

T-10361

T-10361

Name Harry & Cecilia McCall **ASSIGNED**

By _____

Address P.O. Box 1926Albany, OR 97321541-791-3880

DESCRIPTION OF WATER RIGHT

Name of stream wellTrib. of Malheur Lake County of HarneyUse IR

Quantity of water _____ No. of acres _____

Name of ditch _____

Date of priority 1977In name of same

_____ Adjudication, Vol. _____, page _____

App. No. G 8128 Per. No. G 7639 Cert. No. 83242

Certificate cancelled _____

Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>4/6/67</u>	<u>350.⁰⁵</u>	<u>86991</u>
<u>7/15/09</u>	<u>75.⁰⁰</u>	<u>97187</u>
<u>7/20/16</u>	<u>88.⁰⁰</u>	<u>120600</u>
TOTAL . . .		
	Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

Change in APOADate filed 4/6/2007

Date of hearing _____

Place of hearing _____

Date of order 12-7-09 Vol. 79, page 265

Date for application of water _____

Proof mailed _____

Proof received COBU 8/29/2016

Certificate issued _____ Vol. _____, page _____

REMARKS

NOTE/cwee Chris Palmer #160Harney County Planning Dept 450 N Buena Vista Burns, OR 97720Assignment: 7/15/2009Assignment: 7/27/16Certificate 96065 issued 1/28/2022TOBY & LISA CRONIN
PO BOX 172
DREWSEY OR 97904**ASSIGNED**

→ Amanda Zraggen 38095 Cottontail Lane Burns, OR 97720

Mailing List for Final Transfer Certificate(s)

Transfer Application: T-10361

Certificate: 96065 (C-83242)

Certificate/Transfer Holder: (include copy of map)
AMANDA ZGRAGGEN
38095 COTTONTAIL LANE
BURNS OR 97720

Is the Transfer Holder(s) of record currently identified as a landowner of any tax lots involved as confirmed by the County records? YES

Copies of Final Transfer Certificate(s) to be sent to:

1. Vault
2. File

Other persons to receive copies: (include map):

1. Robert D. Bagett, CWRE #009

Record Marking(s):

1. Original Application# G-8128
2. Old Certificate# 83242

Copies Mailed	
by: <u>TM</u>	(STAFF)
on: <u>1/28/2022</u>	(DATE)



Oregon

Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

DATE MAILED: JAN 28 2022

NOTICE OF CERTIFICATE ISSUANCE

The attached certificate confirms the water right established under the terms of a permit issued by this Department: The water right is now appurtenant to the specific place where the use was established as described by the certificate. The water right is limited to a specific amount of water, but not more than can be beneficially used for the purposes stated within the certificate.

The certificate is a final 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.

Oregon law does not allow the Director to reissue a certificate because of a change in the ownership of the appurtenant place of use. The water must be controlled and not wasted. To change the location of the point of diversion, the character of use, or the location of use requires the advance approval of the Water Resources Director.

If any portion of this water right is not used for five or more consecutive years that portion of the right may be subject to forfeiture according to ORS 540.610. Land enrolled in-a Federal Reserve Program is not subject to forfeiture during the period of enrollment. Other exceptions to forfeiture are explained in ORS 540.610.

If you have any questions please contact Codi Holmes at 503-979-3814.

STATE OF OREGON

COUNTY OF HARNEY

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

AMANDA ZGRAGGEN
38095 COTTON TAIL LANE
BURNS OR 97720

confirms the right to the use of water perfected under the terms of Permit G-7639. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the well(s). The specific limits and conditions of the use are listed below.

SOURCE OF WATER: WELL 1 AND WELL 2 IN THE MALHEUR LAKE BASIN

PURPOSE OR USE: IRRIGATION OF 77.7 ACRES

MAXIMUM RATE: 0.9 CUBIC FOOT PER SECOND

DATE OF PRIORITY: MAY 16, 1977

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
23 S	32.5 E	WM	3	NE SE	WELL 1 (ORIGINAL) - 1569 FEET NORTH AND 1048 FEET WEST FROM SE CORNER, SECTION 3
23 S	32.5 E	WM	3	NW SE	WELL 2 (ADDITIONAL) - 1300 FEET SOUTH AND 840 FEET EAST FROM C1/4 CORNER, SECTION 3

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year, provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein. The right to the use of water for the above purpose is restricted to beneficial use on the lands or place of use described.

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
23 S	32.5 E	WM	3	NE SE	30.5
23 S	32.5 E	WM	3	NW SE	30.5
23 S	32.5 E	WM	3	SW SE	16.7

The quantity of water diverted at the additional point of appropriation (wells) (Well 2), together with that diverted at the original point of appropriation (Well 1), shall not exceed the quantity of water available from the original point of appropriation (Well 1).

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may petition for judicial review and petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

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

Well 1 (Original):

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

Well 2 (Additional):

When required by the Department, the water user shall install, maintain and operate an in-line flow meter or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

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

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

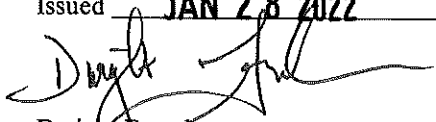
The use of water shall be limited when it interferes with any prior surface or ground water rights.

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

This certificate is issued to confirm an ADDITIONAL POINT OF APPROPRIATION approved by an order of the Water Resources Director entered December 7, 2009, at Special Order Volume 79, Page 265, approving Transfer Application 10361, supercedes Certificate 83242, State record of Water Right Certificates.

Issued

JAN 28 2022



Dwight French

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

FULL

MEMO -Proof to Satisfaction

Application #	Permit #	Transfer # T-10361
WRD Reviewer Holmes	Date MAR 2021	
WRD Peer Reviewer J Skaug	Date May. 2021	

ADDA c15532 c83242 > T 10361 RR85400 CF 85401 p. 79 pg. 265

Research

- ☐ Organize file in chronological order
- ☒ Pull CBU Report & Map(s), Application Map, relevant Permit, Certificate, or Transfer Order, most recent Assignments, Extension Orders, SWL Measurements, Fish Screen Certification Documents, Water Use Reports & Pump Tests
- ☒ Search for Water Right Location using Interactive Mapper. Identify Tax Lots & check for Area of Interest (AOI)
- ☒ Water Organization identified using AOI? ☒ No ☐ Yes
If "Yes" cc: none & Add to Mailing List
- ☒ Print Tax Lot Map from ormap.net for the original Place of Use, and confirm Current Ownership & Address with County Assessor
If there is a new owner, Add to Mailing List, including the owner(s) name & tax lot number
- ☒ Print Platcard & check for Place of Use Conflict? ☒ No ☐ Yes
If "Yes", provide copy of certificate & relevant map
- ☒ Print BLM Cadastral Survey
- ☒ Does Claim Map identify correct DLC, Gov't Lots, QQ's? ☐ No ☒ Yes
If "No", either _____ WRD amend map OR _____ prepare Order of Certification

Reviewing Claim

Have conditions on relevant permit, certificate, or transfer order been complied with? Yes, No, OR N/A

N/A Fish Conditions

YES Meter/measuring device - MM

☐ Water Use Reporting

☐ Pump Test (post December 19, 1988)

☐ Other Conditions _____

☒ SWL

☐ C-Date OCT. 1 2015

POA = well 1 - meter shall

ADDA = well 2 - meter may

☐ Run Capacity Calculator and Print Findings (for pump, sprinklers, pipes, ditches, as appropriate)

NOTES:

ERROR on confirming CF 85401 > ACRES INCORRECT

NEW POA > may meter old POA > meter

Determination

____ I've determined that the permit/transfer was fully developed as authorized and that a **FINAL** Certificate should be issued.

____ I've determined that the permit/transfer was not fully developed as authorized and that a **PROPOSED** Certificate should be issued. A proposed Certificate should be issued for the following reason(s):

____ I've determined that beneficial use was NOT made within the terms and conditions and that a **Proposed Order of Certification** (denial) should be issued. A proposed Order of Certification should be issued for the following reason(s):

Processing

___ Stamp PROPOSED or Assign CERT# _____ or ORDER OF CERTIFICATION (circle one)

___ Draft Certificates or Proposed Order of Certifications are available in the Application directory.

____ Prepare Mailing List. Include Applicant(s); Receiving Landowner(s); Current Owner(s); Water Organizations; CWRE. Indicate records to be marked.

____ Record marking: App _____ Permit _____ Cert _____
 App _____ Permit _____ Cert _____
 App _____ Permit _____ Cert _____
 App _____ Permit _____ Cert _____

NOTES:

[illegible]

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

In the Matter of Transfer Application	)	FINAL ORDER
T-10361, Harney County	)	APPROVING AN ADDITIONAL POINT
	)	OF APPROPRIATION AND PARTIAL
	)	DIMINISHMENT OF A WATER RIGHT

Authority

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

Applicant

TOBY AND LISA CRONIN
P.O. BOX 172
DREWSEY, OREGON 97904

Co-Owner

ROD AND DEBBIE ROBERTSON
P.O. BOX 134
DREWSEY, OREGON 97904

Findings of Fact

Background

1. On April 6, 2007, Harry T. and Celia McCall filed an application for an additional point of appropriation under Certificate 83242. The Department assigned the application number T-10361.
2. On August 27, 2008 a statement was received from Harry T. and Celia McCall, assigning all interest in Transfer Application T-10361 to Toby and Lisa Cronin.
3. On October 14, 2008, a statement was received from the co-owners of the property, Rod and Debbie Robertson agreeing to the changes proposed in the transfer.
4. On December 2, 2008 an e-mail was received from Toby and Lisa Cronin requesting that the transfer completion date be extended to October 1, 2015.
5. On July 15, 2009, the assignment process was completed and the transfer application was assigned to Toby and Lisa Cronin.

This final order is subject to judicial review by the Court of Appeals under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482(1). Pursuant to ORS 536.075 and OAR 137-003-0675, you may petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

6. The right to be transferred is as follows:

Certificate: 83242 in the name of HARRY T. AND CECILIA McCALL (perfected under Permit G-7639)

Use: IRRIGATION of 77.7 ACRES

Priority Date: MAY 16, 1977

Rate: 0.90 CUBIC FOOT PER SECOND

Limit/Duty: 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, provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein.

Source: WELL 1 in the MALHEUR LAKE BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
23 S	32.5 E	WM	3	NE SE	WELL 1 - 1569 FEET NORTH AND 1048 FEET WEST FROM THE SE CORNER OF SECTION 3

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	Acres
23 S	32.5 E	WM	3	NE SE	30.5
23 S	32.5 E	WM	3	NW SE	30.5
23 S	32.5 E	WM	3	SW SE	16.7

7. Transfer Application T-10361 proposes an additional point of appropriation located approximately 0.16 mile from the existing point of appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
23 S	32.5 E	WM	3	NW SE	WELL 2 - 1345 FEET NORTH AND 1813 FEET WEST FROM THE SE CORNER OF SECTION 3

8. Notice of the application for transfer was published on April 10, 2008, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
9. On November 20, 2009, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-10361 to the applicants. The applicants requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.
10. On July 24, 2009, the Department issued a preliminary determination proposing to approve Transfer T-10361 and mailed a copy to the applicant. Additionally, notice of the preliminary determination for the transfer application was published on the Department's weekly notice on July 28, 2009, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.

Transfer Review Criteria (OAR 690-380-4010)

11. Water has been used within the last five years according to the terms and conditions of the right, and there is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
12. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Transfer Application T-10361.
13. The proposed change would not result in enlargement of the right.
14. The proposed change would not result in injury to other water rights.

Partial Diminution of a Water Right

15. The applicants and co-landowners, Toby and Lisa Cronin and Rod and Debbie Robertson requested that a portion of a water right be **diminished to supplemental irrigation**. The right to be diminished is as follows:

Certificate: 15532 in the name of OREGON & WESTERN COLONIZATION COMPANY, INC. (confirmed by Cow Creek, Harney County decree)
Use: IRRIGATION of 36.8 ACRES
Priority Date: 1888
Limit/Duty: ONE-FORTIETH of a cubic foot per second per acre up to April 20th of each year and shall not exceed ONE-SIXTIETH of a cubic foot per second per acre for the balance of the year; provided, that the total quantity diverted shall not to exceed 3.0 acre-feet per acre in any one year
Source: SURPLUS and WASTE WATER, tributary to COW CREEK

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	Acres
23 S	32.5 E	WM	3	NE SE	28.5
23 S	32.5 E	WM	3	NW SE	8.3

Conclusions of Law

The additional point of appropriation proposed in Transfer Application T-10361 is consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000 and the right proposed to be diminished will be diminished.

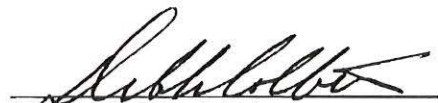
Now, therefore, it is ORDERED:

1. The additional point of appropriation proposed in Transfer Application T-10361 is approved.
2. The water right for the irrigation of 36.8 acres under Certificate 15532 as described in Finding No. 15 is diminished from primary irrigation to supplemental irrigation.

3. The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificate 83242 and any related decree.
4. Water Right Certificates 83242 and 15532 are cancelled. Certificate 85400 will be issued for that portion of Certificate 15532 not modified by the diminishment.
5. Water shall be acquired from the same aquifer (water source) as the original point of appropriation.
6. The quantity of water diverted at the 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.
7. When required by the Department, the water user shall install, maintain and operate an in-line flow meter or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.
8. The approved changes shall be completed and full beneficial use of the water shall be made on or before **October 1, 2015**. A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.
9. When satisfactory proof of the completed change is received, a new certificate confirming the right transferred will be issued.
10. Water Right Certificate 85401 is issued to confirm that portion of the right described by Certificate 15532 diminished by this order.

MAY

Dated at Salem, Oregon this 7th day of December 2009.


Phillip C. Ward, Director

Mailing Date: DEC 14 2009



Oregon

Kate Brown, 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.wrd.state.or.us

July 27, 2016

AZ Farms
38095 Cottontail Lane
Burns, Oregon 97720

Reference: Transfer T-10361

The assignment from Toby and Lisa Cronin to Amanda Zraggen has been recorded in the records of the Water Resources Department.

The Departments records will now show Amanda Zraggen as the transfer holder of record.

Our records have been changed accordingly and the original request is enclosed. Receipt number 120600 covering the recording fee is also enclosed.

A transfer is not a perfected water right, and has conditions and timelines that must be satisfied prior to a Certificate of Water Right being issued. Please review the transfer to be familiar with the conditions and timelines contained in the transfer.

Sincerely,

Jerry Sauter
Water Rights Program Analyst
Water Right Services Division

Enclosure: Receipt 120600

cc: Watermaster 10
Toby and Lisa Cronin
Data Center, OWRD (cover letter & request)
Hydrographics
File

STATE OF OREGON

COUNTY OF HARNEY

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

HARRY T AND CECILIA MCCALL
PO BOX 1926
ALBANY OR 97321

confirms the right to use the waters of WELL 1 in the Malheur Lake Basin for IRRIGATION of 77.70 ACRES.

This right was perfected under Permit G-7639. The date of priority is MAY 16, 1977. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.90 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the well.

The well is located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Survey Coordinates
23 S	32.50 E	WM	3	NE SE			1569 FEET NORTH & 1048 FEET WEST FROM SE CORNER, SECTION 3

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year, provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein. The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

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

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
23 S	32.50 E	WM	3	NE SE			30.50
23 S	32.50 E	WM	3	NW SE			30.50
23 S	32.50 E	WM	3	SW SE			16.70

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

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

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

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

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

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

WITNESS the signature of the Water Resources Director, affixed _____.

MAR 07 2007


Phillip U. Ward, Director
Water Resources Department

Places of Use from Water Rights in the Same Area

The following rights have acreage in the same quarter-quarter as Cert:83242 OR CN

Right	Name	Decree	App	Permit	Cert	Priority	Status	Use	T-R-S-QQ	DLC	Gov't Lot	Ac
<u>CERT85401 CF *</u>	LISA CRONIN	ROCK CREEK, HARNEY COUNTY			85401	12/31/1888	NC	IS	23.00S-32.50E-03-NWSE			39.8
								IS	23.00S-32.50E-03-NESE			37.8
<u>INCHQATE: T 10361 CF (REG) *</u>	AMANDA ZGRAGGEN		G-8128	G-7639		5/16/1977	NC	IR	23.00S-32.50E-03-NESE			30.8
								IR	23.00S-32.50E-03-SWSE			16.7
								IR	23.00S-32.50E-03-NWSE			30.8

STATE OF OREGON

COUNTY OF Harney

CERTIFICATE OF WATER RIGHT

This Is to Certify, That Oregon & Western Colonization Company, Inc.

of St. Paul, State of Minnesota, has a right to the use of
the waters of Cow Creek for Tract No. 1 and Surplus and waste water from lands to east
for Tract No. 2
for the purpose of Irrigation

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for
Harney County, and the said decree entered of record at Salem, in the Order Record of
the STATE ENGINEER, in Volume 14, at page 424; that the priority of the right thereby
confirmed dates from 1886 for Tract No. 1, and 1888 for Tract No. 2;

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an
amount actually beneficially used for said purposes, and shall not exceed one-fortieth of a cubic
foot per second per acre up to April 20 of each year and shall not exceed one-six-
tieth of a cubic foot per second per acre for the balance of the year; provided,
that the total quantity diverted shall not exceed three acre feet per acre in any
one year.

A description of the lands irrigated under such right, and to which the water is appurtenant (or,
if for other purposes, the place where such water is put to beneficial use), is as follows:

TRACT NO. 1

37.8 acres in Lot 1
39.8 acres in Lot 2
29.2 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$
33.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$
39.7 acres in Lot 3
39.6 acres in Lot 4
40.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$
40.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$
30.5 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$
27.3 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$
5.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$
30.2 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$
24.3 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$
25.2 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$
31.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$
27.1 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 1,
T. 23 S., R. 32 $\frac{1}{2}$ E., W.M.

TRACT NO. 2

20.3 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$
30.5 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$
28.5 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$
8.3 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$
0.1 acre in SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 3,
T. 23 S., R. 32 $\frac{1}{2}$ E., W.M.

And said right shall be subject to all other conditions and limitations contained in said decree.
The right to the use of the water for the purposes aforesaid is restricted to the lands or place of
use herein described.

WITNESS the signature of the State Engineer, affixed

this 23rd day of October, 19 48

State Engineer

Recorded in State Record of Water Right Certificates, Volume 13, page 15,522

STATE OF OREGON
COUNTY OF HARNEY

CF 15532
ERROR

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

TOBY AND LISA CRONIN
P.O. BOX 172
DREWSEY, OREGON 97904

ROD AND DEBBIE ROBERTSON
P.O. BOX 134
DREWSEY, OREGON 97904

confirms the right to use the waters of SURPLUS AND WASTE WATER FROM LANDS TO EAST FOR TRACT 2 FOR SUPPLEMENTAL IRRIGATION OF 50.9 ACRES.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Harney County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 14, at Page 424. The date of priority is 1888.

The amount of water used for irrigation is limited to a diversion of ONE-FORTIETH of a cubic foot per second per acre up to April 20th of each year and shall not exceed ONE-SIXTIETH of a cubic foot per second per acre for the balance of the year; provided, that the total quantity diverted shall not exceed 3.0 acre-feet per acre in any one year.

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

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
23 S	32½ E	WM	3	NE SE	37.8
23 S	32½ E	WM	3	NW SE	39.8

This certificate is issued to confirm that portion of the water right confirmed by Certificate 15532, State Record of Water Right Certificates, DIMINISHED by the provisions of an order of the Water Resources Director entered DEC 07 2009 approving Transfer Application T-10361. This certificate, together with Certificate 85400, supercedes Certificate 15532.

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

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

WITNESS the signature of the Water Resources Director, affixed DEC 07 2009


Phillip C. Ward, Director *p*

This is a final order in other than 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 137-004-080 and OAR 690-01-005 you may either petition for judicial review or petition the Director for reconsideration of this order.

STATE OF OREGON
COUNTY OF HARNEY

RR 11532
Correct

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

OREGON & WESTERN COLONIZATION COMPANY, INC
ST PAUL, MINNESOTA 55102

confirms the right to use the waters of COW CREEK FOR TRACT 1 FOR THE IRRIGATION OF 499.7 ACRES AND SURPLUS AND WASTE WATER FROM LANDS TO EAST FOR TRACT 2 FOR THE IRRIGATION OF 50.9 ACRES.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Harney County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 14, at Page 424. The dates of priority are 1886 for TRACT 1 and 1888 for TRACT 2.

The amount of water used for irrigation is limited to a diversion of ONE-FORTIETH of a cubic foot per second per acre up to April 20th of each year and shall not exceed ONE-SIXTIETH of a cubic foot per second per acre for the balance of the year; provided, that the total quantity diverted shall not exceed 3.0 acre-feet per acre in any one year.

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

IRRIGATION						
TRACT 1 - 1886						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
23 S	32½ E	WM	1		1	37.8
23 S	32½ E	WM	1		2	39.8
23 S	32½ E	WM	1		3	39.7
23 S	32½ E	WM	1		4	39.6
23 S	32½ E	WM	1	SW NE		29.2
23 S	32½ E	WM	1	SE NE		33.0
23 S	32½ E	WM	1	SW NW		40.0
23 S	32½ E	WM	1	SE NW		40.0
23 S	32½ E	WM	1	NE SW		30.5
23 S	32½ E	WM	1	NW SW		27.3
23 S	32½ E	WM	1	SW SW		5.0
23 S	32½ E	WM	1	SE SW		30.2
23 S	32½ E	WM	1	NE SE		24.3
23 S	32½ E	WM	1	NW SE		25.2
23 S	32½ E	WM	1	SW SE		31.0
23 S	32½ E	WM	1	SE SE		27.1

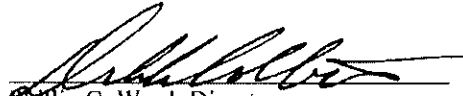
IRRIGATION						
TRACT 2 - 1888						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
23 S	32½ E	WM	3	SW NE		20.3
23 S	32½ E	WM	3	SE NE		30.5
23 S	32½ E	WM	3	SE SE		0.1

This certificate describes that portion of the water right confirmed by Certificate 15532, State Record of Water Right Certificates, NOT diminished by the provisions of an order of the Water Resources Director entered DEC 07 2009, approving Transfer Application T-10361. This certificate, together with Certificate 85401, supercedes Certificate 15532.

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

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

WITNESS the signature of the Water Resources Director, affixed DEC 07 2009.


Phillip C. Ward, Director

Places of Use from Water Rights in the Same Area

The following rights have acreage in the same quarter-quarter as Cert:15532 OR CN

Right	Name	Decree	App	Permit	Cert	Priority	States	Use	IR-S-C
CERT85400 (L 10361 RB) *	OREGON AND WESTERN COLONIZATION CO. INC. ROCK CREEK, HARNEY COUNTY				85400	12/31/1886	NC	IR	23.00S-32.50E-1
								IR	23.00S-32.50E-1
								IR	23.00S-32.50E-1
								IR	23.00S-32.50E-1
								IR	23.00S-32.50E-1
								IR	23.00S-32.50E-1
								IR	23.00S-32.50E-1
								IR	23.00S-32.50E-1
								IR	23.00S-32.50E-1
								IR	23.00S-32.50E-1
								IR	23.00S-32.50E-1
								IR	23.00S-32.50E-1
								IR	23.00S-32.50E-1
								IR	23.00S-32.50E-1
								IR	23.00S-32.50E-1
								IR	23.00S-32.50E-1
								IR	23.00S-32.50E-1
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								IR	23.00S-32.50E-1
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								IR	23.00S-32.50E-1
								IR	23.00S-32.50E-1
								IR	23.00S-32.50E-1
								IR	23.00S-32.50E-1
								IR	23.00S-32.50E-1
								IR	23.00S-32.50E-1
								IR	23.00S-32.50E-1
								IR	23.00S-32.50E-1
								IR	23.00S-32.50E-1
								IR	23.00S-32.50E-1
								IR	23.00S-32.50E-1

85401 12/31/1888 NC IS 23.00S-32.50E-1

IS 23.00S-32.50E-1

CERT:35459 OR *

VIRGINIA A SANDERS

G-2611 G-2451 35459 8/6/1963 NC IS 23.00S-32.50E-1

IS 23.00S-32.50E-4

IS 23.00S-32.50E-4

IS 23.00S-32.50E-1

IS 23.00S-32.50E-1

IS 23.00S-32.50E.9

CERT:51578 OR *

FARRIS B BENTON

G-4985 G-4703 51578 9/9/1969 NC IS 23 00S-32.50E-1

IS 23.00S-32.50E-1

IS 23.00\$-32.50E-1

IS 23.00S-32.50E-4

IS 23.00S-32.50E-1

IS 23.00S-32.50E-1

INCHOATE: T 10361 CF (REG) * AMANDA ZGRAGGEN

G-8128 G-7639 5/16/1977 NC IR 23.00S-32.50E-1

IR 23.00S-32.50E-1

CERT:50691 OR *

H.C.,JR./PEARL VOGLER

S-29125 S-22927 50691 4/19/1954 NC IR 23.00S-32.50E-1

IR 23.00S-32.50E-4

IR 23.00S-32.50E-1

IR 23.00S-32.50E-I

IR 23.00S-32.50E-4

IR 23.00S-32.50E-1

IR 23.00S-32.50E-1

IR 23.0US-32.50E-1

IR 23.00S-32.50E-7

IR 23.003-32.50E-1

TR 20.000-02.000

IN 20,000-52,500+

SECTION 3 T.23S. R.32 1/2E. W.M.
HARNEY COUNTY
1" = 400'

Cancelled Nos.
500
1200M2
1200



PRINTED ON 7/16/2018

23S32VE03

HARNEY County Assessor's Summary Report

Real Property Assessment Report

FOR ASSESSMENT YEAR 2021

NOT OFFICIAL VALUE

March 25, 2021 11:22:58 am

Account # [REDACTED]
 Map # 23S32V030001100
 Code - Tax # 0120-5712

Tax Status ASSESSABLE
 Acct Status ACTIVE
 Subtype NORMAL

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

Mailing Name ZGRAGGEN, AMANDA MARGARET

Deed Reference # 2015-473

Agent

Sales Date/Price 04-28-2015 / \$200,000.00

In Care Of

Appraiser AARON SCHEEN

Mailing Address 38095 COTTON TAIL LN
 BURNS, OR 97720-9487

Prop Class 551 MA SA NH Unit
 RMV Class 551 02 00 012 2308-1

Situs Address(s) Situs City

Code Area	RMV	MAV	Value Summary AV	RMV Exception	CPR %
0120 Land	167,300			Land	0
Impr.	15,410			Impr.	0
Code Area Total	182,710	75,830	44,536		0
Grand Total	182,710	75,830	44,536		0

Code Area	ID#	RFPD	Ex	Plan Zone	Value Source	Land Breakdown TD% LS	Size	Land Class	LUC	Trended RMV
0120	1	☐		EFRU-2	Farm Use Zoned	100 A	62.00	2	006*	155,000
0120	2	☐		EFRU-2	Farm Use Zoned	100 A	18.00	6	006*	6,300
0120	3	☐		EFRU-2	Farm Use Zoned	100 A	0.00	IW	006*	6,000
Grand Total							80.00			167,300

Code Area	ID#	Yr Built	Stat Class	Description	Improvement Breakdown TD%	Total Sq. Ft.	Ex% MS Acct #	Trended RMV
0120	1	2005	312	MAINLINE 6"	100	1,970		15,410
Grand Total							1,970	15,410

HARNEY County Assessor's Summary Report

Real Property Assessment Report

FOR ASSESSMENT YEAR 2021

NOT OFFICIAL VALUE

March 25, 2021 11:23:24 am

Account # [REDACTED] Tax Status ASSESSABLE
 Map # 23S32V030001700 Acct Status ACTIVE
 Code - Tax # 0120-5748 Subtype NORMAL

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

Mailing Name ZGRAGGEN, AMANDA MARGARET

Deed Reference # 2015-473

Agent

Sales Date/Price 04-28-2015 / \$200,000.00

In Care Of

Appraiser AARON SCHEEN

Mailing Address 38095 COTTON TAIL LN
 BURNS, OR 97720-9487

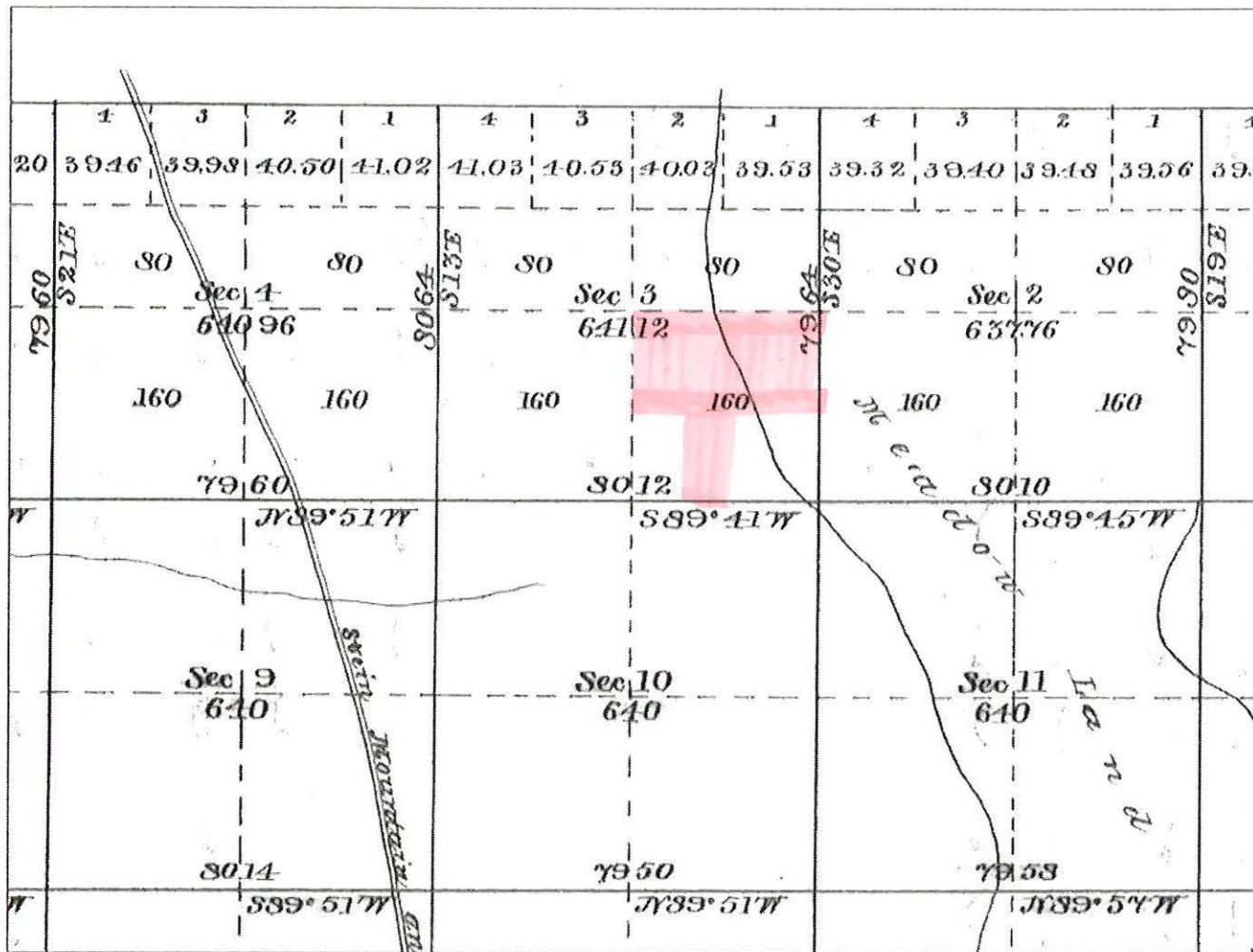
Prop Class 559 MA SA NH Unit
 RMV Class 559 02 00 012 2341-1

Situs Address(s)	Situs City
ID# 38318 COTTON TAIL LN	BURNS

Code Area	RMV	MAV	Value Summary AV	RMV Exception	CPR %
0120 Land	52,947			Land	0
Impr.	59,790			Impr.	0
Code Area Total	112,737	103,140	72,544		0
Grand Total	112,737	103,140	72,544		0

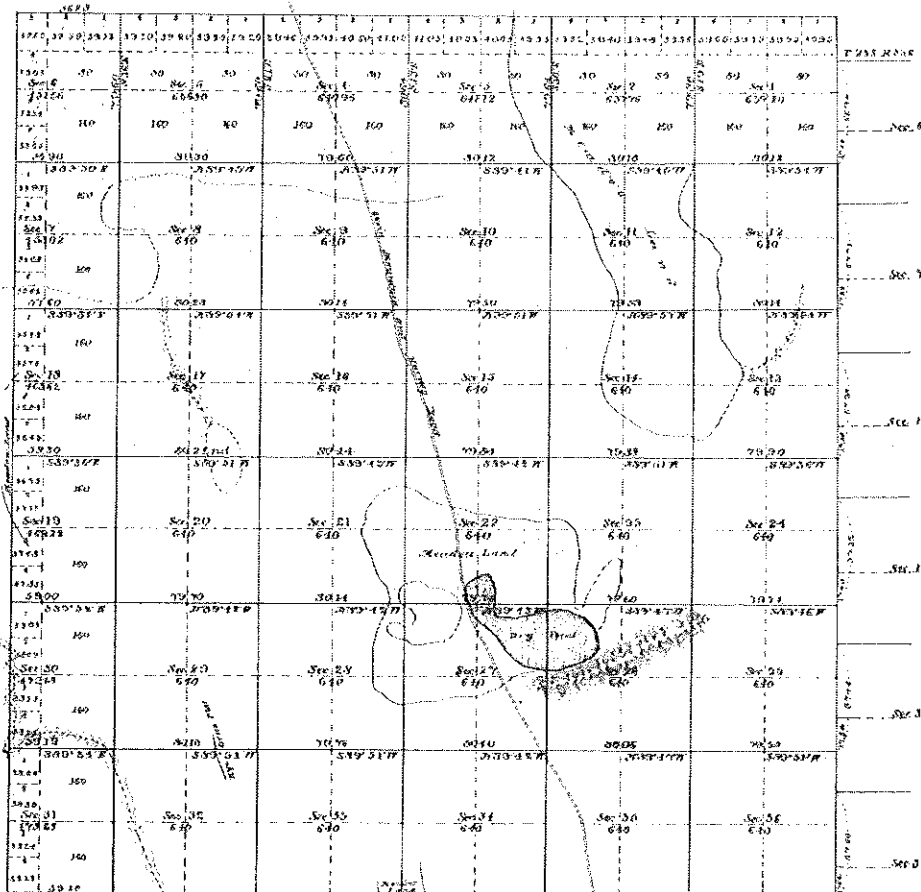
Code Area	ID#	RFPD	Ex	Plan Zone	Value Source	TD%	LS	Size	Land Class	LUC	Trended RMV
0120	1	☐		EFRU-2	Farm Use Zoned	100	A	15.00	2	006*	37,500
0120	4	☐		EFRU-2	Farm Use Zoned	100	A	4.00	6	006*	1,400
0120	5	☐		EFRU-2	Farm Use Zoned	100	A	1.00	HS	006*	2,047
0120					SITE AMENTIES	100					12,000
Grand Total								20.00			52,947

Code Area	ID#	Yr Built	Stat Class	Description	Improvement Breakdown	TD%	Total Sq. Ft.	Ex%	MS Acct #	Trended RMV
0120	3		312	MAINLINE 6"		100	400			1,970
0120	2	2002	304	GP BUILDING		100	1,440			24,950
0120	1	1988	452	MS Double wide		100	1,296		E - 75897	32,870
Grand Total							3,136			59,790



4137

Township No. 23 South Range No. 32½ East Willamette Meridian, Oregon.



Total number of Acres 21,384.02

SECTION DESIGNATED.	BY WHOM SURVEYED.	DATE OF SURVEY.	AMOUNT OF SURVEY.	SECTION DESIGNATED.	BY WHOM SURVEYED.
Township Lines	By R. K. Reichenow	July 10, 1885	36 49 05	Sec. 1 to 36	By R. K. Reichenow
Subdivisions	do do do	do do do	do do do	do do do	do do do

The above map of Sec. Subdivisions of Township No. 23 South, Range No. 32½ East, of the Willamette Meridian, Oregon, is truly and correctly shown to the Field Notes of the survey thereof on file in this office, which have been examined and approved.

R. K. Reichenow, Surveyor General's Office,
Portland, Oregon.

John P. Smith
Surveyor General

Completion Checklist for CWRE Claims of Beneficial Use

Application # T-10361Date Received 8/29/2016CWRE Name Robert Baggett Claim Logged _____File Marked yes

Oversized Map # _____

Reviewer Connie Vance

Map Review:

- ☒ Map on polyester film (OAR 690-014-0170(1) & 310-0050(1)(b))
- ☒ Application & permit #; or transfer # (OAR 690-014-0100(1))
- ☒ Disclaimer (OAR 690-014-0170(5))
- ☒ North arrow (OAR 690-310-0050(2)(c))
- ☒ CWRE stamp and signature (OAR 690-014 & 310-0050)
- ☒ Appropriate scale (1" = 1320', 1" = 400', or the original full-size scale of the county assessor map) (014 & 310)
- ☒ Township, range, section, and tax lot numbers (OAR 690-310-0050(4))
- ☐ Source illustrated if surface water (OAR 690-014-0170(3))
- ☐ Point(s) of diversion or appropriation (illustrated) (OAR 690-014(4) & 690-310-0050)
- ☐ Point(s) of diversion or appropriation (coordinates)(OAR 690-014(4) & 690-310-0050)
- ☐ Conveyance structures illustrated (pump, pipelines, ditches, etc.) (OAR 690-310-0050)
- ☐ Description of the location, in relation to the point of diversion or appropriation, of any fish screens, by-pass devices, and measuring devices required (OAR 690-014(4))
- ☐ Place of use (1/4 1/4, or projected 1/4 1/4 lines within DLCs, or Gov Lots; if irrigation, # of acres in each subdivision; if for domestic or human consumption, location of dwelling or spigot) (OAR 690-310-0050, 690-014, 690-380-6010)

Report Review:

- ☒ On form or format provided by the Department (OAR 690-014-0100(1))
- ☒ Application & permit #; or transfer # (OAR 690-014)
- ☒ Ownership information (OAR 690-014)
- ☒ Date of survey (OAR 690-014)
- ☒ Person interviewed (OAR 690-014)
- ☒ County (OAR 690-014)
- ☐ Description of conveyances system (from POD to POU) (OAR 690-014-0100)
- ☐ Source(s) of water (OAR 690-014-0100)
- ☐ Use, period of use, and rate for use (OAR 690-014-0100)
- ☐ Place of use location (OAR 690-014-0100)
- ☐ Type of use (OAR 690-014-0100)
- ☐ Extent of use (OAR 690-014-0100)
- ☐ Rate and Duty (OAR 690-014-0100)
- ☐ Diversion rate for each use (OAR 690-014-0100)
- ☐ Diversion works description (pump make, serial model, capacity, and description) (OAR 690-014-0100)
- ☐ System capacity (OAR 690-014-0100)
 - ☐ Calculated capacity of system (required)
 - ☐ Measured amount of use (optional)
- ☐ Permit/Transfer Final Order Conditions (OAR 690-014-0100)
 - ☐ Time limits
 - ☐ Initial water level measurements
 - ☐ Annual static water level measurements
 - ☐ Measurement, recording, and reporting
 - ☐ Meter/measuring device
 - ☐ Water use reporting
 - ☐ Fish screening and/or by-pass
 - ☐ Pump test (ground water)
 - ☐ Other conditions
- ☒ CWRE stamp and signature (OAR 690-014-0100)
- ☒ Signature(s) of permittee of transfer holder (OAR 690-014-0100)

DEF = deficient

N/A = Not Applicable

_____ Map and COBU reviewed
_____ Conflict check Any Conflicts? _____
_____ Check for ownership

Staff Recommendations:

_____ Proof to the Satisfaction has been established to the full extent as described in the permit or transfer order.

_____ Proof to the Satisfaction has been not been established to the full extent as described in the permit or transfer order and the right should be limited as follows: _____

_____ Proof to the Satisfaction has not been established for the following reasons: _____

Proposed Actions:
_____ Send letter requesting the following items/information: _____
_____ Send letter recommending extension to cure deficiencies: _____

Can certificate be processed further?

_____ Yes

If "Yes":

_____ Proposed
_____ Final

Certificate # _____

Mailing list:

Proposed:

Final:

**CLAIM OF
BENEFICIAL USE
for Permits claiming more
than 0.1 cfs and All Transfers**



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

**A fee of \$175 must accompany this form for permits
with priority dates after July 8, 1987.**

**A fee of \$175 must accompany this form for any Transfer final orders
including a water right with a priority date of July 9, 1987, or later.**

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

A separate form shall be completed for each permit.

In cases where a permit has been amended through the permit amendment process, a separate claim for the permit amendment is not required. Incorporate the permit amendment into the claim for the permit.

This form is subject to revision. **Begin each new claim** by checking for a new version of this form at:
http://www.oregon.gov/owrd/pages/wr/cwre_info.aspx

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

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

"Section 8" of this form is intended to aid in the completion of this form and should not be submitted.

If you have questions regarding the completion of this form, please call 503-986-0900 and ask for the Certificate Section.

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

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AUG 29 2016

SALEM, OR

SECTION 1
GENERAL INFORMATION

1. File Information

APPLICATION # (G, R, S or T) T-10361	PERMIT # (IF APPLICABLE) Spec. Order -79-265	PERMIT AMENDMENT # (IF APPLICABLE) NA
--	--	---

2. Property Owner (current owner information)

APPLICANT/BUSINESS NAME Amanda Zgraggen		PHONE NO. 541-589-1762	ADDITIONAL CONTACT NO.
ADDRESS 38095 Cotton Tail Lane			
CITY Burns	STATE OR	ZIP 97720	E-MAIL Ag_717@yahoo.com

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

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

PERMIT OR TRANSFER HOLDER OF RECORD Amanda Zgraggen		
ADDRESS 38095 Cotton Tail Lane		
CITY Burns	STATE OR	ZIP 97720

ADDITIONAL PERMIT OR TRANSFER HOLDER OF RECORD NA		
ADDRESS		
CITY	STATE	ZIP

4. Date of Site Inspection: **July 11, 2016**

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

NAME	DATE	ASSOCIATION WITH THE PROJECT
Amanda Zgraggen	July 11, 2016	Owner Operator

6. County: **Harney**

7. If any property described in the place of use of the permit or transfer final order is excluded from this report, identify the owner of record for that property (ORS 537.230(4)):

OWNER OF RECORD NA		
ADDRESS		
CITY	STATE	ZIP

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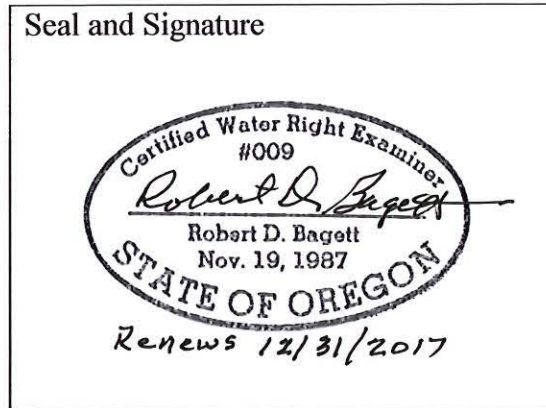
AUG 29 2016

Add additional tables for owners of record as needed

SECTION 2 SIGNATURES

CWRE Statement, Seal and Signature

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



CWRE NAME Robert D. Baggett		PHONE NO. 541-620-0717	ADDITIONAL CONTACT NO. 541-575-1251
ADDRESS P.O. Box 476			
CITY John Day	STATE OR	ZIP 97845	E-MAIL bob@johndaysurveyors.com

Permit or Transfer Holder's of Record Signature or Acknowledgement

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

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

SIGNATURE	PRINT OR TYPE NAME	TITLE	DATE
	Amanda Zraggen	Owner/Operator	8-18-16

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AUG 29 2016

SALEM, OR

SECTION 3

CLAIM DESCRIPTION

1. Point of diversion/appropriation name or number:

POINT OF DIVERSION/APPROPRIATION (POD/POA) NAME OR NUMBER (CORRESPOND TO MAP)	WELL LOG ID # FOR ALL WORK PERFORMED ON THE WELL (IF APPLICABLE)	WELL TAG # (IF APPLICABLE)
POA- Well #1	HARN 51068	L 71056
APOA- Well #2	HARN 51160	L 76557

Attach each well log available for the well (include the log for the original well and any subsequent alterations, reconstructions, or deepenings)

2. Point of diversion/appropriation source and, if from surface water, the tributary:

POD/POA NAME OR NUMBER	SOURCE	TRIBUTARY
Well #1	Malheur Lake Basin	NA
Well #2	Malheur Lake Basin	NA
Surplus & Waste Water	Surplus & Waste Water	Cow Creek

3. Developed use(s), period of use, and rate for each use:

POD/POA NAME OR NUMBER	USES	IF IRRIGATION, LIST CROP TYPE	SEASON OR MONTHS WHEN WATER WAS USED	ACTUAL RATE OR VOLUME USED (CFS, GPM, OR AF)
Well #1	Irrigation	Alfalfa, hay	Mar. 1 – Oct. 31	0.90 cfs
APOA- Well #2	Irrigation	Alfalfa, hay	Mar. 1 – Oct 31	0.90 cfs
Surplus & Waste Water	Supplemental Irrigation	Alfalfa, hay	Mar. 1- Oct. 31	0.92 cfs
Total Quantity of Water Used				1.82 cfs

4. Provide a general narrative description of the distribution works. This description must trace the water system from each point of diversion or appropriation to the place of use:

GROUND WATER: Water is pumped from Well #1 and Well #2 through 6" PVC buried mainlines to two center pivots and to a 5" aluminum wheel line to irrigate the fields. Aquamaster flow meters are installed inline and 4 feet from each well.

SURFACE WATER: Surplus & waste water, tributary to Cow Creek is diminished to supplemental irrigation for 28.3 acres in NESE & 8.3 acres in NWSE Section 3 is used via flood irrigation when available.

Reminder: The map associated with this claim must identify the location of the point(s) of diversion, Donation Land Claims (DLC), Government Lots (GLot), and Quarter-Quarters (QQ).

5. Variations:

Was the use developed differently from what was authorized by the permit, permit amendment final order, or extension final order? If yes, describe below.

NO

(e.g. "The permit allowed three points of diversion. The water user only developed one of the points." Or "The permit allowed 40.0 acres of irrigation. The water user only developed 10.0 acres.")

NA

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AUG 29 2016

SALEM, OR

6. Claim Summary:

POD / POA NAME OR #	MAXIMUM RATE AUTHORIZED	CALCULATED THEORETICAL RATE BASED ON SYSTEM	AMOUNT OF WATER MEASURED	USE	# OF ACRES ALLOWED	# OF ACRES DEVELOPED
Well #1	0.90 cfs	0.23 cfs	NA	Irrigation	77.7	77.7
Well #2	0.90 cfs	1.03 cfs	NA	Irrigation	77.7	77.7
Cow Creek	0.92 cfs	0.92 cfs	NA	Supp. Irr.	36.8	36.8

SECTION 4

SYSTEM DESCRIPTION

Are there multiple PODs or POAs?

YES

If "YES" you will need to copy and complete Sections 4B through 4G for each POD/POA.

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

Well #1

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A. Place of Use

AUG 29 2016

1. Is the right for municipal use?

NO

If "YES" the table below may be deleted.

SALEM, OR

TWP	RNG	MER	SEC	QQ	GLot	DLC	USE	IF IRRIGATION, # PRIMARY ACRES	IF IRRIGATION, # SUPPLEMENTAL ACRES
23S	32.5E	WM	3	NESE	NA	NA	Irrigation	30.5	
23S	32.5E	WM	3	NWSE	NA	NA	Irrigation	30.5	
23S	32.5E	WM	3	SWSE	NA	NA	Irrigation	16.7	
Total Acres Irrigated								77.7	

Reminder: The map associated with this claim must identify Donation Land Claims (DLC), Government Lots (GLot), Quarter Quarters (QQ), and if for irrigation, the number of acres irrigated within each projected DLC, GLot, and QQ.

B. Diversion and Delivery System Information

Provide the following information concerning the diversion and delivery system. Information provided must describe the equipment used to transport and apply the water from the point of diversion/appropriation to the place of use.

1. Is a pump used?

YES

If "NO" items 2 through item 6 may be deleted.

2. Pump Information

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE
Unknown	Unknown	Unknown	Turbine	Unknown	Unknown

3. Motor Information

MANUFACTURER	HORSEPOWER
Selectric	15

4. Theoretical Pump Capacity

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP *If A WELL, THE WATER LEVEL DURING PUMPING	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
15	22	No pump test required.	NA	NA

5. Provide pump calculations:

See Exhibit A, attached.

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

INITIAL METER READING	ENDING METER READING	DURATION OF TIME OBSERVED	TOTAL PUMP OUTPUT (IN CFS)
NA	NA	NA	NA

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

7. Is the distribution system piped?

YES

If "NO" items 8 through item 11 may be deleted.

8. Mainline Information

MAINLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
6" to NE pivot	525 ft.	PVC	Buried
6" to NW pivot	1,440 ft.	PVC	Buried
6" to wheel line	1,790 ft.	PVC	Buried

9. Lateral or Handline Information

LATERAL OR HANDLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
5" Wheelline	1,183 ft.	Aluminum	Above

10. Sprinkler Information

SIZE	OPERATING PSI	SPRINKLER OUTPUT (GPM)	TOTAL NUMBER OF SPRINKLERS	MAXIMUM NUMBER USED	TOTAL SPRINKLER OUTPUT (CFS)
5/32	22	3.1	30	30	0.21 cfs

Reminder: For sprinkler output determination use the reference information at the end of this document.

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11. Pivot Information

MANUFACTURER	MAXIMUM WETTED RADIUS	OPERATING PSI	TOTAL PIVOT OUTPUT (GPM)	TOTAL PIVOT OUTPUT (CFS)
Pivot #1 -Valley	650.3ft.	22	190 gpm	0.42 cfs
Pivot #2- Valley	650.3 ft.	22	190 gpm	0.42 cfs

12. Additional notes or comments related to the system:

Wells 1 and 2 independently or in combination serve the two pivots and the wheel lines that irrigate the south field. The pipelines between the wells, pivots and wheel line are interconnected, water is controlled by valves in the pipelines.

C. Groundwater Source Information (Well and Sump)

1. Is the appropriation from ground water (well or sump)?

YES

If "NO", items 2 through 8 relating to this section may be deleted.

2. Describe the access port (type and location) or other means to measure the water level in the well:

Well #1 Access port is on the north side of well casing 2" above ground level.

3. If well logs are not available, provide as much of the following information as possible:

CASING DIAMETER	CASING DEPTH	TOTAL DEPTH	COMPLETION DATE OF ORIGINAL WELL	COMPLETION DATES OF ALTERATIONS	WHO THE WELL WAS DRILLED FOR	WELL DRILLED BY
16"	+1 to -332'	430 '	6/17/2004	NA	Harry McCall	Timothy Riley

* MUST BE WITHIN PERIOD BETWEEN PERMIT, TRANSFER FINAL ORDER, OR ANY EXTENSION FINAL ORDER ISSUANCE AND THE DATE TO COMPLETELY APPLY WATER

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

YES

If "NO", you may delete item 3 in this section.

3. If for a transfer extension order, provide the following information:

VOLUME	PAGE	DATE EXTENDED TO
Special Order 79	265-268	October 1, 2015

4. In addition to the information requested in item "3" above, provide any other information which may help the Department locate any well logs associated with this appropriation.

NA

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

NO

If "NO", items 6 through 8 relating to this section may be deleted.

Reminder: Construction standards for sumps can be found in OAR 690-210-0400.

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D. Storage

1. Does the distribution system include in-system storage (e.g. storage tank, bulge in system / reservoir)

NO

If "NO", item 2 and 3 relating to this section may be deleted.

If "YES" is it a: Storage Tank

NO

Bulge in System / Reservoir

NO

Complete appropriate table(s), unused table may be deleted.

E. Gravity Flow Pipe

(THE DEPARTMENT TYPICALLY USES THE HAZEN-WILLIAM'S FORMULA FOR A GRAVITY FLOW PIPE SYSTEM)

1. Does the system involve a gravity flow pipe?

NO

If "NO", items 2 through 4 relating to this section may be deleted.

F. Gravity Flow Canal or Ditch

(THE DEPARTMENT TYPICALLY USES MANNING'S FORMULA FOR CANALS AND DITCHES)

1. Is a gravity flow canal or ditch used to convey the water as part of the distribution system?

NO

If "NO", items 2 through 4 relating to this section may be deleted.

G. Reservoir

1. Does the claim involve a reservoir modified through a transfer?

NO

Reminder: Complete this section if the reservoir right has been modified through the transfer process. If the claim is for a permitted reservoir use the Claim of Beneficial Use form for reservoirs.

If "NO", items 2 through 9 relating to this section may be deleted.

SECTION 5 CONDITIONS

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

1. Time Limits:

Permits, transfer final orders, and any extension final orders contain any or all of the following dates: the date when the actual construction work was to begin, the date when the construction was to be completed, and the date when the complete application of water to the proposed use was to be completed. These dates may be referred to as ABC dates. Describe how the water user has complied with each of the development timelines established in the permit, extension or transfer final order:

	DATE FROM PERMIT OR TRANSFER	DATE ACCOMPLISHED*	DESCRIPTION OF ACTIONS TAKEN BY WATER USER TO COMPLY WITH THE TIME LIMITS
ISSUANCE DATE	Dec. 7, 2009		
BEGIN CONSTRUCTION (A)	NA		
COMPLETE CONSTRUCTION (B)	NA		
COMPLETE APPLICATION OF WATER (C)	Oct. 1, 2015	June 2011	Construction completed. Complete Application of Water

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* MUST BE WITHIN PERIOD BETWEEN PERMIT, TRANSFER FINAL ORDER, OR ANY EXTENSION FINAL ORDER ISSUANCE AND THE DATE TO COMPLETELY APPLY WATER

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

If "NO", you may delete item 3 in this section.

3. If for a transfer extension order, provide the following information:

VOLUME	PAGE	DATE EXTENDED TO
Special Order 79	265-268	October 1, 2015

4. Initial Water Level Measurements:

a. Was the water user required to submit an initial static water level measurement? NO

If "NO", items 4b through 4d relating to this section may be deleted.

b. What month was the initial measurement to be taken in?

AUG 29 2016

c. Was the measurement submitted to the Department?

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NO

d. If the initial measurement was not submitted, provide that measurement now, if available:

DATE OF MEASUREMENT	MEASUREMENT MADE BY	METHOD	MEASUREMENT

5. Annual Static Water Level Measurements:

a. Was the water user required to submit annual static water level measurements? NO

If "NO", items 5b through 5e relating to this section may be deleted.

6. Pump Test (Required for most ground water permits prior to issuance of a certificate)

a. Did the permit require the submittal of a pump test? NO

If "NO", items 6b through 6e relating to this section may be deleted.

** Claims will not be reviewed until a pump test or exemption has been approved by the Department

7. Measurement Conditions:

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

If "NO", items 7b through 7f relating to this section may be deleted.

Reminder: If a meter or approved measuring device was required, the COBU map must indicate the location of the device in relation to the point of diversion or appropriation.

b. Has a meter been installed? YES

c. Meter Information

POD/POA NAME OR #	MANUFACTURER	SERIAL #	CONDITION (WORKING OR NOT)	CURRENT METER READING	DATE INSTALLED
Well #1	Aquamaster	50343	working	125	Replaced old meter 6/20/2016

If a meter has been installed, items 7d through 7f relating to this section may be deleted.

9/11

8. Recording and reporting conditions

a. Is the water user required to report the water use to the Department?

NO

9. Fish Screening

a. Are any points of diversion required to be screened to prevent fish from entering the point of diversion?

NO

If "NO", items 9b through 9e relating to this section may be deleted.

10. By-pass Devices

a. Are any points of diversion required to have a by-pass device to prevent fish from entering the point of diversion?

NO

If "NO", items 10b and 10c relating to this section may be deleted.

11. Other conditions required by permit, permit amendment final order, extension final order, or transfer final order:

a. Were there special well construction standards?

NO

b. Was submittal of a ground water monitoring plan required?

NO

c. Was the water user required to restore the riparian area if it was disturbed?

NO

d. Was a fishway required?

NO

e. Was submittal of a letter from an engineer required prior to storage of water?

NO

f. Was submittal of a water management and conservation plan required?

NO

g. Other conditions?

NO

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

--

**SECTION 6
ATTACHMENTS**

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

ATTACHMENT NAME	DESCRIPTION
EXHIBIT A	Well #1 Pump Capacity Calculations
EXHIBIT B	Well #2 Pump Capacity Calculations

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SECTION 7

CLAIM OF BENEFICIAL USE MAP

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

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

Used RTK GPS to locate Well #1 & Well #2, the mainlines and wheel lines serving the two center pivots, the wheel lines, the irrigated fields and the offset monuments referencing the C1/4 corner of Section 3.

Map Checklist

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

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

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

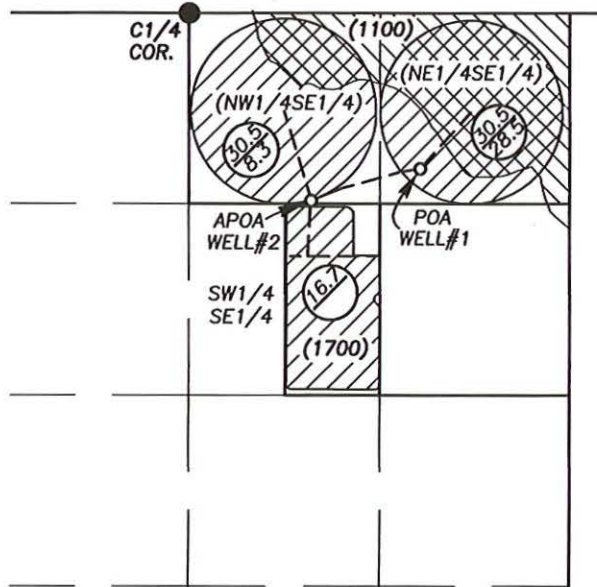
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11/11

SEC. 3, T.23S., R.32½E., W.M.



SCALE: 1"=1320'

POA-WELL #1 & FLOW METER 1080 FT. SOUTH & 1600 FT. EAST OF THE C1/4 COR. SEC. 3,
APOA-WELL #2 & FLOW METER 1300 FT. SOUTH & 840 FT. EAST OF THE C1/4 COR. SEC. 3,
THE WATER RIGHT FOR IRRIGATION OF 36.8 ACRES UNDER CERTIFICATE 15532 IS DIMINISHED FROM
PRIMARY IRRIGATION TO SUPPLEMENTAL IRRIGATION. THE SOURCE IS SURPLUS AND WASTE WATER,
TRIBUTARY TO COW CREEK. THIS WATER IS USED WHEN AVAILABLE VIA FLOOD IRRIGATION.

NOTE: FOUND A 1/2" IRON PIN AT C1/4 CORNER SEC. 3 AND A BRASS DISC WITNESS CORNER
MONUMENT 40 FT. SOUTH OF CORNER POSITION

FINAL PROOF SURVEY
UNDER
APPLICATION NO. T-10361
PERMIT NO. SPECIAL ORDER - 79-265

IN NAME OF
AMANDA ZGRAGGEN

 CURRENT PLACE OF USE - PRIMARY

 CURRENT PLACE OF USE - SUPPLEMENTAL

○ WELL AND FLOW METER

----- BURIED MAINLINE WITH RISERS

() TAX LOT NO.

● FOUND 1/2" IRON PIN AT CENTER 1/4 COR. SEC. 3

 PRIMARY ACRES
SUPPLEMENTAL ACRES

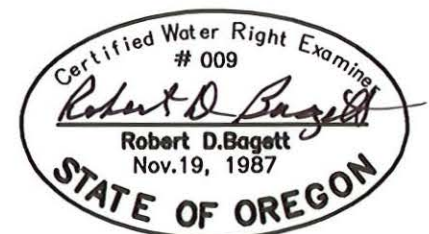
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SALEM, OR

PREPARED BY
ROBERT D. BAGETT
217 N. CANYON BLVD.
JOHN DAY, OR 97845

DATE SURVEYED: JULY 11, 2016



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

RENEWS: 12/31/2017

Pump Capacity Calculation Sheet

using Department designed formula:

$(hp)(\text{efficiency}) / (\text{lift} + \text{psi head}) = \text{capacity in cfs}$

Efficiency:

Centrifugal = 6.61

Turbine = 7.04

Data Entry (fill in underlined blanks)

HP = 15
Efficiency = 7.04
Lift = 400
PSI = 22

Results Calculated

$(hp)(\text{efficiency}) = 105.6$
Head based on psi = 55.9
Total dynamic head = 455.9
(head + lift)

Pump Capacity = 0.23 feet per second

AMANDA ZGRAGGEN

T-10361

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EXHIBIT A

AUG 29 2016

SALEM, OR

Pump Capacity Calculation Sheet

using Department designed formula:

$(hp)(\text{efficiency}) / (\text{lift} + \text{psi head}) = \text{capacity in cfs}$

Efficiency:

Centrifugal = 6.61

Turbine = 7.04

Data Entry (fill in underlined blanks)

HP = 30
Efficiency = 7.04
Lift = 150
PSI = 22

Results Calculated

$(hp)(\text{efficiency}) = 211.2$
Head based on psi = 55.9
Total dynamic head = 205.9
(head + lift)

Pump Capacity = 1.03 feet per second

AMANDA ZGRAGGEN

T-10361

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EXHIBIT B

AUG 29 2016

SALEM, OR

SECTION 4

SYSTEM DESCRIPTION

Are there multiple PODs or POAs?

YES

If "YES" you will need to copy and complete Sections 4B through 4G for each POD/POA.

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

A POA-Well #2

A. Place of Use

1. Is the right for municipal use?

NO

If "YES" the table below may be deleted.

TWP	RNG	MER	SEC	QQ	GLOT	DLC	USE	IF IRRIGATION, # PRIMARY ACRES	IF IRRIGATION, # SUPPLEMENTAL ACRES
23S	32.5E	WM	3	NESE	NA	NA	Irrigation	30.5	NA
23S	32.5E	WM	3	NWSE	NA	NA	Irrigation	30.5	NA
23S	32.5E	WM	3	SWSE	NA	NA	Irrigation	16.7	NA
Total Acres Irrigated								77.7	NA

Reminder: The map associated with this claim must identify Donation Land Claims (DLC), Government Lots (GLOT), Quarter Quarters (QQ), and if for irrigation, the number of acres irrigated within each projected DLC, GLOT, and QQ.

B. Diversion and Delivery System Information

Provide the following information concerning the diversion and delivery system. Information provided must describe the equipment used to transport and apply the water from the point of diversion/appropriation to the place of use.

1. Is a pump used?

YES

If "NO" items 2 through item 6 may be deleted.

2. Pump Information

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE
Unknown	Unknown	Unknown	Turbine	Unknown	Unknown

3. Motor Information

MANUFACTURER	HORSEPOWER
Johnson	30

4. Theoretical Pump Capacity

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP *If a well, the water level DURING PUMPING	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
30	22	No pump test required.	NA	NA

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5. Provide pump calculations:

See Exhibit B

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

INITIAL METER READING	ENDING METER READING	DURATION OF TIME OBSERVED	TOTAL PUMP OUTPUT (IN CFS)
NA	NA	NA	NA

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

7. Is the distribution system piped?

YES

If "NO" items 8 through item 11 may be deleted.

8. Mainline Information

MAINLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
6" to NW pivot	645ft.	PVC	Buried
6" to NE Pivot	1,320 ft.	PVC	Buried
6" to wheel line	995 ft.	PVC	Buried

9. Lateral or Handline Information

LATERAL OR HANDLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
5" Wheeline	1,183 ft.	Aluminum	Above

10. Sprinkler Information

SIZE	OPERATING PSI	SPRINKLER OUTPUT (GPM)	TOTAL NUMBER OF SPRINKLERS	MAXIMUM NUMBER USED	TOTAL SPRINKLER OUTPUT (CFS)
5/32	22	3.1	30	30	0.21 cfs

Reminder: For sprinkler output determination use the reference information at the end of this document.

11. Pivot Information

MANUFACTURER	MAXIMUM WETTED RADIUS	OPERATING PSI	TOTAL PIVOT OUTPUT (GPM)	TOTAL PIVOT OUTPUT (CFS)
Pivot #1 Valley	650.3 ft.	22	190 gpm	0.42
Pivot # 2-Valley	650.3 ft.	22	190 gpm	0.42

12. Additional notes or comments related to the system:

Wells 1 and 2 independently or in combination serve the two pivots and the wheel lines that irrigate the south field. The pipelines between the wells and wheel line are interconnected, water is controlled by valves in the pipelines.

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C. Groundwater Source Information (Well and Sump)

1. Is the appropriation from ground water (well or sump)?

NO

If "NO", items 2 through 8 relating to this section may be deleted.

2. Describe the access port (type and location) or other means to measure the water level in the well:

Access port is on the west side of well casing, 13 inches above ground.

3. If well logs are not available, provide as much of the following information as possible:

CASING DIAMETER	CASING DEPTH	TOTAL DEPTH	COMPLETION DATE OF ORIGINAL WELL	COMPLETION DATES OF ALTERATIONS	WHO THE WELL WAS DRILLED FOR	WELL DRILLED BY
24" 12"	+1 to 20' +2 to 172	173	May 24, 2005	NA	Harry McCall	Timothy Riley

4. In addition to the information requested in item "3" above, provide any other information which may help the Department locate any well logs associated with this appropriation.

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

NO

If "NO", items 6 through 8 relating to this section may be deleted.

Reminder: Construction standards for sumps can be found in OAR 690-210-0400.

D. Storage

1. Does the distribution system include in-system storage (e.g. storage tank, bulge in system / reservoir)

NO

If "NO", item 2 and 3 relating to this section may be deleted.

If "YES" is it a: Storage Tank

NO

Bulge in System / Reservoir

NO

Complete appropriate table(s), unused table may be deleted.

E. Gravity Flow Pipe

(THE DEPARTMENT TYPICALLY USES THE HAZEN-WILLIAM'S FORMULA FOR A GRAVITY FLOW PIPE SYSTEM)

1. Does the system involve a gravity flow pipe?

NO

If "NO", items 2 through 4 relating to this section may be deleted.

F. Gravity Flow Canal or Ditch

(THE DEPARTMENT TYPICALLY USES MANNING'S FORMULA FOR CANALS AND DITCHES)

1. Is a gravity flow canal or ditch used to convey the water as part of the distribution system?

NO

If "NO", items 2 through 4 relating to this section may be deleted.

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G. Reservoir

1. Does the claim involve a reservoir modified through a transfer?

NO

Reminder: Complete this section if the reservoir right has been modified through the transfer process. If the claim is for a permitted reservoir use the Claim of Beneficial Use form for reservoirs. If "NO", items 2 through 9 relating to this section may be deleted.

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SECTION 4
SYSTEM DESCRIPTION

Are there multiple PODs or POAs?

YES

If "YES" you will need to copy and complete Sections 4B through 4G for each POD/POA.

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

Cow Creek

A. Place of Use

1. Is the right for municipal use?

NO

If "YES" the table below may be deleted.

TWP	RNG	MER	SEC	QQ	GLOT	DLC	USE	IF IRRIGATION, # PRIMARY ACRES	IF IRRIGATION, # SUPPLEMENTAL ACRES
23S	32.5E	WM	3	NESE			Irrigation		28.5
23S	32.5E	WM	3	NWSE			Irrigation		8.3
Total Acres Irrigated									36.8

Reminder: The map associated with this claim must identify Donation Land Claims (DLC), Government Lots (GLOT), Quarter Quarters (QQ), and if for irrigation, the number of acres irrigated within each projected DLC, GLOT, and QQ.

B. Diversion and Delivery System Information

Provide the following information concerning the diversion and delivery system. Information provided must describe the equipment used to transport and apply the water from the point of diversion/appropriation to the place of use.

1. Is a pump used?

NO

If "NO" items 2 through item 6 may be deleted.

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

7. Is the distribution system piped?

NO

If "NO" items 8 through item 11 may be deleted.

12. Additional notes or comments related to the system:

The water right for irrigation of 36.8 acres under Certificate 15532 is diminished from primary irrigation to supplemental irrigation. The source is SURPLUS and WASTE WATER, tributary to Cow Creek. This water is used when available via flood irrigation.

C. Groundwater Source Information (Well and Sump)

1. Is the appropriation from ground water (well or sump)?

NO

If "NO", items 2 through 8 relating to this section may be deleted.

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SALEM, OR

D. Storage

1. Does the distribution system include in-system storage (e.g. storage tank, bulge in system / reservoir)

NO

If "NO", item 2 and 3 relating to this section may be deleted.

If "YES" is it a: Storage Tank

NO

Bulge in System / Reservoir

NO

Complete appropriate table(s), unused table may be deleted.

E. Gravity Flow Pipe

(THE DEPARTMENT TYPICALLY USES THE HAZEN-WILLIAM'S FORMULA FOR A GRAVITY FLOW PIPE SYSTEM)

1. Does the system involve a gravity flow pipe?

NO

If "NO", items 2 through 4 relating to this section may be deleted.

F. Gravity Flow Canal or Ditch

(THE DEPARTMENT TYPICALLY USES MANNING'S FORMULA FOR CANALS AND DITCHES)

1. Is a gravity flow canal or ditch used to convey the water as part of the distribution system?

NO

If "NO", items 2 through 4 relating to this section may be deleted.

G. Reservoir

1. Does the claim involve a reservoir modified through a transfer?

NO

Reminder: Complete this section if the reservoir right has been modified through the transfer process. If the claim is for a permitted reservoir use the Claim of Beneficial Use form for reservoirs.

If "NO", items 2 through 9 relating to this section may be deleted.

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SALEM, OR



Oregon
Kate Brown, Governor

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

September 7, 2016

Amanda Zgraggen
39095 Cotton Tail Lane
Burns OR 97720

On August 29, 2016 the Water Resources Department received the Claim of Beneficial Use (COBU) for the following file(s):

T10361

The COBU included a report and map. The Department hopes to review your submittal within approximately 2 - 4 years. At that time we will review these items and provide a final certificate, proposed certificate, or a request for additional information.

If you are interested in having your COBU reviewed sooner, you may pay to have your file processed immediately, using the Reimbursement Authority program, which is described at:
http://www.wrd.state.or.us/OWRD/mgmt_reimbursement_authority.shtml

For all other questions please call our Customer Service phone: (503) 986-0811.

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

Cc: file



Oregon

Kate Brown, 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.wrd.state.or.us

July 27, 2016

AZ Farms
38095 Cottontail Lane
Burns, Oregon 97720

Reference: Transfer T-10361

The assignment from Toby and Lisa Cronin to Amanda Zgraggen has been recorded in the records of the Water Resources Department.

The Departments records will now show Amanda Zgraggen as the transfer holder of record.

Our records have been changed accordingly and the original request is enclosed. Receipt number 120600 covering the recording fee is also enclosed.

A transfer is not a perfected water right, and has conditions and timelines that must be satisfied prior to a Certificate of Water Right being issued. Please review the transfer to be familiar with the conditions and timelines contained in the transfer.

Sincerely,

Jerry Sauter
Water Rights Program Analyst
Water Right Services Division

Enclosure: Receipt 120600

cc: Watermaster 10
Toby and Lisa Cronin
Data Center, OWRD (cover letter & request)
Hydrographics
File

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **120600**

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

INVOICE # _____

RECEIVED FROM: AZ Farms
BY: _____

APPLICATION	
PERMIT	
TRANSFER	T-10361

CASH: ☐ CHECK:# 906 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 85.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES \$ _____
OTHER: (IDENTIFY) \$ _____

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

4270 WRD OPERATING ACCT

MISCELLANEOUS

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

WATER RIGHTS:

0201 SURFACE WATER \$ _____
0203 GROUND WATER \$ _____
0205 TRANSFER \$ _____

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR \$ _____
LANDOWNER'S PERMIT \$ _____

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

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

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD) \$ _____
0231 HYDRO LICENSE FEE (FW/WRD) \$ _____
HYDRO APPLICATION \$ _____

TREASURY OTHER / RDX

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

RECEIPT: **120600**

DATED: 7/20/16 BY: Hpgrew



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

Request for Assignment

RECEIVED BY OWRD

JUL 05 2016

SALEM, OR

RECEIVED BY OWRD

JUL 20 2016

If for multiple rights, a separate form and fee for each right will be required.

I, Toby Cronin & Lisa Cronin and Rod Robertson & Debbie Robinson

(Name of Applicant / Permit / Transfer Holder / License Holder/GR Certificate of Registration)

SALEM, OR

P.O.Box 172 and P.O. Box 134

Drewsey OR 97904

(Mailing Address)

(City) (State) (Zip) (Phone #)

- ☒ hereby assign all my interest in and to application/permit/transfer/license/GR Certificate of Registration;
- ☐ hereby assign all my interest in and to a portion of application/permit/transfer/license/GR Certificate of Registration; (You must include a map showing the portion of the application/permit/transfer/license/GR Certificate of Registration to be assigned.)
- ☐ hereby assign a portion of my interest in and to the entire application/permit/transfer/license/GR Certificate of Registration:

Application # _____; Permit # _____; Transfer # T-10361

-OR-

License # _____; GR Statement # _____; GR Certificate of Registration # _____

As filed in the office of the Water Resources Director, to:

Amanda Zraggen

(Name of New Owner)

38095 Cottontail Lane

Burns

OR 97720

541-589-1762

(Mailing Address)

(City) (State) (Zip) (Phone #)

Note: If there are other owners of the property described in the Application, Permit, Transfer, License, or GR Certificate of Registration, you must provide a list of all other owners' names and mailing addresses and attach it to this form.

I hereby certify that I have notified all other owners of the property described in this Application, Permit, Transfer, License, or GR Certificate of Registration of this Request for Assignment

Witness my hand this 1st day of May, 20 16

Applicant/Permit Holder

Lisa Cronin, Toby Cronin

Applicant/Permit Holder

Rod Robertson, Debbie Robinson

ASSIGN
JS 7/21/2016

DO NOT WRITE IN THIS BOX

This certifies assignment and record change at Oregon Water Resources Department effective 8:00 a.m. on date of receipt at Salem, Oregon.
Fee receipt # 120600
For Director by Jerry Sauter, Program Analyst in Water Rights Division

The completed "Request for Assignment" form must be submitted to the Department along with the recording fee of \$85.



Oregon

Kate Brown, 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.wrd.state.or.us

July 8, 2016

Amanda Zraggen
38095 Cottontail Lane
Burns, Oregon 97720

Reference: Transfer T-10361

The requested assignment could not be performed as the required recording fee of \$85 was not included with the request. Your request is being returned.

Sincerely,

Jerry Sauter
Water Rights Program Analyst
Water Right Services Division

Enclosure: Request

cc: File



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

Certificate of Water Right Ownership Update

NOTICE TO SELLERS & BUYERS:

By law, all water belongs to the public (ORS 537.110). In almost every instance, a permit or water right certificate from the Water Resources Department is needed before using, diverting or storing water (ORS 537.130). However, most domestic wells do not require water rights. A certificate of water right stays with the land. In order to keep track of water right ownership, the Department requests that this form be submitted to the Department. *If for multiple rights, a separate form for each right will be required.*

Water that has been used for a long time in one place or that involves a water structure (like a dam) that already exists is no guarantee that there is a water right which would allow the water use to continue.

If you have any questions about this form or water right requirements, please contact your local watermaster or call the Water Resources Department at 503-986-0900.

Note: Please type or print legibly when filling in the following information. Use additional paper if necessary.

PROPERTY SELLER INFORMATION

Applicant(s): Deanne Horner NOV 05 2012
First Last
 Mailing Address: P O Box 5012 SALEM, OR
Bend Oregon 97708
City State Zip
 Phone: 541-480-7229 541-389-0690
Home Work Other

PROPERTY BUYER INFORMATION

Applicant(s): Lawrence Ziemer
First Last
 Mailing Address: P O Box 781
Hines Oregon 97738
City State Zip
 Phone: 541-212-6669 541-480-7229
Home Work Other

PROPERTY DESCRIPTION (attach additional pages if necessary):

County: Harney Township: 23 Range: 32.5 Section: 1
 Tax Lot Number(s): 800 & 1400

Street address of water right property: 39302 Hwy 20 East, Burns Oregon

Water Right Information (attach copy of water right permit or certificate & final proof map): 515 78

Application #: _____ Permit #: _____ Certificate or Page #: 85400 & 35459

Will all the lands associated with this water right be owned by the buyer? ☒ Yes ☐ No

Name of individual completing this form: Curt Blackburn Phone: 541-573-7206

Signature: [Signature] Date: 10-30-12

Please be sure to attach a copy of your property deed or legal description of the property.

STATE OF OREGON

COUNTY OF

HARNEY

CERTIFICATE OF WATER RIGHT

This Is to Certify, That FARRIS B. BENTON

Star Route 2
 of 14892 Highway 20, Burns, State of Oregon 97720, has made
 proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of
 a well

a tributary of Cow Creek for the purpose of
 supplemental irrigation of 152.1 acres

under Permit No. G-4703 and that said right to the use of said waters has been perfected in
 accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from
 September 9, 1969
 that the amount of water to which such right is entitled and hereby confirmed, for the purposes
 aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed
 1.40 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the well.
 The well is located in the SE 1/4 NW 1/4, Section 1, T23S, R32 1/2E, WM; 30 feet
 North and 1,350 feet East from W 1/4 Corner, Section 1

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

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

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

37.3 acres Lot 3 (NE 1/4 NW 1/4)
 34.8 acres Lot 4 (NW 1/4 NW 1/4)
 40.0 acres SW 1/4 NW 1/4
 40.0 acres SE 1/4 NW 1/4
 Section 1
 Township 23 South, Range 32 1/2 East, WM

RECEIVED BY OWRD

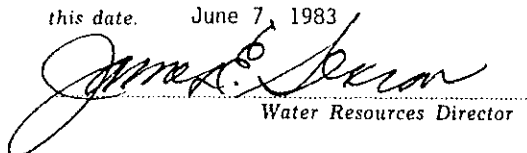
NOV 05 2012

SALEM, OR

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

WITNESS the signature of the Water Resources Director, affixed

this date, June 7, 1983


 Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 46, page 51578

6157B

STATE OF OREGON
COUNTY OF HARNEY
CERTIFICATE OF WATER RIGHT

This Is to Certify, That VIRGINIA A. SANDERS, M. VERA McCONVILLE, and EDWARD A. McCONVILLE, State of Oregon, has made proof of Buchanan Route, Burns to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of McConville Well No. 1

a tributary of Cow Creek for the purpose of supplemental irrigation of 152.1 acres

under Permit No. G-2451 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from August 6, 1963

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.78 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the Lot 4 (NW $\frac{1}{4}$ NW $\frac{1}{4}$), Section 1, T. 23 S., R. 32 $\frac{1}{2}$ E., W. M. Well located 70 feet South and 30 feet East from NW Corner, Section 1.

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

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

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

37.0 acres Lot 3 (NE $\frac{1}{4}$ NW $\frac{1}{4}$)
37.7 acres Lot 4 (NW $\frac{1}{4}$ NW $\frac{1}{4}$)
38.6 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
38.8 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 1
T. 23 S., R. 32 $\frac{1}{2}$ E., W. M.

RECEIVED BY OWRD

NOV 05 2012

SALEM, OR

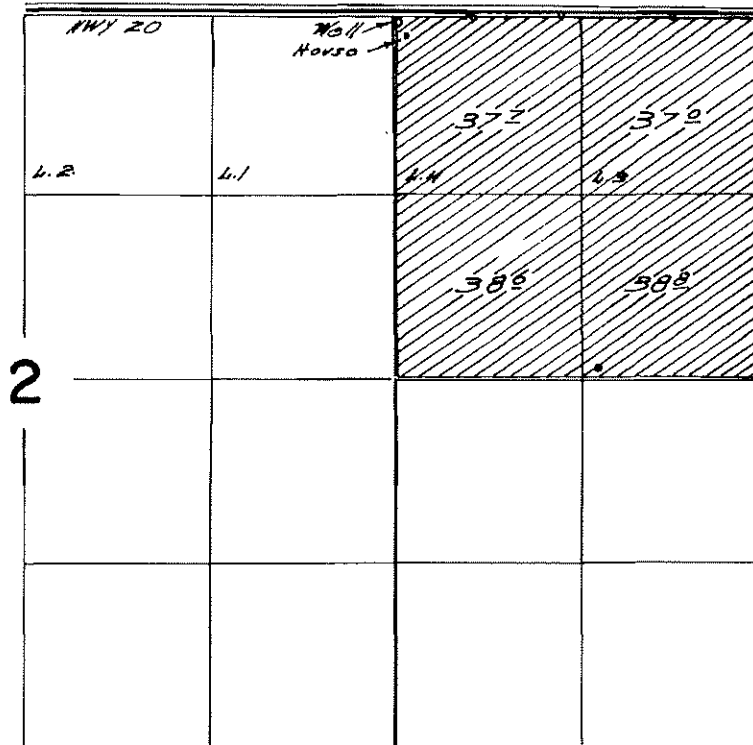
The right to the use of the water for the purposes aforesaid is restricted to the lands or ice of use herein described.

WITNESS the signature of the State Engineer, affixed

this date. October 31, 1968

CHRIS L. WHEELER
State Engineer

T.23 S. R.32 1/2 E. W.M.



Well located 70 ft. S. & 30 ft. E. from N.W. Cor. Sec. 1.

RECEIVED BY OWRD

FINAL PROOF SURVEY
UNDER

NOV 05 1967

SALEM, OR

Application No. G-2611 Permit No. G-2451
IN NAME OF

Virginia A. Sanders, M. Vera & Edward A. McCorville

Surveyed July 26 1967, by *R. J. Appert*

STATE OF OREGON

COUNTY OF HARNEY

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

OREGON & WESTERN COLONIZATION COMPANY, INC
ST PAUL, MINNESOTA 55102

confirms the right to use the waters of COW CREEK FOR TRACT 1 FOR THE IRRIGATION OF 499.7 ACRES AND SURPLUS AND WASTE WATER FROM LANDS TO EAST FOR TRACT 2 FOR THE IRRIGATION OF 50.9 ACRES.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Harney County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 14, at Page 424. The dates of priority are 1886 for TRACT 1 and 1888 for TRACT 2.

The amount of water used for irrigation is limited to a diversion of ONE-FORTIETH of a cubic foot per second per acre up to April 20th of each year and shall not exceed ONE-SIXTIETH of a cubic foot per second per acre for the balance of the year; provided, that the total quantity diverted shall not exceed 3.0 acre-feet per acre in any one year.

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

IRRIGATION						
TRACT 1 - 1886						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
23 S	32½ E	WM	1		1	37.8
23 S	32½ E	WM	1		2	39.8
23 S	32½ E	WM	1		3	39.7 ✓
23 S	32½ E	WM	1		4	39.6 ✓
23 S	32½ E	WM	1	SW NE		29.2
23 S	32½ E	WM	1	SE NE		33.0
23 S	32½ E	WM	1	SW NW		40.0 ✓
23 S	32½ E	WM	1	SE NW		40.0 ✓
23 S	32½ E	WM	1	NE SW		30.5
23 S	32½ E	WM	1	NW SW		27.3 ✓
23 S	32½ E	WM	1	SW SW		5.0
23 S	32½ E	WM	1	SE SW		30.2
23 S	32½ E	WM	1	NE SE		24.3
23 S	32½ E	WM	1	NW SE		28.2 ✓?
23 S	32½ E	WM	1	SW SE		31.0
23 S	32½ E	WM	1	SE SE		27.1

IRRIGATION						
TRACT 2 - 1888						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
23 S	32½ E	WM	3	SW NE		20.3
23 S	32½ E	WM	3	SE NE		30.5
23 S	32½ E	WM	3	SE SE		0.1

RECEIVED BY OWRD

NOV 05 2012

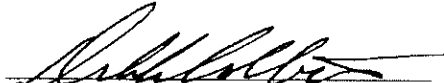
SALEM, OR

This certificate describes that portion of the water right confirmed by Certificate 15532, State Record of Water Right Certificates, NOT diminished by the provisions of an order of the Water Resources Director entered DEC 07 2009, approving Transfer Application T-10361. This certificate, together with Certificate 85401, supercedes Certificate 15532.

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

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

WITNESS the signature of the Water Resources Director, affixed DEC 07 2009.


Phillip C. Ward, Director

RECEIVED BY OWRD

NOV 05 2012

SALEM, OR

After recording return to:
 LAWRENCE E. ZIEMER, Trustee of the
 Ziemer Family Trust, u/d October 15, 2012
 537 N. SAGINAW AVE
 HINES, OR 97738

Until a change is requested all tax statements
 shall be sent to the following address:
 LAWRENCE E. ZIEMER, Trustee of the
 Ziemer Family Trust, u/d October 15, 2012
 537 N. SAGINAW AVE
 HINES, OR 97738

Escrow No. BU0020714
 Title No. 0020714

HARNEY COUNTY, OR 2012-1407
 DEEDWD 10/30/2012 11:05 AM
 Cnt=1 Pgs=1 Total:\$36.00



I, Maria Iturriaga, County Clerk for Harney County,
 Oregon certify that the instrument identified herein was
 recorded in the Clerk records.
 Maria Iturriaga, CCC, Harney County Clerk

STATUTORY WARRANTY DEED

DEANNE HORNER, Successor Trustee of the Judith L. Benton Family Trust u/d/ February 26, 2004,
 Grantor(s), hereby convey and warrant to

LAWRENCE E. ZIEMER and CHRISTINE M. ZIEMER, Trustees of the Ziemer Family Trust, u/d/
 October 15, 2012,

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. 1: NW1/4SW1/4, Lots 3 and 4, S1/2NW1/4, SAVE & EXCEPT highway right of way conveyed
 to the State of Oregon, by and through its State Highway Commission, by Deed
 recorded March 1, 1937, in Book 37, Page 427, Deed Records.

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

CODE# 1-2 ACCT# 5678 MAP# 23S 32VE TL 500
 CODE# 1-2 ACCT# 5681 MAP# 23S 32VE TL 1400

The true and actual consideration for this conveyance is \$525,000.00.

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:

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 29 day of October, 2012

Deanne Horner
 DEANNE HORNER, Successor Trustee of the Judith L.
 Benton Family Trust u/d/ February 26, 2004

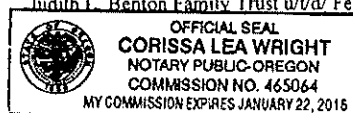
RECEIVED BY OWRD

NOV 05 2012

SALEM, OR

State of Oregon
 County of HARNEY

This instrument was acknowledged before me on October 29, 2012 by DEANNE HORNER, Successor Trustee of the
 Judith L. Benton Family Trust u/d/ February 26, 2004.



Corissa Lea Wright
 (Notary Public for Oregon)
 My commission expires Jan. 22, 2016

STATE OF OREGON

COUNTY OF Harney

CERTIFICATE OF WATER RIGHT

This Is to Certify, That Oregon & Western Colonization Company, Inc.

of St. Paul, State of Minnesota, has a right to the use of
the waters of Cow Creek for Tract No. 1 and Surplus and waste water from lands to east
for Tract No. 2
for the purpose of Irrigation

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for
Harney County, and the said decree entered of record at Salem, in the Order Record of
the STATE ENGINEER, in Volume 14, at page 424; that the priority of the right thereby
confirmed dates from 1886 for Tract No. 1, and 1888 for Tract No. 2;

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an
amount actually beneficially used for said purposes, and shall not exceed one-fortieth of a cubic
foot per second per acre up to April 20 of each year and shall not exceed one-six-
tieth of a cubic foot per second per acre for the balance of the year; provided,
that the total quantity diverted shall not exceed three acre feet per acre in any
one year.

A description of the lands irrigated under such right, and to which the water is appurtenant (or,
if for other purposes, the place where such water is put to beneficial use), is as follows:

TRACT NO. 1

37.8 acres in Lot 1
39.8 acres in Lot 2
29.2 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$
33.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$
39.7 acres in Lot 3
39.6 acres in Lot 4
40.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$
40.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$
30.5 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$
27.3 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$
5.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$
30.2 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$
24.3 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$
25.2 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$
31.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$
27.1 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 1,

T. 23 S., R. 32 $\frac{1}{2}$ E., W.M.TRACT NO. 2

20.3 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$
30.5 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$
28.5 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ — *Quinich*
8.3 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$
0.1 acre in SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 3,
T. 23 S., R. 32 $\frac{1}{2}$ E., W.M.

509

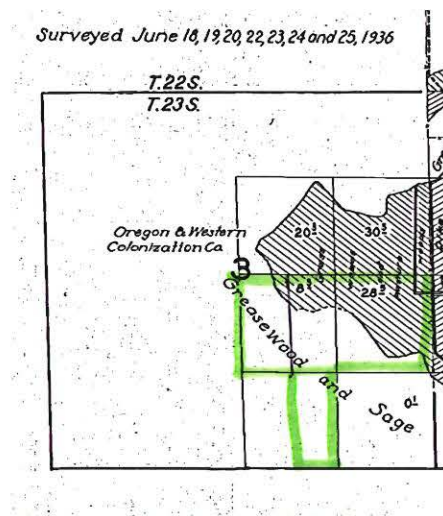
And said right shall be subject to all other conditions and limitations contained in said decree.
The right to the use of the water for the purposes aforesaid is restricted to the lands or place of
use herein described.

WITNESS the signature of the State Engineer, affixed

this 23th day of October, 19 48.

State Engineer

From Low Creek ADJUDICATION





Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1271
503-986-0900
FAX 503-986-0904

September 14, 2009

TC Enterprise
PO box 172
Drewsey, OR 97904

RE: Application File # T-10361

Dear Applicant:

Governor Theodore Kulongoski signed SB788 on July 23, 2009, which, in part, raised the fee for many of the Department's water right related processes. The bill included an emergency clause that stated that the bill was to become effective on July 1, 2009. The Department has determined that in the interest of fairness to the public, and consistent with other provisions of the affected fee statutes that give considerable discretion to the Department, we should implement this bill on any applicants effective July 24, 2009, and later.

Thus, the Department is refunding \$25.00. A check for this amount is enclosed. Please call Jerry Sauter (503-986-0817) if you have any questions about this refund.

Sincerely,

Dwight French
Water Rights & Adjudication Division Administrator

cc: file

MEMORANDUM

To: Fiscal

From: J.K. Sauter, Water Rights Section JS

Subject: Refund Request

Please refund \$ 25⁰⁰ to: TC ENTERPRISE

Application T-10361 Receipt No. 97187

Reason for refund: EXCESS ASSIGNMENT FEES - PRIOR TO 7.24.2009

Refund to:

Name: TC ENTERPRISE

Address: P.O. Box 172

DRENSLEY, OREGON

97904

Authorized By: _____

Signature and Title



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266
503-986-0900
FAX 503-986-0904

July 23, 2009

TC Enterprise
P.O. Box 172
Drewsey, Oregon 97904

Reference: Transfer T-10361

The assignment from Harry and Cecilia McCall to Toby and Lisa Cronin has been recorded in the records of the Water Resources Department.

Our records have been changed accordingly and the original request is enclosed. Receipt number 97187 covering the recording fee of \$75 is also enclosed.

Sincerely,

Jerry Sauter
Water Rights Program Analyst

Enclosure: Receipt 97187

cc: Watermaster 10
Harry and Cecilia McCall
Data Center, OWRD (Complete Copy of Assignment Request)
Hydrographics
Sarah Henderson - for Transfers
File





Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266
503-986-0900
FAX 503-986-0904

July 2, 2009

Toby and Lisa Cronin
P.O. Box 172
Drewsey, Oregon 97904

Reference: Transfer T-10361

The requested assignment could not be performed. Effective July 1, 2009, the fees for assignment were increased to \$75. The form is correctly completed, and upon submission of the complete fees the assignment can be performed.

I am returning your request and check.

Sincerely,

Jerry Sauter
Water Rights Program Analyst

Enclosure: Original request and check

cc: file





Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266
503-986-0900
FAX 503-986-0904

April 13, 2007

HARRY & CECILIA MCCALL
PO BOX 1926
ALBANY OR 97321

Reference: Transfer 10361

On April 6, 2007 we received your water right transfer application requesting an additional point of appropriation for use of water from A WELL, tributary to MALHEUR LAKE. The application was accompanied by \$350.00. Our receipt 86991 is enclosed.

By copy of this letter, we are asking the Watermaster for his report regarding the potential for injury to existing water rights which may be caused by the change.

Your application will be examined to determine if additional information is needed. You will be contacted following this examination.

Except as provided under ORS 540.510(3) for municipalities, you may not use water for the new use, in the new place of use or from the new point of diversion until the transfer application has been approved. In order to avoid any possible forfeiture of the water right, you should continue to use the water as described by your existing water right. If the land is sold before the transfer is approved, the buyer's consent to the transfer will be required unless a recorded deed or other legal document clearly established that the water right was not conveyed in the sale.

We will notify you if additional information or corrections to the application or map are required.

If you have any questions, please call the Transfer Section, (503)986-0883.

cc: Watermaster #10
Chris Palmer, CWRE
Groundwater

enclosure



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

725 Summer Street NE, Suite A

Salem, OR 97301-1271

503-986-0900

FAX 503-986-0904

Notice of Application for Water Right Transfer, Temporary Transfer, or Permit Amendment 04/10/2007

The Department seeks comment on the recently-filed application listed below. Any person may comment on the application. Comments must be received by the Department within 30 days of the date of this notice.

County: HARNEY
Transfer: 10361
Water Right: CERT 83242
Priority Date: 05/16/1977
Name: HARRY & CECILIA MCCALL
Address: PO BOX 1926; ALBANY OR 97321
Change: APOA
Source: WELL
Authorized APOA: T23S R32E 3
Proposed APOA: T23S R32E 3

The holder of a water right may apply to permanently change an existing water use subject to transfer. A transfer application may involve any of the following changes: Point of diversion or appropriation (POD; POA); Additional point of diversion or appropriation (APOD; APOA); Historic POD (HIST); Place of use (POU); Character of use (USE); Instream (ISWR); Substitution (SUB); or Exchange (EXCH).

The holder of a water right subject to transfer may request to temporarily change the place of use of the water for up to 5 years and, if necessary to convey the water, to temporarily change the point of diversion or appropriation.

The holder of a water right permit may apply to change a point of diversion (POD) or appropriation (POA) or to change the place of use (POU).

Any person who provides comments within the comment period will receive a copy of the Department's preliminary determination of whether the application should be approved or rejected after the Department has completed a review of the application and will be provided an opportunity to protest the application and preliminary determination at that time. The Director may presume that the transfer would be allowed by, and compatible with comprehensive plans unless an affected local government informs the Director otherwise within 30 days of this notice. Comments should be sent to the Transfers Section at the Department's Salem office.



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266
503-986-0900
FAX 503-986-0904

December 10, 2009

TOBY & LISA CRONIN
PO BOX 172
DREWSEY OR 97904

REFERENCE: Transfer Application T-10361

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

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

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

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

If you have any questions related to the approval of this transfer, you may contact me by telephone at (503) 986-0883 or by e-mail at Sarah.A.Henderson@wrdd.state.or.us.

Sincerely,

Sarah Henderson
Executive Support
Field Services Division

cc: Watermaster Dist. #10
Chris Palmer, CWRE
Rod & Debbie Robertson, Co-Owner

Enclosure

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

In the Matter of Transfer Application	)	FINAL ORDER
T-10361, Harney County	)	APPROVING AN ADDITIONAL POINT
	)	OF APPROPRIATION AND PARTIAL
	)	DIMINISHMENT OF A WATER RIGHT

Authority

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

Applicant

TOBY AND LISA CRONIN
P.O. BOX 172
DREWSEY, OREGON 97904

Co-Owner

ROD AND DEBBIE ROBERTSON
P.O. BOX 134
DREWSEY, OREGON 97904

Findings of Fact

Background

1. On April 6, 2007, Harry T. and Celia McCall filed an application for an additional point of appropriation under Certificate 83242. The Department assigned the application number T-10361.
2. On August 27, 2008 a statement was received from Harry T. and Celia McCall, assigning all interest in Transfer Application T-10361 to Toby and Lisa Cronin.
3. On October 14, 2008, a statement was received from the co-owners of the property, Rod and Debbie Robertson agreeing to the changes proposed in the transfer.
4. On December 2, 2008 an e-mail was received from Toby and Lisa Cronin requesting that the transfer completion date be extended to October 1, 2015.
5. On July 15, 2009, the assignment process was completed and the transfer application was assigned to Toby and Lisa Cronin.

This final order is subject to judicial review by the Court of Appeals under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482(1). Pursuant to ORS 536.075 and OAR 137-003-0675, you may petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

6. The right to be transferred is as follows:

Certificate: 83242 in the name of HARRY T. AND CECILIA McCALL (perfected under Permit G-7639)
Use: IRRIGATION of 77.7 ACRES
Priority Date: MAY 16, 1977
Rate: 0.90 CUBIC FOOT PER SECOND
Limit/Duty: 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, provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein.
Source: WELL 1 in the MALHEUR LAKE BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
23 S	32.5 E	WM	3	NE SE	WELL 1 - 1569 FEET NORTH AND 1048 FEET WEST FROM THE SE CORNER OF SECTION 3

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	Acres
23 S	32.5 E	WM	3	NE SE	30.5
23 S	32.5 E	WM	3	NW SE	30.5
23 S	32.5 E	WM	3	SW SE	16.7

7. Transfer Application T-10361 proposes an additional point of appropriation located approximately 0.16 mile from the existing point of appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
23 S	32.5 E	WM	3	NW SE	WELL 2 - 1345 FEET NORTH AND 1813 FEET WEST FROM THE SE CORNER OF SECTION 3

8. Notice of the application for transfer was published on April 10, 2008, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
9. On November 20, 2009, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-10361 to the applicants. The applicants requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.
10. On July 24, 2009, the Department issued a preliminary determination proposing to approve Transfer T-10361 and mailed a copy to the applicant. Additionally, notice of the preliminary determination for the transfer application was published on the Department's weekly notice on July 28, 2009, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.

Transfer Review Criteria (OAR 690-380-4010)

11. Water has been used within the last five years according to the terms and conditions of the right, and there is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
12. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Transfer Application T-10361.
13. The proposed change would not result in enlargement of the right.
14. The proposed change would not result in injury to other water rights.

Partial Diminution of a Water Right

15. The applicants and co-landowners, Toby and Lisa Cronin and Rod and Debbie Robertson requested that a portion of a water right be diminished to supplemental irrigation. The right to be diminished is as follows:

Certificate: 15532 in the name of OREGON & WESTERN COLONIZATION COMPANY, INC. (confirmed by Cow Creek, Harney County decree)

Use: IRRIGATION of 36.8 ACRES

Priority Date: 1888

Limit/Duty: ONE-FORTIETH of a cubic foot per second per acre up to April 20th of each year and shall not exceed ONE-SIXTIETH of a cubic foot per second per acre for the balance of the year; provided, that the total quantity diverted shall not to exceed 3.0 acre-feet per acre in any one year

Source: SURPLUS and WASTE WATER, tributary to COW CREEK

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	Acres
23 S	32.5 E	WM	3	NE SE	28.5
23 S	32.5 E	WM	3	NW SE	8.3

Conclusions of Law

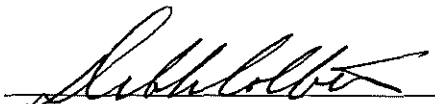
The additional point of appropriation proposed in Transfer Application T-10361 is consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000 and the right proposed to be diminished will be diminished.

Now, therefore, it is ORDERED:

1. The additional point of appropriation proposed in Transfer Application T-10361 is approved.
2. The water right for the irrigation of 36.8 acres under Certificate 15532 as described in Finding No. 15 is diminished from primary irrigation to supplemental irrigation.

3. The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificate 83242 and any related decree.
4. Water Right Certificates 83242 and 15532 are cancelled. Certificate 85400 will be issued for that portion of Certificate 15532 not modified by the diminishment.
5. Water shall be acquired from the same aquifer (water source) as the original point of appropriation.
6. The quantity of water diverted at the 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.
7. When required by the Department, the water user shall install, maintain and operate an in-line flow meter or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.
8. The approved changes shall be completed and full beneficial use of the water shall be made on or before **October 1, 2015**. A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.
9. When satisfactory proof of the completed change is received, a new certificate confirming the right transferred will be issued.
10. Water Right Certificate 85401 is issued to confirm that portion of the right described by Certificate 15532 diminished by this order.

Dated at Salem, Oregon this 7th day of December 2009.


Phillip C. Ward, Director *rw*

Mailing Date: DEC 14 2009

STATE OF OREGON

COUNTY OF HARNEY

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

OREGON & WESTERN COLONIZATION COMPANY, INC
ST PAUL, MINNESOTA 55102

confirms the right to use the waters of COW CREEK FOR TRACT 1 FOR THE IRRIGATION OF 499.7 ACRES AND SURPLUS AND WASTE WATER FROM LANDS TO EAST FOR TRACT 2 FOR THE IRRIGATION OF 50.9 ACRES.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Harney County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 14, at Page 424. The dates of priority are 1886 for TRACT 1 and 1888 for TRACT 2.

The amount of water used for irrigation is limited to a diversion of ONE-FORTIETH of a cubic foot per second per acre up to April 20th of each year and shall not exceed ONE-SIXTIETH of a cubic foot per second per acre for the balance of the year; provided, that the total quantity diverted shall not exceed 3.0 acre-feet per acre in any one year.

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

IRRIGATION						
TRACT 1 - 1886						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
23 S	32½ E	WM	1		1	37.8
23 S	32½ E	WM	1		2	39.8
23 S	32½ E	WM	1		3	39.7
23 S	32½ E	WM	1		4	39.6
23 S	32½ E	WM	1	SW NE		29.2
23 S	32½ E	WM	1	SE NE		33.0
23 S	32½ E	WM	1	SW NW		40.0
23 S	32½ E	WM	1	SE NW		40.0
23 S	32½ E	WM	1	NE SW		30.5
23 S	32½ E	WM	1	NW SW		27.3
23 S	32½ E	WM	1	SW SW		5.0
23 S	32½ E	WM	1	SE SW		30.2
23 S	32½ E	WM	1	NE SE		24.3
23 S	32½ E	WM	1	NW SE		25.2
23 S	32½ E	WM	1	SW SE		31.0
23 S	32½ E	WM	1	SE SE		27.1

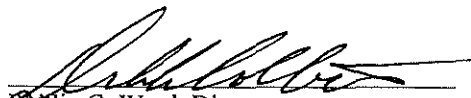
IRRIGATION						
TRACT 2 - 1888						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
23 S	32½ E	WM	3	SW NE		20.3
23 S	32½ E	WM	3	SE NE		30.5
23 S	32½ E	WM	3	SE SE		0.1

This certificate describes that portion of the water right confirmed by Certificate 15532, State Record of Water Right Certificates, NOT diminished by the provisions of an order of the Water Resources Director entered DEC 07 2009, approving Transfer Application T-10361. This certificate, together with Certificate 85401, supercedes Certificate 15532.

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

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

WITNESS the signature of the Water Resources Director, affixed DEC 07 2009.


Phillip C. Ward, Director

STATE OF OREGON
COUNTY OF HARNEY
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

TOBY AND LISA CRONIN
P.O. BOX 172
DREWSEY, OREGON 97904

ROD AND DEBBIE ROBERTSON
P.O. BOX 134
DREWSEY, OREGON 97904

confirms the right to use the waters of SURPLUS AND WASTE WATER FROM LANDS TO EAST FOR TRACT 2 FOR SUPPLEMENTAL IRRIGATION OF 50.9 ACRES.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Harney County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 14, at Page 424. The date of priority is 1888.

The amount of water used for irrigation is limited to a diversion of ONE-FORTIETH of a cubic foot per second per acre up to April 20th of each year and shall not exceed ONE-SIXTIETH of a cubic foot per second per acre for the balance of the year; provided, that the total quantity diverted shall not exceed 3.0 acre-feet per acre in any one year.

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

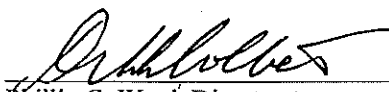
SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
23 S	32½ E	WM	3	NE SE	37.8
23 S	32½ E	WM	3	NW SE	39.8

This certificate is issued to confirm that portion of the water right confirmed by Certificate 15532, State Record of Water Right Certificates, DIMINISHED by the provisions of an order of the Water Resources Director entered DEC 07 2009 approving Transfer Application T-10361. This certificate, together with Certificate 85400, supercedes Certificate 15532.

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

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

WITNESS the signature of the Water Resources Director, affixed DEC 07 2009.


Phillip C. Ward, Director *PCW*

This is a final order in other than 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 137-004-080 and OAR 690-01-005 you may either petition for judicial review or petition the Director for reconsideration of this order.

Water Right Transfer Checklist

Transfer T-10361

Transfer Specialist: J. Spriet

Transfer Type: APOA

Applicant Name/Address: Toby & Lisa Cronin, P.O. Box 172, Drewsey, OR 97904

Agent Name/Address: _____

CWRE Name/Number: Chris Palmer #100

Rec Landowner Name/Address: _____

Irr. District Name/Address: _____

Affected Gov'ts Name/Address: Harney County

Commentors: Name/Address: _____

Water Rights Affected

Records Marked	Records Copied	App File No. or Decree Name	Permit No.	Certificate No.	RR/CR Needed	RR/CR Nos.
☒	☒	G-8128	G-7639	83242	☐ Yes ☒ No	
☐	☐	Cow Cr., Harney Co. Decree		15532	☒ Yes ☐ No	85400
☐	☐				☐ Yes ☐ No	85401

Key Dates & Initial Actions

Rec'd: April 6, 2007	Proposed Action(s): POU POD HST APOD USE OTHER: APOA	
Fees Pd: \$350	WM District: 10	ODFW District: _____
Initial Notice: 4/10/07	WM Review sent: _____	ODFW Review sent: _____
Acknowledgement Letter Sent ☐	GW Review sent: _____	

Processing Dates & Actions

Deficiency Contacts: _____

Newspaper Pub Affid Due: _____

☒ not required

DPD Mailed: 11/20/08

Affid of Pub Rec'd: _____

☐ ODFW contact sheet sent with DPD, or ☐ N/A

Last Day Published: _____

PD Mailed: 1/6/09

Affidavit Reminder Sent: _____

PD Weekly Notice: _____

Reminder Deadline: _____

Preliminary Determination

☒ Electronic Files uploaded

☒ Preliminary Determination

☒ PD Cover letter

☐ Fee Refund Due

☒ PD Notice

☐ Remaining Rights

☒ File Assigned/ ModPod updated

DPD Review (Optional)	PD Review (Salem)	Final Order Review (Salem)
Reviewer: _____	Reviewer: RKS	Reviewer: PKS
Date: _____	Date: 7/23/09	Date: 12/7/09
Coordinator: _____	Coordinator: _____	Coordinator: _____
Date: _____	Date: _____	Date: _____
Comments/Special Issues: APOA, diminution		

Special Order Volume: Vol 79 Pages 265 Final Order Signature Date: 12-7-09

Notice of FO email'd to processors Kelly

Application

- ☒ The type of change is clearly indicated.
☒ The application is appropriately signed.
☒ Appropriate fees were paid. ☐ If overpayment, Refund Request to be sent with FO
☒ Land use form matches affected tax lots and is signed by proper official. (*from ALL affected Govt's*)
☐ Ditch company, district and/or BOR, sent a copy of the application and map, if appropriate.
☒ All required attachments received.

Water right subject to transfer

- ☒ Certificated right or Proof accepted "to the satisfaction..."
☒ The right been exercised according to terms & conditions of certificate.
☒ Delivery system has the capacity to fully divert the rate/duty of the right.
☒ No information in record that suggests forfeiture.
☒ No conflicts identified on the plat cards and plat card reports printed.
☒ Affidavits prepared for rights that need to be canceled or diminished.

Application Map

- ☒ The map has an original CWRE signature.
☒ The map size and scale accurate and appropriate per OAR 690-380-3100(1)(b)(c)&(d).
☒ All authorized and proposed POD's/POA's and POU's shown and clearly labeled.
☒ Metes and bounds for the POD's/POA's are properly described on the map.
☒ The POD/POA dimensions & 1/4 1/4 on map match the transfer application and certificate descriptions.
☒ Map acres match the tabulation on the certificate.
☒ Have final proof maps/deed maps for the rights. ☐ Application map matches certificate FPS.
☐ Have necessary aerial photos.

Determining the "From" and "To" Lands (*make working copy of application and certificates to mark on*)

- ☒ Only the authorized POD's/POA's and POU's to be transferred are listed.
☒ Application & certificate tabulations match. (*Mark on appl. and cert. copies and note corrections needed*)
☒ Marked on certificate the acreage being transferred, cancelled and remaining by 1/4 1/4.

Ownership

- ☒ The deed/ROLI matches the "*from*" lands. (Don't need to check "to" lands.)
☒ Have current tax lot map. (*If transfer application is several years old, contact assessor's office*)
☒ The applicant is the owner of the "from" lands.
☒ All owners on the deed/ROLI have signed the application.
☒ If necessary, there is a notarized, signed statement of consent from landowners other than applicant.
☐ If necessary, there is a copy of written notification to each lien holder identified on ROLI.
☐ Agent has authorization to make decisions.

Evaluation (materials needed for peer reviewer in bold)

- | | | | | |
|--|---|---|---|---|
| ☒ application complete | ☒ map | ☒ FPS | ☒ evidence of use | ☒ land-use form |
| ☒ deed/ROLI | ☒ certificate | ☒ fees paid | ☒ well logs | ☒ plat card |
| ☐ audit | ☒ dpd | | | |

Reviews/comments/conditions received? ☒ Watermaster ☒ ODFW ☒ GW

Headgate	☐ When in the judgment	☐ Prior to diverting	☐ Existing and maintain
Measuring Devices	☐ When in the judgment	☒ Prior to diverting	☐ Existing and maintain
Fish Screen Devices	☐		

Injury: Y N Enlargement: Y N

Conditions to avoid enlargement/injury –

STATE OF OREGON

COUNTY OF HARNEY

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

HARRY T AND CECILIA MCCALL
PO BOX 1926
ALBANY OR 97321

confirms the right to use the waters of WELL 1 in the Malheur Lake Basin for IRRIGATION of 77.70 ACRES.

This right was perfected under Permit G-7639. The date of priority is MAY 16, 1977. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.90 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the well.

The well is located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Survey Coordinates
23 S	32.50 E	WM	3	NE SE			1569 FEET NORTH & 1048 FEET WEST FROM SE CORNER, SECTION 3

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year, provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein. The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

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

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
23 S	32.50 E	WM	3	NE SE			30.50
23 S	32.50 E	WM	3	NW SE			30.50
23 S	32.50 E	WM	3	SW SE			16.70

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

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

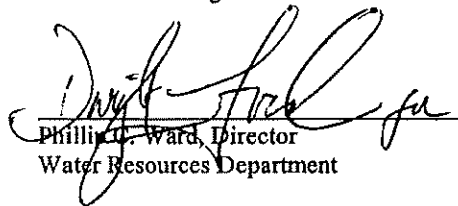
This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may either petition for judicial review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

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

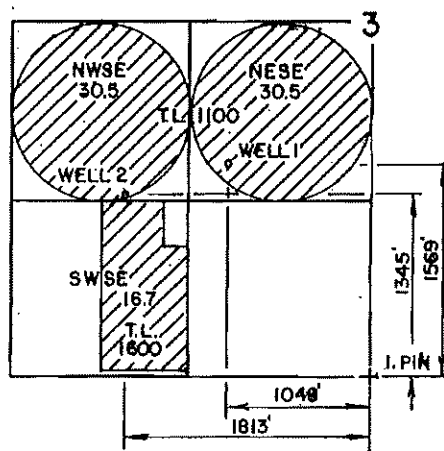
The water user shall install and maintain a weir, meter, or other suitable measuring device, and shall keep a complete record of the amount of ground water withdrawn.

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

WITNESS the signature of the Water Resources Director, affixed MAR 07 2007.


Phillip C. Ward, Director
Water Resources Department

T 23 S, R 32 1/2 E, WM



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

RECEIVED

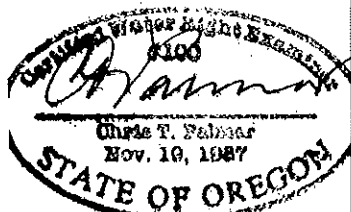
OCT 30 2006

WATER RESOURCES DEPT
SALMON, OREGON

FINAL PROOF SURVEY

UNDER
APPLICATION G-8128
PERMIT G-7639

IN THE NAME OF
HARRY T. & CECILIA MCCALL



RENEW 1-1-2007

Scale: 4" = 1 MILE

Date: OCT. 2006

Job: 2266-Q6

Dsn:

Drm: CHRIS

Ckd:

MAP's

M.A. PALMER & SONS, INC.
ENGINEERING & SURVEYING
711 Ponderosa Village • Box 61
Burns, Oregon 97720

Sht. No.

of



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266
503-986-0900
FAX 503-986-0904

July 27, 2009

TOBY AND LISA CRONIN
P.O. BOX 172
DREWSEY, OREGON 97904

SUBJECT: Water Right Transfer Application T-10361

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-10361. This document is an intermediate step in the approval process; water may not be used legally as proposed in the transfer application until a Final Order has been issued by the Department.

A public notice is being published in the Department's weekly publication simultaneously with issuance of the Preliminary Determination. The notice initiates a 30-day period in which any person may file either a protest opposing the decision proposed by the Department in the Preliminary Determination or a standing statement supporting the Department's decision.

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

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

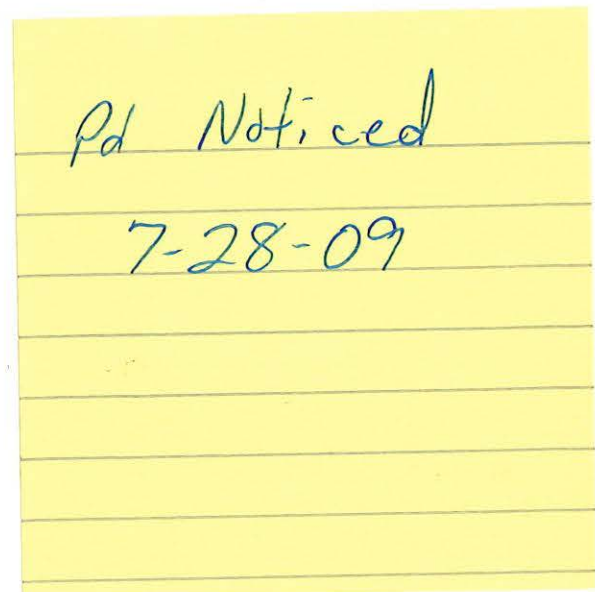
Please do not hesitate to contact me at if I may be of assistance.

Sincerely,

Kelly Starnes
Transfer Specialist
Field Services Division

cc: Tony Rutherford, District 10 Watermaster
Rod and Debbie Robertson
Chris Palmer, CWRE #160

encs



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

In the Matter of Transfer Application	)	PRELIMINARY DETERMINATION
T-10361, Harney County	)	PROPOSING APPROVAL OF AN
	)	ADDITIONAL POINT OF
	)	APPROPRIATION AND PARTIAL
	)	DIMINISHMENT OF A WATER RIGHT

Authority

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

Applicant

TOBY AND LISA CRONIN
P.O. BOX 172
DREWSEY, OREGON 97904

Co-Owner

ROD AND DEBBIE ROBERTSON
P.O. BOX 134
DREWSEY, OREGON 97904

Findings of Fact

Background

1. On April 6, 2007, Harry T. and Celia McCall filed an application for an additional point of appropriation under Certificate 83242. The Department assigned the application number T-10361.
2. On August 27, 2008 a statement was received from Harry T. and Celia McCall, assigning all interest in Transfer Application T-10361 to Toby and Lisa Cronin.
3. On October 14, 2008, a statement was received from the co-owners of the property, Rod and Debbie Robertson agreeing to the changes proposed in the transfer.
4. On December 2, 2008 an e-mail was received from Toby and Lisa Cronin requesting that the transfer completion date be extended to October 1, 2015.
5. On July 15, 2009, the assignment process was completed and the transfer application was assigned to Toby and Lisa Cronin.

Pursuant to OAR 690-380-4030, any person may file a protest or standing statement within 30 days after the last date of publication of notice of this preliminary determination.
--

6. The right to be transferred is as follows:

Certificate: 83242 in the name of HARRY T. AND CECILIA McCALL (perfected under Permit G-7639)
Use: IRRIGATION of 77.7 ACRES
Priority Date: MAY 16, 1977
Rate: 0.90 CUBIC FOOT PER SECOND
Limit/Duty: 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, provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein.
Source: WELL 1 in the MALHEUR LAKE BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
23 S	32.5 E	WM	3	NE SE	WELL 1 - 1569 FEET NORTH AND 1048 FEET WEST FROM THE SE CORNER OF SECTION 3

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	Acres
23 S	32.5 E	WM	3	NE SE	30.5
23 S	32.5 E	WM	3	NW SE	30.5
23 S	32.5 E	WM	3	SW SE	16.7

7. Transfer Application T-10361 proposes an additional point of appropriation located approximately 0.16 mile from the existing point of appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
23 S	32.5 E	WM	3	NW SE	WELL 2 - 1345 FEET NORTH AND 1813 FEET WEST FROM THE SE CORNER OF SECTION 3

8. Notice of the application for transfer was published on April 10, 2008, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
9. On November 20, 2009, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-10361 to the applicants. The applicants requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.

Transfer Review Criteria (OAR 690-380-4010)

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

11. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Transfer Application T-10361.
12. The proposed change would not result in enlargement of the right.
13. The proposed change would not result in injury to other water rights.

Partial Diminution of a Water Right

14. The applicants and co-landowners, Toby and Lisa Cronin and Rod and Debbie Robertson requested that a portion of a water right be diminished to supplemental irrigation. The right to be diminished is as follows:

Certificate: 15532 in the name of OREGON & WESTERN COLONIZATION COMPANY, INC. (confirmed by Cow Creek, Harney County decree)
Use: IRRIGATION of 36.8 ACRES
Priority Date: 1888
Limit/Duty: ONE-FORTIETH of a cubic foot per second per acre up to April 20th of each year and shall not exceed ONE-SIXTIETH of a cubic foot per second per acre for the balance of the year; provided, that the total quantity diverted shall not to exceed 3.0 acre-feet per acre in any one year
Source: SURPLUS and WASTE WATER, tributary to COW CREEK

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	Acres
23 S	32.5 E	WM	3	NE SE	28.5
23 S	32.5 E	WM	3	NW SE	8.3

Determination and Proposed Action

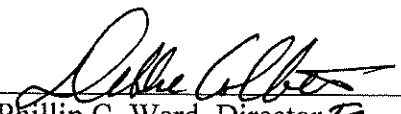
The additional point of appropriation proposed in Transfer Application T-10361 appears to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000 and the right proposed to be diminished will be diminished. If protests are not filed pursuant to OAR 690-380-4030, the application and diminution will be approved.

If Transfer Application T-10361 is approved, the final order will include the following:

1. *The additional point of appropriation proposed in Transfer Application T-10361 is approved.*
2. *The water right for the irrigation of 36.8 acres under Certificate 15532 as described in Finding No. 13 is diminished from primary irrigation to supplemental irrigation.*
3. *The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificate 83242 and any related decree.*

4. *Water Right Certificates 83242 and 15532 are cancelled. Certificate 85400 will be issued for that portion of Certificate 15532 not modified by the diminishment.*
5. *Water shall be acquired from the same aquifer (water source) as the original point of appropriation.*
6. *The quantity of water diverted at the 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.*
7. *When required by the Department, the water user shall install, maintain and operate an in-line flow meter or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.*
8. *The approved changes shall be completed and full beneficial use of the water shall be made on or before **October 1, 2015**. A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.*
9. *When satisfactory proof of the completed change is received, a new certificate confirming the right transferred will be issued.*
10. *Water Right Certificate 85401 is issued to confirm that portion of the right described by Certificate 15532 diminished by this order.*

Dated at Salem, Oregon this 24th day of July 2009.


Phillip C. Ward, Director *ra*

This Preliminary Determination was prepared by Kelly Starnes. If you have any questions about the information in this document, you may reach me at (503) 986-0886 or Patrick.K.Starnes@wrdd.state.or.us

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

**Notice of Preliminary Determination for
Water Right Transfer T-10361**

T--10361 filed by Toby and Lisa Cronin, P.O. Box 172, Drewsey, Oregon 97904, proposes an additional point of appropriation under Certificate 83242. The right allows the use of 0.90 cubic foot per second (priority date May 16, 1977) from Well 1 in Sec. 3, T 23 S, R 32.5 E, W.M. (Malheur Lake Basin) for irrigation in Sec. 3. The applicant proposes an additional point of appropriation approximately 0.16 mile West Sec. 3, T 23 S, R 32.5 E, W.M. The Water Resources Department has concluded that the proposed transfer appears to be consistent with the requirements of ORS Chapter 540 and OAR 690-380-5000.

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT #

97187

725 Summer St. N.E. Ste. A

SALEM, OR 97301-4172

(503) 986-0900 / (503) 986-0904 (fax)

INVOICE #

RECEIVED FROM:

TC Enterprise

APPLICATION

T-10360

BY:

PERMIT

TRANSFER

CASH:

CHECK: #

OTHER: (IDENTIFY)

☐

☒ 5654

☐

TOTAL REC'D

\$75.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES

\$

OTHER: (IDENTIFY)

\$

0243 I/S Lease

0244 Muni Water Mgmt. Plan

0245 Cons. Water

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES

\$

0410 RESEARCH FEES

\$

0408 MISC REVENUE: (IDENTIFY)

\$

TC162 DEPOSIT LIAB. (IDENTIFY)

\$

0240 EXTENSION OF TIME

\$

WATER RIGHTS:

0201 SURFACE WATER

EXAM FEE

\$

0202

\$

0203 GROUND WATER

\$

0204

\$

0205 TRANSFER

\$

WELL CONSTRUCTION

EXAM FEE

0218 WELL DRILL CONSTRUCTOR

\$

0219

\$

LANDOWNER'S PERMIT

0220

\$

OTHER (IDENTIFY)

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE

\$

CARD #

0210 MONITORING WELLS

\$

CARD #

OTHER (IDENTIFY)

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FWWRD)

\$

0231 HYDRO LICENSE FEE (FWWRD)

\$

HYDRO APPLICATION

\$

TREASURY

OTHER / RDX

FUND TITLE

OBJ. CODE VENDOR #

DESCRIPTION

\$

RECEIPT:

97187

DATED:

7.15.09

BY:

LSB

Aug 27 08 01:53p

p. 1



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

Request for Assignment

If for multiple rights, a separate form and fee for each right will be required.

I, Harry T. & Cecilia McCall

(Name of Applicant / Permit / Transfer Holder)

P.O. Box 1928 Albany OR 97321 541 791-3880
(Mailing address) (City) (State) (Zip) (Phone #)

RECEIVED

JUL 02 2009

☒ ...hereby assign all my interest in and to application/permit/transfer;

☐ ...hereby assign all my interest in and to a portion of application/permit/transfer;
(You must include a map showing the portion of the application/permit to be assigned.)

WATER RESOURCES DEPT
SALEM, OREGON

☐ ...hereby assign a portion of my interest in and to the entire application/permit/transfer;

Application # _____, Permit # _____; Transfer # T-10361

-OR-

GR Statement # _____, GR Certificate of Registration # _____

as filed in the office of the Water Resources Director, to:

Toby & Lisa Cronin
(Name of New Owner)

P.O. Box 172 Drewsey OR 97904
(Mailing address) (City) (State) (Zip) (Phone #)

541-589-3671

NOTE: If there are other owners of the property described in this Application, Permit, Transfer or Certificate of Ground Water Registration, you must provide a list of all other owners' names and mailing addresses and attach it to this form.

I hereby certify that I have notified all other owners of the property described in this Application, Permit or Certificate of Registration of this request for assignment.

RECEIVED

JUL 15 2009

Witness my hand this 17 day of August 2009

Applicant/Permit holder _____

Applicant/Permit holder _____

WATER RESOURCES DEPT
SALEM, OREGON

- This certifies assignment and record change at Oregon Water Resources Department effective 8:00a.m. on date of receipt at Salem, Oregon.
- Fee receipt # 97187
- For Director by Jerry Sauter, Program Analyst in Water Rights Division

Last updated: June 1, 2007

Request for Assignment/1

The completed "Request for Assignment" form *must* be submitted to the Department along with a recording fee of \$50.

WR

ASSIGNED
7.15.2009
J. H. S.

10/22/2008



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department
North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266
503-986-0900
FAX 503-986-0904

July 23, 2009

TC Enterprise
P.O. Box 172
Drewsey, Oregon 97904

Reference: Transfer T-10361

The assignment from Harry and Cecilia McCall to Toby and Lisa Cronin has been recorded in the records of the Water Resources Department.

Our records have been changed accordingly and the original request is enclosed. Receipt number 97187 covering the recording fee of \$75 is also enclosed.

Sincerely,

Jerry Sauter
Water Rights Program Analyst

Enclosure: Receipt 97187

cc: Watermaster 10
Harry and Cecilia McCall
Data Center, OWRD (Complete Copy of Assignment Request)
Hydrographics
Sarah Henderson - for Transfers
File





Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266
503-986-0900
FAX 503-986-0904

June 10, 2009

Harry T. and Cecilia McCall
P.O. Box 1926
Albany, Oregon 97321

SUBJECT: Water Right Transfer Application T-10361

Dear Mr. and Mrs. McCall:

On February 25, 2009, I sent you a letter (copy enclosed) regarding the assignment of your interest in Water Right Transfer Application T-10361 to Toby and Lisa Cronin. In that letter, I requested that you send to me the original assignment form and \$50.00 in fees. As of this date, June 10, 2009, I have not yet received the requested items.

If you wish to complete the assignment of this transfer application to Toby and Lisa Cronin, please send me the original completed assignment form and \$50.00 in fees (check made payable to the Oregon Water Resources Department). If I do not receive the requested items by **July 13, 2009**, the Preliminary Determination proposing to approve Transfer Application T-10361 will be issued in your name.

Please do not hesitate to contact me at 503-986-0886 or Patrick.K.Starnes@wrд.state.or.us if I may be of assistance.

Sincerely,

Kelly Starnes
Transfer Specialist
Field Services Division

cc: **File T-10361**
Toby and Lisa Cronin
Chris Palmer, CWRE #160

enc

Aug 27 08 01:53p

p. 1



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

Request for Assignment

If for multiple rights, a separate form and fee for each right will be required.

I, Harry T. & Cecilia McCall

(Name of Applicant / Permit / Transfer Holder)

P.O. Box 1926 Albany OR 97321 541 791-3880
(Mailing address) (City) (State) (Zip) (Phone #)

- ☒ ...hereby assign all my interest in and to application/permit/transfer;
- ☐ ...hereby assign all my interest in and to a portion of application/permit/transfer;
(You must include a map showing the portion of the application/permit to be assigned.)
- ☐ ...hereby assign a portion of my interest in and to the entire application/permit/transfer;

Application # _____, Permit # _____; Transfer # T-10361

-OR-

GR Statement # _____, GR Certificate of Registration # _____

as filed in the office of the Water Resources Director, to:

Toby & Lisa Cronin

(Name of New Owner)

P.O. Box 172 Drewsey OR 97904 541 493-2230
(Mailing address) (City) (State) (Zip) (Phone #)

NOTE: If there are other owners of the property described in this Application, Permit, Transfer or Certificate of Ground Water Registration, you must provide a list of all other owners' names and mailing addresses and attach it to this form.

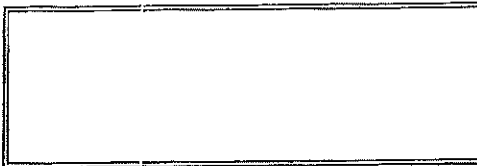
I hereby certify that I have notified all other owners of the property described in this Application, Permit or Certificate of Registration of this request for assignment.

Witness my hand this 27 day of August, 2008

Applicant/Permit holder [Signature]

Applicant/Permit holder Cecilia McCall

DO NOT WRITE IN THIS BOX



The completed "Request for Assignment" form must be submitted to the Department along with a recording fee of \$50.

Last updated: June 1, 2007

Request for Assignment/1

WR

10/22/2008



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266
503-986-0900
FAX 503-986-0904

February 25, 2009

Harry T. and Cecilia McCall
P.O. Box 1926
Albany, Oregon 97321

SUBJECT: Water Right Transfer Application T-10361

I am processing Transfer Application T-10361 for an additional well for Water Right Certificate 83242. You had filed the transfer application on April 6, 2007. I found in the file a faxed copy of an assignment form (copy enclosed) in which you applied to assign the transfer application over to new landowners, Toby and Lisa Cronin. Unfortunately, the Department never received the required \$50.00 assignment fees nor an original assignment form.

If you wish to complete the assignment of this transfer application to the new landowners, please send me the original completed assignment form and \$50.00 in fees (check made payable to the Oregon Water Resources Department).

Please do not hesitate to contact me at 503-986-0886 or Patrick.K.Starnes@wrд.state.or.us if I may be of assistance.

Sincerely,

Kelly Starnes
Transfer Specialist
Field Services Division

cc: **File T-10361**
Toby and Lisa Cronin
Chris Palmer, CWRE #160

enc

Aug 27 08 01:53p

p. 1



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

Request for Assignment

If for multiple rights, a separate form and fee for each right will be required.

I, Harry T. & Cecilia McCall

(Name of Applicant / Permit / Transfer Holder)

P.O. Box 1926 Albany OR 97321 541 791-3880
(Mailing address) (City) (State) (Zip) (Phone #)

- ☒ ...hereby assign all my interest in and to application/permit/transfer;
- ☐ ...hereby assign all my interest in and to a portion of application/permit/transfer;
(You must include a map showing the portion of the application/permit to be assigned.)
- ☐ ...hereby assign a portion of my interest in and to the entire application/permit/transfer;

Application # _____, Permit # _____; Transfer # T-10361
-OR-
GR Statement # _____, GR Certificate of Registration # _____

as filed in the office of the Water Resources Director, to:

Toby & Lisa Cronin

(Name of New Owner)

P.O. Box 172 Drewsey OR 97904 541 493-2230
(Mailing address) (City) (State) (Zip) (Phone #)

NOTE: If there are other owners of the property described in this Application, Permit, Transfer or Certificate of Ground Water Registration, you must provide a list of all other owners' names and mailing addresses and attach it to this form.

I hereby certify that I have notified all other owners of the property described in this Application, Permit or Certificate of Registration of this request for assignment.

Witness my hand this 27 day of August, 2008.

Applicant/Permit holder [Signature]

Applicant/Permit holder Cecilia McCall

DO NOT WRITE IN THIS BOX



The completed "Request for Assignment" form must be submitted to the Department along with a recording fee of \$50.

Last updated: June 1, 2007

Request for Assignment/1

WR

10/22/2008

**OREGON WATER RESOURCES DEPARTMENT
INTEROFFICE MEMO**

To: Ground Water Rights Files

Date: July 5, 2007

From: Michael J. Zwart

Subject: Application Review: T-10361, Harry and Cecilia McCall

This application proposes an additional POA as a result of a deficiency in rate from the authorized POA, Well 1 (HARN 631). Well 2 (HARN 51160) is proposed as the additional POA. Both wells develop the same aquifer.

I find that the proposed change may be made without injury provided the following: the right is valid and the Watermaster can approve the proposal.



Oregon

Theodore R. Kulongoski, Governor

Carrie

Water Resources Department

725 Summer Street NE, Suite A

Salem, OR 97301-1271

503-986-0900

FAX 503-986-0904

INTEROFFICE MEMO

FORWARD TO:



Sarah Henderson
FIELD PROCESSOR WORKING ON THIS TRANSFER

DATE:

4-13-07

FROM:

X

WATERMASTER, DISTRICT # _____

GROUNDWATER SECTION

(SIGNATURE)

Mike Zwart

date signed

July 5, 2007

signed by injury reviewer

SUBJECT:

WATER RIGHT TRANSFER #

10361

A change in: POU

POD

A POA

USE

of water.

In the name(s) of

Harry & Cecilia McCall

In my opinion (assuming the right is valid), the proposed change

☒ MAY BE MADE WITHOUT INJURY

WOULD RESULT IN INJURY* to an existing water

right.

*The approval of this transfer application would result in injury to other water rights because

The existing right may not be valid because

Headgate notices HAVE

HAVE NOT

Been issued for diversion from the source(s) which

serve(s) this right.

If for change in point of diversion, is there any intervening point(s) for diversion between the authorized and proposed points of diversion? (Yes or No) _____

In my opinion, the order approving the subject transfer application should include the following in regard to the appropriator installing suitable measuring devices in the diversion works:

_____ (1) PRIOR to the diverting of water at the new point of diversion . . .

_____ (2) WHEN IN the judgement of the watermaster it becomes necessary . . .

The enclosed copy of the transfer application and map(s) is for your records.

wmtrans frm



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

Watermaster Review Form: Water Right Transfer

Transfer Application: T-10361

Review Due Date: 5-12-2007

Applicant Name: Harry and Cecilia McCall

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

Reviewer(s): June Miller

Date of Review: May. 10, 2007

1. Do you have information suggesting that the water rights may be subject to forfeiture?
☐ Yes ☒ No If "Yes", describe the information and indicate if you intend to file a cancellation affidavit or if you need additional time to determine if a cancellation affidavit should be filed: _____
2. Is there a history of regulation on the source that serves the right proposed for transfer that has involved the right and downstream water rights? ☐ Yes ☒ No Generally characterize the frequency of any regulation or explain why regulation has not occurred: _____
3. Check here if it appears that downstream water rights benefit from return flows resulting from the current use of the right? ☐ If you check the box, generally characterize the locations where the return flows likely occur and list the water rights that benefit most: _____
4. Are there upstream water rights that would be affected by the proposed change?
☐ Yes ☒ No If "Yes", describe how the rights would be affected and list the rights most affected: _____
5. 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: _____
6. Would distribution of water for the right after the proposed change result in regulation of other water rights that would not have occurred if use of the existing right was maximized?
☐ Yes ☒ No If "Yes", explain: _____
7. For POU changes, would the original place of use continue to receive water from the same source? ☐ Yes ☐ No ☐ N/A If "Yes", explain: _____
8. For POU or USE changes, 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: _____
9. Are there other issues not identified through the above questions? ☐ Yes ☒ No If "Yes", explain: _____
10. What alternatives may be available for addressing any issues identified above: _____

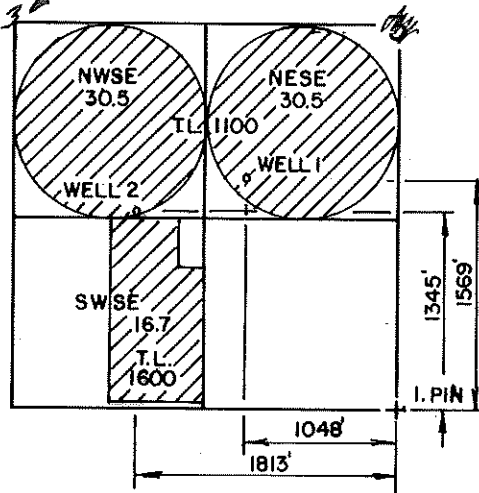
11. Have headgate notices been issued for the source that serves the right? ☐ Yes ☒ No
12. What water control and measurement conditions should be included in the transfer:

Measurement Devices	☐ Present and should be maintained.	☐ Should be required prior to diverting water.	☐ May be required in the future.
Headgates	☐ Present and should be maintained.	☐ Should be required prior to diverting water.	☐ May be required in the future.

WORKING COPY

T 23 S, R 32 1/2 E, WM

Center Section 3



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

RECEIVED

OCT 30 2006

WATER REBOUNDER DEPT
SALEM OREGON

FINAL PROOF SURVEY

UNDER
APPLICATION G-8128
PERMIT G-7639

IN THE NAME OF
HARRY T. & CECILIA MCCALL

Scale: 4" = 1 MILE

Date: OCT. 2006

Job: 2268-06

Dsn:

Drn: CHRIS

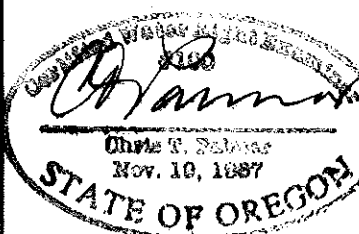
Ckd:

MAP's

M.A. PALMER & SONS, INC.
ENGINEERING & SURVEYING
711 Ponderosa Village • Box 81
Burns, Oregon 97720

Sht. No.

of 1



RENEW 1-1-2007



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

Eastern Region

Baker County Courthouse

1995 3rd Street, Suite 180

Baker City, OR 97814

Phone: (541) 523-8224

Fax: 1-866-214-3493

www.wrd.state.or.us

January 6, 2009

TOBY & LISA CRONIN
PO BOX 172
DREWSEY OR 97904

SUBJECT: Transfer Application T-10361

Mailed w/ PD

1/6/09

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-10361. This document is an intermediate step in the approval process; water may not be used legally as proposed in the transfer application until a Final Order has been issued by the Department. Please read this entire letter carefully to determine your responsibility for additional action.

A public notice is being published in the Department's weekly publication simultaneously with issuance of the Preliminary Determination. The notice initiates a 30-day period in which any person may file either a protest opposing the decision proposed by the Department in the Preliminary Determination or a standing statement supporting the Department's decision.

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

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

Please do not hesitate to contact me at (541) 523-8224 Ext. 35 or Jason.D.Spriet@wrdd.state.or.us if I may be of assistance.

Sincerely,

Field Services Division

cc: District 10 Watermaster
Rod & Debbie Robertson

encs

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **86991**

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

INVOICE # _____

RECEIVED FROM: Harry T. McCall

BY: _____

APPLICATION	
PERMIT	
TRANSFER	T-# 10361

CASH: ☐ CHECK: # 2983 OTHER: (IDENTIFY) ☐ _____

TOTAL REC'D \$ 350.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES \$ _____
OTHER: (IDENTIFY) \$ _____

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

4270 WRD OPERATING ACCT

MISCELLANEOUS

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

WATER RIGHTS:

0201 SURFACE WATER \$ _____
0203 GROUND WATER \$ _____
0205 TRANSFER \$ 350.00

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR \$ _____
LANDOWNER'S PERMIT \$ _____

OTHER (IDENTIFY) _____

**RECEIVED
OVER THE COUNTER**

EXAM FEE

\$ _____
\$ _____
\$ 350.00

EXAM FEE

\$ _____

RECORD FEE

\$ _____
\$ _____

LICENSE FEE

\$ _____
\$ _____

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$ _____
0210 MONITORING WELLS \$ _____

OTHER (IDENTIFY) _____

CARD # _____
CARD # _____

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:

86991

DATED: 4/6/07

BY: Ken L. DeRuy



Application for Water Right Transfer

Please type or print legibly in dark ink. If your application is incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "N/A" to indicate "Not Applicable." As you complete this form, please refer to notes and guidance included on the application. A summary of review criteria and procedures that are generally applicable to these applications is available at www.wednet.org/HS/OW/REDUCED/PCBS/forms.shtml.

Please check one

☒ Permanent Transfer ☐ Temporary Transfer • total number of years: _____ (begin year: _____) (end year: _____)	☐ Instream Transfer ☐ Permanent ☐ Time-Limited ☐ Drought Transfer ☐ Other
---	---

Name: HARRY T. & CECILIA McCALL
First Last

Address: P.O. Box 1926
ALBANY OR 97321
City State Zip

Phone: 541 791-3886
Home Work Other

Fax: 541 791-3881 E-Mail address: HDM1943@AOL.com

(The agent listed is authorized to represent the applicant in all matters relating to this transfer application.)

Name: _____
First Last

Address: _____
N/A

City State Zip

Phone: _____
Home Work Other

Fax: _____ E-Mail address: _____

- If an agent is listed above, please check one of the following:
- ☐ Please send all correspondence to Agent. Send *copies* of correspondence to Applicant; or
- ☒ Please send all correspondence to Applicant. Send *copies* of correspondence to Agent.

T 10361

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Last revised:

Last revised: 1/4/2007

Transfer Application/1

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WATER RESOURCES DEPT
SALEM, OREGON

4. PROPOSED CHANGE(S) TO WATER RIGHT(S)

- List **all** water rights to be affected by this transfer. Indicate the certificate, permit, decree or other identifying number(s) in the table below: *(Attach additional pages as necessary.)*

	Application / Decree	Permit / Previous Transfer	Certificate
1.	G 8128	G 7639	83242
2.			
3.			
4.			
5.			
6.			

- Attach a **separate Supplemental Form A** (Description of Proposed Change(s) to a Water Right) for **each** water right listed above.
- Check **all** proposed change(s) included in this transfer application:

☐ Place of Use

☐ Point of Diversion

☐ Additional Point of Diversion

☐ Character of Use

☐ Point of Appropriation

☒ Additional Point of Appropriation

☐ Instream Transfer

☐ Surface Water source to Ground Water source
- Reason(s) for change(s): LOW WATER FLOW FROM WELL 1

5. WATER DELIVERY SYSTEM

- Describe the **current** water delivery system or the system that **was in place** at some time within the last 5 years. Include information on the pumps, canals, pipelines and sprinklers used to divert, convey and apply the water at the authorized place of use. If the transfer involves multiple rights that have independent systems, describe each system separately.

The description must be sufficient to demonstrate that the full quantity of water to be transferred can be conveyed from the authorized source and applied at the authorized location and that the applicant is ready, willing, and able to exercise the right.

WELL 1 W/15 HP SUBMERSIBLE PUMP TO 200 GPM CIRCLE PIVOT VIA 6" PVC PIPE
 WELL 2 W/30 HP TURBINE PUMP TO 200 GPM CIRCLE PIVOT AND WHEEL LINE
W/30 - 4.5 GPM SPRINKLERS VIA 6" PVC PIPE & 5" LATERAL (ALUMINUM)

- System capacity: >.90 cubic feet per second (cfs). If the transfer involves multiple rights that have independent systems, describe the capacity for each system separately.

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T 10361 Transfer Application/2

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WATER RESOURCES DEPT
SALEM, OREGON

6. EVIDENCE OF BENEFICIAL WATER USE

- Attach one or more **Evidence of Use Affidavits** (Supplemental Form B) demonstrating that each of the right(s) involved in the transfer have been exercised in the last five years in accordance with the terms and conditions of the right or that a presumption of forfeiture for non-use could be rebutted. The Evidence of Use Affidavit(s) **must include supporting documentation** such as the following:
 - ▶ Copies of receipts from sales of irrigated crops or for expenditures relating to use of water;
 - ▶ Records such as Farm Service Agency crop reports, irrigation district records, an NRCS farm management plan, or records of other water suppliers;
 - ▶ Dated aerial photographs of the lands or other photographs containing sufficient detail to establish location and date of the photograph; *or*
 - ▶ If the right has **not** been used during the past five years, documentation that the presumption of forfeiture would be rebutted under ORS 540.610(2).

7. AFFECTED DISTRICTS AND LOCAL GOVERNMENTS

- Are any of the water rights proposed for transfer located within or served by an irrigation or other water district? ☐ Yes ☒ No
- Will any of the water rights be located within or served by an irrigation or other water district after the proposed transfer? ☐ Yes ☒ No
- Is 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? ☐ Yes ☒ No

If "Yes", for any of the above, list the name and mailing address of the district, agency and/or entity:

- List the name and mailing address of all affected local governments (e.g., county, city, municipal corporation, and tribal governments within whose jurisdiction the rights are located).

HARNEY COUNTY - PLANNING DEPARTMENT
450 N. BUENA VISTA
BURNS, OR. 97720

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10361

8. LAND OWNERSHIP

- Does the applicant own the lands **FROM** which the right is being transferred? ☒ Yes ☐ No

If "No", provide the following information. For Temporary Transfers, also include a notarized statement granting consent to the transfer from each of the landowners:

Names of Current Landowner(s): _____
First Last

Address: _____

City State Zip

- Does the applicant own the lands **TO** which the right is being transferred?

☒ Yes ☐ No ☐ N/A - NOT APPLICABLE TO INSTREAM TRANSFERS

If "No", provide the following information:

Names of Receiving Landowner(s): _____
First Last

Address: _____

City State Zip

- Check one of the following:

☐ The receiving landowner will be responsible for completion of the proposed changes after the final order is issued. All notices and correspondence should be sent to this landowner.

☒ The applicant will remain responsible for completion of changes. Notices and correspondence should continue to be sent to the applicant and applicant's agent.

☐ N/A. (Not applicable. Application is for an Instream Water Right Transfer.)

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T 10361

WATER RESOURCES DEPT
SALEM, OREGON

9. ATTACHMENTS

Check each of the following attachments included with this application.
The application will be returned if all required attachments are not included.

Supplemental Form A –

Description of Proposed Change(s) to a Water Right

- ☒ A separate Supplemental Form A is enclosed for each water right to be affected by this transfer.

Supplemental Form B –

Evidence of Use Affidavit(s)

- ☒ At least one Evidence of Use Affidavit documenting that the right has been used during the last five years or that the right is not subject to forfeiture under ORS 540.610 is attached. The affidavit provided must be the original (not a copy), and
- ☒ The Evidence of Use Affidavit must be accompanied by supporting documentation.

Map

- ☒ Water Right Transfer
The map must be prepared by a Certified Water Right Examiner and meet the requirements of OAR 690-380-3100 unless a waiver has been granted. The map provided must be the original, not a copy.
- ☐ Temporary Transfer or Historical POD Change
A map meeting the requirements of OAR 690-380-3100 must be included but need not be prepared by a Certified Water Right Examiner.

Water Well Report(s)/Well Log(s):

- ☒ The application is for a change in point of appropriation or change from surface water to ground water and copies of all water well reports are attached.
- ☐ Water well reports are not available and a description of construction details including well depth, static water level, and information necessary to establish the ground water body developed or proposed to be developed is attached.
- ☐ N/A. The application does not involve a change in point of appropriation or a change from surface water to ground water, so water well reports are not required.)

Land Use Information Form:

- ☒ Enclosed; *or*
- ☐ Not Required if all of the following are met:
- ❶ In EFU zone or irrigation district,
 - ❷ Change in place of use only,
 - ❸ No structural changes needed, including diversion works, delivery facilities, other structures, *and*
 - ❹ Irrigation only.

Fees:

- ☐ Amount enclosed: \$ _____
See the Department's Fee Schedule at www.wrd.state.or.us or call (503) 986-0900.

Instream Water Right Transfers, also include:

Supplemental Form C –

Instream Water Right Transfer

- ☐ Complete this form to describe the desired nature and attributes for the proposed instream water right.

Temporary Transfers, also include:

Recorded Deed:

- ☐ The applicant must submit a copy of the current deed of record for the land **from** which the authorized place of use or point of diversion/appropriation is being moved.

Affidavit of Consent:

- ☐ If the applicant is **NOT** the owner of record for the land **from** which the authorized place of use or point of diversion/appropriation is being moved, a notarized statement from the actual owner of record consenting to the proposed transfer must be submitted.

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Before submitting your application to the Department, be sure you have:

- Answered each question completely.
- Included all the required attachments.
- Provided original signatures for all named deed holders, or other parties, with an interest in the water right.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount.

10. SIGNATURES

▪ Check one of the following, as appropriate, and sign the application in the signature box below:

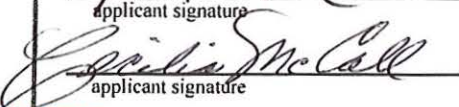
☒ In accordance with OAR 690-380-3000(13)(a), I (we) understand that prior to Department approval of a permanent transfer and upon my receipt of a draft Preliminary Determination for the proposed transfer, I (we) will be required [pursuant to OAR 690-380-4010(5)] to provide the following landownership information and evidence demonstrating that I (we) are authorized to pursue the transfer:

- (a) A report of ownership and lien information that has been prepared by a title company *within the last three months*;
- (b) A copy of written notification of the proposed transfer provided by the applicant to all lien holders on the subject lands unless the report of ownership and lien information shows that a water right conveyance agreement has been recorded for the subject lands. *If a water right conveyance agreement has been recorded for the subject lands, a copy of the agreement and identification of the owner of the lands at the time the agreement was recorded must be submitted; and*
- (c) If the landowner identified in the report of ownership and lien information is not the applicant, a **notarized statement consenting to the transfer** (*attached*) signed by the landowner identified in the report or an authorized representative of the entity to whom the interest in the water right has been conveyed as identified in a water right conveyance agreement or other documentation demonstrating that the applicant is authorized to pursue the transfer in the absence of the consent of the landowner.

☐ I (we) affirm that the applicant is a municipality, as defined in ORS 540.510(3)(b), and that the right is in the name of the municipality or a predecessor. Therefore, pursuant to OAR 690-380-3000(13)(b), the applicant is NOT required to provide the above described report of ownership and lien information.

☐ I (we) affirm that the applicant is an entity with the authority to condemn property and is acquiring the property to which the water right proposed for transfer is appurtenant by condemnation. Documentation is provided with this application supporting this statement. Therefore, pursuant to OAR 690-380-3000(13)(c), the applicant is NOT required to provide the above described report of ownership and lien information. (*NOTE: Such an entity may only apply for a transfer under this subsection if it has filed a condemnation action to acquire the property.*)

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

 applicant signature	<u>HARRY T. MCCALL</u> name (print)	<u>4/05/07</u> date
 applicant signature	<u>Cecilia McCall</u> name (print)	<u>4-5-07</u> date

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WATER RESOURCES DEPT
SALEM, OREGON

Last revised: 1/4/2007

Transfer Application/6

FS

Water Right Transfer Supplemental Form A

DESCRIPTION OF PROPOSED CHANGE(S) TO A WATER RIGHT

List only one water right per page. A separate Supplemental Form A must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Attach additional copies of Supplemental Form A as needed to describe other certificates, permits, decrees or other rights involved in this transfer.

■ Certificate Number or other identifying number: 83242

1. TYPE OF CHANGE(S) PROPOSED

(Check *all* that apply.)

Point of Diversion or Appropriation	Place of Use	Character of Use
☐ Change (The old point of diversion or appropriation will <u>not</u> be used for the portion of the water right affected by the transfer.) ☒ Additional (Both the old <u>and</u> new points of diversion or appropriation will be used for the portion of the water right affected by the transfer.) ☐ Historic Point of Diversion or Appropriation Change (Unauthorized point of diversion or appropriation used for more than 10 years.) ☐ Surface Water to Ground Water (A new point of appropriation will be used <u>instead of</u> the old point of diversion. The old point of diversion will <u>not</u> be used.) ☐ Point of Diversion Change due to Government Action (The old point of diversion or appropriation can no longer be used due to government action.) ☐ Exchange (Water from another source will be used in exchange for supplying an equal amount of replacement water to that source.)	☐ All of the right will be exercised at a different location than currently authorized (Use of water at the current location will be discontinued.) ☐ Only a portion of the right will be exercised at a different location than currently authorized (Use of water at the current location will be discontinued.)	Proposed new use: ☐ Irrigation ☐ Municipal ☐ Quasi-municipal ☐ Commercial ☐ Industrial ☐ Instream (complete and attach <i>Supplemental Form C</i>) ☐ Domestic (indicate number of households) _____ ☐ Other _____ ☐ Substitution (A supplemental ground water right will be substituted for a primary surface water right.) ☐ Supplemental Use to Primary Use (Primary water right shall be cancelled and the supplemental water right will change to primary use.)

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Supplemental Form A

- 1 -

Description of Proposed Change(s) to a Water Right

APR 06 2007

WATER RESOURCES
SALEM, OREGON

T 10361

2. CURRENT WATER RIGHT INFORMATION

Water Right Subject to Transfer (check and complete one of the following):

☒ Certificated Right	<u>83242</u> Certificate Number	<u>G 7639</u> Permit Number or Decree Name
☐ Adjudicated, Non-certificated Right	_____ Name of Decree	_____ Page Number
☐ Permit for which Proof has been Approved	_____ Permit Number	_____ Date Claim of Beneficial Use Submitted
☐ Transferred Right for which Proof has been Filed	_____ Previous Transfer Number	_____ Date Claim of Beneficial Use Submitted

- Name on Permit, Certificate, or Decree: HARRY T. & CECILIA McCALL
- County: HARNEY
- Authorized Use(s) to be Affected by Transfer: IRRIGATION
- Priority Date(s): MAY 16, 1977

If there are multiple Priority Dates identified on the water right, any information provided on pages 3 through 6 of this form must identify which priority date is associated with each of the authorized and proposed points of diversion or appropriation and places of use.

- Source(s) of Water to be Affected by Transfer: _____

GROUND WATER IN McLELLAN LAKE BASIN

Tributary to: _____

If there are multiple Sources listed on the water right, any information provided on pages 3 through 6 of this form must identify which source is associated with each of the authorized and proposed points of diversion or appropriation and places of use.

For applications proposing a Change in Place of Use or Character of Use:

- Are there **Other Water Rights**, Permits or Ground Water Registrations associated with this land?

☐ Yes ☒ No ☐ N/A – No Change in Place of Use or Character of Use

If "Yes", what are the Permit, Registration or Certificate Numbers? _____

Pursuant to ORS 540.510, any "layered" water use or a right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled, except as provided in OAR 690-380-2240(5).

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Supplemental Form A

- 2 -

Description of Proposed Change(s) to a Water Right

APR 06 2007

10361

WATER RESOURCES DEPT
SALEM, OREGON

■ Certificate Number or other identifying number: 83242

The following information **must be provided** only for those points of diversion or appropriation that are involved in the transfer (i.e., list only the portion of the water right you propose to transfer.) Attach additional pages as necessary.

Government lot and donation land claim numbers must be included in the tables below **only** if the information is reflected on the existing water right.

Location of Existing Authorized Point(s) of Diversion or Appropriation to be Changed:

(i.e., the allowed point(s) of diversion or appropriation listed on the water right that will be affected by the proposed transfer, the "FROM" point(s) of diversion or appropriation)

If Ground Water, OWRD Well Log ID No. (or Well ID Tag No. L-)	Source and Priority Date	Township	Range	Mer	Sec	¼ ¼	Tax Lot, DLE or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
WELL 1 L 71056	GROUNDWATER MILNEUR LAKE BASIN MAY 16, 1977 235		32.5E	WM	3	NE ¼ ¼	1100	1569 FEET NORTH & 1048 FEET WEST FROM SE CORNER, SECTION 3

- Does the water right being transferred involve a ground water source(s)?

☒ Yes ☐ No (Surface water source only.)

If "Yes", for each authorized point of appropriation (well) involved, you must either:

A. Supply a copy of the well log(s) for each point of appropriation that is clearly labeled and associated with the corresponding well in the table above and on the accompanying application map. (NOTE: You may search for well logs on the Department's web page at: <http://www.wrd.state.or.us>)

or

B. If a well log is not available, you must describe the construction of the authorized point of appropriation by completing the table below. Attach additional copies as necessary.

Construction of Existing Authorized Point(s) of Appropriation – (Only needed if no well log is available.)

Wells in this listing must be clearly tied to corresponding well location(s) described in the table above and shown on the accompanying application map.

OWRD Well No. as identified in table above	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth

83242

Government lot and donation land claim numbers must be included in the tables below only if the information is reflected on the existing water right.

(i.e., the allowed lands listed on the water right that will be affected by the proposed transfer, the "FROM" lands)

[illegible]

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- 4 -

Description of Proposed Change(s) to a Water Right

APR 06 2007

WATER RESOURCES
SALEM, OREGON

T 10361

▪ Certificate Number or other identifying number: _____

3. PROPOSED CHANGES TO THE WATER RIGHT

Describe proposed changes to the water right involving point(s) of diversion and/or appropriation. Survey coordinates described below should accurately correspond to the points shown on the accompanying application map. Attach additional pages as necessary.

Location of Proposed Point(s) of Diversion or Appropriation:

(i.e., the "TO" point(s) of diversion or appropriation)

☐ N/A – Instream Water Right Transfer

(NOTE: Complete this table only if a Change in Point of Diversion or Appropriation is being proposed.)

Source	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
GROUND WATER MAITHEAL LAKE BASIN L 76577	23S	32.5E	WM	3	NWSE	1100	1345 FEET NORTH & 1813 FEET WEST FROM SE CORNER, SECTION 3

- If there are proposed point(s) of appropriation (wells) listed in the table above, are the well(s) already constructed? ☒ Yes ☐ No ☐ N/A - No proposed well(s) listed above.

If "Yes", attach and clearly label the corresponding well log(s) for each proposed well, or if well log(s) are not available, describe the construction of the well(s) using the table below. (NOTE: You may search for well logs on the Department's web page at: <http://www.wrd.state.or.us>)

If "No", describe the anticipated construction for the proposed well(s) in the following table:

Construction of Proposed Point(s) of Appropriation or Well(s)

Well numbers in this listing must be clearly tied to corresponding well location(s) described in the table above and shown on the accompanying application map.

Well already built? (Yes/No)	If an existing well, OWRD Well Log ID No. (or Well ID Tag No. L-)	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth

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Supplemental Form A

- 5 -

Description of Proposed Change(s) to a Water Right

APR 06 2007

WATER RESOURCES DEPT
SALEM, OREGON

10361

▪ Certificate Number or other identifying number: _____

Describe proposed changes to the water right involving place of use. Information described below should accurately correspond to the proposed place of use shown on the accompanying application map. Attach additional pages as necessary.

Location of Proposed Place of Use: (i.e., the "TO" lands) ☐ N/A – Instream Water Right Transfer

(NOTE: Complete this table **only** if a Change in Place of Use is being proposed.)

[illegible]

Remarks: _____

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APR 06 2007

T 10361

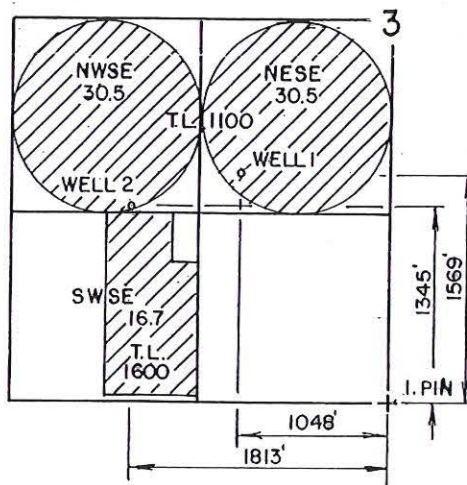
WATER RESOURCES DEPT.
SALEM, OREGON

Supplemental Form A

- 6 -

Description of Proposed Change(s) to a Water Right

T 23 S, R 32 1/2 E, WM



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



RENEW 1-1-2009

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WATER RESOURCES DEPT
SALEM, OREGON

T 10361

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OCT 30 2006

WATER RESOURCES DEPT
SALEM, OREGON

FINAL PROOF SURVEY

UNDER
APPLICATION G-8128
PERMIT G-7639

IN THE NAME OF
HARRY T. & CECILIA MCCALL

Scale: 4" = 1 MILE

Date: OCT. 2006

Job: 2268-06

Dsn:

Drn: CHRIS

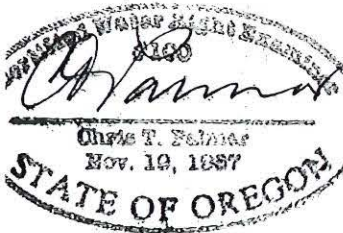
Ckd:

M.A.P's

M.A. PALMER & SONS, INC.
ENGINEERING & SURVEYING
711 Ponderosa Village • Box 61
Burns, Oregon 97720

Sht. No.

of 1



RENEW 1-1-2007



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department
Eastern Region
Baker County Courthouse
1995 3rd Street, Suite 180
Baker City, OR 97814
Phone: (541) 523-8224
Fax: 1-866-214-3493
www.wrd.state.or.us

September 5, 2008

← MAILED
JS

TOBY AND LISA CRONIN
PO BOX 172
DREWSEY OR 97904

SUBJECT: Application T-10361

Enclosed find a copy of the water right transfer application, map, and associated documents filed by Harry and Cecilia McCall for property located in Harney County, Township 23 South Range 32.5 East, Section 3, tax lots 1100 and 1700. Our records indicate you are the new owners of this property. Please review the application and map to evaluate whether you agree with the proposed changes. The application intends to add a point of appropriation to Certificate 83242. If the change is approved it will allow the withdrawal of water from either of two wells on the property instead of just the well currently listed on the certificate.

Also, while reviewing the application, another primary water right was found on the property. The portion of this right that is on your property allows the use of "Surplus and waste water from lands to the east". If this right is no longer being used, it will need to be cancelled in order to proceed with the transfer. A copy of the certificate and a cancellation affidavit are enclosed.

Please respond within 30 days of the date of this letter, so we may proceed with the transfer. If you have any questions or I may be of assistance, do not hesitate to contact me at (541) 523-8224 Ext. 35 or Jason.D.Spriet@wrds.state.or.us.

Sincerely,

Field Services Division

cc: file

enc

NOTICE TO WATER WELL CONTRACTOR

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

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

WATER WELL REPORT RECEIVED

STATE OF OREGON

(Please type or print)

DEC 20 1976

State Well No. 235/32/6F-3d

State Permit No.

WATER RESOURCES DEPT.

SALEM, OREGON

(1) OWNER:

Name HARVEY & MARION ARNOLD

Address 255 SOUTH FENTON

LAKEWOOD, COLO.

(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:

Threaded ☐ Welded ☒

16" Diam. from +1 ft. to 332 ft. Gage 250

" Diam. from ft. to ft. Gage

" Diam. from ft. to ft. Gage

PERFORATIONS:

Perforated? ☒ Yes ☐ No.

Type of perforator used FACTORY SAW

Size of perforations 3 in. by 1/8 in.

6480 perforations from 61 ft. to 332 ft.

perforations from ft. to ft.

perforations from ft. to ft.

(7) SCREENS:

Well screen installed? ☐ Yes ☒ No

Manufacturer's Name

Type Model No.

Diam. Slot size Set from ft. to ft.

Diam. Slot size Set from ft. to ft.

(8) WELL TESTS:

Drawdown is amount water level is lowered below static level

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

Yield: 447 gal./min. with 132 ft. drawdown after 11 hrs.

" " " "

" " " "

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

Artesian flow NO g.p.m.

Temperature of water 63 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 24 in.

Diameter of well bore below seal 24 in.

Number of sacks of cement used in well seal 21 sacks

Number of sacks of bentonite used in well seal sacks

Brand name of bentonite

Number of pounds of bentonite per 100 gallons

of water lbs./100 gals.

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

Did any strata contain unusable water? ☐ Yes ☒ No

Type of water? GOOD depth of strata

Method of sealing strata off

Was well gravel packed? ☒ Yes ☐ No Size of gravel: 3/8

Gravel placed from 18 ft. to 332 ft.

(10) LOCATION OF WELL:

County HARNEY

Driller's well number

1/4 SE 1/4 Section 3 T23S R32E W.M.

Bearing and distance from section or subdivision corner

(11) WATER LEVEL: Completed well.

Depth at which water was first found 75 ft.

Static level 12 ft. below land surface. Date 12/10/76

Artesian pressure lbs. per square inch. Date

(12) WELL LOG:

Diameter of well below casing

Depth drilled 332 ft. Depth of completed well 332 ft.

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

MATERIAL	From	To	SWL
TOP SOIL, BROWN	0	12	
CLAY, GREEN	12	30	
CLAY, BROWN & BLACK	30	72	
CLAY, GRAY	72	75	
SHALE, SMALL GRAVEL	82	82	
SHALE, BLUE	82	86	
PUMIS & SMALL GRAVEL	86	92	
SHALE, BLUE	92	95	
PUMIS & SMALL GRAVEL	95	112	
SANDSTONE, GREEN	112	155	
ROCK, BLACK	155	159	
SHALE, SANDSTONE LAYERS	159	227	
CLAYSTONE, GREEN	227	262	
CLAYSTONE, TRACES OF PUMIS	262	329	
PUMIS	329	331	
SHALE, GREEN & HARD	331	332	

Work started 11/29 1976 Completed 12/4/1 1976

Date well drilling machine moved off of well 12/4 1976

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] *Burkell H. Hauer* Date Dec 22, 1976
(Drilling Machine Operator)

Drilling Machine Operator's License No. 1026

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 *Western Drilling Co*
(Person, firm or corporation) (Type or print)

Address Box 251

[Signed] *William McElroy*
(Water Well Contractor)

Contractor's License No. 436 Date 12-23, 1976

(USE ADDITIONAL SHEETS IF NECESSARY)

SP45655-119

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WATER RESOURCES DEPT
SALEM, OREGON

10361

WELL 1

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

WELL I.D. # L 71056

START CARD # 162600

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

HARN 51068

(1) LAND OWNER Well Number _____
Name Harry McCall
Address PO Box 1926
City Albany State OR Zip 97321

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

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

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

(5) BORE HOLE CONSTRUCTION Special Construction: ☐ Yes ☒ No
Depth of Completed Well 430 ft.
Explosives used: ☐ Yes ☒ No Type _____ Amount _____

BORE HOLE			SEAL			Sacks or Pounds
Diameter	From	To	Material	From	To	
12	332	430	existing			

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

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

(6) CASING/LINER

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing: 16	+1	332	existing	☐	☐	☐	☐
				☐	☐	☐	☐
				☐	☐	☐	☐
Liner:				☐	☐	☐	☐

Drive Shoe used ☐ Inside ☐ Outside ☐ None

Final location of shoe(s) _____

(7) PERFORATIONS/SCREENS
☒ Perforations Method factory cut existing
☐ Screens Type _____ Material _____

From	To	Slot Size	Number	Diameter	Telo/pipe size	Casing	Liner
						☐	☐
						☐	☐
						☐	☐

(8) WELL TESTS: Minimum testing time is 1 hour
☐ Pump ☒ Bailer ☐ Air ☐ Flowing Artesian

Yield gal/min	Drawdown	Drill stem at	Time
100	4		

Temperature of water 60 Depth Artesian Flow Found _____

Was a water analysis done? ☐ Yes By whom _____

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

☐ Salty ☐ Muddy ☐ Odor ☐ Colored ☐ Other _____

Depth of strata: _____

(9) LOCATION OF WELL (legal description)

County Harnay
Tax Lot 1700 Lot _____
Township 23S N or S Range 32 1/2E E or W WM
Section 3 NE 1/4 SE 1/4

Lat _____ or _____ (degrees or decimal)
Long _____ or _____ (degrees or decimal)

Street Address of Well (or nearest address) 38318 Cottonfall Ln

(10) STATIC WATER LEVEL

24 ft. below land surface. Date 6-17-04 before 24 ft. 0
_____ ft. below land surface. Date _____
Artesian pressure _____ lb. per square inch Date _____

(11) WATER BEARING ZONES

Depth at which water was first found existing

From	To	Estimated Flow Rate	SWL
existing			

(12) WELL LOG

Material	From	To	SWL
existing	0	320	
silt & clay	320	332	24
clay green	332	410	24
pumice gravel	410	420	24
clay green	420	430	24

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WATER RESOURCES DEPT

SALEM, OREGON

WATER RESOURCES DEPT

SALEM, OREGON

Date Started 6-15-04Completed 6-17-04

(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.

WWC Number _____ Date _____

Signed _____

(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.

WWC Number 1424 Date 6-29-04

Signed Trinity K. Kelly

ORIGINAL - WATER RESOURCES DEPARTMENT

FIRST COPY - CONSTRUCTOR

SECOND COPY - CUSTOMER

06/16/2004

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WATER RESOURCES DEPT
SALEM, OREGON

WELL 1

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

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WATER RESOURCES DEPT
SALEM, OREGON

WELL I.D. # L 76577

START CARD # 171208

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

(1) LAND OWNER Well Number _____
Name Harry McCall
Address PO Box 1926
City Albany State OR Zip 97321

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

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

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

(5) BORE HOLE CONSTRUCTION Special Construction: ☐ Yes ☒ No
Depth of Completed Well 173 ft.
Explosives used: ☐ Yes ☒ No Type _____ Amount _____

BORE HOLE				SEAL			
Diameter	From	To	Material	From	To	Sacks or Pounds	
28	0	18	bentonite	0	18	30 sacks	
22	18	173					

How was seal placed: Method ☐ A ☐ B ☐ C ☐ D ☐ E
☒ Other poured dry and tamped

Backfill placed from _____ ft. to _____ ft. Material _____
Gravel placed from 173 ft. to 0 ft. Size of gravel 3/8 pea

(6) CASING/LINER							
Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing: 24	+1	20	.250	☒	☐	☐	☐
Liner: 12	+2	172	.250	☒	☐	☐	☐

Drive Shoe used ☐ Inside ☐ Outside ☐ None
Final location of shoe(s) _____

(7) PERFORATIONS/SCREENS
☐ Perforations Method _____
☒ Screens Type ROSCOE MOS Material SS

From	To	Slot Size	Number	Diameter	Tele/pipe size	Casing	Liner
183	163	.100		12"		☐	☒

(8) WELL TESTS: Minimum testing time is 1 hour
☐ Pump ☒ Bailer ☐ Air ☐ Flowing Artesian
Yield gal/min 100 Drawdown 15 Drill stem at _____ Time _____
Temperature of water 60 Depth Artesian Flow Found _____
Was a water analysis done? ☐ Yes By whom _____
Did any strata contain water not suitable for intended use? ☐ Too little
☐ Salty ☐ Muddy ☐ Odor ☐ Colored ☐ Other _____
Depth of strata: _____

(9) LOCATION OF WELL (legal description)

County Harney
Tax Lot 1790 Lot _____
Township 23S N or S Range 32 1/2 E E or W WM
Section 3 NW 1/4 SE 1/4

Lat _____ " or _____ (degrees or decimal)
Long _____ " or _____ (degrees or decimal)

Street Address of Well (or nearest address) 38318 Cottontail Ln

(10) STATIC WATER LEVEL

21.5 ft. below land surface. Date 5-24-05
_____ ft. below land surface. Date _____
Artesian pressure _____ lb. per square inch Date _____

(11) WATER BEARING ZONES

Depth at which water was first found <u>21.5</u>			
From	To	Estimated Flow Rate	SWL
21.5	173	500	21.5

(12) WELL LOG

Ground Elevation			
Material	From	To	SWL
topsoil sandy loam	0	2	
clay brn	2	25	
clay grey	25	37	21.5
sand grey	37	45	21.5
clay grey	45	72	21.5
sand med grey	72	87	21.5
pumice grey	87	107	21.5
pumice sand fine grey	107	125	21.5
pumice sand coarse	125	159	21.5
claystone clay yellow	159	173	21.5

Date Started 5-2-05 Completed 5-24-05

(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.

WWC Number _____ Date _____

Signed _____

(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.

WWC Number 1424 Date 5-26-05

Signed Timothy K. Petty

ORIGINAL - WATER RESOURCES DEPARTMENT

FIRST COPY - CONSTRUCTOR

SECOND COPY - CUSTOMER

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WATER RESOURCES DEPT
SALEM, OREGON

1 10361

Well 2

Water Right Transfer Supplemental Form B **AFFIDAVIT ATTESTING TO THE USE OF WATER**

State of Oregon)
 County of HARNEY) ss

I, HAROLD McCALL, in my capacity as OWNER,
 mailing address P.O. Box 1926, ALBANY, OR, 97321
 telephone number (541) 791-3880 being first duly sworn depose and say:

1. I attest that:

- ☒ Water was used during the previous five years on the entire authorized place of use of the water right proposed for transfer as described on the accompanying transfer application; **or**
- ☐ The water right was leased instream at some time within the last five years. The instream lease number is as follows: _____; **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.

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

☒ Personal observation ☐ Professional expertise

3. My knowledge is specific to the use of water at the following locations:

Township		Range		Mer	Sec	¼ ¼ Section	Gov't Lot or DLC	Acres (if applicable)
23	S	32.5	E	WM	3	NE SE		30.5
23	S	32.5	E	WM	3	NE SW		30.5
23	S	32.5	E	WM	3	SW SE		16.7

(continues on reverse side)

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

Supplemental Form B

- 1 -

Affidavit Attesting to the Use of Water

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WATER RESOURCES DEPT
 SALEM, OREGON

T 10361

4. The water right was exercised for the authorized purpose described below (e.g., crops grown):

IRRIGATE ALFALFA & OTHER FORAGE CROPS

5. The water delivery system used to apply water as authorized by the right is described below:

WELL 1 SUPPLIES 1 CIRCLE PIVOT VIA 6" PVC MAIN LINE
WELL 2 SUPPLIES 1 CIRCLE PIVOT & WHEEL LINE VIA
6" PVC MAIN LINES

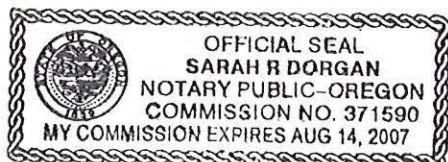
6. One or more of the following documentation supporting the above statements is attached:

- ☒ Copy of a water right certificate that was issued within the last five years (not a remaining right certificate),
- ☒ Copies of receipts from sales of irrigated crops or for expenditures relating to the use of water, MAY RECEIPTS (2) POWER BILLS (2)
- ☐ Records such as Farm Service Agency crop reports, irrigation district records, an NRCS farm management plan, or records of other water suppliers,
- ☐ Dated aerial photographs of the lands or other photographs containing sufficient detail to establish the location and date of the photograph,
- ☒ Dedicated power usage records or receipts, POWER BILLS (2)
- ☐ Instream lease number _____,
- ☐ Other: _____

Signature of Affiant

Date

Signed and sworn to (or affirmed) before me this 5th day of April, 2007.



Sarah R. Dorgan
Notary Public for Oregon

My Commission Expires: Aug 14, 2007

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

Supplemental Form B

- 2 -

Affidavit Attesting to the Use of Water

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T 10361

WATER RIGHTS
SALEM, OREGON

STATE OF OREGON
COUNTY OF HARNEY
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

HARRY T AND CECILIA MCCALL
PO BOX 1926
ALBANY OR 97321

confirms the right to use the waters of WELL 1 in the Malheur Lake Basin for IRRIGATION of 77.70 ACRES.

This right was perfected under Permit G-7639. The date of priority is MAY 16, 1977. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.90 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the well.

The well is located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Survey Coordinates
23 S	32.50 E	WM	3	NE SE			1569 FEET NORTH & 1048 FEET WEST FROM SE CORNER, SECTION 3

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year, provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein. The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

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

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
23 S	32.50 E	WM	3	NE SE			30.50
23 S	32.50 E	WM	3	NW SE			30.50
23 S	32.50 E	WM	3	SW SE			16.70

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

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

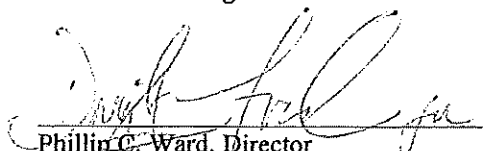
This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may either petition for judicial review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

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

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

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

WITNESS the signature of the Water Resources Director, affixed MAR 07 2007.


Phillip C. Ward, Director
Water Resources Department

TREE TOP RANCHES, LP/OREGON

3088

Harry McCall		10/2/2006	
5312 · Hay	25% Deposit for Oat/Alfalfa Hay		2,550.00

Oregon B of A Accoun	Deposit for Oat/Alfalfa		2,550.00
----------------------	-------------------------	--	----------

TREE TOP RANCHES, LP/OREGON

3508

Harry McCall		12/27/2006	
5312 · Hay	75% Balance Due - Hay		6,899.45

Oregon B of A Accoun	Balance Due hay		6,899.45
----------------------	-----------------	--	----------

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WATER RESOURCES DEPT
SALEM, OREGON

10361

"OWNED BY THOSE WE SERVE"



HARNEY ELECTRIC COOPERATIVE INC.

1326 HINES BLVD. BURNS, OREGON 97720
BURNS OFFICE TELEPHONE (541) 573-2061
OROVADA SERVICE CENTER (775) 272-3336

HARRY MCCALL
PO BOX 1926
ALBANY OR 97321-0509

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

BILLING SUMMARY	Billing Date	08/08/2006
	Balance Forward	0.00
	Current Billing	787.86
	Discount if Paid by	08/25/2006 157.57-
	Amount Due if Paid by	08/25/2006 630.29
	Past Due After	787.86

ACCOUNT #: [REDACTED]

Account #	Meter #	R A T E	M U L T I	Previous Reading	Present Reading	KWH Used	Energy Charge	Customer Charge	Security Light
Service Description				Service From:	Service To:	Demand Used	Demand/HP Charge	Tax/Oth Charge	Gross* Amount
[REDACTED]	76476663	IR1	1	64830	79420	14,590	787.86	.00	.00
10+15+3.6 HP IRR		REG		06/30	07/31				787.86 *

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WATER RESOURCES DEPT
SALEM, OREGON

T 10361

"OWNED BY THOSE WE SERVE"



HARNEY ELECTRIC COOPERATIVE INC.

1326 HINES BLVD. BURNS, OREGON 97720
BURNS OFFICE TELEPHONE (541) 573-2061
OROYADA SERVICE CENTER (775) 272-3336

HARRY MCCALL
PO BOX 1926
ALBANY OR 97321-0509

*Paid
2831*

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

BILLING SUMMARY	Billing Date	09/12/2006
	Balance Forward	0.00
	Current Billing	512.41
	Discount if Paid by	09/25/2006 102.48-
	Amount Due if Paid by	09/25/2006 409.93
	Past Due After	512.41

ACCOUNT #: [REDACTED]

Account #	Meter #	R A T E	M U L T	Previous Reading	Present Reading	KWH Used	Energy Charge	Customer Charge	Security Light
Service Description				Service From:	Service To:	Demand Used	Demand/HP Charge	Tax/Oth Charge	Gross* Amount
[REDACTED]	76476663	IR1	1	0	9479	9,479	512.41	.00	.00
30+15+3.6 HP IRR		REG		07/31	08/07				512.41 *

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WATER RESOURCES DEPT
SALEM, OREGON

T 10361

Water Right Transfer Checklist

Transfer T-10361

Transfer Specialist: J. Spriet

Transfer Type: APOA

Applicant Name/Address: Harry & Cecilia McCall, P.O. Box 1926, Albany, OR 97321

Agent Name/Address: _____

CWRE Name/Number: Chris Palmer #100

Rec Landowner Name/Address: _____

Irr. District Name/Address: _____

Affected Gov'ts Name/Address: Harney County

Commentors: Name/Address: _____

Water Rights Affected

Records Marked	Records Copied	App File No. or Decree Name	Permit No.	Certificate No.	RR/CR Needed	RR/CR Nos.
☒	☒	G-8128	G-7639	83242	☐ Yes ☒ No	
☐	☐				☐ Yes ☐ No	
☐	☐				☐ Yes ☐ No	

Key Dates & Initial Actions

Rec'd: <u>April 6, 2007</u>	Proposed Action(s): POU POD HST APOD USE OTHER:	
Fees Pd: <u>\$350</u>	WM District: <u>10</u>	ODFW District: _____
Initial Notice: <u>4/10/07</u>	WM Review sent: _____	ODFW Review sent: _____
Acknowledgement Letter Sent ☐		GW Review sent: _____

Processing Dates & Actions

Deficiency Contacts: _____

Newspaper Pub Affid Due: _____

☐ not required

DPD Mailed: _____

Affid of Pub Rec'd: _____

☐ ODFW contact sheet sent with DPD, or ☐ N/A

Last Day Published: _____

PD Mailed: _____

Affidavit Reminder Sent: _____

PD Weekly Notice: _____

Reminder Deadline: _____

Preliminary Determination

☒ Electronic Files uploaded

☒ Preliminary Determination

☒ PD Cover letter

☐ Fee Refund Due

☒ PD Notice

☐ Remaining Rights

☒ File Assigned/ ModPod updated

DPD Review (Optional)	PD Review (Salem)	Final Order Review (Salem)
Reviewer: _____	Reviewer: _____	Reviewer: _____
Date: _____	Date: _____	Date: _____
Coordinator: _____	Coordinator: _____	Coordinator: _____
Date: _____	Date: _____	Date: _____
Comments/Special Issues:		

Special Order Volume: Vol _____ Pages _____ Final Order Signature Date: _____

Notice of FO email'd to processors _____

Application

- ☒ The type of change is clearly indicated.
☒ The application is appropriately signed.
☒ Appropriate fees were paid. ☐ If overpayment, Refund Request to be sent with FO
☒ Land use form matches affected tax lots and is signed by proper official. (*from ALL affected Govt's*)
☐ Ditch company, district and/or BOR, sent a copy of the application and map, if appropriate.
☒ All required attachments received.

Water right subject to transfer

- ☒ Certificated right or Proof accepted "to the satisfaction...."
☒ The right been exercised according to terms & conditions of certificate.
☒ Delivery system has the capacity to fully divert the rate/duty of the right.
☒ No information in record that suggests forfeiture.
☐ No conflicts identified on the plat cards and plat card reports printed.
☐ Affidavits prepared for rights that need to be canceled or diminished.

Application Map

- ☒ The map has an original CWRE signature.
☒ The map size and scale accurate and appropriate per OAR 690-380-3100(1)(b)(c)&(d).
☒ All authorized and proposed POD's/POA's and POU's shown and clearly labeled.
☒ Metes and bounds for the POD's/POA's are properly described on the map.
☒ The POD/POA dimensions & 1/4 1/4 on map match the transfer application and certificate descriptions.
☒ Map acres match the tabulation on the certificate.
☒ Have final proof maps/deed maps for the rights. ☐ Application map matches certificate FPS.
☐ Have necessary aerial photos.

Determining the "From" and "To" Lands (*make working copy of application and certificates to mark on*)

- ☒ Only the authorized POD's/POA's and POU's to be transferred are listed.
☒ Application & certificate tabulations match. (*Mark on appl. and cert. copies and note corrections needed*)
☒ Marked on certificate the acreage being transferred, cancelled and remaining by 1/4 1/4.

Ownership

- ☐ The deed/ROLI matches the "*from*" lands. (Don't need to check "to" lands.)
☒ Have current tax lot map. (*If transfer application is several years old, contact assessor's office*)
☐ The applicant is the owner of the "from" lands.
☐ All owners on the deed/ROLI have signed the application.
☐ If necessary, there is a notarized, signed statement of consent from landowners other than applicant.
☐ If necessary, there is a copy of written notification to each lien holder identified on ROLI.
☐ Agent has authorization to make decisions.

Evaluation (materials needed for peer reviewer in bold)

- | | | | | |
|--|---|---|---|---|
| ☒ application complete | ☒ map | ☒ FPS | ☒ evidence of use | ☒ land-use form |
| ☐ deed/ROLI | ☒ certificate | ☒ fees paid | ☒ well logs | ☒ plat card |
| ☐ audit | ☒ dpd | | | |

Reviews/comments/conditions received? ☒ Watermaster ☒ ODFW ☒ GW

Headgate	☐ When in the judgment	☐ Prior to diverting	☐ Existing and maintain
Measuring Devices	☐ When in the judgment	☒ Prior to diverting	☐ Existing and maintain
Fish Screen Devices	☐		

Injury: Y N Enlargement: Y N

Conditions to avoid enlargement/injury –

December 2, 2008

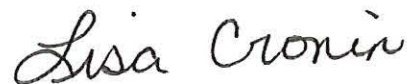
Farm Credit Service
378 West Idaho Ave
PO Box 279
Ontario, Oregon 97914

RE: Application T-10361 Water right transfer

Dear Sir or Madam:

I am writing to notify you of a water right transfer that is in the process and apparently has been before our purchase of the property in Harney valley. After reading the application all of the deed holders agree to go ahead with the transfer which will allow us to tie the two existing wells together and transfer the cow creek water right to supplemental. Enclosed is a copy of the draft and also a copy of the letter sent to me. Please feel free to contact anyone of us with any question or concerns.

Sincerely,

A handwritten signature in black ink that reads "Lisa Cronin". The script is cursive and fluid.

Lisa Cronin

Copy
[STREET ADDRESS] • [CITY/STATE] • [ZIP/POSTAL CODE]
PHONE: [PHONE NUMBER] • FAX: [FAX NUMBER]



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266
503-986-0900
FAX 503-986-0904

April 13, 2007

HARRY & CECILIA MCCALL
PO BOX 1926
ALBANY OR 97321

Reference: Transfer 10361

On April 6, 2007 we received your water right transfer application requesting an additional point of appropriation for use of water from A WELL, tributary to MALHEUR LAKE. The application was accompanied by \$350.00. Our receipt 86991 is enclosed.

By copy of this letter, we are asking the Watermaster for his report regarding the potential for injury to existing water rights which may be caused by the change.

Your application will be examined to determine if additional information is needed. You will be contacted following this examination.

Except as provided under ORS 540.510(3) for municipalities, you may not use water for the new use, in the new place of use or from the new point of diversion until the transfer application has been approved. In order to avoid any possible forfeiture of the water right, you should continue to use the water as described by your existing water right. If the land is sold before the transfer is approved, the buyer's consent to the transfer will be required unless a recorded deed or other legal document clearly established that the water right was not conveyed in the sale.

We will notify you if additional information or corrections to the application or map are required.

If you have any questions, please call the Transfer Section, (503)986-0883.

cc: Watermaster #10
Chris Palmer, CWRE
Groundwater

enclosure



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

725 Summer Street NE, Suite A

Salem, OR 97301-1271

503-986-0900

FAX 503-986-0904

Notice of Application for Water Right Transfer, Temporary Transfer, or Permit Amendment 04/10/2007

The Department seeks comment on the recently-filed application listed below. Any person may comment on the application. Comments must be received by the Department within 30 days of the date of this notice.

County: HARNEY
Transfer: 10361
Water Right: CERT 83242
Priority Date: 05/16/1977
Name: HARRY & CECILIA MCCALL
Address: PO BOX 1926; ALBANY OR 97321
Change: APOA
Source: WELL
Authorized APOA: T23S R32E 3
Proposed APOA: T23S R32E 3

The holder of a water right may apply to permanently change an existing water use subject to transfer. A transfer application may involve any of the following changes: Point of diversion or appropriation (POD; POA); Additional point of diversion or appropriation (APOD; APOA); Historic POD (HIST); Place of use (POU); Character of use (USE); Instream (ISWR); Substitution (SUB); or Exchange (EXCH).

The holder of a water right subject to transfer may request to temporarily change the place of use of the water for up to 5 years and, if necessary to convey the water, to temporarily change the point of diversion or appropriation.

The holder of a water right permit may apply to change a point of diversion (POD) or appropriation (POA) or to change the place of use (POU).

Any person who provides comments within the comment period will receive a copy of the Department's preliminary determination of whether the application should be approved or rejected after the Department has completed a review of the application and will be provided an opportunity to protest the application and preliminary determination at that time. The Director may presume that the transfer would be allowed by, and compatible with comprehensive plans unless an affected local government informs the Director otherwise within 30 days of this notice. Comments should be sent to the Transfers Section at the Department's Salem office.



December 10, 2008

TOBY CRONIN
P.O. BOX 172
DREWSEY OR. 97904

RE: 0019099

Dear: Mr. Cronin

In connection with the above referenced order, attached hereto please find the following:

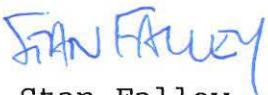
PRELIMINARY TITLE REPORT

PLEASE NOTE: Please review these/this document for accuracy. If you note any errors, ie., spelling of clients name, OR should you have any questions:

CONTACT THIS OFFICE IMMEDIATELY

Above item(s) enclosed for your reference and review. Should you have any questions please feel free to call.

Sincerely,


Stan Falley
Title Officer

Sf
Enclosures



LOT BOOK REPORT

AMERITITLE
111 W. WASHINGTON
BURNS, OR 97720

Attn: --

December 10, 2008
Report #1
Escrow Number :
Escrow Officer:
Title Number : 0019099
Title Officer : STAN R. FALLEY

Policy or Policies to be issued:	Liability	Premium
LOT BOOK REPORT		\$100.00

We are prepared to issue 2006 ALTA title insurance policy(ies) of CHICAGO TITLE INSURANCE COMPANY of OREGON, in the usual form insuring the title to the land described as follows:

Land in Harney County, Oregon, as follows:

In Twp. 23 S., R. 32½ E., W.M.:
Sec. 3: N½SE¼, E½SW¼SE¼.

Vestee:

TOBY CRONIN and LISA CRONIN, as tenants by the entirety as to an undivided one-half interest and RODNEY L. ROBERTSON and DEBORAH J. ROBERTSON, as tenants by the entirety as to an undivided one-half interest

Dated as of December 9, 2008 at 8:00 A.M.

Schedule B of the policy(ies) to be issued will contain the following general and special exceptions unless removed prior to issuance:

SPECIAL EXCEPTIONS:

Taxes assessed under Code No. 1-2 Account No. 5712
Map No. 23S 32VE 03 Tax Lot 1100

The 2008-2009 Taxes: \$393.28, have been paid in full.

Taxes assessed under Code No. 1-2 Account No. 5748
Map No. 23S 32VE 03 Tax Lot 1700

The 2008-2009 Taxes: \$864.58, have been paid in full.

1. Deed of Trust, including the terms and provisions thereof, to secure an indebtedness of the amount herein stated.
Amount: \$280,000.00
Dated: October 2, 2007
Recorded: October 3, 2007
Instrument No.: 20072217, Harney County Records

Grantor: Toby D. Cronin, same person as Toby Cronin and Lisa E. Cronin, same person as Lisa Cronin, husband and wife; Rodney L. Robertson and Debbie J. Robertson, same person as Deborah J. Robertson, husband and wife
Trustee: AmeriTitle
Beneficiary: Northwest Farm Credit Services, FLCA

NOTE: The property address as shown on the Assessor's Roll is:
38318 Cotton Tail Lane, Burns Or. 97720

THIS IS NOT A TITLE REPORT, since no examination has been made of the title to the above described property. Our search for apparent encumbrances was limited to our Tract Indices, and therefore above listings do not include additional matters which might have been disclosed by an examination of the record title. The liability in connection with this Lot Book Service is expressly limited to the sum paid therefore, and the issuing company will not otherwise be responsible for errors and omissions therein. The charge for this service will not include supplemental reports.

AmeriTitle

By: Stan Falley
Stan Falley

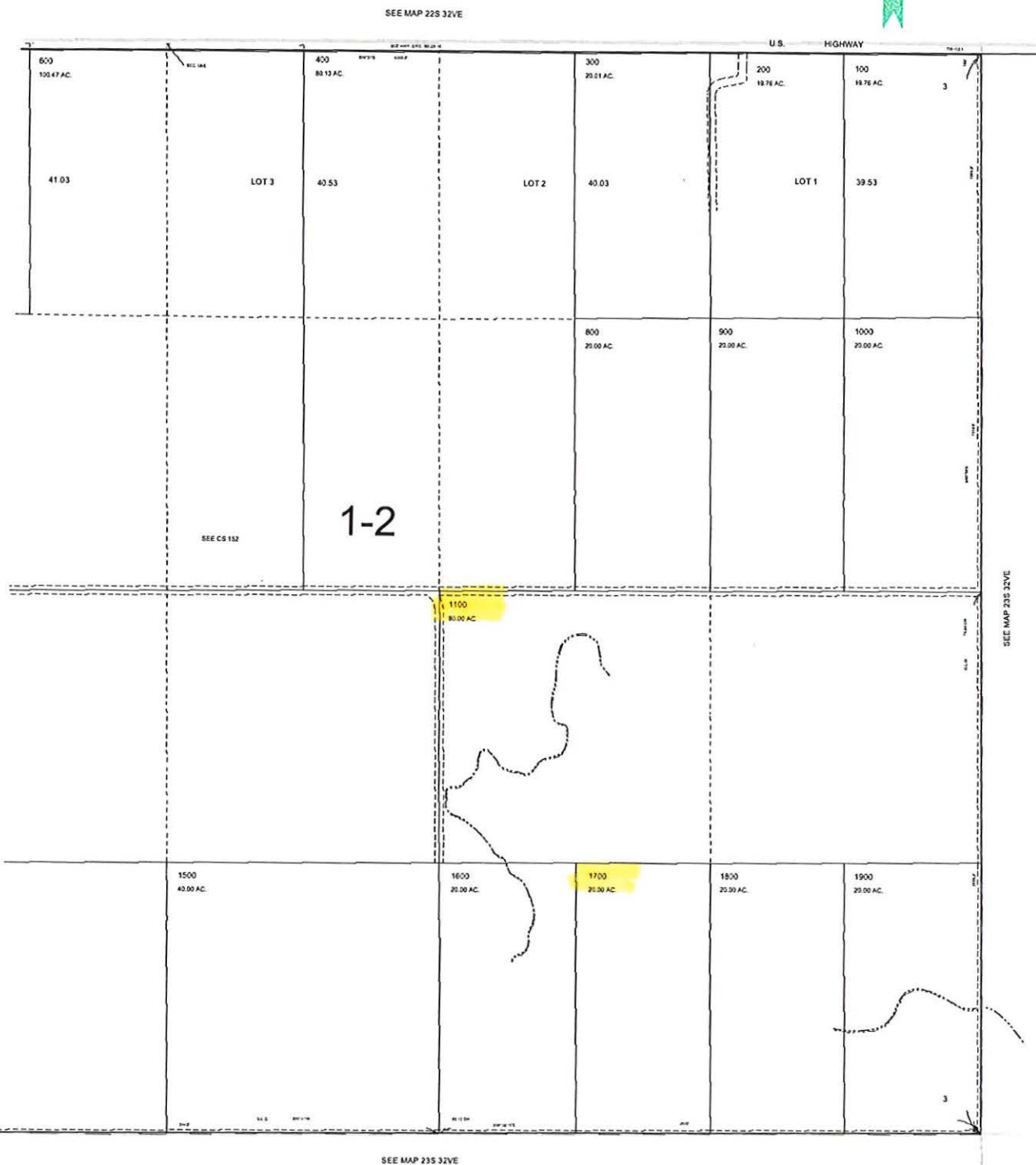
"Superior Service with Commitment and Respect for Customers and Employees"

SECTION 03 T.23S. R.32 1/2E. W.M.
HARNEY COUNTY

THIS SKETCH IS MADE SOLEY FOR THE PURPOSE OF ASSISTING IN LOCATING SAID PREMISE AND THE COMPANY ASSUMES NO LIABILITY FOR VARIATIONS. IF ANY, IN DIMENSIONS AND LOCATIONS ASCERTAINED BY ACTUAL SURVEY.

23S 32VE 03

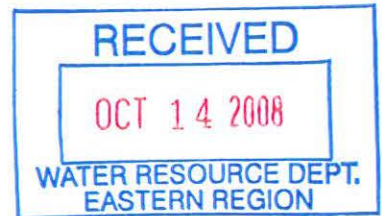
CANCELLED NO.
100M1
100M2
200M1
200M2
300M1
300M2
400M1
400M2
500
500M1
500M2
600M1
600M2
700M1
700M2
800M1
800M2
900M1
900M2
1000M1
1000M2
1100M1
1100M2
1200M1
1200M2
1200
1300M1
1300M2
1400M1
1400M2
1500M1
1500M2
1600M1
1600M2
1700M1
1700M2
1800M1
1800M2
1900M1
1900M2



October 6, 2008

Toby & Lisa Cronin
PO Box 172
Drewsey, Oregon 97904

Rod & Debbie Robertson
PO Box 134
Drewsey, Oregon 97904



Water Resource Department
1995 3rd St Suite 180
Baker City, Oregon 97814

Dear Sir,

We are writing to ask that water right 15532 be changed from a primary right to a supplemental water right. If you have any further questions please feel free to contact me 541-493-2304.

Sincerely,

Lisa Cronin
Toby Cronin
Rod Robertson
Debbie Robertson

October 6, 2008

Rod & Debbie Robertson
PO Box 134
Drewsey, Oregon 97904

Water Resource Department
1995 3rd St Suite 180
Baker City, Oregon 97814



Dear Sir,

We are writing in regards to the proposed changes on our water right certificate # 83242 and would like to express our agreement to add a point of appropriation. If you have any further questions please feel free to contact any of the deed owners @ either 541-493-2656 or 541-493-2304. Thank you for your time.

Sincerely,

Rod Robertson
Debbie Robertson

Aug 27 08 01:53p

p. 1



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

Request for Assignment

If for multiple rights, a separate form and fee for each right will be required.

I, Harry T. & Cecilia McCall

(Name of Applicant / Permit / Transfer Holder)

P.O. Box 1926 Albany OR 97321 541 791-3880
(Mailing address) (City) (State) (Zip) (Phone #)

- ☒ ...hereby assign all my interest in and to application/permit/transfer;
- ☐ ...hereby assign all my interest in and to a portion of application/permit/transfer;
(You must include a map showing the portion of the application/permit to be assigned.)
- ☐ ...hereby assign a portion of my interest in and to the entire application/permit/transfer;

Application # _____, Permit # _____; Transfer # T-10361
-OR-
GR Statement # _____, GR Certificate of Registration # _____

as filed in the office of the Water Resources Director, to:

Toby & Lisa Cronin
(Name of New Owner)

P.O. Box 172 Drewsey OR 97904 541 493-2230
(Mailing address) (City) (State) (Zip) (Phone #)

NOTE: If there are other owners of the property described in this Application, Permit, Transfer or Certificate of Ground Water Registration, you must provide a list of all other owners' names and mailing addresses and attach it to this form.

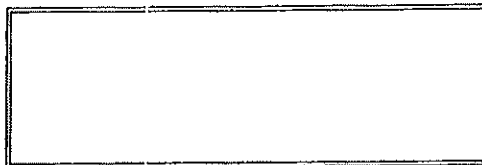
I hereby certify that I have notified all other owners of the property described in this Application, Permit or Certificate of Registration of this request for assignment.

Witness my hand this 27 day of August, 2008

Applicant/Permit holder _____

Applicant/Permit holder _____

DO NOT WRITE IN THIS BOX



The completed "Request for Assignment" form *must* be submitted to the Department along with a recording fee of \$50.

Last updated: June 1, 2007

Request for Assignment/1

WR

10/22/2008



Oregon Water Resources Department Land Use Information Form

THIS FORM IS NOT REQUIRED IF: 1) water is to be diverted, conveyed, and/or used only on federal lands; or 2) the application is for a water-right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and all of the following apply: a) only the place of use is proposed for change, b) there are no structural changes, c) the use of water is for irrigation, and d) the use is located in an irrigation district or exclusive farm-use zone.

Applicant Name: HARRY T. & CECILIA McCALL
 Mailing Address: P.O. Box 1926
 City: ALBANY State: OR Zip: 97321 Day Phone: 541-791-3880

This application is related to a Measure 37 claim. ☐ Yes ☒ No

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), or used. 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	1/4 1/4	Tax Lot #	Plan Designation (e.g. Rural Residential/RR-5)	Water to be:	Proposed Land Use:
235	325E	3	N64E	1100	FARM	☐ Diverted ☐ Conveyed ☒ Used	FARM
?	?	?	N45E	1600	?	☐ Diverted ☐ Conveyed ☒ Used	?
			S05E	1600		☐ Diverted ☐ Conveyed ☒ Used	
						☐ Diverted ☐ Conveyed ☐ Used	

List all counties and cities where water is proposed to be diverted, conveyed, or used. HARNEY

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 ☐ Exchange of Water
☐ Allocation of Conserved Water ☐ Limited Water Use License
☐ Permit Amendment or Ground Water Registration Modification

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

Estimated quantity of water needed 2-300 ☐ 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: ADDITIONAL POINT OF APPROPRIATION ONLY

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

Receipt for Request for Land Use Information

RECEIVED

APR 06 2007

WATER RESOURCES DEPT
SALEM, OREGON

10361

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

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 proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): EF20-2

☐ Land uses to be served by 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: Brendan M. McMahon Title: Henry County Planning Department
Signature: [Signature] Phone: 573-6655 Date: 3/21/04
Government Entity: County Planning

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

RECEIVED

APR 06 2007

WATER RESOURCES DEPT
SALEM, OREGON

Applicant name: _____
City or County: 10361 Staff contact: _____
Signature: [Signature] Phone: _____ Date: _____

TRANSFER CHECK OFF LIST

TRANSFER FILE # 10361
 DATE RECEIVED 4-6-07
 DATE MONEY SLIPPED "
 DATE RECEIPTED "
 VALID WATER RIGHT? X Yes No
 TEMP ALT AC IRR DIST PERM AMEND DIV 15
 TEMP Div 15 ISWR
 LETTER FROM ATTORNEY YES (PUT INFO ON FRONT COVER) NO
 FOLDER FILLED OUT* yes
 ENTERED IN DB yes
 CONTENTS MARKED yes
 COLOR CODED X Yes
 4 COPIES MADE & STAMPED yes
 CERTIFICATE MARKED yes
 CERTIFICATE COPIED yes
 PULL APPLICATIONS yes
 APP FOLDER MARKED yes
 FINAL PROOF MAP COPIED yes
 PERMIT MARKED no
 PERMIT COPIED
 PERMIT MAP COPIED
 DECREE MARKED
 DECREE COPIED
 ADJUDICATION MAP COPIED
 ENTRIES CHECKED CHECKED BY INIT FOLDER
 PUBLIC NOTICE DATE 4-10-07 (PREPARED & COPIED) yes
 LETTER SENT yes Irrigation District no (copy of app & map)
 COPY TO WM yes
 BLUE FORM TO WM yes Orange Perm Amend/Yellow Temp/Gru Dist/Lav Alt Acr/pink his
 COPY TO GW yes POA, APOA, or [SW TO GW ONLY(as POD)]
 BLUE FORM TO GW yes Orange Perm Amend/Yellow Temp/Gru Dist/Lav Alt Acr/pink his
 COPY TO CWRE yes
 LETTER TO ODFW no ALL Surface water POU/USE (POD and APOD FISH SCREENS)
 ANSWER SENT TO: every drawer SW --- NCR --- SCR --- BR

SHRINK DATA IF THERE ARE MANY FILES INVOLVED AND GLUE TO FOLDER



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

725 Summer Street NE, Suite A

Salem, OR 97301-1271

503-986-0900

FAX 503-986-0904

Notice of Application for Water Right Transfer, Temporary Transfer, or Permit Amendment 04/10/2007

The Department seeks comment on the recently-filed application listed below. Any person may comment on the application. Comments must be received by the Department within 30 days of the date of this notice.

County: HARNEY
Transfer: 10361
Water Right: CERT 83242
Priority Date: 05/16/1977
Name: HARRY & CECILIA MCCALL
Address: PO BOX 1926; ALBANY OR 97321
Change: APOA
Source: WELL
Authorized APOA: T23S R32E 3
Proposed APOA: T23S R32E 3

The holder of a water right may apply to permanently change an existing water use subject to transfer. A transfer application may involve any of the following changes: Point of diversion or appropriation (POD; POA); Additional point of diversion or appropriation (APOD; APOA); Historic POD (HIST); Place of use (POU); Character of use (USE); Instream (ISWR); Substitution (SUB); or Exchange (EXCH).

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Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266
503-986-0900
FAX 503-986-0904

April 13, 2007

HARRY & CECILIA MCCALL
PO BOX 1926
ALBANY OR 97321

Reference: Transfer 10361

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We will notify you if additional information or corrections to the application or map are required.

If you have any questions, please call the Transfer Section, (503)986-0883.

cc: Watermaster #10
Chris Palmer, CWRE
Groundwater

enclosure