

T-10437

T-10437

Name Blackbarn Ranches LLC

Address 707 Ponderosa Village
Burns, OK 97720
541-573-2313 541-573-7206 wk

Change in POA
Date Filed 7-25-07
Initial notice date 7-31-07
DPD issued date _____
PD issued date _____
PD notice date _____
Date of FO _____ Vol _____ Page _____

C-Date _____
COBU due date _____
COBU Received date 4/6/18 2017 93309
Certificate issued 93310

DESCRIPTION OF WATER RIGHT(S)

Name of Stream Wells

Trib. of Mallheur Lake East FIS Silvies River

Use IR County Harney
Quantity of water (CFS) _____ No. of Acres _____

Name of ditch _____

App # <u>G-11219</u>	Per # <u>G-10340</u>	Cert # <u>67939</u>	PR Date <u>1984</u>
App # <u>G-11878</u>	Per # <u>G-10512</u>	Cert # <u>82486</u>	PR Date <u>1985</u>
App # <u>G-16908</u>	Per # <u>G-16337</u>	Cert # _____	PR Date <u>2007</u>
App # _____	Per # _____	Cert # _____	PR Date _____
App # _____	Per # _____	Cert # _____	PR Date _____

FEES PAID		
Date	Amount	Receipt #
<u>7/25/07</u>	<u>400.00</u>	<u>88971</u>
<u>8-1-07</u>	<u>200.00</u>	<u>88984</u>
<u>8-9-16</u>	<u>\$575.00</u>	<u>120862</u>
<u>11-5-17</u>	<u>\$1175.00</u>	<u>123072</u>

FEES REFUNDED		
Date	Amount	Receipt#

Assignments: _____

Irrigation District N/A

Agent Jeff C. Blackburn same as above w/ 541-573-7206 cell 541-589-0438

CWRE Chris Palmer #100

CC's list _____

TO Att: Sarah Henderson
Ore Water Resource Dept
725 Summer St NE, Suite A
Salem, Ore 97301-1271

JETT BLACKBURN REAL ESTATE, INC

707 Ponderosa Village
Burns, OR 97720
(541) 573-7206
1-800-573-7206
Fax: (541) 573-5011

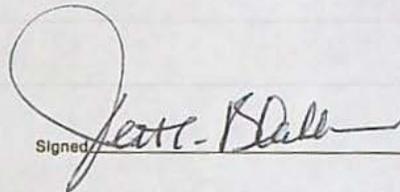
SUBJECT

DATE

Affidavit + Additional Fee for Blackburn Ranches LLC 30 July 07

M
E
S
S
A
G
E
Attached is Affidavit signed + notarized by William H. Beal
ex Dist 10 water master and my check for additional
\$200 fee. This pertains to transfer # 10437.
Thankyou-

Signed


Jett Blackburn

TO

DATE

R
E
P
L
Y

RECEIVED

AUG 01 2007

WATER RESOURCES DEPT
SALEM, OREGON

Signed _____

Reply Message

SENDER: 1. Send White & Yellow Copies to Person Addressed

RECIPIENT: 1. Write Reply at Bottom
2. Retain White Copy, Return Yellow Copy to Sender

FOLD

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

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

RECEIPT # **88984**

INVOICE # _____

RECEIVED FROM: Blackburn Ranches
BY: _____

APPLICATION	
PERMIT	
TRANSFER	T-10437

CASH: CHECK # 1013 OTHER: (IDENTIFY)

TOTAL REC'D \$ 200.00

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)		\$
TC-162	DEPOSIT LIAB. (IDENTIFY)		\$
0240	EXTENSION OF TIME		\$
WATER RIGHTS:			
0201	SURFACE WATER	EXAM FEE	RECORD FEE
0203	GROUND WATER	\$	\$
0205	TRANSFER	\$ <u>200.00</u>	\$
WELL CONSTRUCTION			
0218	WELL DRILL CONSTRUCTOR	EXAM FEE	LICENSE FEE
	LANDOWNER'S PERMIT	\$	\$
	OTHER (IDENTIFY)		\$

0536 TREASURY 0437 WELL CONST. START FEE

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

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

FUND	TITLE	
OBJ. CODE	VENDOR #	
DESCRIPTION		\$

RECEIPT: **88984** DATED: 8-1-07 BY: J. Park

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

STATE OF OREGON
WATER RESOURCES DEPARTMENT

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

RECEIPT # **120862**

INVOICE # _____

RECEIVED FROM: Blackburn Ranches LLC
 BY: _____

APPLICATION	
PERMIT	
TRANSFER	T-10437

CASH: CHECK:# 1481 OTHER: (IDENTIFY) _____

TOTAL REC'D \$ 575.00

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		<u>46110</u>	
0407	COPY & TAPE FEES		\$
0410	RESEARCH FEES <u>12</u>		\$
0408	MISC REVENUE: (IDENTIFY)		\$
TC162	DEPOSIT LIAB. (IDENTIFY)		\$
0240	EXTENSION OF TIME	<u>Transfer</u>	\$ <u>575.00</u>
WATER RIGHTS:			
0201	SURFACE WATER	EXAM FEE	RECORD FEE
0203	GROUND WATER	\$	0202 \$
0205	TRANSFER	\$	0204 \$
WELL CONSTRUCTION			
0218	WELL DRILL CONSTRUCTOR	EXAM FEE	LICENSE FEE
	LANDOWNER'S PERMIT	\$	0219 \$
	OTHER (IDENTIFY)		0220 \$

0536 TREASURY 0437 WELL CONST. START FEE

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

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

FUND	TITLE	
OBJ. CODE	VENDOR #	
DESCRIPTION		\$

RECEIPT: **120862** DATED: 8-9-16 BY: Carlos O. Turner

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

STATE OF OREGON
WATER RESOURCES DEPARTMENT

5 Summer St. N.E. Ste. A
 SALEM, OR 97301-4172

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

RECEIPT # **123072**

INVOICE # _____

RECEIVED FROM: Blackburn Ranches LLC

APPLICATION	
PERMIT	
TRANSFER	<u>T-10437</u>

BY: _____

CASH: CHECK:# 1512 OTHER: (IDENTIFY)

TOTAL REC'D \$ 17500

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	RECORD FEE
0203 GROUND WATER	\$	0204	\$
0205 TRANSFER	\$		
WELL CONSTRUCTION			
0218 WELL DRILL CONSTRUCTOR	EXAM FEE	0219	LICENSE FEE
LANDOWNER'S PERMIT	\$	0220	\$
<u>0200</u> OTHER (IDENTIFY) <u>COBU</u>			\$ <u>175.00</u>

0536 TREASURY 0437 WELL CONST. START FEE

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

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

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

RECEIPT: **123072** DATED: 4-5-17 BY: [Signature]

STATE OF OREGON
WATER RESOURCES DEPARTMENT

725 Summer St. N.E. Ste. A
 SALEM, OR 97301-4172

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

RECEIPT # **123071**

INVOICE # _____

RECEIVED FROM: Blackburn Ranches LLC

APPLICATION	
PERMIT	
TRANSFER	<u>T-10437</u>

BY: _____

CASH: CHECK:# 1511 OTHER: (IDENTIFY)

TOTAL REC'D \$ 125.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES	<u>47126</u>		\$
<u>0408</u> OTHER:	(IDENTIFY) <u>R-12468-17 Reimbursement Authority</u>		\$ <u>125.00</u>
0243 I/S Lease	_____	0244 Muni Water Mgmt. Plan	_____
		0245 Cons. Water	_____

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES		\$
0410 RESEARCH FEES		\$
0408 MISC REVENUE: (IDENTIFY)	_____	\$
TC162 DEPOSIT LIAB. (IDENTIFY)	_____	\$
0240 EXTENSION OF TIME		\$
WATER RIGHTS:		
0201 SURFACE WATER	EXAM FEE \$ _____	0202 RECORD FEE \$ _____
0203 GROUND WATER	\$ _____	0204 \$ _____
0205 TRANSFER	\$ _____	
WELL CONSTRUCTION		
0218 WELL DRILL CONSTRUCTOR	EXAM FEE \$ _____	0219 LICENSE FEE \$ _____
LANDOWNER'S PERMIT		0220 \$ _____
OTHER (IDENTIFY) _____		

0536 TREASURY 0437 WELL CONST. START FEE

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

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

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

RECEIPT: **123071** DATED: 4-5-17 BY: [Signature]

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

STATE OF OREGON
WATER SOURCES DEPARTMENT

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

RECEIPT # **123238**

INVOICE # _____

RECEIVED FROM: Blackburn Ranches LLC
 BY: _____

APPLICATION	
PERMIT	
TRANSFER	<u>T-10437</u>

CASH: CHECK: # 1516 OTHER: (IDENTIFY)

TOTAL REC'D \$ 1,100.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES 47126 R12468-17 \$ _____
0408 OTHER: (IDENTIFY) Reimbursement Authority \$ 1,100.00

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

4270 WRD OPERATING ACCT

MISCELLANEOUS

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

WATER RIGHTS:

	EXAM FEE		RECORD FEE
0201	\$	0202	\$
0203	\$	0204	\$
0205	\$		

WELL CONSTRUCTION

	EXAM FEE		LICENSE FEE
0218	\$	0219	\$
		0220	\$

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

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

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

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

RECEIPT: **123238** DATED: 4/24/17 BY: [Signature]

STATE OF OREGON

COUNTY OF HARNEY

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

BLACKBURN RANCHES LLC
707 PONDEROSA VILLAGE
BURNS OR 97720

confirms the right to the use of water perfected under the terms of Permit G-10340. 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: 2 WELLS IN THE MALHEUR LAKE BASIN

PURPOSE OR USE: IRRIGATION OF 161.1 ACRES

MAXIMUM RATE: 2.01 CUBIC FEET PER SECOND (CFS), IF AVAILABLE AT THE ORIGINAL WELL (WELL 1), FURTHER LIMITED TO NO MORE THAN 2.01 CFS FROM WELL 2 AND 1.95 CFS FROM WELL 3, AND SHALL NOT EXCEED A MAXIMUM CUMULATIVE TOTAL OF 2.01 CFS

DATE OF PRIORITY: JANUARY 20, 1984

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
24 S	32.5 E	WM	31	NE NE	WELL 2 (NEW) - 811 FEET SOUTH AND 1151 FEET WEST FROM NE CORNER, SECTION 31
24 S	32.5 E	WM	30	SE SE	WELL 3 (NEW) - 27 FEET NORTH AND 655 FEET WEST FROM SE CORNER, SECTION 30

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) and 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

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

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

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
24 S	32.5 E	WM	30	NE SW	3		21.1
24 S	32.5 E	WM	30	SE SW	4		41.4
24 S	32.5 E	WM	30	NW SE			19.6
24 S	32.5 E	WM	30	SW SE			40.0

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

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

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
24 S	32.5 E	WM	30	SE SE			5.4
24 S	32.5 E	WM	31	NE NE			0.2
24 S	32.5 E	WM	31	NW NE			17.2
24 S	32.5 E	WM	31	NE NW	1		16.2

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

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
24 S	32.5 E	WM	30	SE SE	WELL 1 (ORIGINAL) – 30 FEET NORTH AND 560 FEET WEST FROM SE CORNER, SECTION 30

The water user shall maintain and operate the existing measurement device and shall make such improvements as may be required by the Department.

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

Water shall be acquired from the same aquifer as the original point of appropriation.

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

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

This certificate is issued to confirm a change in POINT OF APPROPRIATION approved by an order of the Water Resources Director entered JULY 2, 2010, at Special Order Volume 81, Page 337, approving Transfer Application 10437, supersedes Certificate 67939, State record of Water Right Certificates.

AUG 15 2017

Issued _____


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

STATE OF OREGON
 COUNTY OF HARNEY
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

BLACKBURN RANCHES LLC
 707 PONDEROSA VILLAGE
 BURNS OR 97720

confirms the right to the use of water perfected under the terms of Permit G-10512. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the well(s). The specific limits and conditions of the use are listed below.

SOURCE OF WATER: TWO WELLS WITHIN THE EAST FORK SILVIES RIVER BASIN

PURPOSE OR USE: IRRIGATION OF 53.5 ACRES

MAXIMUM RATE: 0.67 CUBIC FOOT PER SECOND

DATE OF PRIORITY: APRIL 23, 1985

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
24 S	32.5 E	WM	31	NE NE	WELL 2 (NEW) - 811 FEET SOUTH AND 1151 FEET WEST FROM NE CORNER, SECTION 31
24 S	32.5 E	WM	30	SE SE	WELL 3 (NEW) - 27 FEET NORTH AND 655 FEET WEST FROM SE CORNER, SECTION 30

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year, provided further that although declared herein to be for primary irrigation, the supplemental right perfected under Permit S-49406 may, in the interest of conserving the ground water resources, be exercised at times when water is available from ground water provided that the total quantity diverted from both sources shall not exceed the limitation allowed herein.

A description of the place of use is as follows:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
24 S	32.5 E	WM	31	NE NE		17.9
24 S	32.5 E	WM	31	NW NE		1.9
24 S	32.5 E	WM	31	SE NE		5.9
24 S	32.5 E	WM	31	NE NW	1	1.7
24 S	32.5 E	WM	32	NW NW		9.2
24 S	32.5 E	WM	32	SW NW		16.9

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.

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

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
24 S	32.5 E	WM	30	SE SE	WELL 1 (ORIGINAL) – 30 FEET NORTH AND 560 FEET WEST FROM SE CORNER, SECTION 30

The water user shall maintain and operate the existing measurement device and shall make such improvements as may be required by the Department.

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

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

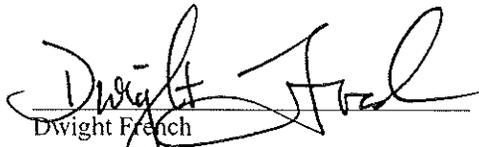
The works shall include an air line and pressure gauge or an access port for a measuring line, adequate to determine the water level elevation in the well at all times.

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

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

This certificate is issued to confirm changes in POINT OF APPROPRIATION and PLACE OF USE approved by an order of the Water Resources Director entered JULY 2, 2010, at Special Order Volume 81, Page 337, approving Transfer Application 10437, supersedes Certificate 82486, State record of Water Right Certificates.

Issued AUG 15 2017 .



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

STATE OF OREGON
COUNTY OF HARNEY
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

BLACKBURN RANCHES LLC
707 PONDEROSA VILLAGE
BURNS OR 97720

confirms the right to the use of water perfected under the terms of Permit S-49406. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point(s) of diversion from the source. The specific limits and conditions of the use are listed below.

SOURCE OF WATER: UNNAMED SLOUGH, A TRIBUTARY OF EAST FORK SILVIES RIVER

PURPOSE OR USE: SUPPLEMENTAL IRRIGATION OF 9.2 ACRES

MAXIMUM RATE: 0.12 CUBIC FOOT PER SECOND

DATE OF PRIORITY: JUNE 5, 1985

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
24 S	32.5 E	WM	31	NE NE	1800 FEET NORTH AND 1240 FEET WEST FROM E1/4 CORNER, SECTION 31

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second, 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 although declared herein to be for supplemental irrigation, the right may, in the interest of conserving the ground water supplies, be exercised at times when water is available in the ground water supply appropriated under the right perfected under Permit G-10512, provided that the total quantity diverted from both sources of supply shall not exceed the limitation allowed herein.

A description of the place of use is as follows:

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
24 S	32.5 E	WM	31	NW NE		1.9
24 S	32.5 E	WM	31	SE NE		0.6
24 S	32.5 E	WM	31	NE NW	1	1.7
24 S	32.5 E	WM	32	SW NW		5.0

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

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

The water user shall maintain and operate the existing measurement device and shall make such improvements as may be required by the Department.

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

This certificate is issued to confirm a change in PLACE OF USE approved by an order of the Water Resources Director entered JULY 2, 2010, at Special Order Volume 81, Page 337, approving Transfer Application 10437, and together with Certificate 86414, supersedes Certificate 82845, State record of Water Right Certificates.

Issued AUG 15 2017 .

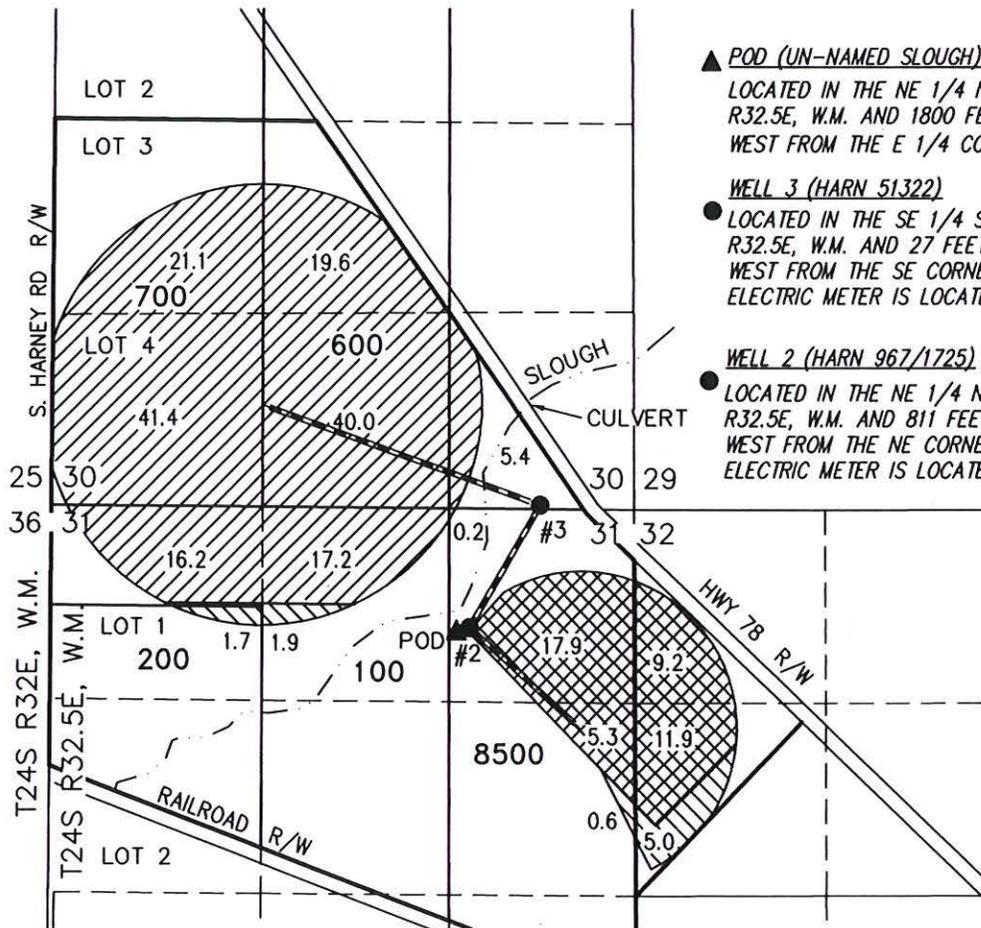


Dwight French
Water Right Services Division Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department

FINAL PROOF MAP

TO CHANGE PLACE OF USE &
POINTS OF APPROPRIATION
FOR TRANSFER T-10437

TAX LOTS: 100, 400, 600, & 700 IN SECTION 30,
TAX LOTS: 100 & 200 IN SECTION 31,
TAX LOT: 8500 IN SECTION 32,
TOWNSHIP 24 SOUTH, RANGE 32.5 EAST, W.M.



- ▲ POD (UN-NAMED SLOUGH)
LOCATED IN THE NE 1/4 NE 1/4 SECTION 31, T24S R32.5E, W.M. AND 1800 FEET NORTH AND 1240 FEET WEST FROM THE E 1/4 CORNER OF SECTION 31.
- WELL 3 (HARN 51322)
LOCATED IN THE SE 1/4 SE 1/4 SECTION 30, T24S R32.5E, W.M. AND 27 FEET NORTH AND 655 FEET WEST FROM THE SE CORNER OF SECTION 30. ELECTRIC METER IS LOCATED 10 FEET SOUTH OF WELL.
- WELL 2 (HARN 967/1725)
LOCATED IN THE NE 1/4 NE 1/4 SECTION 31, T24S R32.5E, W.M. AND 811 FEET SOUTH AND 1151 FEET WEST FROM THE NE CORNER OF SECTION 31. ELECTRIC METER IS LOCATED 50 FEET EAST OF WELL.

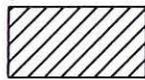
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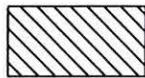
SALEM, OR



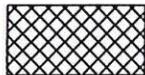
RENEWAL DATE: 12/31/2018



161.1 ACRES 'IR' RIGHTS FROM WELLS 3 & 4 PER T-10437 (G-10340), AS SHOWN.



9.2 ACRES 'IR' RIGHTS FROM WELLS 3 & 4 (G-10512) & 'IS' RIGHTS FROM POD (S-49406) PER T-10437, AS SHOWN.



44.3 ACRES 'IR' FROM WELLS 3 & 4 PER T-10437 (G-10512), AS SHOWN.

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

PREPARED FOR:

BLACKBURN RANCHES, LLC
707 PONDEROSA VILLAGE
BURNS, OR 97720

PREPARED BY:



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



Oregon
Kate Brown, Governor

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

Date: August 15, 2017

NOTICE OF CERTIFICATES ISSUANCE

Attached are certificates that confirm the water right established under the terms of a transfer order issued by this department.

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within **60 days of the mailing date stated above** as specified by ORS 183.484(2).

This statement of judicial review rights is required under ORS 536.075; it does not alter or add to existing review rights or create review rights that are not otherwise provided by law.

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 you have any questions please contact Kerry Kavanagh at 503-986-0927.

RA Mailing List for Certificate

Scheduled Mailing Date:

Application: T-10437

Certificates: 93308 (cf-67939)
93309 (cf-82486)
93310 (cf-82845)

Copies Mailed	
by:	<u>Connie Vance</u> (STAFF)
on:	<u>AUG 15, 2017</u> (DATE)

Transfer Holder:

BLACKBURN RANCHES LLC
707 PONDEROSA VILLAGE ✓
BURNS OR 97720

Copies of Final Certificate to be sent to:

1. Watermaster District 10 (include copy of map) ✓
2. Water Availability ✓
3. Vault ✓
4. File ✓

Other persons to receive copies: (include map):

1. Scott Montgomery, CWRE ✓

Record Marking(s):

1. Original Application# G-11219 ✓
2. Old Certificate# 67939
3. Original Application# G-11378 ✓
4. Old Certificate# 82486
5. Original Application# S-68368 ✓
6. Old Certificate# 82845



**ALL POINTS
ENGINEERING & SURVEYING**

P.O. Box 767 (CRR)
Terrebonne, Oregon 97760

TRANSMITTAL

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

Date: 8/8/2017 Job: 17-044
Attention: Kerry Kavanagh

Re: T-10437

Prints Plans Map/Plat Specifications Change order Other

Copies	No.	Description
1	1	Final Proof Map (1 sheet letter mylar)

These are transmitted as checked below:

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

Remarks:

Please find my corrected final proof map for Blackburn's water rights.

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

Signed: _____

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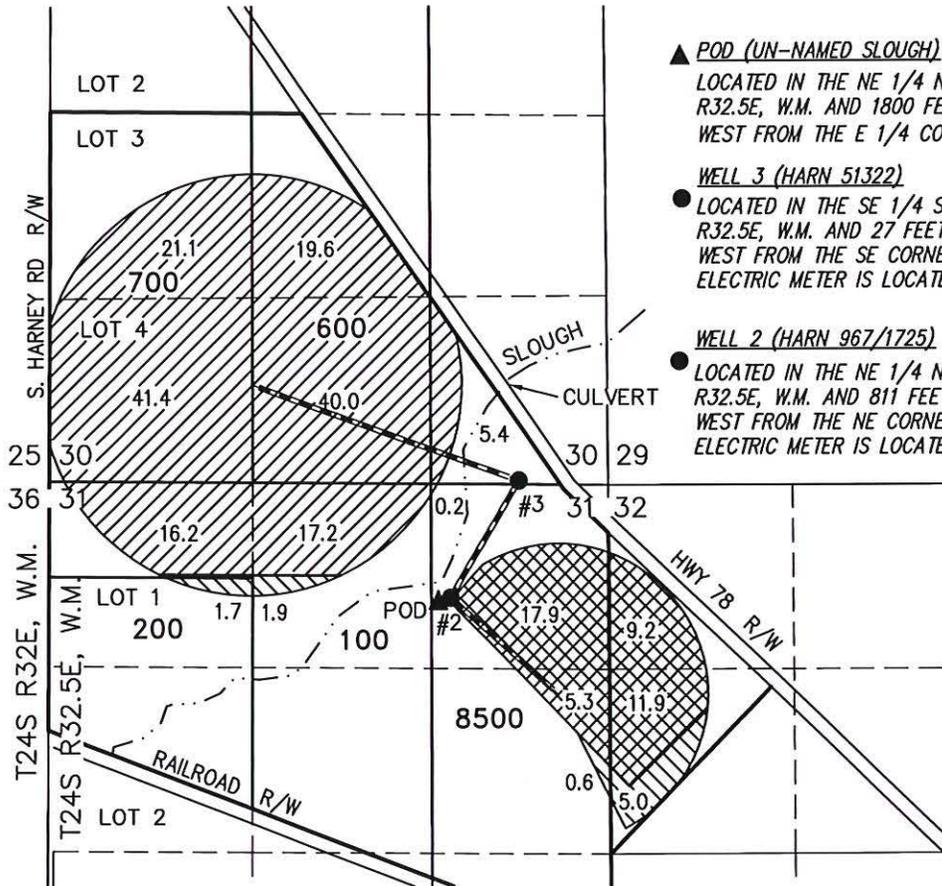
SALEM, OR

DRAFT

FINAL PROOF MAP

TO CHANGE PLACE OF USE & POINTS OF APPROPRIATION FOR TRANSFER T-10437

TAX LOTS: 100, 400, 600, & 700 IN SECTION 30,
TAX LOTS: 100 & 200 IN SECTION 31,
TAX LOT: 8500 IN SECTION 32,
TOWNSHIP 24 SOUTH, RANGE 32.5 EAST, W.M.



▲ POD (UN-NAMED SLOUGH)

LOCATED IN THE NE 1/4 NE 1/4 SECTION 31, T24S R32.5E, W.M. AND 1800 FEET NORTH AND 1240 FEET WEST FROM THE E 1/4 CORNER OF SECTION 31.

● WELL 3 (HARN 51322)

LOCATED IN THE SE 1/4 SE 1/4 SECTION 30, T24S R32.5E, W.M. AND 27 FEET NORTH AND 655 FEET WEST FROM THE SE CORNER OF SECTION 30. ELECTRIC METER IS LOCATED 10 FEET SOUTH OF WELL.

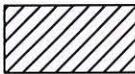
● WELL 2 (HARN 967/1725)

LOCATED IN THE NE 1/4 NE 1/4 SECTION 31, T24S R32.5E, W.M. AND 811 FEET SOUTH AND 1151 FEET WEST FROM THE NE CORNER OF SECTION 31. ELECTRIC METER IS LOCATED 50 FEET EAST OF WELL.

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RENEWAL DATE: 12/31/2018



161.1 ACRES 'IR' RIGHTS FROM WELLS 3 & 4 PER T-10437 (G-10340), AS SHOWN.



9.2 ACRES 'IR' RIGHTS FROM WELLS 3 & 4 (G-10512) & 'IS' RIGHTS FROM POD (S-49406) PER T-10437, AS SHOWN.



44.3 ACRES 'IR' FROM WELLS 3 & 4 PER T-10437 (G-10512), AS SHOWN.

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

PREPARED FOR:

BLACKBURN RANCHES, LLC
707 PONDEROSA VILLAGE
BURNS, OR 97720

PREPARED BY:



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

KAVANAGH Kerry L * WRD

From: Scott <Scott@apeands.com>
Sent: Monday, July 24, 2017 9:50 AM
To: KAVANAGH Kerry L * WRD; curtjettblackburn@centurytel.net
Subject: RE: RA Project R12468-17 for Blackburn Ranches LLC involving transfer application T-10437 -- please review 3 draft proposed certificates & NEED revised Claim map
Attachments: WR_Xfer FProof.pdf

Good Morning Kerry,

I've attached my revised final proof map to this message with Well 2 labeled and the slough approximately located. The draft certificates looks fine to me. I don't know if Curt has looked them over yet.

From: KAVANAGH Kerry L * WRD [mailto:Kerry.L.Kavanagh@oregon.gov]
Sent: Wednesday, July 19, 2017 9:39 AM
To: curtjettblackburn@centurytel.net; Scott <Scott@apeands.com>
Subject: RA Project R12468-17 for Blackburn Ranches LLC involving transfer application T-10437 -- please review 3 draft proposed certificates & NEED revised Claim map

Hi Curt and Scott,

Please find attached to this email the 3 draft proposed certificates for transfer application T-10437.

During my review of the Claim of Beneficial Use (Claim) report and map, I noticed that the Claim map does not show the surface water source for the right modified by the approved transfer order for original certificate 82845, namely the "unnamed slough". In addition, the Claim map incorrectly identifies Well 2 as Well 4 – **please provide a revised mylar Claim map that shows the location of the "unnamed slough" and the correct label for Well 2.**

Scott, please send a draft revised map via email so I can check the map before you submit the final mylar map.

Please review and compare the 3 draft proposed certificates to the transfer final order for accuracy and completeness.

For your convenience, here is a link to information regarding transfer application T-10437 in the Department's Water Rights Information System (WRIS) database:

http://apps.wrd.state.or.us/apps/wr/wrinfo/wr_transfer_centric.aspx?transfer_nbr=10437&transfer_char=T

Click on "81-337" under Volume-Page to view the transfer final order.

Please provide me any comments or edits, should you have any. If you and the water user agree with the draft proposed certificate and let me know this, **and I receive the revised Claim map showing the unnamed slough and Well 2**, then I can proceed to issue the certificate without waiting the standard 60-day notice period.

Thank you.

Kerry

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**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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SECTION 1

GENERAL INFORMATION

1. File Information

APPLICATION # (G, R, S or T)	PERMIT # (IF APPLICABLE)	PERMIT AMENDMENT # (IF APPLICABLE) T-10437
------------------------------	--------------------------	--

2. Property Owner (current owner information)

APPLICANT/BUSINESS NAME Blackburn Ranches LLC/Curt Blackburn		PHONE NO. 541-589-0025	ADDITIONAL CONTACT NO. 541-573-7206
ADDRESS 707 Ponderosa Village			
CITY Burns	STATE OR	ZIP 97720	E-MAIL

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 NA		
ADDRESS		
CITY	STATE	ZIP

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

4. Date of Site Inspection:

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

NAME	DATE	ASSOCIATION WITH THE PROJECT
Curt Blackburn	March 20, 2017	Owner/Permit Holder

6. County:

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

Add additional tables for owners of record as needed

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SALEM, OR

**SECTION 2
SIGNATURES**

CWRE Statement, Seal and Signature

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



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

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
	Curt Blackburn	Owner/Permit Holder	3/29/2017

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SECTION 3

APR 05 2017

CLAIM DESCRIPTION

SALEM, OR

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)
#3	HARN 51322	86796
#2	HARN 867/1725	
POD	NA	NA

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
#3	Well	Malheur Lake Basin/East Fork Silvies River
#2	Well	Malheur Lake Basin/ East Fork Silvies River
POD	Unnamed Slough	East Fork Silvies River

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)
#3	IR	Grass Hay	Mar 1 – Oct 31	1.95 cfs
#2	IR	Grass Hay	Mar 1 – Oct 31	2.44 dfs
POD	IS	Grass Hay	Apr 1 – Sep 30	0.63 cfs
Total Quantity of Water Used				5.02 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:

Water is pumped & conveyed from wells 3 & 2 to two center pivot sprinklers. Water is diverted from the POD out of an unnamed slough and conveyed to the center pivot sprinklers.

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.

YES

Well #4 isn't used because it doesn't produce enough water to plumb into the system.

6. Claim Summary:

POD / POA NAME OR #	MAXIM UM RATE AUTHO RIZED	CALCULATED THEORETICAL RATE BASED ON SYSTEM	AMOUNT OF WATER MEASURED	USE	# OF ACRES ALLOWED	# OF ACRES DEVELOPED
#3	2.68 cfs	1.95 cfs		IR	214.6	214.6
#2	2.68 cfs	2.44 cfs		IR	214.6	214.6
POD	0.12 cfs	0.63 cfs		IS	9.2	9.2

**SECTION 4
SYSTEM DESCRIPTION**

Are there multiple PODs or POAs?

YES

#3 (HARN 51322)

A. Place of Use

1. Is the right for municipal use?

NO

TWP	RNG	MER	SEC	QQ	GLOT	DLC	USE	IF IRRIGATION, # PRIMARY ACRES	IF IRRIGATION, # SUPPLEMENTAL ACRES
24S	32.5E	WM	30	NE SW	3		IR	21.1	
24S	32.5E	WM	30	SE SW	4		IR	41.4	
24S	32.5E	WM	30	NW SE			IR	19.6	
24S	32.5E	WM	30	SW SE			IR	40.0	
24S	32.5E	WM	30	SE SE			IR	5.4	
24S	32.5E	WM	31	NE NE			IR	18.1	
24S	32.5E	WM	31	NW NE			IR/IS	19.1	1.9
24S	32.5E	WM	31	SE NE			IR/IS	5.9	0.6
24S	32.5E	WM	31	NE NW	1		IR/IS	17.9	1.7
24S	32.5E	WM	32	NW NW			IR	9.2	
24S	32.5E	WM	32	SW NW			IR/IS	16.9	5.0
Total Acres Irrigated								214.6	9.2

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

2. Pump Information

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE
National	N8260	Unknown	Turbine	22"	8"

3. Motor Information

MANUFACTURER	HORSEPOWER
General Motors	60

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SALEM, OR

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)
60	40	115'	0'	1.95

5. Provide pump calculations:

$$Q = \frac{7.04 \text{ ft}^4/\text{hp/s} \times \text{hp}}{\text{Total head, ft}} = \frac{(7.04)(60)}{216.6} = 1.95 \text{ cfs}$$

Total head = 101.6' + 115' = 216.6

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)

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

7. Is the distribution system piped?

YES

8. Mainline Information

MAINLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
8"	2050 lf	PVC	Buried
8"	975 lf	PVC	Buried

9. Lateral or Handline Information

LATERAL OR HANDLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
NA			

10. Sprinkler Information

SIZE	OPERATING PSI	SPRINKLER OUTPUT (GPM)	TOTAL NUMBER OF SPRINKLERS	MAXIMUM NUMBER USED	TOTAL SPRINKLER OUTPUT (CFS)
NA					

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)
Valley	1515'	30	1200	2.7
Lindsay	1080'	30	800	1.8

12. Additional notes or comments related to the system:

C. Groundwater Source Information (Well and Sump)

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

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YES

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

1-inch open pipe SE side of casing

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
See well log						

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

D. Storage

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

NO

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

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

G. Reservoir

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

NO

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

#2 (HARN 967/1725)

A. Place of Use

1. Is the right for municipal use?

NO

TWP	RNG	MER	SEC	QQ	GLOT	DLC	USE	IF IRRIGATION, # PRIMARY ACRES	IF IRRIGATION, # SUPPLEMENTAL ACRES
24S	32.5E	WM	30	NE SW	3		IR	21.1	
24S	32.5E	WM	30	SE SW	4		IR	41.4	
24S	32.5E	WM	30	NW SE			IR	19.6	
24S	32.5E	WM	30	SW SE			IR	40.0	
24S	32.5E	WM	30	SE SE			IR	5.4	
24S	32.5E	WM	31	NE NE			IR	18.1	
24S	32.5E	WM	31	NW NE			IR/IS	19.1	1.9
24S	32.5E	WM	31	SE NE			IR/IS	5.9	0.6
24S	32.5E	WM	31	NE NW	1		IR/IS	17.9	1.7
24S	32.5E	WM	32	NW NW			IR	9.2	
24S	32.5E	WM	32	SW NW			IR/IS	16.9	5.0
Total Acres Irrigated								214.6	9.2

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

2. Pump Information

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE
National	N82808	Unknown	Turbine	12"	8"

3. Motor Information

MANUFACTURER	HORSEPOWER
US Electric	75

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)
75	40	115'	0'	2.44

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SALEM, OR

5. Provide pump calculations:

$$Q = \frac{7.04 \text{ ft}^4/\text{hp/s} \times \text{hp}}{\text{Total head, ft}} = \frac{(7.04)(75)}{216.6} = 2.44 \text{ cfs}$$

Total head = 101.6' + 115' + 0' = 216.6

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)

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

7. Is the distribution system piped?

YES

8. Mainline Information

MAINLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
8"	1045 lf	PVC	Buried

9. Lateral or Handline Information

LATERAL OR HANDLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
NA			

10. Sprinkler Information

SIZE	OPERATING PSI	SPRINKLER OUTPUT (GPM)	TOTAL NUMBER OF SPRINKLERS	MAXIMUM NUMBER USED	TOTAL SPRINKLER OUTPUT (CFS)
NA					

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)
Valley	1515'	30	1200	2.7
Lindsay	1080'	30	800	1.8

12. Additional notes or comments related to the system:

C. Groundwater Source Information (Well and Sump)

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

YES

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

1-inch capped pipe west side of casing

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SALEM, OR

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
See well log						

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

D. Storage

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

NO

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

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

G. Reservoir

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

NO

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

A. Place of Use

1. Is the right for municipal use?

NO

TWP	RNG	MER	SEC	QQ	GLot	DLC	USE	IF IRRIGATION, # PRIMARY ACRES	IF IRRIGATION, # SUPPLEMENTAL ACRES
24S	32.5E	WM	31	NW NE			IS		1.9
24S	32.5E	WM	31	SE NE			IS		0.6
24S	32.5E	WM	31	NE NW	1		IS		1.7
24S	32.5E	WM	32	SW NW			IS		5.0
Total Acres Irrigated									9.2

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.

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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.

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1. Is a pump used?

YES

2. Pump Information

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE
			Centrifugal	4"	4"

3. Motor Information

MANUFACTURER	HORSEPOWER
	10

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)
10	40	4'	0'	0.63

5. Provide pump calculations:

$Q = \frac{6.61 \text{ ft}^4/\text{hp/s} \times \text{hp}}{\text{Total head, ft}} = \frac{(6.61)(10)}{105.6} = 0.63 \text{ cfs}$
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 APR 05 2017
 Total head, ft = 101.6' + 4' + 0' = 105.6'

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)

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

7. Is the distribution system piped?

YES

8. Mainline Information

MAINLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
4"	150 lf	Aluminum	Above ground

9. Lateral or Handline Information

LATERAL OR HANDLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
NA			

10. Sprinkler Information

SIZE	OPERATING PSI	SPRINKLER OUTPUT (GPM)	TOTAL NUMBER OF SPRINKLERS	MAXIMUM NUMBER USED	TOTAL SPRINKLER OUTPUT (CFS)
NA					

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)
Valley	1515'	30	1200	2.7
Lindsay	1080'	30	800	1.8

12. Additional notes or comments related to the system:

In the rare instances when water is available in the slough, it is using a portable pump into the center pivot irrigation system to augment the production from Wells 3 & 2.

C. Groundwater Source Information (Well and Sump)

- 1. Is the appropriation from ground water (well or sump)? NO
- 5. Is the appropriation from a dug well (sump)? NO

D. Storage

- 1. Does the distribution system include in-system storage (e.g. storage tank, bulge in system / reservoir) NO

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

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

G. Reservoir

- 1. Does the claim involve a reservoir modified through a transfer? NO

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	7/2/10		
BEGIN CONSTRUCTION (A)	Not mentioned	NA	NA
COMPLETE CONSTRUCTION (B)	Not mentioned	NA	NA
COMPLETE APPLICATION OF WATER (C)	10/1/21	3/21/2017	POAs & POU are developed per T-10437

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

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

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YES

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

VOLUME	PAGE	DATE EXTENDED TO
101	816	10/1/21

4. Initial Water Level Measurements:

a. Was the water user required to submit an initial static water level measurement? **YES**

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

March

c. Was the measurement submitted to the Department? **YES**

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? **YES**

b. Provide the month, or months, the static water level measurement(s) were to be made:

March

c. Were the static water level measurements taken in the month(s) required? **YES**

d. If "YES", were those measurements submitted to the Department? **YES**

e. If the annual measurements were not submitted, provide the measurements now:

DATE OF MEASUREMENT	MEASUREMENT MADE BY	METHOD	MEASUREMENT

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**

b. Has the pump test been previously submitted to the Department? **NO**

c. Is the pump test attached to this claim? **NO**

d. Has the pump test been approved by the Department? **NO**

e. Has a pump test exemption been approved by the Department? **NO**

**** 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**

b. Has a meter been installed? **YES**

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c. Meter Information

POD/POA NAME OR #	MANUFACTURER	SERIAL #	CONDITION (WORKING OR NOT)	CURRENT METER READING	DATE INSTALLED
#3	Elster	11762415	Off	Off	2007
#2	Elster	08307142	Off	Off	2007

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**

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**

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? **YES**
- 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? **YES NO**

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

No riparian area was observed. The bottom of the slough is bare soil with vegetation only growing at the top of the slough. Surface water only enters the slough in severe flooding conditions.

SECTION 6

ATTACHMENTS

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

ATTACHMENT NAME	DESCRIPTION
Well Logs	HARN 967/1725, HARN 51322, HARN 51548
Aerial imagery	NRCS 2016 aerial imagery

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SALEM, OR

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.

The wells, fields, and sprinklers were tied to approximate boundary lines using a hand held Garmin ETREX. The map was verified by comparing to aerial imagery.

Map Checklist

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

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

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

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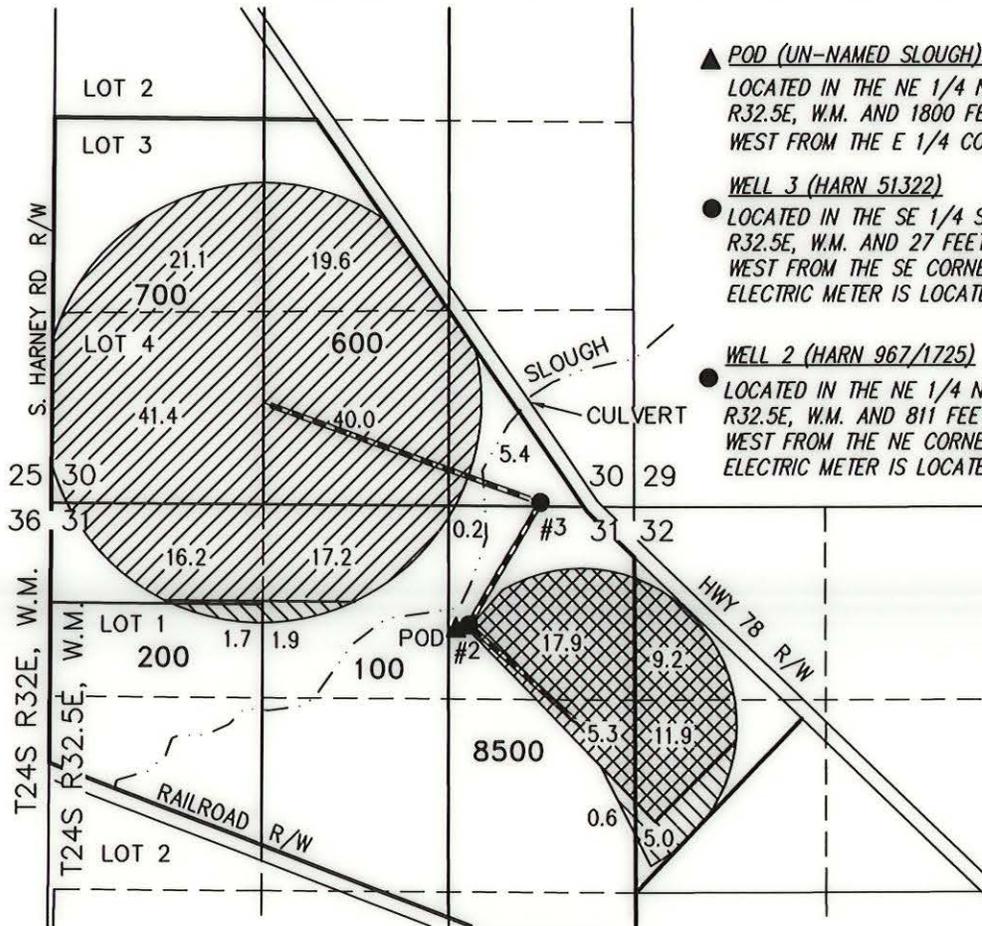
SALEM, OR

FINAL PROOF MAP

TO CHANGE PLACE OF USE & POINTS OF APPROPRIATION FOR TRANSFER T-10437

TAX LOTS: 100, 400, 600, & 700 IN SECTION 30,
TAX LOTS: 100 & 200 IN SECTION 31,
TAX LOT: 8500 IN SECTION 32,
TOWNSHIP 24 SOUTH, RANGE 32.5 EAST, W.M.

SCALE: 4 INCHES = 1 MILE



▲ POD (UN-NAMED SLOUGH)

LOCATED IN THE NE 1/4 NE 1/4 SECTION 31, T24S R32.5E, W.M. AND 1800 FEET NORTH AND 1240 FEET WEST FROM THE E 1/4 CORNER OF SECTION 31.

● WELL 3 (HARN 51322)

LOCATED IN THE SE 1/4 SE 1/4 SECTION 30, T24S R32.5E, W.M. AND 27 FEET NORTH AND 655 FEET WEST FROM THE SE CORNER OF SECTION 30. ELECTRIC METER IS LOCATED 10 FEET SOUTH OF WELL.

● WELL 2 (HARN 967/1725)

LOCATED IN THE NE 1/4 NE 1/4 SECTION 31, T24S R32.5E, W.M. AND 811 FEET SOUTH AND 1151 FEET WEST FROM THE NE CORNER OF SECTION 31. ELECTRIC METER IS LOCATED 50 FEET EAST OF WELL.

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AUG 11 2017

SALEM, OR



RENEWAL DATE: 12/31/2018



161.1 ACRES 'IR' RIGHTS FROM WELLS 3 & 4 PER T-10437 (G-10340), AS SHOWN.



9.2 ACRES 'IR' RIGHTS FROM WELLS 3 & 4 (G-10512) & 'IS' RIGHTS FROM POD (S-49406) PER T-10437, AS SHOWN.



44.3 ACRES 'IR' FROM WELLS 3 & 4 PER T-10437 (G-10512), AS SHOWN.

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

PREPARED FOR:

BLACKBURN RANCHES, LLC
707 PONDEROSA VILLAGE
BURNS, OR 97720

PREPARED BY:



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

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

Horn, 967

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24S/32 1/2 E/3/CC

AUG 23 1988

(1) OWNER: Well Number: _____
 Name Caldstrom Ranch
 Address 4268 Laurel Ridge
 City Allison Park State P.A. Zip 15101-2132

(2) TYPE OF WORK:
 New Well Deepen Recondition Abandon

(3) DRILL METHOD
 Rotary Air Rotary Mud Cable
 Other

(4) PROPOSED USE:
 Domestic Community Industrial Irrigation
 Thermal Injection Other

(5) BORE HOLE CONSTRUCTION:
 Special Construction approval Yes No Depth of Completed Well 300 ft.
 Explosives used Yes No Type _____ Amount _____

HOLE		SEAL		Amount sacks or pounds
Diameter	From To	Material	From To	
24"	0 300	Cement	0 20'	9 1/2 bags

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

Backfill placed from _____ ft. to _____ ft. Material _____
 Gravel placed from 20 ft. to 300 ft. Size of gravel 1/4 Round

(6) CASING/LINER:

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing: 14"	1.8	30'	250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Liner: 14"	30	300	250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Final location of shoe(s) _____

(7) PERFORATIONS/SCREENS:
 Perforations Method Mill
 Screens Type _____ Material _____

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
30	300'	1/4 x 3/8	14364			<input type="checkbox"/>	<input checked="" type="checkbox"/>

(8) WELL TESTS: Minimum testing time is 1 hour
 Pump Bailer Air Flowing Artesian
 Yield gal/min 692 Drawdown 50' Drill stem at _____ Time 24 hr.

Temperature of water 52 Depth Artesian Flow Found _____
 Was a water analysis done? Yes By whom _____
 Did any strata contain water not suitable for intended use? Too little
 Salty Muddy Odor Colored Other _____
 Depth of strata: _____

(9) LOCATION OF WELL by legal description:
 County Horry Latitude DN Longitude _____
 Township 24S Nor S, Range 32 1/2 E E or W, WM.
 Section 31 SW 1/4 SW 1/4
 Tax Lot 8500 Lot _____ Block _____ Subdivision _____
 Street Address of Well (or nearest address) Hwy 78 + Sealey Rd

(10) STATIC WATER LEVEL:
30 ft. below land surface. Date 7 14 88
 Artesian pressure _____ lb. per square inch. Date _____

(11) WATER BEARING ZONES:
 Depth at which water was first found 30'

From	To	Estimated Flow Rate	SWL
30	35	300	30
155	165	50	30
225	250	300	30

(12) WELL LOG: Ground elevation _____

Material	From	To	SWL
Top soil (Sandy)	0	5	
Clay Brown	5	25	
Clay Gray	25	50	30
Clay Stone	50	55	
Clay Gray	55	105	
Clay Gray	105	155	30
Clay soft Gray	155	165	
Clay Dry Gray	165	195	
Clay Gray + sand	195	225	30
Clay + sand	225	250	
Clay Green	250	270	
Clay Gray	270	300	

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SALEM, OR

Date started June 8 Completed July 19 1988

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

WWC Number _____
 Signed _____ Date _____

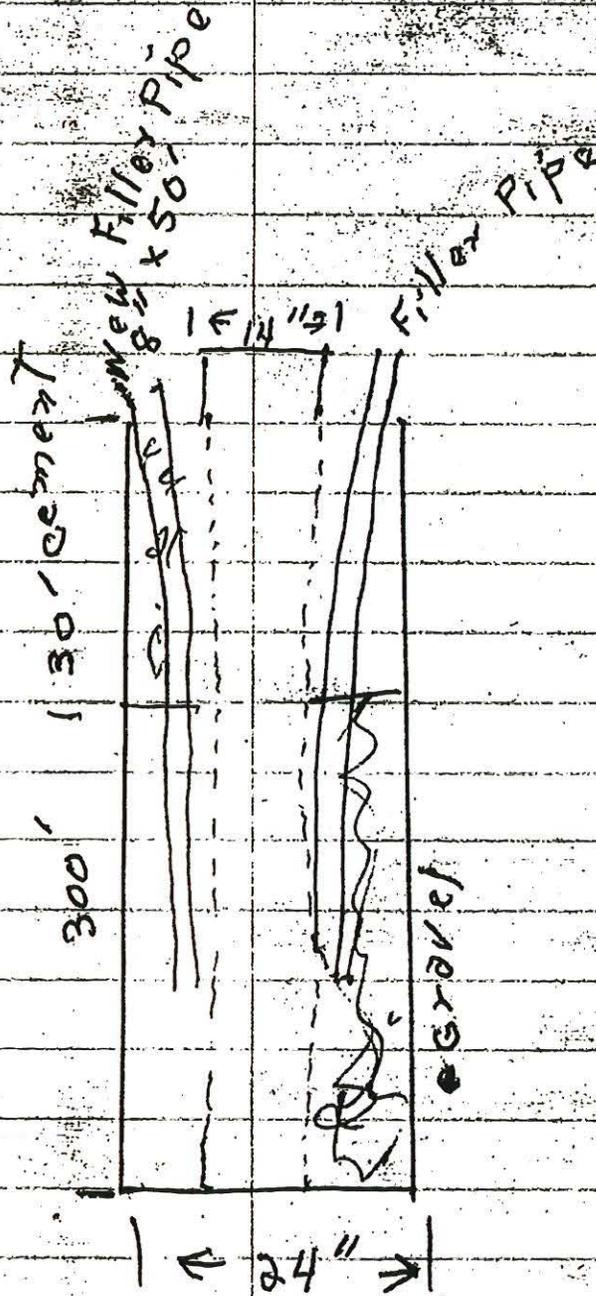
(bonded) Water Well Constructor Certification:
 I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon well construction standards. This report is true to the best of my knowledge and belief.
 WWC Number 1435
 Signed Joe Valentine Date July 17 1988

HARN 1725

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JUL - 3 1990

WATER RESOURCES DEPT.
SALEM, OREGON



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SALEM, OR

FOR WATER RESOURCES DEPARTMENT USE ONLY

Date Postmarked 4/6/90 W- 14808
 Date Hand-delivered _____ WRD Receipt _____
 Watermaster Initials _____ Date Fee Received _____

White Copy

START CARD
NOTICE OF BEGINNING OF WELL CONSTRUCTION
 (as required by ORS 537.762)

RECEIVED
 JUN - 7 1990
 WATER RESOURCES DEPT.
 SALEM, OREGON

This form must be completed, signed by both the owner (or authorized agent) and constructor, and the original mailed and delivered to the Water Resources Department, 3850 Portland Road NE, Salem, OR 97310, no later than the day construction, alteration, conversion or abandonment work begins. **A \$75 fee shall accompany all notices for new well construction or conversion of an existing hole not previously used as a water well** (make checks payable to the Water Resources Department). Notices meeting this requirement but received without the required fee will not be accepted as properly and timely filed. The Water Resources Commission has authority to impose civil penalties for failure to submit the required \$75 fee with the start card and for failure to submit cards prior to beginning any construction, alteration, conversion or abandonment work.

Owner's name and mailing address Coldstream Ranch
4248 Laurel Ridge Drive
Allison Park PA 15101-2132

Check type of work: New construction Repair Recondition
 Deepening Conversion Abandonment

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Proposed Commencement Date June 5 1990

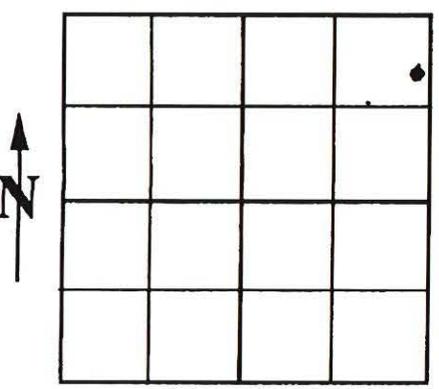
Existing or Proposed Well Depth 300' Diameter 14"

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Check Use: Domestic Community Industrial Irrigation Monitoring
 Thermal Injection Other _____

SALEM, OR

Proposed Well Location: County Harnay
 Township 24-5- (N or S) Range 3 3 1/2 E (E or W) Section 31



1. NE 1/4 of NE 1/4 of above section
2. Street address of well location Highway 78 + Sealey Rd
3. Tax lot number of well location 8500 23399
4. Attach map with location identified.
(See reverse of this form for approved maps)
5. Show well location within 1/4, 1/4 of section grid at left.

We hereby certify that we have read the back of this form, and that to the best of our knowledge the information provided herein is accurate and the well is being properly located from septic tanks and septic drain fields.

Coldstream Ranch
Robert M. Cargill
 Title Manager Date 6-24-90
 Home phone _____ Work phone _____

Joe LaPorte
 Bonded Water Well Constructor
 License No. 1435
 Company LaPorte

NOTE: This is not a water right application. The owner is responsible for obtaining a water right through the Water Resources Department, if required.

THIS COPY TO WATER RESOURCES DEPARTMENT IN SALEM
 If no fee applies, discard this copy

WELL LABEL # L 86796

START CARD # 1000433

(1) LAND OWNER Owner Well I.D. _____

First Name JETT Last Name BLACKBURN
 Company _____
 Address 707 PONDEROSA VILLAGE
 City BURNS State OR Zip 97720

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

(3) DRILL METHOD

Rotary Air Rotary Mud Cable Auger Cable Mud
 Reverse Rotary Other _____

(4) PROPOSED USE Domestic Irrigation Community

Industrial/ Commercial Livestock Dewatering
 Thermal Injection Other _____

(5) BORE HOLE CONSTRUCTION Special Standard Attach copy)

Depth of Completed Well 227.00 ft.

BORE HOLE			SEAL		sacks/		
Dia	From	To	Material	From	To	Amt	lbs
26	0	18	Bentonite	0	18	40	S
22	18	227					

How was seal placed: Method A B C D E

Other poured dry and tam

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

Filter pack from 0 ft. to 227 ft. Material pea gravel Size 3/8

Explosives used: Yes Type _____ Amount _____

(6) CASING/LINER

Casing	Liner	Dia	+	From	To	Gauge	Stl	Plstc	Wld	Thrd
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	22		1	20	.250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	14		2	227	.250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Shoe Inside Outside Other Location of shoe(s) _____

Temp casing Yes Dia _____ From _____ To _____

(7) PERFORATIONS/SCREENS

Perforations Method _____

Screens Type roscoe moss Material stainless steel

Perf/	Casing/	Screen	Scrn/slot	Slot	# of	Tele/
Screen	Liner	Dia	width	length	slots	pipe size
Screen	Liner	14	115	215	.1	

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

Pump Bailer Air Flowing Artesian

Yield gal/min	Drawdown	Drill stem/Pump depth	Duration (hr)
100	10		

Temperature 55 °F Lab analysis Yes By _____

Water quality concerns? Yes (describe below)

From	To	Description	Amount	Units

(9) LOCATION OF WELL (legal description)

County Harney Twp 24.00 S N/S Range 32.50 E E/W WM

Sec 30 SE 1/4 of the SE 1/4 Tax Lot 600

Tax Map Number _____ Lot _____

Lat _____ " or _____ DMS or DD

Long _____ " or _____ DMS or DD

Street address of well Nearest address

64040 HWY 78

(10) STATIC WATER LEVEL

Date _____ SWL(psi) + SWL(ft)

Existing Well / Predeepening	Date	SWL(psi)	SWL(ft)
Completed Well	01-22-2007		17

Flowing Artesian? Dry Hole?

WATER BEARING ZONES Depth water was first found 17

SWL Date	From	To	Est Flow	SWL(psi)	SWL(ft)
01-22-2007	17	218	1,000		17

(11) WELL LOG

Ground Elevation _____

Material	From	To
sandy loom topsoil	0	1
clay brn	1	35
clay grey	35	55
silt grey	55	110
sand gray	110	125
silt green	125	150
clay grey sticky	150	180
gravel clay	180	189
clay grey	189	208
gravel sand	208	218
clay green	218	227

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SALEM, OR

Date Started 01-04-2007 Completed 01-22-2007

(unbonded) Water Well Constructor Certification

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

License Number _____ Date _____

Electronically Filed

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.

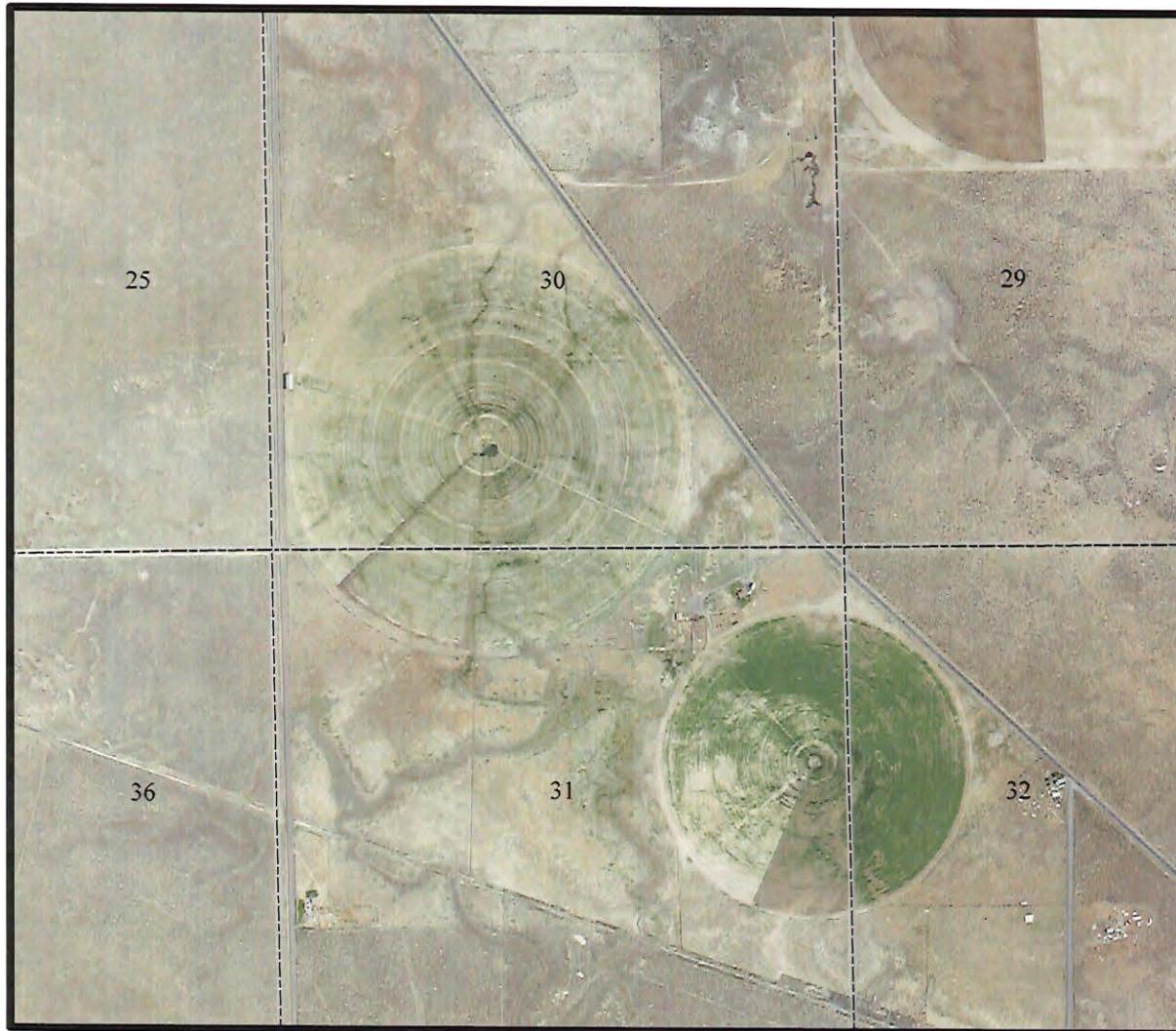
License Number 1424 Date 01-24-2007

Electronically Filed

Signed TIMOTHY K RILEY (E-filed)

Contact Info (optional) _____

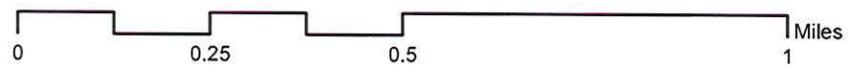
T24S R 32.5E, W.M.



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SALEM, OR



June 2016 aerial imagery from NRCS Gateway website imported into ArcMap GIS software in statewide Lambert projection.

HARN 51433

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

HARN
51433

WELL LABEL # L 86796

START CARD # 1003057

(1) LAND OWNER Owner Well I.D. _____

First Name JETT Last Name BLACKBURN
Company _____
Address 707 PONDEROSA VILLAGE
City BURNS State OR Zip 97720

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

(3) DRILL METHOD
 Rotary Air Rotary Mud Cable Auger Cable Mud
 Reverse Rotary Other

(4) PROPOSED USE Domestic Irrigation Community
 Industrial/ Commercial Livestock Dewatering
 Thermal Injection Other

(5) BORE HOLE CONSTRUCTION Special Standard (Attach copy)
Depth of Completed Well 260 ft.

BORE HOLE			SEAL			Amt	sacks/ lbs
Dia	From	To	Material	From	To		
12	220	260	Existing				

How was seal placed: Method A B C D E

Other Existing
Backfill placed from _____ ft. to _____ ft. Material _____
Filter pack from _____ ft. to _____ ft. Material _____ Size _____
Explosives used: Yes Type _____ Amount _____

(6) CASING/LINER

Casing	Liner	Dia	+	From	To	Gauge	Stl	Plstc	Wld	Thrd
<input checked="" type="checkbox"/>	<input type="checkbox"/>	12		220	260	.250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

(7) PERFORATIONS/SCREENS

Perforations Method _____
Screens Type _____ Material _____

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

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

Pump Bailer Air Flowing Artesian

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

Temperature 55 °F Lab analysis Yes By _____
Water quality concerns? Yes (describe below)

From	To	Description	Amount	Units

(9) LOCATION OF WELL (legal description)

County HARNEY Twp 24 S N/S Range 32.5 E E/W WM
Sec 30 SE 1/4 of the SE 1/4 Tax Lot 600
Tax Map Number _____ Lot _____
Lat _____ ° 0 ' _____ " or _____ DMS or DD
Long _____ ° 0 ' _____ " or _____ DMS or DD
 Street address of well Nearest address
64040 HWY 78

(10) STATIC WATER LEVEL

	Date	SWL(psi)	+ SWL(ft)
Existing Well / Predeepening	03-06-2008		30
Completed Well	03-07-2008		30

Flowing Artesian? Dry Hole? Existing

WATER BEARING ZONES Depth water was first found

SWL Date	From	To	Est Flow	SWL(psi)	+ SWL(ft)

(11) WELL LOG

Material	From	To
existing		
clay green	227	250
clay grey	250	260
RECEIVED		
APR 5 2008		
WATER RESOURCES DEPT		
SALEM OREGON		
RECEIVED		
APR 03 2008		
MAR 10 2008		
WATER RESOURCES DEPT		
SALEM OREGON		

Date Started 03-06-2008 Completed 03-07-2008

(unbonded) Water Well Constructor Certification

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

License Number _____ Date APR 05 2017
Password: (if filing electronically) _____
Signed _____

(bonded) Water Well Constructor Certification SALEM, OR

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

License Number 1424 Date 03-07-2008
Password: (if filing electronically) *****
Signed _____
Contact Info (optional) _____

BLACKBURN RANCHES

Completion Checklist for Claims of Beneficial Use for POST JULY 1, 2004 Claims

Application #	—	WRD Reviewer	Kerry Kavanagh
Transfer #	T-10437	Claim Logged	
Date Received	4-5-2017	Oversized Map #	MA
CWRE Name	Scott Montgomery	Jessica Joye	

1st Cert 7939 - 120 of 161. tac - Δ POA
 2nd Cert - portion C82845 - Δ POA
 3rd - portion Permit G-16337 - Δ POA
 4th - Cert 82486 - Δ POA & Δ POA
 TFO issued 7-2-2010
 C date = 10-1-2011 ext to 10-1-2021

Need
 Revised map
 to show:
 1) Slough
 2) Well 2
 (not well 4)

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)) *POD -> vn. slough*
- 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 690-014-0170(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)

Corbu - POD - vn. slough > E. FK Silvers R - 0.63 CFS - 9.2 ac
 Well 2 - HARN 867/1725 - 2.44 CFS - 214.6 ac
 Well 3 - HARN 51322 - 1.95 CFS - 214.6 ac
 total = 5.02 CFS

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) *HARNEY*
- Description of conveyances system (from POD to POU) (OAR 690-014-0100)
- Source(s) of water (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
- System capacity (OAR 690-014-0100)
 - Calculated capacity of system (required) *Opump = 0.63*
 - MA* Measured amount of use (optional) *get POD*
- Permit/Transfer Final Order Conditions (OAR 690-014-0100)
 - Time limits *MA*
 - Initial water level measurements *MA*
 - Annual static water level measurements
 - Measurement, recording, and reporting
 - Meter/measuring device *maintain & operate existing meas. device*
 - Water use reporting *MA*
 - Fish screening and/or by-pass *MA*
 - Pump test (ground water) *MA*
 - Other

NEED
 Revised Corbu
 1) map to show
 SW - Slough
 2) Well # 2

- pump = 2.44 CFS
 well 3

- Conditions from Extension Final Order and/or Water Management Conservation Plan
 - E date extended to Oct 1, 2021*
 - no add'l conditions added*
- 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

Certificate Issuance Processing Checklist

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

Check Area of Interest YES NO
 Identified Party _____

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: for 4th Cont 62486 - only developed well # 4 isn't used
 - Proof to the Satisfaction has not been established for the following reasons: 44.3 ac (TFO under 53.5 ac)
- 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:

*per Garry Clark - cannot partially perfect Permit G-16337
 Co at time of COBU report/map submittal for Permit G-16337
 portion essentially amended by TFO under T-10437
 Should include The 9.2ac / 0.12 acs addressed by
 T-10437.*

→ can issue 3 confirming certs.

RR cert
for 2nd cert 82845

STATE OF OREGON
COUNTY OF HARNEY
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JAMES W. MASON, JR.
4268 LAUREL RIDGE DR
ALLISON PARK, PA 15101

confirms the right to use the waters of a an UNNAMED SLOUGH, tributary of East Fork Silvies River, for SUPPLEMENTAL IRRIGATION of 44.3 ACRES.

This right was perfected under Permit S-49406. The date of priority is JUNE 5, 1985. The right is limited to not more than 0.55 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
24 S	32.5 E	WM	31	NE NE	1800 FEET NORTH AND 1240 FEET WEST FROM THE E $\frac{1}{4}$ CORNER OF SECTION 31

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year, provided further that although declared herein to be for supplemental irrigation, the right may, in the interest of conserving the ground water supplies, be exercised at times when water is available in the ground water supply appropriated under the right perfected under Permit G-10512, provided that the total quantity diverted from both sources of supply shall not exceed the limitation allowed herein.

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
24 S	32.5 E	WM	31	NE NE	17.9
24 S	32.5 E	WM	31	SE NE	5.3
24 S	32.5 E	WM	32	NW NW	9.2
24 S	32.5 E	WM	32	SW NW	11.9

This certificate describes that portion of the water right confirmed by Certificate 82845, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered JUL 02 2010, approving Transfer Application T-10437 and corrects the name of the stream the unnamed slough flows into.

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.

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 of the order must be filed within 60 days of the date of service.

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

WITNESS the signature of the Water Resources Director, affixed 7/2/2010.


Philip C. Ward, Director

4th Cert

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

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.

STATE OF OREGON
COUNTY OF HARNEY
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JAMES W. MASON, JR.
4268 LAUREL RIDGE DRIVE
ALLISON PARK, PENNSYLVANIA 15101

confirms the right to use the waters of A WELL for IRRIGATION of 53.5 ACRES.

This right has been perfected under Permit G-10512. The date of priority is APRIL 23, 1985. This right is limited to 0.67 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the well.

The well is located as follows:

Wells
(Original)

SE¼ SE¼, SECTION 30, TOWNSHIP 24 SOUTH, RANGE 32½ EAST, W.M.; 30 FEET NORTH AND 560 FEET WEST FROM THE SE CORNER, SECTION 30.

G-11378.VC/LHN

CERTIFICATE NUMBER 82486

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 3.0 acre-feet for each acre irrigated during the irrigation season of each year, provided further that although declared herein to be for primary irrigation, the supplemental right perfected under Permit 49406 may, in the interest of conserving the ground water resources, be exercised at times when water is available from ground water provided that the total quantity diverted from both sources shall not exceed the limitation allowed herein.

A description of the place of use is as follows:

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 23.6 ACRES
SE $\frac{1}{4}$ NE $\frac{1}{4}$ 5.3 ACRES
SECTION 31

NW $\frac{1}{4}$ NW $\frac{1}{4}$ 11.5 ACRES
SW $\frac{1}{4}$ NW $\frac{1}{4}$ 13.1 ACRES
SECTION 32

TOWNSHIP 24 SOUTH, RANGE 32 $\frac{1}{2}$ EAST, W.M.

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

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

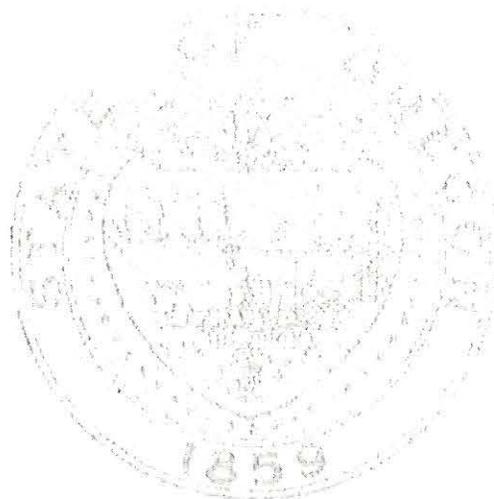
The water user shall maintain a weir, meter, or other suitable measuring device, and shall keep a complete record of the amount of ground water withdrawn.

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

WITNESS the signature of the Water Resources Director, affixed

FEB 09 2007


Phillip C. Ward, Director
Water Resources Department



Recorded in State Record of Water Right Certificates Number
82486.

G-11378.VC/LHN

portion Permit G-16337
TFO - 9.2 cfs @ 0.12 cfs
w/ DPOU

STATE OF OREGON

As per Gary Clark -
cannot partially perfect
Permit G-16337

COUNTY OF HARNEY

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

BLACKBURN RANCHES LLC.
707 PONDEROSA VILLAGE
BURNS, OR 97720

The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-16908

SOURCE OF WATER: WELL 2 (HARN 967/HARN 1725), WELL 3 (HARN 51322) AND
WELL 4 IN EAST FORK SILVIES RIVER BASIN

PURPOSE OR USE: IRRIGATION USE ON 133.2 ACRES

MAXIMUM RATE: 1.67 CUBIC FEET PER SECOND

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: JULY 25, 2007

WELL LOCATION:

WELL 2 (HARN 967/HARN 1725) - NE $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 31, T24S, R32.5E,
W.M.; 811 FEET SOUTH AND 1151 FEET WEST FROM NE CORNER, SECTION 31

WELL 3 (HARN 51322) - SE $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 30, T24S, R32.5E, W.M.; 27
FEET NORTH AND 655 FEET WEST FROM SE CORNER, SECTION 30

WELL 4 - NW $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 31, T24S, R32.5E, W.M.; 685 FEET SOUTH
AND 2275 FEET WEST FROM NE CORNER, SECTION 31

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

THE PLACE OF USE IS LOCATED AS FOLLOWS:

LOT 2	SW $\frac{1}{4}$ NE $\frac{1}{4}$	3.4 ACRES
LOT 2	SE $\frac{1}{4}$ NW $\frac{1}{4}$	38.8 ACRES
LOT 3	NE $\frac{1}{4}$ SW $\frac{1}{4}$	21.0 ACRES
	NW $\frac{1}{4}$ SE $\frac{1}{4}$	4.4 ACRES
	SE $\frac{1}{4}$ SE $\frac{1}{4}$	8.6 ACRES
	SECTION 30	

NE ¼ NE ¼ 14.5 ACRES
NW ¼ NE ¼ 2.4 ACRES
SW ¼ NE ¼ 2.0 ACRES
SE ¼ NE ¼ 31.3 ACRES
NE ¼ NW ¼ 1.7 ACRES
SECTION 31

SW ¼ NW ¼ 5.1 ACRES
SECTION 32

TOWNSHIP 24 SOUTH, RANGE 32.5 EAST, W.M.

Measurement, recording and reporting conditions:

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

The Department requires the water user to obtain, from a qualified individual (see below), and report annual static water levels for each well on the permit. The static water level shall be measured in the month of March. Reports shall be submitted to the Department within 30 days of measurement.

The permittee shall report an initial March static water-level measurement once well construction is complete and annual measurements thereafter. Annual measurements are required whether or not the well is used. The first annual measurement will establish a reference level against which future measurements will be compared. However, the Director may establish the reference level based on an analysis of other water-level data. The Director may require the user to obtain and report additional water levels each year if more data are needed to evaluate the aquifer system.

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction

Contractors Board. Measurements shall be submitted on forms provided by, or specified by, the Department. Measurements shall be made with equipment that is accurate to at least the standards specified in OAR 690-217-0045. The Department requires the individual performing the measurement to:

- A. Associate each measurement with an owner's well name or number and a Department well log ID; and
- B. Report water levels to at least the nearest tenth of a foot as depth-to-water below ground surface; and
- C. Specify the method of measurement; and
- D. Certify the accuracy of all measurements and calculations reported to the Department.

The water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s) if any of the following events occur:

- A. Annual water-level measurements reveal an average water-level decline of three or more feet per year for five consecutive years; or
- B. Annual water-level measurements reveal a water-level decline of 15 or more feet in fewer than five consecutive years; or
- C. Annual water-level measurements reveal a water-level decline of 25 or more feet; or
- D. Hydraulic interference leads to a decline of 25 or more feet in any neighboring well with senior priority.

The period of restricted use shall continue until the water level rises above the decline level which triggered the action or the Department determines, based on the permittee's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or causing substantial interference with senior water rights. The water user shall not allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

STANDARD CONDITIONS

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

If the number, location, source, or construction of any well deviates from that proposed in the permit application or required by permit conditions, this permit may not be valid, unless the Department authorizes the change in writing.

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

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

If the riparian area is disturbed in the process of developing a point of diversion, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR Chapter 635, Division 415, Section 030 adopted November 13, 1991 shall be followed.

The use may be restricted if the quality of the source stream or downstream waters decrease to the point that those waters no longer meet existing state or federal water quality standards due to reduced flows.

Where two or more water users agree among themselves as to the manner of rotation in the use of water and such agreement is placed in writing and filed by such water users with the watermaster, and such rotation system does not infringe upon such prior rights of any water user not a party to such rotation plan, the watermaster shall distribute the water according to such agreement.

Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the department's standards, to the Water Resources Department. The Director may require water level or pump test results every ten years thereafter.

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

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

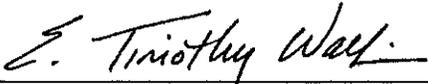
The use of water shall be limited when it interferes with any prior surface or ground water rights.

Completion of construction and complete application of the water to the use shall be made on or before October 1, 2012. If the water is not

completely applied before this date, and the permittee wishes to continue development under the permit, the permittee must submit an application for extension of time, which may be approved based upon the merit of the application.

Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

Issued JUNE 23, 2008



for Phillip C. Ward, Director
Water Resources Department

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

In the Matter of Application for Extension) **FINAL ORDER APPROVING AN**
of Time for Transfer Application T-10437,) **EXTENSION OF TIME**
Harney County)

Applicant

Blackburn Ranches
Curt Blackburn
707 Ponderosa Village
Burns, OR 97720

Authority

OAR 690-380-6020 establishes an application process and criteria for the review of extensions of time for the completion of changes authorized under water right transfer applications.

Findings of Fact

1. On August 9, 2016, the Department received an application for extension of time for Transfer Application T-10437.
2. The Department issued an order approving Transfer Application T-10437 on July 2, 2010. The order was recorded in Special Order Volume 81, Pages 337-343. The order set a transfer completion date of October 1, 2011.
3. The applicant has completed installation of the irrigation system and has completed primary irrigation of 223.8 acres and supplemental irrigation of 9.2 acres.
4. To fully complete the change, the applicant needs to construct an additional well to supply the full rate allowed by the transfer order.
5. The applicant has requested that the time for completion of beneficial use be extended to October 1, 2021.

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 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.

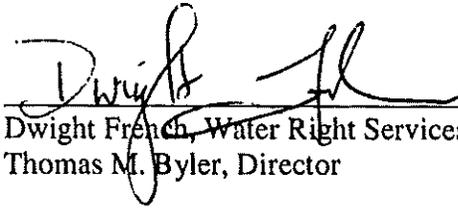
Conclusions of Law

Pursuant to OAR 690-380-6020, the Director of the Water Resources Department concludes the applicant has shown reasonable diligence to complete the transfer within the time period established by the order approving Transfer Application T-10437.

Now, therefore, it is ORDERED:

The time for completion of the changes in place of use authorized by Transfer Application T-10437 shall be extended to October 1, 2021.

Dated at Salem, Oregon this 12 day of September, 2016.



Dwight French, Water Right Services Administrator, for
Thomas M. Byler, Director

SEP 21 2016

Mailing date: _____

Pump Capacity Calculation Sheet

T-10437

using Department designed formula:

POD - unnamed slough
-- Cert 82485

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

Efficiency:

Centrifugal = 6.61

Turbine = 7.04

Data Entry (fill in underlined blanks)

HP =	<u>10</u>
Efficiency =	<u>6.61</u>
Lift =	<u>4</u>
PSI =	<u>40</u>

Results Calculated

(hp)(efficiency) =	66.1
Head based on psi =	101.6
Total dynamic head =	105.6
(head + lift)	

Pump Capacity = 0.63 feet per second

Pump Capacity Calculation Sheet

using Department designed formula:

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

Efficiency:

Centrifugal = 6.61

Turbine = 7.04

T-10437

Well 3 (HARN 51322) -- Cert

-- Cert 67939

-- Cert 82485

Data Entry (fill in underlined blanks)

HP = 60
Efficiency = 7.04
Lift = 115
PSI = 40

Results Calculated

(hp)(efficiency) = 422.4
Head based on psi = 101.6
Total dynamic head = 216.6
(head + lift)

Pump Capacity = 1.95 feet per second

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

T-10437

Well 2 (HARN 967/1725)

-- Cert 67939

-- Cert 82485

Data Entry (fill in underlined blanks)

HP = 75
Efficiency = 7.04
Lift = 115
PSI = 40

Results Calculated

(hp)(efficiency) = 528
Head based on psi = 101.6
Total dynamic head = 216.6
(head + lift)

Pump Capacity = 2.44 feet per second

Pump Capacity Calculation Sheet

using Department designed formula:

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

T-10437

POD - unnamed slough
-- Cert 82485

Efficiency:

Centrifugal = 6.61

Turbine = 7.04

Data Entry (fill in underlined blanks)

HP = 10
Efficiency = 6.61
Lift = 4
PSI = 40

Results Calculated

$(hp)(\text{efficiency}) = 66.1$
Head based on psi = 101.6
Total dynamic head = 105.6
(head + lift)

Pump Capacity = 0.63 feet per second

Harney County

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Account #	██████████	Tax Status	ASSESSABLE
Map #	24S32V300000600	Account Status	ACTIVE
Code - Tax #	0420-23398	Subtype	NORMAL
Owner	BLACKBURN RANCHES, LLC		
Agent			
Mailing Address	707 PONDEROSA VILLAGE BURNS, OR 97720-2315		

Reports

- [Summary Report](#)
- [Ledger Report](#)
- [Tax Summary Report](#)
- [Names](#)
- [Legal Report](#)

Images

[Documents/Images](#)

Improvements

Link	Site	Bldg #	Stat Class	Code Area	Year Built	Eff Year Built	Description	Livable Size
I		1	311	0420			MAINLINE 8"	2200
I		2	337	0420		1979	HAY COVER	4752

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THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY

SECTION 31 T.24S. R.32 1/2E. W.M.
HARNEY COUNTY

24S32VE31

1" = 400'

Cancelled Nos.
100M1
200M1
300M1
400M1
800M1
800M2
900



PRINTED ON
3/14/2017

24S32VE31

Harney County

[Back](#) [Forward](#) [Search Page](#) [Logoff](#)

[Help](#)
[Detail Help](#)

Account #	██████████	Tax Status	ASSESSABLE
Map #	24S32V310000100	Account Status	ACTIVE
Code - Tax #	0420-23395	Subtype	NORMAL
Owner	BLACKBURN RANCHES, LLC		
Agent			
Mailing Address	707 PONDEROSA VILLAGE BURNS, OR 97720-2315		

Reports

- [Summary Report](#)
- [Ledger Report](#)
- [Tax Summary Report](#)
- [Names](#)
- [Legal Report](#)

Images

[Documents/Images](#)

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Harney County

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[Help](#)
[Detail Help](#)

Account #	██████████	Tax Status	ASSESSABLE
Map #	24S32V310000200	Account Status	ACTIVE
Code - Tax #	0420-23396	Subtype	NORMAL
Owner	BLACKBURN RANCHES, LLC		
Agent			
Mailing Address	707 PONDEROSA VILLAGE BURNS, OR 97720-2315		

Reports

- [Summary Report](#)
- [Ledger Report](#)
- [Tax Summary Report](#)
- [Names](#)
- [Legal Report](#)

Images

[Documents/Images](#)

DISCLAIMER AND LIMITATION OF LIABILITY

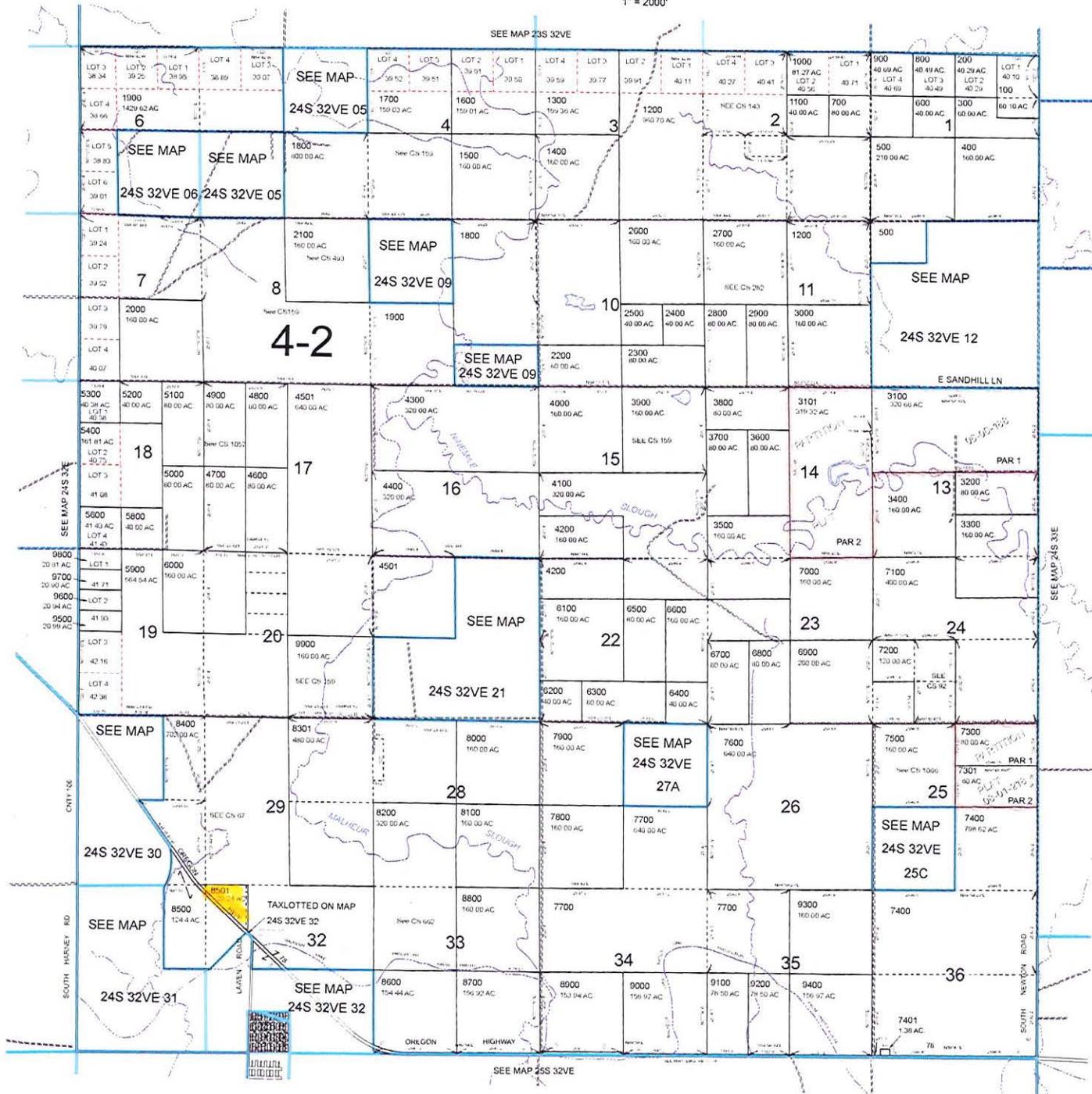
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THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY

T.24S. R.32 1/2E. W.M. HARNEY COUNTY

24S32VE

1" = 2000'



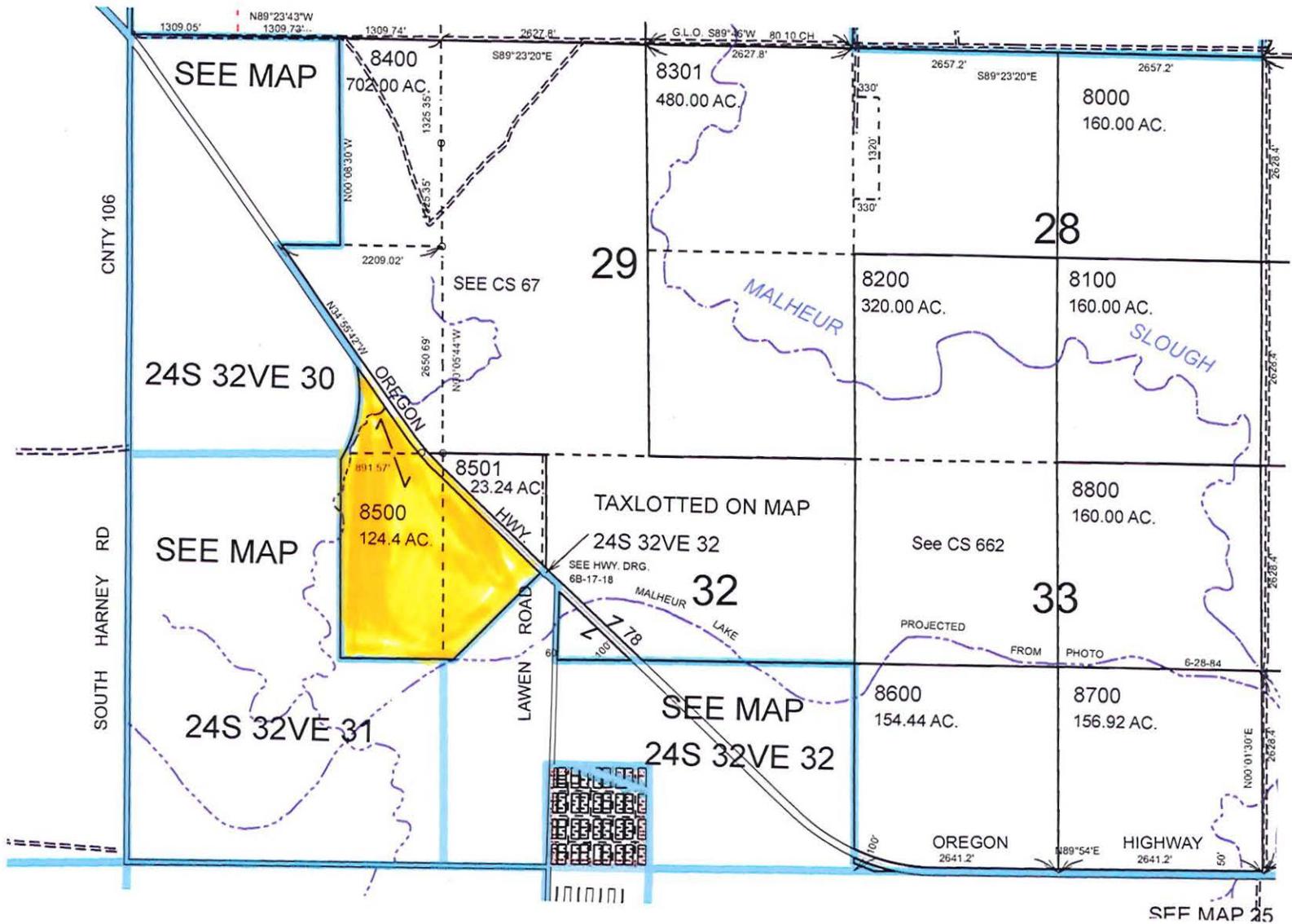
- Cancelled Nos.
- 2200M1
- 2300U1 (2009)
- 2300U2 (2009)
- 2300M1
- 4500 (2007)
- 5500
- 5700
- 8300M1
- MAP 2432V20
- 100
- 200
- 300
- 400
- 500
- 8300 (2013)



PRINTED ON 4/25/2017

24S32VE

Portion of T24S R32 1/2 E, W.M.



Harney County

[Back](#)
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[Help](#)
[Detail Help](#)

Account #	██████████	Tax Status	ASSESSABLE
Map #	24S32V000008500	Account Status	ACTIVE
Code - Tax #	0420-23399	Subtype	NORMAL
Owner	BLACKBURN RANCHES, LLC		
Agent			
Mailing Address	707 PONDEROSA VILLAGE BURNS, OR 97720-2315		

Reports

- [Summary Report](#)
- [Ledger Report](#)
- [Tax Summary Report](#)
- [Names](#)
- [Legal Report](#)

Images

[Documents/Images](#)

Improvements

Link	Site	Bldg #	Stat Class	Code Area	Year Built	Eff Year Built	Description	Livable Size
I		1	472	0420	1990	1990	MS Double wide	1600
I		2	311	0420		1990	MAINLINE 8"	1650
I		3	304	0420		2003	GP SHED	192
I		4	110	0420		2003	Residential Other Improvements	0
I		5	390	0420			CORRAL	0
I		6	304	0420		1994	GP BUILDING	1728
I		8	110	0420		2007	Residential Other Improvements	0
I	1	11	304	0420	2012	2012	GP BUILDING	864

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Contact Information

(Click to Collapse...)

Transfer Information

(Click to Collapse...)



▼ **Current contact information**

APPLICANT:
 BLACKBURN RANCHES LLC
 ▶ JETT BLACKBURN
 707 PONDEROSA VILLAGE
 BURNS, OR 97720

▼ **Status**

- ▶ **Type:** Regular
- ▶ **Status:** Completed
- ▶ **Begin Date:** n/a
- ▶ **End Date:** n/a

▼ **Proposed Action**

- ▶ **Point of Appropriation**

▼ **Orders associated with rights in the transfer**

Volume-Page	Signature	Description
▶ 81-337	7/2/2010	APPROVING POD AND POU T-10437
101-816	9/12/2016	APPROVING T-12437 EXTENSION OFTIME

All Scanned Documents

(Click to Collapse...)

Records per page: 3

<u>Document Type</u>	<u>Document Title</u>	<u>Date</u>	<u>Remarks</u>
Transfer Map	T-10437 Map	1/29/2010	
Final Order	Approving POD and POU T-10437	7/2/2010	VOLUME 81 PAGE 337
Final Order	Approving T-12437 Extension ofTime	9/12/2016	VOLUME 101 PAGE 816

Processing History

(Click to Collapse...)

Staff Person Responsible: no caseworker currently assigned

Process Step	Date Initiated	Date Completed	Comments
Received	7/25/2007	7/25/2007	
Transfer Initial Comment Period	7/31/2007	7/31/2007	
Watermaster Review	8/2/2007	8/31/2007	
File Assigned	8/2/2007	9/25/2007	
Groundwater Review	8/2/2007	10/2/2007	
File Assigned	9/25/2007	4/30/2010	
Deficiency Letter	11/26/2008	11/26/2008	
Draft PD Issued	4/8/2010	4/8/2010	
File Assigned	5/3/2010	7/2/2010	
PD Newspaper Notice	5/7/2010	5/7/2010	
PD Issued	5/7/2010	5/7/2010	
PD Weekly Public Notice	5/11/2010	5/11/2010	
Certificate Remaining Issued	7/2/2010	7/2/2010	RR 86414 issued supercedes Cert 82845
Final Order Issued	7/2/2010	7/2/2010	
Completion Due (C Date)	10/1/2011	10/1/2011	
CBU Due	10/1/2012	10/1/2012	
Data Technician Review	4/5/2016	4/11/2016	
Extension Received	8/9/2016	8/9/2016	
File Assigned	8/19/2016	9/12/2016	

Extension FO Issued	9/12/2016	9/12/2016
Completion Due (C Date)	10/1/2021	10/1/2021
CBU Due	10/1/2022	10/1/2022

Rights this impacts

(Click to Collapse...)

	Application	Permit	Certificate	Decree	Claim
<u>Cert:67939 CF CN</u>	G11219	G10340	67939		
<u>Cert:82845 OR CN</u>	S68368	S49406	82845		
<u>Cert:82486 OR CN</u>	G11378	G10512	82486		
<u>Permit: G 16337</u>	G16908	G16337			

Results of the transfer

(Click to Collapse...)

	Application	Permit	Certificate	Decree	Claim
<u>Inchoate: T 10437 CF (REG) *</u>	G11219	G10340			
<u>Inchoate: T 10437 CF (REG) *</u>	G11378	G10512			
<u>Inchoate: T 10437 CF (REG) *</u>	S68368	S49406			
<u>Cert:86414 RR *</u>	S68368	S49406	86414		
<u>Permit: G 16337 *</u>	G16908	G16337			

Report Errors with Water Right Data



NCR

Search Criteria

Meridian: Willamette Township: 24 South Range: 32.5 East Section: 30 Records per Page: 100 Platcards Maps! [Learn about](#) * [View Map](#)

Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	00(40): 0(160):	NE NE	NW NE	SW NE	SE NE	NE NW	NW NW	SW NW	SE NW	NE SW	NW SW	SW SW	SE SW	NE SE	NW SE	SW SE	SE SE	Unknown QQ
Select Cert:60872 OR CN <u>Additional Info:</u> JETT BLACKBURN App: G11219 Permit: G10340 Cert: 60872		1/20/1984	IRRIGATION	CN																				-26- -40- -14-
Select Cert:60872 OR CN <u>Additional Info:</u> JETT BLACKBURN App: G11219 Permit: G10340 Cert: 60872		1/20/1984	IRRIGATION	CN		3																		-41.6-
Select Cert:60872 OR CN <u>Additional Info:</u> JETT BLACKBURN App: G11219 Permit: G10340 Cert: 60872		1/20/1984	IRRIGATION	CN		4										-39.6-								
Select Cert:67939 CF CN <u>Additional Info:</u> JAMES MASON JR App: G11219 Permit: G10340 Cert: 67939	T10437	1/20/1984	IRRIGATION	CN																				-19.6- -40- -6.4-
Select Cert:67939 CF CN <u>Additional Info:</u> JAMES MASON JR App: G11219 Permit: G10340 Cert: 67939	T10437	1/20/1984	IRRIGATION	CN		3										-21.1-								
Select Cert:67939 CF CN <u>Additional Info:</u> JAMES MASON JR App: G11219 Permit: G10340 Cert: 67939	T10437	1/20/1984	IRRIGATION	CN		4																		-41.4-
Select Inchoate: T 10437 CF (REG) * <u>Additional Info:</u> BLACKBURN RANCHES LLC App: G11219 Permit: G10340		1/20/1984	IRRIGATION																					(19.6) (40) (5.4)
Select Inchoate: T 10437 CF (REG) * <u>Additional Info:</u> BLACKBURN RANCHES LLC App: G11219 Permit: G10340		1/20/1984	IRRIGATION			3										(21.1)								
Select Inchoate: T 10437 CF (REG) * <u>Additional Info:</u> BLACKBURN RANCHES LLC App: G11219 Permit: G10340		1/20/1984	IRRIGATION			4																		(41.4)
Select Permit: G 16337 * <u>Additional Info:</u> BLACKBURN RANCHES LLC App: G16908 Permit: G16337		7/25/2007	IRRIGATION			2			3.4						38.8									
Select Permit: G 16337 * <u>Additional Info:</u> BLACKBURN RANCHES LLC App: G16908 Permit: G16337		7/25/2007	IRRIGATION			3									21									4.4 8.6

Acreege Legend: 12.25 Regular acreage -12.25- Acreage is on a canceled right (12.25) Acreage is part of a transfer and has not been proven up on yet (Inchoate) [12.25] Acreage has been suspended * Acreage is not specified



Oregon Water Resources Department
Water Rights Platcard Report

NCR

- Main
- Help
- Return
- Contact Us

Search Criteria

Meridian: Willamette Township: 24 South Range: 32.5 East Section: 31 Records per Page: 100 Platcards Maps! [Learn about](#) * [View Map](#)

Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gwy1 Lot	00(40): 0(160):	NE NE	NW NE	SW NE	SE NE	NE NW	NW NW	SW NW	SE NW	NE SW	NW SW	SW SW	SE SW	NE SE	NW SE	SW SE	SE SE	Unknown QQ	
Select Cert:67939 CF CN <i>Additional Info:</i> JAMES MASON JR App: G11219 Permit: G10340 Cert: 67939	T10437	1/20/1984	IRRIGATION	CN				-0.2	-17.2																
Select Cert:67939 CF CN <i>Additional Info:</i> JAMES MASON JR App: G11219 Permit: G10340 Cert: 67939	T10437	1/20/1984	IRRIGATION	CN	1																				
Select Cert:82486 OR CN <i>Additional Info:</i> JAMES MASON JR App: G11378 Permit: G10512 Cert: 82486	T10437	4/23/1985	IRRIGATION	CN				-23.6																	
Select Inchoate: T 10437 CF (REG) * <i>Additional Info:</i> BLACKBURN RANCHES LLC App: G11219 Permit: G10340		1/20/1984	IRRIGATION					(0.2)	(17.2)																
Select Inchoate: T 10437 CF (REG) * <i>Additional Info:</i> BLACKBURN RANCHES LLC App: G11219 Permit: G10340		1/20/1984	IRRIGATION		1																				
Select Inchoate: T 10437 CF (REG) * <i>Additional Info:</i> BLACKBURN RANCHES LLC App: G11378 Permit: G10512		4/23/1985	IRRIGATION					(17.9)	(1.9)																
Select Permit: G 16337 * <i>Additional Info:</i> BLACKBURN RANCHES LLC App: G16908 Permit: G16337		7/25/2007	IRRIGATION					5.7																	
Select Permit: G 16337 * <i>Additional Info:</i> BLACKBURN RANCHES LLC App: G16908 Permit: G16337		7/25/2007	IRRIGATION		3			14.5	0.5	2	30.7														
Select Cert:82845 OR CN <i>Additional Info:</i> JAMES MASON JR App: S68368 Permit: S49406 Cert: 82845	T10437	6/5/1985	SUPPLEMENTAL IRRIGATION (Suppl'mtl)	CN				-23.6																	
Select Inchoate: T 10437 CF (REG) * <i>Additional Info:</i> BLACKBURN RANCHES LLC App: S68368 Permit: S49406		6/5/1985	SUPPLEMENTAL IRRIGATION (Suppl'mtl)						(1.9)																
Select Cert:86414 RR * <i>Additional Info:</i> JAMES MASON JR App: S68368 Permit: S49406 Cert: 86414		6/5/1985	SUPPLEMENTAL IRRIGATION (Suppl'mtl)					17.9																	

Acreage Legend: 12.25 Regular acreage -12.25- Acreage is on a canceled right (12.25) Acreage is part of a transfer and has not been proven up on yet (inchoate) [12.25] Acreage has been suspended * Acreage is not specified



NCR

Search Criteria

Meridian: Willamette Township: 24 South Range: 32.5 East Section: 32 Records per Page: 100 Search Platcards Maps! Learn about * View Map

Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	ac(40):	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Unknown	
Select Cert:82486 OR CN	T10437	4/23/1985	IRRIGATION	CN										-11.6-	-13.1-										
Additional Info: JAMES MASON JR App: G11378 Permit: G10512 Cert: 82486																									
Select Inchoate: T 10437 CF (REG) *		4/23/1985	IRRIGATION											(9.2)	(16.9)										
Additional Info: BLACKBURN RANCHES LLC App: G11378 Permit: G10512																									
Select Permit: G 16337 *		7/25/2007	IRRIGATION											2.3	1.3										
Additional Info: BLACKBURN RANCHES LLC App: G16908 Permit: G16337																									
Select Cert:82845 OR CN	T10437	6/5/1985	SUPPLEMENTAL IRRIGATION (Suppl'mtl)	CN										-11.6-	-13.1-										
Additional Info: JAMES MASON JR App: S68368 Permit: S49406 Cert: 82845																									
Select Inchoate: T 10437 CF (REG) *		6/5/1985	SUPPLEMENTAL IRRIGATION (Suppl'mtl)												(5)										
Additional Info: BLACKBURN RANCHES LLC App: S68368 Permit: S49406																									
Select Cert:86414 RR *		6/5/1985	SUPPLEMENTAL IRRIGATION (Suppl'mtl)											9.2	11.9										
Additional Info: JAMES MASON JR App: S68368 Permit: S49406 Cert: 86414																									

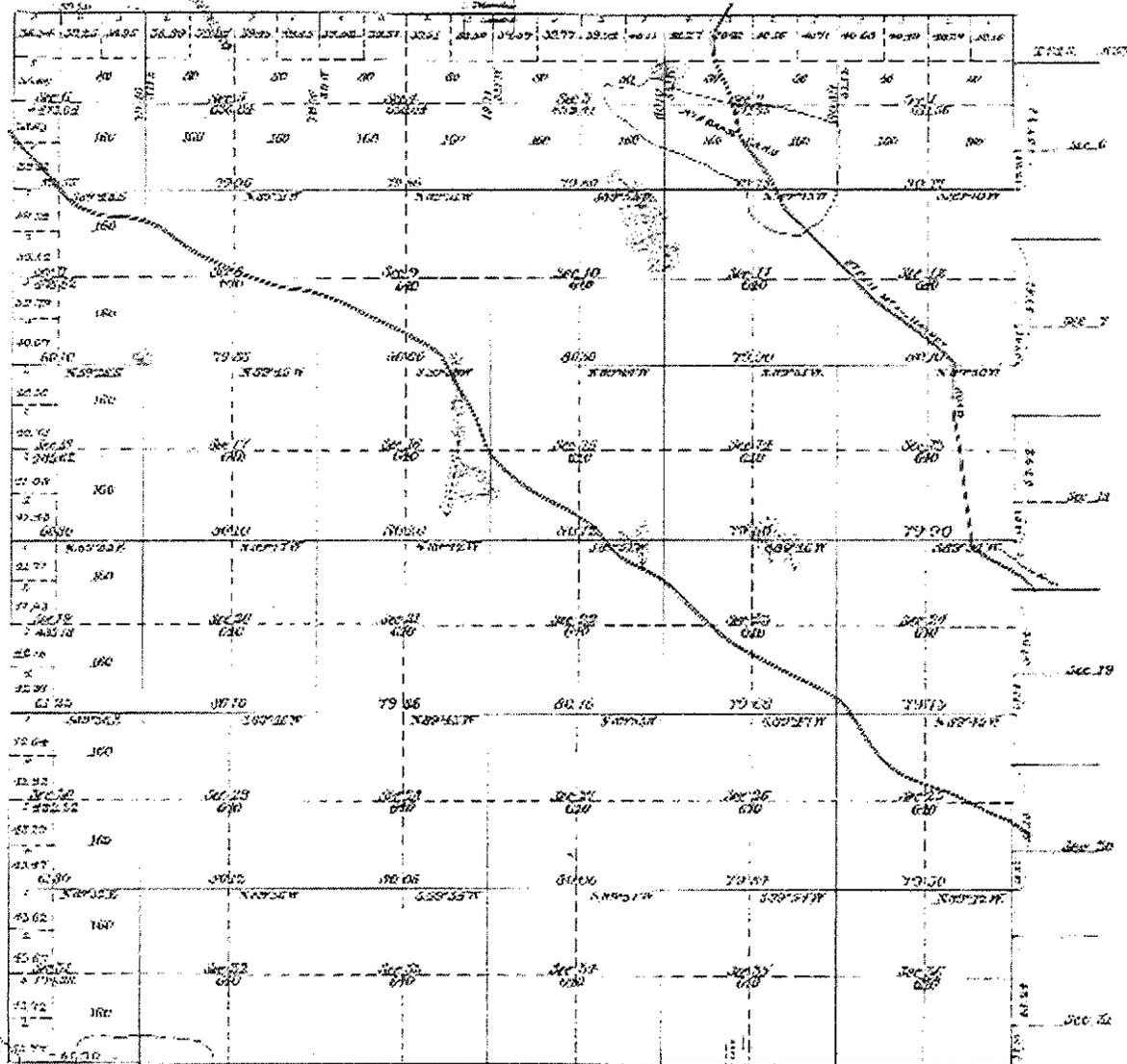
Acres Legend: 12.25 Regular acreage -12.25- Acreage is on a canceled right (12.25) Acreage is part of a transfer and has not been proven up on yet (inchoate) [12.25] Acreage has been suspended * Acreage is not specified

1136

Township No. 24 South

Range No. 32 1/2 East

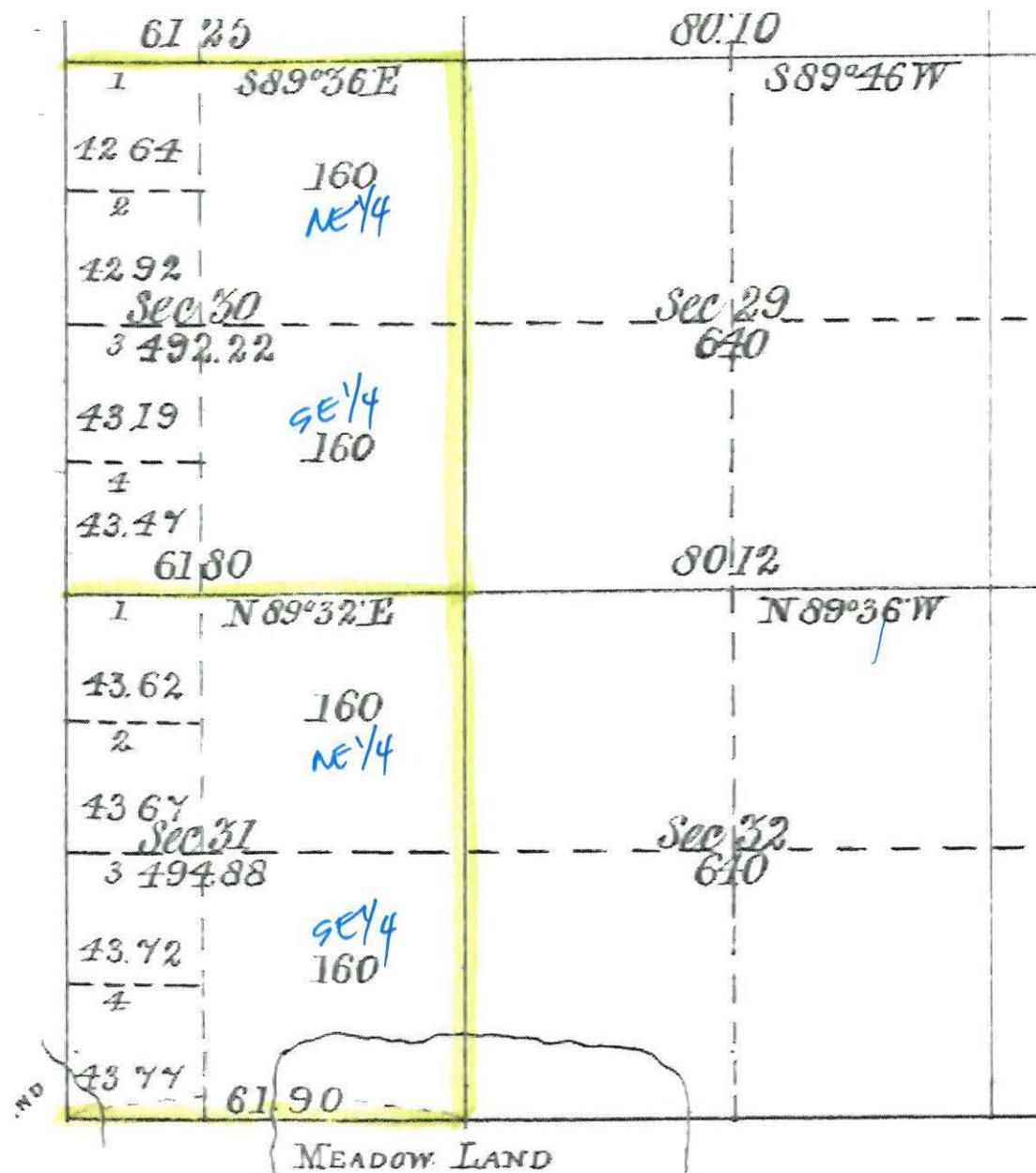
Willamette Meridian, Oregon.



SURVEY RESERVED.	BY NAME, DATE & NO.	DATE OF COMPLETION.	AMOUNT OF SECTIONS.	WHERE LOCATED.	NEAR DESIGNATION.
Township Lines	King & Henderson 219	July 10 1883			

Sec. 100 24S 32E
 Sec. 100 24S 32E
 Sec. 100 24S 32E

Portion Cadastral Survey T24S, R32.5E, W.M. ---1884-08-28:





Oregon Water Resources Department Water Rights Mapping Tool

OWRD Only

725 Summer St NE, Sale

Return

Contact Us

Search

Search: Water Right by File

Application:

Permit:

Certificate:

Claim:

Transfer: T 10437

Snap ID:

POD Source: Equals

Irr. District:

(Draw box on map.)

Points of Diversion: (Count: 8)

Places of Use: (Count: 3)

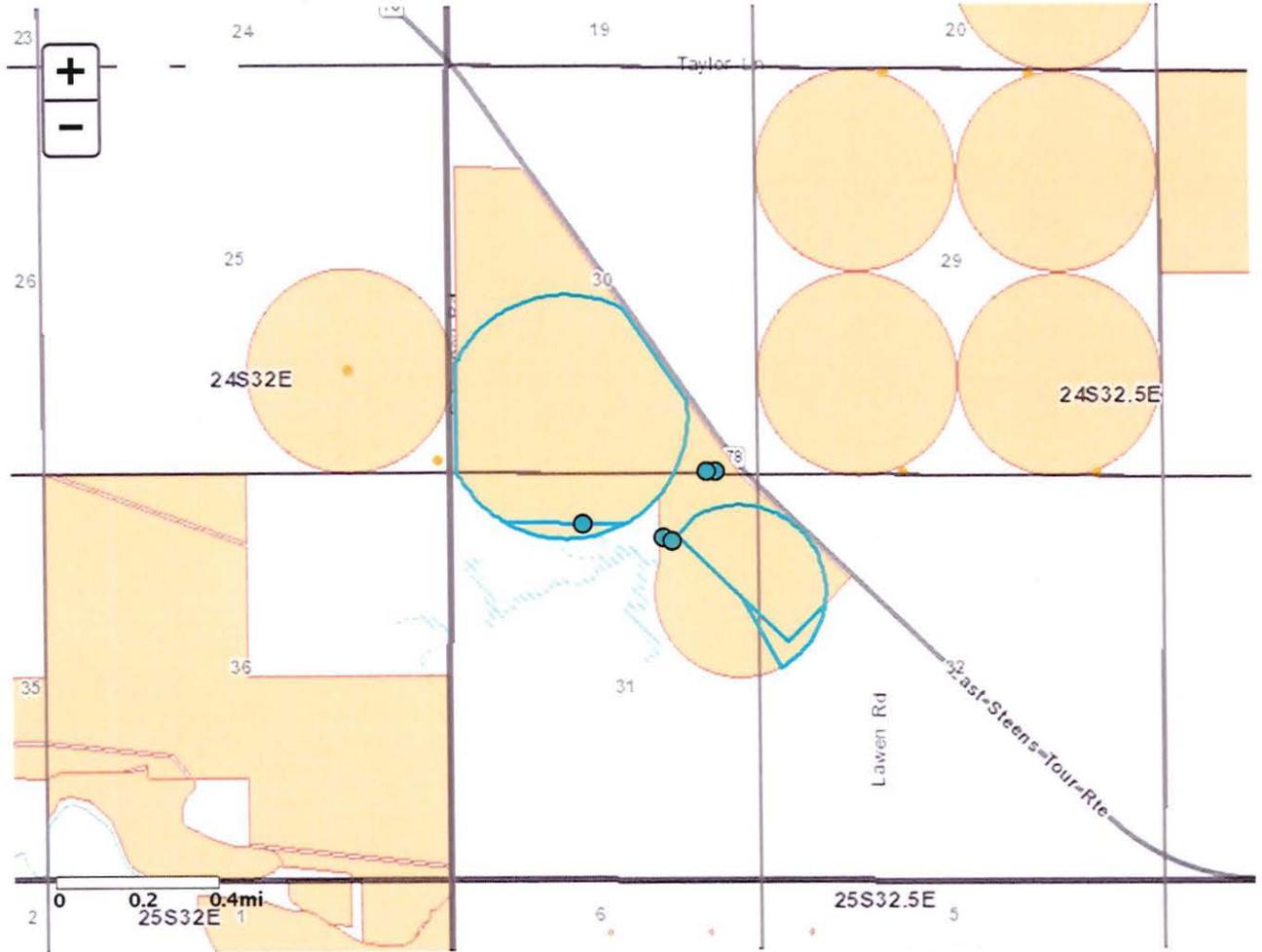
Identify Non-Water Right Features

Tax Lots

Tools

Layers

Bookmarks



POD

POU

Irrigation Districts AOI

WR By Time

Application # Permit # Transfer # T-
 10437

Blackburn Ranches LLC RA# R12468-17

**Reimbursement Authority Process
 Itemized Estimate Sheet
 for
 Certificates**

	Est. Time (hr)	Individual	Hourly Rate	Est. Cost	Date	Act. Time (hr)
1. Review Claim of Beneficial Use report and map	2.00	Kerry	\$95	\$189	7-11 7-12 1.5 0.5	189
2. Conflict Check	0.50	Kerry	\$95	\$47	7-11 0.25	24
3. Prep of def. letter - need revised map to show sw	0.50	Kerry	\$95	\$47		
4. Preparation of 3 proposed certificates	3.00	Kerry	\$95	\$284	7-11 7-12 8-1 8-9 2.0 0.5 0.5 0.5	333
5a. Peer review	0.00	Gerry	\$95	\$0		
5b. Peer review	0.20	Dwight	\$120	\$24	8-15 0.2	24
5c. Peer review	0.75	Jessica	\$87	\$65	7/14/17 0.5	44
6. Project Management -	3.00	Kerry	\$95	\$284	4-25 7-19 7-24 8-9 8-9 1-0 0.5 0.75 0.5 0.5 0.75 0.5	333
7a. Water right data record update	0.50	Connie	\$60	\$29	8-15 0.5	30
7b. Water right data record update	2.25	Data Tech	\$58	\$131	8-9 2.25	131
8. Pump test- N/A	0.00	GW Staff	\$98	\$0		
Total	12.70			\$1,099		1108

1100

over \$8

3 certs: Cert 67939 - IR of 161.1 acres - change in POA
 portion Cert 82845 - change in POU
 portion Permit G-16337 - but I cannot issue a partial perfection of permit (without the Split-a-permit process)
 Cert 82486 - Add'l POA - transfer final order doesn't describe proposed changes for this 4th cert

NO REFUND

I will prepare 3 certificates

TFO doesn't show proposed changes to 4th cert - 82426 -- from transfer app - Add'l well (Well 3)

Cert 93308
 Cert 93309 > issued 8-15-17.
 Cert 93310

KAVANAGH Kerry L * WRD

From: Scott <Scott@apeands.com>
Sent: Monday, August 07, 2017 3:05 PM
To: KAVANAGH Kerry L * WRD
Cc: curtjettblackburn@centurytel.net
Subject: RE: RA Project R12468-17 for Blackburn Ranches LLC involving transfer application T-10437 -- please review 3 draft proposed certificates & NEED revised Claim map

I just spoke to Curt. He's okay with the certificates. I'll send the mylar.
Thanks

From: KAVANAGH Kerry L * WRD [<mailto:Kerry.L.Kavanagh@oregon.gov>]
Sent: Monday, August 07, 2017 2:33 PM
To: Scott <Scott@apeands.com>
Cc: curtjettblackburn@centurytel.net; KAVANAGH Kerry L * WRD <Kerry.L.Kavanagh@oregon.gov>
Subject: RE: RA Project R12468-17 for Blackburn Ranches LLC involving transfer application T-10437 -- please review 3 draft proposed certificates & NEED revised Claim map

Hi Scott,

The revised map you attached to your July 24, 2017 email looks good – please submit the final mylar map.

Do you know if Curt has had a chance to review the 3 draft proposed certificates? If so, I am ready to move to finalization.

Thanks,
Kerry

Kerry Kavanagh | Reimbursement Authority, Certificates, Water Right Services Division

Oregon Water Resources Department | 725 Summer St. NE, Suite A, Salem, Oregon 97301
Voice 503.986.0927 | Fax 503.986.0901
Email: Kerry.L.Kavanagh@oregon.gov Web: <http://oregon.gov/ORWD>

From: Scott [<mailto:Scott@apeands.com>]
Sent: Monday, July 24, 2017 9:50 AM
To: KAVANAGH Kerry L * WRD; curtjettblackburn@centurytel.net
Subject: RE: RA Project R12468-17 for Blackburn Ranches LLC involving transfer application T-10437 -- please review 3 draft proposed certificates & NEED revised Claim map

Good Morning Kerry,
I've attached my revised final proof map to this message with Well 2 labeled and the slough approximately located. The draft certificates looks fine to me. I don't know if Curt has looked them over yet.

From: KAVANAGH Kerry L * WRD [<mailto:Kerry.L.Kavanagh@oregon.gov>]
Sent: Wednesday, July 19, 2017 9:39 AM
To: curtjettblackburn@centurytel.net; Scott <Scott@apeands.com>
Subject: RA Project R12468-17 for Blackburn Ranches LLC involving transfer application T-10437 -- please review 3 draft proposed certificates & NEED revised Claim map

Hi Curt and Scott,

Please find attached to this email the 3 draft proposed certificates for transfer application T-10437.

During my review of the Claim of Beneficial Use (Claim) report and map, I noticed that the Claim map does not show the surface water source for the right modified by the approved transfer order for original certificate 82845, namely the "unnamed slough". In addition, the Claim map incorrectly identifies Well 2 as Well 4 – **please provide a revised mylar Claim map that shows the location of the "unnamed slough" and the correct label for Well 2.**

Scott, please send a draft revised map via email so I can check the map before you submit the final mylar map.

Please review and compare the 3 draft proposed certificates to the transfer final order for accuracy and completeness.

For your convenience, here is a link to information regarding transfer application T-10437 in the Department's Water Rights Information System (WRIS) database:

http://apps.wrd.state.or.us/apps/wr/wrinfo/wr_transfer_centric.aspx?transfer_nbr=10437&transfer_char=T

Click on "81-337" under Volume-Page to view the transfer final order.

Please provide me any comments or edits, should you have any. If you and the water user agree with the draft proposed certificate and let me know this, **and I receive the revised Claim map showing the unnamed slough and Well 2**, then I can proceed to issue the certificate without waiting the standard 60-day notice period.

Thank you.

Kerry

Kerry Kavanagh | Reimbursement Authority, Certificates, Water Right Services Division

Oregon Water Resources Department | 725 Summer St. NE, Suite A, Salem, Oregon 97301

Voice 503.986.0927 | Fax 503.986.0901

Email: Kerry.L.Kavanagh@oregon.gov Web: <http://oregon.gov/ORWD>

KAVANAGH Kerry L * WRD

From: Curt Blackburn <curtjettblackburn@centurytel.net>
Sent: Monday, August 07, 2017 2:59 PM
To: KAVANAGH Kerry L * WRD
Subject: Re: RA Project R12468-17 for Blackburn Ranches LLC involving transfer application T-10437 -- please review 3 draft proposed certificates & NEED revised Claim map

Looks good to me.

Thanks

Curt Blackburn, Broker
Jett Blackburn Real Estate, Inc.
707 Ponderosa Village
Burns, OR 97720
Cell # 541-589-0025
Office # 541-573-7206
Fax # 541-573-5011
Email: curtjettblackburn@centurytel.net

From: KAVANAGH Kerry L * WRD
Sent: Monday, August 7, 2017 2:32 PM
To: Scott
Cc: curtjettblackburn@centurytel.net ; KAVANAGH Kerry L * WRD
Subject: RE: RA Project R12468-17 for Blackburn Ranches LLC involving transfer application T-10437 -- please review 3 draft proposed certificates & NEED revised Claim map

Hi Scott,

The revised map you attached to your July 24, 2017 email looks good – please submit the final mylar map.

Do you know if Curt has had a chance to review the 3 draft proposed certificates? If so, I am ready to move to finalization.

Thanks,
Kerry

Kerry Kavanagh | Reimbursement Authority, Certificates, Water Right Services Division

Oregon Water Resources Department | 725 Summer St. NE, Suite A, Salem, Oregon 97301
Voice 503.986.0927 | Fax 503.986.0901
Email: Kerry.L.Kavanagh@oregon.gov Web: <http://oregon.gov/ORWD>

From: Scott [<mailto:Scott@apeands.com>]
Sent: Monday, July 24, 2017 9:50 AM
To: KAVANAGH Kerry L * WRD; curtjettblackburn@centurytel.net
Subject: RE: RA Project R12468-17 for Blackburn Ranches LLC involving transfer application T-10437 -- please review 3 draft proposed certificates & NEED revised Claim map

Good Morning Kerry,

I've attached my revised final proof map to this message with Well 2 labeled and the slough approximately located. The draft certificates look fine to me. I don't know if Curt has looked them over yet.

From: KAVANAGH Kerry L * WRD [<mailto:Kerry.L.Kavanagh@oregon.gov>]

Sent: Wednesday, July 19, 2017 9:39 AM

To: curtjettblackburn@centurytel.net; Scott <Scott@apeands.com>

Subject: RA Project R12468-17 for Blackburn Ranches LLC involving transfer application T-10437 -- please review 3 draft proposed certificates & NEED revised Claim map

Hi Curt and Scott,

Please find attached to this email the 3 draft proposed certificates for transfer application T-10437.

During my review of the Claim of Beneficial Use (Claim) report and map, I noticed that the Claim map does not show the surface water source for the right modified by the approved transfer order for original certificate 82845, namely the "unnamed slough". In addition, the Claim map incorrectly identifies Well 2 as Well 4 – **please provide a revised mylar Claim map that shows the location of the "unnamed slough" and the correct label for Well 2.**

Scott, please send a draft revised map via email so I can check the map before you submit the final mylar map.

Please review and compare the 3 draft proposed certificates to the transfer final order for accuracy and completeness.

For your convenience, here is a link to information regarding transfer application T-10437 in the Department's Water Rights Information System (WRIS) database:

http://apps.wrd.state.or.us/apps/wr/wrinfo/wr_transfer_centric.aspx?transfer_nbr=10437&transfer_char=T

Click on "81-337" under Volume-Page to view the transfer final order.

Please provide me any comments or edits, should you have any. If you and the water user agree with the draft proposed certificate and let me know this, **and I receive the revised Claim map showing the unnamed slough and Well 2**, then I can proceed to issue the certificate without waiting the standard 60-day notice period.

Thank you.

Kerry

Kerry Kavanagh | Reimbursement Authority, Certificates, Water Right Services Division

Oregon Water Resources Department | 725 Summer St. NE, Suite A, Salem, Oregon 97301

Voice 503.986.0927 | Fax 503.986.0901

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KAVANAGH Kerry L * WRD

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Cc: curtjettblackburn@centurytel.net; KAVANAGH Kerry L * WRD
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Voice 503.986.0927 | Fax 503.986.0901
Email: Kerry.L.Kavanagh@oregon.gov Web: <http://oregon.gov/ORWD>

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Sent: Monday, July 24, 2017 9:50 AM
To: KAVANAGH Kerry L * WRD; curtjettblackburn@centurytel.net
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Sent: Wednesday, July 19, 2017 9:39 AM
To: curtjettblackburn@centurytel.net; Scott <Scott@apeands.com>
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Thank you.

Kerry

Kerry Kavanagh | Reimbursement Authority, Certificates, Water Right Services Division

Oregon Water Resources Department | 725 Summer St. NE, Suite A, Salem, Oregon 97301

Voice 503.986.0927 | Fax 503.986.0901

Email: Kerry.L.Kavanagh@oregon.gov Web: <http://oregon.gov/ORWD>

KAVANAGH Kerry L * WRD

From: Scott <Scott@apeands.com>
Sent: Monday, July 24, 2017 9:50 AM
To: KAVANAGH Kerry L * WRD; curtjettblackburn@centurytel.net
Subject: RE: RA Project R12468-17 for Blackburn Ranches LLC involving transfer application T-10437 -- please review 3 draft proposed certificates & NEED revised Claim map
Attachments: WR_Xfer FProof.pdf

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Sent: Wednesday, July 19, 2017 9:39 AM
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Subject: RA Project R12468-17 for Blackburn Ranches LLC involving transfer application T-10437 -- please review 3 draft proposed certificates & NEED revised Claim map

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Thank you.

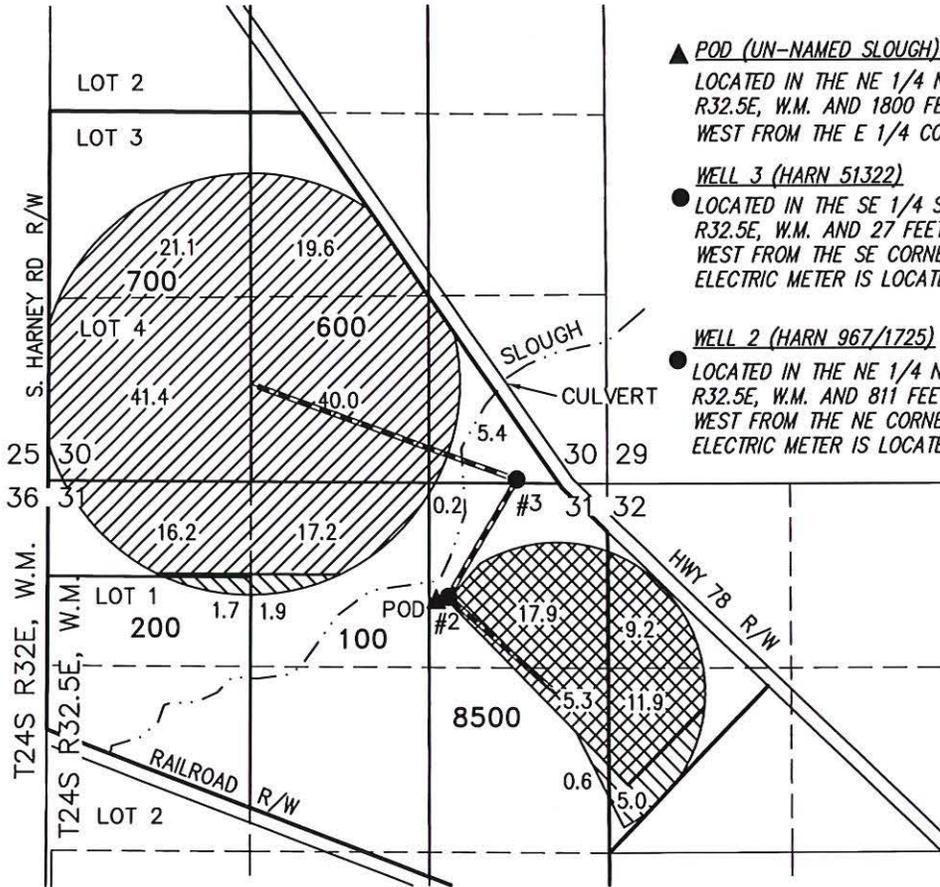
Kerry

COPY

FINAL PROOF MAP

TO CHANGE PLACE OF USE &
POINTS OF APPROPRIATION
FOR TRANSFER T-10437

TAX LOTS: 100, 400, 600, & 700 IN SECTION 30,
TAX LOTS: 100 & 200 IN SECTION 31,
TAX LOT: 8500 IN SECTION 32,
TOWNSHIP 24 SOUTH, RANGE 32.5 EAST, W.M.



- ▲ POD (UN-NAMED SLOUGH)
LOCATED IN THE NE 1/4 NE 1/4 SECTION 31, T24S R32.5E, W.M. AND 1800 FEET NORTH AND 1240 FEET WEST FROM THE E 1/4 CORNER OF SECTION 31.
- WELL 3 (HARN 51322)
LOCATED IN THE SE 1/4 SE 1/4 SECTION 30, T24S R32.5E, W.M. AND 27 FEET NORTH AND 655 FEET WEST FROM THE SE CORNER OF SECTION 30. ELECTRIC METER IS LOCATED 10 FEET SOUTH OF WELL.
- WELL 2 (HARN 967/1725)
LOCATED IN THE NE 1/4 NE 1/4 SECTION 31, T24S R32.5E, W.M. AND 811 FEET SOUTH AND 1151 FEET WEST FROM THE NE CORNER OF SECTION 31. ELECTRIC METER IS LOCATED 50 FEET EAST OF WELL.



RENEWAL DATE: 12/31/2018

- 161.1 ACRES 'IR' RIGHTS FROM WELLS 3 & 4 PER T-10437 (G-10340), AS SHOWN.
- 9.2 ACRES 'IR' RIGHTS FROM WELLS 3 & 4 (G-10512) & 'IS' RIGHTS FROM POD (S-49406) PER T-10437, AS SHOWN.
- 44.3 ACRES 'IR' FROM WELLS 3 & 4 PER T-10437 (G-10512), AS SHOWN.

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

<p>PREPARED FOR:</p> <p>BLACKBURN RANCHES, LLC 707 PONDEROSA VILLAGE BURNS, OR 97720</p>	<p>PREPARED BY:</p> <p>ALL POINTS ENGINEERING AND SURVEYING, INC. P.O. BOX 767 (541) 548-5833 www.APEandS.com</p> <p>TERREBONNE, OR 97760</p>
--	---

KAVANAGH Kerry L * WRD

From: KAVANAGH Kerry L * WRD
Sent: Wednesday, July 19, 2017 9:39 AM
To: curtjettblackburn@centurytel.net; 'Scott'
Subject: RA Project R12468-17 for Blackburn Ranches LLC involving transfer application T-10437 -- please review 3 draft proposed certificates & NEED revised Claim map
Attachments: T-10437-cf-67939-or-prop_DRAFT-2017-07-19.pdf; T-10437-cf-82486-or-prop_DRAFT-2017-07-19.pdf; T-10437-cf-82845-or-prop_DRAFT-2017-07-19.pdf

Hi Curt and Scott,

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During my review of the Claim of Beneficial Use (Claim) report and map, I noticed that the Claim map does not show the surface water source for the right modified by the approved transfer order for original certificate 82845, namely the "unnamed slough". In addition, the Claim map incorrectly identifies Well 2 as Well 4 – **please provide a revised mylar Claim map that shows the location of the "unnamed slough" and the correct label for Well 2.**

Scott, please send a draft revised map via email so I can check the map before you submit the final mylar map.

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For your convenience, here is a link to information regarding transfer application T-10437 in the Department's Water Rights Information System (WRIS) database:

http://apps.wrd.state.or.us/apps/wr/wrinfo/wr_transfer_centric.aspx?transfer_nbr=10437&transfer_char=T

Click on "81-337" under Volume-Page to view the transfer final order.

Please provide me any comments or edits, should you have any. If you and the water user agree with the draft proposed certificate and let me know this, **and I receive the revised Claim map showing the unnamed slough and Well 2**, then I can proceed to issue the certificate without waiting the standard 60-day notice period.

Thank you.

Kerry

Kerry Kavanagh | Reimbursement Authority, Certificates, Water Right Services Division

Oregon Water Resources Department | 725 Summer St. NE, Suite A, Salem, Oregon 97301

Voice 503.986.0927 | Fax 503.986.0901

Email: Kerry.L.Kavanagh@oregon.gov Web: <http://oregon.gov/ORWD>

STATE OF OREGON

COUNTY OF HARNEY

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

BLACKBURN RANCHES LLC
 707 PONDEROSA VILLAGE
 BURNS OR 97720

confirms the right to the use of water perfected under the terms of Permit G-10340. 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: 2 WELLS IN THE MALHEUR LAKE BASIN

PURPOSE OR USE: IRRIGATION OF 161.1 ACRES

MAXIMUM RATE: 2.01 CUBIC FEET PER SECOND (CFS), IF AVAILABLE AT THE ORIGINAL WELL (WELL 1), FURTHER LIMITED TO NO MORE THAN 2.01 CFS FROM WELL 2 AND 1.95 CFS FROM WELL 3, AND SHALL NOT EXCEED A MAXIMUM CUMULATIVE TOTAL OF 2.01 CFS

DATE OF PRIORITY: JANUARY 20, 1984

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
24 S	32.5 E	WM	31	NE NE	WELL 2 (NEW) - 811 FEET SOUTH AND 1151 FEET WEST FROM NE CORNER, SECTION 31
24 S	32.5 E	WM	30	SE SE	WELL 3 (NEW) - 27 FEET NORTH AND 655 FEET WEST FROM SE CORNER, SECTION 30

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) and 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

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

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

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
24 S	32.5 E	WM	30	NE SW	3		21.1
24 S	32.5 E	WM	30	SE SW	4		41.4
24 S	32.5 E	WM	30	NW SE			19.6
24 S	32.5 E	WM	30	SW SE			40.0

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

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

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
24 S	32.5 E	WM	30	SE SE			5.4
24 S	32.5 E	WM	31	NE NE			0.2
24 S	32.5 E	WM	31	NW NE			17.2
24 S	32.5 E	WM	31	NE NW	1		16.2

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

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
24 S	32.5 E	WM	30	SE SE	WELL 1 (ORIGINAL) – 30 FEET NORTH AND 560 FEET WEST FROM SE CORNER, SECTION 30

The water user shall maintain and operate the existing measurement device and shall make such improvements as may be required by the Department.

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

Water shall be acquired from the same aquifer as the original point of appropriation.

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

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

This certificate is issued to confirm a change in POINT OF APPROPRIATION approved by an order of the Water Resources Director entered JULY 2, 2010, at Special Order Volume 81, Page 337, approving Transfer Application 10437, supersedes Certificate 67939, State record of Water Right Certificates.

Issued _____

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

STATE OF OREGON
 COUNTY OF HARNEY
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

BLACKBURN RANCHES LLC
 707 PONDEROSA VILLAGE
 BURNS OR 97720

confirms the right to the use of water perfected under the terms of Permit S-49406. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point(s) of diversion from the source. The specific limits and conditions of the use are listed below.

SOURCE OF WATER: UNNAMED SLOUGH, A TRIBUTARY OF EAST FORK SILVIES RIVER

PURPOSE OR USE: SUPPLEMENTAL IRRIGATION OF 9.2 ACRES

MAXIMUM RATE: 0.12 CUBIC FOOT PER SECOND

DATE OF PRIORITY: JUNE 5, 1985

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
24 S	32.5 E	WM	31	NE NE	1800 FEET NORTH AND 1240 FEET WEST FROM E1/4 CORNER, SECTION 31

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second, 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 although declared herein to be for supplemental irrigation, the right may, in the interest of conserving the ground water supplies, be exercised at times when water is available in the ground water supply appropriated under the right perfected under Permit G-10512, provided that the total quantity diverted from both sources of supply shall not exceed the limitation allowed herein.

A description of the place of use is as follows:

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
24 S	32.5 E	WM	31	NW NE		1.9
24 S	32.5 E	WM	31	SE NE		0.6
24 S	32.5 E	WM	31	NE NW	1	1.7
24 S	32.5 E	WM	32	SW NW		5.0

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The water user shall maintain and operate the existing measurement device and shall make such improvements as may be required by the Department.

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

This certificate is issued to confirm a change in PLACE OF USE approved by an order of the Water Resources Director entered JULY 2, 2010, at Special Order Volume 81, Page 337, approving Transfer Application 10437, and together with Certificate 86414, supersedes Certificate 82845, State record of Water Right Certificates.

Issued _____.

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

STATE OF OREGON

COUNTY OF HARNEY

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

BLACKBURN RANCHES LLC
 707 PONDEROSA VILLAGE
 BURNS OR 97720

confirms the right to the use of water perfected under the terms of Permit G-10512. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the well(s). The specific limits and conditions of the use are listed below.

SOURCE OF WATER: TWO WELLS WITHIN THE EAST FORK SILVIES RIVER BASIN

PURPOSE OR USE: IRRIGATION OF 53.5 ACRES

MAXIMUM RATE: 0.67 CUBIC FOOT PER SECOND

DATE OF PRIORITY: APRIL 23, 1985

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
24 S	32.5 E	WM	31	NE NE	WELL 2 (NEW) - 811 FEET SOUTH AND 1151 FEET WEST FROM NE CORNER, SECTION 31
24 S	32.5 E	WM	30	SE SE	WELL 3 (NEW) - 27 FEET NORTH AND 655 FEET WEST FROM SE CORNER, SECTION 30

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year, provided further that although declared herein to be for primary irrigation, the supplemental right perfected under Permit S-49406 may, in the interest of conserving the ground water resources, be exercised at times when water is available from ground water provided that the total quantity diverted from both sources shall not exceed the limitation allowed herein.

A description of the place of use is as follows:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
24 S	32.5 E	WM	31	NE NE		17.9
24 S	32.5 E	WM	31	NW NE		1.9
24 S	32.5 E	WM	31	SE NE		5.9
24 S	32.5 E	WM	31	NE NW	1	1.7
24 S	32.5 E	WM	32	NW NW		9.2
24 S	32.5 E	WM	32	SW NW		16.9

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

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
24 S	32.5 E	WM	30	SE SE	WELL 1 (ORIGINAL) – 30 FEET NORTH AND 560 FEET WEST FROM SE CORNER, SECTION 30

The water user shall maintain and operate the existing measurement device and shall make such improvements as may be required by the Department.

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

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

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

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

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

This certificate is issued to confirm changes in POINT OF APPROPRIATION and PLACE OF USE approved by an order of the Water Resources Director entered JULY 2, 2010, at Special Order Volume 81, Page 337, approving Transfer Application 10437, supersedes Certificate 82486, State record of Water Right Certificates.

Issued _____.

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

KAVANAGH Kerry L * WRD

From: KAVANAGH Kerry L * WRD
Sent: Wednesday, April 26, 2017 10:41 AM
To: BillM@windsorrockproducts.com; steve.applegsp@gmail.com
Subject: RA Agreement R12466-17 for Windsor Rock Products, Inc. involving Application G-16170
Attachments: RA contract executed_G-16170.pdf; RA contract receipt_G-16170.pdf

Hello Bill and Steve,

Attached are copies of the fully executed Applicant's Agreement signed by the required parties and a receipt for the monies paid for these expedited services. The agreement details the terms and conditions that a work order was issued for the expedited services you requested.

If you have any questions, please contact me.

Thanks,
Kerry

Kerry Kavanagh | Reimbursement Authority, Certificates, Water Right Services Division

Oregon Water Resources Department | 725 Summer St. NE, Suite A, Salem, Oregon 97301

Voice 503.986.0927 | Fax 503.986.0901

Email: Kerry.L.Kavanagh@oregon.gov Web: <http://oregon.gov/ORWD>



**OREGON WATER RESOURCES DEPARTMENT
CERTIFICATE REIMBURSEMENT AUTHORITY
APPLICANT'S AGREEMENT**



Contract Number: R12468-17

This Agreement is between the **Oregon Water Resources Department**, hereafter OWRD, and **Blackburn Ranches, LLC**, hereafter Applicant, hereafter known together as the parties.

OWRD Information	Applicant's Information	Applicant's Representative
Project Contact: Kerry Kavanagh Reimbursement Authority Oregon Water Resources Department	Name: Curt Blackburn Company: Blackburn Ranches, LLC	Name: Scott Montgomery Title: Representative Company: All Points Engineering & Surveying Inc.
725 Summer Street NE Salem, OR 97301-1271 Phone: 503-986-0927 Email: Kerry.L.Kavanagh@state.or.us	Address: 707 Ponderosa Village Burns, OR 97720 Phone: 541-573-7206 Email: curtjettblackburn@centurytel.net	Address: PO Box 767 Terrebonne, OR 97760 Phone: 541-548-5833 Email: scott@apeands.com

- Purpose.** The purpose of this Agreement is to expedite the processing of the **Claim of Beneficial Use**. (Transfer Application Number: T-10437)
- Authority.** ORS 536.055 authorizes the OWRD to enter into a voluntary agreement with any applicant, permittee or regulated entity (collectively Applicant) for expediting or enhancing a regulatory process. In making this agreement, OWRD shall require the applicant to pay the full cost of expedited process.
- Restrictions.** Blackburn Ranches, LLC and OWRD agree that this Agreement shall not be used to restrict in any way the decisions and actions by OWRD. OWRD shall be free to exercise its independent judgment consistent with existing laws and regulations.
- Effective Date and Duration.** Unless otherwise terminated by non-deposit of the full amount of the estimated cost of the proposed service, this Agreement shall become effective on the date on which both parties have signed and the full deposit of the estimated cost of the proposed service has been received.
- Consideration.** Blackburn Ranches, LLC shall pay OWRD in advance for actual costs incurred by OWRD. Blackburn Ranches, LLC agrees to pay the full amount of **\$1100** to OWRD prior to commencement of any work stated in this Agreement. This payment will be placed in an account administered by OWRD and drawn upon as costs are actually incurred. If the actual cost of performing the work is less than payments received, OWRD will refund the unspent balance. If the actual cost of processing exceeds the estimate, the Applicant can either elect to terminate this Agreement or amend the Agreement to reflect the increase in cost. The costs stated in this Agreement do not include the statutory application processing and filing fees.
- Confidentiality.** Blackburn Ranches, LLC agrees that any information provided to or acquired by OWRD under this Agreement will be subject to the Oregon Public Records Law and shall be considered public records.
- Indemnity.** Applicant shall defend, save, hold harmless, and indemnify the State of Oregon, OWRD, and their officers, employees, and agents from and against all claims, suits, actions, losses, damages, liabilities, costs and expenses of any nature resulting from or arising out of, or relating to the activities of Applicant or its representatives, officers, employees, contractors, or agents under this Agreement or with respect to the expedited service. The Applicant acknowledges that the Oregon Water Resources Department cannot and does not guarantee a favorable review under the subject regulatory process.



PCA 47126

8. **Termination.** Applicant may request to terminate this agreement only in writing at any time during the process. The Applicant agrees to pay for the work done by the Reimbursement Authority personnel up until the time of the written termination request. OWRD, upon receiving such written termination request from the Applicant, will refund any unspent balance after paying the Reimbursement Authority personnel for the work done.
9. **Funds Authorized and Available.** By its execution of this Agreement, Applicants certifies that sufficient funds are authorized and available to cover the expenditures contemplated by this Agreement.
10. **Duration of Estimate.** The Estimate of Time to complete the work is no later than one hundred and twenty days (120) days once this Agreement has been fully executed and payment of the estimated cost deposited. However, this estimate is contingent on the Applicant's expeditious resolution of any deficiency and may be affected by the Department's work load. This Estimate of Time may become null and void after thirty (30) days from the date the Applicant's Agreement is mailed. If the Applicant's Agreement is not received by the Department within thirty (30) days of mailing the Agreement, the Applicant may need to re-apply for a new estimate.
11. **Completion Date.** OWRD, by the execution of this Agreement does not guarantee the completion date indicated in this Agreement. Completion date is only an estimate and may be affected by the Department's workload, issues arising from the processing of the requested services and Applicant's timely response to requests for additional information.
12. **Captions.** The captions or headings in this Agreement are for the convenience only and in no way define limit or describe the scope or intent of any provision of this Agreement.
13. **Amendment and Merger.** The terms of this Agreement shall not be waived, altered, modified, supplemented or amended in any manner whatsoever, except by written instrument signed by both parties. Such waiver, consent, modification or change, if made, shall be effective only in the specific instance and for the specific purpose given. There are no understandings, agreements or representations, oral or written, not specified herein regarding this Agreement.
14. **Signatures.** All parties, by the authorized representative's signature below, hereby acknowledge that they have read this Agreement, understand it and agree to be bound by its terms and conditions.

Applicant: 
 Name: Curt Blackburn
 Company: Blackburn Ranches, LLC
 Date: _____

For OWRD: 
 Name: Kerry Kavanagh
 Water Right Services Division
 Date: 4-24-17

Mail signed Agreement to:

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

PCA 47126



**OREGON WATER RESOURCES DEPARTMENT
CERTIFICATE REIMBURSEMENT AUTHORITY
ESTIMATE APPLICATION**

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

The purpose of this application is to obtain estimates of the cost and time required to process a Certificate Request. A separate estimate application is required for each application and/or transfer number. There is a non-refundable application fee of \$125.00 per request.

<u>REQUEST</u>	<u>TYPE</u>	<u>FILE NUMBER</u>
<input checked="" type="checkbox"/>	Certificate Request	Application Number _____ Permit Number _____ Transfer Number/Permit Amendment (if applicable) <u>T-10437</u>

	<u>Applicant Information</u>	<u>Applicant's Representative/Contact</u>
Name:	<u>Blackburn Ranches, LLC</u>	<u>All Points Engineering & Surveying, Inc.</u>
Address:	<u>707 Ponderosa Village</u> <u>Burns, OR 97720</u>	<u>P.O. Box 767</u> <u>Terrebonne, OR 97760</u>
Phone:	<u>541-573-7206</u>	<u>541-548-5833</u>
Fax:	<u>541-573-5011</u>	_____
E-Mail Address:	<u>curtjettblackburn@centurytel.net</u>	<u>scott@apeands.com</u>

I certify that I (check one):

- have previously filed a Claim of Beneficial Use
- am attaching the Claim of Beneficial Use with this request and have included the appropriate claim fee.

I understand the following:

- That upon receipt of my non-refundable application fee in the amount of \$ 125.00, OWRD will, within fourteen (14) days, notify me in writing of the estimates of cost and time frame for the expedited service.
- That this fee covers the reimbursement authority staff to evaluate and provide the estimate for processing of the request.
- That upon receiving the estimate I may agree or decline to enter into a formal contract to pay the estimated cost in advance to initiate the expedited service.
- An incomplete or inaccurate Claim of Beneficial Use may delay the process and increase the cost to process my request.
- Expedited processing does not guarantee a favorable review of my request.
- Send completed Application and payment to:
**Oregon Water Resources Department
 Certificate Reimbursement Authority Program
 725 Summer St. NE, Suite A
 Salem, OR 97301-1271**

RECEIVED BY OWRD

I certify that I am the (check one):

- Applicant
- Applicant's Representative
- Other (Please specify) _____

APR 05 2017

Name: Curt Blackburn

SALEM, OR

Signature:

OWRD USE ONLY: Reimbursement Authority Number: <u>R12 468-17</u>

KAVANAGH Kerry L * WRD

From: KAVANAGH Kerry L * WRD
Sent: Wednesday, April 19, 2017 1:37 PM
To: 'curtjettblackburn@centurytel.net'; 'Scott'
Subject: RA Certificate Estimate R12468-17 for Blackburn Ranches, LLC involving transfer application T-10437
Attachments: RA contract_T-10437.pdf; RA estimate receipt_T-10437.pdf; RA estimate request_T-10437.pdf

Hello Curt and Scott,

Please find the attached estimate and agreement to process the transfer into three certificates. If the proposed agreement is acceptable to you, please return a signed copy to our office along with the payment of the estimated cost to process the transfer into three certificates.

If you have any questions, please call me.

Kerry

Kerry Kavanagh | Reimbursement Authority, Certificates, Water Right Services Division

Oregon Water Resources Department | 725 Summer St. NE, Suite A, Salem, Oregon 97301

Voice 503.986.0927 | Fax 503.986.0901

Email: Kerry.L.Kavanagh@oregon.gov Web: <http://oregon.gov/ORWD>



**OREGON WATER RESOURCES DEPARTMENT
CERTIFICATE REIMBURSEMENT AUTHORITY
APPLICANT'S AGREEMENT**



Contract Number: **R12468-17**

This Agreement is between the Oregon Water Resources Department, hereafter OWRD, and Blackburn Ranches, LLC, hereafter Applicant, hereafter known together as the parties.

OWRD Information	Applicant's Information	Applicant's Representative
Project Contact: Kerry Kavanagh Reimbursement Authority Oregon Water Resources Department	Name: Curt Blackburn Company: Blackburn Ranches, LLC	Name: Scott Montgomery Title: Representative Company: All Points Engineering & Surveying Inc.
725 Summer Street NE Salem, OR 97301-1271 Phone: 503-986-0927 Email: Kerry.L.Kavanagh@state.or.us	Address: 707 Ponderosa Village Burns, OR 97720 Phone: 541-573-7206 Email: curtjettblackburn@centurytel.net	Address: PO Box 767 Terrebonne, OR 97760 Phone: 541-548-5833 Email: scott@apeands.com

- Purpose.** The purpose of this Agreement is to expedite the processing of the Claim of Beneficial Use. (Transfer Application Number: T-10437)
- Authority.** ORS 536.055 authorizes the OWRD to enter into a voluntary agreement with any applicant, permittee or regulated entity (collectively Applicant) for expediting or enhancing a regulatory process. In making this agreement, OWRD shall require the applicant to pay the full cost of expedited process.
- Restrictions.** Blackburn Ranches, LLC and OWRD agree that this Agreement shall not be construed to restrict in any way the decisions and actions by OWRD. OWRD shall be free to exercise independent judgment consistent with existing laws and regulations.
- Effective Date and Duration.** Unless otherwise terminated by non-deposit of funds by the Applicant, this Agreement shall become effective on the date on which both parties have signed the Agreement and the full deposit of the estimated cost of the proposed service has been received by OWRD.
- Consideration.** Blackburn Ranches, LLC shall pay OWRD in advance for actual costs incurred by OWRD. Blackburn Ranches, LLC agrees to pay the full amount of **\$1100** to OWRD prior to commencement of any work stated in this Agreement. This payment will be placed in an account administered by OWRD and drawn upon as costs are actually incurred. If the actual cost of performing the work is less than payments received, OWRD will refund the unspent balance. If the actual cost of processing exceeds the estimate, the Applicant can either elect to terminate this Agreement or amend the Agreement to reflect the increase in cost. The costs stated in this Agreement do not include the statutory application processing and filing fees.
- Confidentiality.** Blackburn Ranches, LLC agrees that any information provided to or acquired by OWRD under this Agreement will be subject to the Oregon Public Records Law and shall be considered public records.
- Indemnity.** Applicant shall defend, save, hold harmless, and indemnify the State of Oregon, OWRD, and their officers, employees, and agents from and against all claims, suits, actions, losses, damages, liabilities, costs and expenses of any nature resulting from or arising out of, or relating to the activities of Applicant or its representatives, officers, employees, contractors, or agents under this Agreement or with respect to the expedited service. The Applicant acknowledges that the Oregon Water Resources Department cannot and does not guarantee a favorable review under the subject regulatory process.

PCA 47126

8. **Termination.** Applicant may request to terminate this agreement only in writing at any time during the process. The Applicant agrees to pay for the work done by the Reimbursement Authority personnel up until the time of the written termination request. OWRD, upon receiving such written termination request from the Applicant, will refund any unspent balance after paying the Reimbursement Authority personnel for the work done.
9. **Funds Authorized and Available.** By its execution of this Agreement, Applicants certifies that sufficient funds are authorized and available to cover the expenditures contemplated by this Agreement.
10. **Duration of Estimate.** The Estimate of Time to complete the work is no later than one hundred and twenty days (120) days once this Agreement has been fully executed and payment of the estimated cost deposited. However, this estimate is contingent on the Applicant's expeditious resolution of any deficiency and may be affected by the Department's work load. This Estimate of Time may become null and void after thirty (30) days from the date the Applicant's Agreement is mailed. If the Applicant's Agreement is not received by the Department within thirty (30) days of mailing the Agreement, the Applicant may need to re-apply for a new estimate.
11. **Completion Date.** OWRD, by the execution of this Agreement does not guarantee the completion date indicated in this Agreement. Completion date is only an estimate and may be affected by the Department's workload, issues arising from the processing of the requested services and Applicant's timely response to requests for additional information.
12. **Captions.** The captions or headings in this Agreement are for the convenience only and in no way define limit or describe the scope or intent of any provision of this Agreement.
13. **Amendment and Merger.** The terms of this Agreement shall not be waived, altered, modified, supplemented or amended in any manner whatsoever, except by written instrument signed by both parties. Such waiver, consent, modification or change, if made, shall be effective only in the specific instance and for the specific purpose given. There are no understandings, agreements or representations, oral or written, not specified herein regarding this Agreement.
14. **Signatures.** All parties, by the authorized representative's signature below, hereby acknowledge that they have read this Agreement, understand it and agree to be bound by its terms and conditions.

Applicant: _____
 Name: Curt Blackburn
 Company: Blackburn Ranches, LLC
 Date: _____

For OWRD: _____
 Name: Kerry Kavanagh
 Water Right Services Division
 Date: _____

Mail signed Agreement to:

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

PCA 47126

KAVANAGH Kerry L * WRD

From: HAGE Trisha * WRD
Sent: Wednesday, April 12, 2017 3:38 PM
To: ZIELINSKI Vicki J * WRD; SNYDER Lisa J * WRD
Cc: OPEIFA Salem B * WRD; SUMPTION Mishelle K * WRD; KAVANAGH Kerry L * WRD; WUETHRICH Courtney A * WRD; COOK Nirvana * WRD
Subject: RE: Certificate Request

Hi Vicki,

Please use R12468-17 and PCA 47126.

Thanks,
Trisha

From: ZIELINSKI Vicki J * WRD
Sent: Wednesday, April 12, 2017 3:34 PM
To: SNYDER Lisa J * WRD
Cc: OPEIFA Salem B * WRD; SUMPTION Mishelle K * WRD; KAVANAGH Kerry L * WRD; HAGE Trisha * WRD; WUETHRICH Courtney A * WRD; COOK Nirvana * WRD
Subject: Certificate Request

Hello,

We need some numbers for this file.

Applicant: Blackburn Ranches LLC

Related to Application #: T-10437

Receipt #: 123071

Thank you,

Vicki J. Zielinski, Receptionist, Administrative Services

Oregon Water Resources Department
725 Summer St NE, Suite A
Salem, OR 97301-1266
Desk: 503.986.0900

KAVANAGH Kerry L * WRD

From: ZIELINSKI Vicki J * WRD
Sent: Wednesday, April 12, 2017 3:34 PM
To: SNYDER Lisa J * WRD
Cc: OPEIFA Salem B * WRD; SUMPTION Mishelle K * WRD; KAVANAGH Kerry L * WRD; HAGE Trisha * WRD; WUETHRICH Courtney A * WRD; COOK Nirvana * WRD
Subject: Certificate Request

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Applicant: Blackburn Ranches LLC

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Thank you,

Vicki J. Zielinski, Receptionist, Administrative Services

Oregon Water Resources Department
725 Summer St NE, Suite A
Salem, OR 97301-1266
Desk: 503.986.0900



**OREGON WATER RESOURCES DEPARTMENT
CERTIFICATE REIMBURSEMENT AUTHORITY
ESTIMATE APPLICATION**

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

The purpose of this application is to obtain estimates of the cost and time required to process a Certificate Request. A separate estimate application is required for each application and/or transfer number. There is a non-refundable application fee of \$125.00 per request.

<u>REQUEST</u>	<u>TYPE</u>	<u>FILE NUMBER</u>
<input checked="" type="checkbox"/>	Certificate Request	Application Number _____ Permit Number _____ Transfer Number/Permit Amendment (if applicable) <u>T-10437</u>

	<u>Applicant Information</u>	<u>Applicant's Representative/Contact</u>
Name:	<u>Blackburn Ranches, LLC</u>	<u>All Points Engineering & Surveying, Inc.</u>
Address:	<u>707 Ponderosa Village</u>	<u>P.O. Box 767</u>
	<u>Burns, OR 97720</u>	<u>Terrebonne, OR 97760</u>
Phone:	<u>541-573-7206</u>	<u>541-548-5833</u>
Fax:	<u>541-573-5011</u>	_____
E-Mail Address:	<u>curtjettblackburn@centurytel.net</u>	<u>scott@apeands.com</u>

I certify that I (check one):

- I have previously filed a Claim of Beneficial Use
- I am attaching the Claim of Beneficial Use with this request and have included the appropriate claim fee.

I understand the following:

- That upon receipt of my non-refundable application fee in the amount of \$ 125.00, OWRD will, within fourteen (14) days, notify me in writing of the estimates of cost and time frame for the expedited service.
- That this fee covers the reimbursement authority staff to evaluate and provide the estimate for processing of the request.
- That upon receiving the estimate I may agree or decline to enter into a formal contract to pay the estimated cost in advance to initiate the expedited service.
- An incomplete or inaccurate Claim of Beneficial Use may delay the process and increase the cost to process my request.
- Expedited processing does not guarantee a favorable review of my request.
- Send completed Application and payment to:
**Oregon Water Resources Department
Certificate Reimbursement Authority Program
725 Summer St. NE, Suite A
Salem, OR 97301-1271**

RECEIVED BY OWRD

I certify that I am the (check one):

- Applicant
- Applicant's Representative
- Other (Please specify) _____

APR 05 2017

Name: Curt Blackburn

SALEM, OR

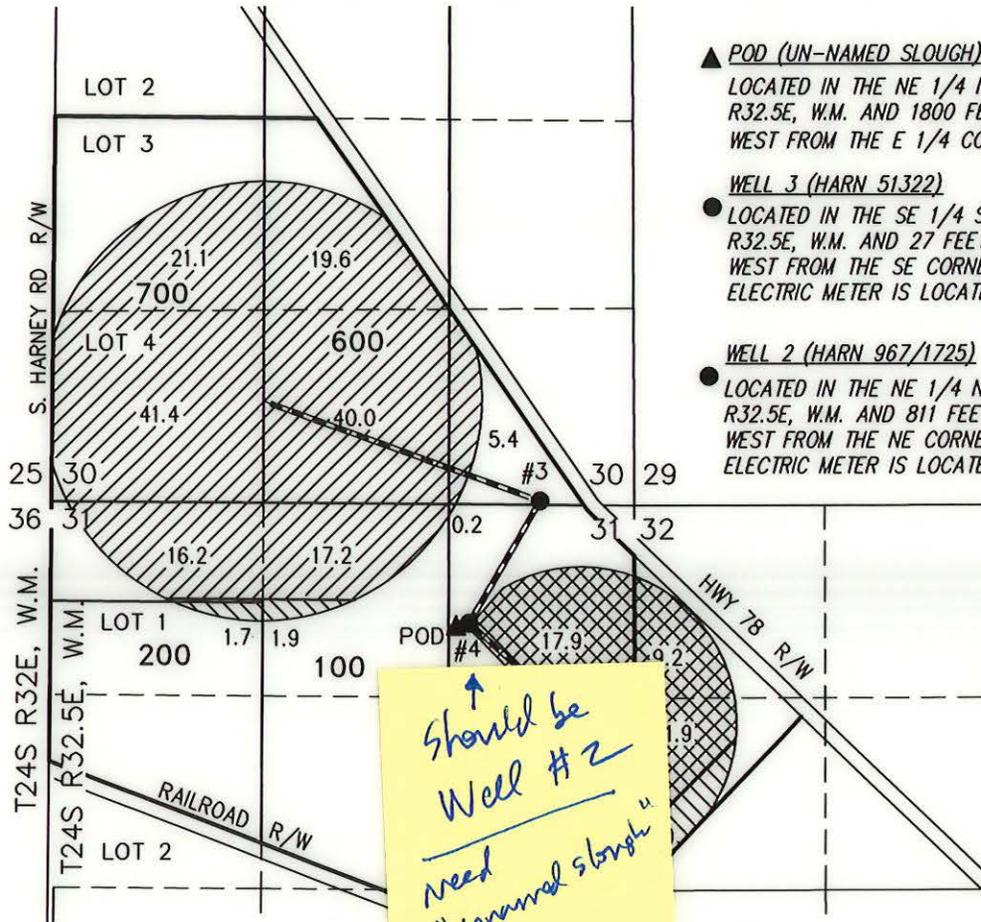
Signature: 

OWRD USE ONLY: Reimbursement Authority Number: R12,468-17
--

FINAL PROOF MAP

TO CHANGE PLACE OF USE & POINTS OF APPROPRIATION FOR TRANSFER T-10437

TAX LOTS: 100, 400, 600, & 700 IN SECTION 30,
TAX LOTS: 100 & 200 IN SECTION 31,
TAX LOT: 8500 IN SECTION 32,
TOWNSHIP 24 SOUTH, RANGE 32.5 EAST, W.M.



▲ POD (UN-NAMED SLOUGH)

LOCATED IN THE NE 1/4 NE 1/4 SECTION 31, T24S R32.5E, W.M. AND 1800 FEET NORTH AND 1240 FEET WEST FROM THE E 1/4 CORNER OF SECTION 31.

● WELL 3 (HARN 51322)

LOCATED IN THE SE 1/4 SE 1/4 SECTION 30, T24S R32.5E, W.M. AND 27 FEET NORTH AND 655 FEET WEST FROM THE SE CORNER OF SECTION 30. ELECTRIC METER IS LOCATED 10 FEET SOUTH OF WELL.

● WELL 2 (HARN 967/1725)

LOCATED IN THE NE 1/4 NE 1/4 SECTION 31, T24S R32.5E, W.M. AND 811 FEET SOUTH AND 1151 FEET WEST FROM THE NE CORNER OF SECTION 31. ELECTRIC METER IS LOCATED 50 FEET EAST OF WELL.

RECEIVED BY OWRD

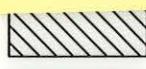
APR 05 2017

SALEM, OR



RENEWAL DATE: 12/31/2018

ACRES 'IR' RIGHTS FROM WELLS 3 & 4 PER T-10437 (G-10340), AS SHOWN.



9.2 ACRES 'IR' RIGHTS FROM WELLS 3 & 4 (G-10512) & 'IS' RIGHTS FROM POD (S-49406) PER T-10437, AS SHOWN.



44.3 ACRES 'IR' FROM WELLS 3 & 4 PER T-10437 (G-10512), AS SHOWN.

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

PREPARED FOR:

BLACKBURN RANCHES, LLC
707 PONDEROSA VILLAGE
BURNS, OR 97720

PREPARED BY:



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



ALL POINTS
ENGINEERING & SURVEYING

P.O. Box 767 (CRR)
Terrebonne, Oregon 97760

TRANSMITTAL

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

Date: 4/14/2017 Job: 17-044
Attention: Gerry Clark
Re: T-10437

Prints Plans Map/Plat Specifications Change order Other

Copies	No.	Description
1	1	Final Proof Map (1 sheets letter mylar)
1	2	Claim of Beneficial Use Report (15 sheets letter bond)
1	3	Reimbursement Authority Est. App. (1 sheets letter bond)
1	4	Fees for COBU & R.A. (2 checks)
1	5	Well ID Reports (5 sheets letter bond)
1	6	NRCS 2016 Aerial Imagery (1 sheet letter bond)

These are transmitted as checked below:

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

Remarks:

Please find my COBU and final proof maps for Blackburn Ranch's water rights.

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

Signed: _____

RECEIVED BY OWRD

APR 05 2017

SALEM, OR



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

September 19, 2016

BLACKBURN RANCHES
CURT BLACKBURN
707 PONDEROSA VILLAGE
BURNS, OR 97720

REFERENCE: File Transfer T-10437

We have received your application for extension of the time limit to make complete application of water under Transfer T-10437. We also have your check in the amount of \$575.00. A copy of receipt number 120862 is enclosed.

The application indicates reasonable diligence toward completion of the proposed project. The time limit to make complete application of water is extended to October 1, 2021. The order approving the extension was entered 8/12/2016, at Volume 100, Page 816.

If you have any questions, please contact the department at 503-986-0900.

Sincerely,

Marissa Andrews
Office Support for Water Rights
Oregon Water Resources Department

cc: Watermaster #10
File, T-10437

enclosure

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

In the Matter of Application for Extension) FINAL ORDER APPROVING AN
of Time for Transfer Application T-10437,) EXTENSION OF TIME
Harney County)

Applicant

Blackburn Ranches
Curt Blackburn
707 Ponderosa Village
Burns, OR 97720

Authority

OAR 690-380-6020 establishes an application process and criteria for the review of extensions of time for the completion of changes authorized under water right transfer applications.

Findings of Fact

1. On August 9, 2016, the Department received an application for extension of time for Transfer Application T-10437.
2. The Department issued an order approving Transfer Application T-10437 on July 2, 2010. The order was recorded in Special Order Volume 81, Pages 337-343. The order set a transfer completion date of October 1, 2011.
3. The applicant has completed installation of the irrigation system and has completed primary irrigation of 223.8 acres and supplemental irrigation of 9.2 acres.
4. To fully complete the change, the applicant needs to construct an additional well to supply the full rate allowed by the transfer order.
5. The applicant has requested that the time for completion of beneficial use be extended to October 1, 2021.

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 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.

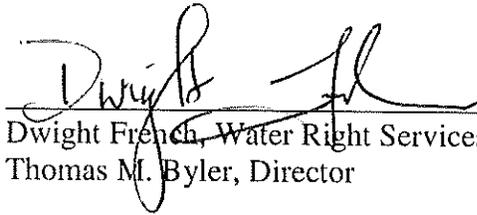
Conclusions of Law

Pursuant to OAR 690-380-6020, the Director of the Water Resources Department concludes the applicant has shown reasonable diligence to complete the transfer within the time period established by the order approving Transfer Application T-10437.

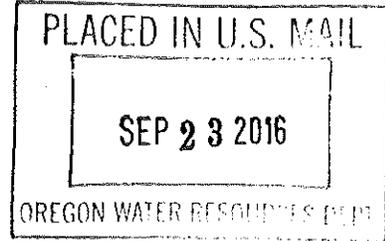
Now, therefore, it is ORDERED:

The time for completion of the changes in place of use authorized by Transfer Application T-10437 shall be extended to October 1, 2021.

Dated at Salem, Oregon this 12 day of September, 2016.



Dwight French, Water Right Services Administrator, for
Thomas M. Byler, Director



SEP 21 2016

Mailing date: _____



Transfer 10437

APPLICATION FOR EXTENSION OF TIME
FOR TRANSFER OF WATER RIGHT

A summary of review criteria and procedures that are generally applicable to these applications is available at http://www.oregon.gov/owrd/pubs/docs/forms/transfer_extension_criteriareview.pdf

To the WATER RESOURCES DIRECTOR OF OREGON:

I/We, Curt Blackburn, Blackburn Ranches,

(Name of Applicant)

of 707 Ponderosa Village, Burns,

(Mailing Address) (City)

state of Oregon, 97720,

Zip Code)

541-573-7206

(Phone Number)

do hereby make application for an extension of time within which to complete a change in:

point of diversion/appropriation place of use character of use

of water under the terms of an order of the Water Resources Director entered on 2 July, 2010,
approving Transfer T-10437, in the name of Blackburn Ranches LLC.

for T24S, R32 1/2E WM

(Give location of your property, as shown on the order approving the transfer)

THE FOLLOWING HAS BEEN accomplished toward completion of the change within the time allowed, which expired on October 1, 2011:

Two full center pivots & piping from existing wells were developed in 2010. Total acres: 223.8 acres (P) and 9.2 acres (S)

(If for irrigation, how many acres total are now irrigated)

TO FULLY COMPLETE the change, it will be necessary to accomplish the following:

Construct an additional well to supply to full rate allowed.

I AM UNABLE TO COMPLETE the change under the terms of the order, within the time allowed, because

An adequate well source hasn't been developed to supply the rate & duty allowed by certificates. And request that the time for completion be extended to October 1, 2021.

(Signature of applicant)

In order for an application to be complete, it must be accompanied by the required fee. See the Department's fee schedule at <http://www.oregon.gov/OWRD/> or call (503) 986-0900.

MAIL COMPLETED APPLICATION AND FEE TO:

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

RECEIVED BY OWRD

AUG 09 2016

SALEM, OR

ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: A WELLS within the MALHEUR LAKE BASIN

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
24 S	32.5 E	WM	30	SE SE	WELL #1: 30 FEET NORTH AND 560 FEET WEST FROM THE SE CORNER OF SECTION 30

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
24 S	32.5 E	WM	30	NE SW	3	21.1
24 S	32.5 E	WM	30	SE SW	4	41.4
24 S	32.5 E	WM	30	NW SE		19.6
24 S	32.5 E	WM	30	SW SE		40.0
24 S	32.5 E	WM	30	SE SE		5.4
24 S	32.5 E	WM	31	NE NE		0.2
24 S	32.5 E	WM	31	NW NE		17.2
24 S	32.5 E	WM	31	NE NW	1	16.2

RECEIVED BY OWRD

AUG 09 2016

SALEM, OR

5. Transfer Application T-10437 proposes to change the point of appropriation so that water can be diverted from any one or a combination of three wells. The proposed wells are within various distances of the authorized well that is described in Finding of Fact #4. Well #1 is approximately 95 feet east from Well #3 and is approximately 1650 feet southwest from Well #4. The proposed wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
24 S	32.5 E	WM	30	SE SE	WELL #3: 27 FEET NORTH AND 655 FEET WEST FROM THE SE CORNER OF SECTION 30
24 S	32.5 E	WM	31	NW NE	WELL #4: 685 FEET SOUTH AND 2275 FEET WEST FROM THE NE CORNER OF SECTION 31

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

Certificate: 82845 in the name of James W. Mason Jr (perfected under Permit S-49406)

Use: SUPPLEMENTAL IRRIGATION of 9.2 ACRES

Priority Date: JUNE 5, 1985

Rate: 0.12 CUBIC FOOT PER SECOND

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year provided further that although declared herein to be for supplemental irrigation, the right may, in the interest of conserving the ground water supplies, be exercised at times when water is available in the ground water supply appropriated under the right perfected under Permit

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G-10512, provided that the total quantity diverted from both sources shall not exceed the limitation allowed herein.

Source: UNNAMED SLOUGH, tributary to MALHEUR LAKE

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
24 S	32.5 E	WM	31	NE NE	1800 FEET NORTH AND 1240 FEET WEST FROM THE E1/4 CORNER OF SECTION 31

Authorized Place of Use:

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
24 S	32.5 E	WM	31	NE NE	5.7
24 S	32.5 E	WM	32	NW NW	2.3
24 S	32.5 E	WM	32	SW NW	1.2

- Certificate 82845 lists the unnamed slough as a tributary to Malheur Lake. The slough is actually a tributary to the East Fork Silvies River.
- Application T-10437 proposes to change the place of use of the right to:

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
24 S	32.5 E	WM	31	NE NW	1.7
24 S	32.5 E	WM	31	NW NE	1.9
24 S	32.5 E	WM	31	SE NE	0.6
24 S	32.5 E	WM	32	SW NW	5.0

- The portion of the third right (an underlying supplemental permit pursuant to OAR 690-380-2250) to be transferred is as follows:

Permit: G-16337 in the name of Blackburn Ranches LLC

Use: IRRIGATION 9.2 ACRES

Priority Date: JULY 25, 2007

Rate: 0.12 CUBIC FOOT PER SECOND

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

Period of Use: March 1st through October 31st

Source: WELL 2 (HARN 967/HARN 1725) WELL 3 (HARN 51322) AND WELL 4 within the EAST FORK SILVIES RIVER BASIN

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
24 S	32.5 E	WM	31	NE NE	WELL #2 (HARN 967/1725): 811 FEET SOUTH AND 1151 FEET WEST FROM THE NE CORNER OF SECTION 31
24 S	32.5 E	WM	30	SE SE	WELL #3 (HARN 51322): 27 FEET NORTH AND 655 FEET WEST FROM THE SE CORNER OF

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
					SECTION 30
24 S	32.5 E	WM	31	NW NE	WELL #4: 685 FEET SOUTH AND 2275 FEET WEST FROM THE NE CORNER OF SECTION 31

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
24 S	32.5 E	WM	31	NW NE	1.9
24 S	32.5 E	WM	31	SE NE	0.6
24 S	32.5 E	WM	31	NE NW	1.7
24 S	32.5 E	WM	32	SW NW	5.0

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10. Transfer Application T-10437 also proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
24 S	32.5 E	WM	31	NE NE	5.7
24 S	32.5 E	WM	32	NW NW	2.3
24 S	32.5 E	WM	32	SW NW	1.2

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

Certificate: 82486 in the name of James W. Mason Jr. (perfected under Permit G-10512)

Use: IRRIGATION 53.5 ACRES

Priority Date: APRIL 23, 1985

Rate: 0.67 CUBIC FOOT PER SECOND

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year, provided further that although declared herein to be for primary irrigation, the supplemental right perfected under Permit 49406, may in the interest of conserving the ground water resources, be exercised at times when water is available from ground water provided that the total quantity diverted from both sources shall not exceed the limitation allowed herein.

Source: A WELL within the EAST FORK SILVIES RIVER BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
24 S	32.5 E	WM	30	SE SE	WELL #1: 30 FEET NORTH AND 560 FEET WEST FROM THE SE CORNER OF SECTION 30

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	Type of Change
24 S	32.5 E	WM	31	NE NE	5.7	POU/POA
24 S	32.5 E	WM	31	NE NE	17.9	POA
24 S	32.5 E	WM	31	SE NE	5.3	POA
24 S	32.5 E	WM	32	NW NW	2.3	POU/POA

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IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	Type of Change
24 S	32.5 E	WM	32	NW NW	9.2	POA
24 S	32.5 E	WM	32	SW NW	1.2	POU/POA
24 S	32.5 E	WM	32	SW NW	11.9	POA

12. Transfer Application T-10437 proposes to change the point of appropriation for a portion of the lands indicated with a "POA" in the "Type of Change column" described in Finding of Fact #10. The location of the authorized Well #1 is approximately 840 feet northeast of proposed Well #2, approximately 95 feet east of proposed Well #3 and approximately 1650 feet southwest of proposed Well #4. The proposed points of appropriation are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
24 S	32.5 E	WM	31	NE NE	WELL #2: 811 FEET SOUTH AND 1151 FEET WEST FROM THE NE CORNER OF SECTION 31
24 S	32.5 E	WM	30	SE SE	WELL #3: 27 FEET NORTH AND 655 FEET WEST FROM THE SE CORNER OF SECTION 30
24 S	32.5 E	WM	31	NW NE	WELL #4: 685 FEET SOUTH AND 2275 FEET WEST FROM THE NE CORNER OF SECTION 31

13. Transfer Application T-10437 also proposes to change the place of use for a portion of the lands indicated with a "POU" in the "Type of Change column" described in Finding of Fact #10 to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	
24 S	32.5 E	WM	31	NE NW	1.7	
24 S	32.5 E	WM	31	NW NE	1.9	
24 S	32.5 E	WM	31	SE NE	0.6	
24 S	32.5 E	WM	32	SW NW	5.0	

14. Notice of the application for transfer was published on July 31, 2007, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
15. On April 8, 2010, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-10437 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of May 7, 2010, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.
16. On May 7, 2010, the Department issued a Preliminary Determination proposing to approve Transfer Application T-10437 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 May 11, 2010, and in the Burns-Times Herald newspaper on May 19 and 26, and June 2, 2010, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.

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Transfer Review Criteria (OAR 690-380-4010)

17. Water has been used within the five years prior to submittal of the transfer application according to the terms and conditions of the rights. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
18. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights were present within the five-year period prior to submittal of Transfer Application T-10437.
19. The proposed change would not result in enlargement of the rights.
20. The proposed change would not result in injury to other water rights.

Conclusions of Law

The changes in point of appropriation and place of use proposed in Transfer Application T-10437 are consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000.

Now, therefore, it is ORDERED:

1. The change in points of appropriation and places of use proposed in Transfer Application T-10437 are approved.
2. The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificate 67939, 82486 and 82845, Permit G-16337 and any related decree.
3. Water right Certificates 67939, 82486 and 82845 are cancelled. New certificates will be issued describing those portions of the rights not affected by this transfer.
4. The quantity of water diverted at the new points of appropriation, shall not exceed the quantity of water lawfully available at the original points of appropriation.
5. The water user shall maintain and operate the existing measurement device and shall make such improvements as may be required by the Department.
6. Water shall be acquired from the same aquifer (water source) as the original point of appropriation.
7. The former place of use of the transferred rights and underlying permit shall no longer receive water under the rights.
8. The approved changes shall be completed and full beneficial use of the water shall be made on or before **October 1, 2011**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.

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9. When satisfactory proof of the completed changes is received, new certificates confirming the rights transferred will be issued.

Dated at Salem, Oregon this 2 day of July 2010.


Phillip C. Ward, Director

Mailing Date: 7/6/10

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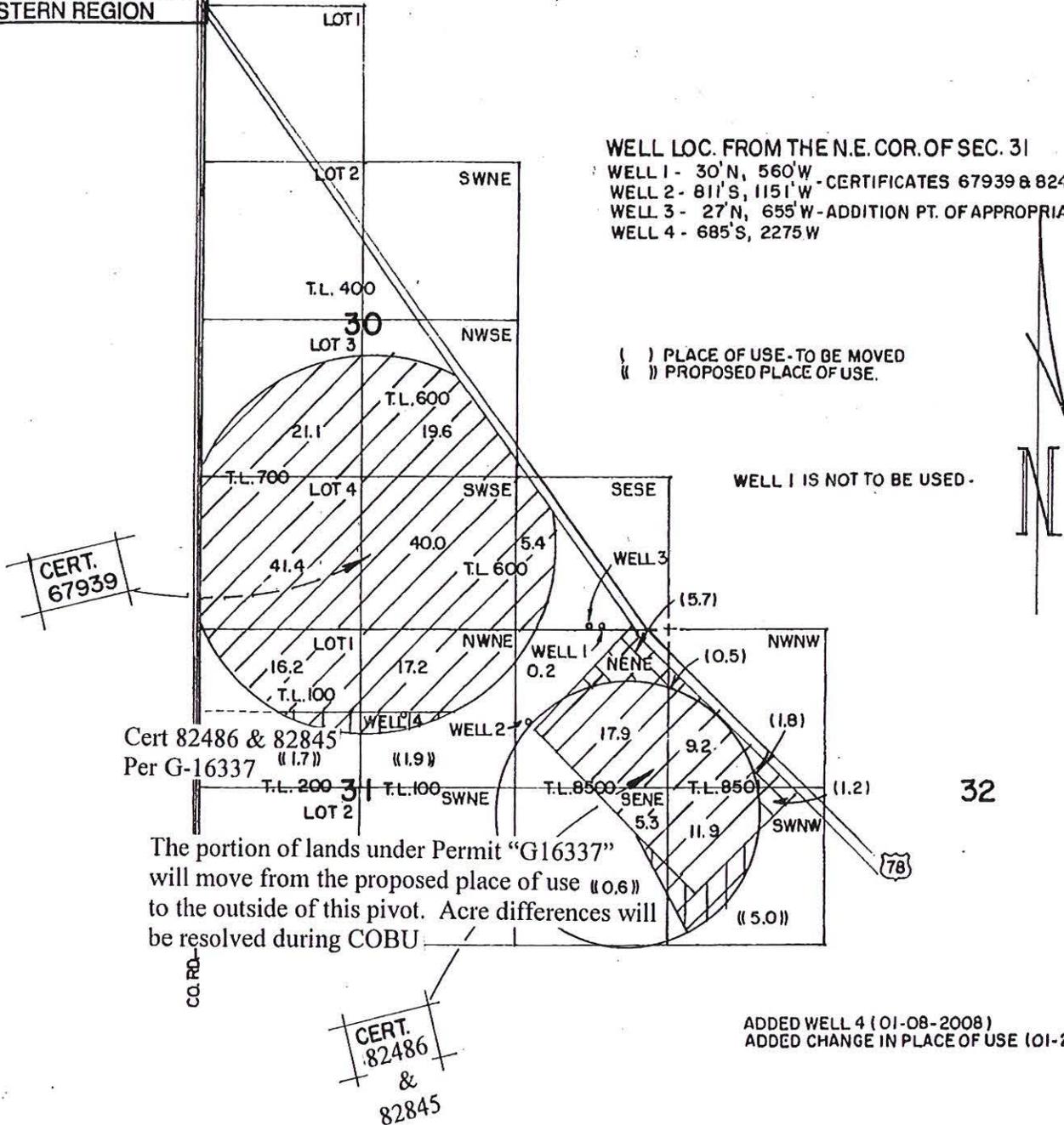
T24 S, R 32 1/2 E, WM

RECEIVED
 JAN 29 2010
 WATER RESOURCE DEPT.
 EASTERN REGION

WELL LOC. FROM THE N.E. COR. OF SEC. 31

- WELL 1 - 30' N, 560' W
- WELL 2 - 811' S, 1151' W - CERTIFICATES 67939 & 82486
- WELL 3 - 27' N, 655' W - ADDITION PT. OF APPROPRIATION
- WELL 4 - 685' S, 2275' W

() PLACE OF USE - TO BE MOVED
 (()) PROPOSED PLACE OF USE.



Cert 82486 & 82845
 Per G-16337

The portion of lands under Permit "G16337" will move from the proposed place of use ((0.6)) to the outside of this pivot. Acre differences will be resolved during COBU.

ADDED WELL 4 (01-08-2008)
 ADDED CHANGE IN PLACE OF USE (01-25-2010)

CERT. 82486 & 82845

	JETT C. BLACKBURN		WATER RIGHT TRANSFER APPLICATION MAP	
	Scale: 4" = 1 MILE	Date: APRIL 2007	Job: 2406	
	Dsn:		Sht. No.	
	Dm: CHRIS		of 1	
Ckd:	M.A. PALMER & SONS, INC. ENGINEERING & SURVEYING 711 Ponderosa Village • Box 81 Burns, Oregon 97720			

AUG 09 2016

SALEM, OR

RECEIVED
JAN 29 2010
WATER RESOURCE DEPT.
EASTERN REGION

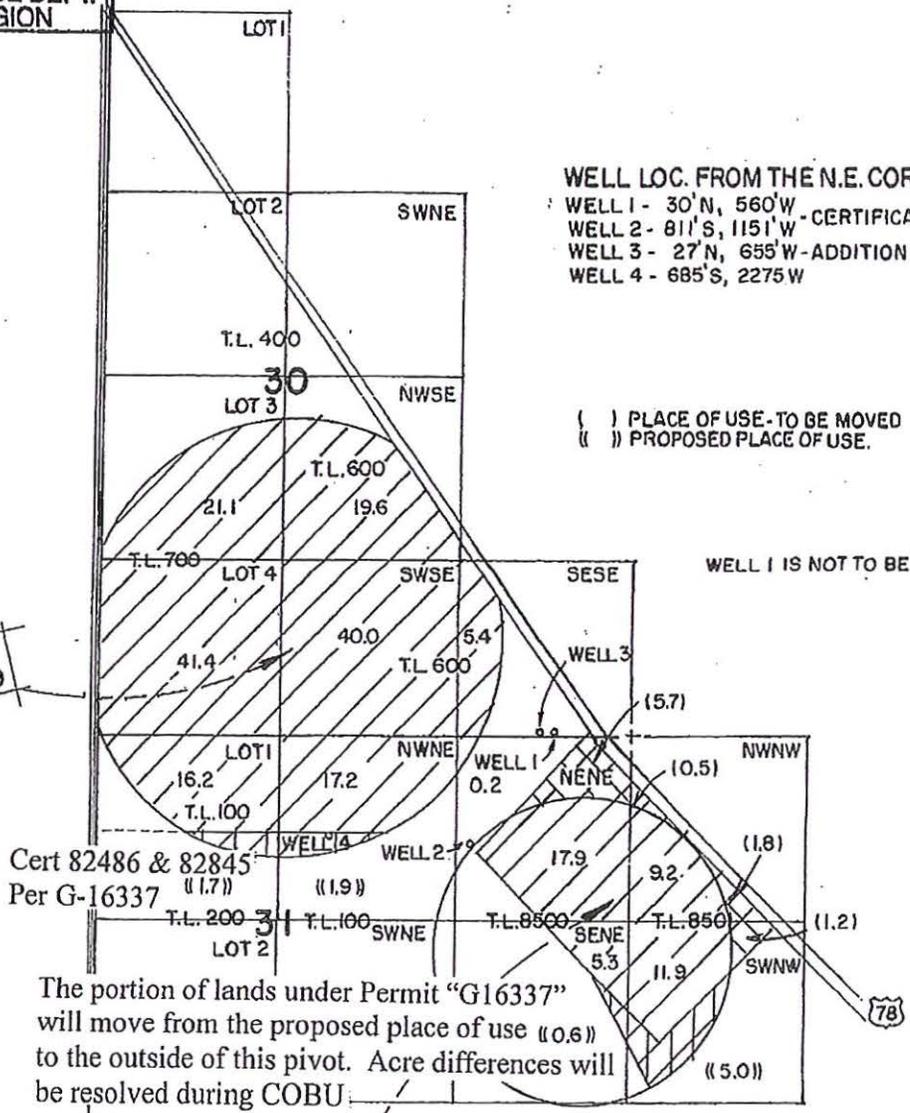
T24 S, R 32 1/2 E, WM

WELL LOC. FROM THE N.E. COR. OF SEC. 31
WELL 1 - 30' N, 560' W - CERTIFICATES 67939 & 82486
WELL 2 - 811' S, 1151' W
WELL 3 - 27' N, 655' W - ADDITION PT. OF APPROPRIATION
WELL 4 - 685' S, 2275' W

() PLACE OF USE - TO BE MOVED
(()) PROPOSED PLACE OF USE.

WELL 1 IS NOT TO BE USED -

CERT.
67939



Cert 82486 & 82845
Per G-16337

The portion of lands under Permit "G16337" will move from the proposed place of use ((0.6)) to the outside of this pivot. Acre differences will be resolved during COBU.

CERT.
82486
&
82845

ADDED WELL 4 (01-08-2008)
ADDED CHANGE IN PLACE OF USE (01-25-2010)

JETT C. BLACKBURN

WATER RIGHT TRANSFER APPLICATION MAP



RENEW 1-1-2011

Scale: 4" = 1 MILE	Date: APRIL 2007	Job: 2406
Dsn:	M.A. PALMER & SONS, INC. ENGINEERING & SURVEYING 711 Ponderosa Village • Box 61 Burns, Oregon 97720	Sht. No.
Dm: CHRIS		
Ckd:		of 1



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

July 6, 2010

BLACKBURN RANCHES LLC
707 PONDEROSA VILLAGE
BURNS, OR 97720

 **FILE**

REFERENCE: Transfer Application T-10437

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 changes 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 changes 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@wrд.state.or.us.

Sincerely,

Sarah Henderson

for Sarah Henderson
Executive Support
Field Services Division

cc: Tony Rutherford, Watermaster Dist. #10
Chris Palmer, CWRE

Enclosure

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application) FINAL ORDER APPROVING
T-10437, Harney County) CHANGES IN POINTS OF
) APPROPRIATION AND PLACE OF
) USE

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

Blackburn Ranches LLC
707 Ponderosa Village
Burns, OR 97720

Findings of Fact

Background

1. On July 25, 2007, Blackburn Ranches LLC filed an application to change the points of appropriation and to change the place of use under Certificates 67939, 82845, 82486 and an underlying Permit G-16337. The Department assigned the application number T-10437.
2. On January 29, 2010, the Department received a modified application map that reflected an underlying supplemental water right Certificate 82845 and a supplemental ground water right, Permit G-16337. The map also modified the changes in place of use.
3. On April 23, 2010, the Department received a modified application that reflected the changes made to the modified application map described in Finding of Fact #2.
4. The first right to be transferred is as follows:

Certificate: 67939 in the name of James W. Mason (perfected under Permit G-10340)
Use: IRRIGATION of 161.1 ACRES
Priority Date: JANUARY 20, 1984
Rate: 2.01 CUBIC FEET PER SECOND
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of

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.

ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: A WELLS within the MALHEUR LAKE BASIN

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
24 S	32.5 E	WM	30	SE SE	WELL #1: 30 FEET NORTH AND 560 FEET WEST FROM THE SE CORNER OF SECTION 30

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
24 S	32.5 E	WM	30	NE SW	3	21.1
24 S	32.5 E	WM	30	SE SW	4	41.4
24 S	32.5 E	WM	30	NW SE		19.6
24 S	32.5 E	WM	30	SW SE		40.0
24 S	32.5 E	WM	30	SE SE		5.4
24 S	32.5 E	WM	31	NE NE		0.2
24 S	32.5 E	WM	31	NW NE		17.2
24 S	32.5 E	WM	31	NE NW	1	16.2

5. Transfer Application T-10437 proposes to change the point of appropriation so that water can be diverted from any one or a combination of three wells. The proposed wells are within various distances of the authorized well that is described in Finding of Fact #4. Well #1 is approximately 95 feet east from Well #3 and is approximately 1650 feet southwest from Well #4. The proposed wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
24 S	32.5 E	WM	30	SE SE	WELL #3: 27 FEET NORTH AND 655 FEET WEST FROM THE SE CORNER OF SECTION 30
24 S	32.5 E	WM	31	NW NE	WELL #4: 685 FEET SOUTH AND 2275 FEET WEST FROM THE NE CORNER OF SECTION 31

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

Certificate: 82845 in the name of James W. Mason Jr (perfected under Permit S-49406)

Use: SUPPLEMENTAL IRRIGATION of 9.2 ACRES

Priority Date: JUNE 5, 1985

Rate: 0.12 CUBIC FOOT PER SECOND

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year provided further that although declared herein to be for supplemental irrigation, the right may, in the interest of conserving the ground water supplies, be exercised at times when water is available in the ground water supply appropriated under the right perfected under Permit

G-10512, provided that the total quantity diverted from both sources shall not exceed the limitation allowed herein.

Source: UNNAMED SLOUGH, tributary to MALHEUR LAKE

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
24 S	32.5 E	WM	31	NE NE	1800 FEET NORTH AND 1240 FEET WEST FROM THE E1/4 CORNER OF SECTION 31

Authorized Place of Use:

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
24 S	32.5 E	WM	31	NE NE	5.7
24 S	32.5 E	WM	32	NW NW	2.3
24 S	32.5 E	WM	32	SW NW	1.2

7. Certificate 82845 lists the unnamed slough as a tributary to Malheur Lake. The slough is actually a tributary to the East Fork Silvies River.

8. Application T-10437 proposes to change the place of use of the right to:

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
24 S	32.5 E	WM	31	NE NW	1.7
24 S	32.5 E	WM	31	NW NE	1.9
24 S	32.5 E	WM	31	SE NE	0.6
24 S	32.5 E	WM	32	SW NW	5.0

9. The portion of the third right (an underlying supplemental permit pursuant to OAR 690-380-2250) to be transferred is as follows:

Permit: G-16337 in the name of Blackburn Ranches LLC

Use: IRRIGATION 9.2 ACRES

Priority Date: JULY 25, 2007

Rate: 0.12 CUBIC FOOT PER SECOND

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

Period of Use: March 1st through October 31st

Source: WELL 2 (HARN 967/HARN 1725) WELL 3 (HARN 51322) AND WELL 4 within the EAST FORK SILVIES RIVER BASIN

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
24 S	32.5 E	WM	31	NE NE	WELL #2 (HARN 967/1725): 811 FEET SOUTH AND 1151 FEET WEST FROM THE NE CORNER OF SECTION 31
24 S	32.5 E	WM	30	SE SE	WELL #3 (HARN 51322): 27 FEET NORTH AND 655 FEET WEST FROM THE SE CORNER OF

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
					SECTION 30
24 S	32.5 E	WM	31	NW NE	WELL #4: 685 FEET SOUTH AND 2275 FEET WEST FROM THE NE CORNER OF SECTION 31

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
24 S	32.5 E	WM	31	NW NE	1.9
24 S	32.5 E	WM	31	SE NE	0.6
24 S	32.5 E	WM	31	NE NW	1.7
24 S	32.5 E	WM	32	SW NW	5.0

10. Transfer Application T-10437 also proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
24 S	32.5 E	WM	31	NE NE	5.7
24 S	32.5 E	WM	32	NW NW	2.3
24 S	32.5 E	WM	32	SW NW	1.2

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

Certificate: 82486 in the name of James W. Mason Jr. (perfected under Permit G-10512)

Use: IRRIGATION 53.5 ACRES

Priority Date: APRIL 23, 1985

Rate: 0.67 CUBIC FOOT PER SECOND

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year, provided further that although declared herein to be for primary irrigation, the supplemental right perfected under Permit 49406, may in the interest of conserving the ground water resources, be exercised at times when water is available from ground water provided that the total quantity diverted from both sources shall not exceed the limitation allowed herein.

Source: A WELL within the EAST FORK SILVIES RIVER BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
24 S	32.5 E	WM	30	SE SE	WELL #1: 30 FEET NORTH AND 560 FEET WEST FROM THE SE CORNER OF SECTION 30

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	Type of Change
24 S	32.5 E	WM	31	NE NE	5.7	POU/POA
24 S	32.5 E	WM	31	NE NE	17.9	POA
24 S	32.5 E	WM	31	SE NE	5.3	POA
24 S	32.5 E	WM	32	NW NW	2.3	POU/POA

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	Type of Change
24 S	32.5 E	WM	32	NW NW	9.2	POA
24 S	32.5 E	WM	32	SW NW	1.2	POU/POA
24 S	32.5 E	WM	32	SW NW	11.9	POA

12. Transfer Application T-10437 proposes to change the point of appropriation for a portion of the lands indicated with a "POA" in the "Type of Change column" described in Finding of Fact #10. The location of the authorized Well #1 is approximately 840 feet northeast of proposed Well #2, approximately 95 feet east of proposed Well #3 and approximately 1650 feet southwest of proposed Well #4. The proposed points of appropriation are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
24 S	32.5 E	WM	31	NE NE	WELL #2: 811 FEET SOUTH AND 1151 FEET WEST FROM THE NE CORNER OF SECTION 31
24 S	32.5 E	WM	30	SE SE	WELL #3: 27 FEET NORTH AND 655 FEET WEST FROM THE SE CORNER OF SECTION 30
24 S	32.5 E	WM	31	NW NE	WELL #4: 685 FEET SOUTH AND 2275 FEET WEST FROM THE NE CORNER OF SECTION 31

13. Transfer Application T-10437 also proposes to change the place of use for a portion of the lands indicated with a "POU" in the "Type of Change column" described in Finding of Fact #10 to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
24 S	32.5 E	WM	31	NE NW	1.7
24 S	32.5 E	WM	31	NW NE	1.9
24 S	32.5 E	WM	31	SE NE	0.6
24 S	32.5 E	WM	32	SW NW	5.0

14. Notice of the application for transfer was published on July 31, 2007, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
15. On April 8, 2010, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-10437 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of May 7, 2010, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.
16. On May 7, 2010, the Department issued a Preliminary Determination proposing to approve Transfer Application T-10437 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 May 11, 2010, and in the Burns-Times Herald newspaper on May 19 and 26, and June 2, 2010, 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)

17. Water has been used within the five years prior to submittal of the transfer application according to the terms and conditions of the rights. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
18. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights were present within the five-year period prior to submittal of Transfer Application T-10437.
19. The proposed change would not result in enlargement of the rights.
20. The proposed change would not result in injury to other water rights.

Conclusions of Law

The changes in point of appropriation and place of use proposed in Transfer Application T-10437 are consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000.

Now, therefore, it is ORDERED:

1. The change in points of appropriation and places of use proposed in Transfer Application T-10437 are approved.
2. The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificate 67939, 82486 and 82845, Permit G-16337 and any related decree.
3. Water right Certificates 67939, 82486 and 82845 are cancelled. New certificates will be issued describing those portions of the rights not affected by this transfer.
4. The quantity of water diverted at the new points of appropriation, shall not exceed the quantity of water lawfully available at the original points of appropriation.
5. The water user shall maintain and operate the existing measurement device and shall make such improvements as may be required by the Department.
6. Water shall be acquired from the same aquifer (water source) as the original point of appropriation.
7. The former place of use of the transferred rights and underlying permit shall no longer receive water under the rights.
8. The approved changes shall be completed and full beneficial use of the water shall be made on or before **October 1, 2011**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.

9. When satisfactory proof of the completed changes is received, new certificates confirming the rights transferred will be issued.

Dated at Salem, Oregon this 2 day of July 2010.


Phillip C. Ward, Director

Mailing Date: 7/6/10



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

August 1, 2007

BLACKBURN RANCHES LLC
JETT BLACKBURN
707 PONDEROSA VILLAGE
BURNS OR 97720

Reference: Transfer 10437

On July 25, 2007 we received your water right transfer application. The application was accompanied by \$600.00. Our receipts 88871 and 88984 are enclosed.

By copy of this letter, we are asking the Watermaster for a report regarding the potential for injury to existing water rights which may be caused by the 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 07/31/07

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. 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.

County: HARNEY
Transfer: 10437
Water Right: CERT 67939,82486
Priority Date: 1984,1985
Name: BLACKBURN RANCHES LLC
Address: 707 PONDEROSA VILLAGE; BURNS OR 97720
Change: POA
Source: WELLS
Authorized POA: T24S R32.5E 30,31
Proposed POA: T24S R32.5E 30

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. Comments should be sent to the Transfers Section at the Department's Salem office.

New



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

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.wrd.state.or.us/OWRD/PUBS/forms.shtml.

1. TYPE OF TRANSFER APPLICATION

Please check one

<input checked="" type="checkbox"/> Permanent Transfer	<input type="checkbox"/> Instream Transfer
<input type="checkbox"/> Temporary Transfer	<input type="checkbox"/> Permanent
• total number of years: _____	<input type="checkbox"/> Time-Limited
(begin year: _____)	<input type="checkbox"/> Drought Transfer
(end year: _____)	<input type="checkbox"/> Other

COPY

2. APPLICANT INFORMATION

Name: Blackburn Ranches LLC
First Last

Address: 707 Ponderosa Village
Burns One 97720
City State Zip

Phone: 541-573-2313 541-573-7206
Home Work Other

Fax: 541-573-5011 E-Mail address: _____

3. AGENT INFORMATION

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

Name: Jeff C. Blackburn
First Last

Address: 707 Ponderosa Village
Burns One 97720
City State Zip

Phone: 541 573-2313 541 573 7206 Cell 541 589-0438
Home Work Other

Fax: 541 573-5011 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.

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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-10340 ^{Cert.} 67939	JAMES WILKINSON, JR	67939
2.	G 10512 82486	" " "	82486
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): Well #1 quit producing + WAS REPLACED WITH NEW WELL #3

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.

Turbine pump delivers water through 8" PVC to pivot + wheel lines well #1 65 hp well #2 80 hp.

- System capacity: 2.68 cubic feet per second (cfs). If the transfer involves multiple rights that have independent systems, describe the capacity for each system separately.

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:

N/A

- 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).

N/A.

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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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9. ATTACHMENTS

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

<p>Supplemental Form A – Description of Proposed Change(s) to a Water Right</p> <p><input checked="" type="checkbox"/> A <u>separate</u> Supplemental Form A is enclosed for <u>each</u> water right to be affected by this transfer.</p> <p>Supplemental Form B – Evidence of Use Affidavit(s)</p> <p><input checked="" type="checkbox"/> 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), <u>and</u></p> <p><input type="checkbox"/> The Evidence of Use Affidavit must be accompanied by supporting documentation.</p> <p>Map</p> <p><input checked="" type="checkbox"/> <i>Water Right Transfer</i> 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.</p> <p><input type="checkbox"/> <i>Temporary Transfer or Historical POD Change</i> A map meeting the requirements of OAR 690-380-3100 must be included but need <u>not</u> be prepared by a Certified Water Right Examiner.</p> <p>Water Well Report(s)/Well Log(s):</p> <p><input checked="" type="checkbox"/> 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.</p> <p><input type="checkbox"/> 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.</p> <p><input type="checkbox"/> N/A. The application does <u>not</u> involve a change in point of appropriation or a change from surface water to ground water, so water well reports are <u>not</u> required.)</p>	<p>Land Use Information Form:</p> <p><input checked="" type="checkbox"/> Enclosed; <i>or</i></p> <p><input type="checkbox"/> Not Required if <u>all</u> of the following are met:</p> <ul style="list-style-type: none"> 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, <i>and</i> ❹ Irrigation only. <p>Fees:</p> <p><input type="checkbox"/> Amount enclosed: \$ _____ See the Department's Fee Schedule at www.wrd.state.or.us or call (503) 986-0900.</p> <p><u><i>Instream Water Right Transfers, also include:</i></u></p> <p>Supplemental Form C – Instream Water Right Transfer</p> <p><input type="checkbox"/> Complete this form to describe the desired nature and attributes for the proposed instream water right.</p> <p><u><i>Temporary Transfers, also include:</i></u></p> <p>Recorded Deed:</p> <p><input type="checkbox"/> 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.</p> <p>Affidavit of Consent:</p> <p><input type="checkbox"/> 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.</p>
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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:

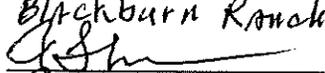
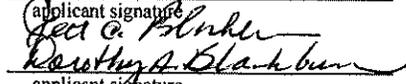
In accordance with OAR 690-380-3000(13)(a), I (we) understand that prior to Department approval of a permanent transfer and upon my receipt of a draft Preliminary Determination for the proposed transfer, I (we) will be required [pursuant to OAR 690-380-4010(5)] to provide the following landownership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

Blackburn Ranches LLC. by:		
	Rox Blackburn	7/14/07
applicant signature	name (print)	date
	Dorothy A. Blackburn	7/14/07
applicant signature	name (print)	date

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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: 22486 G10512

1. TYPE OF CHANGE(S) PROPOSED

(Check *all* that apply.)

Point of Diversion or Appropriation	Place of Use	Character of Use
<input checked="" type="checkbox"/> 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.) <input type="checkbox"/> 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.) <input type="checkbox"/> Historic Point of Diversion or Appropriation Change (Unauthorized point of diversion or appropriation used for more than 10 years.) <input type="checkbox"/> 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.) <input type="checkbox"/> Point of Diversion Change due to Government Action (The old point of diversion or appropriation can no longer be used due to government action.) <input type="checkbox"/> Exchange (Water from another source will be used in exchange for supplying an equal amount of replacement water to that source.)	<input type="checkbox"/> All of the right will be exercised at a different location than currently authorized (Use of water at the current location will be discontinued.) <input type="checkbox"/> 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.)	<p align="center">Proposed new use:</p> <input checked="" type="checkbox"/> Irrigation <input type="checkbox"/> Municipal <input type="checkbox"/> Quasi-municipal <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Instream (complete and attach <i>Supplemental Form C</i>) <input type="checkbox"/> Domestic (indicate number of households) _____ <input type="checkbox"/> Other _____ <input type="checkbox"/> Substitution (A supplemental ground water right will be substituted for a primary surface water right.) <input type="checkbox"/> 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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SALEM, OREGON

2. CURRENT WATER RIGHT INFORMATION

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

<input checked="" type="checkbox"/> Certificated Right	<u>82486</u> Certificate Number	<u>G10512</u> Permit Number or Decree Name
<input type="checkbox"/> Adjudicated, Non-certificated Right	_____ Name of Decree	_____ Page Number
<input type="checkbox"/> Permit for which Proof has been Approved	_____ Permit Number	_____ Date Claim of Beneficial Use Submitted
<input type="checkbox"/> Transferred Right for which Proof has been Filed	_____ Previous Transfer Number	_____ Date Claim of Beneficial Use Submitted

- Name on Permit, Certificate, or Decree: JAMES W MASON JR.
- County: HARNEY
- Authorized Use(s) to be Affected by Transfer: IRRIGATION
- Priority Date(s): 4-23-85

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: Well # 1

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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SALEM, OREGON

10437

▪ Certificate Number or other identifying number: G10512 82486

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	¼¼	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
G10512 82486	4-23-85	24 S	32 1/2	E10M	31	WEST NENE	TL 600	799' S 1157' West 400M NE CORNER

- 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

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10437

▪ Certificate Number or other identifying number: 10512 82486

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	1/4 1/4 Section	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
Well #3	245	32 1/2 E	Wm	30	SE SE	600	31' N 655' W from SE corner

- 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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WATER RESOURCES DEPT
SALEM, OR

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: Permit G10340 Part 67939

1. TYPE OF CHANGE(S) PROPOSED

(Check *all* that apply.)

Point of Diversion or Appropriation	Place of Use	Character of Use
<input checked="" type="checkbox"/> 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.) <input type="checkbox"/> 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.) <input type="checkbox"/> Historic Point of Diversion or Appropriation Change (Unauthorized point of diversion or appropriation used for more than 10 years.) <input type="checkbox"/> Surface Water to Ground Water (A new point of appropriation will be used <u>instead</u> of the old point of diversion. The old point of diversion will <u>not</u> be used.) <input type="checkbox"/> Point of Diversion Change due to Government Action (The old point of diversion or appropriation can no longer be used due to government action.) <input type="checkbox"/> Exchange (Water from another source will be used in exchange for supplying an equal amount of replacement water to that source.)	<input type="checkbox"/> All of the right will be exercised at a different location than currently authorized (Use of water at the current location will be discontinued.) <input type="checkbox"/> 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.)	<p style="text-align: center;">Proposed new use:</p> <input checked="" type="checkbox"/> Irrigation <input type="checkbox"/> Municipal <input type="checkbox"/> Quasi-municipal <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Instream (complete and attach <i>Supplemental Form C</i>) <input type="checkbox"/> Domestic (indicate number of households) _____ <input type="checkbox"/> Other _____ <input type="checkbox"/> Substitution (A supplemental ground water right will be substituted for a primary surface water right.) <input type="checkbox"/> 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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WATER RESOURCES DEPT
SALEM, OREGON

2. CURRENT WATER RIGHT INFORMATION

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

<input checked="" type="checkbox"/> Certificated Right	<u>67939</u> Certificate Number	<u>910340</u> Permit Number or Decree Name
<input type="checkbox"/> Adjudicated, Non-certificated Right	_____ Name of Decree	_____ Page Number
<input type="checkbox"/> Permit for which Proof has been Approved	_____ Permit Number	_____ Date Claim of Beneficial Use Submitted
<input type="checkbox"/> Transferred Right for which Proof has been Filed	_____ Previous Transfer Number	_____ Date Claim of Beneficial Use Submitted

- Name on Permit, Certificate, or Decree: JAMES W. MASON JR.
- County: HARNEY
- Authorized Use(s) to be Affected by Transfer: IRRIGATION
- Priority Date(s): 1-20-84

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: Well # 1

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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WATER RESOURCES DEPT
SALEM, OREGON

▪ Certificate Number or other identifying number: G10340 67939

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	1/4	Tax Lot, DLC or Gov't Lbt	Survey Coordinates (coordinates from a recognized survey corner)
G10340 67939	1-20-84	24S	32 1/2	EUM	30	SESE	TL 600	30' N 560' WEST from from SE corner Sec 30

- 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

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WATER RESOURCES DEPT
Salem, Oregon

▪ Certificate Number or other identifying number: G10340 67939

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	1/4 1/4 Section	Tax Lot, DEC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
#3 Well	245	32 1/2 E	12 1/4 N	30	SE SE	600	27' N 655' W from SE corner

- 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

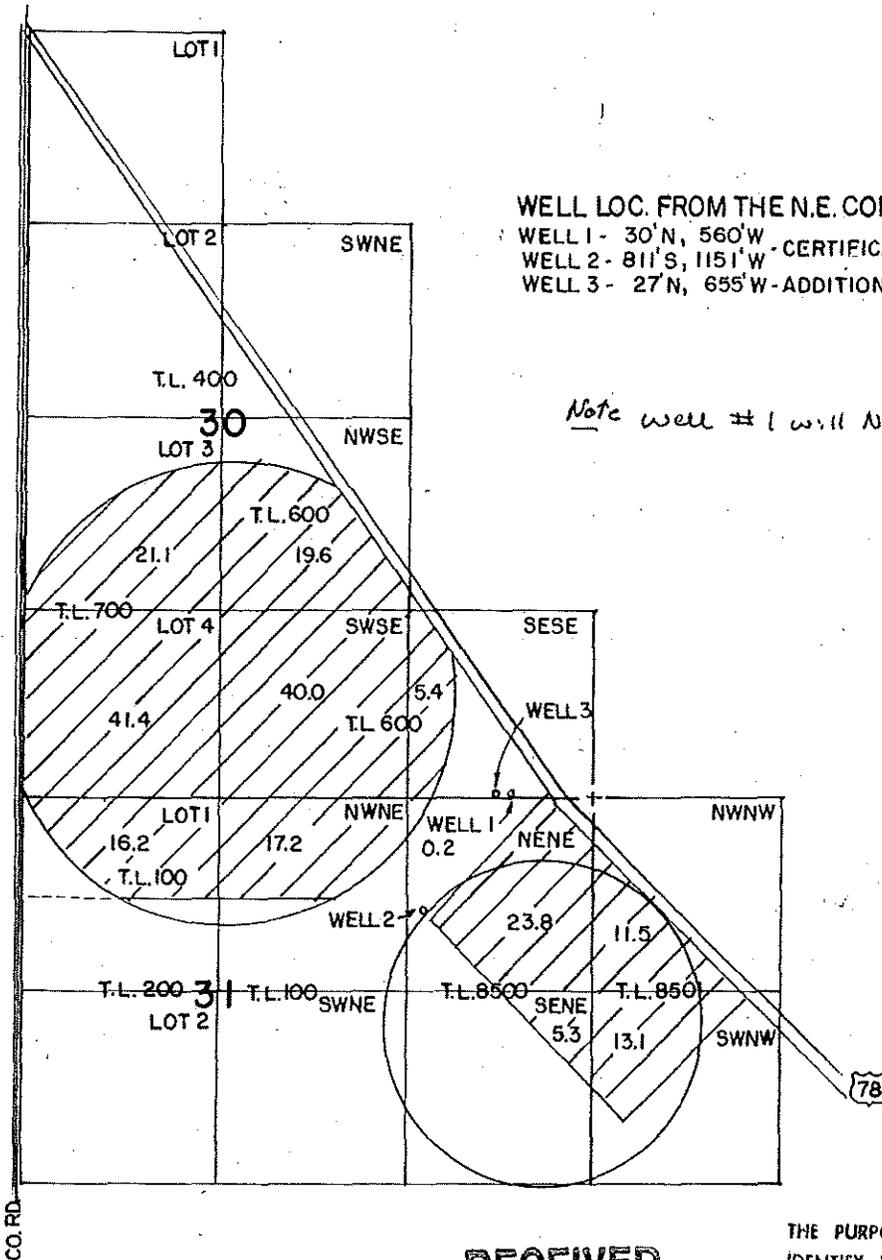
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WATER RESOURCES DEPT
SALEM, OR

10437

T24 S, R 32 1/2 E, WM



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 SALEM, OREGON

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.

	JETT C. BLACKBURN		10437	
	WATER RIGHT TRANSFER APPLICATION MAP			
	Scale: 4" = 1 MILE	Date: APRIL 2007	Job: 2406	
	Dsn:		Sht. No.	
Dm: CHRIS	of 1			
Ckd:	M.A. PALMER & SONS, INC. ENGINEERING & SURVEYING 711 Ponderosa Village • Box 61 Burns, Oregon 97720			

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

01-24-2007

WELL LABEL # L 86796

START CARD # 1000433

(1) LAND OWNER Owner Well I.D. #3

First Name JETT Last Name BLACKBURN
Company
Address 707 PONDEROSA VILLAGE
City BURNS State OR Zip 97720

(2) TYPE OF WORK [X] New Well [] Deepening [] Conversion
[] Alteration (repair/recondition) [] Abandonment

(3) DRILL METHOD
[] Rotary Air [] Rotary Mud [X] Cable [] Auger [] Cable Mud
[] Reverse Rotary [] Other

(4) PROPOSED USE [] Domestic [X] Irrigation [] Community
[] Industrial/ Commercial [] Livestock [] Dewatering
[] Thermal [] Injection [] Other

(5) BORE HOLE CONSTRUCTION Special Standard [] (Attach copy)
Depth of Completed Well 227.00 ft.

Table with columns: Dia, From, To, Material, SEAL, Amt, lbs. Row 1: 26, 0, 18, Bentonite, 0, 18, 40, S. Row 2: 22, 18, 227.

How was seal placed: Method [] A [] B [] C [] D [] E

[X] Other poured dry and tam

Backfill placed from 0 ft. to 227 ft. Material pea gravel Size 3/8

Filter pack from 0 ft. to 227 ft. Material pea gravel Size 3/8

Explosives used: [] Yes Type Amount

(6) CASING/LINER

Table with columns: Casing Liner, Dia, From, To, Gauge, Sil, Plstc, Wld, Thrd. Row 1: 22, 1, 20, .250, [X], [], [], []. Row 2: 14, 2, 227, .250, [X], [], [], [].

Shoe [] Inside [] Outside [] Other Location of shoe(s)

Temp casing [] Yes Dia From To

(7) PERFORATIONS/SCREENS

Perforations Method
Screens Type roscoe moss Material stainless steel

Table with columns: Perf/ Screen, Casing/ Liner, Screen Dia, From, To, Scrn/slot width, Slot length, # of slots, Tele/ pipe size. Row 1: Screen Liner, 14, 115, 215, .1, , , , .

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

Table with columns: Pump, Bailer, Air, Flowing Artesian, Yield gal/min, Drawdown, Drill stem/Pump depth, Duration (hr). Row 1: 100, 10, , .

Temperature 55 °F Lab analysis [] Yes By

Water quality concerns? [] Yes (describe below)

Table with columns: From, To, Description. Row 1: , , .

(9) LOCATION OF WELL (legal description)

County Harney Twp 24.00 S N/S Range 32.50 E E/W WM
Sec 30 SE 1/4 of the SE 1/4 Tax Lot 600
Tax Map Number Lot
Lat " or DMS or DD
Long " or DMS or DD
[] Street address of well [] Nearest address

64040 HWY 78

(10) STATIC WATER LEVEL

Table with columns: Existing Well / Predeepening, Date, SWL(psi), SWL(ft). Row 1: Completed Well, 01-22-2007, , 17.

Flowing Artesian? [] Dry Hole? []

WATER BEARING ZONES Depth water was first found 17

Table with columns: SWL Date, From, To, Est Flow, SWL(psi), SWL(ft). Row 1: 01-22-2007, 17, 218, 1,000, 17.

(11) WELL LOG

Ground Elevation

Table with columns: Material, From, To. Rows: sandy loom topsoil (0-1), clay brn (1-35), clay grey (35-55), silt grey (55-110), sand gray (110-125), silt green (125-150), clay grey sticky (150-180), gravel clay (180-189), clay grey (189-208), gravel sand (208-218), clay green (218-227).

Date Started 01-04-2007 Completed 01-22-2007

(unbonded) Water Well Constructor Certification

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

License Number Date
Electronically Filed
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.

License Number 1424 Date 01-24-2007
Electronically Filed
Signed TIMOTHY K RILEY (E-filed)
Contact Info (optional)

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WATER RESOURCES DEPT SALEM, OREGON

10437



STATE OF OREGON

County of HARNEY

PERMIT TO APPROPRIATE THE PUBLIC WATERS

This is to certify that I have examined APPLICATION G-11378 and do hereby grant the same SUBJECT TO EXISTING RIGHTS and the following limitations and conditions:

This permit is issued to James W. Mason, Jr. of Box 8, Lawen, Oregon, 97740, phone 493-2815, for use of the waters from one well,

for the PURPOSE of irrigation of 53.5 acres

that the PRIORITY OF THE RIGHT dates from April 23, 1985

and is limited to the amount of water which can be applied to beneficial use and shall not exceed 0.67 cubic foot per second

measured at the point of diversion from the well, or its equivalent in case of rotation with other water users.

The well is to be LOCATED: 20 feet North and 400 feet West from the Southeast Corner of Section 30, being within the SE 1/4 SE 1/4 of Section 30, Township 24 South, Range 32 1/2 East, W4, in the County of Harney.

A description of the PLACE OF USE under the permit, and to which such right is appurtenant, is as follows:

Township 24 South, Range 32 1/2 East, W4	Section 31	NE 1/4	NE 1/4	18.7 acres
		SE 1/4	NE 1/4	1.8 acres
	Section 32	NW 1/4	NW 1/4	14.3 acres
		SW 1/4	NW 1/4	18.7 acres

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 1/80 of one cubic foot per second per acre, 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 although declared herein to be for primary irrigation, the supplemental right allowed under Application 68368, Permit 49406 may, in the interest of conserving the ground water resources, be exercised at times when water is available from ground water provided that the total quantity diverted from both sources shall not exceed the limitation allowed herein.

The well shall be constructed 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 permittee 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.

Actual construction work shall begin on or before August 9, 1986, and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1986.

Complete application of the water to the proposed use shall be made on or before October 1, 1987.

Witness my hand this 9th day of August, 1985

/s/ WILLIAM H. YOUNG

WATER RESOURCES DIRECTOR

This permit is for the beneficial use of water. By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan. It is possible that the land use you propose may not be allowed if it is not in keeping with the goals and the acknowledged plan. Your city or county planning agency can advise you about the land-use plan in your area.

APPLICATION G-11378

PERMIT

G10512



STATE OF OREGON

County of HARNEY

PERMIT TO APPROPRIATE THE PUBLIC WATERS

This is to certify that I have examined APPLICATION G-11219 and do hereby grant the same SUBJECT TO EXISTING RIGHTS and the following limitations and conditions:

This permit is issued to Jett C. Blackburn of 771 Ponderosa Village, Burns, Oregon 97720, phone 573-7206, for use of the waters from one well,

for the PURPOSE of irrigation of 166.0 acres

that the PRIORITY OF THE RIGHT dates from January 20, 1984

and is limited to the amount of water which can be applied to beneficial use and shall not exceed 2.08 cubic feet per second

measured at the point of diversion from the well, or its equivalent in case of rotation with other water users.

The well is to be LOCATED: 24.5 feet North and 570.6 feet West from the Southeast Corner of Section 30, being within the SE 1/4 SE 1/4 of Section 30, Township 24 South, Range 32 1/2 East, WM, in the County of Harney.

A description of the PLACE OF USE under the permit, and to which such right is appurtenant, is as follows:

Township 24 South, Range 32 1/2 East, WM Section 30 Lot 3	41.5 acres
Lot 4	42.5 acres
NW 1/4 SE 1/4	25.53 acres
SW 1/4 SE 1/4	42.0 acres
SE 1/4 SE 1/4	14.47 acres

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 1/80 of one cubic foot per second per acre, and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year, and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

The well shall be constructed 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 permittee 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.

Actual construction work shall begin on or before March 30, 1985, and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1985.

Complete application of the water to the proposed use shall be made on or before October 1, 1986.

Witness my hand this 30th day of March, 1984.

/s/ WILLIAM H. YOUNG
WATER RESOURCES DIRECTOR

This permit is for the beneficial use of water. By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan. It is possible that the land use you propose may not be allowed if it is not in keeping with the goals and the acknowledged plan. Your city or county planning agency can advise you about the land-use plan in your area.

APPLICATION G-11219

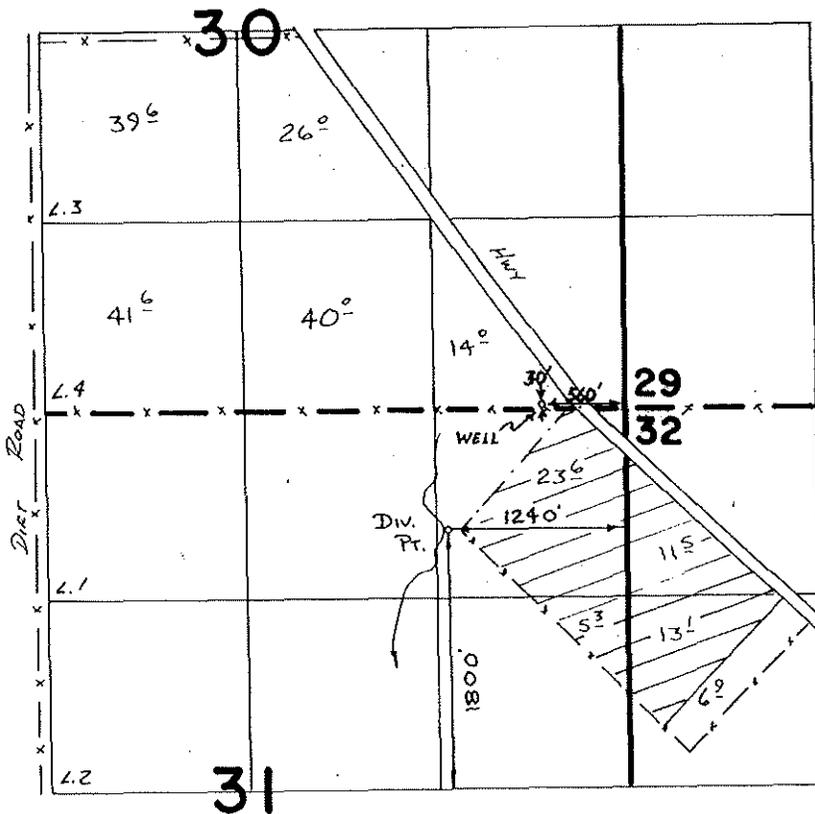
"CERTIFICATE NO. 60872"

PERMIT

G10340

Cancelled - sp. or Rec. Vol. 45 P. 124
Supervised by
Cert. No. 67939

T. 24S., R. 32 1/2E., W.M.



FINAL PROOF SURVEY
UNDER

G-11378 G10512
Application No. **68368** Permit No. **49406**
IN NAME OF

.....**JAMES W. MASON, JR.**.....

Surveyed ...5-2... 1988, by V.L. Church.....



PRELIMINARY TITLE REPORT

JETT BLACKBURN REAL ESTATE
707 PONDEROSA VILLAGE
BURNS, OR 97720

Attn: CURT

April 22, 2010
Report #1
Escrow Number :
Escrow Officer:
Title Number : 0019723
Title Officer : STAN R. FALLEY

Table with 3 columns: Policy or Policies to be issued, Liability, Premium. Row 1: PRELIMINARY TITLE 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:

SEE EXHIBIT "A" CONSISTING OF TWO PAGES ATTACHED HERETO.

Vestee:

BLACKBURN RANCHES, LLC

Dated as of April 20, 2010 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:

GENERAL EXCEPTIONS:

- 1) Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2) Facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or by making inquiry of persons in possession thereof.
3) Unpatented mining claims, easements, or claims of easement, not shown by the public records; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
4) Any encroachment (of existing improvements located on the subject land onto adjoining land or of existing improvements located on adjoining land onto the subject land), encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the subject land.
5) Any lien, or right to a lien, for services, labor, material, equipment rental or workers compensation heretofore or hereafter furnished, imposed by law and not shown by the public records.

SPECIAL EXCEPTIONS:

Taxes assessed under Code No. 4-2 Account No. 23399
Map No. 24S 32V Tax Lot 8500

The 2009-2010 Taxes: \$187.79, have been paid in full.

Taxes assessed under Code No. 4-2 Account No. 23392
Map No. 24S 32V 30 Tax Lot 400

The 2009-2010 Taxes: \$63.99, have been paid in full.

Taxes assessed under Code No. 4-2 Account No. 23398
Map No. 24S 32V 30 Tax Lot 600

The 2009-2010 Taxes: \$1,580.48, have been paid in full.

Taxes assessed under Code No. 4-2 Account No. 23394
Map No. 24S 32V 30 Tax Lot 700

The 2009-2010 Taxes: \$611.77, have been paid in full.

Taxes assessed under Code No. 4-2 Account No. 23395
Map No. 24S 32V 31 Tax Lot 100

The 2009-2010 Taxes: \$179.99, have been paid in full.

Taxes assessed under Code No. 4-2 Account No. 23396
Map No. 24S 32V 31 Tax Lot 200

The 2009-2010 Taxes: \$10.49, have been paid in full.

6. Taxes deferred, as disclosed by the tax roll, the premises herein described have been zoned or classified for farm use. At any time that said land is disqualified for such use the property will be subject to additional taxes or penalties and interest.
7. Any improvement located on the insured property, which is described or defined as a mobile home under the provisions of Chapters 803 and 820, Oregon Revised Statutes, and is subject to registration as provided therein.
(X-231501)
8. Any adverse claim based upon the assertion that said land or any portion thereof is now or at anytime has been below high water mark of the Silvies River.
9. The rights of the public in and to that portion of the herein described property lying within the limits of public roads, streets or highways.
10. Reservation of minerals, in deed from Arthur J. Iland, as to a one-fourth interest therein
Recorded: October 15, 1942
Book/Page: 40/213, Deed Records. (Affects Lot 1, W $\frac{1}{2}$ NE $\frac{1}{4}$ of Sec. 31, Twp. 24 S., R. 32 $\frac{1}{2}$ E., W.M.)

The mineral interest or excepted above has not been followed out and subsequent transactions affecting said interest or taxes levied against same are not reflected in this title evidence.
11. Reservation of minerals, in deed from Lee Iland, as to a full interest therein
Recorded: October 15, 1942
Book/Page: 40/214, Deed Records. (Affects the Northeast diagonal half of the SE $\frac{1}{4}$ of Sec. 30, Twp. 24 S., R. 32 $\frac{1}{2}$ E., W.M.)

The mineral interest or excepted above has not been followed out and subsequent transactions affecting said interest or taxes levied against same are not reflected in this title evidence.

- 12. Existence of power lines and poles, as disclosed by Suit No. 6118, filed October 8, 1969, in the Circuit Court for the State of Oregon, for the county of Harney. (Affects Lot 2 and the SW¼NE¼ of Sec. 30, Twp. 24 S., R. 32½ E., W.M.)
- 13. Reservation of minerals, for their lifetime in deed from Lulu Hayes Pierce and Ruby Moon, as to a full interest therein
 Recorded: March 27, 1980
 Book/Page: 112/4, Deed Records. (Affects Lots 3 and 4, Sec. 30, Twp. 24 S., R. 32½ E., W.M.)

The mineral interest or excepted above has not been followed out and subsequent transactions affecting said interest or taxes levied against same are not reflected in this title evidence.

- 14. Deed of Trust, including the terms and provisions thereof, to secure an indebtedness of the amount herein stated.
 Amount: \$249,500.00
 Dated: May 25, 2007
 Recorded: June 8, 2007
 Instrument No.: 20071269 Harney County Records
 Grantor: Rex Blackburn as to an undivided one-half interest and Jett C. Blackburn and Dorothy A. Blackburn, as Co-Trustees of the Blackburn Family Trust, dated November 26, 1999
 Trustee: Brad Williams
 Beneficiary: Sterling Savings Bank
- 15. Assignment of Rents, including the terms and provisions thereof, to secure an indebtedness of the amount herein stated.
 Dated: May 25, 2007
 Recorded: June 8, 2007
 Instrument No.: 20071270 Harney County Records
 Grantor: Rex Blackburn as to an undivided one-half interest and Jett C. Blackburn and Dorothy A. Blackburn, as Co-Trustees of the Blackburn Family Trust, dated November 26, 1999
 Grantee: Sterling Savings Bank
- 16. Any right, title and interest of Curtis J. Blackburn, Trustee of the Jett C. Blackburn Family Trust, as disclosed by Warranty Deed, recorded February 12, 2009, Instrument No. 20090294, Harney County Records.

NOTE: The property address as shown on the Assessor's Roll is:
64040 Hwy 78, Burns Or. 97720

AmeriTitle

By: Stan Falley
Stan Falley

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

EXHIBIT "A"

Land in Harney County, Oregon, as follows:

In Twp. 24 S., R. 32½ E., W.M.:

- Sec. 30: All that portion of Lots 2, 3 and 4, and the SE¼, SW¼NE¼, lying Southwesterly of the highway right of way, as said right of way is described in deed recorded June 10, 1946, in Book 43, Page 238, and recorded January 10, 1967, in Book 81, Page 475, Book 82, Page 386 and Book 82, Page 594, Deed Records, and as described in condemnation proceedings filed in Circuit Court of the State of Oregon, for the County Harney, Case No. 3742.
- Sec. 31: Lot 1 and all that portion of Lot 2, W½NE¼ and NW¼SE¼, lying Northerly of the railroad right of way, as said right of way is described in deeds recorded in Book 31, Page 219 and 239, Deed Records. ALSO the E½NE¼, EXCEPTING THEREFROM highway right of way over the NE¼NE¼ conveyed to the State of Oregon, by and through its State Highway Commission, by deed recorded January 16, 1967, in Book 81, Page 492, re-recorded July 13, 1967, in Book 83, Page 31, Deed Records.
- Sec. 32: W½NW¼, EXCEPTING THEREFROM the following five parcels:
- Parcel No. 1:** A parcel of land about 125 feet square at the intersection of the Burns-Crane section of the Central Oregon Highway and the public road running South past the Town of Lawen, along the East boundary of the W½NW¼ of said Sec. 32, described as follows:
- Beginning at the Northwest corner of said Sec. 32;
 - thence South 55.8 feet to the South line of said State Highway right of way;
 - thence S. 45°49' E., along said South line, 1840.7 feet to a point of the intersection with the West line of said Lawen Road, the True Point of Beginning;
 - thence South 125 feet;
 - thence West 125 feet;
 - thence North to the South line of said State Highway right of way;
 - thence S. 45°49' E. to the True Point of Beginning.
- Parcel No. 2:** Highway right of way conveyed to the State of Oregon, by and through its State Highway Commission, by deed recorded June 17, 1946, in Book 43, Page 294, Deed Records.
- Parcel No. 3:** Highway right of way conveyed to the State of Oregon, by and through its State Highway Commission, by deed recorded January 16, 1967, in Book 81, Page 492, re-recorded July 13, 1967, in Book 83, Page 31, Deed Records.
- Parcel No. 4:** That portion of the NE¼NE¼ of Sec. 31 and the W½NW¼ of Sec. 32 lying Northeasterly of the highway right of way conveyed to the State of Oregon, by and through its State Highway Commission, by deed recorded June 17, 1946, in Book 43, Page 294, recorded January 16, 1967, in Book 81, Page 492 and re-recorded July 13, 1967, in Book

83, Page 31, Deed Records.

Parcel No. 5: That portion of the SW $\frac{1}{4}$ NW $\frac{1}{4}$, more particularly described as follows:

Beginning at a point on the Southwesterly right of way boundary of State Highway 78, 50.00 feet at right angles to the center line, said point bearing 39°02'41" E. 1985.50 feet from the Northwest corner of Section 32; thence S. 44°22'07" W. along a fence line 1551.3 feet, more or less, to the South boundary of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 32; thence Easterly along the East-West center line of Section 32, 1238.2 feet, more or less, to the Westerly boundary of Lawen Lane; thence N. 01°40'24" E. along the Westerly boundary of Lawen Lane 824.3 feet, more or less, to the Southeast corner of that tract described in Instrument No. 910091; thence N. 88°19'36" W. along the South boundary of that tract described in Instrument No. 910091, 125.00 feet; thence N. 01°40'24" E. along the West boundary of that tract described in Instrument No. 910091, 224.69 feet to the Southwesterly right of way boundary of State Highway No. 78; thence N. 46°10'00" W. 81.96 feet to the point of beginning.

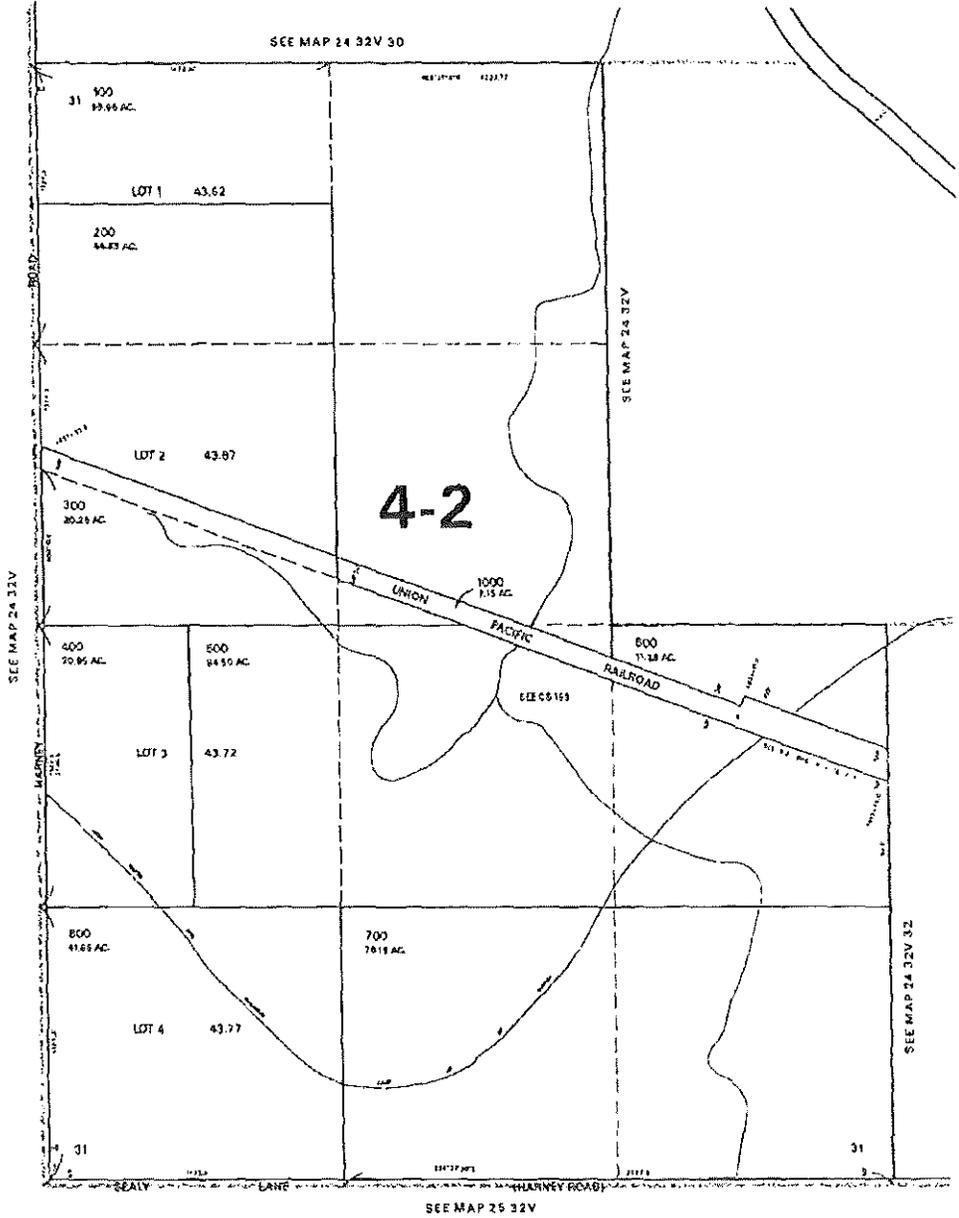
THE COUNTY OF WADE SOLELY FOR THE PURPOSE OF ASSISTING IN LOCATING SAID PREMISES AND THE COUNTY ASSUMES NO LIABILITY FOR ANY ERRORS OR OMISSIONS AND THE COUNTY SHALL NOT BE HELD RESPONSIBLE FOR ANY SUCH ERRORS OR OMISSIONS.

THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY

SECTION 31 T.24S. R.32 1/2E. W.M.
HARNEY COUNTY
1"=400'

24 32V 31

- CANCELLED NO
- 100M
- 200M1
- 300M1
- 400M1
- 500M1
- 600M2
- 800



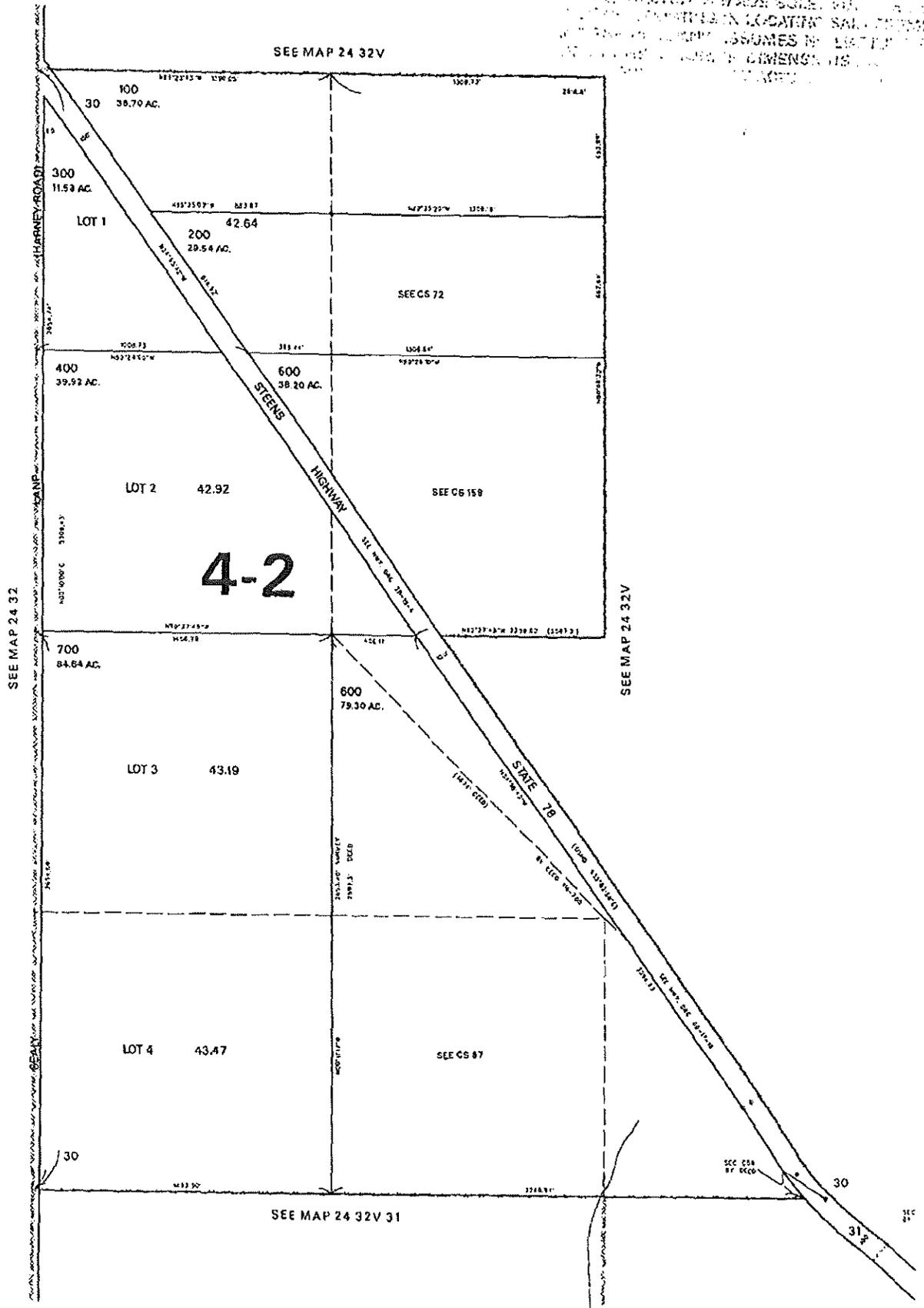
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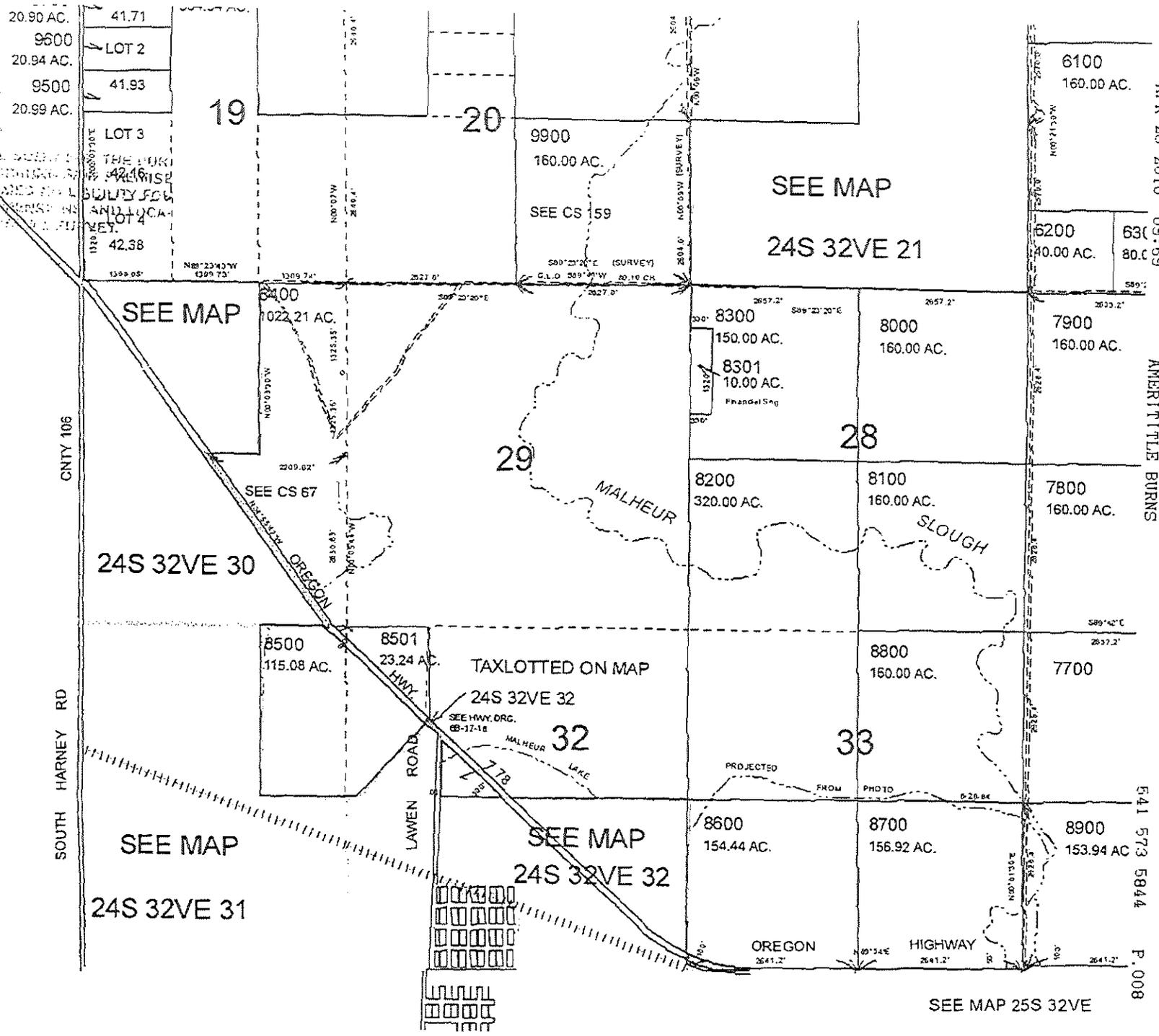
THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY

SECTION 30 T.24S. R.32 1/2E. W.M. HARNEY COUNTY

1"=400'

THE STATE OF NORTH CAROLINA, BY THE REGISTER OF DEEDS, HAS CAUSED THIS MAP TO BE MADE AND RECORDED IN ACCORDANCE WITH THE ACTS OF THE LEGISLATURE IN THAT BEHALF.





THE BURN... BURN... AND THE... VARIATIONS... TIONS AS...



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

May 5, 2010

Blackburn Ranches LLC
707 Ponderosa Village
Burns, OR 97720

pd Noticed
5-11-10

SUBJECT: Water Right Transfer Application T-10437

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-10437. 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.

Because the new points of appropriation are more than ¼ mile from the authorized points of appropriation, the applicant is responsible for giving public notice of the transfer changes in a local newspaper having a general circulation in the area of the water right. The notice must be published at least once a week for three consecutive weeks. We have prepared the notice for you (enclosed). The deadline for individuals to file protests or standing statements is 30 days after the date of last publication. Please have the newspaper insert the date of last publication in the proper place.

After publication, the Department needs to receive an affidavit specifying the dates the notice was published. Please have the newspaper prepare and mail an original affidavit of publication to me at the address shown in the letterhead, by June 21, 2010.

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.



Blackburn Ranches LLC

May 5, 2010

Page 2

Please do not hesitate to contact me at 503-986-0898 or Kara.B.Morris@wrd.state.or.us if I may be of assistance.

Sincerely,

A handwritten signature in cursive script that reads "Kara Morris".

Kara Morris
Transfer Specialist
Field Services Division

cc: Tony Rutherford, District 10 Watermaster
Chris Palmer, CWRE

Enc

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

In the Matter of Transfer Application)
T-10437, Harney County)
)
)
)
)

PRELIMINARY DETERMINATION
PROPOSING APPROVAL OF A
CHANGE IN POINTS OF
APPROPRIATION AND PLACE OF
USE

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

Blackburn Ranches LLC
707 Ponderosa Village
Burns, OR 97720

Findings of Fact

Background

1. On July 25, 2007, Blackburn Ranches LLC filed an application to change the points of appropriation and to change the place of use under Certificates 67939, 82845, 82486 and an underlying Permit G-16337. The Department assigned the application number T-10437.
2. On January 29, 2010, the Department received a modified application map that reflected an underlying supplemental water right Certificate 82845 and a supplemental ground water right, Permit G-16337. The map also modified the changes in place of use.
3. On April 23, 2010, the Department received a modified application that reflected the changes made to the modified application map described in Finding of Fact #2.
4. The first right to be transferred is as follows:

Certificate: 67939 in the name of James W. Mason (perfected under Permit G-10340)
Use: IRRIGATION of 161.1 ACRES
Priority Date: JANUARY 20, 1984
Rate: 2.01 CUBIC FEET PER SECOND
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of

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.

ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: TWO WELLS within the MALHEUR LAKE BASIN

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
24 S	32.5 E	WM	30	SE SE	WELL #1: 30 FEET NORTH AND 560 FEET WEST FROM THE SE CORNER OF SECTION 30

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
24 S	32.5 E	WM	30	NE SW	3	21.1
24 S	32.5 E	WM	30	SE SW	4	41.4
24 S	32.5 E	WM	30	NW SE		19.6
24 S	32.5 E	WM	30	SW SE		40.0
24 S	32.5 E	WM	30	SE SE		5.4
24 S	32.5 E	WM	31	NE NE		0.2
24 S	32.5 E	WM	31	NW NE		17.2
24 S	32.5 E	WM	31	NE NW	1	16.2

5. Transfer Application T-10437 proposes to change the points of appropriation so that water can be diverted from any one or a combination of the three wells. The proposed wells are within various distances of the authorized Wells that are described in Finding of Fact #4. Well #1 is approximately 95 feet east from Well #3 and is approximately 1650 feet southwest from Well #4. The proposed wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
24 S	32.5 E	WM	30	SE SE	WELL #3: 27 FEET NORTH AND 655 FEET WEST FROM THE SE CORNER OF SECTION 30
24 S	32.5 E	WM	31	NW NE	WELL #4: 685 FEET SOUTH AND 2275 FEET WEST FROM THE NE CORNER OF SECTION 31

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

Certificate: 82845 in the name of James W. Mason Jr (perfected under Permit S-49406)

Use: SUPPLEMENTAL IRRIGATION of 9.2 ACRES

Priority Date: JUNE 5, 1985

Rate: 0.12 CUBIC FOOT PER SECOND

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year provided further that although declared herein to be for supplemental irrigation, the right may, in the interest of conserving the ground water supplies, be exercised at times when water is available in the ground water supply appropriated under the right perfected under Permit

G-10512, provided that the total quantity diverted from both sources shall not exceed the limitation allowed herein.

Source: UNNAMED SLOUGH, tributary to MALHEUR LAKE

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
24 S	32.5 E	WM	31	NE NE	1800 FEET NORTH AND 1240 FEET WEST FROM THE E1/4 CORNER OF SECTION 31

Authorized Place of Use:

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
24 S	32.5 E	WM	31	NE NE	5.7
24 S	32.5 E	WM	32	NW NW	2.3
24 S	32.5 E	WM	32	SW NW	1.2

7. Application T-10437 proposes to change the place of use of the right to:

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
24 S	32.5 E	WM	31	NE NW	1.7
24 S	32.5 E	WM	31	NW NE	1.9
24 S	32.5 E	WM	31	SE NE	0.6
24 S	32.5 E	WM	32	SW NW	5.0

8. The portion of the third right (an underlying supplemental permit pursuant to OAR 690-380-2250) to be transferred is as follows:

Permit: G-16337 in the name of Blackburn Ranches LLC

Use: IRRIGATION 9.2 ACRES

Priority Date: JULY 25, 2007

Rate: 0.12 CUBIC FOOT PER SECOND

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

Period of Use: March 1st through October 31st

Source: WELL 2 (HARN 967/HARN 1725) WELL 3 (HARN 51322) AND WELL 4 within the EAST FORK SILVIES RIVER BASIN

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
24 S	32.5 E	WM	31	NE NE	WELL #2 (HARN 967/1725): 811 FEET SOUTH AND 1151 FEET WEST FROM THE NE CORNER OF SECTION 31
24 S	32.5 E	WM	30	SE SE	WELL #3 (HARN 51322): 27 FEET NORTH AND 655 FEET WEST FROM THE SE CORNER OF SECTION 30
24 S	32.5 E	WM	31	NW NE	WELL #4: 685 FEET SOUTH AND 2275 FEET WEST FROM THE NE CORNER OF SECTION 31

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
24 S	32.5 E	WM	31	NW NE	1.9
24 S	32.5 E	WM	31	SE NE	0.6
24 S	32.5 E	WM	31	NE NW	1.7
24 S	32.5 E	WM	32	SW NW	5.0

9. Transfer Application T-10437 also proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
24 S	32.5 E	WM	31	NE NE	5.7
24 S	32.5 E	WM	32	NW NW	2.3
24 S	32.5 E	WM	32	SW NW	1.2

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

Certificate: 82486 in the name of James W. Mason Jr. (perfected under Permit G-10512)

Use: IRRIGATION 53.5 ACRES

Priority Date: APRIL 23, 1985

Rate: 0.67 CUBIC FOOT PER SECOND

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year, provided further that although declared herein to be for primary irrigation, the supplemental right perfected under Permit 49406, may in the interest of conserving the ground water resources, be exercised at times when water is available from ground water provided that the total quantity diverted from both sources shall not exceed the limitation allowed herein.

Source: A WELL within the EAST FORK SILVIES RIVER BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
24 S	32.5 E	WM	30	SE SE	WELL #1: 30 FEET NORTH AND 560 FEET WEST FROM THE SE CORNER OF SECTION 30

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	Type of Change
24 S	32.5 E	WM	31	NE NE	5.7	POU/POA
24 S	32.5 E	WM	31	NE NE	17.9	POA
24 S	32.5 E	WM	31	SE NE	5.3	POA
24 S	32.5 E	WM	32	NW NW	2.3	POU/POA
24 S	32.5 E	WM	32	NW NW	9.2	POA
24 S	32.5 E	WM	32	SW NW	1.2	POU/POA
24 S	32.5 E	WM	32	SW NW	11.9	POA

11. Transfer Application T-10437 proposes to change the point of appropriation for a portion of the lands indicated with a "POA" in the "Type of Change column" described in Finding of Fact #10. The location of the authorized Well #1 is approximately 840 feet northeast of proposed Well #2, approximately 95 feet east of proposed Well #3 and approximately 1650 feet southwest of proposed Well #4. The proposed points of appropriation are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
24 S	32.5 E	WM	31	NE NE	WELL #2; 811 FEET SOUTH AND 1151 FEET WEST FROM THE NE CORNER OF SECTION 31
24 S	32.5 E	WM	30	SE SE	WELL #3; 27 FEET NORTH AND 655 FEET WEST FROM THE SE CORNER OF SECTION 30
24 S	32.5 E	WM	31	NW NE	WELL #4; 685 FEET SOUTH AND 2275 FEET WEST FROM THE NE CORNER OF SECTION 31

12. Transfer Application T-10437 also proposes to change the place of use to a portion of the lands indicated with a "POU" in the "Type of Change column" described in Finding of Fact #10 to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
24 S	32.5 E	WM	31	NE NW	1.7
24 S	32.5 E	WM	31	NW NE	1.9
24 S	32.5 E	WM	31	SE NE	0.6
24 S	32.5 E	WM	32	SW NW	5.0

13. Notice of the application for transfer was published on July 31, 2007, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
14. On April 8, 2010, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-10437 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of May 7, 2010, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.

Transfer Review Criteria (OAR 690-380-4010)

15. Water has been used within the last five years according to the terms and conditions of the rights. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
16. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights were present within the five-year period prior to submittal of Transfer Application T-10437.
17. The proposed change would not result in enlargement of the rights.
18. The proposed change would not result in injury to other water rights.

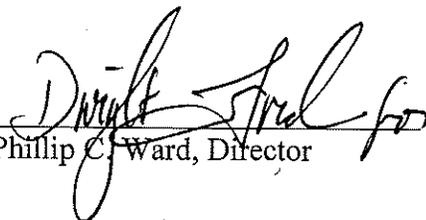
Determination and Proposed Action

The changes in point of appropriation and place of use proposed in Transfer Application T-10437 appear to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved.

If Transfer Application T-10437 is approved, the final order will include the following:

1. *The change in points of appropriation and places of use proposed in Transfer Application T-10437 are approved.*
2. *The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificate 67939, 82486 and 82845, Permit G-16337 and any related decree.*
3. *Water right Certificates 67939, 82486 and 82845 are cancelled. New certificates will be issued describing those portions of the rights not affected by this transfer.*
4. *The quantity of water diverted at the new points of appropriation, shall not exceed the quantity of water lawfully available at the original points of appropriation.*
5. *The water user shall maintain and operate the existing measurement device and shall make such improvements as may be required by the Department.*
6. *Water shall be acquired from the same aquifer (water source) as the original point of appropriation.*
7. *The former place of use of the transferred rights and underlying permit shall no longer receive water under the rights.*
8. *The approved changes shall be completed and full beneficial use of the water shall be made on or before **October 1, 2011**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.*
9. *When satisfactory proof of the completed changes is received, new certificates confirming the rights transferred will be issued.*

Dated at Salem, Oregon this 7 day of May 2010.


Phillip C. Ward, Director

**Notice of Preliminary Determination for
Water Right Transfer T-10437**

T-10437 filed by BLACKBURN RANCHES LCC, 707 PONDEROSA VILLAGE, BURNS, OR 97720, proposes a change in point of appropriation and place of use under Certificates 67939, 82845, 82486, and an underlying permit, G-16337. Certificate 67939 allows the use of 2.01 CUBIC FEET PER SECOND (priority date JANUARY 20, 1984) from a well in Sec. 30, T 24 S, R 32.5 E, W.M. (East Fork Silvies River Basin) for IRRIGATION in Sec. 30 and 31. The applicant proposes to move the point of appropriation approximately 95 feet east and 1650 feet southwest in Sec. 30 and 31, T 24 S, R 32.5 E, W.M..

Certificate 82845 allows the use of 0.12 CUBIC FOOT PER SECOND (priority date June 5, 1985) from an unnamed slough, tributary to the East Fork Silvies River in Sec. 31, T 24 S, R 32.5 E, W.M. for IRRIGATION in Sec. 31 and 32. The applicant proposes to change the place of use to Sec. 31 and 32, T 24 S, R 32.5 E, W.M.

Permit G-16337 allows the use of 0.12 CUBIC FOOT PER SECOND (priority date July 25, 2007) from three wells in Sec. 30 and 31, T 24 S, R 32.5 E, W.M. (East Fork Silvies River Basin) for IRRIGATION in Sec 31 and 32. The applicant proposes to change the place of use to Sec. 31 and 32, T 24 S, R 32.5 E, W.M.

Certificate 82486 allows the use of 0.67 CUBIC FOOT PER SECOND (priority date April 23, 1985) from a well in Sec. 30, T 24 S, R 32.5 E, W.M. (East Fork Silvies River Basin) for IRRIGATION in Sec. 31 and 32. The applicant proposes to change the point of appropriation approximately 840 feet northeast, 95 feet east, and 1650 feet southwest in Sec. 30 and 31, T 24 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.

Any person may file, jointly or severally, with the Department a protest or standing statement within 30 days after the date of final publication of notice in the Department's weekly notice or of this newspaper notice, whichever is later. A protest form and additional information on filing protests may be obtained by calling (503) 986-0883. The last date of newspaper publication is [DATE OF LAST PUBLICATION]. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.

ORIGINALS

Transfer Application and Map

Amendments/Revisions to Appl & Map

Receipt

Deed or Lot Book Report

Notarized Consent

Evidence of Use Affidavit

Land Use Information Form

Lien Holder Notification *(if applicable)*

Report of Ownership and Lien Info *(if applicable)*

&

Other Supporting Documentation

Originals

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:
 - ① In EFU zone or irrigation district,
 - ② Change in place of use only,
 - ③ No structural changes needed, including diversion works, delivery facilities, other structures, *and*
 - ④ 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.

Deed

RECEIVED

9. ATTACHMENTS

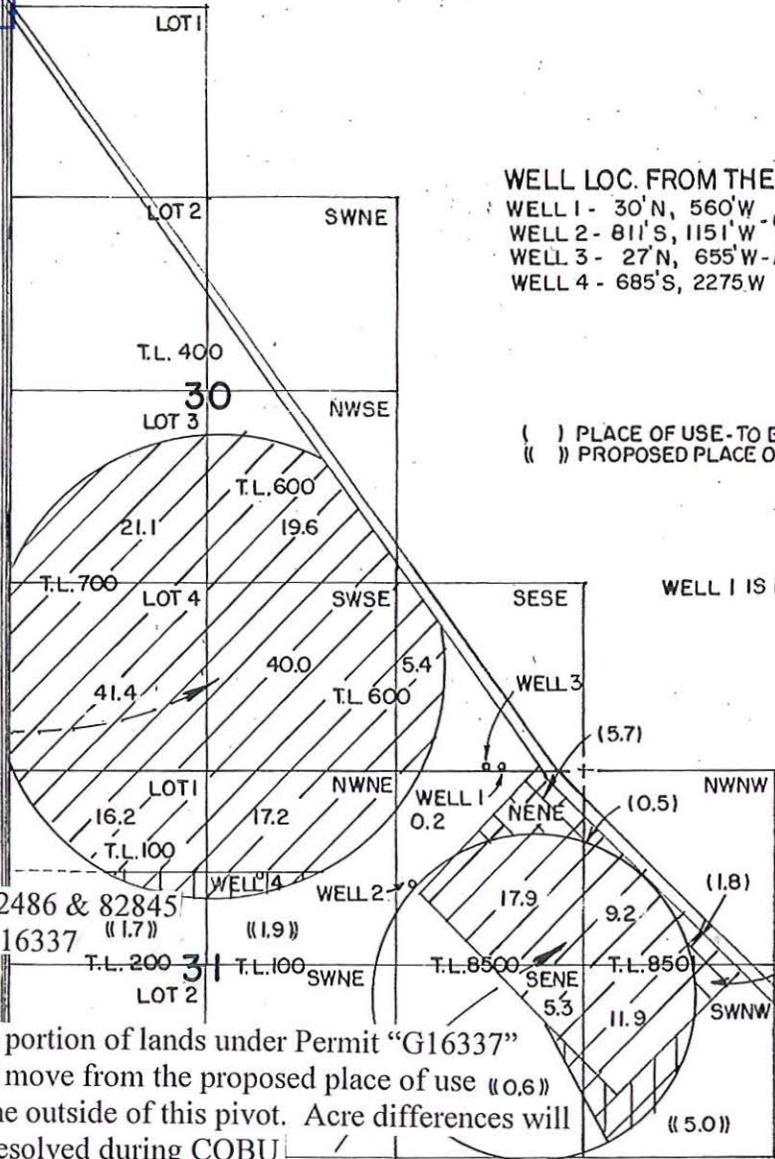
*Check each of the following attachments included with this application.
The application will be returned if all required attachments are not included.*

<p>Supplemental Form A – Description of Proposed Change(s) to a Water Right</p> <p><input checked="" type="checkbox"/> A <u>separate</u> Supplemental Form A is enclosed for <u>each</u> water right to be affected by this transfer.</p> <p>Supplemental Form B – Evidence of Use Affidavit(s)</p> <p><input checked="" type="checkbox"/> 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), <u>and</u></p> <p><input type="checkbox"/> The Evidence of Use Affidavit must be accompanied by supporting documentation.</p> <p>Map</p> <p><input checked="" type="checkbox"/> <i>Water Right Transfer</i> 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.</p> <p><input type="checkbox"/> <i>Temporary Transfer or Historical POD Change</i> A map meeting the requirements of OAR 690-380-3100 must be included but need <u>not</u> be prepared by a Certified Water Right Examiner.</p> <p>Water Well Report(s)/Well Log(s):</p> <p><input checked="" type="checkbox"/> 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.</p> <p><input type="checkbox"/> 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.</p> <p><input type="checkbox"/> N/A. The application does <u>not</u> involve a change in point of appropriation or a change from surface water to ground water, so water well reports are <u>not</u> required.)</p>	<p>Land Use Information Form:</p> <p><input checked="" type="checkbox"/> Enclosed; <i>or</i></p> <p><input type="checkbox"/> Not Required if <u>all</u> of the following are met:</p> <ul style="list-style-type: none">① In EFU zone or irrigation district,② Change in place of use only,③ No structural changes needed, including diversion works, delivery facilities, other structures, <i>and</i>④ Irrigation only. <p>Fees:</p> <p><input type="checkbox"/> Amount enclosed: \$ _____ See the Department's Fee Schedule at www.wrd.state.or.us or call (503) 986-0900.</p> <p><u>Instream Water Right Transfers, also include:</u></p> <p>Supplemental Form C – Instream Water Right Transfer</p> <p><input type="checkbox"/> Complete this form to describe the desired nature and attributes for the proposed instream water right.</p> <p><u>Temporary Transfers, also include:</u></p> <p>Recorded Deed:</p> <p><input type="checkbox"/> 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.</p> <p>Affidavit of Consent:</p> <p><input type="checkbox"/> 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.</p>
--	--

RECEIVED

RECEIVED
 JAN 29 2010
 WATER RESOURCE DEPT.
 EASTERN REGION

T24 S, R 32 1/2 E, WM



WELL LOC. FROM THE N.E. COR. OF SEC. 31
 WELL 1 - 30' N, 560' W
 WELL 2 - 811' S, 1151' W - CERTIFICATES 67939 & 82486
 WELL 3 - 27' N, 655' W - ADDITION PT. OF APPROPRIATION
 WELL 4 - 685' S, 2275' W

() PLACE OF USE - TO BE MOVED
 (()) PROPOSED PLACE OF USE.

WELL 1 IS NOT TO BE USED -



CERT. 67939

CERT. 82486 & 82845

ADDED WELL 4 (01-08-2008)
 ADDED CHANGE IN PLACE OF USE (01-25-2010)

The portion of lands under Permit "G16337" will move from the proposed place of use ((0.6)) to the outside of this pivot. Acre differences will be resolved during COBU

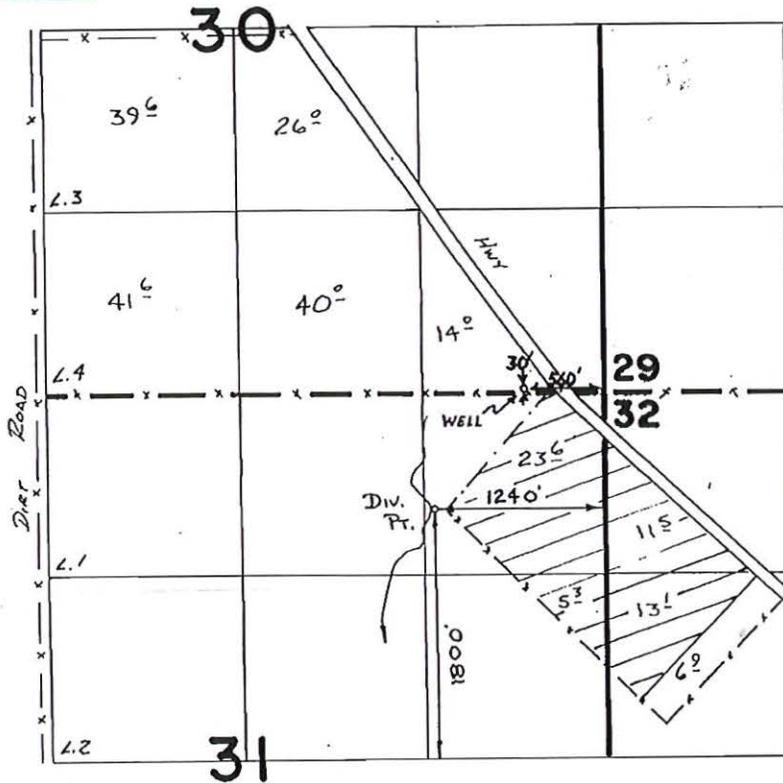
CO. RD.



	JETT C. BLACKBURN		WATER RIGHT TRANSFER APPLICATION MAP	
	Scale: 4" = 1 MILE	Date: APRIL 2007	Job: 2406	
	Dsn:		Sht. No.	
	Dm: CHRIS		of 1	
Ckd:	M.A. PALMER & SONS, INC. ENGINEERING & SURVEYING 711 Ponderosa Village • Box 61 Burns, Oregon 97720			

Supplemental Map Showing POD Location for C-82845

T. 24S., R. 32 1/2 E., W.M.



SCALE 1" = 1320'

FINAL PROOF SURVEY
UNDER

G-11378 G10512
Application No. 68368 Permit No. 49406
IN NAME OF

JAMES W. MASON, JR.

Surveyed ... 5-2 ... 1988, by V.L. Church

New



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

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.wrd.state.or.us/OWRD/PUBS/forms.shtml.

1. TYPE OF TRANSFER APPLICATION

Please check one	
<input checked="" type="checkbox"/> Permanent Transfer	<input type="checkbox"/> Instream Transfer
<input type="checkbox"/> Temporary Transfer	<input type="checkbox"/> Permanent
• total number of years: _____	<input type="checkbox"/> Time-Limited
(begin year: _____)	<input type="checkbox"/> Drought Transfer
(end year: _____)	<input type="checkbox"/> Other

2. APPLICANT INFORMATION

Name: Blackburn Ranches LLC
First Last

Address: 707 Ponderosa Village
Burns Ore 97720
City State Zip

Phone: 541-573-7206 541-573-7206
Home Work Other

Fax: 541-573-5011 E-Mail address: _____

3. AGENT INFORMATION

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

Name: Jett C. Blackburn
First Last

Address: 707 Ponderosa Village
Burns Ore 97720
City State Zip

Phone: 541 573-2313 541 573 7206 Cell 541 589-0438
Home Work Other

Fax: 541 573-5011 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.

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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-10340 ^{Cert:} 67939	JAMES W MASON, JR	67939
2.	G 10512 82486	" " "	82486
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): Well #1 quit producing + WAS replaced with New well #3

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.

Turbine pump delivers water through 8" PVC to pivot + wheel lines well #1 65 hp well #2 80 hp.

- System capacity: 2.68 cubic feet per second (cfs). If the transfer involves multiple rights that have independent systems, describe the capacity for each system separately.

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:

N/A

- 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).

N/A

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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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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:

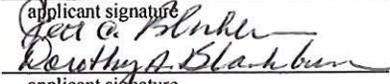
In accordance with OAR 690-380-3000(13)(a), I (we) understand that prior to Department approval of a permanent transfer and upon my receipt of a draft Preliminary Determination for the proposed transfer, I (we) will be required [pursuant to OAR 690-380-4010(5)] to provide the following landownership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

Blackburn Ranches LLC. by:		
	Rex Blackburn	7/14/07
(applicant signature)	name (print)	date
	Dorothy A. Blackburn	7/14/07
(applicant signature)	name (print)	date

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: 82486 G10512

1. TYPE OF CHANGE(S) PROPOSED

(Check *all* that apply.)

Point of Diversion or Appropriation	Place of Use	Character of Use
<input checked="" type="checkbox"/> 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.) <input type="checkbox"/> 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.) <input type="checkbox"/> Historic Point of Diversion or Appropriation Change (Unauthorized point of diversion or appropriation used for more than 10 years.) <input type="checkbox"/> Surface Water to Ground Water (A new point of appropriation will be used instead of the old point of diversion. The old point of diversion will <u>not</u> be used.) <input type="checkbox"/> Point of Diversion Change due to Government Action (The old point of diversion or appropriation can no longer be used due to government action.) <input type="checkbox"/> Exchange (Water from another source will be used in exchange for supplying an equal amount of replacement water to that source.)	<input type="checkbox"/> All of the right will be exercised at a different location than currently authorized (Use of water at the current location will be discontinued.) <input type="checkbox"/> 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.)	<p align="center">Proposed new use:</p> <input checked="" type="checkbox"/> Irrigation <input type="checkbox"/> Municipal <input type="checkbox"/> Quasi-municipal <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Instream (complete and attach <i>Supplemental Form C</i>) <input type="checkbox"/> Domestic (indicate number of households) _____ <input type="checkbox"/> Other _____ <input type="checkbox"/> Substitution (A supplemental ground water right will be substituted for a primary surface water right.) <input type="checkbox"/> 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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**WATER RESOURCES DEPT
SALEM, OREGON**

2. CURRENT WATER RIGHT INFORMATION

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

<input checked="" type="checkbox"/> Certified Right	<u>82486</u> Certificate Number	<u>G10512</u> Permit Number or Decree Name
<input type="checkbox"/> Adjudicated, Non-certificated Right	_____ Name of Decree	_____ Page Number
<input type="checkbox"/> Permit for which Proof has been Approved	_____ Permit Number	_____ Date Claim of Beneficial Use Submitted
<input type="checkbox"/> Transferred Right for which Proof has been Filed	_____ Previous Transfer Number	_____ Date Claim of Beneficial Use Submitted

- Name on Permit, Certificate, or Decree: JAMES W MASON JR.
- County: HARNEY
- Authorized Use(s) to be Affected by Transfer: IRRIGATION
- Priority Date(s): 4-23-85

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: Well # 1

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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▪ Certificate Number or other identifying number: G10512 82486

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, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
G10512 82486	4-23-85	24 S	32 ½	E10M	31	SESE NENE	TL 600	799' S 115' West from NE CORNER

- 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

▪ Certificate Number or other identifying number: 10512 82486

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)
Well #3	24S	32½E	Wm	30	SESE	600	31' N 655' W from SE Corner

- 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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▪ Certificate Number or other identifying number: R10512 82486

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.)

Source	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)
# 2 well							

Remarks: _____

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 SALEM, OREGON

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: Permit G10340 Cert 67939

1. TYPE OF CHANGE(S) PROPOSED

(Check *all* that apply.)

Point of Diversion or Appropriation	Place of Use	Character of Use
<input checked="" type="checkbox"/> 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.) <input type="checkbox"/> 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.) <input type="checkbox"/> Historic Point of Diversion or Appropriation Change (Unauthorized point of diversion or appropriation used for more than 10 years.) <input type="checkbox"/> 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.) <input type="checkbox"/> Point of Diversion Change due to Government Action (The old point of diversion or appropriation can no longer be used due to government action.) <input type="checkbox"/> Exchange (Water from another source will be used in exchange for supplying an equal amount of replacement water to that source.)	<input type="checkbox"/> All of the right will be exercised at a different location than currently authorized (Use of water at the current location will be discontinued.) <input type="checkbox"/> 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.)	<p style="text-align: center;">Proposed new use:</p> <input checked="" type="checkbox"/> Irrigation <input type="checkbox"/> Municipal <input type="checkbox"/> Quasi-municipal <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Instream (complete and attach <i>Supplemental Form C</i>) <input type="checkbox"/> Domestic (indicate number of households) _____ <input type="checkbox"/> Other _____ <input type="checkbox"/> Substitution (A supplemental ground water right will be substituted for a primary surface water right.) <input type="checkbox"/> 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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 SALEM, OREGON

2. CURRENT WATER RIGHT INFORMATION

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

<input checked="" type="checkbox"/> Certificated Right	<u>67939</u> Certificate Number	<u>G10340</u> Permit Number or Decree Name
<input type="checkbox"/> Adjudicated, Non-certificated Right	_____ Name of Decree	_____ Page Number
<input type="checkbox"/> Permit for which Proof has been Approved	_____ Permit Number	_____ Date Claim of Beneficial Use Submitted
<input type="checkbox"/> Transferred Right for which Proof has been Filed	_____ Previous Transfer Number	_____ Date Claim of Beneficial Use Submitted

- Name on Permit, Certificate, or Decree: JAMES W. MASON JR.
- County: HARNEY
- Authorized Use(s) to be Affected by Transfer: IRRIGATION
- Priority Date(s): 1-20-84

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: Well # 1

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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▪ Certificate Number or other identifying number: G10340 67939

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	1/4 1/4	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
G10340 67939	1-20-84	24S	32 1/2	EWM	30	SESE	TL 600	30' N 560' WEST from from SE corner Sec 30

▪ 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

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▪ Certificate Number or other identifying number: G10340 67939

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)
#3 Well	245	32 ½ E	12th	30	SE SE	600	27' N 655' W from SE CORNER

- 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:

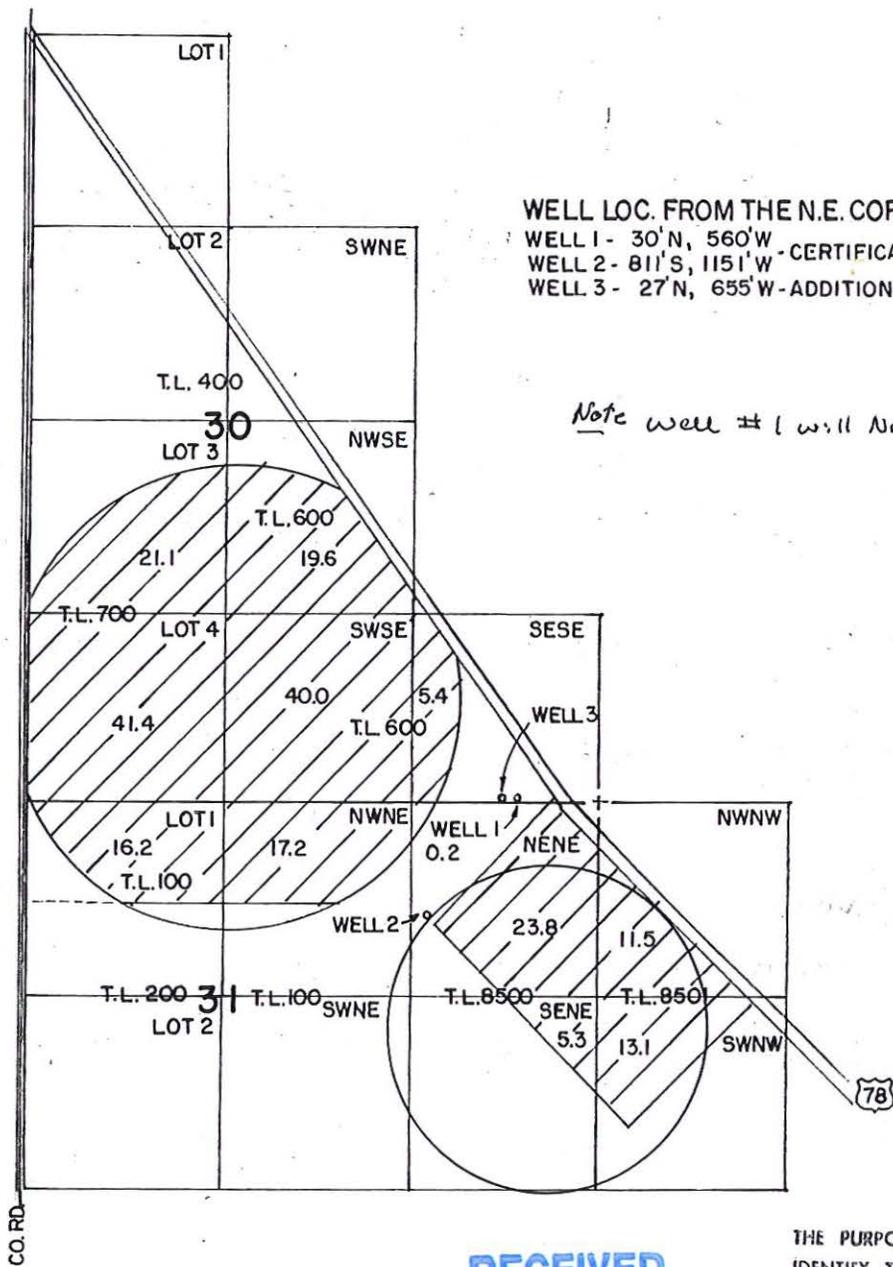
Construction of Proposed Point(s) of Appropriation or Well(s)

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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SALEM, OR

T24 S, R 32 1/2 E, WM



WELL LOC. FROM THE N.E. COR. OF SEC. 31
 WELL 1 - 30' N, 560' W
 WELL 2 - 811' S, 1151' W - CERTIFICATES 67939 & 82486
 WELL 3 - 27' N, 655' W - ADDITION PT. OF APPROPRIATION

Note well #1 will not be used.

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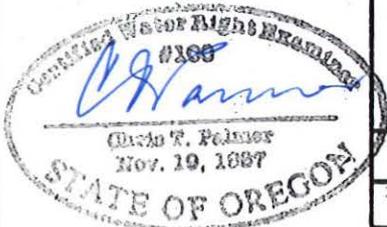
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**WATER RESOURCES DEPT
 SALEM, OREGON**

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.

JETT C. BLACKBURN

WATER RIGHT TRANSFER APPLICATION MAP



RENEW 1-1-2009

Scale: 4" = 1 MILE	Date: APRIL 2007	Job: 2406
Dsn:		Sht. No.
Dm: CHRIS		M.A. PALMER & SONS, INC. ENGINEERING & SURVEYING 711 Ponderosa Village • Box 61 Burns, Oregon 97720
Ckd:		

STATE OF OREGON WATER SUPPLY WELL REPORT

01-24-2007

WELL LABEL # L 86796

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

START CARD # 1000433

(1) LAND OWNER

Owner Well I.D. #3

First Name JETT Last Name BLACKBURN

Company

Address 707 PONDEROSA VILLAGE

City BURNS State OR Zip 97720

(2) TYPE OF WORK

New Well Deepening Conversion Alteration (repair/recondition) Abandonment

(3) DRILL METHOD

Rotary Air Rotary Mud Cable Auger Cable Mud Reverse Rotary Other

(4) PROPOSED USE

Domestic Irrigation Community Industrial/ Commercial Livestock Dewatering Thermal Injection Other

(5) BORE HOLE CONSTRUCTION

Special Standard Attach copy

Depth of Completed Well 227.00 ft.

Table with columns: Dia, From, To, Material, SEAL, Amt, lbs. Rows include Bentonite seal from 0 to 18 ft.

How was seal placed: Method A B C D E

Other poured dry and tam

Backfill placed from 0 ft. to 227 ft. Material pea gravel

Filter pack from 0 ft. to 227 ft. Material pea gravel Size 3/8

Explosives used: Yes Type Amount

(6) CASING/LINER

Table with columns: Casing, Liner, Dia, From, To, Gauge, Stl, Plstc, Wld, Thrd. Rows show casing and liner details.

Shoe Inside Outside Other Location of shoe(s)

Temp casing Yes Dia From To

(7) PERFORATIONS/SCREENS

Perforations Method Screens Type roscoe moss Material stainless steel

Table with columns: Perf/ Screen, Casing/ Liner, Dia, From, To, Scrn/slot width, Slot length, # of slots, Tele/ pipe size.

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

Table with columns: Pump/Bailer/Air/Flowing Artesian, Yield gal/min, Drawdown, Drill stem/Pump depth, Duration (hr).

Temperature 55 °F Lab analysis Yes By

Water quality concerns? Yes (describe below)

Table with columns: From, To, Description, Amount, Units.

(9) LOCATION OF WELL (legal description)

County Harney Twp 24.00 S N/S Range 32.50 E E/W WM

Sec 30 SE 1/4 of the SE 1/4 Tax Lot 600

Tax Map Number Lot

Lat " or DMS or DD

Long " or DMS or DD

Street address of well Nearest address

64040 HWY 78

(10) STATIC WATER LEVEL

Table with columns: Existing Well / Predeepening, Date, SWL(psi), SWL(ft). Row: Completed Well 01-22-2007 17

Flowing Artesian? Dry Hole?

WATER BEARING ZONES

Depth water was first found 17

Table with columns: SWL Date, From, To, Est Flow, SWL(psi), SWL(ft). Row: 01-22-2007 17 218 1,000 17

(11) WELL LOG

Ground Elevation

Table with columns: Material, From, To. Rows include sandy loom topsoil, clay brn, clay grey, silt grey, sand gray, silt green, clay grey sticky, gravel clay, clay grey, gravel sand, clay green.

Date Started 01-04-2007 Completed 01-22-2007

(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.

License Number Date

Electronically Filed

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.

License Number 1424 Date 01-24-2007

Electronically Filed

Signed TIMOTHY K RILEY (E-filed)

Contact Info (optional)

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10437

WATER WELL REPORT
STATE OF OREGON

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JUN 25 1984

State Well No. 245/32 1/2 31 AA

State Permit No. _____

968
Hamm

WATER RESOURCES DEPT
SALEM, OREGON

(1) OWNER:

Name James Mason
Address P.O. Box 4
City Lawen State Oregon

(2) TYPE OF WORK (check):

New Well Deepening Reconditioning Abandon

If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rotary Air Driven Domestic Industrial Municipal
Rotary Mud Dug Irrigation Test Well Other
 Bored Thermal: _____ Withdrawal ReInjection

(4) PROPOSED USE (check):

CASING INSTALLED: Steel Plastic
Threaded Welded
6" Diam. from +2 ft. to 7.70 ft. Gauge 0.250
" Diam. from _____ ft. to _____ ft. Gauge _____

LINER INSTALLED:

" Diam. from _____ ft. to _____ ft. Gauge _____

(6) PERFORATIONS:

Perforated? Yes No

Type of perforator used _____
Size of perforations _____ in. by _____ in.
_____ perforations from _____ ft. to _____ ft.
_____ perforations from _____ ft. to _____ ft.
_____ perforations from _____ ft. to _____ ft.

(7) SCREENS:

Well screen installed? Yes No

Manufacturer's Name _____ Model No. _____
Type _____
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 pump test made? Yes No If yes, by whom? Valentine
d: 25 gal./min. with 10 ft. drawdown after 2 hrs.
" _____
Air test _____ gal./min. with drill stem at _____ ft. _____ hrs.
Bailer test _____ gal./min. with _____ ft. drawdown after _____ hrs.
Artesian flow _____ g.p.m.
Temperature of water 55 Depth artesian flow encountered _____ ft.

(9) CONSTRUCTION:

Special standards: Yes No

Well seal—Material used Cement
Well sealed from land surface to 29 ft ft.
Diameter of well bore to bottom of seal 1 1/4 in.
Diameter of well bore below seal 6 in.
Number of sacks of cement used in well seal 6 sacks
How was cement grout placed? T.V.S. pipe
Was pump installed? Yes Type 5.4 HP 3/4 Depth 40 ft.
Was a drive shoe used? Yes No Plugs _____ Size: location _____ ft.
Did any strata contain unusable water? Yes No
Type of Water? _____ depth of strata _____
Method of sealing strata off _____
Was well gravel packed? Yes No Size of gravel: _____
Gravel placed from _____ ft. to _____ ft.

(10) LOCATION OF WELL:

County HORNEY Driller's well number 1081
NE 1/4 NE 1/4 Section 31 T. 245 R. 32 1/2 W.M.
Tax Lot # _____ Lot _____ Blk _____ Subdivision _____
Address at well location: LAWEN OREGON

(11) WATER LEVEL: Completed well.

Depth at which water was first found 15 ft.
Static level 15 ft. below land surface. Date 28 May
Artesian pressure _____ lbs. per square inch. Date _____

(12) WELL LOG:

Diameter of well below casing 6"

Depth drilled 180 ft. Depth of completed well 180 ft.
Formation: Describe color, texture, grain size and structure of materials; and show thickness and nature of each stratum and aquifer penetrated, with at least one entry for each change of formation. Report each change in position of Static Water Level and indicate principal water-bearing strata.

MATERIAL	From	To	SWL
Top Soil	0	2	
Hard pan	2	5	
sand + Brown clay	5	10	
sand + Brown clay	10	15	8
sand + Brown clay	15	20	
clay Brown	20	30	5
clay Brown	30	40	
clay Gray	40	50	
clay Blue	50	60	12
sand fine	60	70	10
sand + Blue clay	70	80	30
sand + Blue clay	80	90	
sand + Blue clay	90	100	
clay Gray	100	120	30
clay Gray	120	145	
clay Blue	145	165	20
clay Blue	165	170	
Gravel (small)	170	180	15

Work started May 24 1984 Completed May 28 1984
Date well drilling machine moved off of well May 28 1984

(unbonded) Water Well Constructor Certification (if applicable):

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

[Signed] _____ Date _____, 19____

Bonded Water Well Constructor Certification:
Bond 9615691 Issued by: Reliability Report
(number) Surety Company Name

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

Name Ralph Killinger
(Type or print)

Address _____

[Signed] Ralph Killinger
Water Well Constructor

Date May 28 1984

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

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

SP 40292-890

**Water Right Transfer Supplemental Form B
AFFIDAVIT ATTESTING TO THE USE OF WATER**

State of Oregon)
County of Harney) ss

I, William BEAL, in my capacity as consultant - watermaster^{ex Dist 10},
mailing address 72690 Foley Road, Burns OR 97720
telephone number (541) 573-6642, 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	1/4 1/4 Section	Gov't Lot or DLC	Acres (if applicable)	
24	S	32 1/2 E	W	30	LOT 3 NE SW	TL 700	21.1
"	"	"	"	30	NW SE	TL 600	19.6
"	"	"	"	30	LOT 4 SE SW	TL 700	41.4
"	"	"	"	30	S 1/2 SE	TL 600	45.4
"	"	"	"	31	LOT 1 NR NW	TL 100	16.2
"	"	"	"	31	NW NE	TL 100	17.2
"	"	"	"	31	E 1/2 NE	TL 8500	29.1
"	"	"	"	32	W 1/2 NW	TL 8501	24.6

(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.

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SALEM, OREGON

4. The water right was exercised for the authorized purpose described below (e.g., crops grown):

To Grow ALFALFA

5. The water delivery system used to apply water as authorized by the right is described below:

1 Center Pivot and wheel Lines

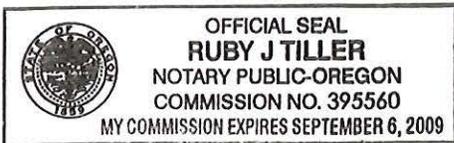
6. One or more of the following documentation supporting the above statements is attached:

- 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,
- 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,
- Instream lease number _____,
- Other: _____

William N. Beal
Signature of Affiant

4-30-2007
Date

Signed and sworn to (or affirmed) before me this 30th day of April, 2007.



Ruby J. Tillier
Notary Public for Oregon

My Commission Expires: 9-6-09

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

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- 2 -

AUG 01 2007

Affidavit Attesting to the Use of Water

WATER RESOURCES DEPT
SALEM, OREGON



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: Blackburn Ranches, LLC
Mailing Address: 707 Ponderosa Village
City: Burns State: OR Zip: 97720 Day Phone: 573 7206

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	Tax Lot #	Plan Designation (e.g. Rural Residential/RR-5)	Water to be:			Proposed Land Use:
24-5	32 1/2 E	30	E 3/4	400		<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	IRR
"	"	30	S 1/4 NE 1/4	406		<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	IRR
"	"	30	SESE	600		<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	IRR
"	"	31	E 1/4 NE 1/4	100		<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	IRR
"	"	31	E 1/4 NE	8500		X	X	X	IRR
"	"	32	S 1/4 NE	8501		X	X	X	IRR

List all counties and cities where water is proposed to be diverted, conveyed, or used. Harney Co. - Burns

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: N/A 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 for present Permits under certificates C-82486 + C-67939

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

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

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SALEM, OREGON

10437

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): 3.010.

- 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:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued

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

Name: DANNY JOHNSON Title: PLANNING ASSISTANT
 Signature: [Signature] Phone: (541) 573-8174 Date: 18 July 2007
 Government Entity: HARNEY COUNTY PLANNING DEPARTMENT

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JUL 25 2007

**WATER RESOURCES DEPT
SALEM, OREGON**

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

Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

1 10437

THIS SPACE RESERVED FOR RECORDER'S USE

20071596

After recording return to:

REX BLACKBURN, MEMBER
BLACKBURN RANCHES, LLC
707 PONDEROSA VILLAGE
BURNS, OR 97720

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

REX BLACKBURN, MEMBER
BLACKBURN RANCHES, LLC
707 PONDEROSA VILLAGE
BURNS, OR 97720

STATE OF OREGON }
County of Harney } ss

I certify that the within instrument was received
for record on the 14th day of July
2007 at 2:21 o'clock P.M. and
recorded Microfilm number 20071596

Deed Records of said County.
Maria Iturriaga, County Clerk

By: *[Signature]* Deputy

STATUTORY WARRANTY DEED

JETT C. BLACKBURN and DOROTHY A. BLACKBURN, as Trustees of the
Blackburn Family Trust UDT November 26, 1999, and REX BLACKBURN, collectively
as tenants by the entirety, Grantors hereby convey and warrant to BLACKBURN
RANCHES, LLC, an Oregon limited liability company, Grantee the following described
real property in the County of HARNEY and the State of Oregon free of encumbrances
except as specifically set forth herein:

SEE EXHIBIT "A" WHICH IS MADE A PART HEREOF BY THIS REFERENCE

ACCT# 23399; CODE# 4-2	MAP:23S 32V LOT 8500
ACCT# 23392; CODE# 4-2	MAP:24S 32V 30 LOT 400
ACCT# 23398; CODE# 4-2	MAP:24S 32V 30 LOT 600
ACCT# 23394; CODE# 4-2	MAP:24S 32V 30 LOT 700
ACCT# 23395; CODE# 4-2	MAP:24S 32V 31 LOT 100
ACCT# 23396; CODE# 4-2	MAP:24S 32V 31 LOT 200

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:

The true and actual consideration for this conveyance is as specified in the Operating
Agreement of Blackburn Ranches, LLC dated as of June 1, 2007, and the First
Amendment thereto.

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JUL 25 2007

WATER RESOURCES DEPT
SALEM, OREGON

10437

2007 1596

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. 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 APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 197.352.

Dated this 14 day of July, 2007.

Jett C. Blackburn

Jett C. Blackburn, Trustee
Blackburn Family Trust

Dorothy A. Blackburn

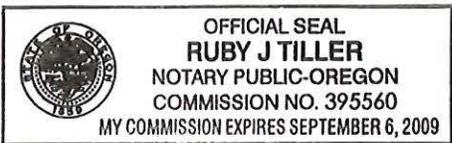
Dorothy A. Blackburn, Trustee
Blackburn Family Trust

Rex Blackburn

Rex Blackburn

State of Oregon
County of HARNEY

This instrument was acknowledged before me on July 14, 2007 by Jett C. Blackburn, Dorothy A. Blackburn and Rex Blackburn.



Ruby J. Tillier
(Notary Public for Oregon)

My commission expires 9-6-09

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WATER RESOURCES DEPT
SALEM, OREGON

1 10437

2007 1594

EXHIBIT "A"

Land in Harney County, Oregon, as follows:

In Twp. 24 S., R. 32½ E., W.M.:

- Sec. 30: All that portion of Lots 2, 3 and 4, and the SE¼, SW¼NE¼, lying Southwesterly of the highway right of way, as said right of way is described in deed recorded June 10, 1946, in Book 43, Page 238, and recorded January 10, 1967, in Book 81, Page 475, Book 82, Page 386 and Book 82, Page 594, Deed Records, and as described in condemnation proceedings filed in Circuit Court of the State of Oregon, for the County Harney, Case No. 3742.
- Sec. 31: Lot 1 and all that portion of Lot 2, W½NE¼ and NW¼SE¼, lying Northerly of the railroad right of way, as said right of way is described in deeds recorded in Book 31, Page 219 and 239, Deed Records. ALSO the E½NE¼, EXCEPTING THEREFROM highway right of way over the NE¼NE¼ conveyed to the State of Oregon, by and through its State Highway Commission, by deed recorded January 16, 1967, in Book 81, Page 492, re-recorded July 13, 1967, in Book 83, Page 31, Deed Records.
- Sec. 32: W½NW¼, EXCEPTING THEREFROM the following five parcels:
- Parcel No. 1: A parcel of land about 125 feet square at the intersection of the Burns-Crane section of the Central Oregon Highway and the public road running South past the Town of Lawen, along the East boundary of the W½NW¼ of said Sec. 32, described as follows:
- Beginning at the Northwest corner of said Sec. 32;
 - thence South 55.8 feet to the South line of said State Highway right of way;
 - thence S. 45°49' E., along said South line, 1840.7 feet to a point of the intersection with the West line of said Lawen Road, the True Point of Beginning;
 - thence South 125 feet;
 - thence West 125 feet;
 - thence North to the South line of said State Highway right of way;
 - thence S. 45°49' E. to the True Point of Beginning.
- Parcel No. 2: Highway right of way conveyed to the State of Oregon, by and through its State Highway Commission, by deed recorded June 17, 1946, in Book 43, Page 294, Deed Records.
- Parcel No. 3: Highway right of way conveyed to the State of Oregon, by and through its State Highway Commission, by deed recorded January 16, 1967, in Book 81, Page 492, re-recorded July 13, 1967, in Book 83, Page 31, Deed Records.
- Parcel No. 4: That portion of the NE¼NE¼ of Sec. 31 and the W½NW¼ of Sec. 32 lying Northeasterly of the highway right of way conveyed to the State of Oregon, by and through its State Highway Commission, by deed recorded June 17, 1946, in Book 43, Page 294, recorded January 16, 1967, in Book 81, Page 492 and re-recorded July 13, 1967, in Book

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SALEM, OREGON

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2007 15916

83, Page 31, Deed Records.

Parcel No. 5: That portion of the SW $\frac{1}{4}$ NW $\frac{1}{4}$, more particularly described as follows:

Beginning at a point on the Southwesterly right of way boundary of State Highway 78, 50.00 feet at right angles to the center line, said point bearing 39°02'41" E. 1985.50 feet from the Northwest corner of Section 32; thence S. 44°22'07" W. along a fence line 1551.3 feet, more or less, to the South boundary of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 32; thence Easterly along the East-West center line of Section 32, 1238.2 feet, more or less, to the Westerly boundary of Lawen Lane; thence N. 01°40'24" E. along the Westerly boundary of Lawen Lane 824.3 feet, more or less, to the Southeast corner of that tract described in Instrument No. 910091; thence N. 88°19'36" W. along the South boundary of that tract described in Instrument No. 910091, 125.00 feet; thence N. 01°40'24" E. along the West boundary of that tract described in Instrument No. 910091, 224.69 feet to the Southwesterly right of way boundary of State Highway No. 78; thence N. 46°10'00" W. 81.96 feet to the point of beginning.

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WATER RESOURCES DEPT
SALEM, OREGON

Total P.004

10431

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

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.

STATE OF OREGON

COUNTY OF HARNEY

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JAMES W. MASON, JR.
4268 LAUREL RIDGE DRIVE
ALLISON PARK, PENNSYLVANIA 15101

confirms the right to use the waters of an UNNAMED SLOUGH, a tributary of MALHEUR LAKE, for the purpose of SUPPLEMENTAL IRRIGATION OF 53.5 ACRES.

The right has been perfected under Permit 49406. The date of priority is JUNE 5, 1985. The right is limited to not more than 0.67 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

NE $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 31, TOWNSHIP 24 SOUTH, R 32 $\frac{1}{2}$ EAST, W.M.;
1800 FEET NORTH AND 1240 FEET WEST FROM EAST $\frac{1}{4}$ CORNER,
SECTION 31.

68368.VC/LHN

CERTIFICATE NUMBER 82845

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SALEM, OREGON

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year, provided further that although declared herein to be for supplemental irrigation, the right may, in the interest of conserving the ground water supplies, be exercised at times when water is available in the ground water supply appropriated under the right perfected under Permit G-10512, provided that the total quantity diverted from both sources of supply shall not exceed the limitation allowed herein.

A description of the place of use is as follows:

NE¼ NE¼ 23.6 ACRES
SE¼ NE¼ 5.3 ACRES
SECTION 31

NW¼ NW¼ 11.5 ACRES
SW¼ NW¼ 13.1 ACRES
SECTION 32

TOWNSHIP 24 SOUTH, RANGE 32½ EAST, W.M.

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

WITNESS the signature of the Water Resources Director, affixed DEC 15 2006



Phillip C. Ward, Director

Recorded in State Record of Water Right Certificates Number 82845.

68368.VC/LHN

1 10437

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WATER RESOURCES DEPT
SALEM, OREGON

Indicate in this column whether or not the item is satisfied.

Permanent Transfer Application – OAR 690-380 3000 & 3100

Completeness Checklist

Applicant's Name: Blackbarn Ranches LLC (Form last revised: March 13, 2007)

Section A – Status of Right

2 certs
OK

Is this a Water Right that can be transferred?

[OAR 690-380-0100(14)]

NOTE: The Department can accept a Transfer application for any right that is:

- 1) an adjudication with a court decree; *or*
- 2) a certificate that is not cancelled; *or*
- 3) a transfer that's been approved & A COBU has been received by the Department

If the subject right **does not** fall into **any** of the above categories, **RETURN** the application & fee to the applicant.

Section B – Type of Change

OK

Is the proposed change(s) allowed under the Transfer process?

[ORS 540.510]

NOTE: Only POD, POA or POU or USE changes are allowed on Transfers.

If the application proposes a change **other** than those listed above, **RETURN** the application & fee to the applicant.

Section C - Fees

OK

Have the appropriate fees been paid?

Total Required Fees: 600.00

Fee Schedule – ORS 536.050(1)(h)

- \$350 - Base fee (1st change and 1st CFS of water)
- + \$350 - Each additional type of change requested
- + \$175 - For each CFS, or fraction thereof, requested beyond 1st CFS
(for POU, Type of Use, or Exchange)

Total Fees Paid: _____

Fees Due (if any): _____

Refund Due (if any): _____

If the applicant has **NOT** submitted the total fees required, **RETURN** the application & deficient fee to the applicant.

Section D – Completeness

Indicate in this column whether an item is incomplete, and if so, identify the deficiency.

Is the Transfer application complete?

All required elements necessary for a complete transfer application are listed below.

Indicate whether or not the applicant has answered and/or supplied attachments to adequately address each of the following items. If any one of the items is deficient, then the application is incomplete.

NOTE: For reference, the application page number upon which each item is requested is identified.

If the application is **NOT** complete, **RETURN** the application & fee to the applicant.

OK

• Type of transfer application Reg (Page 1)

OK

• Applicant's name, mailing address and contact information. (Page 1)

OK

• Agent's name, mailing address and contact information, if applicable. (Page 1)

OK

• Are the water rights to be affected by this transfer listed? (Page 2)

If there are multiple water rights listed..... The applicant must supply a separate "set" of Supplemental Form A for each water right to be transferred.

		Checklist for Supplemental Form A – (Attachments)	
OK	OK	• Certificate # filled in on each page?	(Page 1)
OK	OK	• Type of change(s) proposed clear?	(Page 1)
OK	OK	• Current Water Right information is complete?	(Page 2)
N/A	N/A	<p>• If for a change in POU or USE..... (Page 2)</p> <p>Are there any “layered” irrigation rights, permits, or GR registrations appurtenant to the same place of use as the water right proposed to be transferred? YES NO</p> <p>If YES..... the other “layered” water uses subject to transfer must either change concurrently or be cancelled, except as provided in OAR 690-380-2240(5).</p> <p>If layered with GR, must submit a GR Modification application as well as this application.</p> <p>Are they included in application? If not, contact applicant or agent.</p>	
OK	OK	<p>• Location description of the authorized POA/POD to be changed. (Page 3)</p> <p>NOTE: Ensure that the location coordinates listed in the application match the point and location coordinates illustrated on the application map.</p> <p>Additionally, if the existing authorized source is ground water (POA), the applicant must either:</p> <p>_____ 1) supply a copy of the well log(s), <u>or</u></p> <p>_____ 2) if well logs are not available, describe the construction of the well(s) in the table provided on page 3 of the supplemental form A application.</p>	
OK	OK	<p>• Location description of the existing authorized POU and associated acres (if applicable). (Page 4)</p> <p>NOTE: Ensure that the location and number of acres listed per ¼ ¼ in the application match those illustrated on the application map.</p>	
OK	OK	<p>• Location description of the proposed POA/POD. (Page 5)</p> <p>NOTE: Ensure that the proposed location coordinates listed in the application match the proposed point and location coordinates illustrated on the application map.</p> <p>Additionally, if the proposed source is ground water (POA), the applicant must either:</p> <p>_____ 1) supply a copy of the well log(s), <u>or</u></p> <p>_____ 2) if well logs are not available or the well is not yet constructed, describe the construction of the well(s) in the table provided on page 5 of the application.</p>	
N/A	N/A	<p>• Location description of the proposed POU and associated acres (if applicable). (Page 6)</p> <p>NOTE: Ensure that the location and number of acres listed per ¼ ¼ in the application match those illustrated on the application map.</p>	
Return back to Page 2 of transfer application			
OK		• The type of changes being proposed.	(Page 2)
OK		• Reason for the transfer.	(Page 2)
OK		• Description of current water delivery system.	(Page 2)
OK		• System Capacity.	(Page 2)

Checklist for Supplemental Form B – (Attachments)	
	<ul style="list-style-type: none"> • Is there a box checked in #1? (Page 2)
	<ul style="list-style-type: none"> • Is there a box checked in #2? (Page 2)
	<ul style="list-style-type: none"> • Does the description of POU on page 4 of the supplemental form A application, match authorized POU in question #3? (Page 2)
	<ul style="list-style-type: none"> • In question #4 and #5 are they filled out. (Page 2)
	<ul style="list-style-type: none"> • Is there a box checked in #6? (Page 2)
OK	<ul style="list-style-type: none"> • Is the #6 supporting documentation included with application? (Page 2) cert issued 2006
	<ul style="list-style-type: none"> • Is there an original signature of the notary and notary stamp? (Page 2)
Return back to Page 3 of transfer application	
OK	<ul style="list-style-type: none"> • Affected districts and local governments. (Page 3) If within a district/local government jurisdiction, ensure that name & mailing address is provided.
OK	<ul style="list-style-type: none"> • Is the applicant the Landowner of the “from” and “to” Lands? YES NO (Page 4) If NO..... The applicant must list current landowner name & address.
OK	<ul style="list-style-type: none"> • Who will be responsible for completion of the changes? Landowner (Page 4) Is a box checked? If no box is checked the applicant or agent must be contacted.
OK	<ul style="list-style-type: none"> • Map..... (Page 5) (Required to be prepared by a CWRE) unless... 1. Map Waiver included with application 2. FP map with advance email or written approval 3. POD/POA without POU change and for entire right with FP map for “from” map ___ if more than 3 rights are included in transfer, is there a separate map for each water right? ___ If larger than 8 ½ X 14 than 3 copies of map is needed & an electronic pdf file of map ___ north arrow ___ size & scale ___ other: _____ ___ authorized acreage per ¼ ¼ matches the water right ___ authorized POD/POA and POU (clearly shown, labeled & matches application listing) ___ point plotted for the authorized POD/POA agrees with location coordinates on supplemental form A and WR ___ proposed POD/POA and/or POU (clearly shown, labeled & matches application “proposed” listing) ___ location coordinates accurately describe the point identified as the proposed POD/POA
OK	<ul style="list-style-type: none"> • Land Use form, if applicable. (Page 5) Is the form signed by the local planning department staff? May be needed if the POD/POA or POU is moving a great distance <u>and</u> off of land originally involved in WR.
OK	<ul style="list-style-type: none"> • If a groundwater right is involved, are the well logs or a description included. (Page 5).
N/A	<ul style="list-style-type: none"> • If this is an instream water right transfer, is there a form C included and filled out. (Page 5)

fm

• Signature(s) of applicant(s):

(Page 6)

Are one of the boxes checked?

All applicants listed on page 1 of the application must sign the application.

WRD Completeness Reviewer's Name:

S. Henderson

Date:

7-26-07

WATER RIGHT TRANSFER

Notice of Preliminary Determination for Water Right Transfer T-10437

T-10437 filed by BLACKBURN RANCHES LCC, 707 PONDEROSA VILLAGE, BURNS, OR 97720, proposes a change in point of appropriation and place of use under Certificates 67939, 82845, 82486, and an underlying permit, G-16337. Certificate 67939 allows the use of 2.01 CUBIC FEET PER SECOND (priority date JANUARY 20, 1984) from a well in Sec. 30, T 24 S, R 32.5 E, W.M. (East Fork Silvies River Basin) for IRRIGATION in Sec. 30 and 31. The applicant proposes to move the point of appropriation approximately 95 feet east and 1650 feet southwest in Sec. 30 and 31, T 24 S, R 32.5 E, W.M. Certificate 82845 allows the use of 0.12 CUBIC FOOT PER SECOND (priority date June 5, 1985) from an unnamed slough, tributary to the East Fork Silvies River in Sec. 31, T 24 S, R 32.5 E, W.M. for IRRIGATION in Sec. 31 and 32. The applicant proposes to change the place of use to Sec. 31 and 32, T 24 S, R 32.5 E, W.M. Permit G-1637 allows the use of 0.12 CUBIC FOOT PER SECOND (priority Date July 25, 2007) from three wells in Sec. 30 and 31, T 24 S, R 32.5 E., W.M. (East Fork Silvies River Basin) for IRRIGATION in Sec 31 and 32. The applicant proposes to change the place of use to Sec. 31 and 32, T 24 S, R 32.5 E, W.M. Certificate 82486 allows the use of 0.67 CUBIC FOOT PER SECOND (priority date April 23, 1985) from a well in Sec. 30, T 24 S, R 32.5 E, W.M. (East Fork Silvies River Basin) for IRRIGATION in Sec. 31 and 32. The applicant proposes to change the point of appropriation approximately 840 feet northeast, 95 feet east, and 1650 feet southwest in Sec. 30 and 31, T 24 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.

Any person may file, jointly or severally, with the Department a protest or standing statement within 30 days after the date of final publication of notice in the Department's weekly notice or of this newspaper notice, whichever is later. A protest form and additional information on filing protests may be obtained by calling 503-986-0883. The last date of newspaper publication is June 2, 2010. If no protests are filed, the Department will issue a final order consistent with the preliminary determination. Publish May 19, 26 and June 2, 2010

BURNS TIMES-HERALD

AFFIDAVIT OF PUBLICATION

STATE OF OREGON () (s.s.)

County of Harney

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

Public Notice: T-10437 - Blackburn

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

3 successive and consecutive weeks in the following issues:

Dates of Publication: MAY 19, 26 & JUNE 2, 2010

Signed Susan Pedersen
By Susan Pedersen, General Manager
The Burns Times-Herald

Subscribed and sworn before me this 28th day of June 2010

Donna Clark
Notary Public for Oregon



No. _____

RECEIVED

STATE OF OREGON
for the
COUNTY OF HARNEY

JUN 29 2010

**WATER RESOURCES DEPT
SALEM, OREGON**

Filed _____, 20____

Clerk

Deputy

From the Office of _____

Attorney for _____

Carrie Jones

From: Curt Blackburn [curtjettblackburn@centurytel.net]
Sent: Wednesday, April 14, 2010 8:08 AM
To: Carrie Jones
Subject: Re:

Attachments: Jett water right-list.pdf

Dear Carrie: Everything looks good. The following attachment is the application with Jett's initials on each page and the listing packet from the title company. Let me know if that will work. Thanks for your help.

Curt Blackburn
Jett Blackburn Real Estate, Inc.
707 Ponderosa Village
Burns, OR 97720
800/573-7206 office
541/589-0025 cell
curtjettblackburn@centurytel.net
www.jettblackburn.com

-----Original Message-----

From: Carrie Jones
Date: 4/8/2010 2:57:06 PM
To: Curt Blackburn

Hi Curt;

I completed the draft preliminary determination. I will fill in the blanks when I get the application back from you. Let me know if it looks like everything is in order or if there is anything that needs corrected.

I will send a copy to Chris Palmer as well.

Give me a call if you have any questions.

Carrie Jones
Transfer Specialist
541-523-8224 Ext 36
Fax: 1-866-214-3493
carrie.r.jones@wrд.state.or.us

Water Resources Dept.
Eastern Region
1995 3rd Street, Suite 180
Baker City, OR 97814
www.wrд.state.or.us

Carrie Jones

From: Curt Blackburn [curtjettblackburn@centurytel.net]
Sent: Friday, April 23, 2010 4:09 PM
To: Carrie Jones
Subject: water rights

Attachments: Blackburn water rights.pdf

Following is the info you wanted. Please contact me if you need anything else.

Curt Blackburn
Jett Blackburn Real Estate, Inc.
707 Ponderosa Village
Burns, OR 97720
800/573-7206 office
541/589-0025 cell
curtjettblackburn@centurytel.net
www.jettblackburn.com



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

STATE OF OREGON

COUNTY OF HARNEY

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

RATTLESNAKE CREEK LAND AND CATTLE COMPANY, LLC
PO BOX 946
BURNS, OREGON 97720

confirms the right to use the waters of 3 WELLS in the MALHEUR LAKE BASIN for IRRIGATION OF 304.6 ACRES and SUPPLEMENTAL IRRIGATION OF 128.1 ACRES.

This right was perfected under Permit G-9419. The date of priority is April 10, 1981. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 5.41 CUBIC FEET PER SECOND (CFS), BEING 3.13 CFS FROM WELL 1 FOR IRRIGATION OF 250.0 ACRES, 0.71 CFS FROM WELL 2 FOR IRRIGATION OF 52.4 ACRES and SUPPLEMENTAL IRRIGATION OF 4.7 ACRES, 1.57 CFS FROM WELL 3 FOR THE IRRIGATION OF 2.2 ACRES and SUPPLEMENTAL IRRIGATION OF 123.4 ACRES, or its equivalent in case of rotation, measured at the well.

The wells are located as follows:

WELL 1 - SW $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 9, TOWNSHIP 26 SOUTH, RANGE 30 EAST, W.M.; 1330 FEET SOUTH AND 65 FEET EAST FROM THE NW CORNER, SECTION 9.

G-10268.LHN

CERTIFICATE NUMBER 82846

WELL 2 - SW¼ NE¼, SECTION 9, TOWNSHIP 26 SOUTH, RANGE 30 EAST, W.M.; 2407 FEET SOUTH AND 1732 FEET WEST FROM THE NE CORNER, SECTION 9.

WELL 3 - SW¼ SE¼, SECTION 9, TOWNSHIP 26 SOUTH, RANGE 30 EAST, W.M.; 1306 FEET NORTH AND 1416 FEET WEST FROM THE SE CORNER, SECTION 9.

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

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

WELL 1

	PRIMARY	SUPPLEMENTAL
NE¼ NE¼	29.9 ACRES	
SE¼ NE¼	30.3 ACRES	

SECTION 8

NW¼ NW¼	32.8 ACRES
SW¼ NW¼	33.9 ACRES
SE¼ NW¼	0.2 ACRE
NE¼ SW¼	29.1 ACRES
NW¼ SW¼	33.7 ACRES
SW¼ SW¼	32.6 ACRES
SE¼ SW¼	27.5 ACRES

SECTION 9

WELL 2

SW¼ NE¼	22.6 ACRES	
SE¼ NW¼	24.3 ACRES	
NE¼ SW¼	5.5 ACRES	
NW¼ SE¼		4.7 ACRES

SECTION 9

WELL 3

	PRIMARY	SUPPLEMENTAL
SW¼ NE¼	0.1 ACRE	
SE¼ NE¼	0.1 ACRE	
NE¼ SW¼	0.1 ACRE	
SE¼ SW¼	0.1 ACRE	
NE¼ SE¼	1.8 ACRES	28.1 ACRES
NW¼ SE¼		32.9 ACRES
SW¼ SE¼		33.2 ACRES
SE¼ SE¼		29.2 ACRES

SECTION 9

TOWNSHIP 26 SOUTH, RANGE 30 EAST, W.M.

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

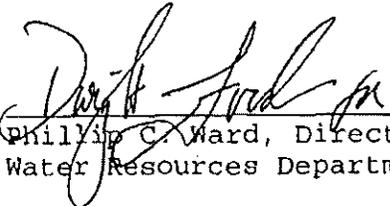
The works constructed shall include an air line and pressure gauge or an access port for measuring line, adequate to determine the water level elevation in the wells at all times

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

WITNESS the signature of the Water Resources Director, affixed

OCT 27 2006


 Philip C. Ward, Director
 Water Resources Department

Recorded in State Record of Water Right Certificates Number 82846.

G-10268.LHN

T. 26 S., R. 30 E., W. M.

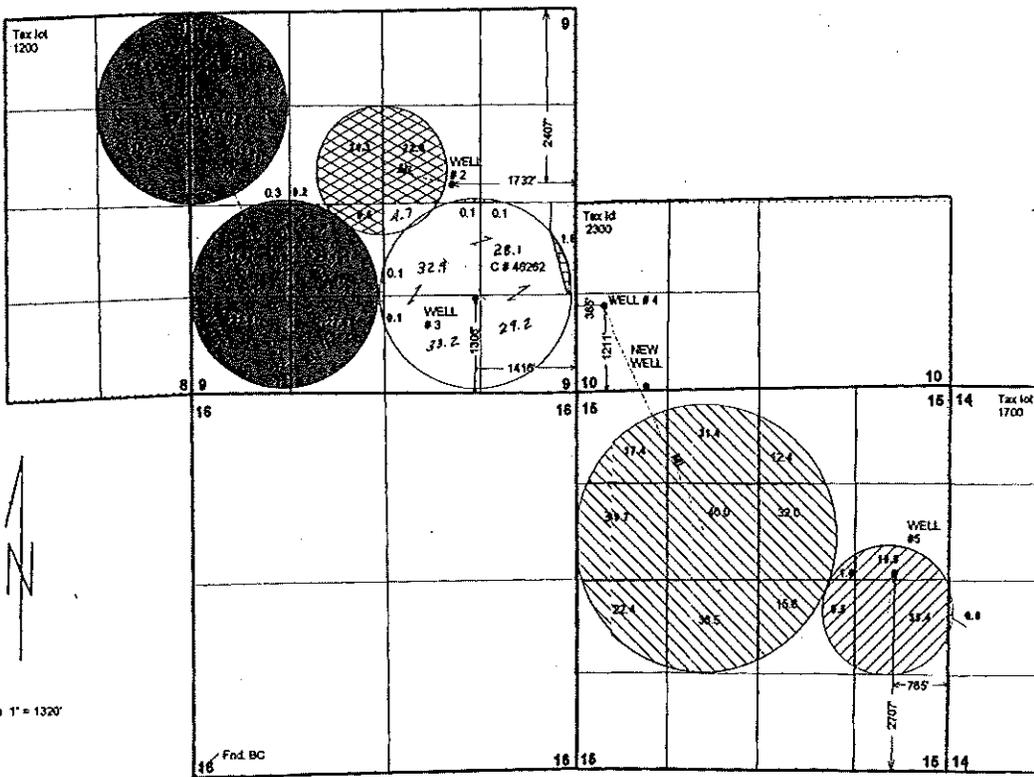
FINAL PROOF SURVEY

UNGER

Application G-10268 Permit G-9419

IN THE NAME OF

Surveyed 8-9-2001 & 9-18-2001 by J. Miller



Well # 1 - 1330' S. & 65' E. from the Northwest Corner of Section 9

	Irr well # 1		Irr well # 4
	Irr well # 2		Irr well # 5
	Irr well # 3		

JM 3-28-2002
 ANSELMO ALFARO LUNA
 LIMA GPS and Survey MAPP #1076-1213-1302

T. 26 S., R. 30 E., W. M.

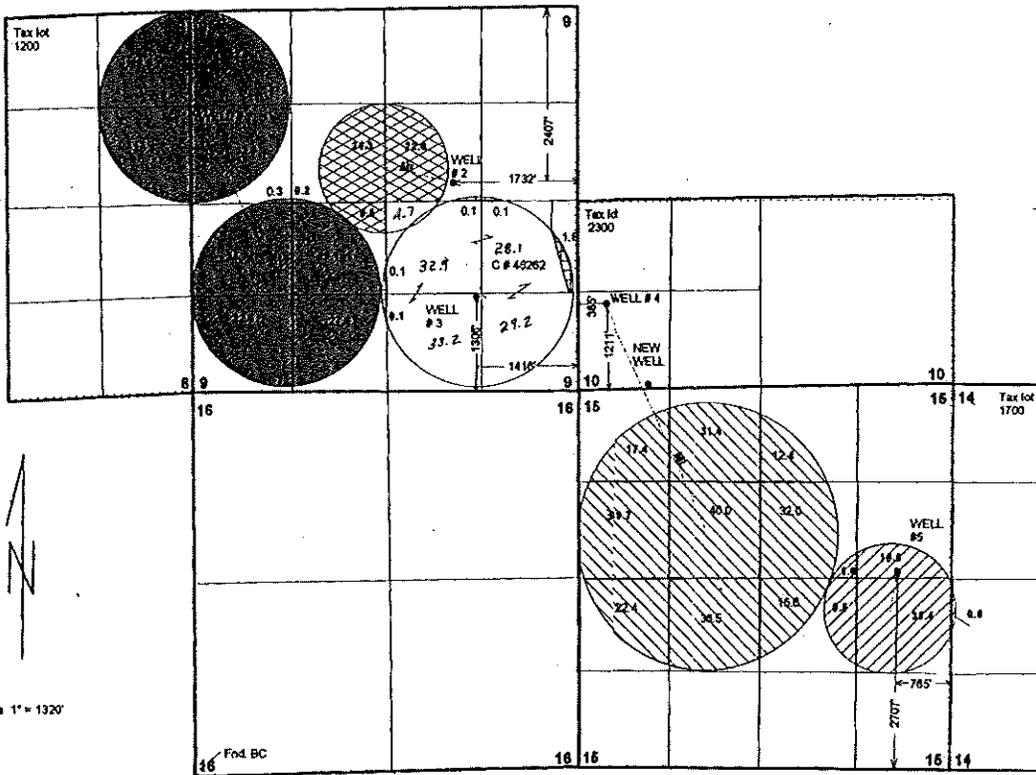
FINAL PROOF SURVEY

UNDER

Application G-10268 Permit G-9419

IN THE NAME OF

Surveyed 8-9-2001 & 9-18-2001 by J. Miller



Well # 1 - 1330' S. & 65' E. from the Northwest Corner of Section 9

	Irr well # 1		Irr well # 4
	Irr well # 2		Irr well # 5
	Irr well # 3		

Scale 1" = 1320'

JM 5-28-2002
 AMERICO A/H/O/L/W
 L&L GPS and Survey MAPS 11726-1213-1324



STATE OF OREGON

County of HARNEY

PERMIT TO APPROPRIATE THE PUBLIC WATERS

This is to certify that I have examined APPLICATION G-11378 and do hereby grant the same SUBJECT TO EXISTING RIGHTS and the following limitations and conditions:

This permit is issued to James W. Mason, Jr. of Box 8, Lawen, Oregon, 97740, phone 493-2815, for use of the waters from one well,

for the PURPOSE of irrigation of 53.5 acres

that the PRIORITY OF THE RIGHT dates from April 23, 1985

and is limited to the amount of water which can be applied to beneficial use and shall not exceed 0.67 cubic foot per second

measured at the point of diversion from the well, or its equivalent in case of rotation with other water users.

The well is to be LOCATED: 20 feet North and 400 feet West from the Southeast Corner of Section 30, being within the SE 1/4 SE 1/4 of Section 30, Township 24 South, Range 32 1/2 East, W4, in the County of Harney.

A description of the PLACE OF USE under the permit, and to which such right is appurtenant, is as follows:

Township 24 South, Range 32 1/2 East, W4	Section 31	NE 1/4	NE 1/4	18.7 acres
		SE 1/4	NE 1/4	1.8 acres
	Section 32	NW 1/4	NW 1/4	14.3 acres
		SW 1/4	NW 1/4	18.7 acres

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 1/80 of one cubic foot per second per acre, and shall be further limited to a diversion of not to exceed 2.0 acre-feet per acre for each acre irrigated during the irrigation season of each year, provided further that although declared herein to be for primary irrigation, the supplemental right allowed under Application 68368, Permit 49406 may, in the interest of conserving the ground water resources, be exercised at times when water is available from ground water provided that the total quantity diverted from both sources shall not exceed the limitation allowed herein.

The well shall be constructed 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 permittee 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.

Actual construction work shall begin on or before August 9, 1986, and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1986.

Complete application of the water to the proposed use shall be made on or before October 1, 1987.

Witness my hand this 9th day of August, 1985

/s/ WILLIAM H. YOUNG

WATER RESOURCES DIRECTOR

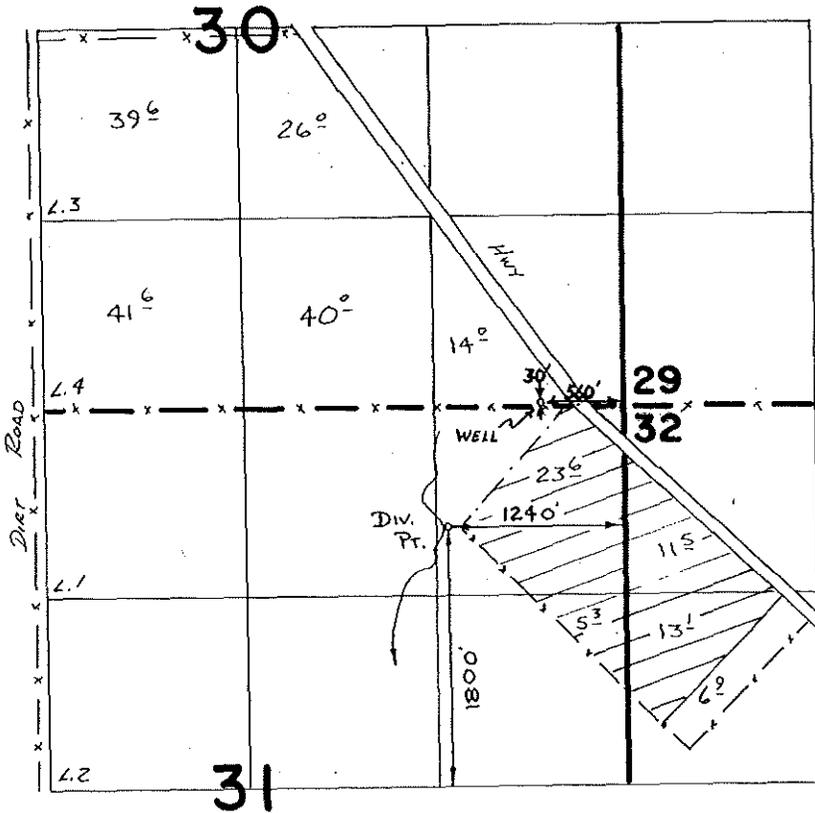
This permit is for the beneficial use of water. By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan. It is possible that the land use you propose may not be allowed if it is not in keeping with the goals and the acknowledged plan. Your city or county planning agency can advise you about the land-use plan in your area.

APPLICATION G-11378

PERMIT

G10512

T. 24S., R. 32 1/2 E., W.M.



SCALE 1"=1320'

FINAL PROOF SURVEY
UNDER

G-11378 G10512
Application No. **68368** Permit No. **49406**
IN NAME OF

.....**JAMES W. MASON, JR.**.....

Surveyed ...5:2..... 1988., by *V.L. Church*.....



STATE OF OREGON

County of HARNEY

PERMIT TO APPROPRIATE THE PUBLIC WATERS

This is to certify that I have examined APPLICATION G-11219 and do hereby grant the same SUBJECT TO EXISTING RIGHTS and the following limitations and conditions:

This permit is issued to Jett C. Blackburn of 771 Ponderosa Village, Burns, Oregon 97720, phone 573-7206, for use of the waters from one well,

for the PURPOSE of irrigation of 166.0 acres

that the PRIORITY OF THE RIGHT dates from January 20, 1984

and is limited to the amount of water which can be applied to beneficial use and shall not exceed 2.08 cubic feet per second

measured at the point of diversion from the well, or its equivalent in case of rotation with other water users.

The well is to be LOCATED: 24.5 feet North and 570.6 feet West from the Southeast Corner of Section 30, being within the SE 1/4 SE 1/4 of Section 30, Township 24 South, Range 32 1/2 East, WM, in the County of Harney.

A description of the PLACE OF USE under the permit, and to which such right is appurtenant, is as follows:

Township 24 South, Range 32 1/2 East, WM Section 30 Lot 3	41.5 acres
Lot 4	42.5 acres
NW 1/4 SE 1/4	25.53 acres
SW 1/4 SE 1/4	42.0 acres
SE 1/4 SE 1/4	14.47 acres

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 1/80 of one cubic foot per second per acre, and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year, and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

The well shall be constructed 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 permittee 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.

Actual construction work shall begin on or before March 30, 1985, and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1985.

Complete application of the water to the proposed use shall be made on or before October 1, 1986.

Witness my hand this 30th day of March, 1984.

/s/ WILLIAM H. YOUNG
WATER RESOURCES DIRECTOR

This permit is for the beneficial use of water. By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan. It is possible that the land use you propose may not be allowed if it is not in keeping with the goals and the acknowledged plan. Your city or county planning agency can advise you about the land-use plan in your area.

APPLICATION G-11219

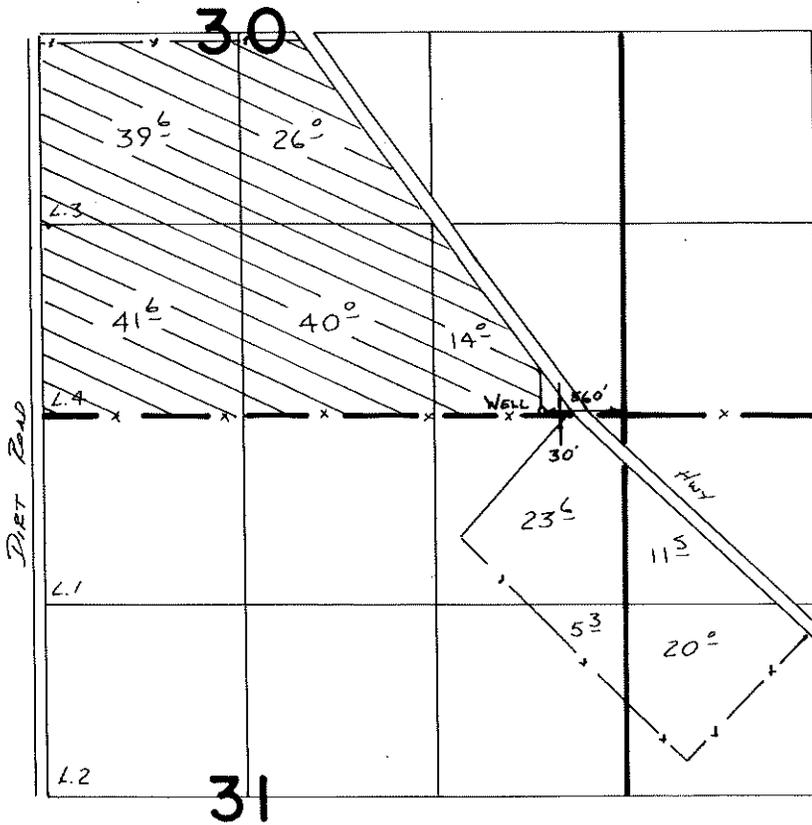
"CERTIFICATE NO. 60872"

PERMIT

G10340

Cancelled - sp. or Rec. Vol. 45 P. 124
Superseded by
Cert. No. 107939"

T. 24S., R. 32 1/2E., W.M.



SCALE 1" = 1320'

FINAL PROOF SURVEY
UNDER

Application No. **G:11219**.. Permit No. **G:10340**
IN NAME OF

.....**JETT...C...BLACKBURN**.....

Surveyed **5-9**..... 19**88**, by **V.L. Church**.....

Water Rights Platcard Report

Meridian: WILLAMETTE

Township: 24

South Range: 32.5

East Section: 31

Records per Page: 100

Search

Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	QQ(40):	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Unknown	
							Q(160):	NE	NE	NE	NE	NW	NW	NW	NW	SW	SW								
Select Cert:67939 CF * Additional Info: JAMES MASON JR App: G11219 Permit: G10340 Cert: 67939	T10437	1/20/1984	IRRIGATION				0.2	17.2																	
Select Cert:67939 CF * Additional Info: JAMES MASON JR App: G11219 Permit: G10340 Cert: 67939	T10437	1/20/1984	IRRIGATION			1					16.2														
Select Cert:82486 OR * Additional Info: JAMES MASON JR App: G11378 Permit: G10512 Cert: 82486	T10437	4/23/1985	IRRIGATION				23.6			5.3															
Select Permit:G 16337 * Additional Info: BLACKBURN RANCHES LLC App: G16908 Permit: G16337		7/25/2007	IRRIGATION				14.5	2.4	2	31.3	1.7														
Select Cert:82845 OR * Additional Info: JAMES MASON JR App: S68368 Permit: S49406 Cert: 82845		6/5/1985	SUPPLEMENTAL IRRIGATION (Suppl'mtl)				23.6			5.3															

Acreage Legend: 12.25 Regular acreage

~~12.25~~ Acreage is on a canceled right

(12.25) Acreage is part of a transfer and has not been proven up on yet (inchoate)

[12.25] Acreage has been suspended

* Acreage is not specified

Carrie Jones

From: Gerry Clark
Sent: Friday, March 06, 2009 2:28 PM
To: Jason Spriet
Cc: Jennifer DiMiceli; Carrie Jones
Subject: RE: RR Certificate 83462

From: Jennifer DiMiceli
Sent: Friday, March 06, 2009 1:54 PM
To: Gerry Clark
Subject: RR Certificate 83462

Hi Gerry,

Please note the POA locations on RR Certificate 83462 (T-10323) do not reflect the updates on the order. Also, the correcting legal description on the order for Well 2 should be from NE corner, Section 28. I've copied these errors to file T-10323.

Thanks,
Jenny

Jenny DiMiceli
Water Resource Data Tech
Information Services Division
Oregon Water Resources Department
(503) 986-0873

check to
see if this
affects T-10437

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
25 S	31 E	WM	28	SE NE	Well 1 - 1320 feet South and 40 feet West from the NW Corner of Section 27
25 S	31 E	WM	27	SW NW	Well 2 - 1330 feet South and 1280 feet East from the NW Corner of Section 27
25 S	31 E	WM	28	NE NE	Well 3 - 170 feet South and 970 feet West from the NW Corner of Section 27

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Change in POA only Acres	Change in POA and POU Acres
25 S	31 E	WM	27	NW NE	39.8	
25 S	31 E	WM	27	SW NE	36.0	3.8
25 S	31 E	WM	27	NE NW	39.6	
25 S	31 E	WM	27	NW NW	39.4	
25 S	31 E	WM	27	SW NW	32.1	7.3
25 S	31 E	WM	27	SE NW	26.2	13.4
25 S	31 E	WM	28	NE NE	37.0	
25 S	31 E	WM	28	SE NE	25.7	13.3

4. The applicant has provided a current survey that correctly describes the points of appropriation for Certificate 50593 at:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
25 S	31 E	WM	28	NE NE	Well 1 - 1304 feet South and 14 feet West from the NE Corner of Section 28
25 S	31 E	WM	27	SW NW	Well 2 - 1365 feet South and 1277 feet East from the NE Corner of Section 27
25 S	31 E	WM	28	NE NE	Well 3 - 159 feet South and 994 feet West from the NE Corner of Section 28

5. Application T-10323 proposes to change the authorized points of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
25 S	31 E	WM	28	NW NE	Well 4 - 1295 feet South and 2504 feet West from the NE Corner of Section 28
25 S	31 E	WM	28	NE NE	Well 5 - 64 feet South and 985 feet West from the NE Corner of Section 28
25 S	31 E	WM	28	NE NE	Well 6 - 1271 feet South and 2 feet West from the NE Corner of Section 28
25 S	31 E	WM	27	NW NW	Well 7 - 51 feet South and 1030 feet East from the NW Corner of Section 27
25 S	31 E	WM	27	SW NW	Well 8 - 1341 feet South and 1292 feet East from the NW Corner of Section 27

6. Application T-10323 also proposes to change the place of use of 37.8 acres of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
25 S	31 E	WM	27	NE NE	17.8
25 S	31 E	WM	27	SE NE	20.0

7. The portion of the right to be transferred by T-10324 is as follows:

Certificate: 60713 in the name of Donovan F. Wohlers (perfected under Permit G-8550)

Use: Irrigation of 59.6 acres

Priority Date: April 9, 1979

Rate: 0.745 cubic foot per second

Limit/Duty: ONE-EIGHTIETH of one cfs per acre, not to exceed 3.0 acre-feet for each acre irrigated during the irrigation season of each year

Source: 3 Wells in the Malheur Lake Basin

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
25 S	31 E	WM	28	NE NE	Well 1 - 160 feet South and 970 feet West from the NE Corner of Section 28
25 S	31 E	WM	27	NW NW	Well 2 - 1300 feet South and 10 feet East from the NE Corner of Section 28
25 S	31 E	WM	27	SW NW	Well 3 - 1330 feet South and 1320 feet East from the NE Corner of Section 28

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
25 S	31 E	WM	28	NW NE	39.6
25 S	31 E	WM	28	NE NW	20.0

8. The applicant has provided a current survey that correctly describes the points of appropriation for Certificate 60713 at:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
25 S	31 E	WM	28	NE NE	Well 1 - 1304 feet South and 14 feet West from the NE Corner of Section 28
25 S	31 E	WM	27	SW NW	Well 2 - 1365 feet South and 1277 feet East from the NE Corner of Section 27
25 S	31 E	WM	28	NE NE	Well 3 - 159 feet South and 994 feet West from the NE Corner of Section 28

9. Application T-10324 proposes to move the authorized points of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
25 S	31 E	WM	28	NW NE	Well 4 - 1295 feet South and 2504 feet West from the NE Corner of Section 28
25 S	31 E	WM	28	NE NE	Well 5 - 64 feet South and 985 feet West from the NE Corner of Section 28
25 S	31 E	WM	28	NE NE	Well 6 - 1271 feet South and 2 feet West from the NE Corner of Section 28
25 S	31 E	WM	27	NW NW	Well 7 - 51 feet South and 1030 feet East from the NW Corner of Section 27
25 S	31 E	WM	27	SW NW	Well 8 - 1341 feet South and 1292 feet East from the NW Corner of Section 27

10. Notice of the applications for transfer was published on February 27, 2007, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
11. On June 28, 2007, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Applications T-10323 and T-10324 to the applicants. The draft Preliminary Determination set forth a deadline of July 12, 2007, for the applicants to respond. The applicants requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.
12. On July 27, 2007, the Department issued a Preliminary Determination proposing to approve Transfer Applications T-10323 and T-10324 and mailed a copy to the applicants. Additionally, notice of the Preliminary Determination for the transfer application was published on the Department's weekly notice on July 31, 2007, and in the Burns Times Herald newspaper on August 8, 15, and 22, 2007, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notices.
13. Water has been used within the last five years according to the terms and conditions of the rights, and there is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
14. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights was present within the five-year period prior to submittal of applications T-10323 and T-10324.
15. The proposed changes would not result in enlargement of the rights.
16. The proposed changes would not result in injury to other water rights.

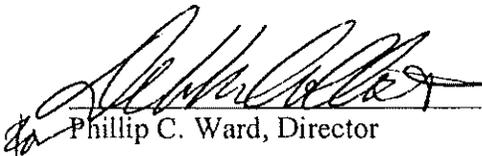
Conclusions of Law

The changes in place of use and points of appropriation proposed in application T-10323 and the change in points of appropriation proposed in application T-10324 are consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000.

Now, therefore, it is ORDERED:

1. The changes in place of use and points of appropriation proposed in application T-10323 are approved.
2. The change in points of appropriation proposed in application T-10324 is approved.
3. Water right certificates 50593 and 60713 are cancelled. A new certificate will be issued describing that portion of Certificate 60713 not affected by application T-10324.
4. The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificates 50593 and 60713.
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 new points of appropriation shall not exceed the quantity of water lawfully available at the original points of appropriation.
7. The former place of use of the transferred right under application T-10323 shall no longer receive water under the right.
8. 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.
9. The approved changes shall be completed and full beneficial use of the water shall be made on or before **October 1, 2008**. 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.
10. When satisfactory proof of the completed changes is received, new certificates confirming the rights transferred will be issued.

Dated at Salem, Oregon this 27 day of September 2007.


Phillip C. Ward, Director

Mailing Date: OCT 01 2007

Carrie Jones

From: Carrie Jones
Sent: Thursday, August 28, 2008 3:43 PM
To: 'curtjettblackburn@centurytel.net'
Attachments: C67939_Form_A.pdf; C82486_Form_A.pdf; map correction.pdf; orig_application map.pdf

Curt;

When we spoke earlier I said at first glance there did not need to be any map changes. I did not see however that well #4 was not listed on this map. To have well #4 included will require a map change.

Also all of the water rights have different priority dates. To make your water rights most efficient, changing the configuration that is proposed on this marked up map will be a benefit to you by having the senior rights inside the pivot. My drawings are not to scale they are just a visual representation of what I wanted to discuss with you.

Give me a call when you get the map so that we can go over it together.

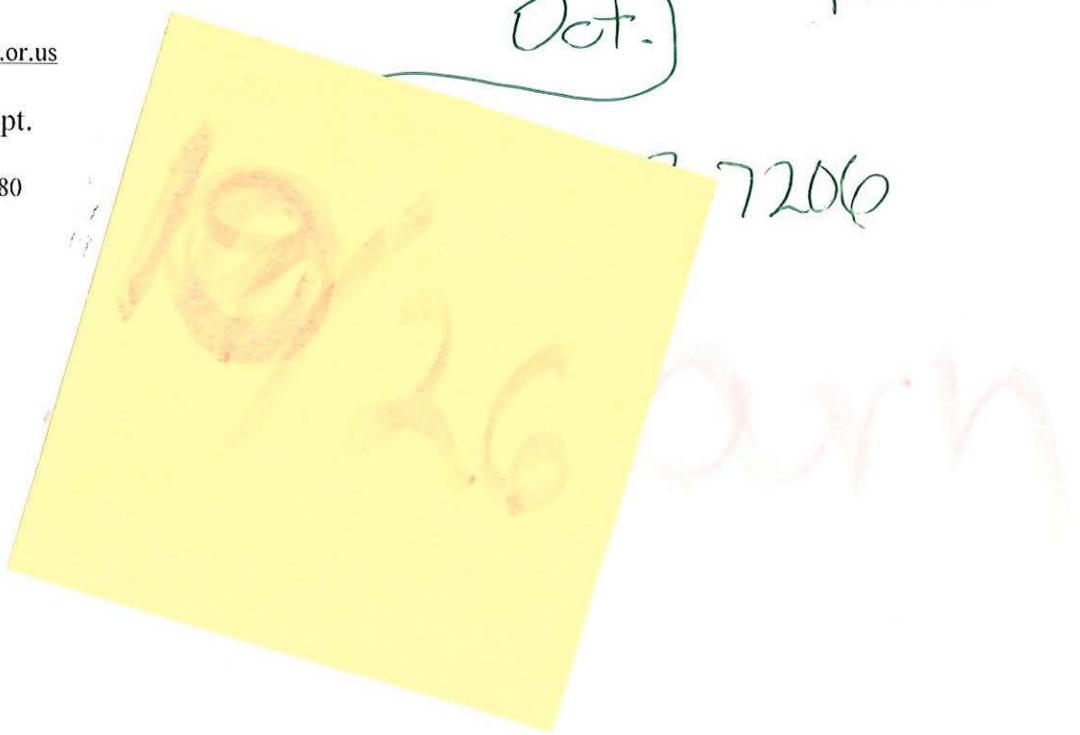
I also completed a draft of the amended application for you to review. I want to make sure that it reflects what you want before I finalize them. I did not include any place of use changes until we talk about it a little more.

Talk to you soon,
~cj

Carrie Jones
Transfer Specialist
541-523-8224 Ext 36
Fax: 1-866-214-3493
carrie.r.jones@wrdd.state.or.us

Water Resources Dept.
Eastern Region
1995 3rd Street, Suite 180
Baker City, OR 97814
www.wrdd.state.or.us

9/10/08 talked to curt he will talk to brother & get back to me
* > 26th of Sept (just had a stroke so curt's been picking up the pieces)
Oct.



Carrie Jones

From: Curt Blackburn [curtjettblackburn@centurytel.net]
Sent: Monday, January 25, 2010 2:11 PM
To: Carrie Jones
Subject: Re:

Chris came to my office this morning and said he was going to get on it.. Sorry for the delay.

Thanks

Curt Blackburn
Jett Blackburn Real Estate, Inc.
707 Ponderosa Village
Burns, OR 97720
800/573-7206 office
541/589-0025 cell
curtjettblackburn@centurytel.net
www.jettblackburn.com

-----Original Message-----

From: Carrie Jones
Date: 1/25/2010 2:03:05 PM
To: Curt Blackburn

Curt;

I spoke with Chris Palmer this morning. I really need to get this transfer moving as I am under pressure to get these transfers out. Salem keeps track on how long it takes to process a transfer. This is going on three years so it makes my curve look bad.

Attached is the map that I faxed to Chris. He needed to get an ok from you before he moved forward. Can you let me know what you decide and help me get this rolling again? Please let me know by the end of this week what is happening.

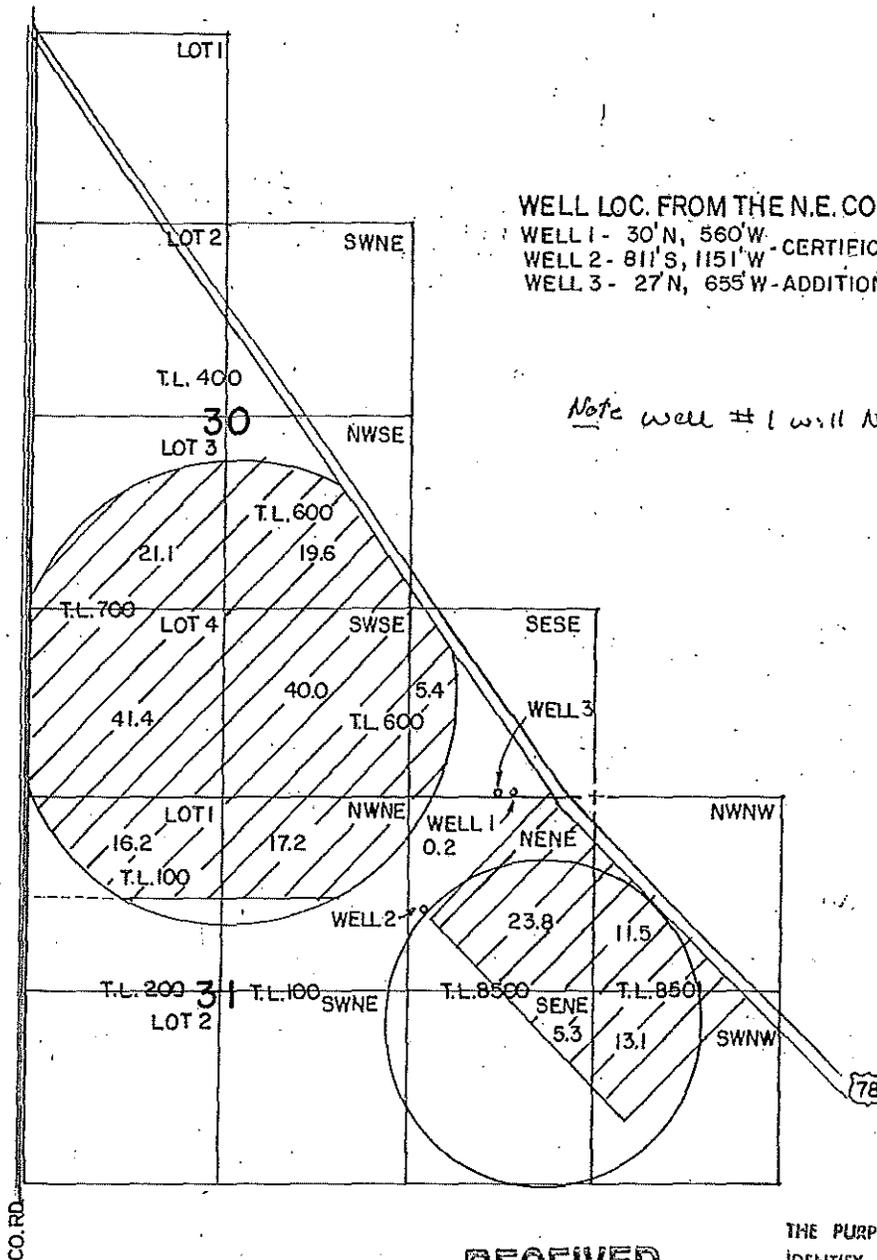
Thanks,

Carrie Jones
Transfer Specialist
541-523-8224 Ext 36
Fax: 1-866-214-3493
carrie.r.jones@wrд.state.or.us

Water Resources Dept.
Eastern Region
1995 3rd Street, Suite 180
Baker City, OR 97814
www.wrd.state.or.us

1/25/2010

T24 S, R 32 1/2 E, WM



WELL LOC. FROM THE N.E. COR. OF SEC. 31
 WELL 1 - 30' N, 560' W - CERTIFICATES 67939 & 82486
 WELL 2 - 811' S, 1151' W
 WELL 3 - 27' N, 655' W - ADDITION PT. OF APPROPRIATION

Note well #1 will not be used

RECEIVED

JUL 25 2007

WATER RESOURCES DEPT
 SALEM, OREGON

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.

JETT C. BLACKBURN

WATER RIGHT TRANSFER APPLICATION MAP

Scale: 4" = 1 MILE

Date: APRIL 2007

Job: 2406

Dsn:

Dm: CHRIS

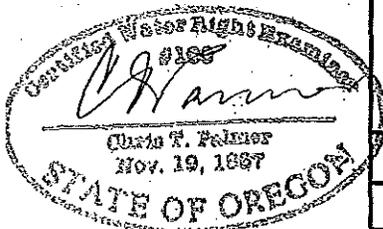
Ckd:



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

Sht. No.

of 1



RENEW 1-1-2009

Carrie Jones

From: Jett Blackburn Real Estate [jblackbn@centurytel.net]
Sent: Thursday, December 18, 2008 4:44 PM
To: Carrie Jones
Attachments: 12-18-2008.pdf

Hello Carrie,

I talked to my father the other day again about changing the water right around as you suggested. He now has decided to go ahead and leave them the way it was proposed in the water right application (Please see attachment)

Thank you though for your proposal. It would make a big difference if there were any water right issues in the area.

Merry Christmas

Curt Blackburn
Conservator for Jett C. Blackburn

Curt Blackburn
Jett Blackburn Real Estate, Inc.
707 Ponderosa Village
Burns, OR 97720
800/573-7206 office
541/589-0025 cell
curtjettblackburn@centurytel.net
WWW.jettblackburn.Com

-----Original Message-----

From: Carrie Jones
Date: 11/26/08 14:05:53
To: Curt Blackburn

Curt;

I wanted to check in with you on you progress with the transfer. Give me a call or drop me a line. I am in-between projects right now so now is a good time for me if you are available.

Carrie Jones

Transfer Specialist

541-523-8224 Ext 36

12/22/2008

Fax: 1-866-214-3493

Carrie.R.Jones@wrд.state.or.us

Water Resources Dept.

Eastern Region

1995 3rd Street, Suite 180
Baker City, OR 97814

WWW.wrд.state.or.us

FREE Christmas Animations for your email – by IncrediMail!

Click Here!



Carrie Jones

From: Carrie Jones

Sent: Wednesday, November 26, 2008 2:05 PM

To: Curt Blackburn

Curt;

I wanted to check in with you on you progress with the transfer. Give me a call or drop me a line. I am in-between projects right now so now is a good time for me if you are available.

Carrie Jones

Transfer Specialist

541-523-8224 Ext 36

Fax: 1-866-214-3493

carrie.r.jones@wrd.state.or.us

Water Resources Dept.

Eastern Region

1995 3rd Street, Suite 180

Baker City, OR 97814

www.wrd.state.or.us

11/26/2008



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

August 1, 2007

BLACKBURN RANCHES LLC
JETT BLACKBURN
707 PONDEROSA VILLAGE
BURNS OR 97720

Reference: Transfer 10437

On July 25, 2007 we received your water right transfer application. The application was accompanied by \$600.00. Our receipts 88871 and 88984 are enclosed.

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

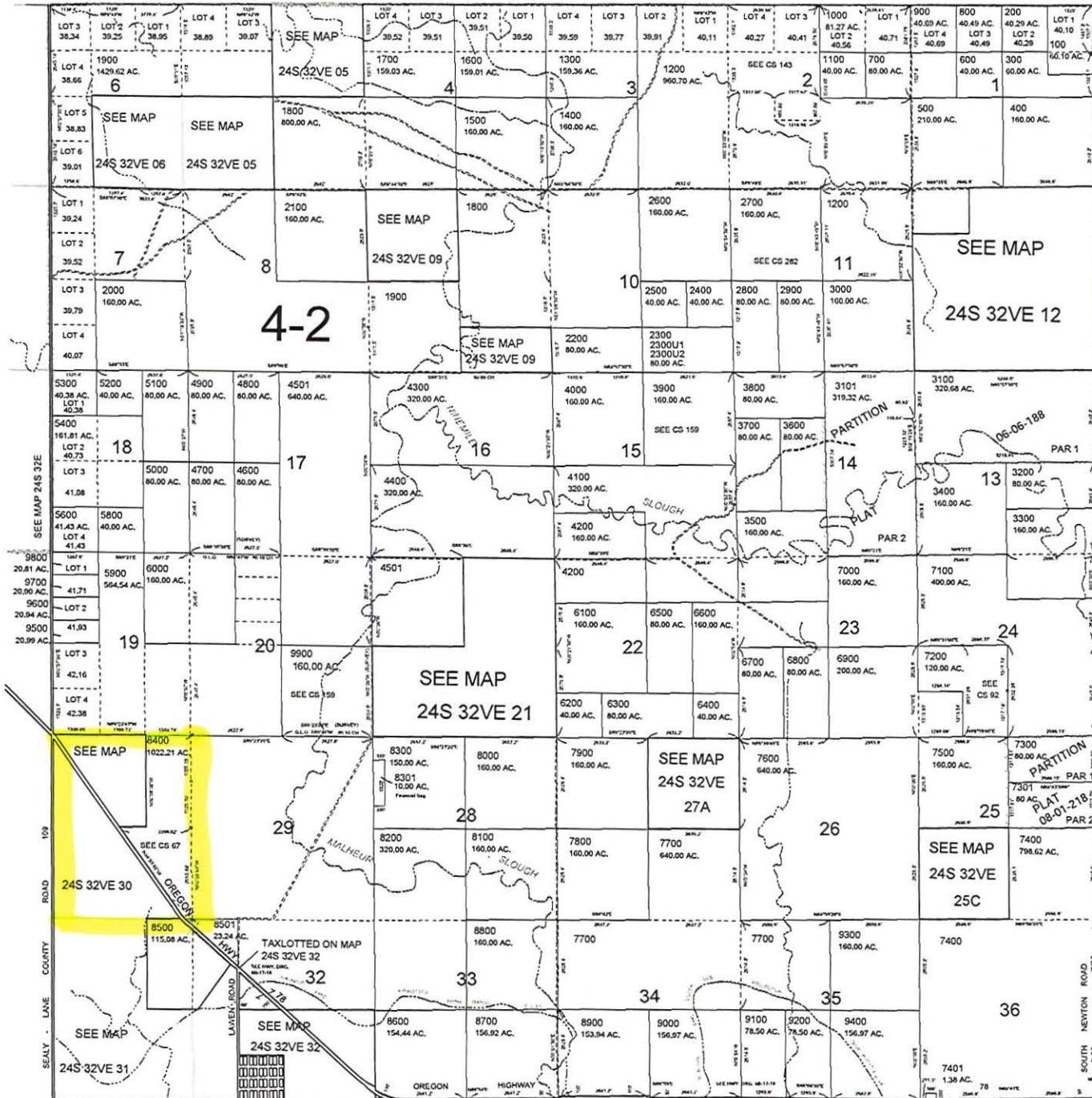
THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY

T.24S. R.32 1/2E. W.M.

HARNEY COUNTY

1" = 2000'
SEE MAP 23S 32VE

24S 32VE & INDEX



- CANCELLED NO.
- 700M1
 - 900M1
 - 1000M1
 - 1300M1
 - 1400M1
 - 1500M1
 - 1500M2
 - 2000M1
 - 2000M2
 - 2200M1
 - 2900M1
 - 4500 (2007)
 - 4600M1
 - 4600M2
 - 4700M1
 - 4800M1
 - 4800M2
 - 4900M1
 - 5100M1
 - 5100M2
 - 5400M1
 - 5400M2
 - 5500
 - 5500M1
 - 5500M2
 - 5600M1
 - 5600M2
 - 5700
 - 5700M1
 - 5700M2
 - 8300M1
 - MAP 2432V20
 - 100
 - 200
 - 300
 - 400
 - 500

SEE MAP 24S 33E

SEE MAP 24S 32E

SEE MAP 25S 32VE

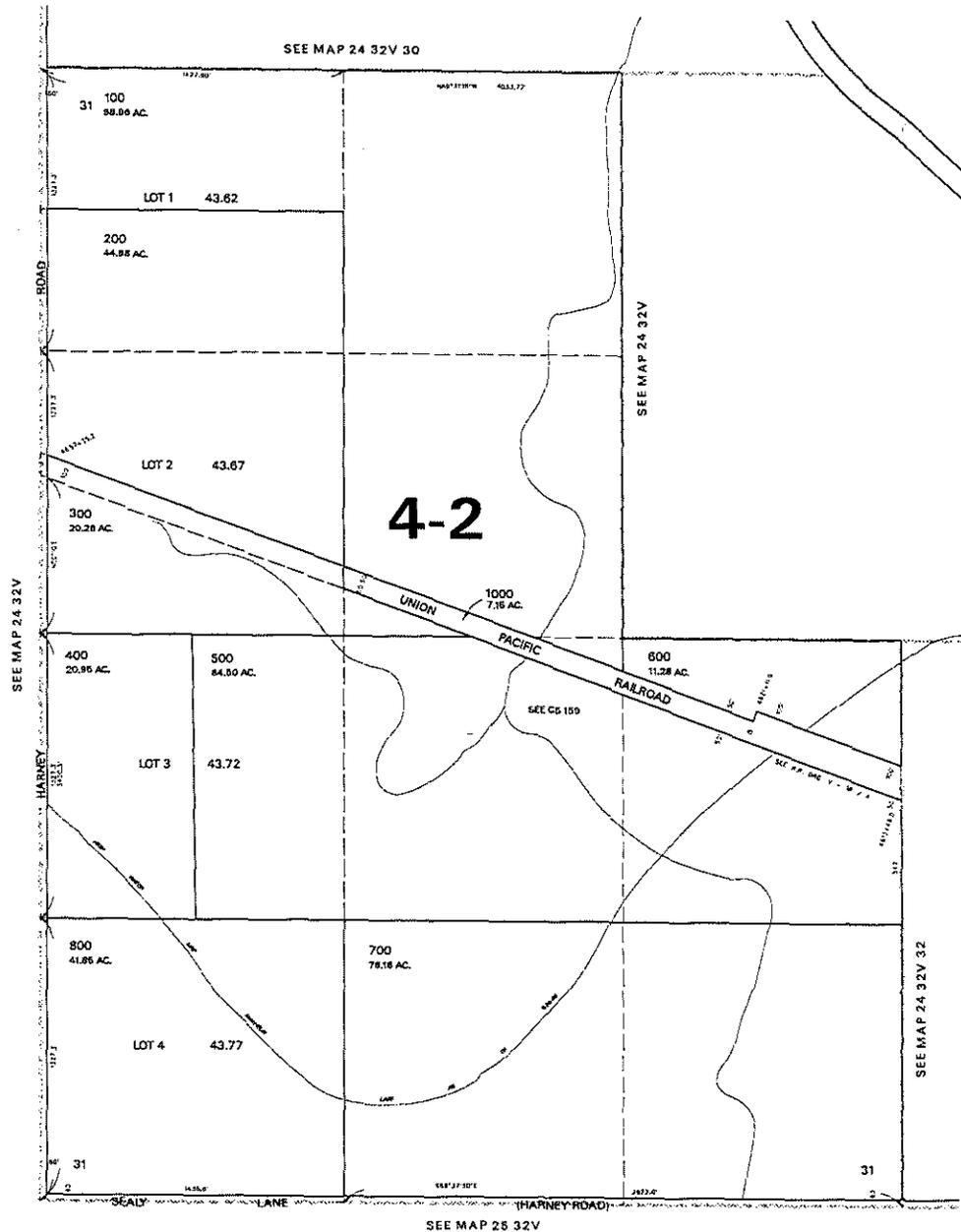
PRINTED ON
Mar 13, 2008
24S 32VE
& INDEX



1"=400'

24 32V 31

- CANCELLED NO.
 100M1
 200M1
 300M1
 400M1
 800M1
 800M2
 900



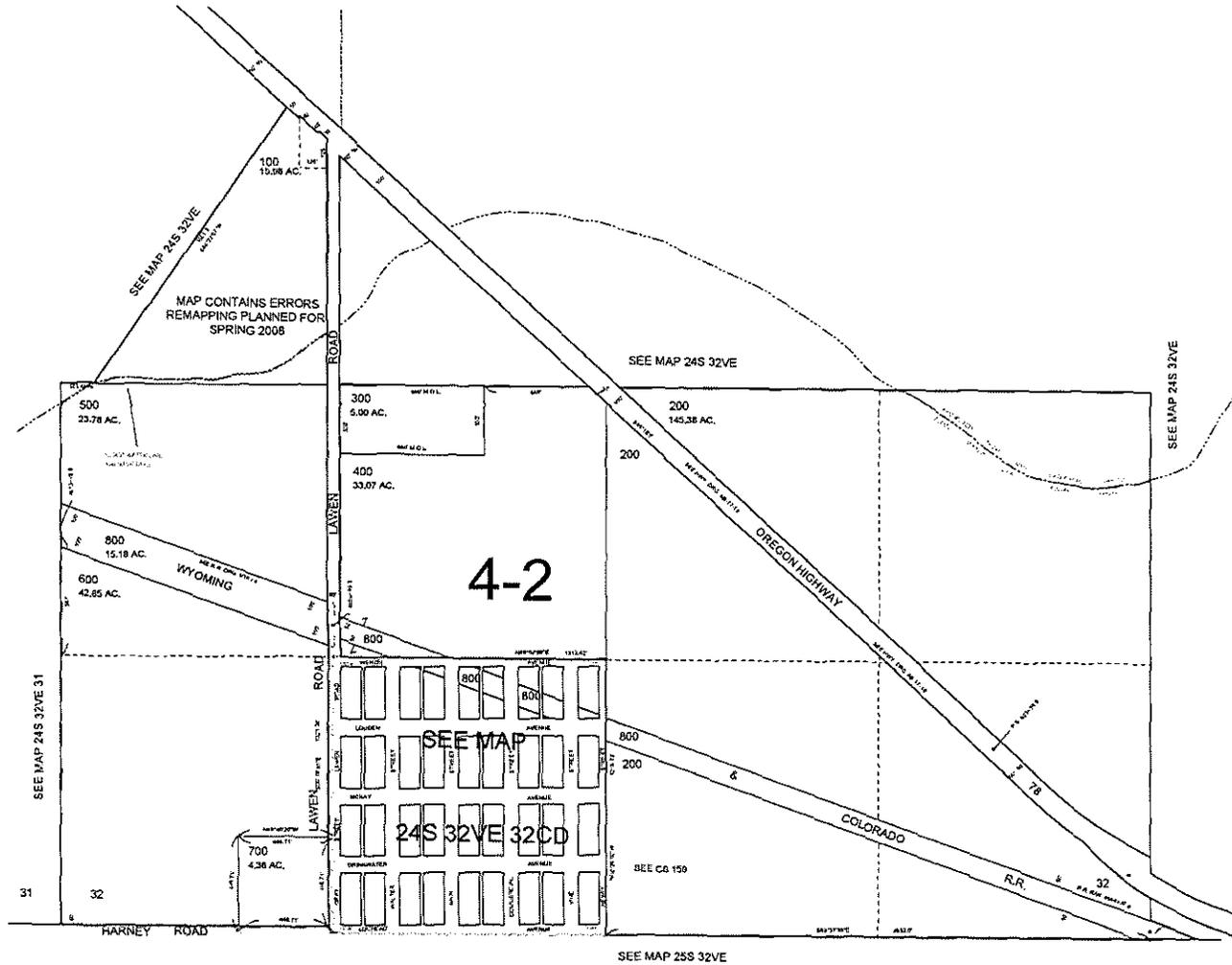
REVISED: GW
 10/16/00

24 32V 31

THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY

SECTION 32 T.24S. R.32 1/2E. W.M.
HARNEY COUNTY
1" = 400'

24S 32VE 32
& INDEX



SEE MAP 25S 32VE

13-10
04-07

PURTY

Harney County

ASACPPRY

ACCOUNT DETAILS

Page 1

LOT 2 20092 2010 CODE 42 NA: 4 VA: 42 CLASS: 551

SEC 30 29S 32WE 30 400 SUB/BLK/LOT

2009
BL/5501 000 8 20071374 ACRES: 39.92 FP ACRES ZONING: RFRU-11
EMERGENCY PREPAREDNESS 10000 .000

HTARLAB REFU ENERGY

OWNER: BLACKBURN RANCHES, LLC

ADDRESS

ADDRESS: 707 PONDEROSA VILLAGE

ADDRESS

ADDRESS: BURDE OR 97720

	RMV	NAV	SAV	NSAV/MSD	TAXABLE AV
LAND VALUE	13,970		6,845		
IMPROVEMENT	3,601		3,601		
NET STRUCT					
SUB TOTAL	17,571	26,426	10,446	5,407	
EXCEPTIONS					
SUB TOTAL	17,571	26,426	10,446	5,407	5,407
EXCEPTIONS					
GOLD TOTALS	17,571	26,426	10,446	5,407	5,407

IMPROVEMENTS

FOUR YEAR	FOUR YEAR	FOUR YEAR	ASSESS	MARKET	APPR	YEAR	PROP	SG	P	E	N
BOOK	BLK	GRID	VALUE	VALUE	CODE	APPR	CLASS	FEET	R	X	I
111		1.00	3601	3601		2005	551	0	#		N

LAND APPRAISAL

LAND CODE	ACRES	COST/UNIT	VALUE	APR	ADJUST	CLAS	C	I	X
MARKET LAND									
42 MKT RA	39.920	13970.00	13,970		0	551	L		N
12 MKT IN		6000.00	5,000		0	551	L		N
SPECIAL LAND									
12 SB	32.000	141.00	4,512		0	551	C		N
42 SB	7.920	42.00	333		0	551	C		N
42 SB	14	2000.00	2,000		0	551	L		N

LEGAL CONTINENT

T 29 S 32 WE 30 400

LAND IN HARNEY COUNTY, OREGON, AS FOLLOWS:

IN TOWNSHIP 29 S 32 RANGE 02 1/2 E 10 W N

SECTION 30 ALL THAT PORTION OF LOT 2 & 501/4NE1/4 LYING SOUTH AND WESTERLY OF STATE HWY 28 RIGHT OF WAY.

ROLL HISTORY

YEAR	TAX AMOUNT	TAX PAID	TAX DUE	INT/INTS	TOTAL DUE
2003	131.49	131.49	.00	.00	
2004	130.41	135.41	.00	.00	
2005	151.38	151.38	.00	.00	
2006	58.58	58.58	.00	.00	
2007	59.33	59.33	.00	.00	
2008	67.13	67.13	.00	.00	
2009	63.99	63.99	.00	.00	

FEE'S
TOTAL DUE

11/24/09 200971595 0001 42 NA 1 VA 42 CLASS 551
 11/24/09 SEC 30 TL 700 SUB/BLK/LDT

11/24/09 ZONING PERMIT
 11/24/09 DOC # 20091595 ACRES 04 84 FR ACRES 000
 11/24/09 24S32ME000070000
 11/24/09 11/24/09

11/24/09 BLACKHORN RANCHES, LLC
 11/24/09
 11/24/09 707 BUBBINGBROOK VILLAGE
 11/24/09
 11/24/09 BURRIS DR # 1, 275

	RHV	HAV	SAV	HS6V #50	TAXABLE AV
LAND VALUE	72,710		46,915		
IMPROVEMENT	49,503		49,503		
NEG. STRUCT					
SUB TOTAL	122,213	85,810	96,418	51,707	
EXCEPTIONS					
SUB TOTAL	122,213	85,810	96,418	51,707	51,707
EXCEPTIONS					
GRAND TOTALS	122,213	85,810	96,418	51,707	51,707

IMPROVEMENTS

FCIB	YEAR	PCT	ASSESS	MARKET	APPR	YEAR	PROP	50	F	E	B
BOOK	BLK	QUAN	VALUE	VALUE	CODE	APPR	CLASS	FEET	R	X	L
207		100	49503	49503		2005	551	4725	*		N

LAND APPRAISAL

LAND CODE	ACRES	COST/UNIT	VALUE	APR	ADJUST	CLASS	CL	EX
MARKET LAND								
42 PRT 04	04.840	72710.00	72,710		0.551	C		N
SPECIAL LAND								
42 2	65.000	703.00	45,693		0.551	C		N
42 3	19.840	63.00	1,250		0.551	C		N

LEGAL COMMENTS

11/24/09 R 325 E 1/2 N SEC 30 TL 700
 LAND IN HARVEY COUNTY, OREGON, AS FOLLOWS
 IN TOWNSHIP 24 S 2 RANGE 32 E 1/2 E 1/2 N
 SECTION 30, T04N R 32E

TAX ROLL HISTORY

YEAR	TAX AMOUNT	TAX PAID	TAX DUE	INL/DLS	TOTAL DUE
2009	512.06	512.06	.00	.00	.00
2008	527.76	527.76	.00	.00	.00
2007	543.57	543.57	.00	.00	.00
2006	559.88	559.88	.00	.00	.00
2005	575.66	575.66	.00	.00	.00
2004	591.91	591.91	.00	.00	.00
2003	608.22	608.22	.00	.00	.00
FEES:					
TOTAL DUE:					

100000 200901 10000 CODE 42 MAP: 4 VA. 42 CLASS 580
 100000 200901 10000 SUB/BLK/LOT
 100000 200901 10000 ZONING: EFRU-2
 100000 200901 10000 ACRES. 98.96 PP ACRES 000
 100000 200901 10000 CENTROID: 2855000000000000
 100000 200901 10000 MAP TAB EFF DATES

OWNER BLACKBURN RANCHES, LLC
 ADDRESS
 ADDRESS 707 POWDERMILL VILLAGE
 ADDRESS
 ADDRESS BURNS DR 52720

	RMV	NAV	SAV	MSAV/PISO	TAXABLE AV
LAND VALUE	45,440		26,630		
IMPROVEMENT					
REG. FEE					
SUB TOTAL	45,440	40,646	26,630	15,213	
EXEMPTIONS					
TOTAL	45,440	40,646	26,630	15,213	15,213

LAND APPRAISAL

LAND CODE	ACRES	COST	ZONING	VALUE	APR	ADJUST	CLASS	C	T	X
HARVEST LAND										
12 MKT RA	98.960	45440.00		45,440		0.550	L			N
SPECIAL LAND										
12	04.000	703.00		23,902		0.550	C			N
12	64.960	42.00		2,728		0.550	C			N

LEGAL COMMENT

T 24 S. R 30 E. W 1/4 SEC 31 T11.100
 LAND IN HAYNE COUNTY, OREGON, AS FOLLOWS:
 100000 200901 10000 RANGE 32 1/2 E. W. N.
 SECTION 31 N 1/2 OF GOV'T LOT 1; N 1/2 NE 1/4 LYING NORTH OF THE NORTH
 RIGHT OF WAY LINE OF THE UNION PACIFIC RAILROAD RIGHT
 OF WAY; AND THAT PORTION OF NW 1/4 SE 1/4 WHICH LIES NORTH
 OF THE UNION PACIFIC RAILROAD RIGHT OF WAY LINE

TAX ROLL HISTORY

YEAR	TAX AMOUNT	TAX PAID	TAX DUE	INT/DIS	TOTAL DUE
2003	150.77	150.77	.00	.00	
2004	152.28	152.28	.00	.00	
2005	154.73	154.73	.00	.00	
2006	167.67	167.67	.00	.00	
2007	174.77	174.77	.00	.00	
2008	179.99	179.99	.00	.00	
			FEE:		
			TOTAL DUE:		

2007 2010 CODE 12 PK: 1 VA: 42 CLASS 559
 SUB/BLK/LOT
 ZONING: ETRU 2
 ACRES 79.30 FP ACRES 000
 CONTROL# 24512412000040000
 DETAILAR BY: UNKNOWN LYNET TIT

OWNER: BLACKBURN RANCHES, LLC
 ADDRESS: 707 PONCEDESA VILLAGE
 ADDRESS: BURNS DR #7720

	RMV	HAV	SAV	MSAV/MSO	TAXABLE AV
LAND VALUE	99,020		56,310		
IMPROVEMENT	47,921		47,921		
MO'S STRUCT	68,633		68,633		
SUB TOTAL	215,574	174,179	172,864	133,464	
EXCEPTIONS					
SUB TOTAL	215,574	174,179	172,864	133,464	133,464
EXCEPTIONS					
SUB TOTALS	215,574	174,179	172,864	133,464	133,464

MOBILE EQUIP DATA

ACCT # 75971
 YEAR APPRAISED 2005 APPRAISAL DATE 1/01/05 APPRAISER GW
 YEAR BUILT 1990 EFFECTIVE YEAR 1990 BASE YEAR 2005
 MAKE/ID CH41905 204610 DIMENSIONS 29 x 64 FACTOR BOOK 192
 INPUT 0 0 MANUFACTURER FUGUA SPACER
 REAL ACCT # 43390 ROLL R SIZE 2 INSPECT N SERIAL# 11308
 PROPERTY CLASS 559 CONDITION A X GOOD 76 VALUE 68,633

IMPROVEMENTS

FC OR	YEAR	FCY	ASSESS	MARKET	APPR	YEAR	PROP	SR	F	E	N
BOOK	BLK	GOOD	VALUE	VALUE	CODE	APPR	CLASS	FEET	R	X	T
503	1 00		1327	1327	GW	2005	559	0	*		N
504	1 00		920	920	GW	2005	559	0			N
505	1 00		2452	2452	GW	2005	559	0			N
506	1 00		4598	4598	GW	2005	559	0			N
581	85		21429	21429	GW	2005	559	1728			N
911	85		15180	15180	GW	2005	559	0			N
1006	85		1680	1680	GW	2005	559	162			N
1004	85		427	427	GW	2005	559	38			N

LAND APPRAISAL

ACREAGE	CODE	ACRES	CON/UNI	VALUE	APR	ADJUST	CLASS	C	I	X
32	MR1	08	69100 00	69,100		0	559	1		N
42	MR1	15	1840 00	1,840		0	559	1		N
48	MR1	50	12000 00	12,000		0	559	1		N
52	MR1	06	8000 00	8,000		0	559	1		N
43	MR1	50	5000 00	5,000		0	559	1		N

11/11/10 PUGET
11/03/10

HARNEY COUNTY
ACCOUNT DETAILS

ASAC PRG
Page 11

RECEIVED

ACCT	TYPE	AMOUNT	DATE	BALANCE	DEBIT	CREDIT	TYPE	DATE
02	2	45,000	700	00	45,000	0	550	11/03
02	2	07,000	00	00	07,000	0	550	11/03
02	100	1,000	1040	00	1,040	0	550	11/03
14	50	00	8000	00	8,000	0	550	11/03
14	50	00	2000	00	2,000	0	550	11/03
02	50	00	2000	00	2,000	0	550	11/03

ASAC ASSOCIATE

11/03/10 11/03/10 11/03/10 11/03/10 11/03/10

COMMITTEE REPORTS, COUNTY, DISCOUNT, AS FOLLOWS:

THE COMMITTEE IS IN A RANGE OF 12% TO 14%

ADDITION TO THE PORTION OF THE SURVEILLANCE AND COUNTY OF
11/03/10 11/03/10

SA RULE NUMBER

SA	RULE	NUMBER	TAX PAID	TAX DUE	DIFFERENCE	TOTAL DUE
20002	1943	00	1943	00	00	00
20007	1980	00	1980	00	00	00
20008	1970	00	1970	00	00	00
20006	1950	00	1950	00	00	00
20007	1941	00	1941	00	00	00
20001	1930	00	1930	00	00	00
20008	1940	00	1940	00	00	00

SALES

TOTAL DUE

8500
82
24321004

THIS SPACE RESERVED FOR RECORDER'S USE

20071596

After recording return to:

100
202
82J

REX BLACKBURN, MEMBER
BLACKBURN RANCHES, LLC
707 PONDEROSA VILLAGE
BURNS, OR 97720

STATE OF OREGON
County of Harney
I certify that the Statutory Warranty was received
for record on the 20th day of July
2007... at 2:37 o'clock PM, and
recorded Microfilm number 20071596
Deed of said County.
[Signature] County Clerk
[Signature] Deputy

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

24321031
52

REX BLACKBURN, MEMBER
BLACKBURN RANCHES, LLC
707 PONDEROSA VILLAGE
BURNS, OR 97720

400
600
700
82J

24321030
533

STATUTORY WARRANTY DEED

JETT C. BLACKBURN and DOROTHY A. BLACKBURN, as Trustees of the
Blackburn Family Trust UDT November 26, 1999, and REX BLACKBURN, collectively
as tenants by the entirety, Grantors hereby convey and warrant to BLACKBURN
RANCHES, LLC, an Oregon limited liability company, Grantee the following described
real property in the County of HARNEY and the State of Oregon free of encumbrances
except as specifically set forth herein:

SEE EXHIBIT "A" WHICH IS MADE A PART HEREOF BY THIS REFERENCE

ACCT# 23399; CODE# 4-2	MAP:23S 32V LOT 8500
ACCT# 23392; CODE# 4-2	MAP:24S 32V 30 LOT 400
ACCT# 23398; CODE# 4-2	MAP:24S 32V 30 LOT 600
ACCT# 23394; CODE# 4-2	MAP:24S 32V 30 LOT 700
ACCT# 23395; CODE# 4-2	MAP:24S 32V 31 LOT 100
ACCT# 23396; CODE# 4-2	MAP:24S 32V 31 LOT 200

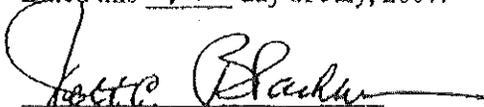
The above-described property is free of encumbrances except all those items of record, if
any, as of the date of this deed and those shown below, if any:

The true and actual consideration for this conveyance is as specified in the Operating
Agreement of Blackburn Ranches, LLC dated as of June 1, 2007, and the First
Amendment thereto.

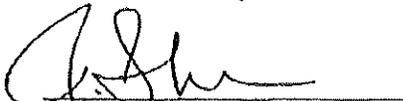
2007 1546

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. 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 APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 197.352.

Dated this 14 day of July, 2007.

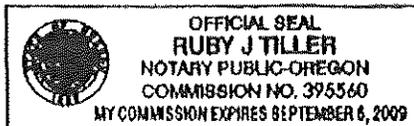

Jett C. Blackburn, Trustee
Blackburn Family Trust

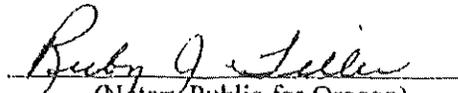

Dorothy A. Blackburn, Trustee
Blackburn Family Trust


Rex Blackburn

State of Oregon
County of HARNEY

This instrument was acknowledged before me on July 14, 2007 by Jett C. Blackburn, Dorothy A. Blackburn and Rex Blackburn.




(Notary Public for Oregon)

My commission expires 9-6-09

2007 15916

EXHIBIT "A"

Land in Harney County, Oregon, as follows:

In Twp. 24 S., R. 32½ E., W.M.:

- Sec. 30: All that portion of Lots 2, 3 and 4, and the SE¼, SW¼NE¼, lying Southwesterly of the highway right of way, as said right of way is described in deed recorded June 10, 1946, in Book 43, Page 238, and recorded January 10, 1967, in Book 81, Page 475, Book 82, Page 386 and Book 82, Page 594, Deed Records, and as described in condemnation proceedings filed in Circuit Court of the State of Oregon, for the County Harney, Case No. 3742.
- Sec. 31: Lot 1 and all that portion of Lot 2, W¼NE¼ and NW¼SE¼, lying Northerly of the railroad right of way, as said right of way is described in deeds recorded in Book 31, Page 219 and 239, Deed Records. ALSO the E¼NE¼, EXCEPTING THEREFROM highway right of way over the NE¼NE¼ conveyed to the State of Oregon, by and through its State Highway Commission, by deed recorded January 16, 1967, in Book 81, Page 492, re-recorded July 13, 1967, in Book 83, Page 31, Deed Records.
- Sec. 32: W¼NW¼, EXCEPTING THEREFROM the following five parcels:
- Parcel No. 1: A parcel of land about 125 feet square at the intersection of the Burns-Crane section of the Central Oregon Highway and the public road running South past the Town of Lawen, along the East boundary of the W¼NW¼ of said Sec. 32, described as follows:
- Beginning at the Northwest corner of said Sec. 32;
 - thence South 55.8 feet to the South line of said State Highway right of way;
 - thence S. 45°49' E., along said South line, 1840.7 feet to a point of the intersection with the West line of said Lawen Road, the True Point of Beginning;
 - thence South 125 feet;
 - thence West 125 feet;
 - thence North to the South line of said State Highway right of way;
 - thence S. 45°49' E. to the True Point of Beginning.
- Parcel No. 2: Highway right of way conveyed to the State of Oregon, by and through its State Highway Commission, by deed recorded June 17, 1946, in Book 43, Page 294, Deed Records.
- Parcel No. 3: Highway right of way conveyed to the State of Oregon, by and through its State Highway Commission, by deed recorded January 16, 1967, in Book 81, Page 492, re-recorded July 13, 1967, in Book 83, Page 31, Deed Records.
- Parcel No. 4: That portion of the NE¼NE¼ of Sec. 31 and the W¼NW¼ of Sec. 32 lying Northeasterly of the highway right of way conveyed to the State of Oregon, by and through its State Highway Commission, by deed recorded June 17, 1946, in Book 43, Page 294, recorded January 16, 1967, in Book 81, Page 492 and re-recorded July 13, 1967, in Book

2007 15910

83, Page 31, Deed Records.

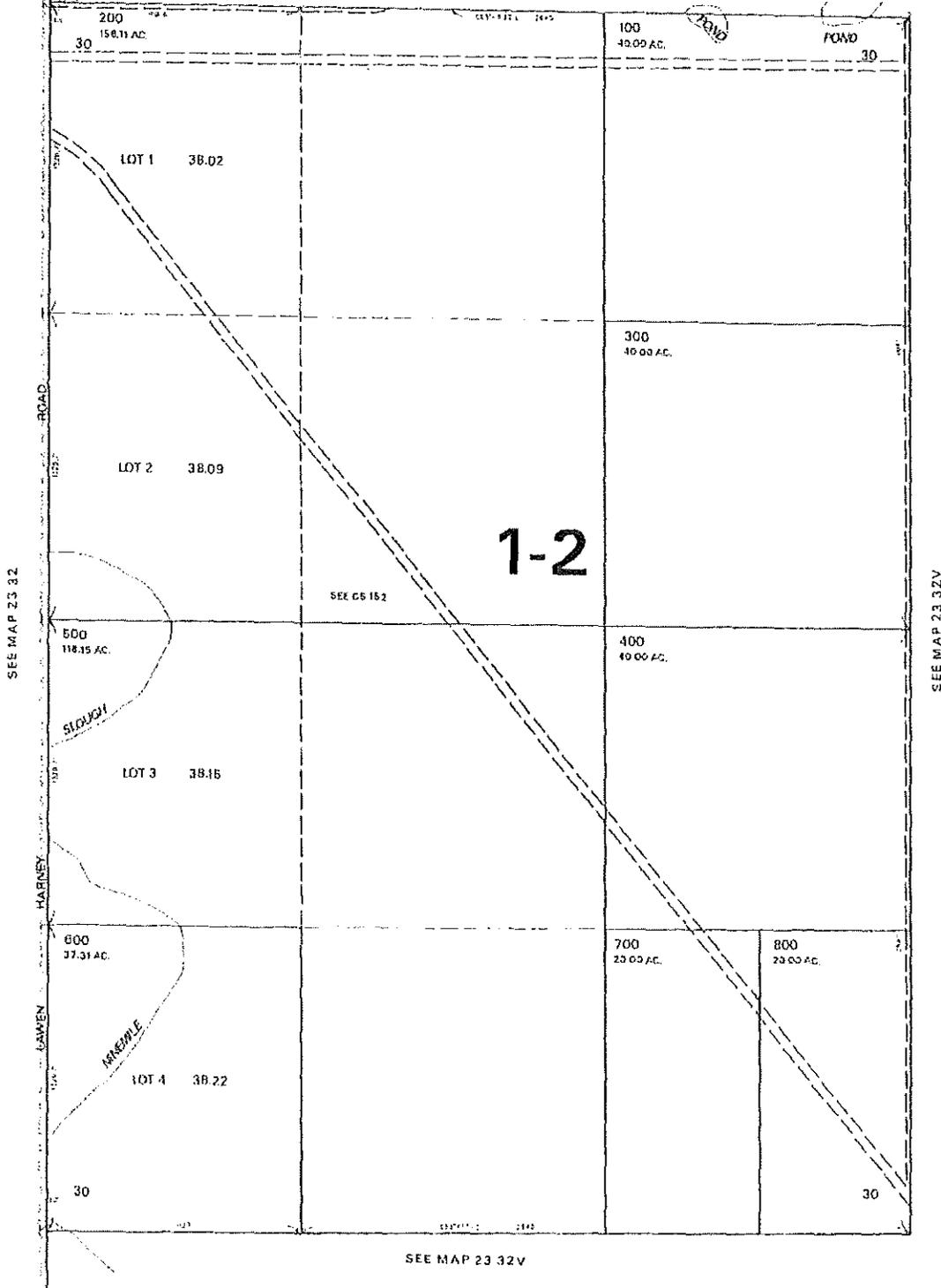
Parcel No. 5: That portion of the SW $\frac{1}{4}$ NW $\frac{1}{4}$, more particularly described as follows:

Beginning at a point on the Southwesterly right of way boundary of State Highway 78, 50.00 feet at right angles to the center line, said point bearing 39°02'41" E. 1985.50 feet from the Northwest corner of Section 32; thence S. 44°22'07" W. along a fence line 1551.3 feet, more or less, to the South boundary of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 32; thence Easterly along the East-West center line of Section 32, 1238.2 feet, more or less, to the Westerly boundary of Lawen Lane; thence N. 01°40'24" E. along the Westerly boundary of Lawen Lane 824.3 feet, more or less, to the Southeast corner of that tract described in Instrument No. 910091; thence N. 88°19'36" W. along the South boundary of that tract described in Instrument No. 910091, 125.00 feet; thence N. 01°40'24" E. along the West boundary of that tract described in Instrument No. 910091, 224.69 feet to the Southwesterly right of way boundary of State Highway No. 78; thence N. 46°10'00" W. 81.96 feet to the point of beginning.

Total P. 004

THESE LOTS WERE SOLD TO THE AIR FORCE IN 1952 AND WERE PART OF THE 1952 SURVEY. THE LOTS WERE PART OF THE 1952 SURVEY AND WERE PART OF THE 1952 SURVEY.

SEE MAP 23 32V 19





Oregon

Theodore R. Kulongoski, Governor

Carrie

Mike

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 (ery) DATE: 8-3-07
FIELD PROCESSOR WORKING ON THIS TRANSFER

FROM: _____ WATERMASTER, DISTRICT # _____
X _____ GROUNDWATER SECTION

(SIGNATURE) Mike Zwart date signed 10/2/07
signed by injury reviewer

SUBJECT: WATER RIGHT TRANSFER # 10437

A change in: POU POD POA USE of water.

In the name(s) of Blackburn Ranches LLC

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.

**OREGON WATER RESOURCES DEPARTMENT
INTEROFFICE MEMO**

To: Ground Water files

Date: October 2, 2007

From: Michael J. Zwart

Subject: Application Review: T-10437, Blackburn Ranches, LLC

This application proposes a change in POA. The authorized well #1 (HARN 968) reportedly no longer produces the necessary quantity of water. The proposed well #3 (HARN 51322) develops the same valley-fill ground-water source as does the authorized well.

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

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

August 1, 2007

BLACKBURN RANCHES LLC
JETT BLACKBURN
707 PONDEROSA VILLAGE
BURNS OR 97720

Reference: Transfer 10437

On July 25, 2007 we received your water right transfer application. The application was accompanied by \$600.00. Our receipts 88871 and 88984 are enclosed.

By copy of this letter, we are asking the Watermaster for a report regarding the potential for injury to existing water rights which may be caused by the 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
07/31/07**

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. 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.

County: HARNEY
Transfer: 10437
Water Right: CERT 67939,82486
Priority Date: 1984,1985
Name: BLACKBURN RANCHES LLC
Address: 707 PONDEROSA VILLAGE; BURNS OR 97720
Change: POA
Source: WELLS
Authorized POA: T24S R32.5E 30,31
Proposed POA: T24S R32.5E 30

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. Comments should be sent to the Transfers Section at the Department's Salem office.



STATE OF OREGON

County of HARNEY

PERMIT TO APPROPRIATE THE PUBLIC WATERS

This is to certify that I have examined APPLICATION G-11378 and do hereby grant the same SUBJECT TO EXISTING RIGHTS and the following limitations and conditions:

This permit is issued to James W. Mason, Jr. of Box 8, Lawen, Oregon, 97740, phone 493-2815, for use of the waters from one well,

for the PURPOSE of irrigation of 53.5 acres

that the PRIORITY OF THE RIGHT dates from April 23, 1985

and is limited to the amount of water which can be applied to beneficial use and shall not exceed 0.67 cubic foot per second

measured at the point of diversion from the well, or its equivalent in case of rotation with other water users.

The well is to be LOCATED: 20 feet North and 400 feet West from the Southeast Corner of Section 30, being within the SE 1/4 SE 1/4 of Section 30, Township 24 South, Range 32 1/2 East, W4, in the County of Harney.

A description of the PLACE OF USE under the permit, and to which such right is appurtenant, is as follows:

Township 24 South, Range 32 1/2 East, W4	Section 31	NE 1/4	NE 1/4	18.7 acres
		SE 1/4	NE 1/4	1.8 acres
	Section 32	NW 1/4	NW 1/4	14.3 acres
		SW 1/4	NW 1/4	18.7 acres

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 1/80 of one cubic foot per second per acre, 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 although declared herein to be for primary irrigation, the supplemental right allowed under Application 68368, Permit 49406 may, in the interest of conserving the ground water resources, be exercised at times when water is available from ground water provided that the total quantity diverted from both sources shall not exceed the limitation allowed herein.

The well shall be constructed 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 permittee 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.

Actual construction work shall begin on or before August 9, 1986, and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1986.

Complete application of the water to the proposed use shall be made on or before October 1, 1987.

Witness my hand this 9th day of August, 1985

/s/ WILLIAM H. YOUNG

WATER RESOURCES DIRECTOR

This permit is for the beneficial use of water. By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan. It is possible that the land use you propose may not be allowed if it is not in keeping with the goals and the acknowledged plan. Your city or county planning agency can advise you about the land-use plan in your area.

APPLICATION G-11378

PERMIT

G10512



STATE OF OREGON

County of HARNEY

PERMIT TO APPROPRIATE THE PUBLIC WATERS

This is to certify that I have examined APPLICATION G-11219 and do hereby grant the same SUBJECT TO EXISTING RIGHTS and the following limitations and conditions:

This permit is issued to Jett C. Blackburn of 771 Ponderosa Village, Burns, Oregon 97720, phone 573-7206, for use of the waters from one well,

for the PURPOSE of irrigation of 166.0 acres

that the PRIORITY OF THE RIGHT dates from January 20, 1984

and is limited to the amount of water which can be applied to beneficial use and shall not exceed 2.08 cubic feet per second

measured at the point of diversion from the well, or its equivalent in case of rotation with other water users.

The well is to be LOCATED: 24.5 feet North and 570.6 feet West from the Southeast Corner of Section 30, being within the SE 1/4 SE 1/4 of Section 30, Township 24 South, Range 32 1/2 East, WM, in the County of Harney.

A description of the PLACE OF USE under the permit, and to which such right is appurtenant, is as follows:

Township 24 South, Range 32 1/2 East, WM Section 30 Lot 3	41.5 acres
Lot 4	42.5 acres
NW 1/4 SE 1/4	25.53 acres
SW 1/4 SE 1/4	42.0 acres
SE 1/4 SE 1/4	14.47 acres

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 1/80 of one cubic foot per second per acre, and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year, and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

The well shall be constructed 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 permittee 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.

Actual construction work shall begin on or before March 30, 1985, and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1985.

Complete application of the water to the proposed use shall be made on or before October 1, 1986.

Witness my hand this 30th day of March, 1984.

/s/ WILLIAM H. YOUNG
WATER RESOURCES DIRECTOR

This permit is for the beneficial use of water. By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan. It is possible that the land use you propose may not be allowed if it is not in keeping with the goals and the acknowledged plan. Your city or county planning agency can advise you about the land-use plan in your area.

APPLICATION G-11219

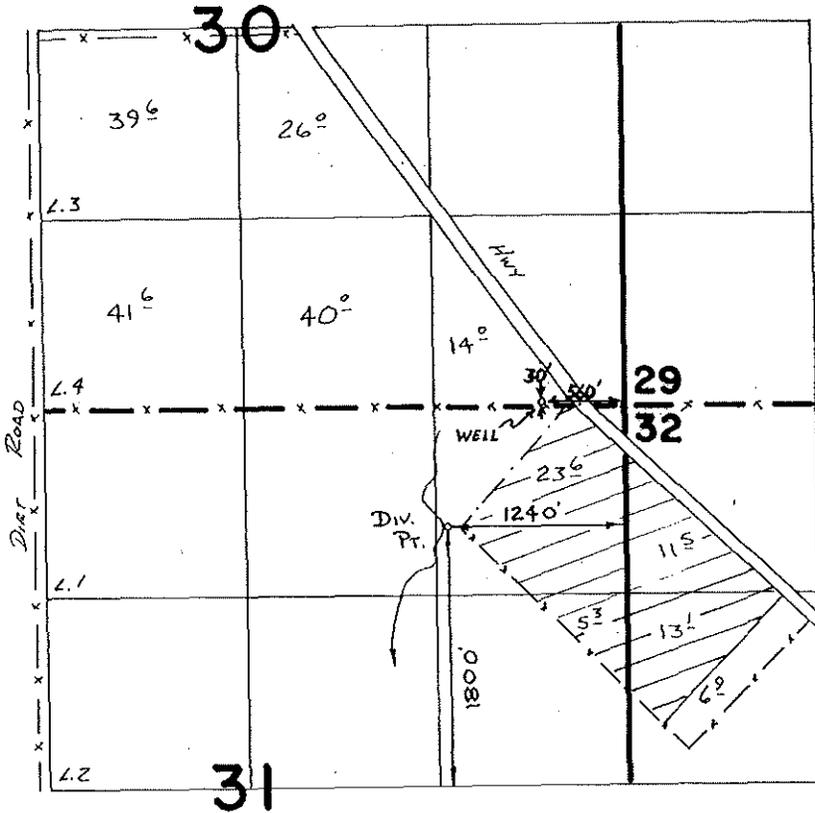
"CERTIFICATE NO. 60872"

PERMIT

G10340

Cancelled - sp. or Reg. Vol. 45 p. 124
Surrendered by
Cert. No. 127939"

T. 24S., R. 32 1/2 E., W.M.



SCALE 1"=1320'

FINAL PROOF SURVEY
UNDER

G-11378 G10512
Application No. 68368 Permit No. 49406
IN NAME OF

.....JAMES.....W.....MASON,.....JR.....

Surveyed ...5... 1988., by V.L. Church.....



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-10437

Review Due Date: 09/01/2007

Applicant Name: Blackburn Ranches LLC

Proposed Changes: POU POD POA USE OTHER

Reviewer(s): June Miller

Date of Review: Aug. 31, 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	<input checked="" type="checkbox"/> Present and should be maintained.	<input type="checkbox"/> Should be required prior to diverting water.	<input checked="" type="checkbox"/> May be required in the future.
Headgates	<input type="checkbox"/> Present and should be maintained.	<input type="checkbox"/> Should be required prior to diverting water.	<input type="checkbox"/> May be required in the future.

Blackburn Ranches LLC T-10437

8/31/2007

Notes on Blackburn Transfer T-10437 for transfer review.

Certificate 82486 - transfer has the wrong well for existing authorized POA on transfer app.

Need to add two wells to C-82486, well# 2 and well # 3, well # 1 is the authorized.

June Miller