriation (SW6) shall not exceed the quantity of water lawfully available at the original points of appropriation (WELL SW6).*

10. *Water shall be acquired from the same aquifer (water source) as the original points of appropriation.*
11. *The former places of use of the transferred rights shall no longer receive water under the rights.*
12. *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.*
13. *Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2029**. 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.*
14. *After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.*

Dated in Salem, Oregon on **JUN 07 2024**



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 L Davis. If you have any 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.

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

- 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. 50 U.S.C. App. §§501-597b. For more information contact the Oregon State Bar at 800-452-8260, the Oregon Military Department at 971-355-4127, or the nearest United States Armed Forces Legal Assistance Office through <http://legalassistance.law.af.mil>.

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 Will Davidson at 503-507-2749.

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.

DAVIS Arla L * WRD

From: DAVIS Arla L * WRD
Sent: Monday, February 26, 2024 7:46 AM
To: bfenty@oregondesertlandtrust.org
Cc: 'nrorick@nlr-water.com'; asussman@gsiws.com; SWINDLEHURST Donald S * WRD; Owen McMurtrey
Subject: Issuance of Draft Preliminary Determination for Regular Transfer T-13784 for Oregon Desert Land Trust/Green Fields III, LLC - ACTION REQUIRED!!
Attachments: T-13784 dpd approve.pdf; T -13784 dpd cov approve.pdf; T-13784 WM contact sheet.pdf
Importance: High

This correspondence was also been sent to each applicant by regular mail.



Oregon

Tina Kotek, Governor

February 26, 2024

VIA E-MAIL

Applicants

GREEN FIELDS III, LLC
1 EMBARCADERO CENTER SUITE 3860
SAN FRANCISCO, CA 94111

OREGON DESERT LAND TRUST
C/O BRENT FENTY
2843 NW LOLO DRIVE
BEND, OR 97703

Reference: Water Right Transfer Application T-13784

Your water right transfer is in the first of three phases of processing. Enclosed is a draft of the Department's Preliminary Determination regarding Transfer Application T-13784. The document reflects the Department's conclusion that, based on the information currently available, the transfer will be approved. Your response and submittal of the items outlined below are required by **March 27, 2024.**

Required items needing your immediate attention:

1. Please carefully review the Draft Preliminary Determination to verify that it accurately reflects the changes you intend to make and to become familiar with the proposed conditions.
2. **Respond in writing** by March 27, 2024, with acknowledgement that you agree to the proposed action and conditions.
3. If you find any errors, please let me know.

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

4. **REQUIRED:** You must submit a **Report of Ownership** for the lands where the water right(s) are currently located (i.e., the FROM lands). This report:
- a) Must be prepared by a title company;
 - b) Shall include a "prepared by" statement and the date the title company prepared the report printed on the cover sheet;
 - c) Must:
 - i. Be prepared no earlier than 3 months prior to the date of issuance of the Draft Preliminary Determination showing current ownership; **OR**
 - ii. Be prepared within 3 months of the date the water right conveyance agreement was recorded; **OR**
 - iii. Show ownership for the FROM land at the time a water right conveyance agreement was recorded.

If water right conveyance agreements are involved, it is helpful to provide copies of those agreements along with the Report of Ownership.
 - d) Must include a list of owners at the time the report was generated; **AND**
 - e) Must include a legal description of the property where the water right to be transferred is currently located (i.e., the FROM lands).
5. You must provide a notarized statement of consent signed by any landowner listed in the Report of Ownership who is not already included in the transfer application. The Department's statement of consent form (**Consent By Deeded Landowner**) is available at:
https://www.oregon.gov/OWRD/WRDFormsPDF/consent_to_transfer_form.pdf
6. Notice of this transfer will need to be published in a newspaper with general circulation in the area where the water rights are currently located. You will be responsible for the charges.

Conditions of your water right...

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

Please note the proposed date by which all conditions must be met: October 1, 2025. If the required completion date is insufficient to comply with any of the conditions, you may request more time, at no cost to you, during this stage of processing. **Please let me know by the comment deadline if you will need more time and explain the reasons why.**

What happens next... Once the Preliminary Determination is issued a publication period is required. Because there is more than ¼ mile between the new and the authorized points of appropriation, the Department will publish notice of the transfer in a local newspaper having a general circulation in the area of the water right at least once per week for two consecutive weeks. You are responsible for sending a check to cover the cost of publication prior to the issuance of the Preliminary Determination and publication of notice. As outlined in OAR 690-380-4020(3), publication costs include both the direct cost of the notice and indirect processing costs (not to exceed 20% of the direct costs) for processing.

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

- 1. Your written response to the conditions and proposed action in the Draft Preliminary Determination (e-mail is acceptable); and
- 2. The Report of Ownership, including affidavits of consent from any landowners shown in the ownership report who have not signed the transfer application. The title company must indicate/state the date that they prepared the ownership report on the coversheet and/or first page of the report.

If we do not receive the items listed above by March 27, 2024, a Preliminary Determination may be issued denying the application as incomplete.

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: Transfer Application file T-13784
Donald Swindlehurst, District 10 Watermaster (via e-mail)
Nancy Rorick, Agent for the applicant (via e-mail)
Adam Sussman, Agent for the applicant (via e-mail)

encs

Arla L. Davis

She/Her/Hers
Water Rights Transfer Specialist
Transfer and Conservation Section
725 Summer St. NE, Suite A | Salem, OR 97301 | Phone: 503-979-3129



Integrity | Service | Technical Excellence | Teamwork | Forward-Looking

Work Schedule: Mon-Th – 6:00 a.m. to 4:30 p.m.

NOTE: The Salem office is now open to the public. Given that many staff will continue teleworking remotely or have job duties that take them into the field on a regular basis, availability of staff in the office is not guaranteed 8:00 a.m. – 5:00 p.m. every day. Customers and visitors are encouraged to schedule an appointment in advance if they wish to meet in person with specific staff members. Alternative methods for meeting, such as by phone or virtually via Teams, are also available.



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

February 26, 2024

VIA E-MAIL

Applicants

GREEN FIELDS III, LLC

1 EMBARCADERO CENTER SUITE 3860

SAN FRANCISCO, CA 94111

OREGON DESERT LAND TRUST

C/O BRENT FENTY

2843 NW LOLO DRIVE

BEND, OR 97703

Reference: Water Right Transfer Application T-13784

Your water right transfer is in the first of three phases of processing. Enclosed is a draft of the Department's Preliminary Determination regarding Transfer Application T-13784. The document reflects the Department's conclusion that, based on the information currently available, the transfer will be approved. Your response and submittal of the items outlined below are required by March 27, 2024.

Required items needing your immediate attention:

1. Please carefully review the Draft Preliminary Determination to verify that it accurately reflects the changes you intend to make and to become familiar with the proposed conditions.
2. **Respond in writing** by March 27, 2024, with acknowledgement that you agree to the proposed action and conditions.
3. If you find any errors, please let me know.
4. **REQUIRED:** You must submit a **Report of Ownership** for the lands where the water right(s) are currently located (i.e., the FROM lands). This report:
 - a) Must be prepared by a title company;
 - b) Shall include a "prepared by" statement and the date the title company prepared the report printed on the cover sheet;
 - c) Must:
 - i. Be prepared no earlier than 3 months prior to the date of issuance of the Draft Preliminary Determination showing current ownership; **OR**
 - ii. Be prepared within 3 months of the date the water right conveyance agreement was recorded; **OR**
 - iii. Show ownership for the FROM land at the time a water right conveyance agreement was recorded.

If water right conveyance agreements are involved, it is helpful to provide copies of those agreements along with the Report of Ownership.

IMPORTANT: In order for the Department to clearly understand the date that the title company prepared the Report of Ownership, the title company must indicate/state the date that they prepared the report on the coversheet and/or first page of the report.

- d) Must include a list of owners at the time the report was generated; AND
 - e) Must include a legal description of the property where the water right to be transferred is currently located (i.e., the FROM lands).
5. You must provide a notarized statement of consent signed by any landowner listed in the Report of Ownership who is not already included in the transfer application. The Department's statement of consent form (Consent By Deeded Landowner) is available at:
[https://www.oregon.gov/OWRD/WRDFormsPDF/consent to transfer form.pdf](https://www.oregon.gov/OWRD/WRDFormsPDF/consent%20to%20transfer%20form.pdf)
6. Notice of this transfer will need to be published in a newspaper with general circulation in the area where the water rights are currently located. You will be responsible for the charges.

Conditions of your water right...

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

Please note the proposed date by which all conditions must be met: **October 1, 2025**. If the required completion date is insufficient to comply with any of the conditions, you may request more time, at no cost to you, during this stage of processing. **Please let me know by the comment deadline if you will need more time and explain the reasons why.**

What happens next... Once the Preliminary Determination is issued a publication period is required. Because there is more than ¼ mile between the new and the authorized points of appropriation, the Department will publish notice of the transfer in a local newspaper having a general circulation in the area of the water right at least once per week for two consecutive weeks. You are responsible for sending a check to cover the cost of publication prior to the issuance of the Preliminary Determination and publication of notice. **As outlined in OAR 690-380-4020(3), publication costs include both the direct cost of the notice and indirect processing costs (not to exceed 20% of the direct costs) for processing.**

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

1. Your written response to the conditions and proposed action in the Draft Preliminary Determination (e-mail is acceptable); and
2. The Report of Ownership, including affidavits of consent from any landowners shown in the ownership report who have not signed the transfer application. The title company must indicate/state the date that they prepared the ownership report on the coversheet and/or first page of the report.

If we do not receive the items listed above by March 27, 2024, a Preliminary Determination may be issued denying the application as incomplete.

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: Transfer Application file T-13784
Donald Swindlehurst, District 10 Watermaster (via e-mail)
Nancy Rorick, Agent for the applicant (via e-mail)
Adam Sussman, Agent for the applicant (via e-mail)

encs

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application
T-13784, Harney County

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)
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D R A F T

PRELIMINARY DETERMINATION
PROPOSING APPROVAL OF A CHANGE IN
POINTS OF APPROPRIATION AND A
CHANGE IN PLACES 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.

Applicants

OREGON DESERT LAND TRUST
C/O BRENT FENTY
2843 NW LOLO DRIVE
BEND, OR 97703

GREEN FIELDS III, LLC
1 EMBARCADERO CENTER SUITE 3860
SAN FRANCISCO, CA 94111

Findings of Fact

1. On July 29, 2021, PUEBLO MOUNTAIN LAND COMPANY, LLC, ATTN: DUANE GRANT and OREGON DESERT LAND TRUST, C/O BRENT FENTY filed an application to change the points of appropriation and to change the places of use under Certificates 46665, 51251, 81390, and 92999. The Department assigned the application number T-13784.
2. Notice of the application for transfer was published on August 31, 2021, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On September 8, 2023, the Department approved an assignment of Transfer Application T-13784 from Pueblo Mountain Land Company, LLC, Duane Grant, to Green Fields III, LLC.

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

Certificate: 46665 in the name of MRS. J. E. CALDERWOOD (perfected under Permit G-3487)
Use: SUPPLEMENTAL IRRIGATION OF 44.8 ACRES
Priority Date: SEPTEMBER 23, 1966
Rate: 0.56 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 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.
Source: A WELL, a tributary of TROUT CREEK

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
39 S	36 E	WM	31	NE SW	350 FEET SOUTH AND 50 FEET EAST FROM THE NW CORNER OF THE NE 1/4 SW 1/4 OF SECTION 31

Authorized Place of Use:

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
39 S	35 E	WM	36	SE NE	17.4
39 S	35 E	WM	36	NE SE	27.4
Total					44.8

5. Transfer Application T-13784 proposes to move the authorized point of appropriation approximately 2.31 miles from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
39 S	35 E	WM	23	SW SE	SW 6 - 5 FEET NORTH AND 2250 FEET WEST FROM THE SE CORNER OF SECTION 23

6. Transfer Application T-13784 also proposes to change the place of use of the right to:

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
39 S	35 E	WM	23	NE SE	25.9
39 S	35 E	WM	23	SE SE	2.7
39 S	35 E	WM	26	NE NE	9.1
39 S	35 E	WM	26	NE NE	7.1
Total					44.8

7. The portion of the second right to be transferred is as follows:

Certificate: 51251 in the name of ORLANDO TROUT CREEK RANCH (perfected under Permit G-4156)
Use: SUPPLEMENTAL IRRIGATION OF 16.1 ACRES
Priority Date: AUGUST 22, 1968
Rate: 0.2 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 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.
Source: A WELL, a tributary of TROUT CREEK

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
39 S	35 E	WM	25	NW SE	2500 FEET NORTH AND 1830 FEET WEST FROM THE SE CORNER OF SECTION 25

Authorized Place of Use:

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
39 S	35 E	WM	24	SW NE	2.1
39 S	35 E	WM	24	NE NW	4.0
39 S	35 E	WM	24	SE NW	10.0
Total					16.1

8. Transfer Application T-13784 proposes to move the authorized point of appropriation approximately 1.21 miles from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
39 S	35 E	WM	23	SW SE	SW6 - 5 FEET NORTH AND 2250 FEET WEST FROM THE SE CORNER OF SECTION 23

9. Transfer Application T-13784 also proposes to change the place of use of the right to:

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
39 S	35 E	WM	23	SE SE	16.1

10. The portion of the third right to be transferred is as follows:

Certificate: 81390 in the name of LORIN SHERBURN AND WILLIS E. STAFFORD (perfected under Permit G-8135)
Use: IRRIGATION OF 104.1 ACRES
Priority Date: DECEMBER 19, 1977
Rate: 1.3 CUBIC FEET PER SECOND FROM WELL 1

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

Source: WELL 1, in the TROUT CREEK BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
39 S	35 E	WM	23	SE SW	WELL 1 - 280 FEET NORTH AND 1620 FEET EAST FROM THE SW CORNER OF SECTION 23

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
39 S	35 E	WM	23	SW NE	1.1
39 S	35 E	WM	23	SE NW	15.0
39 S	35 E	WM	23	NW SE	16.7
39 S	35 E	WM	23	NE SW	1.3
39 S	35 E	WM	26	NW NE	11.5
39 S	35 E	WM	26	SW NE	11.0
39 S	35 E	WM	26	NE NW	26.0
39 S	35 E	WM	26	SE NW	21.5
Total					104.1

11. Transfer Application T-13784 proposes to move the authorized point of appropriation approximately 0.26 mile from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
39 S	35 E	WM	23	SW SE	SW6 - 5 FEET NORTH AND 2250 FEET WEST FROM THE SE CORNER OF SECTION 23

12. Transfer Application T-13784 also proposes to change the place of use of the right to:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Acres	Proposed Change	POA resulting from T-13784
39 S	35 E	WM	23	SW NE	0.5	POU	SW5 (WELL 1)
39 S	35 E	WM	26	SE NE	7.1	POU/POA	SW6
39 S	35 E	WM	26	SW NE	26.5	POU/POA	SW6
39 S	35 E	WM	26	NW NE	11.5	POA	SW6
39 S	35 E	WM	26	SW NE	11.0	POA	SW6
39 S	35 E	WM	26	NE NW	26.0	POA	SW6
39 S	35 E	WM	26	SE NW	21.5	POA	SW6
Total					104.1		

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

Certificate: 92999 in the name of PUEBLO MOUNTAIN LAND CO. LLC (perfected under Permit G-23)

Use: IRRIGATION OF 79.4 ACRES AND SUPPLEMENTAL IRRIGATION OF 20.0 ACRES

Priority Date: AUGUST 25, 1955

Rate: 1.24 CUBIC FEET 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, is limited to ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: TWO WELLS in TROUT CREEK BASIN

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
39 S	35 E	WM	23	SE SW	WELL SW5 - 280 FEET NORTH AND 1620 FEET EAST FROM THE SW CORNER OF SECTION 23
39 S	35 E	WM	26	NW NE	WELL SW6 - 100 FEET SOUTH AND 3530 FEET EAST FROM THE NW CORNER OF SECTION 26

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
39 S	35 E	WM	23	NE SW	3.8
39 S	35 E	WM	23	SE SW	24.7
39 S	35 E	WM	23	NW SE	26.0
39 S	35 E	WM	23	SW SE	20.0
39 S	35 E	WM	26	NE NW	4.9
Total					79.4

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
39 S	35 E	WM	23	SW SE	20.0

14. Transfer Application T-13784 proposes to move one of the authorized points of appropriation of (WELL SW6), with approximate distances from the existing points of appropriation, to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Distance from Authorized Wells in miles
39 S	35 E	WM	23	SW SE	SW6 - 5 FEET NORTH AND 2250 FEET WEST FROM THE SE CORNER OF SECTION 23	WELL SW5 - 0.26 mi WELL SW6 - 0.11 mi

15. Transfer Application T-13784 also proposes to change the place of use of the right to:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Acres	Proposed Change	POA resulting from T-13784
39 S	35 E	WM	23	SE SW	3.7	POU	SW6
39 S	35 E	WM	23	SE SW	6.8	POU	SW5
39 S	35 E	WM	23	NW SE	22.4	POU	SW6
39 S	35 E	WM	23	SW SE	7.0	POU	SW6
39 S	35 E	WM	26	SW SE	3.3	POU	SW6
39 S	35 E	WM	26	NW NE	28.5	POU	SW6
39 S	35 E	WM	26	SE NE	3.3	POU	SW6
39 S	35 E	WM	26	NE NW	4.4	POU	SW6
Total					79.4		

SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Acres	Proposed Change	POA resulting from T-13784
39 S	35 E	WM	23	SW SE	5.5	POU	SW6
39 S	35 E	WM	24	SW SE	12.8	POU	SW6
39 S	35 E	WM	23	SE SE	0.6	POU	SW6
39 S	35 E	WM	26	NE NE	1.1	POU	SW6
Total					20.0		

Transfer Review Criteria [OAR 690-380-0100(14), 690-380-4010(2) and OAR 690-380-2110(2)]

16. Water has been used within the last five years according to the terms and conditions of the rights. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
17. A water delivery system sufficient to use the full amount of water allowed under the existing rights were present within the five-year period prior to submittal of Transfer Application T-13784.
18. The water rights are subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
19. The proposed points of appropriation develop groundwater from the same aquifer as the authorized points of appropriation, as required by OAR 690-380-2110(2).
20. The proposed changes, as conditioned, would not result in enlargement of the rights.
21. The proposed change, as conditioned, would not result in injury to other existing water rights.
22. All other application requirements are met.

Determination and Proposed Action

The change in points of appropriation and change in places of use proposed in Transfer Application T-13784 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-13784 is approved, the final order will include the following:

- 1. The change in points of appropriation and change in places of use proposed in Transfer Application T-13784 are approved.*
- 2. The right to the use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Certificates 46665, 51251, 81390, and 92999 and any related decree.*
- 3. Water right Certificates 46665 and 92999 are cancelled.*
- 4. Approval of this transfer application does not constitute nor grant legal access onto or through another person's property for purposes of accessing the new point(s) of appropriation or the new place of use.*
- 5. Water right Certificates 51251 and 81390 are cancelled. New certificates will be issued describing those portions of the rights not affected by this transfer.*
- 6. Under Certificate 46665, the quantity of water diverted at the new point of appropriation (SW6) shall not exceed the quantity of water lawfully available at the original points of appropriation.*
- 7. Under Certificate 51251, the quantity of water diverted at the new point of appropriation (SW6) shall not exceed the quantity of water lawfully available at the original points of appropriation.*
- 8. Under Certificate 81390, the quantity of water diverted at the new point of appropriation (SW6) shall not exceed the quantity of water lawfully available at the original points of appropriation (WELL 1).*
- 9. Under Certificate 92999, the quantity of water diverted at the new point of appropriation (SW6) shall not exceed the quantity of water lawfully available at the original points of appropriation (WELL SW6).*
- 10. Water shall be acquired from the same aquifer (water source) as the original points of appropriation.*
- 11. The former places of use of the transferred rights shall no longer receive water under the rights.*

12. *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.*

13. *Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2025**. 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.*

14. *After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.*

Dated in Salem, Oregon on

D R A F T

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

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

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080 you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

STATE OF OREGON

COUNTY OF HARNEY

CERTIFICATE OF WATER RIGHT.

THIS CERTIFICATE ISSUED TO

LORIN SHERBURN
19497 FIELDS DENIO ROAD
FIELDS, OREGON 97710

AND

WILLIS E. STAFFORD
1110 LAUGHLIN ROAD
PRINEVILLE, OREGON 97754

confirms the right to use the waters of 6 WELLS in the TROUT CREEK BASIN for IRRIGATION OF 879.9 ACRES AND SUPPLEMENTAL IRRIGATION OF 31.0 ACRES.

This right was perfected under Permit G-8135. The date of priority is DECEMBER 19, 1977. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 11.39 CUBIC FOOT PER SECOND; BEING 1.72 CFS FROM WELL 1, 2.39 CFS FROM WELL 2, 2.37 CFS FROM WELL 3, 2.00 CFS FROM WELL 4, 0.39 CFS FROM WELL 5, AND 2.52 CFS FROM WELL 6, or its equivalent in case of rotation, measured at the well. This right is limited to any deficiency in the available supply of any prior right existing for the same land.

The wells are located as follows:

NE 1/4 SW 1/4, SE 1/4 SW 1/4, SECTION 22, NW 1/4 NE 1/4, NW 1/4 SW 1/4, SE 1/4 SW 1/4, SECTION 23, NE 1/4 NE 1/4, SECTION 27, T 39 S, R 35 E, W.M.; WELL 4 - 2280 FEET NORTH AND 320 FEET WEST, WELL 6 - 690 FEET NORTH AND 30 FEET WEST, BOTH FROM THE S 1/4 CORNER, SECTION 22; WELL 5 - 1310 FEET SOUTH AND 50 FEET EAST FROM THE N 1/4 CORNER, SECTION 23; WELL 3 - 2300 FEET NORTH AND 250 FEET EAST, WELL 1 - 280 FEET NORTH AND 1620 FEET EAST, WELL 2 - 960 FEET SOUTH AND 110 FEET WEST, ALL THREE FROM THE SW CORNER, SECTION 23.

G-8586.LHN

CERTIFICATE NUMBER 81390

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is 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. This right is limited to any deficiency in the available supply of any prior right existing for the same land:

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

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

SHERBORN

WELL 1 PRIMARY

SW 1/4 NE 1/4	1.1 ACRES
SE 1/4 NW 1/4	16.8 ACRES
NE 1/4 SW 1/4	21.7 ACRES
SW 1/4 SW 1/4	5.6 ACRES
SE 1/4 SW 1/4	6.4 ACRES
NW 1/4 SE 1/4	1.8 ACRES

SECTION 23

NW 1/4 NE 1/4	11.5 ACRES
SW 1/4 NE 1/4	11.0 ACRES
NE 1/4 NW 1/4	30.1 ACRES
NW 1/4 NW 1/4	0.3 ACRE
SE 1/4 NW 1/4	31.6 ACRES

SECTION 26

WELL 2 PRIMARY

SW 1/4 SE 1/4	0.3 ACRE
SE 1/4 SE 1/4	16.4 ACRES

SECTION 22

SW 1/4 SW 1/4	11.6 ACRES
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SECTION 23

TOWNSHIP 39 SOUTH, RANGE 35 EAST, W.M.

WELL 2 CONTINUED

NE 1/4 NW 1/4	4.3 ACRES
NW 1/4 NW 1/4	39.7 ACRES
SW 1/4 NW 1/4	29.6 ACRES
SE 1/4 NW 1/4	0.6 ACRES

SECTION 26

NE 1/4 NE 1/4	40.0 ACRES
NW 1/4 NE 1/4	10.8 ACRES
SW 1/4 NE 1/4	4.0 ACRES
SE 1/4 NE 1/4	33.6 ACRES

SECTION 27

WELL 3 PRIMARY

SE 1/4 NE 1/4	26.8 ACRES
NE 1/4 SE 1/4	38.4 ACRES
NW 1/4 SE 1/4	0.5 ACRE
SE 1/4 SE 1/4	10.0 ACRES

SECTION 22

SW 1/4 NW 1/4	35.6 ACRES
SE 1/4 NW 1/4	6.4 ACRES
NE 1/4 SW 1/4	14.3 ACRES
NW 1/4 SW 1/4	40.0 ACRES
SW 1/4 SW 1/4	16.8 ACRES
SE 1/4 SW 1/4	0.7 ACRE

SECTION 23

WELL 4 PRIMARY

SW 1/4 NE 1/4	19.0 ACRES
SW 1/4 NW 1/4	5.2 ACRES
SE 1/4 NW 1/4	30.9 ACRES
NE 1/4 SW 1/4	38.1 ACRES
NW 1/4 SW 1/4	12.4 ACRES
SW 1/4 SW 1/4	0.1 ACRE
SE 1/4 SW 1/4	14.0 ACRES
NW 1/4 SE 1/4	33.6 ACRES
SW 1/4 SE 1/4	6.4 ACRES

SECTION 22

TOWNSHIP 39 SOUTH, RANGE 35 EAST, W.M.

WELL 6 PRIMARY

SE 1/4 NE 1/4 7.6 ACRES
NE 1/4 SE 1/4 12.4 ACRES
SE 1/4 SE 1/4 0.3 ACRE
SECTION 21

SW 1/4 NW 1/4 8.8 ACRES
NW 1/4 SW 1/4 22.0 ACRES
SW 1/4 SW 1/4 0.1 ACRE
SE 1/4 SW 1/4 16.0 ACRES
SW 1/4 SE 1/4 13.6 ACRES
SECTION 22

NW 1/4 NE 1/4 25.2 ACRES
SW 1/4 NE 1/4 13.2 ACRES
NE 1/4 NW 1/4 35.2 ACRES
NW 1/4 NW 1/4 3.1 ACRES
SW 1/4 NW 1/4 16.0 ACRES
SE 1/4 NW 1/4 28.4 ACRES
SECTION 27

TOWNSHIP 39 SOUTH, RANGE 35 EAST, W.M.

STAFFORDWELL 5 SUPPLEMENTAL

NW 1/4 SE 1/4 9.6 ACRES
SW 1/4 SE 1/4 9.6 ACRES
SECTION 14

NW 1/4 NE 1/4 11.8 ACRES
SECTION 23

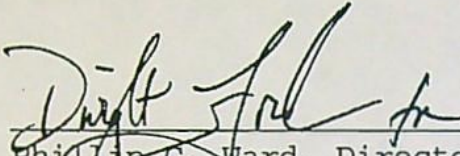
TOWNSHIP 39 SOUTH, RANGE 35 EAST, W.M.

THIS CERTIFICATE IS ISSUED TO CORRECTLY DESCRIBE THE LOCATION OF
WELL 2 AND SUPERSEDES CERTIFICATE 64431.

The issuance of this superseding certificate does not confirm the
status of the water right in regard to the provisions of ORS 540.610
pertaining to forfeiture or abandonment.

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

Issued MAY 26, 2005.


Phillip C. Ward, Director
Water Resources Department

Recorded in State Record of Water Right Certificates Number 81390.

G-8586.LHN

STATE OF OREGON
COUNTY OF HARNEY

CERTIFICATE OF WATER RIGHT

This Is to Certify, That MRS. J. E. CALDERWOOD

of Andrews, State of Oregon, 97710, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of a well

a tributary of Trout Creek for the purpose of supplemental irrigation of 44.8 acres

under Permit No. G-3487 and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from September 23, 1966 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 0.56 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the well. The well is located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 31, T. 39 S., R. 36 E., W. M., 350 feet South and 50 feet East from the NW Corner, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 31

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.

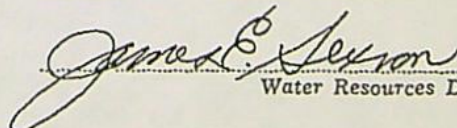
A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

17.4 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$
27.4 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 36
T. 39 S., R. 35 E., W. M.

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

WITNESS the signature of the Water Resources Director, affixed

this date. October 20, 1978


Water Resources Director

Harney County

T-3012

IN THE MATTER OF THE APPLICATION
OF DON S. ORLANDO FOR THE APPROVAL
OF A CHANGE IN PLACE OF USE OF
WATER FROM TROUT CREEK

ORDER APPROVING
TRANSFER NO. 3012

On April 4, 1974, Don S. Orlando filed an application for transfer of water right in the office of the Water Resources Director proposing a change in place of use under an existing right of record to appropriate water from Trout Creek, with a date of priority of 1884, at a point of diversion located 290 feet North and 500 feet East from the Southwest corner of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 30, being within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 30, Township 39 South, Range 36 East, W.M., for the irrigation of 20.0 acres in E $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ and 40.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 19, 20.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ and 10.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 30, Township 39 South, Range 36 East, W.M., being a portion of the right recognized in the name of Thomas & Walter by Decree of the Court for Harney County, dated February 23, 1916, in the Matter of Edwin B. Hill et al v. The American Land and Livestock Company et al, appurtenant to said lands in part as tabulated in the Decree and in part by change in place of use under the provisions of an order of the State Engineer, dated July 9, 1942, and recorded at Page 253, Volume 4, Special Order Record.

The applicant herein, owner of the lands above described, proposes to sever the said right therefrom and to irrigate 20.0 acres in S $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, 30.0 acres in S $\frac{3}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ and 40.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 25, Township 39 South, Range 35 East, W.M.

Mr. William H. Beal, Watermaster of District No. 10, has filed a statement to the effect that the proposed change in place of use may be made without injury to existing rights.

No objection having been filed and it appearing that the proposed change in place of use may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the requested change in place of use described herein, without loss of priority, is approved.

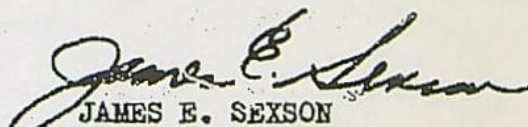
It is FURTHER ORDERED that the following provisions shall be effective when in the judgement of the watermaster it becomes necessary to install headgates and measuring devices:

That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

That the type and plans of the measuring device be approved by the watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said watermaster.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1977.

Dated at Salem, Oregon, this 29th day of October, 1976.


JAMES E. SEXSON
Director

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

Order of Proper Proof of Changes in Place of
Use Under Transfer 3012

Final Order

This order confirms the right of record to use the waters of TROUT CREEK for IRRIGATION of 90.0 ACRES.

This right of record was confirmed by decree of the Circuit Court of the State of Oregon for HARNEY County, dated February 13, 1916, in the matter of Edwin B. Hill et al v The American Land and Livestock Company et al. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 3, at Page 89. The date of priority is 1884.

The amount of water to which this right of record is entitled is limited to an amount actually used beneficially, and shall not exceed a diversion of 3.0 acre-feet for each acre irrigated during the irrigation season, or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Survey Coordinates
39 S	36 E	WM	30	NW NE			290 FEET NORTH AND 500 FEET EAST FROM THE SW CORNER, NW¼ NE¼, SECTION 30

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

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
39 S	35 E	WM	25	NE NE			19.6
39 S	35 E	WM	25	NW NE			21.1
39 S	35 E	WM	25	SE NE			40.0
39 S	35 E	WM	25	NE NW			7.3
39 S	35 E	WM	25	NE SE			2.0

When in the judgment of the Watermaster it becomes necessary to install headgates and measuring devices, the diversion works shall include an in-line flow meter, weir, or other suitable device for measuring the water to which the water user is entitled. The type and plans of the measuring device shall be approved by the Watermaster before the beginning of construction work and the weir or measuring device be installed under the general supervision of the Watermaster.

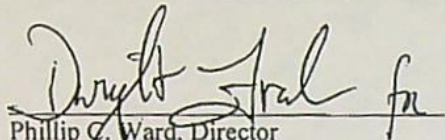
This order is issued to confirm a change in PLACE OF USE approved by an order of the Water Resources Director entered October 29, 1977, at Special Order Volume 28, Page 73, approving Transfer Application 3012.

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

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

Issued OCT 10 2008.


Phillip C. Ward, Director

STATE OF OREGON

COUNTY OF

HARNEY

CERTIFICATE OF WATER RIGHT

This Is to Certify, That ORLANDO TROUT CREEK RANCH

of 20780 Boyce Lane, Saratoga, State of California 95070, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of a well

a tributary of Trout Creek for the purpose of primary irrigation of 4.8 acres and supplemental irrigation of 197.3 acres

under Permit No. G-4156 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 August 22, 1968

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 2.53 cubic feet per second

or its equivalent in case of rotation, measured at the point of diversion from the well. The well is located in the NW 1/4 SE 1/4, Section 25, T39S, R35E, WM; 2,500 feet North and 1,830 feet West from SE Corner, Section 25

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:

SEE NEXT PAGE

PRIMARY IRRIGATION

1.2 acres NE 1/4 SW 1/4
1.2 acres SE 1/4 SW 1/4
1.2 acres NW 1/4 SE 1/4
1.2 acres SW 1/4 SE 1/4
Section 24

SUPPLEMENTAL IRRIGATION

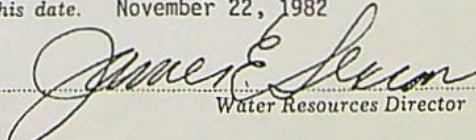
5.6 acres SW 1/4 NE 1/4
4.0 acres NE 1/4 NW 1/4
19.5 acres SE 1/4 NW 1/4
40.0 acres NE 1/4 SW 1/4
40.0 acres SE 1/4 SW 1/4
4.6 acres NE 1/4 SE 1/4
40.0 acres NW 1/4 SE 1/4
40.0 acres SW 1/4 SE 1/4
3.6 acres SE 1/4 SE 1/4
Section 24

Township 39 South, Range 35 East, WM

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

WITNESS the signature of the Water Resources Director, affixed

this date. November 22, 1982


Water Resources Director

STATE OF OREGON

COUNTY OF HARNEY

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

PUEBLO MOUNTAIN LAND CO. LLC
 707 E 600 N
 RUPERT ID 83350-9466

confirms the right to the use of water perfected under the terms of Permit G-23. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the well(s). The specific limits and conditions of the use are listed below.

SOURCE OF WATER: TWO WELLS IN TROUT CREEK BASIN

PURPOSE OR USE: IRRIGATION OF 79.4 ACRES AND SUPPLEMENTAL IRRIGATION OF 20.0 ACRES

MAXIMUM RATE: 1.24 CUBIC FEET PER SECOND

DATE OF PRIORITY: AUGUST 25, 1955

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
39 S	35 E	WM	23	SE SW	WELL SW5 - 280 FEET NORTH AND 1620 FEET EAST FROM SW CORNER, SECTION 23
39 S	35 E	WM	26	NW NE	WELL SW6 - 100 FEET SOUTH AND 3530 FEET EAST FROM NW CORNER, SECTION 26

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre feet per acre for each acre irrigated during the irrigation season of each year, and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use is as follows:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
39 S	35 E	WM	23	NE SW	3.8
39 S	35 E	WM	23	SE SW	24.7
39 S	35 E	WM	23	NW SE	26.0
39 S	35 E	WM	23	SW SE	20.0
39 S	35 E	WM	26	NE NW	4.9

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
39 S	35 E	WM	23	SW SE	20.0

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may petition for judicial review and 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.

Measurement, recording and reporting conditions:

- A. The water user shall maintain, in good working order, a totalizing flow meter or other suitable measuring device as approved by the Director at each point of appropriation (new and existing).
- B. The water user shall allow the watermaster access to the meters or measuring devices; provided however, where any meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

The quantity of water diverted at the new points of appropriation, shall not exceed the quantity of water lawfully available from the original point of appropriation described as follows:

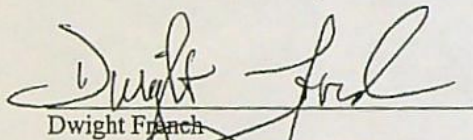
Twp	Rng	Mer	Sec	Q-Q	Measured Distances
39 S	35 E	WM	22	NE SE	MCLEAN WELL NO. 1 - 1 CHAIN SOUTH AND 1.5 CHAINS WEST FROM E1/4 CORNER, SECTION 22

Water shall be acquired from the same aquifer (water source) as the original point of appropriation.

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

This certificate is issued to confirm a change in POINT OF APPROPRIATION approved by an order of the Water Resources Director entered DECEMBER 10, 2014, at Special Order Volume 93, Page 937, approving Transfer Application 11700, supersedes Certificate 31859, State record of Water Right Certificates.

Issued APR 19 2017



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



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301
Phone: 503-986-0900
Fax: 503-986-0904
www.Oregon.gov/OWRD

September 8, 2023

GSI Water Solutions Inc.
1600 SW Western Blvd, Suite 240
Corvallis, OR 97333

Reference: Application G-18169, Permit G-18265
Reference: Transfer T-12255
Reference: Transfer T-13784

Regarding Application G-18169, Permit G-18265, the assignment from Pueblo Mountain Land Co. LLC to Green Fields III, LLC has been recorded in the records of the Water Resources Department.

The Departments records will now show Green Fields III, LLC has as the permit holder of record for Application G-18169, Permit G-18265.

Regarding Transfer T-12255, the assignment from Pueblo Mountain Land Company to Green Fields III, LLC has been recorded in the records of the Water Resources Department.

The Departments records will now show Green Fields III, LLC has as the transfer holder of record for Transfer T-12255.

Regarding Transfer T-13784, the assignment from Pueblo Mountain Land Company, LLC, Duane Grant to Green Fields III, LLC has been recorded in the records of the Water Resources Department.

The Departments records will now show Green Fields III, LLC and Oregon Desert Land Trust, Brent Fenty has as the transfer holders of record for Transfer T-13784.

Our records have been changed accordingly and the original requests are enclosed. Receipt numbers 141569, 141570 and 141571 covering the recording fees are also enclosed.

Permits and transfers are not perfected water rights, and have conditions and timelines that must be satisfied prior to Certificates of Water Right being issued. Please review the permit and transfers to be familiar with the conditions and timelines contained in them.

Please note that the permit required complete application of water to the proposed use by February 8, 2023, and within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE). An Application for Extension of Time was received by the Department on April 3, 2023, requesting the time to complete construction and application of water, be extended to October 1, 2024. As of this date, the Application for Extension of Time is pending review.



Regarding Transfer T-12255, please note that the transfer requires complete application of water to the proposed use by October 1, 2027, and within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

Regarding Transfer T-13784, please note that the transfer application is currently pending review.

Sincerely,



Mary F. Bjork
Water Rights Program Analyst
Water Right Services Division

Enclosure: Original Requests and Receipts 141569, 141570 and 141571

cc: Pueblo Mountain Land Co. LLC; Attn: Duane Grant – 707 E 600 N, Rupert, ID 83350
Green Fields III, LLC – c/o Homestead Capital USA, LLC – One Embarcadero Center, Suite 3860,
San Francisco, CA 94111
Oregon Desert Land Trust; Attn: Brent Fenty – 2843 NW Lolo Drive, Bend, OR 97703
Data Center, OWRD (cover letter & request)
File

WATER RIGHT TRANSFER COVER SHEET

Transfer: T- 13784

Transfer Specialist:

Transfer Type: Regular Transfer

Applicant: OREGON DESERT LAND TRUST BRENT FENTY C/O BRENT FENTY 2843 NW LOLO DRIVE BEND, OR 97703 PUEBLO MOUNTAIN LAND COMPANY LLC DUANE GRANT 707 E 600 N RUPERT, ID 83350 Email: _____ Phone: _____		Agent: <input type="checkbox"/> N/A NANCY RORICK 645 L LOOP BAKER CITY, OR 97814 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 Harney County Planning Department 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.
	G-3681	G-3487	46665		N/A
<input type="checkbox"/>	G-4410	G-4156	51251	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	G-8586	G-9287	81390	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	G-109	G-23	92999	<input type="checkbox"/> Yes <input type="checkbox"/> No	N/A

Key Dates & Initial Actions:

Rec'd: July 29, 2021	Proposed Action(s): POINT OF APPROPRIATION; PLACE OF USE	
Fees Pd: 5920.00	WM District: 10	ODFW District:
Initial Public Notice: August 31, 2021	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 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: _____ Initials: ALD	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	CW Sent: _____	N/A
PD	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____	Date: _____
FO	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____	Date: _____

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 # 135986

INVOICE #

RECEIVED FROM: Nancy Borick
BY: D.B.A. Nancy Borick Consulting

APPLICATION
PERMIT
TRANSFER T-13784

CASH: ☐ CHECK: # 1222 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 1,220.00

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 46110
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 \$ 1,220.00

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 RECEIVED
OBJ. CODE VENDOR OVER THE COUNTER
DESCRIPTION \$

RECEIPT: 135986

DATED: 7-29-2021 BY: [Signature]

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

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 # 135987

INVOICE #

RECEIVED FROM: Pueblo Mountain Land
BY: Company, LLC

APPLICATION
PERMIT
TRANSFER T-13784

CASH: ☐ CHECK: # 2137 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 4,700.00

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 46110
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 \$ 4,700.00

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 RECEIVED
OBJ. CODE VENDOR OVER THE COUNTER
DESCRIPTION \$

RECEIPT: 135987

DATED: 7-29-2021 BY: [Signature]

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

Application for Permanent Water Right Transfer

Part 1 of 5 – Minimum Requirements Checklist



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

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

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

RECEIVED

JUL 29 2021

OWRD

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

- ☒ Part 1 – Completed Minimum Requirements Checklist.
- ☒ Part 2 – Completed Transfer Application Map Checklist.
- ☒ Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at: http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator. If you have questions, call Customer Service at (503) 986-0801.
- ☒ Part 4 – Completed Applicant Information and Signature.
- ☒ Part 5 – Information about Water Rights to be Transferred: **How many water rights are to be transferred? 4 List them here: Certificates 46665, 51251, 81390, 92999.**
Please include a separate Part 5 for each water right. (See instructions on page 6)

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: _____ 503-986-0 _____

Date: ____/____/____

JUL 29 2021

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°).

13784

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
2	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> Multiply line 2b by \$1090 and enter »	2 1090 RECEIVED JUL 29 OWR
3	Number of water rights included in transfer <u>4 (3a)</u> Subtract 1 from the number in line 3a above: <u>3 (3b)</u> <i>If only one water right this will be 0</i> Multiply line 3b by \$610 and enter »	3 1830
4	Do you propose to add or change a well, or change from a surface water POD to a well? <input checked="" type="checkbox"/> No: enter 0 <input type="checkbox"/> Yes: enter \$480 for the 1 st well to be added or changed _____ (4a) 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>1 (4b)</u> Add line 4a to line 4b and enter »	4 410
5	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>3.3 (5a)</u> Subtract 1.0 from the number in 5a above: <u>2.3 (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>3 (5c)</u> and multiply 5c by \$410, then enter on line 5 »	5 1230
6	Add entries on lines 1 through 5 above » » » » » » » » » » Subtotal:	6 5920
7	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 » If no box is applicable, enter 0 on line 7 »	7
8	Subtract line 7 from line 6 » Transfer Fee:	8 5920

*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	

13784

Applicant Information

APPLICANT/BUSINESS NAME Brent Fenty / Oregon Desert Land Trust			PHONE NO. 971-350-9458	ADDITIONAL CONTACT NO.
ADDRESS 2843 NW Lolo Drive			FAX NO.	
CITY Bend	STATE OR	ZIP 97703	E-MAIL bfenty@oregondesertlandtrust.org	
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.				
APPLICANT/BUSINESS NAME Duane Grant / Pueblo Mountain Land Company, LLC			PHONE NO. 208-531-5149	ADDITIONAL CONTACT NO. 208-431-0006
ADDRESS 707 E 600 N			FAX NO.	
CITY Rupert	STATE ID	ZIP 83350	E-MAIL duane@grant4dfarms.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 Nancy Rorick / Nancy Rorick Consulting			PHONE NO. 541-519-3644	ADDITIONAL CONTACT NO.
ADDRESS 645 L Loop			FAX NO.	
CITY Baker City	STATE OR	ZIP 97814	E-MAIL nrorick@nlr-water.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:
The Oregon Desert Land Trust (ODLT) and Pueblo Mountain Land Company LLC (PMLC) are submitting a joint permit application to convert to pivot irrigation. The PMLC recently divided their property and sold a portion to ODLT.

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

Check One Box

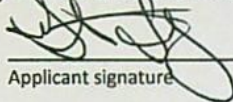
- ☒ By signing this application, I understand that, upon receipt of the draft preliminary determination and prior to Department approval of the transfer, I will be required to provide landownership information and evidence that I am authorized to pursue the transfer as identified in OAR 690-380-4010(5); **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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By my signature below, I confirm that I understand:

- 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).

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


Applicant signature

Brent Ferry, OWRD

Print Name (and Title if applicable)

7/26/21

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.

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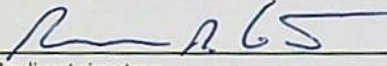
13784

By my signature below, I confirm that I understand:

- 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).

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




Applicant signature

Duane R. Grant, President
Print Name (and Title if applicable)

7/26/2021
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.

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Check the following boxes that apply:

- ☒ The applicants are 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: **RECEIVED**
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https://www.oregon.gov/owrd/WRDFormsPDF/Transfer_Property_Transactions.pdf

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

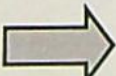
Describe any special ownership circumstances here: _____

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

IRRIGATION DISTRICT NAME n/a	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME n/a	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME Harney County	ADDRESS 360 N Alvord	
CITY Burns	STATE OR	ZIP 97720

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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 # 46665

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Description of Water Delivery System

System capacity: 0.56 cubic feet per second (cfs) OR
 _____ gallons per minute (gpm)

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Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. Water is pumped from the well via a pipeline to a wheel line. The pipeline and well are shown on the transfer application map.

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)
a well	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	HARN 1814	39 S	36 E	31	NE SW	900	350 feet South and 50 feet East from the NW Corner, NE ¼ SW ¼, Section 31.
SW 6	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	HARN 1798	39 S	35 E	23	SW SE	100	2250 feet west and 5 feet north of the SE corner of Section 23.
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							

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

- | | |
|--|---|
| <input checked="" type="checkbox"/> Place of Use (POU) | <input type="checkbox"/> Supplemental Use to Primary Use (S to P) |
| <input type="checkbox"/> Character of Use (USE) | <input checked="" type="checkbox"/> Point of Appropriation/Well (POA) |
| <input type="checkbox"/> Point of Diversion (POD) | <input 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.

13784

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 # 46665

List the change proposed for the acreage in each $\frac{1}{4}$ $\frac{1}{4}$. If more than one change is proposed, specify the acreage associated with each change.
If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.										Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.												
Twp	Rng	Sec	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			
										POU/POA	39	S	35	E	23	NE	SE	100		25.9		SW6	9/23/1966
										POU/POA	39	S	35	E	23	SE	SE	100		2.7		SW6	9/23/1966
										POU/POA	39	S	35	E	26	NE	NE	200		9.1		SW6	9/23/1966
										POU/POA	39	S	35	E	26	NE	NE	100		7.1		SW6	9/23/1966
TOTAL ACRES:											TOTAL ACRES:						44.8						

Additional remarks: This water right will have a new POA and POU, the old POA will no longer be used.

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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: Certificate 91345, E. Dean and C. Thomas in 1916 Trout Creek Decree.

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 # n/a;
Surface water primary Certificate # N/A.

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For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # N/A

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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. *Well logs attached.*

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

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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 # 51251

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Description of Water Delivery System

JUL 29 2021

System capacity: 2.53 (0.20 to be transferred) cubic feet per second (cfs) OR
 _____ gallons per minute (gpm)

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Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. Water is pumped from well TC7 through the pipeline shown on the transfer application map. The water is used to flood irrigate the field.

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)
a well (TC7)	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	HARN 1806	39	S	35	E	25	NW	SE 100
SW6	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	HARN 1798	39	S	35	E	23	SW	SE 100
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed								
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed								

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

- | | |
|--|---|
| <input checked="" type="checkbox"/> Place of Use (POU) | <input type="checkbox"/> Supplemental Use to Primary Use (S to P) |
| <input type="checkbox"/> Character of Use (USE) | <input checked="" type="checkbox"/> Point of Appropriation/Well (POA) |
| <input type="checkbox"/> Point of Diversion (POD) | <input 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.

13784

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 # 51251

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			
39	S	35	E	24	SW	NE	900		2.1	Supplemental	a well	8/22/1968	POU, POA	39	S	35	E	23	SE	SE	100		16.1			SW6	8/22/1968
39	S	35	E	24	NE	NW	900		4	Supplemental	a well	8/22/1968	POU, POA														
39	S	35	E	24	SE	NW	900		10	Supplemental	a well	8/22/1968	POU, POA														
TOTAL ACRES:									16.1					TOTAL ACRES:									16.1				

Additional remarks: This water right will have a new POA and POU, the old POA will no longer be used.

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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: C. Thomas and a duplicate listing of 5 acres under Harry Slough in the 1916 Trout Creek Decree.

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 # n/a;

Surface water primary Certificate # N/A.

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For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # N/A

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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. *See attached well logs.*

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

13784

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 # 81390

Description of Water Delivery System

System capacity: 11.39 (1.30 to be transferred) cubic feet per second (cfs) OR
 _____ gallons per minute (gpm)

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Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. Water is pumped from the wells via pipelines to the pivots and wheel lines as shown on the transfer application map.

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)
SW1 (Was Well 4)	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	HARN 1799	39 S	35 E	22	NE SW	1100	2280 feet North and 320 feet West from the S ¼ Corner of Section 22.
SW2 (Was Well 3)	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	HARN 1803	39 S	35 E	23	NW SW	300	2300 feet North and 250 feet East from the SW Corner of Section 23.
SW3 (Was Well 6)	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	HARN 1800	39 S	35 E	22	SE SW	1100	690 feet North and 30 feet West from the S ¼ Corner of Section 22.
SW 4 (Was Well 2)	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	HARN 1801	39 S	35 E	27	NE NE	1100	960 feet South and 110 feet West from the SW Corner, Section 23.
SW 5 (Was Well 1)	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	HARN 1804	39 S	35 E	23	SE SW	300	280 feet North and 1620 feet East from the SW Corner, Section 23
SW 6	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	HARN 1798	39 S	35 E	23	SW SE	100	2250 feet West and 5 feet North of the SE Corner of Section 23.
TC3 (Was Well 5)	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	HARN 1802	39 S	35 E	23	NW NE	101	1310 feet South and 50 feet East from the N ¼ Corner, section 23.

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

- | | |
|---|---|
| <input checked="" type="checkbox"/> Place of Use (POU) | <input type="checkbox"/> Supplemental Use to Primary Use (S to P) |
| <input type="checkbox"/> Character of Use (USE) | <input checked="" type="checkbox"/> Point of Appropriation/Well (POA) |
| <input type="checkbox"/> Point of Diversion (POD) | <input 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.

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Please use and attach additional pages of Table 2 as needed.
See page 6 for instructions.

Do you have questions about how to fill-out the tables?
Contact the Department at 503-986-0900 and ask for Transfer Staff.

Table 2. Description of Changes to Water Right Certificate # 81390

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				
39	S	35	E 23	SW NE	300		1.1	Irrigation	SW5	1977	POU	39	S	35	E 23	SE SW	300		0.5*		SW5	1977		
39	S	35	E 23	SE NW	300		15	Irrigation	SW5	1977	POU/POA	39	S	35	E 26	SE NE	100		7.1		SW6	1977		
39	S	35	E 23	NW SE	300		1.3	Irrigation	SW5	1977	POU/POA	39	S	35	E 26	SW NE	200		26.5		SW6	1977		
39	S	35	E 23	NE SW	300		16.7	Irrigation	SW5	1977	POU/POA													
39	S	35	E 26	NW NE	200		11.5	Irrigation	SW5	1977	POA	39	S	35	E 26	NW NE	200		11.5		SW6	1977		
39	S	35	E 26	SW NE	200		11	Irrigation	SW5	1977	POA	39	S	35	E 26	SW NE	200		11		SW6	1977		
39	S	35	E 26	NE NW	200		26	Irrigation	SW5	1977	POA	39	S	35	E 26	NE NW	200		26		SW6	1977		
39	S	35	E 26	SE NW	200		21.5	Irrigation	SW5	1977	POA	39	S	35	E 26	SE NW	200		21.5		SW6	1977		
TOTAL ACRES:						104.1					TOTAL ACRES:						104.1							

Additional remarks: *The 0.5 acres on the top right row is a change in POU of only.

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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: Certificate 92999.

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 # n/a;

Surface water primary Certificate # N/A.

For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # N/A

For a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation:

- ☒ Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map.

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
								13784		-

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 # 92999

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Description of Water Delivery System

System capacity: 1.24 cubic feet per second (cfs) OR
 _____ gallons per minute (gpm)

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Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. Water is pumped from well SW6 to the wheel lines and pivots as shown on the transfer application map.

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)
SW6*	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	HARN 1798	39 S	35 E	23	SW SE	100	2250 feet west and 5 feet north of the SE corner of Section 23.
SW5	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	HARN 1804	39 S	35 E	23	SE SW	300	280 feet north and 1620 feet east from the SW Corner, Section 23
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							

**Well location redescribed.*

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

- | | |
|--|---|
| <input checked="" type="checkbox"/> Place of Use (POU) | <input type="checkbox"/> Supplemental Use to Primary Use (S to P) |
| <input type="checkbox"/> Character of Use (USE) | <input checked="" type="checkbox"/> Point of Appropriation/Well (POA) |
| <input type="checkbox"/> Point of Diversion (POD) | <input 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.

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Please use and attach additional pages of Table 2 as needed.
See page 6 for instructions.

Do you have questions about how to fill-out the tables?
Contact the Department at 503-986-0900 and ask for Transfer Staff.

Table 2. Description of Changes to Water Right Certificate # 92999

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			
										POU	39	S	35	E	23	SE	SW	100		3.7	Primary	SW6	8/25/1955
										POU	39	S	35	E	23	SE	SW	300		6.8	Primary	SW5	8/25/1955
										POU	39	S	35	E	23	NW	SE	100		22.4	Primary	SW6	8/25/1955
										POU	39	S	35	E	23	SW	SE	100		7	Primary	SW6	8/25/1955
										POU	39	S	35	E	23	SW	SE	100		3.3	Primary	SW6	8/25/1955
										POU	39	S	35	E	26	NW	NE	200		28.5	Primary	SW6	8/25/1955
										POU	39	S	35	E	26	SE	NE	100		3.3	Primary	SW6	8/25/1955
										POU	39	S	35	E	26	NE	NW	200		4.4	Primary	SW6	8/25/1955
										POU	39	S	35	E	26	NE	NE	200		1.1	Suppl.	SW6	8/25/1955
										POU	39	S	35	E	23	SW	SE	100		5.5	Suppl.	SW6	8/25/1955
										POU	39	S	35	E	23	SW	SE	100		12.8	Suppl.	SW6	8/25/1955
										POU	39	S	35	E	23	SE	SE	100		0.6	Suppl.	SW6	8/25/1955
TOTAL ACRES:												TOTAL ACRES:						99.4					

Additional remarks:_____.

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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: C. Thomas and E. Dean in the 1916 Trout Creek Decree.



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 # n/a;

Surface water primary Certificate # N/A.

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For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # N/A

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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

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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)
County of HARNEY) ss

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I, DUANE GRANT, in my capacity as PRESIDENT,
mailing address 707 E 600 N

telephone number (208) 531-5149, being first duly sworn depose and say:

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 # ____; **OR**

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

Certificate #	Township	Range	Mer	Sec	1/4 1/4	Gov't Lot or DLC	Acres (if applicable)

OR

- ☒ Confirming Certificate # 92999 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)

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13784

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

[Signature]
Signature of Affiant

7/26/21
Date

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Signed and sworn to (or affirmed) before me this 26th day of July, 2021.



[Signature]
Notary Public for Oregon
Idaho

My Commission Expires: 03/15/2027

Supporting Documents	Examples
<input checked="" 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 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. 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.terraserver.com</p>
<input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

STATE OF OREGON

COUNTY OF HARNEY

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

PUEBLO MOUNTAIN LAND CO. LLC
707 E 600 N
RUPERT ID 83350-9466

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confirms the right to the use of water perfected under the terms of Permit G-23. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the well(s). The specific limits and conditions of the use are listed below.

SOURCE OF WATER: TWO WELLS IN TROUT CREEK BASIN

PURPOSE OR USE: IRRIGATION OF 79.4 ACRES AND SUPPLEMENTAL IRRIGATION OF 20.0 ACRES

MAXIMUM RATE: 1.24 CUBIC FEET PER SECOND

DATE OF PRIORITY: AUGUST 25, 1955

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
39 S	35 E	WM	23	SE SW	WELL SW5 - 280 FEET NORTH AND 1620 FEET EAST FROM SW CORNER, SECTION 23
39 S	35 E	WM	26	NW NE	WELL SW6 - 100 FEET SOUTH AND 3530 FEET EAST FROM NW CORNER, SECTION 26

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre feet per acre for each acre irrigated during the irrigation season of each year, and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use is as follows:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
39 S	35 E	WM	23	NE SW	3.8
39 S	35 E	WM	23	SE SW	24.7
39 S	35 E	WM	23	NW SE	26.0
39 S	35 E	WM	23	SW SE	20.0
39 S	35 E	WM	26	NE NW	4.9

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
39 S	35 E	WM	23	SW SE	20.0

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may petition for judicial review and 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.

Measurement, recording and reporting conditions:

- A. The water user shall maintain, in good working order, a totalizing flow meter or other suitable measuring device as approved by the Director at each point of appropriation (new and existing).
- B. The water user shall allow the watermaster access to the meters or measuring devices; provided however, where any meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

The quantity of water diverted at the new points of appropriation, shall not exceed the quantity of water lawfully available from the original point of appropriation described as follows:

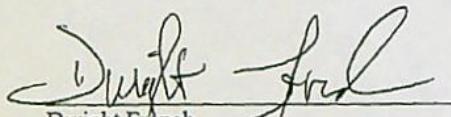
Twp	Rng	Mer	Sec	Q-Q	Measured Distances
39 S	35 E	WM	22	NE SE	MCLEAN WELL NO. 1 - 1 CHAIN SOUTH AND 1.5 CHAINS WEST FROM E1/4 CORNER, SECTION 22

Water shall be acquired from the same aquifer (water source) as the original point of appropriation.

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

This certificate is issued to confirm a change in POINT OF APPROPRIATION approved by an order of the Water Resources Director entered DECEMBER 10, 2014, at Special Order Volume 93, Page 937, approving Transfer Application 11700, supersedes Certificate 31859, State record of Water Right Certificates.

Issued APR 19 2017



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

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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, DUANE GRANT, in my capacity as PRESIDENT,

mailing address 707 E 600 N

telephone number (208)531-5149, being first duly sworn depose and say:

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 # 81390; **OR**

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

Certificate #	Township		Range		Mer	Sec	1/4 1/4		Gov't Lot or DLC	Acres (if applicable)
81390	39	S	35	E	WM	23	SW	NE		1.1
81390	39	S	35	E	WM	23	SE	NW		15
81390	39	S	35	E	WM	23	NW	SE		1.3
81390	39	S	35	E	WM	23	NE	SW		16.7
81390	39	S	35	E	WM	26	NW	NE		11.5
81390	39	S	35	E	WM	26	SW	NE		11
81390	39	S	35	E	WM	26	NE	NW		26
81390	39	S	35	E	WM	26	SE	NW		21.5

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)

13784

(continues on reverse side)

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

[Signature]
Signature of Affiant

7/26/21
Date

Signed and sworn to (or affirmed) before me this 26th day of July, 2021.

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[Signature]

Notary Public for Oregon
Idaho

My Commission Expires: 03/15/2027

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 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 checked="" 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. 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

Figures 1 and 2 show the areas proposed for transfer irrigated by pivots in 2017.



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Figure 1 2017 aerial photograph from the Oregon State Imagery Program. These acres will be transferred.

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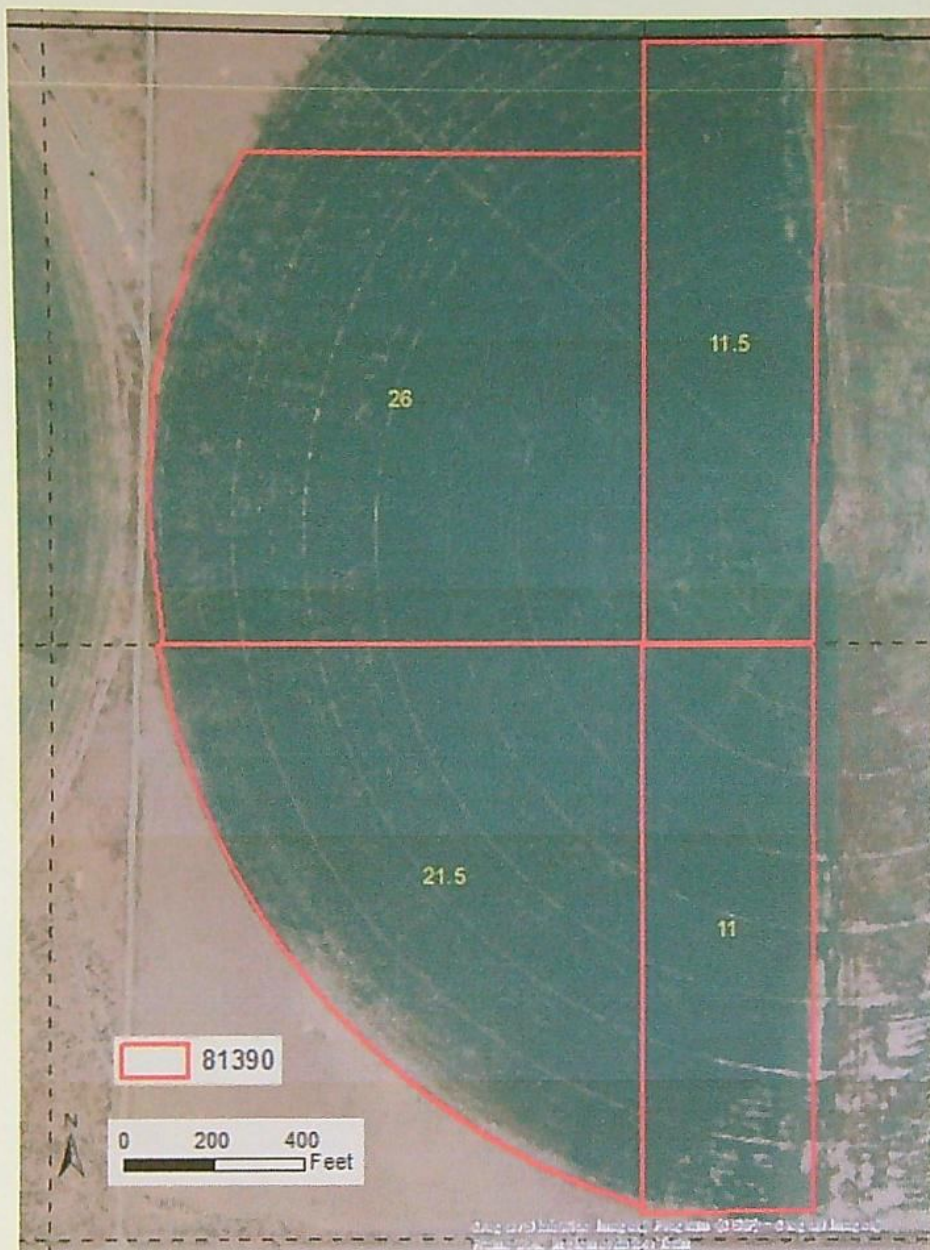


Figure 2 2017 imagery from the Oregon Statewide Imagery Program. The POA will change on these acres from SW5 to SW6.

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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)
County of HARNEY) ss

I, DUANE GRANT, in my capacity as PRESIDENT,

mailing address 707 E 600 N

telephone number (208) 531-5149, 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 # 51251; **OR**

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

Certificate #	Township		Range		Mer	Sec	1/4 1/4		Gov't Lot or DLC	Acres (if applicable)
51251	39	S	35	E	WM	24	SW	NE		2.1
51251	39	S	35	E	WM	24	NE	NW		4
51251	39	S	35	E	WM	24	SE	NW		10

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
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10 years for Certificate # _____ (For Historic POD/POA Transfers)

(continues on reverse side)

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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.

[Signature]
Signature of Affiant

7/26/2021
Date

Signed and sworn to (or affirmed) before me this 26th day of July, 2021.



[Signature]
Notary Public for Oregon
Idaho
My Commission Expires: 03/15/2027

Supporting Documents	Examples
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<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 checked="" type="checkbox"/> Aerial photos containing sufficient detail to establish location and date of photograph	Multiple photos can be submitted to resolve different areas of a water right. 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. 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
<input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

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Figure 1 shows the field irrigated by primary Trout Creek surface water rights on August 7, 2020 after the hay was cut. Figure 2 is a drone shot of the field taken in 2019. The area where the hay was not cut is grazed pasture that is not suitable to mechanical harvest due to soil type and uneven terrain. These areas are irrigated and used by the applicant to graze cattle.

During the last five years Trout Creek (the source of the primary surface water right) supplied sufficient water to irrigate the field. The water user was ready, willing, and able to use the supplemental groundwater source had it been needed. Under these conditions the presumption of forfeiture would be rebutted under ORS 540.610 2(L) and 540.610 3(a & b).



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Figure 1 Aerial photograph USDA 8/7/2020.

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Figure 2 July 30th, 2019 Image showing hay harvest in subject area.

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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)
County of HARNEY) ss

I, DUANE GRANT, in my capacity as PRESIDENT.

mailing address 707 E 600 N

telephone number (208)531-5149, 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 # 46665; **OR**

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

Certificate #	Township	Range	Mer	Sec	1/4 1/4	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)

13784

(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.

[Signature]
Signature of Affiant

2/26/2021
Date

Signed and sworn to (or affirmed) before me this 26th day of July, 20 21.



[Signature]
Notary Public for ~~Oregon~~ Idaho

My Commission Expires: 03/15/2027

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 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 checked="" type="checkbox"/> Aerial photos containing sufficient detail to establish location and date of photograph	Multiple photos can be submitted to resolve different areas of a water right. 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. 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
<input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

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Figures 1 and 2 shows the field irrigated under Certificate 46665 on August 7, 2020, and on an unknown date in 2017. Both images show the field after the hay was cut. The area where the hay was not cut is grazed pasture that is not suitable to mechanical harvest due to soil type and uneven terrain. These areas are irrigated and used by the applicant to graze cattle.

During the last five years Trout Creek (the source of the primary surface water right) supplied sufficient water to irrigate the field. The water user was ready, willing, and able to use the supplemental groundwater source had it been needed. Under these conditions the presumption of forfeiture would be rebutted under ORS 540.610 2(L) and 540.610 3(a & b).



Figure 1 Aerial photograph USDA 8/7/2020.

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Figure 2 Aerial photography 2017, Oregon Statewide Imagery Program.

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NOTICE TO WATER WELL CONTRACTOR
The original and first copy of this report
are to be filed with the

WATER RESOURCES DEPARTMENT,
SALEM, OREGON 97310
within 30 days from the date
of well completion.

WATER WELL REPORT

STATE OF OREGON

(Please type or print)

(Do not write above this line)

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APR 24 1978

WATER RESOURCES DEPT.

SW1

Well No.

State Permit No.

(1) OWNER:

Name Wallace L. Coleman
Address Fields Ore

(2) TYPE OF WORK (check):

New Well ☒ Deepening ☐ Reconditioning ☐ Abandon ☐

If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rotary ☒ Driven ☐
Cable ☐ Jetted ☐
Dug ☐ Bored ☐

(4) PROPOSED USE (check):

Domestic ☐ Industrial ☐ Municipal ☐
Irrigation ☐ Test Well ☐ Other ☐

(5) CASING INSTALLED:

Threaded ☐ Welded ☒
16" Diam. from 0 ft. to 448 ft. Gage 1025
" Diam. from ft. to ft. Gage
" Diam. from ft. to ft. Gage

(6) PERFORATIONS:

Perforated? ☐ Yes ☐ No.

Type of perforator used

Size of perforations 3/32 in. by 2 in.
41/ft perforations from 165 ft. to 448 ft.
perforations from ft. to ft.
perforations from ft. to ft.

(7) SCREENS:

Well screen installed? ☐ Yes ☒ No

Manufacturer's Name

Type Model No.

Diam. Slot size Set from ft. to ft.

Diam. Slot size Set from ft. to ft.

(8) WELL TESTS:

Drawdown is amount water level is
lowered below static level

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

Yield: gal./min. with ft. drawdown after hrs.

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

Artesian flow g.p.m.

Temperature of water Depth artesian flow encountered ft.

(9) CONSTRUCTION:

Well seal—Material used Concrete

Well sealed from land surface to 20 ft.

Diameter of well bore to bottom of seal 20 in.

Diameter of well bore below seal 20 in.

Number of sacks of cement used in well seal 10 sacks

How was cement grout placed? Concrete mix Truck

Was a drive shoe used? ☐ Yes ☒ No Plugs Size: location ft.

Did any strata contain unusable water? ☐ Yes ☒ No

Type of water? depth of strata

Method of sealing strata off

Was well gravel packed? ☒ Yes ☐ No Size of gravel: 3/4" 3/4"

Gravel placed from 20 ft. to 448 ft.

(10) LOCATION OF WELL:

County HARNEY Driller's well number
NE 1/4 SW 1/4 Section 22 T. 39S R. 35E W.M.

Bearing and distance from section or subdivision corner

2558' N 2722' W From SE Cor. Sec. 22

(11) WATER LEVEL: Completed well.

Depth at which water was first found ft.

Static level 60 ft. below land surface. Date 2-10-78

Artesian pressure lbs. per square inch. Date

(12) WELL LOG:

Diameter of well below casing 0

Depth drilled 448 ft. Depth of completed well 448 ft.

Formation: Describe color, texture, grain size and structure of materials;
and show thickness and nature of each stratum and aquifer penetrated,
with at least one entry for each change of formation. Report each change in
position of Static Water Level and indicate principal water-bearing strata.

MATERIAL	From	To	SWL
Top Soil	0	18	
Clay Gravel Boulders mixed	18	178	60
Gravel & Sand	178	188	
Brown Clay	188	208	
Clay and Gravel mixed	208	228	
Lava Gravel & Sand	228	288	
Clay Gravel mixed	288	358	
Lava Gravel	358	378	
Clay Gravel mixed	378	398	
Sand & Gravel	398	438	
Clay and Gravel mix.	438	448	

Work started 2-3 1978 Completed 2-27 1978

Date well drilling machine moved off of well 2-10 1978

Drilling Machine Operator's Certification:

This well was constructed under my direct supervision.
Materials used and information reported above are true to my
best knowledge and belief.

(Signed) Wallace L. Coleman Date 4-19-78
(Drilling Machine Operator)

Drilling Machine Operator's License No.

Water Well Contractor's Certification:

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

Name (Person, firm or corporation) (Type or print)

Address

(Signed) Wallace L. Coleman (Water Well Contractor)

Contractor's License No. 13784 Date 4-19-78

(USE ADDITIONAL SHEETS IF NECESSARY)

BP*45855-119

NOTICE TO WATER WELL CONTRACTOR
The original and first copy of this report
are to be filed with the

WATER RESOURCES DEPARTMENT
SALEM, OREGON 97310
within 30 days from the date
of well completion.

6-8586
WATER WELL REPORT
RECEIVED

STATE OF OREGON APR 24 1978

State Well No.

SW3

395/35E-22cd

(Please type or print)

(Do not write above this line)

WATER RESOURCES DEPT.

SALEM, OREGON

Permit No.

APPL G-10227

(1) OWNER:

Name Wallace L. Coleman
Address Fields Ore.

(2) TYPE OF WORK (check):

New Well ☒ Deepening ☐ Reconditioning ☐ Abandon ☐

If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rotary ☒ Driven ☐
Cable ☐ Jetted ☐
Dug ☐ Bored ☐

(4) PROPOSED USE (check):

Domestic ☐ Industrial ☐ Municipal ☐
Irrigation ☐ Test Well ☐ Other ☐

(5) CASING INSTALLED:

Threaded ☐ Welded ☐
No. " Diam. from 0 ft. to 448 ft. Gage 025
" Diam. from ft. to ft. Gage
" Diam. from ft. to ft. Gage

(6) PERFORATIONS:

Perforated? ☒ Yes ☐ No.

Type of perforator used

Size of perforations 3/32 in. by 2 in.
64/5+ perforations from 118 ft. to 448 ft.
perforations from ft. to ft.
perforations from ft. to ft.

(7) SCREENS:

Well screen installed? ☐ Yes ☒ No

Manufacturer's Name

Type Model No.

Diam. Slot size Set from ft. to ft.

Diam. Blot size Set from ft. to ft.

(8) WELL TESTS:

Drawdown is amount water level is
lowered below static level

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

Yield: 2470 gal./min. with 88 ft. drawdown after 8 hrs.

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

Artesian flow g.p.m.

Temperature of water Depth artesian flow encountered ft.

(9) CONSTRUCTION:

Well seal: Material used Concrete

Well sealed from land surface to 20 ft.

Diameter of well bore to bottom of seal 20 in.

Diameter of well bore below seal 20 in.

Number of sacks of cement used in well seal 9 sacks

How was cement grout placed? Concrete mix truck

Was a drive shoe used? ☐ Yes ☒ No Plugs Size: location ft.

Did any strata contain unusable water? ☐ Yes ☐ No

Type of water? depth of strata

Method of sealing strata off

Was well gravel packed? ☒ Yes ☐ No Size of gravel: 3/4" - 1/4"

Gravel placed from 20 ft. to 448 ft.

(10) LOCATION OF WELL:

County HARNEY Driller's well number
SE 1/4 SW 1/4 Section 22 T. 39S R. 35E W.M.

Bearing and distance from section or subdivision corner

825' N 2720' W of SE Cor. of Sec. 22

(11) WATER LEVEL: Completed well.

Depth at which water was first found ft.

Static level 23 ft. below land surface. Date 4-7-78

Artesian pressure lbs. per square inch. Date

(12) WELL LOG:

Diameter of well below casing

Depth drilled 448 ft. Depth of completed well 448 ft.

Formation: Describe color, texture, grain size and structure of materials;
and show thickness and nature of each stratum and aquifer penetrated,
with at least one entry for each change of formation. Report each change in
position of Static Water Level and indicate principal water-bearing strata.

MATERIAL	From	To	SWL
SAND AND GRAVEL	0	15	
Sand, Gravel & Clay	15	35	23
Clay & Gravel mixed	35	45	
Lava & Gravel	45	55	
Boulders	55	65	
Lava Boulders & Clay	65	105	
Clay & small gravel	105	145	
Sand and gravel	145	285	
Lava Boulders	285	328	
Lava Cinders & Gravel	328	448	

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Work started 3-28 1978 Completed 10

Date well drilling machine moved off of well 4-7-1978

Drilling Machine Operator's Certification:

This well was constructed under my direct supervision.
Materials used and information reported above are true to my
best knowledge and belief.

[Signed] Wallace L. Coleman 4-19-78
(Drilling Machine Operator)

Drilling Machine Operator's License No.

Water Well Contractor's Certification:

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

Name (Person, firm or corporation) (Type or print)

Address

[Signed] Wallace L. Coleman
(Water Well Contractor)

Contractor's License No. Date 4-19-78

(USE ADDITIONAL SHEETS IF NECESSARY)

SP-45559-119

13784

NOTICE TO WATER WELL CONTRACTOR
The original and first copy of this report
are to be filed with the

WATER RESOURCES DEPARTMENT.
SALEM, OREGON 97310
within 30 days from the date
of well completion.

WATER WELL REPORT

STATE OF OREGON

(Please type or print)

(Do not write above this line)

RECEIVED

APR 24 1978

State Well No. 395/358-2300

State Permit No.

WATER RESOURCES DEPT.

(1) OWNER:

Name Wallace L. Coleman
Address Fields Ore 97710

(2) TYPE OF WORK (check):

New Well ☒ Deepening ☐ Reconditioning ☐ Abandon ☐

If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rotary ☒ Driven ☐
Cable ☐ Jetted ☐
Dug ☐ Bored ☐

(4) PROPOSED USE (check):

Domestic ☐ Industrial ☐ Municipal ☐
Irrigation ☐ Test Well ☐ Other ☐

(5) CASING INSTALLED:

Threaded ☐ Welded ☒
16" Diam. from 0 ft. to 448 ft. Gage 0.25
" Diam. from ft. to ft. Gage
" Diam. from ft. to ft. Gage

(6) PERFORATIONS:

Perforated? ☐ Yes ☒ No.

Type of perforator used

Size of perforations 3/32 in. by 2 in.
64/Ft. perforations from 193 ft. to 448 ft.
perforations from ft. to ft.
perforations from ft. to ft.

(7) SCREENS:

Well screen installed? ☐ Yes ☒ No

Manufacturer's Name
Type Model No.
Diam. Slot size Set from ft. to ft.
Diam. Slot size Set from ft. to ft.

(8) WELL TESTS:

Drawdown is amount water level is
lowered below static level

Was a pump test made? ☒ Yes ☐ No If yes, by whom? owner
Yield: 2800 gal./min. with 98 ft. drawdown after 1 1/2 hrs.
2700 " 100 " 3 "
" " " "
Bailer test gal./min. with ft. drawdown after hrs.
Artesian flow g.p.m.
Temperature of water Depth artesian flow encountered ft.

(9) CONSTRUCTION:

Well seal—Material used Concrete
Well sealed from land surface to 28 ft.
Diameter of well bore to bottom of seal 24 in.
Diameter of well bore below seal 20 in.
Number of sacks of cement used in well seal 8 sacks
How was cement grout placed? Concrete mix Truck

Was a drive shoe used? ☐ Yes ☒ No Plugs Size: location ft.
Did any strata contain unusable water? ☐ Yes ☒ No
Type of water? depth of strata
Method of sealing strata off
Was well gravel packed? ☒ Yes ☐ No Size of gravel: 3/4-2 1/4
Gravel placed from 20 ft. to 448 ft.

(10) LOCATION (ON WELL):

County HARNEY Driller's well number
NE 1/4 NE 1/4 Section 23 T. 39S R. 35E W.M.

Bearing and distance from section or subdivision corner

990'S 165 W From SE Cor. Sec. 22

(11) WATER LEVEL: Completed well.

Depth at which water was first found 58 ft.
Static level 47 ft. below land surface. Date 1-27-78
Artesian pressure lbs. per square inch. Date

(12) WELL LOG:

Diameter of well below casing

Depth drilled 448 ft. Depth of completed well 448 ft.

Formation: Describe color, texture, grain size and structure of materials;
and show thickness and nature of each stratum and aquifer penetrated,
with at least one entry for each change of formation. Report each change in
position of Static Water Level and indicate principal water-bearing strata.

MATERIAL	From	To	SWL
Top Soil	0	14	
Gravelly Clay & small Gravel mixed	14	23	
Blue Clay mixed	23	28	
Blue Clay mixed	28	34	
Blue Clay mixed	34	42	
Brown Sandy Clay	42	48	
Brown Clay & Gravel	48	108	
Gravelly Clay	108	125	
Gravelly Clay & Brown Clay	125	138	
Gravelly Clay with some Brown Clay	138	148	
Brown Sandy Clay	148	178	
Gravelly Clay	178	188	
Sand & Gravel	188	208	
Gravelly Clay	208	238	
Gravelly Clay with some Gravel	238	248	
Blue Sandy Clay	248	258	
Sand and Gravel with some clay	258	268	
Sand & Gravel	268	278	
Sand & Gravel with strips of clay	278	288	
Gravelly Clay	288	298	
Small Gravelly Br. Clay	298	318	
Gravelly Clay	318	328	
Sand & Gravel	328	338	
Brown Clay with some Gravel	338	348	
Sand & Gravel	348	358	
Brown Clay & mixed small Gravel	358	368	
Brown Clay & few Boulders	368	378	
Brown sandy Clay	378	388	
Brown Clay & mixed small Gravel	388	398	
Brown Clay & few Boulders	398	408	
Brown Clay & mixed small Gravel	408	418	
Brown Clay & few Boulders	418	428	
Brown sandy Clay	428	448	

Work started 1-23 1978 Completed 2-18 1978
Date well drilling machine moved off of well 1-27 1978

Drilling Machine Operator's Certification:

This well was constructed under my direct supervision.
Materials used and information reported above are true to my
best knowledge and belief.

[Signed] Wallace L. Coleman Date 4-19-78
(Drilling Machine Operator)

Drilling Machine Operator's License No.

Water Well Contractor's Certification:

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

Name (Person, firm or corporation) (Type or print)

Address

[Signed] Wallace L. Coleman (Water Well Contractor)

Contractor's License No. Date 4-19-78 1978

(USE ADDITIONAL SHEETS IF NECESSARY)

13784

SP-45056-119

NOTICE TO WATER WELL CONTRACTOR
The original and first copy of this report
are to be filed with the

WATER RESOURCES DEPARTMENT
SALEM, OREGON 97310
within 30 days from the date
of well completion.

WATER WELL REPORT

STATE OF OREGON

(Please type or print)

(Do not write above this line)

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APR 24 1978

State Well No.

Permit No.

SALEM, OREGON

SW5

39S/35E-23cd

G-10229

(1) OWNER:

Name Wallace L. Coleman

Address Fields Oregon 97710

(2) TYPE OF WORK (check):

New Well ☒ Deepening ☐ Reconditioning ☐ Abandon ☐

If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rotary ☒ Driven ☐
Cable ☐ Jetted ☐
Dug ☐ Bored ☐

(4) PROPOSED USE (check):

Domestic ☐ Industrial ☐ Municipal ☐
Irrigation ☒ Test Well ☐ Other ☐

(5) CASING INSTALLED:

16" Diam. from 41 ft. to 408 ft. Gage 025

" Diam. from ft. to ft. Gage

" Diam. from ft. to ft. Gage

(6) PERFORATIONS:

Perforated? ☒ Yes ☐ No.

Type of perforator used

Size of perforations 3/32 in. by 2 in.

64/FT perforations from 112 ft. to 408 ft.

perforations from ft. to ft.

perforations from ft. to ft.

(7) SCREENS:

Well screen installed? ☐ Yes ☐ No

Manufacturer's Name

Type Model No.

Diam. Slot size Set from ft. to ft.

Diam. Slot size Set from ft. to ft.

(8) WELL TESTS:

Drawdown is amount water level is lowered below static level

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

Yield: 2950 gal./min. with 115 ft. drawdown after 1 1/2 hrs.

2950 " 115 " 17 1/2 "

" " " " "

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

Artesian flow g.p.m.

Temperature of water Depth artesian flow encountered ft.

(9) CONSTRUCTION:

Well seal—Material used Concrete

Well sealed from land surface to 22 ft.

Diameter of well bore to bottom of seal 20 in.

Diameter of well bore below seal 18 in.

Number of sacks of cement used in well seal 15 sacks

How was cement grout placed? Concrete mix

Truck

Was a drive shoe used? ☐ Yes ☐ No Plugs Size: location ft.

Did any strata contain unusable water? ☐ Yes ☒ No

Type of water? depth of strata

Method of sealing strata off

Was well gravel packed? ☒ Yes ☐ No Size of gravel: 3/4 - 1/4

Gravel placed from 22 ft. to 408 ft.

(10) LOCATION OF WELL:

County HARNEY Driller's well number

SE 1/4 SW 1/4 Section 23 T. 39S R. 35E W.M.

Bearing and distance from section or subdivision corner

330' North of 1980' East of SE. Cor.
SEC 22

(11) WATER LEVEL: Completed well.

Depth at which water was first found 78 ft.

Static level 23 ft. below land surface. Date 1-22-78

Artesian pressure lbs. per square inch. Date

(12) WELL LOG:

Diameter of well below casing

Depth drilled 408 ft. Depth of completed well 408 ft.

Formation: Describe color, texture, grain size and structure of materials; and show thickness and nature of each stratum and aquifer penetrated, with at least one entry for each change of formation. Report each change in position of Static Water Level and indicate principal water-bearing strata.

MATERIAL	From	To	SWL
Top Soil	0	18	
Clay	18	22	
Blue clay	22	23	
Small gravel & clay mixed	23	24	
Small gravel	24	25	
Small gravel & clay mixed	25	26	
Small gravel & clay mixed	26	27	
Small gravel & clay mixed	27	28	
Small gravel & clay mixed	28	29	
Small gravel & clay mixed	29	30	
Small gravel & clay mixed	30	31	
Small gravel & clay mixed	31	32	
Small gravel & clay mixed	32	33	
Small gravel & clay mixed	33	34	
Small gravel & clay mixed	34	35	
Small gravel & clay mixed	35	36	
Small gravel & clay mixed	36	37	
Small gravel & clay mixed	37	38	
Small gravel & clay mixed	38	39	
Small gravel & clay mixed	39	40	
Small gravel & clay mixed	40	41	
Small gravel & clay mixed	41	42	
Small gravel & clay mixed	42	43	
Small gravel & clay mixed	43	44	
Small gravel & clay mixed	44	45	
Small gravel & clay mixed	45	46	
Small gravel & clay mixed	46	47	
Small gravel & clay mixed	47	48	
Small gravel & clay mixed	48	49	
Small gravel & clay mixed	49	50	
Small gravel & clay mixed	50	51	
Small gravel & clay mixed	51	52	
Small gravel & clay mixed	52	53	
Small gravel & clay mixed	53	54	
Small gravel & clay mixed	54	55	
Small gravel & clay mixed	55	56	
Small gravel & clay mixed	56	57	
Small gravel & clay mixed	57	58	
Small gravel & clay mixed	58	59	
Small gravel & clay mixed	59	60	
Small gravel & clay mixed	60	61	
Small gravel & clay mixed	61	62	
Small gravel & clay mixed	62	63	
Small gravel & clay mixed	63	64	
Small gravel & clay mixed	64	65	
Small gravel & clay mixed	65	66	
Small gravel & clay mixed	66	67	
Small gravel & clay mixed	67	68	
Small gravel & clay mixed	68	69	
Small gravel & clay mixed	69	70	
Small gravel & clay mixed	70	71	
Small gravel & clay mixed	71	72	
Small gravel & clay mixed	72	73	
Small gravel & clay mixed	73	74	
Small gravel & clay mixed	74	75	
Small gravel & clay mixed	75	76	
Small gravel & clay mixed	76	77	
Small gravel & clay mixed	77	78	
Small gravel & clay mixed	78	79	
Small gravel & clay mixed	79	80	
Small gravel & clay mixed	80	81	
Small gravel & clay mixed	81	82	
Small gravel & clay mixed	82	83	
Small gravel & clay mixed	83	84	
Small gravel & clay mixed	84	85	
Small gravel & clay mixed	85	86	
Small gravel & clay mixed	86	87	
Small gravel & clay mixed	87	88	
Small gravel & clay mixed	88	89	
Small gravel & clay mixed	89	90	
Small gravel & clay mixed	90	91	
Small gravel & clay mixed	91	92	
Small gravel & clay mixed	92	93	
Small gravel & clay mixed	93	94	
Small gravel & clay mixed	94	95	
Small gravel & clay mixed	95	96	
Small gravel & clay mixed	96	97	
Small gravel & clay mixed	97	98	
Small gravel & clay mixed	98	99	
Small gravel & clay mixed	99	100	

Work started 1-11 1978 Completed 2-28 1978

Date well drilling machine moved off of well 1-22 1978

Drilling Machine Operator's Certification:

This well was constructed under my direct supervision. Materials used and information reported above are true to my best knowledge and belief.

[Signed] Wallace L. Coleman Date 4-19, 1978

(Drilling Machine Operator)

Drilling Machine Operator's License No.

Water Well Contractor's Certification:

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

Name

(Person, firm or corporation) (Type or print)

Address

[Signed] Wallace L. Coleman

(Water Well Contractor)

Contractor's License No. Date 4-19, 1978

(USE ADDITIONAL SHEETS IF NECESSARY)

13784

SP-45650-119

NOTICE TO WATER WELL CONTRACTOR
The original and first copy of this report
are to be filed with the

WATER RESOURCES DEPARTMENT,
SALEM, OREGON 97310
within 30 days from the date
of well completion.

9-8586 ⑤ **RECEIVED**

WATER WELL REPORT

TC3

STATE OF OREGON APR 24 1978

State Well No.

308/35E-23AC

(Please type or print)

(Do not write above this line)

WATER RESOURCES DEPT.
SALEM, OREGON

Permit No.

(1) OWNER:

Name Wallace L. Coleman
Address Fields Oregon

(2) TYPE OF WORK (check):

New Well ☒ Deepening ☐ Reconditioning ☐ Abandon ☐

If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rotary ☒ Driven ☐
Cable ☐ Jetted ☐
Dug ☐ Bored ☐

(4) PROPOSED USE (check):

Domestic ☐ Industrial ☐ Municipal ☐
Irrigation ☐ Test Well ☐ Other ☐

(5) CASING INSTALLED:

Threaded ☐ Welded ☒
16" Diam. from 0 ft. to 296 ft. Gage 1025
" Diam. from ft. to ft. Gage
" Diam. from ft. to ft. Gage

(6) PERFORATIONS:

Perforated? ☐ Yes ☐ No.

Type of perforator used

Size of perforations 3/32 in. by 2 in.
64/Ft. perforations from 96 ft. to 286 ft.
perforations from ft. to ft.
perforations from ft. to ft.

(7) SCREENS:

Well screen installed? ☐ Yes ☒ No

Manufacturer's Name
Type Model No.
Diam. Slot size Set from ft. to ft.
Diam. Slot size Set from ft. to ft.

(8) WELL TESTS:

Drawdown is amount water level is
lowered below static level

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

Yield: 2950 gal./min. with 115 ft. drawdown after hrs.

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

Artesian flow g.p.m.

Temperature of water Depth artesian flow encountered ft.

(9) CONSTRUCTION:

Well seal—Material used Concrete
Well sealed from land surface to 20 ft.
Diameter of well bore to bottom of seal 20 in.
Diameter of well bore below seal 20 in.
Number of sacks of cement used in well seal 9 sacks
How was cement grout placed? Concrete mix
Truck

Was a drive shoe used? ☐ Yes ☐ No Plugs Size: location ft.

Did any strata contain unusable water? ☐ Yes ☒ No

Type of water? depth of strata

Method of sealing strata off

Was well gravel packed? ☒ Yes ☐ No Size of gravel: 3/4-1/4

Gravel placed from 20 ft. to 296 ft.

(10) LOCATION OF WELL:

County HARNEY Driller's well number
SW 1/4 NE 1/4 Section 23 T. 39S R. 35E W.M.

Bearing and distance from section or subdivision corner

2620 S 2805 E From NW Cor Sec. 23

(11) WATER LEVEL: Completed well.

Depth at which water was first found 25 ft.

Static level 23 ft. below land surface. Date 3-28-78

Artesian pressure lbs. per square inch. Date

(12) WELL LOG:

Diameter of well below casing

Depth drilled 296 ft. Depth of completed well 296 ft.

Formation: Describe color, texture, grain size and structure of materials;
and show thickness and nature of each stratum and aquifer penetrated,
with at least one entry for each change of formation. Report each change in
position of Static Water Level and indicate principal water-bearing strata.

MATERIAL	From	To	SWL
Top Soil & Sand	0	10	
Sand and Gravel mixed	10	70	23
Gravel & Blue Brown Clay	70	100	
Gravel & Blue Clay	100	140	
Sand and Gravel	140	180	
Sand & Gravel Blue Clay	180	200	
Sand & Gravel Clay	200	260	
Sand & Brown Gravel	260	296	

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Work started 3-20 1978 Completed 19

Date well drilling machine moved off of well 3-28 1978

Drilling Machine Operator's Certification:

This well was constructed under my direct supervision.
Materials used and information reported above are true to my
best knowledge and belief.

[Signed] Wallace L. Coleman Date 4-19, 1978
(Drilling Machine Operator)

Drilling Machine Operator's License No.

Water Well Contractor's Certification:

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

Name (Person, firm or corporation) (Type or print)

Address

[Signed] Wallace L. Coleman (Water Well Contractor)

Contractor's License No. 13784 Date 4-19, 1978

(USE ADDITIONAL SHEETS IF NECESSARY)

SP*45056-119

HARNEY 1806 ON WELL

NOTICE TO WATER WELL CONTRACTOR

The original and first copy of this report are to be filed with the

STATE ENGINEER, SALEM, OREGON 97310
within 30 days from the date of well completion.

WATER WELL REPORT

STATE OF OREGON
(Please type or print)

State Well No.

State Permit No.

(1) OWNER: FRANK +

Name DON ORLANDO Trout Creek Ranch
Address ANDREWS OREGON

(2) LOCATION OF WELL:

County HARNEY Driller's well number
SU1/4 NE 1/4 Section 25 T. 39S R. 35E W.M.
Bearing and distance from section or subdivision corner
1/4 NE Corner of Section 25
SU1/4 of NE 1/4 of R. 25

(3) TYPE OF WORK (check):

New Well ☒ Deepening ☐ Reconditioning ☐ Abandon ☐
Abandonment, describe material and procedure in Item 12.

(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 ☒
1/2" Diam. from 0 ft. to 400 ft. Gage 1/4"
" Diam. from ft. to ft. Gage
" Diam. from ft. to ft. Gage

(7) PERFORATIONS:

Perforated? ☒ Yes ☐ No
Type of perforator used MILL CUTSize of perforations 3/16 in. by 3 in.
9280 perforations from 100 ft. to 290 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 NameType Model No.
Slot size Set from ft. to ft.
Diam. Slot size Set from ft. to ft.

(9) CONSTRUCTION:

Well seal—Material used in seal PUDDLED BENTONITE
Depth of seal 20 ft. Was a packer used? NO
Diameter of well bore to bottom of seal 30 in.
Were any loose strata cemented off? ☐ Yes ☒ No Depth
Was a drive shoe used? ☐ Yes ☒ No
Was well gravel packed? ☒ Yes ☐ No Size of gravel: 3/4 MINUS
Gravel placed from 0 ft. to 400 ft.
Did any strata contain unusable water? ☐ Yes ☒ No
Type of water? depth of strata
Method of sealing strata off

(10) WATER LEVELS:

Static level 10 ft. below land surface Date 6-14-66
Artesian pressure lbs. per square inch Date

(11) WELL TESTS:

Drawdown is amount water level is lowered below static level

Was a pump test made? ☒ Yes ☐ No If yes, by whom? McGUIRE DRILLING
Yield: 2000 gal./min. with 90 ft. drawdown after 24 hrs.Bailer test NONE gal./min. with ft. drawdown after hrs.Artesian flow NONE g.p.m. DateTemperature of water COLD Was a chemical analysis made? ☐ Yes ☒ No

(12) WELL LOG:

Diameter of well below casing

Depth drilled 400 ft. Depth of completed well 400 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
GRAVEL MED	5	16
CLAY BT	16	24
GRAVEL MED	24	100
CLAY BT	100	110
GRAVEL MED	110	136
CLAY BT	136	145
GRAVEL MED	145	196
CLAY BT	196	204
GRAVEL MED	204	216
CLAY BT	216	224
SAND & GRAVEL	224	246
CLAY BT	246	250
GRAVEL MED	250	316
CLAY BT	316	328
GRAVEL MED	328	336
CLAY BT	336	345
GRAVEL MED	345	360
CLAY BT	360	372
GRAVEL	372	395
CLAY BT	395	400

3/4 X 30 X 20' Conductor casing installed at
Top 30' sealed with BentoniteWork started MAY 25 1966. Completed JUNE 14 1966Date well drilling machine moved off of well JUNE 15 1966

(13) PUMP:

Manufacturer's Name SARUZZI
Type: TURBINE HP. 75

Water Well Contractor's Certification:

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

NAME McGUIRE DRILLING Co
(Person, firm or corporation) (Type or print)Address RT 1 BOX 151 FAYETTE IDADrilling Machine Operator's License No. 81[Signed] J. L. McQuinn
(Water Well Contractor)Contractor's License No. 382 Date June 14 1966

(USE ADDITIONAL SHEETS IF NECESSARY)

13784

HARN 1806

For Official Use Only by The Oregon Water Resources Department:

Received Date: _____ County Well Log ID # Harn 1806 Well Identification Tag # L94722

APPLICATION FOR WELL IDENTIFICATION TAG

LANDOWNER INFORMATION

Name: Stafford Ranches
Mailing Address: 4411 NW Elliott Lane
City: Prineville State: OR Zip: 97754
Return Well Tag to (if different than mailing address): _____

WELL LOCATION INFORMATION

County: Harney Township: 39 North or South (circle one) Range: 35 East or West (circle one)
Section: 25 NW 1/4 SE 1/4 Tax Lot #: _____
Street Address of Well (if different than mailing address): Whitchorse Ranch Road
(south Harney county)

WELL INFORMATION (Do Not Complete If Well Report is Attached)

Type of Well (i.e. domestic, irrigation, etc): Irrigation Date Well Constructed: 6-14-66
Well Constructor/Company: McGuire Drilling Co.
Well Depth (in feet): 400 Diameter of Well Casing (in inches): 16
Landowner Who Had Well Constructed or Previous Owner at the Time Well was Constructed (if known):
Frank & Don Orlando

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For Information: _____

TAGGED BY JR JOHNSON, DIST ID _____

Return to: Oregon Water Resources Department, ~~Janet Holladay~~, 725 Summer St. NE, Suite A, Salem, OR 97301-1271, (503) 986-0854 or fax to 503-986-0902

App for tag

13784

NOTICE TO WATER WELL CONTRACTOR
The original and first copy of this report
are to be filed with the

WATER RESOURCES DEPARTMENT
SALEM, OREGON 97310
within 30 days from the date
of well completion.

WATER WELL REPORT

STATE OF OREGON

(Please type or print)

(Do not write above this line)

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SW6

FEE 10 1981

State Well No. 393-35E-22

WATER RESOURCES DEPARTMENT

SALEM, OREGON

APPL. 10228 (#9)

(1) OWNER:

Name WALLY COLEMAN
Address FIELDS, ORE

(2) TYPE OF WORK (check):

New Well ☒ Deepening ☐ Reconditioning ☐ Abandon ☐
If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rivary ☐ Driven ☐
Cable ☒ Jetted ☐
Dug ☐ Bored ☐

(4) PROPOSED USE (check):

Domestic ☐ Industrial ☐ Municipal ☐
Irrigation ☒ Test Well ☐ Other ☐

(5) CASING INSTALLED:

Threaded ☐ Welded ☒
" Diam. from 0 ft. to 201 ft. Gage 250
" Diam. from ft. to ft. Gage
" Diam. from ft. to ft. Gage

(6) PERFORATIONS:

Perforated? ☒ Yes ☐ No.
Type of perforator used MILLS KNIFE
Size of perforations 1/4 in. by 4 in.
128 perforations from 108 ft. to 134 ft.
180 perforations from 148 ft. to 163 ft.
264 perforations from 172 ft. to 194 ft.

(7) SCREENS:

Well screen installed ☒ Yes ☐ No
Manufacturer's Name
Type Model No. 392021
Diam. Slot size Set from ft. to ft.
Diam. Slot size Set from ft. to ft.

(8) WELL TESTS:

Drawdown is amount water level is lowered below static level
Was a pump test made? ☒ Yes ☐ No If yes, by whom? WELL DRILLER
Yield: 1029 gal./min. with 66 ft. drawdown after 3 hrs.
" 1514 " 81.5 " 6 "
" " " " "
Bailer test gal./min. with ft. drawdown after hrs.
Artesian flow NONE g.p.m.
Temperature of water 54°F Depth artesian flow encountered ft.

(9) CONSTRUCTION:

Well seal—Material used CONCRETE GROUT
Well sealed from land surface to 22 ft.
Diameter of well bore to bottom of seal 20 in.
Diameter of well bore below seal 16 in.
Number of sacks of cement used in well seal 2 1/2 yds.
How was cement grout placed? SLURRY

Was a drive shoe used? ☒ Yes ☐ No Plugs Size: location ft.
Did any strata contain unusable water? ☐ Yes ☒ No
Type of water? depth of strata
Method of sealing strata off
Was well gravel packed? ☐ Yes ☒ No Size of gravel:
Gravel placed from ft. to ft.

(10) LOCATION OF WELL:

County HARNEY Driller's well number
3530 E 1003 1/2 Section 22 T. 39S R. 35E W.M.
SE CORNER
Bearing and distance from section or subdivision corner

(11) WATER LEVEL: Completed well.

Depth at which water was first found 30 ft.
Static level 28 ft. below land surface. Date 7-10
Artesian pressure NONE lbs. per square inch. Date

(12) WELL LOG:

Diameter of well below casing
Depth drilled 201 ft. Depth of completed well 201 ft.

Formation: Describe color, texture, grain size and structure of materials; and show thickness and nature of each stratum and aquifer penetrated, with at least one entry for each change of formation. Report each change in position of Static Water Level and indicate principal water-bearing strata.

MATERIAL	From	To	SWL
TOPSOIL	0	2	
BROWN CLAY / FINE SAND	2	19	
BLUE CLAY	19	28	
FINE BLACK SAND / MED GRAVEL	28	61	28
BROWN CLAY / COARSE SAND	61	68	"
COARSE BROWN GRAVEL	68	76	24
BROWN CLAY / COARSE BROWN SAND	76	88	"
COARSE BROWN SAND / MED GRAVEL	88	102	"
BROWN CLAY / COARSE BLACK SAND	102	104	"
COARSE BROWN GRAVEL	104	116	"
MED BROWN GRAVEL	116	134	"
GREEN CLAY	134	141	"
BROWN CLAY	141	148	"
BROWN CLAY / MED BLACK SAND	148	153	"
MED BROWN SAND	153	157	"
MED BLACK GRAVEL / COARSE SAND	157	163	"
BLUE-GREEN CLAY	163	172	"
COARSE BLACK SAND	172	201	6'

Work started 7-9 19 79 Completed 8-17 19 79
Date well drilling machine moved off of well 8-28 19 79

Drilling Machine Operator's Certification:

This well was constructed under my direct supervision. Materials used and information reported above are true to my best knowledge and belief.

[Signed] John V. Dettler Date AUG 29, 1979
(Drilling Machine Operator)

Drilling Machine Operator's License No. 1331

Water Well Contractor's Certification:

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

Name RASSBERG & SON IRRIGATION
(Person, firm or corporation) (Type or print)

Address GRANE ORE

[Signed] John V. Dettler
(Water Well Contractor)

Contractor's License No. 272 Date AUG 29

(USE ADDITIONAL SHEETS)

13784

NOTICE TO WATER WELL CONTRACTOR:
The original and first copy of this report
are to be filed with the

WATER RESOURCES DEPARTMENT,
SALEM, OREGON 97310
within 30 days from the date
of well completion.

WATER WELL REPORT

STATE OF OREGON

(Please type or print)

(Do not write above this line)

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APR 24 1978

State Permit No.

WATER RESOURCES DEPT.

SW2

State Well No.

395/35E-23cb

(1) OWNER:

Name Wallace L. Coleman
Address Fields Ore

(2) TYPE OF WORK (check):

New Well ☒ Deepening ☐ Reconditioning ☐ Abandon ☐

If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rotary ☒ Driven ☐
Cable ☐ Jetted ☐
Dug ☐ Bored ☐

(4) PROPOSED USE (check):

Domestic ☐ Industrial ☐ Municipal ☐
Irrigation ☐ Test Well ☐ Other ☐

(5) CASING INSTALLED:

Threaded ☐ Welded ☒
16" Diam. from 0 ft. to 448 ft. Gage 025
" Diam. from ft. to ft. Gage
" Diam. from ft. to ft. Gage

(6) PERFORATIONS:

Perforated? ☒ Yes ☐ No.

Type of perforator used

Size of perforations 3/32 in. by 2 in.
64/Ft. perforations from 165 ft. to 448 ft.
perforations from ft. to ft.
perforations from ft. to ft.

(7) SCREENS:

Well screen installed? ☐ Yes ☒ No

Manufacturer's Name
Type Model No.
Diam. Slot size Set from ft. to ft.
Diam. Slot size Set from ft. to ft.

(8) WELL TESTS:

Drawdown is amount water level is
lowered below static level

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

Yield: 1750 gal./min. with ft. drawdown after 6 hrs.

1525 " 56 " 22 1/2 "

" " " " "

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

Artesian flow g.p.m.

Temperature of water Depth artesian flow encountered ft.

(9) CONSTRUCTION:

Well seal—Material used Concrete

Well sealed from land surface to 20 ft.

Diameter of well bore to bottom of seal 20 in.

Diameter of well bore below seal 20 in.

Number of sacks of cement used in well seal 9 sacks

How was cement grout placed? Concrete mix Truck

Was a drive shoe used? ☐ Yes ☐ No Plugs Size: location ft.

Did any strata contain unusable water? ☐ Yes ☒ No

Type of water? depth of strata

Method of sealing strata off

Was well gravel packed? ☒ Yes ☐ No Size of gravel: 3/4-1/4

Gravel placed from 20 ft. to 448 ft.

(10) LOCATION OF WELL:

County HARNEY Driller's well number
NW 1/4 SW 1/4 Section 23 T. 39S R. 35E W.M.

Bearing and distance from section or subdivision corner

2310' N 412' E of SE Cor. Sec 22

(11) WATER LEVEL: Completed well.

Depth at which water was first found 48 ft.

Static level 40 ft. below land surface. Date 2-3-78

Artesian pressure lbs. per square inch. Date

(12) WELL LOG:

Diameter of well below casing 20

Depth drilled 448 ft. Depth of completed well 448 ft.

Formation: Describe color, texture, grain size and structure of materials;
and show thickness and nature of each stratum and aquifer penetrated,
with at least one entry for each change of formation. Report each change in
position of Static Water Level and indicate principal water-bearing strata.

MATERIAL	From	To	SWL
TOP SOIL	0	15	
Brown Clay	15	48	
Sand & Gravel	48	60	
Prism Clay	60	85	
Sand & Gravel	85	105	
Prism Clay	105	145	
Sand & Gravel	145	155	
Prism Clay	155	175	
Blue Clay	175	195	
Prism Clay	195	225	
Blue Sand & Small Gravel	225	235	
Blue Clay	235	245	
Blue Clay & Gravel	245	265	
Sand & Gravel	265	285	
Prism Clay	285	295	
Sand & Gravel	295	315	
Prism Clay	315	345	
Light Br. Clay & Shells of gravel	345	355	
Gray clay & Shells of gravel	355	365	
Brown clay	365	385	
Sand & Gravel & Shells of clay	385	395	
Sand & Gravel	395	435	
Prism Clay	435	445	

Work started 1-28 1978 Completed 2-20 1978

Date well drilling machine moved off of well 2-3 1978

Drilling Machine Operator's Certification:

This well was constructed under my direct supervision.
Materials used and information reported above are true to my
best knowledge and belief.

[Signed] Wallace L. Coleman Date 4-19-78

(Drilling Machine Operator)

Drilling Machine Operator's License No.

Water Well Contractor's Certification:

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

Name (Person, firm or corporation) (Type or print)

Address

[Signed] Wallace L. Coleman

(Water Well Contractor)

Contractor's License No. Date 4-19-78

(USE ADDITIONAL SHEETS IF NECESSARY)

13784

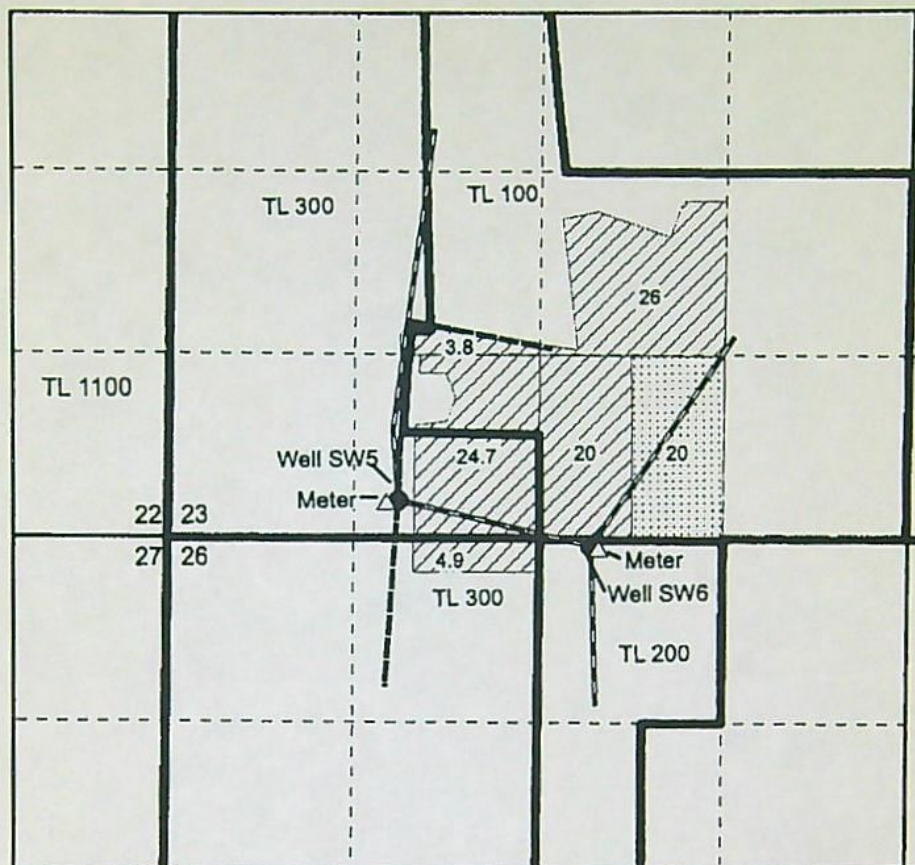
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T39S, R35E, Sections 23 and 26, W.M.

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- △ Meter
- Wells
- 8 inch laterals
- Mainline
- Section line
- - - Quarter quarter line
- Tax lot line
- ▨ T11700 Supplemental (Priority 1955)
- ▩ T11700 Primary (Priority 1955)

Well SW5 (HARN 1804) is located 280 feet north and 1620 feet east of the SW corner of section 23

Well SW6 (HARN 1798) is located 3530 feet east and 100 feet south of the northwest corner of section 26,

This map is not intended to provide legal dimensions or locations of property ownership lines.



Expires 12/31/2016

Final Proof Map for T11700
Tax Lots 100, 200, 300
Pueblo Mountain Land Company, LLC
prepared by Nancy Rorick Consulting

0 660 1,320 Feet
1 inch = 1,320 feet



Revised 12/13/2016

Land Use Information Form

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

Applicant(s): Oregon Desert Land Trust

Mailing Address: 2843 NW Lolo Drive

City: Bend

State: OR

Zip Code: 97703

Daytime Phone: 971-350-9458

Applicant(s): Pueblo Mountain Land Company, LLC

Mailing Address: 707 E 600 N

City: Rupert

State: ID

Zip Code: 83350

Daytime Phone: 208-531-5149

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>39S</u>	<u>35E</u>	<u>14</u>		<u>701</u>	<u>EFRU-1</u>	<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	<u>EFRU-1</u>
<u>39S</u>	<u>35E</u>	<u>22</u>		<u>600, 1000, 1100</u>	<u>EFRU-1</u>	<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	<u>EFRU-1</u>
<u>39S</u>	<u>35E</u>	<u>23</u>		<u>600, 101, 100</u>	<u>EFRU-1</u>	<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	<u>EFRU-1</u>
<u>39S</u>	<u>35E</u>	<u>24</u>		<u>900</u>	<u>EFRU-1</u>	<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	<u>EFRU-1</u>
<u>39S</u>	<u>35E</u>	<u>27</u>		<u>1100</u>	<u>EFRU-1</u>	<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	<u>EFRU-1</u>
<u>39S</u>	<u>35E</u>	<u>26</u>		<u>100, 200, 300</u>	<u>EFRU-1</u>	<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	<u>EFRU-1</u>
<u>39S</u>	<u>35E</u>	<u>25</u>		<u>100</u>	<u>EFRU-1</u>	<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	<u>EFRU-1</u>
<u>39S</u>	<u>35E</u>	<u>36</u>		<u>501</u>	<u>EFRU-1</u>	<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	<u>EFRU-1</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: 3.3 ☒ 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:

The applicants are updating the POU and POA on the water rights to cover lands irrigated under pivots.

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. →

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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): HCZO 3.010 / EFLV-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 McMullen Title: Planning Director
 Signature: [Signature] Phone: (541) 573-6655 Date: 7/23/2021
 Government Entity: Hannay 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: _____

COPY OF LAND LISTED UNDER
DECREE ISSUED BY CIRCUIT JUDGE
HARNEY COUNTY
IN SECTIONS 11 - 25 - 26 - 36
TOWNSHIP 39 S. R 35 E. and
SECTION 19 TOWNSHIP 39 S. R. 36 E.
THOMAS & WALTER

Chicago, Ill. Nov. 8, 1916.

The State Water Board of Oregon,
Salem, Oregon.

Gentlemen: Under a decree issued by
Dalton Biggs, Circuit Judge,

in adjudication of the water rights filed with the County Clerk of Harney
County, Oregon, February 28, 1916; we were allowed a number of acres of land,
as designated below, in Sections 11 - 25 - 26 - and 36, Township 39 South,
Range 35 East, and Section 19 Township 39 South, Range 36 East.

On account of having sold a considerable portion of the land
in the mentioned sections, we now want to designate the particular pieces
of land on which we will use the water allowed.

Part CANCELED Spec. Or. V. 55 p. 510 The list is as follows:

(a) 3 S 3/4 of W 1/2 of SW 1/4 of NE 1/4
- 50 N 1/4 of W 1/2 of NW 1/4 of SE 1/4
- 100 T2658 40 S 1/4 of NE 1/4 of SE 1/4
Tref. Vol. 9, p. 253 40 NW 1/4 of NW 1/4
Tref. Vol. 9, p. 253 10 SW 1/4 of NW 1/4
- 100 10 E 1/4 of NW 1/4 of SW 1/4
- 100 10 SE 1/4 of NE 1/4 of SW 1/4
T2657 (b)(c)(d) 30 E 3/4 of SE 1/4 of SW 1/4
Section 25,
T. 39 S., R. 35 E. - 200 acres.
Tref. Vol. 4, p. 253 24 W 1/2 of NE 1/4 of SW 1/4
24 S. 24/40 of SW 1/4 of SW 1/4
3 W. 2/5 of N 1/4 of SE 1/4 of SW 1/4
3 S 3/4 of SE 1/4 of SW 1/4
Section 11,
T. 39 S., R. 35 E. 78 acres.
W 1/4 of NE 1/4 of NE 1/4
S 3/4 of NE 1/4 of SE 1/4
Section 26,
T. 39 S., R. 35 E. 40 acres.
NE 1/4 of NE 1/4
SE 1/4 of NE 1/4 T2655, T2661
NW 1/4 of NW 1/4 of NE 1/4
S 1/2 of SW 1/4 of SW 1/4 of NE 1/4
NW 1/4 of NW 1/4 of SW 1/4
W 1/2 of E 1/2 of NW 1/4 of SW 1/4
S 1/2 of SW 1/4 of SW 1/4 of SW 1/4
10 SW 1/4 of NW 1/4 of SE 1/4
E 3/4 of SE 1/4 of SE 1/4
NE 1/4 of SE 1/4 T2661
Section 36,
T. 39 S. R. 35 E. W. M. 200 acres.
SE 1/4 of SW 1/4 of SW 1/4
S 1/2 of SE 1/4 of SW 1/4
S 1/2 of SW 1/4 of SE 1/4
Section 19,
T. 39 S. R. 36 E. 50 acres.

(A) PC 82-1A (AM) Vol. 36, p. 198
(B) PC 82-1B (SA in SW NE SE SW) Vol. 36, p. 198
(C) PC 82-1C (10A in SW NE SE SW) Vol. 36, p. 197
(D) PC 82-1D (SA in NW NE SE SW) Vol. 36, p. 198
(E) PC 82-1E (AM) Vol. 36, p. 199

Please place this instrument on record and forward to County Recorder

at Burns, Oregon, for recording.

THOMAS & WALTER,
TRANSFEREES AMERICAN LAND AND
LIVESTOCK COMPANY.

Misc. Rec. State Engr.
Vol. 1, Page 553.
11/21/16

For above lands transferred
Spec. Or. Vol. 1, p. 117 also Vol. 1 p. 50
Vol. 1, p. 117
Vol. 2, p. 231
Vol. 2, p. 128
" 4 p. 253

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount cubic feet per second	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
E. M. Schroeder	1884	.5	20			Trout	W $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$; Sec. 24 T. 39 S.R. 35 E.W.M.
O. C. Schroeder							W $\frac{1}{2}$ Sec. 20 T. 39 S.R. 36 E.W.M. Permit No. 1298 held valid; appropriation not complete.
Robert Scott	1884	.5	20			Trout	W $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$; Sec. 23 T. 39 S.R. 35 E.W.M.
Harry Slough	1884	.125	5			Trout	S $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$; Sec. 23 T. 39 S.R. 35 E.W.M.
Charlotte E. Sturgeon	1905	.3	12		M.M. Doan	Trout	12 a. in SE $\frac{1}{4}$ SE $\frac{1}{4}$; Sec. 4 SW $\frac{1}{4}$ SW $\frac{1}{4}$; Sec. 3 T. 39 S.R. 35 E.W.M.
	1903	3.5	140		M.M. Doan	Trout	140 a. in SW $\frac{1}{4}$ NW $\frac{1}{4}$; Sec. 3 E $\frac{1}{2}$ NE $\frac{1}{4}$; NE $\frac{1}{4}$ SE $\frac{1}{4}$; Sec. 4 T. 39 S.R. 35 E.W.M.
William T. Styles	1884	.275	11			Trout	SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ & South one- tenth of NW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$; Sec. 13 T. 39 S.R. 35 E.W.M.
C. E. Thomas and L. W. Walter (Transferees of American Land & Livestock Co.)	1884	54.0875	2163.5			Little Cotton- wood	80 a. E $\frac{1}{2}$ SW $\frac{1}{4}$ 32 a. in SE $\frac{1}{4}$ NW $\frac{1}{4}$; Sec. 14 40 a. in NE $\frac{1}{4}$ NW $\frac{1}{4}$; Sec. 23 T. 39 S.R. 35 E.W.M.
				North or		Trout	7 a. in W $\frac{1}{2}$ SW $\frac{1}{4}$ 8 a. in SW $\frac{1}{4}$ NW $\frac{1}{4}$; Sec. 28 T. 39 S.R. 36 E. No. 1 No. 2 No. 3 No. 4 No. 5 No. 6 No. 7 No. 8 No. 9 No. 10 No. 11 No. 12 No. 13
							15 a. in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 32 $\frac{1}{2}$ a. in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 26 a. in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 30 a. in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 40 a. in NW $\frac{1}{4}$ SE $\frac{1}{4}$; 40 a. in NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 29 50 a. in Sec. 19 all in T. 39 S.R. 36 E. 320 a. in W $\frac{1}{2}$ 160 a. in SE $\frac{1}{4}$ 80 a. in S $\frac{1}{2}$ NE $\frac{1}{4}$ Sec. 24 160 a. in SE $\frac{1}{4}$ 160 a. in NE $\frac{1}{4}$ Sec. 23. 80 a. in E $\frac{1}{2}$ SE $\frac{1}{4}$ 40 a. in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 32 a. in SW $\frac{1}{4}$ SE $\frac{1}{4}$ 80 a. in S $\frac{1}{2}$ NE $\frac{1}{4}$ 5 a. in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 39 a. in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 15 a. in NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 14

(Tr 3012) chg. place of use
refus. of part of
Sp. Or. Vol. 2, p. 73

40 A. first, see
Sp. Or. Vol. 2, page 128

C. E. Thomas and L. W. Walter (Continued)						<p>Particular lands designated on which water to be used. - See Misc. Records of State Engr., Vol. 1, p. 553.</p> <p>Part of rights transferred. See Special Order Record, p. 18 Vol. 1.</p> <p>34 a. in NW¹/₄ SW¹/₄; 40 a. in SW¹/₄ SW¹/₄; Sec. 13 34 a. in SE¹/₄ SW¹/₄; 20 a. in NE¹/₄ SW¹/₄; 24 a. in SW¹/₄ SE¹/₄; Sec. 11 200 a. in Sec. 25 200 a. in Sec. 36 40 a altogether in E¹/₂ NE¹/₄; W¹/₂ NW¹/₄; NE¹/₄ SE¹/₄; Sec. 26 T. 39 S.R. 35 E.W.M. (EXCEPT all acreage included in above description which are herein granted to other claimants, transferees of the American Land and Live-stock Company and Thomas & Walters.)</p>
Carl A. Thomsen	1903	5 Miner's Inches	4.5		Trout	<p>4¹/₂ a. in NW¹/₄ NE¹/₄; NE¹/₄ NW¹/₄; S¹/₂ NW¹/₄; Sec. 14 T. 39 S.R. 37 E.W.M.</p>
Sebastian Urcanqui and Melvin M. Doan	1904 (Prior to A.L.& L.Co. transfer- ees) C.F.P.S.	20 Miner's inches	20		Trout	<p>20 a. in S¹/₂ SE¹/₄; Sec. 24 NW¹/₄ NE¹/₄; NE¹/₄ NW¹/₄; Sec. 25 T. 39 S.R. 36 E.W.M.</p>
S. Waterfall	1884	1.	40		Trout	<p>E¹/₂ NW¹/₄ SW¹/₄; E¹/₂ SW¹/₄ NW¹/₄; Sec. 24 T. 39 S.R. 35 E.W.M.</p>
F. L. Whelply 72656	1884	.125	5		South Branch of Trout	<p>S¹/₂ SW¹/₄ SW¹/₄ NE¹/₄; Sec. 36 T. 39 S.R. 35 E.W.M.</p>
Sarah K. Wiggins	1884	.05	2		Trout	<p>North two-fifths of N¹/₂ SE¹/₄ SE¹/₄ NE¹/₄; Sec. 24 T. 39 S.R. 35 E.W.M.</p>
Michael J. Woods PC 82-1C (AII)	1884	.25	10		South Branch of Trout	<p>E¹/₂ SE¹/₄ SE¹/₄ SW¹/₄; Sec. 25 T. 39 S.R. 35 E.W.M.</p>
Mary Wulstein	1884	.125	5		Trout	<p>N¹/₂ NE¹/₄ SE¹/₄ NW¹/₄; Sec. 24 T. 39 S.R. 35 E.W.M.</p>
Hubert Wynhof	1884	.125	5		Trout	<p>S¹/₂ NE¹/₄ NE¹/₄ SE¹/₄; Sec. 24 T. 39 S.R. 35 E.W.M.</p>

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount cubic feet per second	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
Frank Adrian <i>change in point of div. - Sp. Or. Vol 2 p. 31</i>	1889	3.5	140		Upper North Lower North South	Trout	140 a. in S ¹ NE ¹ ; Sec. 16 S ¹ NW ¹ ; N ¹ SW ¹ ; Sec. 17 SE ¹ NE ¹ ; NE ¹ SE ¹ ; Sec. 18 T. 39 S.R. 37 E.W.M.
Fred Allen	1902	.5	20		North Ditch A.L. & L. System	Trout	20 a. in SW ¹ SE ¹ ; Sec. 11 T. 39 S. R. 35 E. W. M.
C. S. Allgard (and C.J.Allgard)						Trout	SE ¹ SE ¹ ; Sec. 16 W ¹ SW ¹ ; Lots 3 and 4 T. 38 S. R. 35 E., SE ¹ SW ¹ ; Sec. 35 T. 37 S.R. 33 E., W.M. Permit No. 201 held valid; appropriation not complete.
Arnold E. Archibald	1884	.25	10			Trout	10 a. in NE ¹ SE ¹ SE ¹ ; Sec. 14 T. 39 S.R. 35 E., W.M.
Henrietta C. Bates <i>T-3590 & POU 1884</i>	1884	.125	5			South Branch of Trout	S ¹ SE ¹ NE ¹ NE ¹ Sec. 36 T. 39 S.R. 35 E. W.M.
Valeda M. Beal	1884	.25	10			Trout	SE ¹ NE ¹ NW ¹ Sec. 24 T. 39 S.R. 35 E., W.M.
John C. Beaty <i>and the wife - see Vol 2, p. 604</i>	1901 (Prior to miners A.L. & L. Co. inches transferees and Carl A. Thomsen)	46				Trout	S ¹ NW ¹ Sec. 15 T. 39 S.R. 35 E.W.M.
Mary Beaty	1887 (Prior to A.L. & L. Co. Trans- ferees)	80 Miners inches	60		No. 1 No. 2	Trout	60 a. in NW ¹ NW ¹ ; SW ¹ NW ¹ Sec. 25 SE ¹ NE ¹ ; Sec. 26 T. 39 S.R. 36 E.W.M.
W. O. Billings <i>T 2660</i>	1914				<i>This ditch transferred to See Special Order Recd Vol. 1 p. 14-15</i>		N ¹ SW ¹ ; NW ¹ SE ¹ ; SE ¹ NW ¹ ; Sec. 31 T. 39 S.R. 36 E. W. M. Permit certificate No. 2165 of State Engineer held valid; appropriation not complete.

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount cubic feet per second	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
P. E. Carlton	1884	.125	5			South Branch of Trout	S$\frac{1}{2}$SE$\frac{1}{2}$SW$\frac{1}{4}$ Sec. 25 T. 39 S.R. 35 E.W.M.
Edwin J. Catlow	1884	5.125	205			Cottonwood	W $\frac{1}{2}$ W $\frac{1}{2}$ Sec. 14 NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 23 T. 39 S.R. 35 E.W.M. and 5 a. in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 22, same township and range; described: Beg. at NE cor. said Sec. 22, thence W.645 ft; thence S. 330 ft; thence E.645 ft; thence N.330 ft. to place of beginning.
Oscar Christopher-son	1884	.25	10			Trout	E $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 14 T. 39 S.R. 35 E.W.M.
Clarence F. Clark Pc 82-1 D (all)	1884	.125	5			South Branch of Trout	N $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 25 T. 39 S.R. 35 E.W.M.
Lawrence Clark CANCELED Spec. Or. V. 25 p. 208	1884	.125	5			South Branch of Trout	S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 25 T. 39 S.R. 35 E.W.M.
E. J. Dean	1884	.5	20			South Branch of Trout	W $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 26 T. 39 S.R. 35 E.W.M.
Adam D. Defenbaugh	1897	.575	23		East Ditch West Ditch	Trout	23 a. in W $\frac{1}{2}$ NE $\frac{1}{4}$ Sec. 26 SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 23 T. 39 S.R. 37 E.W.M.
✓ David Defenbaugh	1908	3.375	135		East Ditch West Ditch	Trout	135 a. in W $\frac{1}{2}$ NW $\frac{1}{4}$ Sec. 22 E $\frac{1}{2}$ NE $\frac{1}{4}$ Sec. 21 T. 38 S.R. 35 E.W.M. <i>Transferred per Special Order R. 14.</i>
D. D. Defenbaugh	1889	2.65	106		Upper North Lower North South	Trout	106 a. in N $\frac{1}{2}$ SE $\frac{1}{4}$ S $\frac{1}{2}$ NE $\frac{1}{4}$ Sec. 17 T. 39 S.R. 37 E.W.M.

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount cubic feet per second	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
D. D. Defenbaugh	1895	1.3	52		Upper North Lower North South	Trout	28 a. south of Trout Creek and 24 a. north of Trout Creek, all in $SE\frac{1}{4}NW\frac{1}{4}$, $N\frac{1}{2}SW\frac{1}{4}$, Sec. 16 T. 39 S. R. 37 E.W.M.
	1888	.675	27			Trout	27 a. in $NW\frac{1}{4}NW\frac{1}{4}$; Sec. 23 $N\frac{1}{2}NE\frac{1}{4}$; $NE\frac{1}{4}NW\frac{1}{4}$; Sec. 22 T. 39 S.R. 37 E.W.M.
Kate Defenbaugh	1902	.525	21			Trout	21 a. in $E\frac{1}{2}SW\frac{1}{4}$ Sec. 23 T. 39 S.R. 37 E.W.M.
Lewis Defenbaugh	1892	.425	17		East Ditch West Ditch	Trout	17 a. in $SW\frac{1}{4}SW\frac{1}{4}$; Sec. 15 $NW\frac{1}{4}NW\frac{1}{4}$; Sec. 22 T. 39 S.R. 37 E.W.M.
Melvin M. Doan	1897	2.	80			Trout and Willow $\frac{1}{2}$ from each	40 a. in $SE\frac{1}{4}SW\frac{1}{4}$; Sec. 33 T. 38 S. " " 35 a. in Lot 3, 5 a. in $SE\frac{1}{4}NW\frac{1}{4}$; Sec. 4 T. 39 S., all of R. 35 E., W. M.
	1899	3.	120			Trout and Willow $\frac{1}{2}$ from each	120 a. in Lot 2, Sec. 4 T. 39 S., $NE\frac{1}{4}SW\frac{1}{4}$; $W\frac{1}{2}SE\frac{1}{4}$; Sec. 33 T. 38 S. all of R. 35 E., W. M.
	1902	1.875	75			Willow	75 a. in $W\frac{1}{2}SW\frac{1}{4}$; $SW\frac{1}{4}NW\frac{1}{4}$; Sec. 4 T. 39 S.R. 35 E.W.M.
Rose E. Doan							$SE\frac{1}{4}SW\frac{1}{4}$; $W\frac{1}{2}SE\frac{1}{4}$; $SW\frac{1}{4}NE\frac{1}{4}$; Sec. 4, T. 39 S.R. 35 E., W.M., State Engineer's permit held valid; appropriation not complete.
W. S. Estell	1884	.25	10				$SE\frac{1}{4}NE\frac{1}{4}SW\frac{1}{4}$; Sec. 29 T. 39 S.R. 36 E., W.M.
Lydia E. Fryer	1884	.125	5			South Branch of Trout	$N\frac{1}{2}NE\frac{1}{4}SW\frac{1}{4}$; Sec. 36 T. 39 S.R. 35 E.W.M.

Amended
See
decree
P. 319 Vol. 13

162
Vol. 13, P. 211

BEFORE THE STATE WATER BOARD OF OREGON

Harney County.

IN THE MATTER OF THE PETITION)
OF W. O. BILLINGS FOR A TRANS-)
FER OF WATER RIGHT.)
-----)

The application of W. O. Billings for a transfer of water right involving lands on Trout Creek in Harney County, coming on to be heard at this time, and it appearing that a right was allowed by the decree of the Circuit Court for Harney County for 135 acres of land in Sections 21 and 22, T 38 S. R. 35 E. W. M., with priority of 1908; that under Certificate No. 1430 a right was allowed for 160 acres of land in Section 31, T 39 S. R. 36 E., with priority of August 11, 1914; that said W. O. Billings now applies to have said rights interchanged, for the reason that the 1908 right is several miles down the stream below the 1914 right, and if the transfer is made it would give the upper land an earlier right and thereby enable it to receive water much earlier in the season than under the present conditions. And it further appearing that a report has been filed by N. W. Luckey, Water Master on Trout Creek recommending that the proposed transfer be allowed, and a statement has been filed, signed by water users on said stream, to the effect that they have no objection to the transfer, NOW, THEREFORE, it is ORDERED that said application be and the same is hereby granted; and that the water rights appurtenant to the following described lands, to-wit:

135 acres in W $\frac{1}{2}$ NW $\frac{1}{4}$ Section 22 and
E $\frac{1}{2}$ NE $\frac{1}{4}$ Section 21
T 38 S. R. 35 E. W. M.

be and the same are hereby severed from said lands, and are hereby transferred, and by this transfer become appurtenant, to the following described lands, to-wit:

135 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$
N $\frac{1}{2}$ SW $\frac{1}{4}$ and
NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 31
T 39 S. R. 36 E. W. M.

*Notations
made in
Records* Cert No. 1430
and Decree - Vol. 3, p. 72

and that the water rights appurtenant to the following described lands,
to-wit:

40 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$
80 acres in N $\frac{1}{2}$ SW $\frac{1}{4}$
40 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 31
T 39 S. R. 36 E. W. M.

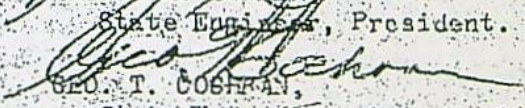
be and the same are hereby severed from said lands, and are hereby
transferred, and by this transfer become appurtenant, to the following
described lands, to-wit:

80 acres in NW $\frac{1}{4}$ Section 22
80 acres in SE $\frac{1}{4}$ Section 21
T 38 S. R. 35 E. W. M.

And all of said rights so transferred are transferred without loss of
priority of right heretofore established, except as to such existing rights
to which such change is a detriment, and said rights hereby transferred
are hereby made subject and subsequent to any and all rights so injured by
such change, to the extent of such injury. And the Secretary is hereby
directed to make the necessary notations on the records of the Board to
indicate such transfers and issue any certificates that may be required
to make a proper record of the same.

Dated this 7th day of December, 1921.


PERCY A. COOPER,
State Engineer, President.


GEO. T. COSTIGAN,
State Water Superintendent.

After T-2660

STATE OF OREGON

COUNTY OF HARNEY

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

HUMBOLT LAND & LIVESTOCK CO.
FIELDS OR 97710

confirms the right to use the waters of SOUTH BRANCH TROUT CREEK, for IRRIGATION of 49.1 ACRES.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Harney County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 3, at Page 89. The date of priority is 1908.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q
39 S	36 E	WM	31	SW NE

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
39 S	35 E	WM	36	SE NE	20.0
39 S	35 E	WM	36	NE SE	29.1

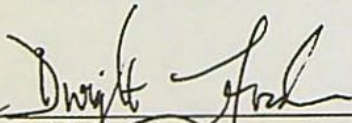
The diversion of water shall be contingent upon maintaining an adequate system of drain ditches and controls to prevent the free-flowing of the lands from which the water right is hereby severed.

The right to the use of the water for the above purpose is restricted to beneficial use on place of use described, and is subject to all other conditions and limitations contained in said decree.

This certificate is issued to confirm a change in the place of use approved by an order of the Water Resources Director entered January 16, 1978, at Special Order Volume 30, Page 276, approving Transfer Application 2660.

Issued

APR 29 2016



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

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may petition for judicial review and 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.

T-2660
Cert 91345

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON
HARNEY COUNTY

IN THE MATTER OF THE APPLICATION }
OF HUMBOLT LAND & LIVESTOCK CO. }
FOR APPROVAL OF A CHANGE IN PLACE }
OF USE OF WATER FROM TROUT CREEK }

ORDER APPROVING
TRANSFER NO. 2660

On May 31, 1972, an application was filed in the office of the Water Resources Director by Humbolt Land & Livestock Company for approval of a change in place of use from Trout Creek, pursuant to the provisions of ORS 540.510 to 540.530.

As modified in accord with the provisions of the order of the State Water Board, entered on December 7, 1921, at page 14, Volume 1, Special Order Record, approving an application by W. O. Billings for a transfer of water right, the right allowed by Decree of the Circuit Court for Harney County, dated February 23, 1916, in the matter of Edwin B. Hill, et al. vs. the American Land & Livestock Company, et al., adjudicated to David Defenbaugh for use of water from Trout Creek, under a date of priority of 1908, now exists for the irrigation of, among other lands, 10.0 acres in E $\frac{1}{2}$ E $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ and 40.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 31, Township 39 South, Range 36 East, W.M.

The authorized point of diversion is located 0 feet North and 0 feet West from the Southeast Corner of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 31, being within the said SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 31.

The applicant herein, owner of the lands above described, proposes to change the place of use therefrom and, without loss of priority, to irrigate in lieu thereof a certain 20.0 acres in S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ and 30.0 acres in E $\frac{3}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 36, Township 39 South, Range 35 East, W.M.

Mr. Walter N. Perry, Water Resources Department, has filed a statement

to the effect that the proposed change in place of use may be made without injury to existing rights.

No objections having been filed and it appearing that the proposed change in place of use may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the requested change in place of use of water from South Branch Trout Creek, as described herein, without loss of priority, is approved.

It is FURTHER ORDERED that the diversion of water shall be limited to the water available from the South Branch of Trout Creek under the subject water right, pursuant to the provisions of said decree of the Court, with particular reference to paragraph 26 thereof.

It is FURTHER ORDERED that the diversion of water shall be contingent upon maintaining an adequate system of drain ditches and controls to prevent the free-flooding of the lands from which the water right is hereby severed.

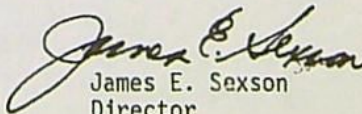
It is FURTHER ORDERED that the following provisions shall be carried out prior to the diverting of water as herein confirmed:

That the diversion works shall include a weir or other suitable device for measuring the water to which the applicant is entitled;

That the type and plans of the measuring device be approved by the watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said watermaster.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1979.

Dated at Salem, Oregon, this 16th day of January, 1978.


James E. Sexson
Director

A hand-drawn map of a river section, likely a meander, with two shaded areas labeled 36 and 31. The map is overlaid on a grid of dashed lines. Area 36 is a yellow-shaded region on the left, bounded by a dashed line with points labeled 1², 0¹, 20°, T-2660, 29¹, and 4.3. It is adjacent to a vertical line labeled R.356 and R.366. Area 31 is a pink-shaded region on the right, bounded by a dashed line with points labeled 10°, 40°, and 4.3. It is adjacent to a vertical line labeled R.356 and R.366. The map includes various measurements and labels: 14³, 18³, 20°, T-2660, 29¹, 4.3, 10°, 40°, and 4.3. The text 'S.F. TROUT CREEK' is written on the right side. The word 'off' is written near the pink area. The word 'on' is written near the yellow area.



FINAL PROOF SURVEY

UNDER

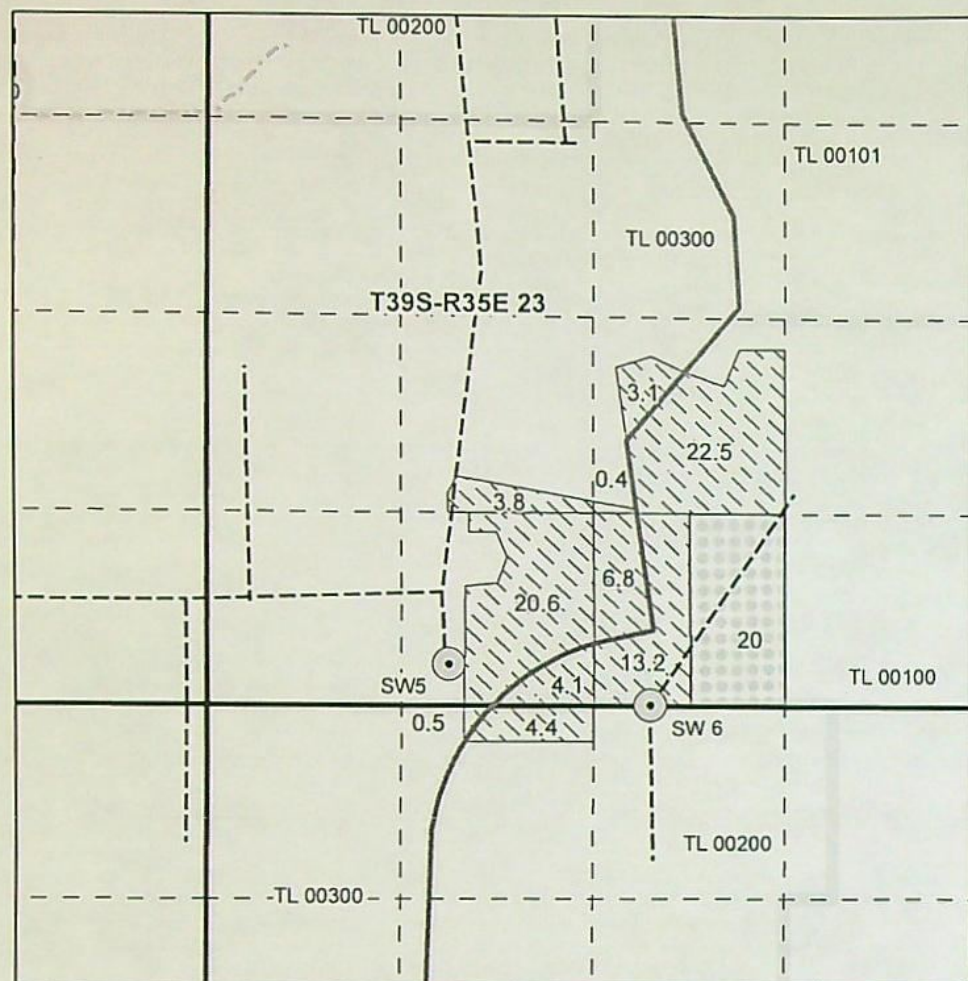
HUMBOLT LAND & LIVESTOCK CO.



Surveyed ...7-15..... 1988, by V.L. Church.....

RECEIVED

JUL 29 2021

OWRD

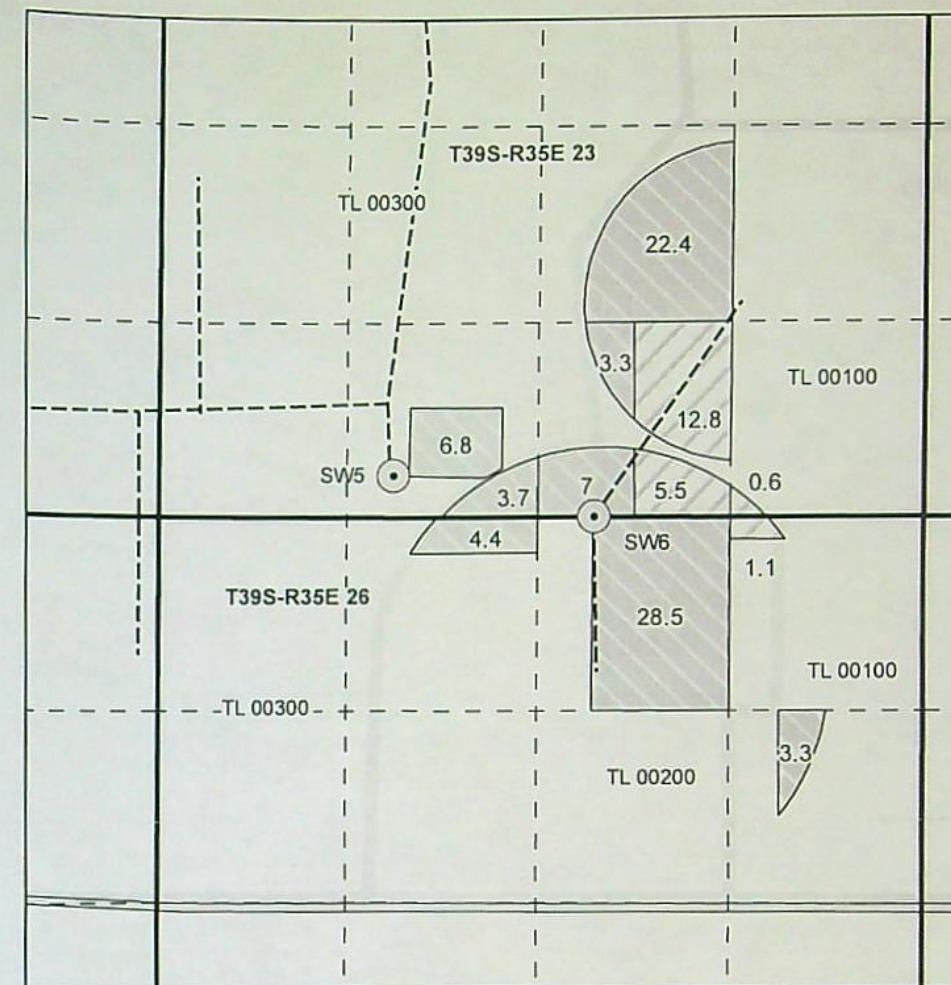




 92999, Primary, From
 92999, Supplemental, From

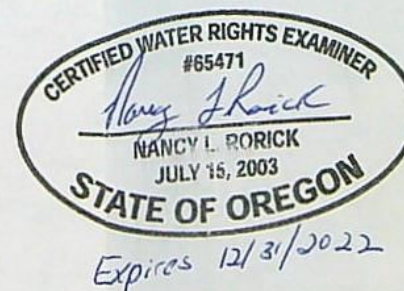
- ⊙ Existing well
- Pipeline
- Government lot line
- - - Quarter quarter
- Section line
- Perennial stream
- Seasonal stream
- == Roads

Well SW5 (HARN 1804) located in T39S, R35E, SE SW of Section 23; 280 feet North and 1620 feet East from the SW Corner Section 23.

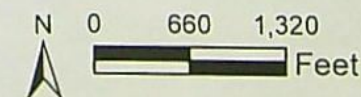
Well SW6 (HARN 1798) is located in SW ¼ SE ¼, Section 23, T39S, R35E, WM; 5 feet North and 2,250 feet West from SE Corner, Section 23.



 92999, Primary, To
 92999, Supplemental, To

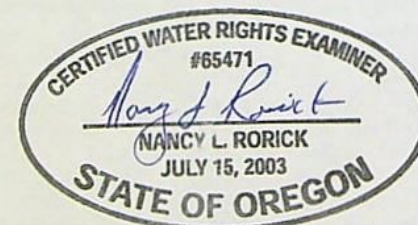
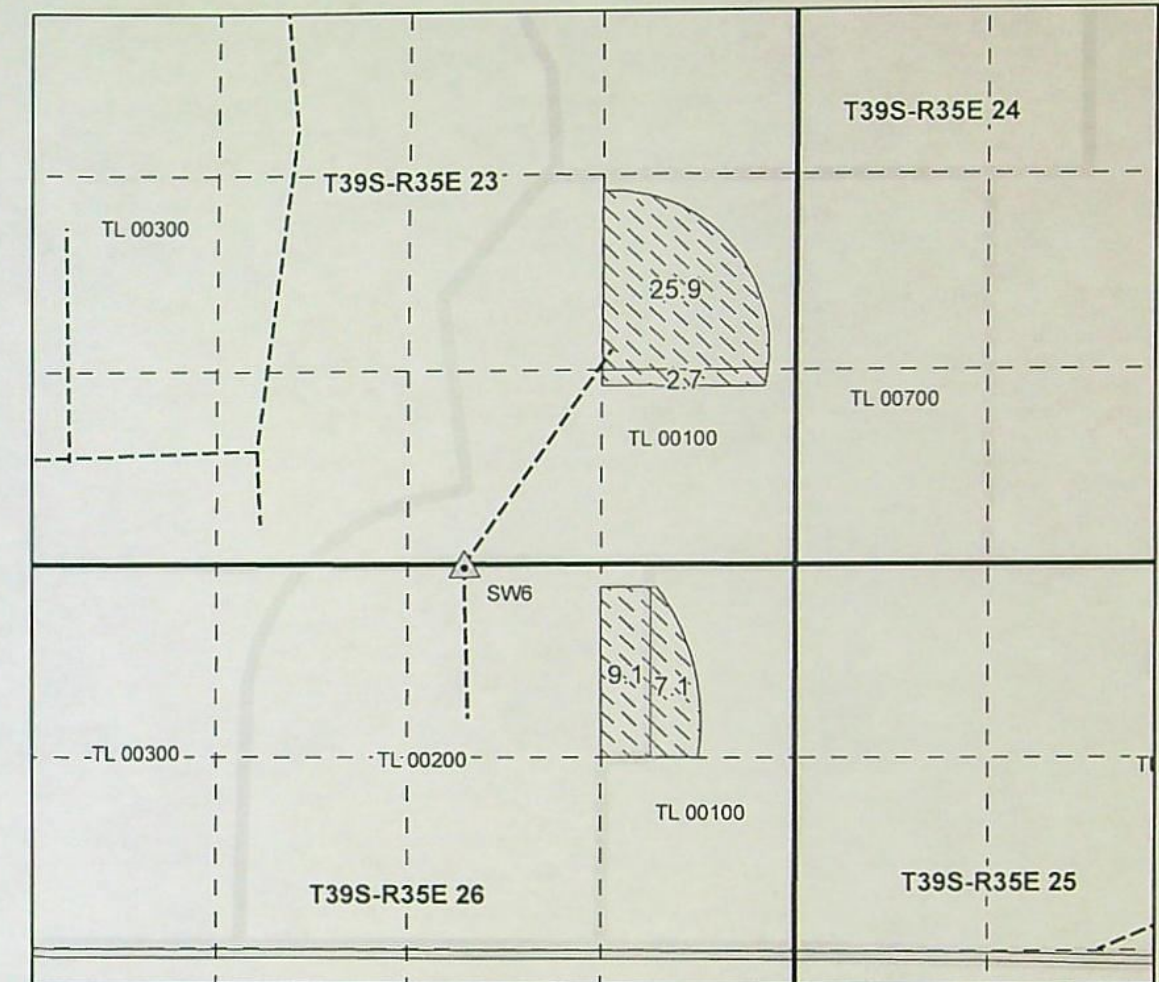
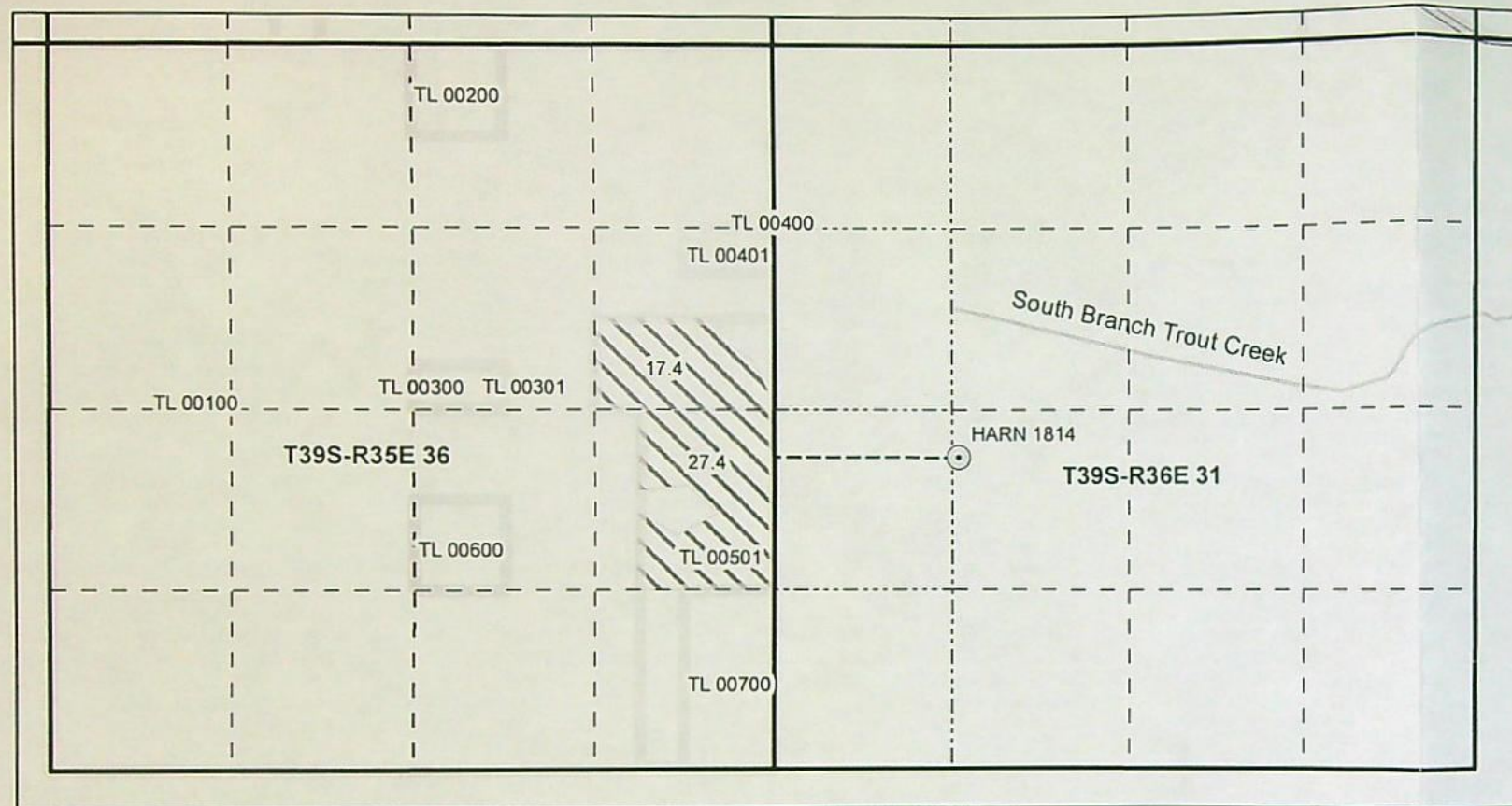


Date: 7/26/2021



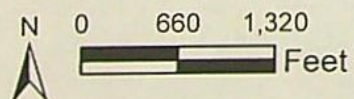
This map is not intended to provide legal dimensions or locations of property ownership lines.

Transfer Map
 Certificate 92999, Priority 1955
 Oregon Desert Land Trust
 Pueblo Mountain Land Company
 Harney County
 Map prepared by Nancy Rorick Consulting



Expires 12/31/2022

This map is not intended to provide legal dimensions or locations of property ownership lines.



Date: 7/26/2021

- △ Well - New POA
- Well - Old POA
- /// 46665, Supplemental, From
- ▨ 46665, Supplemental, To
- Pipeline
- Government lot line
- - - Quarter quarter
- Section line
- Perennial stream
- Seasonal stream
- == Roads

Old POA, HARN 1814 located in NE ¼ SW ¼, Section 31, T39S, R36E, WM; 350 feet South and 50 feet East from the NW Corner, NE ¼ SW ¼, Section 31.

New POA, Well SW6 (HARN 1798) is located in SW ¼ SE ¼, Section 23, T39S, R35E, WM; 5 feet North and 2,250 feet West from SE Corner, Section 23.

Transfer Map
Certificate 46665, Priority 1966
Oregon Desert Land Trust
Pueblo Mountain Land Company
Harney County

Map prepared by Nancy Rorick Consulting

T39S, R35E, Sections 14, 21, 22, 23, 26 and 27, Willamette Meridian

Well SW1 (HARN 1799) located in T39S, R35E, NE SW of Section 22; 2280 feet North and 320 feet West from the S ¼ Corner of Section 22.

Well SW2 (HARN 1803) located in T39S, R35E, NW SW of Section 23; 2300 feet North and 250 feet East from the SW Corner of Section 23.

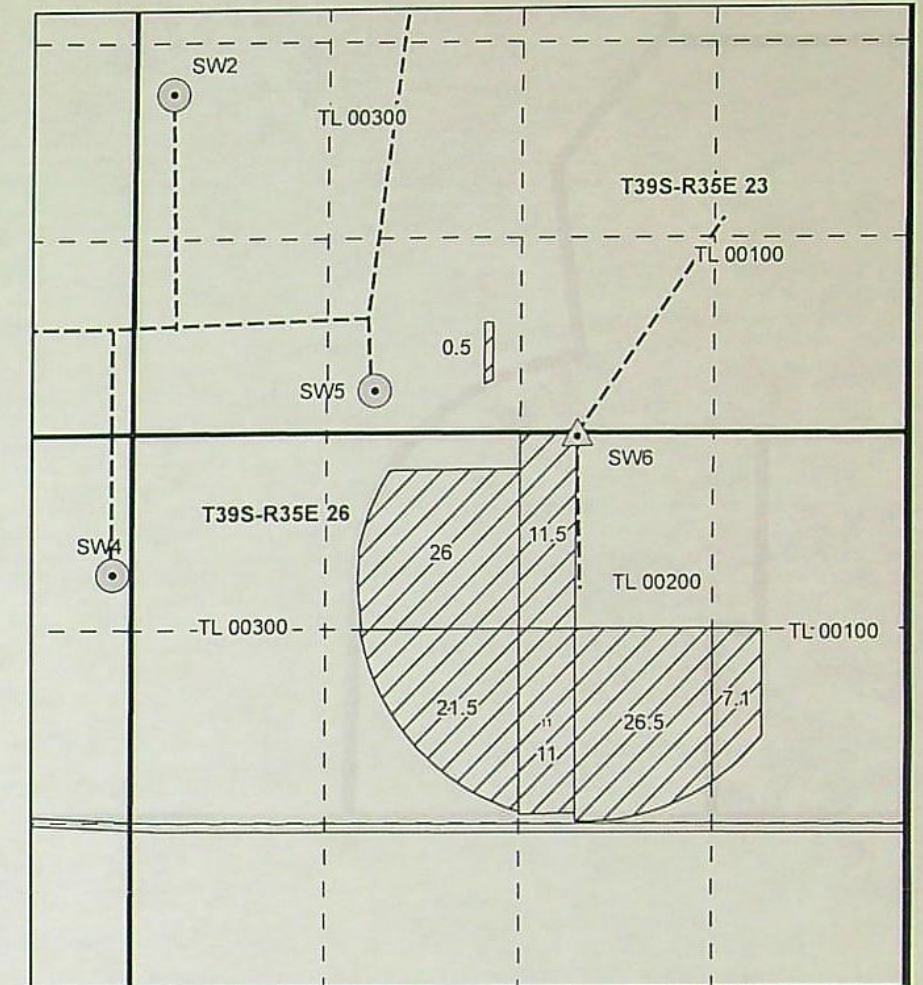
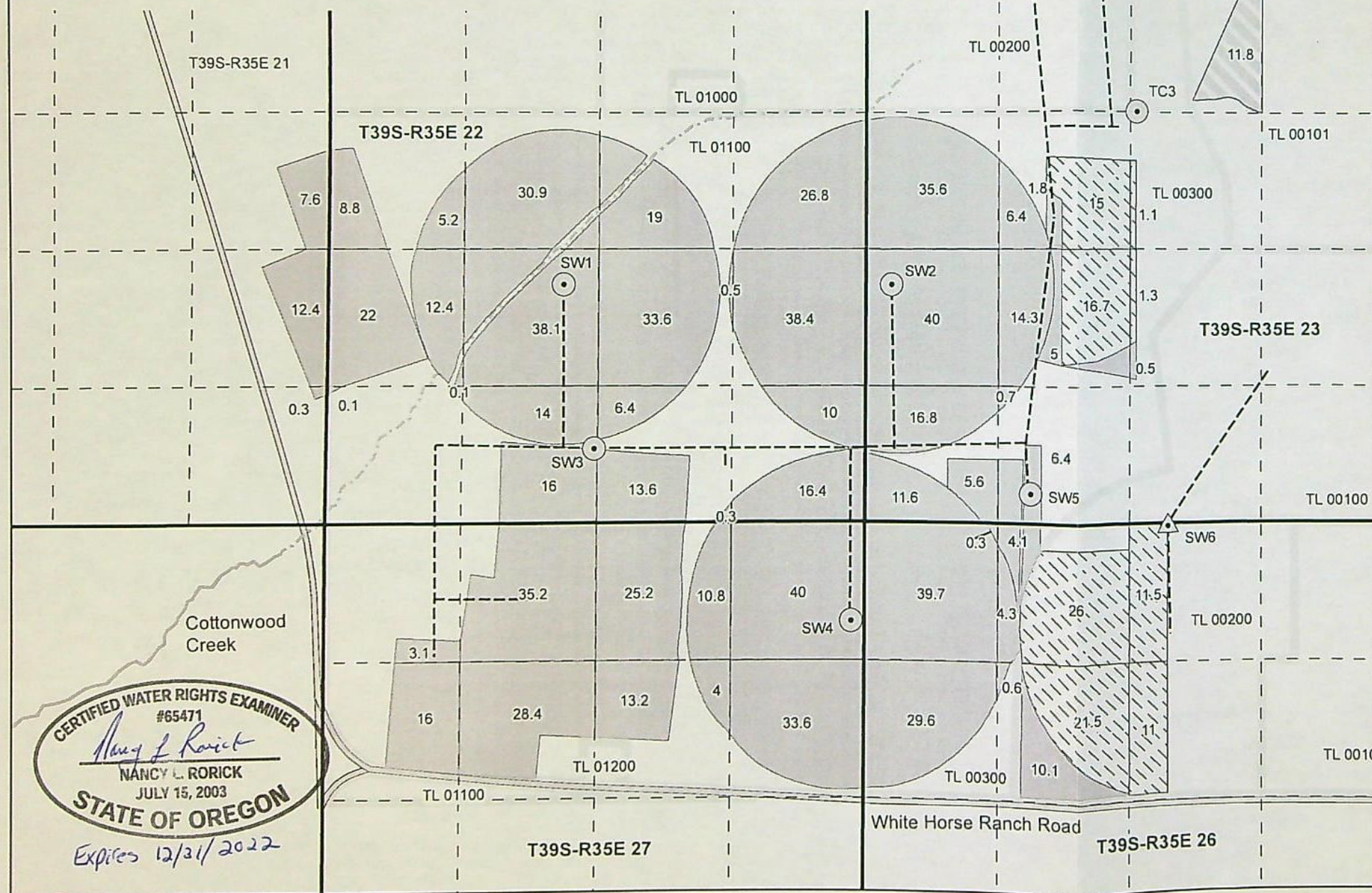
Well SW3 (HARN 1800) located T39S, R35E, SE SW of Section 22; 690 feet North and 30 feet West from the S ¼ Corner of Section 22.

Well SW4 (HARN 1801) located in T39S, R35E, NE NE of Section 27; feet West from the SW Corner, Section 23.

Well SW5 (HARN 1804) located in T39S, R35E, SE SW of Section 23; 280 feet North and 1620 feet East from the SW Corner Section 23.

Well SW6 (HARN 1798) is located in SW ¼ SE ¼, Section 23, T39S, R35E, WM; 5 feet North and 2,250 feet West from SE Corner, Section 23.

Well TC3 (HARN 1802) located in T39S, R35E, NW NE of Section 23; 1310 feet South and 50 feet East from the N ¼ corner,

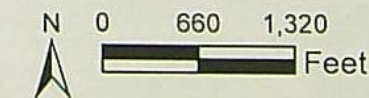


- ▲ Well - New POA
- Existing well
- - - Pipeline
- - - Government lot line
- - - Quarter quarter
- Section line
- Perennial stream
- Seasonal stream
- == Roads

- 81390, Primary, To
- 81390, Primary, From
- 81390, Primary, Stay
- 81390, Supplemental, Stay

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This map is not intended to provide legal dimensions or locations of property ownership lines.

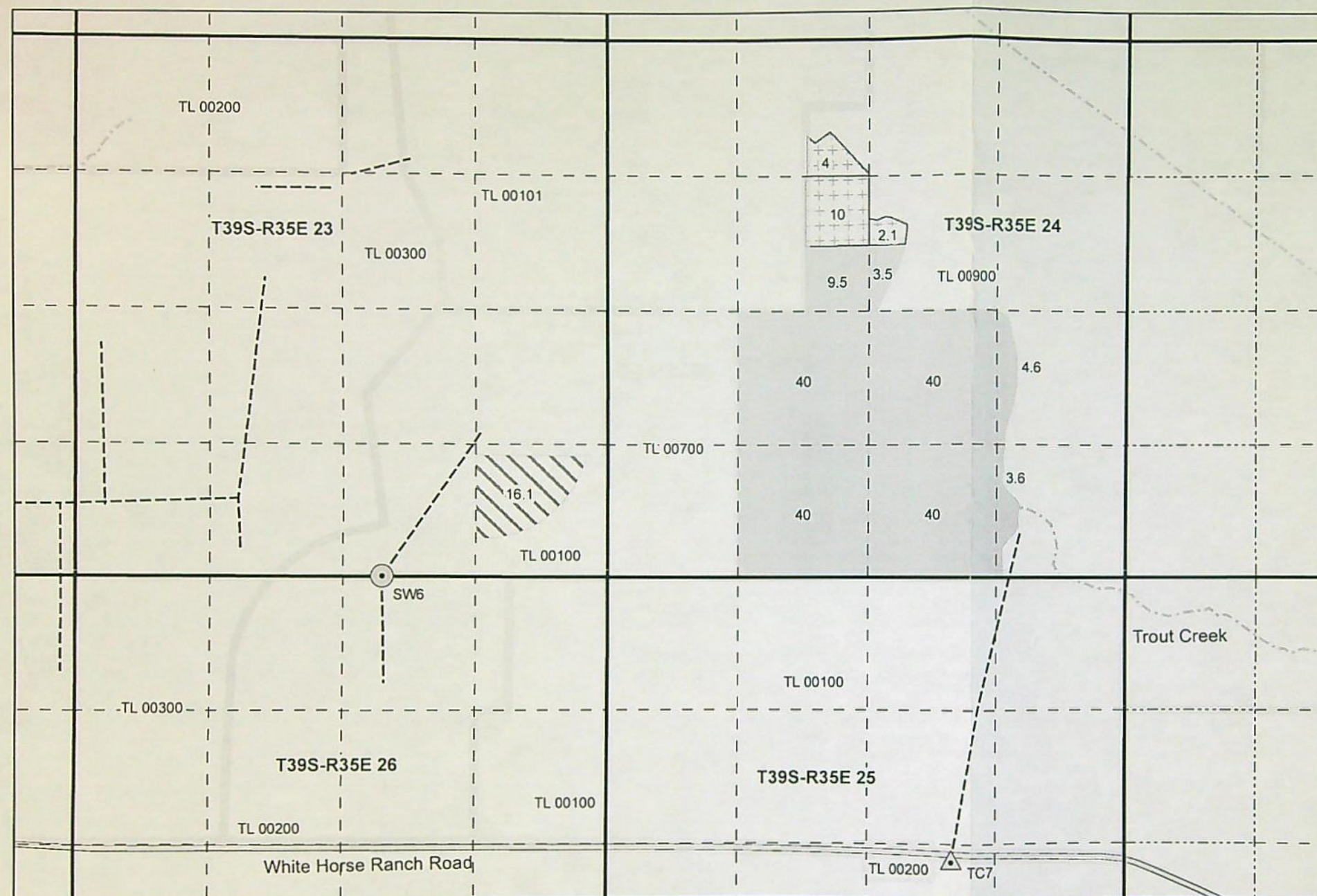


Transfer Map
Certificate 81390, Priority 1977
Oregon Desert Land Trust
Pueblo Mountain Land Company
Harney County

Map prepared by Nancy Rorick Consulting

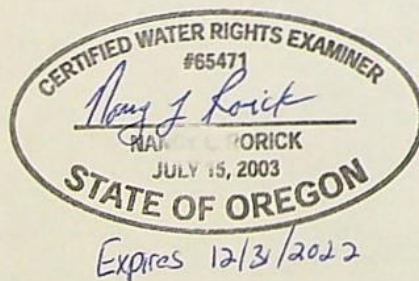
CERTIFIED WATER RIGHTS EXAMINER
#65471
Nancy L. Rorick
NANCY L. RORICK
JULY 15, 2003
STATE OF OREGON
Expires 12/31/2022

T39S, R35E, Sections 23, 24 and 25, Willamette Meridian



- △ Well - Old POA
- Well - New POA
- pipeline_revised
- Government lot line
- - - Quarter quarter
- Section line
- Perennial stream
- - - Seasonal stream
- == Roads
- Tax lots (updated)
- Transfer**
- 51251, Supplemental, To
- 51251, Supplemental, From
- 51251, Supplemental, Stay

RECEIVED
JUL 29 2021
OWRD



New POA - Well SW6 (HARN 1798) is located in SW 1/4 SE 1/4, Section 23, T39S, R35E, WM; 5 feet North and 2,250 feet West from SE Corner, Section 23.

Old POA - HARN 1806 located in T39S, R35E, NW SE OF Section 25; 2,500 feet North and 1,830 feet West from SE Corner, Section 25.

This map is not intended to provide legal dimensions or locations of property ownership lines.

N 0 660 1,320
Feet

Transfer Map
Certificates 51251, Priority 1968
Oregon Desert Land Trust
Pueblo Mountain Land Company
Harney County
Map prepared by Nancy Rorick Consulting



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

Watermaster Review Form: Water Right Transfer

Transfer Application: T-13784

Review Due Date: _____

Applicant Name: Brent Fenty/Oregon Desert Land Trust

Proposed Changes: ☒ POU ☐ POD ☒ POA ☐ USE ☐ OTHER

Reviewer(s): _____

Date of Review: Sep. 2, 2021

1. Do you have evidence that the right has not been used in the last 5 years and that the presumption of forfeiture would not likely be rebuttable? ☐ Yes ☒ No If "yes", attach evidence (e.g. dated aerial photo showing pavement or building on the land for >5 yrs.)
2. Is there a history of regulation on the source that serves this (or these) right(s) that has involved the transferred right(s) and downstream water rights? ☐ Yes ☒ No
Generally characterize the frequency of any regulation or explain why regulation has not occurred: _____
3. Have headgate notices been issued for the source that serves the transferred right(s)?
☐ Yes ☒ No ☐ Records not available.
4. In your estimation, after the proposed change would distribution of water for the right(s) result in regulation of other water rights that would not have occurred if use under the original right(s) was/were maximized?
☐ Yes ☒ No If "Yes", explain: _____
5. In your estimation, if the proposed change is approved, are there upstream water rights that would be affected? ☐ Yes ☒ No If "Yes", describe how the rights would be affected and list the rights most affected: _____
6. Check here ☐ if it appears that downstream water rights benefit from return flows resulting from the current use of the transferred right(s)? If you check the box, generally characterize the locations where the return flows likely occur and list the water rights that benefit most: _____ ☒ N/A
7. For POD changes and instream transfers, check here ☐ if there are channel losses between the old and new PODs or within the proposed instream reach? If you check the box, describe and, if possible, estimate the losses: _____ ☒ N/A
8. For instream transfers that propose protection of a reach beyond the mouth of the source stream: ☒ N/A Would the quantity be measureable into the receiving stream consistent with OAR 690-077-0015(8)? ☐ Yes ☐ No
9. For POU changes: ☒ N/A Is it likely the original place of use would continue to receive water from the same source? ☐ Yes ☒ No If "Yes", explain: _____

10. For POU or USE changes: ☐ N/A In your best judgment, would use of the existing right at "full face value," result in the diversion of more water than can be used beneficially and without waste? ☐ Yes ☒ No If "Yes", explain: _____
11. Are there other issues not identified through the above questions that should be considered in determining whether the change "can be effected without injury to other rights"? ☐ Yes ☒ No If "Yes", explain: _____
12. What alternatives may be available for addressing any issues identified above: N/A
13. Do conditions need to be included in the transfer order to avoid enlargement of the right or injury to other rights? ☒ No ☐ Yes, as checked below:
- ☐ A Headgate should be required prior to diverting water.
 - ☒ Measurement Devices for POD or POA: (if this condition is selected, also fill in the top sections of page 3)
 - 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 diversion/appropriation (new and existing) or ☐ at each new point of diversion/appropriation.*
 - 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.*
 - ☐ Reservoir water use measurement: (if this condition is selected, also fill in the top sections of page 3)
 - a. *Before water use may begin under this order, the water user shall install **staff gages***, or, with prior approval of the Director, other suitable measuring devices, that measure the entire range and stage between empty and full in each reservoir. Staff gages shall be United States Geological Survey style.*
 - b. *Before water use may begin under this order, if the reservoir is located in channel, weirs or other suitable measuring devices must be installed upstream and downstream of the reservoir, and, an adjustable outlet valve must be installed. The water user shall maintain such devices in good working order. A written waiver may be obtained, if in the judgment of the Director, the installation of weirs or other suitable measuring devices, or the adjustable outlet valve, will provide no public benefit.*

* The following alternative device(s) should be substituted for the bold, underlined device in the above selected condition:

- | | |
|---|--|
| <input type="checkbox"/> Weir | <input type="checkbox"/> Submerged Orifice |
| <input type="checkbox"/> Parshall Flume | <input type="checkbox"/> Flow Restrictor |
| <input type="checkbox"/> Other: _____ | |

Oregon Water Resources Department

Measurement Condition Information for the Applicant

(to be sent with the Draft Preliminary Determination or Final Order)

Transfer #: T-13784

☒ In order to avoid enlargement of the right or injury to other rights, a Totalizing flow meter will be required to be installed **prior to diversion of water**, as a condition of this transfer:

- ☒ at each point of diversion/appropriation (new and existing) or
☐ at each new point of diversion/appropriation.

For additional information, or to obtain approval of a different type of measurement device, the applicant should contact the area Watermaster:

Watermaster name: JR JohnsonDistrict: 10Address: 450 N Buena VistaCity/State/Zip: Burns, OR 97720Phone: 541 573 2764Email: jr.johnson@wrdd.state.or.us

Note: If a device other than the one specified in the Preliminary Determination or Final Order is approved by the Watermaster, fill out and mail the form below to the Salem office.

Approval of an Alternate Measurement Device

T-_____

(to be filled out after consultation with the applicant, or after a site visit)

On behalf of the Director, I authorize use of the following suitable **alternate measurement device**:

Watermaster signature_____
District_____
Date

If this form is used for approval of an alternative measurement device, it must be mailed to:

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

Groundwater Transfer Review Summary Form

Transfer/PA # T- 13784

GW Reviewer D. Boschmann Date Review Completed: 09/17/2021

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



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-13784 Applicant Name: Oregon Desert Land Trust/Pueblo Mountain Land Co

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

Reviewer(s): Darrick E. Boschmann

Date of Review: 09/17/2021

Date Reviewed by GW Mgr. and Returned to WRSD: JT 9/21/21

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 certificates 46665, 51251, 81390, and 92999.

Certificate 46665 authorizes groundwater pumping from one well (POD 1 = HARN 1814) for supplemental irrigation of 44.8 acres in the Malheur Lake Basin; Alvord Lake subbasin. The following changes are proposed:

1. Transfer the authorized POD to HARN 1798.
2. Transfer the POU

Certificate 51251 authorizes groundwater pumping from one well (POD 1 = HARN 1806) for primary irrigation of 4.8 acres and supplemental irrigation of 197.3 acres in the Malheur Lake Basin; Alvord Lake subbasin. The following changes are proposed:

1. Add one APOA HARN 1798.
2. Transfer 16.1 acres of the POU.

Certificate 81390 authorizes groundwater pumping from 6 wells (POD 1 = HARN 1804; POD 2 = HARN 1801; POD 3 = HARN 1803; POD 4 = HARN 1799; POD 5 = HARN 1802; POD 6 = HARN 1800) for primary irrigation of 879.9 acres and supplemental irrigation of 31.0 acres in the Malheur Lake Basin; Alvord Lake subbasin. The following changes are proposed:

1. Add one APOA HARN 1798.
2. Transfer 104.1 acres of the POU.

Certificate 92999 authorizes groundwater pumping from 2 wells (POD 1 = HARN 1804; POD 2 = HARN 1798) for primary irrigation of 79.4 acres and supplemental irrigation of 20.0 acres in the Malheur Lake Basin; Alvord Lake subbasin. The following changes are proposed:

1. Correct the location of record for POD 2 HARN 1798.
2. Transfer 99.4 acres of the POU.

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

☒ Yes ☐ No Comments: _____

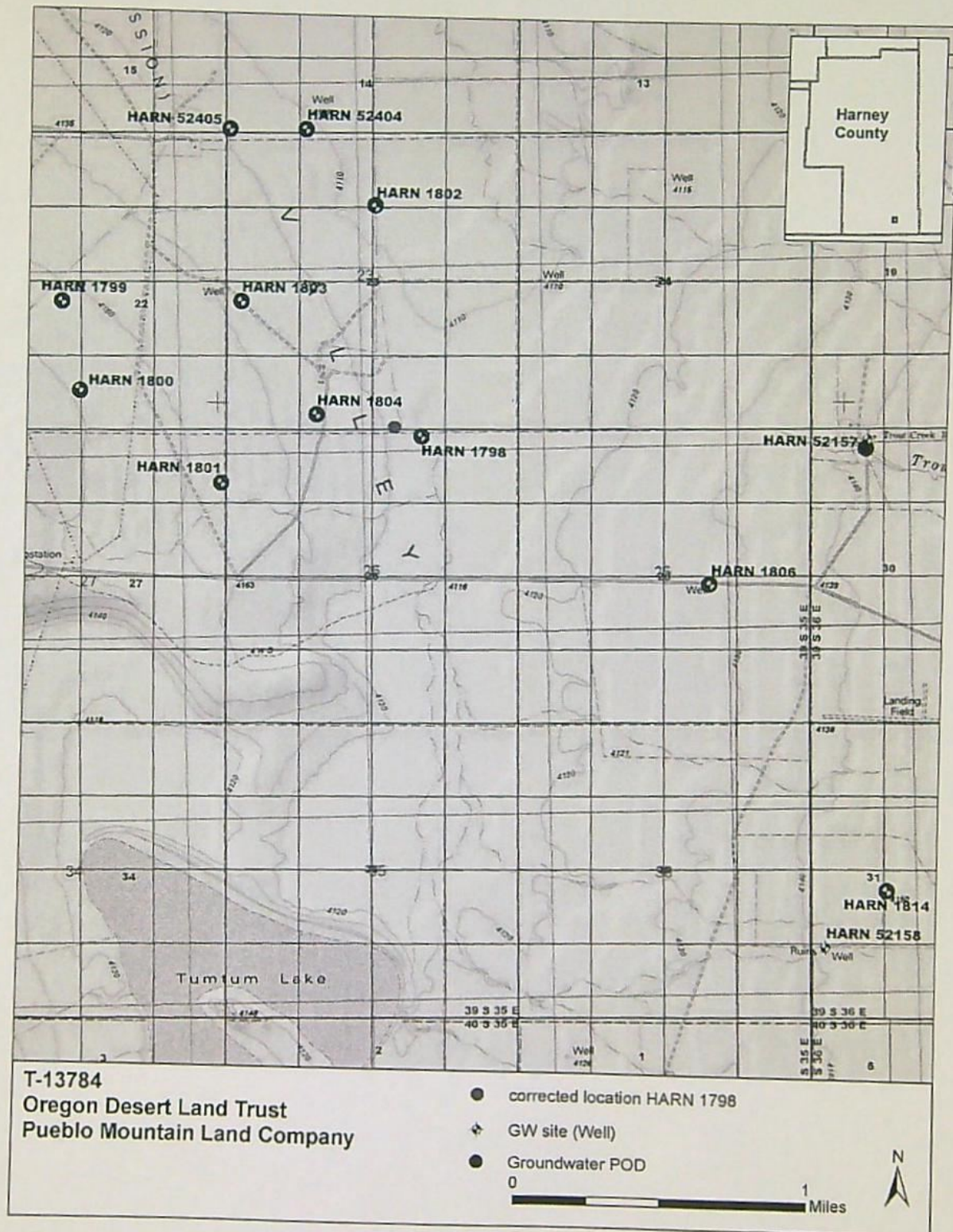
All authorized and proposed wells develop groundwater from unconsolidated sand and gravel.

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 POA/APOA HARN 1798 is within the overall footprint of wells currently authorized by the applicant, and is no closer to any other authorized wells under different ownership.
- 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 proposed POA/APOA HARN 1798 is no closer to hydraulically connected surface water sources than the currently authorized wells.
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: _____
- 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: _____ ☐ Minimal ☐ Significant
Stream: _____ ☐ Minimal ☐ Significant
Provide context for minimal/significant impact: _____
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.





Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301
Phone: 503-986-0900
Fax: 503-986-0904
www.Oregon.gov/OWRD

September 8, 2023

GSI Water Solutions Inc.
1600 SW Western Blvd, Suite 240
Corvallis, OR 97333

Reference: Application G-18169, Permit G-18265

Reference: Transfer T-12255

Reference: Transfer T-13784

Regarding Application G-18169, Permit G-18265, the assignment from Pueblo Mountain Land Co. LLC to Green Fields III, LLC has been recorded in the records of the Water Resources Department.

The Departments records will now show Green Fields III, LLC has as the permit holder of record for Application G-18169, Permit G-18265.

Regarding Transfer T-12255, the assignment from Pueblo Mountain Land Company to Green Fields III, LLC has been recorded in the records of the Water Resources Department.

The Departments records will now show Green Fields III, LLC has as the transfer holder of record for Transfer T-12255.

Regarding Transfer T-13784, the assignment from Pueblo Mountain Land Company, LLC, Duane Grant to Green Fields III, LLC has been recorded in the records of the Water Resources Department.

The Departments records will now show Green Fields III, LLC and Oregon Desert Land Trust, Brent Fenty has as the transfer holders of record for Transfer T-13784.

Our records have been changed accordingly and the original requests are enclosed. Receipt numbers 141569, 141570 and 141571 covering the recording fees are also enclosed.

Permits and transfers are not perfected water rights, and have conditions and timelines that must be satisfied prior to Certificates of Water Right being issued. Please review the permit and transfers to be familiar with the conditions and timelines contained in them.

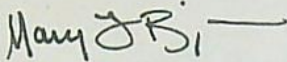
Please note that the permit required complete application of water to the proposed use by February 8, 2023, and within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE). An Application for Extension of Time was received by the Department on April 3, 2023, requesting the time to complete construction and application of water, be extended to October 1, 2024. As of this date, the Application for Extension of Time is pending review.



Regarding Transfer T-12255, please note that the transfer requires complete application of water to the proposed use by October 1, 2027, and within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

Regarding Transfer T-13784, please note that the transfer application is currently pending review.

Sincerely,



Mary F. Bjork
Water Rights Program Analyst
Water Right Services Division

Enclosure: Original Requests and Receipts 141569, 141570 and 141571

cc: Pueblo Mountain Land Co. LLC; Attn: Duane Grant – 707 E 600 N, Rupert, ID 83350
Green Fields III, LLC – c/o Homestead Capital USA, LLC – One Embarcadero Center, Suite 3860,
San Francisco, CA 94111
Oregon Desert Land Trust; Attn: Brent Fenty – 2843 NW Lolo Drive, Bend, OR 97703
Data Center, OWRD (cover letter & request)
File

Check Date: 8/16/2023

026223

Invoice Number	Date	Voucher	Amount	Discounts	Previous Pay	Net Amount
Transfer T-13784	8/11/2023	0022519	120.00			120.00
Oregon Water Resources Department						
Beneficial Checking 14		00275	120.00			120.00
		TOTAL				

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 # 141571

INVOICE # _____

RECEIVED FROM: GSI Water Solutions, Inc.

BY: _____

CASH: ☐ CHECK: # 26223 OTHER: (IDENTIFY) _____

APPLICATION	
PERMIT	
TRANSFER	T-13784

TOTAL REC'D \$120.00

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 EXAM FEE RECORD FEE \$

0203 GROUND WATER \$

0205 TRANSFER \$

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR EXAM FEE LICENSE FEE \$

LANDOWNER'S PERMIT

0250 OTHER (IDENTIFY) Assignment \$120.00

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: 141571

DATED: 9-5-23 BY: Lisa D. Miller

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

RECEIVED
SEP 05 2023
OWRD

Request for Assignment



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

If the Department determines that the application is incomplete, fees have not been paid, or the required documents are not acceptable, the application and all fees submitted will be returned to the applicant.

If for multiple rights, a separate form and fee for each right will be required.

I, Duane Grant on behalf of Pueblo Mountain Land Company, LLC

(Name of Current Holder of Record)

707 E 600 N

Rupert, ID 83350

208-531-5149

(Mailing Address)

(City) (State) (Zip)

(Phone #)

☒ hereby assign all my interest in and to the entire application/permit/transfer order/limited license/groundwater statement; (example, sold all the land authorized under the right)

☐ hereby assign all my interest in and to a portion of application/permit/transfer order/limited license/groundwater statement; (You must include a map showing the portion of the application/permit/transfer order/limited license/groundwater statement to be assigned. Example, sold a portion of the land authorized under the right)

☐ hereby assign a portion of my interest in and to the entire application/permit/transfer order/limited license/groundwater statement; (example, adding an additional person)

Application # Transfer T-13784; Permit # _____; Transfer Order # _____;

Limited License # _____; Groundwater Statement # _____;

as filed in the office of the Water Resources Director, to:

Green Fields III, LLC

(Name of New Owner)

Homestead Capital USA, LLC One Embarcadero Center, Suite 3860, San Francisco, CA 94111 309-230-2877

(Mailing Address)

(City) (State) (Zip)

(Phone #)

Note: If there are other owners of the property described in the application, permit, transfer order, limited license, or groundwater statement, you must provide a list of all other owners' names and mailing addresses and attach it to this form. Write the initials (first letters) of your first and last names at the spot indicated below.

☒ I hereby certify that I have notified all other owners of the property described in this application, permit, transfer order, limited license, or groundwater statement of this Request of Assignment.

Witness my hand this 11 day of August, 2023.
(Day) (Month) (Year)

Signature of Current Holder of Record Duane Grant on behalf of Pueblo Mountain Land Company LLC, President

Failure to provide any of the required information will result in the return of your application.

This certifies assignment and record change at Oregon Water Resources Department effective 8:00 a.m. on date of receipt at Salem, Oregon.

Fee receipt # 141571

For Director by Mary F. Bjork, Program Analyst in Water Rights Division. MFB

The completed "Request for Assignment" form *must* be submitted to the Department along with the recording fee of \$120.

RECEIVED

SEP 05 2023

OWRD

Assign-Approve
WFB 9-8-2023

August 9, 2023

Oregon Desert Land Trust
C/O Brent Fenty
2843 NW Lolo Drive
Bend, OR 97703

RECEIVED

SEP 05 2023

OWRD

RE: Assignment of Transfer Application T-13784

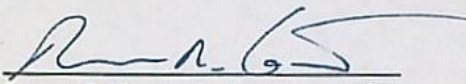
Dear Brent:

Pueblo Mountain Land Company, LLC is assigning its interest in Transfer Application T-13784 to Green Fields III, LLC. Attached is the Request For Assignment that will be provided to Oregon Water Resources Department. We are sending this to you to ensure you have been notified of the assignment. Please let us know if you have any questions.


Sincerely,

Pueblo Mountain Land Company, LLC

By: Grant 4D Management, LLC, its Manager

By: 
Duane R. Grant, President and CEO

Green Fields III, LLC

By: 
Patrick Trainor, Authorized Signator

Enclosure: Request For Assignment, Transfer Application T-13784

STATE OF OREGON
COUNTY OF HARNEY
CERTIFICATE OF WATER RIGHT

all

THIS CERTIFICATE ISSUED TO

PUEBLO MOUNTAIN LAND CO. LLC
707 E 600 N
RUPERT ID 83350-9466

confirms the right to the use of water perfected under the terms of Permit G-23. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the well(s). The specific limits and conditions of the use are listed below.

SOURCE OF WATER: TWO WELLS IN TROUT CREEK BASIN

PURPOSE OR USE: IRRIGATION OF 79.4 ACRES AND SUPPLEMENTAL IRRIGATION OF 20.0 ACRES

MAXIMUM RATE: 1.24 CUBIC FEET PER SECOND

DATE OF PRIORITY: AUGUST 25, 1955

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
39 S	35 E	WM	23	SE SW	WELL SW5 - 280 FEET NORTH AND 1620 FEET EAST FROM SW CORNER, SECTION 23
39 S	35 E	WM	26	NW NE	WELL SW6 - 100 FEET SOUTH AND 3530 FEET EAST FROM NW CORNER, SECTION 26

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre feet per acre for each acre irrigated during the irrigation season of each year, and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use is as follows:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
39 S	35 E	WM	23	NE SW	3.8
39 S	35 E	WM	23	SE SW	24.7
39 S	35 E	WM	23	NW SE	26.0
39 S	35 E	WM	23	SW SE	20.0
39 S	35 E	WM	26	NE NW	4.9

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
39 S	35 E	WM	23	SW SE	20.0

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may petition for judicial review and 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.

Measurement, recording and reporting conditions:

- A. The water user shall maintain, in good working order, a totalizing flow meter or other suitable measuring device as approved by the Director at each point of appropriation (new and existing).
- B. The water user shall allow the watermaster access to the meters or measuring devices; provided however, where any meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

The quantity of water diverted at the new points of appropriation, shall not exceed the quantity of water lawfully available from the original point of appropriation described as follows:

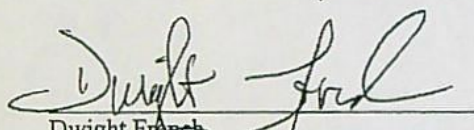
Twsp	Rng	Mer	Sec	Q-Q	Measured Distances
39 S	35 E	WM	22	NE SE	MCLEAN WELL NO. 1 - 1 CHAIN SOUTH AND 1.5 CHAINS WEST FROM E1/4 CORNER, SECTION 22

Water shall be acquired from the same aquifer (water source) as the original point of appropriation.

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

This certificate is issued to confirm a change in POINT OF APPROPRIATION approved by an order of the Water Resources Director entered DECEMBER 10, 2014, at Special Order Volume 93, Page 937, approving Transfer Application 11700, supersedes Certificate 31859, State record of Water Right Certificates.

Issued APR 19 2017



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

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 # 92999

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Description of Water Delivery System

JUL 29 2021

System capacity: 1.24 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 well SW6 to the wheel lines and pivots as shown on the transfer application map.

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)
SW6*	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	HARN 1798	39 S	35 E	23	SW SE	100	2250 feet west and 5 feet north of the SE corner of Section 23.
SW5	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	HARN 1804	39 S	35 E	23	SE SW	300	280 feet north and 1620 feet east from the SW Corner, Section 23
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							

*Well location redescribed.

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

- | | |
|--|---|
| <input checked="" type="checkbox"/> Place of Use (POU) | <input type="checkbox"/> Supplemental Use to Primary Use (S to P) |
| <input type="checkbox"/> Character of Use (USE) | <input checked="" type="checkbox"/> Point of Appropriation/Well (POA) |
| <input type="checkbox"/> Point of Diversion (POD) | <input 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.

13784

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 # 92999

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		
										POU	39	S	35	E 23	SE	SW	100		3.7	Primary	SW6	8/25/1955
										POU	39	S	35	E 23	SE	SW	300		6.8	Primary	SW5	8/25/1955
										POU	39	S	35	E 23	NW	SE	100		22.4	Primary	SW6	8/25/1955
										POU	39	S	35	E 23	SW	SE	100		7	Primary	SW6	8/25/1955
										POU	39	S	35	E 23	SW	SE	100		3.3	Primary	SW6	8/25/1955
										POU	39	S	35	E 26	NW	NE	200		28.5	Primary	SW6	8/25/1955
										POU	39	S	35	E 26	SE	NE	100		3.3	Primary	SW6	8/25/1955
										POU	39	S	35	E 26	NE	NW	200		4.4	Primary	SW6	8/25/1955
										POU	39	S	35	E 26	NE	NE	200		1.1	Suppl.	SW6	8/25/1955
										POU	39	S	35	E 23	SW	SE	100		5.5	Suppl.	SW6	8/25/1955
										POU	39	S	35	E 23	SW	SE	100		12.8	Suppl.	SW6	8/25/1955
										POU	39	S	35	E 23	SE	SE	100		0.6	Suppl.	SW6	8/25/1955
TOTAL ACRES:											TOTAL ACRES:						99.4					

Additional remarks: _____.

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JUL 29 2021

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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: C. Thomas and E. Dean in the 1916 Trout Creek Decree.

 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 # n/a;

Surface water primary Certificate # N/A.

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JUL 29 2021

For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # N/A

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

13784

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080 you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

IR 879.9 Acres
IS 31.0 Acres
910.9 Acres
0.0125
910.9 11.39 CFS

0.0125
x 1041 XFER ACRES
1.3 CFS for XFER

COUNTY OF HARNEY
CERTIFICATE OF WATER RIGHT.

needs PR
11.39
- 1.30
10.09 CFS PR

THIS CERTIFICATE ISSUED TO

LORIN SHERBURN
19497 FIELDS DENIO ROAD
FIELDS, OREGON 97710

AND

WILLIS E. STAFFORD
1110 LAUGHLIN ROAD
PRINEVILLE, OREGON 97754

confirms the right to use the waters of 6 WELLS in the TROUT CREEK BASIN for IRRIGATION OF 879.9 ACRES AND SUPPLEMENTAL IRRIGATION OF 31.0 ACRES.

This right was perfected under Permit G-8135. The date of priority is DECEMBER 19, 1977. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 11.39 CUBIC FOOT PER SECOND; BEING 1.72 CFS FROM WELL 1, 2.39 CFS FROM WELL 2, 2.37 CFS FROM WELL 3, 2.00 CFS FROM WELL 4, 0.39 CFS FROM WELL 5, AND 2.52 CFS FROM WELL 6, or its equivalent in case of rotation, measured at the well. This right is limited to any deficiency in the available supply of any prior right existing for the same land.

The wells are located as follows:

NE 1/4 SW 1/4, SE 1/4 SW 1/4, SECTION 22, NW 1/4 NE 1/4, NW 1/4 SW 1/4, SE 1/4 SW 1/4, SECTION 23, NE 1/4 NE 1/4, SECTION 27, T 39 S, R 35 E, W.M.; WELL 4 - 2280 FEET NORTH AND 320 FEET WEST, WELL 6 - 690 FEET NORTH AND 30 FEET WEST, BOTH FROM THE S 1/4 CORNER, SECTION 22; WELL 5 - 1310 FEET SOUTH AND 50 FEET EAST FROM THE N 1/4 CORNER, SECTION 23; WELL 3 - 2300 FEET NORTH AND 250 FEET EAST, WELL 1 - 280 FEET NORTH AND 1620 FEET EAST, WELL 2 - 960 FEET SOUTH AND 110 FEET WEST, ALL THREE FROM THE SW CORNER, SECTION 23.

G-8586.LHN

CERTIFICATE NUMBER 81390

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is 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. This right is limited to any deficiency in the available supply of any prior right existing for the same land:

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

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

<u>SHERBORN</u>				
<u>WELL 1 PRIMARY</u>			<u>XFER</u>	<u>RR</u>
SW 1/4 NE 1/4	1.1 ACRES		1.1	0
SE 1/4 NW 1/4	16.8 ACRES		15.0	1.8
NE 1/4 SW 1/4	21.7 ACRES		16.7	4.0
SW 1/4 SW 1/4	5.6 ACRES		0	5.6
SE 1/4 SW 1/4	6.4 ACRES		0	6.4
NW 1/4 SE 1/4	1.8 ACRES		1.3	0.5
SECTION 23			<u>34.1</u>	<u>18.3</u>
NW 1/4 NE 1/4	11.5 ACRES		11.5	0
SW 1/4 NE 1/4	11.0 ACRES		11.0	0
NE 1/4 NW 1/4	30.1 ACRES		24.0	4.1
NW 1/4 NW 1/4	0.3 ACRE		0	0.3
SE 1/4 NW 1/4	31.6 ACRES		21.5	10.1
SECTION 26			<u>70</u>	<u>14.5</u>
<u>WELL 2 PRIMARY</u>				
SW 1/4 SE 1/4	0.3 ACRE			
SE 1/4 SE 1/4	16.4 ACRES			
SECTION 22				
SW 1/4 SW 1/4	11.6 ACRES			
SECTION 23				
TOWNSHIP 39 SOUTH, RANGE 35 EAST, W.M.				

*Rest of
acres on
RR*

WELL 2 CONTINUED

NE 1/4 NW 1/4	4.3 ACRES
NW 1/4 NW 1/4	39.7 ACRES
SW 1/4 NW 1/4	29.6 ACRES
SE 1/4 NW 1/4	0.6 ACRES

SECTION 26

NE 1/4 NE 1/4	40.0 ACRES
NW 1/4 NE 1/4	10.8 ACRES
SW 1/4 NE 1/4	4.0 ACRES
SE 1/4 NE 1/4	33.6 ACRES

SECTION 27

WELL 3 PRIMARY

SE 1/4 NE 1/4	26.8 ACRES
NE 1/4 SE 1/4	38.4 ACRES
NW 1/4 SE 1/4	0.5 ACRE
SE 1/4 SE 1/4	10.0 ACRES

SECTION 22

SW 1/4 NW 1/4	35.6 ACRES
SE 1/4 NW 1/4	6.4 ACRES
NE 1/4 SW 1/4	14.3 ACRES
NW 1/4 SW 1/4	40.0 ACRES
SW 1/4 SW 1/4	16.8 ACRES
SE 1/4 SW 1/4	0.7 ACRE

SECTION 23

WELL 4 PRIMARY

SW 1/4 NE 1/4	19.0 ACRES
SW 1/4 NW 1/4	5.2 ACRES
SE 1/4 NW 1/4	30.9 ACRES
NE 1/4 SW 1/4	38.1 ACRES
NW 1/4 SW 1/4	12.4 ACRES
SW 1/4 SW 1/4	0.1 ACRE
SE 1/4 SW 1/4	14.0 ACRES
NW 1/4 SE 1/4	33.6 ACRES
SW 1/4 SE 1/4	6.4 ACRES

SECTION 22

TOWNSHIP 39 SOUTH, RANGE 35 EAST, W.M.

WELL 6 PRIMARY

SE 1/4 NE 1/4 7.6 ACRES
 NE 1/4 SE 1/4 12.4 ACRES
 SE 1/4 SE 1/4 0.3 ACRE

SECTION 21

SW 1/4 NW 1/4 8.8 ACRES
 NW 1/4 SW 1/4 22.0 ACRES
 SW 1/4 SW 1/4 0.1 ACRE
 SE 1/4 SW 1/4 16.0 ACRES
 SW 1/4 SE 1/4 13.6 ACRES

SECTION 22

NW 1/4 NE 1/4 25.2 ACRES
 SW 1/4 NE 1/4 13.2 ACRES
 NE 1/4 NW 1/4 35.2 ACRES
 NW 1/4 NW 1/4 3.1 ACRES
 SW 1/4 NW 1/4 16.0 ACRES
 SE 1/4 NW 1/4 28.4 ACRES

SECTION 27

TOWNSHIP 39 SOUTH, RANGE 35 EAST, W.M.

STAFFORDWELL 5 SUPPLEMENTAL

NW 1/4 SE 1/4 9.6 ACRES
 SW 1/4 SE 1/4 9.6 ACRES

SECTION 14

NW 1/4 NE 1/4 11.8 ACRES

SECTION 23

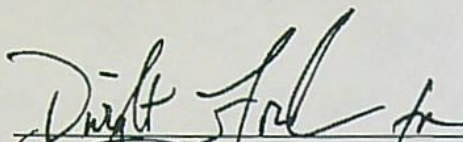
TOWNSHIP 39 SOUTH, RANGE 35 EAST, W.M.

THIS CERTIFICATE IS ISSUED TO CORRECTLY DESCRIBE THE LOCATION OF
 WELL 2 AND SUPERSEDES CERTIFICATE 64431.

The issuance of this superseding certificate does not confirm the
 status of the water right in regard to the provisions of ORS 540.610
 pertaining to forfeiture or abandonment.

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

Issued MAY 26, 2005.


Philip C. Ward, Director
Water Resources Department

Recorded in State Record of Water Right Certificates Number 81390.

G-8586.LHN

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 # **81390**

RECEIVED

Description of Water Delivery System

System capacity: **11.39 (1.30 to be transferred)** cubic feet per second (cfs) OR
 _____ gallons per minute (gpm)

JUL 29 2021

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 wells via pipelines to the pivots and wheel lines as shown on the transfer application map.**

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)
SW1 (Was Well 4)	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	HARN 1799	39 S	35 E	22	NE SW	1100	2280 feet North and 320 feet West from the S ¼ Corner of Section 22.
SW2 (Was Well 3)	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	HARN 1803	39 S	35 E	23	NW SW	300	2300 feet North and 250 feet East from the SW Corner of Section 23.
SW3 (Was Well 6)	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	HARN 1800	39 S	35 E	22	SE SW	1100	690 feet North and 30 feet West from the S ¼ Corner of Section 22.
SW 4 (Was Well 2)	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	HARN 1801	39 S	35 E	27	NE NE	1100	960 feet South and 110 feet West from the SW Corner, Section 23.
SW 5 (Was Well 1)	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	HARN 1804	39 S	35 E	23	SE SW	300	280 feet North and 1620 feet East from the SW Corner, Section 23
SW 6	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	HARN 1798	39 S	35 E	23	SW SE	100	2250 feet West and 5 feet North of the SE Corner of Section 23.
TC3 (Was Well 5)	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	HARN 1802	39 S	35 E	23	NW NE	101	1310 feet South and 50 feet East from the N ¼ Corner, section 23.

13784

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

- | | |
|---|---|
| <input checked="" type="checkbox"/> Place of Use (POU) | <input type="checkbox"/> Supplemental Use to Primary Use (S to P) |
| <input type="checkbox"/> Character of Use (USE) | <input checked="" type="checkbox"/> Point of Appropriation/Well (POA) |
| <input type="checkbox"/> Point of Diversion (POD) | <input 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.

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JUL 29 2021

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13784

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 # 81390

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				
39	S	35	E	23	SW	NE	300		1.1	Irrigation	SW5	1977	POU	39	S	35	E	23	SE	SW	300		0.5*		SW5	1977
39	S	35	E	23	SE	NW	300		15	Irrigation	SW5	1977	POU/POA	39	S	35	E	26	SE	NE	100		7.1		SW6	1977
39	S	35	E	23	NW	SE	300		1.3	Irrigation	SW5	1977	POU/POA	39	S	35	E	26	SW	NE	200		26.5		SW6	1977
39	S	35	E	23	NE	SW	300		16.7	Irrigation	SW5	1977	POU/POA													
39	S	35	E	26	NW	NE	200		11.5	Irrigation	SW5	1977	POA	39	S	35	E	26	NW	NE	200		11.5		SW6	1977
39	S	35	E	26	SW	NE	200		11	Irrigation	SW5	1977	POA	39	S	35	E	26	SW	NE	200		11		SW6	1977
39	S	35	E	26	NE	NW	200		26	Irrigation	SW5	1977	POA	39	S	35	E	26	NE	NW	200		26		SW6	1977
39	S	35	E	26	SE	NW	200		21.5	Irrigation	SW5	1977	POA	39	S	35	E	26	SE	NW	200		21.5		SW6	1977
TOTAL ACRES:							104.1							TOTAL ACRES:							104.1					

Additional remarks: *The 0.5 acres on the top right row is a change in POU of only.

H

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JUL 29 2021

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STATE OF OREGON

COUNTY OF

HARNEY

CERTIFICATE OF WATER RIGHT

NEED RR
→

This Is to Certify, That

ORLANDO TROUT CREEK RANCH

of 20780 Boyce Lane, Saratoga, State of California 95070, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of a well

a tributary of Trout Creek for the purpose of primary irrigation of 4.8 acres and supplemental irrigation of 197.3 acres

under Permit No. G-4156 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 August 22, 1968 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 2.53 cubic feet per second

or its equivalent in case of rotation, measured at the point of diversion from the well. The well is located in the NW 1/4 SE 1/4, Section 25, T39S, R35E, WM; 2,500 feet North and 1,830 feet West from SE Corner, Section 25

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:

SEE NEXT PAGE

1R 4.8
1S 197.3

202.1 Acres

2.53 CFS
- 0.20

2.33 CFS for RR

202.1 $\sqrt{0.0125 \times 16.1 = 0.20 \text{ CFS} \times \text{FEET}}$
2.53

PRIMARY IRRIGATION

1.2 acres NE 1/4 SW 1/4
1.2 acres SE 1/4 SW 1/4
1.2 acres NW 1/4 SE 1/4
1.2 acres SW 1/4 SE 1/4
Section 24

SUPPLEMENTAL IRRIGATION

5.6 acres SW 1/4 NE 1/4
4.0 acres NE 1/4 NW 1/4
19.5 acres SE 1/4 NW 1/4
40.0 acres NE 1/4 SW 1/4
40.0 acres SE 1/4 SW 1/4
4.6 acres NE 1/4 SE 1/4
40.0 acres NW 1/4 SE 1/4
40.0 acres SW 1/4 SE 1/4
3.6 acres SE 1/4 SE 1/4

Section 24

Township 39 South, Range 35 East, WM

Xfer
2.1
4.0
10.0
↓
16.1

RR
3.5
0.0
4.5
40.0
40.0
4.6
40.0
40.0
3.6
181.2

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

WITNESS the signature of the Water Resources Director, affixed

this date. November 22, 1982

James E. Skun
Water Resources Director

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 # 51251

RECEIVED

Description of Water Delivery System

JUL 29 2021

System capacity: 2.53 (0.20 to be transferred) 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 well TC7 through the pipeline shown on the transfer application map. The water is used to flood irrigate the field.

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)
a well (TC7)	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	HARN 1806	39 S	35 E	25	NW SE	100	2,500 feet North and 1,830 feet West from SE Corner, Section 25.
SW6	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	HARN 1798	39 S	35 E	23	SW SE	100	2250 feet west and 5 feet north of the SE corner of Section 23.
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							

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

- | | |
|--|---|
| <input checked="" type="checkbox"/> Place of Use (POU) | <input type="checkbox"/> Supplemental Use to Primary Use (S to P) |
| <input type="checkbox"/> Character of Use (USE) | <input checked="" type="checkbox"/> Point of Appropriation/Well (POA) |
| <input type="checkbox"/> Point of Diversion (POD) | <input 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.

13784

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 # 51251

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				
39	S	35	E 24	SW	NE	900		2.1	Supplemental	a well	8/22/1968	POU, POA	39	S	35	E 23	SE	SE	100		16.1		SW6	8/22/1968
39	S	35	E 24	NE	NW	900		4	Supplemental	a well	8/22/1968	POU, POA												
39	S	35	E 24	SE	NW	900		10	Supplemental	a well	8/22/1968	POU, POA												
TOTAL ACRES:						16.1						TOTAL ACRES:						16.1						

Additional remarks: This water right will have a new POA and POU, the old POA will no longer be used.

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JUL 29 2021

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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: C. Thomas and a duplicate listing of 5 acres under Harry Slough in the 1916 Trout Creek Decree.

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 # n/a;
Surface water primary Certificate # N/A.

RECEIVED

JUL 29 2021

For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # N/A

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. *See attached well logs.*

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

13784

STATE OF OREGON
COUNTY OF HARNEY

Call
CERTIFICATE OF WATER RIGHT

This Is to Certify, That

MRS. J. E. CALDERWOOD

of Andrews, State of Oregon, 97710, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of a well

a tributary of Trout Creek
supplemental irrigation of 44.8 acres

for the purpose of

under Permit No. G-3487 and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from September 23, 1966 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 0.56 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the well. The well is located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 31, T. 39 S., R. 36 E., W. M., 350 feet South and 50 feet East from the NW Corner, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 31

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:

17.4 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$
27.4 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 36
T. 39 S., R. 35 E., W. M.

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

WITNESS the signature of the Water Resources Director, affixed

this date. October 20, 1978

James E. Sisson
Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 39, page 46665

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 # 46665

RECEIVED

Description of Water Delivery System

JUL 29 2021

System capacity: 0.56 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 well via a pipeline to a wheel line. The pipeline and well are shown on the transfer application map.

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)
a well	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	HARN 1814	39 S	36 E	31	NE SW	900	350 feet South and 50 feet East from the NW Corner, NE ¼ SW ¼, Section 31.
SW 6	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	HARN 1798	39 S	35 E	23	SW SE	100	2250 feet west and 5 feet north of the SE corner of Section 23.
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							

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

- | | |
|--|---|
| <input checked="" type="checkbox"/> Place of Use (POU) | <input type="checkbox"/> Supplemental Use to Primary Use (S to P) |
| <input type="checkbox"/> Character of Use (USE) | <input checked="" type="checkbox"/> Point of Appropriation/Well (POA) |
| <input type="checkbox"/> Point of Diversion (POD) | <input 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.

13784

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 # 46665

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			
										POU/POA	39	S	35	E	23	NE	SE	100		25.9		SW6	9/23/1966
										POU/POA	39	S	35	E	23	SE	SE	100		2.7		SW6	9/23/1966
										POU/POA	39	S	35	E	26	NE	NE	200		9.1		SW6	9/23/1966
										POU/POA	39	S	35	E	26	NE	NE	100		7.1		SW6	9/23/1966
TOTAL ACRES:											TOTAL ACRES:						44.8						

Additional remarks: This water right will have a new POA and POU, the old POA will no longer be used.

RECEIVED
JUL 29 2021
OWRD

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: Certificate 91345, E. Dean and C. Thomas in 1916 Trout Creek Decree.

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 # n/a;
Surface water primary Certificate # N/A.

RECEIVED

JUL 29 2021

For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # N/A

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. *Well logs attached.*

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

13784

PUEBLO MOUNTAIN LAND COMPANY LLC R11-390-23 T-13784							
Step	Review Step	Est. Time	Hourly Multiplier	Total Est. Hours	Individual	Hourly Rate	Est. Cost
4b	Front Desk Staff receipts received AA funds						
4c	Transfer Support process Application						
5	Administrator signs AA						
6	NRS 1 Support enters workflow record in WRIS and updates RA spreadsheet						
7a	NRS 2 completes initial review of file for deficiencies						
7b	NRS 2 consults with Kelly and/or Lisa						
8a	NRS 2 writes and sends deficiency ltr (email and hard copy)						
8b	NRS 2 addresses correspondence from app/agent regarding deficiencies						
11	NRS 2 completes DPD, PN, and RR						
12	Transfer staff peer reviews DPD, PN, RR						
13	Transfer Analyst completes policy check at DPD stage						
14a	NRS 2 sends DPD to app/agent by email and/or mail						
15	NRS 2 reviews report of ownership						
16	NRS 2 completes PD						
17	Transfer Staff peer reviews PD						
17a	Transfer Analyst peer reviews PD						
17b	Data Center reviews PD AND RR: (RR where applicable)						
18a	Transfer Analyst completes peer review of PN review for newspaper noticing						
18b	Transfer Support requests newspaper quote for PN publishing						
18c	NRS 2 sends publishing fee request to applicant						
18d	Transfer Support processes fee and newspaper publishing						
18e	Transfer Support processes public notice (dept notice)						
19	Administrator signs PD						
20	Transfer Support issues PD, updates WRIS, copy to file, and mails hard copy to applicant						
22	Transfer Staff peer reviews FO						
22a	Transfer Analyst peer reviews FO						
23	Administrator signs FO						
24	Transfer Support issues FO, updates WRIS, copy to file, record markings, and sends hard copy						
25	NRS 1 closes out RA Contract						
TOTAL ESTIMATE HOURS				33.58			
						TOTAL	\$2,003.42

RECEIVED
SEP 01 2022
OWRD

OREGON WATER RESOURCES DEPARTMENT

Date 8/17/2022
Type Bill
Reference T-13784 TRANSFER

Original Amt.
125.00

Balance Due
125.00

8/17/2022

Discount

Payment

125.00
125.00

Check Amount

2785

RECEIVED

AUG 22 2022

OWRD

COLUMBIA (mvb) BA T-13784 TRANSFER REIMBURSEMENT AUTH

125.00

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 # 138965

INVOICE #

RECEIVED FROM: Pueblo Mountain Land

BY: Company, LLC

CASH: CHECK: # OTHER: (IDENTIFY)

☐

2785

☐

APPLICATION

PERMIT

TRANSFER

T-13784

TOTAL REC'D

\$125.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES 47124 \$

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:

0201 SURFACE WATER EXAM FEE 0202 RECORD FEE \$

0203 GROUND WATER EXAM FEE 0204 RECORD FEE \$

0205 TRANSFER EXAM FEE \$

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR EXAM FEE 0219 LICENSE FEE \$

LANDOWNER'S PERMIT

0220 LICENSE FEE \$

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: 138965

DATED: 8-22-2022 BY: [Signature]



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	Transfer Number T-13784

	Applicant Information	Applicant's Representative/Contact
Name:	Pueblo Mountain Land Company, LLC	Robert B. Curtis, CFO
Address:	707 E 600 N Rupert, ID 83350	
Phone:	208-932-5990	
Fax:		
E-Mail Address:	robert@grant4dfarms.com	

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

RECEIVED

AUG 22 2022

OWRD

I certify that I am the (check one):

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

Name: Robert B. Curtis, CFO

Signature: Robert B. Curtis, CFO

OWRD USE ONLY: Reimbursement Authority Number: R11-390 -23

OREGON WATER RESOURCES DEPARTMENT

Date 8/29/2022
Type Bill
Reference CONTRACT #R11-390-2

Original Amt. 2,003.42

Balance Due 2,003.42

8/29/2022
Discount
Check Amount

Payment 2,003.42
2,003.42

RECEIVED

SEP 01 2022

OWRD

COLUMBIA (mvb) BA REIMBURSEMENT AUTHORITY APPLICANTS

2,003.42

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 # 139048

INVOICE #

RECEIVED FROM: Pueblo Mountain Land	APPLICATION
BY: Company, LLC	PERMIT
CASH: <input type="checkbox"/>	TRANSFER 1-13784
CHECK# 2786 <input checked="" type="checkbox"/>	TOTAL REC'D \$2003.42
OTHER: (IDENTIFY) <input type="checkbox"/>	

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES 4764	\$
0412 OTHER: (IDENTIFY) Transfer Reimbursement Authority	\$2003.42
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	EXAM FEE \$
0203 GROUND WATER	0202 \$
0205 TRANSFER	0204 \$
WELL CONSTRUCTION	
0218 WELL DRILL CONSTRUCTOR	EXAM FEE \$
LANDOWNER'S PERMIT	0219 \$
	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	\$

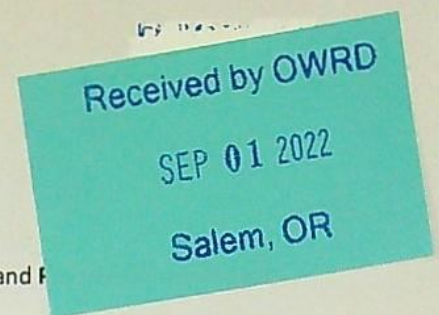
TREASURY OTHER / RDX

FUND	TITLE
OBJ. CODE	VENDOR #
DESCRIPTION	\$

RECEIPT: 139048

DATED: 9-1-2022 BY: Mindy Carlson

**REIMBURSEMENT AUTHORITY
APPLICANT'S AGREEMENT
Contract Number: R11-390-23**



This Agreement is between the **Oregon Water Resources Department**, hereafter OWRD, and **Company, LLC**, 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: Pueblo Mountain Land Company, LLC Contact: Robert B. Curtis, CFO Address: 707 E. 600 N. Rupert, ID 83350 Phone: (208) 932-5990 Fax: Email: robert@grant4dfarms.com	Name: Contact: Address: Phone: Fax: Email:

Purpose The purpose of this Agreement is to expedite the processing of the **Transfer Application**. (Application Number: T-13784)

1. **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.
2. **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.
3. **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.
4. **Consideration.**
 - a. Applicant shall pay OWRD in advance for actual costs incurred by OWRD. The estimated maximum reimbursement payable to OWRD under this Agreement is **\$2,003.42**. Applicant agrees to pay the full amount of **\$2,003.42** 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.
 - b. The costs stated in this Agreement do not include the statutory application processing and filing fees.
5. **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.
6. **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 any time. Applicant agrees to pay for the work done by OWRD up until the time of the 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 the 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:

Robert B. Curtis CFO
Name/Title:

8/29/2022

Date

For OWRD:

Dwight French
Dwight French – Administrator

9-7-2022

Date

Mail signed Agreement to:

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

Permanent Transfer Application Intake Completion Checklist

Check the Certificate(s) in WRIS

Transfer # T-

Checked by: <u>Joan</u>	Type of Change(s) Proposed: Mark the Proposed Changes	Substitution	Supplemental to Primary	<input checked="" type="checkbox"/> POU	POD	APOD
Date: <u>8/5/21</u>		Gov Action	Surface to Ground	USE	<input checked="" type="checkbox"/> POA	APOA
Fee Received: \$ <u>5920.00</u>	480.00 Short	How many rights to be Transferred?				
Calculated Fee: \$ <u>6400.00</u>		Certificate # <u>46665</u>				
Additional Observations:		<u>51251</u>				
		<u>81390</u>				
		<u>92999</u>				

If OK and complete, check box to the left; if NOT, fill in.

- ☒ 1. Is applicant information complete? Have all applicants listed at the top of the page signed at the bottom?
If no, what is missing? Whose signature is missing? _____
 - ☒ 2. Does applicant indicate the place of use is in or near an irrigation district? Is a Form D included? ☒ N/A.
Name of the district: _____
 - ☒ 3. Part 5 of application, has the applicant(s) completed the entire page and does the information match the description of the explanation of the reasons for transfer on Part 4 of the application?
If no, you may need to contact the applicant or agent? _____
 - ☒ 4. Is there only one (1) water right included in this transfer application?
If no, are the criteria of OAR 690-380-3220 for more than one WR met? Yes or No NO 7/29
If no, then the transfer application **CANNOT** be accepted. See attached "3220" Decision Tree Flowchart.
 - ☐ 5. For multiple certificates do each of the certificates listed on Application Page 1 have their own separate completed Part 5 tables 1 & 2?
If no, which certificate(s) are missing a separate Part 5 tables 1 & 2? _____
 - ☐ 6. Is the map prepared and signed by a CWRE? Does the map meet requirements?
If no, what is missing? _____. Map waiver included? ☐ Yes ☐ No
 - ☐ 7. If a change in point of appropriation (POA), have the well logs been included? ☐ N/A.
 - ☒ 8. If a change in place of use (POU) within Umatilla County, have the applicant(s) provided a Supplemental Form U? ☒ N/A.
 - ☒ 9. If all boxes on this checklist are checked (with no remaining deficiencies identified), **ACCEPT** the application.
Put this application intake completeness check sheet in the transfer folder.
- OR: ☐ If all boxes to the left are **NOT** checked, then this application is deficient and **CANNOT** be accepted.
It should be returned and the deficiencies listed in the "staff" section at the bottom of Application Page 1, unless the applicant or agent can resolve the deficiencies within 2-3 days.

Actions taken: needs letter for 480.00 Date: _____

Permanent Transfer Application Intake Completion Checklist

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 type="checkbox"/> Place of Use <input type="checkbox"/> Character of Use <input type="checkbox"/> Point of Diversion/Appropriation Number of above boxes checked = _____ (2a) Subtract 1 from the number in line 2a = _____ (2b) If only one change, this will be 0.				
2	Multiply line 2b by \$1,090 and enter » » » » » » » » » » » » » » » » » »	2	0		
	Number of water rights included in transfer _____ (3a) Subtract 1 from the number in 3a above: _____ (3b) If only one water right this will be 0				
3	Multiply line 3b by \$610 and enter » » » » » » » » » » » » » » » » » »	3	0		
	Do you propose to add or change a well, change from a surface water POD to a well, or Substitute a Suppl GW right for a Primary SW right? <input type="checkbox"/> No: enter 0 » <input type="checkbox"/> Yes = \$480 (4a) If YES: enter the number of wells being proposed: _____ (4b) Subtract 1 from the number in line 4b = _____ (4c) If only one well this will be 0. Multiply line 4c by \$410 = _____ (4d)				
4	Add lines 4a and 4d and enter » » » » » » » » » » » » » » » » » »	4	0		
	Do you propose to change the place of use or character of use? <input type="checkbox"/> No: enter 0 on line 5 » <input type="checkbox"/> Yes: enter the cfs for the portions of the rights to be transferred (see example below*): _____ (5a) Subtract 1.0 from the number in 5a above: _____ (5b) If 5b is 0 or less, enter 0 on line 5 » If 5b is greater than 0, round up to the nearest whole number: _____ (5c) and multiply 5c by \$350, then enter on line 5 » » » » » » » » » » » » » » » » » »				
5		5	0		
6	Add entries on lines 1 through 5 above » » » » » » » » » » Subtotal:	6	0		
	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?				
7	If one or more boxes is checked, multiply line 6 by 0.5 and enter on line 7 » » » If no box is applicable, enter 0 on line 7» » » » » » » » » » » » » » » » » »	7	0		
8	Subtract line 7 from line 6 » » » » » » » » » » » » Transfer Fee:	8			

Oregon Water Resources Department

Transfer Fee Calculation for Permanent (Non-District) Transfer

[Main](#)
[Help](#)
[Return](#)
[Contact Us](#)

Wednesday, August 4, 2021

Fee Calculation

Base Fee (includes one type of change to one water right for up to 1 cfs)

\$1,360.00

Fill in information below— Check each box that applies.

Types of Change Proposed:

☒ Place of Use☒ Point of Diversion (POD)/Appropriation (POA); and/or Additional POD/POA; and/or SW POD to GW POD☐ Character of Use

\$1,090.00

Enter total number of water rights included in transfer.

\$1,830.00

☒ Check this box if you propose to add or change a well, or change from a surface water POD to a well.

\$480.00

Enter total number of groundwater wells (POAs) included in transfer.

\$410.00

☐ Check this box if you propose to change the place of use or character of use for a NON-irrigation right.☒ Check this box if you propose to change the place of use or character of use for an irrigation right.

Enter the following for the primary certificates on the land included in the transfer.

(If a supplemental certificate also covers the same land as an included primary right, only list the primary.)

Certificate #	Total acres in the water right	# of acres to be transferred	Total cfs in the water right certificate	OR If certificate does not list cfs, enter 1/___ cfs per acre	Transfer cfs
46665	44.8	44.8	0.56		0.56
51251	202.1	16.1	2.53		0.201549
81390	910.9	104.1	11.39		1.301679
92999	99.4	99.4	1.24		1.24

Total Transfer CFS(rounded up to the next whole cfs): 4.00

\$1,230.00

Subtotal:

\$6,400.00

Check each box that applies.

☐ The transfer is necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932.☐ The transfer is endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat.

Discount:

Transfer Fee:

\$6,400.00

[Return to Edit](#)[Clear](#)

Oregon Water Resources Department
Transfer Fee Calculation for Permanent (Non-District) Transfer

[Main](#) [Help](#)
[Return](#) [Contact Us](#)

Wednesday, August 4, 2021		Fee Calculation			
Base Fee (includes one type of change to one water right for up to 1 cfs)		\$1,360.00			
Fill in information below— Check each box that applies.					
Types of Change Proposed:					
<input checked="" type="checkbox"/> Place of Use					
<input checked="" type="checkbox"/> Point of Diversion (POD)/Appropriation (POA); and/or Additional POD/POA; and/or SW POD to GW POD					
<input type="checkbox"/> Character of Use		\$1,090.00			
Enter total number of water rights included in transfer. <input type="text" value="4"/>		\$1,830.00			
<input checked="" type="checkbox"/> Check this box if you propose to add or change a well, or change from a surface water POD to a well.		\$480.00			
Enter total number of groundwater wells (POAs) included in transfer. <input type="text" value="2"/>		\$410.00			
<input type="checkbox"/> Check this box if you propose to change the place of use or character of use for a NON-irrigation right.					
<input checked="" type="checkbox"/> Check this box if you propose to change the place of use or character of use for an irrigation right.					
Enter the following for the primary certificates on the land included in the transfer. (If a supplemental certificate also covers the same land as an included primary right, only list the primary.)					
Certificate #	Total acres in the water right	# of acres to be transferred	Total cfs in the water right certificate	OR If certificate does not list cfs, enter 1/___ cfs per acre	Transfer cfs
46665	44.8	44.8	0.56		0.56
51251	202.1	16.1	2.53		0.201549
81390	910.9	104.1	11.39		1.301679
92999	99.4	99.4	1.24		1.24
Total Transfer CFS(rounded up to the next whole cfs): 4.00		\$1,230.00			
Subtotal:		\$6,400.00			
Check each box that applies.					
<input type="checkbox"/> The transfer is necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932.					
<input type="checkbox"/> The transfer is endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat.					
Discount:					
Transfer Fee:		\$6,400.00			
Return to Edit		Clear			



RECEIVED

JUL 29 2021

OWRD

Date Received (Date Stamp Here)

OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: Pueblo Mtn Land Co. LLC

707 East 600 North, Rupert, ID 83350

Transaction Type: Transfer

Fees Received: \$ 4,700.⁰⁰

☐ Cash

☒ Check:

Check No. 2737

Name(s) on Check: Same

Address on Check: Same

Thank you for your submission. Oregon Water Resources Department (Department) staff will review your submittal as soon as possible.

If your submission is determined to be complete, you will receive a receipt for the fees paid and an acknowledgement letter stating your submittal is complete.

If determined to be incomplete, your submission and the accompanying fees will be returned with an explanation of deficiencies that must be addressed in order for the submittal to be accepted.

If you have any questions, please feel free to contact the Department's Customer Service staff at 503-986-0801 or 503-986-0810.

Sincerely,

OWRD Customer Service Staff

Submission received by: [Signature]

(Name of OWRD staff)

Instructions for OWRD staff:

- Complete this Submission Receipt, and make two (2) copies. Place one copy with the check/cash; and place the other copy with the submission (i.e., the application or other document).
- Date-stamp all pages. (NOTE: Do not stamp check.)
- Give this original Submission Receipt to the applicant.
- Record Submission Receipt Information on the "RECEIVED OVER THE COUNTER" log sheet.
- Place the Submission Receipt with check/cash in the small top drawer (i.e., "Fiscal Pick Up Drawer"). Place the Submission Receipt with submission (application/other document) in the large bottom drawer.



RECEIVED

JUL 29 2021

OWRD

Date Received (Date Stamp Here)

OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: Pueblo Mtn Land Co. LLC707 East 600 North Rupert ID 83350Transaction Type: TransferFees Received: \$ 1220.00☐ Cash☒ Check:Check No. 1222Name(s) on Check: Nancy Lorick consultingAddress on Check: 645 L. Loop
Baker City, OR 97814

Thank you for your submission. Oregon Water Resources Department (Department) staff will review your submittal as soon as possible.

If your submission is determined to be complete, you will receive a receipt for the fees paid and an acknowledgement letter stating your submittal is complete.

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If you have any questions, please feel free to contact the Department's Customer Service staff at 503-986-0801 or 503-986-0810.

Sincerely,

OWRD Customer Service Staff

Submission received by: C. Middleman
(Name of OWRD staff)

Instructions for OWRD staff:

- Complete this Submission Receipt, and make two (2) copies. Place one copy with the check/cash; and place the other copy with the submission (i.e., the application or other document).
- Date-stamp all pages. (NOTE: Do not stamp check.)
- Give this original Submission Receipt to the applicant.
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RECEIVED

JUL 29 2021

OWRD

Date Received (Date Stamp Here)

OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: Pueblo Mtn Land Co. LLC

707 East 600 North Rupert, ID 83350

Transaction Type: Transfer

Fees Received: \$ 4,700.⁰⁰

☐ Cash ☒ Check: Check No. 2737

Name(s) on Check: Same

Address on Check: Same

Thank you for your submission. Oregon Water Resources Department (Department) staff will review your submittal as soon as possible.

If your submission is determined to be complete, you will receive a receipt for the fees paid and an acknowledgement letter stating your submittal is complete.

If determined to be incomplete, your submission and the accompanying fees will be returned with an explanation of deficiencies that must be addressed in order for the submittal to be accepted.

If you have any questions, please feel free to contact the Department's Customer Service staff at 503-986-0801 or 503-986-0810.

Sincerely,

OWRD Customer Service Staff

Submission received by: C. Middleton

(Name of OWRD staff)

Instructions for OWRD staff:

- Complete this Submission Receipt, and make two (2) copies. Place one copy with the check/cash; and place the other copy with the submission (i.e., the application or other document).
- Date-stamp all pages. (NOTE: Do not stamp check.)
- Give this original Submission Receipt to the applicant.
- Record Submission Receipt Information on the "RECEIVED OVER THE COUNTER" log sheet.
- Place the Submission Receipt with check/cash in the small top drawer (i.e., "Fiscal Pick Up Drawer"). Place the Submission Receipt with submission (application/other document) in the large bottom drawer.



RECEIVED

JUL 29 2021

OWRD

Date Received (Date Stamp Here)

OWRD Over-the-Counter Submission ReceiptApplicant Name(s) & Address: Piedro Mtn Land Co. LLC707 East 600 North Rupert ID 83350Transaction Type: TransferFees Received: \$ 1220.00☐ Cash☒ Check:Check No. 1222Name(s) on Check: Nancy Furick consultingAddress on Check: 645 L. LoopBaker City, OR 97814

Thank you for your submission. Oregon Water Resources Department (Department) staff will review your submittal as soon as possible.

If your submission is determined to be complete, you will receive a receipt for the fees paid and an acknowledgement letter stating your submittal is complete.

If determined to be incomplete, your submission and the accompanying fees will be returned with an explanation of deficiencies that must be addressed in order for the submittal to be accepted.

If you have any questions, please feel free to contact the Department's Customer Service staff at 503-986-0801 or 503-986-0810.

Sincerely,

OWRD Customer Service Staff

Submission received by: C. Middleman

(Name of OWRD staff)

Instructions for OWRD staff:

- Complete this Submission Receipt, and make two (2) copies. Place one copy with the check/cash; and place the other copy with the submission (i.e., the application or other document).
- Date-stamp all pages. (NOTE: Do not stamp check.)
- Give this original Submission Receipt to the applicant.
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- Place the Submission Receipt with check/cash in the small top drawer (i.e., "Fiscal Pick Up Drawer"). Place the Submission Receipt with submission (application/other document) in the large bottom drawer.



Oregon
Kate Brown, Governor

Water Resources Department

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

August 31, 2021

OREGON DESERT LAND TRUST
BRENT FENTY
2843 NW LOLO DRIVE
BEND, OR 97703

PUEBLO MOUNTAIN LAND COMPANY
DUANE GRANT
707 E 600 N
RUPERT, ID 83350

Reference: Application T-13784

On July 29, 2021, OWRD received your water right Permanent Transfer Application. The application was accompanied by \$5920.00. Our receipt number 135987; 135986 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) 986-0815.

Cc: Watermaster Dist. #10, J R. Johnson (*via email*)
Harney County Planning
Nancy Rorick, Agent

Enclosure

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

OAR 690 Division 380

