

T-14152

Temporary

T-14152

Name Kirby + Shannon Isaac

Address 38098 Hwy 20 E

Burns, OR 97720

Kirbyisaac1977@gmail.com

Change in POV APOA, POA

Date Filed 1-23-2023

Initial notice date 1-31-2023

DPD issued date

PD issued date

PD notice date

Date of FO 10/31/2023 Vol 129 Page 264-68

C-Date

COBU due date

COBU Received date

Certificate issued

DESCRIPTION OF WATER RIGHT(s)

Name of Stream Well

Well

Trib. of Cow creek

Mortimer creek

Use Irrigation

County Harney

Quantity of water (CFS)

No. of Acres

Name of ditch

App# G10087

Per # G9199

Cert # 62483

PR Date 7/8/1981

App# G8880

Per # G8430

Cert # 96679

PR Date 7/3/1978

App#

Per #

Cert #

PR Date

App#

Per #

Cert #

PR Date

App#

Per #

Cert #

PR Date

FEES PAID

Date

Amount

Receipt #

1/23/23

\$1,577.25

139981

FEES REFUNDED

Date

Amount

Receipt #

Assignments:

Irrigation District

Agent John Short / Water right services LLC - JohnShort@usa.com

CWRE Harney county

CC's list

☐ - Oversized map - Location



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

October 31, 2023

KIRBY W. ISAAC
38098 HWY 20 E
BURNS, OR 97720

REFERENCE: District Temporary Transfer Application T-14152

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

The temporary change shall be effective at the beginning of the 2023 irrigation season. The use shall revert to the original authorized place of use at the end of the 2027 irrigation season.

If you have any questions related to the approval of this transfer, you may contact your caseworker, Scott Gr w, by telephone at (503) 986-0890 or by e-mail at Scott.A.Grew@oregon.gov.

Sincerely,

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

cc: J R. Johnson, Watermaster Dist. # 10 (via email)
Harney County
John A. Short, Agent

Enclosure

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application	)	FINAL ORDER APPROVING A TEMPORARY
T-14152, Harney County	)	CHANGE IN PLACES OF USE, POINTS OF
	)	APPROPRIATION, AND AN ADDITIONAL
	)	POINT OF APPROPRIATION

Authority

Oregon Revised Statute (ORS) 537.705 and 540.505 to 540.580 establish the process in which a water right holder may submit a request to temporarily transfer the place of use and, if necessary to convey the water to the temporary place of use, the point of appropriation authorized under an existing water right. Oregon Administrative Rule (OAR) Chapter 690, Division 380 implements the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

KIRBY W. ISAAC AND
SHANNON D. ISAAC
38098 HWY 20 E
BURNS, OR 97720

Findings of Fact

1. On January 23, 2023, Kirby W. Isaac and Shannon D. Isaac filed an application to temporarily change the places of use, change the points of appropriation and for an additional point of appropriation to serve the proposed place of use under Certificates 62483 and 96679 for a period of 5 years. The Department assigned the application number T-14152.
2. Notice of the application for transfer was published on January 31, 2023, pursuant to OAR 690-380-4000.
3. The first right to be transferred is as follows:

Certificate: 62483 in the name of LARRY AND DONNA ROOT (perfected under Permit G-9199)

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may 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.

Use: IRRIGATION of 80.0 ACRES
Priority Date: JANUARY 8, 1981
Rate: 0.7 CUBIC FOOT PER SECOND
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.
Source: A WELL, in the COW CREEK BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
23 S	32.5 E	WM	4	NW NE	2	1010 FEET SOUTH AND 1360 FEET WEST FROM THE NE CORNER OF SECTION 4

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
23 S	32.5 E	WM	4	NE NE	1	38.7
23 S	32.5 E	WM	4	NW NE	2	16.5
23 S	32.5 E	WM	4	SE NE		24.8
Total						80.0

4. Temporary Transfer Application T-14152 proposes to temporarily change the place of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
23 S	32.5 E	WM	4	NE NE	1	15.5
23 S	32.5 E	WM	4	NW NE	2	4.8
23 S	32.5 E	WM	4	SW NE		30.3
23 S	32.5 E	WM	4	SE NE		29.4
Total						80.0

5. An additional point of appropriation is necessary to convey the water to the proposed temporary place of use. Temporary Transfer Application T-14152 proposes an additional point of appropriation approximately 0.5 mile to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
23 S	32.5 E	WM	4	SE NW	ON WELL 2 – 270 FEET NORTH AND 1320 FEET WEST FROM THE CENTER 1/4 CORNER OF SECTION 4

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

Certificate: 96679 in the name of JOHN R. PICKETT and SANDRA L. PICKETT (perfected under Permit G-8430)

Use: IRRIGATION of 37.5 ACRES

Priority Date: JULY 3, 1978

Rate: 0.47 CUBIC FOOT PER SECOND

Limit/Duty: The amount of water used for irrigation shall be limited to ONE-EIGHTIETH of one cubic foot per second or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre feet per acre for each acre irrigated during the irrigation season of each year.

Source: A WELL

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
23 S	32.5 E	WM	4	NW NW	4	700 FEET SOUTH AND 800 FEET EAST FROM THE NW CORNER OF SECTION 4

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
23 S	32.5 E	WM	4	NW NW	4	37.5

7. Temporary Transfer Application T-14152 proposes to temporarily change the place of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
23 S	32.5 E	WM	4	NE NE	1	12.2
23 S	32.5 E	WM	4	NW NE	2	25.3
					Total	37.5

8. A change in points of appropriation is necessary to convey the water to the proposed temporary place of use. Temporary Transfer Application T-14152 proposes to move the authorized points of appropriation with approximate distances as described below:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances	Distance from Authorized Well in Miles (mi.)
23 S	32.5 E	WM	4	NW NE	2	ON WELL #1 – 1010 FEET SOUTH AND 1360 FEET WEST FROM THE NE CORNER OF SECTION 4	0.6 mi.
23 S	32.5 E	WM	4	SE NW		ON WELL #2 – 270 FEET NORTH AND 1320 FEET WEST FROM THE CENTER 1/4 CORNER OF SECTION 4	0.3 mi.

Temporary Transfer Review Criteria

9. Water has been used within the last five years according to the terms and conditions of the right. There is no evidence available that would demonstrate that the rights are subject to forfeiture under ORS 540.610.

10. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights are present.
11. The proposed changes would prevent the lands from which the water right is removed during the period of the temporary transfer from receiving water under the transferred rights, as required by ORS 540.523(7).
12. The proposed changes would not result in injury to other water rights. This finding is made through an abbreviated review recognizing that the transfer may be revoked under ORS 540.523(5) if the Department later finds that the transfer is causing injury to any existing water right.

Conclusions of Law

The temporary change in places of use, change in points of appropriation and additional point of appropriation to serve the temporary place of use proposed in Temporary Transfer Application T-14152 are consistent with the requirements of ORS 540.523 and OAR 690-380-8000.

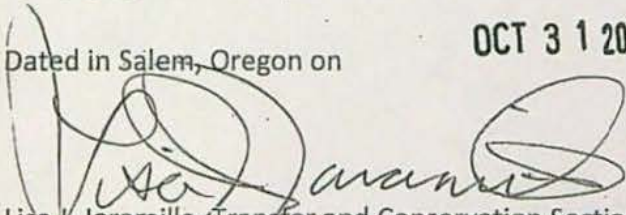
Now, therefore, it is ORDERED:

1. The temporary change in places of use, change in point of appropriation and additional point of appropriation to serve the temporary place of use proposed in Temporary Transfer Application T-14152 are approved.
2. The former place of use **shall not** be irrigated as part of these water rights during the 2023, 2024, 2025, 2026 and 2027 irrigation seasons.
3. The use shall revert to the authorized places of use at the end of the 2027 irrigation season. The authorization to use the temporary point of appropriation shall be terminated concurrently.
4. The approval of this temporary transfer may be revoked or modified if the Department finds the changes cause injury to any existing water right.
5. The quantity of water diverted under certificate 62483, at the proposed temporary additional point of appropriation, together with that diverted at the original point of appropriation, shall not exceed the quantity of water lawfully available at the original point of appropriation.
6. The quantity of water diverted under certificate 96679, at the proposed temporary points of appropriation, shall not exceed the quantity of water lawfully available at the original point of appropriation.

7. A subsequent application for permanent transfer of Certificates 62483 and 96679 shall be subject to a full and complete review to determine consistency with the requirements of OAR Chapter 690, Division 380. Approval of this temporary transfer does not establish a precedent for approval of a subsequent application filed for a permanent transfer.
8. The use of water at the temporary places of use authorized by this transfer shall be in accordance with the terms and conditions of Certificates 62483 and 96679.
9. The time during which water is used under this approved temporary transfer does not apply toward a finding of forfeiture under ORS 540.610.
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.
 - 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. The use of the remaining water rights described by Certificates 62483 and 96679 shall continue to be in accordance with the terms and conditions of Certificates 62483 and 96679.

Dated in Salem, Oregon on

OCT 31 2023


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

Mailing Date:

OCT 31 2023

WATER RIGHT TRANSFER COVER SHEET

Transfer: T- 14152

Transfer Specialist: *Swift*

Transfer Type: Temporary Transfer

Applicant: KIRBY W. SHANNON D. ISAAC 38098 HWY 20 E BURNS, OR 97720 Email: _____ Phone: _____		Agent: ☐ N/A JOHN A. SHORT PO BOX 1830 BEND, OR 97709 Email: _____ Phone: _____	
Irrigation District: ☐ N/A Email: _____		CWRE: ☐ N/A Email: _____	
Affected Local Gov'ts: ☐ N/A County Of Harney planning Department Email: _____		Affected Tribal Gov't: ☐ N/A UNAVAILABLE Email: _____	
Current Landowner if other than Applicant: ☐ N/A Email: _____		Receiving Landowner: ☐ N/A Email: _____	

Water Rights Affected

File Marked	App. File # or Decree Name	Permit	Certificate	RR/CR Needed	RR/CR Nos.
☐	G10087	G9199	62483	☐ Yes ☐ No	
☐	G8880	G8430	96679	☐ Yes ☐ No	
☐				☐ Yes ☐ No	

Key Dates & Initial Actions:

Rec'd: January 23, 2023	Proposed Action(s): POINT OF APPROPRIATION; ADDITIONAL POINT OF APPROPRIATION; PLACE OF USE	
Fees Pd: 1577.25	WM District: 10	ODFW District:
Initial Public Notice: UNAVAILABLE 1/31/2023	WM Review sent:	ODFW Review sent:
Acknowledgement Letter Sent ☒		GW Review sent: ☐ N/A
County sent cc: of Ack Letter ☐	BOR notified (date): ☐ N/A	
Newspaper quote requested:	Request for news \$ sent:	News \$ received:
Request to publish sent:	Affidavit of publication received:	Last day of publication:

Document	Drafted	Peer Review	Changes Made	Coordinator	Changes Made	Signature Bin	Signature Date
DPD	Date: <i>1/31/23</i> Initials: <i>Swift</i>	Date: <i>1/31/23</i> Initials: <i>Jon</i>	Date: <i>1/31/23</i> Initials: <i>PKS</i>	Date: <i>1/31/23</i> Initials: <i>PKS</i>	Date: <i>1/31/23</i> Initials: <i>Swift</i>	CW Sent: <i>1/31/23</i>	N/A
PD	Date: <i>1/31/23</i> Initials: <i>Swift</i>	Date: <i>1/31/23</i> Initials: <i>Jon</i>	Date: <i>1/31/23</i> Initials: <i>PKS</i>	Date: <i>1/31/23</i> Initials: <i>PKS</i>	Date: <i>1/31/23</i> Initials: <i>Swift</i>	Date: <i>1/31/23</i>	Date: <i>1/31/23</i>
FO	Date: <i>1/31/23</i> Initials: <i>Swift</i>	Date: <i>1/31/23</i> Initials: <i>Jon</i>	Date: <i>1/31/23</i> Initials: <i>PKS</i>	Date: <i>1/31/23</i> Initials: <i>PKS</i>	Date: <i>1/31/23</i> Initials: <i>Swift</i>	Date: <i>1/31/23</i>	Date: <i>1/31/23</i>

Special Issues: _____

Special Order Volume: Vol. *129* Pages *204-68*

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- 14152

Review Due Date: _____

Applicant Name: Kirby W. Isaac & Shannon D. Isaac

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

Reviewer(s): Dally Swindlehurst

Date of Review: 02/23/23

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
Generally characterize the frequency of any regulation or explain why regulation has not occurred: _____
3. Have headgate notices been issued for the source that serves the transferred right(s)?
☐ Yes ☒ No ☐ Records not available.
4. In your estimation, after the proposed change, would distribution of water for the right(s) result in regulation of other water rights that would not have occurred if use under the original right(s) was/were maximized? ☐ Yes ☒ No If "Yes", explain: _____
5. In your estimation, if the proposed change is approved, are there upstream water rights that would be affected? ☐ Yes ☒ No If "Yes", describe how the rights would be affected and list the rights most affected: _____
6. Check here ☐ if it appears that downstream water rights benefit from return flows resulting from the current use of the transferred right(s)? If you check the box, generally characterize the locations where the return flows likely occur and list the water rights that benefit most: _____. ☒ N/A
7. For POD changes and instream transfers, check here ☐ if there are channel losses between the old and new PODs or within the proposed instream reach? If you check the box, describe and, if possible, estimate the losses: _____. ☒ N/A
8. For instream transfers that propose protection of a reach beyond the mouth of the source stream: ☒ N/A Would the quantity be measureable into the receiving stream consistent with OAR 690-077-0015(8)? ☐ Yes ☐ No

9. For POU changes: ☐ N/A Is it likely the original place of use would continue to receive water from the same source? ☐ Yes ☒ No If "Yes", explain: _____
10. For POU or USE changes: ☐ N/A In your best judgment, would use of the existing right at "full face value," result in the diversion of more water than can be used beneficially and without waste? ☐ Yes ☒ No If "Yes", explain: _____
11. 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: _____

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- 14152

☒ In order to avoid enlargement of the right or injury to other rights, a TFM 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- 14152

GW Reviewer Darrick E. Boschmann Date Review Completed: 04/18/2023

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: Temporary Transfer

Application: T-14152

Applicant Name: Isaac

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

Reviewer(s): Darrick E. Boschmann

Date of Review: 04/18/2023

Date Reviewed by GW Mgr. and Returned to WRSD: JTI 8/4/23

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 62483 and certificate 96679.

_____ Certificate 62483 authorizes groundwater pumping from one well (POD 1 = HARN 633) for primary irrigation of 80.0 acres in the Malheur Lake Basin. The following changes are proposed:

1. Add one APOA (HARN 52924) within the same section.
2. Rearrange the POU within the same section.

_____ Certificate 96679 authorizes groundwater pumping from one well (POD 1 = HARN 635) for primary irrigation of 37.5 acres in the Malheur Lake Basin. The following changes are proposed:

1. Add two APOA (HARN 633; HARN 52924) within the same section.
2. Rearrange the POU within the same section.

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

☒ Yes ☐ No Comments: _____

The authorized and proposed wells develop groundwater occurring in the Younger basin fill and Older basin fill hydrostratigraphic units. 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 area 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 within the northern part of Harney Valley and are located along groundwater flow paths flowing southward toward Malheur Lake.

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 approximately 0.5 miles east, southwest, and southeast of the currently authorized wells. This will result in an incremental increase in interference with wells in those directions.

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 in these locations will not meet the standard for substantial or undue interference given the thickness of the aquifer 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: The proposed APOA are not located significantly closer to perennial reaches of surface water than the currently authorized 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

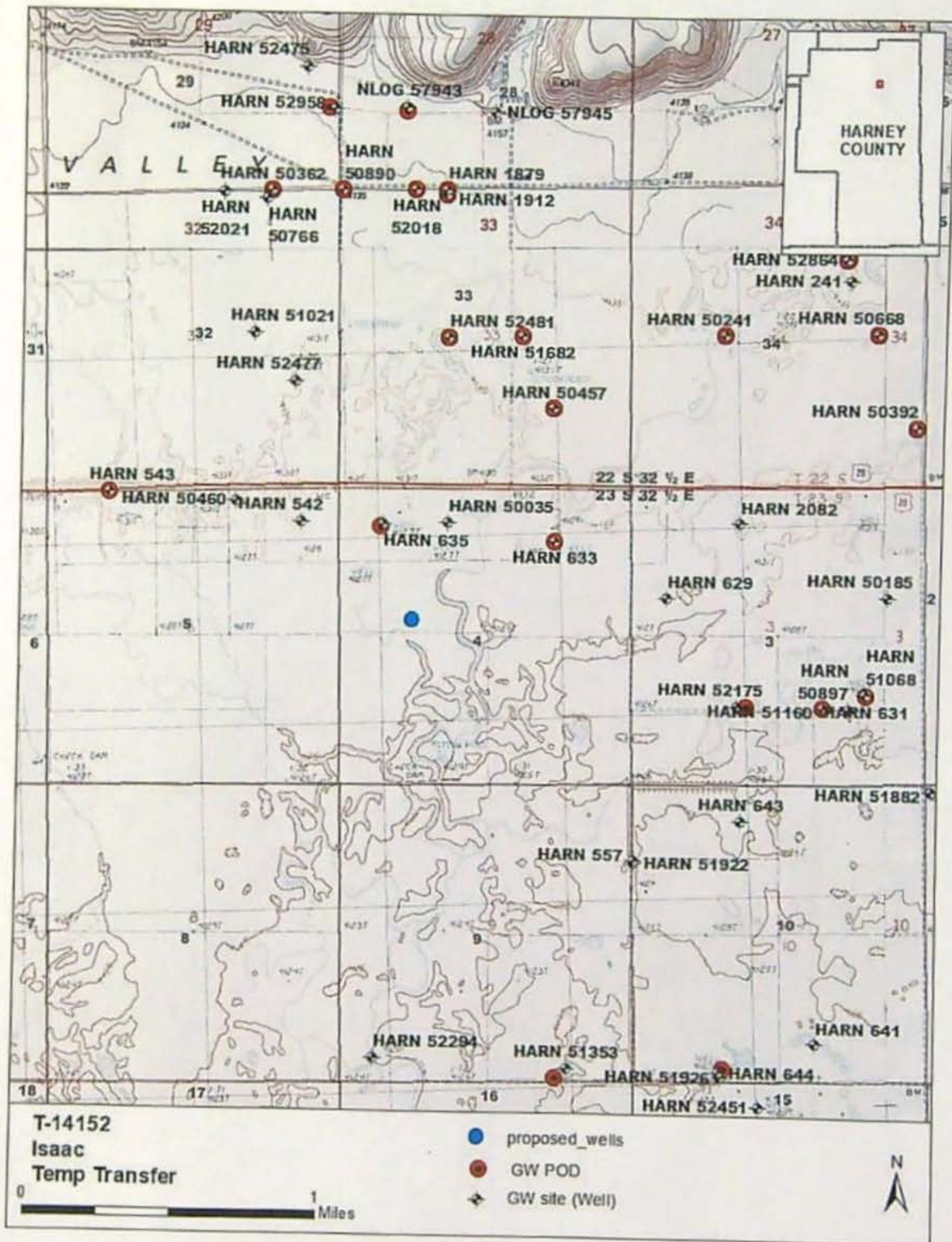
Provide context for minimal/significant impact: _____

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.



GREW Scott A * WRD

From: Bryce Withers <brycewrs@gmail.com>
Sent: Friday, September 1, 2023 1:09 PM
To: GREW Scott A * WRD
Subject: T-14152 Missing Information
Attachments: Pickett_DEED.pdf

Hi Scott,

Attached is the deed for the Pickett property that was mistakenly omitted from the application.

The Land Use Form does not include the "OFF" lands Tax Lot 600 & 700, as there is no proposed land use for those tax lots, the water right is being removed in totality from those tax lots. The transfer proposes Irrigation land use on Tax Lot 100 & 300 only ("ON" lands).

Thank you and I hope you have a nice Labor Day weekend!

--

Bryce Withers

Water Right Specialist
(541)408-1400 cell

Water Right Services, LLC
PO Box 1830
Bend, OR 97709
<https://oregonwater.us>

GREW Scott A * WRD

From: GREW Scott A * WRD
Sent: Monday, August 28, 2023 12:12 PM
To: johnshort@usa.com
Cc: GREW Scott A * WRD
Subject: T-14152 information missing

John,

In reviewing T-14152 and the following information is missing from the file:

The deed for certificate C-96679 "From" lands (taxlots 600 and 700) I do have the consent by deeded landowner however.

The Land use form is missing the information for taxlots 600 and 700. The existing land use form only covers taxlots 100 and 300.

Please send:

- a copy of the deed for taxlots 600 and 700 (owned by John and Sandra Pickett)
- Land Use form that includes taxlots 600 and 700

Thank you,
Scott

Scott Grew
Transfer Specialist
Oregon Water Resources Department
503-986-0890



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 25, 2023

KIRBY W. & SHANNON D. ISAAC
38098 HWY 20 E
BURNS, OR 97720

Reference: Application T-14152

On January 23, 2023, the Department received your water right Temporary Transfer Application. The application was accompanied by \$1577.25. Receipt number 139981 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.

Except as provided under ORS 540.510(3) for municipalities, you may not **temporarily** use water at the new place of use or from the new point of appropriation until a final order approving the temporary transfer application has been issued by the Department. Additionally, pursuant to OAR 690-380-8010, the lands from which an irrigation water right is to be temporarily transferred and the land to which the right is to be temporarily transferred may not both receive water during the same season. If the temporary transfer is approved during an irrigation season and water has already been used at the currently authorized location during that season, then the temporary transfer will not take effect until the following season.

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

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
John A. Short, Agent

Enclosure

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **139981**

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

INVOICE # _____

RECEIVED FROM: Kirby L. Isaac
BY: Shannon D. Isaac

APPLICATION	
PERMIT	
TRANSFER	T-14152

CASH: ☐ CHECK # 3655 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$1,577.52

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES \$
OTHER: (IDENTIFY) \$
0243 I/S Lease 0244 Muni Water Mgmt. Plan 0245 Cons. Water

4270 WRD OPERATING ACCT

MISCELLANEOUS 46110

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

WATER RIGHTS:

EXAM FEE		RECORD FEE
\$	0202	\$
\$	0204	\$
\$1,577.52		

0201 SURFACE WATER
0203 GROUND WATER
0205 TRANSFER

WELL CONSTRUCTION

EXAM FEE		LICENSE FEE
\$	0219	\$
	0220	\$

0218 WELL DRILL CONSTRUCTOR
LANDOWNER'S PERMIT
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: **139981**

DATED: 1/23/23 BY: [Signature]

Application for Water Right
Temporary or Drought Temporary Transfer
Part 1 of 5 – Minimum Requirements Checklist



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

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

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

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FOR ALL TEMPORARY TRANSFER APPLICATIONS

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

- ☒ Part 1 – Completed Minimum Requirements Checklist.
- ☒ Part 2 – Completed Temporary 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 online fee calculator at:
http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator.
- ☒ Part 4 – Completed Applicant Information and Signature.
- ☒ Part 5 – Information about Transferred Water Rights: **How many water rights are to be transferred? 2 List them here: C-62483 & C-96679**
Please include a separate Part 5 for each water right. (See instructions on page 6)
- ☒ ☐ N/A For standard Temporary Transfer (one to five years) **Begin Year: 2023 End Year: 2027.**
- ☐ ☒ N/A Temporary Drought Transfer (Only in counties where the Governor has declared drought)

Attachments:

- ☒ Completed Temporary Transfer Application Map.
- ☒ Completed Evidence of Use Affidavit and supporting documentation.
- ☒ Current recorded deed for the land from which the authorized place of use is temporarily being moved.
- ☒ ☐ N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land upon which the water right is located.)
- ☐ ☒ N/A Supplemental Form D – For water rights served by or issued in the name of a district. Complete when the temporary transfer applicant is not the 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 (if necessary to convey water to the proposed place of use).

(For Staff Use Only)

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

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

Other/Explanation _____

Staff: _____ Phone: _____ Date: ____/____/____

Part 2 of 5 – Temporary Transfer Application Map Checklist

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

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

- ☐ ☒ 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 temporary 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) to convey water to the new temporary place of use, show the proposed location and label it clearly with distance and bearing or coordinates. If GPS coordinates are used, latitude-longitude coordinates may be expressed as either degrees-minutes-seconds with at least one digit after the decimal (example – 42°32'15.5") or degrees-decimal with five or more digits after the decimal (example – 42.53764°).

Part 3 of 5 – Fee Worksheet

FEE WORKSHEET for TEMPORARY (not drought) TRANSFERS			
1	Base Fee (includes temporary change to one water right for up to 1 cfs)	1	\$950.00
2	Number of water rights included in transfer: <u>2 (2a)</u> Subtract 1 from the number in 3a above: <u>1 (2b)</u> <i>If only one water right this will be 0</i> Multiply line 2b by \$310.00 and enter » » » » » » » » » »	2	\$310
3	Do you propose to change the place of use for a non-irrigation use? ☒ No: enter 0 on line 3 » » » » » » » » » » » » » » » » ☐ Yes: enter the cfs for the portions of the rights to be transferred: _____ (3a) Subtract 1.0 from the number in 3a above: _____ (3b) If 3b is 0, enter 0 on line 3 » » » » » » » » » » » » » » » » If 3b is greater than 0, round up to the nearest whole number: _____ (3c) and multiply 4c by \$210.00, then enter on line 3	3	\$0
4	Do you propose to change the place of use for an irrigation use? ☐ No: enter 0 on line 4 » » » » » » » » » » » » » » » » ☒ Yes: enter the number of acres in the footprint of the place of use for the portions of the rights to be transferred: <u>117.5 (4a)</u> Multiply the number of acres in 4a above by \$2.70 and enter on line 4 » »	4	\$317.25
5	Add entries on lines 1 through 4 above » » » » » » » » » » Subtotal:	5	\$1577.25
6	Is this transfer: ☐ necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? ☐ endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat? If one or more boxes is checked, multiply line 5 by 0.5 and enter on line 6 » If no box is applicable, enter 0 on line 6 » » » » » » » » » » » » » » » »	6	
7	Subtract line 6 from line 5 » » » » » » » » » » » » » » » » Transfer Fee:	7	\$1577.25

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FEE WORKSHEET for TEMPORARY DROUGHT TRANSFERS			
1	Base Fee (includes drought application and recording fee for up to 1 cfs)	1	\$200.00
2	Enter the cfs for the portions of the rights to be transferred (see example below*): _____ (2a) Subtract 1.0 from the number in 2a above: _____ (2b) If 2b is 0, enter 0 on line 2 » » » » » » » » » » » » » » » » If 2b is greater than 0, round up to the nearest whole number: _____ (2c) and multiply 2c by \$50, then enter on line 2 » » » » » » » » » »	2	
3	Add entries on lines 1 through 2 above » » » » » » » » » » » » » » » » Transfer Fee:	3	

*Example for Line 2a 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. Divide total authorized cfs by total acres in the water right (for C12345, 1.25 cfs + 100 ac); then multiply by the number of acres to be transferred to get the transfer cfs ($45 \text{ ac} = 0.56 \text{ cfs}$).
2. 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, $45.0 \text{ ac} \times 0.0125 \text{ cfs/ac} = 0.56 \text{ cfs}$)
3. 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 2a would be only 0.56 cfs, since both rights serve the same 45.0 acres. Blank 2b would be 0 and Line 2 would then also become 0).

Part 4 of 5 – Applicant Information and Signature

Applicant Information

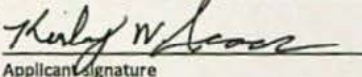
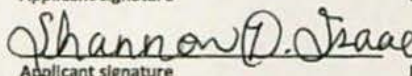
APPLICANT/BUSINESS NAME KIRBY W. ISAAC & SHANNON D. ISAAC			PHONE NO. 208-599-1251	ADDITIONAL CONTACT NO.
ADDRESS 38098 HWY 20 E				FAX NO.
CITY BURNS	STATE OR	ZIP 97720	E-MAIL kirbyisaac1977@gmail.com	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

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

AGENT/BUSINESS NAME JOHN A. SHORT / WATER RIGHT SERVICES, LLC			PHONE NO. 541-389-2837	ADDITIONAL CONTACT NO.
ADDRESS PO BOX 1830				FAX NO.
CITY BEND	STATE OR	ZIP 97709	E-MAIL JOHNSHORT@USA.COM	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

Explain in your own words what you propose to accomplish with this transfer application and why:
CHANGE 2 CERTIFICATES TO A NEW PLACE OF USE AND TO 2 CONNECTED POINTS OF APPROPRIATION.
If you need additional space, continue on a separate piece of paper and attach to the application as "Attachment 1".

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

 Applicant signature	KIRBY W. ISAAC Print Name (and Title if applicable)	<u>1-12-23</u> Date
 Applicant signature	SHANNON D. ISAAC Print Name (and Title if applicable)	<u>1-12-23</u> 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 landowners (and mailing and/or e-mail addresses if different than the applicant's) or attach affidavits of consent from all landowners or individuals/entities (and mailing and/or e-mail addresses) to which the water right(s) has been conveyed.

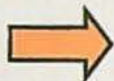
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☐ Check here if any of the water rights proposed for transfer are or will be located within or served by an irrigation or other water district. (NOTE: If this box is checked, you must complete and attach Supplemental Form D.)

DISTRICT NAME	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP



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

ENTITY NAME HARNEY COUNTY PLANNING DEPARTMENT	ADDRESS 360 N ALVORD AVE	
CITY BURNS	STATE OR	ZIP 97720

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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Part 5 of 5 – Water Right Information

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

Water Right Certificate # 62483

Description of Water Delivery System

System capacity: 0.70 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. **PIPED FROM WELL TO SPRINKLERS**

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)
ON WELL #1	☒ Authorized ☐ Proposed	HARN 633/ 52426	23 S	32.5 E	4	NW NE	L2	1010' S, 1360' W OF NE COR SEC 4
ON WELL #2	☐ Authorized ☒ Proposed	HARN 52924 / L-136139	" "	" "	" "	SE NW		270' N, 1320' W OF CEN 1/4 COR SEC 4

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

- ☒ Place of Use (POU)
 ☐ Appropriation/Well (POA)
- ☐ Point of Diversion (POD)
 ☒ Additional Point of Appropriation (APOA)
- ☐ Additional Point of Diversion (APOD)

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

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

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

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

Table 2. Description of Temporary Changes to Water Right Certificate # 62483

List only the part of the right that will be changed. For the acreage in each ¼ ¼, list the change proposed. If more than one change, specify the acreage associated with each change. If more than one POD/POA, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the Certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.											Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.														
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp		Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date						
EXAMPLE																										
2	S	9	E	15	NE	NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0		POD #5	1901
"	"	"	"	"	"	"	"	"	"	EXAMPLE	"	"	"	2	S	9	E	2	SW	NW	500		5.0		POD #6	1901
													POU / APOA	23	S	32	E	4	NE	NE	300/ 100	L1	15.5	IR	ON WELL 1-2	1981
													"	"	"	"	"	"	NW	NE	300/ 100	L2	4.8	"	"	"
													"	"	"	"	"	"	SW	NE	100		30.3	"	"	"
													"	"	"	"	"	"	SE	NE	100		29.4	"	"	"
TOTAL ACRES											TOTAL ACRES										80.0					

Additional remarks:

For Place 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 540.525, any "layered" water use such as an irrigation right that is supplemental to a primary right proposed for temporary transfer can be included in the transfer or remain unused on the authorized place of use. If the primary water right does not revert soon enough to allow use of the supplemental right within five years, the supplemental right shall become subject to cancellation for nonuse under ORS 540.610.

If a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation is necessary to convey the water to the new temporary place of use you must provide:

- ☒ Well log(s) for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map. (Tip: You may search for well logs on the Department's web page at: http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx)

AND/OR

- ☐ Describe the construction of the authorized and proposed well(s) in Table 3 below for any well that does not have a well log. For a *proposed well(s) not yet constructed or built*, provide "a best estimate" for each requested information element in the table. The Department recommends you consult a licensed well driller, geologist, or certified water right examiner to assist with assembling the information necessary to complete Table 3.

Table 3. Construction of Point(s) of Appropriation

Any well(s) in this listing must be clearly tied to corresponding well(s) described in Table 1 and shown on the accompanying application map. Failure to provide the information will delay the processing of your transfer application until it is received. The information is necessary for the Department to assess whether the proposed well(s) will access the same source aquifer as the authorized point(s) of appropriation (POA). The Department is prohibited by law from approving POA changes that do not access the same source aquifer.

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well, OWRD Well ID Tag No. L-___	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (Intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well - specific rate (cfs or gpm). If less than full rate of water right

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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 rows to tables within the form.

Water Right Certificate # **96679**

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JAN 23 2023

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Description of Water Delivery System

System capacity: **0.47** 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. **PIPED FROM WELL TO GATED PIPE FOR FLOOD IRRIGATION.**

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)
WELL "OFF"	☒ Authorized ☐ Proposed	HARN 635	23 S	32.5 E	4	NW NW	L4	700' S, 800' E of NW COR SEC 4
ON WELL #1	☐ Authorized ☒ Proposed	HARN 633 / 52426 / L-118172	" "	" "	4	NW NE	L2	1010' S, 1360' W OF NE COR SEC 4
ON WELL #2	☐ Authorized ☒ Proposed	HARN 52924 / L-136139	" "	" "	"	SE NW		270' N, 1320' W OF CEN 1/4 COR SEC 4

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

- ☒ Place of Use (POU)
 ☒ Appropriation/Well (POA)
 ☐ Point of Diversion (POD)
 ☐ Additional Point of Appropriation (APOA)
 ☐ Additional Point of Diversion (APOD)

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

- ☒ Yes Complete only the Proposed ("to" 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 Temporary Changes to Water Right Certificate # 96679

List only the part of the right that will be changed. For the acreage in each ¼ ¼, list the change proposed. If more than one change, specify the acreage associated with each change. If more than one POD/POA, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the Certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.											Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.										
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp		Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date		
EXAMPLE																						
2	S	9	E 15 NE NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E 1 NW NW	500	1	10.0		POD #5	1901		
"	"	"	" " " "	"	"	"	EXAMPLE	"	"	"	2	S	9	E 2 SW NW	500		5.0		POD #6	1901		
										POU / POA	23	S	32.5	E 4 NE NE	100/ 300	L1	12.2	IR	ON WELLS 1- 2	1979		
										"	"	"	"	" NW NE	100/ 300	L2	25.3	"	"	"		
TOTAL ACRES												TOTAL ACRES						37.5				

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Additional remarks:

14152

For Place of Use Changes

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

If YES, list the certificate, water use permit, or ground water registration numbers: C-62483



Pursuant to ORS 540.525, any "layered" water use such as an irrigation right that is supplemental to a primary right proposed for temporary transfer can be included in the transfer or remain unused on the authorized place of use. If the primary water right does not revert soon enough to allow use of the supplemental right within five years, the supplemental right shall become subject to cancellation for nonuse under ORS 540.610.

If a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation is necessary to convey the water to the new temporary place of use you must provide:

- ☒ Well log(s) for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map. (Tip: You may search for well logs on the Department's web page at: http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx)

AND/OR

- ☐ Describe the construction of the authorized and proposed well(s) in Table 3 below for any well that does not have a well log. For a *proposed well(s) not yet constructed or built*, provide "a best estimate" for each requested information element in the table. The Department recommends you consult a licensed well driller, geologist, or certified water right examiner to assist with assembling the information necessary to complete Table 3.

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Table 3. Construction of Point(s) of Appropriation

Any well(s) in this listing must be clearly tied to corresponding well(s) described in Table 1 and shown on the accompanying application map. Failure to provide the information will delay the processing of your transfer application until it is received. The information is necessary for the Department to assess whether the proposed well(s) will access the same source aquifer as the authorized point(s) of appropriation (POA). The Department is prohibited by law from approving POA changes that do not access the same source aquifer.

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well, OWRD Well ID Tag No. L-___	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well - specific rate (cfs or gpm). If less than full rate of water right

Application for Water Right Transfer Evidence of Use Affidavit



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

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

State of Oregon)
) ss

County of HARNEY

I, KIRBY W. ISAAC, in my capacity as OWNER,

mailing address 38098 HWY 20 E BURNS, OR 97720

telephone number (208)599-1251, 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 # 62483; OR

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

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

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AND

☒ Confirming Certificate # 96679 has been issued within the past five years; OR

☐ Part or all of the water right was leased instream at some time within the last five years. The
instream lease number is: _____ (Note: If the entire right proposed for
transfer was not leased, additional evidence of use is needed for the portion not leased instream.); OR

☐ The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use
would be rebutted under ORS 540.610(2) is attached.

☐ Water has been used at the actual current point of diversion or appropriation for more than
10 years for Certificate # _____ (For Historic POD/POA Transfers)

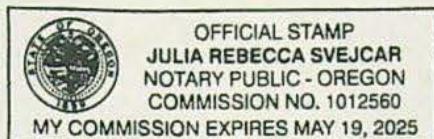
(continues on reverse side)

3. The water right was used for: (e.g., crops, pasture, etc.): HAY, PASTURE
4. I understand that if I do not attach one or more of the documents shown in the table below to support the above statements, my application will be considered incomplete.

Kirby W. Jones
Signature of Affiant

1-12-23
Date

Signed and sworn to (or affirmed) before me this 12th day of January, 2023.



Julia R. Svejcar
Notary Public for Oregon

My Commission Expires: May 19, 2025

Supporting Documents	Examples
☒ Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate)	Copy of confirming water right certificate that shows issue date
☒ Copies of receipts from sales of irrigated crops or for expenditures related to use of water	• Power usage records for pumps associated with irrigation use • Fertilizer or seed bills related to irrigated crops • Farmers Co-op sales receipt
☐ Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers	• District assessment records for water delivered • Crop reports submitted under a federal loan agreement • Beneficial use reports from district • IRS Farm Usage Deduction Report • Agricultural Stabilization Plan • CREP Report
☐ Aerial photos containing sufficient detail to establish location and date of photograph	Multiple photos can be submitted to resolve different areas of a water right. If the photograph does not print with a "date stamp" or without the source being identified, the date of the photograph and source should be added. Sources for aerial photos: OSU – www.oregonexplorer.info/imagery OWRD – www.wrd.state.or.us Google Earth – earth.google.com TerraServer – www.terra-server.com
☐ Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

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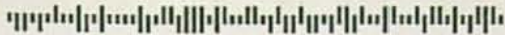
HARNEY ELECTRIC COOPERATIVE INC.
277 Lottery Lane • PO Box 587
Hines, Oregon 97738-0587

OWNED BY THOSE WE SERVE

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

KIRBY ISAAC
SHANNON ISAAC
38098 HIGHWAY 20 E
BURNS OR 97720-9466

C-1 P-2



- PAYMENTS MUST BE RECEIVED OR POSTMARKED BY THE DUE DATE TO RECEIVE THE 20% DISCOUNT.
- FAILURE TO RECEIVE BILL DOES NOT EXEMPT YOU FROM MONTHLY PAYMENT. IF YOU DON'T GET A BILL, CALL HEC.

BILLING SUMMARY	Billing Date	07/06/2022
	Billing Forward	0.00
	Current Billing	1,957.10
	Discount if Paid by	07/25/2022 -391.42
	Amount Due if Paid by	07/25/2022 1,565.68
	Amount Due After	07/25/2022 1,957.10

Account #: [REDACTED]

Page 1 of 1

Account #	Meter #	R A T E	M U L T	Previous Reading	Present Reading	KWH Used	Energy Charge	Other Charge	Security Light
Service Description				Service From:	Service To:	Demand Used	Demand/HP Charge	Tax Charge	Gross* Amount
[REDACTED]	80044934	IR1	1.0	44768	44813	45	3.26		
15 HP		REG		06/01/22	07/01/22	15	130.08		133.34 *
[REDACTED]	78545997	IR1	1.0	221896	241419	19523	1,415.42		
60HP IRR + PIVOT		REG		06/01/22	07/01/22	42	-55.32		1,360.10 *
[REDACTED]	84281937	IR1	1.0			0			
60HP IRR		REG		06/02/22	07/01/22		463.66		463.66 *

fd 7-25-22

Payments Received Since Last Billing \$820.27

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BILLING SUMMARY

Billing Date	08/04/2022
Billing Forward	0.00
Current Billing	2,213.82
Discount if Paid by	08/25/2022 -442.76
Amount Due if Paid by	08/25/2022 1,771.06
Amount Due After	08/25/2022 2,213.82

Account #: [REDACTED]

Page 1 of 1

Account #	Meter #	R A T E	M U L T	Previous Reading	Present Reading	KWH Used	Energy Charge	Other Charge	Security Light
Service Description				Service From:	Service To:	Demand Used	Demand/HP Charge	Tax Charge	Gross* Amount
[REDACTED]	80044934	IR1	1.0	44813	45901	1088	78.88		
15 HP		REG		07/01/22	08/01/22	19	54.45		133.33 *
[REDACTED]	78545997	IR1	1.0	241419	263720	22301	1,616.82		
60HP IRR + PIVOT		REG		07/01/22	08/01/22	42			1,616.82 *
[REDACTED]	84281937	IR1	1.0		12997	12997	942.28		
60HP IRR		REG		07/01/22	07/31/22	63	-478.61		463.67 *

pl.
8-11-22

Payments Received Since Last Billing \$1,565.68

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BILLING SUMMARY

Billing Date	09/07/2022
Billing Forward	0.00
Current Billing	3,472.60
Discount if Paid by	09/25/2022
	-694.51
Amount Due if Paid by	09/25/2022
	2,778.09
Amount Due After	09/25/2022
	3,472.60

Account #: [REDACTED]

Page 1 of 1

Account #	Meter #	R A T E	M U L T	Previous Reading	Present Reading	KWH Used	Energy Charge	Other Charge	Security Light
Service Description				Service From:	Service To:	Demand Used	Demand/HP Charge	Tax Charge	Gross* Amount
[REDACTED]	80044934	IR1	1.0	45901	46088	187	13.56		
15 HP		REG		08/01/22	09/01/22	19	-13.55		.01 *
[REDACTED]	78545997	IR1	1.0	263720	293892	30172	2,187.47		
60HP IRR + PIVOT		REG		08/01/22	09/01/22	42			2,187.47 *
[REDACTED]	84281937	IR1	1.0	12997	36912	23915	1,733.84		
60HP IRR		REG		07/31/22	09/01/22	58	-448.72		1,285.12 *

al
9-14-22

Payments Received Since Last Billing \$1,771.06

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- PAYMENTS MUST BE RECEIVED OR POSTMARKED BY THE DUE DATE TO RECEIVE THE 20% DISCOUNT.
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BILLING SUMMARY	Billing Date	10/05/2022
	Billing Forward	0.00
	Current Billing	2,186.76
	Discount if Paid by	10/25/2022 -437.35
	Amount Due if Paid by	10/25/2022 1,749.41
	Amount Due After	10/25/2022 2,186.76

Account #: [REDACTED]

Page 1 of 1

Account #	Meter #	R A T E	M U L T	Previous Reading	Present Reading	KWH Used	Energy Charge	Other Charge	Security Light
Service Description				Service From:	Service To:	Demand Used	Demand/HP Charge	Tax Charge	Gross* Amount
[REDACTED]	80044934	IR1	1.0	46088	46203	115	8.34		
15 HP		REG		09/01/22	10/01/22	9	-8.33		.01*
[REDACTED]	78545997	IR1	1.0	293892	309879	15987	1,159.06		
60HP IRR + PIVOT		REG		09/01/22	10/01/22	42			1,159.06*
[REDACTED]	84281937	IR1	1.0	36912	51087	14175	1,027.69		
60HP IRR		REG		09/01/22	10/01/22	61			1,027.69*

Pl 10-13-22

Payments Received Since Last Billing \$2,778.09

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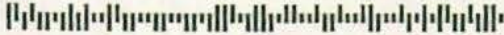
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BURNS OR 97720-9466

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- PAYMENTS MUST BE RECEIVED OR POSTMARKED BY THE DUE DATE TO RECEIVE THE 20% DISCOUNT.
- FAILURE TO RECEIVE BILL DOES NOT EXEMPT YOU FROM MONTHLY PAYMENT. IF YOU DON'T GET A BILL, CALL HEC.

BILLING SUMMARY	Billing Date	11/07/2022
	Billing Forward	0.00
	Current Billing	884.00
	Discount if Paid by	11/25/2022 -176.80
	Amount Due if Paid by	11/25/2022 707.20
	Amount Due After	11/25/2022 884.00

Account #: [REDACTED]

Page 1 of 1

Account #	Meter #	R A T E	M U L T	Previous Reading	Present Reading	KWH Used	Energy Charge	Other Charge	Security Light
Service Description				Service From:	Service To:	Demand Used	Demand/HP Charge	Tax Charge	Gross* Amount
[REDACTED]	80044934	IR1	1.0	46203	46265	62	5.12		
15 HP		REG		10/01/22	11/01/22	9	-5.11		.01 *
[REDACTED]	78545997	IR1	1.0	309879	317207	7328	604.56		
60HP IRR + PIVOT		REG		10/01/22	11/01/22	42			604.56 *
[REDACTED]	84281937	IR1	1.0	51087	54474	3387	279.43		
60HP IRR		REG		10/01/22	11/01/22	59			279.43 *

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Date:	10/07/2022	Receipt #	Carcass Number	Back Tag	Ear Tag	Disposition	USDA Tag	Producer	Live Wt	Hot Wt.
1			436	566	4150	Passed		4K Cattle/Tony Bott		675
2			437	567	30	Passed		4K Cattle/Tony Bott		405
Less Brand Inspection										
Total										1,080
									AVG.	540.00

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269

1080

190^{cc}

2052.00

14152

HOWARD RANCH

BOB HOWARD

P.O. Box 123 • Hammett, ID 83627

(208) 590-2651 • (208) 590-0139

DATE 11-25-22

TO _____

FROM KIRBY ISAAC

IN ☐ TRANSFER ☐ DEAD ☐ OUT ☐

HAULERS _____

SEX _____ SEX _____

HEAD	WEIGHT	HEAD	WEIGHT
9	5380	57	33565
8	5010	8	4985
8	4625	8	4960
8	4915	3	1790
8	4640	76	45305
8	4480	-2	-1605
8	4510	74	44200
57	33565		
GROSS		GROSS	.03
SHRINK %		SHRINK %	42879

NET WT. 621 NET WT. 42879
PRICE 2.10 PRICE 2.10
AMOUNT 1304.10 AMOUNT 890,045.90
AVE WT. _____ AVE WT. 579

91350
- 70000

SIGNED 243500

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Check Date 06/10/2022

Vendor Number: 66842

Check No. 0026357336

Invoice number	Invoice date	Voucher ID	Gross amount	Discount Taken	Paid Amount
PO-47401	6/9/22	C10-AP000306015	90,290.29	0.00	90,290.29

92 head steers

AGRI Beef

KIRBY ISAAC

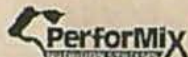
Check Number	Date	Total Gross Amount	Total Discounts	Total Paid Amount
0026357336	06/10/2022	90,290.29	0.00	90,290.29

OUR OPERATIONS



WASHINGTON BEEF

ABAC



LIVESTOCK

OUR BRANDS

DOUBLE R RANCH
Northwest BeefSRF 極
SNAKE RIVER FARMS

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OWRD

14152

Check Date 03/17/2022

Vendor Number: 66842

Check No. 0026353662

Invoice number	Invoice date	Voucher ID	Gross amount	Discount Taken	Paid Amount
PO-47031	3/17/22	C10-AP000297239	2,226.51	0.00	2,226.51

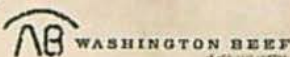
2 HRS.

AGRI BEEF

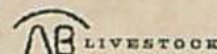
KIRBY ISAAC

Check Number	Date	Total Gross Amount	Total Discounts	Total Paid Amount
0026353662	03/17/2022	2,226.51	0.00	2,226.51

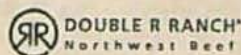
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AB&C



OUR BRANDS



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* (Deduct Codes: J-Jersey, F-Fat, B-Buckshot, L-Longhorn, O-Other, S-Size)

*(Deduct Codes: J-Jersey, F-Fat, B-Buckshot, L-Longhorn, O-Other, S-Size)

STATE OF OREGON
COUNTY OF HARNEY
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JOHN R. PICKETT
SANDRA L. PICKETT
37820 HWY 20 E
BURNS OR 97720

confirms the right to the use of water perfected under the terms of Permit G-8430. 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-8880

SOURCE OF WATER: A WELL

PURPOSE OR USE: IRRIGATION OF 37.5 ACRES

MAXIMUM RATE: 0.47 CUBIC FOOT PER SECOND

DATE OF PRIORITY: JULY 3, 1978

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The well is located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
23 S	32.5 E	WM	4	NW NW	4	700 FEET SOUTH AND 800 FEET EAST FROM NW CORNER, SECTION 4

The amount of water used for irrigation shall be limited to ONE-EIGHTIETH of one cubic foot per second or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre feet for each acre irrigated during the irrigation season of each year.

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
23 S	32.5 E	WM	4	NW NW	4	37.5

The well(s) shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon.

The works shall include an air line and pressure gauge or an access port for measuring line, adequate to determine the water level elevation in the well at all times.

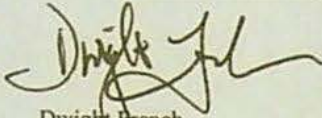
NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

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.

The water user shall maintain a weir, meter, or other suitable measuring device, and shall keep a complete record of the amount of ground water withdrawn.

The right to the use of the water for the above purpose is restricted to beneficial use on the place of use described subject to existing rights including the existing minimum flow policies established by the Water Policy Review Board.

Issued SEP 30 2022



Dwight French
Water Right Services Division Administrator, for
Douglas E. Woodcock, Acting Director
Oregon Water Resources Department

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

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

WATER WELL REPORT

STATE OF OREGON

(Please type or print)

(Do not write above this line)

State Well No. 238/32/2E-4

State Permit No. 6-8432

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JUL 3 1978

(1) OWNER:

Name Bruce Ann Leon Boldenow
Address 1411 Horse Sheep Ranch
Star Rt 2-14614 Burns, Ore 97720

(2) TYPE OF WORK (check):

New Well ☒ Deepening ☐ Reconditioning ☐ Abandon ☐

If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

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

(4) PROPOSED USE (check):

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

CASING INSTALLED:

12" Diam. from 0 ft. to 90 ft. Gage 0.250
" Diam. from _____ ft. to _____ ft. Gage _____
" Diam. from _____ ft. to _____ ft. Gage _____

PERFORATIONS:

Perforated? ☐ Yes ☐ No.

Type of perforator used NA

Size of perforations _____ in. by _____ in.
_____ perforations from _____ ft. to _____ ft.
_____ perforations from _____ ft. to _____ ft.
_____ perforations from _____ ft. to _____ ft.

(7) SCREENS:

Well screen installed? ☐ Yes ☐ No

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

(8) WELL TESTS:

Drawdown is amount water level is lowered below static level

Was a pump test made? ☒ Yes ☐ No If yes, by whom? Bruce Boldenow
Yield: 410 gal./min. with 40 ft. drawdown after 8 hrs.

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

Artesian flow _____ g.p.m.

Temperature of water _____ Depth artesian flow encountered _____ ft.

(9) CONSTRUCTION:

Well seal—Material used Cement Grout
Well sealed from land surface to 18 ft.
Diameter of well bore to bottom of seal 18 in.
Diameter of well bore below seal 12 in.
Number of sacks of cement used in well seal 20 sacks
How was cement grout placed? By Hand And Tamped.

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

Did any strata contain unusable water? ☒ Yes ☐ No

Type of water? Alkali depth of strata 45'

Method of sealing strata off Casing

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

Gravel placed from _____ ft. to _____ ft.

(10) LOCATION OF WELL:

County Harney Driller's well number _____
Section 423 T. 13 R. 12 W.M.

Bearing and distance from section or subdivision corner
410ft from N Boundary in E 1/2 of Lot 4

(11) WATER LEVEL: Completed well.

Depth at which water was first found _____ ft.
Static level 7 ft. below land surface. Date 6-17-78
Artesian pressure _____ lbs. per square inch. Date _____

(12) WELL LOG:

Diameter of well below casing 12

Depth drilled 210 ft. Depth of completed well 210 ft.

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

MATERIAL	From	To	SWL
Soil	1	3	
HARD PAN	3	6	
Soil	6	18	
Sandy Blue Clay	18	43	
Sand & Gravel	43	44	WB
Sandy Blue Clay	44	87	
Rock	87	93	
DRY GREEN CLAY	93	142	
Blue Clay	142	179	
White Pumice	179	200	WB
Dry Green Clay	200	210	

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JAN 28 2023

OWRD

Work started June 10 1978 Completed June 17 1978

Date well drilling machine moved off of well June 19 1978

Drilling Machine Operator's Certification:

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

(Signed) Bruce Boldenow Date 19 June, 1978
(Drilling Machine Operator)

Drilling Machine Operator's License No. _____

Water Well Contractor's Certification:

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

Name Bruce E Boldenow
(Person, firm or corporation) (Type or print)

Address Star Rt 2-14614

(Signed) Bruce Boldenow
(Water Well Contractor)

Contractor's License No. _____ Date June 19, 1978

(USE ADDITIONAL SHEETS IF NECESSARY)

SP-45036-119

14152

STATE OF OREGON
WATER SUPPLY WELL REPORT
(as required by ORS 537.765 & OAR 690-205-0210)

HARN 52924

WELL I.D. LABEL# L

136139

START CARD #

1050131

ORIGINAL LOG #

12/15/2020

(1) LAND OWNER

Owner Well I.D.

First Name KIRBY

Last Name ISAAC

Company

Address 30953 STATE HWY 51

City BRUNEAU

State ID

Zip 83604

(2) TYPE OF WORK

☒ New Well ☐ Deepening ☐ Conversion☐ Alteration (complete 2a & 10) ☐ Abandonment (complete 5a)

(2a) PRE-ALTERATION

Casing: Dia + From To Gauge Stl Plstc Wld Thrd

Material From To Amt sacks/lbs

Seal: Dia + From To Gauge Stl Plstc Wld Thrd

(3) DRILL METHOD

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

(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 700.00 ft.

BORE HOLE

Dia	From	To	Material	From	To	Amt	sacks/lbs
16	0	97	Bentonite	0	16	14	S
12	97	700					
						Calculated	12.61
			Cement	16	97	48	S
						Calculated	37.55

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

Backfill placed from _____ ft. to _____ ft. Material _____

Filter pack from _____ ft. to _____ ft. Material _____ Size _____

Explosives used: ☐ Yes Type _____ Amount _____

(5a) ABANDONMENT USING UNHYDRATED BENTONITE

Proposed Amount

Actual Amount

(6) CASING/LINER

Casing Liner	Dia	+	From	To	Gauge	Stl	Plstc	Wld	Thrd
☒	12	☒	2	115	.250	☒	☒	☒	☒

Shoe ☐ Inside ☒ Outside ☐ Other Location of shoe(s) 115Temp casing ☐ Yes Dia _____ From + _____ To _____

(7) PERFORATIONS/SCREENS

Perforations Method

Screens Type

Material

Perf/ Screen	Casing/ Liner	Dia	From	To	Scrn/slot width	Slot length	# of slots	Tele/ pipe size

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

☐ Pump ☐ Bailor ☒ Air ☐ Flowing Artesian

Yield gal/min	Drawdown	Drill stem/Pump depth	Duration (hr)
100		700	1

Temperature 55 °F Lab analysis ☐ Yes By _____Water quality concerns? ☐ Yes (describe below) TDS amount 497 ppm

From	To	Description	Amount	Units

(9) LOCATION OF WELL (legal description)

County HARNIEY Twp 23.00 S N/S Range 32.50 E E/W WM

Sec 4 SW 1/4 of the NW 1/4 Tax Lot 100

Tax Map Number _____ Lot _____

Lat _____ " or 43.60679900 DMS or DD

Long _____ " or -118.78312800 DMS or DD

☒ Street address of well ☐ Nearest address

3098 HWY 20 BURNS, OR 97720

(10) STATIC WATER LEVEL

Existing Well / Pre-Alteration	Date	SWL (psi)	+	SWL (ft)
Completed Well	12/9/2020			83

Flowing Artesian? ☐ Dry Hole? ☐

WATER BEARING ZONES

Depth water was first found 47.00

SWL Date	From	To	Est Flow	SWL (psi)	+	SWL (ft)
12/6/2020	47	48	5			26
12/7/2020	59	74	15			26
12/8/2020	176	179	100			86

(11) WELL LOG

Ground Elevation

Material	From	To
Brown Clay	0	12
Brown Sand and Clay	12	17
Brown Clay	17	47
Cracks Brown Clay Silts	47	48
Grey Sticky Clay	48	56
Hard Grey Clay	56	59
Grey Hard Clay Cracks Silts	59	74
Hard Grey Clay	74	176
Cracks Pumice	176	179
Olive Green, Dark Blue Black Clay/Layers	179	340
Olive Green w/Light Green Clay	340	525
Olive Green w/Black, Lt Green, Yellow Cla	525	700

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JAN 23 2023

Date Started 12/1/2020

Completed 12/9/2020

QWRD

(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 1896

Date 12/14/2020

Signed TONY HACKETT (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 1899

Date 12/15/2020

Signed SAM KINGREY (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:

14152

14152

WATER SUPPLY WELL REPORT -
continuation page

HARN 52426

WELL I.D. LABEL# L118172

START CARD #	1027634
--------------	---------

ORIGINAL LOG #

9/16/2015

(2a) PRE-ALTERATION

Dia	+	From	To	Gauge	Stl	Plstc	Wld	Thrd
								

Material	From	To	Amt	sacks/lbs

(5) BORE HOLE CONSTRUCTION

BORE HOLE			SEAL				sacks/ lbs
Dia	From	To	Material	From	To	Amt	lbs
					Calculated		
					Calculated		
					Calculated		
					Calculated		
					Calculated		

FILTER PACK			
From	To	Material	Size

(6) CASING/LINER

Casing	Liner	Dia	+	From	To	Gauge	Stl	Plstc	Wld	Thrd
--------	-------	-----	---	------	----	-------	-----	-------	-----	------

(7) PERFORATIONS/SCREENS

[illegible][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

[illegible]

(11) WELL LOG

[illegible]

Comments/Remarks

Cleaned out well and set liner to prevent caving

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

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

WATER WELL REPORT

STATE OF OREGON

(Please type or print)

(Do not write above this line)

State Well No. 235/322E-490

State Permit No. G-9199

(1) OWNER:

Name Larry Root & Donna Root

Address St. Rt. 2-14692 Hwy 20
Burns, Oregon 97720

(2) TYPE OF WORK (check):

New Well ☒ Deepening ☐ Reconditioning ☐ Abandon ☐

If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rotary ☐ Driven ☐
Jetted ☐ Bored ☐

(4) PROPOSED USE (check):

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

(5) CASING INSTALLED:

12" Diam. from 0 ft. to 73 ft. Gage 0.250
" Diam. from ft. to ft. Gage
" Diam. from ft. to ft. Gage

(6) PERFORATIONS:

Perforated? ☐ Yes ☒ No.

Type of perforator used

Size of perforations in by in.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.

(7) SCREENS:

Well screen installed? ☐ Yes ☒ No

Manufacturer's Name

Type Model No.

Diam. Slot size Set from ft. to ft.

Diam. Slot size Set from ft. to ft.

(8) WELL TESTS:

Drawdown-is amount water level is
lowered below static level

Is pump test made? ☒ Yes ☐ No If yes, by whom? Driller

Yield: 600 gal./min. with 90 ft. drawdown after 48 hrs.

Test gal./min. with ft. drawdown after hrs.

Artesian flow g.p.m.

Temperature of water 52° Depth artesian flow encountered ft.

(9) CONSTRUCTION:

Well seal—Material used Cement Grout

Well sealed from land surface to 20 ft.

Diameter of well bore to bottom of seal 16 in.

Diameter of well bore below seal 12 in.

Number of sacks of cement used in well seal 21 sacks

How was cement grout placed?

From The bottom upwardly with pressure
grout pump & trieme pipe.

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

Did any strata contain unusable water? ☐ Yes ☒ No

Type of water? depth of strata

Method of sealing strata off

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

Gravel placed from ft. to

(10) LOCATION OF WELL:

County Harnay

Driller's well number 1

NE 1/4 NE 1/4 Section 4 T. 233 R. 32 E W.M.

Bearing and distance from section or subdivision corner

(11) WATER LEVEL: Completed well.

Depth at which water was first found 12 ft.

Static level 10 ft. below land surface. Date 12/14/80

Artesian pressure lbs. per square inch. Date

(12) WELL LOG:

Diameter of well below casing 12 "

Depth drilled 365 ft. Depth of completed well 365 ft.

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

MATERIAL	From	To	SWL
Soil	0	3	0
Clay (Brown)	3	12	0
Gravel (med.)	12	13	12
Clay (green)	13	73	12
Rock (brn. shale)	73	75	12
Clay (blue)	75	347	12
Pumice (white)	347	352	10
Clay (green)	352	365	10

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DEC 30 1980

WATER RESOURCES DEPT
SALEM, OREGON

RECEIVED

JAN 23 2023

OWRD

Work started 12/03/80 19 Completed 12/23/ 19
Date well drilling machine moved off of well 12/24/ 80 19 80

Drilling Machine Operator's Certification:

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

[Signed] Larry Root Date 12/26/ 19 80
(Drilling Machine Operator)

Drilling Machine Operator's License No. 1173

Water Well Contractor's Certification:

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

Name Larry Root & Sons
(Person, firm or corporation) (Type or print)

Address ST. RT. 2-14692 Hwy 20 Burns, Oregon 97720

[Signed] Larry Root
(Water Well Contractor)

Contractor's License 781 Date 12/26 19 80

AL SHEETS IF NE

14152

HARN 633

For Official Use Only:

Received Date: _____

County Well Log ID #

Well Identification Tag #

HARN 63335535**WELL IDENTIFICATION APPLICATION FORM****RECEIVED****BUYER/CURRENT WELL OWNER:**

JUL 01 1999

Name: Andy RootWATER RESOURCES DEPT.
SALEM, OREGONMailing Address: HC 73 174 Harney RoadCity: Burns State: OR Zip: 97720 Phone: (541) 493-3645**WELL LOCATION:**County: Harney Owner's Well Number: # 1Township: 22 or S, Range: 32 1/2 E or W, Section: 33 NE 1/4 NW 1/4Tax Lot Number: 2200 Type of Well: water supply IRR monitoring _____

Street Address of Well (if different from above): _____

WELL INFORMATION: (do not complete remainder of application if well log is available)Start Card Number: 20911 Approx. Construction Date: _____**RECEIVED**

Well Constructor: _____

JAN 23 2023

Name of Owner at Time of Construction: _____

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Well Depth (in feet): _____ Static Water Level (in feet): _____

Diameter of Exposed Well Casing (in inches): _____

Does this well have a formal water right associated with it? Yes: yes No: _____If Yes: Application #: G-14678 Permit #: G-13539 Certificate #: _____

Please Return Completed Form to:

Larry D. McQueen
Well Identification Program
Oregon Water Resources Department
158 12th Street NE
Salem, OR 97310



THIS SPACE RESEF

HARNEY COUNTY, OR 2015-0792
DEEDBSD
Total:\$46.00 06/30/2015 02:25 PM



00010359201500007920020028

I, Derrin Robinson, County Clerk for Harney County, Oregon certify that the instrument identified herein was recorded in the Co. Clerk's records.

Derrin Robinson
Derrin E. Robinson, Harney County Clerk



Umpqua Bank, Successor by Merger to Sterling Savings Bank

Grantor's Name and Address

Kirby W. Isaac and Shannon D. Isaac

30953 Idaho State Highway 51

Bruneau, ID 83604

Grantee's Name and Address

After recording return to:

Kirby W. Isaac and Shannon D. Isaac.

30953 Idaho State Highway 51

Bruneau, ID 83604

Until a change is requested all tax statements

shall be sent to the following address:

Kirby W. Isaac and Shannon D. Isaac and Pioneer 1031 Co.

30953 Idaho State Highway 51

Bruneau, ID 83604

File No. 54089AM

BARGAIN AND SALE DEED

KNOW ALL MEN BY THESE PRESENTS, That

Umpqua Bank, Successor by Merger to Sterling Savings Bank,

hereinafter called Grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto

Kirby W. Isaac and Shannon D. Isaac, as Tenants by the Entirety

hereinafter called Grantee, and unto Grantee's heirs, successors and assigns all of that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, situated in the County of Harney, State of Oregon, described as follows, to wit:

Land in Harney County, Oregon, as follows:

In Twp. 23 S., R. 32 1/2 E., W.M.:

Sec. 4: Lots 1 and 2, S1/2N1/2.

FOR INFORMATION PURPOSE ONLY, THE MAP/TAX ACCT #(S) ARE REFERENCED HERE:

23S 32V 04 100 5842

23S 32V 04 300

The true and actual consideration paid for this transfer, stated in terms of dollars, PURSUANT TO AN IRC 1031 TAX DEFERRED EXCHANGE ON BEHALF OF GRANTOR/GRANTEE.

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JAN 23 2023

OWRD

14152

Page 2 - Bargain and Sale Deed
Escrow No. 54089AM

However, the actual consideration consists of or includes other property or value given or promised which is the whole / part of the consideration.

To Have and to Hold the same unto grantee and grantee's heirs, successors and assigns forever.

In construing this deed, where the context so requires, the singular includes the plural and all grammatical changes shall be made so that this deed shall apply equally to corporations and to individuals.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

In Witness Whereof, the grantor has executed this instrument this 29 day of JUNE, 2015; if a corporate grantor, it has caused its name to be signed and its seal if any, affixed by an officer or other person duly authorized to do so by order of its board of directors.

Umpqua Bank, Successor by Merger to Sterling Savings Bank

Sam Teyema

Sam Teyema, Vice President/OREO Marketing Manager

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JAN 23 2023

OWRD

State of Oregon)
County of multnomah)ss.

On this 29 day of June, in the year 2015, before me, Tracy R Theabolt, a Notary Public in and for said state, personally appeared

Sam Teyema known to me to be the Vice President/OREO Marketing Manager of the Corporation, and acknowledged to me that pursuant to a Resolution of the Board of Directors, he/she executed the foregoing in said Corporation name. IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Tracy R Theabolt

Notary Public for the State of Oregon
Residing at: 6595 SE Simpson St, Hillsboro, OR 97123
Commission Expires: 02/05/17



14152

Application for Water Right Transfer



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

Consent by Deeded Landowner

State of Oregon)
)ss
County of Harney)

RECEIVED

JAN 23 2023

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We John & Sandra Pickett in our capacity as owners,

mailing address 37820 Hwy 20 E, Burns, OR 97720,

telephone number 208-599-1251, duly sworn depose and say that We

consent to the proposed change(s) to Water Right Certificate Number 96679

described in a Water Right Transfer Application (T-TBD),

(transfer number, if known)

submitted by Kirby & Shannon Isaac

on the property in tax lot number(s) 600 & 700,

Section 04 Township 23 South Range 32.5 East, W.M.,

located at 37820 Hwy 20 E, Burns, OR 97720.

(site address)

John R. Pickett
Signature of Affiant

10-12-2022

Date

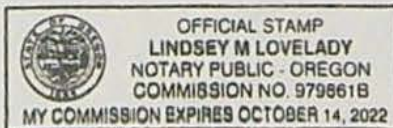
Sandra R. Pickett
Signature of Affiant

10-12-2022

Date

Subscribed and Sworn to before me this 12 day of October, 20 22.

Lindsey M. Lovelady
Notary Public for Oregon



My commission expires 10/14/2022



THIS SPACE

HARNEY COUNTY, OR 2017-1283
DEED-WD 10/11/2017 03:10:01 PM
Pgs= 2 \$46.00

I, Derrin Robinson, County Clerk for Harney County, Oregon certify that the instrument identified herein was recorded in the Co. Clerk's records.

Derrin Robinson

Derrin E. Robinson, Harney County Clerk



After recording return to:

John R. Pickett and Sandra L. Pickett

2848 Village Blvd.

White City, OR 97503

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

John R. Pickett and Sandra L. Pickett

2848 Village Blvd.

White City, OR 97503

File No. 198119AM

STATUTORY WARRANTY DEED

Laura L. Canaday,

Grantor(s), hereby convey and warrant to

John R. Pickett and Sandra L. Pickett, as Tenants by the Entirety,

Grantee(s), the following described real property in the County of Harney and State of Oregon free of encumbrances except as specifically set forth herein:

Land in Harney County, Oregon, as follows:

In Twp. 23 S., R. 32 1/2 E., W.M.:

Sec. 4: Government Lot 4, EXCEPTING THEREFROM highway right of way conveyed to the State of Oregon, by deed recorded January 27, 1937, in Book 37, Page 395, Deed Records.

FOR INFORMATION PURPOSES ONLY, THE MAP/TAX ACCT #(S) ARE REFERENCED HERE:

23S 32VE 04 600

23S 32VE 04 700

The true and actual consideration for this conveyance is \$150,000.00.

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

Received by OWRD

SEP 01 2023

Salem, OR

SUPERSEDING

SUPERSEDING

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Dated this 11 day of October, 2017

Laura L. Canaday
Laura L. Canaday

State of Oregon } ss

County of Harney }

On this 11 day of October, 2017, before me, a Notary Public in and for said state, personally appeared Laura L. Canaday, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within Instrument and acknowledged to me that he/she/they executed same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Amie Carin Breshears
Notary Public for the State of Oregon
Residing at: Burns
Commission Expires: 4.3.20

Received by OWRD

SEP 01 2023

Salem, OR

SUPERSEDING

Land Use Information Form

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

Applicant(s): KIRBY W. ISAAC & SHANNON D. ISAAC

Mailing Address: 38098 HWY 20 E

City: BURNS

State: OR

Zip Code: 97720

Daytime Phone: 208-599-1251

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JAN 23 2023

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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:
23S	32.5 E	4		100	EFRU-2	☒ Diverted	☒ Conveyed	☒ Used	IRRIGATION
"	"	"		300	EFRU-2	☒ Diverted	☒ Conveyed	☒ Used	IRRIGATION

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: 1.17 ☒ 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:

FOR TWO CERTIFICATES: CHANGE PLACE OF USE AND CHANGE TO 2 CONNECTED
POINTS OF APPROPRIATION.

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): HCZ 3.020 / EFLV-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 (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued

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

Name: Brandon McMullen Title: Planning Director

Signature: [Signature] Phone: (941) 573-6655 Date: 12/1/2022

Government Entity: Harvey County

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



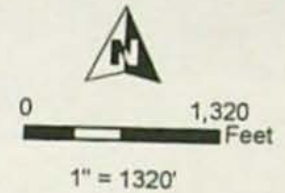
Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

**T23S R32.5E, WM
HARNEY COUNTY, OR**



- Well - Authorized
- Pipeline
- POU IR C-62483 "OFF"
- Township
- Section
- Quarter Quarter
- Tax Lot

Well (HARN 633 & HARN 52426 / L-118172) Location:
1010' S, 1360' W of NE Cor Sec 4

RECEIVED

JAN 23 2023

OWRD



TEMPORARY TRANSFER MAP - "OFF MAP 2 OF 2"
Kirby Isaac

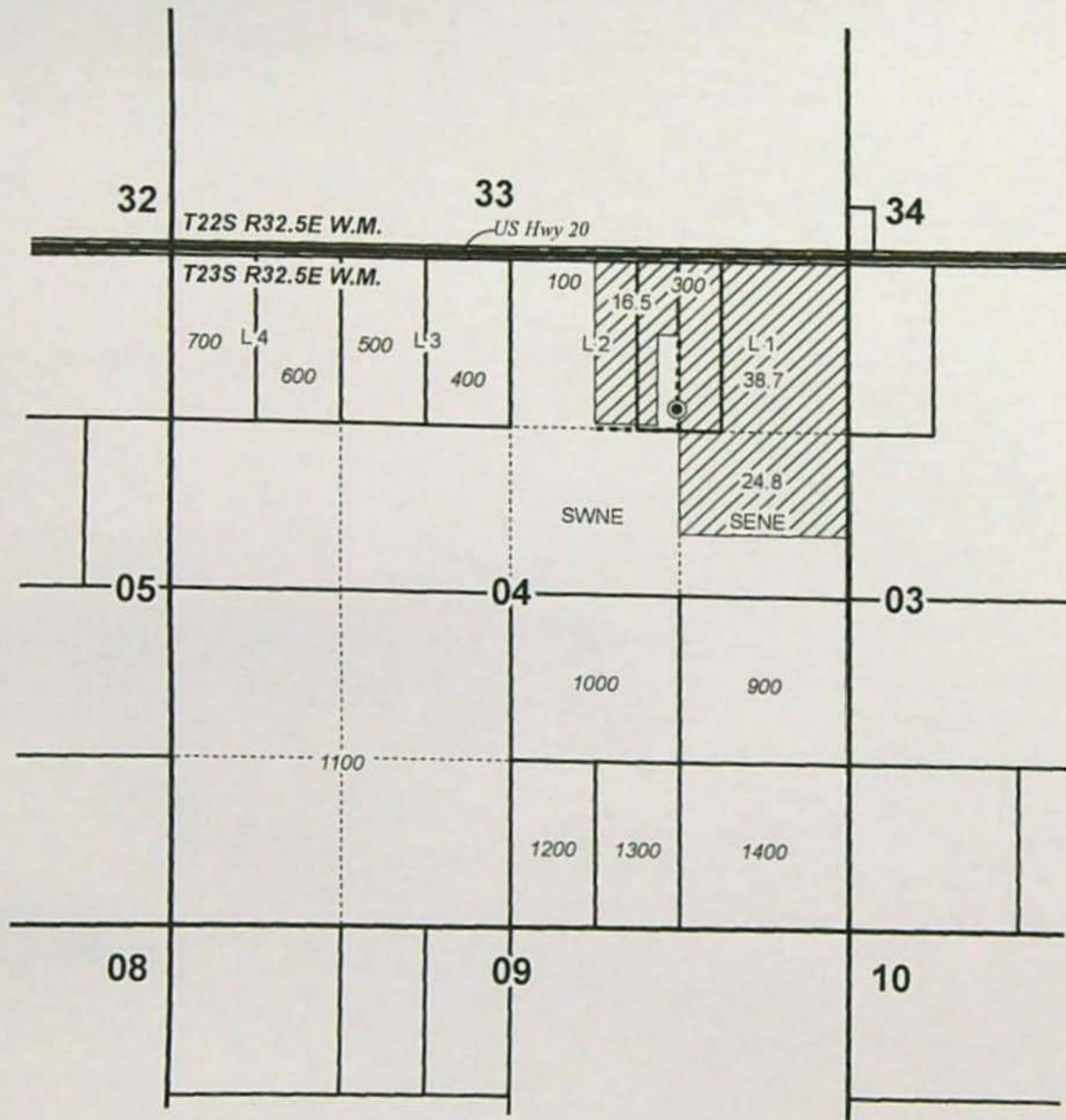
Date: 11/29/2022

C-62483 1/8/1981 Priority

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

WATER RIGHT SERVICES, LLC
PO BOX 1830, BEND, OR 97709
WWW.OREGONWATER.US CCB # 197121
johnshort@usa.com 541-389-2837

14152



-32-33

T22S R32.5E W.M.

US HWY-20

T23S R32.5E W.M.

-05-04

T23S R32.5E, WM HARNEY COUNTY, OR



0 400 Feet

1" = 400'

- Well
- Meter
- Pipeline
-  POU IR C-96679 "OFF"
- Section
- Quarter Quarter
-  Tax Lot

Well (HARN 635) Location:
700' S, 800' E of NW Cor Sec 4

RECEIVED
JAN 23 2023
OWRD



14152

100

L-4
37.5

L-3

SWNW

SENW

TEMPORARY TRANSFER MAP - "OFF MAP 1 OF 2"
Kirby Isaac

Date: 11/29/2022

C-96679 7/3/1978 Priority

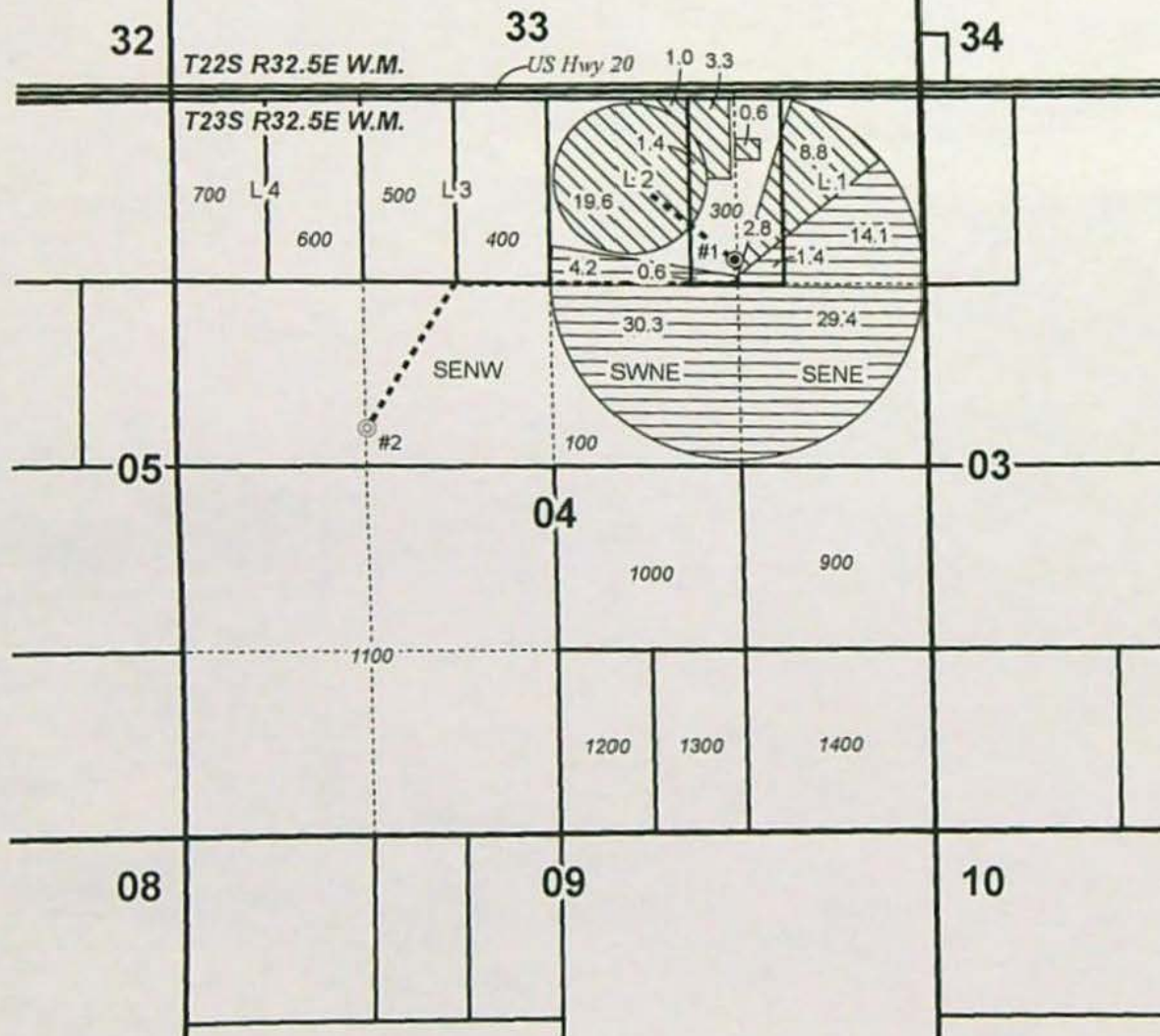
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T23S R32.5E, WM HARNEY COUNTY, OR



0 1,320 Feet
1" = 1320'



- Well - Authorized C-62483
- ⊙ Well - APOA
- Pipeline
- ▨ POU IR C-62483 1/8/1981 "ON"
- ▩ POU IR C-96679 7/3/1978 "ON"
- Section
- Quarter Quarter
- Tax Lot

Well #1 (HARN 633 & HARN 52426 / L-118172):
1010' S, 1360' W of NE Cor Sec 4

Well #2 (HARN 52924 / L-136139)
270' N, 1320' W of Cen 1/4 Cor Sec 4

RECEIVED

JAN 23 2023

OWRD



TEMPORARY TRANSFER MAP - "ON MAP"

Kirby Isaac

C-62483 1/8/1981 Priority
C-96679 7/3/1978 Priority

Date: 12/1/2022

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

WATER RIGHT SERVICES, LLC

PO BOX 1830, BEND, OR 97709

WWW.OREGONWATER.US CCB # 197121

johnshort@usa.com 541-389-2837

Original Temporary Water Right Transfer Application Checklist

Checked by Aula

Date 1/24/23

A temporary transfer must be for a change in place of use. A temporary change in POD/POA or APOD/APOA cannot be accepted as a stand-alone change.

A change in POD/POA can accompany the temporary change in place of use, only if the proposed temporary POD/POA is supplying water to the proposed temporary place of use.

OK, check box to left; if not, fill in the blank)

- ☒ 1. Page 1 of application: Are all attachments that have been checked actually included?
If not, what is missing? _____
- ☒ 2. Are fees included and correct?
If not, the correct fee would be: _____, so the amount missing is: _____
- ☒ 3. Part 4 of application: Have all the applicants listed at the top of the page signed at the bottom?
If not, whose signature is missing? _____
- ☒ 4. Are all listed certificates shown by WRIS as non-cancelled?
If not, which are cancelled? _____
For each cancelled certificate, if there has been a remaining right certificate issued that covers the lands in the left side of Table 2, list its number _____ and check the #4 box at left on this checklist.
- ☒ 5. If any certificate is in the name of a "district", is a Supplemental Form D from that district enclosed?
☒ N/A ☐ Form D needed from _____ (district)
6. If all #1-#5 boxes on this checklist are checked (with no remaining deficiencies identified), accept the application. Put this check sheet in the transfer folder.

If #1, #2, #3, #4 or #5 on this checklist is deficient, the application 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.