

T-14121

Regular

T-14121

Name Golden rule Farms IncAddress PO Box 255Christmas Valley Oregon 97641  
Goldenrulefarms@gmail.comChange in POU USE POA APOADate Filed 11/17/2022

Initial notice date \_\_\_\_\_

DPD issued date \_\_\_\_\_

PD issued date 12/10/2024PD notice date 12/17/2024Date of FO 1/21/2025 Vol 133 Page 705-710

C-Date \_\_\_\_\_

COBU due date \_\_\_\_\_

COBU Received date \_\_\_\_\_

Certificate issued \_\_\_\_\_

## DESCRIPTION OF WATER RIGHT(S)

Name of Stream WellTrib. of Maitheir Lake BasinUse Ag Uses County Harney

Quantity of water (CFS) \_\_\_\_\_ No. of Acres \_\_\_\_\_

Name of ditch \_\_\_\_\_

App# 614973 Per # 617544 Cert # 94472 PR Date \_\_\_\_\_

App# \_\_\_\_\_ Per # \_\_\_\_\_ Cert # \_\_\_\_\_ PR Date \_\_\_\_\_

App# \_\_\_\_\_ Per # \_\_\_\_\_ Cert # \_\_\_\_\_ PR Date \_\_\_\_\_

App# \_\_\_\_\_ Per # \_\_\_\_\_ Cert # \_\_\_\_\_ PR Date \_\_\_\_\_

App# \_\_\_\_\_ Per # \_\_\_\_\_ Cert # \_\_\_\_\_ PR Date \_\_\_\_\_

## FEES PAID

| Date              | Amount            | Receipt #     |
|-------------------|-------------------|---------------|
| <u>11-17-2022</u> | <u>\$5,660.00</u> | <u>139569</u> |

## FEES REFUNDED

| Date | Amount | Receipt # |
|------|--------|-----------|
|------|--------|-----------|

Assignments: \_\_\_\_\_

Irrigation District \_\_\_\_\_

Agent Scott Montgomery all points engineering | Schwabe Williamson

CWRE \_\_\_\_\_

CC's list Harney County☐ - Oversized map - Location \_\_\_\_\_



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 # 144264

INVOICE # \_\_\_\_\_

RECEIVED FROM: Golden Rule Farms

BY: \_\_\_\_\_

CASH: ☐ CHECK: # 22177 OTHER: (IDENTIFY) ☐

APPLICATION \_\_\_\_\_  
PERMIT \_\_\_\_\_  
TRANSFER T-14121

TOTAL REC'D \$ 288.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES 46118 \$ \_\_\_\_\_  
0207 OTHER: (IDENTIFY) Newspaper Notice \$ 288.00

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 \$ \_\_\_\_\_ 0204 \$ \_\_\_\_\_  
0205 TRANSFER \$ \_\_\_\_\_

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR EXAM FEE \$ \_\_\_\_\_ 0219 LICENSE FEE \$ \_\_\_\_\_  
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: 144264 DATED: 11-25-24 BY: Leslie D. Miller

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

Selco-Checking

T-14121 Notice

Received  
NOV 25 2024  
OWRD

288.00

Golden Rule Farms  
OWRD

T-14121 Notice

11/21/2024

288.00

22177



PUBLIC NOTICE

Notice of Preliminary Determination for Water Right Transfer T-14121

T-14121 filed by Golden Rule Farms Inc., PO Box 255, Christmas Valley, OR 97641, proposes an additional point of appropriation, a change in points of appropriation, a change in place of use, and a change in character of use under Certificate 94472. The right allows the use of 0.27 cubic foot per second from wells in Sects. 32 and 33, T25S, R31E, WM for agricultural use (dairy operations) in Sects. 28 and 29, T25S, R31E, WM. The applicant proposes to move the points of appropriation in Sects. 28 and 33, T25S, R31E, WM, an additional point of appropriation in Sec. 33, T25S, R31E, WM, to change the place of use to Sec. 28, T25S, R31E, WM, and to change the character of use to irrigation. 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, 12/24/2024. Call (503) 986-0935 to obtain additional information. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.

Publish Dec 18 and 24, 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-14121 Golden Rule Farm  
Determination of water rights

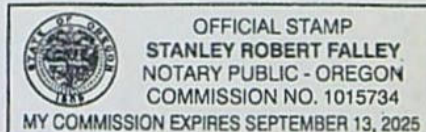
a printed copy of which is hereto annexed, was published in the said newspaper for

2 successive and consecutive weeks in the following issues:  
Dates of Publication: 18<sup>th</sup> & 24<sup>th</sup> December 2024

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

Subscribed and sworn before me this 24 day of DEC 2024.

Stan R. Falley  
Notary Public for Oregon



Received  
JAN 06 2025  
OWRD

No. \_\_\_\_\_

STATE OF OREGON  
for the  
COUNTY OF HARNEY

Filed \_\_\_\_\_, 24

Clerk

Deputy

From the Office of \_\_\_\_\_

Attorney for \_\_\_\_\_





# 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

January 21, 2025

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

REFERENCE: Transfer Application T-14121

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, Joan Smith, by telephone at (503) 986-0892 or by e-mail at [Joan.m.smith@water.oregon.gov](mailto:Joan.m.smith@water.oregon.gov).

Sincerely,

Elyse Richman  
Water Rights Services Support  
Transfers and Conservation Section

cc: Donald (dally) S. Swindlehurst, Watermaster Dist. # 10 (via email)  
Scott D. Montgomery, Lindsay Thane, 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 APPROVING AN            |
| T-14121, Harney County                | ) | ADDITIONAL POINT OF APPROPRIATION,  |
|                                       | ) | A CHANGE IN POINTS OF               |
|                                       | ) | APPROPRIATION, A CHANGE IN PLACE OF |
|                                       | ) | USE, AND A CHANGE IN CHARACTER OF   |
|                                       |   | USE                                 |

**Authority**

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

**Applicant**

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

**Findings of Fact**

1. On November 17, 2022, Golden Rule Farms, Inc. filed an application for additional point of appropriation, a change in points of appropriation, a change in place of use and a change in character of use under Certificate 94472. The Department assigned the application number T-14121.
2. Notice of the application for transfer was published on November 22, 2022, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On June 6, 2024, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-14121 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of July 8, 2024, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.

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 December 10, 2024, the Department issued a Preliminary Determination proposing to approve Transfer T-14121 and mailed a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published on the Department's weekly notice on December 17, 2024, and in the Burns Times Herald newspaper on December 18 and 24, 2024, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notices.

5. The right to be transferred is as follows:

**Certificate:** 94472 in the name of GOLDEN RULE FARMS INC. (perfected under Permit G-17544)

**Use:** AGRICULTURE USE (DAIRY OPERATIONS)

**Priority Date:** FEBRUARY 8, 1999

**Rate:** 0.27 CUBIC FOOT PER SECOND (CFS), FURTHER LIMITED TO NO MORE THAN .27 CFS FROM WELL 6 AND 7, NOT TO EXCEED A MAXIMUM CUMULATIVE TOTAL OF 0.27 CFS

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

**Source:** WELL 6, WELL 7, WELL 13 AND WELL 18 in the MALHEUR LAKE BASIN

**Authorized Points of Appropriation:**

| Twp  | Rng  | Mer | Sec | Q-Q   | Measured Distances  |
|------|------|-----|-----|-------|---|
| 25 S | 31 E | WM  | 32  | NE NE | WELL 6 - 40 FEET SOUTH AND 1055 FEET WEST FROM THE NE CORNER OF SECTION 32    |
| 25 S | 31 E | WM  | 32  | NE NE | WELL 7 - 40 FEET SOUTH AND 1200 FEET WEST FROM THE NE CORNER OF SECTION 32    |
| 25 S | 31 E | WM  | 32  | SW NE | WELL 13 - 2630 FEET SOUTH AND 1340 FEET WEST FROM THE NE CORNER OF SECTION 32 |
| 25 S | 31 E | WM  | 33  | NW NW | WELL 18 - 770 FEET SOUTH AND 1320 FEET EAST FROM THE NW CORNER OF SECTION 33  |

**Authorized Place of Use:**

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



6. Transfer Application T-14121 proposes to move the authorized points of appropriation (POA) and for an additional point of appropriation (APOA), with approximate distances in mile from the existing points of appropriation to:

| Twp  | Rng  | Mer | Sec | Q-Q   | Measured Distances   | Type of change | Distance and direction from existing POAs in mile                              |
|------|------|-----|-----|-------|--|----------------|--|
| 25 S | 31 E | WM  | 28  | NE SE | POA A - 1365 FEET NORTH AND 100 FEET WEST FROM THE SE CORNER OF SECTION 28 | POA            | Well 6 - 0.32 NE<br>Well 7 - 0.34 NE<br>Well 13 - 0.79 NE<br>Well 18 - 0.51 NW |
| 25 S | 31 E | WM  | 33  | NW NE | POA B - 365 FEET SOUTH AND 2405 FEET WEST FROM THE NE CORNER OF SECTION 33 | POA            | Well 6 - 0.74 E<br>Well 7 - 0.77 E<br>Well 13 - 0.89 NE<br>Well 18 - 0.31 NE   |
| 25 S | 31 E | WM  | 33  | NE NW | #18A - 1120 FEET SOUTH AND 3695 FEET WEST FROM THE NE CORNER OF SECTION 33 | POA            | Well 6 - 0.4 SE<br>Well 7 - 0.57 SE<br>Well 13 - 0.61 NE<br>Well 18 - 0.07 SE  |
| 25 S | 31 E | WM  | 33  | NE NW | POA C - 770 FEET SOUTH AND 2665 FEET WEST FROM THE NE CORNER OF SECTION 33 | APOA           | Well 6 - 0.7 SE<br>Well 7 - 0.73 SE<br>Well 13 - 0.81 NE<br>Well 18 - 0.26 E   |

7. Transfer Application T-14121 also proposes to change the place of use of the right to:

| IRRIGATION |      |     |     |       |       |
|------------|------|-----|-----|-------|-------|
| Twp        | Rng  | Mer | Sec | Q-Q   | Acres |
| 25 S       | 31 E | WM  | 28  | SW SW | 10.8  |
| 25 S       | 31 E | WM  | 28  | SE SW | 10.8  |
| Total      |      |     |     |       | 21.6  |

8. To clarify the changes in points of appropriation; upon issuance of the final order the authorized points of appropriation will include, Well 18, POA A, POA B, #18A, and POA C.
9. Transfer Application T-14121 proposes to change the character of use to irrigation.

**Transfer Review Criteria [OAR 690-380-0100(14), 690-380-4010(2), 690-380-2110(2), 690-380-2200, 690-380-2300, and 690-250-0070(1)]**

10. A confirming Certificate has been issued within the five years prior to the submittal of Transfer Application T-14121. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
11. A water delivery system sufficient to use the full amount of water allowed under the existing right was present within the five-year period prior to submittal of Transfer Application T-14121.
12. The water right is subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).



13. The proposed points of appropriation develop groundwater from the same aquifer as the authorized points of appropriation, as required by OAR 690-380-2110(2).
14. To prevent enlargement of the transferred right. The proposed irrigation use shall be limited to:
  - a) A place of use of 21.6 acres (0.27 cfs/0.0125 cfs per acre) as described in Finding No. 6 above.
  - b) A rate of diversion not to exceed 0.27 cfs, further limited to a total quantity of water diverted of 64.8 acre-feet (3.0 acre-feet per acre) during the irrigation season of each year.
  - c) A period of use (irrigation season), authorized under OAR 690-250-0070(1), of March 1 to October 31 of each year.
15. The proposed changes, as conditioned, would not result in enlargement of the right.
16. The proposed changes, as conditioned, would not result in injury to other existing water rights.
17. All other application requirements are met.

#### **Conclusions of Law**

The change in points of appropriation, additional point of appropriation, change in place of use, and change in character of use proposed in Transfer Application T-14121 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, additional point of appropriation, change in place of use, and change in character of use proposed in Transfer Application T-14121 are approved.
2. The right to the use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Certificate 94472 and any related decree.
3. 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 points of appropriation and the new place of use.
4. Water right Certificate 94472 is cancelled.
5. The quantity of water diverted at the new points of appropriation (POA A, POA B, and #18A) shall not exceed the quantity of water lawfully available at the original points of appropriation (WELL 6, WELL 7, WELL 13, and WELL 18).



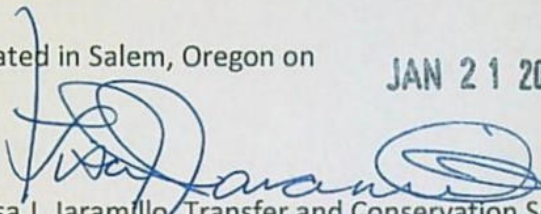
6. The quantity of water diverted at the new additional point of appropriation (POA C), together with that diverted at the original points of appropriation (WELL 6, WELL 7, WELL 13, and WELL 18), shall not exceed the quantity of water lawfully available at the original points of appropriation (WELL 6, WELL 7, WELL 13, and WELL 18).
7. Water shall be acquired from the same aquifer (water source) as the original points of appropriation.
8. The former place of use of the transferred right shall no longer receive water under the right.
9. The proposed irrigation use shall be limited to:
  - a) A place of use of 21.6 acres (0.27 cfs/0.0125 cfs per acre), as described in Finding of Fact No. 7.
  - b) A rate of diversion not to exceed 0.27 cfs, further limited to a total quantity of water diverted of 64.8 acre-feet (3.0 acre-feet per acre x 21.6 acres) during the irrigation season of each year.
  - c) A period of use (irrigation season), authorized under OAR 690-250-0070(1), of March 1 to October 31 of each year.
10. 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



11. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2026**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.
12. After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.

Dated in Salem, Oregon on

**JAN 21 2025**

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

Mailing date: **JAN 22 2025**



# WATER RIGHT TRANSFER COVER SHEET

Transfer: T- 14121

Transfer Specialist: *Jean*

Transfer Type: Regular Transfer

|   |  |  |  |
|---|--|--|--|
| <b>Applicant:</b><br>GOLDEN RULE FARMS INC. PO BOX 255 CHRISTMAS VALLEY, OR 97641<br>Email: _____ Phone: _____  |  | <b>Agent:</b> <input type="checkbox"/> N/A<br>SCOTT D. MONTGOMERY PO BOX 767 TERREBONNE, OR 97760<br>Email: _____ Phone: _____ |  |
| <b>Irrigation District:</b> <input type="checkbox"/> N/A<br>Email: _____  |  | <b>CWRE:</b> <input type="checkbox"/> N/A<br>Email: <i>Schwabe, Williamson, Wyatt</i>  |  |
| <b>Affected Local Gov'ts:</b> <input type="checkbox"/> N/A<br>Harney County Planning Department<br>Email: _____ |  | <b>Affected Tribal Gov't:</b> <input type="checkbox"/> N/A<br>UNAVAILABLE<br>Email: _____                                      |  |
| <b>Current Landowner if other than Applicant:</b> <input type="checkbox"/> N/A<br>Email: _____                  |  | <b>Receiving Landowner:</b> <input type="checkbox"/> N/A<br>Email: _____   |  |

## Water Rights Affected

| File Marked              | App. File # or Decree Name | Permit  | Certificate | RR/CR Needed  | RR/CR Nos. |
|--------------------------|----------------------------|---------|-------------|---|------------|
| <input type="checkbox"/> | G-14923                    | G-17544 | 94472       | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | _____      |
| <input type="checkbox"/> |                            |         |             | <input type="checkbox"/> Yes <input type="checkbox"/> No            |            |
| <input type="checkbox"/> |                            |         |             | <input type="checkbox"/> Yes <input type="checkbox"/> No            |            |

## Key Dates & Initial Actions:

|  |  |  |
|--|--|--|
| Rec'd: November 17, 2022                               | Proposed Action(s): POINT OF APPROPRIATION; ADDITIONAL POINT OF APPROPRIATION; PLACE OF USE; USE |  |
| Fees Pd: 5660.00                                       | WM District: 10  | ODFW District: _____   |
| Initial Public Notice: November 22, 2022               | WM Review sent: <i>measurement devices at each (new station)</i>                                 | ODFW Review sent: _____  |
| Acknowledgement Letter Sent <input type="checkbox"/>   |  | GW Review sent: <input checked="" type="checkbox"/> <input type="checkbox"/> N/A |
| County sent cc: of Ack Letter <input type="checkbox"/> | BOR notified (date): <input type="checkbox"/> N/A  | <i>ok</i>  |
| Newspaper quote requested: <i>288.00</i>               | Request for news \$ sent: <i>6/25/24 Jon</i>   | News \$ received: _____  |
| Request to publish sent: _____                         | Affidavit of publication received: _____   | Last day of publication: _____   |

*Data reviewed 6/26/24 ✓*

| Document | Drafted                                      | Peer Review                                    | Changes Made                   | Coordinator                                 | Changes Made                                 | Signature Bin          | Signature Date        |
|----------|--|--|--------------------------------|---|--|------------------------|-----------------------|
| DPD      | Date: <i>9-7-23</i><br>Initials: <i>Jean</i> | Date: <i>9-7-23</i><br>Initials: <i>AL</i>     | Date: _____<br>Initials: _____ | Date: <i>3/6/24</i><br>Initials: <i>PKS</i> | Date: <i>3/6/24</i><br>Initials: <i>Jean</i> | CW Sent: <i>3/6/24</i> | N/A                   |
| PD       | Date: <i>10/24</i><br>Initials: <i>Jon</i>   | Date: <i>11/4/24</i><br>Initials: <i>NAME</i>  | Date: _____<br>Initials: _____ | Date: <i>Corey</i><br>Initials: _____       | Date: <i>4/20/24</i><br>Initials: <i>Jon</i> | Date: <i>12/2/24</i>   | Date: <i>12/10/24</i> |
| FO       | Date: _____<br>Initials: _____               | Date: <i>1/10/25</i><br>Initials: <i>Scott</i> | Date: _____<br>Initials: _____ | Date: _____<br>Initials: _____              | Date: _____<br>Initials: _____               | Date: _____            | Date: <i>1/21/25</i>  |

Special Issues: *POU/POA/APOA/use Changes entirety of right present 6/6/24*

Special Order Volume: Vol. *137* Pages *705-710*





# 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](http://www.oregon.gov/owrd)

December 10, 2024

VIA CERTIFIED MAIL AND E-MAIL

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

SUBJECT: Water Right Transfer Application T-14121

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-14121. 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 503-986-0892 or [Joan.M.Smith@water.oregon.gov](mailto:Joan.M.Smith@water.oregon.gov), if I may be of assistance.

Sincerely,

Joan Smith  
Transfer Specialist  
Transfer and Conservation Section



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

|                                       |   |                                    |
|---------------------------------------|---|------------------------------------|
| In the Matter of Transfer Application | ) | PRELIMINARY DETERMINATION          |
| T-14121, Harney County                | ) | PROPOSING APPROVAL OF AN           |
|                                       | ) | ADDITIONAL POINT OF APPROPRIATION, |
|                                       | ) | A CHANGE IN POINTS OF              |
|                                       | ) | APPROPRIATION, A CHANGE IN PLACE   |
|                                       | ) | OF USE, AND A CHANGE IN CHARACTER  |
|                                       | ) | OF USE                             |

**Authority**

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

**Applicant**

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

**Findings of Fact**

1. On November 17, 2022, Golden Rule Farms, Inc. filed an application for additional point of appropriation, a change in points of appropriation, a change in place of use and a change in character of use under Certificate 94472. The Department assigned the application number T-14121.
2. Notice of the application for transfer was published on November 22, 2022, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On June 6, 2024, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-14121 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of July 8, 2024, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.

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. The right to be transferred is as follows:

**Certificate:** 94472 in the name of GOLDEN RULE FARMS INC. (perfected under Permit G-17544)

**Use:** AGRICULTURE USE (DAIRY OPERATIONS)

**Priority Date:** FEBRUARY 8, 1999

**Rate:** 0.27 CUBIC FOOT PER SECOND (CFS), FURTHER LIMITED TO NO MORE THAN .27 CFS FROM WELL 6 AND 7, NOT TO EXCEED A MAXIMUM CUMULATIVE TOTAL OF 0.27 CFS

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

**Source:** WELL 6, WELL 7, WELL 13 AND WELL 18 in the MALHEUR LAKE BASIN

**Authorized Points of Appropriation:**

| Twp  | Rng  | Mer | Sec | Q-Q   | Measured Distances  |
|------|------|-----|-----|-------|---|
| 25 S | 31 E | WM  | 32  | NE NE | WELL 6 - 40 FEET SOUTH AND 1055 FEET WEST FROM THE NE CORNER OF SECTION 32    |
| 25 S | 31 E | WM  | 32  | NE NE | WELL 7 - 40 FEET SOUTH AND 1200 FEET WEST FROM THE NE CORNER OF SECTION 32    |
| 25 S | 31 E | WM  | 32  | SW NE | WELL 13 - 2630 FEET SOUTH AND 1340 FEET WEST FROM THE NE CORNER OF SECTION 32 |
| 25 S | 31 E | WM  | 33  | NW NW | WELL 18 - 770 FEET SOUTH AND 1320 FEET EAST FROM THE NW CORNER OF SECTION 33  |

**Authorized Place of Use:**

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

5. Transfer Application T-14121 proposes to move the authorized points of appropriation (POA) and for an additional point of appropriation (APOA), with approximate distances in mile from the existing points of appropriation to:

| Twp  | Rng  | Mer | Sec | Q-Q   | Measured Distances   | Type of change | Distance and direction from existing POAs in mile                              |
|------|------|-----|-----|-------|--|----------------|--|
| 25 S | 31 E | WM  | 28  | NE SE | POA A - 1365 FEET NORTH AND 100 FEET WEST FROM THE SE CORNER OF SECTION 28 | POA            | Well 6 - 0.32 NE<br>Well 7 - 0.34 NE<br>Well 13 - 0.79 NE<br>Well 18 - 0.51 NW |
| 25 S | 31 E | WM  | 33  | NW NE | POA B - 365 FEET SOUTH AND 2405 FEET WEST FROM THE NE CORNER OF SECTION 33 | POA            | Well 6 - 0.74 E<br>Well 7 - 0.77 E<br>Well 13 - 0.89 NE<br>Well 18 - 0.31 NE   |



| Twp  | Rng  | Mer | Sec | Q-Q   | Measured Distances   | Type of change | Distance and direction from existing POAs in mile                             |
|------|------|-----|-----|-------|--|----------------|---|
| 25 S | 31 E | WM  | 33  | NE NW | #18A – 1120 FEET SOUTH AND 3695 FEET WEST FROM THE NE CORNER OF SECTION 33 | POA            | Well 6 - 0.4 SE<br>Well 7 - 0.57 SE<br>Well 13 - 0.61 NE<br>Well 18 - 0.07 SE |
| 25 S | 31 E | WM  | 33  | NE NW | POA C – 770 FEET SOUTH AND 2665 FEET WEST FROM THE NE CORNER OF SECTION 33 | APOA           | Well 6 - 0.7 SE<br>Well 7 - 0.73 SE<br>Well 13 - 0.81 NE<br>Well 18 - 0.26 E  |

6. Transfer Application T-14121 also proposes to change the place of use of the right to:

| IRRIGATION |      |     |     |       |       |
|------------|------|-----|-----|-------|-------|
| Twp        | Rng  | Mer | Sec | Q-Q   | Acres |
| 25 S       | 31 E | WM  | 28  | SW SW | 10.8  |
| 25 S       | 31 E | WM  | 28  | SE SW | 10.8  |
| Total      |      |     |     |       | 21.6  |

7. Transfer Application T-14121 proposes to change the character of use to irrigation.

**Transfer Review Criteria [OAR 690-380-0100(14), 690-380-4010(2), 690-380-2110(2), 690-380-2200, 690-380-2300, and 690-250-0070(1)]**

8. A confirming Certificate has been issued within the five years prior to the submittal of Transfer Application T-14121. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
9. A water delivery system sufficient to use the full amount of water allowed under the existing right was present within the five-year period prior to submittal of Transfer Application T-14121.
10. The water right is subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
11. 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).
12. To prevent enlargement of the transferred right. The proposed irrigation use shall be limited to:
  - a) A place of use of 21.6 acres (0.27 cfs/0.0125 cfs per acre) as described in Finding No. 6 above.
  - b) A rate of diversion not to exceed 0.27 cfs, further limited to a total quantity of water diverted of 64.8 acre-feet (3.0 acre-feet per acre) during the irrigation season of each year.



- c) A period of use (irrigation season), authorized under OAR 690-250-0070(1), of March 1 to October 31 of each year.

- 13. The proposed changes, as conditioned, would not result in enlargement of the right.
- 14. The proposed changes, as conditioned, would not result in injury to other existing water rights.
- 15. All other application requirements are met.

#### **Determination and Proposed Action**

The change in points of appropriation, additional point of appropriation, change in place of use, and change in character of use proposed in Transfer Application T-14121 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-14121 is approved, the final order will include the following:*

- 1. *The change in points of appropriation, additional point of appropriation, a change in place of use, and change in character of use proposed in Transfer Application T-14121 are approved.*
- 2. *The right to the use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Certificate 94472 and any related decree.*
- 3. *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 points of appropriation and the new place of use.*
- 4. *Water right Certificate 94472 is cancelled.*
- 5. *The quantity of water diverted at the new points of appropriation (POA A, POA B, and #18A) shall not exceed the quantity of water lawfully available at the original points of appropriation (WELL 6, WELL 7, WELL 13, and WELL 18).*
- 6. *The quantity of water diverted at the new additional point of appropriation (POA C), together with that diverted at the original points of appropriation (WELL 6, WELL 7, WELL 13, and WELL 18), shall not exceed the quantity of water lawfully available at the original points of appropriation (WELL 6, WELL 7, WELL 13, and WELL 18).*
- 7. *Water shall be acquired from the same aquifer (water source) as the original points of appropriation.*
- 8. *The former place of use of the transferred right shall no longer receive water under the right.*



9. The proposed irrigation use shall be limited to:

- a) A place of use of 21.6 acres (0.27 cfs/0.0125 cfs per acre), as described in Finding No. 6 above.
- b) A rate of diversion not to exceed 0.27 cfs, further limited to a total quantity of water diverted of 64.8 acre-feet (3.0 acre-feet per acre x 21.6 acres) during the irrigation season of each year.
- c) A period of use (irrigation season), authorized under OAR 690-250-0070(1), of March 1 to October 31 of each year.

10. Water use measurement conditions:

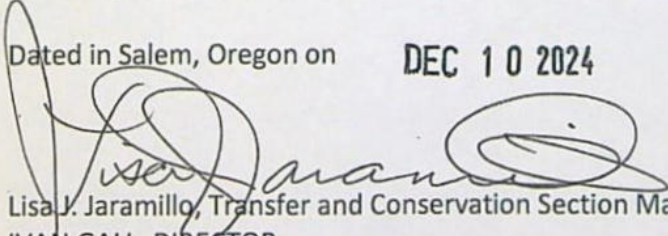
- a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of appropriation (new and existing).
- b. The water user shall maintain the meters or measuring devices in 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

11. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2026**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.

12. After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.

Dated in Salem, Oregon on

**DEC 10 2024**

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

This Preliminary Determination was prepared by Joan Smith. If you have any questions regarding the information in this document, you may contact her at [Joan.M.Smith@water.oregon.gov](mailto:Joan.M.Smith@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.



## SMITH Joan M \* WRD

---

**From:** SMITH Joan M \* WRD  
**Sent:** Wednesday, March 6, 2024 11:29 AM  
**To:** goldenrulefarms@gmail.com  
**Cc:** SWINDLEHURST Donald S \* WRD; Scott; lthane@schwabe.com  
**Subject:** Draft Preliminary Determination T-14121  
**Attachments:** T-14121-dpd cover approve.docm; T-14121 dpd approve.docm; T-14121 pd newspaper notice.docx

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

Reference: Water Right Transfer Application T-14121

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-14121. 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 April 8, 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 April 8, 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 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_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 water measurement devices at the new and existing points of appropriation 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(s).

The proposed irrigation use shall be limited to:

- A place of use of 21.6 acres (0.27 cfs/0.0125 cfs per acre).
- A rate of diversion not to exceed 0.27 cfs, further limited to a total quantity of water diverted of 64.8 acre-feet (3.0 acre-feet per acre) during the irrigation season of each year.
- A period of use (irrigation season) of March 1 to October 31 of each year.

**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 of a change in character of use, 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 April 8, 2024, a Preliminary Determination may be issued denying the application as incomplete.

Please don't hesitate to contact me at [Joan.M.Smith@water.oregon.gov](mailto:Joan.M.Smith@water.oregon.gov) or 503-986-0892 if I may be of assistance.

**JOAN M. SMITH** | TRANSFER SPECIALIST

TRANSFER & CONSERVATION SECTION

725 Summer Street NE, Suite A Salem, OR 97301 | Phone 503-986-0892

**NOTE:** Many staff continue to work 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 a.m. - 5 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.



☐ RA

## PERMANENT TRANSFER APPLICATION CHECKLIST – Single Cert

|  |                          |                                     |  |              |                  |  |
|--|--------------------------|-------------------------------------|--|--------------|------------------|--|
| Transfer #: T- 14121   |                          |                                     | Applicant: Golden Rule   |              | Caseworker: Joan |  |
| Applicant Contact: Schwabe, 3  |                          |                                     | Phone Number:  |              | Email:           |  |
| Applicant Agent: Scott Montgomery  |                          |                                     | Phone Number:  |              | Email:           |  |
| CW   | PR                       | Coord                               | County:  | Certificate: |                  |  |
| <input type="checkbox"/>   | <input type="checkbox"/> | <input type="checkbox"/>            | Harney   | 94472        |                  |  |
| <input checked="" type="checkbox"/>  | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Type of Change(s) Proposed:<br><input checked="" type="checkbox"/> POU <input type="checkbox"/> POD <input type="checkbox"/> APOD <input checked="" type="checkbox"/> POA <input checked="" type="checkbox"/> APOA <input checked="" type="checkbox"/> USE <input type="checkbox"/> Substitution <input type="checkbox"/> Gov't Action |              |                  |  |
| <input checked="" type="checkbox"/>  | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Transfer requiring supplemental review criteria (supplemental checklists to be developed)<br><input checked="" type="checkbox"/> CHAR OF USE <input type="checkbox"/> CONSENT TO INJURY OF ISWR <input type="checkbox"/> SW to GW <input type="checkbox"/> SUPPLEMENTAL IR to PRIMARY IR   |              |                  |  |
| <input checked="" type="checkbox"/>  | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Print for file or save all certificates in electronic "T" folder and highlight Priority Date, Rate, Use and Limit/Duty paragraph   |              |                  |  |
| <input checked="" type="checkbox"/>  | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> Supplemental checklist for transfers w/in a District (S:\groups\wr\TACS\WRISApps Templates\Transfer Checklists\SUPP_Within District Processing Checklist 9-5-2019) <input checked="" type="checkbox"/> N/A<br>District Name: If this is a Living Certificate – check with Ann Reece                           |              |                  |  |
| Supplemental Language document referenced below is located here: S:\groups\wr\TACS\6. Transfers\2. Caseworker Tools and Training\Supplemental Language |                          |                                     |  |              |                  |  |

## Transfer Application Review and Deficiencies

|                                     |                                     |                                     |  |  |   |  |
|-------------------------------------|-------------------------------------|-------------------------------------|--|--|---|--|
| CW                                  | PR                                  | Coord                               | Deficiencies that may cause a denial – please explain                                |  |   |  |
| <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/>   |  |   |  |
| <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/>   |  |   |  |
| <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/>   |  |   |  |
| <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/>   |  |   |  |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Assign file in WRIS  |  |   |  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Are all applicants/agents listed in WRIS with email addresses, if available?         |  | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No            |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Have all permit/certificates been entered in WRIS under Transfer #?                  |  | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No            |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Were Public Comments received? (if yes, enter commenter names/email on mailing list) |  | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No |
| <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/>            | If yes, were they timely?  |  | <input type="checkbox"/> Yes            | <input type="checkbox"/> No            |
| <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/>            | Add finding for any comments received (see Supplemental Language document)           |  |   |  |
| <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/>            | Notes:   |  |   |  |

## Review "From" and "To" Lands and/or POD/POA

|                                     |                          |                                     |  |  |   |  |
|-------------------------------------|--------------------------|-------------------------------------|--|--|---|--|
| CW                                  | PR                       | Coord                               |  |  |   |  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Are the "from" acres on the map authorized POD(s)/POA(s)/POU?  |  | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No            |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Does the "from" map match the certificate map? If No, what is different?                               |  | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No            |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Are any of the "from" lands being cancelled/diminished?  |  | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No |
| <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/>            | If Yes, were cancellation/diminution affidavits submitted? (see findings in Supplemental Language doc) |  | <input type="checkbox"/> Yes            | <input type="checkbox"/> No            |



|                                     |                                     |                                     |   |                              |                             |
|-------------------------------------|-------------------------------------|-------------------------------------|---|------------------------------|-----------------------------|
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Compare FROM POU in application (Table 2) with certificate. Mark certificate with acres being xferred, any RR acres and any acres being cancelled. <b>All Acres</b>               |                              |                             |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Compare TO POU in Table 2 with the TO Lands on map (for accuracy) <b>All Acres</b>  |                              |                             |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Are any instream water rights affected? If Yes, Cert # <b>Groundwater</b><br>(If Yes, check criteria for injury-upstream POD move, moving closer to SW, or return flows affected) | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

| Layered/Supplemental Rights         |                          |                          |   |   |   |
|-------------------------------------|--------------------------|--------------------------|---|---|---|
| CW                                  | PR                       | Coord                    | <input checked="" type="checkbox"/> N/A |   |   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |   | Are any supplemental rights being transferred? (verify that it is <b>actually</b> a supplemental right)                                 | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> |   | If Yes, are they being transferred to a "like" primary (i.e. similar reliability) or are they moving with a primary under the transfer? | <input type="checkbox"/> Yes <input type="checkbox"/> No            |
| <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> |   | Are there any layered irrigation rights not included in the transfer?   | <input type="checkbox"/> Yes <input type="checkbox"/> No            |
| <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> |   | If No, they must move with the primary, to a "like" primary, or be cancelled via a cancellation affidavit.                              | <input type="checkbox"/> Yes <input type="checkbox"/> No            |
| <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> |   | Layered right(s) Cert:  |   |
| <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> |   | Notes:  |   |

| Transfer Review Criteria            |                          |                                     |  |  |   |
|-------------------------------------|--------------------------|-------------------------------------|--|--|---|
| CW                                  | PR                       | Coord                               |  |  |   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |  | Validity of the right – Has the right been used in the last 5 years and is not subject to forfeiture?  | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |  | <input type="checkbox"/> Evidence of use and supporting documentation <input checked="" type="checkbox"/> Confirming (not a remaining right) cert issued within the last 5 years <input type="checkbox"/> Rebuttal to forfeiture (ORS 540.610) |   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |  | Ready, Willing and Able – <input checked="" type="checkbox"/> Current delivery system sufficiently described in application. Does delivery system have capacity to fully divert and use the authorized rate/duty of the right?                 | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |  | Would the proposed transfer result in enlargement? If Yes, why? What conditions, if any, will avoid? <b>conditioned to avoid</b>   | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |  | Would the proposed transfer result in injury? If Yes, why? What conditions, if any, will avoid?  | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |  | If injury, has WM or GW provided a list of injured water right holders? <input checked="" type="checkbox"/> N/A  | <input type="checkbox"/> Yes <input type="checkbox"/> No            |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |  | If POD/POA/APOD/APOA change, will it be from the same source? If No, deny per OAR 690-380-2110(2) <input type="checkbox"/> N/A   | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/>            |  | Notes:   |   |

| Reviews and Conditions              |                          |                                     |  |   |   |
|-------------------------------------|--------------------------|-------------------------------------|--|---|---|
| CW                                  | PR                       | Coord                               |  |   |   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |  | If review is required and has not been submitted, contact reviewer. DPD cannot be issued without reviews.           |   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |  | Has the <b>Watermaster</b> review been received? Conditions: <input checked="" type="checkbox"/>                    | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/>            |  | Has the ODFW review been received? (required on SW POD or APOD change only) <input checked="" type="checkbox"/> N/A | <input type="checkbox"/> Yes <input type="checkbox"/> No            |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |  | Has the <b>Groundwater</b> review been received? <input type="checkbox"/> N/A                                       | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
|                                     |                          |                                     |  | Conditions: (required on POA change, APOA or SW to GW only)   |   |

**Draft Preliminary Determination and Cover Letter – 12 pt. Calibri font**



| CW                       | PR                       | Coord                    |  |
|--------------------------|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Prepare ModPod workareas   |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Prepare DPD (save as T-XXXXX-dpd) (where XXXXX is the transfer number) |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Prepare DPD Cover letter (save as T-XXXXX-dpd-cov)                     |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Prepare Notice (save as T-XXXXX-pd-notice)                             |

| Remaining Right(s)   |                          |                          |  |
|--|--------------------------|--------------------------|--|
| CW   | PR                       | Coord                    |  |
| <input type="checkbox"/>   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> N/A  |
| <input type="checkbox"/>   | <input type="checkbox"/> | <input type="checkbox"/> | Prepare Remaining Right (RR) (if applicable). Save as T-XXXXX-rr-CCCCC-NNNNN (CCCCC = current certificate number, NNNNN = new certificate number). Send with DPD, cover letter and notice for peer review. |
| <input type="checkbox"/>   | <input type="checkbox"/> | <input type="checkbox"/> | Assign new certificate number to remaining right cert (send cert number to Data with PD)   |
|  |                          |                          | Orig Cert #      RR Cert #   |
| <input type="checkbox"/>   | <input type="checkbox"/> | <input type="checkbox"/> | Make sure all RRs are issued in the original name*, conditions match and duty paragraph matches (if irrigation)  |
| <p>*Note: Remaining rights can only be issued in the name of the current landowner(s) of the remaining rights IF 1) the Report of Ownership information supplied for the transfer covers all of the remaining right lands (as well as the right being transferred) and 2) the applicant asks for the remaining right to be issued in their name. IF there is a change to remaining right (other than what transfer authorizes) – ADD RECONSIDERATION LANGUAGE "other than contested case."</p> |                          |                          |  |
| <input type="checkbox"/>   | <input type="checkbox"/> | <input type="checkbox"/> | Send DPD, cover letter, remaining right and notice for Peer Review   |

| Issue Draft Preliminary Determination |                          |                          |  |
|---------------------------------------|--------------------------|--------------------------|--|
| CW                                    | PR                       | Coord                    |  |
| <input type="checkbox"/>              | <input type="checkbox"/> | <input type="checkbox"/> | DPD, cover letter and notice are peer reviewed and signed off by Analyst |
| <input type="checkbox"/>              | <input type="checkbox"/> | <input type="checkbox"/> | Copy DPD and cover letter for paper file                                 |
| <input type="checkbox"/>              | <input type="checkbox"/> | <input type="checkbox"/> | Save DPD and cover letter as PDF   |
| <input type="checkbox"/>              | <input type="checkbox"/> | <input type="checkbox"/> | Mail/email to applicant/agent/WM   |
| <input type="checkbox"/>              | <input type="checkbox"/> | <input type="checkbox"/> | Add workflow item "Draft PD Issued"                                      |

| Report of Ownership Information (ROI) |                          |                          |   |  |
|---------------------------------------|--------------------------|--------------------------|---|--|
| CW                                    | PR                       | Coord                    |   |  |
| <input type="checkbox"/>              | <input type="checkbox"/> | <input type="checkbox"/> | Does legal description in ROI/Deed match "from" lands?  | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/>              | <input type="checkbox"/> | <input type="checkbox"/> | Have all owners on the ROI/Deed signed the application?   | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/>              | <input type="checkbox"/> | <input type="checkbox"/> | Has a notarized statement of consent been submitted? (if applicable) <input type="checkbox"/> N/A | <input type="checkbox"/> Yes <input type="checkbox"/> No |

| Newspaper Notice (if required) |                          |                          |  |  |
|--------------------------------|--------------------------|--------------------------|--|--|
| CW                             | PR                       | Coord                    |  |  |
| <input type="checkbox"/>       | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> N/A   |  |
| <input type="checkbox"/>       | <input type="checkbox"/> | <input type="checkbox"/> | Name of newspaper:   |  |
| <input type="checkbox"/>       | <input type="checkbox"/> | <input type="checkbox"/> | Prepare/send letter to applicant/agent regarding newspaper notice cost | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/>       | <input type="checkbox"/> | <input type="checkbox"/> | NRS1 delivered receipted funds to caseworker                           | <input type="checkbox"/> Yes <input type="checkbox"/> No |



### Preliminary Determination and Cover Letter Preparation

| CW   | PR                       | Coord                    |   |  |
|--|--------------------------|--------------------------|---|--|
|  |                          |                          | <i>See cheat sheet at (S:\groups\wr\TACS\6. Transfers\Procedures\DPD to PD Conversion 12-8-2016) for more detailed instructions</i>   |  |
| <input type="checkbox"/>   | <input type="checkbox"/> | <input type="checkbox"/> | Was application amended after DPD was issued? - <b>Make sure amended pages were scanned to WRIS (see support staff) and make sure you mark amended (replaced) pages with SUPERSEDE. Also make findings in PD.</b> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/>   | <input type="checkbox"/> | <input type="checkbox"/> | If Yes, what was amended?   |  |
| <input type="checkbox"/>   | <input type="checkbox"/> | <input type="checkbox"/> | Did amendment change outcome from denial to approval? <i>If Yes, make findings in PD.</i>   | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/>   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> If POD/POA changes or changes in "from" lands – re-review required from WM<br><input type="checkbox"/> If POA changes – re-review required from GW                                       |  |
| <i>Note: If POD was amended and changed from a downstream move to upstream within an ISWR reach – Consent to Injury may be required.</i> |                          |                          |   |  |
| <input type="checkbox"/>   | <input type="checkbox"/> | <input type="checkbox"/> | Save DPD as a new document (T-XXXXX-pd.doc) – <b>12 pt. Calibri font</b>  |  |
| <input type="checkbox"/>   | <input type="checkbox"/> | <input type="checkbox"/> | Remove "Draft" from document  |  |
| <input type="checkbox"/>   | <input type="checkbox"/> | <input type="checkbox"/> | Unhide hidden findings (cntrl-A, select Font, uncheck "hidden" box) and add dates   |  |
| <input type="checkbox"/>   | <input type="checkbox"/> | <input type="checkbox"/> | If application was amended, add finding including date of amendment   |  |
| <input type="checkbox"/>   | <input type="checkbox"/> | <input type="checkbox"/> | Change language resulting from any amendments in response to the DPD, including language under Determination and Proposed Action  |  |
| <input type="checkbox"/>   | <input type="checkbox"/> | <input type="checkbox"/> | Unhide appeal (protest) language at the end of the document   |  |
| <input type="checkbox"/>   | <input type="checkbox"/> | <input type="checkbox"/> | Prepare PD Cover Letter (save as T-XXXXX-pd-cov)  |  |
| <input type="checkbox"/>   | <input type="checkbox"/> | <input type="checkbox"/> | Check email address(s) for accuracy   |  |
| <input type="checkbox"/>   | <input type="checkbox"/> | <input type="checkbox"/> | Notes:  |  |
| <input type="checkbox"/>   | <input type="checkbox"/> | <input type="checkbox"/> | Send to caseworker/Kelly for Peer Review  |  |

### Data Center Review of PD

| CW                       | PR                       | Coord                    |   |
|--------------------------|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Email PD and RR(s)(with new cert numbers) to Duff for review – indicate if file is RA |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Data Center will send notification that file is complete                              |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Make any necessary changes to PD or prepare Revised DPD (if substantive changes)      |

### Issue Preliminary Determination

| CW                       | PR                       | Coord                    |  |
|--------------------------|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Print PD and put in Manager's box for signature and issuance (support will print cover letter) |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Add workflow notes   |



| Final Order  |                          |                          |   |
|--|--------------------------|--------------------------|---|
| CW   | PR                       | Coord                    | See cheat sheet at (S:\groups\wr\TACS\6. Transfers\Procedures\PD to FO Conversion 12-8-2016) for more detailed instructions   |
| Do not issue Final Order before this date: (protest period end date or 30 days after date of last newspaper publication) |                          |                          |   |
| <input type="checkbox"/>   | <input type="checkbox"/> | <input type="checkbox"/> | Have protests been received? If YES, STOP! Coordinate with Protest section.   |
| <input type="checkbox"/>   | <input type="checkbox"/> | <input type="checkbox"/> | If application had a newspaper notice, verify that Affidavit of Publication was received. Date:   |
| <input type="checkbox"/>   | <input type="checkbox"/> | <input type="checkbox"/> | Save PD as a new document (T-XXXXX-ord-approve (or deny))   |
| <input type="checkbox"/>   | <input type="checkbox"/> | <input type="checkbox"/> | Remove "PRELIMINARY DETERMINATION" from document title and replace with "FINAL ORDER." Unhide hidden findings (cntrl-a, select Font, uncheck "hidden" box)                                      |
| <input type="checkbox"/>   | <input type="checkbox"/> | <input type="checkbox"/> | Replace "PROPOSING APPROVAL/DENIAL OF" with APPROVING/DENYING   |
| <input type="checkbox"/>   | <input type="checkbox"/> | <input type="checkbox"/> | Replace the "judicial review/reconsideration rights" box in the first page footer for the "Final Order" judicial review language; unhide and add Special Order Volume (support will add page #) |
| <input type="checkbox"/>   | <input type="checkbox"/> | <input type="checkbox"/> | Update the hidden paragraph following the public notice and amendments findings (regarding issuance of PD)  |
| <input type="checkbox"/>   | <input type="checkbox"/> | <input type="checkbox"/> | Change "Determination and Proposed Action" to "Conclusions of Law" and update paragraph   |
| <input type="checkbox"/>   | <input type="checkbox"/> | <input type="checkbox"/> | Replace "If application T-XXXXX is approved . . ." with Now, therefore, it is ORDERED:"   |
| <input type="checkbox"/>   | <input type="checkbox"/> | <input type="checkbox"/> | Select list of conditions below "It is ORDERED" section and turn off Italics. Check numbering (start at "1").   |
| <input type="checkbox"/>   | <input type="checkbox"/> | <input type="checkbox"/> | Delete Protest language, Document preparation box, and Notice Regarding Servicemembers; Insert "Mailing Date: _____"  |
| <input type="checkbox"/>   | <input type="checkbox"/> | <input type="checkbox"/> | Final Check: All Conclusions of Law are supported by Findings and Transfer Review Criteria  |

| Remaining Rights         |                          |                          |  |
|--------------------------|--------------------------|--------------------------|--|
| CW                       | PR                       | Coord                    | <input type="checkbox"/> N/A   |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Make sure all RR certs have new cert numbers and are entered on the right side of the footer of each RR  |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Update left side of footer to read: T-XXXXX.rr.YYYYY.ZZZZZ.ini, where YYYYY is original cert number, ZZZZZ is the new cert number, and .ini stands for your initials |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Print RR on certificate paper and include with Final Order for signature   |

| Issue Final Order        |                          |                          |  |
|--------------------------|--------------------------|--------------------------|--|
| CW                       | PR                       | Coord                    |  |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Pull "Working Copy" folder from file   |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Print and put FO and RR in Manager's box for signature (manager will deliver to support for processing and issuance) |



| Mailing List             |                          |                          |               |
|--------------------------|--------------------------|--------------------------|---------------|
| CW                       | PR                       | Coord                    |               |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Commenter(s): |
|                          |                          |                          |               |
|                          |                          |                          |               |
|                          |                          |                          |               |
|                          |                          |                          |               |
|                          |                          |                          |               |
|                          |                          |                          |               |
|                          |                          |                          |               |
|                          |                          |                          |               |
|                          |                          |                          |               |
|                          |                          |                          |               |
|                          |                          |                          |               |
|                          |                          |                          |               |
|                          |                          |                          |               |
|                          |                          |                          |               |

|        |
|--------|
| Notes: |
|--------|





# Oregon

Tina Kotek, Governor

File Copy

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](http://www.oregon.gov/owrd)

June 25, 2024

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

SUBJECT: Water Right Transfer Application T-14121

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

**Items needed before the next phase of processing...**

At this time you need to:

1. submit a check in the amount of \$288.00 (to cover cost of publication of the notice), made out to the Oregon Water Resources Department.
2. write "for T-14121 NOTICE" on the front of your check, and
3. submit it with the tracking stub at the bottom of this letter.

Mail the check to 725 Summer St. NE, Suite A, Salem, OR 97301-1266, **no later than July 25, 2024.**

**What happens next...**

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

**If we do not receive payment for newspaper notice by July 25, 2024, a Preliminary Determination may be issued denying the application as incomplete.**

Please don't hesitate to contact me at if I may be of assistance.

Sincerely,

Transfer Specialist

X-----

**Attached** is a check in the amount of \$288.00 (PCA #46118) for Newspaper Notice for Transfer T-14121 made out to Oregon Water Resources Department ( or WRD)

- "for T-14121 NOTICE" written on front of check

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

Caseworker: Joan Smith



# Watermaster Review Form: Water Right Transfer



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

Transfer Application: T- 14121

Review Due Date: \_\_\_\_\_

Applicant Name: Golden Rule Farms Inc.

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

Reviewer(s): Dally Swindlehurst

Date of Review: 02/21/23

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 next here  
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 next here 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 next here
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. For POU changes that involve micro-irrigation: ☒ N/A
- a. Has the applicant made changes (absent a transfer) to convert to micro-irrigation within the current place of use boundary of the water right proposed for transfer, and previously demonstrated to the Department through monitoring and site inspections by the Watermaster that the proposed transfer will not result in injury or enlargement? ☐ Yes ☐ No If "Yes", explain: \_\_\_\_\_
- b. Has a temporary transfer of this nature been previously filed and approved on the same lands (or portions thereof) as those lands involved in this transfer?  
☐ Yes ☐ No If "Yes", answer the following:
- i. Were there any problems with more acres being irrigated (or wetted) than were authorized under the temporary transfer? ☐ Yes ☐ No  
If "Yes", explain: \_\_\_\_\_
- ii. Did the designated areas that were to remain dry (or not wetted) under the temporary transfer actually remain dry? ☐ Yes ☐ No  
If "No", explain: \_\_\_\_\_
- iii. Did the applicant comply with and meet all of the conditions of the temporary transfer? ☐ Yes ☐ No If "No", explain: \_\_\_\_\_
- iv. Do you have any other observations regarding the temporary transfer?  
☐ Yes ☐ No If "Yes", describe: \_\_\_\_\_
- v. Did the applicant demonstrate to the Department through monitoring and site inspections by the Watermaster that neither injury nor enlargement occurred as a result of the temporary transfer? ☐ Yes ☐ No  
If "No", explain: \_\_\_\_\_
- c. To the best of your knowledge, if this transfer is approved, does it appear that:
- i. "Injury" will occur to other water rights that share the same source?  
☐ Yes ☐ No If "Yes", explain: \_\_\_\_\_
- ii. "Enlargement" of the water right being transferred will occur?  
☐ Yes ☐ No If "Yes", explain: \_\_\_\_\_
12. 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: \_\_\_\_\_



13. What alternatives may be available for addressing any issues identified above: N/A

14. 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 and provided below:

☐ For POU changes that involve micro-irrigation, provide the monitoring and reporting conditions necessary to prevent injury/enlargement: \_\_\_\_\_

☐ 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 4)

*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*

☐ *with the exception that water rights issued to the Bureau of Reclamation or an irrigation district (or similar entity) are not subject to this condition.*

*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 4)

*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:

☐ Weir

☐ Submerged Orifice

☐ Parshall Flume

☐ Flow Restrictor

☐ Other: \_\_\_\_\_



## Oregon Water Resources Department

## Measurement Condition Information for the Applicant

*(To be sent with the Draft Preliminary Determination or Final Order)*Transfer #: T- 14121

☒ In order to avoid enlargement of the right or injury to other rights, a \_\_\_\_\_ 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: Dally SwindlehurstDistrict: 10Address: 450 N Buena VistaCity/State/Zip: Burns OR 97720Phone: 541-573-2591Email: donald.s.swindlehurst@water.oregon.gov

**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- 14121

GW Reviewer Darrick E. Boschmann Date Review Completed: 12/21/2022

### Summary of Same Source Review:

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

### Summary of Injury Review:

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

### Summary of GW-SW Transfer Similarity Review:

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

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





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

## Ground Water Review Form:

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

Application: T-14121

Applicant Name: Golden Rule Farms

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

Reviewer(s): Darrick E. Boschmann

Date of Review: 12/21/2022

Date Reviewed by GW Mgr. and Returned to WRSD: jti 2/16/23

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

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

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

This application is related to certificate 94472 which authorizes groundwater pumping from four wells for agricultural use (dairy operation) in the Malheur Lake Basin:

POD 1 = "#6" = HARN 50427

POD 2 = "#7" = HARN 50345

POD 3 = "#13" = HARN 50340

POD 4 = "#18" = HARN 50777

The following changes are proposed:

1. Add 4 APOA:

"#18A" = HARN 50501

"POA A" = HARN 50358

"POA B" = HARN 51784

"POA C" = Not constructed

2. Change the character of use from agricultural use (dairy operation) to primary irrigation of 21.6 acres.



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

☒ Yes ☐ No Comments: \_\_\_\_\_

The currently authorized wells develop groundwater from the Older basin fill and Proximal vent deposits hydrostratigraphic units. The existing proposed wells develop groundwater from the Older basin fill hydrostratigraphic unit, and the unbuilt well will also likely develop groundwater from this unit. Other hydrostratigraphic units may also be present in this area.

Groundwater occurs in multiple hydrostratigraphic units, and groundwater within these units is hydraulically connected, making a single groundwater system composed of multiple hydrostratigraphic units (Gingerich and others, 2022).

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

The currently authorized wells and the proposed wells are all located within ~1.5 miles of each other in the area just southeast of Dog Mountain.

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

☐ Yes ☒ No \_\_\_\_\_

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

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

☒ Yes ☐ No Comments: \_\_\_\_\_

The proposed APOA are located up to 1.4 miles northeast and east of the currently authorized wells. This will result in an incremental increase in interference with wells to the northeast and east.

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?

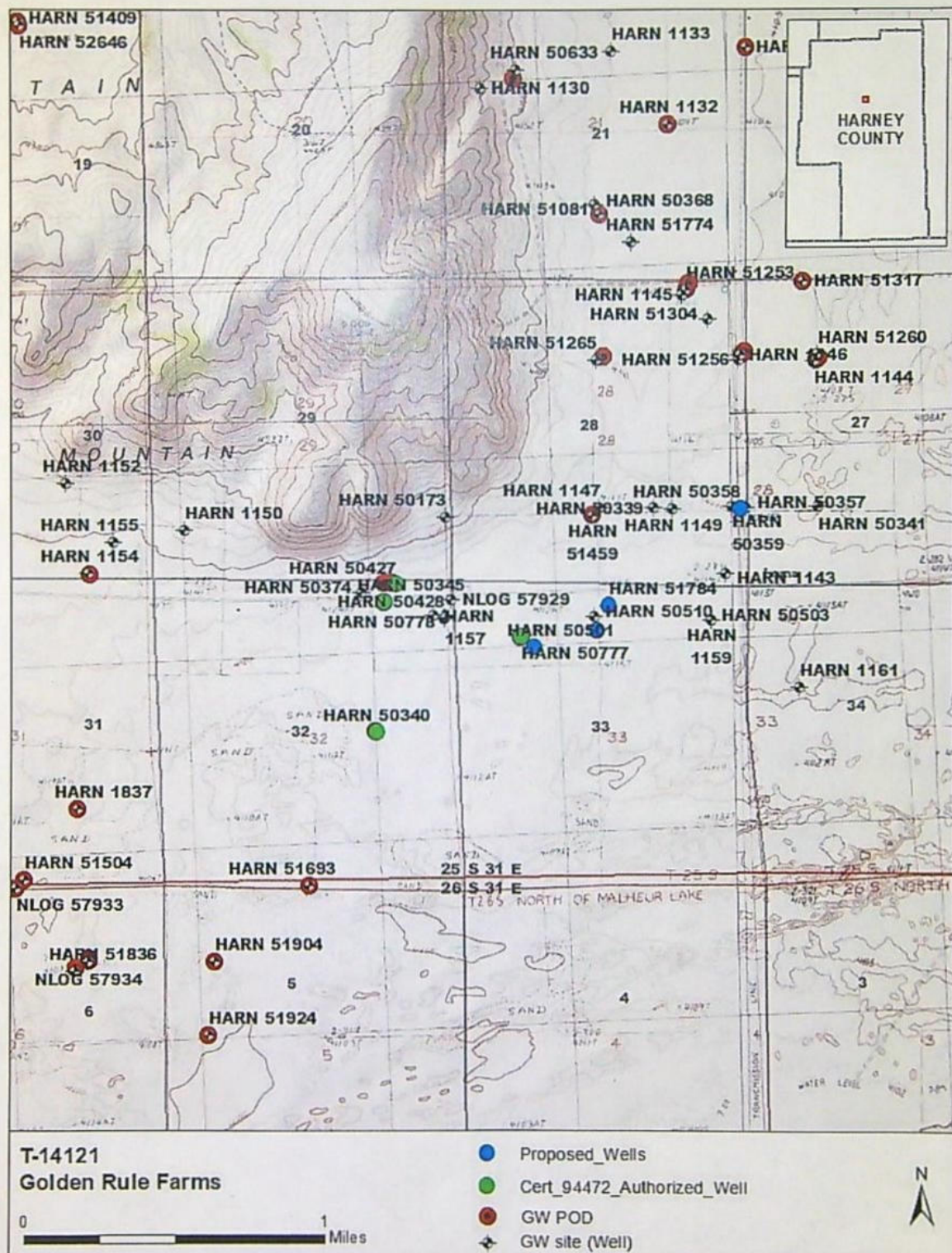
☐ Yes ☒ No If yes, explain: \_\_\_\_\_

Any increase in interference with existing wells will not meet the standard for substantial or undue interference given the thickness of the groundwater system in the Harney Basin.



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: There are no perennial surface water sources in the vicinity of the authorized or proposed wells.
- 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**  
Kate Brown, Governor

**Water Resources Department**

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

November 22, 2022

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

Reference: Application T-14121

On November 17, 2022, OWRD received your water right Permanent Transfer Application. The application was accompanied by \$5660.00. Our receipt number 139569 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 or as the original POD.

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 for the new use, in the new place of use or from the new point of diversion/appropriation until a final order approving the transfer application has been issued by the Department. In order to avoid any possible forfeiture of the water right, you should continue to use the water as described by your existing water right.

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

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

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

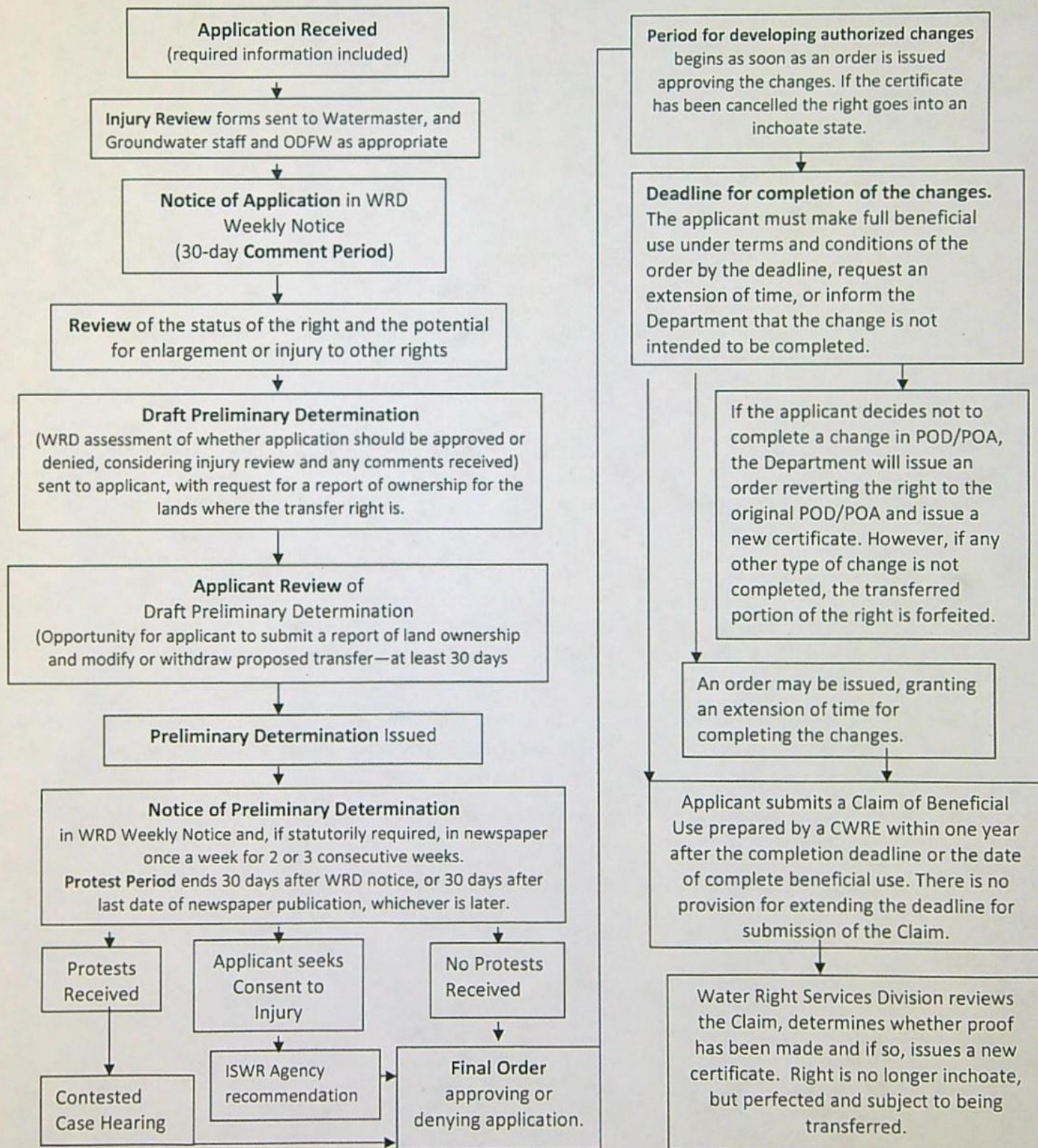
Cc: Watermaster Dist. #10, J R. Johnson (*via email*)  
Harney County Planning  
Scott D. Montgomery, Lindsay Thane, Agent

Enclosure



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

OAR 690 Division 380





STATE OF OREGON  
WATER RESOURCES DEPARTMENT

RECEIPT # 139569

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

INVOICE # \_\_\_\_\_

RECEIVED FROM: Golden Rule Farm

BY: \_\_\_\_\_

CASH: ☐ CHECK: # 200247 OTHER: (IDENTIFY) ☐ \_\_\_\_\_

APPLICATION \_\_\_\_\_  
PERMIT \_\_\_\_\_  
TRANSFER 1-14121

TOTAL REC'D \$ 5660.00

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 \$ \_\_\_\_\_ 0202 \$ \_\_\_\_\_

0203 GROUND WATER \$ \_\_\_\_\_ 0204 \$ \_\_\_\_\_

0205 TRANSFER \$ 5660.00

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR \$ \_\_\_\_\_ 0219 \$ \_\_\_\_\_

LANDOWNER'S PERMIT 0220 \$ \_\_\_\_\_

OTHER (IDENTIFY) \_\_\_\_\_

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$ \_\_\_\_\_ CARD# \_\_\_\_\_

0210 MONITORING WELLS \$ \_\_\_\_\_ CARD# \_\_\_\_\_

OTHER (IDENTIFY) \_\_\_\_\_

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD) \$ \_\_\_\_\_

0231 HYDRO LICENSE FEE (FW/WRD) \$ \_\_\_\_\_

HYDRO APPLICATION \$ \_\_\_\_\_

TREASURY OTHER / RDX

FUND \_\_\_\_\_ TITLE \_\_\_\_\_

OBJ. CODE \_\_\_\_\_ VENDOR # \_\_\_\_\_

DESCRIPTION \_\_\_\_\_ \$ \_\_\_\_\_

RECEIVED  
OVER THE COUNTER

RECEIPT: 139569

DATED: 11-17-2022 BY: Mindy Coad

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

Selfo-Checking

Golden Rule Farms  
OWRD

C-94472

11/14/2022

5,660.00

20247

5,660.00



# Application for Permanent Water Right Transfer



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

## Part 1 of 5 – Minimum Requirements Checklist

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

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

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](http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator).
- ☒ Part 4 – Completed Applicant Information and Signature.
- ☒ Part 5 – Information about Water Rights to be Transferred: How many water rights are to be transferred? 1 List them here: C-94472  
Please include a separate Part 5 for each water right. (See instructions on page 6)  
**NOTE: A separate transfer application is required for each water right unless the criteria in OAR 690-380-3220 are met.**

### Attachments:

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

(For Staff Use Only)

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

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

Other/Explanation \_\_\_\_\_

Staff: \_\_\_\_\_ 503- \_\_\_\_\_

Date: \_\_\_\_/\_\_\_\_/\_\_\_\_



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



## Part 3 of 5 – Fee Worksheet

[illegible]

**\*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)<br>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 » » » » » » <b>Fee for Substitution:</b>  | 3 |          |



## Part 4 of 5 – Applicant Information and Signature

### Applicant Information

|   |                    |                                  |   |
|---|--------------------|----------------------------------|---|
| APPLICANT/BUSINESS NAME<br><b>Golden Rule Farms, Inc.</b>   |                    | PHONE NO.<br><b>541-480-9752</b> | ADDITIONAL CONTACT NO.<br><b>541-576-2490</b> |
| ADDRESS<br><b>PO Box 255</b>  |                    |                                  | FAX NO.                                       |
| CITY<br><b>Christmas Valley</b>   | STATE<br><b>OR</b> | ZIP<br><b>97641</b>              | E-MAIL<br><b>Goldenrulefarms@gmail.com</b>    |
| 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<br><b>Scott Montgomery/ All Points Engr &amp; Surveying, Inc</b>  |                    | PHONE NO.<br><b>541-548-5883</b> | ADDITIONAL CONTACT NO.<br><b>541-420-0401</b> |
| ADDRESS<br><b>PO Box 767</b>  |                    |                                  | FAX NO.                                       |
| CITY<br><b>Terrebonne</b>   | STATE<br><b>OR</b> | ZIP<br><b>97760</b>              | E-MAIL<br><b>scott@apeands.com</b>            |
| AGENT/BUSINESS NAME<br><b>Schwabe, Williamson &amp; Wyatt Attn: Lindsay Thane</b>   |                    | PHONE NO.<br><b>503-796-2059</b> | ADDITIONAL CONTACT NO.                        |
| ADDRESS<br><b>1211 SW 5th Ave., Suite 1900</b>  |                    |                                  | FAX NO.                                       |
| CITY<br><b>Portland</b>   | STATE<br><b>OR</b> | ZIP<br><b>97204</b>              | E-MAIL<br><b>lthane@schwabe.com</b>           |
| BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED. |                    |                                  |   |

Explain in your own words what you propose to accomplish with this transfer application, and why:  
This transfer application proposes to change a water right for agriculture use (dairy operations) to irrigation use. The proposed change from year-round dairy use to seasonal irrigation use requests to use water to irrigate 21.6 acres on a place of use near the current authorized place of use. The application requests to irrigate 21.6 acres based on utilizing the authorized rate of 0.27 cfs at a rate of 1/80 cfs/acre. The application proposes to use one of the four currently authorized points of appropriation for the proposed irrigation use, and proposes to add four additional points of appropriation for the proposed irrigation use.

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.



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).
- Refunds may only be granted upon request and, as set forth in ORS 536.050(4)(a), if the Director determines that a refund of all or part of a fee is appropriate in the interests of fairness to the public or necessary to correct an error of the Department.

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

Applicant signature

Tim Pucket, President, Golden Rule Farms

Print Name (and Title if applicable)

Date 11-8-22

Applicant signature

Print Name (and Title if applicable) Date

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

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

Check the following boxes that apply:

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

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

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

If a property sells, the certificated water right(s) located on the land belong to the new owner, unless a sale agreement or other document states otherwise. For more information see:

[https://www.oregon.gov/owrd/WRDFormsPDF/Transfer\\_Property\\_Transactions.pdf](https://www.oregon.gov/owrd/WRDFormsPDF/Transfer_Property_Transactions.pdf)

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

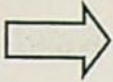


☐ Check here if any of the water rights proposed for transfer are or will be located within or served by an irrigation or other water district. (Tip: Complete and attach Supplemental Form D.)

|                                       |         |     |
|---------------------------------------|---------|-----|
| IRRIGATION DISTRICT NAME<br><b>NA</b> | 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.

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<br><b>Harney County</b> | ADDRESS<br><b>360 N Alvord</b> |                     |
| CITY<br><b>Burns</b>                | STATE<br><b>OR</b>             | ZIP<br><b>97720</b> |



## 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 # 94472

### Description of Water Delivery System

System capacity: 0.27 cubic feet per second (cfs) OR  
 \_\_\_\_\_ gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. Water is pumped from the authorized wells and conveyed by buried pipe to the authorized place of use where it is used for agriculture use operations.

**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) |
|------------------------|---|--|------|------|-----|-------|---------------------------|--|
| #6                     | <input checked="" type="checkbox"/> Authorized<br><input type="checkbox"/> Proposed | HARN 50427   | 25 S | 31 E | 32  | NE NE | 6000                      | 40' S & 1055' W from NE cor, Sec 32                  |
| #7                     | <input checked="" type="checkbox"/> Authorized<br><input type="checkbox"/> Proposed | HARN 50345   | 25 S | 31 E | 32  | NE NE | 6000                      | 40' S & 1200' W FROM ne COR, Sec 32                  |
| #13                    | <input checked="" type="checkbox"/> Authorized<br><input type="checkbox"/> Proposed | HARN 50340   | 25 S | 31 E | 32  | SW NE | 6000                      | 2630' S & 1340' W from NE cor, Sec 32                |
| #18                    | <input checked="" type="checkbox"/> Authorized<br><input type="checkbox"/> Proposed | HARN 50777   | 25 S | 31 E | 33  | NW NW | 6100                      | 770' S & 1320' E from NW cor, Sec 33                 |
| #18A                   | <input type="checkbox"/> Authorized<br><input checked="" type="checkbox"/> Proposed | HARN 50501   | 25 S | 31 E | 33  | NE NW | 6100                      | 1120' S & 3695' W from NE cor, Sec 33                |
| POA A                  | <input type="checkbox"/> Authorized<br><input checked="" type="checkbox"/> Proposed | HARN 50358   | 25 S | 31 E | 28  | NE SE | 5700                      | 1365' N & 100' W from SE cor, Sec 28                 |
| POA B                  | <input type="checkbox"/> Authorized<br><input checked="" type="checkbox"/> Proposed | HARN 51784   | 25 S | 31 E | 33  | NW NE | 5600                      | 365' S & 2405' W from NE cor, Sec 33                 |
| POA C                  | <input type="checkbox"/> Authorized<br><input checked="" type="checkbox"/> Proposed | NOT BUILT  | 25 S | 31 E | 33  | NE NW | 6100                      | 770' S & 2665' W from NE cor, Sec 33                 |

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 checked="" type="checkbox"/> Character of Use (USE)    | <input checked="" type="checkbox"/> Point of Appropriation/Well (POA)        |
| <input type="checkbox"/> Point of Diversion (POD)             | <input checked="" type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input type="checkbox"/> Additional Point of Diversion (APOD) | <input type="checkbox"/> Substitution (SUB)                                  |



☐ Surface Water POD to Ground Water  
POA (SW/GW)

☐ Government Action POD (GOV)

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

☒ Yes Complete only the Proposed ("to" or "on" lands) section of Table 2 on the next page. Use the "CODES" listed above to describe the proposed changes.

☐ No Complete all of Table 2 to describe the portion of the water right to be changed.



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

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

**Table 2. Description of Changes to Water Right Certificate # 94472**

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)<br>The listing that appears on the certificate BEFORE PROPOSED CHANGES<br>List only that part or portion of the water right that will be changed. |     |     |     |         |                      |       |   |   |                  | Proposed<br>Changes (see<br>"CODES" from<br>previous<br>page) | PROPOSED (the "to" or "on" lands)<br>The listing as it would appear AFTER PROPOSED CHANGES<br>are made. |     |     |     |         |                      |       |                    |  |                  |    |                     |      |
|--|-----|-----|-----|---------|----------------------|-------|---|---|------------------|---|---|-----|-----|-----|---------|----------------------|-------|--------------------|--|------------------|----|---------------------|------|
| Twp  | Rng | Sec | ¼ ¼ | Tax Lot | Gvt<br>Lot or<br>DLC | Acres | Type of USE<br>listed on<br>Certificate | POD(s) or<br>POA(s) (name<br>or number<br>from Table 1) | Priority<br>Date |   | Twp   | Rng | Sec | ¼ ¼ | Tax Lot | Gvt<br>Lot or<br>DLC | Acres | New Type of<br>USE | POD(s)/<br>POA(s) to<br>be used<br>(from<br>Table 1) | Priority<br>Date |    |                     |      |
|  |     |     |     |         |                      |       |   |   |                  |   |   |     |     |     |         |                      |       |                    |  |                  |    |                     |      |
|  |     |     |     |         |                      |       |   |   |                  | POU/POA/<br>APOA/USE  | 25  | S   | 31  | E   | 28      | SW                   | SW    | 6102               |  | 10.8             | IR | #18,18A,<br>A, B, C | 1999 |
|  |     |     |     |         |                      |       |   |   |                  | POU/POA/<br>APOA/USE  | 25  | S   | 31  | E   | 28      | SE                   | SW    | 6102               |  | 10.8             | IR | #18,18A,<br>A, B, C | 1999 |
|  |     |     |     |         |                      |       |   |   |                  |   |   |     |     |     |         |                      |       |                    |  |                  |    |                     |      |
| TOTAL ACRES:   |     |     |     |         |                      |       |   |   |                  |   | TOTAL ACRES:  |     |     |     |         |                      | 21.6  |                    |  |                  |    |                     |      |

Additional remarks: POAs 6,7, & 13 are being replaced by POA's 18A, A, & B. POA C is being added if a productive well can be constructed.

14121



**For Place of Use or Character of Use Changes**

Are there other water right certificates, water use permits or ground water registrations associated with the "from" or the "to" lands? ☐ Yes ☒ No

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

➔ Pursuant to ORS 540.510, any "layered" water use such as an irrigation right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled. Any change to a ground water registration must be filed separately in a ground water registration modification application.

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

Ground water supplemental Permit or Certificate # \_\_\_\_\_;

Surface water primary Certificate # \_\_\_\_\_.

**For a change from Supplemental Irrigation Use to Primary Irrigation Use**

Identify the primary certificate to be cancelled. Certificate # \_\_\_\_\_

**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](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 |
|---|------------------------------------|---|------------------|-----------------|-------------------------|---------------------------|--|--|---|---|
| POA C                                     | No                                 | NA  | 300'             | 14"             | +1' to -300'            | 0' to -25'                | -150' to -200'                             | 100'   | Sand  |   |

14121



# 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, TIM PUCKET, in my capacity as PRESIDENT, GOLDEN RULE FARMS, INC.

mailing address PO BOX 255, CHRISTMAS VALLEY, OR 97641

telephone number (541)480-9752, 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 | ¼ ¼ | Gov't Lot<br>or DLC | Acres<br>(if applicable) |
|---------------|----------|-------|-----|-----|-----|---------------------|--------------------------|
|               |          |       |     |     |     |                     |                          |
|               |          |       |     |     |     |                     |                          |
|               |          |       |     |     |     |                     |                          |
|               |          |       |     |     |     |                     |                          |
|               |          |       |     |     |     |                     |                          |
|               |          |       |     |     |     |                     |                          |
|               |          |       |     |     |     |                     |                          |

OR

- ☒ Confirming Certificate # 94472 has been issued within the past five years; OR
- ☐ Part or all of the water right was leased instream at some time within the last five years. The  
instream lease number is: \_\_\_\_ (Note: If the entire right proposed for  
transfer was not leased, additional evidence of use is needed for the portion not leased instream.); OR
- ☐ The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use  
would be rebutted under ORS 540.610(2) is attached.
- ☐ Water has been used at the actual current point of diversion or appropriation for more than  
10 years for Certificate # \_\_\_\_ (For Historic POD/POA Transfers)

(continues on reverse side)



3. The water right was used for: (e.g., crops, pasture, etc.): CROPS. WATER USE OCCURRED USING THE WATER DELIVERY SYSTEM AS DESCRIBED IN THE TRANSFER APPLICATION.

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

Timothy P. Pickett  
Signature of Affiant

11-8-22  
Date

Signed and sworn to (or affirmed) before me this 8 day of November, 2022.



Rachel Cooper  
Notary Public for Oregon

My Commission Expires: August 16, 2024

| 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)<br>*Certificate 94472 is a remaining right certificate. Certificate 93424 was the underlying certificate. Certificate 93424 was issued on Nov. 21, 2017, which is within 5 years of the date of this application. Therefore, Certificate 93424 is attached hereto as evidence of use. | Copy of <b>confirming</b> 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"><li>• Power usage records for pumps associated with irrigation use</li><li>• Fertilizer or seed bills related to irrigated crops</li><li>• Farmers Co-op sales receipt</li></ul>  |
| <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"><li>• District assessment records for water delivered</li><li>• Crop reports submitted under a federal loan agreement</li><li>• Beneficial use reports from district</li><li>• IRS Farm Usage Deduction Report</li><li>• Agricultural Stabilization Plan</li><li>• CREP Report</li></ul>  |
| <input 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.<br>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.<br><br>Sources for aerial photos:<br>OSU – <a href="http://www.oregonexplorer.info/imagery">www.oregonexplorer.info/imagery</a><br>OWRD – <a href="http://www.wrd.state.or.us">www.wrd.state.or.us</a> |



STATE OF OREGON  
COUNTY OF HARNEY  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

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

confirms the right to the use of water perfected under the terms of Permit G-17544. 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 point of diversion from the source. The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-14923

SOURCE OF WATER: WELL 6, WELL 7, WELL 13 AND WELL 18 IN MALHEUR LAKE BASIN

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

MAXIMUM RATE: 3.30 CUBIC FEET PER SECOND (CFS), BEING 3.03 CFS FOR IRRIGATION AND 0.27 CFS FOR AGRICULTURAL USE (DAIRY OPERATIONS), FURTHER LIMITED TO NO MORE THAN 1.45 CFS FROM WELL 6 AND WELL 7, NOT TO EXCEED MAXIMUM CUMULATIVE TOTAL OF 3.30 CFS

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: FEBRUARY 8, 1999

The wells are located as follows:

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

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

**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 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, 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. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate within three months after issuance of the certificate.



A description of the place of use is as follows:

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

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

Measurement, recording and reporting conditions:

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

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

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

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

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

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

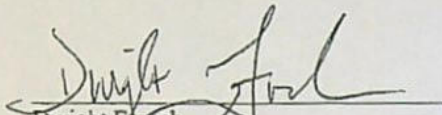
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.



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

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

Issued NOV 21 2017



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



STATE OF OREGON  
COUNTY OF HARNEY  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

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

confirms the right to use the waters of WELL 6, WELL 7, WELL 13 AND WELL 18 in the MALHEUR LAKE BASIN for AGRICULTURE USE (DAIRY OPERATIONS)

This right was perfected under Permit G-17544. The date of priority is FEBRUARY 8, 1999. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.27 CUBIC FOOT PER SECOND, FURTHER LIMITED TO NO MORE THAN 0.27 CFS FROM WELL 6 AND WELL 7, NOT TO EXCEED MAXIMUM CUMULATIVE TOTAL OF 0.27 CFS, or its equivalent in case of rotation, measured at the wells.

The wells are located as follows:

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

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

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

| AGRICULTURE USE<br>(DAIRY OPERATIONS) |      |     |     |       |
|---------------------------------------|------|-----|-----|-------|
| Twp                                   | Rng  | Mer | Sec | Q-Q   |
| 25 S                                  | 31 E | WM  | 28  | NW SW |
| 25 S                                  | 31 E | WM  | 29  | NE SE |
| 25 S                                  | 31 E | WM  | 29  | SE SE |

Measurement, recording and reporting conditions:

A. The water user shall maintain the meter or other suitable measuring device as approved by



the Director in good working order, shall keep a complete record of the amount of water used each month, and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the water user to report general water-use information, including the place and nature of use of water under the right.

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

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

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

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

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

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

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

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

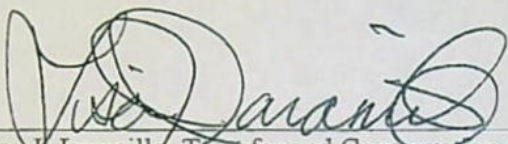
This certificate describes that portion of water right Certificate 93424, State Record of Water Right Certificates, NOT modified by the provision of an order of the Water Resources Director entered DEC 18 2019, approving Transfer Application T-12833.

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 DEC 18 2019.

A handwritten signature in black ink, appearing to read "Lisa J. Jaramillo", written over a horizontal line.

Lisa J. Jaramillo, Transfer and Conservation Section Manager, for  
THOMAS M BYLER, DIRECTOR  
Oregon Water Resources Department



# Land Use Information Form



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

Applicant(s): Tim Pucket, President Golden Rule Farms, Inc

Mailing Address: PO Box 255

City: Christmas Valley

State: OR

Zip Code: 97641

Daytime Phone: 541-480-9752

## 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: |
|----------|-------|---------|-------|-----------|---|---|--------------------|
| 25S      | 31E   | 28      | NE SE | 5700      | EFUR1   | <input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input type="checkbox"/> Used | IR                 |
| 25S      | 31E   | 28      | SW SE | 5700      | EFUR1   | <input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input type="checkbox"/> Used            | IR                 |
| 25S      | 31E   | 28      | SE SE | 5700      | EFUR1   | <input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input type="checkbox"/> Used            | IR                 |
| 25S      | 31E   | 28      | SW SW | 6102      | EFUR1   | <input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used | IR                 |
| 25S      | 31E   | 28      | SE SW | 6102      | EFUR1   | <input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used | IR                 |
| 25S      | 31E   | 32      | NE NE | 6000      | EFUR1   | <input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input type="checkbox"/> Used | IR                 |
| 25S      | 31E   | 32      | SW NE | 300       | EFUR1   | <input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input type="checkbox"/> Used | IR                 |
| 25S      | 31E   | 33      | NW NE | 5600      | EFUR1   | <input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input type="checkbox"/> Used | IR                 |
| 25S      | 31E   | 33      | NE NW | 6100      | EFUR1   | <input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input type="checkbox"/> Used | IR                 |
| 25S      | 31E   | 33      | NW NW | 6100      | EFUR1   | <input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input type="checkbox"/> Used | IR                 |
| _____    | _____ | _____   | _____ | _____     | _____   | <input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used                       | _____              |

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

Harney County

## B. Description of Proposed Use

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

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

Source of water: ☐ Reservoir/Pond    ☒ Ground Water    ☐ Surface Water (name) \_\_\_\_\_

Estimated quantity of water needed: 0.27    ☒ cubic feet per second    ☐ gallons per minute    ☐ acre-feet

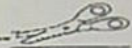
Intended use of water: ☒ Irrigation    ☐ Commercial    ☐ Industrial    ☐ Domestic for \_\_\_\_\_ household(s)  
☐ Municipal    ☐ Quasi-Municipal    ☐ Instream    ☐ Other \_\_\_\_\_

Briefly describe:

Dairy use being changed to irrigatino & moving corner area from a pivot 1 1/2 miles southwest.

14121





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

See bottom of Page 3. →



## For Local Government Use Only

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

**Please check the appropriate box below and provide the requested information**

- ☒ Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): HCC 3.020 / EFW-2
- ☐ 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<br>(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<br><input type="checkbox"/> Denied | <input type="checkbox"/> Being Pursued<br><input type="checkbox"/> Not Being Pursued |
|   |  | <input type="checkbox"/> Obtained<br><input type="checkbox"/> Denied | <input type="checkbox"/> Being Pursued<br><input type="checkbox"/> Not Being Pursued |
|   |  | <input type="checkbox"/> Obtained<br><input type="checkbox"/> Denied | <input type="checkbox"/> Being Pursued<br><input type="checkbox"/> Not Being Pursued |
|   |  | <input type="checkbox"/> Obtained<br><input type="checkbox"/> Denied | <input type="checkbox"/> Being Pursued<br><input type="checkbox"/> Not Being Pursued |
|   |  | <input type="checkbox"/> Obtained<br><input type="checkbox"/> Denied | <input type="checkbox"/> Being Pursued<br><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: Bonnie McMillan Title: Planning Director  
 Signature: [Signature] Phone: (541) 543-4655 Date: 11/9/22  
 Government Entity: Henry 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: \_\_\_\_\_



STATE OF OREGON  
WATER SUPPLY WELL REPORT  
(as required by ORS 537.765)  
Instructions for completing this report are on the last page of this form

WELL ID # L 52341  
(START CARD) # 144375

(1) OWNER:

Name **Carpenter Ranch, LLC**  
Address **1930 Lewis Street, SE**  
City **Salem** State **OR** Zip **97302**

(2) TYPE OF WORK:

New Well Deepening ☒ Alteration (repair/recondition) Abandonment

(3) DRILL METHOD:

☒ Rotary Air Rotary Mud Cable Auger  
Other

(4) PROPOSED USE:

Domestic Community Industrial ☒ Irrigation  
Thermal Injection Livestock Other

(5) BORE HOLE CONSTRUCTION:

Special Construction approval Yes ☒ No Depth of Completed Well **126** ft.  
Explosives used Yes ☒ No Type Amount

| HOLE     |      |    | SEAL      |      |    | Amount          |     |
|----------|------|----|-----------|------|----|-----------------|-----|
| Diameter | From | To | Material  | From | To | sacks or pounds |     |
| 10       | 0    | 50 | Bentonite | 0    | 50 | 28              | sks |
| 6        | 50   | 82 |           |      |    |                 |     |

Didn't disturb existing seal around 14" casing.

How was seal placed: Method A B C D E  
☒ Other **Poured & probed.**  
Backfill placed from **133** ft. to **126** ft. Material **Sand & clay**  
Gravel placed from **80** ft. to **126** ft. Size of gravel **pea**

(6) CASING/LINER:

|          | Diameter | From | To  | Gauge | Steel | Plastic | Welded | Threaded |
|----------|----------|------|-----|-------|-------|---------|--------|----------|
| Casing   | 6        | +2   | 82  | .250  | X     |         | X      |          |
| Existing | 14       | +2   | 80  | .250  | X     |         | X      |          |
| Liner    | 12       | 1    | 126 | .250  | X     |         | X      |          |

Final location of shoe(s)

(7) PERFORATIONS/SCREENS:

| Perforations |           | Method    |        | Factory  |                | Material |       | SS |  |
|--------------|-----------|-----------|--------|----------|----------------|----------|-------|----|--|
| X Screens    | Type      | Cook      | Number | Diameter | Tele/pipe size | Casing   | Liner |    |  |
|              | Slot size |           |        |          |                |          |       |    |  |
| From         | To        | Slot size | Number | Diameter | Tele/pipe size | Casing   | Liner |    |  |
| 85           | 125       | .125      | con't  | 12       |                |          | X     |    |  |

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

| Pump          | Bailer   | X Air         | Flowing Artesian |
|---------------|----------|---------------|------------------|
| Yield gal/min | Drawdown | Drill stem at | Time             |
| 1500          |          | 70            | 1 hr.            |

Temperature of Water **54** Depth Artesian Flow found  
Was a water analysis done? Yes By whom  
Did any strata contain water not suitable for intended use? Too little  
Salty Muddy Odor Colored Other  
Depth of strata

(9) LOCATION OF WELL by legal description:

County **Harney** Latitude Longitude  
Township **25S** N or S. Range **31E** E or W. of V.M.  
Section **33** NW 1/4 NW 1/4  
Tax lot **6100** Lot Block Subdivision  
Street Address of Well (or nearest address) **Weaver Springs Rd, Burns, OR 97720**

(10) STATIC WATER LEVEL:

**38** ft. below land surface. Date **3/8/2002**  
Artesian pressure lb. per square inch. Date

(11) WATER BEARING ZONES:

Depth at which water was first found **83**

| From      | To         | Estimated Flow Rate | SWL       |
|-----------|------------|---------------------|-----------|
| <b>83</b> | <b>124</b> | <b>2500</b>         | <b>38</b> |

(12) WELL LOG:

| Material                       | From | To  | SWL |
|--------------------------------|------|-----|-----|
| Clay brown firm                | 0    | 7   |     |
| Sand brown                     | 7    | 24  |     |
| Clay green                     | 24   | 42  |     |
| Sandstone brown soft           | 42   | 61  |     |
| Claystone blue soft            | 61   | 83  |     |
| Gravelloosely cemented         | 83   | 86  |     |
| Sand eroded out                | 86   | 95  |     |
| Gravel & sand loosely cemented | 95   | 96  |     |
| Sand eroded out                | 96   | 108 |     |
| Gravel loosely cemented        | 108  | 124 |     |
| Claystone blue & gray          | 124  | 133 |     |

Video camera down well. There was 80' of 14" casing. bottom of well was 110'. Air lifted bottom of well from 110 down to 133'. Re-videoed the well, there was a 20' piece of 12" perforated pipe set in the bottom 133'.  
Used 12" spear to fish out. Drilled in a 6" gravel feed pipe next to 14" casing. Cleaned out 14" hole down to 126'. Re-videoed the well. Installed well screen & 15 tons of pea gravel.

Date started **2/26/2002**

Completed **3/8/2002**

(unbonded) Water Well Constructor Certification:

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

Signed *[Signature]* WWC Number **1394**  
Date **3/20/2002**  
**Mack Drilling Company, Inc.**

(bonded) Water Well Constructor Certification:

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

Signed *[Signature]* WWC Number **1394**  
Date **3/20/2002**  
**Mack Drilling Company, Inc.**



## STATE OF OREGON

## WATER SUPPLY WELL REPORT

(as required by ORS 537.765 &amp; OAR 690-205-0210)

05-24-2011

WELL LABEL # L 101835

START CARD # 205801

## (1) LAND OWNER

Owner Well I.D. 101835

First Name

Last Name

Company CARPENTER RANCH LLC

Address 1930 LEWIS ST

City SALEM

State OR

Zip 97302

## (2) TYPE OF WORK

☒ New Well ☐ Deepening ☐ Conversion☐ Alteration (repair/recondition) ☐ Abandonment

## (3) DRILL METHOD

☒ Rotary Air ☐ Rotary Mud ☒ Cable ☐ Auger ☐ Cable Mud☐ Reverse Rotary ☒ Other AIR LIFT PUMP

## (4) PROPOSED USE

☐ Domestic ☒ Irrigation ☐ Community☐ Industrial/ Commercial ☐ Livestock ☐ Dewatering☐ Thermal ☐ Injection ☐ Other

## (5) BORE HOLE CONSTRUCTION

Special Standard ☐ Attach copy

Depth of Completed Well 189.00 ft.

## BORE HOLE

## SEAL

sacks/

| Dia | From | To  | Material        | From | To | Amt | lbs |
|-----|------|-----|-----------------|------|----|-----|-----|
| 30  | 0    | 25  | Bentonite Chips | 0    | 25 | 52  | S   |
| 24  | 25   | 80  |                 |      |    |     |     |
| 18  | 80   | 170 |                 |      |    |     |     |
| 14  | 170  | 189 |                 |      |    |     |     |

How was seal placed:

Method

☐ A☐ B☐ C☐ D☐ E☒ Other POURED & PROBED

Backfill placed from ft. to ft. Material

Filter pack from 0 ft. to 168 ft. Material WELL ROC Size 3/4"

Explosives used: ☐ Yes Type Amount

## (6) CASING/LINER

| Casing                              | Liner                               | Dia | From | To  | Gauge | Stl                                 | Plstc                    | Wld                                 | Thrd                     |
|-------------------------------------|-------------------------------------|-----|------|-----|-------|-------------------------------------|--------------------------|-------------------------------------|--------------------------|
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | 24  | 1    | 80  | .375  | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/>            | <input type="checkbox"/>            | 14  | 1.5  | 189 | .250  | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Shoe ☐ Inside ☒ Outside ☐ Other Location of shoe(s) 189Temp casing ☐ Yes Dia From To

## (7) PERFORATIONS/SCREENS

Perforations Method MILLS KNIFE

Screens Type Material

| Perf/S | Casing/Screen | Liner | Dia | From | To  | Scr/slot width | Slot length | # of slots | Tele/pipe size |
|--------|---------------|-------|-----|------|-----|----------------|-------------|------------|----------------|
| Perf   | Casing        |       |     | 95   | 160 | .375           | 3           | 1.140      |                |

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

☒ Pump ☐ Bailer ☐ Air ☐ Flowing Artesian

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

|       |    |     |   |
|-------|----|-----|---|
| 800   | 23 | 150 | 4 |
| 1,000 | 26 | 180 | 2 |

Temperature 62 °F Lab analysis ☐ Yes ByWater quality concerns? ☐ Yes (describe below)

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

## (9) LOCATION OF WELL (legal description)

County Harney Twp 25.00 S N/S Range 31.00 E E/W WM

Sec 34 SE 1/4 of the NW 1/4 Tax Lot 7400

Tax Map Number

Lot

Lat ° ' " or

DMS or DD

Long ° ' " or

DMS or DD

☐ Street address of well ☒ Nearest address

198 WEAVER SPRINGS RD, BURNS, OR 1.5 MI W OF HWY 205

## (10) STATIC WATER LEVEL

Date SWL(psi) + SWL(ft)

|                              |            |  |    |
|------------------------------|------------|--|----|
| Existing Well / Predeepening |            |  |    |
| Completed Well               | 05-18-2011 |  | 60 |

Flowing Artesian? ☐ Dry Hole? ☐

## WATER BEARING ZONES

Depth water was first found 78

| SWL Date   | From | To  | Est Flow | SWL(psi) | + SWL(ft) |
|------------|------|-----|----------|----------|-----------|
| 05-18-2011 | 95   | 160 | 1,000    |          | 60        |

## (11) WELL LOG

Ground Elevation

| Material                         | From | To |
|----------------------------------|------|----|
| CLAY BR. SILTY                   | 0    | 3  |
| SAND BR SILTY FIRM               | 3    | 9  |
| SAND GRAY SILTY FIRM             | 9    | 20 |
| CLAY BLUE STICKY                 | 20   | 33 |
| CLAY BR SILTY SOFT               | 33   | 45 |
| CLAY GREEN STICKY SOME SILTY     | 45   | 48 |
| CLAY GRAY W/SAND FINE            | 48   | 50 |
| CLAY BROWN & GRAY FIRM           | 50   | 51 |
| GRAVEL W/CLAY GRAY               | 51   | 53 |
| CLAY GRAY SILTY & STICKY         | 53   | 56 |
| CLAY GRAY FIRM FLAKEY            | 56   | 61 |
| CLAY BLUE STICKY W/SAND FINE BLK | 61   | 64 |
| CLAY BLUE FIRM                   | 64   | 68 |
| CLAY SANDY BLUE FINE             | 68   | 73 |
| CLAY GRAY MED-HARD               | 73   | 78 |
| CLAY DARK GRAY SANDY             | 78   | 80 |
| CLAY GRAY SANDY BLK              | 80   | 89 |
| SAND M-COARSE W/CLAY BLUE        | 89   | 93 |
| SANDSTONE BLK COARSE             | 93   | 95 |

Date Started 09-27-2010 Completed 05-18-2011

## (unbonded) Water Well Constructor Certification

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

License Number 1394

Date 05-24-2011

Electronically Filed

Signed EUGENE MACK (E-filed)

## (bonded) Water Well Constructor Certification

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

License Number 1394

Date 05-24-2011

Electronically Filed

Signed EUGENE MACK (E-filed)

Contact Info (optional)

ORIGINAL - WATER RESOURCES DEPARTMENT

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

Form Version: 0.95



05-24-2011

START CARD # 205801

### (5) BORE HOLE CONSTRUCTION

[illegible]

## FILTER PACK

| From | To | Material | Size |
|------|----|----------|------|
|      |    |          |      |
|      |    |          |      |
|      |    |          |      |

### (6) CASING/LINER

[illegible]

### (7) PERFORATIONS/SCREENS

[illegible]

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

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

## Water Quality Concerns

[illegible]

### (10) STATIC WATER LEVEL

### Water Bearing Zones

[illegible]

## (11) WELL LOG

| Material                          | From | To  |
|-----------------------------------|------|-----|
| CLAY GREEN SANDY W/SAND STREAKS   | 95   | 100 |
| SANDSTONE GREY COARSE SOFT        | 100  | 102 |
| SAND GREY COARSE W/CINDERS        | 102  | 103 |
| CLAYSTONE & SANDSTONE LAYERED     | 103  | 106 |
| CLAYSTONE GREEN W/GRAVEL          | 106  | 112 |
| CLAYSTONE GRAY SOFT W/FRXS        | 112  | 116 |
| CLAY SOFT STICKY                  | 116  | 119 |
| SAND BLK W/SILT FINE              | 119  | 123 |
| CLAYSTONE SOFT & SILTY            | 123  | 128 |
| SANDSTONE M-COARSE W/SHELLS       | 128  | 137 |
| SAND FINE TO MED W/CLAY M-HARD    | 137  | 143 |
| CLAY GRAY W/SAND FINE LAYERS SOFT | 143  | 154 |
| CLAY GREEN SILTY SANDY FINE       | 154  | 158 |
| CLAY GREY STICKY SOME SILT        | 158  | 164 |
| CLAY STICKY BLUE GRAY             | 164  | 167 |
| SANDROCK HARD                     | 167  | 168 |
| CLAY DARK GREEN STICKY SWELLING   | 168  | 174 |
| CLAYSTONE FIRM                    | 174  | 176 |
| CLAY GREEN & GRAY                 | 176  | 184 |
| CLAYSTONE GRAY M-HARD             | 184  | 189 |
| CLAYSTONE GRAY HARD               | 189  | 210 |
| CLAYSTONE WHITE & LIGHT GRAY      | 210  | 226 |
| CLAYSTONE GRAY W/HARD SEAMS       | 226  | 245 |
| CLAYSTONE GRAY W/BR LAYERS HARD   | 245  | 360 |
| CLAY BROWN W/CLAYSTONE BR SOFT    | 360  | 370 |
|                                   |      |     |
|                                   |      |     |
|                                   |      |     |

## Comments/Remarks

24" SHOE AT 80 FEET. NO WATER FOUND BELOW 160 FEET.

14121







RECEIVED

WELL ID. #

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

NOV 12 1998

Instructions for completing this report are on the back of this form.

(START CARD) # L-26594

(1) OWNER:

Name Carpenter Ranch  
Address P.O. Box 667  
City Burns State Ore Zip 97720

(2) TYPE OF WORK

☒ New Well ☐ Deepening ☐ Alteration (repair/recondition) ☐ Abandonment

(3) DRILL METHOD:

☒ Rotary Air ☐ Rotary Mud ☐ Cable ☐ Auger  
☐ Other

(4) PROPOSED USE:

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

(5) BORE HOLE CONSTRUCTION:

Special Construction approval ☐ Yes ☒ No Depth of Completed Well 145 ft.  
Explosives used ☐ Yes ☒ No Type \_\_\_\_\_ Amount \_\_\_\_\_

| HOLE     |      |     | SEAL      |      |    |                 |
|----------|------|-----|-----------|------|----|-----------------|
| Diameter | From | To  | Material  | From | To | Sacks or pounds |
| 16       | 0    | 98  | Bentonite | 46   | 0  | 58              |
| 12       | 98   | 145 | —         |      |    |                 |

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

☐ Other Air Inject

Backfill placed from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Material \_\_\_\_\_

Gravel placed from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Size of gravel \_\_\_\_\_

(6) CASING/LINER:

| Diameter   | From | To | Gauge | Steel                               | Plastic                  | Welded                              | Threaded                 |
|------------|------|----|-------|-------------------------------------|--------------------------|-------------------------------------|--------------------------|
| Casing: 12 | 72   | 98 | 240   | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|            |      |    |       | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
|            |      |    |       | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| Liner:     |      |    |       | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |

Final location of shoe(s)

(7) PERFORATIONS/SCREENS:

| From |    | To  |     | Slot size | Number | Diameter | Tele/pipe size | Casing                              | Liner                    |
|------|----|-----|-----|-----------|--------|----------|----------------|-------------------------------------|--------------------------|
| 58   | 98 | 125 | 200 | 12        |        |          |                | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|      |    |     |     |           |        |          |                | <input type="checkbox"/>            | <input type="checkbox"/> |
|      |    |     |     |           |        |          |                | <input type="checkbox"/>            | <input type="checkbox"/> |
|      |    |     |     |           |        |          |                | <input type="checkbox"/>            | <input type="checkbox"/> |

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

| Yield gal/min | Drawdown | Drill stem at | Time  |
|---------------|----------|---------------|-------|
| 1500+         | 96       | 80            | 1 hr. |
|               |          |               |       |
|               |          |               |       |

Temperature of water 54 Depth Artesian Flow Found \_\_\_\_\_

Was a water analysis done? ☒ No ☐ Yes By whom \_\_\_\_\_

Did any strata contain water not suitable for intended use? ☒ No ☐ Too little

☐ Salty ☐ Muddy ☐ Odor ☐ Colored ☐ Other \_\_\_\_\_

Depth of strata: \_\_\_\_\_

(9) LOCATION OF WELL by legal description:

County Harney Latitude \_\_\_\_\_ Longitude \_\_\_\_\_  
Township 25 N or S Range 31 E or W. WM.  
Section 34 SW 1/4 SW 1/4  
Tax Lot 5700 Lot \_\_\_\_\_ Block \_\_\_\_\_ Subdivision \_\_\_\_\_  
Street Address of Well (or nearest address) Weaver Springs Rd.

(10) STATIC WATER LEVEL:

26 ft. below land surface. Date 10-26-98  
Artesian pressure \_\_\_\_\_ lb. per square inch. Date \_\_\_\_\_

(11) WATER BEARING ZONES:

| From | To  | Estimated Flow Rate | SWL |
|------|-----|---------------------|-----|
| 52   | 96  | 1000                | 26  |
| 131  | 145 | 500                 | 26  |
|      |     |                     |     |
|      |     |                     |     |

(12) WELL LOG:

Ground Elevation \_\_\_\_\_

| Material             | From | To  | SWL |
|----------------------|------|-----|-----|
| Top Soil             | 0    | 8   | -   |
| Brown Sand           | 8    | 27  | -   |
| Brown Clay           | 27   | 52  | -   |
| Gray Sandstone (w/B) | 52   | 96  | 26  |
| Blue Clay            | 96   | 131 | -   |
| Gray Sandstone (w/B) | 131  | 145 | 26  |
|                      |      |     |     |
|                      |      |     |     |

Date started 10-25-98 Completed 10-26-98

(unbonded) Water Well Constructor Certification:

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

WWC Number \_\_\_\_\_

Signed \_\_\_\_\_ Date \_\_\_\_\_

(bonded) Water Well Constructor Certification:

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

WWC Number 1521

Signed Donald H. Reed Date 10-27-98

ORIGINAL & FIRST COPY-WATER RESOURCES DEPARTMENT SECOND COPY-CONSTRUCTOR THIRD COPY-CUSTOMER

14121



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

Instructions for completing this report are on the last page of this form.

WELL I.D. # 26601  
START CARD # 116923

(1) OWNER: Well Number 11  
Name Carpenter Ranch  
Address P.O. Box 667  
City Kurup State OR Zip 97123

(2) TYPE OF WORK  
☒ New Well ☐ Deepening ☐ Alteration (repair/recondition) ☐ Abandonment

(3) DRILL METHOD:  
☒ Rotary Air ☐ Rotary Mud ☐ Cable ☐ Auger  
☐ Other

(4) PROPOSED USE:  
☐ Domestic ☐ Community ☐ Industrial ☐ Irrigation  
☐ Thermal ☐ Injection ☐ Livestock ☒ Other Test

(5) BORE HOLE CONSTRUCTION:  
Special Construction approval ☐ Yes ☒ No Depth of Completed Well 128 ft.  
Explosives used ☐ Yes ☒ No Type None Amount None

| HOLE     |      |     | SEAL      |      |    |                 |
|----------|------|-----|-----------|------|----|-----------------|
| Diameter | From | To  | Material  | From | To | Sacks or pounds |
| 18       | 0    | 107 | Bentonite | 42   | 0  | 63 Sacks        |
| 14       | 107  | 128 | -         |      |    | -               |
| 10       | 128  | 145 | -         |      |    | -               |

How was seal placed: Method ☐ A ☐ B ☐ C ☐ D ☐ E  
☒ Other Air-Enj-c  
Backfill placed from 107 ft. to 42 ft. Material Native  
Gravel placed from - ft. to - ft. Size of gravel -

(6) CASING/LINER:

| Diameter   | From | To  | Gauge | Steel                               | Plastic                  | Welded                              | Threaded                 |
|------------|------|-----|-------|-------------------------------------|--------------------------|-------------------------------------|--------------------------|
| Casing: 14 | +3   | 107 | 250   | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Liner:     |      |     |       | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |

Final location of shoe(s) \_\_\_\_\_

(7) PERFORATIONS/SCREENS:

| From |    | To  |    | Slot size | Number | Diameter | Tele/pipe size | Casing                              | Liner                    |
|------|----|-----|----|-----------|--------|----------|----------------|-------------------------------------|--------------------------|
| 107  | 87 | 250 | 50 | 1/4       |        |          |                | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

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

| Yield gal/min | Drawdown | Drill stem at | Time      |
|---------------|----------|---------------|-----------|
| 1500          | 23       | 100           | 2 1/2 hr. |

Temperature of water \_\_\_\_\_ Depth Artesian Flow Found \_\_\_\_\_  
Was a water analysis done? ☐ Yes By whom \_\_\_\_\_  
Did any strata contain water not suitable for intended use? ☒ Too little  
☐ Salty ☐ Muddy ☐ Odor ☐ Colored ☐ Other \_\_\_\_\_  
Depth of strata: \_\_\_\_\_

(9) LOCATION OF WELL by legal description:  
County Harney Latitude \_\_\_\_\_ Longitude \_\_\_\_\_  
Township 23S N or S Range 31E W. 34M  
Section 33 NE 1/4 NW 1/4  
Tax Lot 5600 Block \_\_\_\_\_ Subdivision \_\_\_\_\_  
Street Address of Well (or nearest address) 198 W. Main  
Spring Rd.

(10) STATIC WATER LEVEL:  
27 ft. below land surface. Date 2-10-00  
Artesian pressure \_\_\_\_\_ lb. per square inch. Date \_\_\_\_\_

(11) WATER BEARING ZONES:  
Depth at which water was first found 42

| From | To  | Estimated Flow Rate | SWL |
|------|-----|---------------------|-----|
| 42   | 61  | 700                 | 27  |
| 82   | 105 |                     | 27  |
| 115  | 123 |                     | 27  |

(12) WELL LOG:  
Ground Elevation \_\_\_\_\_

| Material         | From | To  | SWL |
|------------------|------|-----|-----|
| Top Soil         | 0    | 6   |     |
| Brown Sand       | 6    | 88  |     |
| Green Clay       | 28   | 42  |     |
| Brown Sand Stone | 42   | 61  | 27  |
| Blue Clay Stone  |      |     |     |
| w/ Gravel        | 61   | 82  | 27  |
| Grey Sand w/ B   | 82   | 105 | 27  |
| Blue Clay Stone  | 105  | 115 | 27  |
| Brown Sand Stone |      |     |     |
| w/ Gravel        | 115  | 123 | 27  |
| Grey Clay        | 123  | 145 | 27  |

RECEIVED

FEB 17 2000

WATER RESOURCES DEPT  
SALEM, OREGON

Date started 2-8-00 Completed 2-10-00  
(unbonded) Water Well Constructor Certification:

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

Signed \_\_\_\_\_ WWC Number \_\_\_\_\_ Date \_\_\_\_\_

(bonded) Water Well Constructor Certification:

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

Signed Donald H. Reed WWC Number 1521 Date 2-14-00

ORIGINAL & FIRST COPY-WATER RESOURCES DEPARTMENT SECOND COPY-CONSTRUCTOR THIRD COPY-CUSTOMER

14121



November 17, 2022

**Lindsay Thane**  
T: 503-796-2059  
C: 406-214-1918  
lthane@schwabe.com

**BY HAND DELIVERY**

Oregon Water Resources Department  
725 Summer Street NE, Suite A  
Salem, OR 97301-1271

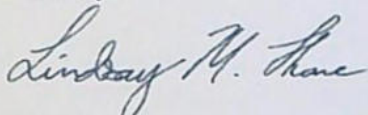
RE: Application for Permanent Water Right Transfer – Certificate 94472  
Our File No.: 135315-251156

To Whom it May Concern:

Enclosed for filing on behalf of Golden Rule Farms, Inc. is an Application for Permanent Water Right Transfer of Certificate 94472, together with an Evidence of Use Affidavit and other supporting documentation. Also enclosed is a check in the amount of \$5,660 to cover the application fee.

Please feel free to call me if you have any questions or need additional information to complete your review.

Sincerely,



Lindsay Thane

LTH:asc  
Enclosures

cc: Client (w/encl.; via email)  
Scott Montgomery (w/encl.; via email)  
PDX\135315\251156\LTH\35233056.1

14121



## Business Registry Business Name Search

[New Search](#)

## Business Entity Data

11-18-2022

09:28

| Registry Nbr | Entity Type             | Entity Status | Jurisdiction | Registry Date | Next Renewal Date | Renewal Due? |
|--------------|-------------------------|---------------|--------------|---------------|-------------------|--------------|
| 089012-17    | DBC                     | ACT           | OREGON       | 03-10-1970    | 03-10-2023        |              |
| Entity Name  | GOLDEN RULE FARMS, INC. |               |              |               |                   |              |
| Foreign Name |                         |               |              |               |                   |              |

[New Search](#)

## Associated Names

|        |                                |                             |       |         |                          |
|--------|--------------------------------|-----------------------------|-------|---------|--------------------------|
| Type   | PPB                            | PRINCIPAL PLACE OF BUSINESS |       |         |                          |
| Addr 1 | 86956 CHRISTMAS VALLEY HIGHWAY |                             |       |         |                          |
| Addr 2 |                                |                             |       |         |                          |
| CSZ    | CHRISTMAS VALLEY               | OR                          | 97641 | Country | UNITED STATES OF AMERICA |

Please click [here](#) for general information about registered agents and service of process.

|        |               |                  |         |            |                          |             |  |
|--------|---------------|------------------|---------|------------|--------------------------|-------------|--|
| Type   | AGT           | REGISTERED AGENT |         | Start Date | 03-14-2017               | Resign Date |  |
| Name   | JEFFREY       | D                | HEDLUND |            |                          |             |  |
| Addr 1 | 28 NORTH G ST |                  |         |            |                          |             |  |
| Addr 2 |               |                  |         |            |                          |             |  |
| CSZ    | LAKEVIEW      | OR               | 97630   | Country    | UNITED STATES OF AMERICA |             |  |

|        |               |                 |       |  |         |                          |
|--------|---------------|-----------------|-------|--|---------|--------------------------|
| Type   | MAL           | MAILING ADDRESS |       |  |         |                          |
| Addr 1 | 28 NORTH G ST |                 |       |  |         |                          |
| Addr 2 |               |                 |       |  |         |                          |
| CSZ    | LAKEVIEW      | OR              | 97630 |  | Country | UNITED STATES OF AMERICA |

|        |                  |           |         |         |                          |  |
|--------|------------------|-----------|---------|---------|--------------------------|--|
| Type   | PRE              | PRESIDENT |         |         | Resign Date              |  |
| Name   | TIMOTHY          |           | PUCKETT |         |                          |  |
| Addr 1 | PO BOX 255       |           |         |         |                          |  |
| Addr 2 |                  |           |         |         |                          |  |
| CSZ    | CHRISTMAS VALLEY | OR        | 97641   | Country | UNITED STATES OF AMERICA |  |

|        |            |           |         |  |             |  |
|--------|------------|-----------|---------|--|-------------|--|
| Type   | SEC        | SECRETARY |         |  | Resign Date |  |
| Name   | TIMOTHY    |           | PUCKETT |  |             |  |
| Addr 1 | PO BOX 255 |           |         |  |             |  |

14121



|               |                  |    |       |                |                          |
|---------------|------------------|----|-------|----------------|--------------------------|
| <b>Addr 2</b> |                  |    |       |                |                          |
| <b>CSZ</b>    | CHRISTMAS VALLEY | OR | 97641 | <b>Country</b> | UNITED STATES OF AMERICA |














[New Search](#)

## Name History


| Business Entity Name    | Name Type | Name Status | Start Date | End Date |
|-------------------------|-----------|-------------|------------|----------|
| GOLDEN RULE FARMS, INC. | EN        | CUR         | 03-10-1970 |          |

Please [read](#) before ordering [Copies](#).[New Search](#)

## Summary History






| Image Available   | Action                              | Transaction Date | Effective Date | Status | Name/Agent Change | Dissolved By |
|---|-------------------------------------|------------------|----------------|--------|-------------------|--------------|
|    | AMENDED ANNUAL REPORT               | 04-04-2022       |                | FI     |                   |              |
|    | AMENDED ANNUAL REPORT               | 03-01-2021       |                | FI     |                   |              |
|  | AMENDED ANNUAL REPORT               | 02-04-2020       |                | FI     |                   |              |
|  | AMENDED ANNUAL REPORT               | 03-07-2019       |                | FI     |                   |              |
|  | AMNDMT TO ANNUAL RPT/INFO STATEMENT | 04-12-2018       |                | FI     |                   |              |
|  | AMENDED ANNUAL REPORT               | 03-05-2018       |                | FI     |                   |              |
|  | AMENDED ANNUAL REPORT               | 03-14-2017       |                | FI     | Agent             |              |
|  | AMENDED ANNUAL REPORT               | 03-03-2016       |                | FI     |                   |              |
|  | AMENDED ANNUAL REPORT               | 03-11-2015       |                | FI     |                   |              |
|  | AMENDED ANNUAL REPORT               | 03-26-2014       |                | FI     |                   |              |
|  | AMENDED ANNUAL REPORT               | 02-27-2013       |                | FI     |                   |              |
|  | AMENDED ANNUAL REPORT               | 02-01-2012       |                | FI     |                   |              |
|   | ANNUAL REPORT PAYMENT               | 02-03-2011       | 02-02-2011     | SYS    |                   |              |
|   | ANNUAL REPORT PAYMENT               | 03-05-2010       |                | SYS    |                   |              |
|  |                                     | 07-07-2009       |                | FI     |                   |              |



|   |                               |            |  |     |  |
|---|-------------------------------|------------|--|-----|--|
|   | REINSTATEMENT<br>AMENDED      |            |  |     |  |
|   | ADMINISTRATIVE<br>DISSOLUTION | 05-08-2009 |  | SYS |  |
|   | ANNUAL REPORT<br>PAYMENT      | 03-11-2008 |  | SYS |  |
|   | ANNUAL REPORT<br>PAYMENT      | 03-02-2007 |  | SYS |  |
|   | ANNUAL REPORT<br>PAYMENT      | 03-16-2006 |  | SYS |  |
|   | ANNUAL REPORT<br>PAYMENT      | 03-29-2005 |  | SYS |  |
|  | ARTICLES OF<br>AMENDMENT      | 03-31-2004 |  | FI  |  |
|   | ANNUAL REPORT<br>PAYMENT      | 03-18-2004 |  | SYS |  |
|   | ANNUAL REPORT<br>PAYMENT      | 03-11-2003 |  | SYS |  |
|   | ANNUAL REPORT<br>PAYMENT      | 03-26-2002 |  | SYS |  |
|   | ANNUAL REPORT<br>PAYMENT      | 03-06-2001 |  | SYS |  |
|   | CHANGED<br>RENEWAL            | 03-17-2000 |  | FI  |  |
|   | STRAIGHT<br>RENEWAL           | 03-13-2000 |  | FI  |  |
|   | STRAIGHT<br>RENEWAL           | 03-15-1999 |  | FI  |  |
|   | STRAIGHT<br>RENEWAL           | 03-17-1998 |  | FI  |  |
|   | CHANGED<br>RENEWAL            | 03-17-1998 |  | FI  |  |
|   | STRAIGHT<br>RENEWAL           | 03-26-1997 |  | FI  |  |
|   | STRAIGHT<br>RENEWAL           | 03-11-1996 |  | FI  |  |
|   | STRAIGHT<br>RENEWAL           | 03-27-1995 |  | FI  |  |
|   | STRAIGHT<br>RENEWAL           | 03-31-1994 |  | FI  |  |
|   | STRAIGHT<br>RENEWAL           | 03-10-1993 |  | FI  |  |
|   | STRAIGHT<br>RENEWAL           | 03-11-1992 |  | FI  |  |
|   | STRAIGHT<br>RENEWAL           | 03-06-1991 |  | FI  |  |
|   | AMENDED<br>RENEWAL            | 03-28-1990 |  | FI  |  |

14121



|   |                        |            |  |     |  |  |
|---|------------------------|------------|--|-----|--|--|
|  | NB AMENDMENT           | 11-28-1989 |  | FI  |  |  |
|   | AGENT/AUTH REP<br>CHNG | 11-28-1989 |  | FI  |  |  |
|  | REINSTATEMENT          | 08-15-1989 |  | FI  |  |  |
|  | INVOL<br>DISSOLUTION   | 04-20-1986 |  | SYS |  |  |
|   | STRAIGHT<br>RENEWAL    | 03-26-1985 |  | FI  |  |  |
|   | STRAIGHT<br>RENEWAL    | 05-01-1984 |  | FI  |  |  |
|  | AGENT CHANGE           | 01-03-1973 |  | FI  |  |  |
|  | NEW                    | 03-10-1970 |  | FI  |  |  |

© 2022 Oregon Secretary of State. All Rights Reserved.



# Permanent Transfer Application Intake Completion Checklist

Check the Certificate(s) in WRIS

Transfer # T- 14/21

|                                |   |              |                         |   |   |  |
|--------------------------------|---|--------------|-------------------------|---|---|--|
| Checked by: <u>Aula</u>        | Type of Change(s)<br>Proposed:<br>Mark the Proposed Changes | Substitution | Supplemental to Primary | <input checked="" type="checkbox"/> POU | <input type="checkbox"/> POD            | <input type="checkbox"/> APOD            |
| Date: <u>11/18/22</u>          |   | Gov Action   | Surface to Ground       | <input checked="" type="checkbox"/> USE | <input checked="" type="checkbox"/> POA | <input checked="" type="checkbox"/> APOA |
| Fee Received: <u>5660.00</u>   |   |              |                         | How many rights to be Transferred?      |   |  |
| Calculated Fee: <u>5660.00</u> |   |              |                         | Certificate # <u>94472</u>              |   |  |
| Additional Observations:       |   |              |                         |   |   |  |
|                                |   |              |                         |   |   |  |
|                                |   |              |                         |   |   |  |

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 \_\_\_\_\_  
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: \_\_\_\_\_ Date: \_\_\_\_\_

14121



## Permanent Transfer Application Intake Completion Checklist

[illegible]





RECEIVED

NOV 17 2022

OWRD

Date Received (Date Stamp Here)

## OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: Golden Rule Farms Inc.  
PO Box 255 Christmas Valley, OR 97641

Transaction Type: Transfer

Fees Received: \$ 5,660.00

☐ Cash

☒ Check:

Check No.

20247

Name(s) on Check:

Golden Rule Farms

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:

Dante Luong  
(Name of OWRD staff)

### Instructions for OWRD staff:

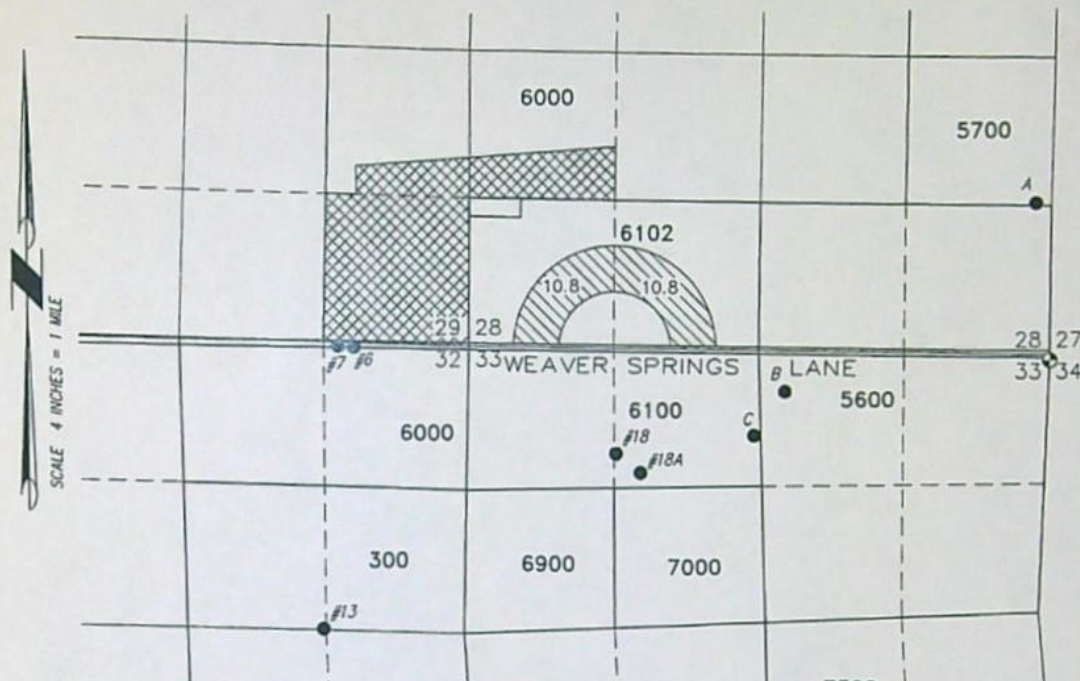
- Complete this Submission Receipt and make two (2) copies. Place one copy with the check/cash; and place the other copy with the submission (i.e., the application or other document).
- Date-stamp all pages. (NOTE: Do not stamp check.)
- Give this original Submission Receipt to the applicant.
- Record Submission Receipt information on the "RECEIVED OVER THE COUNTER" log sheet.
- Fold and put one copy of the Submission Receipt with check/cash into the Safe slot. Place the other copy of the Submission Receipt with submission (application/other document) in the top drawer of filing cabinet.

14121



# MAP TO ACCOMPANY APPLICATION TO CHANGE PLACE OF USE AND ADD POINTS OF APPROPRIATION FOR CERTIFICATES 94472

SECTIONS 28, 29, & 32, TOWNSHIP 25 SOUTH, RANGE 31 EAST, W.M.  
TAX LOTS: 300, 5600, 5700, 6000, 6100, & 6102



SECTION CORNER TIE  
LOCATED 2-1/2" ALUM. CAPPED PIPE AT  
WITNESS POINT 50' SOUTH ON SECTION LINE  
FROM CORNER COMMON TO SECTIONS 27,  
28, 33, AND 34.

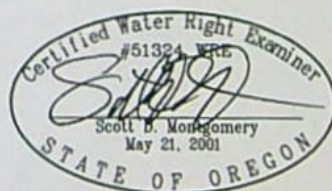


21.6 ACRES PRIMARY WATER RIGHTS FROM  
C 94472 TRANSFERRED "ON", AS SHOWN



21.6 ACRES = 0.27 CFS PRIMARY WATER  
RIGHTS FROM C 94472 ALL TRANSFERRED OFF.

- **POA 6 HARN 50427 (AUTH. BY 94472)**  
LOCATED IN THE NE 1/4 NE 1/4  
SECTION 32, T25S R31E, W.M. AND 40  
FEET SOUTH AND 1055 FEET WEST FROM  
THE NE CORNER SECTION 32.
- **POA 7 HARN 50345 (AUTH. BY 94472)**  
LOCATED IN THE NE 1/4 NE 1/4 SECTION  
32, T25S R31E, W.M. AND 40 FEET SOUTH  
AND 1200 FEET WEST FROM THE NE  
CORNER SECTION 32.
- **POA 13 HARN 50340 (AUTH. BY 94472)**  
LOCATED IN THE SW 1/4 NE 1/4  
SECTION 32, T25S R31E, W.M. AND 2630  
FEET SOUTH AND 1340 FEET WEST FROM  
THE NE CORNER SECTION 32.
- **POA C UNBUILT (PROPOSED APOA)**  
LOCATED IN THE NE 1/4 NW 1/4  
SECTION 33, T25S R31E, W.M. AND 770  
FEET SOUTH AND 2665 FEET WEST  
FROM THE NE CORNER SECTION 33.
- **POA 18 HARN 50777 (AUTH. BY 94472)**  
LOCATED IN THE NW 1/4 NW 1/4  
SECTION 33, T25S R31E, W.M. AND 770  
FEET SOUTH AND 1320 FEET EAST FROM  
THE NW CORNER SECTION 33.
- **POA 18A HARN 50501 (PROPOSED APOA)**  
LOCATED IN THE NE 1/4 NW 1/4 SECTION  
33, T25S R31E, W.M. AND 1120 FEET  
SOUTH AND 3695 FEET WEST FROM THE  
NE CORNER SECTION 33.
- **POA A HARN 50358 (PROPOSED APOA)**  
LOCATED IN THE NE 1/4 SE 1/4  
SECTION 28, T25S R31E, W.M. AND 1365  
FEET NORTH AND 100 FEET WEST FROM  
THE SE CORNER SECTION 28.
- **POA B HARN 51784 (PROPOSED APOA)**  
LOCATED IN THE NW 1/4 NE 1/4  
SECTION 33, T25S R31E, W.M. AND 365  
FEET SOUTH AND 2405 FEET WEST  
FROM THE NE CORNER SECTION 33.



RENEWAL DATE: 12/31/2022

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

PROJECT No. 22-138

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

**ALL POINTS ENGINEERING  
& SURVEYING, INC.**



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

14121