

Regular

Name Badger Ventures, LLCAddress PO Box 746
Crane, OR 97732Change in POU, APOADate Filed 10-17-16

Initial notice date _____

DPD issued date _____

PD issued date 11-21-17PD notice date 11-28-17Date of FO 2-14-18 Vol 107 Page 692

C-Date _____

COBU due date _____

COBU Received date _____

Certificate issued 11/21/2025 98762

DESCRIPTION OF WATER RIGHT(s)

Name of Stream A WellTrib. of Hot Springs SLUse Irrigation County Harney wm 10

Quantity of water (CFS) _____ No. of Acres _____

Name of ditch _____

App# G-12283 Per # G-11697 Cert # 84051 PR Date 1990

App# _____ Per # _____ Cert # _____ PR Date _____

App# _____ Per # _____ Cert # _____ PR Date _____

App# _____ Per # _____ Cert # _____ PR Date _____

App# _____ Per # _____ Cert # _____ PR Date _____

FEES PAID

Date	Amount	Receipt #
<u>10/17/16</u>	<u>\$2,150.00</u>	<u>121639</u>
<u>3-26-2024</u>	<u>\$230.00</u>	<u>142595</u>

FEES REFUNDED

Date	Amount	Receipt #

Assignments: _____

Irrigation District _____

Agent John A. Short - Water Right Services, LLC
PO Box 1830, Bend, OR 97709

CWRE _____

CC's list _____

☐ - Oversized map - Location _____

STATE OF OREGON
WATER RESOURCES DEPARTMENT

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

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

RECEIPT # 142595

INVOICE # _____

RECEIVED FROM:

BY:

CASH:

CHECK:#

OTHER: (IDENTIFY)

APPLICATION

PERMIT

TRANSFER

TOTAL REC'D

\$ 355.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES

0413 OTHER:

(IDENTIFY)

0243 I/S Lease

0244 Muni Water Mgmt. Plan

0245 Cons. Water

\$

\$ 125.00

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES

0410 RESEARCH FEES

0408 MISC REVENUE: (IDENTIFY)

TC162 DEPOSIT LIAB. (IDENTIFY)

0240 EXTENSION OF TIME

WATER RIGHTS:

0201 SURFACE WATER

0203 GROUND WATER

0205 TRANSFER

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR

LANDOWNER'S PERMIT

0200 OTHER

(IDENTIFY)

EXAM FEE

\$

\$

\$

EXAM FEE

\$

0202

0204

0219

0220

RECORD FEE

\$

\$

LICENSE FEE

\$

\$

\$ 230.00

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE

0210 MONITORING WELLS

OTHER

(IDENTIFY)

\$

\$

CARD#

CARD#

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD)

0231 HYDRO LICENSE FEE (FW/WRD)

HYDRO APPLICATION

\$

\$

\$

TREASURY OTHER / RDX

FUND TITLE

OBJ. CODE VENDOR #

DESCRIPTION

\$

RECEIPT: 142595

DATED: 3-26-2024 BY: [Signature]

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

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # 121639

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

INVOICE # _____

RECEIVED FROM: Budger Ventures, LLC
BY: _____

APPLICATION	
PERMIT	
TRANSFER	T-12508

CASH: ☐ CHECK:# 1090 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 2,150.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407	COPIES	\$
	OTHER: (IDENTIFY)	\$

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

4270 WRD OPERATING ACCT

MISCELLANEOUS 46110

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

WATER RIGHTS:		EXAM FEE	RECORD FEE	
0201	SURFACE WATER	\$	0202	\$
0203	GROUND WATER	\$	0204	\$
0205	TRANSFER	\$ <u>2,150.00</u>		

WELL CONSTRUCTION		EXAM FEE	LICENSE FEE	
0218	WELL DRILL CONSTRUCTOR	\$	0219	\$
	LANDOWNER'S PERMIT		0220	\$

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

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

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

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

RECEIPT: 121639

DATED: 10/17/16 BY: Bilinda

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

Mailing List for Final Transfer Certificate(s)

Transfer Application: T-12508

Certificate: 98762 (C-84051)

Copies Mailed	
by:	 (STAFF)
on:	11/21/2025 (DATE)

Certificate/Transfer Holder: (include copy of map)
✓ BADGER VENTURES LLC
PO BOX 746 CRANE
OR 97732

Is the Transfer Holder(s) of record currently identified as a landowner of any tax lots involved as confirmed by the County records? NO

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

- 1. Watermaster District #: 10 (auto email)
- ✓ 2. File
- ✓ 3. Vault

Other persons to receive copies: (include map):

- ✓ 4. DeJarnatt Land Surveys Inc.
Gary Lee DeJarnatt, CWRE
2391 NW Redwood Ave.
Redmond, OR 97756-6009
- ✓ 5. Water Right Services LLC
John Short, Agent
PO Box 1830
Bend, OR 97709

Current Landowner:

- ✓ 6. Jacob Potter
Shelly Potter
66139 Crane Buchanan Rd
Burns OR 97720

Record Marking(s):

- 1. Original Application# G-12283
- 2. Old Certificate# 84051



Oregon

Tina Kotek, Governor

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

Date Mailed: **NOV 21 2025**

NOTICE OF CERTIFICATE ISSUANCE

Attached is a certificate that confirms the water rights established under the terms of a transfer order issued by this Department.

This certificate is an order in order 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.

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 Jonnine Skaug at 503-979-3943.

STATE OF OREGON

COUNTY OF HARNEY

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

BADGER VENTURES LLC
PO BOX 746
CRANE OR 97732

confirms the right to the use of water perfected under the terms of Permit G-11697. 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. The specific limits and conditions of the use are listed below.

SOURCE OF WATER: A WELL IN HOT SPRINGS CREEK BASIN

PURPOSE OR USE: IRRIGATION ON 80.0 ACRES

MAXIMUM RATE: 1.0 CUBIC FOOT PER SECOND

DATE OF PRIORITY: NOVEMBER 5, 1990

The well is located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
24 S	34 E	WM	19	NW SW	3	1387 FEET NORTH AND 45 FEET EAST FROM SW CORNER, SECTION 19

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

The period of allowed use is March 1 through October 31.

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
24 S	34 E	WM	19	NE SW		27.8
24 S	34 E	WM	19	NW SW	3	24.4
24 S	34 E	WM	19	SW SW	4	19.0
24 S	34 E	WM	19	SE SW		8.8

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

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

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or measuring device in good working order.
- B. The water user shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
- C. The Director may require the water user to keep and maintain a record of the amount (volume) of water used and may require the water user to report water use on a periodic schedule as established by the Director. In addition, the Director may require the water user to report general water use information, the periods of water use and the place and nature of use of water under the right. The Director may provide an opportunity for the water user to submit alternative reporting procedures for review and approval.

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

The works shall be equipped with a usable access port, and may also include an air line and pressure gauge to determine the water level elevation in the well at all times.

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

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

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

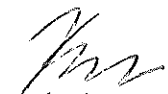
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or 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 February 14, 2018, at Special Order Volume 107, Page 692, approving Transfer Application T-12508, supercedes Certificate 84051, State record of Water Right Certificates.

Issued NOV 21 2025.

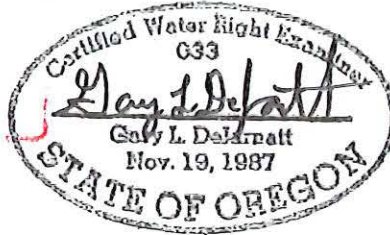


Katherine Ratcliffe
Water Right Services Division Administrator, for
Ivan Gall, Director
Oregon Water Resources Department

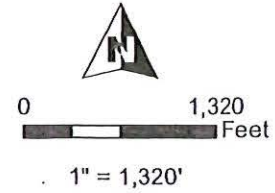
COPY

**T24S R34E, WM
HARNEY COUNTY, OR**

- Well & Meter
- Pipeline
-  POU IR 11/5/1990 Priority
-  Township
-  Section
- Quarter Quarter
-  Tax Lot

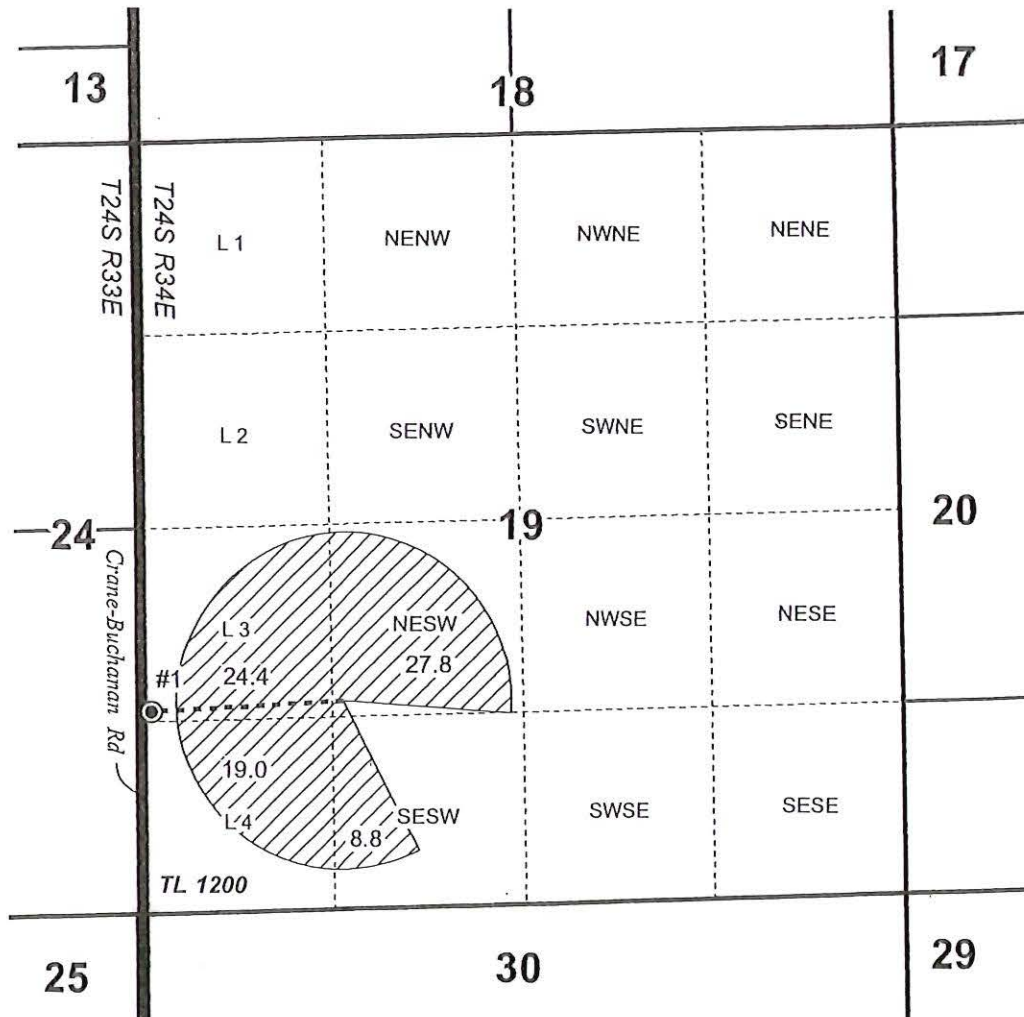


RENEWAL DATE 12/31/2025



Well Locations:

#1 (No Log): 1387' N, 45' E of SW Cor Sec 19



RECEIVED
MAR 26 2024
CWSD



CLAIM OF BENEFICIAL USE MAP
Potter

Date: 2/27/2024

T-12508

Project #23073

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

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

Mailing List for Proposed Transfer Certificate(s)

Transfer Application: T-12508

Certificate: ⁹⁸⁷⁶²***** (C-84051) JIS

Certificate/Transfer Holder: (include copy of map)
BADGER VENTURES LLC
PO BOX 746 CRANE
OR 97732

Is the Transfer Holder(s) of record currently identified as a landowner of any tax lots involved as confirmed by the County records? **NO**

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

1. Watermaster District #: 10
2. File

Other persons to receive copies: (include map):

3. GARY LEE DEJARNATT, CWRE
4. JOHN SHORT, AGENT

Current Landowner:

5. Jacob Potter
Shelly Potter
66139 Crane Buchanan Rd
Burns OR 97720

Record Marking(s):

1. Original Application# G-12283
2. Old Certificate# 84051

Copies Mailed	
by: <u>TM</u>	(STAFF)
on: <u>AUG 15 2025</u>	(DATE)



Oregon

Tina Kotek, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

www.oregon.gov/owrd

Date Mailed: AUG 15 2025

Reference: Transfer T-12508

Enclosed is a proposed certificate of water right and map. The proposed certificate represents the extent water was used within the terms of an order approving the transfer based upon a Claim of Beneficial Use, prepared by a Certified Water Right Examiner, that either you or a previous transfer holder submitted.

The certificate is the final step in the water right process. The Department encourages you to review this proposal. If you do not agree with the proposed certificate, Oregon Administrative Rule 690-330-010 (2) allows the transferee or landowner 60 days from the mailing date of this notice to request the Department to reconsider the contents of the proposed certificate.

If you do not agree with the proposed certificate, Oregon Administrative Rule 690-380-6040 allows the transferee or landowner 60 days from the mailing date of this notice to request the Department to reconsider the contents of the proposed certificate.

If your name is not listed on the proposed certificate, and you are the current landowner, and would like to have the final certificate issued in your name, you may apply through the Department to have the transfer assigned to you. If you have any questions about the assignment process, please contact Mary Bjork at 503-979-9895.

If you agree with the proposed certificate and map no response to this notice is required. Sometime after the 60 day period, a recommendation will be made to the Director to issue a certificate, and if the Director signs the certificate, the recorded certificate of water right will be mailed to you.

If you have any questions please contact Jonnine Skaug at 503-979-3943.

Sincerely,

Katherine Ratcliffe
Administrator Water Right Services

STATE OF OREGON

COUNTY OF HARNEY

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Issued _____

PROPOSED
Katherine Ratcliffe
Water Right Services Division Administrator, for
Ivan Gall, Director
Oregon Water Resources Department

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

TRANSFER

Memo- Proof to Satisfaction

Transfer App #	T-12508	Date:	July 2025
WRD Reviewer (CW)	J. Kaus	Date:	Aug 25
WRD Peer Reviewer (PR)	holmes		

ORIGINAL CERT:	CHANGE REQUESTED:	RR Cert:
84051	☒ POU ☐ POD/POA ☒ APOD/APOA ☐ USE ☐ POU ☐ POD/POA ☐ APOD/APOA ☐ USE ☐ POU ☐ POD/POA ☐ APOD/APOA ☐ USE ☐ POU ☐ POD/POA ☐ APOD/APOA ☐ USE	N/A

App #
G-12283

PREPARATION:

CW	PR	RESEARCH:
☒	☐	☒ CBU Report/Map ☒ Transfer Order Ord Vol SPOV 107 Issued Date 2/14/2018
		☐ Assignment ☐ Transfer Extension
		Electronic Folder:
☒	☐	☒ Create CBU folder ☐ Create Work Packet Folder
☒	☐	SCAN: Above documents into "CBU Folder"
☒	☐	SAVE: other documents in "Work Packet Folder"
		☐ Certificate(s) ☐ Transfer App Maps (To/From) ☐ BLM Cadastral Survey ☐ GW Logs
		☐ OrMap Tax Lot Map ☒ Ownership Report ☐ POU Report (conflict) [POU ONLY] ☐ Others:
☒	☐	SEARCH:
		☒ Interactive Mapper ☐ AOI ☒ Map and TaxLot ID ☐ Receiving LO:
		New Landowner:

1200
 Jacob & Shelly Potter, 66139
 Crane Buchanan Rd
 Burns OR 97720

REVIEW OF CLAIM:

ORDER REQ'D	CERTIFICATE REQ'D	COMPLIED YES/NO	CONDITIONS:	NOTES:
☐ Y ☐ N/A	☐ Y ☐ N/A	☐ Y ☐ N	Fish Condition	
☒ Y ☐ N/A	☐ Y ☐ N/A	☐ Y ☐ N	Meter/Measuring Device	addn'l POF not developed!
☐ Y ☐ N/A	☐ Y ☐ N/A	☐ Y ☐ N	Water Use Reporting	
☐ Y ☐ N/A	☐ Y ☐ N/A	☐ Y ☐ N	SWL (Month)	
☐ Y ☐ N/A	☐ Y ☐ N/A	☐ Y ☐ N	Dedicated MMS tube	
☐ Y ☐ N/A	☐ Y ☐ N/A	☐ Y ☐ N	Well Id	
☐ Y ☐ N/A	☐ Y ☐ N/A	☐ Y ☐ N	Other:	
☒ Y ☐ N/A	☐ Y ☐ N/A	☐ Y ☐ N	C-date: 10/1/2023	EXT C-Date: Claim Says 10/1/2018

REVIEW OF MAP: (Only the changes approved)

CW	PR	Notes:
☐	☐	Verify POA/POD Location (New Only)
☐	☐	Verify POU (New only)
☐	☐	POU clearly identified by Use Type/Certificate
☐	☐	DLC/GOV'T LOT
		☐ Original Cert Map for unchanged POU/POD/POA (Attached for Peer Reviewer/Data) ☐ Note Maps for Reference

POD/POA/APOD/POA ONLY: RUN CAPACITY CALCULATOR AND SAVE CALCS TO APPLICATION FOLDER:

POD/POA-NEW/ADD'T	AUTHORIZED RATE	CLAIM RATE	CALCULATED RATE	NOTES:
	1.0 cfs		addn'l POF not developed	

DETERMINATION:

CW	PR	DOCUMENT	NOTES:
☐	☐	LETTER FOR CLARIFICATION	
☐	☐	DRAFT (PLEASE EXPLAIN)	
☒	☐	PROPOSED	addnl POA not developed
☐	☐	FINAL	
☐	☐	PROPOSED ORDER TO CANCEL	

FINAL CHECKS: Review your document; BEFORE printing proposed for Support

CW	PR	DID YOU CHECK?	NOTES:
☐	☐	DATA REVIEW	
		☐ POA/POD/DAM TABLES/DESCRIPTIONS	☐ PLACE OF USE TABLES, INCLUDING ACRES FOR GOV'T LOTS/DLC
☐	☐	SPELL CHECK DOC	
☐	☐	MAPS: Identified for Reference	
☐		CERT NUMBER ISSUED:	
		Original Cert # App	New Cert #
		Original Cert # App	New Cert #
		Original Cert # App	New Cert #
		Original Cert # App	New Cert #

EXTRAS: BEFORE Printing your Final Certificate

CW	PR	DID YOU CHECK?	NOTES:
☐	☐	DATA REVIEW COMMENTS UPDATED	
☐	☐	SPELL CHECKED DOC	

CASEWORKER REVIEW COMMENTS:**PEER REVIEWER COMMENTS:**

REIMBURSEMENT AUTHORITY TRANSFER

T-12508

CONTRACT NEVER EXECUTED.

KAVANAGH Kerry L * WRD

From: KAVANAGH Kerry L * WRD
Sent: Friday, September 6, 2024 8:41 AM
To: jakepotter78@outlook.com; Johnshort@usa.com; 'brycewrs@gmail.com'
Cc: KAVANAGH Kerry L * WRD
Subject: FW: Certificate RA Estimate R13033-25 for Jacob M. Potter and Shelly M. Potter involving Application T-12508
Attachments: RA contract_T-12508.pdf; estimate receipt_T-12508.pdf; estimate request_T-12508.pdf

Hello,

I am wondering if you wish to pursue the expedited review of the claim of beneficial use under the certificate reimbursement authority program. If you do, please return a signed copy of the agreement along with payment of estimated costs.

Please advise.

Thank you,
Kerry

Kerry Kavanagh

Certificate Reimbursement Authority Program Coordinator
Certificate Section, Water Rights Services Division
725 Summer St NE Suite A | Salem OR 97301 | Direct 503.979.3208
kerry.l.kavanagh@water.oregon.gov | <https://www.oregon.gov/QWRD>



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

From: KAVANAGH Kerry L * WRD <Kerry.L.KAVANAGH@water.oregon.gov>
Sent: Monday, April 8, 2024 10:19 AM
To: jakepotter78@outlook.com; Johnshort@usa.com; 'brycewrs@gmail.com' <brycewrs@gmail.com>
Cc: KAVANAGH Kerry L * WRD <Kerry.L.KAVANAGH@water.oregon.gov>
Subject: Certificate RA Estimate R13033-25 for Jacob M. Potter and Shelly M. Potter involving Application T-12508

Hello,

Please find the attached estimate and agreement to review the claim of beneficial use (Claim). 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 review the claim of beneficial use.

If you have any questions, please send me an email at kerry.l.kavanagh@water.oregon.gov.

Thanks,
Kerry

KAVANAGH Kerry L * WRD

From: KAVANAGH Kerry L * WRD
Sent: Monday, April 8, 2024 10:19 AM
To: jakepotter78@outlook.com; Johnshort@usa.com; 'brycewrs@gmail.com'
Cc: KAVANAGH Kerry L * WRD
Subject: Certificate RA Estimate R13033-25 for Jacob M. Potter and Shelly M. Potter involving Application T-12508
Attachments: RA contract_T-12508.pdf; estimate receipt_T-12508.pdf; estimate request_T-12508.pdf

Hello,

Please find the attached estimate and agreement to review the claim of beneficial use (Claim). 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 review the claim of beneficial use.

If you have any questions, please send me an email at kerry.l.kavanagh@water.oregon.gov.

Thanks,
Kerry

Kerry Kavanagh

Certificate Reimbursement Authority Program Coordinator
Certificate Section, Water Rights Services Division
725 Summer St NE Suite A | Salem OR 97301 | Direct 503.979.3208
kerry.l.kavanagh@water.oregon.gov | <https://www.oregon.gov/OWRD>



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



**OREGON WATER RESOURCES DEPARTMENT
CERTIFICATE REIMBURSEMENT AUTHORITY
APPLICANT'S AGREEMENT**
Contract Number: **R13033-25**

This Agreement is between the Oregon Water Resources Department, hereafter OWRD, and Jacob M. Potter and Shelly M. Potter, hereafter Applicants, hereafter known together as the parties.

OWRD Information

Project Contact: Kerry Kavanagh

Reimbursement Authority

Oregon Water Resources Department

725 Summer Street NE

Salem OR 97301-1271

Phone: 503-979-3208

Email: Kerry.L.Kavanagh@water.oregon.gov

Applicant's Information

Name: Jacob M. Potter and Shelly M. Potter

Address: 66139 Crane-Buchanan Rd

Crane OR 97720

Phone: 208-899-3353

Email*: jakepotter78@outlook.com

Applicant's Representative

Name: Bryce Withers

Title: Representative

Company: Water Right Services, LLC

Address: PO Box 1830

Bend OR 97709

Phone: 541-389-2837

Email*: johnshort@usa.com

*By providing an Email address, consent is given to receive all correspondence electronically. (Paper copies of the certificate and final order documents will also be mailed.)

1. **Purpose.** The purpose of this Agreement is to expedite the processing of the **Claim of Beneficial Use**. (Transfer Application Number: T-12508)
2. **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.
3. **Restrictions.** Jacob M. Potter and Shelly M. Potter 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.
4. **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.
5. **Consideration.** Jacob Potter and Shelly Potter shall pay OWRD in advance for actual costs incurred by OWRD. Jacob M. Potter and Shelly M. Potter agree to pay the full amount of **\$1692** 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.
6. **Confidentiality.** Jacob M. Potter and Shelly M. Potter agree 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.
7. **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 47123

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: Jacob M. Potter
Date: _____

Applicant: _____
Name: Shelly M. Potter
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 47123



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.

REQUEST	TYPE	FILE NUMBER
☒	Certificate Request	Application Number _____ Permit Number _____ Transfer Number/Permit Amendment (if applicable) <u>T-12508</u>

	Applicant Information	Applicant's Representative/Contact
Name:	<u>Jacob M. Potter & Shelly M. Potter</u>	<u>Bryce Withers/Water Right Services, LLC</u>
Address:	<u>66139 Crane-Buchanan Rd</u>	<u>PO Box 1830</u>
	<u>Crane, OR 97720-9484</u>	<u>Bend, OR 97709</u>
Phone:	<u>208-899-3353</u>	<u>541-389-2837</u>
Fax:	_____	_____
E-Mail Address:	<u>jakepotter78@outlook.com</u>	<u>johnshort@usa.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**

I certify that I am the (check one):

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

Name: Bryce Withers

Signature:

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OWRD USE ONLY: Reimbursement Authority Number: R1 3033-25

**CLAIM OF
BENEFICIAL USE
for Transfer with Multiple
Changes - Groundwater**



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

A fee of \$230 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 transfer.

This form is subject to revision. **Begin each new claim** by checking for a new version of this form at:
<https://www.oregon.gov/OWRD/Forms/Pages/default.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 7" of this form is intended to aid in the completion of this form and should not be submitted.

A claim of beneficial use includes both this report and a map. If the map is being mailed separately from this form, please include a note with this form indicating such.

If you have questions regarding the completion of this form, please call 503-979-9103.

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:

<https://www.oregon.gov/OWRD/programs/WaterRights/RA/Pages/default.aspx>

GENERAL INFORMATION

Type of Authorized Change

This Claim is being submitted for a transfer involving multiple changes.

YES NO

Mark all that apply:

- | | |
|--|---|
| 1. ☒ Change in POA(s) or Additional POA(s) | 2. ☒ Change in Place of Use |
| 3. ☐ Change in Character of Use | |

A separate section will be completed for each type of change authorized in the transfer final order.

1. File Information

APPLICATION #
T-12508

2. Property Owner (current owner information)

APPLICANT/BUSINESS NAME Jacob M. Potter & Shelly M. Potter		PHONE No. 208-899-3353	ADDITIONAL CONTACT No.
ADDRESS 66139 Crane – Buchanan Rd			
CITY Crane	STATE OR	ZIP 97720-9484	E-MAIL jakepotter78@outlook.com

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

2. Transfer holder of record (this may, or may not, be the current property owner)

TRANSFER HOLDER OF RECORD Badger Ventures LLC		
ADDRESS PO BOX 746		
CITY Crane	STATE OR	ZIP 97732

4. Date of Site Inspection:

2/9/2024

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

NAME	DATE	ASSOCIATION WITH THE PROJECT
Jacob Potter	2/9/2024 & 2/27/2024	OWNER

6. County:

Harney

7. If any property described in the place of use of the transfer final order is excluded from this report, identify the owner of record for that property (ORS 537.230(5)):

OWNER OF RECORD N/A		
ADDRESS		
CITY	STATE	ZIP

Add additional tables for owners of record as needed

SECTION 2 SIGNATURES

CWRE Statement, Seal and Signature

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



CWRE NAME GARY L. DEJARNATT	PHONE NO. 	ADDITIONAL CONTACT NO. John Short 541-389-2837
ADDRESS 2391 NW REDWOOD AVE		
CITY REDMOND	STATE OR	ZIP 97756
E-MAIL 		

Transfer Holder of Record Signature or Acknowledgement

Each 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
	MARK OWENS	OWNER	3/19/24

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SECTION 3

Changes Made

Note: The Claim only needs to describe the changes that were authorized in the transfer final order.

Change #1

Change in POA(s) or Additional POA(s)

Did the transfer order authorize a change in the points of appropriation or additional points of appropriation?

YES NO

If "NO", this Section can be deleted.

1. New or additional point of appropriation name or number:

POINT OF APPROPRIATION (POA) NAME OR NUMBER (CORRESPOND TO MAP)	WELL LOG ID # FOR ALL WORK PERFORMED ON THE WELL (IF APPLICABLE)	WELL TAG # (IF APPLICABLE)	SOURCE (IF LISTED IN TRANSFER FINAL ORDER)
Well #1	No Log	N/A	Hot Springs Creek Basin

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

If well logs are available, items A and B below can be deleted

2. Variations:

Was the use developed differently from what was authorized by the transfer final order, or extension final?

YES NO

If yes, describe below.

(e.g. "The order allowed three new/additional points of appropriation. The water user only developed one of the points.")

The Transfer Final Order authorized an additional point of appropriation (Well #2), Well #2 was not developed as part of the irrigation system for T-12508. Well #1, the authorized well, was used for the development of the change in place of use.

3. Claim Summary:

NEW OR ADDITIONAL POA NAME OR #	MAXIMUM RATE AUTHORIZED	CALCULATED THEORETICAL RATE BASED ON SYSTEM	AMOUNT OF WATER MEASURED
WELL #1	1.0 CFS	3.84 CFS	1.0 CFS

System Description

Are there multiple new or additional Points of Appropriation (POA)?

YES NO

If "YES" you will need to copy and complete either Section A or B in this Section for each POA.

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

Well #1

A. POA System Information

Provide the following information concerning the point of appropriation. Information provided must describe the equipment used to appropriate water from the point of appropriation.

1. Pump Information

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

2. Motor Information

MANUFACTURER	HORSEPOWER
	40

3. 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)
40	10	48"	0'	3.84 CFS

4. Provide pump calculations:

SEE ATTACHED OWRD PUMP CAPACITY CALCULATIONS.

5. 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)
N/A			

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

6. Additional notes or comments related to the system:

B. Groundwater Source Information (Well and Sump)

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

YES NO

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

Change #2

Change in Place of Use

Did the transfer order authorize a change in the place of use?

YES NO

If "NO", this Section can be deleted.

1. Claim Summary – Authorized Use:

If Irrigation or Nursery Use:

THE # OF ACRES ALLOWED	THE # OF ACRES DEVELOPED
80.0	80.0

If the new use(s) was not irrigation or nursery:

NEW USE(S)	WAS THE NEW PLACE OF USE DEVELOPED TO THE FULL EXTENT AUTHORIZED UNDER THE ORDER? (INCLUDE THE LOCATION OF THE DEVELOPED PLACE USE ON THE CLAIM MAP)
	YES NO <u>NA</u>
	YES NO <u>NA</u>

2. Variations:

Was the use developed differently from what was authorized by the transfer final order? YES NO

If yes, describe below.

(e.g. "The order authorized a change in place of use for 40 acres. The water user only developed 38 acres.")

--

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Change #3

Change in Character of Use

Did the transfer order authorize a change in character of use?

YES NO

If "NO", this Section can be deleted.

SECTION 4

CONDITIONS

All conditions contained in the 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:

Describe how the water user has complied with each of the development timelines established in the transfer final order and any extensions of time issued for the transfer:

	DATE FROM TRANSFER	DATE THE AUTHORIZED CHANGES WERE COMPLETED *THIS DATE MUST FALL BETWEEN THE "ISSUANCE DATE" AND THE "COMPLETENESS DATE"
ISSUANCE DATE	2-14-2018	
COMPLETENESS DATE FROM ORDER (C)	10-1-2023	10-1-2018

* MUST BE WITHIN PERIOD BETWEEN TRANSFER FINAL ORDER, OR ANY EXTENSION FINAL ORDER ISSUANCE AND THE DATE TO COMPLETE THE CHANGE

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

YES NO

If "NO", you may delete the following table.

3. Measurement Conditions:

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

YES NO

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

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

b. Has a meter been installed?

YES NO

c. Meter Information

POA NAME OR #	MANUFACTURER	SERIAL #	CONDITION (WORKING OR NOT)	CURRENT METER READING	DATE INSTALLED
Well #1	McCrometer	16- 0739106	WORKING	150912	Prior to Fall of 2018

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

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4. Recording and reporting conditions

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

YES NO

If "NO", item b relating to this section may be deleted.

5. Other conditions required by the transfer final order or extension final order:

a. Were there special well construction standards?

YES NO

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

YES NO

c. 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):

--

SECTION 5

ATTACHMENTS

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

ATTACHMENT NAME	DESCRIPTION
CBU MAP	CLAIM OF BENEFICIAL USE MAP
WELL LOG	NO LOG – SEE OWRD GROUNDWATER INFORMATION SYSTEM REPORT
PUMP CALCS	OWRD PUMP CAPACITY CALCULATIONS

SECTION 6

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.

The changes that were authorized under the transfer final order must be mapped based on the developed locations; new or additional points of appropriation and place of use.

In cases where the order involved additional points of appropriation, the additional points should be mapped based on their developed locations. The original points of appropriation should be mapped based on the original right of record at the time the transfer final order was issued.

In cases where the order involved changing the place of use for a portion of a water right, the portion of the place of use being changed should be mapped based on the developed location. If the transfer also included portions of the place of use that were not being modified, but were receiving a new or additional point of appropriation, the place of use for those lands should be mapped based on the original right of record at the time the transfer final order was issued.

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.

ON-SITE DIRECT MEASUREMENT AND NAIP IMAGERY.

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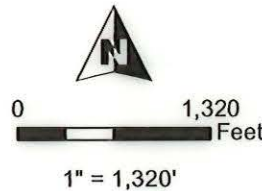
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T24S R34E, WM HARNEY COUNTY, OR

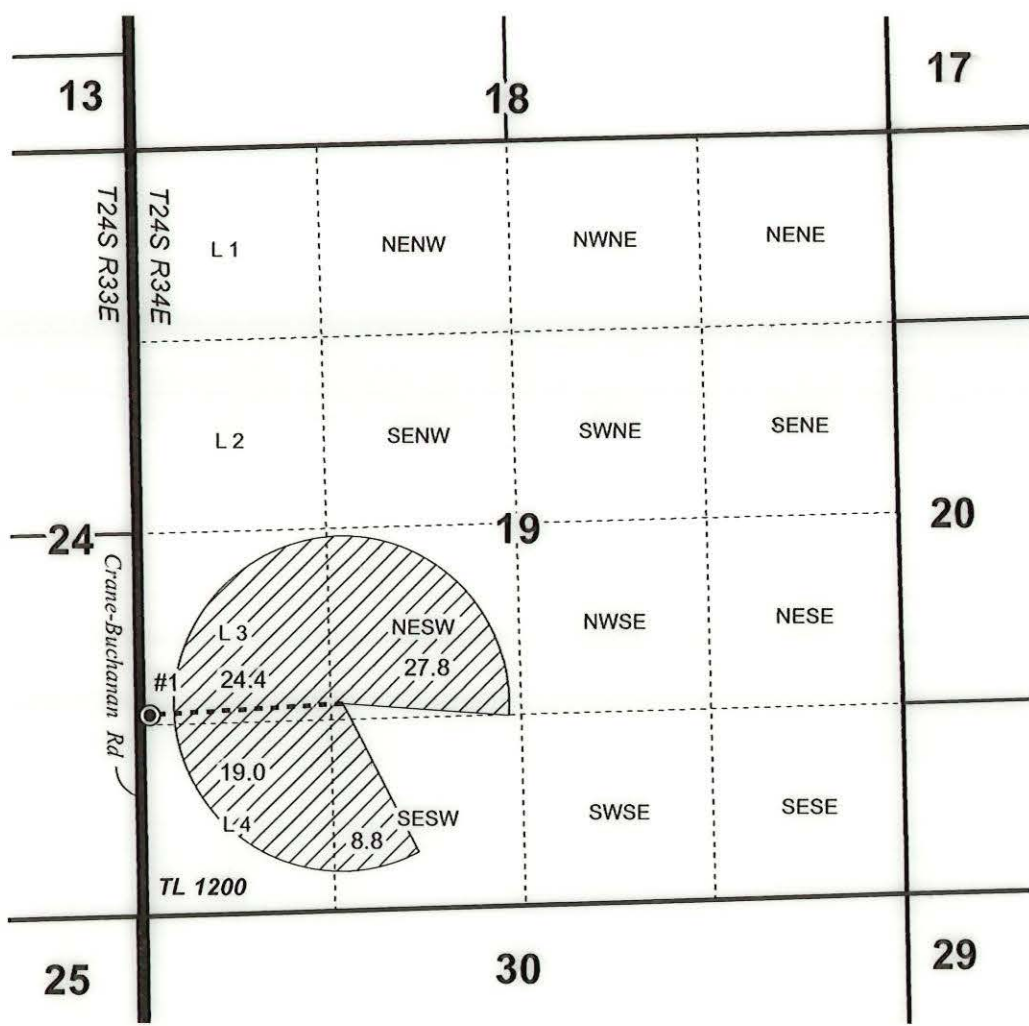


RENEWAL DATE 12/31/2025



- Well & Meter
- Pipeline
- POU IR 11/5/1990 Priority
- Township
- Section
- Quarter Quarter
- Tax Lot

Well Locations:
 #1 (No Log): 1387' N, 45' E of SW Cor Sec 19



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CLAIM OF BENEFICIAL USE MAP Potter

Date: 2/27/2024 T-12508 Project #23073

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

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

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
- n/a 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
- n/a 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

Pump Capacity Calculation Sheet		WELL 1 NO LOG POTTER CBU T-12508	
using Department designed formula:			
(hp)(efficiency) / (lift + psi head) = capacity in cfs			
Efficiency:			
Centrifugal = 6.61			
Turbine = 7.04			
Data Entry (fill in underlined blanks)			
HP =	<u>40</u>		
Efficiency =	<u>7.04</u>		
Lift =	<u>48</u>		
PSI =	<u>10</u>		
Results Calculated			
(hp)(efficiency) =	281.6		
Head based on psi =	25.4		
Total dynamic head =	73.4		
(head + lift)			
Pump Capacity =	3.84	cubic feet per second	

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Site Identification

(Click to Collapse...)

GW LogID: NLOG 57927 [Well Log Database](#)
GW Well Tag Number:
Tag Verified on Well: No
Site Type: WELL
Primary Use:
Unused Status:
Site Source Organization:
Site Source OWRD:
Established By: SCHIBEHJ
Established Date: 10/08/2021
Bonded Company:
Stage: DATA ENTRY

Location

(Click to Collapse...)

Latitude/Longitude
Latitude: 43.46811100 **Horiz. Error:** 100.00
Longitude: -118.58926300 **Datum:** WGS1984
Lat/Long Source: WR UNKNOWN SOURCE
Location
TRSQQ: WM 24.00S34.00E19NWSW
Tax Map: 24S34E000001200
Taxlot: 1200
24 Quad: CRANE
Basin: 12 - Malheur Lake
County: Harney
WM District: 10
WM Region: E
LSD Elev: 4136.00 Accy: 30.00 Datum: NGVD1929
Elev Source: DEM 10 METER
[Groundwater Mapping Tool](#)



Maxar | Oregon Water Resources Department and Bureau of Land Management.

Water Rights

(Click to Collapse...)

Water Right PODs

POD	WRIS Details	Application	Permit	Cert	Transfers	Claim	supplemental	priority_date	Season of Use	max_rate_cfs	rate_cfs	rate_cfs_est	TRSQQ
POD 1 - A WELL > HOT SPRINGS CREEK BASIN	WRIS	G 12283	G 11697		T 12508			11/5/1990	3/1 ~ 10/31	1.000	0.500	•	WM24.00S34.00E19NWSW
POD 1 - A WELL > CROWCAMP CREEK	WRIS	G 14226	G 13214		T 13009			12/13/1995	3/1 ~ 10/31	0.360	0.120	•	WM24.00S34.00E19NWSW

Well Construction History

(Click to Collapse...)

Well Construction History

No data matches search criteria.

No data matches search criteria.

Well Test

No data matches search criteria.

Well Construction

(Click to Expand...)

Available Data

(Click to Expand...)

Other Documents/Images

(Click to Expand...)

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Water Right Transfer Cover Sheet

Transfer T-12508

Transfer Specialist: MJO/Sarah

Transfer Type: Regular

Applicant Name/Address: BADGER VENTURES LLC PO BOX 746 CRANE, OR 97732	Agent Name/Address: JOHN A. SHORT PO BOX 1830 BEND, OR 97709	Rec Landowner Name/Address:
CWRE Name/Number:	Irr. District Name/Address:	Affected Gov'ts Name/Address: Harney County Planning Department
Commentors: Name/Address:		Current Landowner Name/Address:

Water Rights Affected

Records Marked	Records Copied	App File No. or Decree Name	Permit No.	Certificate No.	RR/CR Needed	RR/CR Nos.
☒	☒	G-12283	G-11697	84051	☐ Yes ☒ No	
☐	☐				☐ Yes ☐ No	
☐	☐				☐ Yes ☐ No	

Key Dates & Initial Actions

Rec'd: October 17, 2016	Proposed Action(s): ADDITIONAL POINT OF APPROPRIATION; PLACE OF USE	
Fees Pd: 2150.00	WM District: 10	ODFW District:
Initial Notice: October 25, 2016	WM Review sent: 10/19/2016	ODFW Review sent:
Acknowledgement Letter Sent ☒	GW Review sent: 10/19/2016	

Processing Dates & Actions

Deficiency Contacts: _____

DPD Mailed: 10-19-2017

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

☒ WM measurement contact sheet sent, or ☐ N/A

PD Signed: 11-21-17

PD Weekly Notice: 11-28-17

Newspaper quote requested: _____

☒ not required

Request for news \$ sent: _____

News \$ received: _____

~~Request to publish sent to newspaper: _____~~

~~Affidavit of publication received: _____~~

DPD Review (Optional)	PD Review (Salem)	Final Order Review (Salem)
Reviewer: _____	Reviewer: <u>PKS</u>	Reviewer: <u>PKS</u>
Date: _____	Date: <u>11-21-17</u>	Date: <u>2-6-18</u>
Coordinator: _____	Coordinator: <u>↓</u>	Coordinator: <u>↓</u>
Date: _____	Date: _____	Date: _____
Comments/Special Issues: <u>APOA, ΔPOU</u>		

Special Order Volume: Vol 107 Pages 692 Final Order Signature Date: 2-14-18
 Notice of FO email'd to processors _____



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

February 14, 2018

BADGER VENTURES LLC
PO BOX 746
CRANE, OR 97732

REFERENCE: Transfer Application T-12508

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

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

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

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

If you have any questions related to the approval of this transfer, you may contact your caseworker, Marcy Osborn, by telephone at 541-523-8244 ext. 228 or by e-mail at Marcy.J.Osborn@oregon.gov.

Sincerely,

Sarah Henderson
Transfer and Conservation Section

cc: Transfer Application file T-12508
J R. Johnson, District 10 Watermaster (*via e-mail*)
John A. Short, Agent for the applicant (*via e-mail*)

Enclosure

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

In the Matter of Transfer Application	)	FINAL ORDER APPROVING AN
T-12508, Harney County	)	ADDITIONAL POINT OF
	)	APPROPRIATION AND A CHANGE IN
	)	PLACE OF USE

Authority

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

Applicant

BADGER VENTURES LLC
PO BOX 746
CRANE, OR 97732

Findings of Fact

1. On October 17, 2016, BADGER VENTURES LLC filed an application for an additional point of appropriation and a change in place of use under Certificate 84051. The Department assigned the application number T-12508.
2. Notice of the application for transfer was published on October 25, 2016, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On October 19, 2017, the Department sent a copy of the draft Preliminary Determination proposing to approve Transfer Application T-12508 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of November 20, 2017, for the applicant to respond. The applicant requested the completion date be extended to October 1, 2023 and for the Department to proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.
4. On November 21, 2017, the Department issued a Preliminary Determination proposing to approve Transfer T-12508 and mailed a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published on the Department's

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.

weekly notice on November 28, 2017, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.

5. The right to be transferred is as follows:

Certificate: 84051 in the name of CLARENCE PHILLIS (perfected under Permit G-11697)

Use: IRRIGATION OF 80.0 ACRES

Priority Date: NOVEMBER 5, 1990

Rate: 1.0 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 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.

Period of Use: MARCH 1 THROUGH OCTOBER 31

Source: A WELL, within the HOT SPRINGS CREEK BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
24 S	34 E	WM	19	NW SW	3	1387 FEET NORTH AND 45 FEET EAST FROM THE SW CORNER OF SECTION 19

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
24 S	34 E	WM	19	SW NW	2	3.6
24 S	34 E	WM	19	NW SW	3	38.5
24 S	34 E	WM	19	SW SW	4	37.9
Total						80.0

6. Transfer Application T-12508 proposes an additional point of appropriation approximately 1188 feet from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
24 S	34 E	WM	19	SW NW	2	3946 FEET NORTH AND 560 FEET EAST FROM THE SW CORNER OF SECTION 19

7. Transfer Application T-12508 also proposes to change the place of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
24 S	34 E	WM	19	NE SW		12.5
24 S	34 E	WM	19	NW SW	3	28.6
24 S	34 E	WM	19	SW SW	4	28.6
24 S	34 E	WM	19	SE SW		10.3
Total						80.0

Transfer Review Criteria (OAR 690-380-4010)

8. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
9. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Transfer Application T-12508.
10. The proposed changes would not result in enlargement of the right.
11. The proposed changes would not result in injury to other water rights.
12. All other application requirements are met.

Conclusions of Law

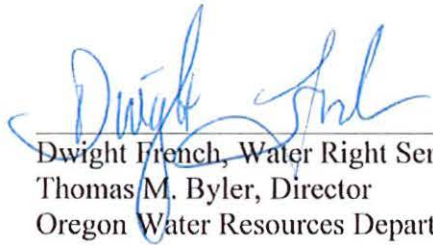
The additional point of appropriation and change in place of use proposed in Transfer Application T-12508 are consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000.

Now, there, it is ORDERED:

1. The additional point of appropriation and change in place of use proposed in Transfer Application T-12508 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 84051 and any related decree.
3. Water right Certificate 84051 is cancelled.
4. The quantity of water diverted at the additional point of appropriation, together with that diverted at the original point of appropriation, shall not exceed the quantity of water lawfully available at the original point of appropriation.
5. Water use measurement conditions:
 - a. **Before water use may begin** under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device at each point of appropriation (new and existing).
 - b. The water user shall maintain the meters or measuring devices in good working order.
 - c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.

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 right shall no longer receive water under the right.
8. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2023**. 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. After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.

Dated at Salem, Oregon this day FEB 14 2018.



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

Mailing date: FEB 15 2018

Kelly PR

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

In the Matter of Transfer Application	)	FINAL ORDER APPROVING AN
T-12508, Harney County	)	ADDITIONAL POINT OF ^A
	)	APPROPRIATION AND CHANGE IN
	)	PLACE OF USE

Authority

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

Applicant

BADGER VENTURES LLC
PO BOX 746
CRANE, OR 97732

Findings of Fact

1. On October 17, 2016, BADGER VENTURES LLC filed an application for an additional point of appropriation and a change in place of use under Certificate 84051. The Department assigned the application number T-12508.
2. Notice of the application for transfer was published on October 25, 2016, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On October 19, 2017, the Department sent a copy of the draft Preliminary Determination proposing to approve Transfer Application T-12508 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of November 20, 2017, for the applicant to respond. The applicant requested the completion date be extended to October 1, 2023 and for the Department to proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.
4. On November 21, 2017, the Department issued a Preliminary Determination proposing to approve Transfer T-12508 and mailed a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published on the Department's

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.

weekly notice on November 28, 2017, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.

5. The right to be transferred is as follows:

Certificate: 84051 in the name of CLARENCE PHILLIS (perfected under Permit G-11697)
Use: IRRIGATION OF 80.0 ACRES
Priority Date: NOVEMBER 5, 1990
Rate: 1.0 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 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.
Period of Use: MARCH 1 THROUGH OCTOBER 31
Source: A WELL, within the HOT SPRINGS CREEK BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
24 S	34 E	WM	19	NW SW	3	1387 FEET NORTH AND 45 FEET EAST FROM THE SW CORNER OF SECTION 19

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
24 S	34 E	WM	19	SW NW	2	3.6
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24 S	34 E	WM	19	SW SW	4	37.9
Total						80.0

6. Transfer Application T-12508 proposes an additional point of appropriation approximately 1188 feet from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
24 S	34 E	WM	19	SW NW	2	3946 FEET NORTH AND 560 FEET EAST FROM THE SW CORNER OF SECTION 19

7. Transfer Application T-12508 also proposes to change the place of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
24 S	34 E	WM	19	NE SW		12.5
24 S	34 E	WM	19	NW SW	3	28.6
24 S	34 E	WM	19	SW SW	4	28.6
24 S	34 E	WM	19	SE SW		10.3
Total						80.0

Transfer Review Criteria (OAR 690-380-4010)

8. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
9. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Transfer Application T-12508.
10. The proposed changes would not result in enlargement of the right.
11. The proposed changes would not result in injury to other water rights.
12. All other application requirements are met.

Conclusions of Law

The additional point of appropriation and change in place of use proposed in Transfer Application T-12508 are consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000.

Now, there, it is ORDERED:

1. The additional point of appropriation and change in place of use proposed in Transfer Application T-12508 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 84051 and any related decree.
3. Water right Certificate 84051 is cancelled.
4. The quantity of water diverted at the additional point of appropriation, together with that diverted at the original point of appropriation, shall not exceed the quantity of water lawfully available at the original point of appropriation.
5. Water use measurement conditions:
 - a. **Before water use may begin** under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device at each point of appropriation (new and existing).
 - b. The water user shall maintain the meters or measuring devices in good working order.
 - c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.

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 right shall no longer receive water under the right.
8. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2023**. 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. After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.

Dated at Salem, Oregon this day_____.

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

Mailing date: _____

**Notice of Preliminary Determination for
Water Right Transfer T-12508**

T-12508 filed by Badger Ventures LLC, PO Box 746 Crane, OR 97732, proposes an additional point of appropriation and a change in place of use under Certificate 84051. The right allows the use of 1.0 cubic foot per second from a well in Sec. 19, T24S, R34E, WM for irrigation in Sec. 19. The applicant proposes an additional point of appropriation within Sec. 19, T24S, R34E, WM and to change the place of use within Sec. 19, T24S, R34E, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

Any person may protest the preliminary determination or may file a standing statement. Pursuant to OAR 690-380-4030(3) and OAR 690-382-9000, protests must raise all reasonably ascertainable issues and include all reasonably available arguments supporting the person's position. In addition, protests must be accompanied by a \$810 protest fee for non-applicant, or \$410 protest fee for applicant. Call (503) 986-0807 to obtain additional information. Protests must be received by the Department on or before [30 days after WRD notice], or within 30 days of the last date of publication in a newspaper, whichever is later. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.



Oregon
Kate Brown, Governor

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

November 22, 2017

BADGER VENTURES LLC
PO BOX 746
CRANE, OR 97732

SUBJECT: Water Right Transfer Application T-12508

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-12508. 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 period in which any person may file either a protest opposing the decision proposed by the Department in the Preliminary Determination or a standing statement supporting the Department's decision. The protest period will end 30 days after the Department's notice.

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

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

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

Sincerely,

Kelly Starnes

Transfer Program Analyst
Transfer and Conservation Section

cc: Transfer Application file T-12508
J. R. Johnson, District 10 Watermaster (*via e-mail*)
John A. Short, Agent for the applicant (*via e-mail*)

encs

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

In the Matter of Transfer Application	)	PRELIMINARY DETERMINATION
T-12508, Harney County	)	PROPOSING APPROVAL OF AN
	)	ADDITIONAL POINT OF
	)	APPROPRIATION AND CHANGE IN
	)	PLACE OF USE

Authority

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

Applicant

BADGER VENTURES LLC
PO BOX 746
CRANE, OR 97732

Findings of Fact

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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.
--

4. The right to be transferred is as follows:

Certificate: 84051 in the name of CLARENCE PHILLIS (perfected under Permit G-11697)

Use: IRRIGATION OF 80.0 ACRES

Priority Date: NOVEMBER 5, 1990

Rate: 1.0 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 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.

Period of Use: MARCH 1 THROUGH OCTOBER 31

Source: A WELL, within the HOT SPRINGS CREEK BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
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Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
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Total						80.0

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24 S	34 E	WM	19	SE SW		10.3
Total						80.0

Transfer Review Criteria (OAR 690-380-4010)

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

8. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Transfer Application T-12508.
9. The proposed changes would not result in enlargement of the right.
10. The proposed changes would not result in injury to other water rights.
11. All other application requirements are met.

Determination and Proposed Action

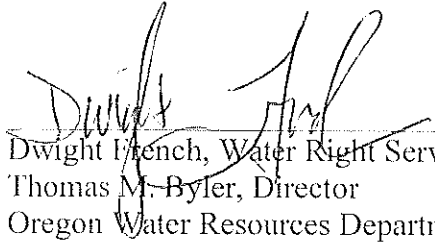
The additional point of appropriation and change in place of use proposed in Transfer Application T-12508 appears to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved.

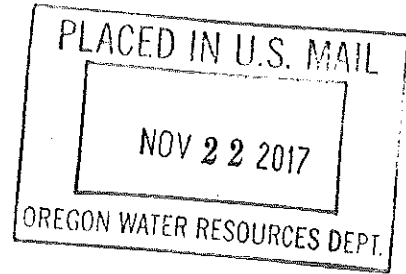
If Transfer Application T-12508 is approved, the final order will include the following:

1. *The additional point of appropriation and change in place of use proposed in Transfer Application T-12508 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 84051 and any related decree.*
3. *Water right Certificate 84051 is cancelled.*
4. *The quantity of water diverted at the additional point of appropriation, together with that diverted at the original point of appropriation, shall not exceed the quantity of water lawfully available at the original point of appropriation.*
5. *Water use measurement conditions:*
 - a. *Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device at each point of appropriation (new and existing).*
 - b. *The water user shall maintain the meters or measuring devices in good working order.*
 - c. *The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.*
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 right shall no longer receive water under the right.*

8. *Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2023**. 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. *After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.*

Dated at Salem, Oregon this 21 day of November, 2017.


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



This Preliminary Determination was prepared by Marcy Osborn. If you have questions about the information in this document, you may reach me at 541-523-8224 ext.228 or marcy.j.osborn@oregon.gov.

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

Notice Regarding Service Members: Active duty service members have a right to stay proceedings under the federal Service Members Civil Relief Act, 50 U.S.C. App. §§501-597b. You may contact the Oregon State Bar or the Oregon Military Department for more information. The toll-free telephone number for the Oregon State Bar is: 1 (800) 452-8260. The toll-free telephone number of the Oregon Military Department is: 1 (800) 452-7500. The Internet address for the United States Armed Forces Legal Assistance Legal Services Locator website is: <http://legalassistance.law.af.mil>

File Prep			
CW		CW	
☒	File Assigned (computer entry)	☒	Print Tax Lot Map(s)/Ownership info if available on the web
☒	Make Copies App, Map, GW review, (WM Review, ODFW to send to applicant later) Affidavits if applicable	☒	Print: Certs, WR maps, (Tabulations, Sp Or, Air Photos or other helpful info to aid in processing)
☒	Bundle Originals with cover sheet	☒	Check Area of Interest – print if needed
☒	Check for any public comments submitted electronically. Print any comments received.	☒	Any irrigation districts that need notice based on Area of Interest Check. ☐ Yes ☒ No Note:

APPLICATION/MAP REVIEW

PR	CW		PR	CW	
☐	☒	Appropriately signed	☐	☒	Ditch Company, Irr. Dist. and/or BOR sent copies
☐	☒	Checked WRIS contact address/e-mail for accuracy	☐	☒	Appropriate Fees Paid
☐	☒	Revisit application checklist & Supporting Docs	☐	☒	Overpayment of Fees, Refund Request with FO
☐	☒	Any deficiencies that need to be addressed? ☐ Yes ☒ No Notes:	☐	☒	Land Use Form matches Tax Lots, is signed by proper official and is APPROVED

DETERMINING THE "FROM" AND "TO" LANDS

PR	CW		PR	CW	
☐	☒	Only the authorized POD's/POA's and POU's to be transferred are listed.	☐	☒	Application & certificate tabulations match. (Mark on appl. and cert. copies and note corrections needed)
☐	☒	Marked on certificate the acreage being transferred, cancelled and remaining by 1/4 1/4.	☐	☒	Marked on certificate the quantity of water being transferred, cancelled, and remaining
☐	☒	Compare Water Right map to App Map for Accuracy	☐	☒	Check and notate on Plat Card for Conflicts (To and From Lands) N/A if no change in POU or Use

INJURY REVIEWS/COMMENTS/CONDITIONS

PR	CW				
☐	☒	ODFW	☐ Fish Screens	☐ Other:	
☐	☒	Ground water			
☐	☒	Watermaster	☐ Headgate	☐ Prior to diverting	☐
☐	☒		☒ Measuring Devices	☒ Prior to diverting	☐ Type of Device?
☐	☒	Injury	☐ Yes ☒ No	☐ Enlargement	☐ Yes ☒ No
☐	☒	Conditions to Avoid Enlargement/Injury			

DPD		PD		FO		COV		DPD/PD/ FINAL ORDER/COVER LETTER
PR	CW	PR	CW	PR	CW	PR	CW	
☐	☒	☐	☒	☐	☐	☐	☒	UPDATE WRIS APPS FOLDER (FIELD STAFF ONLY)
☐	☒	☐	☒	☐	☐	☐	☒	Check tenses ex...Find & Replace point(s), Right(s) Meter(s), Device(s) Is/Are, Was/Were
☐	☒	☐	☒	☐	☐	☐	☒	Correct address? Add Agent, Receiving Landowner if applicable etc...
☐	☒	☐	☒	☐	☐	☐	☒	Compare "from lands" with marked up Certificate
☐	☒	☐	☒	☐	☐	☐	☒	Compare Authorized POD(s)/POA(s) with marked up Certificate
☐	☒	☐	☒	☐	☐	☐	☒	Add Watermaster conditions (send copy of review to applicant if applicable)
☐	☒	☐	☒	☐	☐	☐	☒	Add Ground water conditions
☐	☒	☐	☒	☐	☐	☐	☒	ODFW recommendations (send copy of review to applicant if applicable)
☐	☒	☐	☒	☐	☐	☐	☒	Hidden findings unveiled?
☐	☒	☐	☒	☐	☐	☐	☒	Add any cancellation language or special situations
☐	☒	☐	☒	☐	☐	☐	☒	Attach supporting documents to cover letter if applicable

OWNERSHIP VERIFICATION					
PR	CW		PR	CW	
☐	☒	The deed/ROI matches the <u>"from"</u> lands.	☐	☒	Notarized, signed statement of consent (if applicable)
☐	☒	All owners on the deed/ROI have signed the application.	☐	☒	Compare with current tax lot map.
PR	CW	PD PUBLIC NOTICE/NEWSPAPER NOTICE/COVER LETTER			
☐	☒	UPDATE WRIS APPS FOLDER (FIELD STAFF ONLY)			
☐	☒	Check tenses ex...Find & Replace point(s), Right(s) Meter(s), Device(s) Is/Are, Was/Were			
☐	☒	Format matches current template			
☐	☒	Content matches PD info?			
☐	☒	Spell checked?			
☐	☒	Correct address?			
☐	☒	Cost Estimate for Newspaper if applicable send email to support staff ☐ 2 weeks ☐ three weeks			
☐	☒	Send Letter to Applicant/Agent regarding newspaper notice cost			
☐	☒	Have funds been received from Applicant/Agent for newspaper costs?			
PR	CW	REMAINING RIGHT CERTIFICATE			
☐	☒	UPDATE WRIS APPS FOLDER (FIELD STAFF ONLY)			
☐	☒	Check tenses ex...Find & Replace point(s), Right(s) Meter(s), Device(s) Is/Are, Was/Were			
☐	☒	Table Format matches current template			
☐	☒	Content format matches original certificate			
☐	☒	Spell checked?			
☐	☒	Name and address matches originating certificate?			
CW	CASEWORKER WRAP UP				
☒	Organize Working Docs For Peer Review (Remove Duplicates)				
☒	Update Computer entry (add postal confirmation receipt number and date file was mailed)				
☒	Put file contents on Salem Exchange Folder				
☒	Print e-mail and correspondence put it in order of the findings of PD (if applicable)				
☒	Has Affidavit of Publication been received? ☐ N/A ☐ Yes--Date for FO: _____ ☐ No—have Codi call newspaper				

COMMENTS:

[illegible]



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

Watermaster Review Form: Water Right Transfer

Transfer Application: T-12508

Review Due Date: _____

Applicant Name: Badger Ventures LLC

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

Reviewer(s): JR Johnson

Date of Review: Oct. 27, 2016

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

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

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

- | | |
|---|--|
| ☐ Weir | ☐ Submerged Orifice |
| ☐ Parshall Flume | ☐ Flow Restrictor |
| ☐ Other: _____ | |

Oregon Water Resources Department

Measurement Condition Information for the Applicant (to be sent with the Draft Preliminary Determination or Final Order)

Transfer #: T-12508

- ☐ In order to avoid enlargement of the right or injury to other rights, a totalizing flow meter will be required to be installed **prior to diversion of water**, as a condition of this transfer:
- ☒ at each point of diversion/appropriation (new and existing) or
- ☐ at each new point of diversion/appropriation.

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

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

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

Approval of an Alternate Measurement Device

T-_____

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

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

Watermaster signature

District

Date

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

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

Groundwater Transfer Review Summary Form

Transfer/PA # T- 12508

GW Reviewer D. Borchmann Date Review Completed: 8/30/2017

Summary of Enlargement (Same Source) Review:

☐ The proposed transfer fails to keep the original place of use from receiving water from the same source.

Summary of Injury Review:

☐ The proposed transfer will result in another, existing water right not receiving previously available water to which it is legally entitled.

Summary of Well Construction Assessment:

☒ The proposed POA does not have a well log.

☐ The proposed POA does not appear to meet current well construction standards. Route through Well Construction and Compliance Section.

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



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

Ground Water Review Form:

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

Application: T-12508

Applicant Name: Badger Ventures LLC

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

Reviewer(s): D. Boschmann

Date of Review: 8/30/2017

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

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

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

Transfer application T-12508 is related to certificate 84051.

Certificate 84051 authorizes groundwater pumping from one well (*no well log on file) for primary irrigation of 80 acres in the Malheur Lake Basin.

This transfer application seeks the following changes to certificate 84051:

1. Add one APOA (**HARN 51406)
2. Reconfigure the POU for center pivot irrigation.

*There is no well log on file for the authorized well under certificate 84051. The water right application (application G-12283) dated 10/15/1990 indicates the well is 400 feet deep with a 16 inch steel casing. The application materials for T-12508 incorrectly indicates that the authorized well under certificate 84051 is HARN 52309; an 800± foot deep well with a 24 inch casing, located in the SW corner of the SE corner of the SW corner section 19.

**The proposed APOA corresponds to POD 1 under permit G-13214. HARN 51406 is a deepening log associated with this well. There is no original well log on file for this well. The water right application for permit G-13214 (application G-14226) dated 11/14/1995 indicates that the well was 30 feet deep with a 12 inch steel casing; the application also states that there was no well log for the well at the time of application. It cannot be determined if this well meets the minimum well construction standards.

2. Will the proposed POA develop the same aquifer (source) as the existing authorized POA?
☒ Yes ☐ No Comments: Available data indicates a predominantly volcanic/volcaniclastic unit occurs beneath a predominantly basin fill sediment unit. Reports for the Malheur Lake Basin indicate groundwater occurs in both the basin fill and underlying volcanic rocks. The groundwater is likely hydraulically connected, making a single groundwater system occurring in different geologic units. Leonard (1970) found that near the edges of the valley there is likely good interconnection between individual water-bearing beds in the valley fill and those in the adjacent and underlying tertiary rocks.
3. a) Is there more than one source developed under the right (e.g., basalt and alluvium)?
☐ Yes ☒ No See comment in 2 above.
- b) If yes, estimate the portion of the right supplied by each of the sources and describe any limitations that will need to be placed on the proposed change (rate, duty, etc.): _____
4. a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with **another ground water right**?
☒ Yes ☐ No Comments: The proposed APOA is located ~2570 feet north-northeast of the currently authorized POA. This will result in an incremental increase in interference with existing groundwater rights to the north-northeast.
- b) If yes, would this proposed change, at its maximum allowed rate of use, likely result in another groundwater right not receiving the water to which it is legally entitled?
☐ Yes ☒ No If yes, explain: The nearest authorized POA to the proposed POA is POD 1 under certificate 36884 (HARN 1030), which is located ~1900 feet to the west.
-
- The potential increase in drawdown at HARN 1030 was calculated using the Theis equation (see attachment). The values for the calculation are conservative and appropriate until better values become available. The calculations use an intermediate storage coefficient (0.001). The transmissivity used in the calculation (3346 ft²/day) is the transmissivity derived from specific capacity data from wells in nearby sections. At the pro-rated pumping rate of the full duty over the full irrigation season (0.49 cfs), the results show an increase in seasonal drawdown of ~6 feet; which will likely be within the capacity of the nearby well.
-
5. a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with **another surface water source**?
☐ Yes ☒ No Comments: There are no perennial surface water sources in the vicinity of the authorized or proposed POAs.
- b) If yes, at its maximum allowed rate of use, what is the expected change in degree of interference with any **surface water sources** resulting from the proposed change?
Stream: _____ ☐ Minimal ☐ Significant
Stream: _____ ☐ Minimal ☐ Significant
Provide context for minimal/significant impact: _____
6. What conditions or other changes in the application are necessary to address any potential issues identified above: none.

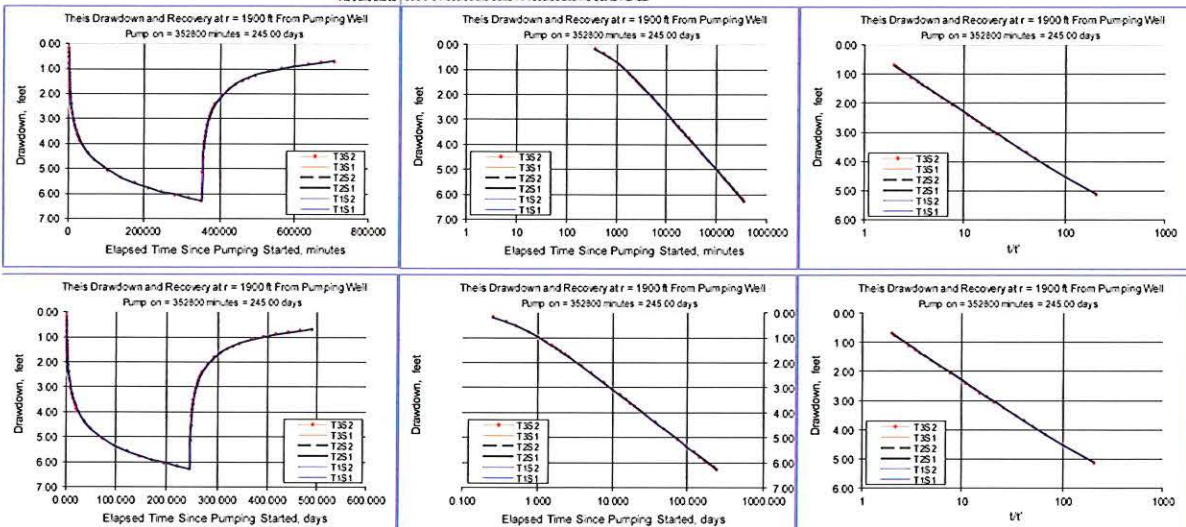
7. Any additional comments: **The proposed APOA corresponds to POD 1 under permit G-13214. HARN 51406 is a deepening log associated with this well. There is no original well log on file for this well. The water right application for permit G-13214 (application G-14226) dated 11/14/1995 indicates that the well was 30 feet deep with a 12 inch steel casing; the application also states that there was no well log for the well at the time of application. It cannot be determined if this well meets the minimum well construction standards.

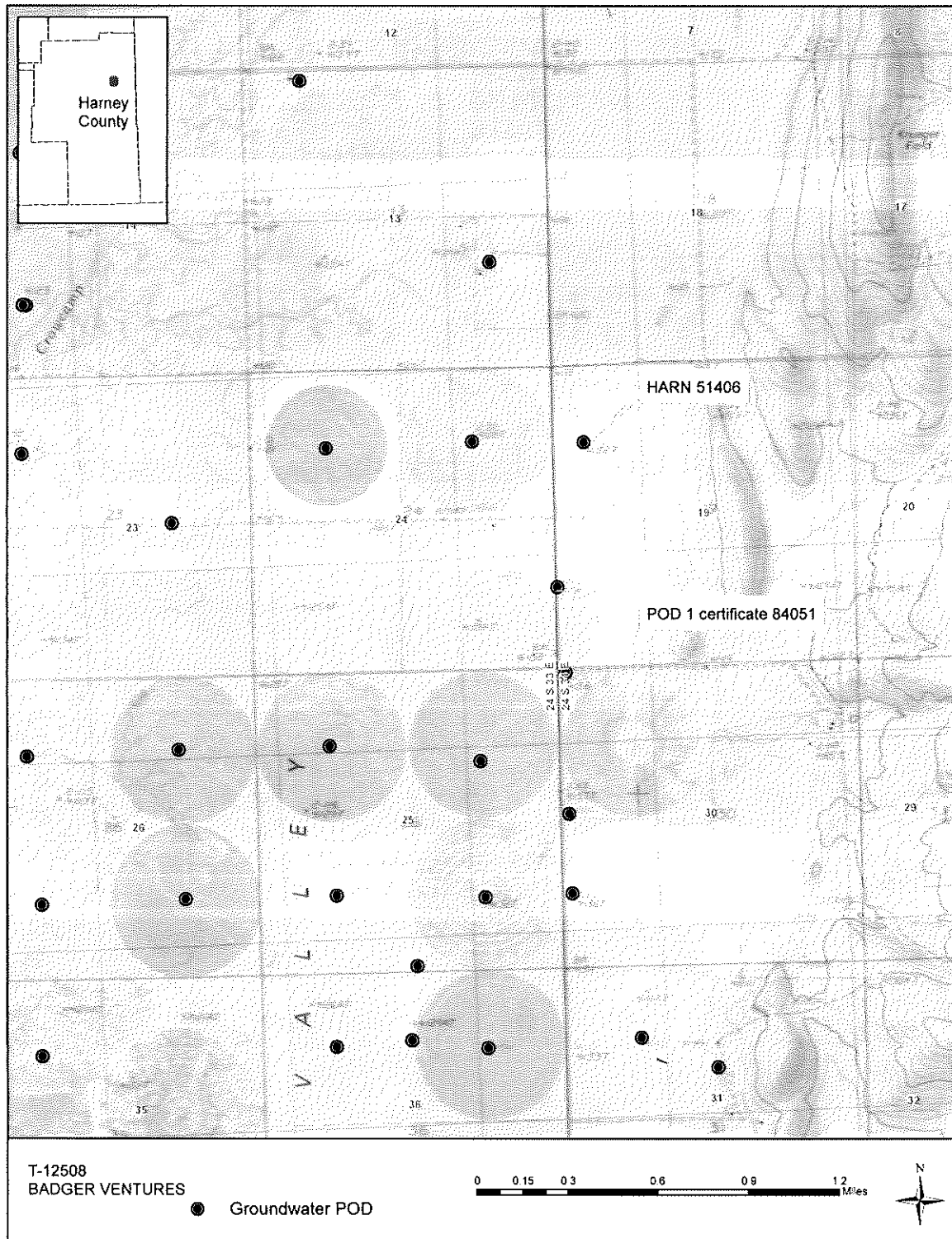
This Time-Drawdown Worksheet v3.00

Calculates This nonequilibrium drawdown and recovery at any arbitrary radial distance, r , from a pumping well for 3 different T values and radial distance, r , from a pumping well for 3 different T values and 2 different S values
Written by Karl C. Wozniak September 1992. Last modified December 30, 2014

Input Data:	Var Name	Scenario 1	Scenario 2	Scenario 3	Units
Total pumping time	t		245		d
Radial distance from pumped well	r		1900.00		ft
Pumping rate	Q		0.5		cfs
Hydraulic conductivity	K	34	34	34	ft/day
Aquifer thickness	b		100		ft
Storativity	S_1		0.00100		
	S_2		0.00100		
Transmissivity Conversions	T, gpd	3.350	3.350	3.350	ft ² /day
	T, ft ² /pm	2.3264	2.3264	2.3264	ft ² /min
	T, gpd/ft	25.058	25.058	25.058	gpd/ft

Recalculate Use the Recalculate button if recalculation is set to manual





OSBORN Marcy J * WRD

From: johnshort@usa.com
Sent: Thursday, October 26, 2017 10:08 AM
To: OSBORN Marcy J * WRD
Subject: Fwd: Customer Service Request
Attachments: DOC102617.pdf

Please move forward on this one full speed ahead! List kit attached.

Thanks Marcy,
John

John A. Short CCB# 197121

541-389-2837

Water Right Services, LLC
PO Box 1830
Bend, OR 97709
johnshort@usa.com
oregonwater.us

Begin forwarded message:

From: Stan Falley <stan.falley@amerititle.com>
Subject: FW: Customer Service Request
Date: October 26, 2017 at 9:50:57 AM PDT
To: "johnshort@usa.com" <johnshort@usa.com>

List kit enclosed.

-----Original Message-----

From: Burns
Sent: Monday, October 23, 2017 4:00 PM
To: Stan Falley <stan.falley@amerititle.com>
Subject: FW: Customer Service Request

-----Original Message-----

From: AmeriTitle Contact [<mailto:Webmaster@amerititle.com>]

Sent: Monday, October 23, 2017 1:38 PM

To: Burns <burns@amerititle.com>

Subject: Customer Service Request

A customer service request from amerititle.com:

Name: JOHN SHORT

County: Harney, OR

Email: johnshort@usa.com

Phone Number: 5413892837

Property Information: Just need a list kit for T24S, R34E TL 1200 I believe name is Badger Ventures, LLC Thanks!

Listing Packet: True

Tax Print Out: False

Plat Map: False

Tax Map: False

CCRs: False

Copy of Deed: False

ATLIS Map Kit: False

OSBORN Marcy J * WRD

From: johnshort@usa.com
Sent: Thursday, October 26, 2017 10:19 AM
To: OSBORN Marcy J * WRD
Subject: Re: Transfer T-12508 Badger Ventures LLC

Hello Marcy,

Also wanted the 5 years just for the asking on this!

Thanks,
John

John A. Short CCB# 197121

541-389-2837

Water Right Services, LLC
PO Box 1830
Bend, OR 97709
johnshort@usa.com
oregonwater.us

On Oct 19, 2017, at 9:06 AM, OSBORN Marcy J * WRD <Marcy.J.Osborn@oregon.gov> wrote:

Good morning;

I have completed the first phase of processing your transfer. There are a few items I need in order to proceed, which are listed below and are outlined in the cover letter of the attached packet:

- 1) Please review the Draft Final order and get back to me on any changes that need to be made and/or if it meets your intent and you want to proceed with the processing of the transfer.
- 2) Please contact a title company to provide you with an ownership report. Most title companies in this region call them "listing packets". They are usually free and can be generated quickly. They can e-mail the report directly to me.

- 3) I also want to mention that you can extend the completion date free of charge now. This is the time to do it, otherwise there is another process to go through if things don't work out as planned. We can move it out up to 5 years if you would like. If you finish sooner, that's great. Let me know. You can respond via e-mail if you prefer.
- 4) Lastly, the Watermaster, JR Johnson, has required a measuring device on all points of appropriation, new and existing. I have included her contact information so that you may discuss with her the type of measuring devices that need to be installed.

I sent a hard copy of this information to the applicant in the mail.

Feel free to contact me if I can be of further assistance.

Thanks...

Marcy Osborn
Field Water Rights Technician

marcy.j.osborn@oregon.gov
541-523-8224 Ext.228
Fax: 1-541-550-3898

Oregon Water Resources Dept.
Eastern Region
1995 3rd St. Suite 180
Baker City, OR 97814
www.wrd.state.or.us

<12508-dpd.docm><12508-dpd-cov.docm><12508-WM-contact.pdf><WR handout--meas dev read meter.pdf>

HARNEY County Assessor's Summary Report

Real Property Assessment Report

FOR ASSESSMENT YEAR 2017

October 26, 2017 9:47:11 am

Account # [REDACTED] Map # 24S34E00-00-01200 Code - Tax # 0420-10673	Tax Status ASSESSABLE Acct Status ACTIVE Subtype NORMAL
Legal Descr Metes & Bounds - See legal report for full description.	
Mailing Name BADGER VENTURES LLC Agent In Care Of Mailing Address 68281 CRANE-BUCHANAN RD BURNS, OR 97720-9506	Deed Reference # 2016-1136 Sales Date/Price 09-09-2016 / \$498,500.00 Appraiser TAMMY ATTLEBERGER
Prop Class 559 MA SA NH Unit RMV Class 559 04 00 042 3765-1	

Situs Address(s)	Situs City
ID# 66139 CRANE BUCHANAN RD	BURNS

Value Summary					
Code Area	AV	RMV	MAV	RMV Exception	GPR %
0420 Land		539,834		Land	0
Impr.		31,340		Impr.	0
Code Area Total	98,145	571,174	245,230		0
Grand Total	98,145	571,174	245,230		0

Land Breakdown											
Code Area	ID#	RFD	Ex	Plan Zone	Value Source	TD%	LS	Size	Land Class	LUC	Trended RMV
0420	2	R		EFRU-1	Farm Use Zoned	100	A	125.00	2	006*	312,500
0420	3	R		EFRU-1	Farm Use Zoned	100	A	185.00	5	006*	101,500
0420	4	R		EFRU-1	Farm Use Zoned	100	A	80.00	6	006*	28,000
0420	5	R		EFRU-1	Farm Use Zoned	100	A	243.38	7A	006*	73,020
0420	6	R		EFRU-1	Farm Use Zoned	100	A	1.00	HS	006*	810
0420	8	R		EFRU-1	Farm Use Zoned	100	A	0.00	IW	006*	6,000
0420	9	R		EFRU-1	Farm Use Zoned	100	A	0.00	IW	006*	6,000
0420					SITE AMENTIES	100					12,000
Grand Total								634.38			539,830

Improvement Breakdown									
Code Area	ID#	Yr Built	Stat Class	Description	TD%	Total Sq. Ft.	Ex%	MS Acct #	Trended RMV
0420	1		310	Machine Shed	100	1,200			4,600
0420	2		300	Farm Bldg	100	0			500
0420	3		303	GP SHED	100	96			1,750
0420	4		300	Farm Bldg	100	2,640			12,790
0420	5		390	Misc Farm Bldg	100	0			200
0420	6	2010	337	Hay Cover	100	1,440			8,150
0420	7		110	Residential Other Improvements	100	0			3,350
Grand Total						5,376			31,340

MS Account(s): 0420-P-76711

Statement of Tax Account

HARNEY COUNTY TAX COLLECTOR
HARNEY COUNTY COURTHOUSE
BURNS, OREGON 97720
(541) 573-8365

10/26/2017 9:47:42 AM

BADGER VENTURES LLC
68281 CRANE-BUCHANAN RD
BURNS, OR 97720-9506

Tax Account #		Lender	V DASH CATTLE COMPANY
Account Status	Active	Loan #	
Roll Type	Real Property	Property ID	0420 24S34E000001200
Situs Address	66139 CRANE BUCHANAN RD, BURNS, OR 97720	Interest To	Nov 15, 2017

Tax Summary

Tax Year	Tax Type	Total Due	Current Due	Interest Due	Discount Available	Original Due	Due Date
2017	ADVALOREM	1,160.13	1,196.01	0.00	35.88	1,196.01	Nov 15, 2017
2016	ADVALOREM	0.00	0.00	0.00	0.00	1,162.73	Nov 15, 2016
2015	ADVALOREM	0.00	0.00	0.00	0.00	1,130.49	Nov 15, 2015
2014	ADVALOREM	0.00	0.00	0.00	0.00	1,099.15	Nov 15, 2014
2013	ADVALOREM	0.00	0.00	0.00	0.00	1,068.80	Nov 15, 2013
2012	ADVALOREM	0.00	0.00	0.00	0.00	1,039.24	Nov 15, 2012
2011	ADVALOREM	0.00	0.00	0.00	0.00	1,010.17	Nov 15, 2011
2010	ADVALOREM	0.00	0.00	0.00	0.00	982.20	Nov 15, 2010
2009	ADVALOREM	0.00	0.00	0.00	0.00	955.07	Nov 15, 2009
2008	ADVALOREM	0.00	0.00	0.00	0.00	928.70	Nov 15, 2008
2007	ADVALOREM	0.00	0.00	0.00	0.00	903.14	Nov 15, 2007
2006	ADVALOREM	0.00	0.00	0.00	0.00	878.29	Nov 15, 2006
2005	ADVALOREM	0.00	0.00	0.00	0.00	854.18	Nov 15, 2005
2004	ADVALOREM	0.00	0.00	0.00	0.00	830.81	Nov 15, 2004
2003	ADVALOREM	0.00	0.00	0.00	0.00	808.01	Nov 15, 2003
Total		1,160.13	1,196.01	0.00	35.88		

17A-23

102

84

243400

13



After recording return to:

Badger Ventures, LLC

68281 Carne-Buchanan Road

Burns, OR 97720

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

Badger Ventures, LLC

68281 Carne-Buchanan Road

Burns, OR 97720

File No. 118191AM

THIS SP

HARNEY COUNTY, OR 2016-1136
DEEDWD

Total: \$46.00 09/09/2016 01:17 PM



00012818201600011360020027

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

Derrin Robinson
Derrin E. Robinson, Harney County Clerk



STATUTORY WARRANTY DEED

Clarence Phillis aka Clarence L. Phillis,

Grantor(s), hereby convey and warrant to

Badger Ventures, LLC,

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

Land in Harney County, Oregon, as follows:

In Twp. 24 S., R. 34 E., W.M.:

Sec. 19: Lots 1, 2, 3 and 4, E1/2W1/2, E1/2.

Sec. 20: NW1/4NE1/4, N1/2NW1/4.

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

24S 34E 00 102

24S 34E 00 1200

24S 34E 00 1500

The true and actual consideration for this conveyance is \$498,500.00.

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

2016-2017 Real Property Taxes, a lien not yet due and payable

Page 2 Statutory Warranty Deed
Escrow No. 118191AM

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

Dated this 15 day of AUGUST, 2016.

CLARENCE PHILLIS

Clarence Phillis

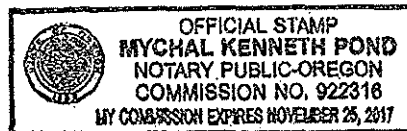
By: Troy Phillis, HIS ATTORNEY IN FACT

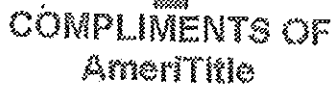
By: Troy Phillis, his attorney in fact

State of _____ } ss.
County of _____ }

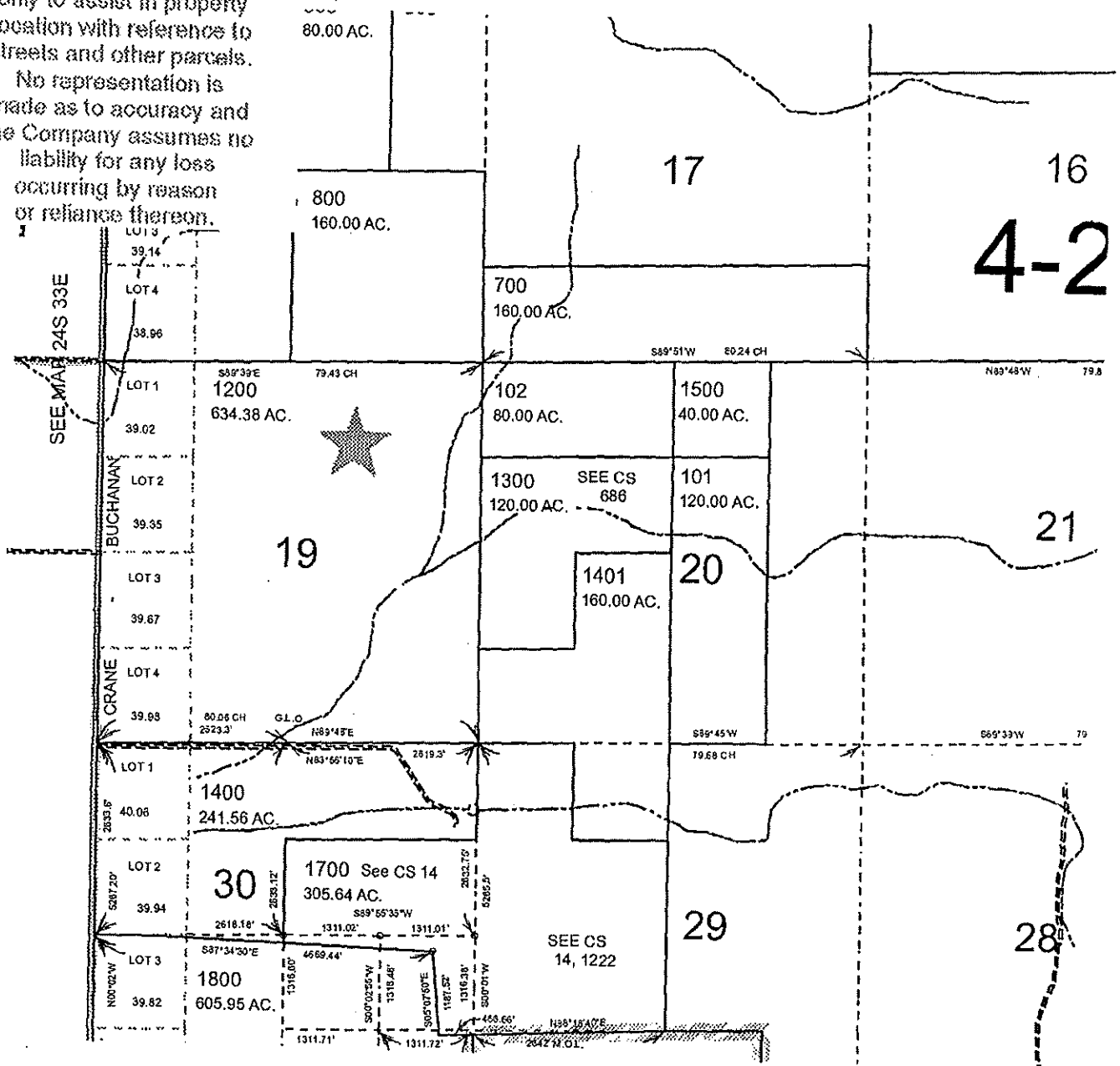
On this 15 day of August, 2016, before me, a Notary Public in and for said state, personally appeared Troy Phillis known or identified to me to be the person(s) whose name(s) subscribed to the within instrument as Attorney-in-fact of Clarence Phillis, and acknowledged to me that he subscribed the name of Clarence Phillis as principal and his own name as Attorney-in-fact.
IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the day and year first above written.

[Signature]
Notary Public for the State of OREGON
Residing at: JACKSON COUNTY
Commission Expires: 11-25-17





No representation is made as to accuracy and the Company assumes no liability for any loss occurring by reason or reliance thereon.



Part 5 of 5 – Water Right Information

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

CERTIFICATE # 84051

Description of Water Delivery System

System capacity: 1.0 cubic feet per second (cfs) OR
 _____ gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines and sprinklers used to divert, convey and apply the water at the authorized place of use. **PUMP DRIVES WHEEL LINES DIRECTLY**

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)
 (Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
WELL 1	☒ Authorized ☐ Proposed	HARN 52309	24 S	34 E	19	NW SW	3	1387' N, 45' E OF SW COR SEC 19
WELL 2	☐ Authorized ☒ Proposed	HARN 51406	" "	" "	"	SW NW	2	3946' N, 560' E FROM SW COR SEC 19
	☐ Authorized ☐ Proposed							OCT 17 2016
	☐ Authorized ☐ Proposed							SALEM, OR

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

- | | |
|--|--|
| ☒ Place of Use (POU) | ☐ Supplemental Use to Primary Use (S to P) |
| ☐ Character of Use (USE) | ☐ Point of Appropriation/Well (POA) |
| ☐ Point of Diversion (POD) | ☒ Additional Point of Appropriation (APOA) |
| ☐ Additional Point of Diversion (APOD) | ☐ Substitution (SUB) |
| ☐ Surface Water POD to Ground Water POA (SW/GW) | ☐ Government Action POD (GOV) |

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

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

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

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

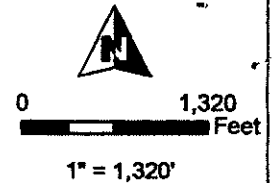
Table 2. Description of Changes to Water Right Certificate # 84051

List the change proposed for the acreage in each ¼ ¼. If more than one change is proposed, specify the acreage associated with each change. If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

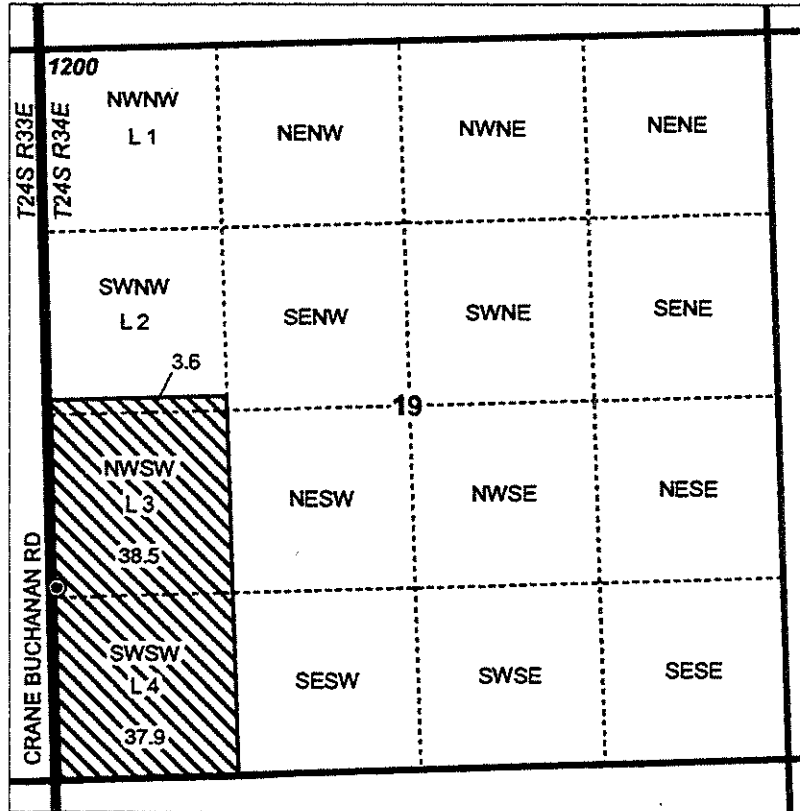
[illegible]

Additional remarks: N/A.

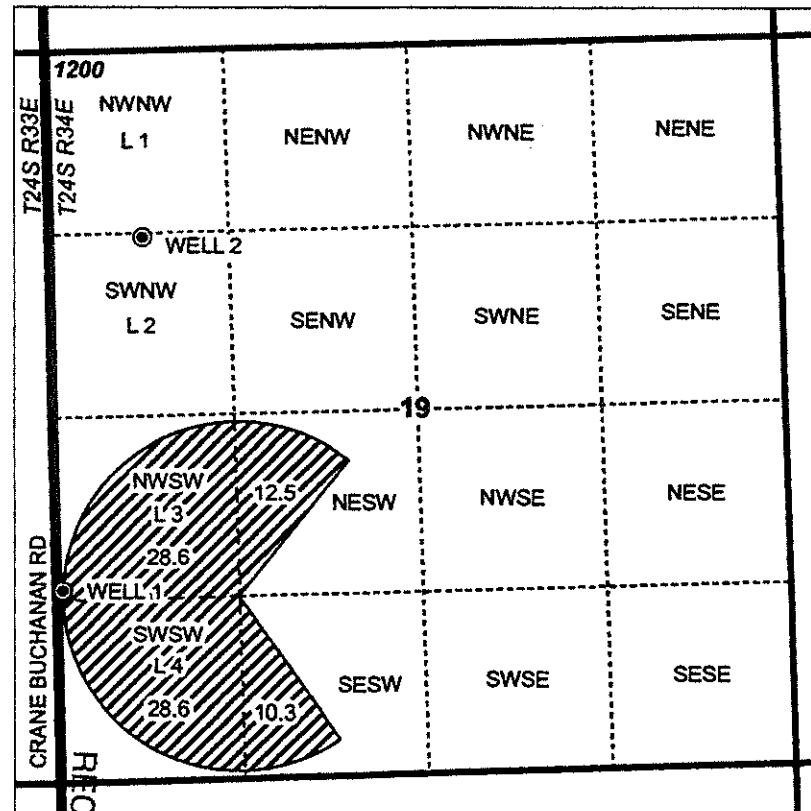
T24S, R34E, SECTION 19, WM
HARNEY COUNTY, OREGON



TRANSFERRING FROM:



TRANSFERRING TO:



T
12508

- Transfer OFF
- Proposed place of use
- Township
- Section
- Quarter Quarter

- Tax lot
- Well

WELL LOCATIONS:
 WELL 1 - 1,387' N, 45' E OF SW COR SEC 19
 WELL 2 - 3,946' N, 560' E OF SW COR SEC 19

SALEM, OR

OCT 17 2016

RECEIVED BY OWHD

RENEWAL DATE 12/31/2016



TRANSFER MAP
Badger Ventures, LLC

CERT 84051

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

SEPTEMBER 30, 2016

WATER RIGHT SERVICES, LLC
 PO BOX 1830, BEND, OR 97709
 CCB# 197121 www.oregonwater.us
 541-389-2837 JOHNSHORT@USA.COM

STATE OF OREGON

COUNTY OF HARNEY

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CLARENCE PHILLIS
66139 CRANE BUCHANAN ROAD
BURNS OREGON 97720

confirms the right to use the waters of A WELL in the Hot Springs Creek Basin for IRRIGATION of 80.0 ACRES.

This right was perfected under Permit G-11697. The date of priority is NOVEMBER 5, 1990. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 1.00 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the well.

The well is located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Survey Coordinates
24 S	34 E	WM	19	NW SW	3		1387 FEET NORTH AND 45 FEET EAST FROM SW CORNER, SECTION 19

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

The period of allowed us is March 1 through October 31.

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	34 E	WM	19	SW NW	2		3.6
24 S	34 E	WM	19	NW SW	3		38.5
24 S	34 E	WM	19	SW SW	4		37.9

XFER RR
-36 0
-38 0
-37 0
-80AC 0
1° CFS 0 CFS

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

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

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or measuring device in good working order.
- B. The water user shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
- C. The Director may require the water user to keep and maintain a record of the amount (volume) of water used and may require the water user to report water use on a periodic schedule as established by the Director. In addition, the Director may require the water user to report general water use information, the periods of water use and the place and nature of use of water under the right. The Director may provide an opportunity for the water user to submit alternative reporting procedures for review and approval.

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

The works shall be equipped with a usable access port, and may also include an air line and pressure gauge to determine the water level elevation in the well at all times.

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

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

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

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

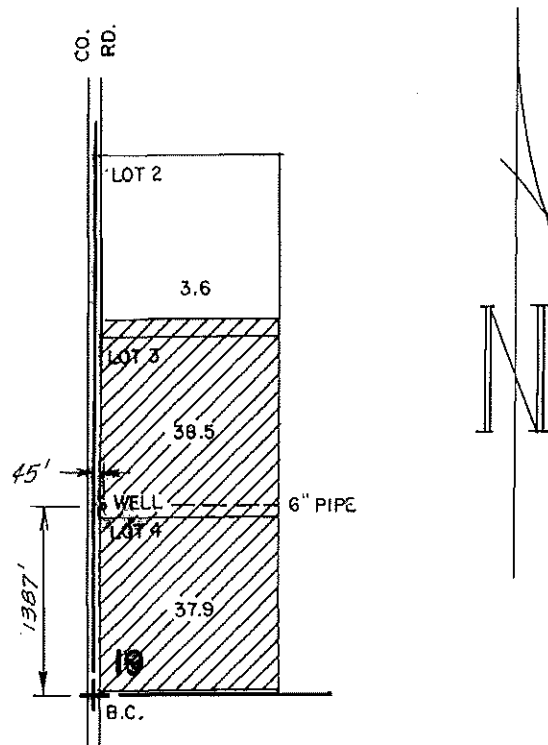
The use of water shall be limited when it interferes with any prior surface or ground water rights.

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

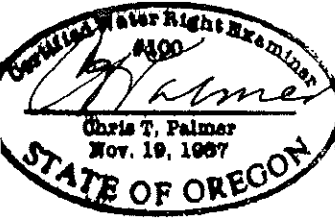
Issued APR 04 2008


Phillip C. Ward, Director
Water Resources Department

T24 S, R34 E, WM



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

	FINAL PROOF SURVEY UNDER APPLICATION NO. G-12283 PERMIT NO. G-11697			IN THE NAME OF CLARENCE PHILLIS	
	Scale: 4" = 1 MILE	Date: AUG 1994	Job: 1151		
	Drn: CHRIS	 M. A. PALMER & SONS, INC. ENGINEERING & SURVEYING 284 N. Alder - Box 61 Burns, Oregon 97720	Sht. No.		
	Ckd:		of 1		

June 26, 2013

Write a description for your map.

Legend

TL1200

Ln 16

Cane-Rochman Rd

RECEIVED BY OWRD
DEC 17 2016
SALEM, OR

1 12508

Google earth



1 mi

HOME

OREGON SECRETARY OF STATE

► Corporation Division

business information center

business name search

oregon business guide

referral list

business registry/renewal

forms/fees

notary public

uniform commercial code

uniform commercial code search

documents & data services

Business Name Search[New Search](#) [Printer Friendly](#)**Business Entity Data**10-13-2017
14:10

Registry Nbr	Entity Type	Entity Status	Jurisdiction	Registry Date	Next Renewal Date	Renewal Due?
996279-95	DLLC	ACT	OREGON	02-05-2014	02-05-2018	
Entity Name BADGER VENTURES LLC						
Foreign Name						

[New Search](#) [Printer Friendly](#)**Associated Names**

Type	PPB	PRINCIPAL PLACE OF BUSINESS		
Addr 1	68281 CRANE BUCHANAN RD			
Addr 2				
CSZ	BURNS	OR	97720	Country UNITED STATES OF AMERICA

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

Type	AGT	REGISTERED AGENT	Start Date	02-05-2014	Resign Date	
Name	KEN	BENTZ				
Addr 1	68281 CRANE BUCHANAN RD					
Addr 2						
CSZ	BURNS	OR	97720	Country	UNITED STATES OF AMERICA	

Type	MEM	MEMBER		Resign Date	
Name	MARK	OWENS			
Addr 1	PO BOX 746				
Addr 2					
CSZ	CRANE	OR	97732	Country	UNITED STATES OF AMERICA

Type	MEM	MEMBER		Resign Date	
Name	KEN	BENTZ			
Addr 1	68281 CRANE BUCHANAN RD				
Addr 2					

CSZ	BURNS	OR	97720	Country	UNITED STATES OF AMERICA
------------	--------------	-----------	--------------	----------------	---------------------------------

[New Search](#) [Printer Friendly](#) **Name History**

Business Entity Name	Name Type	Name Status	Start Date	End Date
BADGER VENTURES LLC	EN	CUR	02-05-2014	

Please read before ordering Copies.

[New Search](#) [Printer Friendly](#) **Summary History**

Image Available	Action	Transaction Date	Effective Date	Status	Name/Agent Change	Dissolved By
	ANNUAL REPORT PAYMENT	02-02-2017		SYS		
	ANNUAL REPORT	01-30-2016		FI		
	AMENDED ANNUAL REPORT	01-15-2015		FI		
	ARTICLES OF ORGANIZATION	02-05-2014		FI	Agent	

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Policy](#) | [SOS Home](#) | [Oregon Blue Book](#) | [Oregon.gov](#)

For comments or suggestions regarding the operation of this site,
please contact : corporation.division@state.or.us

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HARNEY County Assessor's Summary Report

Real Property Assessment Report

FOR ASSESSMENT YEAR 2017

October 13, 2017 2:17:03 pm

Account # [REDACTED] Map # 24S34E00-00-01200 Code - Tax # 0420-10673 Legal Descr Metes & Bounds - See legal report for full description. Mailing Name BADGER VENTURES LLC Agent In Care Of Mailing Address 68281 CRANE-BUCHANAN RD BURNS, OR 97720-9506 Prop Class 559 MA SA NH Unit RMV Class 559 04 00 042 3765-1	Tax Status ASSESSABLE Acct Status ACTIVE Subtype NORMAL Deed Reference # 2016-1136 Sales Date/Price 09-09-2016 / \$498,500.00 Appraiser TAMMY ATTLEBERGER
---	--

Situs Address(s)	Situs City
ID# 66139 CRANE BUCHANAN RD	BURNS

Code Area	AV	RMV	MAV	RMV Exception	CPR %
0420 Land		539,834		Land	0
Impr.		31,340		Impr.	0
Code Area Total	98,145	571,174	245,230		0
Grand Total	98,145	571,174	245,230		0

Code Area	ID#	RFD	Ex	Plan Zone	Land Breakdown						Trended RMV
					Value Source	TD%	LS	Size	Land Class	LUC	
0420	2	R		EFRU-1	Farm Use Zoned	100	A	125.00	2	006*	312,500
0420	3	R		EFRU-1	Farm Use Zoned	100	A	185.00	5	006*	101,500
0420	4	R		EFRU-1	Farm Use Zoned	100	A	80.00	6	006*	28,000
0420	5	R		EFRU-1	Farm Use Zoned	100	A	243.38	7A	006*	73,020
0420	6	R		EFRU-1	Farm Use Zoned	100	A	1.00	HS	006*	810
0420	8	R		EFRU-1	Farm Use Zoned	100	A	0.00	IW	006*	6,000
0420	9	R		EFRU-1	Farm Use Zoned	100	A	0.00	IW	006*	6,000
0420					SITE AMENTIES	100					12,000
Grand Total								634.38			539,830

Code Area	Yr Built	Stat Class	Description	Improvement Breakdown		Total Sq. Ft.	Ex% MS Acct #	Trended RMV
					TD%			
0420	1	2010	310	Machine Shed	100	1,200		4,600
0420	2		300	Farm Bldg	100	0		500
0420	3		303	GP SHED	100	96		1,750
0420	4		300	Farm Bldg	100	2,640		12,790
0420	5		390	Misc Farm Bldg	100	0		200
0420	6		337	Hay Cover	100	1,440		8,150
0420	7		110	Residential Other Improvements	100	0		3,350
Grand Total						5,376		31,340

MS Account(s): 0420-P-76711

Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME BADGER VENTURES, LLC			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS PO BOX 746			FAX NO.	
CITY CRANE	STATE OR	ZIP 97732	E-MAIL	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

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

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

Explain in your own words what you propose to accomplish with this transfer application, and why:
CHANGING FROM WHEEL LINES TO PIVOTS AND ADDING ADDITIONAL EXISTING WELL HARN 51406

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

☐ Check this box if this project is fully or partially funded by the American Recovery and Reinvestment Act. (Federal stimulus dollars)

Check One Box

- ☒ By signing this application, I understand that, upon receipt of the draft preliminary determination and prior to Department approval of the transfer, I will be required to provide landownership information and be authorized to pursue the transfer as identified in OAR 690-380-4010(5); **OR**
- ☐ I affirm the applicant is a municipality as defined in ORS 540.510(3)(b) and that the right is in the name of the municipality or a predecessor; **OR**
- ☐ I affirm the applicant is an entity with the authority to condemn property and is acquiring by condemnation the property to which the water right proposed for transfer is appurtenant and have supporting documentation.

RECEIVED BY OWRD

OCT 17 2016

SALEM, OR

I understand that prior to Department approval of the transfer application, I may be required to submit payment to the Department for publication of a notice in a newspaper with general circulation in the area where the water right is located, once per week for two consecutive weeks. If more than one qualifying newspaper is available, I suggest publishing the notice in the following newspaper: _____.

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

Applicant signature

MARK OWAS member
Print Name (and Title if applicable)

Date

10/12/16

Applicant signature

Print Name (and Title if applicable)

Date

Is the applicant the sole owner of the land on which the water right, or portion thereof, proposed for transfer is located? ☒ Yes ☐ No If NO, include signatures of all deeded landowners (and mailing and/or e-mail addresses if different than the applicant's) or attach affidavits of consent (and mailing and/or e-mail addresses) from all landowners or individuals/entities to which the water right(s) were conveyed.

ORIGINALS

Transfer Application

Transfer Map

Evidence of Use Affidavit

Documentation of Use

Land Use Information Form

Report of Ownership

Miscellaneous

Superseded Pages

Receipt



State of Oregon
Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900

Application for Permanent Water Right Transfer

Part 1 of 5 – Minimum Requirements Checklist

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

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

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

- ☒ Part 1 – Completed Minimum Requirements Checklist.
- ☒ Part 2 – Completed Transfer Application Map Checklist.
- ☒ Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at: http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator. If you have questions, call Customer Service at (503) 986-0801.
- ☒ Part 4 – Completed Applicant Information and Signature.
- ☒ Part 5 – Information about Water Rights to be Transferred: **How many water rights are to be transferred? 1 List them here: 84051**
Please include a separate Part 5 for each water right. (See instructions on page 6)

Attachments:

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

(For Staff Use Only)

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

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

Other/Explanation _____

Staff: _____ 503-986-0 _____

Date: ____/____/____

Part 2 of 5 – Transfer Application Map Checklist

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

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

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

Part 3 of 5 – Fee Worksheet

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OCT 17 2016
SALEM, OR

*Example for Line 5a calculation to transfer 45.0 acres of Primary Certificate 12345 (total 1.25 cfs for 100 acres) and 45.0 acres of Supplemental Certificate 87654 (1/80 cfs per acre) on the same land:

1. For irrigation calculate cfs for each water right involved as follows:
 - a. Divide total authorized cfs by total acres in the water right (*for C12345, $1.25 \text{ cfs} \div 100 \text{ ac}$*); then multiply by the number of acres to be transferred to get the transfer cfs (*$\times 45 \text{ ac} = 0.56 \text{ cfs}$*).
 - b. If the water right certificate does not list total cfs, but identifies the allowable use as 1/40 or 1/80 of a cfs per acre; multiply number of acres proposed for change by either 0.025 (1/40) or 0.0125 (1/80). (*For C87654, $45.0 \text{ ac} \times 0.0125 \text{ cfs/ac} = 0.56 \text{ cfs}$*)
2. Add cfs for the portions of water rights on all the land included in the transfer; however **do not count cfs for supplemental rights on acreage for which you have already calculated the cfs fee for the primary right on the same land**. The fee should be assessed only once for each “on the ground” acre included in the transfer. (*In this example, blank 5a would be only 0.56 cfs, since both rights serve the same 45.0 acres. Blank 5b would be 0 and Line 5 would then also become 0*).

FEE WORKSHEET for SUBSTITUTION

1	Base Fee (includes change to one well)	1	\$725.00
	Number of wells included in substitution _____ (2a) Subtract 1 from the number in 3a above: _____ (2b) <i>If only one well this will be 0</i>		
2	Multiply line 2b by \$350 and enter » » » » » » » » » » » » » » »	2	
3	Add entries on lines 1 through 2 above » » » » » » Fee for Substitution:	3	

Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME BADGER VENTURES, LLC			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS PO BOX 746			FAX NO.	
CITY CRANE	STATE OR	ZIP 97732	E-MAIL	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

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

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

Explain in your own words what you propose to accomplish with this transfer application, and why:
CHANGING FROM WHEEL LINES TO PIVOTS AND ADDING ADDITIONAL EXISTING WELL HARN 51406

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

☐ Check this box if this project is fully or partially funded by the American Recovery and Reinvestment Act. (Federal stimulus dollars)

Check One Box

- ☒ By signing this application, I understand that, upon receipt of the draft preliminary determination and prior to Department approval of the transfer, I will be required to provide landownership information and evidence that I am authorized to pursue the transfer as identified in OAR 690-380-4010(5); **OR**
- ☐ I affirm the applicant is a municipality as defined in ORS 540.510(3)(b) and that the right is in the name of the municipality or a predecessor; **OR**
- ☐ I affirm the applicant is an entity with the authority to condemn property and is acquiring by condemnation the property to which the water right proposed for transfer is appurtenant and have supporting documentation.

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SALEM, OR

I understand that prior to Department approval of the transfer application, I may be required to submit payment to the Department for publication of a notice in a newspaper with general circulation in the area where the water right is located, once per week for two consecutive weeks. If more than one qualifying newspaper is available, I suggest publishing the notice in the following newspaper: _____.

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


Applicant signature

MARK OWENS member
Print Name (and Title if applicable)

10/12/16
Date

Applicant signature

Print Name (and Title if applicable)

Date

Is the applicant the sole owner of the land on which the water right, or portion thereof, proposed for transfer is located? ☒ Yes ☐ No *If NO, include signatures of all deeded landowners (and mailing and/or e-mail addresses if different than the applicant's) or attach affidavits of consent (and mailing and/or e-mail addresses) from all landowners or individuals/entities to which the water right(s) were conveyed.*



Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME BADGER VENTURES, LLC		PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS PO BOX 746		FAX NO.	
CITY CRANE	STATE OR	ZIP 97732	E-MAIL
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.			

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

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

Explain in your own words what you propose to accomplish with this transfer application, and why:
CHANGING FROM WHEEL LINES TO PIVOTS AND ADDING ADDITIONAL EXISTING WELL HARN 51406

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

- ☐ Check this box if this project is fully or partially funded by the American Recovery and Reinvestment Act. (Federal stimulus dollars)

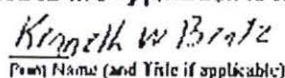
Check One Box

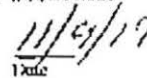
- ☒ By signing this application, I understand that, upon receipt of the draft preliminary determination and prior to Department approval of the transfer, I will be required to provide landownership information and evidence that I am authorized to pursue the transfer as identified in OAR 690-380-4010(5); OR
- ☐ I affirm the applicant is a municipality as defined in ORS 540.510(3)(b) and that the right is in the name of the municipality or a predecessor; OR
- ☐ I affirm the applicant is an entity with the authority to condemn property and is acquiring by condemnation the property to which the water right proposed for transfer is appurtenant and have supporting documentation.

I understand that prior to Department approval of the transfer application, I may be required to submit payment to the Department for publication of a notice in a newspaper with general circulation in the area where the water right is located, once per week for two consecutive weeks. If more than one qualifying newspaper is available, I suggest publishing the notice in the following newspaper: _____

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


Applicant signature


Print Name (and Title if applicable)


Date

Applicant signature

Print Name (and Title if applicable)

Date

Is the applicant the sole owner of the land on which the water right, or portion thereof, proposed for transfer is located? ☒ Yes ☐ No If NO, include signatures of all deeded landowners (and mailing and/or e-mail addresses if different than the applicant's) or attach affidavits of consent (and mailing and/or e-mail addresses) from all landowners or individuals/entities to which the water right(s) were conveyed

Check the following boxes that apply:

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

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

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

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

<http://www.oregon.gov/owrd/docs/transfer-propertytransactions.pdf>

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

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Describe any special ownership circumstances here: N/A

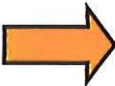
OCT 17 2016

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

IRRIGATION DISTRICT NAME N/A	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME N/A	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME HARNEY COUNTY PLANNING DEPT	ADDRESS 450 N BUENA VISTA	
CITY BURNS	STATE OR	ZIP 97720

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

Part 5 of 5 – Water Right Information

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

CERTIFICATE # 84051

Description of Water Delivery System

System capacity: 1.0 cubic feet per second (cfs) **OR**

_____ gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines and sprinklers used to divert, convey and apply the water at the authorized place of use. **PUMP DRIVES WHEEL LINES DIRECTLY**

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)
(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp		Rng		Sec	¼ ¼		Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
WELL 1	☒ Authorized ☐ Proposed	HARN 52309	24	S	34	E	19	NW	SW	3	1387' N, 45' E OF SW COR SEC 19
WELL 2	☐ Authorized ☒ Proposed	HARN 51406	"	"	"	"	"	SW	NW	2	3946' N, 560' E FROM SW COR SEC 19
	☐ Authorized ☐ Proposed										OCT 17 2016
	☐ Authorized ☐ Proposed										SALEM, OR

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

- | | |
|--|--|
| ☒ Place of Use (POU) | ☐ Supplemental Use to Primary Use (S to P) |
| ☐ Character of Use (USE) | ☐ Point of Appropriation/Well (POA) |
| ☐ Point of Diversion (POD) | ☒ Additional Point of Appropriation (APOA) |
| ☐ Additional Point of Diversion (APOD) | ☐ Substitution (SUB) |
| ☐ Surface Water POD to Ground Water POA (SW/GW) | ☐ Government Action POD (GOV) |

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

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

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

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

Table 2. Description of Changes to Water Right Certificate # 84051

List the change proposed for the acreage in each ¼ ¼. If more than one change is proposed, specify the acreage associated with each change.
If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.											Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.										
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp		Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date		
EXAMPLE																						
2	S	9	E 15 NE NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E 1 NW NW	500	1	10.0		POD #5	1901		
											2	S	9	E 2 SW NW	500		5.0		POD #6	1901		
										POU/APOA	24	S	34	E 19 NE SW	1200		12.5	IR	WELL 1,2	11-5-90		
										"	"	"	"	" NW SW	"	3	28.6	"	"	"		
										"	"	"	"	" SW SW	"	4	28.6	"	"	"		
										"	"	"	"	" SE SW	"		10.3	"	"	"		
TOTAL ACRES:											TOTAL ACRES:						80					

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 SALEM, OR
 T 12508

Additional remarks: N/A.

For Place of Use or Character of Use Changes

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

If YES, list the certificate, water use permit, or ground water registration numbers: N/A.

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

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

Ground water supplemental Permit or Certificate # N/A.

Surface water primary Certificate # N/A.

For a change from Supplemental Irrigation Use to Primary Irrigation Use

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

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

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

Tip: You may search for well logs on the Department's web page at:

http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

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

Land Use Information Form



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

Applicant(s): BADGER VENTURES, LLC

Mailing Address: PO BOX 746

City: CRANE

State: OR

Zip Code: 97732

Daytime Phone: _____

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. Applicants for municipal use, or irrigation uses within irrigation districts may substitute existing and proposed service-area boundaries for the tax-lot information requested below.

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
<u>24S</u>	<u>34E</u>	<u>19</u>	_____	<u>1200</u>	<u>EFRU-1</u>	☒ Diverted	☒ Conveyed	☒ Used	<u>FARMING</u>
_____	_____	_____	_____	_____	_____	☐ Diverted	☐ Conveyed	☐ Used	_____
_____	_____	_____	_____	_____	_____	☐ Diverted	☐ Conveyed	☐ Used	_____
_____	_____	_____	_____	_____	_____	☐ Diverted	☐ Conveyed	☐ Used	_____

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

HARNEY COUNTY

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B. Description of Proposed Use

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

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

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

Estimated quantity of water needed: 1.0 ☒ 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:

CHANGING FROM WHEEL LINES TO PIVOTS AND ADDING ADDITIONAL EXISTING WELL HARN 51406

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

See bottom of Page 3. →

For Local Government Use Only

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

Please check the appropriate box below and provide the requested information

- ☒ Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): EFRU-1/HCZO 3.010
- ☐ Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) If approvals have been obtained but all appeal periods have not ended, check "Being pursued."

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

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

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OCT 17 2016

Name: Brandon McMullen Title: Planning Director SALEM, OR

Signature:  Phone: 541-573-6655 Date: 10/12/2016

Government Entity: Harney County

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



Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

WELL I.D. # L _____

(1) LAND OWNER Well Number

Name Jim Voss

Address _____

City _____ State _____ Zip _____

(2) TYPE OF WORK

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

(3) DRILL METHOD:

☐ Rotary Air ☐ Rotary Mud ☐ Cable ☐ Auger

☐ Other _____

(4) PROPOSED USE:

☐ Domestic ☐ Community ☐ Industrial ☐ Irrigation

☐ Thermal ☐ Injection ☐ Livestock ☒ Other unused

(5) BORE HOLE CONSTRUCTION:

Special Construction approval ☐ Yes ☐ No Depth of Completed Well 300 ft.

Explosives used ☐ Yes ☐ No Type _____ Amount _____

HOLE			SEAL			Sacks or pounds
Diameter	From	To	Material	From	To	
2 1/2"						

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

☐ Other _____

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

Gravel placed from _____ ft. to _____ ft. Size of gravel _____

(6) CASING/LINER:

	Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing:					☐	☐	☐	☐
					☐	☐	☐	☐
					☐	☐	☐	☐
					☐	☐	☐	☐
Liner:					☐	☐	☐	☐
					☐	☐	☐	☐

Drive Shoe used ☐ Inside ☐ Outside ☐ None

Final location of shoe(s) _____

(7) PERFORATIONS/SCREENS:

☐ Perforations Method _____

☐ Screens Type _____ Material _____

From	To	Slot size	Number	Diameter	Tubo/pipe size	Casing	Liner
						☐	☐
						☐	☐
						☐	☐
						☐	☐

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

☐ Pump ☐ Bailer ☐ Air ☐ Flowing

☐ Artesian

Yield gal/min	Drawdown	Drill stem at	Time
			1 hr.

Temperature of water _____ Depth Artesian Flow Found _____

Was a water analysis done? ☐ Yes By whom _____

Did any strata contain water not suitable for intended use? ☐ Too little

☐ Salty ☐ Muddy ☐ Odor ☐ Colored ☐ Other _____

Depth of strata: _____

[illegible]

STATE OF OREGON

WATER SUPPLY WELL REPORT

(as required by ORS 537.765)

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

(1) LAND OWNER _____ Well Number _____
 Name Tom Phillis
 Address 66139 Crane Buchanan
 City Burns State OR Zip 97722

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

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

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

(5) BORE HOLE CONSTRUCTION:
Special Construction approval ☐ Yes ☒ No Depth of Completed Well 150 ft.
Explosives used ☐ Yes ☒ No Type _____ Amount _____

HOLE			SEAL			
Diameter	From	To	Material	From	To	Sacks or pounds
12"	58 ft	150 ft		N/A	A	

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

Backfill placed from _____ ft. to _____ ft. Material _____
Gravel placed from _____ ft. to _____ ft. Size of gravel _____

(6) CASING/LINER:

	Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing:					☐	☐	☐	☐

Casing: _____

Liner: _____

Drive Shoe used ☐ Inside ☐ Outside ☐ None
Final location of shoe(s) _____

(7) PERFORATIONS/SCREENS:

☒ Perforations Method _____
☐ Screens Type _____ Material _____

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
						☐	☐
						☐	☐
						☐	☐
						☐	☐

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

☒ Pump	☐ Bailer	☐ Air	☐ Flowing ☐ Artesian
Yield gal/min	Drawdown	Drill stem at	Time
250	20 ft	60 ft	1 hr.

Temperature of water 54° Depth Artesian Flow Found _____
Was a water analysis done? No ☐ Yes By whom _____
Did any strata contain water not suitable for intended use? No ☐ Too little
☐ Salty ☐ Muddy ☐ Odor ☐ Colored ☐ Other _____
Depth of strata: 10 ft

(9) LOCATION OF WELL by legal description:

County Harney Latitude _____ Longitude _____
Township 24.5 N or S Range 34 E or W. WM.
Section 19 NE 1/4 NE 1/4
Tax Lot 1700 Lot _____ Block _____ Subdivision _____
Street Address of Well (or nearest address) S24ME

(10) STATIC WATER LEVEL:

30 ft. below land surface. Date 9-30-07
Artesian pressure _____ lb. per square inch Date _____

(11) WATER BEARING ZONES:

Depth at which water was first found 58

From	To	Estimated Flow Rate	SWL
58	68'	Sand Gravel	30

(12) WELL LOG:

Ground Elevation 4100

[illegible]

Date started 9-25-07 Completed 9-30-07

(unbonded) Water Well Constructor Certification:

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

Signed _____ Date _____ WWC Number _____

(bonded) Water Well Constructor Certification:

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

Signed Kenneth E Smith WWC Number 1752 Date 10-12-07

Application for Water Right Transfer Evidence of Use Affidavit



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

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

State of Oregon)
County of DESCHUTES) ss

I, JOHN A. SHORT, in my capacity as WATER RIGHTS SPECIALIST,

mailing address PO BOX 1830 BEND, OR 97709

telephone number (541)389-2837, being first duly sworn depose and say:

1. My knowledge of the exercise or status of the water right is based on (check one):

☒ Personal observation

☒ Professional expertise

2. I attest that:

☒ Water was used during the previous five years on the **entire** place of use for
Certificate # 84051; **OR**

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

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

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OR

☐ Confirming Certificate # _____ has been issued within the past five years; **OR**

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

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

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

(continues on reverse side)

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

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

Signature of Affiant

Date

Signed and sworn to (or affirmed) before me this 5th day of October, 2016.



Heidi Kirkpatrick
Notary Public for Oregon

My Commission Expires: July 23, 2019

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

STATE OF OREGON
COUNTY OF HARNEY
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CLARENCE PHILLIS
66139 CRANE BUCHANAN ROAD
BURNS OREGON 97720

confirms the right to use the waters of A WELL in the Hot Springs Creek Basin for IRRIGATION of 80.0 ACRES.

This right was perfected under Permit G-11697. The date of priority is NOVEMBER 5, 1990. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 1.00 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the well.

The well is located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Survey Coordinates
24 S	34 E	WM	19	NW SW	3		1387 FEET NORTH AND 45 FEET EAST FROM SW CORNER, SECTION 19

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

The period of allowed use is March 1 through October 31.

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	34 E	WM	19	SW NW	2		3.6
24 S	34 E	WM	19	NW SW	3		38.5
24 S	34 E	WM	19	SW SW	4		37.9

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 183.484. 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.

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or measuring device in good working order.
- B. The water user shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
- C. The Director may require the water user to keep and maintain a record of the amount (volume) of water used and may require the water user to report water use on a periodic schedule as established by the Director. In addition, the Director may require the water user to report general water use information, the periods of water use and the place and nature of use of water under the right. The Director may provide an opportunity for the water user to submit alternative reporting procedures for review and approval.

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

The works shall be equipped with a usable access port, and may also include an air line and pressure gauge to determine the water level elevation in the well at all times.

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

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

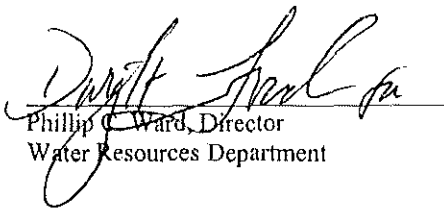
This right is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

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

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

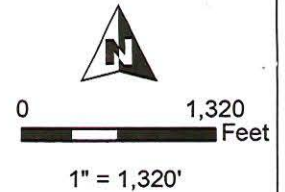
The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

Issued APR 04 2008

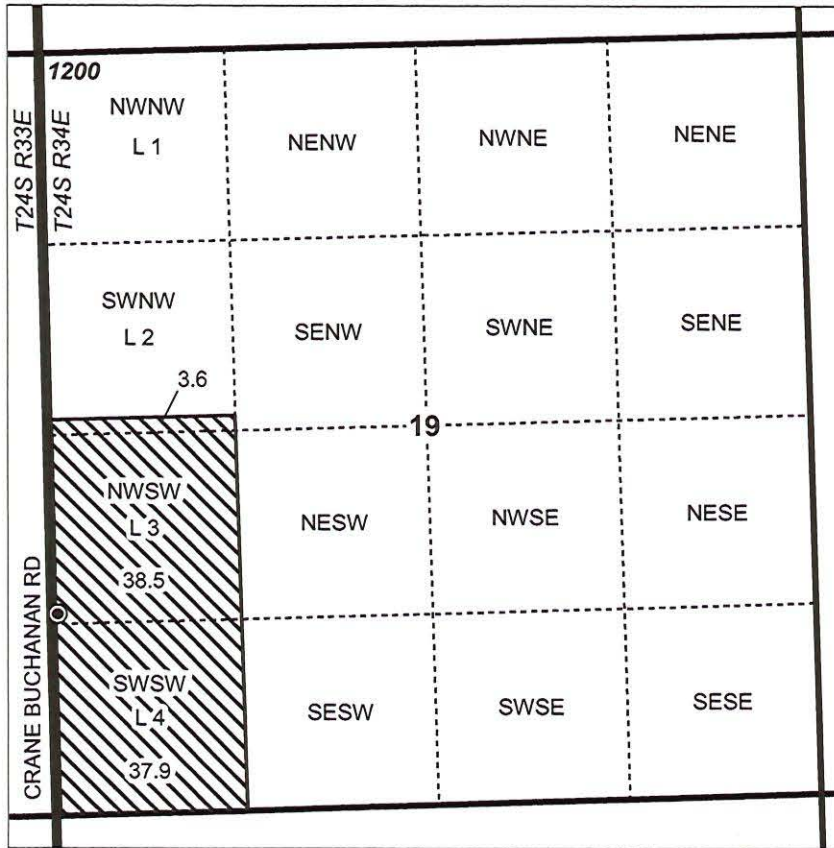

Phillip C. Ward, Director
Water Resources Department

T24S, R34E, SECTION 19, WM

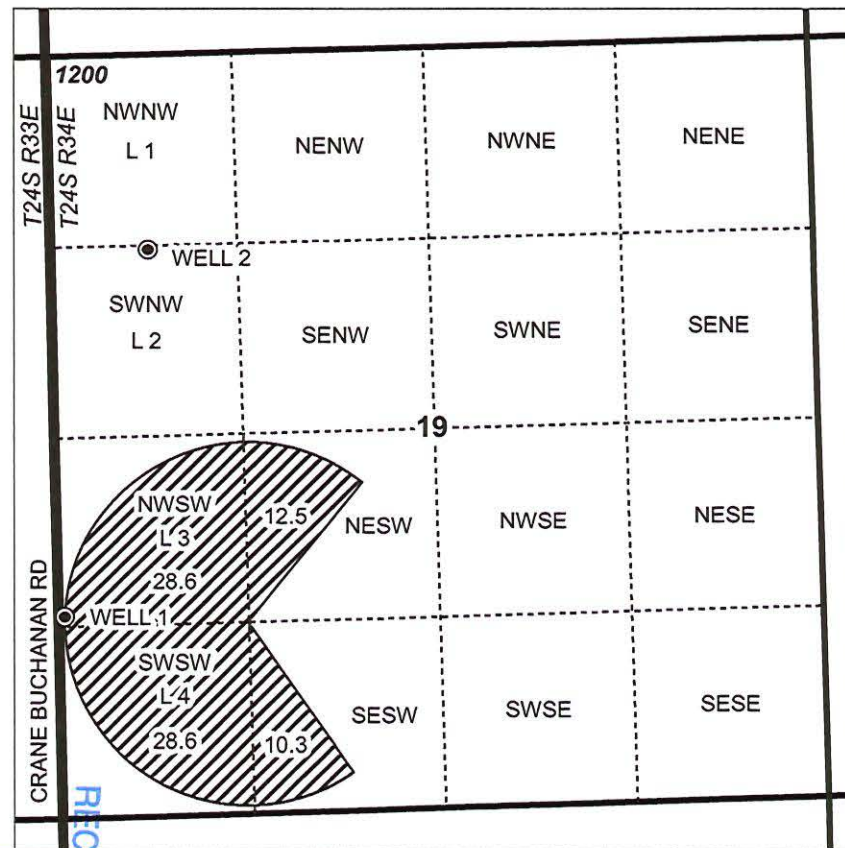
HARNEY COUNTY, OREGON



TRANSFERRING FROM:



TRANSFERRING TO:



- Transfer OFF
- Proposed place of use
- Township
- Section
- Quarter Quarter

- Tax lot
- Well

WELL LOCATIONS:

WELL 1 - 1,387' N, 45' E OF SW COR SEC 19
WELL 2 - 3,946' N, 560' E OF SW COR SEC 19

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RENEWAL DATE 12/31/2016



TRANSFER MAP
Badger Ventures, LLC

CERT 84051

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

SEPTEMBER 30, 2016

WATER RIGHT SERVICES, LLC

PO BOX 1830, BEND, OR 97709

CCB# 197121 www.oregonwater.us

541-389-2837 JOHNSHORT@USA.COM

T 12508

June 26, 2013

Write a description for your map.

Legend

T 12508

Ln 16

Grane-Buchanan Rd

SALEM, OR

OCT 17 2016

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Google earth

1 mi



Regular Permanent Water Right Transfer Application Checklist

Checked by CARIS Kowitz Date OCT 18, 2016

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

☒ 1. Page 1 of application: Are all attachments that have been checked actually included?
If not, what is missing? _____

☒ 2. Are fees included and correct? Fee paid: 2150
If not, the correct fee would be: _____, so the amount missing is: _____

Certs & acres involved:

Changes: _____

cfs involved: _____

Source: _____

► If a Substitution (see Page 5 of application)

Base fee for 1 well (POA)		\$725.00
Number of additional wells =	_____	x \$350.00 =
Total =		

► If a Government Action POD change (see: Page 5): NO CHARGE

► If any other type of "regular permanent" transfer:

Base fee for one water right, one change and first cfs =		\$1,000.00
# of additional water rights beyond the first (see Part 4 of application) =	_____	x \$450.00 =
Additional fee for groundwater staff review if any number of changes to well location(s), additional well(s) or change from SW diversion point to a well =		\$350.00 <u>350</u>
1 or 2 additional TYPEs of change* (see Page 5 of application) =	<u>1</u>	x \$800.00 = <u>800</u>
If <i>Place of Use</i> or <i>Character of Use</i> change and transfer involves more than 1 cfs (based on primary acres x rate), # cfs or fraction above the first cfs =	_____	x \$300.00 =
HINT: Total cfs on WR (÷) total # acres on WR (x) # acres involved in transfer = # cfs involved in transfer		
Sub-total =		<u>2150</u>
If a letter from ODFW endorsing this as a "fish-friendly" transfer is included, multiply sub-total by 0.50 =		
Total = sub-total minus 50% "fish-friendly" reduction, if applicable =		<u>2150</u>

*NOTE: [POD/APOD, POA/APOA, SW to GW, Gov Action] are all counted as one type
POU is counted as one type
[USE or (Supplemental to Primary)] are counted as one type

☒ 3. Page 3 of application: Have all the applicants listed at the top of the page signed?
If no, whose signature is missing? _____

☒ 4. Are all listed certificates or permits shown by WRIS as non-cancelled?
If no, which are cancelled? _____
For each cancelled certificate, if there has been a remaining right certificate issued that covers the lands in the left side of Table 2, list its number _____ and check the #4 box at left on this checklist.

☒ 5. If any certificate is in the name of a "district", is a Supplemental Form D from that district enclosed?
☒ N/A ☐ Form D needed from _____ (district)

6. If all #1-#5 boxes on this checklist are checked (with no remaining deficiencies identified), accept the application and assign it a numbered transfer folder. Put this check sheet in the transfer folder. If #1, #2, #3, #4 or #5 on this checklist is deficient, the application cannot be accepted. It should be returned and the deficiencies listed in the "staff" section at the bottom of Application Page 1, unless the applicant or agent can resolve the deficiencies within 2-3 days.



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

October 20, 2016

BADGER VENTURES LLC
PO BOX 746
CRANE, OR 97732

Reference: Application T- 12508

On October 17, 2016, we received your water right Transfer application. The application was accompanied by \$2150.00. Our receipt number 121639 is enclosed.

By copy of this letter, we are asking the Watermaster for a report regarding the potential for injury to existing water rights which may be caused by the requested change. A review form will also be sent to our groundwater staff to determine whether the proposed well accesses the same source of water as the original well.

Your application will be examined to determine whether additional information is needed. We will notify you if further information or corrections to the application or map are required.

This application may require publication of a notice for two consecutive weeks in a newspaper with general circulation in the area where the water right is located. If it is determined that newspaper notice will be required, the Department will prepare the notice and notify you of the cost. You will be responsible for submitting payment to the Department prior to publication of the notice.

Except as provided under ORS 540.510(3) for municipalities, you may not use water in the new place of use or from the new point of appropriation until a final order approving the transfer application has been issued by the Department.

In order to avoid any possible forfeiture of the water right, you should continue to use the water as described by your existing water right.

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

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

If you have any questions, please contact the Transfer Section at (503) 986-0807.

Cc: Watermaster Dist. #10 (*via email*)
John A. Short, Agent

Enclosure

Transfer Applications: Regular

The holder of a water right may apply to permanently change an existing water use subject to transfer as defined in ORS 540.505(4). An application may involve any of the following changes: Point of diversion or appropriation; Additional point of diversion or appropriation; Historic POD; Place of use; Character of use; Instream; Substitution; or Exchange.

The Department seeks public comment on the recently-filed transfer applications listed below. Any person may comment on a transfer application. Comments must be received by the Department on or before November 24, 2016. 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.

Transfer	T 12507
Water Right	Cert:55727
County/Basin	Umatilla / Umatilla(7)
Applicant Name	J G SIMPSON INC. 68732 MILL RD PENDLETON, OR 97801
Proposed Change	PLACE OF USE
Sources/TRSQ40Q160	A WELL > BIRCH CREEK / 1.00N 32.00E 30 SWNE
Use/Quantity	IRRIGATION / 4.670 CFS
Priority Date	12/15/1978
Transfer	T 12508
Water Right	Cert:84051
County/Basin	Harney / Malheur Lake(12)
Applicant Name	BADGER VENTURES LLC PO BOX 746 CRANE, OR 97732
Proposed Change	ADDITIONAL POINT OF APPROPRIATION,PLACE OF USE
Sources/TRSQ40Q160	A WELL > HOT SPRINGS SLOUGH / 24.00S 34.00E 19 NWSW
Use/Quantity	IRRIGATION / 1.000 CFS
Priority Date	11/05/1990
Transfer	T 12509
Water Right	Cert:89674
County/Basin	Deschutes / Deschutes(5)
Applicant Name	JOHNSON, ROGER PO BOX 1293 SISTERS, OR 97759
Proposed Change	POINT OF APPROPRIATION
Sources/TRSQ40Q160	A WELL > INDIAN FORD CREEK / 15.00S 10.00E 3 SWNW
Use/Quantity	IRRIGATION / 0.110 CFS
Priority Date	12/17/1990